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| TITLE OF REPORT Complaints and Enquiries – 2012/13 | |
| STANDARDS COMMITTEE DATE: 1 July 2013 | CLASSIFICATION: OPEN If exempt, the reason will be listed in the main body of this report. |
| WARD(S) AFFECTED - None | |
| CORPORATE DIRECTOR – Tim Shields | |

1. INTRODUCTION

- 1.1 This report provides details of the complaints improvement work, information related to complaints and enquiries for 2012/13 as well as a summary of forthcoming changes to the complaints process.

2. RECOMMENDATION(S)

- 2.1 The Standards Committee is recommended to: -
1. note and comment on the complaints improvement work
 2. note and comment on the performance relating to complaints and enquiries during 2012/13

3. BACKGROUND

- 3.1 This report is in accordance with the Standards Committee's role in monitoring Corporate and Local Government Ombudsman complaints.

4. COMMENTS OF THE CORPORATE DIRECTOR OF FINANCE AND RESOURCES

4.1 There are no additional financial implications arising from this report. The cost of staff dealing with complaints across the Council is met from within the relevant revenue budgets, as are any compensation payments made. The cost of complaints monitoring is met within the approved revenue budget of the Business Analysis and Complaints Team.

4.2 Such costs, however, can be minimised by ensuring that complaints are dealt with successfully at Stage One, thus reducing the numbers that proceed to later stages.

5. COMMENTS OF THE CORPORATE DIRECTOR OF LEGAL, HR AND REGULATORY SERVICES

5.1 In accordance with its terms of reference, the Standards Committee is responsible for “monitoring the progress of the Council’s Members Enquiry Protocol, Corporate Complaints Procedure and Local Government Ombudsman cases.”

APPENDICES

1 – Complaints and Enquiries Annual Report 2012/13

BACKGROUND PAPERS

In accordance with Section 100D of the Local Government Act, 1972 - Access to Information a list of Background Papers used in the preparation of reports is required.

| Description of document | Location | Date |
|--------------------------------|-----------------|-------------|
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|--|--|
| Report Author | Shivangi Medhi Tel: 020 8356 3169 Email: Shivangi.Medhi@hackney.gov.uk |
| Comments of the Corporate Director of Finance and Resources | Ian Williams Tel: 020 8356 3003 Email: Ian.Williams@hackney.gov.uk |
| Comments of the Corporate Director of Legal and Democratic Services | Gifty Edila Tel: 020 8356 3265 Email: Gifty.Edila@hackney.gov.uk |

Complaints and Enquiries Annual Report 2012/2013

Complaints and Enquiries Annual Report 2012/2013

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Complaints and Enquiries Annual Report 2012/2013

1. Introduction

- 1.1 This report outlines the key developments in the Complaints Improvement work as well as information on the volume of complaints and enquiries, time taken to reply and the percentages of complaints that escalate to the next stage of the Council's complaint procedure.
- 1.2 The report highlights the current satisfaction levels of complainants as well as recent and forthcoming changes.
- 1.3 In addition, the report features the improvement work undertaken so far and future planned changes.

2. Changes to Corporate Complaint Process

- 2.1 To address the issues related to handling complaints and low satisfaction levels, as well as to initiate a step change in complaint handling, the Council have agreed to a series of changes from Autumn 2013.
- 2.2 The aim is to be more responsive to the public and for senior managers to be more accountable for both ensuring prompt resolution of issues and for dealing with the underlying issues that cause complaints. Aside from the way that residents feel about the whole process, speedier and more effective resolution of complaints should help us to be a more efficient and effective organisation and should lead to a reduction in the number of complaints.
- 2.3 The Council will adopt a two stage complaints process, deleting the current stage 2 of the process. This will release some resources to resolve more complaints at stage one.
- 2.4 All responses to complaints, Members' Enquiries, and Freedom of Information Act responses are to be cleared by the relevant Assistant Director before they are sent. More intensive engagement at a senior level generally leads to higher quality complaints handling and to ensure that resolution is achieved from the resident's perspective and appropriate corrective management action taken (where appropriate) to prevent future occurrences of issues.
- 2.5 There will be a Council-wide target for the average number of days taken to respond to a complaint, rather than targeting a percentage that will be responded to within 15 days. This should provide an incentive to deal with more straightforward complaints quickly, while allowing longer to respond to more complex ones.

- 2.6 More flexibility will be used in responses (both in format and content) appropriate to the complaint, e.g. we will not necessarily provide a formal letter in reply to a complaint if we have resolved a complaint over the phone.
- 2.7 The emphasis will be on officers speaking in person to complainants early on to understand issues from the residents' perspective to seek a timely resolution of issues that have been raised, where possible.
- 2.8 The computer recording database for complaints/Members/Mayors enquiries will be replaced. This will ensure that more management information will be available to managers to understand the reasons for complaints being made.

3. Complaints Improvement Work

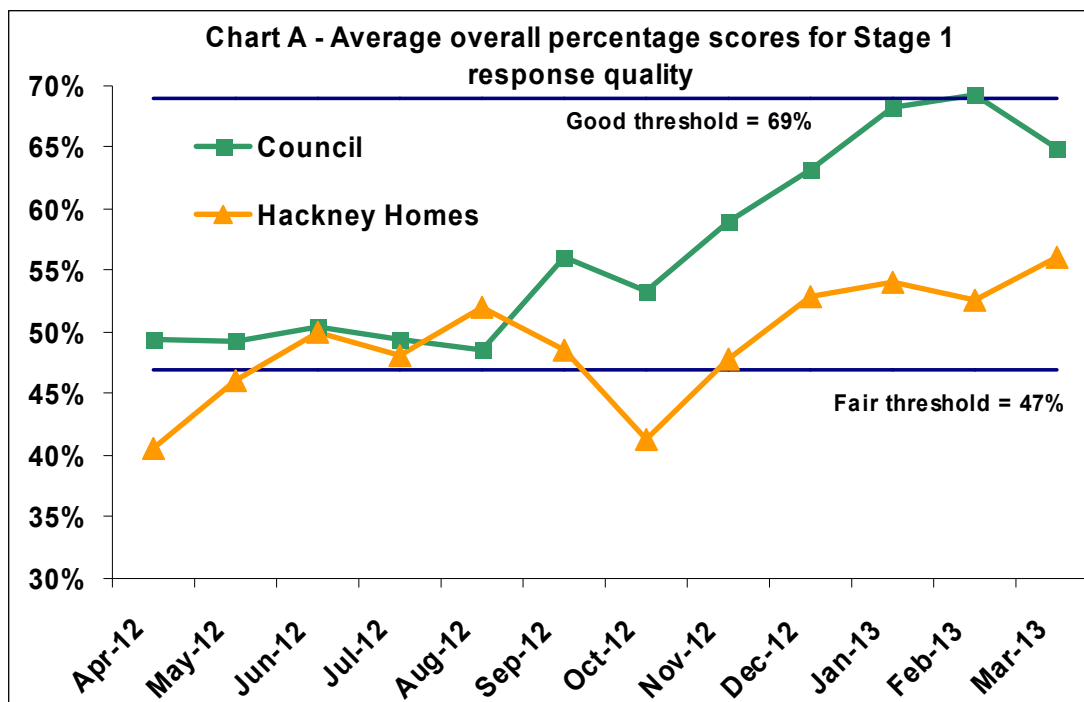
a) Improving Complaints Handling Training and Evaluation

- 3.1 The Council conducts a quarterly satisfaction survey to see what complainants thought about the way the Council and Hackney Homes handled their complaints. Feedback from the survey indicates that only a quarter of complainants are on average satisfied with the way their complaint is handled.
- 3.2 The results from the satisfaction surveys led officers to conduct monthly quality checks on a random sample of responses to complaints from services dealing with higher volumes. The analysis showed a need to improve the way officers investigate and resolve complaints as well as improving the general quality of the response.
- 3.3 A new training course (based on best practice from the Local Government Ombudsman) was rolled out from April 2012 aimed at improving the handling of complaints and the quality of the responses.
- 3.4 597 staff attended one of the 69 workshops between April 2012 and December 2012. These workshops focused on how to investigate a complaint, structure a good response, resolve a complaint, the benefits of contacting the complainant and tips to help improve satisfaction levels. The sessions involved a mixture of learning activities.
- 3.5 All attendees were strongly encouraged to speak to the complainant at the beginning and then throughout the complaints process. In addition, they were guided through the 12 key elements needed to ensure they carry out an effective investigation.
- 3.6 Officers were told that focus should be on resolving the issues, as opposed to simply writing a response. This meant having to take responsibility for any follow-up actions that had been identified.

- 3.7 The importance of engaging with managers was also emphasised, to ensure managers are aware of any issues, as well as to aid the investigation of the complaint.
- 3.8 The evaluation of the training showed that over 90% felt that the training was excellent or very good. All attendees were also asked to complete a post-training survey between 3 to 6 months after attending a workshop to see what impact the training has had on the way they handle complaints.
- 3.9 The survey results showed that 65% have had to handle a complaint since attending a workshop. Such officers all indicated that the training had either fully or partially helped them to investigate a complaint more effectively.
- 3.10 The Council has used the feedback from the evaluation exercises to make further improvement to the training workshops.

b) Quality Check of Complaints

- 3.11 Monthly quality checks on a sample of Stage One and Two complaints have been undertaken since October 2011 and in April 2012 the process was aligned to the key messages communicated in the above training. Early analysis of these quality checks helped to identify good practice and areas that needed to be improved, which fed into the training delivered.
- 3.12 The quality checks focus on the following six service areas, which were chosen due to the larger volumes of complaints received:
- Building Maintenance (Hackney Homes)
 - Development Management
 - Benefits/Housing Needs
 - Revenues
 - Parking
 - Tenancy and Leaseholds (Hackney Homes)
- 3.13 Officers undertaking the quality checks answer a series of questions in relation to the way the complaint has been handled. The scoring mechanism rates each response 'Poor', 'Fair', 'Good' or 'Excellent'. The analysis of the quality checks has allowed the Business Analysis and Complaints Team to focus on areas in need of improvement.
- 3.14 25-30% of all Stage One complaints received are quality checked each month.
- 3.15 The analysis of quality checks conducted on complaints sent out between April 2012 and March 2013 show good levels of improvement overall on the way complaints are handled.



- 3.16 There has been a general trend of month on month improvement for complaints and in February 2013 the average score reached the 'Good' category.
- 3.17 To help facilitate improvement, officers from the Business Analysis and Complaints Team have been liaising with key services and provide regular analysis on their complaints handling, including key recommendations.

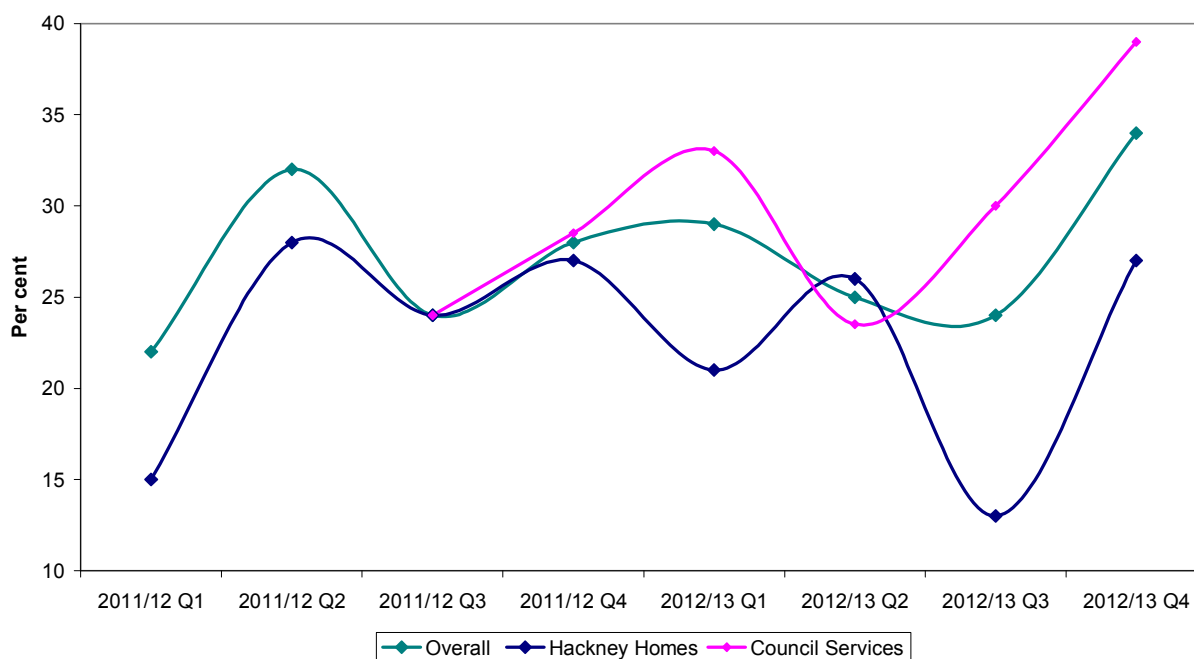
4. Customer Satisfaction Survey

- 4.1 The Council conducts quarterly surveys to measure satisfaction levels of complainants. The survey aims to understand the reasons for dissatisfaction, in particular the complainants' experience of the investigation, explanation of the decision, timeliness, communication and engagement throughout the complaints process.
- 4.2 A link to the satisfaction survey is sent out to all complainants who have had a response to their complaints and have provided an email address. Between Q1 and Q3, 100 postal surveys were sent out each quarter, however, due to the low response rate the team has decided to focus on the online forms.
- 4.3 The table below shows the latest satisfaction scores (Q4 2012/13)

| Measure Q4 | Strongly agree | Agree | Neither Agree or disagree | Disagree | Strongly disagree |
|---|----------------|--------------|---------------------------|--------------|-------------------|
| Overall satisfaction | 11.8% | 22.6% | 6.5% | 12.9% | 46.2% |
| Satisfaction with investigation | 11.2% | 21.3% | 10.1% | 14.6% | 42.7% |
| Satisfaction with explanation | 12.4% | 20.2% | 18% | 11.2% | 38.2% |
| Satisfaction that issues understood and addressed | 13.5% | 19.1% | 12.4% | 9% | 46.1% |
| Satisfaction with communication | 11.5% | 20.7% | 14.9% | 12.6% | 40.2% |
| Satisfaction with Resolution time | 11.2% | 24.7% | 9% | 11.2% | 43.8% |

4.4 Overall satisfaction levels (includes Council and Hackney Homes services) is **34.4%**, which is a 10.4% improvement from Q3 12/13 and 7% annual improvement since 2011/12.

Satisfaction with Complaints Handling



- 4.5 While we should expect some level of dissatisfaction, given that something has caused the need to complaint, the high levels of dissatisfaction are a cause for concern.

5. Complaints and Enquiries Data Analysis (2012/2013)

- 5.1 The following tables show the volumes of complaints and enquiries for the last three financial years

| | 2010/2011 | 2011/2012 | 2012/13 |
|---|-----------|-----------|---------|
| Stage One | 2,890 | 2,930 | 3,078 |
| Stage Two | 277 | 314 | 436 |
| Stage Three | 107 | 146 | 151 |
| Members Enquiries (inc follow-ups) | 2,357 | 2,198 | 1,848 |
| Mayor's Enquiries (inc Referrals) | 2,023 | 1,604 | 2,241 |
| Cabinet Member Enquiries (inc Referrals) | 262 | 212 | 238 |

a) Complaints

| Stage One | 2010/11 | 2011/12 | 2012/13 |
|---------------------------------------|-----------------|-----------------|-----------------|
| Stage One Complaints received | 2,890 | 2,930 | 3,078 |
| % responded to within 15 working days | 88% | 86% | 81% |
| Average time taken to respond | 13 working days | 13 working days | 14 working days |

- 5.2 The number of stage one complaints in 2012/13 increased by 5% compared to the previous year.

5.3 The performance for responding to Stage One complaints has dropped 7% compared to 2010/11 and the average time taken to respond has increased by 1 working day but is still below the 15 working day target.

5.4 Hackney Homes remains the area with the highest volume, making up 47% of all Stage One complaints.

| Stage Two | 2010/11 | 2011/12 | 2012/13 |
|---------------------------------------|-----------------|-----------------|-----------------|
| Stage Two Complaints received | 277 | 314 | 436 |
| % responded to within 15 working days | 55% | 73% | 76% |
| Average time taken to respond | 33 working days | 26 working days | 19 working days |

5.5 There has been a 40% increase in the number of Stage Two complaints when compared to 2011/12. Hackney Homes Stage Two complaints increased by 37% with 67 more complaints compared to the 179 in 2011/12.

5.6 The performance for responding to Stage Two complaints on time has increase by 3% and the average time taken has dropped by 7 working days compared to 2011/12.

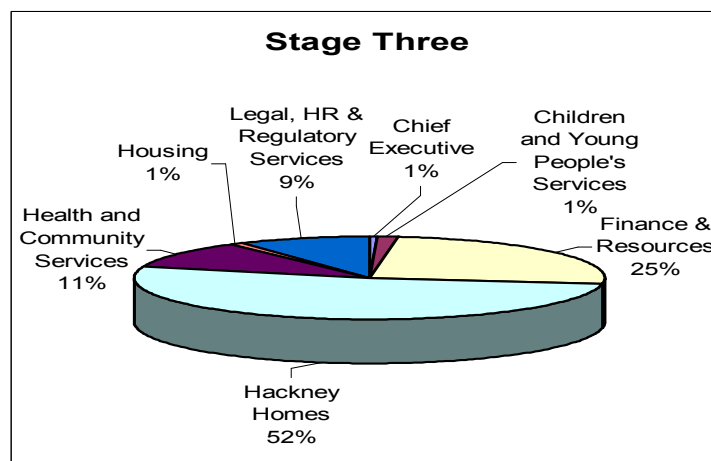
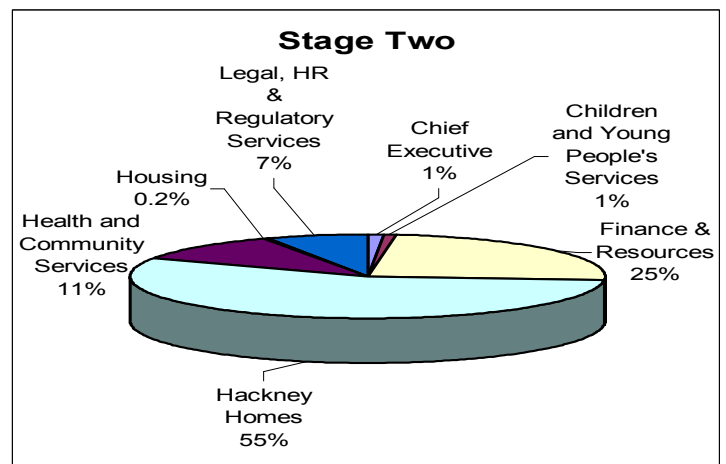
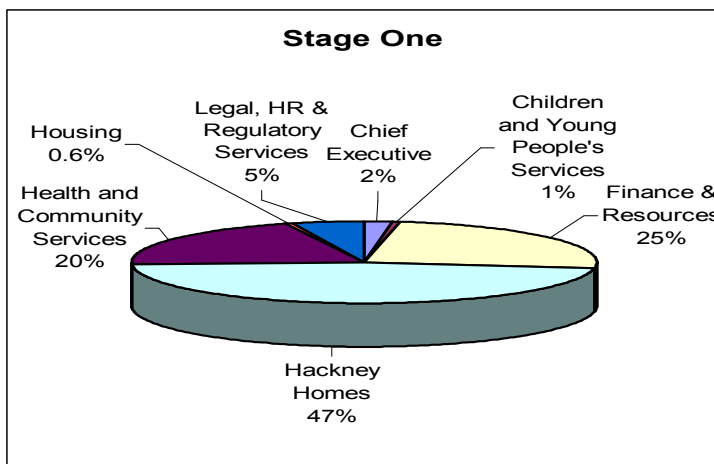
| Stage Three | 2010/11 | 2011/12 | 2012/13 |
|---------------------------------------|-----------------|-----------------|-----------------|
| Stage Three Complaints received | 107 | 146 | 151 |
| % responded to within 20 working days | 87% | 87% | 99% |
| Average time taken to respond | 21 working days | 17 working days | 18 working days |

5.7 There has been a 3% increase in the number of Stage Three complaints when compared to 2011/12.

5.8 While the average time taken has increased by 1 working day, the general performance has improved with 99% of Stage Three complaints responded to on time.

Types of Complaints

5.9 Hackney Homes related complaints make up the largest proportion of complaints at all stages of the Corporate Complaints process.



- 5.10 Approximately 56% of Hackney Homes Stage One complaints are related to Building Maintenance, which includes complaints linked to the delays and poor quality of repairs, missed appointments and follow-up actions not being implemented.
- 5.11 The majority of Finance and Resources complaints are associated to Revenues and Benefits. These complaints relate to processing times for handling applications, employee behaviour, documents going missing and recovery actions taken.
- 5.12 Public Realm issues make up 80% of Health and Community Services complaints. These complaints include issues related to parking (such as parking permits), waste/recycling (such as bins not being collected properly) and employee behaviour.

Escalating Complaints

- 5.13 During 2012/13 3,072 Stage One complaints were responded to, 392 of which escalated to Stage Two. Below is a breakdown for the escalation rates for each directorate and Hackney Homes across the different complaint stages.

| Directorate | % escalating Stage One to Stage Two | % escalating Stage Two to Stage Three | % escalating Stage Three to Ombudsman |
|------------------------------------|--|--|--|
| Chief Executive's | 11.5% | 16.7% | 0% |
| Children & Young People's Services | 11.1% | 100% (1) | 50%(1) |
| Finance & Resources | 13% | 23.85% | 18% |
| Hackney Homes | 14% | 28.81% | 10.8% |
| Health & Community Services | 8.6% | 16.28% | 0% |
| Housing | 0% | 0% | 0% |
| Legal, HR & Regulatory Services | 18.6% | 40 % | 7.69% |
| Council Total | 12.76% | 27.00% | 11.72% |

- 5.14 To help get a deeper understanding of escalation rates, the Business Analysis and Complaints Team grouped services depending on the volumes of complaints they receive to see which services tended to have a higher escalation rate.
- 5.15 Based on the latest escalation rates and factoring the average annual volume of complaints, the following are considered the Top 10 areas which contribute to the higher current rate of escalation.

1. **Neighbourhood Offices** (Hackney Homes)
2. **Building Maintenance** (Hackney Homes)
3. **Housing Needs** (Finance & Resources / Revenues & Benefits)
4. **Development Management** (Legal, HR & Regulatory Services)
5. **Asset Management** (Hackney Homes)
6. **Parking** (Health & Community Services / Public Realm)
7. **Revenues** (Finance & Resources / Revenues & Benefits)
8. **Tenant Management Offices** (Hackney Homes)
9. **Benefits** (Finance & Resources / Revenues & Benefits)
10. **Estate Environment** (Hackney Homes)

5.16 These high escalation rates are currently being examined and addressed through the quality checking element of the complaints improvement work.

b) Local Government Ombudsman Complaints

5.17 There were 97 complaints considered by the Local Government Ombudsman investigation team to examine during the year, which is a 13% drop compared to the 112 cases in 2011/12. Of these complaints, 17 were outside the Local Government Ombudsman's jurisdiction and 27 were closed as there was either no or insufficient evidence of fault to warrant further investigation, or insufficient injustice, or an investigation would not have produced a worthwhile outcome.

5.18 53 initial investigations were undertaken by the Local Government Ombudsman, which is a 25% drop compared to 71 in 2011/12. Of the 53, 26 resulted with the Local Government Ombudsman making suggestions or amendments to the Council's decisions or actions.

5.19 Out of the 26 complaints

- ◆ 13 were investigated without having gone through all stages of the Council's complaints procedure as the Local Government Ombudsman considered them urgent cases which could not wait (6 Hackney Homes, 2 Homelessness, 2 Planning, 2 Council Tax/Benefits and 1 Noise)
- ◆ 2 were Children's Act complaints relating to 'Looked after Children' with a combined £5500 awarded to the complainants.
- ◆ 8 agreed with the stage 3 decision but increased the amount awarded in 6 cases (5 with a slight increase and 1 with £850 rise) and kept at the same award level in 2 cases.
- ◆ 3 overturned the decision made at stage 3 (Environmental Enforcement 1 and Hackney Homes 2)

5.20 Overall, the Council has received no 'judgement of maladministration' and the Local Government Ombudsman has concluded that the Council has not caused any significant faults.

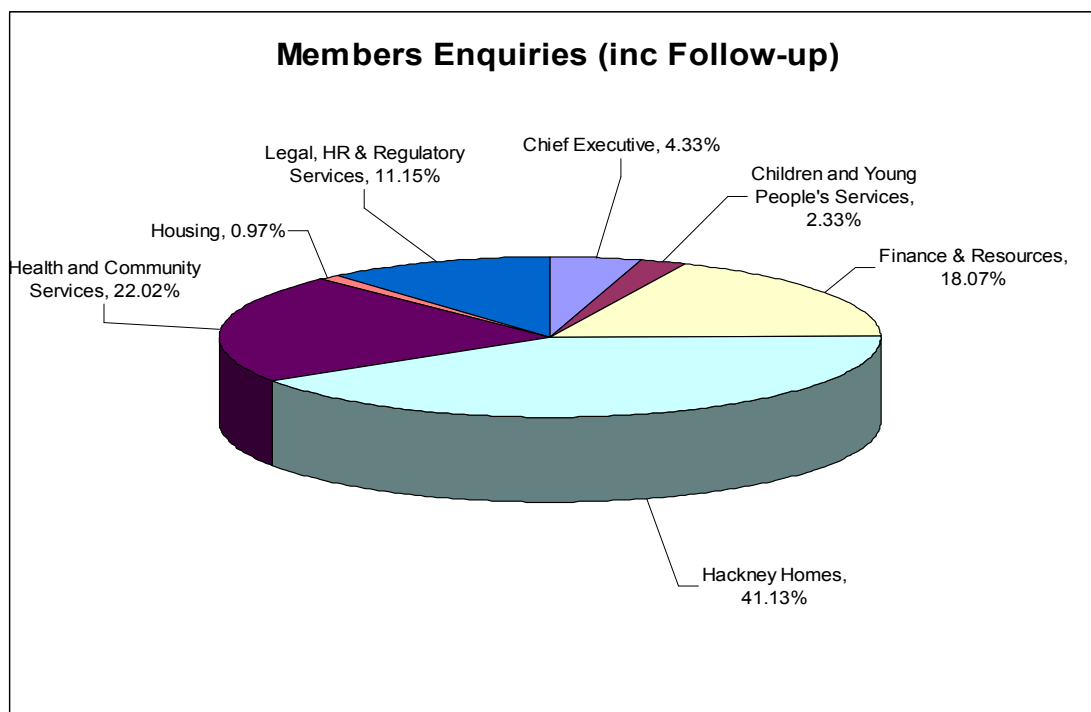
5.21 In 2013/14 responsibility for investigations relating to landlord functions within Hackney Homes move to the Housing Ombudsman Service from the Local Government Ombudsman (see Section 6 for more information).

c) Members' Enquiries

5.22 Members' Enquiries consist of a mixture of complaints, requests for service for residents and requests for information. Currently, there is no distinct separation in the way these different category types are dealt with and all have a response turnaround time of 10 working days.

| Members Enquiries | 2010/11 | 2011/12 | 2012/13 |
|--|----------------|------------------|------------------|
| Members Enquiries Received (inc follow-up enquiries) | 2,357 | 2,198 | 1,848 |
| % responded to within 10 working days | 84% | 77% | 81% |
| Average time taken to respond | 9 working days | 8.8 working days | 8.5 working days |

5.23 There has been a 16% drop in the number of Members' Enquiries when compared to 2011/12 and a 22% drop compared to 2010/11



5.24 Similar to corporate complaints, Hackney Homes make up the largest proportion of Members Enquiries.

d) Mayor's and Cabinet Members Enquiries

5.25 Each Mayor's Enquiry represents a comprehensive, personal response sent from the Mayor to what are often wide ranging and complex enquiries.

| Mayor's & Cabinet Members Enquiries (inc Referrals) | 2010/11 | 2011/12 | 2012/13 |
|--|------------------|-------------------|------------------|
| Enquiries Received (inc referrals) | 2,285 | 1,814 | 2,479 |
| Average time taken to respond | 9.5 working days | 10.2 working days | 9.7 working days |

5.26 Responses are subject to extensive quality assurance processes by the Mayor's Office and the Mayor before the response is sent, and many drafts have to be returned to departments in cases where the resident's query has not been fully answered. Until a full response is obtained, the case will not be concluded, and therefore this process puts significant pressure on the 10 day target timescale.

5.27 Although 40% of enquiries take longer than 10 working days, the average time taken has dropped from 10.2 working days to 9.7 days when compared to 2011/12.

5.28 Health and Community Services make up just under 30% of all cases dealt with by the Mayor's Office, whereas Hackney Homes represent under a quarter of all cases.

e) Adult Social Care Statutory Complaints

5.29 The table below shows the figures related to complaints covered by the statutory Adult Social Care process

| Adult Social Care Local Resolution | 2010/11 | 2011/12 | 2012/13 |
|---|-----------------|-----------------|-----------------|
| Numbers Received | 72 | 97 | 139 |
| Average time taken to respond | 28 working days | 12 working days | 18 working days |

5.30 The majority of the of 2012/13 complaints fell under the following categories: -

- Home Carers and the quality of provided services
- Blue Badge applications renewals
- Queries with regards to Community Care Assessment and Care Provision.

5.31 Following previous analysis of Home Carers related complaints, a Complaints Line was set up. This Freephone number was launched in November 2012 and operated between Monday and Friday, 9am to 5pm and aids early intervention on issues on home care provision and in some cases reduces the need to escalate to a formal complaint.

f) Children's Social Care Complaints

5.32 Complaints related to Children's Social Care are handled separately under a statutory process. The numbers of Stage 1 Children's Social Care complaints have remained the same when compared to 2011/12. For data protection reason, a full breakdown of the volumes by categories cannot be provided in this report.

| Children's Social Care | Stage 1 – Local Resolution | Stage 2 – Investigation | Stage 3 – Review Panel | Total |
|-------------------------------|-----------------------------------|--------------------------------|-------------------------------|--------------|
| Total | 50 | 7 | 3 | 60 |

5.33 40% of complaints related to 'Difficulties in Communication'. The main example of these complaints included disputes regarding how parents were represented at Child Protection conference, either through discussion or submitted reports. 24% related to how investigations were carried out. Some parents considered that a lack of sufficient evidence was obtained to justify case decisions (the majority of these cases included children on a Child Protection Plan).

5.34 It is noted that although the number of new formal complaints have stayed the same, the number of Stage 2 and Stage 3 complaints have reduced by approximately 50%. This provides strong evidence to support effective implementation of mediation processes, improved complaints investigation practice and management.

6. Housing Ombudsman Services (changes affecting Hackney Homes complaints)

6.1 Since April 2013, the Housing Ombudsman Service deals with all complaints related to social housing. This means that complaints about the Council's relationship as landlord to its tenants or leaseholders will be considered by the Housing Ombudsman Service rather than the Local Government Ombudsman.

- 6.2 The Housing Ombudsman Service can only consider complaints that have been referred by a “designated person” (MP, Councillor or recognised tenant panel) or by the complainant themselves if 8 weeks have passed from the completion of the Council’s internal complaints process.
- 6.3 The Council and Hackney Homes have agreed not to use tenant panels at this time so tenants/leaseholders have the option to approach an MP or a local Councillor.
- 6.4 Councillor Karen Alcock and Councillor Philip Glanville are the nominated ‘designated persons’ for Hackney. The main role of a “designated person” is to assist in resolving tenant complaints, to provide a fresh and independent perspective on problems and play a critical friend role. They will suggest views and approaches that may not have been considered by tenants, landlord staff and others in the handling of complaints.
- 6.5 Arrangements are already in place for complaints to be referred to the Housing Ombudsman Service and some analysis of potential volumes of cases has been undertaken. Based on current levels, it is estimated that approximately 20 cases may be received per annum, an average of 2 per month. Following the review by the “designated person”, it is estimated that a significant number will be considered not necessary to investigate or significant enough for the Housing Ombudsman Service to investigate
- 6.6 From April to mid June this year, lead Councillors as ‘designated person’ have received three referrals, which includes one from a Registered Provider. A more in depth analysis of this area of work will be provided in next year’s annual report.

7. Summary

- 7.1 There has been a slight increase in the volumes of complaints across the three corporate stages.
- 7.2 While dissatisfaction levels remain high, the capacity to handle complaint has improved with almost 600 Council and Hackney Homes staff having been trained and regular feedback provided to key Heads of Service following the analysis of quality checking of responses. Latest quality check analysis has shown an improvement in the way complaints are being handled and the most recent survey has shown an increase in the number of complainants who are satisfied with the way their complaint has been handled.
- 7.3 The Council will be facilitating a step change to a two stage complaints process from Autumn 2013 which will see even more effective and responsive complaints handling.