



London Borough of Hounslow

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Borough Council – 27 October 2009

Review of Complaints and Stage 3 Process

Lead Executive Member for Corporate Services: Cllr Mark Bowen

1. Summary

2. The purpose of this paper is to provide the council with an update on the complaints process and to provide a narrative on the stage 3 Members Complaints Panel that was introduced on 1 April 2007.

3. Recommendations

4. That the council note the findings of the Annual 2008/9 Letter on Complaints issued by the Local Government Ombudsman (LGO) and to note the positive comments contained in that report.

5. Introduction

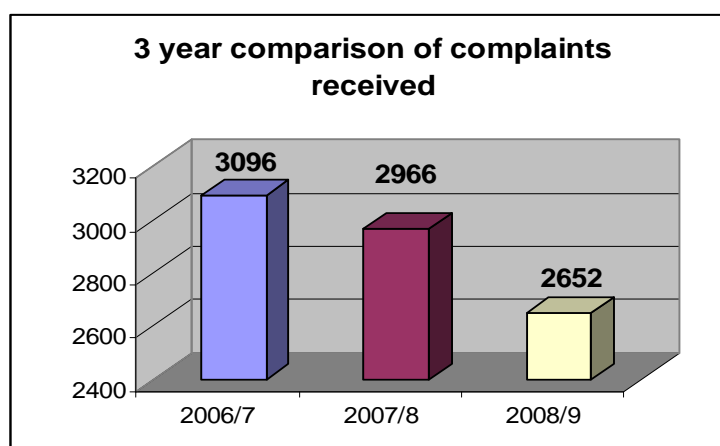
6. The council has a three stage complaints process. Stage 1 complaints are dealt with at section level, stage 2, are reviewed at departmental level and stage 3 are dealt with by a members complaints panel.
7. Complainants who are unhappy with the internal complaints process are entitled to seek a further review by contacting the Local Government Ombudsman (LGO) – known as stage 4.
8. During 2008/9, the leisure and cultural services contract was awarded to two new contractors, Laing Integrated Services who manage the council's parks, cemeteries, libraries, historic houses and museum and Fusion Lifestyle who manage the leisure centres and community halls.
9. This change in contractor has provided an opportunity for these services to be brought into the council's corporate complaints process and this will allow for future comparison of complaints.

10. Headline figures – complaints received

11. The table below shows a three year "like for like" comparison of complaints received by the council but **excludes** complaints relating to leisure. Complaints usually have to go through each stage of the

council's complaints process, though in some cases may, usually at the direction of the LGO be dealt with at a later stage.

	2006/7	2007/8	2008/9
Stage 1	2543	2601	2297
Stage 2	402	297	237
Stage 3	95	27	48
Stage 4	56	41	70
Total Complaints Handled	3,096	2,966	2,652



- (i) Excluding complaints relating to leisure, overall the number of complaints handled has **reduced** for the third year. The reason for this is that more complaints are dealt with effectively at stage 1 resulting in reduced numbers escalating to stages 2 and 3

12. **For information purposes**, the table below shows the number of complaints for each stage which **includes** complaints received relating to leisure in 2008/9.

2008/9	
Stage 1	3154
Stage 2	239
Stage 3	48
Stage 4	70
TOTAL	3511

13. Whereas the overall number of complaints handled has reduced, the proportion of complaints received online via the complaints e-form has significantly increased. The table shows the figures for the last two years. No figures are available for 2006/7

	Total complaints received	Total received by e-form	% online
1/4/07 to 31/3/08	2,966	367	12.37%
1/4/08 to 31/3/09	2,652	894	33.71%

14. Analysis of complaints by service

15. The table below shows the breakdown of complaints by service. These figures have been adjusted to reflect the council's new organisational structure so that they are broadly comparative.

Department	2006/7	2007/8	2008/9
Childrens' Services and Life Long learning	19	37	75
Environment – Planning	118	74	45
Environment – Other	792	998	457
Finance	9	4	0
Liberata	609	699	528
Hounslow Homes	1093	849	1252
Housing	260	279	279
Others	196	26	16
TOTAL	3,096	2,966	2,652

16. The increase in complaints in CSLL predominantly relates to school admissions and school allocations.

17. Performance against targets

18. The council has a target to respond to 80% of complaints within 10 working days for stage 1 and stage 2 complaints. The target for stage 3 is 35 days and stage 4 (LGO) is 28 days.
19. The table below shows performance against target and for 2008/9 also includes Laing and Fusion.

	2006/7	2007/8	2008/9
Stage 1	72%	86%	84%
Stage 2	65%	82%	72%

Stage 3	16%	46%	0%
Stage 4	78%	91%	71%

20. Stage 3 complaints are heard by a panel of members. Arranging these meetings within the target timescale has been difficult to achieve because of the range of people involved and their availability to attend the panel.
21. The table below shows the average taken to deal with stage 3 complaints. It should be noted that the average period to deal with stage 3 complaints prior to the panel being established was in excess of 150 days.

Averages – Stage 3	2007/8	2008/9
Working days to hearing	55	107
Working days to produce decision letter	15	16
Working days to complete stage 3	71	122

22. Review of stage 3 members panel

23. This is the second year that the Stage 3 complaints panel has been in operation and improvements to the process have been made as needs have been identified. For example a “feedback loop” has been introduced so that the chair of each panel is advised of the effectiveness of any remedial action proposed after a period 6 months
24. The complaints panel comprises the following members and the table below shows their involvement for the period from 1 April 2008 to 31 March 2009:

Councillor	Number of Panels	Additional information
Councillor Bowen	7	
Councillor Cooper	2	
Councillor Poonam Dhillon	0	Joined the Complaints Panel in October 2008 Retired from Panel as of April/May 2009
Councillor Shirley Fisher	3	
Councillor Harris	11	
Councillor Hearn	3	
Councillor Hills	7	
Councillor Gillian Hutchison	2	Joined the Complaints Panel in October 2008
Councillor Malik	1	Joined the Complaints Panel in May 2008
Councillor Andy Morgan-Watts	4	Joined the Complaints Panel in September 2008
Councillor Vaught	3	
Cllr Nakamura	4	Joined the Complaints Panel in October 2008

25. Stage 3 review

26. The introduction of the Stage 3 members panel has resulted in an improved complaints process :-
- The number of complaints going to stage 2 has reduced as stage 1 complaints are handled more effectively. Responses at stage1 have been assessed and are now more comprehensive
 - Redress and rectification is now addressed sooner in the complaints process
27. The table below shows that 18 complaints were dealt with by the panel between 1/4/08 and 31/3/09, the same as in the previous year.

Complaint Area	2007/8	2008/9
Planning	4	2
Noise nuisance	1	2
Housing Allocations	2	3
Corporate property	1	0
Parking	4	1
Highways	1	2
Blue Badge	0	1
Council Tax	0	1
Private Sector Housing	1	1
Housing Benefit	0	2
Fostering panel	1	0
Environmental Health	2	1
Housing Management	1	1
Registrars	0	1
TOTAL	18	18

28. Local Government Ombudsman (LGO) letter

29. The LGO produces an annual letter for every council summarising his findings on complaints that were dealt with by his office. A copy of that letter is attached to this report.
30. The ombudsman's letter is, overall, positive about the way in which the council has handled the relevant complaints in 2008/9
31. The number of complaints dealt with by the LGO that have been through the full council complaints process have reduced significantly. The LGO states in his 2008/9 Annual Letter as follows:

“We appear to have received significantly fewer complaints against your council for investigation during 2008/9 than in the previous year. This, together, with my decisions on complaints resubmitted to me suggests that the council’s procedures have been successful in encouraging earlier resolution of complaints”.

32. The way the LGO reports and categorises complaints changed in 2008/9 and direct comparisons with previous years are not possible. It is important to highlight that the LGO expects the local authority to deal with first enquiries from his office within 28 working days.
33. Although this target was not met, the LGO recognises that performance was affected by 46 complaints that he has been dealing with which relate to a group action complaint about Key Site One. The LGO comments that the target would have been met had these cases not been taken into account,
34. **Comments from the borough solicitor**
35. The borough solicitor has been consulted on this report and his comments are incorporated.
36. **Comments from the director of finance**
37. There are no additional financial burdens to the council arising from this report.
38. **Further documents**

LGO letter 2009/10

Service Area	Hearing Date	S3 Recommendations	Decision Implemented	Recommendations Implemented
Planning	07/05/2008	Not upheld - Planning office confirm in writing how complainant can submit retrospective planning application - done on 9/6/08	Yes	N/A
Noise Nuisance/ Housing Mgmt	11/03/2008	Not upheld - But further allegations of failings in communication with customer related to Hounslow Homes aspect of complaint to be investigated	Yes	N/A
Housing Allocations	27/05/2008	Not upheld - advice on housing options provided.	Yes	N/A
Parking	31/03/2008	Not upheld, recommended review pavement parking enforcement policy	N/A	Parking review in progress Report due Sep 09
Highways	04/06/2008	Upheld - compensation of £100 and ISO 9000 audit of new procedures.	Yes	N/A
Blue Badge Scheme	19/06/2008	Partially upheld - Recognize individual service not provided. Support Council proposals to transfer administration of blue badge scheme to parking service as greater capacity for bulk processing.	N/A	Yes
Housing Allocations	09/12/2008	Upheld - HH to make direct offer of suitable 3-bedroom home. £50 awarded for delay in S3 hearing.	Yes	N/A
Planning	15/08/2008	Upheld – Dept. to provide complainant with full response to planning queries and seek to restore constructive engagement. Recommended that dept. look at making planning processes clearer.	Yes	Yes
Council Tax	20/08/2008	Upheld - Admin errors £150 to reimburse costs and compensate for time and trouble. Referral to Valuation office about their delays.	Yes	Yes
Noise nuisance	09/01/2009	Not upheld – Recommended that officers look again at whether there is merit in reinstalling noise recording equipment, and that the department liaises with the police on this case.	N/A	Yes
Private Sector Housing	06/01/2009	Not upheld - £50 awarded for delay in panel hearing.	Yes	N/A
Housing Benefits	09/01/2009	Partially upheld - complainant received differing information from different staff about the introduction of new BACS system and experienced a short delay in their first BACS payment.	N/A	N/A
Housing Benefits	06/11/2008	Not Upheld - £50 compensation for delay in hearing	Yes	N/A
Environmental Health	11/11/2008	Upheld - Dept to give complainant feed back on action taken. £25 Compensation for no response at S1 and £50 for delay in S3 panel hearing.	Yes	N/A

Service Area	Hearing Date	S3 Recommendations	Decision Implemented	Recommendations Implemented
Housing Management	03/12/2008	Upheld - Compensation of £1,050.00 for delay, loss of amenity and distress caused by blocking of right of way - rescind permission to neighbour to extend property over rear access to complainant's house - enforce right of way and consider legal action if necessary. Recommend HH introduce clear procedures to prevent forfeiture of tenant's rights of way in future.	Yes	In progress
Registrars Office	10/12/2008	Not upheld - Agreed goodwill payment of £463 and compensation for delayed hearing of £50.	Yes	N/A
Housing Allocations	15/12/2008	Upheld - Housing Department to review case with Lead Member with a view to offering a suitable 3-bedroom house. Assurance required from HH that its procedures have improved. £30 awarded for delay.	Yes – House offer accepted	N/A
Highways	20/03/2009	Upheld - £250 compensation for distress, £250 for time and trouble of having to pursue complaint to S3, and time spent waiting for and following up incomplete responses from dept. Recommended issue taken to next Area Committee	Yes	In progress – issue to be discussed at next Area Committee