



City of Westminster

Annual Complaints Review 2020/21

July 2021

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1. Introduction

- 1.1. This report presents complaints performance trends for 2020/21, and a comparison of performance between 2019/20 and 2020/21, where applicable across stage 1 and stage 2 of the corporate complaints procedure, with limited information on Children's and Adults Services statutory complaints. It also includes a performance review of Local Government and Social Care Ombudsman (LGSCO) first time enquiries, and a review of Leader and Cabinet Member correspondence.
- 1.2. Data used in this report has been taken from the Council's complaints database (icasework).

2. Background

- 2.1. The Council's two stage complaints procedure is as follows:
 - **Stage 1** - Complaints are addressed by the local service delivery manager (10 working day turnaround).
 - **Stage 2** - A review by a senior officer delegated by the Chief Executive can be requested (20 working day turnaround).
 - **LGSCO** - If the complainant still remains dissatisfied with the stage 2 reply they can take their concerns to the LGSCO.
- 2.2. The Council's corporate complaints procedure covers most council services although Adults and Children's Social Care Services must adhere to separate statutory complaints procedures for some complaints as defined under the relevant legislation. There is limited information about statutory complaints within this report as separate reports are produced for Member and Officer oversight. Data about Children's Services complaints which can be addressed within the corporate complaints procedure are included in this report.

3. The Management of Complaints

- 3.1. The Council published a formal complaints policy on 22 February 2021. Using the 'policy elements' of the Council's Complaints Best Practice Guide a council-wide public facing complaints policy was developed and behind this are the procedures for staff. The Policy reiterates the Council's current approach and it did not create new policy therefore did not need to go through decision making. It has also been reviewed by officers in Legal Services and Communications.
- 3.2. A change was made to the Council's complaints policy and on 16 June 2021 the target response time for completing a stage 2 complaint increased from 10 working days to 20 working days. The change came about following comments made by the Chair of Audit and Performance Committee when reviewing the Annual Complaints report for 2019/21 and following the approval of the Cabinet Member for Finance and Smart City. The Council recognised that meeting the 10 working day target for stage 2 responses has been a challenge for a number of reasons and as a consequence very few stage 2 complaint responses were meeting this target.

4. **Headline findings** **Complaints Management**

- 4.1. The Council published a formal complaints policy on 22 February 2021.
- 4.2. The complaints policy was changed on 16 June 2021 and the target response times for stage 2 complaints was increased from 10 to 20 working days.

Summary of Complaint Numbers

- 4.3. A total of **1785** corporate complaints (1542 at stage 1 and 243 at stage 2) have been recorded across both stages and represents a decrease (19%) on the previous year. However, there has been an overall increase at stage 2.

Stage 1 Summary

- 4.4. **Response times** –The 10 working day response target has been met in 69% of stage 1 complaints which is a 8% reduction on the previous year.
- 4.5. **Complaint Learning** – Items 6.12 to 6.29 provides examples of how complaint data has been used for complaint learning.

Stage 2 Summary

- 4.6. **Complaint Volume/Escalation** – 243 stage 2 complaints have been received which represents a 38% increase on the preceding year. The increase is generally due to the increase in Housing Management Services complaints and Housing Solutions Services Complaints. Most other service areas have seen a reduction in volume.
- 4.7. **Response Times** – 17% of stage 2 complaints were responded to in target response time (10 working days) against 13% in the preceding year.
- 4.8. **Complaint Escalation Rate** – Across all services the escalation rate from stage 1 to stage 2 is 16%.

Local Government and Social Care Ombudsman (LGSCO)

- 4.9. One formal published report was issued on 10 June 2020 regarding a complaint made to Adult Services. The report found fault causing injustice. This was the first public report issued against the Council since September 2013.
- 4.10. The Council received 23 first time enquiries in 2020/21 against 24 enquires in the previous year.
- 4.11. **Compensation** – In 2020/21 a total of £15,200 was offered and in 2019/20 a total of £5024.00 offered.

LGSCO Annual letter 2020/21

- 4.12. **Complaint Outcomes** – 71% of all LGSCO complaints and enquiries received in 2020/21 were either referred back to the Council's complaints procedure or the Ombudsman closed the case after initial enquiries were made.

Leader and Cabinet Member Correspondence

- 4.13. The volume of correspondence has increased during 2020/21. This will come as no surprise as residents have increased their contact with the Council during the pandemic; the increase is about 30%.

- 4.14. This report presents complaints performance trends afor 2020/21, and a comparison of performance between 2019/20 and 2020/21 where applicable across stage 1 and stage 2 of the corporate complaints procedure, with limited information on Children’s and Adults Services statutory complaints. It also includes a performance review of Local Government and Social Care Ombudsman (LGSCO) first time enquiries, and a limited review of Leader and Cabinet Member correspondence.
- 4.15. Data used in this report has been taken from the Council’s complaints database (icasework).

5. Complaint Volumes- Across all Stages and Directorates

- 5.1. As indicated in **Table 1** a total of **1785** corporate complaints (1542 at stage 1 and 243 at stage 2) have been recorded across both stages (withdrawn complaints not included). When all the statutory complaints are included the overall total is **1879** (1633 for all stage 1 complaints and 245 for all stage 2 complaints and 1 Children’s stage 3 complaint).

Table 1 – Complaints (both corporate and statutory) across Stage 1 and Stage 2 for 2020/21

Directorate/ Division	Stage 1 Total for 2020/21	Stage 2 totals for 2020/21	Children's Statutory Stage 3	% escalated to Stage 2
Finance and Resources	194	10	N/A	5%
<i>Housing Benefit</i>	53	2	N/A	4%
<i>Council Tax</i>	78	1	N/A	1%
<i>Business Rates</i>	63	7	N/A	11%
City Management and Communities	278	23	N/A	8%
<i>Waste and Parks</i>	107	1	N/A	1%
<i>Public Protection and Licensing</i>	62	7	N/A	11%
<i>Parking Services</i>	62	12	N/A	19%
<i>Highways and Public Realm</i>	16	3	N/A	19%
<i>Libraries and Archives</i>	13	0	N/A	0%
<i>Community Services (Sports & Leisure)</i>	18	0	N/A	0%
Growth, Planning and Housing	1016	205	N/A	20%
<i>Development Planning</i>	43	4	N/A	9%
<i>Housing Solution Services</i>	242	48	N/A	20%
<i>Housing Mgt (was CityWest Homes)</i>	731	153	N/A	21%
Children's Services	50	5	N/A	10%
Adults Services	1	0	N/A	0%
Sub Total for all Corporate Complaints	1542	243		16%
Children's Statutory Complaints	6	2	1	33%
Adults Services Statutory Complaints	85	N/A	N/A	N/A
Totals all complaints corporate and statutory	1633	245	1	15%

NB: The statutory complaints procedure for Adults Services is a one stage process after which the complainant can escalate to the LGSCO. The statutory complaints procedure for Children’s services has three stages.

- 5.2. **Table 2** (below) indicates that this represents an overall decrease in complaint volumes across all services although stage 2 totals have increased.

Table 2 - A Comparison of corporate complaint volumes 2019/20 and 202210 across all services

	2019/20	2020/21	Variance
Stage 1	1628	1542	-86
Stage 2	176	243	67
Total	1804	1785	-19

6. Stage 1 Complaints over 2020/21

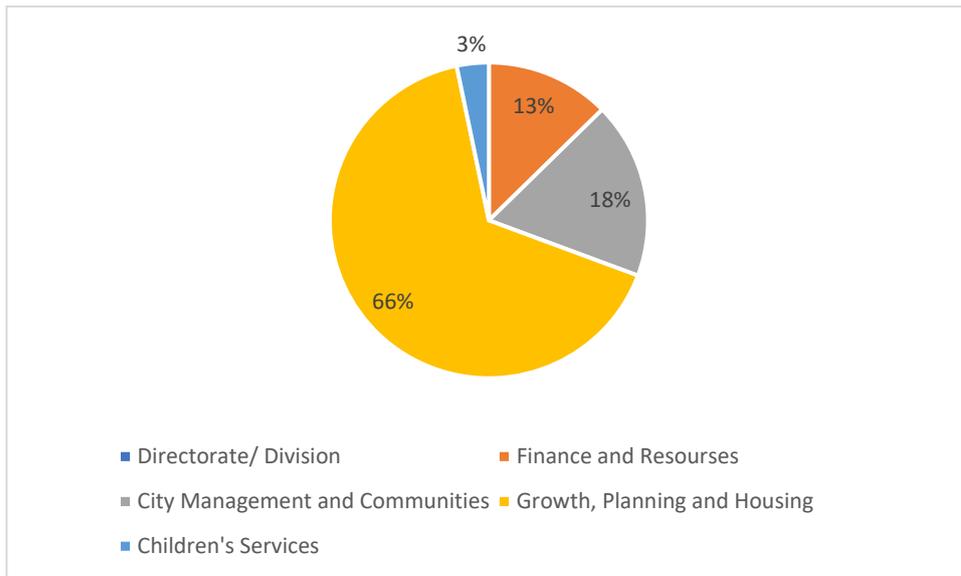
Total number of Stage 1 Complaints received by directorate (withdrawn complaints not included) - **1542**

Table 3 -Comparison of Stage 1 totals by Divisions within Directorates for 2019/20 & 2020/21 (Adults and Children's statutory complaints data is not included)

Directorate/ Division	Total for 2019/20	Total for 2020/21	Variance
Finance & Resources	274	194	-80
<i>Housing Benefit</i>	66	53	-13
<i>Council Tax</i>	180	78	-102
<i>Business Rates</i>	28	63	35
City Management and Communities	349	278	-71
<i>Waste and Parks</i>	118	107	-11
<i>Public Protection and Licensing</i>	82	62	-20
<i>Parking Services</i>	91	62	-29
<i>Highways and Public Realm</i>	21	16	-5
<i>Libraries and Archives</i>	12	13	1
<i>Community Services (Sports)</i>	25	18	-7
Growth, Planning and Housing	922	1016	94
<i>Development Planning</i>	62	43	-19
<i>Housing Solution Services</i>	178	242	64
<i>Housing Mgt (was CityWest Homes)</i>	682	731	49
Chief Executives	9	0	-9
Electoral Services	9	0	0
Policy, Performance and Communications	9	0	-9
<i>Campaigns / Engagement</i>	4	0	-4
<i>City Promotions, Events and Filming</i>	5	0	-5
Westminster Adult Education Service (WAES)	3	3	0
Children's Services	62	50	-12
Total	1628	1541	-87

- 6.1. For large parts of the year the pandemic has meant that there have been restrictions affecting some service areas and in how services can be delivered. Table 3 (above) indicates that overall the majority of service areas have seen a decrease (-87) which equates to 5.49% in stage 1 complaint volumes when compared with the previous year despite the pandemic. However, Housing Solution Services (HSS), Housing Management Services (HMS), and Business Rates (from F&R) have seen an overall increase in volume. The increase in complaints from Business Rates is attributed to the pandemic as the complaints procedure was used as the review mechanism for those businesses who applied for Business Support grants and were not successful in their applications for the various business rates grants awarded by central government. There were delays in NNDR business as usual as resources had to be re-directed to grants administration.

Chart 1 - Profile of complaints made by directorate with a total of 10 complaints or over in 2020/21



6.2. As seen in **Chart 1** complaints from Growth Planning and Housing (GPH) represent 66% of all stage 1 complaints received and the situation was similar in 2019/20 as GPH represented 57% of all stage 1 complaints.

Stage 1 Response Time by Directorate

Speed of response for all Directorates

6.3. The target response time for replying to a stage 1 complaint is 10 working days. Performance is therefore measured by:

- Complaints completed in target response time (0 to 10 days)
- Those completed in 11 to 20 days
- Those complaints that took over 20 days.

6.4. As indicated in **Table 4** (below) the average response time for all complaints completed within target response time across all directorates in 2020/21 is 69% against 77% for the preceding year. It is likely that the pandemic has slowed down response times as in some services officers were displaced to undertake priority pandemic duties.

6.5. An average response time of 80% or above is considered a very good performance and although performance is slower than the preceding year it can be considered as a “good performance” given the back drop of the pandemic, restrictions on how services could be delivered and staff being displaced to work in priority areas.

Table 4 - Percentage of Stage 1 complaints completed in target response time for 2020/21 & 2019/20

Percentage Total for 2020/21	69%
Percentage Total for 2019/20	77%

6.6. **Table 5** below provides a breakdown of response times for all directorates,

Table 5 - A breakdown of stage 1 response times for all directorates 2020/21

Directorate/ Division	Stage 1 totals	% in target time
Finance and Resources		93%
<i>Housing Benefit</i>	53	100%
<i>Council Tax</i>	78	92%
<i>Business Rates</i>	63	87%
City Management and Communities		67%
<i>Waste and Parks</i>	107	67%
<i>Public Protection and Licensing</i>	62	58%
<i>Parking Services</i>	62	81%
<i>Highways and Public Realm</i>	16	25%
<i>Libraries and Archives</i>	13	85%
<i>Community Services (Sports & Leisure)</i>	18	78%
Growth, Planning and Housing		66%
<i>Development Planning</i>	43	58%
<i>Housing Solution Services</i>	242	73%
<i>Housing Mgt (was CityWest Homes)</i>	731	64%
Westminster Adult Education Service (WAES)	3	67%
Children's services	50	56%
		69%

Further analysis will be completed for those services where performance is below 60% (PPL, Highways, Planning and Children's) and actions put in place to improve performance. However, the reasons given for the slower response times for these areas include complexity of cases, staff being deployed to undertake priority duties during the pandemic, delay in processing complaints received by post during the pandemic and issues with the assignment of cases on icasework.

Adults and Children's Services statutory complaint response times

	Stage 1 totals	% in target response time	Stage 2 totals	% in target response time	Stage 3 totals
Statutory Complaints					
Children's Statutory Complaints	6	67%	2	100%	1
Adults Services Statutory Complaints	85	65%	N/A	N/A	N/A
Totals	91		2		1

NB: Children's Statutory complaint procedure has three stages and the Adults complaints procedure has one stage. Stage 3 of the Children's statutory complaints procedure has various timescales relating to Stage 3 complaints which include:

- Organising the Panel within 30 working days of the complainant's request
- The Chair should produce the panel's report within 5 working days of the Review Panel
- Sending the Local Authority's response to the complainant within 15 working days of the Panel's report.

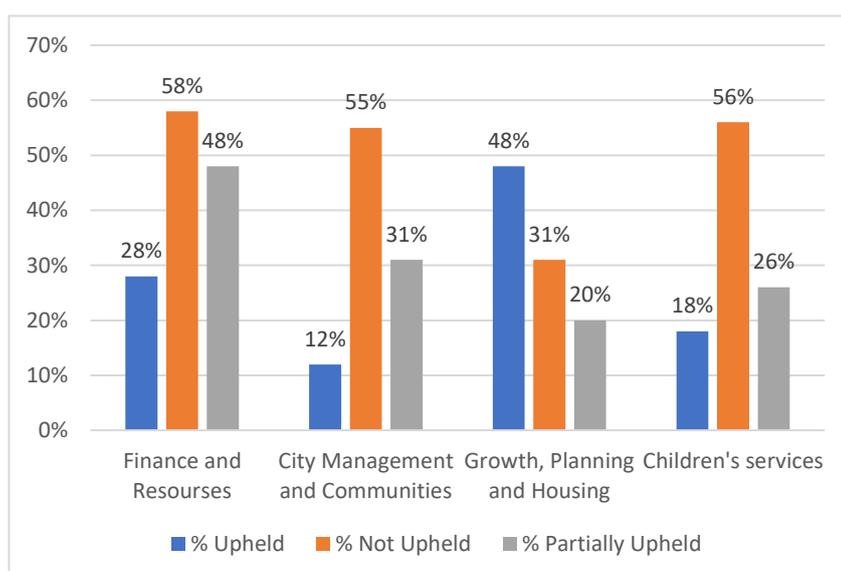
Complaint Outcomes

- 6.7. Each complaint response should indicate what is the complaint outcome (finding), explain if the Council considers that anything went wrong and if it did what has/will be done to put it right. Complaint outcomes are usually expressed as Upheld, Not Upheld or Partially Upheld.
- 6.8. An Upheld decision indicates that we accept that there was fault. A Partially Upheld complaint decision is reached if the majority of the complaint concerns are Not Upheld, but there are some minor lapses in service delivery which did not have a significant impact in reaching the complaint decision. A Not Upheld complaint indicates that there has been no fault.
- 6.9. It is generally accepted that at stage 1 there will be a higher percentage of complaints that are upheld or partially upheld as the main purpose in investigating a complaint is to try and find any mistakes and put right any wrongs. This should then prevent the need for the complainant to escalate to the final stage of the complaint procedure.
- 6.10. As seen in **Table 6** below across all directorates the percentage of Not Upheld remains the same as the previous year although there are more upheld decisions. Decisions on their own say little about the quality of the complaint response and should be viewed with the escalation rate from stage 1 to stage 2, as we expect small volumes escalating to the next stage of the complaints procedure if service faults found have been rectified at stage 1. This issue is addressed in Item 7.8.

Table 6 – A comparison of Stage 1 Outcomes for 2019/20 and 2020/21 across all Directorates

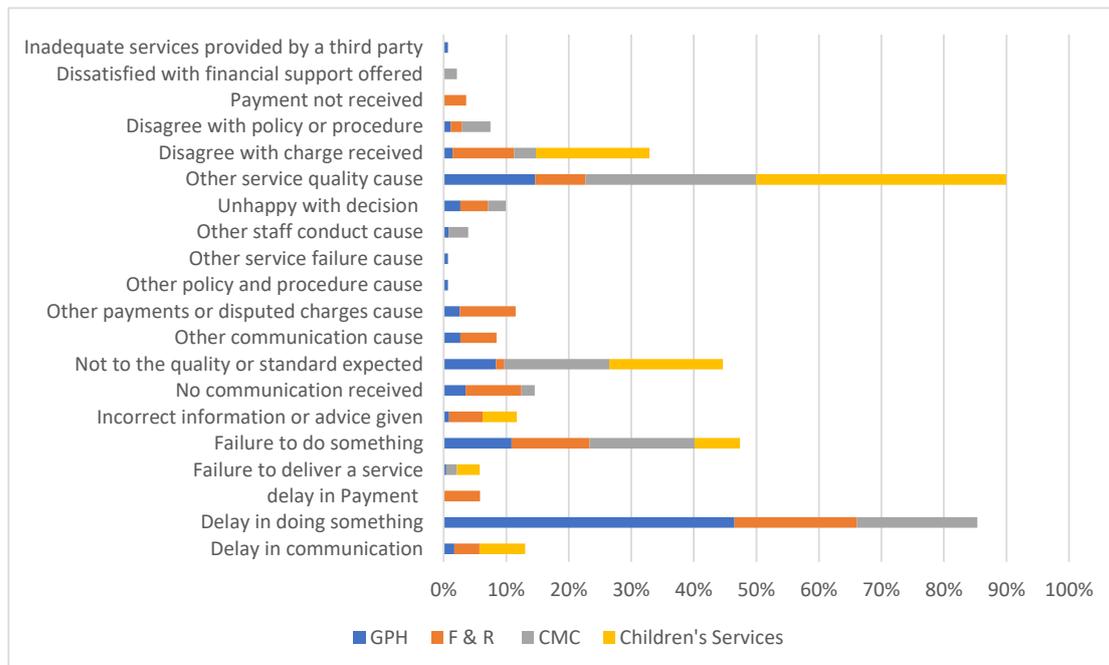
	2019/20	2020/21
Not Upheld	40%	40%
Partially Upheld	38%	22%
Upheld	22%	37%

Figure 2 Outcome by Directorates



Reasons for Complaining

Figure 3 - Cause of complaint by Directorate



6.11. In view of the complexity of all the different services offered by each directorate generic causes are used so we can track at a corporate level the overarching cause of complaint. As seen in Figure 3 service quality, delay in doing something, not done to the quality or service standard expected are the most common cause of complaint.

1.

Complaints Learning

6.12. As the volume of complaints from all the service areas vary it can be difficult to capture all complaint learning or there may be little complaint learning when volume of complaints are low. The below highlights that complaint data is being analysed and provides some examples of complaint learning coming out of this.

6.13. **Parking Services** - All stage 1 complaint data was analysed to ascertain if processes/behaviours required improvement. On a case by case basis a decision is taken to decide if the concern is forward for coaching, feedback and or development plans. No processes were changed from the outputs of stage 1 complaints however 38 complaints were put forward for additional staff coaching and feedback to for staff.

6.14. **Business Rates** - The analysis of complaints identified that a high proportion of complaints received related to the Covid 19 Business Support Grants. The increase was to be expected and is predominately down to the distress and disappointment at learning a grant had not been awarded as the Council must adhere to strict government guidance when calculating people's entitlement.

6.15. The Business Rates team has been using the Stage 1 response template which has generally improved complaint responses; and the service is working to ensure that all responses cover all questions raised.

6.16. **Housing Benefit** – Additional workload has been generated by Covid-19 due to the effect that it has had to people's circumstances. Despite this complaint numbers have not risen in line with this extra workload, due in part to good communication with customers, and the relaxed evidence

requirements called “Trust and Protect” which were part of a national DWP trust initiative instigated for Covid. This relaxed certain evidence requirements to allow for faster processing of applications during the pandemic.

- 6.17. The benefits service suspended all reception site and home visits during the outbreak of Covid-19. However, it has been proactively calling and emailing customers instead to try and help with the speedy resolution of claims. The complaints received highlighted the importance of timely, clear communication and what happens when that fails. Something as simple as a conversation on the phone can help make a customer feel that their issues are being taken seriously and that they are not isolated or alone with the issues that they are trying to resolve.
- 6.18. **Council Tax** – A review of complaints indicated some areas where additional information added to the information in the Council’s web site can provide more clarity in two areas.
- Students who haven’t provided their student certificate for an exemption – the service is looking to see if additional information can be inserted outside in other parts of the web site other than in the section Discounts/Exemptions where a form can be completed and a student certificate uploaded
 - Enforcement Action (EA) in response to debtors saying that they were not aware of debt the website is being reviewed to see if additional text can be added to explain “.....*EA action will only take place after the bill, reminder, summons is issued and a liability order is obtained at court.....*” in the hope that debtors will seek clarification from the service regarding their position.
- 6.19. The service is also undertaking the following actions having kept all upheld and partially upheld complaints under review:
- On a monthly basis all stage 1 complaints are discussed with the Council Tax team and the findings and recommendations from these discussions are cascaded to include the contact centre agents and the indexing team. Regular meetings also take place to ensure the communication flow is accurate.
 - Where an individual officer has made errors they are individually taken through their errors/oversights and refresher training is provided to prevent a re-occurrence. The contact centre manager carries out a similar process with contact centre agents.
 - If documents (email/letter) have been found not to have been correctly indexed, the indexer will be shown how to use the “search engine” to ensure they pick up the correct address or name. This is then closely monitored.
 - Support is provided to ensure responses cover all points raised to avoid repeat contact, and a manager will now proof read each complaint before the response is issued to the complainant.
 - The service undertakes daily quality checks of 5% of each staff member’s output to check accuracy and any errors are addressed by the Team Leader with their respective member of staff, and refresher training is provided.
 - The procedure notes for the service (Council Tax and Contact Centre) are continually reviewed and if required procedures improved and this measure is reducing the number repeat contact, follow-up complaints and escalation to Stage 2.
 - Requests for copies of bills have been improved through the recommendation that the monthly batch jobs for copy bills be revised to

ensure copy bills spanning 6 years are issued within a 10-day turnaround which has reduced complaints in this area and repeat calls and correspondence.

- 6.20. **Housing Solutions Service (HSS)** – Delays/Administrative delays relating to the processing of housing and homeless applications was the cause of many complaints that was made against HSS in 20/21. In the first half of the year, complaints about delays in concluding non-statutory reviews and concluding medical assessments featured highly. The service process new housing applications, and most are done within 10 working days. However, this generated more reviews and the submissions of further information, for example, medical information which then generated a high volume of documents that needed processing. As a result, the service reviewed its processes and introduced a number of measures to improve response times and by the end of the financial year all outstanding reviews were responded to.
- 6.21. Many of the complaints relating to homeless applications were linked to a backlog the service had in the previous year when it was processing approximately 900 applications. This was reduced to 400 and has remained at that number. Having had the main housing duty accepted, some applicants complained about the length of time it had taken to accept the duty when they realised that they were likely to be facing a long wait for long-term or permanent accommodation. To ensure that the staffing levels in the team were maintained, the service recruited to its casework academy with the new staff receiving comprehensive training in homeless legislation and casework. However, their inexperience led to some delays because they were still learning and can take longer to make decisions on cases.
- 6.22. Communication issues - Poor response times to customer enquiries was also identified as the reason that some customers complained. Technical issues that resulted from remote working meant that contact centre staff were unable to transfer calls, instead emailing messages that were sent to the relevant member of staff advising them to return the call, and this adversely affected response times. With the implementation of the 8 x 8 telephony system calls can be transferred, which has improved communication with customers. The system also allows managers in the HSS contact centre to listen back to recorded calls for monitoring and training purposes. It also provides better evidence where complaints are made and the call back function allows callers to end their call and wait for it to be returned.
- 6.23. Lessons learned - Improvement in service quality:
- Central administration team to be set up to manage various administrative processes across the service in order to ensure a more standardised and efficient approach
 - Additional capacity in Quality & Reviews team with a new team manager post under the delivery lead
 - New process for responding to non-statutory reviews, moving from service area led, to Quality & Reviews team
 - Monthly meetings led by the Quality & Reviews team with Housing Solutions Service delivery leads and team managers have commenced. Meetings are used to discuss the complaints relating to each service area and agree actions needed for service improvement
 - New KPI's set for the contract providers around members enquiries and complaint handling response times for 2021/22
 - Additional oversight of complaints performance via standing agenda item

- on monthly contract monitoring meetings and quarterly overview report
 - 'Lessons Learnt' monitoring linked to the service monthly meetings will form part of monthly monitoring meetings to discuss and action how complaints can be addressed
 - Additional audit checks as part of the Quality Assurance activity will be used to track service improvement and service issues, which have been identified from the 'lessons learnt' monitoring.
- 6.24. **Housing Management Services** - Tenants who are unable to carry out repairs that are their own responsibility are frustrated when Westminster Housing does not agree to carry them out for them. In response Housing have updated the information on tenants' repairing responsibilities on the website, updated the tenants' handbook and are in the process of producing a series of 'how to' animations to help tenants carry out their own repairs. The service is also developing a series of animations to provide advice and guidance on repair issues that are often requested and the subject of complaints. Other actions taken are as follows:
- Following an increase in the number of repairs complaints escalated to S2, repairs complaints are now inspected by a surveyor at both S1 and S2 to improve diagnosis. Those repairs are tracked to completion and residents are called to confirm completion of the work.
 - Following a complaint that a H&S repair to a fire door was not completed during lockdown, a new process is being developed to ensure repairs identified by the Compliance Team (as a result of estate inspections) are completed in a timely manner and any delays can be escalated and resolved effectively.
 - Following a large volume of complaints related to repairs that were not completed due to lockdown restrictions, communications were increased to inform residents of new arrangements. The repairs team called residents whose jobs were to be put on hold and communicated arrangements for re-booking after lockdown.
 - Following a complaint from a tenant who exchanged homes with a housing association tenant that they had lost their right to buy, the procedure for managing RTB has been amended to ensure tenants are advised that a move to a landlord other than a council will result in a loss of the RTB and to seek their own advice regarding the tenancy they are taking on.
 - Following a complaint about inconsistent advice regarding an application to succeed to a tenancy, the process has been changed so that residents contacting the housing service are referred direct to a housing manager for specialist advice and to handle the succession claim. Processes and procedures have been updated accordingly and the qualifying information required has been clarified.
- 6.25. **PPI** - With regards to lessons learnt PPI is making sure staff are fully aware of processes and procedures around managing complaints by offering further training and will also be reviewing their list of officers who are currently on the complaints system and reviewing areas to make sure the Complaints team is fully aware which managers covers each ward across Westminster with regards to triaging of cases.
- 6.26. **Waste and Parks** – These are highly visible front-line services with extremely high levels of customer interactions (one million individual waste collections every week alongside several thousand kilometres of street cleaning). Complaint data is highly useful information to the service in terms of identifying problem 'hotspot' locations that require a new approach or process issues that need correcting (ordering a bulky waste collection/recycling bags etc.). The most important category of

complaints we investigate involve employee behaviour (speeding HGV drivers, rude sweepers etc.). The monthly Veolia Contract Meeting has a standing agenda item to review in detail all individual 'behaviour' related complaints and what lessons can be learned for the delivery of services alongside potentially disciplinary action being taken for inappropriate behaviour.

6.27. **Adults Services-**

- Refresher training was delivered to staff on the importance of checking support plans very carefully before sign off to ensure all eligible assessed needs are included in a support plan clearly.
- There is better communication between the Adult Social Care operational teams and the Finance Team to ensure effective resolution of complaints.
- Training has been arranged for Social Work Teams around Direct Payments (DP) to focus around the process and criteria for suspending a DP. A new process is being implemented to ensure that a DP cannot be suspended without the explicit agreement of the relevant Adult Social Care Head of Service.

6.28. **Children's Services**

- The need to explain to and ensure that the service user understands what an assessment report entails.
- Social workers to inform service users if they are leaving the Council's employ or are no longer handling their case

6.29. **Sports and Leisure-** The Physical Activity, Leisure and Sport (PALS) team work very closely with their contractor Everyone Active and this assists in identifying complaint trends and in resolving them effectively and efficiently. The team has worked with Everyone Active to improve their own complaints procedure and also to develop a banning policy underpinned by a customer sanctions guide all of which they feel has helped make complaint handling more robust. Changes to Everyone Active and their banning/sanctions policy has informed and rolled out as their national policy

7. **STAGE 2 COMPLAINTS**

Volume of Complaints by Directorate

- 7.1. **Total** number of Stage 2 Complaints in 2020/21 – **243** (withdrawn and statutory cases not included). There were 176 stage 2 complaints received in the preceding year and this represents a percentage increase of 38%.
- 7.2. The increase in stage 2 volumes is generally due to the increase in Housing Management Services complaints and Housing Solutions Complaints. Most other service areas have seen a reduction in volume.

Table 8 - A comparison of stage 2 volumes by Divisions within each directorate for 2019/20 & 2020/21

Directorate/ Division - Stage 2	Total for 2019/20	Total for 2020/21	Variance
Finance & Resources	24	10	-14
<i>Housing Benefit</i>	7	2	-5
<i>Council Tax</i>	15	1	-14
<i>Business Rates</i>	2	7	5
City Management and Communities	42	23	-19
<i>Waste and Parks</i>	5	1	-4
<i>Public Protection and Licensing</i>	13	7	-6
<i>Parking Services</i>	14	12	-2
<i>Highways and Public Realm</i>	4	3	-1
<i>Libraries and Archives</i>	0	0	0
<i>Community Services (Sports)</i>	6	0	-6
Growth, Planning and Housing	100	205	105
<i>Development Planning</i>	7	4	-3
<i>Housing Solution Services</i>	31	48	17
<i>Housing Mgt (was CityWest Homes)</i>	62	153	91
Chief Executives	9	0	-9
Electoral Services	9	0	-9
Children's Services	8	5	-3
Total	176	243	67

Stage 2 – Responses times

- 7.3. As indicated in **Table 9** below response times have slightly improved on the previous year. The slowing down in response times has been due in part to the increase in the volume of stage 2 complaints, the number of complex investigations, some services have generally been slower in replying to requests for information and that the corporate complaints team has also been down an officer. In response to this the team now has a full compliment of staff and following comments made by the Chair of Audit and Performance Committee when reviewing the Annual Complaints report for the preceding year, and with the approval of the Cabinet Member for Finance and Smart City changes to the complaints policy were made to increase the stage 2 target response time to 20 working days. This was effective from July 2021 therefore next year's annual report will indicate what impact the change in policy has had and currently the change is being monitored.

Table 9 - Response Time (target of 10 working days)

Stage 2 - Within Target Response Times	2019/20	2020/21
	13%	17%

Stage 2 Outcomes

- 7.4. As with stage 1 each stage 2 complaint response should indicate what the complaint outcome is.
- 7.5. **Table 10** below, indicates that that the percentage of Not Upheld decision for 2020/21 has decreased when compared with 2019/20, and there has been an increase in overall percentage of complaints that have been Upheld and Partially Upheld. The percentage change in decisions is small therefore it is

difficult to draw conclusions given that stage 2 volumes are also small when compared to stage 1 volumes and coupled with the fact that Housing Management make up 63% of all stage 2 complaints.

Table10 - A comparison of % Complaint decision by Directorate and overall % totals for 2019/20 and 2020/21

	2019/20 Upheld decision	2019/20 Not Upheld decision	2019/20 Partially Upheld decision	2020/21 Upheld decision	2020/21 Not Upheld decision	2020/21 Partially Upheld decision
Finance & Resources	29% (7/24)	33% (8/24)	38% (9/24)	10% (1/10)	50% (5/10)	40% (4/10)
City Management and Communities	5% (2/42)	69% (29/42)	26% (11/42)	4% (1)	74% (17/23)	22% (5/23)
Growth, Planning and Housing	20% (20/100)	38% (36/100)	42% (42/100)	27% (56/205)	28% (58/205)	44% (91/205)
Children’s Services	13% (1/8)	50% (4/8)	38% (3/8)	20% (1/5)	0% (0/0)	80% (4/5)
Totals	17% (30/176)	45% (80/176)	38% (66/176)	24% (59/243)	33% (80/243)	43% (104/243)

Reasons for complaint escalation

- 7.6. The Council has an open complaints procedure and welcomes complaints even if the complainant does not fully explain their dissatisfaction with the stage 1 response. **The Figure 4** below indicates that 59% of stage 2 complaints sited no specific reason(s) for escalating) their complaint other than to generally disagree with the stage 1 finding. Of those complainants who did cite specific reasons for escalating their complaint 26% said that the stage 1 response failed to address all the issues raised in the complaint.
- 7.7. **Table 12** indicates that the escalation rate from stage 1 to stage 2 across all directorates, is 16%. This is a good performance given that there are only two stages in the complaints procedure, and the volume of stage 1 complaints. This is a therefore a reasonable indicator that stage 1 complaint handling is effective, and faults are being identified and rectified at this stage.

Figure 4 Reasons complaint escalation

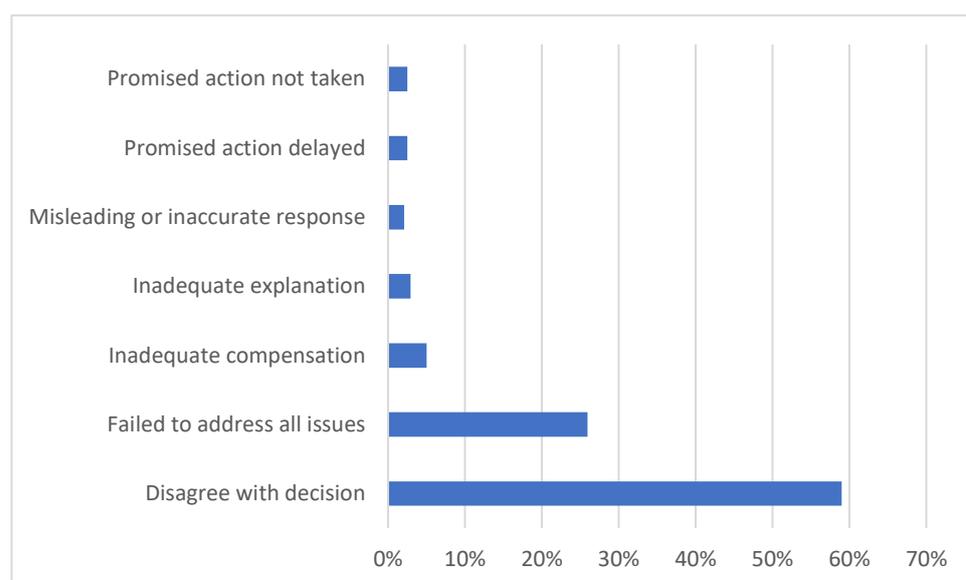


Table 12 – The Escalation rate from stage 1 to stage 2 across all directorates for 2020/21

Directorate/ Division	Stage 1 Total for 2020/21	Stage 2 totals for 2020/21	% escalated to Stage 2
Finance and Resources	194	10	5%
<i>Housing Benefit</i>	53	2	4%
<i>Council Tax</i>	78	1	1%
<i>Business Rates</i>	63	7	11%
City Management and Communities	278	23	8%
<i>Waste and Parks</i>	107	1	1%
<i>Public Protection and Licensing</i>	62	7	11%
<i>Parking Services</i>	62	12	19%
<i>Highways and Public Realm</i>	16	3	19%
<i>Libraries and Archives</i>	13	0	0%
<i>Community Services (Sports & Leisure)</i>	18	0	0%
Growth, Planning and Housing	1016	205	20%
<i>Development Planning</i>	43	4	9%
<i>Housing Solution Services</i>	242	48	20%
<i>Housing Mgt (was CityWest Homes)</i>	731	153	21%
Children's Services	50	5	10%
Totals	1538	243	16%

8. Local Government and Social Care Ombudsman (LGSCO)

First Time Enquiries

- 8.1. When the LGSCO decide that they wish to investigate a complaint about Council services they can do so by simply reviewing the information the complainant has provided and/or use information from various websites or set out in legislation. If they want to obtain specific information from a local authority, such as asking questions or requesting copies of correspondence to assist in an investigation they will write to the relevant Council with their request. This is known as first time enquiries.
- 8.2. As shown in **Table 13** there has been a slight decrease (-1) in the number of first-time enquiries when compared with the preceding year.

Table 13 - LGSCO total First Time Enquiries for the years 2019/20 & 2020/21

	First Time enquiries Totals 2019/20	First Time enquiries Totals 2020/21	Variance
F&R - HB	0	2	2
F&R- CT	2	0	-2
F&R- NNDR	1	1	0
GPH - Planning	1	2	1
CMC - Parking	1	1	0
CMC - Highways & Infrastructure		1	1
CMC-Public Protection & Licensing	2	4	2
CMC - Physical Activity, Leisure & Sport	1		-1
Adult's	5	2	-3
Housing Solution Services	7	8	1
Children's Services	4	2	-2
Totals	24	23	-1

Compensation

- 8.3. The LGSCO can award financial payments as part of a remedy for the complaint. The term “injustice remedied” is used to describe decisions where the Council remedied or agreed to remedy any injustice to the LGSCO’s satisfaction during the investigation so allowing the complaint to be closed. These remedies can include the payment of financial settlements.
- 8.4. A comparative breakdown of LGSCO financial remedies for 2019/20 and 2020/21 can be found below (**Table 14**).

Table 14 – Comparison of LGSCO compensation settlements

Financial Local Settlements	2019/20	Nos of complaints offering compensation		2020/21	Nos of complaints offering compensation
GHP - HSS	£900	3		£14,400	5
Adult Services	£250	1		£250	1
Children Services	£2,050	3		£150	1
CMC - Sports & Leisure	£100	1		nil	0
CMC - PPI	£1,400	1		nil	0
CMC - Highways & Infrastructure	nil	0		£300	1
CMC - Parking Services	£324	1		£100	1
Totals	£5,024	10		£15,200	9

- 8.5. When applicable compensation is usually paid by the relevant contractor/provider and not from the Council's purse.
- 8.6. It is difficult to make performance comparisons between financial years as each complaint is dealt with on its merits.
- 8.7. In the majority of cases for 2020/21 each single award is for payments of £300.00 or less. However, HSS had three complaints which awarded compensation of £4,500, £7,200 and £2,200 respectively. The complainant has not accepted the award of £7,200 therefore no payment has been made in this complaint. The other two payments have been paid by RMG the HSS contractor although the HSS housing provider will be recharged the amount of £4,500 for that complaint, and RMG paid the compensation for the case that awarded £2,200 and the additional payment (not a compensation payment) made to the landlord accrued because of rent arrears will be split between the Council and RMG.
- 8.8. Below is a summary of the complaint made to the Ombudsman about these three cases.
- In the case of the award for £4,500 the complaint was about disrepair issues in temporary accommodation. The Council failed to ensure the defects were resolved promptly, leaving the family in unsuitable accommodation for 10 months longer than they should have. We apologised, agreed to pay the compensation and review service level agreements with managing agents
 - The award of £7,200 is a significant payment but takes into account that the error stems from 2017 when the Council accepted a full housing duty for the family after they had made a homeless application. However, the letter confirming this, was sent to an address they had already left. The fault meant the family were homeless for a period and have since been living in unsuitable private rented accommodation. The award was made to the family to remedy the injustice arising from their period of homelessness, the loss of opportunity to request a review of the suitability of their accommodation, and for their time and trouble in pursuing this complaint. We also agreed to consider what practical changes we can make to our procedures and systems, to help prevent a recurrence.
 - In the case of the award totalling £2,200 the failure was to provide interim accommodation in response to a homeless application and we delayed in taking action between February 2018 and February 2020. The delays included issuing a section 184 decision, failure to offer interim accommodation, failure to offer accommodation until the day before eviction a delay in issuing a personal housing plan and referring him to Westlets. We also agreed to pay rent arrears accrued by the complainant over and above which housing benefit and universal credit would have covered.

LGSCO – Annual Letter 2020/21

- 8.9. Attached as **Appendix 1** is the Local Government and Social Care Ombudsman Annual Letter for 2020/21.
- 8.10. The Annual letter says very little about performance and refers the reader to the statistical information available via a tool on the LGSCO web site. The Council's complaints manager has access to this tool and can arrange for Members or managers to have access. The LGSCO data will not match the data held by the Council as the LGSCO captures all the contacts, enquiries,

and complaints made to them about a local authority and most of these complaints are not formally investigated by the LGSCO. Also the LGSCO only reports on those cases decided in 2020/21, and some of those complaints were received by the Council in 2019/20. The Council tracks what it has received in a financial year and what is decided in that same year.

- 8.11. At the end of March 2020, the LGSCO temporarily stopped their casework, in response to the pandemic and the wider public interest, so to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 outbreak. They restarted casework in late June 2020.

Public Report

- 8.12. On 10 September 2020 a formal public report finding maladministration with injustice was issued against the Council (Adult Services) and this report was published on 22 October 2020. The report was issued under Section 31(2) of the 1974 Act, and the Serious Case Review Committee met on 24 November 2020 to consider the report and findings. The complaint was about the failure to provide a blind man with a care and support plan that properly met his assessed adult care needs. The care and support plan did not provide for access to community services. The Council accepted the finding and recommendations, which included an apology and compensation of £2,000. The Council also agreed to review other cases to ensure the same thing had not happened to anyone else. This is the first public report issued against the Council since September 2013.

LGSCO data

- 8.13. The LGSCO data records 83 complaints and enquiries against the Council and of these 79 have been decided, there are 4 cases which are still ongoing. Of those decided 71% were either not formally investigated as they were either returned to the authority to answer within our own complaints procedure or were closed after initial enquiries. It should also be noted that the annual letter is referring to all the decisions made in 2020/21 and some of these complaints were received in the preceding year.

Table 15 – a comparison of all the LGSCO Complaint decisions & Enquiries for 2019/20 and 2020/21

	2019/20	2020/21
Total number of complaints and enquiries decided	107	79
Cases referred back to Council or advice given or cases not completed for valid reasons	58 (54%)	38 (48%)
Cases closed after initial enquiries made	20 (19%)	18 (23%)
Cases Upheld	21 (19%)	12 (15%)
Cases Not Upheld	8 (7%)	11 (14%)

- 8.14. The LGSCO either finds a complaint is Upheld or Not Upheld. When a complaint is Upheld the Ombudsman will decide if there was injustice or no injustice caused by the fault(s) they have found. To uphold a complaint some fault must be found, and this means that if a stage 2 complaint has been either upheld or partially upheld then the LGSCO decision will also find the complaint to be upheld.

Compliance

- 8.15. When a case is closed, and a remedy agreed the LGSCO will track whether the local authority completes the remedy, and if this was done in time. The statistics held on the LGSCO system indicates that we have complied with 100% of their recommendations.
- 8.16. The Council has delivered on all 11 of the agreed remedies, although 2 were late. In the previous year 5 remedies out of 13 were delivered late.

9. Leader and Cabinet Members Correspondence

Members Correspondence

- 9.1. Correspondence addressed to the Leader, Cabinet Members (specifically in their capacity as an Executive portfolio-holder rather than as a Ward Councillor), and backbench Members, will often take the form of a complaint or issue with a service that is provided by the City Council. For the purposes of this report the majority of this correspondence is considered as part of this team and not as part of the formal complaints procedure.
- 9.2. As can be seen from **Table 19** the figures have increased during 2020/21. This will come as no surprise as residents have increased their contact with the Council during the pandemic; the increase is about 30%.
- 9.3. The largest increase is correspondence relating to the Finance and Smart City portfolio. The enquiries were mainly from businesses asking about rate relief and grants. For the purpose of this report, they have been recorded under the finance portfolio rather than the business one, as that is the department that provided the responses, hence the large increase from 2019/20.
- 9.4. The increase shown in City Management correspondence includes queries and concerns over the al fresco and movement strategy schemes put in place during the year.
- 9.5. Over the past year the Governance and Councillor Liaison team have found that the individual services and sign off from Members has in most cases been timely and the turnaround time has dropped to an average of just under 13 days, compared to 15 days last year.
- 9.6. The data provided in **Table 19** shows the breakdown of correspondence by Cabinet portfolio. It should be noted that correspondence that has been addressed to the Leader but relates to other portfolios, apart from her own, have been counted under that portfolio; therefore, this does not represent the high volume of correspondence the Leader received throughout the year.

Table 19: A breakdown of correspondence totals received by Cabinet Portfolio

Portfolio	2020/21	2019/20
Leader	3	8
Finance and Smart City	63	14
Adult Social Care and Public Health	20	18
Communities and Regeneration (2019 figures include Regeneration and Public Protection cases from previous portfolio)	62	32
Young People and Learning	5	8
Business, Licensing and Planning (2019 figures include Licensing cases from previous portfolio)	39	47
Housing	72	78

City Management	125	66
Totals	389	271

**Portfolios were revised in January 2021*

City Management replaces Environment and Highways

Housing Services has been renamed Housing

Children's Services has been renamed Young People and Learning

Finance and Smart City replaces Finance, Property and Regeneration. Regeneration cases have been added to the Communities and Regeneration portfolio from 2019 for comparison

Community Services and Digital has been replaced with Communities and Regeneration; Public Protection and Regeneration cases have been added from 2019 for comparison

Licensing has merged into the Business, Licensing and Planning portfolio and cases from 2019 have been added for comparison.

Sue Howell
Complaints and Customer Manager

Appendix A : Local Government and Social Care Ombudsman Annual Report 2020/21