

Luton Borough Council

Housing & Community Living Department

Complaints and Representations

Annual Report

1st April 2014 to 31st March 2015

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1. Introduction

This report provides details of;

- The complaints and compliments received by Luton Borough Council Housing & Community Living Department (HCL) for the period April 2014 – March 2015.
- The principles of the two Complaints Procedures adhered to within HCL; The Adult Social Care Complaints procedure and the Councils Corporate Complaints Procedure.
- The Role of the Complaints and Representations Manager and how this is helping to shape increased joint working with health colleagues.
- The number of representations, complaints and compliments received in the period 1st April 2014 to 31st March 2015 and a summary of the issues raised.
- 'Lessons learned' - areas for future development to strengthen accessibility to the complaints procedure by service users, the way in which complaints and representations are monitored and the implementation of recommended outcomes.

2. The Adult Social Care & Corporate Complaints Procedure

The Department of Health requires that Adult Social Care Services have a complaints procedure and emphasises the involvement of service users in all decision making, related directly to their welfare. Regulations and guidance on the Health and Social Care Complaints Procedure came into force in April 2009. (The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009). Luton Borough Council's Executive has formally adopted the regulations and operates a complaints procedure to meet the statutory requirements.

Housing (incl. Community Development) and Resources and Performance services provided by HCL are covered by the corporate complaints procedure.

The Cultural Service Trust operates their own complaints policies which is managed and monitored by the HCL Complaints and Representations Manager.

The principles of the procedures are combined, although the timescales differ between them.

Luton Borough Council welcomes complaints as an important part of improving our service and ensuring quality. Complaints are used in a positive manner to support the development and maintenance of high quality, service-user focused services.

Compliments are recorded for both procedures and are acknowledged personally by the Corporate Director. A 'smile file' is maintained which evidences the standards of quality and acknowledgements of the quality of services and individuals by members of the public.

3. The Role of the Complaints and Representations Manager

The Complaints and Representations Manager (C&RM) ensures compliance with both procedures and is accountable for the quality and timeliness of both processes and ensures that any risks are highlighted and mitigated.

The C&RM also:

- Raises the profile of the benefits of receiving complaints within the Department as a service improvement tool.
- Ensures complaints are properly recorded and that the right individual at the appropriate level is tasked to investigate and resolve the complaint
- Lessons are learned and best practice is disseminated throughout the Department with practice and policy changes made as a result of this learning.
- Undertakes staff training to ensure that staff are aware of the requirements of both procedures and that a consistent approach is adopted across the department.

The C&RM attends quarterly meetings of the Eastern Regional Complaints Managers Group where information is shared and best practice disseminated. The C&RM is also the Chair of the County Complaints Group and lead person on the Regional Complaint Managers Group.

The introduction of the new ASC Complaints Regulations from April 2009, has provided us with an ideal opportunity to look at a fresh, efficient and common approach to handling complaints across the NHS and social care and for us to review the systems we currently administer so we can respond flexibly to complaints, concerns and compliments and feed the lessons learnt into a continuous improvement framework.

A working group chaired by the C&RM and attended by staff from the, CCG, Luton and Dunstable hospital, and South Essex Partnership Trust has been formed to implement and help shape the new process around joint working as required by the ASC regulations. Advocacy officers are also invited to attend so that a good understanding of roles and share of information can be maximised for the benefit of the clients. An action plan has been agreed by the Health and Wellbeing Board which the group are implementing.

The C&RM also undertakes and prepares monitoring information:

- Quarterly reports are provided to the Senior Management Team (SMT) detailing the number and nature of complaints received
- Monthly reports are available at service DMT's
- The HCL divisional Performance Boards chaired by the Corporate Director of Housing & Community Living receive updates on the complaints, compliments & lessons learned

Accountability meetings for Heads of Service chaired by the Chief Executive to discuss and monitor quarterly complaints reports

In addition, recommendations emerging from investigations into complaints, as well as recurring themes arising from complaints, are regularly reviewed. This enables the Department to identify trends in complaints and remedy any shortcomings in the service quickly and effectively. The annual report is available to the public on line and in hard copy.

From April 2009/10 the joint protocol with our health partners has been updated to reflect the new ASC complaints regulations. The C&RM is responsible with health for ensuring the Complainant's experience of the complaints process is streamlined and as accessible and efficient as possible.

To enable effective monitoring of Quality and Equality, An annual complaints survey is completed which tests satisfaction levels with the process. All questionnaires have an equality monitoring form attached so assessment can be made on the diversity of people using the processes. Low numbers of specific groups may be the result of access problems which can be targeted for specific action and increased awareness.

4. How to make a complaint

The Department provides general advice and guidance in its leaflet 'Compliment, Comment, Complaint?'. We have developed an easy read leaflet for our clients with learning disabilities. We also provide an online form which can be completed and emailed. Information can also be provided in a range of languages, Braille, large print or on audiotape. The Housing & Community Living Department also provides access to a language line facility for all its clients whose first language is not English and who wish to contact the Department.

Service users may also submit the comments, compliments or complaints by email, using the Luton Borough Council Feedback email address Feedback@luton.gov.uk

Complaints may also be made in writing, by telephone, or by personal visit to any of our offices. Our contact details are widely publicised by the use of leaflets and on our web site.

All complaints information is available on the internet. Service users can complain in a variety of ways eg, face to face, over the telephone, email, or write to us. Complaints literature can be made available in a variety of forms, easy read (Mac atone), large print, different languages on request. We also have interpreters for those people whose first language is not English.

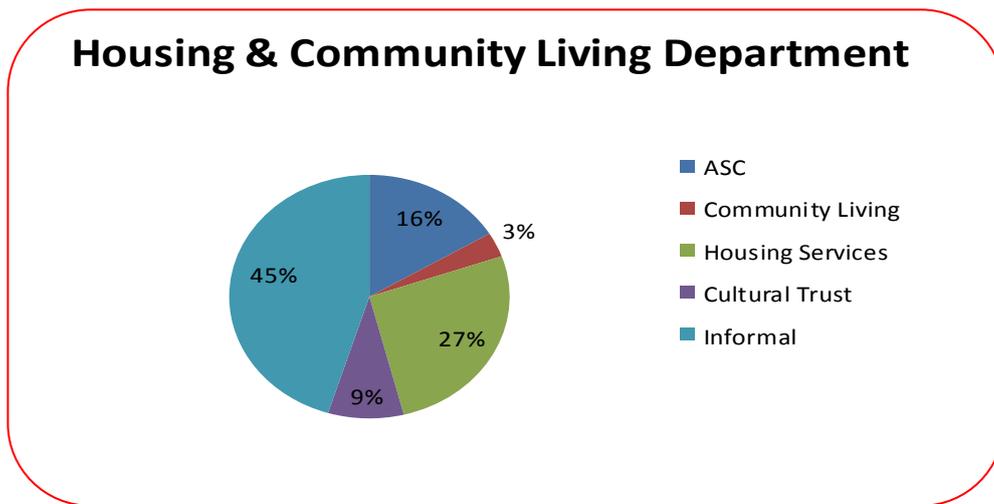
All complainants have recourse to the Local Government Ombudsman who provides an external service to consider complaints about local authority services.

Complainants may also, at any time, raise their concerns with the Care Quality Commission. (www.cqc.org.uk).

Full details of the complaints procedures (Corporate and Adult Social Care) are available on the LBC website.

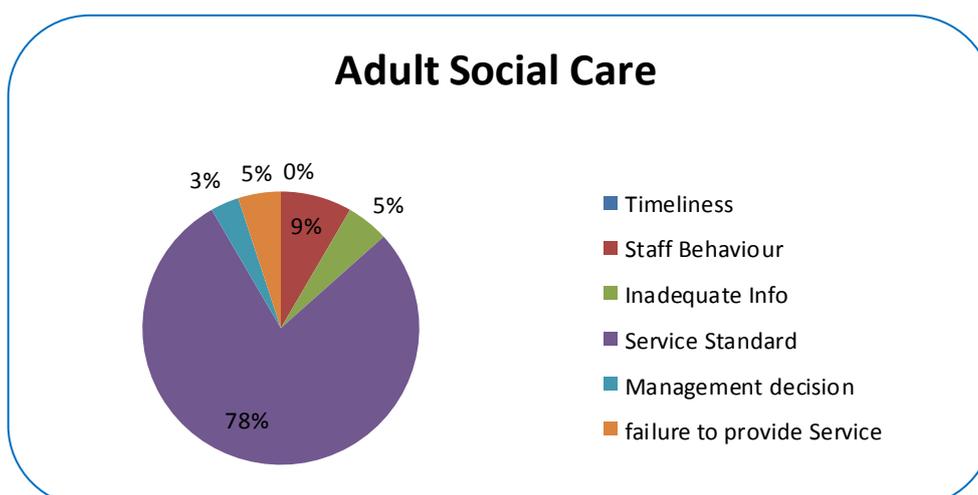
5. Complaints made – Key Statistics

Between 1st April 2014 and 31 March 2015, 202 formal complaints were recorded. Of these, 60 complaints concerned Adult Social Care Services, 12 were about Community Living, 98 were regarding Housing Services, 32 were regarding the Cultural Trust. There was a slight decrease overall in complaints from 210 in 2013/2014. This year we had 159 informal complaints. This brings the **total to 361**. These numbers may still be regarded as particularly low in comparison to the number of service users. It may however, reflect the emphasis placed on the early resolution of dissatisfaction before the service user considers it necessary to submit a formal complaint. This is partly due to the emphasis on resolving verbal complaints within 24 hours (which do not have to be recorded).



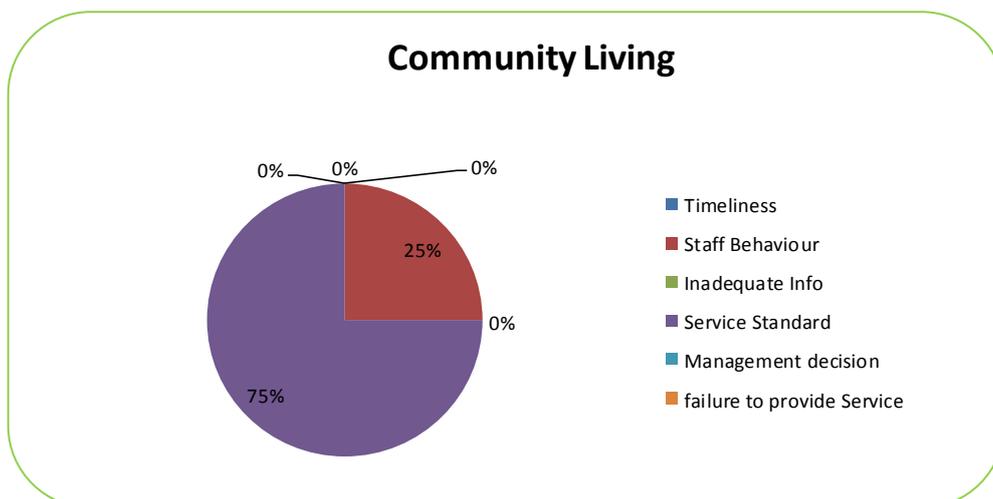
Adult Social Care

There were a total of 60 complaints for Adult Social Care. There is a slight decrease from 76 complaints received last year. This is due to emphasis placed on informal complaints and early resolution of concerns before they become formal complaints. Complaints concerning the **standard of care provided** were most prevalent within adult social care services, accounting for 78% of the complaints made. Complaints relating to **staff behaviour** were 9%. Complaints relating to **failure to provide a service** were 5% and **Inadequate Information** were also 5%. Complaints relating to **management decision** to a request for service were 3%. No complaints were received regarding **Timeliness standard**.



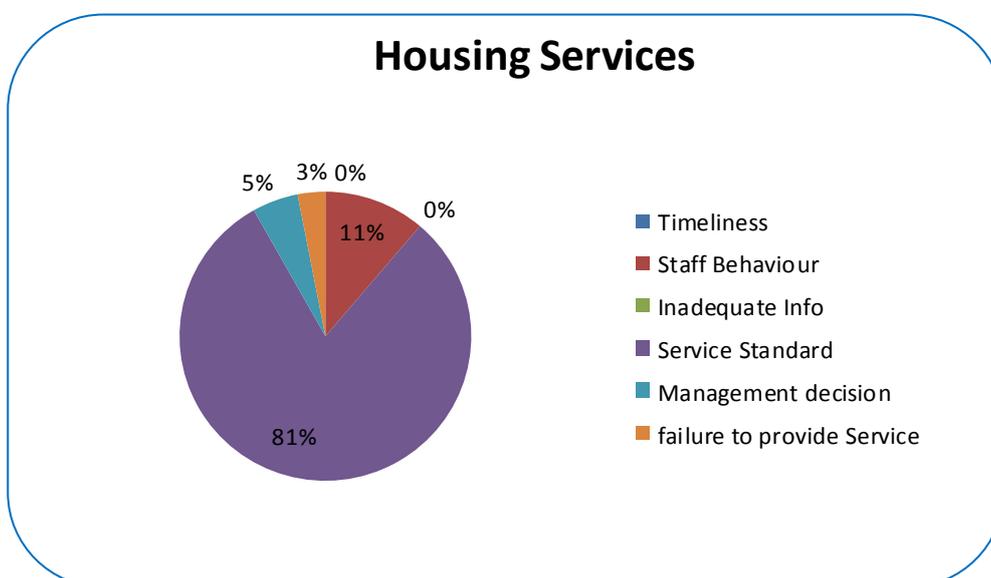
Community Living

A total of 12 complaints were regarding Community Living. There is a slight increase from last year when we received 6. The reason for low number of complaints in this area is because complaints regarding commissioned services have several strands and are already accounted for in the Adult Social Care figures. 75% were regarding **standard of service provided**, and 25% regarding **Staff behaviour**. 0% regarding **failure to provide a service**, 0% regarding **management decision**, 0% were regarding **Inadequate Information**, and 0% regarding **timeliness standard**.



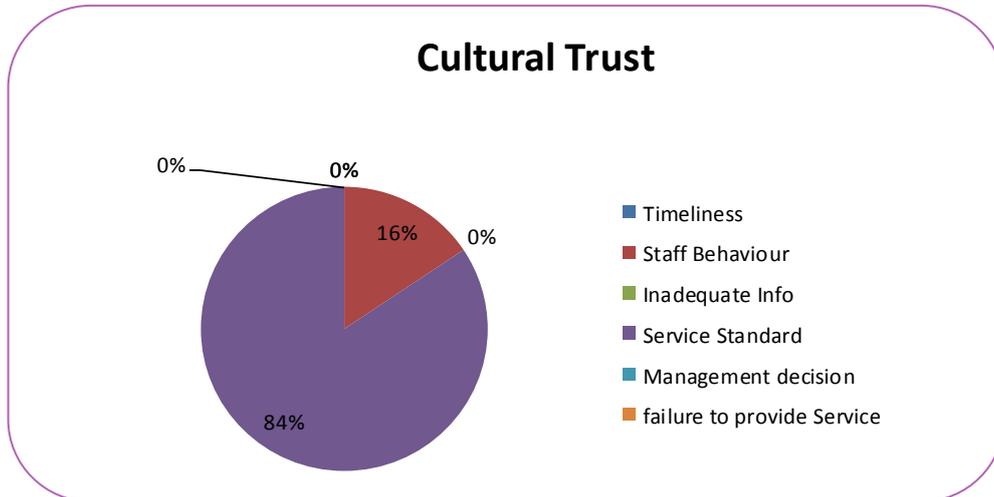
Housing Services

There were a total of 97 complaints received for Housing Services. There is a slight decrease from last year when we received 100 complaints. The reason for the low number of complaints in this area is because there are appeals processes for Homeless decision and housing register. There is also an appeals process for disabled facilities grants. It is after these processes have been exhausted that a complaint is formally processed. 81% of complaints were regarding **standard of service**, 11% were regarding the **staff behaviour**, 5% regarding **management decision**, 3% were about **failure to provide a service**. 0% were regarding **inadequate information**.



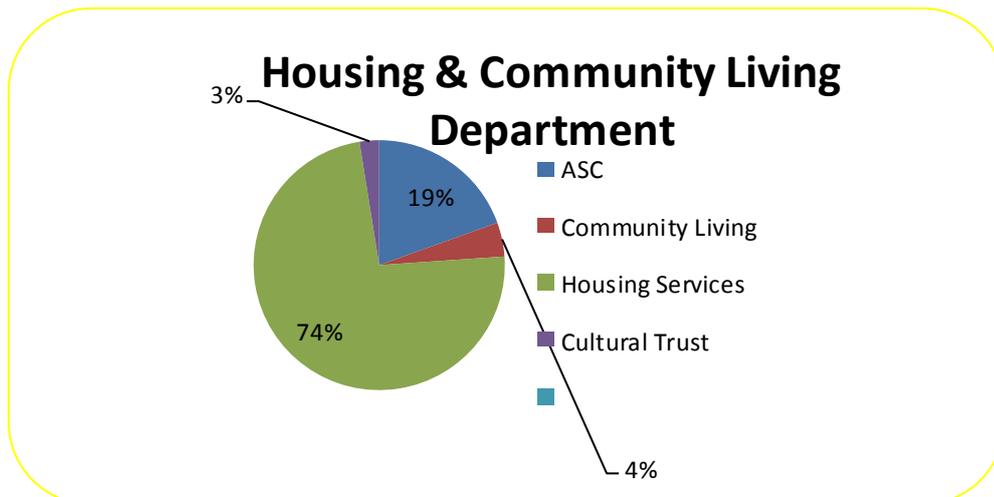
Cultural Trust

A total of 32 complaints were received in Cultural Services. There is a slight increase from last year when 28 complaints were received. **84%** were regarding **service standard**, **16%** regarding **staff behaviour/attitude**, **0%** regarding **failure to provide a service**, **0%** regarding **management decision**, **0%** were regarding **Inadequate Information**, and **0%** regarding **timeliness standard**.



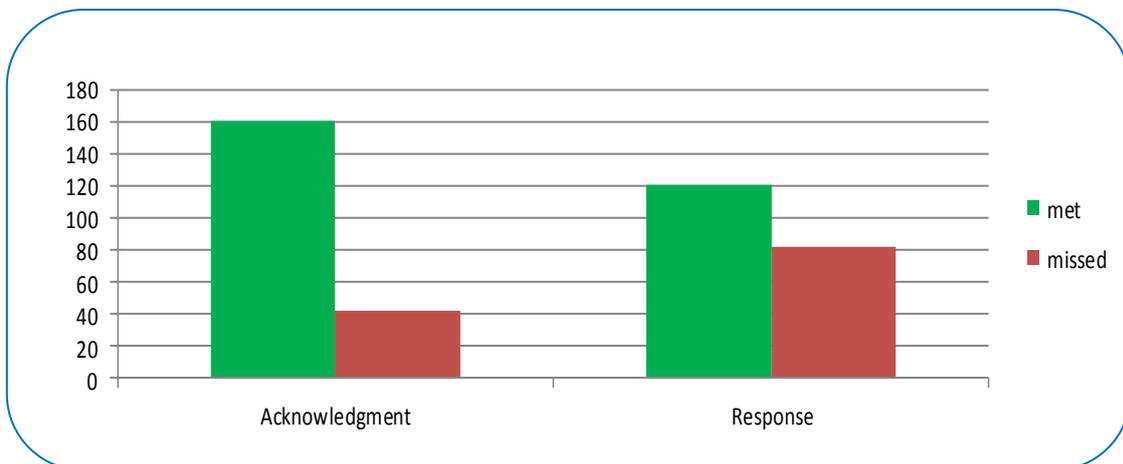
Local Resolution

A total of 159 informal complaints were received in Housing and Community Living. These were all resolved informally without the need to be investigated as formal complaints. As a result these were not formally recorded but they were closely monitored and managed by the Complaints Manager to achieve early resolution.



Performance Assessment

During 2014/2015 a total of 160 (83%) complaints were acknowledged in time and only 42 (17%) missed the target for response. This is a slight decline from last year. 120 (59%) full responses were done within the timescales and 82 (41%) complaints were recorded as out of time responses. This percentage is again a decline from last year's performance. Further work is being done with managers and officers so that response rates can be improved.



6. Results of Stage 2 and Stage 3 Reviews

There were 29 complaints subject to a Stage 2 formal investigation in HCL. There is a reduction of stage 2 complaints from 2013-14 when we had 52. Fifteen of these were of these were regarding social care. Twenty three were resolved without recourse to Stage 3.

The reason for the high number of stage 2 complaints in Adult Social Care is the assessment process. Majority of the social care complaints were risk assessed as requiring formal investigations so were processed 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 and none regarding Adult Social Care. A total of 3 complaints were recorded as LGO complaints which had followed the Councils Complaints Procedures.

7. Referrals to the Local Government Ombudsman

Three complaints were referred to the Local Government Ombudsman. Two were for Housing Services and 1 for Adult Social Care. To date the LGO has agreed with the Councils findings although we are waiting for the outcome on some cases.

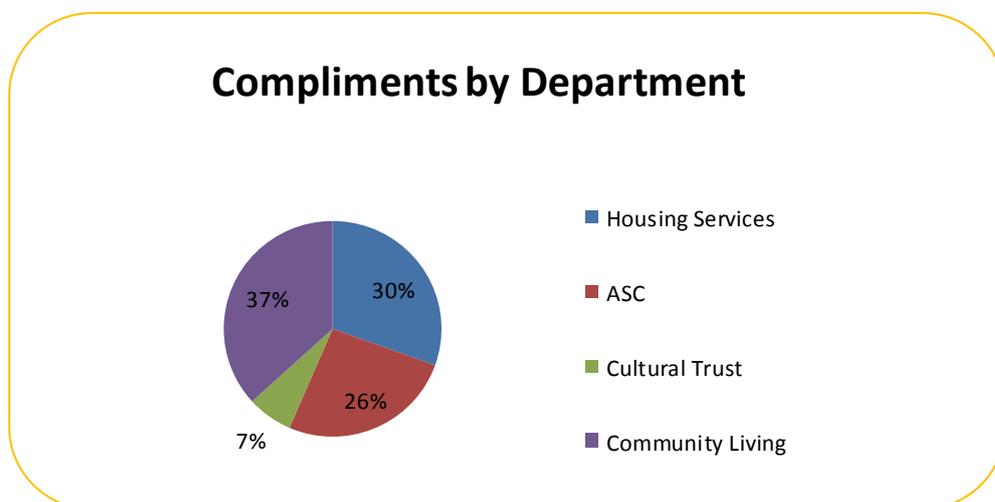
Lessons Learned

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/ Housing Services	Several adaptations to property requested under DFG. Delays could have been avoided if all Departments concerned had better communication	To improve communication: Joint Adaptations Meetings – to include Senior OT colleagues for ASC. BTS Officers to attend ASC Team meetings to discuss the programme of works for BTS and to discuss how social care and housing can work better together. BTS Officer to send the list of BTS program of works to all ASC Team Managers on a regular basis.
Community Living	Complaint regarding a child being excluded from Hart Hill Adventure Playground due to behaviour issues of the child.	The exclusion policy was followed but the complaint highlighted that the policy should be reviewed in light of the issues raised in this complaint. Children's Links to review their exclusion policy around how information is communicated to clients.
ASC	Initial delay in case allocation for an urgent assessment for Social Care Services	Make contact as soon as the case is allocated with the client/family member to discuss appropriate date and time to meet. Cancelled appointments to be reallocated to duty worker to avoid delays.
ASC	Complaint regarding client with Motor Neuron Disease requiring adaptations. Difficulties regarding what the charity were suggesting and what LBC assessed as required.	Meetings arranged with Motor Neuron Disease Charity and ASC Staff to get more information and insight and a better understanding for future client requirements.
Housing Services	The Council wrongly told a client that they would need to clear their rent arrears before they could bid for a property	All clients check on the system to ensure no one else was wrongly informed.
Housing Services	Concerns regarding state of council property following repairs work. Lack of clarity between Complaints route and Insurance Claim.	Complete profiling survey to fully understand the work programme and in order that arrangements can be made to cater for the individual needs. - make tenants aware of the work timescales and how intrusive work can be; - arrange rewire appointment and to communicate when the works are going to start; - snagging; - conduct customer satisfaction survey Standard letter template for insurance claims advising of the process being undertaken.
Housing Services	Client requested DFG and then changed her mind when the equipment had been specifically adapted to her needs.	All clients to be fully informed of the cost implications if equipment is cancelled once this has been produced.
Housing Services	Several Right to Buy cases where there were delays in completing the process	Several departments involved. Meeting held to discuss process, timescales and responsibilities for each area.

8. Compliments and Service Satisfaction

Service users are actively encouraged to inform the Department of any positive things they may wish to say about the services provided. During the year, a total of 400 compliments were received and personally acknowledged by the Corporate Director of Housing & Community Living. There is an increase from last year when we received 158. These compliments received were across the whole of HCL, which reflect the nature of the service, which the department provides to service users.



MP/Cllr Enquiries

A total of **392 MP and Cllr Enquiries** were received in HCL. 218 Enquiries were responded to within 10 working days and 174 were late responses.

Freedom of Information Requests

A total of **211 Freedom of Information Requests** were received in HCL. 188 requests were acknowledged within 3 working days and 23 acknowledgements were late. 149 full responses were completed within 20 working days timescale and 62 responses went over the 20 days timescale.

Data Protection Act Requests

A total of **21 Data Protection Requests** were received in HCL. 19 requests were acknowledged within 3 working days and 2 were late. 20 Requests for information were completed within the 40 days statutory timescale and only 1 request was sent out late.

9. Areas of Development Undertaken in 2014/2015

- Staff group training sessions on complaints were held during 2014/15 for all staff in Housing & Community Living. The sessions were a refresher to all staff on the handling of complaints but also to share learning from complaints received during the previous 12 months. This was to avoid similar mistake. These sessions involved staff at all levels who were in contact with the public and service users. The training was designed to enhance the current knowledge of staff and was also aimed at staff new to the Housing & Community Living Department. Training sessions are ongoing to all staff in Housing & Community Living.
- Steps have now been taken to ensure that all correspondence or other expressions of dissatisfaction and compliments are passed immediately to the Complaints Manager in order to record and monitor the progress.
- The service user is kept fully informed of the progress of their complaint.
- A comprehensive corporate database has been introduced to record and monitor complaints at all stages of the process. This is continually updated.
- A 'lessons learned' exercise has been introduced, as explained earlier in the report, and valuable feedback is provided to Heads of Services to make improvements to the services provided.
- The quality of written responses to service users is under ongoing review to ensure that our correspondence is clear and concise. The investigating officer is expected to provide the service user with a full explanation of their findings, detailing why a decision has been reached and a particular outcome decided upon. This aims to provide the service user with the information required to make an informed decision about whether to pursue their complaint to the next stage. Meetings are arranged to discuss any outstanding concerns and conclude complaints to a satisfactory outcome.
- A compliments database has been introduced to record and analyse compliments received by the Department. These figures are reported to the Senior Management Team on a monthly basis within the complaints report. The good work of staff members is acknowledged by the Corporate Director. A memo of thanks is sent to the staff member who received the compliment with a copy to their line manager.
- The Adult Social Care complaints procedure is reviewed and kept in line with the changes from the Department of Health.
- The joint protocol with health partners for dealing with complaints that are cross boundary has been reviewed and signed off.

The 2014/15 complaints survey

Housing and Community Living complaints survey 2014/15. All residents who put in a formal complaint from 1st April 2014 to the end of March 2015 were sent a postal complaints monitoring survey. A total of 20 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 or email 55%, face to face through member of staff 5%, by phone 45%, by letter 40%, Elected Member 5%, other 5%. Website or email was the preferred communication and telephone was the next preferred communication at 45%. 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 and 35% in 2012 45.9% in 2013 and 40% in 2015. This is broken down into 25% physical disability, 5% mental health, 0% learning disability, and 10% 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 down this year than in previous year, 2005 (20%) and 12% in 2012 37.4% in 2013 and 15% in 2015. In relation to gender the breakdown is similar to last year at 30% male, 37.5% male in 2013, and 74% female, 58.3% female in 2013. In 2015 it is 60% female and 30% male.

10. Areas for further development for 2015/2016

- A corporate review of Complaints, Compliments, MP, Cllr Enquiries across all departments is being conducted to look at further improvements to ensure good practice and efficient process.
- A review of the guidance notes for staff, which accompany the complaints procedures, has been undertaken, and further instructions will be issued later this year.
- Closer monitoring of customer satisfaction following the consideration of their complaint. Survey to be sent out twice a year rather than annually.
- County Complaints Managers Group to be more focused and work closer together. Looking at sharing learning from complaints, joint complaints leaflets, and annual reports. More work needs to be done around information sharing. Work programme to include Healthwatch and Advocacy services.
- Further training for all staff is a continuous rolling programme.
- Quality Assurance of letters and complaints is done on 10% of complaints on a monthly basis.
- A Letter and Report writing toolkit has been developed to aid managers.
- Dedicated training and development for staff appointed to investigate complaints.
- Identification and provision of appropriate support for staff appointed to investigate complaints.
- Further complaints training will be undertaken for Tenants and Cllrs for Housing Appeals Panels and will be provided once the regulations have been signed off.