

INTRODUCTION

- 1.1 This report provides an overview of Complaints, Member/MP and Mayor & Cabinet Member enquiries made to the Council between 1 April 2022 and 31 March 2023.

2. RECOMMENDATION(S)

- 2.1 The Scrutiny Panel is recommended to: -

1. Note the report and attachments, trends and associated work.

3. BACKGROUND

- 3.1 This report is in accordance with the Scrutiny Panel's remit in monitoring the Complaints and Enquiries processes.

4. COMMENTS OF THE GROUP DIRECTOR OF FINANCE & CORPORATE 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 (BACT).
- 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 DIRECTOR OF LEGAL, DEMOCRATIC & ELECTORAL SERVICES

- 5.1 In line with Article 7.1.(c) of the Council's constitution one of the functions of the Scrutiny Panel is to contribute to continuous improvement in service delivery through the consideration of service delivery performance. This report recommends the Scrutiny Panel note how complaints and enquiries were managed during 2022/23. The report is informative in nature and assists the panel in giving consideration to how the Council engages and supports its wider community.
- 5.2 There are no direct legal implications arising from the contents of this report.

APPENDICES

- 1 - Complaints and Enquiries Annual Report 2022/23
- 2 - Stage 1 & 2 Complaints Data 2022/23
- 3 - Housing Services Self Assessment (November 2023) against the Housing Ombudsman Service Complaint Handling Code

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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Appendix 1

Complaints and Enquiries Annual Report 2022/23

1. Introduction

- 1.1 This report provides an overview of the Complaints & Enquiries received in 2022/23 covering volume and performance in managing and learning from them.

2. Volumes and Performance

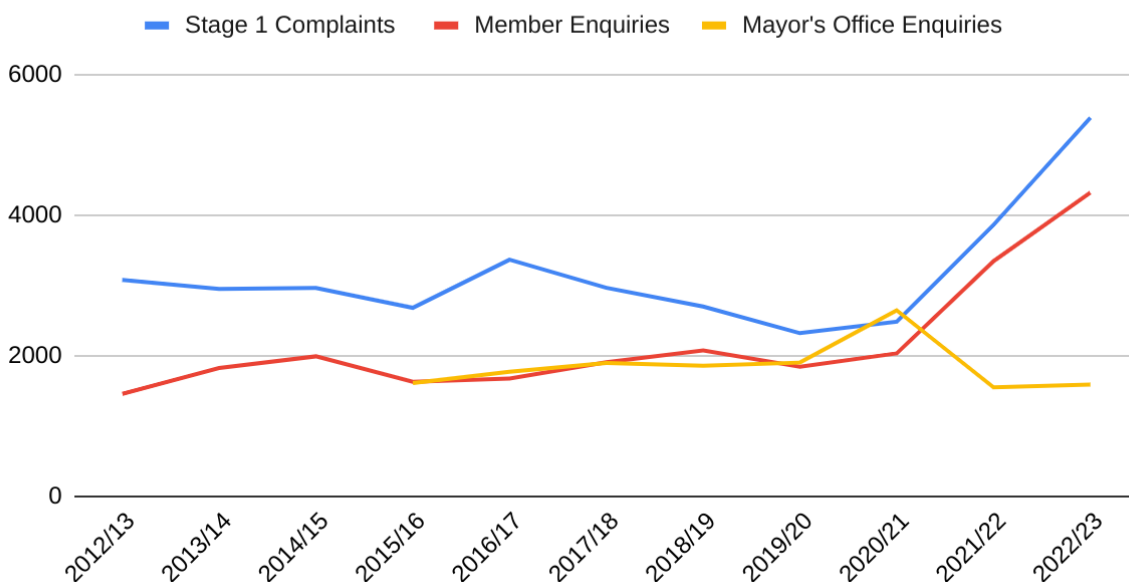
- 2.1 Detail on volumes of complaints and enquiries received in 2022/23, the way they are managed and the intelligence they provide are set out in this report. In summary, 2022/23 saw the number of stage 1 complaints rise by 39% (3,863 to 5,384) compared to 2021/22. The 2022/23 figure is a 116% increase on 2020/21 and historic norms. Although the overall number of stage 1 complaints continued to rise, there are some variances within services that have seen some increases and some reductions - para 3.10 below sets out more detail.
- 2.2 The volume of stage 2 complaints has increased 36% compared to 2021/22 (344 compared to 253) and is up 85% since 2020/21.
- 2.3 There has been a 10% increase (4,319 from 3,917) in the number of Members Enquiries compared to 2021/22 levels, which are now 112% higher than 2020/21 and historical norms.
- 2.4 In the two areas with statutory complaints procedures, volumes of stage 1 complaints rose in Adult Social Care to 85 from 68 in 2021/22 and rose to 57 from 17 in 2021/22 in Children's Social Care.
- 2.5 There has been a slight increase (1,593 from 1,552) in the number of Mayor & Cabinet Member Enquiries in 2022/23.
- 2.6 344 of the 5,384 stage 1 complaints were escalated to stage 2 giving an escalation rate of 6.4%, similar to the 6.5% in 2021/22 which is in line with complaints at both stages rising at similar percentage rates. The number of stage 2 investigations escalating to become formal investigations by the Local Government & Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS), at 52 again is similar to the 53 in the previous year and equates to around 15% (21% in 2021/22) of cases exhausting the Council's complaints process. The support of services where stage 2 investigations agree with the conclusions of theirs at stage 1 and the challenge given where it does not, indicates, as well as the conclusion of those cases progressing to the Ombudsman, that the stage 2 process is working well.
- 2.7 Of the 52 formal investigations undertaken by both the LGSCO and HOS, 34 (65%) were upheld, down from 72% last year. It should be noted that at the

conclusion of the Council’s investigation of a complaint, there is either fault found or not. Regardless of whether fault is found or not, complainants can, and often do, still take their concerns on to the appropriate Ombudsman. As such, cases upheld by the Ombudsman are often cases where the Council also found fault but where they feel that the redress (actions/compensation) was insufficient and is increased.

3. Complaints and Enquiries Data Analysis (2021/2022)

3.1 As shown in the chart below, the number of stage 1 complaints received by the Council in 2022/23 rose by 39% compared to 2021/22 when and is now at the highest level in the 11 years since recording began. The number of Members Enquiries, including MP Enquiries, increased by 36% in 2022/23 and is now at the highest level in 11 years. Mayor & Cabinet Enquiry volumes rose 3%.

Stage 1 Complaints , Member Enquiries and Mayor's Office Enquiries 2012/13 to 2022/23



3.2 This report covers the period from April 2022 until March 2023 and whilst services were operating for most of this period at pre-pandemic levels, there was still an element of recovery underway as well as the residual impact of the cyber attack which affected many services and the associated ability to investigate complaints and respond to enquiries. This, along with other factors specific to the services concerned, have seen volumes of complaints and Member enquiries rise to unprecedented levels again in 2022/23. Across services receiving the highest numbers of complaints and Member Enquiries, total volumes have increased by over 1,900 cases compared to 2021/22 with for example the Housing Repairs receiving an additional 778 cases, Revenues an additional 292 and Environmental Services an additional 194 .

3.3 Whilst any complaint received means the Council have, in the opinion of our residents or service users, 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 the complexity/nature of those transactions. Hackney has a population of c.259,200 living in c.106,000 households. Relevant to the areas with the highest volume of complaints we are the landlord for 21,575 homes and have an additional 9,671 leaseholders/freeholders/shared ownership and have a population with a significant reliance on the Benefits and Housing Needs system.

Type	2018/19	2019/20	2020/21	2021/22	2022/23
Stage 1 complaints	2,701	2,322	2,485	3,863	5,384
Stage 2 complaints	161	160	186	253	344
Escalation rate	6%	7%	7.5%	6.5%	6.4%
Members/MP Enquiries	2,077	1,847	2,035	3,917	4,319
Mayor & Cabinet Enquiries	1,859	1,904	2,647	1,552	1,593

Average Response Times	2018/19	2019/20	2020/21	2021/22	2022/23
Stage 1 complaints	20.9 working days	19.7 working days	23.7 working days	32.1 working days	23.9 working days
Stage 2 complaints	20.2 working days	20.2 working days	20.8 working days	23.5 working days	22 working days

3.4 The number of stage 1 complaints (see paras 3.8 to 3.10 for more detail) has increased for the third consecutive year but this year, by a further 39%. Despite this, the speed of response has improved by 8 days in the average time taken to respond compared to 2021/22 which should be commended. We do not set a rigid response standard, but do aim to respond on average within 15 working days, recognising some cases are more complex and will take longer to resolve. The only exception to this is the change in the standard made in September 2020 for Housing complaints which is now 10 working days in line with Housing Ombudsman scheme requirements.

3.5 Learning from complaints provides an insight into what is not working as well as we want. They create an opportunity to put things right for the complainant and give the Council the opportunity to provide support and training, advice on how to improve practices and procedures and identify any recurring trends. Case study examples of learning from complaints or actions taken as a result of them from a selection of services are set out below;

Adult Social Care

Below are some learning and actions falling from complaints last year 2022/23;

- To address delays, in particular the delay in responding to referrals. The Access and Duty Team have worked with the Mosaic Project Team to develop the online referral form so that it moves from a manual system to an electronic system. The aim is to enable the referral form to come directly into Mosaic; this means it will reduce the amount of time it will take to process each referral.
- The Complaints Manager is a part of the Data and Insight Hub, where knowledge and insight across Adult Services is shared. We are working on how we can implement a more formal structure for ensuring we make the most out of our data and insight from complaints when developing transformation and improvement within our service
- Due to our delays in communication, members of staff were spoken to about the impact and the importance of following up on requests for information. We recognise the importance of communication with service users and their families, so that they are aware of what is happening with their case.
- As a result of a delay in an activity, a direct payment was backdated to three months and a payment was made to the family in compensation; this was for failing to provide the payment when it was first needed and a reassessment of an individual's needs was also carried out.
- Due to a lack of communication once referrals are sent in and while awaiting triage, our systems have now been updated and any referrals that are received are acknowledged with an automated response.
- Because of inadequate services provided by a contractor/third party, we have set up a duty pathway and now have a duty occupational therapist that is able to visit to resolve issues quickly.

Children's Social Care

- Findings on two complaints during 2022/23 determined that fathers were not sufficiently involved in and consulted about child and family assessments undertaken by social workers. As a result of complaints and other audits which have identified a similar issue CFS has made changes to social work practice to ensure that fathers are better involved in these assessments;
- A care leaver in higher education complained about inadequate support particularly around housing that resulted in her ending up without suitable accommodation. The complaint was upheld and resulted in a review of our support to care leavers entering higher education and the Children and Families Services' relationship with Housing Services.

- A complaint that included issues related to a failure to carry out actions identified in a Child and Family Assessment resulted in changes to the process of management sign off to ensure additional checks were in place to ensure that agreed actions were followed up

Streetscene

- Following many complaints surrounding Lime bikes not being parked/docked appropriately, the service have worked much closer with their contractor to solve the issues of bicycles on the pavement. A number of dockless parking spaces have been installed across the borough and the contractor is now more proactively ensuring the bikes are parked in the correct place with a fining system for the users. Results are showing a significant reduction in related complaints.
- There have been a number of complaints about CCTV cameras used to enforce the Low Traffic Neighbourhoods (LTNs) being constantly vandalised. As a result, the service is working more proactively with the Council's Parking and Enforcement services to ensure that immediate action is taken, for example using mobile units or lane watch units which also contribute to the enforcement of vehicles which are non compliant with the restrictions

Environmental Services

- To improve response times and minimise complaints the service have integrated 'Fix My Street' (FMS) with their mobile application for the majority of issues that users are able to report. For example, if a fly-tip is reported in FMS then it will be immediately sent to the correct crew based on the geography of the incident. The crew will deal with the issue and update the application.
- As a way of monitoring street cleanliness more closely with the aim of reducing complaints, and to supplement our external report carried out by Keep Britain Tidy, Area Managers began assessing and scoring street cleanliness using the NI195 methodology. Furthermore, the scoring is done using the Alloy application and any transects that fail are automatically referred to the service area that is responsible for that issue. For example, if a transect scores a C grade for littering, the app automatically sends a job to the correct supervisor based on the geography of the transect, which will see complaint numbers fall.
- In response to complaints and enquiries, the service has established targeted enforcement action days to tackle and prevent fly-tipping by residents and businesses in areas identified.
- In response to complaints, the service introduced time bands on a further two streets to address complaints about bins obstructing the pavements and overflowing litter and unregulated waste issues.

Housing

- In 2022/23, we began a journey to introduce a more scientific approach to how we learn lessons from the complaints and enquiries that we receive via the development of a suite of QlikSense dashboards that provide real time data from both our OneCase complaints management system and other in house data sources. This has allowed us to identify service improvement initiatives more easily.
- As was the case in 2021/22, the majority of new complaints received in 2022/23 related to leaks, damp and mould in properties. We have used the intelligence generated from the above real time dashboards to develop our self assessment of the Housing Ombudsman Service's 26 recommendations with regard to damp and mould.
- There was additional focus in 2022/23 on learning lessons from the surveyor inspection works process and developing improvement initiatives. The regular failure to provide residents with updates on the outcome of surveyor inspections and - more specifically - the works arising from them drove both complaint and enquiry demand throughout the course of the year.
- The Building Maintenance Customer Relationship Team tried an array of approaches (e.g. spreadsheet trackers, phone calls, visiting our contractor, Purdy's, offices on a weekly basis) to try and improve the flow of information to both us and residents. This included Purdy setting up a new admin team for their Hackney contract (with new staff) at their Romford Office. This went live on 7 November 2022. These visits delivered some improvements but as 2022/23 went on we delivered a number of technical projects designed to enhance this information flow, for example:
 - Development of a QlikSense dashboard that allows Building Maintenance managers to better monitor and manage the performance of the Area Surveying team. The first output from this work was the development of a screen that showed the number of surveyor inspections that had been raised and how many of those that have gone past their appointment date were still not showing as completed on Repairs Hub within the agreed service standard of 48 hours. This dashboard was provided to the Area Surveying managers and surveyors so that the latter could carry out the required outstanding administrative work on Repairs Hub and the former could manage performance going forward. This was critically important as the number of Stage 1 complaints we were receiving where the resident was chasing up the outcome of a surveyor inspection and associated remedial works was very significant.

- Moving the external contractors who carry out a lot of our surveyor inspection remedial works onto our main Repairs Hub system.
 - In tandem with that, the Housing Transformation Business Intelligence Analyst developed a visualisation for the number of estimates from our contractors for remedial works where we are currently awaiting approval so that the relevant officers can effectively performance manage the timely actioning of these items.
- Repairs Contact Centre (RCC): In the autumn/winter of 2022 we saw a high proportion of Repairs complaints include a section on the difficulties faced in talking to the RCC to either report repairs or get progress updates on them. We liaised with the RCC to address these issues via an improvement action plan. RCC performance has improved markedly since then.
 - Rehousing Requests: Failure to process changes of circumstances/new rehousing requests continued to be a significant driver of complaints and enquiries and will continue to be until the new Housing Register system is fully live. However, given the insight provided by the regular flow of complaints and enquiries on this topic, the Central Housing Complaints Team had extensive conversations with managers in both Housing Services and Housing Needs and agreed and circulated an agreed joint response that could be used by the Customer Services team. This helped to get rid of a backlog of cases and also to deal more quickly with new cases that came in, ensuring that affected residents were being called by officers to discuss rehousing options and being sent a weblink that allowed them to either apply to go on the Housing Register or submit change of circumstance documentation.
 - Lifts: Analysis of complaint escalations showed that a higher than average number of Stage 1 lift complaints were being escalated to Stage 2. The Central Housing Complaints team carried out a review of those cases and identified a number of improvement areas. For example, effective implementation of the Lift Protocol was shown to be a big issue for residents in a number of the Stage 2 escalations. A Customer Journey review project has been established to drive through these improvements.
 - Tell Us Once: We saw a number of complaints during the first half of the year which suggested that there was an issue with Housing Management not updating records when residents informed us of the death of a tenant. Work was therefore undertaken to get Housing Services better access to the Tell Us Once data in order to tackle this issue.

3.6 There were 343 stage 2 complaints in 2022/23, an increase of 90 cases compared to the year before. The Housing Service accounted for 213 (62%) of these. Further breakdown of the cases; shows the highest numbers in – Housing

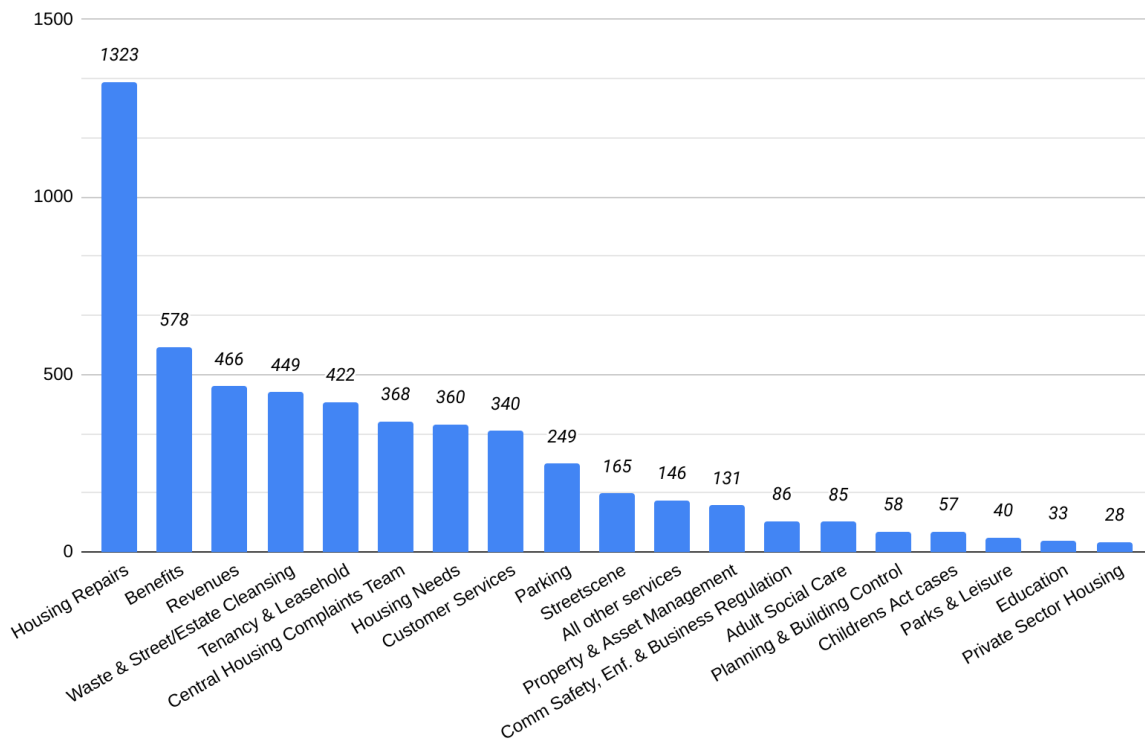
Building Maintenance 119 (up from 59), Benefits/Housing Needs 48 (up from 43), Housing Tenancy & Leasehold 39 (down from 59), Housing Transformation 35 (up from 14), Housing Property & Asset Management 19 (up from 8), Parking 16 (down from 19) and Customer Services 14 (up from 6).

3.7 More detail and data behind stage 1 and 2 complaints, including a focus on some of the higher casework generating services, can be found at appendix 2.

3.8 Stage 1 Complaints breakdown

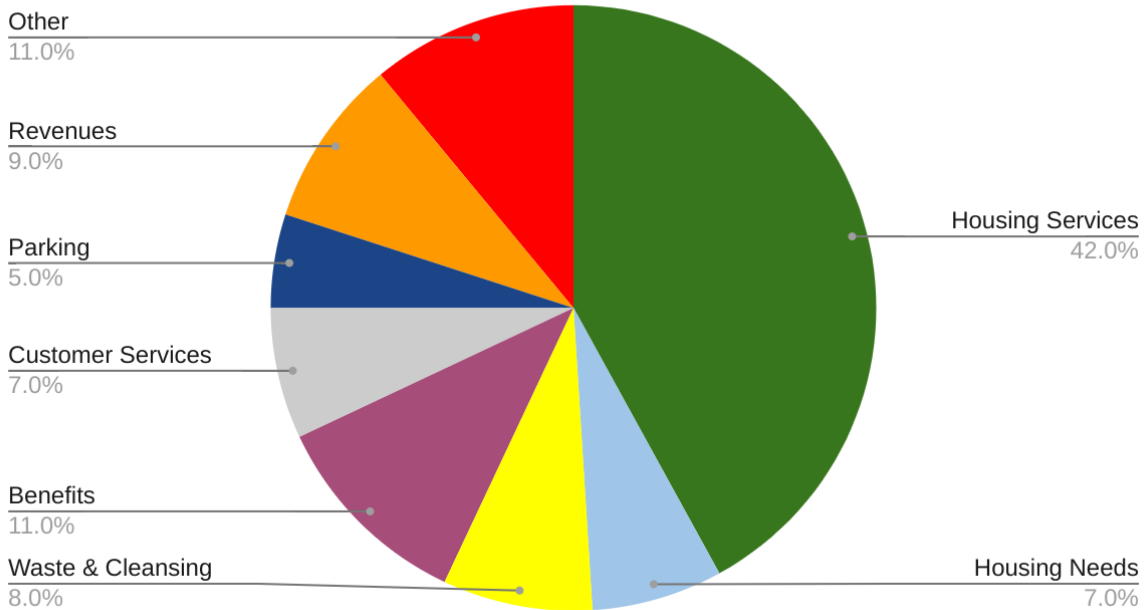
3.9 The chart below sets out the services in the Council that received the highest volumes of stage 1 complaints. It is based on 5,384 stage 1 complaints including those made under the statutory Adult Social Care and Children’s Act complaints processes.

Stage 1 complaints received 2022/23



3.10 The chart below also shows a 42% combined Housing Services share of stage 1 complaints along with other high generating areas of complaints.

Service share of stage 1 complaints 2022/23



3.11 The 39% total increase in complaints in 2022/23 is reflected by the services below receiving less or more complaints across all of the higher generating services and also shows a brief summary of the key 'drivers' of complaints.

Service	Team/function and issues driving complaints
Housing Repairs – up 97% (673 to 1323)	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ DLO 536 ○ Cust Relation Team 403 ○ Contractors 158 ● Issues <ul style="list-style-type: none"> ○ delays doing something works and communicating 757 ○ failure to deliver service/take action 298 ○ Poor info, advice, communication 50
Benefits – up 99% (290 to 578)	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Benefits 502 ○ Processing 32 ○ DHP Team 30 ● Issues <ul style="list-style-type: none"> ○ benefit decision/award 208 ○ CTRS 102 ○ payments 93 ○ suspension of claim 37 ○ DHP 29

<p>Revenues – up 115% (217 to 466)</p>	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Revenues 370 ○ Council Tax 74 ● Issues <ul style="list-style-type: none"> ○ Delays in service/doing something 113 ○ Financial dispute 91 ○ Failure to deliver service/do something 53
<p>Waste & Street/Estate Cleansing – up 35% (333 to 449)</p>	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Env Services (other) 189 ○ Refuse, recycling, bulky waste 119 ○ Street cleaning 60 ○ Estate cleaning 35 ● Issues <ul style="list-style-type: none"> ○ missed collection (all types) 75 ○ Street not swept 38 ○ Fly tipping 37 ○ Bins - location, lids not put back, etc 29 ○ Staff behaviour 25
<p>Housing Tenancy & Leasehold – up 6% (397 to 422)</p>	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Neighb. Offices 134 ○ TMOs 66 ○ Income Services 63 ○ Estate Safety/ASB 61 ○ Income Services 63 ● Issues <ul style="list-style-type: none"> ○ Communal issues on estates 58 ○ Noise/ASB 42 ○ Repairs 38 ○ Neighbour disputes/nuisance 35 ○ TMO services 31
<p>Central Housing Complaints Team (CHCT) - up 19% (310 to 368)</p>	<p>The Housing CHCT Team deals with cases that cut across multiple Housing departments and due to the OneCase system only allowing one team to be identified, these cases cannot be attributed to a particular service. Main cause of complaint;</p> <ul style="list-style-type: none"> ● Delay in doing something/communications 119 ● Failure to do something/deliver service 100 ● Poor communication, info or advice 53

<p>Housing Needs – down 5% (377 to 360)</p>	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Housing Register Team 134 ○ Housing Advice/Homeless 59 ○ Hostel Mgmt 37 ● Issues <ul style="list-style-type: none"> ○ Housing Register 67 ○ Issues with TA i.e. ASB, infestations 56 ○ Homelessness advice 36
<p>Customer Services – up 44% (236 to 340)</p>	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Repairs Contact Centre 172 ● Issues <ul style="list-style-type: none"> ○ Availability of service 67 ○ Delays 43 ● Team/function <ul style="list-style-type: none"> ○ Customer Service Ops 168 ● Issues <ul style="list-style-type: none"> ○ Quality of communication 70 ○ Responsiveness of service 66
<p>Parking – up 35% (185 to 249)</p>	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Parking (Other) 110 ○ PCNs 63 ○ Permit/Voucher 24 ○ Enforcement 22 ● Issues <ul style="list-style-type: none"> ○ Poor comms, info, advice 79 ○ Quality of work/service 60 ○ Service/staff availability 22 ○ Staff behaviour/customer care 16
<p>Streetscene – down 24% (217 to 165)</p>	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Highways 52 ○ Design/Engineering 33 ○ Street Works 28 ○ Sustainable Transport 28 ● Issues <ul style="list-style-type: none"> ○ Highway repairs 39 ○ low traffic neighbourhoods (LTN) 17 ○ Highway repairs 39 ○ green/sustainable travel 10
<p>Property & Asset Management – up 15% (114 to 131)</p>	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Planned Works 90 ○ Liaison 15 ○ Projects 10

	<ul style="list-style-type: none"> ● Main areas of complaint <ul style="list-style-type: none"> ○ Lifts 46 ○ Electrical 17 ○ Communal works 15
All other services - down from 235 to 146	Not applicable
Community Safety, Enforcement and Business Regulation – up 22% (70 to 86)	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Enforcement ASB/Noise 26 ○ Environmental Protection 20 ○ Environmental Enf 13 ○ ● Issues <ul style="list-style-type: none"> ○ noise/ASB 45
Adult Social Care (statutory complaints) - up 25% (68 to 85)	<ul style="list-style-type: none"> ● Issues <ul style="list-style-type: none"> ○ Standard of care delivered 3 ○ Outcome of an assessment/ care package implemented 14 ○ Communication i.e. delays or incorrect information given 31 ○ Delay in delivering service 23 ○ Standard of service delivered (non-care) 4 ○ Staff behaviour 6 ○ Disagree with policy/procedure 2 ○ Other i.e. finance/direct payments 2
Planning & Building Control – down 44% (102 to 58)	<ul style="list-style-type: none"> ● Team/function <ul style="list-style-type: none"> ○ Development Mgmt 35 ○ Enforcement 15 ○ Building Control 3 ● Issues <ul style="list-style-type: none"> ○ chasing decision 17 ○ enforcement 15 ○ consultation 14
Children’s Act cases (stage 1 complaints) – up 235% (17 to 57)	<ul style="list-style-type: none"> ● Issues <ul style="list-style-type: none"> ○ staff conduct ○ assessments

Ombudsman Complaints

3.12 Following conclusion of the Council's process, a complainant can approach one of two Ombudsman to ask for their case to be reviewed - the Local Government & Social Care Ombudsman (LG&SCO) or the Housing Ombudsman Service (HOS).

3.13 There were 52 formal investigations undertaken by both the LGSCO (28) and HOS (24), in 2022/23. 34 (65%) of these were upheld i.e. fault was found.

3.14 Of the 34 upheld Ombudsman investigations, 25 were LGSCO cases and 9 HOS.

- Of the 25 LGSCO cases;
 - 7 cases - they found fault where the Council found none
 - 11 cases - Council and LGSCO found fault but they offered more redress primarily by way of compensation
 - 7 cases - n/a i.e. case taken on by LGSCO with no Council investigation
 - The LGSCO awarded compensation in 9 of the 25 cases
- Of the 9 HOS cases,
 - 2 cases - HOS found fault where the Council found none
 - 7 cases - Council and HOS found fault but they offered more redress primarily by way of compensation
 - The HOS awarded compensation or additional compensation in all 9 cases.

3.15 The LG&SCO has published their [Annual Report](#) for 2022/23 and reports that they undertook 28 formal investigations in Hackney last year of which 25 (89%) were upheld. This compares to an average of 77% in similar organisations. The rate of upheld cases has risen from 79% in 2021/22 with the number of upheld cases increasing from 22 last year to 25.

The LG&SCO also report that there was 100% compliance with their recommendations by the Council and that there had been significant progress in the Council providing a satisfactory remedy before the complaint reached them, up to 32% from 0% in 2021/22 compared to an average of 15% in similar organisations

The LG&SCO have provided detail on the 25 upheld cases which are broken down as follows –

- 8 x Housing Needs (same as last year)
- 4 x Education & Children (up from 2 last year)
- 2 x Adult Social Care (down from 5 last year)
- 4 x Highways & Transport (up from 2 last year)
- 2 x Benefits & Tax (same as last year)
- 4 x Env. Services & Public Protection & Regulation (up from nil last year)
- 1 x Corporate & others (up from nil last year)

Total compensation offered by the LGSCO in cases determined in 2022/23 was £7,335 which is in addition to any compensation offered at stage 1 and 2.

3.16 The table below sets out benchmarking data from neighbouring boroughs based on 2022/23 reports published by the Local Government & Social Care Ombudsman on all local authorities and shows how Hackney compares.

Council	Detailed Investigations	Upheld (rate)	Public Reports in last 9 years (LGO benchmark)
Hackney	28	25 (89%)	*4
Haringey	39	31 (79%)	8
Islington	17	12 (71%)	3
Newham	45	37 (82%)	0
Tower Hamlets	30	22 (73%)	3
Waltham Forest	27	21 (78%)	0

*Last Public Report issued in April 2019

3.17 Following a relaxation of the requirement by the Housing Ombudsman Service, on Government instruction, the 'democratic filter' which forced complainants to approach a 'designated person' or wait eight weeks before being allowed to approach them was removed in October 2022.

3.18 The 2022/23 [Housing Ombudsman report](#) shows the Council were subject to 24 formal investigations by the HOS, down from 25 in 2021/22). Of the 24 cases determined, 5 found maladministration (9 in 2021/22), 4 found partial maladministration (7 in 2021/22), 5 found no maladministration (3 in 2021/22), 2 found reasonable redress had been made (1 in 2021/22), 1 went to mediation (1 in 2021/22) and 7 were determined to be out of jurisdiction (4 in 2021/22).

In the 9 cases finding fault i.e. maladministration/partial maladministration (down from 16 in 2021/22) the HOS issued 17 separate determinations (findings). These determinations relate to property condition (8), complaint handling (6), charges (1), housing management (1) and occupancy rights (1).

The HOS has advised they ordered total compensation amounting to £8,075 in 2022/23 (up from £5,450 in 2021/22) this is in addition to that offered at stage 1 and 2. However, this figure is currently in dispute, as Council records indicate that the HOS ordered £4,025 in 2022/23.

Members Enquiries

3.19 Members Enquiries consist of requests for a service or information for residents, requests for action initiated by the Councillor and sometimes reports of service failure.

3.20 Average time taken to respond to Members Enquiries was 29.5 days in 2022/23, an increase of 3.2 days on the previous year with a 10% increase in volume compared to the year before as shown in the table below.

MP and Members Enquiries	2018/19	2019/20	2020/21	2021/22	2022/23
Members/MP Enquiries Received	2,077	1,847	2,035	3,917	4,319
Average time taken to respond	18 working days	24 working days	17.7 working days	26.3 working days	29.5 working days

3.21 There have been 4,319 ME/MP Enquiries this year of which 383 were MP Enquiries and 272 were Member Enquiries made to external organisations i.e. TfL, NHS, Police.

A headline breakdown of these cases is as follows;

- Casework raised
 - 3,936 made by Councillors
 - Of which 272 were to external organisations
 - 48% of Member Enquiries made by 21% of Councillors compared to 40% by just 10% of Councillors in 2021/22
 - 383 made by MPs
 - Diane Abbott, MP - 268
 - Meg Hillier, MP - 84
 - Other - 31

Diane Abbott and Meg Hillier also raise enquiries with the Mayor & Cabinet or direct with Council services, which are not reflected in these figures.

- Service breakdown of 3,724 Member/MP Enquiries
 - 545 (15%) Housing Building Maintenance up from 417 last year
 - 507 (14%) Housing Tenancy & Leasehold - up from 496 last year
 - 498 (13%) Benefits - down from 651 last year
 - 442 (12%) Housing Needs - up from 345 last year
 - 375 (10%) Streetscene - down from 383 last year
 - 217 (6%) Comm. Safety, Enf. & Bus. Reg. - down from 218 last year
 - 210 (6%) Environmental Services - up from 132 last year
 - 185 (5%) Planning - up from 160 last year
 - 166 (4%) Parking - down from 148 last year

- 115 (3%) Revenues - up from 72 last year
- 94 (3%) Adult Social Care - up from 91 last year
- 85 (2%) Private Sector Housing - up from 54 last year
- 83 (2%) Property & Asset Management - down from 110 last year

The Council has recently established a new Member Casework team that leads on all Council related Member and MP enquiries as well as enquiries to the Mayor and Cabinet. The new team has additional capacity to reflect the doubling of Member Casework volumes in recent years, and it is expected that this will lead to an improvement in the quality and timeliness of Member, MP and Mayor & Cabinet Enquiries in the year ahead. The team went live on 20 November and will be engaging with officers and Members to review existing processes over the coming months.

Mayor and Cabinet Member Enquiries

3.22 Each Mayor and Cabinet Member’s Enquiry represents a personal response sent from the Mayor or Cabinet member to what can be wide ranging and complex enquiries, involving multiple service areas.

Mayor’s & Cabinet Members Enquiries	2018/19	2019/20	2020/21	2021/22	2022/23
Enquiries received (inc referrals)	1,859	1,904	2,647	1,552	1,593
Average time taken to respond	27.9 working days	36.2 working days	31.5 working days	42.7 working days	24.3 working days

*It should be noted that these figures represent the mean average, and as such are disproportionately impacted by the closing of cases that have been, for example, with the relevant service area for an extended period. Were the median average employed, showing more accurately the typical resident’s experience, the average time taken to respond in 2022/23 would be 17 working days.

3.23 Responses from the Mayor and Cabinet are subject to quality assurance by the Mayor & Cabinet Office and the Mayor or relevant Cabinet Member before the response is sent, and drafts are 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 response times.

3.24 The total number of enquiries received in 2022/23 represented a very slight increase on the previous year with 1,593 enquiries received. However, the average response time fell significantly to 24.3 working days; this reduction was achieved

through a number of means, including changes in sign-off procedures for Mayor's Enquiries and more robust chasing and escalating of overdue cases.

Adults Social Care & Children' Social Care Complaints

3.25 Processes for dealing with complaints relating to the social care of both adults and children are set down in specific legislation meaning they are managed differently from complaints about all other Council services. Although they are held on the corporate complaints system and are managed in line with all other complaints if they escalate to the Ombudsman, the different stages, timeframes and the confidential nature of investigations means they are handled separately by officers in those services.

Adult Social Care Statutory Complaints

3.26 The table below shows the figures related to complaints covered by the statutory Adult Social Care (ASC) process.

Complaints	2018/19	2019/20	2020/21	2021/22	2022/23
Numbers Received	84	74	73	68	85
Average time taken to respond	55 working days	35 working days	26 working days	25 working days	29.5 working days

3.27 Whilst there has been an increase in complaints received when we look over the past three years, the average time taken to respond to complaints has also increased by nearly four working days and that was in the past year. Although there has been a slight increase in the time taken to resolve a complaint, Adult Social Care continues to be focused on improving processes to drive down response times.

From 2018/19 onwards we excluded the figures relating to pre-stage complaints, (simple complaints that could be dealt with quickly) which resulted in a fall in cases alongside an apparent decrease in response times. However, in 2022-23 these figures have been included which provides some explanation for the raise in complaints received. We believe that despite the fact that we can find an early resolution for a complaint, there are still lessons to be learned from these complaints and therefore should be recorded.

The Local Government and Social Care Ombudsman (LG&SCO) states that up to 12 weeks is a reasonable time for a Council to respond to an ASC statutory complaint. It also takes into consideration that this may be longer for complaints about social care, which follow a statutory process. On that measure, Adult Social Care is performing well within that time frame. However, Adult Social Care aims to resolve complaints within 20 working days where possible. Although we are not meeting that expectation, these figures do still demonstrate steady improvement in response times.

There are occasions, particularly where a complaint involves more than one team or has several strands to address, when cases take longer to investigate. Where more time is needed the complainant is made aware and kept updated throughout the process.

3.28 The complaints received in 2022/23 were raised in relation to:

- The standard of care delivered 4%
- The outcome of an assessment or the care package implemented 16%
- Communication i.e. delays or incorrect information given 37%
- Delay in delivering service 27%
- The standard of service delivered (non-care) 5%
- Staff behaviour 7%
- Disagree with policy/procedure 2%
- Other i.e. finance/direct payments 2%

3.29 In 2022/23, the LG&SCO contacted Adult Social Care about nine complaints in total. Following initial enquiries four were closed with no further action as the Ombudsman made a decision to not investigate the complaints. Three were upheld (fault was found). One was withdrawn by the complainant and one complaint is currently ongoing.

Children’s Social Care Complaints

3.30 The table below shows the data which for 2022/23 shows the number of complaints completed at each of the three stages of the statutory children’s procedure

Children’s Social Care Complaints	2018/19	2019/20	2020/21	2021/22	2022/23
Stage 1 Local Resolution	32	25	15	17	57
Stage 2 Investigation	9	8	3	1	18
Stage 3 Review Panel	5	6	1	0	10

3.31 As the figures clearly demonstrate, the Children’s Complaints Team received and determined significantly more complaints in the year 2022/23 than it has in any of the four preceding years. The number of complaints determined in the year 2022/23 is around double the highest previous number in 2018/19. We are as yet not clear whether this indicates a general increase in the number of complaints we are receiving or whether all or some of this increase is the result of delays and suspended investigations that were the result of the Cyber-attack in October 2020 or the impact of Covid-19. The trend for high numbers is however continuing into 2023/24 so it is possible this may reflect a longer term increase in the number of complaints being made.

3.32 In terms of the nature of complaints, as in previous years, issues related to staff conduct were the reason for most complaints together with complaints about assessments. Complaints about staff conduct includes, for example, complaints

about bias, poor communication, failure to take agreed action and failure to share reports. The majority of complaints were in relation to the Family Intervention and Support Service, which is the largest service area and correlates with previous years.

3.33 We also completed five complaints that did not qualify for consideration under the statutory process under the corporate complaints procedure.

Appendix 2

Stage 1 and 2 Complaints Data 2022/23

Stage 1

3.34 Based on the data we have from the OneCase system we have the following analysis against the 5,200 stage 1 investigations (excluding statutory Adults and Childrens complaints) received in 2022/23 with details as follows;

- 4,524 were determined of which;
 - 2,228 (49% compared to 41% in 2021/22) found fault (resolved by way of - 1,201 apology, 725 remedial action, 269 financial redress, 33 cyber attack)
 - 1,923 (43% compared to 48% in 2021/22) found no fault
 - 370 (8% compared to 11% in 2021/22) resolved upon receipt
- Total compensation awarded at stage 1 - £64,650.48
- Channel complaints were received through
 - 2,408 by email (46% - up from 40% in 2021/22)
 - 2,261 on-line self service (43% - down from 50% in 2021/22)
 - 420 by phone (8% - up from 7% in 2021/22)
 - 111 letter/complaints form/in person (2%)

3.35 The highest generating areas of complaint are Housing Building Maintenance, Benefits, Revenues, Environmental Services, Housing Tenancy & Leasehold, Central Housing Complaints Team, Housing Needs and Customer Services. A breakdown of complaints covering these areas is set out below;

- **Housing Building Maintenance** - 1323 stage 1 investigations
 - Main teams complained about (team)
 - DLO 536
 - Customer Relationship Team 403
 - Contractors 158
 - Surveyors 67
 - Legal Disrepair 48
 - Communal Works 52
 - Main function or service complained about (primary classification ID)
 - Communal works 539
 - CRT 333 - Main function or service complained about is hard to determine as this team deals with complaints across HBM
 - DLO 54
 - Gas 32
 - Plumbing 59
 - Main repair contractor 57
 - Main cause of complaint (primary cause)
 - failure to deliver service/take action 298
 - delays doing something/communication/answering 757

- Poor information/advice/communication 50
 - Quality of work/service 34
 - Fault was found in 69% (915) of cases, no fault found in 12% (158) cases and 5% (60) cases were resolved upon receipt, 14% (190) were not determined/blank
 - Where fault was found, it was resolved by
 - 53% (488) cases by remedial action i.e. putting it right
 - 23% (208) by way of apology
 - 24% (219) by financial redress i.e. compensation
 - Compensation was paid in 335 cases totalling £58,480

- **Benefits** - 578 stage 1 investigations
 - Main teams complained about
 - Benefits 502
 - DHP Team 30
 - Processing 32
 - Main cause of complaint
 - payments 93
 - benefit decision/award 208
 - CTRS 102
 - DHP 29
 - suspension of claim 37
 - Housing benefits/Benefits - other 74 (not meaningfully classified)
 - Fault was found in 35% (200) of cases, no fault found in 47% (270) of cases, 18% (103) were not determined and 1% (5) were resolved upon receipt
 - Where fault was found, it was resolved by
 - 10% (19) cases by remedial action i.e. putting things right
 - 75% (149) by way of apology
 - 2% (5) by way of financial redress
 - 13% (27) due to impact of cyber attack

- **Revenues** - 466 stage 1 complaints
 - Main teams complained about
 - Revenues 370
 - Council tax 74
 - Main cause of complaint
 - delays doing something 133
 - Financial dispute/issues 91
 - Failure to deliver service/do something 53
 - Customer service/staff issues 28
 - wrong/disagree with decision 24
 - Fault was found 45% (211) of cases, no fault found in 45% (213), 3% (12) were not determined, 7% (30) resolved upon receipt
 - Where fault was found, it was resolved by
 - 2% (4) cases by remedial action i.e. putting things right
 - 97% (205) by way of apology

- 1% (2) due to impact of cyber attack
- **Environmental Services** - 449 stage 1 investigations
 - Main teams complained about
 - Refuse, recycling, bulky waste 119
 - Strategy team 24
 - Street cleaning 60
 - Estate cleaning 35
 - Hygiene services 15
 - Environmental Services (other services) 189
 - Main function or service complained about
 - waste strategy inc recycling 19
 - missed collection (all types) 75
 - recycling product delivery 23
 - Street not swept 38
 - Bins - location, lids not put back, etc 29
 - Staff behaviour 25
 - Fly-tipping 37
 - Main cause of complaint
 - failure to deliver service/do something/take action 142
 - staff behaviour/inappropriate behaviour 52
 - quality of work 127
 - service/staff availability 43
 - Fault was found in 41% (182) of cases, no fault found in 37% (168) of cases, 13% (59) were not determined and 9% (40) were resolved upon receipt
 - Where fault was found, it was resolved by
 - 27% (50) cases by remedial action i.e. putting things right
 - 71% (129) by way of apology
 - 2% (3) by way of financial redress
- **Housing Tenancy & Leasehold** - 422 stage 1 investigations
 - Main teams complained about
 - Leasehold & RTB 47
 - Neighbourhood Offices 134
 - TMOs 66
 - Estate Safety & ASB 61
 - Income Services 63
 - Main function or service complained about
 - Communal issues on estates 58
 - Noise/ASB 42
 - Neighbour disputes/nuisance 35
 - Repairs 38
 - Tenancy agreement/succession 32
 - service charge disputes 20
 - TMO services 31
 - Rehousing 23
 - Rent accounting 16
 - Main cause of complaint
 - failure to deliver service/do something/take action 67

- no/poor communication/info/advice 172
 - Delays in doing something/answering calls, etc 87
 - Staff behaviour 16
 - Fault was found in 22% (93) of cases, no fault found in 67% (282) cases, 9% (37) were not determined and 2% (10) were resolved upon receipt
 - Where fault was found, it was resolved by
 - 78% (73) by way of apology
 - 20% (19) cases by remedial action i.e. putting it right
 - 1% (1) by financial redress i.e. compensation
 - Compensation was paid in 4 cases totalling £375
- **Central Housing Complaints Team (CHCT) - 368 stage 1 investigations**
 - The Housing CHCT Team deal with cases that cut across multiple Housing departments and due to the OneCase system only allowing one team to be identified, these cases cannot be attributed to a particular service
 - Main cause of complaint
 - Delay in doing something/communications 119
 - Failure to do something/deliver service 100
 - Poor communication, info or advice 53
 - Fault was found in 33% (121) of cases, no fault found in 26% (97) of cases, 31% (115) were not determined/blank and 10% (35) were resolved upon receipt
 - Where fault was found, it was resolved by
 - 26% (31) cases by remedial action i.e. putting things right
 - 51% (62) by way of apology
 - 23% (28) by financial redress i.e. compensation
 - Compensation was paid in 10 cases totalling £1,440
- **Housing Needs - 360 stage 1 investigations**
 - Main teams complained about
 - Temporary Accommodation 23
 - Housing Register Team 134
 - Housing Advice/Homelessness 59
 - TA Placement & Visiting 34
 - Hostel Management 37
 - Housing Needs other 15
 - Main function or service complained about
 - Housing Register 67
 - Issues with TA i.e. ASB, infestations 56
 - Homelessness advice 36
 - Banding 26
 - Main cause of complaint
 - delays 74
 - poor communication/information/advice 72
 - poor customer service 46
 - disagree/unhappy with decision 46

- Fault was found 16% (58) of cases, no fault found in 73% (263) cases, 7% (25) were not determined and 4% (14) were resolved upon receipt
- Where fault was found, it was resolved by
 - 45 by way of apology
 - 9 case by remedial action i.e. putting it right
 - 1 by financial redress i.e. compensation
 - 3 due to impact of cyber attack
- **Customer Services** - 340 stage 1 investigations
 - Main teams complained about
 - Repairs Contact Centre 172
 - Customer Service Operations 168
 - Main cause of complaint
 - RCC availability of service 67
 - RCC poor information/communication 10
 - RCC poor customer care/staff behaviour 13
 - RCC delay 43
 - CSO quality of communication 70
 - CSO responsiveness 66
 - Fault was found in 55% (188) of cases, no fault found in 19% (63) of cases, 9% (29) were not determined and 18% (60) were resolved upon receipt
 - Where fault was found, it was resolved by
 - 4% (8) cases by remedial action i.e. putting things right
 - 93% (174) by way of apology
 - 3% (6) by way of financial redress i.e. compensation
 - Compensation was paid in 3 cases totalling £125

Stage 2

3.36 The Council investigated 344 complaints at stage 2 in 2022/23

- Of the 344 stage 2 investigations,
 - 220 (64%) found fault, up from 53% in 2021/22
 - 69 resolved by way of apology
 - 26 resolved by way of remedial action
 - 114 resolved by way of financial redress
 - 114 (33%) no fault found, down from 43% in 2021/22
 - 11 (3%) not determined/withdrawn
 - Total compensation offered at stage 2 £35,700.36 - this is in addition to that offered at stage 1
 - *119 (35%) saw additional fault found at stage 2 compared to stage 1

* Fault was found in 220 (64%) of cases investigated at stage 2 but in 119 of those cases, the fault found at stage 2 was additional to that found at stage 1

The 5 highest generating areas of stage 2 complaints are Building Maintenance (120 - 35%), Tenancy & Leasehold Service (40 - 12%), Housing Needs (36 - 10%),

Housing Transformation (36 - 10%) and Property & Asset Mgmt (20 - 6%). A breakdown of detail covering these 5 areas is as follows;

- Housing Building Maintenance, 120 investigations (up from 54 in 2021/22)
 - Main function or service complained about - Communal works 53, Customer Relationship Team 18, Contractors 17, Trades (gas, electrical, plumbing, etc) 14
 - Main cause of complaint - delays 92, failure to deliver service 16, work not to quality expected 5
 - Fault found 109, no fault found 10, undetermined 1
 - Fault addressed by financial redress 50, apology 19 and remedial action 40
 - Compensation awarded across 50 stage 2 cases in 2022/23 totalling £27,240 compared to £5,301 across 23 cases in 2021/22
 - 40 (33%) saw additional fault found at stage 2 compared to stage 1
- Housing Tenancy & Leasehold Services, 40 investigations (down from 55 in 2021/22)
 - Main function or service complained about - Service charges 8, neighbour dispute/ASB 11, re-housing/change of tenancy/succession 5
 - Main cause of complaint - failure to deliver service/do something 14, no/poor communication 8, delays 7
 - No fault found 28, fault found 12
 - Fault addressed by apology 10 and remedial action 2
 - Compensation awarded in 9 stage 2 cases totalling £1,269
 - 13 (33%) saw additional fault found at stage 2 compared to stage 1
- Housing Needs, 36 investigations (up from 34 in 2021/22)
 - Main function or service complained about - banding/bidding/decisions - 11, housing register 9, size/suitability of accommodation 3,
 - Main cause of complaint - disagree with decision 11, communication/info/advice 10, delay doing something 11
 - No Fault found 30, fault found 6
 - Fault addressed by apology 5, fault due to cyber attack 1
 - 11 (31%) saw additional fault found at stage 2 compared to stage 1
- Central Housing Complaints Team, 36 investigations (up from 14 in 2021/22)
 - Main function or service complained about is hard to determine as this team deals with complaints that cross more than one housing service/function
 - Main cause of complaint - failure to do something/take action 17, delay doing something 10,
 - No fault found 19, fault found 17
 - Fault addressed by apology 8, financial redress 3 and remedial action 6
 - Compensation awarded in 8 stage 2 cases totalling £4,080
 - 16 (44%) saw additional fault found at stage 2 compared to stage 1
- Housing Property & Asset Mgmt, 20 investigations (up from 8 in 2021/22)

- Main function or service complained about - lifts 9, electrical 3
- Main cause of complaint - delay doing something 13
- No fault found 5, fault found 15
 - Fault addressed by apology 8 and remedial action 7
- Compensation awarded in 2 stage 2 cases totalling £440
- 9 (45%) saw additional fault found at stage 2 compared to stage 1