

Complaints & Representations

HCL Annual Performance Report

1st April 2014 to 31st March 2014

VERSION HISTORY

Version	Date Issued	Brief Summary of Change	Author
0.1	21/10/2014	First draft version	Kam Bhangal

DOCUMENT LOCATION

Document Location	File Name
\\corporate\SocServ\Adults\HCL Business Improvement Team\Complaints & Representations\Reporting\Annual Reports	10_2014_Annual_Performance_Report_20141021_V1.1

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1 INTRODUCTION

The Complaints & Representations service covers Formal Complaints, Informal Complaints, Compliments, Data Protection Requests (DPA), Freedom of Information Requests (FOI) and Member of Parliament (MP) & Councillor (Cllr) Enquiries.

LBC's HCL directorate provides this Complaints & Representations service to:

- Adult Social Care
- Leisure Culture Trust
- Community Living
- Housing
- Clinical Commissioning Group

2 INDIVIDUAL PROCESS SUMMARIES

2.1 Complaints

Background

The Complaints & Representations service covers Formal Complaints, Informal Complaints, Compliments, Data Protection Requests (DPA), Freedom of Information Requests (FOI) and Member of Parliament (MP) & Councillor (Cllr) Enquiries.

LBC's HCL directorate provides this Complaints & Representations service to:

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HCL complaints management requires the use of 4 complaints procedures. There are 3 statutory complaints procedures, for ASC, Health and Social Housing and one corporate complaints procedure.

ASC Complaints Legislation

Adult Social Complaints handling is a statutory process led by the DOH and the "National Health Service, England 2009 legislation.

The 2009 legislation gives social care and health provider an opportunity to resolve concerns quickly and informally at the first point of contact. This is called the informal stage and does not need to be officially recorded.

Principles

The principles behind the 2009 legislation is for Health and Social Care providers to work together to resolve concerns in partnership. (Consent must be obtained when information sharing is necessary) The legislation requires all parties involved in providing services to vulnerable adults to respond to all issues raised in a complaint and to work together to ensure that appropriate service and a response is provided.

Social Housing Complaints Legislation

Social Housing complaints are governed by the Localism Bill guidance which came into effect from 1st April 2013.

Principles

The complaints system is seen as the instrument for resolving most instances of service failure locally, part of a shift in emphasis away from external consumer regulation of social landlords. Responsibility for monitoring service delivery performance against the standards will largely be a local matter. In future, external consumer regulation will be reactive, kicking in only if there is evidence of 'actual or potential serious detriment to tenants'.

Complainants will no longer be able to take their complaint directly to the ombudsman when they have exhausted the provider's complaints system. Instead they must go first to a 'designated person' who may then refer the complaint to the ombudsman. This is known as the 'democratic filter'.

A designated person is defined as a Member of the House of Commons, a councillor of a local housing authority, or designated tenant panel.

Landlords are required to recognise designated tenant panels which can receive complaints once they have been through the landlord's internal complaints procedure.

Corporate Complaints Policy

There is no statutory legislation governing the Corporate Complaints Policy, but all Local Authorities are required to have a Complaint Policy in place. The Corporate Complaints Policy is agreed by Luton Borough Council Senior Management and Members.

Principles

The principles of the Corporate Complaints Policy are that all complaints are investigated fairly and appropriately.

Roles and Responsibilities

Client receiving social care services can raise their concerns in person to any member of staff, telephone, in writing or electronically.

Every effort will be made to resolve concerns quickly and informally at the first stage of contact. Where complaints are complex and an investigation required they will be risk assessed and assigned to the appropriate officer/manager.

All HCL complaints must be directed to the Complaints & Representations Manager to assess and process immediately on receipt.

Whilst the Complaints process requires significant interaction from the service areas, it is actually owned on behalf of HCL by the Complaints & Representations Manager who provides quality assurance of responses from service managers and proactive risk management via dedicated risk logs.

Because ownership of the Complaints process relies on a single post, the Complaints & Representations Manager, emergency resilience arrangements have been established to overcome this potential 'single points of failure', whereby a dedicated member of the Directorate Support Team undertakes an informal stock take exercise every quarter to understand the latest position for the process such that it can be handed over to dedicated cover in an emergency.

Regular Training is provided to all staff on an annual basis as well as throughout the year as requested.

Process

- Complaints can be received verbally, in writing or electronically and must be clear.
- It is important to ascertain what outcome the client is requesting as a resolution to their concerns.
- All complaints are risk assessed by the C&RM and investigated by an appropriate manager.
- We have 3 working days to acknowledge all Complaints from date of receipt.
- We have 10 working days to respond in full or agree timescales for a full response
- Check if an advocate is required to support client.
- 10% of complaints are quality checked and monitored by the C&RM

Informal:

Staff are encouraged to resolve all complaints at the first point of contact. Where the concerns are low level officers will be requested to make contact to discuss complaint and resolve the complaint. Advice and guidance is given by the CM to ensure that there is a speedy resolution.

Where a complaint remains unresolved the formal investigate process is instigated.

- 1) Complaints can be received verbally, in writing or electronically and must be clear.
- 2) If request needs clarity then the CM or relevant manager (or both) will contact the client to discuss further. In some cases a meeting may need to be arranged to discuss concerns and gain further clarity.
- 3) A risk assessment is undertaken on all complaints to decide the level of investigation required and officer/manager identified. (see assessment chart for further information)
- 4) All complaints are logged and acknowledged by the admin team under the direction of the CM.
- 5) Complaint and guidance are sent to the relevant team and manager for investigation and response.
- 6) Weekly reminders are sent by the CM while the investigation is on-going.
- 7) Regular updates and advice is given during the process
- 8) Interim response to be sent out by the relevant officer where more time is needed to respond in full.
- 9) Final copy of response must be sent to CM to log off the system.
- 10) Admin to log complaint of with direction from CM.
- 11) Learning MUST be identified on all complaint UPHELD. This is to ensure that we do not repeat similar mistakes and that we learn from complaints.

Formal:

- 12) Complaints can be received verbally, in writing or electronically and must be clear.
- 13) If request needs clarity then the CM or relevant manager (or both) will contact the client to discuss further. In some cases a meeting may need to be arranged to discuss concerns and gain further clarity.
- 14) A risk assessment is undertaken on all complaints to decide the level of investigation required and officer/manager identified. (see assessment chart for further information)
- 15) All complaints are logged and acknowledged by the admin team under the direction of the CM.
- 16) Complaint and guidance are sent to the relevant team and manager for investigation and response.
- 17) Weekly reminders are sent by the CM while the investigation is on-going.
- 18) Regular updates and advice is given during the process.
- 19) Interim response to be sent out by the relevant officer where more time is needed to respond in full.
- 20) Where a complaint is complex and requires multi-agency input the CM will take the lead and ensure that consent is received and hold a professionals meeting with all agencies involved. At this meeting it will be agreed which aspects of the complaint each area will investigate and provide their finding

- within a certain timescale. The CM remains the contact point throughout the investigation and will ensure that the whole complaint has been responded to.
- 21) On difficult cases managers will ask for CM approval and agreement before sending out final complaints response.
 - 22) Final copy of response must be sent to CM to log off the system.
 - 23) Admin to log complaint of with direction from CM.
 - 24) If complaint still unresolved then CM to facilitate a meeting to try and resolve outstanding concerns.
 - 25) If complaint remains unresolved then the Review process will be instigated before the customer is signposted to the LGO.
 - 26) Learning MUST be identified on all complaint UPHELD. This is to ensure that we do not repeat similar mistakes and that we learn from complaints.

Review Process:

- 27) Complaints Review can be received verbally, in writing or electronically and must be clear.
- 28) If request needs clarity then the CM or relevant manager (or both) will contact the client to discuss further. In some cases a meeting may need to be arranged to discuss concerns and gain further clarity.
- 29) A risk assessment is undertaken on all complaints to decide correct Senior Manager to undertake the review. This is usually the HOS or in some cases it might be another senior manager or even the CD.
- 30) For Social Housing Complaints the review will be undertaken by the Tenant/Member Panel.
- 31) All complaint reviews are logged and acknowledged by the admin team under the direction of the CM.
- 32) Complaint and guidance are sent to the relevant senior manager for a review and response
- 33) Weekly reminders are sent by the CM while the review is on-going.
- 34) Regular updates and advice is given during the process.
- 35) Interim response to be sent out by the relevant officer where more time is needed to respond in full.
- 36) Where a complaint is complex and requires multi-agency input the CM will take the lead and ensure that a professionals meeting with all agencies involved. At this meeting it will be agreed which aspects of the complaint each area will investigate and provide their finding within a certain timescale. The CM remains the contact point throughout the investigation and will ensure that the whole complaint has been responded to.
- 37) The final response will be drafted by the CM with support from senior officers and signed by the relevant HOS or senior manager or CD.
- 38) Final copy of response must be sent to CM to log off the system.

- 39) Admin to log complaint of with direction from CM.
- 40) If complaint still unresolved then CM to facilitate a meeting to try and resolve outstanding concerns.
- 41) If complaint remains unresolved then the client will be given the details of the LGO or HSO who will review complaints independently.

I hope you find the outcome of the review to be fair and balanced. If you continue to be dissatisfied with the outcome of this complaint and the recommendations made, then you should contact:

**The Local Government Ombudsman, PO Box 4771, COVENTRY CV4 0EH,
Tel: 024 7682 1960/0845 602 1983 within 28 days of this letter.**

Or

**Housing Ombudsman Services, 81 Aldwych, LONDON WC2B 4HN.
Telephone: 0300 111 300. Fax: 020 781 1942. Email: info@housing-ombudsman.org.uk. www.housing-ombudsman.org.uk**

- 42) Learning MUST be identified on all complaint UPHELD. This is to ensure that we do not repeat similar mistakes and that we learn from complaints
- 43) Final copy of response must be sent to CM to log off the system.
- 44) Admin to log complaint on data base with direction from CM.
- 45) Learning MUST be identified on all complaint UPHELD. This is to ensure that we do not repeat similar mistakes and that we learn from complaints.

Reporting Cycle

- 46) Monthly reports are produced by the C&RM on all Complaints received and reported to SMT.
- 47) Quarterly reports are also produced by the C&RM on Complaints received and report to SMT.
- 48) An Annual Report on Complaints consisting of Complaints information is produced by the C&RM and discussed and agreed at SMT and also placed on HCL website

2.2 Compliments

Background

The Complaints & Representations service covers Formal Complaints, Informal Complaints, Compliments, Data Protection Requests (DPA), Freedom of Information Requests (FOI) and Member of Parliament (MP) & Councillor (Cllr) Enquiries.

LBC's HCL directorate provides this Complaints & Representations service to:

- Adult Social Care

- Leisure Culture Trust
- Community Living
- Housing
- Clinical Commissioning Group

Housing and Community Living value compliments for their officer who work extremely hard to provide services to the client of Luton.

Principles

Everyone who receives a service from Luton Borough Council is encouraged to tell us when our staff have done things well. We use compliments against services and look at areas that are working well and use them for learning purposes.

Roles and Responsibilities

Clients can make a compliment direct to the officer or service providing the service.

All HCL compliments must be sent to the Complaints & Representations Manager (C&RM) to process upon receipt.

Whilst the Compliments process requires significant interaction from the service areas, it is actually owned on behalf of HCL by the Complaints & Representations Manager who provides quality assurance of responses from service managers and proactive risk management via dedicated risk logs.

Because ownership of the Compliments process relies on a single post, the Complaints & Representations Manager, emergency resilience arrangements have been established to overcome this potential 'single points of failure', whereby a dedicated member of the Directorate Support Team undertakes an informal stock take exercise every quarter to understand the latest position for the process such that it can be handed over to dedicated cover in an emergency.

Regular Training is provided to all staff on an annual basis as well as throughout the year as requested.

Process

- Compliments can be received verbally or in writing.
 - Officers or Managers should acknowledge receipt of compliments.
 - There are no timescales attached to this process
- 1) All Compliments to be forwarded to the C&RM for recording.
 - 2) All requests must have the following details clearly marked on the compliment:
Officers name
Managers name
Department and Team

- 3) Admin to log on data base and produce a compliment memo.
- 4) CD to acknowledge the good work of staff and sign the compliment memo .
- 5) Admin to send copy to officer and their manager.

Reporting Cycle

- 6) Monthly reports are produced by the C&RM on all Compliments received and reported to SMT.
- 7) Quarterly reports are also produced by the C&RM on Compliments received and report to SMT.
- 8) An Annual Report on Complaints consisting of Compliments information is produced by the C&RM and discussed and agreed at SMT and also placed on HCL website.

2.3 DPA

Background

The Complaints & Representations service covers Formal Complaints, Informal Complaints, Compliments, Data Protection Requests (DPA), Freedom of Information Requests (FOI) and Member of Parliament (MP) & Councillor (Cllr) Enquiries.

LBC's HCL directorate provides this Complaints & Representations service to:

- Adult Social Care
- Leisure Culture Trust
- Community Living
- Housing
- Clinical Commissioning Group

The Data Protection Act 1998 (**DPA**) is a United Kingdom Act of Parliament which defines UK law on the processing of data on identifiable living people. It is the main piece of legislation that governs the protection of personal data in the UK.

You have the right to get a copy of the information that is held about you. This is known as a subject access request.

This right of subject access means that you can make a request under the Data Protection Act to any organisation processing your personal data. The Act calls these organisations 'data controllers'.

You can ask the organisation you think is holding, using or sharing the personal information you want, to supply you with copies of both paper and computer records and related information.

The Data Protection Act

The Data Protection Act controls how your personal information is used by organisations, businesses or the government.

The Data Protection Act gives you the right to find out what information the government and other organisations stores about you.

Write to the organisation and ask for a copy of the information they hold about you. If you do not know who in the organisation to write to, address your letter to the company secretary.

The organisation is legally required to provide you with a copy of the information they hold about you if you request it.

- When information can be withheld

There are some situations when organisations are allowed to withhold information, eg if the information is about:

- the prevention, detection or investigation of a crime
- national security or the armed forces
- the assessment or collection of tax
- judicial or ministerial appointments

An organisation doesn't have to say why they are withholding information.

- How much it costs

Some organisations may charge you for providing the information. The cost is usually no more than £10 but it can be more if the information is contained within either:

- certain types of records eg health or education records
- a large number of paper records held in an unstructured way by a public authority

Can I access my personal information?

There are special rules that apply to fees for paper based health records (the maximum fee is currently £50) and education records (a sliding scale from £1 to £50 depending on the number of pages provided).

However, it is important to remember that not all personal information is covered and there are 'exemptions' within the Act which may allow an organisation to refuse to comply with your subject access request in certain circumstances.

Write to the organisation

When requesting your personal information from an organisation, you should include the following information:

- your full name, address and contact telephone number;
- any information used by the organisation to identify or distinguish you from others of the same name (account numbers, unique ID's etc);
- details of the specific information you require and any relevant dates, for example:
 - your personnel file;
 - emails between 'A' and 'B' (between 1/6/11 and 1/9/11);
 - your medical records (between 2006 & 2009) held by Dr 'C' at 'D' hospital;
 - CCTV camera situated at ('E' location) on 23/5/12 between 11am and 5pm;
 - copies of statements (between 2006 & 2009) held in account number xxxxx .

It may also be helpful to include:

- a reference to the 40-day deadline that applies when dealing with requests to provide personal information;
- a reference to the Data Protection Act 1998 and subject access requests; and
- reference to the assistance that the Information Commissioner's Office can provide.

You also have the right to ask about any logic involved in any automated decisions made about you.

Make a complaint:

If you are unhappy with the response from the Local Authority then you can ask us to reconsider your request.

If you are unhappy with our response, please write to Complaints & Representations Manager at Housing & Community Living Department, Unity House, 111 Stuart Street, LUTON LU1 5NP. If you remain unhappy after the conclusion of the Council's internal complaints procedure you may apply to the Information Commissioner Wycliffe House, Water Lane, Wilmslow SK9 5AF.

The ICO has a general duty to investigate complaints from members of the public who believe that an authority has failed to respond correctly to a request for information. If someone makes a complaint against you, our complaints handling process gives you an opportunity to reconsider your actions and put right any mistakes without us taking any formal action.

Principles

Everyone who is responsible for using data has to follow strict rules called 'data protection principles'. They must make sure the information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure
- not transferred outside the UK without adequate protection

There is stronger legal protection for more sensitive information, such as:

- ethnic background
- political opinions
- religious beliefs
- health
- sexual health
- criminal records

Roles and Responsibilities

Requesters should direct their DPA requests to the relevant authority.

All HCL requests are directed to the Complaint & Representations Manager to assess and process immediately on receipt.

Whilst the DPA process requires significant interaction from the service areas, it is actually owned on behalf of HCL by the Complaints & Representations Manager who provides quality assurance of responses from service managers and proactive risk management via dedicated risk logs.

Because ownership of the DPA process relies on a single post, the Complaints & Representations Manager, emergency resilience arrangements have been established to overcome this potential 'single points of failure', whereby a dedicated member of the Directorate Support Team undertakes an informal stock take exercise every quarter to understand the latest position for the process such that it can be handed over to dedicated cover in an emergency.

Regular Training is provided to all staff on an annual basis as well as throughout the year as requested.

Process

- All DPA requests must be received in writing and be clear.
 - We have 3 working days to acknowledge all DPA request from date of receipt.
 - We have 40 days to respond to the DPA request in full.
- 1) All DPA requests to be sent to the C&RM on receipt to process.
 - 2) C&RM will acknowledge and identify the relevant officer to provide the required information.
 - 3) If the request is unclear then further clarity will be requested and the 40 days will start from when clarity has been received.
 - 4) Admin officer to log the request onto the data base.
 - 5) Officers are asked to collate the information and check all records before they can be released.
 - 6) C&RM to provide advice and guidance on complex cases.
 - 7) Interim response to be sent out by the relevant officer where more time is needed to respond in full.
 - 8) Information to be sent out recorded delivery with a covering letter.
 - 9) Inform the C&RM when information is released and provide copy of covering letter.
 - 10) Admin to log on data base.

Reporting Cycle

- 11) Monthly reports are produced by the C&RM on all DPAs received and reported to SMT.
- 12) Quarterly reports are also produced by the C&RM on DPAs received and report to SMT.
- 13) An Annual Report on Complaints consisting of DPAs information is produced by the C&RM and discussed and agreed at SMT and also placed on HCL website.

2.4 FOI

Background

The Complaints & Representations service covers Formal Complaints, Informal Complaints, Compliments, Data Protection Requests (DPA), Freedom of Information Requests (FOI) and Member of Parliament (MP) & Councillor (Cllr) Enquiries.

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The Government first published proposals for Freedom of Information in 1997. In the white paper **Your Right to Know**, the government explained that the aim was a more open government based on mutual trust. Openness is fundamental to the political health of modern state. The White paper marks a watershed in the relationship between the government and people of the United Kingdom.

Access to official information can also improve public confidence and trust if government and public sector bodies are seen as being open.

Freedom of Information Act 2000

The Freedom of Information Act 2000 provides public access to information held by public authorities.

It does this in 2 ways:

- Public authorities are obliged to publish certain information about their activities; and
- Members of the public are entitled to request information from public authorities.

The Act covers any recorded information that is held by a public authority in England, Wales and Northern Ireland and by UK-wide public authorities based in Scotland. Information held by Scottish public authorities is covered by Scotland's own Freedom of Information (Scotland) Act 2002.

Public authorities include government departments, local authorities, the NHS, state schools and police forces. However, the Act does not necessarily cover every organisation that receives public money. For example, it does not cover some charities that receive grants and certain private sector organisations that perform public functions.

Recorded information includes printed documents, computer files, letters, emails, photographs and sound or video recordings.

The Act does not give people access to their own personal data (information about themselves) such as their health records or credit reference file. If a member of the public wants to see information that a public authority holds about them, they should make a subject access request under the Data Protection Act 1998.

Make a complaint:

If you are unhappy with the response from the Local Authority then you can ask us to reconsider your request.

If you are unhappy with our response, please write to Complaints & Representations Manager at Housing & Community Living Department, Unity House, 111 Stuart Street, LUTON LU1 5NP. If you remain unhappy after the conclusion of the Council's internal complaints procedure you may apply to the Information Commissioner Wycliffe House, Water Lane, Wilmslow SK9 5AF.

The ICO has a general duty to investigate complaints from members of the public who believe that an authority has failed to respond correctly to a request for information. If someone makes a complaint against you, our complaints handling process gives you an opportunity to reconsider your actions and put right any mistakes without us taking any formal action.

Principles

The main principle behind FOI legislation is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to.

This means that:

- Everybody has a right to access official information. Disclosure of information should be the default permitted by the Act;
- An applicant (requester) does not need to give you a reason for wanting the information, On the contrary, you must justify refusing them information;
- You must treat all requests for information equally, except under some circumstances relating to vexatious request and personal data. The information someone can get under the Act should not be affected by who they are. You should treat all requesters equally, whether they are journalists, local residents, public authority employees, or foreign researchers; and
- Because you should treat all requesters equally, you should only disclose information under the Act if you would disclose it to anyone else who asked. In other words, you should consider any information you release under the Act as if it were being released to the **world** at large.

Roles and Responsibilities

Requesters should direct their FOI requests to the relevant authority.

All HCL requests are directed to the Complaints & Representations Manager to assess and process immediately on receipt.

Whilst the FOI process requires significant interaction from the service areas, it is actually owned on behalf of HCL by the Complaints & Representations Manager who provides quality assurance of responses from service managers and proactive risk management via dedicated risk logs.

Because ownership of the FOI process relies on a single post, the Complaints & Representations Manager, emergency resilience arrangements have been established to overcome this potential 'single points of failure', whereby a dedicated member of the Directorate Support Team undertakes an informal stock take exercise every quarter to understand the latest position for the process such that it can be handed over to dedicated cover in an emergency.

Regular Training is provided to all staff on an annual basis as well as throughout the year as requested.

Process

- All FOIs must be received in writing and clear.
- We have 3 working days to acknowledge all FOIs from date of receipt.
- We have 20 working days to respond to the FOI in full.

49) All FOI requests to be sent to the C&RM on receipt to process.

50) C&RM will acknowledge and identify the relevant officer to provide the required information.

51) If the request is unclear then further clarity will be requested and the 20 working days will start from when clarity has been received.

52) Admin officer to log the request onto the data base.

53) Officers are asked to draft the response and send it back to the C&RM to finalise and get HOS agreement to release the information.

54) Weekly reminders are sent to the relevant officers until the response is completed.

55) Interim response to be sent out by the relevant officer where more time is needed to respond in full.

56) Response agreed by HOS and sent out by C&RM.

57) Admin officer to log on data base.

Reporting Cycle

58) Monthly reports are produced by the C&RM on all FOIs received and reported to SMT.

59) Quarterly reports are also produced by the C&RM on FOIs received and report to SMT.

- 60) An Annual Report on Complaints consisting of FOI information is produced by the C&RM and discussed and agreed at SMT and also placed on HCL website.

2.5 MP & Cllr Enquiries

Background

The Complaints & Representations service covers Formal Complaints, Informal Complaints, Compliments, Data Protection Requests (DPA), Freedom of Information Requests (FOI) and Member of Parliament (MP) & Councillor (Cllr) Enquiries.

LBC's HCL directorate provides this Complaints & Representations service to:

- Adult Social Care
- Leisure Culture Trust
- Community Living
- Housing
- Clinical Commissioning Group

Housing and Community Living value customer feedback and this is sometimes received via MP or Cllr Enquiries.

HCL works to the standards agreed in the Luton Borough council's Customer Charter.

Principles

Everyone who receives a service from Luton Borough Council is encouraged to tell us when we have not met the high standard expected from our services. We use feedback against services and look at areas of trend to learn and improve our services.

Roles and Responsibilities

We welcome feedback in many formats:

Face to face, telephone, in writing, electronically, via MP or Cllrs.

All HCL Inquiries are recorded by the Administration Team. Officer must forward all Inquiries to the LBC Housing & SS Members Enquiries inbox for processing immediately upon receipt to avoid delays.

Whilst the MP & Cllr Enquiries process requires significant interaction from the service areas, it is actually owned on behalf of HCL by the Complaints & Representations Manager who provides quality assurance of responses from service managers and proactive risk management via dedicated risk logs.

Because ownership of the MP & Cllr Enquiries process relies on a single post, the Complaints & Representations Manager, emergency resilience arrangements have been established to overcome this potential 'single points of failure', whereby a dedicated member of the Directorate Support Team undertakes an informal stock take exercise every quarter to understand the latest position for the process such that it can be handed over to dedicated cover in an emergency.

Regular Training is provided to all staff on an annual basis as well as throughout the year as requested.

Process

- Inquiries can be received verbally, electronically or in writing.
 - We have a standard of 10 working days to respond to Inquiries
- 9) All Inquiries to be forwarded to the LBC Housing & SS Members Enquiries inbox for recording.
 - 10) Admin to log on data base and send to relevant officer to draft a response.
 - 11) Admin to send weekly reminder to officer until request is complete.
 - 12) Interim response to be sent out by the relevant officer where more time is needed to respond in full.
 - 13) Final draft response to be sent to LBC Housing & SS Members Enquiries inbox
 - 14) Admin to do final formatting ready for HOS signature.
 - 15) HOS agrees and response sent out and logged off data base.
 - 16) All enquiries are saved electronically and filed: S/Directors/Ads/Business Support Team/MP & Cllr Enquiries/2014/15.

Reporting Cycle

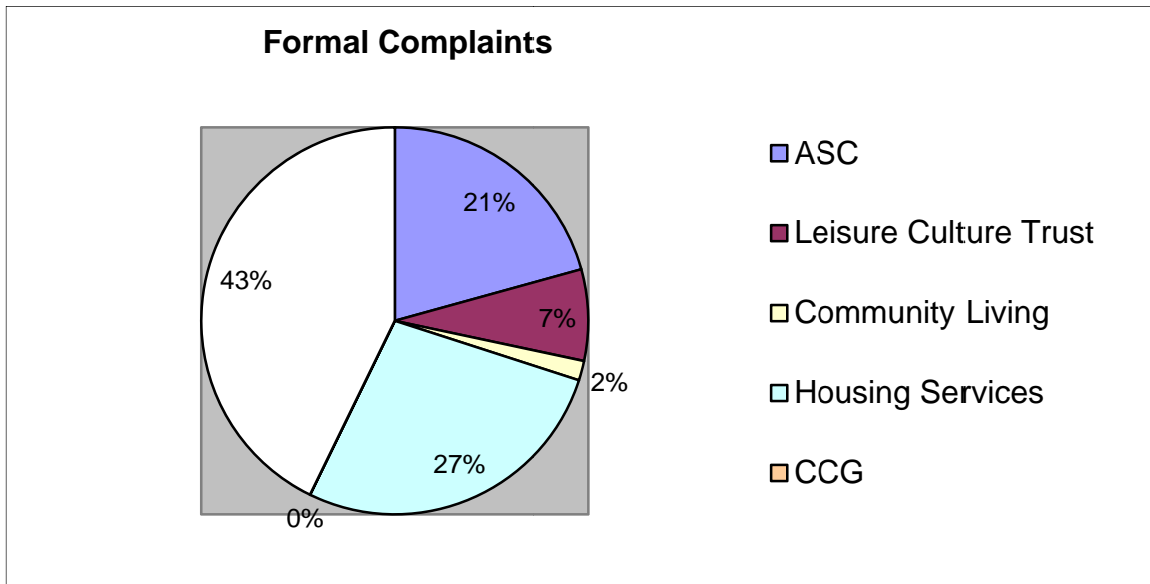
- 17) Monthly reports are produced by the C&RM on all Enquiries received and reported to SMT.
- 18) Quarterly reports are also produced by the C&RM on Enquiries received and report to SMT.
- 19) An Annual Report on Complaints consisting of Enquiries information is produced by the C&RM and discussed and agreed at SMT and also placed on HCL website

3 PERFORMANCE

3.1 Formal Complaints

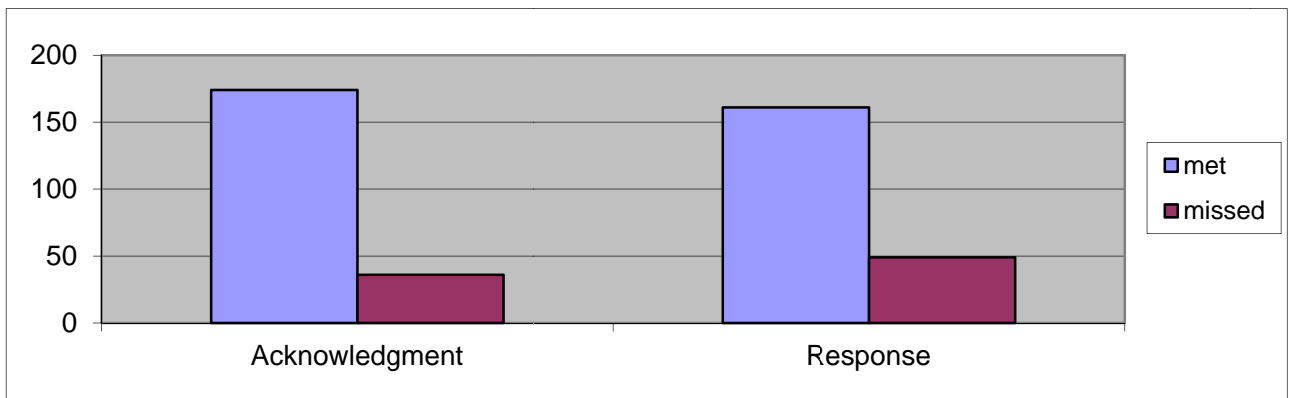
The total number of Formal Complaints received 2013 to 2014 was 210 (33 upheld, 37 partially upheld and 140 not upheld).

Total Formal Complaints divided into service



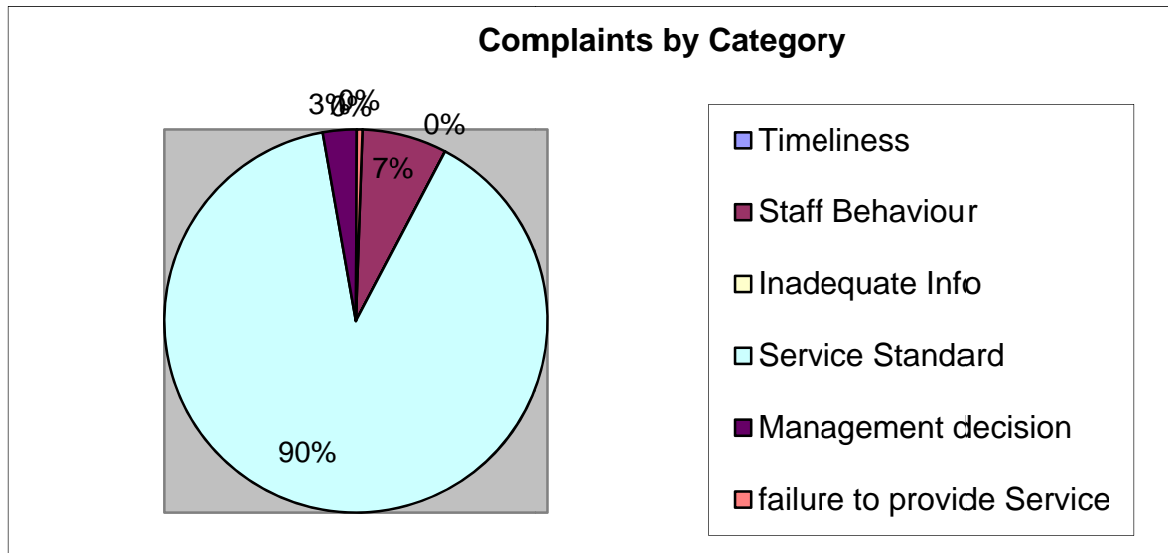
Total Formal Complaints acknowledged and response timescales met

During 2012/2013 a total of 174 (83%) complaints were acknowledged in time and only 36 (17%) missed the target for response. This is the same as last year. 161 (77%) full responses were done within the timescales and 49 (23%) complaints were recorded as out of time responses. This percentage is an improvement of complaints responded to in time from last year's performance when 71% were responded to in time. Further work is being done so that response rates can be improved.



Total Formal Complaints by category

90% were regarding **standard of service provided**, 7% regarding Staff behaviour and 3% regarding **management decision**.

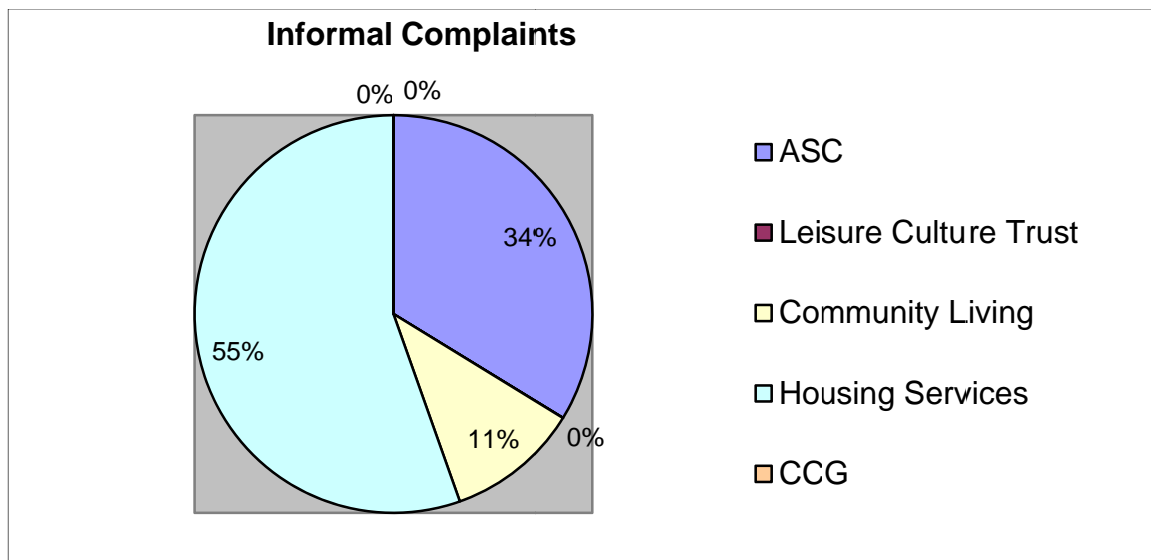


More detailed analysis of performance by individual service is produced on a monthly / quarterly basis and is available on request.

3.2 Informal Complaints

The total number of Informal Complaints received 2013 to 2014 was 157.

Total Informal Complaints divided into service



Total Informal Complaints acknowledged and response timescales met

N/A

Total Informal Complaints by category

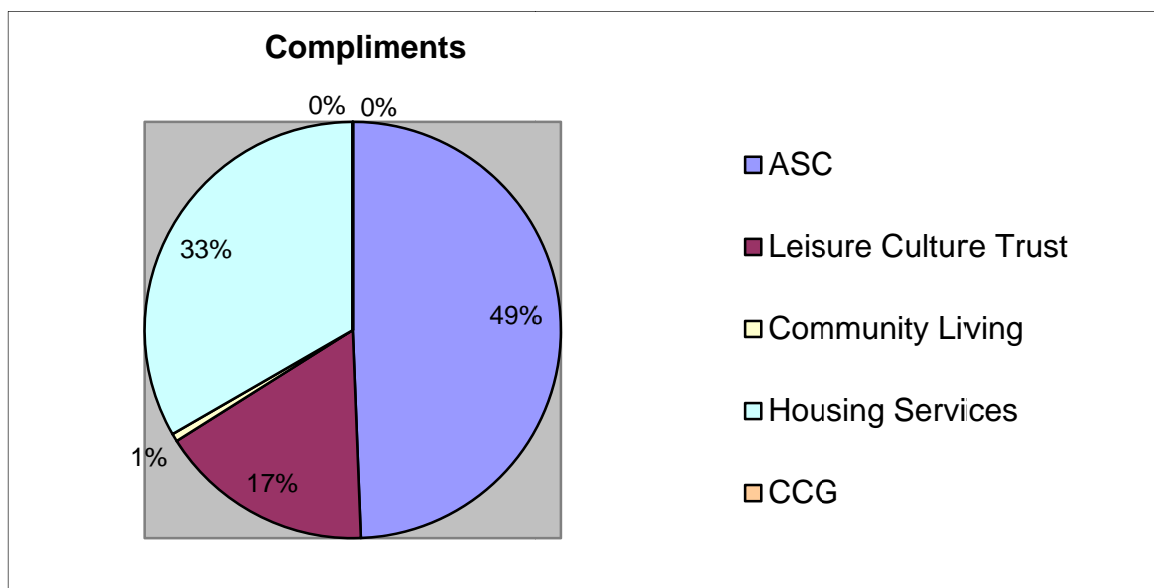
N/A

More detailed analysis of performance by individual service is produced on a monthly / quarterly basis and is available on request.

3.3 Compliments

The total number of Compliments received 2013 to 2014 was 162.

Total Compliments divided into service



Total Compliments acknowledged and response timescales met

N/A

Total Compliments by category

N/A

More detailed analysis of performance by individual service is produced on a monthly / quarterly basis and is available on request.

3.4 DPA

This is a new area of reporting for 2014/15 and will be completed for future Annual Reports.

The total number of DPA received [Year] to [Year] was xx.

Total DPA divided into service

[Insert table]

Total DPA acknowledged and response timescales met

[Insert charts]

Total DPA by category

N/A

More detailed analysis of performance by individual service is produced on a monthly / quarterly basis and is available on request.

3.5 FOI

This is a new area of reporting for 2014/15 and will be completed for future Annual Reports.

The total number of FOI received [Month] to [Month] was xx.

Total FOI divided into service

[Insert table]

Total FOI acknowledged and response timescales met

[Insert charts]

Total FOI by category

N/A

More detailed analysis of performance by individual service is produced on a monthly / quarterly basis and is available on request.

3.6 MP & Cllr Enquiries

This is a new area of reporting for 2014/15 and will be completed for future Annual Reports.

The total number of MP & Cllr Enquiries received [Month] to [Month] was xx.

Total MP & Cllr Enquiries divided into service

[Insert table]

Total MP & Cllr Enquiries acknowledged and response timescales met

[Insert charts]

Total MP & Cllr Enquiries by category

N/A

More detailed analysis of performance by individual service is produced on a monthly / quarterly basis and is available on request.

4 QUALITY ASSURANCE

A sample of complaints are quality assured every month. From 2013 to 2014 a total of 70 complaints letters were checked against standards.

46 complaints were assessed as excellent responses which responded to all the complaints raised and were also clear as to what the stage/steps to take.

Only 24 complaints was assessed as good and the only thing outstanding on these was that the final signposting was not clear as to what the next step is if the response was unsatisfactory or spell checks not used.

The reason for the high standard of these responses is a reflection on the work done with managers at training sessions and also quality assurance of responses before they are finalised by the complaints manager.

All FOI are quality assured and agreed by HOS.

Other process areas are not quality assured at present due to capacity but advice and guidance is offered to all staff.

5 OMBUDSMAN ESCALATIONS (NUMBERS / DETAILS)

There were no Ombudsman escalations 2013 to 2014.

There were 25 complaints subject to a Stage 2 formal investigation in HCL. Ten of these were regarding social care. 19 were resolved without recourse to Stage 3.

The reason for the decline in stage 2 complaints is the work undertaken at the informal stage with client to resolve their concerns quickly and effectively and avoid the need to escalate concerns further. Majority of the social care complaints came into the process at stage 2 to ensure a thorough investigation and resolution at the first point of contact.

Six stage 3 reviews were undertaken. All 6 were regarding Housing Services. No complaints were recorded as LGO complaints which had followed the Councils Complaints Procedures.

No complaints were referred to the Local Government Ombudsman. To date the LGO has agreed with the Councils findings although we are waiting for the outcome on some cases.

6 MEAINFUL ACTIVITIES ASSOCIATED WITH LESSONS LEARNED

The following table summarises some of the complaints made during the year and illustrates how lessons have been learnt and improvements to the service made.

Dept.	Complaint	Improvements
ASC	Several complaints regarding discharge process	Standard letters to be developed explaining clear discharge process to clients and their families to avoid confusion
ASC	Delays from assessment to informing clients of confirmed charges for care.	Process mapping to be undertaken from assessment, placement of clients to financial assessment and charges. Exploring this through Liquid Logic.
ASC	Complaints regarding clients declining care	SW teams to encourage clients with capacity to discuss their decisions with

		family members or gain consent to inform family members to ensure their safety.
Leisure Culture Trust	Customer Care Training as below.	
CL	Several complaints regarding care agency timings, missed calls and standard of care.	Quality Team worked with our strategic partners to support and improve their standards.
CL	Care agency staff leaving clients premises without securing their property	Agency sent all staff a memo reminding them of the importance of leaving properties secure on departure.
HS	Delays in Right to Buy application process	To look at the Right to Buy process and identify where the delays.
HS	Complaints regarding dissatisfaction with work undertaken to council properties.	BTS to review and update their sign off process.
CCG	N/A	
ALL	Dealing with difficult decisions.	Customer Care Training to be identified and provided to all customer facing officer.
ALL	Complaints regarding how information was communicated.	Communications Training to be identified and provided to customer facing officers.

7 RISK MANAGEMENT (KEY RISKS AND MITIGATION ACTIVITIES)

There are dedicated risk logs for the 5 processes.

The key risks currently are:

- Complaints Database out of action
- Loss of IT equipment if there was a disaster at Unity House
- Escalation of complaints
- Unannounced Audit Inspections

Mitigation activities undertaken:

- Keep a separate record on excel plus individual folder of cases
- Save all data daily to mitigate risk. Would have to find an alternative PC and see if data can be accessed.

- Staff training. Regular monitoring of all complaints, FOIs and DPAs. Support to staff and quality monitoring.
- Keep all records up-to-date and accurate.

8 SURVEYS UNDERTAKEN

Housing and Community Living complaints survey 2013/14. All residents who put in a formal complaint from 1st April 2013 to the end of March 2014 were sent a postal complaints monitoring survey. A total of 27 surveys were returned. The responses are detailed below, it is to be noted that the percentages may not add up in some parts because clients have ticked more than one box or left the question blank.

However the results show that complaints were made in a variety of ways, website 12.7% or email 19.1%, face to face through member of staff 14.8%, by phone 25.5%, by letter 25.5%, other 0%. Written letters and telephone were the preferred communication at 25.5% and second by email at 19.1% and third were by face to face at 14.8% and fourth was through the Council's website at 12.7%. As people often phone after they have written, or go to their M.P. and write a letter of complaint this could give some idea as to the double counting by some complainants.

The results have shown that the action plan which was implemented after the 2005 survey is still effective, and continues to show an increase in complaints from the disabled community from 27% in 2005 to 51.1% in 2013 – 2014. This is broken down into 17% physical disability, 12.2% mental health, 2.4% learning disability, and 19.5% other. The Complaints Manager has worked closely with the Disability Access Forum and the Learning Disability Forum to engage with the hard to reach group.

The number of complaints received from BME communities has gone up this year than in previous year, 2005 (20%) and (25.9%) in 2013 - 2014. In relation to gender the breakdown is similar to last year at 30% male, 33.3% male in 2013 - 2014, and 74% female, 59.2% female in 2013.

- Complaints surveys are now a rolling programme and analysed on an annual basis.