

Annual Complaints Report 2016 – 2017

Appendix A – Council Departments

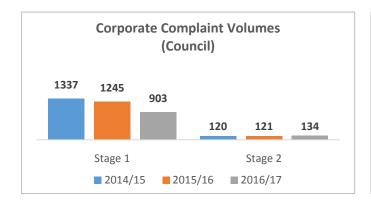
1. INTRODUCTION

- 1.1 This document provides an overview primarily of corporate complaints performance in Brent Council.
- 1.2 Complaints performance has been analysed and reported across four broad aspects complaints received, complaint types, outcomes and timeliness. This report also includes improvements and lessons learned from complaints. Each section of this document starts with a 3-year overview of council performance. Departmental analysis is then provided for 2016/17 where available.
- 1.3 Complaints concerning the Adult Social Care and Children and Young People departments come under separate statutory complaint procedures and separate analysis reports for 2016/17 have been provided in **Appendices B and C** respectively.
- 1.4 A number of data caveats were stipulated in the main report and it is important to remember that complaints performance data has been taken from the council's iCasework system and is based on the information recorded by officers handling complaints.

2. COMPLAINTS RECEIVED

Corporate Complaints Received - Brent Council 3-year overview

2.1 The charts below show corporate complaint volumes at the first and second stage over the past 3 years and service request volumes for the corresponding period.





2.2 The volume of Stage 1 corporate complaints has fallen by one third over the past 3 years.

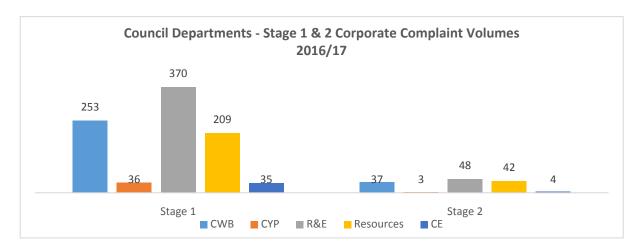
One of the main reasons identified is that service areas are logging other types
of initial customer contact (i.e. pre-complaint queries and follow up requests for
services) as service requests, rather than as formal Stage 1 complaints.



- All first stage contact (i.e. Stage 1 complaints and service requests) with the Council has gone down by over 100 cases in the past 3 years.
- 2.3 Although the volume of Stage 1 cases has gone down there has been a 12% increase in the volume of Stage 2 corporate complaints, and the proportion of cases escalated to Stage 2 has also increased in the past 3 years.
 - In 2014/15, 1 in every 11 first stage corporate complaint was escalated to the second stage; this increased to 1 in every 7 corporate complaint being escalated in 2016/17.
 - The rise in Stage 2 escalation rates suggests an increased level of unhappiness with the outcome of first stage decisions. This is considered further in the Outcomes section of this document.

Corporate Complaints Received - Council Departments 2016/17 overview

2.4 The chart below shows the volume of first and second stage corporate complaints received by each department during 2016/17.



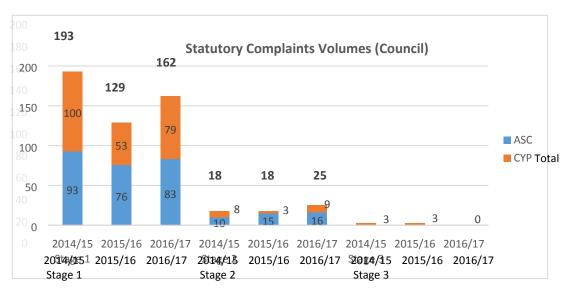
- 2.5 The departmental breakdown of the 903 Council complaints received in 2016/17 was: 41% Regeneration & Environment (R&E) department, 28% Community Wellbeing (CWB) department, 23% Resources (Res) department, 4% Children & Young People (CYP) department and 4% Chief Executive's (CE) department
- 2.6 Escalation rates for each department are shown in the table below:

Department	No. of Stage 1 Cases (2016/17)	Stage 2 Escalation Rate (2016/17)
Regeneration & Environment	370	1 in 8
Community Wellbeing	253	1 in 7
Resources	209	1 in 5
Children & Young People	36	1 in 12
Chief Executive's	35	1 in 9
Council-wide	903	1 in 7



Statutory Complaints Received - Brent Council 3-year overview

2.7 The chart below shows the volume of statutory Adults and Children's cases at all stages for the past 3 years.



- 2.8 Statutory first stage complaints have gone down by 12% and statutory Stage 2 complaints have gone up by 28% over the past 3 years.
 - Escalation rates have almost doubled in the past 3 years, with 1 in every 6 statutory Stage 1 complaints being escalated to the second stage in 2016/17 compared with 1 in every 11 case in 2014/15. As previously suggested with corporate complaints, this may reflect increased dissatisfaction with our statutory Stage 1 decisions.
- 2.9 Detailed analysis of Adults & Children's statutory complaints is provided in Appendices B and C.

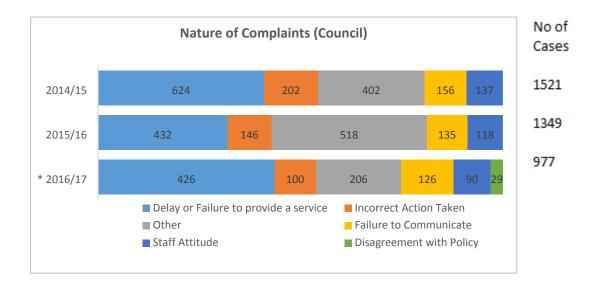
3. NATURE / TYPE OF COMPLAINTS

3.1 The nature or type of complaint is recorded on the iCasework system by officers at the point of closing the case. The broad categories and sub-classifications were updated part way through 2016 to give us better insight into the root cause of complaints. One of the main changes was that the 'Other' category was removed from the system and the 'Disagreement with Policy' category was added. Additional service-specific sub-classifications have been updated on the system for some areas across the council.



Nature/Type of Complaints - Brent Council 3-year overview

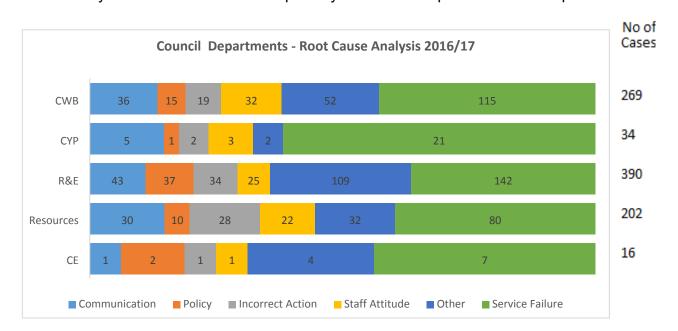
3.2 The chart below shows the root cause of complaints received by the Council over the past 3 years.



3.3 **Service delay/failure' remains the most common reason for complaints received** by the Council, accounting for almost half of all corporate complaints in 2016/17. We upheld/partly upheld almost half of the 426 service delay/failure cases received in 2016/17.

Nature/Type of Complaints - Council Departments 2016/17 overview

3.4 The chart below shows the root cause of complaints for each council department in 2016/17. Service delay/failure accounted for nearly half of all the corporate complaints received by the Council and was the primary cause of complaints in each department.





3.5 A further breakdown of the three service areas that received the highest number of complaints in each department is provided below:

Community Wellbeing Department				
Services	No. of Stage 1 Cases	Stage 1 as % of Dept Total	Root Causes (service-specific)	
Housing	128	51%	 Accommodation Services – Assessment Poor Communication Staff Conduct 	
Culture	69	26%	 Libraries – Computer Provision Libraries – Other Libraries – Events & Exhibitions 	
Private Housing Services	38	15%	 Housing Advice – Other Service Enforcement – Assessment / Housing Enforcement – Multiple Occupation - Safety 	
	Regen	eration & En	vironment Department	
Services	No. of Stage 1 Cases	Stage 1 as % of Dept Total	Root Causes (service-specific)	
Parking & Lighting	146	39%	 PCN Received Payments / Parking Permits On Street Enforcement – Not Taking Action 	
Environ- mental Improvement	90	24%	Contractor ConductNon CollectionManagement Issues	
Highways & Infrastructure	64	17%	Other Highways IssueOther Pavement IssuesHighways Information and Advice	
		Resource	es Department	
Services	No. of Stage 1 Cases	Stage 1 as % of Dept Total	Root Causes (service-specific)	
Benefits & Customer Facing	89	43%	 Benefits – Over Payments Benefits – Change of Circumstances Benefits – Other Service 	
Revenues & Customer Contact Centre	53	25%	 Contact Centre – Officer Behaviour Council Tax – Recovery Contact Centre – Enquiry Handling 	



BCS Social Care Functions	17	8%	CommunicationService Failure	
	Child	dren & Youn	g People Department	
Services	No. of Stage 1 Cases	Stage 1 as % of Dept Total	Root Causes (service-specific)	
Inclusion	10	28%	Social WorkersContract IssuesService not provided	
Localities	7	19%	Support / ContactAssessmentChild Protection	
LAC & Permanency	5	14%	-	

- 3.6 The table above shows that there are a variety of issues that have led to service delay or service failures across council departments. The Complaints Service team has attended management and team meetings to discuss the quarterly performance reports and discuss ways of improving both service area operations and complaint handling.
- 3.7 Service areas have undertaken a range of activities to improve their operations as a result of complaints about service issues. The Adult and Children appendices include several examples of improvements from (statutory) complaints, four more examples of improvements as a result of corporate complaint are provided below:

Community Wellbeing department – Housing Needs

- Cause of complaint: the complainant, a single person who would not qualify as homeless under homeless legislation, was assisted by the Housing Needs Care and Support team during his discharge from hospital. He was unhappy with what he considered to be unsuitable accommodation referrals.
- Service improvement example: the final review complaint investigation highlighted the need for relevant Care and Support officers to check all the available documentation relating to hospital discharge on Mosaic (the Adult Social Care database) before finalising hostel/bed and breakfast referrals to ensure a suitable referral is made. It also highlighted the usefulness of Care and Support officers referring available medical evidence to the District Medical Officer in order to assist their decision-making in similar situations in future.

Community Wellbeing department – Libraries

 Cause of complaint: staff at one of Brent's libraries failed to enforce the Council's Private Tuition Fair Use Policy by not asking fee-charging private tutors to stop using the library as their personal tutoring space. The Council's Private Tuition Fair Use Policy prohibits fee-charging private tutors from teaching within Brent libraries. The complainant was concerned about the level of noise this generated in the library and stated that where there is a rule in place, it should be followed by all.



 Service improvement example: the final review complaint investigation highlighted the need for library staff to keep the use of the library by private tutors under closer review and to address any observations or trends during the next periodic review of the Council's Private Tuition Fair Use Policy. Library staff were also reminded of the Council's Private Tuition Fair Use Policy and the need for enforcement where the rules are not being followed.

Regeneration & Environment department

- Cause of complaint: a mother whose daughter had passed away complained that
 it had not been made clear to her that the Cemeteries Service charged a fee in
 certain circumstances for installing a memorial plaque/headstone at the
 gravesite. The complaint highlighted the value of ensuring information about the
 fee is communicated to service users through all possible points of contact.
- Service improvement example: all Cemeteries Service officers were therefore reminded to mention this when discussing memorial plaques / headstones with service users. Information about the fee was added to the list of recommended memorial masons issued by the Cemeteries Service. All the memorial masons on this list were reminded of the need to inform families of a possible installation fee when customers purchase a memorial plaque / headstone. The Cemeteries Service also waived the installation fee for the complainant in this instance.

Resources department

- Cause of complaint: the complainant was unhappy with the administration of her Council Tax account and the customer service they received in response to previous queries they had made about it. The complaint was not upheld because there were no errors in the handling of their account.
- Service improvement example: the final review complaint investigation did however highlight two generic customer service issues that were fed back to relevant managers: the need for officers to put their names rather than just generic job titles on all correspondence; the need for officers to ensure that if they promise to confirm a telephone conversation in an email on the same day they should do so.
- 3.8 Although service areas have already put some measures in place, it is clear that we need to have a continued and greater emphasis on addressing service delay/failure issues across the organisation. Ongoing and fundamental improvements are needed to prevent avoidable errors being repeated and to embed lasting changes that will improve service delivery across the council. This is a challenge for the council with the financial constraints and resourcing pressures facing local government, but nonetheless fundamental improvements must be made.

Recommendation: the Complaints Service team should work with service area and departmental management teams to review key service delay/failure hotspots and develop improvement plans.

3.9 Staff attitude and failure to communicate are two other main causes of complaints that also need to be addressed more widely across the council. The importance of learning from complaints and getting the customer service 'basics' right have been shared at staff forums and senior manager meetings by the Chief Executive. Some service areas already provide customer service training for their staff, however there is the need to put in place wider targeted training provision for particular service areas that may need this.

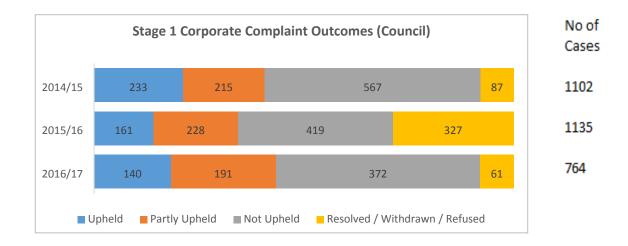


Recommendation: the Complaints Service team should develop a tailored training plan on communication and staff behaviours to be implemented for priority service areas across the Council

4. COMPLAINT OUTCOMES - STAGE 1 AND STAGE 2

Stage 1 Corporate Complaint Outcomes – Brent Council 3-year Overview

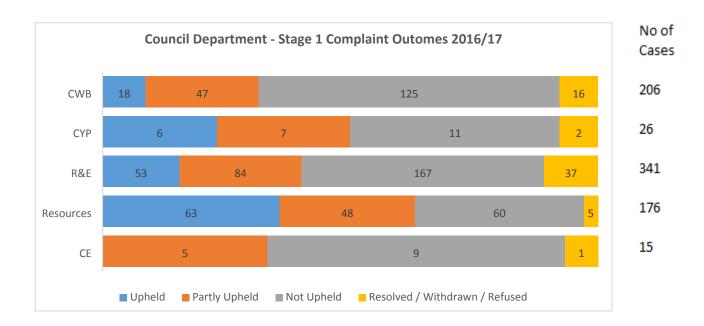
- 4.1 The proportion of corporate complaint cases upheld/partly upheld at the first stage by the Council has remained broadly the same over the past 3 years:
 - Although complaint volumes are coming down, the Council acknowledged fault in a large proportion of the new complaints we received.
 - 41% of cases were upheld/partly in 2014/15 and this has increased slightly to 43% of cases upheld/partly upheld in 2016/17.



Stage 1 Corporate Complaint Outcomes – Council Department 2016/17 Overview

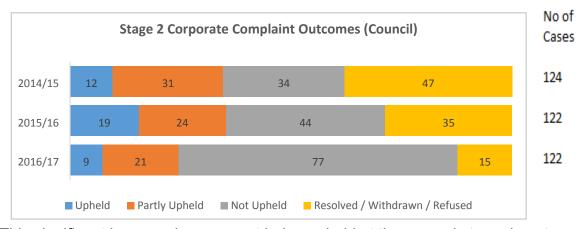
4.2 43% of Stage 1 complaints were upheld/partly upheld council-wide in 2016/17. The Resources and CYP departments were above average with 63% and 50% of cases upheld/partly upheld respectively in 2016/17.





Stage 2 Corporate Complaint Outcomes – Brent Council 3-year Overview

- 4.3 Whilst upheld/partly upheld rates have been stable at the first stage, this has dropped significantly at the second stage.
 - In 2014/15, 35% of Stage 2 cases were upheld/partly upheld compared with 24% in 2016/17.
 - 27% of cases were not upheld in 2014/15 and this has jumped to 63% not upheld in 2016/17.
 - Although 1 in every 7 case was escalated to Stage 2 in 2016/17, we upheld/partly upheld fewer cases than in previous years.



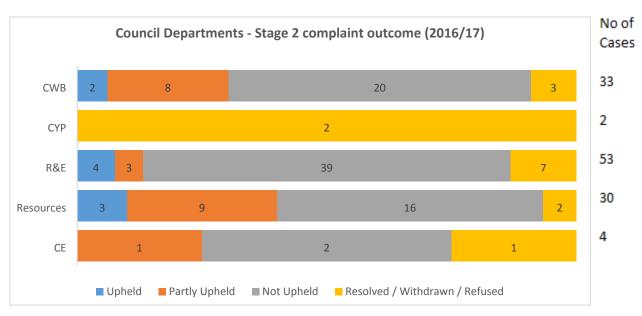
4.4 This significant increase in cases not being upheld at the second stage does to some extent reflect and support the decisions being made at the first stage.



4.5 There were 30 cases upheld/partly upheld at the final review stage in 2016/17 and unfortunately in some of these cases the service areas delayed implementing corrective action or paying compensation. These delays created additional follow up work for the Complaints Service team and on some occasions led to an Ombudsman referral. Closer monitoring of final review corrective actions needs to be put in place particularly as the LGO has signalled that it will take more stringent action against local authorities that do not follow through on agreed corrective actions/complaint remedies.

Recommendation: Complaints Service Team should implement a weekly Corrective Actions Tracker for all departments to monitor the timely completion of agreed remedial actions

Stage 2 Corporate Complaint Outcomes – Council Department 2016/17 Overview



4.6 27% of Stage 2 complaints were upheld/partly upheld council-wide in 2016/17. The Resources and CWB departments were above average with 40% and 30% of cases upheld/partly upheld respectively in 2016/17.

5. COMPLAINT OUTCOMES - LOCAL GOVERNMENT OMBUSDMAN

Ombudsman Complaint Outcomes – Brent Council 3-year Overview

5.1 Beyond the Council's final review stage, there were still a large number of cases that were escalated to the Ombudsman. We can reasonably assume that this was because of ongoing dissatisfaction or disagreement with the Council's final review decisions. The table below shows the of volume of referrals to the Local Government & Social Care Ombudsman (LGO) over the past 3 years:

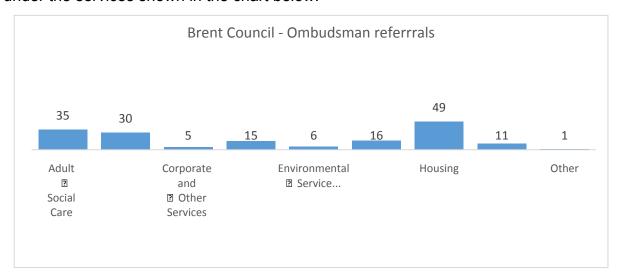


Case Type	2014 - 2015	2015 - 2016	2016 – 2017
Ombudsman Referrals	169	195	168

After a spike in LGO referrals in 2015/16, the volume of referrals in 2016/17 went back to the same levels as in 2014/15. Although Ombudsman case volumes have decreased, we recognise and accept that there are still too many cases being referred to the Ombudsman. In 2016/17 Brent had the 7th highest number of LGO referrals out of the 33 London councils.

Ombudsman Complaint Outcomes – Brent Council 2016/17 Overview

5.3 There were 168 referrals to the Ombudsman; the LGO categorised these referrals under the services shown in the chart below:



- Although the number of cases referred to the LGO was very high, the large majority of cases did not warrant a formal investigation. During 20161/17, the LGO considered or reviewed 161 Brent referrals. 136 out of 161 LGO referrals were not progressed after initial investigations for the following reasons:
 - Referred back for local resolution 84 cases.
 - Closed after initial enquiries 43 cases.
 - Advice given 5 cases.
 - Invalid or incomplete 4 cases.
- 5.5 More than half of the cases considered by Ombudsman in 2016/17 were sent back to the Council to be resolved locally. (Brent had the 4th highest number of cases referred back for local resolution across all London councils). These cases were in reality submitted prematurely to the Ombudsman and further work is needed to understand how we could resolve more of these cases earlier within the Council without the need for an Ombudsman referral. By doing this we should be able to provide a quicker, more efficient and mutually agreeable resolution to complaints.



Recommendation: the Complaints Service team should review LGO referrals and identify any future opportunities for early resolution and to help minimise premature LGO referrals.

5.6 There were fewer LGO cases investigated and upheld against Brent in 2016/17 than in previous years. During 2016/17 the LGO fully investigated 25 cases against Brent - 17 cases were upheld and 8 cases were not upheld.

Decided Case Volumes & Outcomes		2014 - 2015	2015 - 2016	2016 - 2017
No. of Cases Decided		39	36	25
Upheld	No.	22	26	17
	%	58%	72%	68%
Not Upheld	No.	16	10	8
	%	42%	28%	32%

- 5.7 The 17 upheld cases in 2016/17 were categorised under the following services by the LGO:
 - Housing 8 cases.
 - Adult Care Services 3 cases.
 - Education & Children's Services 3 cases.
 - Benefits & Tax 2 cases.
 - Highways & Transport 1 case.
- 5.8 Further analysis of the 17 LGO upheld decisions showed that:
 - 4 cases had been investigated by the LGO that had bypassed the Council's full complaints process and the LGO awarded compensation in 1 of these cases.
 - There were another 4 cases upheld by the LGO that overturned the Council's not upheld decision at final review stage; the LGO awarded compensation in 1 of these cases.
 - Of the remaining 9 cases upheld by the LGO, the Council had already upheld/partly upheld 8 of these complaints and 1 complaint had previously been withdrawn; the LGO awarded compensation in 5 of these 9 cases.
- 5.9 This LGO analysis highlights two further areas for consideration by the Council:
 - Firstly, we need to review our first and final review decisions in light of the 17 LGO cases upheld against us (and specifically the 4 cases that contradicted the not upheld decision made by the Council)
 - Secondly, we need to reconsider the levels of compensation awarded by the Council, bearing in mind that the LGO increased the financial redress in 5 cases and awarded compensation in 2 cases that we had not awarded compensation. Aligning our decision making and compensation levels more in line with the LGO may reduce the number of LGO decisions upheld against the Council in future. However there is a risk that even if we increase compensation payments in line with LGO thresholds, the LGO may still decide to increase compensation payments even further.



Recommendations: the Complaints Service team should review our internal approach to complaint decisions, corrective actions and compensation in light of LGO outcomes in 2016/17.

- 5.10 The Local Government Ombudsman issued a joint report against Brent Council and Ealing Council relating to a BHP tenant's complaint about their need for urgent rehousing due to domestic violence. The report was discussed at the Audit Committee in September 2016. Lessons have been learnt and service changes have been implemented. The LGO has issued two reports against the Council in about the last five years and therefore this is a rare occurrence.
- 5.11 The table below shows the compensation payments breakdown in 2016-17 and the two previous years, at all stages for corporate and statutory complaints.

		Council-wide Compensation			
Stage	Year	No of Cases	Total Compensation	Average per case	
044-1	2014/15	31	£23,773	£767	
Stage 1 / Provisional	2015/16	31	£15,708	£507	
Fiovisional	2016/17	32	£5,367	£168	
	2014/15	39	£24,251	£622	
Stage 2 / Final	2015/16	36	£14,193	£394	
	2016/17	33	£23,078	£699	
	2014/15	1	£500	£500	
Stage 3	2015/16	1	£1,000	£1,000	
	2016/17	0	£0	£0	
Ombudsman	2014/15	7	£1,200	£171	
	2015/16	10	£1,510	£151	
	2016/17	7*	£5,699*	£814	
Total	2014/15	78	£49,724	£637	
	2015/16	78	£32,411	£416	
	2016/17	72	£34,144	£474	

^{*} Includes one ASC case from 2015/16 with financial redress confirmed in 2016/17

- 5.12 The total number of cases awarded compensation at different stages of the complaints process over the past 3 years has actually decreased slightly. However the average amount of compensation has changed significantly at the first stage and Ombudsman stage.
 - Stage 1 compensation awarded has decreased nearly 5-fold over 3 years, averaging £168 per case in 2016/17.
 - LGO compensation has increased nearly 5-fold over 3 years, averaging £814 per case in 2016/17.
- 5.13 As previously recommended, we need to reconsider how we can put appropriate remedies in place more quickly and efficiently when we get things wrong to avoid unnecessary escalation or dissatisfaction.



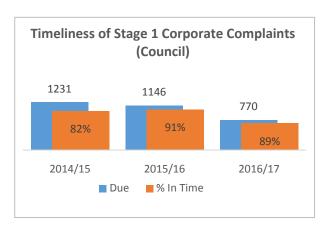
5.14 The high level breakdown of compensation paid by departments in 2016/17 is shown below:

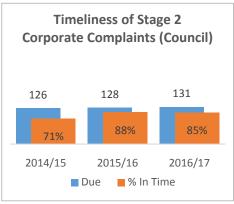
Departmental Breakdown of Compensation Payments – 2016/17				
Department No. of Cases Total Average Compensation case				
Regeneration & Environment	28	£3,897	£139	
Community Wellbeing	20	£11,650	£583	
Resources	17	£10,190	£599	
Children & Young People	6	£7,977	£1,330	
Chief Executive	1	£400	£400	

6. TIMELINESS OF COMPLAINTS

Corporate Complaints Timeliness - Brent Council 3-year overview

6.1 The volume of cases closed has come down in line with the reduction in new cases received over the past 3 years. Service managers have responsibility for managing Stage 1 complaints and with a reduction of 450 cases or so, *timeliness of Stage 1 complaints has improved by 7% points overall in the past 3 years*. Although there was a 2% point dip in timeliness from the 2015/16 peak of 91% completed on time.





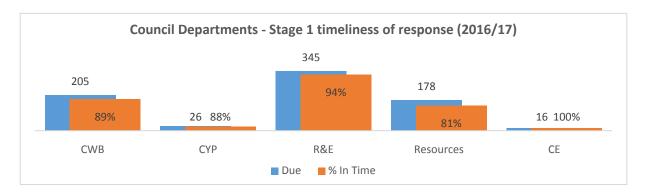
6.2 Stage 2 corporate complaints are managed by the Complaints Service team on behalf the Chief Executive. The volume of Stage 2 cases for both the Council and BHP has increased by 28% and 52% respectively. The *timeliness of corporate Stage 2 complaint responses for the Council has improved by 14% points over 3 years*, however there was a 3% point drop in timeliness from the peak level of 88% in 2015/16. The Complaints Service team is continuing to review processes, workload and priorities, and is also working with service area managers to speed up the completion of final review complaints.

Recommendation: Complaints Service team should continue to improve internal processes and working arrangements with service managers to increase the timeliness of Stage 2 responses.

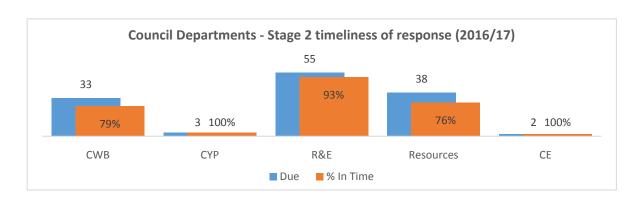


Corporate Complaints Timeliness - Council Departments 2016/17 overview

6.3 Overall timeliness in responding to complaints at Stage 1 in 2016/17 was 89%. R&E department not only had the highest volume of complaints but also achieved the highest levels of timeliness across the Council.



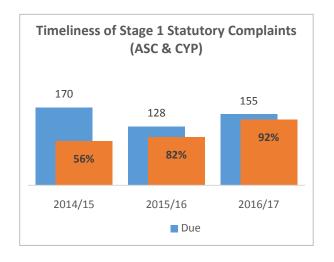
6.4 Overall timeliness at Stage 2 in 2016/17 was 85%. These cases are managed by the Complaints Service team (R&E department cases were the highest by volume across all departments and also had the best timeliness response rates).

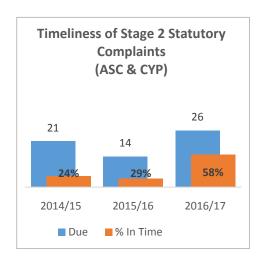




Statutory Complaints Timeliness - Brent Council 3-year overview

6.5 There has been a vast improvement in the timeliness of statutory Stage 1 complaints over the past 3 years, with the Council achieving its best performance of 92% on time in 2016/17.

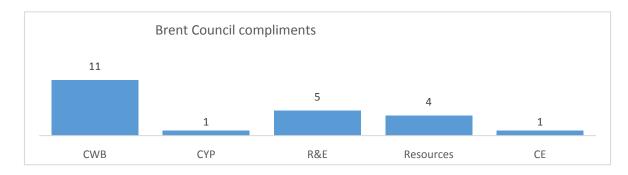




6.6 Timeliness of statutory Stage 2 complaints has also increased over the past 3 years and reached 58% in 2016/17, however this is still considerably below the expected standard for the Council. Statutory Stage 2 complaints are typically very complex and most of the delays have occurred with Children's cases where there is a requirement for independent investigators and independent persons. The Complaints Service team and the CYP department are working together to improve processes and timescales of independent Stage 2 investigations.

7. COMPLIMENTS

7.1 There has been an under-recording of compliments across the council, with 22 compliments recorded on the iCasework system during the year.



7.2 Planned changes to the website will make it easier for the public to record their compliments directly online. A few examples of compliments received are listed below:

ASC Social Care and ASC Duty Team

 Would like to thank all the staff at Brent social services who were so helpful with my brother's alarm. Especially a lady called S who kindly traced why all my brothers paperwork was missing. He has now got the alarm and it is peace of mind for me as he lives alone and is very vulnerable.



CYP

• Thank you for your report it's an excellent reflection of the issues and challenges I faced at the time of complaint. Also I think you argued my case very well. I was anxious at first wondering if I could trust you as an employee of Brent services, so I would like to thank you very much for the time and effort it has taken you to develop the report, and also for communicating with me in the meantime.

Library Service

• I wanted to write you a note to say how brilliant I, and so many others in the borough, think the Home Library Service is and how very much both the team and the volunteers are appreciated. Since my accident I've not been able to get to the library at all so the Home Library Service has become a real lifesaver and the delivery a monthly highlight. Not only is it an absolute joy to know that there will be great books, and films and music too, arriving each month but it is also always a real pleasure to deal with you all. I know you supply hundreds of people and yet you are all always so incredibly helpful, calm and reliable, I just don't know how you do it! The Service and the team really are exceptional and deserve every award going! Numerous thanks to you all!

Parking

• Thank you very much for the clarification and all the work you have put into solving this issue for us. It is much appreciated.

Benefits

• Please note that during my claim assessment, Mr S has demonstrated a great degree of professionalism and understanding. He is very knowledgeable in his field. He has high level of customer awareness, and he has treated me with dignity and respect. I am writing to you because previously I have had several unpleasant episodes with the Housing Benefit department, up to the point when Mr S handled my claim, who then managed to resolve the issues satisfactorily. I wish him all the best in his job and recommend him for any future work promotion and appraisals.



8. DIVERSITY DATA

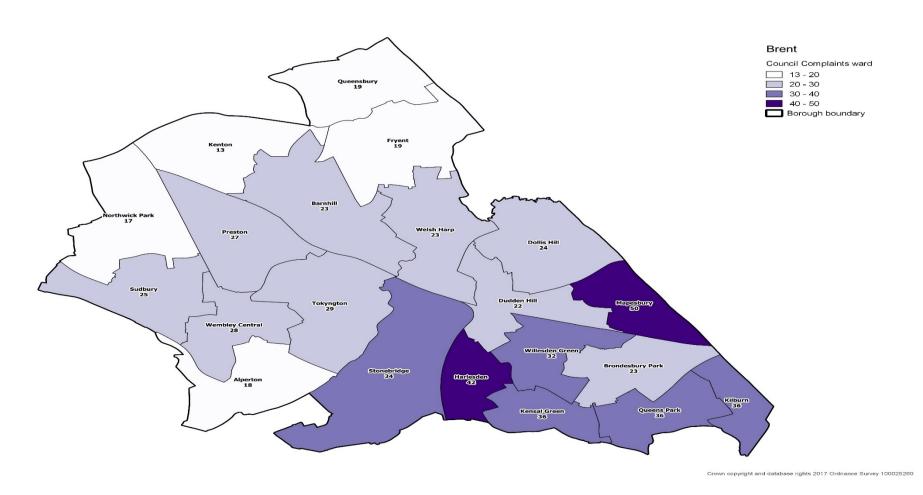
8.1 The provision of diversity information by complainants is discretionary. The data shown below is the diversity information that was disclosed in 2016/17 and only gives us partial view of the diverse backgrounds of complainants. It cannot be considered to be representative off all complainants during the year.

Equality Characteristics	Sub-category	Count	% of Count
	Male	172	45%
Gender	Female	199	52%
Gender	Prefer not say	12	3%
	Total	383	100%
	16-24	16	5%
	25-34	59	19%
	35-44	87	28%
A	45-54	54	17%
Age	55-64	44	14%
	65+	31	10%
	Prefer not say	18	6%
	Total	309	100%
	African	21	8%
	Asian - Indian	40	16%
	Black	35	14%
	Asian - Non Indian	1	0%
Ethnicity	Mixed	20	8%
	White	87	35%
	Other	4	2%
	Prefer not say	40	16%
	Total	248	100%
	Christian	83	33%
	Hindu	15	6%
	Jewish	2	1%
	Muslim	39	16%
Faith	Other Religion	9	4%
	Agnostic	8	3%
	No Religious Belief	29	12%
	Prefer not to say	66	26%
	Total	251	100%



Map of Complaints by Ward

9. There were 579 postcodes supplied with Council complaints in 2016/17, the map below shows the distribution of these complaints by ward.



Irene Bremang Head of Performance & Improvement