

1. INTRODUCTION

- 1.1 This report provides details on the complaints improvement work undertaken over the last year, further enhancements planned and headline data related to complaints and enquiries for 2013/14.

2. RECOMMENDATION(S)

- 2.1 The Governance & Resources Committee is recommended to: -
1. note and comment on the complaints improvement work undertaken and forthcoming enhancements planned
 2. note and comment on the performance relating to complaints and enquiries during 2013/14

3. BACKGROUND

- 3.1 This report is in accordance with the Governance & Resources 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 the first stage, thus reducing the numbers that proceed to later stages.

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

- 5.1 This report details the Council's response to and management of complaints and Members' enquiries. Some complaints go to the Local Ombudsman. In the event that the Ombudsman makes a finding of 'maladministration causing injustice', their report must be presented to Full Council and publicised locally. This report makes it clear no such findings were made in the reporting period.

APPENDICES

- 1 – Complaints and Enquiries Annual Report 2013/14

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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1. Introduction

- 1.1 This report outlines the key developments in improving the Complaints & Members Enquiries process as well as information on the volume of complaints and enquiries and performance.

2. Changes to the process & improvement work

- 2.1 It was identified that a 'step change' in the handling of Complaints & Members Enquiries was required. This was to address a number of issues:
- Poor quality of responses
 - Low resolution of residents issues
 - Low satisfaction / confidence of the Council/Hackney Homes to put things right
 - A process that took too long
 - Complaints issues not resulting in changes to service delivery
- 2.2 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 agreed to a series of changes that have been implemented since Autumn 2013.
- 2.3 The changes saw:
- The re-training of staff in the Council and Hackney Homes who handle complaints and Members Enquiries to focus on resolution of the issues, quality of response and resident contact/engagement
 - A move from a 3 stage to a 2 stage complaints process removing stage 2 in the former
 - The introduction of new software to allow for improved case management/tracking and issue identification
 - Assistant Director sign off of Resolution (stage 1) complaints and Members Enquiries
 - Targets around complaints to be the average number of days to resolve
- 2.4 The aim of these changes 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 causes of complaints to reduce the number being made.
- 2.5 Performance targets for complaints and Members Enquiries are now based on the average number of days taken to resolve, rather than targeting a percentage that will be responded to. This provides an incentive to deal with more straightforward complaints quickly, not to ignore cases going

over target days, while allowing longer to deal with and resolve more complex ones. The Indicators also reinforce the approach that is about resolving the issue with the response, not just sending a response.

- 2.6 There is now more flexibility allowed in responses (both in format and content) appropriate to the complaint, e.g. we no longer necessarily send a formal letter in reply to a complaint if we have resolved a straightforward complaint promptly over the phone.
- 2.7 Emphasis has shifted to officers speaking in person to complainants early on to understand issues from the residents' perspective and to seek a timely resolution of issues that have been raised, where possible.
- 2.8 The unsupported IT database for complaints and enquires (Respond) was successfully replaced in October 2013 with a new module of Covalent. The new system implementation has been successful and integrates with a web form for reporting (public and internal), Citizen's Index and the Council's document management system and allows in a number of areas for complaints logged on line to immediately land on the (virtual) desk of the appropriate officers. The new system has enabled changes to the process highlighted above and has allowed much more information to be available to managers to understand the reasons for complaints being made and to tackle peaks in demand.
- 2.9 There have also been changes in the operation of the Ombudsman service with a new Housing Ombudsman function created separate from the Local Government Ombudsman since April 2013 for complaints related to our landlord function. This created an additional 'designated person' role for our lead Housing Member, affording them an opportunity to work to resolve complaints that have exhausted the complaints process but before requiring Housing Ombudsman attention.
- 2.10 The changes have been successful in improving the quality of complaints handling overall. Prior to the changes around 14% of complaints were escalating from the old stage 1 to stage 2 and around 35% of stage 2 complaints were escalating to stage 3. Since the changes, escalation from Resolution (old stage 1) to Review (the second and now final stage) has reduced to under 7% - so under half the previous rate. This has resulted in better outcomes for residents as well as improved information more quickly for officers.
- 2.11 Although the escalation rate is low, it does mean an increased volume of detailed investigations by the Business Analysis & Complaints Team, which it has undertaken within existing resources as a result of improved efficiencies from the new software in other processes.

- 2.12 Following the refresher training of around 500 Council & Hackney Homes staff in the principles of excellence in complaints handling, the focus of improvement work from the Business Analysis & Complaints Team shifted to preparing and training those involved in complaints/Members Enquires to the above changes including the move from a three to a two stage process and the roll out of the new IT system.
- 2.13 The new system training delivered by BA&CT staff to over 200 staff focused on the operating functions of the new IT system and was a critical task for successful implementation of the changes and the reinforcement of key messages and approaches relating to complaints handling.
- 2.14 In preparation for the changes, regular sample quality assessments were undertaken by BA&CT staff which enabled identification of the key issues and improvement areas for high volume service areas. These checks were stopped during implementation of the changes to enable sufficient resources to be available to support the change but have been re-introduced from August 2014 in a revised format (with 20% of complaints assessed) providing much more feedback directly to the highest volume services on how to improve the quality of investigation, resolution, record keeping and response of complaints and also on other related intelligence including volumes, escalation rates and drivers/causes of complaints.
- 2.15 The Council continues to conduct quarterly satisfaction surveys to see what complainants think 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 although changes to the approach are being considered in order that a more rounded view of opinion is received. See below for more detail.

3. Customer Satisfaction

- 3.1 The Council conducts quarterly surveys to measure satisfaction levels of complainants by the Council & Hackney Homes. The survey aims to understand the reasons for dissatisfaction, in particular the complainants' experience of making a complaint.
- 3.2 Responses to the survey declined throughout 2013 hitting a low in Q3 of just 13% (54 responses from 415 surveys sent). This low rate made the results statistically unsound and comments left by respondents confirmed that it was only the most disgruntled and dissatisfied residents responding, with most people not bothering to participate in the survey. Whilst the views of these residents need to be heard and acted upon if appropriate the survey was not capturing enough returns to obtain a rounded view of the process.

3.3 Benchmarking of the data and survey methods has proved extremely difficult with most authorities and other organisations not undertaking surveys and those that do not prepared to share results.

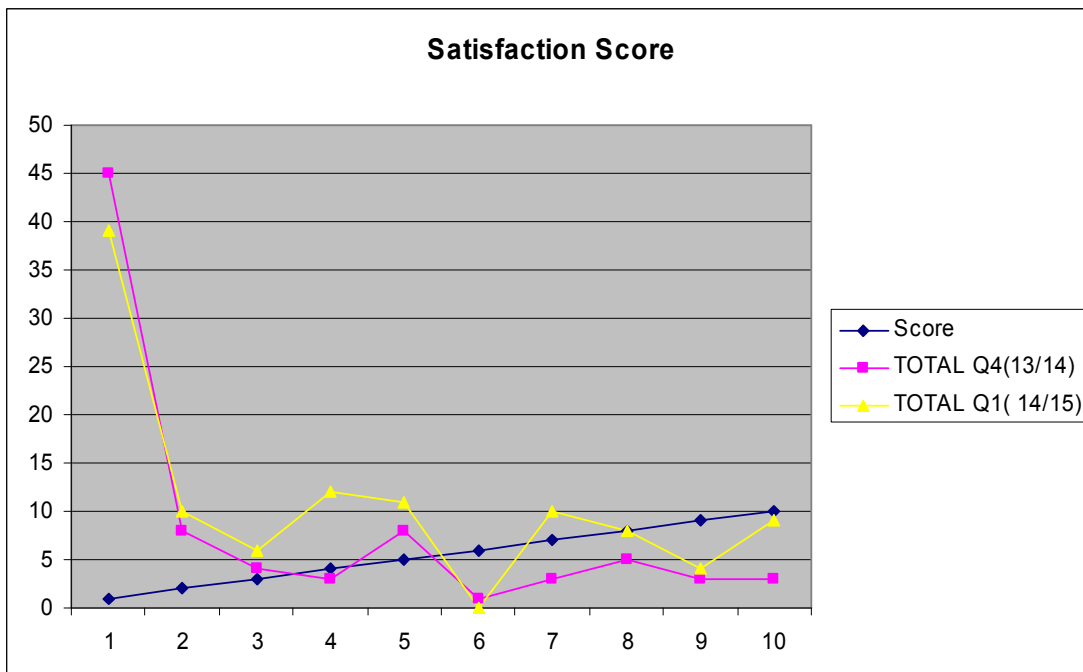
3.4 In an effort to get robust data, the questions within the survey were changed in Q4 moving away from asking a series of 6 questions with 5 scoring options to two statements to be scored 1-10. Response rates have moved from 13% in Q3 (54 from 415) to 18% Q4 (83 from 453) and 21% Q1 of 2014/15 (109 from 515).

3.5 In Q4 residents were asked to score out of 10 their experience with an average of 3 out of 10 being score based on the 83 responses received. The majority (54%) scored their experience as very bad (1 out of 10) and 13% scoring their experience as good (8-10 out of 10).

3.6 Analysis found four key themes of dissatisfaction:

- 52% said their complaint had not been resolved
- 26% said their complaint took too long to deal with and resolve
- 12% experienced bad or poor customer care
- 10% said they had no or limited contact with the Council about their issues

3.7 The survey in Q1 2014/15 as well as showing an increase in responses has seen the overall average score rise to 4 out of 10 with increases in residents being more satisfied.



3.8 Although resolving the complaint was a key message communicated to services within the Complaints handling process, findings show that for the majority of complainants who returned the survey, the main reason for dissatisfaction was the complaint in their opinion had not been resolved – although this will in some cases be because they do

not agree with the Council decision (e.g. on re-housing, benefits claims, parking disputes).

4. Complaints and Enquiries Data Analysis (2013/2014)

4.1 The following tables show the volumes of complaints and enquiries for the last three financial years. Complaints and enquiries volumes fell in 2013/14.

4.2 Whilst any complaint received means the Council or Hackney Homes have in the opinion of our residents failed to provide an acceptable service, the numbers of complaints and those which are escalated should be viewed in the context of the size of the borough, the number of transactions and their complexity. Hackney has a population in excess of 280,000 living in 107,000 households. Relevant to the areas with the highest volume of complaints we have 22,400 homes rented from Hackney Homes and an additional 8,600 leaseholders, more than 43,000 residents claiming benefits and almost 380,000 visits per year to the service centre/cashiers asking for assistance on a wide range of services.

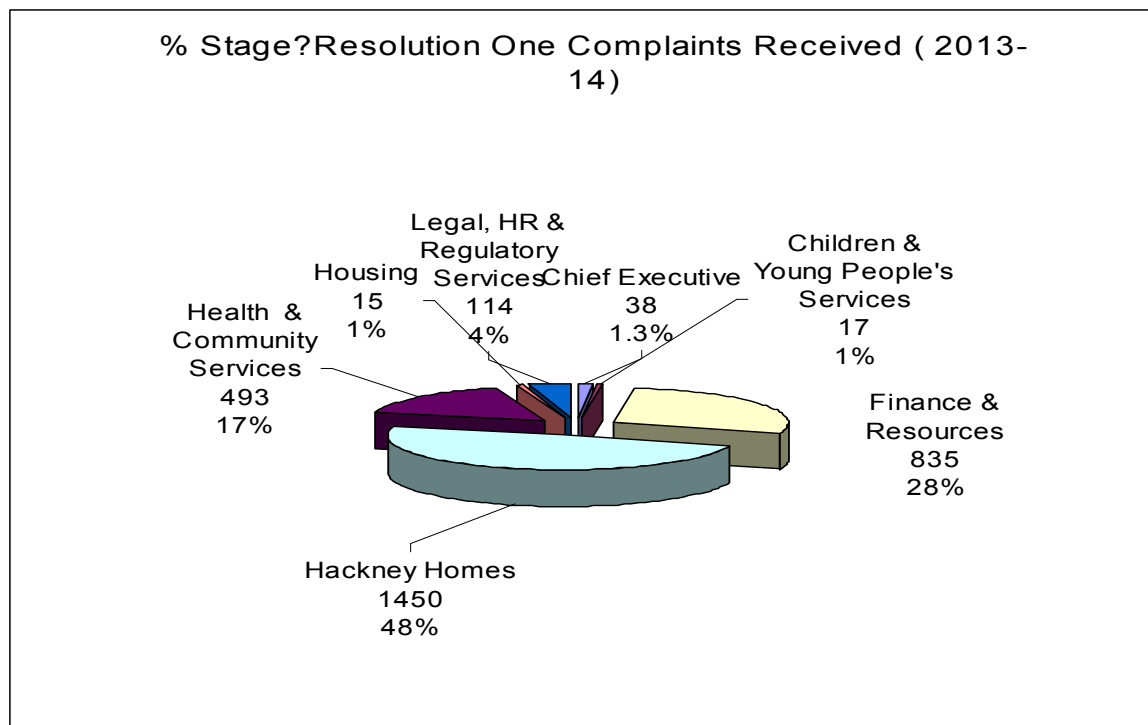
	2011/12	2012/13	2013/14
Stage One / Resolution	2,930	3,078	2,951
Stage Two	314	436	226
Stage Three / Review	146	151	202
Members Enquiries	1,743	1,460	1,828
Mayor's Office Enquiries	1,816	2,479	2,076

Average Complaints Response Times	2011/12	2012/13	2013/14
Stage One/Resolution Complaints received	13 working days	14 working days	14 working days
Stage Three/ Review Complaints received	17 working days	18 working days	18 working days

4.3 There has been a 34% increase in the number of Review/Stage Three complaints when compared to 2012/13, but this rise must be viewed in the context of having removed the former stage 2 investigation from the process in October 2013.

Types of Complaints

- 4.4 Hackney Homes related complaints make up the largest proportion of complaints at all stages of the Corporate Complaints process (see charts below).



- 4.5 The highest proportion of Hackney Homes Stage One/Resolution One complaints are related to Building Maintenance issues, which includes complaints linked to delayed and poor quality repairs, missed appointments and follow-up actions not being implemented.
- 4.6 The majority of Finance and Resources complaints are associated to Revenues and Benefits. These complaints relate to processing times for handling applications, employee behaviour, documentation going missing and recovery action taken.
- 4.7 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 refuse not being collected properly) and employee behaviour.

Ombudsman Complaints

- 4.8 In 2013/14 the Housing Ombudsman Service (HOS) took on responsibility for Local Authority Housing Complaints from the Local Government Ombudsman (LGO). A new step of the opportunity for all housing complainants (including Registered Providers (RSL's)) to

ask a Designated Person (Cllr Glanville for Hackney) to decide whether they can help in reaching resolution of the issue without the need for the Ombudsman to be involved.

- 4.9 To date only the LGO has published an annual statement for 2013/14 and it is unclear as to whether the HOS will produce one.
- 4.10 The LGO report for 2013/14 has provided some volume headlines which do not tally with Council records because they include a variety of enquiries, some of which are not progressed, which we do not count. A meeting with the LGO is in order to understand their approach to reporting more fully.
- 4.11 In the absence of this clarity from the LGO we can only at the moment conclude that there were 23 formal investigations in 2013/14 compared to 53 in 2012/13. Some of this drop may be due to reporting issues from the LGO covering non-housing related council services which include the introduction of new classifications. In addition, changes made with the introduction of the Housing Ombudsman Service has seen fewer investigations undertaken compared to previous years which could be caused by a lack of understanding by complainants brought about by the introduction of the designated person process and also because of delays and backlog at their end.
- 4.12 Comparison with other London Boroughs

The LGO have released data for all Councils on the volume of decisions they have made (places Hackney 10th highest), formal investigations undertaken (places Hackney 13th highest) and % of formal investigations upheld (places Hackney highest). Although there is dispute over the volume of formal investigations the LGO has undertaken this does show a healthy position for Hackney when compared to many London boroughs.

London Borough	LGO Decisions made	LGO formal investigations	% formal investigations upheld
Hackney	184	37	83.8%
Croydon	268	60	61.7%
Ealing	227	60	65%
Enfield	153	39	59%
Haringey	230	55	58.2%
Harrow	164	38	55.3%
Islington	146	38	47.4%
Lambeth	338	85	60%
Newham	299	49	57.1%
Redbridge	182	55	54.5%
Southwark	242	62	71%
Waltham Forest	172	47	57.4%
Westminster	221	75	24%

Given the openness and transparency with which we as a council offer advice to complainants who have exhausted our complaints process on how to escalate their case to the Ombudsman these figures are considered reasonable as are the relatively low volume of formal investigations which are actually taken on. The % of formal investigations upheld is high and although we await clarity from the LGO on the specific cases they are counting these are not considered a cause for concern. It is actually considered that the LGO count upheld as being in favour of the complainant in finding some fault with the council and whilst this is correct, it does not reflect that the Review stage of the complaints process is used to identify and accept fault and responsibility where it exists and when things go wrong. Given this and the fact that we promote the Ombudsman service, it is clear from the analysis of the 23 formal investigations undertaken as set out above that of the 14 that went through our complaints process first, 11 (79%) the LGO judgement was found to concur with our Review stage decision judgement, albeit with two allocated slightly additional compensation.

- 4.13 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.

a) Members’ Enquiries

- 4.14 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	2011/12	2012/13	2013/14
Members Enquiries Received (inc follow-up enquiries)	2,198	1,848	1,828
Average time taken to respond	8.8 working days	8.5 working days	10 working days

b) Mayor's and Cabinet Members Enquiries

4.15 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)	2011/12	2012/13	2013/14
Enquiries Received (inc referrals)	1,814	2,479	2,076*
Average time taken to respond	10.2 working days	9.7 working days	11.2 working days*

* Note: Unlike the rest of the data in this report which is derived from the corporate complaints database, these figures are taken from a local source in the Mayors Office as, due to multiple cases, separate records are kept.

4.16 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.

4.17 As shown in the table above, the volume of Mayor and Cabinet enquiries can fluctuate from year to year, and the total received in 2013/14 was 16% down on the previous year. Despite this, the average time taken to respond to cases was 1.5 days longer.

4.18 The quarterly response times for 2013/14 show that the average response time was 10.9 days in Q1, 9.7 days in Q2, 12.1 days in Q3 and 12.7 days in Q4. The new corporate complaints system (Covalent) was installed at the beginning of Q3, and technical problems relating integrating the Council's Corporate Document Management (CDM) system with Covalent and office hardware has been a major contributor to the slower response times in Q3 and Q4. It should be noted, however, that the 2012/13 response times were particularly low given the volumes received, and the response times for last year are consistent with 2011/12 when the volume of cases are taken into account (2013/14 volumes were 14% higher than 2011/12, and the average response times were 10% slower).

c) Adult Social Care Statutory Complaints

4.19 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	2013/14
Numbers Received	72	97	139	93
Average time taken to respond	28 working days	12 working days	18 working days	17 working days

4.20 The majority of the 2013/14 complaints fell under the following categories: -

- Quality of service provided by Home Carers
- Blue Badge /Freedom Pass assessments including service users contesting results
- Dissatisfaction with Community Care Assessment and Care Provision
- Outcomes of Occupational Therapy assessments regarding home adaptations

4.21 Following previous analysis of Home Carers related complaints, a dedicated Complaints Line was established. This Freephone number was launched in November 2012 and operates between Monday and Friday, 9am to 5pm and aids early intervention on issues on home care provision. The Freephone number has been a success and has reduced the number of complainants needing to escalate their complaints to a more formal process. Complainants have advised that this service has given them the opportunity to speak personally to a Council officer to resolve their concerns in a more timely way.

d) Children’s Social Care Complaints

4.22 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 reduced compared to 50 received in 2012/13. 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	43	7	6

- 4.23 51% of complaints related to 'Difficulties in Communication'. An examples being parents dissatisfied with the accuracy of assessments, the content of discussions at Child Protection conferences and timeliness or quality of contact from the social work unit. 16% related to financial issues relating to a lack of clarity in the financial policy for care leavers and guardians dissatisfied with the review of financial support packages.
- 4.24 Numbers of Stage 2 complaints have remained static compared to 2012/13 whilst the increase in Stage 3 complaints (from 4 to 6) is statistically negligible with no identifiable trend being established.