



**Corporate Management Team**  
 11<sup>th</sup> January 2007/  
**Executive** 12<sup>th</sup> February 2007

**Report from the Director of Policy  
 and Regeneration**

For Information

Wards Affected:  
ALL

**Report Title: Annual report on the Council's handling of  
 complaints 2005/06**

Forward Plan Ref: PRU-06/07-006

## 1.0 Summary

1.1 This is the seventh annual report on the operation of the Council's corporate complaints procedure. It analyses the complaints considered by the Local Government Ombudsman; describes the Council's performance under our own procedure; and reports on developments in the Council's complaint handling arrangements. The key points are:

- The number of complaints to the Local Government Ombudsman has not changed significantly
- The Ombudsman's Annual Letter was highly complimentary of the way the Council deals with complaints
- For the fifth year running the Ombudsman did not issue any formal reports against the Council
- Only six complaints to the Ombudsman resulted in a local settlement, which is very much lower than the national average and in the great majority of complaints the Ombudsman found no fault
- The number of complaints made under the Council's own complaints procedure fell slightly at the first two stages, but rose at the third and final stage where the Chief Executive upheld half the complaints he considered
- Work needs to be done to improve service areas' compliance with the Council's corporate targets and expectations about timeliness and escalation rates.

## 2.0 Recommendations

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 Meeting  
 Date

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 Version no.  
 Date

2.1 The report is for information only.

### **3.0 Detail**

3.1 The detail is set out in the attached report by the Council's corporate complaints manager.

### **4.0 Financial Implications**

4.1 Compensation payments have risen in every service area except the Revenues and Benefits Service, and at all three stages of the Council's complaints procedure. On the other hand, compensation paid in response to Ombudsman complaints was at its lowest level ever.

4.2 The complaints process remains a simple and cheap way of providing redress for customers who have not received the service they were entitled to expect, and can help avoid expensive and protracted legal proceedings, and adverse Ombudsman findings. It enhances the Council's reputation as an organisation that is not afraid to admit its faults, put them right, and learn from the experience. It also provides a valuable 'window' on service delivery and highlights areas where improvements are needed.

### **5.0 Legal Implications**

5.1 None.

### **6.0 Diversity Implications**

6.1 In the course of revising the Council's complaints policy, and mindful of the Council's commitment to attaining Level 3 of the local government equality standards, an Impact/Needs Requirements Assessment was made which reviewed the equalities aspects of the policy and highlighted some areas where further work is needed.

### **Background Papers**

Local Government Ombudsman's Annual Letter June 2006  
Brent Council's complaints policy  
Impact/Needs Requirements Assessment

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## **Annual report on the Council's handling of complaints 2005/06**

### **1. Introduction**

- 1.1 This is the seventh annual report on the operation of the Council's corporate complaints procedure. It analyses the complaints considered by the Local Government Ombudsman; describes the Council's performance under our own procedure; and reports on developments in the Council's complaint handling arrangements.
- 1.2 I began my report for 2004/05 by paying tribute to my predecessor, Angela Hickey. With great sadness I must now report her death on 13 September 2006 after a battle with cancer which she fought with typical strength and determination. With the vision, drive and courage which characterised everything she did Angela transformed the Council's complaints handling, made a major contribution to service improvement in many areas of the Council's work and, in the five years she worked at Brent, worked tirelessly to create a complaints service which now earns praise rather than criticism from the Ombudsman.

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

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

- 2.1 In 2005/06 the Local Government Ombudsman received 197 complaints against Brent Council, slightly higher than in 2004/05 when 173 complaints were made to the Ombudsman's office, and roughly the same as the previous two years when the totals hovered around 200. I do not consider these fluctuations to be significant.
- 2.2 Most complaints made to the Ombudsman were about housing (78), housing benefit (28) and Council Tax (30), which repeats the pattern of the previous three years. The main increase was in the number of complaints about housing matters, which rose from 62 in 2004/05 to 78 (roughly the same as in 2003/04 when the Ombudsman received 75 housing complaints). The Ombudsman has commented that this increase is against the wider trend. Across the country, the number of housing complaints fell, although this downward trend seems to be related to the continuing transfer of housing stock out of local authority control.

#### **The Ombudsman's decisions on complaints**

- 2.3 The Ombudsman made decisions on 186 complaints during 2005/06, 82 of which he referred back to the Council to deal with under our own procedure.
- 2.4 The following table shows the outcomes of the complaints decided by the Ombudsman in 2005/06 by department.

**Table 1 LGO decisions by department and outcome**

	Housing and Customer Services	Community Care	BHP	BRBS	Environment and Culture	Children and Families	Other*	Total
Local Settlement	0	0	1	3	2	0	0	6(8%)
Omb Discretion	3	2	6	7	7	0	1	26(25%)
No mal	10	0	7	12	15	1	0	45(44%)
Outside Jurisdiction	5	0	4	5	13	0	0	27(26%)
Total	18 (17%)	2	18(17%)	27(26%)	37(35%)	1	1	104
Premature Complaints	17 (20%)	6	14(16%)	32(37%)	15(17%)	1	1	86**

\* central and corporate units

\*\* this figure is higher than the LGO's figure of 82 because some complaints concerned more than one service area

2.5 For the fifth year running the Ombudsman did not issue any formal *reports* against the Council.

2.6 The Ombudsman found no fault in the great majority of complaints that he considered. In 2005/06 only six complaints were closed as *local settlements*<sup>1</sup>. This represents just 8% of the Ombudsman's decisions on all complaints which were not premature or outside his jurisdiction and is the lowest figure for many years (for example there were 130 local settlements in 1999/00). The average local settlement rate for all local authorities is 26% and it would appear that no London Borough had a lower local settlement rate. The Ombudsman has commented that this 'seems to suggest that your (the Council's) complaints procedure is continuing to provide an effective remedy for many complainants'.

2.7 Members may be interested to know the circumstances of these six local settlement decisions, so I have provided brief summaries, as follows:

### **Brent Housing Partnership**

Mr L wrote to the Chief Executive in connection with his previous complaint about his transfer. He said he had just moved into his new flat and he did not have a wheelie bin. This was passed to BHP to arrange with Environment but, regrettably, this was not progressed and Mr L went to the Ombudsman in January 2005. The complaint was settled in May 2005 with the provision of a wheelie bin and £100 compensation.

<sup>1</sup> a *local settlement* is a decision discontinuing the Ombudsman's investigation because the Council has agreed a course of action which the Ombudsman accepts as a satisfactory outcome for the complainant

*Omb disc* is a discretionary decision to discontinue an investigation, usually because the Ombudsman finds insufficient injustice to warrant pursuing the matter

*No mal* is a decision discontinuing an investigation because the Ombudsman has found no, or insufficient, evidence of fault

*Outside jurisdiction* means that the complaint is outside the Ombudsman's jurisdiction

*Premature complaints*: the Ombudsman does not normally consider a complaint unless the Council has first had an opportunity to deal with it itself. So if someone complains to the Ombudsman without first having taken the matter up with the Council, the Ombudsman will usually refer it back as a 'premature complaint'.

## Environment & Culture

(i) The Parking Service failed to deal with Mrs K's representations about a Penalty Charge Notice despite assurances given to her MP. The decision to cancel the Penalty Charge Notice and refund the penalty charge which Mrs K had paid at the same time as she appealed was a satisfactory local settlement. This local settlement resulted from the lack of follow up action to an assurance given to the complainant's MP and could have easily been avoided.

(ii) In May 2004, at the conclusion of Mrs R's Stage 3 complaint, the Chief Executive asked StreetCare to monitor refuse collections at the block of flats where Mrs R lived to ensure that problems were resolved. There was an immediate improvement for two months but when the service deteriorated again and Mrs R contacted StreetCare, the monitoring was not resumed and Mrs R went to the Ombudsman. The complaint was resolved by renewed close contract monitoring and the payment of £100 compensation.

## Revenues and Benefits

(i) A refund of Council Tax was sent to the wrong address but the outstanding sum remained on the complainant's account. Then the property was converted into four flats and new bills were issued, for conflicting amounts, followed by reminders and summonses. Mr F was in touch with the Council, increasingly aggrieved, trying to sort things out. There was a period of ten days in June 2005 when it should have been possible to resolve the situation and avoid issuing the summonses. Mr F complained to the Ombudsman who initially referred the complaint back as premature but the Stage 2 complaint response took a very robust line and did not uphold the complaint. Because the correspondence had been ongoing for many weeks the LGO would not allow us the opportunity to consider things at Stage 3. The complaint was settled on the basis that the summonses had been withdrawn and costs cancelled and £80 compensation paid.

(ii) Miss N's claim for Housing Benefit was wrongly suspended in November 2003 until January 2005. Miss N and her solicitors made numerous representations about this which were largely ignored and were not identified as complaints, even though they said in various letters 'This letter was a formal complaint', 'Yet again we find ourselves in the position of having to make a complaint', 'We expect to receive your response within 7 days. After that we shall simply refer the matter to the LGO without further notice.' 'If our client's HB is not assessed ... we shall have no option but to apply for JR'. These events resulted in Miss N being served with Notice of Seeking Possession by her private landlord. The complaint was settled by the payment of £6,000 Housing Benefit, and £820 compensation.

(iii) There was a dispute as to when Mr Y and his family moved into new Housing Association property and Mr H (Mr Y's private landlord) wanted Housing Benefit for a period when he said the family had not vacated their accommodation. Mr H wrote to the Council in May 2005 but the complaint was not dealt with. The Council therefore lost the opportunity to consider the complaint when Mr H went to the LGO. The complaint was settled when Revenues and Benefits decided to pay Housing Benefit of about £1,500 to Mr H.

2.8 The Council paid compensation of £1110 in relation to these six complaints, plus Housing Benefit of some £7,500 to which two complainants were entitled. This is the lowest figure for several years; for example, £35,000 was paid in relation to Ombudsman complaints in 2000/01 and almost £18,000 in 2001/02.

2.9 None of the six complaints revealed serious or systemic service failures. Only one of them had been considered under the Council's complaints procedure. In that case the Ombudsman considered that the compensation paid at Stage 2 was insufficient and sought an additional £80. This highlights the need for all Council officers responsible for responding to complaints to pay appropriate compensation, in accordance with the Ombudsman's published guidelines, and at the earliest opportunity.

- 2.10 Of the remaining five complaints, one had previously been considered at Stage 3 of the Council's complaints process but the recommended remedy was not vigilantly pursued so it was not surprising that the complainant took her complaint to the Ombudsman. The complainants in the other four cases had been in touch with Council service areas about their grievances but complaints had not been registered, so the Ombudsman stepped in. This highlights the need identified in last year's Annual Report for service areas to proactively register complaints and is an area where more work is needed.
- 2.11 On the whole, however, this low local settlement rate reflects extremely well on the improved standard of service delivery across the Council and is an external validation of the Council's internal complaints process which is generally robust and thorough, providing suitable remedies in most cases.
- 2.12 Of the other complaints decided by the Ombudsman, 45 complaints (44%) were closed because there was no evidence of maladministration, 26 (25%) on grounds of discretion (usually because the Ombudsman found insufficient fault or injustice to warrant his further involvement) and 27 (26%) as outside the Ombudsman's discretion.

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

- 2.13 In 2005/06 the Ombudsman returned 82 complaints to the Council to deal with as premature complaints<sup>2</sup>. This represents 44% of all decisions taken by the Ombudsman in the year, a much higher proportion than the national average of 27%, and also an increase over 2004/05 when 40% were found to be premature.
- 2.14 During the year the Ombudsman's office received 22 're-submitted' complaints from people whose complaints had initially been referred back for the Council to deal with as premature. Only one of those resulted in a local settlement (the case of Mr H on behalf of Mr F referred to above). The Ombudsman has commented that this compares very favourably with the national average of 22% for re-submitted complaints ending in a local settlement and that this 'may suggest that the Council usually considers complaints in a comprehensive and fair manner'.
- 2.15 Our research involving complainants whose complaints we considered in 2004/05 suggested that, although most people knew about the Council's complaints procedure, they did not trust us to deal properly with their complaints or put things right which is reflected in the high number of people going straight to the Ombudsman.
- 2.16 The evidence of the extremely low local settlement rate and the Ombudsman's complimentary remarks about the way the Council deals with complaints reinforces my comments in last year's Annual Report that there is a problem of unjustified poor public perception which we will need to work hard to overcome.

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<sup>2</sup> The Ombudsman does not normally consider a complaint unless a Council has first had an opportunity to deal with the complaint itself. So, if someone complains to the LGO without having taken the matter up with the Council, the LGO will usually refer it back as a 'premature complaint' to see if the Council can itself resolve the matter.

## The Ombudsman's Annual Letter

- 2.17 This is the fourth year that the Ombudsman has written to local authorities to give his reflections on the complaints received. The full text of the letter is available on the Council's website at [www.brent.gov.uk/complain](http://www.brent.gov.uk/complain), or from the Corporate Complaints Team.
- 2.18 This year, for the first time, all councils' annual letters are published on the Commission for Local Administration's website ([www.lgo.org.uk](http://www.lgo.org.uk)) and are shared with the Audit Commission.
- 2.19 As in previous years, the Ombudsman was highly complimentary about the Council's complaint performance over the year. In addition to the low local settlement rate, the Ombudsman commented on our continued excellent response time to his first enquiries. The average time taken was 21 days against the Ombudsman's requested timescale of 28 days, a further improvement over 2004/05 when our average was 22 days. Very few councils in London achieve such a consistently prompt service to the Ombudsman's office.
- 2.20 The Ombudsman commented very positively on our effective complaints procedure, the quality of responses, and on our general prompt and efficient service both to the Ombudsman's investigators and to complainants.
- 2.21 The Ombudsman's generous comments are a welcome endorsement of the hard work by officers across all service areas, and of the sweeping changes and improvements achieved since 2000, when Brent Council was probably the third worst in the country in the Ombudsman 'league tables'.

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

#### Numbers of complaints

**Table 2 Complaints made under the Council's complaints procedure**

	Stage 1		Stage 2		Stage 3		Total	
	04/05	05/06	04/05	05/06	04/05	05/06	04/05	05/06
Housing & Customer Services	268	372#	76	104#	38	42#	382	518#
BHP	856	881	188	173	44	69	1088	1123
Revenues & Benefits	1194	1172	216	192	60	67	1470	1431
Environment & Culture	809	719	134	105	44	38	987	862
Education, Arts & Libraries	68	-	1	-	2	-	73	-
Children & Families	-	106	-	14	-	6	-	126
Social Services	197	-	19	-	4	-	220	-
Community Care	-	144	-	19	-	1	-	164
Other*	231#		7#		2#	0	240#	
<b>Total</b>	<b>3623</b>	<b>3394</b>	<b>641</b>	<b>607</b>	<b>194</b>	<b>223</b>	<b>4460</b>	<b>4224</b>

\*central and corporate units #figures include complaints about the One Stop Service

- 3.1 Overall, the number of complaints received has fallen slightly over 2004/05. It is somewhat difficult to draw any firm conclusions about this. On the one hand it could indicate a real increase in customers' satisfaction with service delivery; on the other hand, it could indicate some under-recording of complaints in a year when there have been two Council reorganisations.
- 3.2 The increase in complaints about Brent Housing Partnership can be traced to the very active Decent Homes programme which, perhaps inevitably, generated complaints about delays and disruption during the work. The 11% reduction in complaints about the Environment and Culture department seems related to increased customer satisfaction with the refuse collection and street cleaning services.

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

- 3.3 Table 3 below shows the percentage escalation rate through the three stages of the Council's complaints procedure.
- 3.4 The ideal is for as many complaints as possible to be resolved by service managers at Stage 1, by identifying any fault and providing a suitable package of remedies including compensation. This saves the Council time and money in the long run, causes less inconvenience and anxiety to complainants, and enhances the service area's reputation among its customers.
- 3.5 Our target is for no more than 10% of complaints to escalate from the first to the second stage of the process. The reality is that no service area has achieved this in recent years, although there have been improvements this year in every department's performance, except Housing and Customer Services which remained constant.
- 3.6 Of greater concern are the high escalation rates from the second to the third stages of the process. Against a target of 20%, the best performing services were Revenues and Benefits and Environment and Culture at 35% and 36% respectively. There was a welcome reduction in the percentage of complaints about Housing and Customer Services escalating to the third stage. Of particular concern was the 40% escalation rate of Brent Housing Partnership complaints, which was primarily caused by failures to ensure that repair work was adequately monitored to satisfactory conclusion, understandably leading to complainants pursuing their grievance.
- 3.7 The result of this high escalation rate has been that, against a background of fewer complaints being registered at stage one, the number of complaints being considered at the third and final stage of the Council's procedure rose to 223 - the highest figure since the corporate complaints team was established. This placed a great strain on the team's capacity to manage this large caseload while at the same time providing support and training to service areas to help improve complaint handling.



**Table 3 Percentage escalation of complaints**

		St 1 > St 2 Target 10%	St 2 > St 3 Target 20%
Housing & Customer Services	2004/05	28	53
	2005/06	28	40
BHP	2004/05	22	23
	2005/06	20	40
Revenues & Benefits	2004/05	18	28
	2005/06	16	35
Environment & Culture	2004/05	17	33
	2005/06	15	36
Education, Arts & Libraries	Figures too small to be meaningful		
Children & Families			
Social Services			
Community Care			
Other			

**Outcomes of complaints**

- 3.8 Of equal concern is the high percentage of complaints upheld either fully or in part at the second and, particularly, the third stages of the complaints procedure.
- 3.9 For example, as Table 4 below shows between 29% (Environment and Culture) and 59% (Brent Housing Partnership) of complaints considered at the third stage were upheld to some extent, after having been considered twice previously within service areas.

**Table 4 Outcome of complaints**

	Stage	% Fully upheld		% Partly upheld		Total % upheld fully or partly	
		2004/05	2005/06	2004/05	2005/06	2004/05	2005/06
Housing & Customer Services	S1	6	11	13	15	19	25
	S2	3	6	21	20	24	26
	S3	10	11	19	27	29	38
BHP	S1	49	47	19	21	68	68
	S2	44	46	20	22	64	68
	S3	25	28	30	31	55	59
Revenues & Benefits	S1	36	34	20	21	56	55
	S2	43	40	20	16	63	56
	S3	31	21	28	22	59	43
Environment & Culture	S1	n/a	33	n/a	22	55	55
	S2	n/a	19	n/a	21	41	40
	S3	18	5	7	24	25	29
Children & Families	S1	-	20	-	30	-	50
	S2	-	12	-	37	-	50
	S3	-	n/a	-	n/a	-	n/a
Community Care	S1	-	25	-	20	-	44
	S2	-	33	-	33	-	66
	S3	-	n/a	-	n/a	-	n/a

- 3.10 This indicates that complaints are that not being considered thoroughly or openly enough at the initial stages, or that inadequate remedial measures are applied, or that promises of action are not fulfilled. Investigating complaints becomes increasingly expensive and time-consuming as they escalate through the process, as well as damaging a customer's perception of the service area.
- 3.11 In an effort to overcome this trend, in the Spring of 2006 the corporate complaints team devised and delivered a new training programme to about 50 managers and some of the external complaint investigators we use, specifically aimed at improving the quality of complaint investigation at the second stage of the process.

### Performance in meeting time targets

- 3.12 Although different timescales apply at different stages of the process, overall we aim to reply to 85% of complaints at every stage within the relevant timescales. As the table below shows, performance across the Council varies considerably. The low rate of complaints dealt with within the target time at the third stage is partly a reflection on the amount of investigatory work which is found to be necessary, even though service areas have already looked into the complaint twice internally.
- 3.13 Apart from causing unnecessary worry and inconvenience to complainants, delays in complaint handling increase the possibility that the Local Government Ombudsman will step in and investigate, given that the Ombudsman will not normally give the Council more than twelve weeks to do its own investigations.

**Table 5 Percentage of complaints answered within target times**

	Stage 1 Target 15 working days		Stage 2 Target 20 working days		Stage 3 Target 30 working days	
	2004/05	2005/06	2004/05	2005/06	2004/05	2005/06
Housing & Customer Services	67	74	60	64		
BHP	78	81	67	76		
Revenues and Benefits	81	77	79	79		
Environment & Culture	67	66	87	70		
Children & Families	-	61	-	30		
Community Care	-	60	-	36		
All					52	62

### Compensation payments

- 3.14 Table 6 shows the compensation payments made during the year.

**Table 6 Compensation payments**

	Year	Stage 1	Stage 2	Stage 3	LGO	Total
Housing & Customer Services	2005/06	470	1,015	9,840*	0	11,325
	2004/05	3,426	580	2,000	500	6,506
	2003/04	853	967	8,745	345	10,915
BHP	2005/06	28,135.97	14,272.40	17,897	100	60,405.37
	2004/05	8,082	13,872	11,882	470	34,306
	2003/04	10,263	18,449	10,472	1,200	40,383
Revenues & Benefits	2005/06	5,406	7,606	5,765	900	18,777
	2004/05	4,240	13,506	8,252	1,115	27,113
	2003/04	1,445	6,094	7,379	580	15,597
Environment & Culture	2005/06	115	1,855	690	100	2,760
	2004/05	250	1,278	575	250	2,353
	2003/04	484	779	1,075	0	2,338
Education Arts & Libraries	2004/05	0	0	0	6,000	6,000
	2003/04	0	0	250	250	250
Children & Families	2005/06	300	7,012.25	0	0	7,312.25
	2004/05	850	4,034	50	0	4,934
Social Services	2003/04	50	2,000	100	0	2,150
	2005/06	255	33,860.90**	150	0	34,265.90
Total All services	2005/06	34,861.97	65,621.55	34,342	1,100	135,744.22
	2004/05	16,848	33,270	23,059	8,335	81,512
	2003/04	13,095	28,289	28,260	2,130	71,534

\* includes one payment of £5,000

\*\* includes one payment of £33,000

- 3.15 It is immediately obvious that compensation payments have risen dramatically in 2005/06 at all stages of the Council's complaints process. There are a number of reasons for this: a great increase in compensation paid by Brent Housing Partnership in respect of delayed and unsatisfactory repair work, particularly under the Decent Homes programme; one large payment (£5,000) at stage three and another at stage two (£33,000).
- 3.16 However, this increased amount of compensation needs to be viewed in a positive way since it demonstrates that, when the Council acknowledges that it has been at fault, it is willing to put things right and pay compensation. This not only enhances the Council's reputation with customers, it can help avoid legal proceedings, with their attendant high costs and substantial risk of higher awards of damages.
- 3.17 Proactively paying compensation also significantly reduces the possibility of the Local Government Ombudsman seeking higher compensation – only 0.8% of the total compensation paid in 2005/06 was in response to a local settlement proposal from the Ombudsman (as opposed to 10% in 2004/05).
- 3.18 Despite the increased compensation paid in response to complaints I remain of the view that the Council's complaints process is a simple and cheap way of providing redress for customers who have not received the service they were entitled to expect. But we need to encourage all managers to pay

compensation which reflects the Local Government Ombudsman's guidelines at the earliest stage of the procedure.

#### **4. Developments in complaint handling in 2005/06**

##### **4.1 Reorganisation of Council services and complaint handling**

4.1.1 The reorganisations of Council services in 2005 have had consequent effects on complaint handling arrangements. Interim arrangements whereby the Community Care complaints manager administered all complaints made under the statutory social services complaints processes continued until March 2006 when Children and Families' newly appointed complaints manager took up her post.

4.1.2 At the present time, the Community Care complaints function continues to be dealt with separately from Housing and Customer Services'. There were further changes when Brent Housing Partnership (who manage housing complaints on behalf of the Council) moved out of Mahatma Gandhi House and one of the senior complaint officers was seconded to another unit in July 2006. A complaints officer now comes to Mahatma Gandhi House each afternoon to deal with post etc. Consideration is currently being given to the most appropriate complaint handling structure for Housing and Community Care.

4.1.3 Also during the year, the Revenues and Benefits Service created a new post of Complaints and Tribunals Manager, initially to oversee the second stage of complaints. More recently the role was extended to be responsible for all stages of the process.

4.1.4 There have also been changes within the corporate complaints team and, although we have had the benefit of an additional temporary post, the team has struggled to meet the challenge of an increased number of stage 3 complaints with maintaining its commitment to training and other policy initiatives started when the team was a stable and experienced unit. Nevertheless, the quality of the team's work is reflected in the fact that no Stage 3 investigations were later challenged by the Ombudsman.

4.1.5 Given the number of changes, it is perhaps understandable that complaints performance has dipped overall over the year. But we now have a strong group of complaint managers across the Council and I am confident that, together, we are equipped to bring about substantial improvements.

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

4.2.1 Members will recall that, over the past three or four years, great effort was put into developing a common complaint recording system based on the customer relations management system used by the One Stop Service.

4.2.2 Progress was slow for a number of reasons but it was hoped that the new system could be rolled out across the Council by the end of March 2006.

4.2.3 However, the reporting system which is crucial to the effectiveness of any database proved problematic. There was a further threat from the uncertainty of the future of the Council's customer relations management provision. After an external, independent, review it was decided in February 2006 to put no further resources into the development of the proposed system.

4.2.4 The Council still needs a common complaints recording and reporting system and work is now underway to develop NonStopGov (which has been used in Environment and Culture for some while) to fully meet our corporate requirements.

### **4.3 Complaints performance management**

4.3.1 Complaint review panels have continued to be held to review the outcome of Stage 3 and Ombudsman complaints. One of the Audit Commission inspectors observed a panel in the course of the CPA corporate assessment in early 2006 and commented that it seemed a highly effective tool for ensuring that the lessons of complaints were learned and reflected in improved service delivery. But it was also stressed that this process should be taking place at the earliest opportunity within service areas and not only at the final stages of the complaints process.

4.3.2 Complaints provide managers with a valuable window on service delivery. Whilst I believe that managers do use the lessons of complaints to improve service delivery and inform future service planning, these improvements are not captured and documented consistently across the Council.

4.3.3 Similarly, reporting of complaints performance has not been consistent across all service areas.

4.3.4 In order to improve service areas' identification of the areas where improvement is needed and their ownership of these problems at the earliest opportunity, the departmental complaints managers and I agreed that, as from 1 April 2006, they would use a standard report format which includes information about the numbers of complaints received and their outcomes, the percentage of complaints escalating to the next stage and the percentage of complaints responded to in the appropriate timescales, as well as emerging causes of complaints and the measures to deal with them. Reports will be prepared quarterly and submitted to senior and departmental management teams.

4.3.5 In addition, two key indicators – the proportion of stage one complaints responded to within the appropriate timescales, and the percentage of complaints escalating from the first to the second stage of the process – have been included in the Vital Signs performance report.

### **4.4 Training in complaint handling**

4.4.1 The corporate complaints team continues to provide training in conjunction with departmental complaints officers to staff across the Council in complaint handling. In 2005/06 we ran half day sessions for about 150 staff who are responsible for responding to complaints at the first stage of the process, as well as Brent Housing Partnership's repairs contractors and Leisure Connections staff.

4.4.2 In addition, as a new initiative aimed at senior managers responsible for responding to complaints at the second stage of the procedure or for preparing responses to Ombudsman enquiries, Vivienne Trenner (who joined the corporate complaints team from the Local Government Ombudsman in November 2005) and I devised and delivered two one day training on more

advanced investigative skills, structured decision making and learning from complaints. Forty managers attended over two days in March 2006.

- 4.4.3 In preparation for the local elections in May 2006 I re-drafted the guidelines for dealing with Members' enquiries and complaints on behalf of residents. It is intended to include a session on the complaints procedure as part of the Members' development programme to help get the best from the process.
- 4.4.4 In order to make as many Council officers as possible aware of the complaints process, I have arranged to make short presentations to the corporate induction and managers' induction programmes and have worked with the corporate learning and development team on an e-learning module.
- 4.4.5 Increasingly external bodies look to Brent as a good role model in complaint handling. I have spoken at two national conferences on learning the lessons of complaints and was also very gratified to be asked to lead a workshop at the European Conference on Customer Services, as the only public sector contributor. I have also been invited to take part in a training event for advice workers arranged by the Public Law Project at which the other speakers will be from the Parliamentary and Local Government Ombudsmen services.

#### **4.5 Review of complaints policy**

- 4.5.1 Last year I reported that I was re-drafting the Council's complaints policy to reflect current practice and consolidating guidance which had been somewhat piecemeal previously. We also took the opportunity to review the equalities aspects of the policy and documents as part of the Council's commitment to attaining Level 3 of the local government equality standard. An Impact Needs/Requirements Assessment was therefore carried out over the Spring of 2006, which included direct consultation with more than forty local advice agencies and community groups. This helped inform the design of the new complaints leaflet and poster to make it highly accessible to people whose first language is not English or who need the documents in a different format.
- 4.5.2 The assessment also highlighted that across the Council we obtain very little information from our requests for equalities monitoring information – overall the response rate is about 11%, which provides little meaningful feedback. As part of the action plan following on from the assessment is a commitment to find ways of increasing the response rate and to analyse the information collected in order to ensure that people find it easy to access and use the complaints procedure and that no section of the community is under-represented or discriminated against in terms of outcome and remedy.

### **5. Conclusion**

- 5.1 As this report demonstrates, there is evidence of some very good practice in complaint handling which has helped secure such a good Annual Letter from the Local Government Ombudsman. But there are also areas where performance falls short of the corporate expectations and targets which places the Council at risk of losing the excellent reputation we have worked hard to obtain.
- 5.2 The focus of work in 2006/07 must be to ensure that, in the wake of Council reorganisation, all service areas are better able to meet the required standards of timeliness and good quality responses at all stages, and that the lessons of complaints are learned at the earliest opportunity.

- 5.3 The priorities in the work plan are therefore
- to work with all service areas to improve compliance with corporate targets and expectations
  - to ensure consistency in complaints performance reporting
  - to continue to provide training
  - to redesign the complaints website
  - to undertake a programme of outreach work to publicize the complaints procedure
  - to implement the equalities action plan
  - to develop a corporate complaints database.

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