

**Complaints about Brent Council  
Annual report 2004/05**

**Report PRU 05/06 10**

**1. Introduction**

1.1 This is the sixth annual report on the operation of the Council's corporate complaints procedure. It analyses complaints dealt with by the Local Government Ombudsman and describes the Council's performance under our own procedure.

1.2 I begin by acknowledging the achievements of my predecessor, Angela Hickey, who left Brent in November 2004 to become Assistant Prisons Ombudsman. Her drive and determination transformed complaint handling in Brent and laid firm foundations for the Council's present high quality, effective service.

**2. Complaints made to the Local Government Ombudsman**

**Numbers of complaints made to the Local Government Ombudsman**

2.1 In 2004/05 the number of complaints received by the Ombudsman about the Council dropped by 13%, to 173 compared to 200 and 204 in the previous two years. This is the lowest figure for at least the last six years.

2.2 Most complaints concerned housing (62), Housing Benefit (25), and Council Tax (26). This reflects the pattern of the last two years, although the number of complaints about Housing Benefit fell significantly from 44 to 25. The Ombudsman has commented that the number of complaints about Council Tax is higher than in many other boroughs; this may well reflect the recent drive to recover old debts.

**The Ombudsman's decisions on complaints**

2.3 The Ombudsman made decisions on 182 complaints altogether, the lowest figure since 1999. 72 of these were 'premature' complaints which the Ombudsman returned to the Council to consider under our own procedure. Table 1 in the Appendix to this report shows the steady downward trend.

2.4 For the fourth year running the Ombudsman did not issue any formal reports against the Council.

2.5 The Ombudsman did not uphold the great majority of the Brent complaints that he considered. In 2004/05, only 13 of the 110 complaints were closed as local settlements. This number is slightly up on previous years but represents only 15% of decisions on complaints within the Ombudsman's jurisdiction. This compares very well indeed with the national average of 27%. The Ombudsman has commented that this 'may well indicate that the Council's own complaints procedure continues to provide an effective remedy for many complainants'.

- 2.6 In the other 85% of complaints, the Ombudsman either found no fault (37 cases) or exercised discretion not to pursue the matter (35 cases) usually because the Council had already done enough to put matters right. 28% of all the complaints made to the Ombudsman were outside his jurisdiction. Table 2 in the Appendix to this report provides a detailed analysis of the outcomes of Ombudsman complaints.
- 2.7 Of the 13 local settlements, 6 were in relation to complaints about Housing Benefit, the same number as in 2003/04. The faults identified were mainly delay, for example in processing claims, correcting errors, or referring a case to the Rent Officer. The Council paid compensation of £1115 in relation to these complaints.
- 2.8 Most of these six local settlements came about because the Revenues and Benefits Service failed to identify complaints and deal with them in-house, and so the Council lost the opportunity to consider them under our own procedure. This was also a problem last year which officers in the Revenues and Benefits Service have tried to overcome by putting together a glossary of phrases to help staff dealing with a high volume of incoming post to recognise cases which need to be passed to the complaints teams.
- 2.9 One local settlement led to a substantial payment of £6,000 compensation to a family whose child was severely autistic. The Education Service failed to ensure adequate educational provision for the child, having been unable to find him a suitable day school. For some periods the Council did not provide any home tuition and at other times it fell below a reasonable amount of weekly tuition. The level of compensation reflected the cost of provision which the child missed out on. Had the case gone to court, it is likely that the compensation and associated costs would have been significantly higher.
- 2.10 Two local settlements concerned Brent Housing Partnership's delays in doing repairs and led to compensation of £470. The other local settlements were all caused by unreasonable delays: one in taking planning enforcement, one in referring a homeless family to the temporary accommodation panel, and one in correcting an address for Council Tax purposes.
- 2.11 In total, the Council paid £8,335 compensation in relation to these 13 complaints. Leaving aside the payment of £6,000 on one complaint, this is only slightly up on last year's figure of £2130.
- 2.12 In general, the reduction in the complaints dealt with by the Ombudsman continues to represent a significant saving in both compensation payments and officer time in preparing responses.

## **Subject of complaints to the Local Government Ombudsman**

- 2.13 This year has seen a shift in the proportions of Ombudsman complaints across service areas. Over the past five years, complaints about housing matters made up just under half of Ombudsman complaints. However, in 2004/05 housing complaints only accounted for a third of the complaints and only three local settlements. This indicates that the significant improvements noted in last year's annual report, both in service delivery and in the way Housing Services and Brent Housing Partnership deal with complaints, have been sustained.
- 2.14 Against that, the proportion of Ombudsman complaints about the Revenues and Benefits Service rose from 21% in 2003/04 to 33% in 2004/05. This may reflect the difficulties referred to above in identifying complaints at an early stage and progressing them through the Council's procedure.
- 2.15 Environment complaints again accounted for about a quarter of Ombudsman complaints. There continued to be very few complaints about other service areas. Full details of the number and subject of Ombudsman complaints are contained in Table 3 of the Appendix to this report.

#### **Complaints returned to the Council as 'premature'**

- 2.16 In 2002/03 and 2003/04, the Ombudsman returned 104 and 102 complaints respectively to the Council to deal with as premature complaints<sup>1</sup>. The Ombudsman commented that this might indicate that people might not know about the Council's complaints procedure, or did not feel confident that the Council would deal fairly with their grievance.
- 2.17 We needed to find out why some people continued to choose to approach the Ombudsman rather than the Council with their complaint, and what steps we might take to improve public confidence in our complaints procedure. So, in 2004/05, we asked every complainant whose complaint the Ombudsman returned to the Council why they had chosen to approach the Ombudsman rather than the Council. The number of people responding was very low but their comments indicated that, while they knew about the Council's complaints procedure, they were not confident that we would deal properly with their complaint or put things right for them.
- 2.18 The number of premature complaints fell to 72 in 2004/05 but this represents 40% of the total number of Ombudsman complaints about Brent Council, compared to the national figure of 25%. Clearly, we need to address this apparent but unfounded lack of confidence in the Council's complaints procedure, and I hope that outreach work with local community groups in 2006 will help in this.
- 2.19 The numbers of premature complaints in 2004/05 were fairly evenly distributed among Housing, Revenues and Benefits and Environment. Full details are set out in Table 4 of the Appendix.

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<sup>1</sup> A premature complaint is one where someone complains to the Ombudsman without first having taken the matter up with the council. The Ombudsman normally refers such complaints back to the council to see if the council can itself resolve the matter.

## **The Ombudsman's Annual Letter**

- 2.20 This is the third year that the Ombudsman has written to local authorities with a review of their complaint performance over the year. As from 2006 the Ombudsman will make these letters available to the Audit Commission and put them on their website.
- 2.21 The Ombudsman was highly complimentary about Brent Council's complaint performance in 2004/05. Overall, the Ombudsman said that he continued to be impressed with the way the Council deals with complaints and our positive approach to the small number of local settlements proposed by his investigators, and that the low percentage of complaints resulting in local settlements suggested that the Council's own complaint procedure continues to provide an effective remedy for many complainants<sup>2</sup>.
- 2.22 The Ombudsman commented particularly on the further and significant improvement in the time taken by the Council to provide comments in response to his enquiries. Our average time in 2004/05 was 22 days, almost achieving the Ombudsman's 21 day response period. In 2003/04 the average time was 27 days, so in the course of year we managed to lop a whole working week off the time taken to provide comments, which is an excellent achievement both by service areas and the corporate complaint team. Because many authorities struggle to meet the 21 day target, the Ombudsman has revised the target to 28 days as from July 2005.
- 2.23 The Ombudsman also commented favourably on the quality of the Council's written responses and the corporate complaints team's prompt and helpful responses to informal telephone and email contacts, despite staff changes over the past year.
- 2.24 This is a very welcome review of the Council's performance in relation to Ombudsman complaints and will provide an excellent piece of evidence in the Council's self-assessment in preparation for next year's Comprehensive Performance Assessment. The full text of the letter is available on the Council's website at [www.brent.gov.uk/complain.nsf](http://www.brent.gov.uk/complain.nsf), or from the Corporate Complaints Team.

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<sup>2</sup> A local settlement is when the Ombudsman discontinues his investigation because action has been taken by the council which the Ombudsman accepts as a satisfactory outcome for the complainant

## **Comparisons with other London Boroughs**

2.25 Each year the Ombudsman publishes information about complaints about all local authorities which shows that Brent is now performing very well in comparison with other London Boroughs.

- In terms of numbers of complaints considered by the Ombudsman, 20 London boroughs had fewer than Brent. However, in terms of outcomes and the time taken to provide comments, we are performing very well indeed and considerably better than most other councils.
- The Council's local settlement rate is 15%, against a national average of 27%. In London, only four councils had a lower rate: City of London 0% (but only 12 complaints altogether), Hillingdon 10.3%, Redbridge 12.8% and Sutton 14.2%. We therefore performed much better than all our neighbouring authorities - Barnet 15.5%, Camden 26.4%, Ealing 44.7%, Hammersmith & Fulham 25.8%, Harrow 35%, Kensington & Chelsea 19.2%, Westminster 54.7% - and better than all 'excellent' councils.
- In terms of the time taken to reply to the Ombudsman's enquiries, only the City of London, Haringey and Tower Hamlets performed better. But the local settlement figures for Haringey and Tower Hamlets were 19.6% and 22.8% respectively, which suggests that these councils may not be resolving complaints satisfactorily in-house.

These performance measures represent a significant improvement over 1999/2000 when the Council was the third worst in the Ombudsman league tables after Lambeth and Liverpool. Whilst Brent has steadily improved, Lambeth's local settlement rate remains high at 51.9% and their average response time was 6.7 weeks.

## **Liaison with the Ombudsman's office**

2.26 In August 2004 the Chief Executive, the Director of Housing and the former Corporate Complaints Manager met the Local Government Ombudsman to discuss concerns that the Ombudsman might be stepping in too early before the Council has had an opportunity fully to consider complaints. The Ombudsman has assured us that his office applies their policy of allowing councils twelve weeks to consider complaints under internal procedures consistently across all authorities. The corporate complaints team continues to keep this issue under review and takes up individual cases as and when necessary.

2.27 We continue to enjoy good day-to-day liaison with the Ombudsman's staff. In November 2004 twenty Council and Brent Housing Partnership staff participated in complaint handling training provided by the Ombudsman, which was generally well received, and one departmental complaints officer attended a seminar for link officers. We also collaborated with the Ombudsman's staff over our children and young persons complaints and feedback procedure.

### **3. Complaints made under the Council's procedure**

#### **Numbers of complaints**

- 3.1 Overall, the number of complaints received at all stages of the Council's procedure was 4460, a reduction of almost 5% over 2003/04. The largest decrease (almost 14%) was in complaints against Social Services, followed by Revenues and Benefits (12%). On the one hand, this could be regarded as the consequence of improved service delivery. But there is evidence to show that Revenues and Benefits Service had not identified a number of complaints which were then picked up by the Ombudsman (see paragraph 2.8) and it is therefore possible that some service areas are under-recording complaints.
- 3.2 Housing and the Revenues and Benefits Service each accounted for just under a third of the total number of complaints, with the proportion of Environment again increasing, to 22%.
- 3.3 At Stage 1, complaint numbers fell in all service areas except Environment and the One Stop Shops. The reason for the increase in complaints about environmental issues seems to be related to particular problems affecting refuse collection and street cleaning, while the increase in complaints involving the One Stop Shops is related to them taking over responsibility for the Revenues and Benefits Service call centre.
- 3.4 The decrease in Stage 1 complaints was not matched by a corresponding reduction in Stage 2 complaints, which rose from 592 to 641, with increases in every service area except Education Arts and Libraries. This, coupled with the high percentage of complaints upheld at Stage 2, could indicate that some Stage 1 responses are over-defensive, do not address the issues, or do not pay compensation.
- 3.5 The number of Stage 3 complaints received remained constant at 194, which again could indicate that responses at the earlier stages are not fully identifying where things have gone wrong and putting them right. In the first four months of 2005/06 we received 72 Stage 3 complaints which is a worrying upward trend if it continues. The whole thrust of the Council's policy has been to try to resolve complaints at the earliest opportunity, so this is an area which we need to tackle with some urgency, so that the great improvement in our performance in Ombudsman complaints is matched by similar improvements in our internal complaint handling, particularly at the early stages.
- 3.6 Full details of the complaints received by service area are contained in Table 5 of the Appendix.

#### **Escalation through the complaints procedure**

- 3.7 The percentage of complaints escalating from Stage 1 to Stage 2 rose in every service area except the One Stop Shops by between 1% (Environment and Social Services) and 4% (Revenues and Benefits Service). Whilst only

small percentage increases, this is nevertheless a disappointing trend after the significant improvements of the past two years. The highest escalation rates were in Housing Services (28%) and Brent Housing Partnership (22%), against a target of 10%.

- 3.8 The escalation rate from Stage 2 to Stage 3 fell significantly in Brent Housing Partnership, from 35% to 23%. This is a very welcome shift and signifies a real improvement in both service delivery and complaint handling at this level. There were also improvements in Environment, from 34% to 33%. On the other hand the escalation rate in Housing Services rose 4% to 53% and in Revenues and Benefits Service by 2% to 28%. The Council's target is to achieve an escalation rate from Stage 2 to Stage 3 of about 20%.
- 3.9 Of the 110 complaints decided by the Ombudsman in 2004/05, 31 had been dealt with at Stage 3 of the Council's procedure, giving an escalation rate of about 28%. The Ombudsman upheld the Stage 3 decision in all but 2 cases, in both of which his only recommendation was to increase the level of compensation, in one case by £250 and in the other by £30. This confirms that the Council's Stage 3 responses are fair, and stand up to external scrutiny.
- 3.10 Details of escalation by service area are contained in Table 6 in the Appendix.

### **Outcome of complaints**

- 3.11 Table 7 in the Appendix sets out the outcomes of complaints by service area.
- 3.12 Complainants in most service areas are more likely than not to have their complaints upheld, the exceptions being Housing Services and Environment.
- 3.13 As in previous years, however, it is a matter of concern that the number of complaints upheld either fully or partly at Stage 2 is higher than at Stage 1, and that in Brent Housing Partnership and Revenues and Benefits Service 55% and 59% respectively were subsequently upheld at Stage 3. Complaints about environmental issues were the least likely to be upheld at Stage 3 (25%) which reflects the good quality of most of their Stage 2 responses.
- 3.14 Our aim must be to get complaints right at the earliest stage possible, but the figures indicate that this not always the case, and that complaint responses at the early stages may be either inadequate or not sufficiently open when things have gone wrong. Investigating complaints at Stages 2 and 3 is expensive in terms of officer time and also because increasing amounts of compensation are likely to be paid. Responding in a positive way at the outset saves money in the long run, and significantly enhances the Council's reputation with its customers. This is also an area which we will need to focus on.

### **Performance in meeting time targets**

- 3.15 The Council's time targets for replying to complaints under the corporate procedure are 15 working days at Stage 1, 20 working days at Stage 2, and 30 working days at Stage 3. Inevitably, some complaints will take longer than the target time to deal with but, overall, we aim to respond to 85% of complaints within the target times.
- 3.16 There is a wide disparity among service areas in their ability to meet time targets. For example, Education Arts and Libraries achieved 96% of Stage 1 and almost 100% in time at Stage 2 (albeit with small numbers of complaints). Social Services, on the other hand (again with few complaints) managed only 52% and 6% respectively.
- 3.17 Significant and dramatic improvements were brought about by the Revenues and Benefits Service who achieved 81% of Stage 1 responses in time against 42% in 2003/04, and 78% of Stage 2 replies in time as opposed to only 20% in 2003/04. All credit is due to the management team and complaints officers for this remarkable achievement.
- 3.18 The corporate complaints team again struggled to complete Stage 3 investigations within the target time, with only 52% completed within 30 days. In part, this is because complaints are kept open to ensure that appropriate remedial action is under way by the service area, particularly in disrepair cases. But the capacity of the small corporate team has also been a factor. However, since January 2005 we have had the benefit of an additional complaint investigation officer on a temporary contract. Even allowing for the fact that one officer has been working at least half the time on the CRM complaints project, we have increased the percentage of Stage 3 investigations completed within 30 days to 69%, with a further 18% completed within 40 days.
- 3.19 Particularly as the Ombudsman is now strictly applying the twelve week limit for councils to consider complaints under their own procedure, it is vital that complaints are dealt with promptly, especially at the early stages, so that there is a further opportunity to consider the matter before the Ombudsman steps in. Working towards achieving better compliance with time targets will, therefore, remain a priority for the coming year.
- 3.20 Table 8 in the Appendix sets out detailed information about performance in this area.

### **Compensation payments**

- 3.21 Details of compensation payments by stage and service area are contained in Table 9 in the Appendix. In total, in 2004/05 the Council paid £81,512 compensation under the complaints procedure and complaints to the Ombudsman. This is £10,000 higher than in 2003/04 and reverses the downward trend of the past three years.
- 3.22 Overall, the amount of compensation paid at Stage 1 was £16,848. But almost twice as much - £33,270 – was paid at Stage 2. This reflects the rising escalation rates referred to above and indicates some reluctance to pay compensation at Stage 1, which is contrary to the Council's policy of paying



compensation at the earliest possible opportunity and in accordance with the Ombudsman's published guidelines.

- 3.23 A significant amount of compensation - £23059 in 2004/05 – continues to be paid at Stage 3, which again suggests some reluctance to pay compensation at Stage 2, or an inadequate assessment of the degree to which the Council has been at fault or the consequent injustice to the complainant.
- 3.24 Compensation paid following Ombudsman investigations also rose, to £8335, but one local settlement accounted for £6,000 of that sum. Ignoring that one exceptional payment, the amount paid was £2335, only £205 more than last year.
- 3.25 These compensation payments need to be seen against the background of the Ombudsman increasing his recommended levels of compensation during the year. In addition, Brent Housing Partnership pays a significant amount of compensation - £34,306 in all. Much of this relates to disrepair complaints which, if they had been decided through the courts, would undoubtedly have resulted in much higher amounts being awarded.
- 3.26 Despite the increased amount of compensation paid in 2004/05, overall, the Council's complaints process continues to provide a simple and cheap mechanism for remedying service failures. We need to encourage people to use it, rather than taking legal action, with its attendant costs. We also need to encourage service managers to pay adequate compensation at the earliest opportunity.

#### **4. Learning the lessons of complaints**

- 4.1 The corporate complaints team works closely with service areas to ensure that the evidence obtained from complaints is used to inform and improve service delivery. This is achieved through a variety of measures:
- feedback after Stage 3 and Ombudsman complaints on how the escalation could have been avoided
  - case conferences on complaints which raise issues of inter-departmental coordination
  - complaint review panels
- 4.2 Complaint review panels now operate in six service areas which generate high numbers of complaints or where small numbers of complaints nevertheless represent significant risk to the Council – Housing Resource Centre, Private Housing Information Unit, Private Housing Services, Revenues and Benefits, Streetcare and Brent Housing Partnership.

The role of the panels is

- to formally review the outcomes of Stage 3 and Ombudsman complaints
- to consider the problems highlighted and monitor the actions taken to resolve them
- to review the complaint statistics and identify trends

- to ensure that complaint handling in the service area is of a high standard.

4.3 We now need to focus on ensuring that similar arrangements are in place in all service areas so that this learning process takes place at Stages 1 and 2 of the complaints process. Over the coming months, the Corporate Complaints Manager will be talking to departmental complaints officers about ways of achieving this.

## **5. Developments in complaint handling in 2004/05**

### **5.1 Development of a corporate complaints recording system**

5.1.1 Work has continued through 2004/05 on developing a common system across the Council for recording complaints, which is part of the Council's Customer Relations Management (CRM) system currently used by the One Stop Shops. Progress has at times been frustratingly slow, and the project has required considerable sustained input from the corporate complaints team, which could not have been foreseen at the outset and which has impacted on the team's ability to progress other, equally important, work. Reasons for the delays include the underestimation of the scale of the project and consequent protracted design processes; problems with configuration and the development of reports, and the impact of other projects (notably the upgrade of the Onyx (EShop) to Version 4).

5.1.2 The system went live in Social Services at the end of June 2005, albeit without any reports. Work is currently under way to implement the system in the Revenues and Benefits Service, and it is anticipated that this will happen in November 2005, provided that the necessary configuration, preparation of a user manual and training, and creation and testing of reports have been satisfactorily completed.

5.1.3 This major project, and the proposed integration between the CRM complaints system and the Electronic Document Management system used by the Housing Resource Centre and Brent Housing Partnership, will need considerable work in 2005/06 and beyond.

### **5.2 Children and young people's feedback procedure**

5.2.1 The corporate complaints team has worked with the One Stop Shops, the former Education and Social Services and the Local Government Ombudsman's office to develop a procedure which allows children and young people easy access and support in giving feedback, and making suggestions or complaints. The procedure was launched in June 2005. Take-up has been low and we intend to publicise the service more widely as part of the proposed outreach work on complaints. Further information is available on the Council's complaints website or from the corporate complaints team.

### **5.3 Training in complaint handling**

5.3.1 The corporate complaints team has continued to work with complaints officers in service areas to provide training, support and advice on complaint handling,

the focus continuing to be on ensuring that Stage 1 responses are of high quality.

- 5.3.2 In the past, priority was necessarily given to service areas generating high numbers of complaints. However, in the Autumn of 2004 two successful training sessions were held for team managers in Children's Services where complaint numbers are much lower.
- 5.3.3 The team's capacity to deliver training has been affected by staff changes over the past year, and also the need to devote resources to the CRM system. However, it is my intention to provide training over the coming year for all staff who deal with Stage 1 complaints, and also for more senior managers responsible for responding to Stage 2 and Ombudsman complaints.
- 5.3.4 There is a small number of 'difficult' complainants who present particular challenges to staff dealing with their grievances. The Customer Services Steering Group has identified this as a particular training need to be met over the coming year and together we will be developing a suitable programme and guidelines.
- 5.3.5 I have had discussions with Human Resources about the best way to familiarise all new staff with the corporate complaints policy and procedures through the induction programme, and including a session on complaints in the training programme for new managers.
- 5.3.6 Looking forward to the local elections in 2006, we will need to offer training to all Council Members on the complaints and enquiries procedures. Given the Ombudsman's increasingly strict adherence to their policy of only allowing councils twelve weeks to consider complaints under internal procedures, we need to ensure that there is a seamless progression from an enquiry to a complaint.
- 5.3.7 I have also contributed to the Improving Brent programme and generic service improvement training, and was invited to speak at a national conference in July 2005 on learning the lessons of complaints. It is gratifying to know that, increasingly, Brent is regarded as a model of best practice in complaint handling.

#### **5.4 Customer feedback**

- 5.4.1 In 2004/05 we undertook two customer satisfaction surveys – one on the extent to which complainants were happy with the way Stage 3 complaints were investigated and replied to, and the other on the reasons why some complainants preferred to approach the Local Government Ombudsman rather than the Council.

#### **Survey of Stage 3 complainants**

- 5.4.2 We pride ourselves on the high quality of the Council's responses at Stage 3 of the complaints procedure, and this has been commented on positively by the Local Government Ombudsman. However, we needed to ensure that the service we provide to our customers meets their needs for clarity of

responses, a fair and thorough investigation etc. So, in 2004/05 we sent a questionnaire to every customer whose complaint was considered at Stage 3 of the Council and Brent Housing Partnership's complaints processes, 195 in all, seeking their opinion about the way their complaint had been handled.

- 5.4.3 Just under a third of customers responded. Predictably, levels of satisfaction with the complaint handling were considerably higher among complainants whose complaints were upheld. However, across all complainants whether or not their complaint was upheld by the Chief Executive, 62.7% were reasonably happy with the way in which their complaint had been handled.
- 5.4.4 Perhaps predictably, complainants whose complaints were not upheld were less likely to be happy with the explanations they received but, overall, more than half of the respondents were satisfied with the clarity of the response they received.
- 5.4.5 High levels of satisfaction were expressed with the way the Stage 3 complaint investigation officers dealt with complainants, in terms of being fair and approachable, easy to contact and rigorous in returning telephone calls.
- 5.4.6 Of those complainants who did not meet the Stage 3 investigator, 84% would have liked to. Interestingly, levels of satisfaction with the way the investigator dealt with the complainant were higher amongst complainants about Brent Housing Partnership. Investigators are twice as likely to meet these complainants as site visits are usually necessary in disrepair complaints.
- 5.4.7 Based on this, there does seem to be some direct correlation between complainants meeting the investigator and their confidence in the complaints process. This has clear resource implications, but we will be attempting to have direct contact with all complainants at Stage 3 over the next year, either by telephone contact, or meetings at Council offices or site visits.
- 5.4.8 Presumably, complainants would equally like to meet the investigating officer at Stages 1 and 2 also and we will be recommending to service areas that they consider the extent to which direct contact with complainants is feasible.

### **Survey of complainants who approached the Local Government Ombudsman**

- 5.4.9 This is dealt with in paragraphs 2.17 and 2.18 of this report.

## **5.5 Reorganisation of Council services**

- 5.5.1 The reorganisation of Council services in July 2005 necessarily meant that complaint handling arrangements have had to be reviewed. Interim arrangements remain in place whereby complaints under the statutory social services procedures continue to be administered by the Adults and Social Care complaints manager, but it is intended that a complaints officer for the Children and Families Service will be in post early in 2006, and I am assisting in the recruitment process.

5.5.2 The new arrangements have also necessitated the re-ordering of the complaints website and the re-printing of the complaints leaflet. We will take the opportunity to review whether the leaflet needs any re-design, and its availability in community languages and media other than printed format.

## **5.6 Review of the Council's complaints policy**

5.6.1 The Council's complaints policy has not been reviewed since it was written in 1997, and no longer reflects current practice. I have therefore re-drafted it, and it is available on the intranet as a consultation document.

5.6.2 I intend to consult both service areas and some key external users of the complaints procedure before finalising the policy by the end of the year, and using it as a tool to re-launch the policy and reinforce the corporate complaints message across all service areas in the New Year to ensure that practices and standards are understood and consistently applied across the Council.

5.6.3 In parallel with this piece of work, and funded by the Chief Executive's performance fund, the environmental services complaints officer and I worked with Consultancy Services to produce process maps of the complaints procedure. These will be a useful desktop tool for staff new to the complaints process, help ensure consistency across the Council, and assist in identifying 'hotspots' in service areas' practices.

5.6.4 I also propose to undertake outreach work in conjunction with complaints staff in service areas directed at advice agencies, local solicitors and community support services to raise awareness of and improve access to the Council's complaints procedure. Whilst this might increase the number of complaints, it should also prevent some complainants going direct to the Ombudsman, reduce expensive litigation, and generally enhance the Council's reputation by demonstrating that we can and do deal with complaints quickly and fairly.

## **6. Conclusion**

6.1 As this report demonstrates, there is clear evidence of some good practice and highly professional complaint handling across the Council. This is the result of much hard work across all service areas. But, as ever, we cannot afford to be in anyway complacent if we are to maintain our position as providing one of the best complaint services in London. There is still much to do to ensure that our customers know about and have confidence in our complaints procedure, that complaints are not overlooked, that time targets are met and escalation rates reduced, and that good quality responses are the norm.

6.2 We have a busy work programme for 2005/06 and further staff changes in the corporate complaints team will affect our capacity to deliver both consistently high-quality and timely Stage 3 investigations and other, equally important, corporate initiatives. Our priorities for the year include:

- To roll out a comprehensive training programme across all service areas to ensure timely and good quality complaint responses and adherence to corporate standards in all service areas

- To work with service areas to ensure that the lessons of complaints are learned at all stages of the complaints procedure, and to raise the profile of complaints performance within departmental management teams
- To ensure that proper complaint handling arrangements are in place in all service areas following the reorganisation of Council services and that complaints literature is updated to reflect the changes
- To provide training for Members after the local elections
- To complete the review of the complaints policy and associated guidance
- To undertake outreach work in the local community
- To roll out the implementation of the CRM complaints module across the Council, and to oversee the linkage between the complaints and electronic document management systems.

Susan Riddle  
Corporate Complaints Manager  
September 2005

## Appendix 1

### Complaints statistics 2004/2005

**Table 1: Brent complaints to the Local Government Ombudsman**

|           | Complaints closed by the LGO | Premature complaints | TOTAL |
|-----------|------------------------------|----------------------|-------|
| 1999/2000 | 286                          | 42                   | 328   |
| 2000/2001 | 238                          | 128                  | 366   |
| 2001/2002 | 98                           | 124                  | 222   |
| 2002/2003 | 83                           | 104                  | 187   |
| 2003/2004 | 95                           | 102                  | 197   |
| 2004/2005 | 110                          | 72                   | 182   |

**Table 2: Outcome of Ombudsman complaints**

|                           | 1999/00  | 2000/01  | 2001/02 | 2002/03 | 2003/04 | 2004/05 |
|---------------------------|----------|----------|---------|---------|---------|---------|
| Local settlement          | 130(52%) | 112(53%) | 34(44%) | 7(11%)  | 10(15%) | 13(15%) |
| No maladministration      | 39       | 49       | 18      | 26      | 29      | 37(44%) |
| Ombudsman's discretion    | 72       | 46       | 26      | 28      | 29      | 35(41%) |
| Outside jurisdiction      | 35       | 26       | 20      | 22      | 27      | 25(28%) |
| Report – mal + injustice  | 8        | 4        | 0       | 0       | 0       | 0       |
| Report – no mal           | 1        | 0        | 0       | 0       | 0       | 0       |
| Report – local settlement | 1        | 0        | 0       | 0       | 0       | 0       |
| Total                     | 286      | 237      | 98      | 83      | 95      | 110     |

**Table 3: Subject of Ombudsman complaints**

|                      | 1990/00         | 2000/01         | 2001/02        | 2002/03        | 2003/04        | 2004/05        |
|----------------------|-----------------|-----------------|----------------|----------------|----------------|----------------|
| Housing – BHP        | -               | -               | -              | 25(30%)        | 31(33%)        | 22(20%)        |
| Housing service      | -               | -               | -              | 24(29%)        | 16(17%)        | 16(14%)        |
| <b>Housing – all</b> | <b>138(48%)</b> | <b>106(44%)</b> | <b>49(50%)</b> | <b>45(54%)</b> | <b>47(49%)</b> | <b>38(34%)</b> |
| Revenues & benefits  | 100(35%)        | 99(41%)         | 17(17%)        | 17(20%)        | 20(21%)        | 26(33%)        |
| Environment          | 40(14%)         | 22(9%)          | 24(24%)        | 15(18%)        | 23(24%)        | 28(25%)        |
| Corporate services   | 0               | 1               | 4              | 0              | 1              | 3              |
| Education            | 6               | 4               | 3              | 1              | 0              | 3              |
| Social services      | 2               | 8               | 2              | 5              | 4              | 2              |
| Total                | 286             | 240             | 99             | 83             | 95             | 110            |

Note: The fact that one complaint may be about more than one subject means that the figures may not add up to the total number of complaints

**Table 4: Subject of premature complaints**

|                     | 2001/02 | 2002/03 | 2003/04 | 2004/05  |
|---------------------|---------|---------|---------|----------|
| Housing             | 69      | 54      | 41      | 23 (32%) |
| Revenues & benefits | 35      | 37      | 42      | 25 (35%) |
| Environment         | 16      | 8       | 19      | 23 (32%) |
| All service areas   | 124     | 104     | 102     | 72       |

**Table 5: Complaints made under the Council's procedure**

| Service area         | Stage 1 |       | Stage 2 |       | Stage 3 |       | Total |       |
|----------------------|---------|-------|---------|-------|---------|-------|-------|-------|
|                      | 03/04   | 04/05 | 03/04   | 04/05 | 03/04   | 04/05 | 03/04 | 04/05 |
| Housing – HMS/BHP    | 883     | 856   | 173     | 188   | 61      | 44    | 1117  | 1088  |
| Housing service      | 280     | 268   | 71      | 76    | 35      | 38    | 386   | 382   |
| <b>Housing – all</b> | 1163    | 1124  | 244     | 264   | 96      | 82    | 1503  | 1470  |
| Revenues & Benefits  | 1420    | 1194  | 197     | 216   | 52      | 60    | 1669  | 1470  |
| Environment          | 732     | 809   | 116     | 134   | 39      | 44    | 887   | 987   |
| Social services      | 231     | 197   | 21      | 19    | 3       | 4     | 255   | 220   |
| EAL                  | 83      | 68    | 1       | 1     | 2       | 2     | 86    | 73    |
| Corporate            | 173     | 231   | 1       | 7     | 2       | 2     | 188   | 240   |
| <b>Total</b>         | 3802    | 3623  | 592     | 641   | 194     | 194   | 4812  | 4460  |

**Table 6: Percentage escalation of complaints by service area**

| Service            | Year  | S1-S2 | S2-S3 |
|--------------------|-------|-------|-------|
| BHP                | 03/04 | 20    | 35    |
|                    | 04/05 | 22    | 23    |
| Housing Service    | 03/04 | 25    | 49    |
|                    | 04/05 | 28    | 53    |
| Housing – all      | 03/04 | 21    | 39    |
|                    | 04/05 | 25    | 38    |
| R&B                | 03/04 | 14    | 26    |
|                    | 04/05 | 18    | 28    |
| Environment        | 03/04 | 16    | 34    |
|                    | 04/05 | 17    | 33    |
| Social Services    | 03/04 | 9     | 14    |
|                    | 04/05 | 10    | 25    |
| Ed, Arts and Libs  | 03/04 | 1     | Na    |
|                    | 04/05 | 4     | Na    |
| Corporate Services | 03/04 | 8     | 15    |
|                    | 04/05 | 3     | na    |



**Table 7: Outcome of complaints by service area**

| Service                     | Stage | Fully upheld (%) | Partly upheld (%) | Total upheld (%) |
|-----------------------------|-------|------------------|-------------------|------------------|
| BHP                         | S1    | 49               | 19                | 68               |
|                             | S2    | 44               | 20                | 64               |
|                             | S3    | 25               | 30                | 55               |
| Housing Services            | S1    | 6                | 13                | 19               |
|                             | S2    | 3                | 21                | 24               |
|                             | S3    | 10               | 19                | 29               |
| Revenues & Benefits         | S1    | 36               | 20                | 56               |
|                             | S2    | 43               | 20                | 63               |
|                             | S3    | 31               | 28                | 59               |
| Environment                 | S1    | n/a              | n/a               | 55               |
|                             | S2    | n/a              | n/a               | 41               |
|                             | S3    | 18               | 7                 | 25               |
| Social services             | S1    | 29               | 26                | 55               |
|                             | S2    | 25               | 44                | 69               |
|                             | S3    | n/a              | n/a               | n/a              |
| Education, Arts & Libraries | S1    | 98               | 0                 | 98               |
|                             | S2    | n/a              | n/a               | n/a              |
|                             | S3    | n/a              | n/a               | n/a              |
| Corporate Services          | S1    | 45               | 37                | 82               |
|                             | S2    | 0                | 29                | 29               |
|                             | S3    | n/a              | n/a               | n/a              |

**Table 8: Percentage of complaints answered within target times**

| Service area        | Stage 1 |       | Stage 2 |       | Stage 3 |       |
|---------------------|---------|-------|---------|-------|---------|-------|
|                     | 03/04   | 04/05 | 03/04   | 04/05 | 03/04   | 04/05 |
| BHP                 | 78      | 78    | 66      | 67    |         |       |
| Housing service     | 77      | 67    | 50      | 60    |         |       |
| Housing – all       | 78      | 76    | 61      | 66    |         |       |
| Revenues & benefits | 42      | 81    | 20      | 79    |         |       |
| Environment         | 69      | 67    | 78      | 87    |         |       |
| Social services     | 55      | 26    | 9       |       |         |       |
| EAL                 | 96      | 96    | 100     | 100   |         |       |
| Corporate           | 68      | 58    | 91      | 100   |         |       |
|                     |         |       |         |       | 53      | 52    |

**Table 9: compensation payments by service area**

| <b>Service</b>        | <b>Year</b> | <b>Stage 1</b> | <b>Stage 2</b> | <b>Stage 3</b> | <b>LGO</b> | <b>Total</b> |
|-----------------------|-------------|----------------|----------------|----------------|------------|--------------|
| BHP                   | 04/05       | 8082           | 13872          | 11882          | 470        | 34306        |
|                       | 03/04       | 10263          | 18449          | 10472          | 1200       | 40383        |
|                       | 02/03       | 7408           | 23960          | 11291          | 5290       | 47948        |
| Housing Service       | 04/05       | 3426           | 580            | 2000           | 500        | 6506         |
|                       | 03/04       | 853            | 967            | 8745           | 350        | 10915        |
|                       | 02/03       | 2470           | 1395           | 3648           | 1450       | 8963         |
| Housing-all           | 04/05       | 11508          | 14452          | 13882          | 970        | 40812        |
|                       | 03/04       | 11116          | 19416          | 19216          | 1550       | 51298        |
|                       | 02/03       | 9878           | 25355          | 14938          | 6740       | 56911        |
| R&B                   | 04/05       | 4240           | 13506          | 8252           | 1115       | 27113        |
|                       | 03/04       | 1445           | 6094           | 7379           | 580        | 15497        |
|                       | 02/03       | 250            | 17321          | 2130           | 200        | 19901        |
| Environment           | 04/05       | 250            | 1278           | 575            | 250        | 2353         |
|                       | 03/04       | 484            | 779            | 1075           | 0          | 2338         |
|                       | 02/03       | 125            | 3892           | 0              | 0          | 4017         |
| Social Services       | 04/05       | 850            | 4034           | 50             | 0          | 4934         |
|                       | 03/04       | 50             | 2000           | 100            | 0          | 2150         |
|                       | 02/03       | 0              | 2307           | 1500           | 0          | 3807         |
| Ed, Arts and<br>Libs  | 04/05       | 0              | 0              | 0              | 6000       | 6000         |
|                       | 03/04       | 0              | 0              | 250            | 0          | 250          |
|                       | 02/03       | 0              | 0              | 0              | 0          | 0            |
| Corporate<br>Services | 04/05       | 0              | 0              | 300            | 0          | 300          |
|                       | 03/04       | 0              | 0              | 0              |            | 0            |
|                       | 02/03       | 0              | 0              | 0              | 0          | 0            |
| All services          | 04/05       | 16848          | 33270          | 23059          | 8335       | 81512        |
|                       | 03/04       | 13095          | 28289          | 28020          | 2130       | 71534        |
|                       | 02/03       | 10253          | 48875          | 18568          | 6940       | 84636        |