

REPORT TO: OVERVIEW AND SCRUTINY COMMITTEE

DATE: 23 February 2017

REPORT TITLE: Update on Performance – Complaints, Freedom of Information and Members Enquiries

REPORT AUTHOR:

Nicholas Foster
020 8379 6498
Nicholas.Foster@Enfield.gov.uk

PURPOSE OF REPORT: To provide

- an update of complaints handling between April 2015 – September 2016
- and progress on transition to new service model .

EXECUTIVE SUMMARY

This report provides details of complaints handling and performance during 2015/16 – in summary;

- 81% of First Stage complaints were dealt with within the target response timescale of 10 working days.
- the Local Government Ombudsman Investigative Team made 33 decisions in 2015/16 for Enfield cases, with £1600 issued as local settlements.
- the Council has successfully reorganised complaints handling into a central hub whilst ensuring that the complaints service delivery continue uninterrupted
- there are early signs that the new team has started to make a positive impact on complaints across the Council

1. BACKGROUND

- 1.1 The central Complaints and Access to Information Team was created in December 2015 under the Enfield 2017 transformation programme. All posts were filled, and the team become fully operational in April 2016. This new corporate team took responsibility for co-ordinating all complaints, member's enquiries, school appeals and statutory requests for information under the Freedom of Information Act or Data Protection Act.
- 1.2 This report provides details of complaints handling and performance during 2015/16 and the first half of 2016/17, regarding complaints handled under the Council's corporate complaints scheme. It does not cover statutory complaints made concerning children and adults social care services.

The Council aims to resolve concerns and complaints as soon as possible, therefore contact from customers is initially presented to the team or person responsible for delivering the service where dissatisfaction has arisen, so that the matter can be addressed.

1.3 Where attempts for resolution have been unsuccessful, the complaint will be handled under the two-stage process outlined below.

- First Stage - the complaint is investigated and responded to by an appropriate officer from the service concerned. This would usually be the person who has direct responsibility for the staff involved or the issue complained about. All attempts to resolve the matter will be taken at this stage.
- Final Stage – if the complainant remains dissatisfied, the complaint will be reviewed by a senior officer on behalf of the Chief Executive. The review officer will be independent of the service group which is the subject of the complaint.

1.4 The Council’s target is to respond to 92% of First Stage complaints within 10 working days.

1.5 The timescales are outlined in the below table:

Activity	Standard Timeframe	Extended Timeframe
Making a complaint	12 months from the incident occurring	At the discretion of the Council
Acknowledging a complaint	1 working days (first stage) 5 working days (final stage)	N/A
Responding to a first stage complaint	10 working days (from acknowledgement)	Up to a maximum of 20 working days unless agreed by the complainant
Escalating a complaint from first stage to final stage	20 working days	At the discretion of the Council
Responding to a final stage complaint	30 working days (from allocation to the investigating officer)	Up to a maximum of 40 working days to unless agreed by the complainant
Complaining to the Local Government Ombudsman	12 Months after the complainant becomes aware of the issue	At the discretion of the Local Government Ombudsman

Complaining to the Housing Ombudsman	With the assistance of a Councillor or MP. Otherwise, no earlier than 8 weeks. In all cases the complaint must be made within 12 months after the Council's final stage response.	At the discretion of the Housing Ombudsman
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2. CHALLENGES AND OPPORTUNITIES

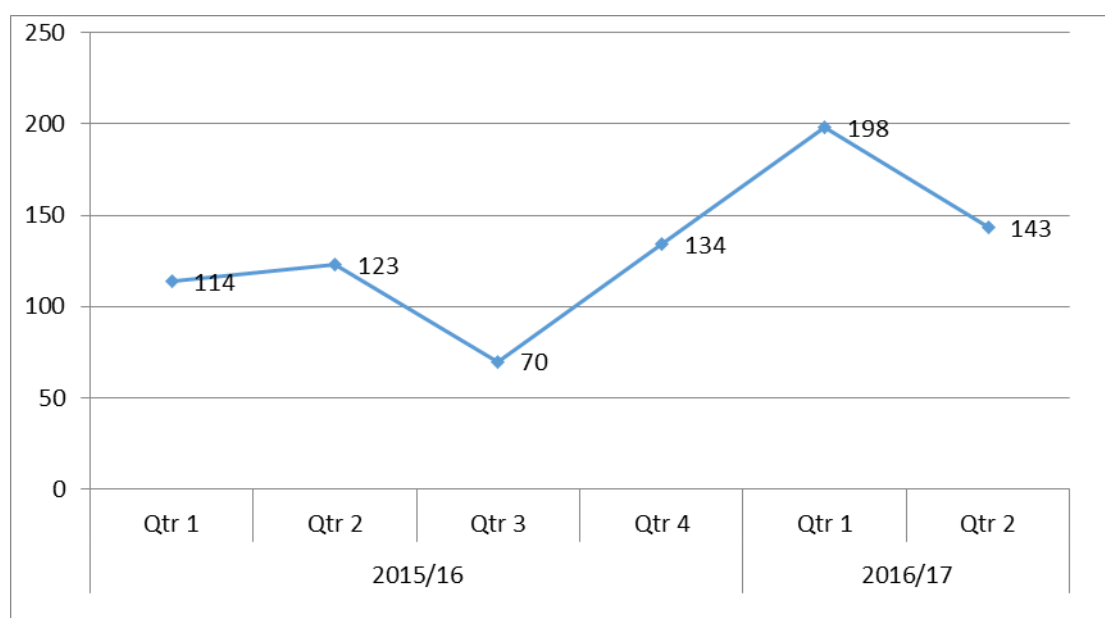
- 2.1 Prior to December 2015 complaints were handled by individual departments. This arrangement meant that there were inconsistencies and duplications in the process; also, the absence of a single repository of data to drive service improvement. Therefore, the Complaints and Access to Information Team was set up to address this by working with ICT to design a new portal for customers to submit complaints and other forms of feedback; setting up a single point of contact for external and internal customers; and delivering a standardised approach to complaints handling across the whole Council. The team has also successfully managed the reintegration of Council housing complaints procedure (formerly Enfield Homes); which had three stages, and is now aligned with council's two -stage procedure referred to at paragraph 1.3 above. During this period of transition and development the team has been working to ensure that service delivery continued seamlessly.
- 2.2 The Complaints and Access to Information Team has overseen the implementation of a new complaints policy which is centred around the needs of the customer by promoting early resolution of complaints as a fundamental principle. This approach ensures that swift action is taken to resolve the matter that led to the complaint as quickly as possible without the need to go through the formal complaints procedure. For example, between April – September 2016, 130 concerns were successfully resolved, which would otherwise become First Stage complaints. The focus on early resolution of complaints has also resulted in a reduction of the numbers of cases escalating to the Final Stage of the procedure (4.1 of this report).
- 2.3 The team has been supporting services across the Council to provide high quality responses to complaints. To facilitate this, a complaint handling toolkit (available on the staff e-learning Portal) has been developed to ensure that complaints are handled professionally, effectively and consistently across the Council.

2.4 The new ICT enables the Council to capture thematic information on complaints and the Complaints and Access to Information Team has started to use this functionality. Analysis of complaints received during the first two quarters of 2016/17 (April – September 2016) indicate that the main issues complained about were council tax, housing benefits, waste and housing repairs. In 2017/18, the team will be focussing more on using insight from complaints to drive change across the organisation, including working with services across the Council to identify and address the underlying causes of complaints.

3. First Stage Complaints

3.1 The chart below shows the number of First Stage complaints received in each quarter between April 2015 – September 2016.

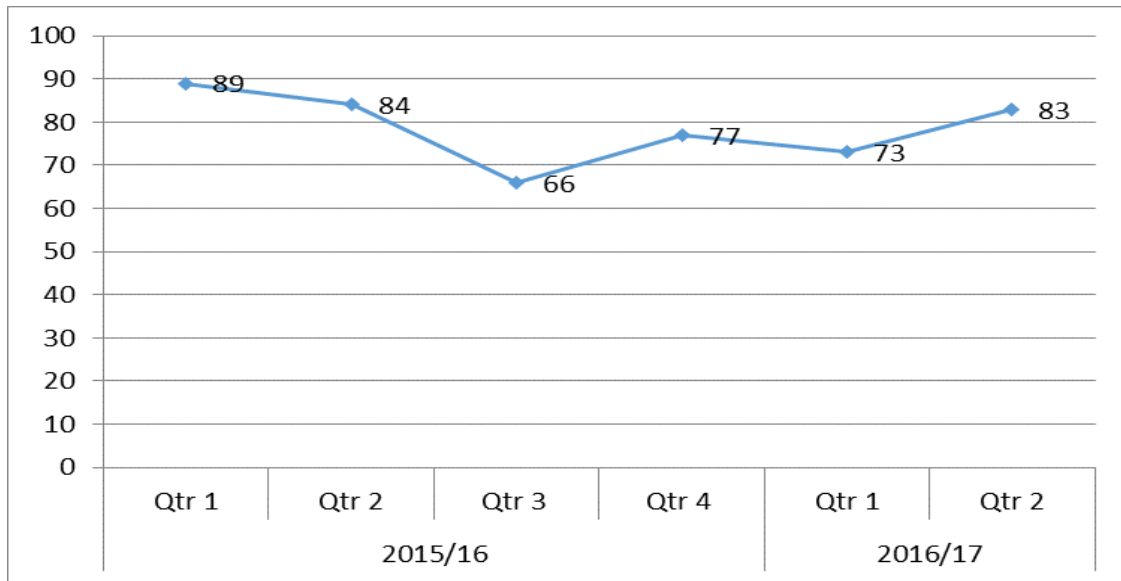
Chart 1- First Stage Complaints received



3.2 The new online channel for tracking complaints made to the Council through a single electronic system and team went live in April 2016. This is one of the main reasons for the recorded rise in complaints during the first quarter of 2016/17. The decrease in the numbers of complaints in the second quarter was contributed by the approach towards early resolution, referred to in 2.2 above.

3.3 During April 2015 – March 2016, 81% (329 of 409) First Stage complaints were answered within the timescale of 10 working days, comparing to 67% in 2014/15. The 81% is consistent with the average response times across local authorities in London* (*Based on the mean average of 14 London Boroughs*). The chart below shows the trend in percentage response times for each quarter between April 2015 – September 2016.

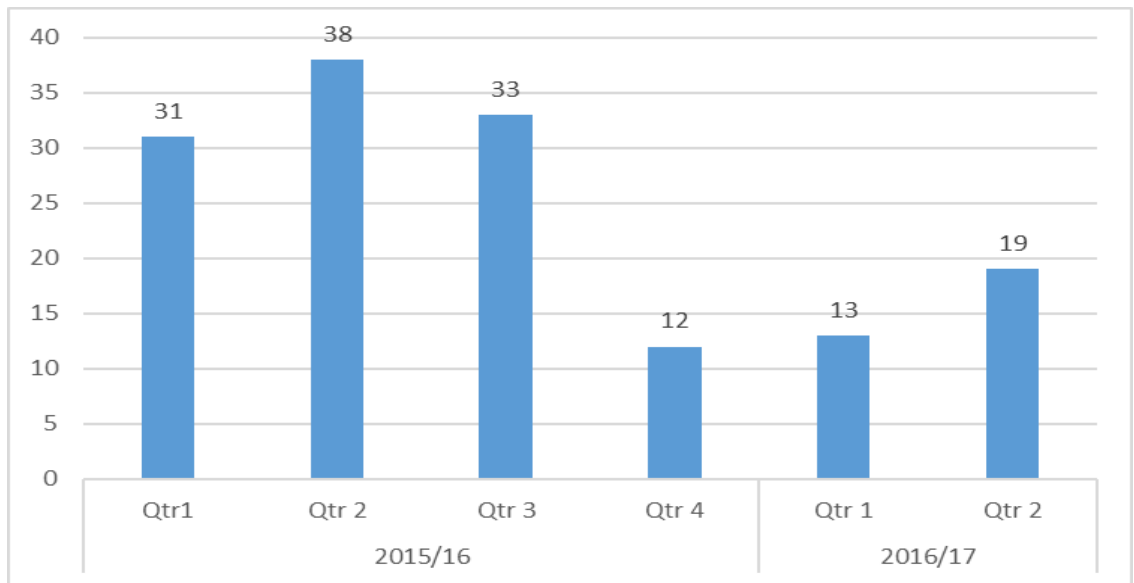
Chart 2 – Percentage of First Stage Complaints responded to within 10 working days



4. Final Stage Complaints

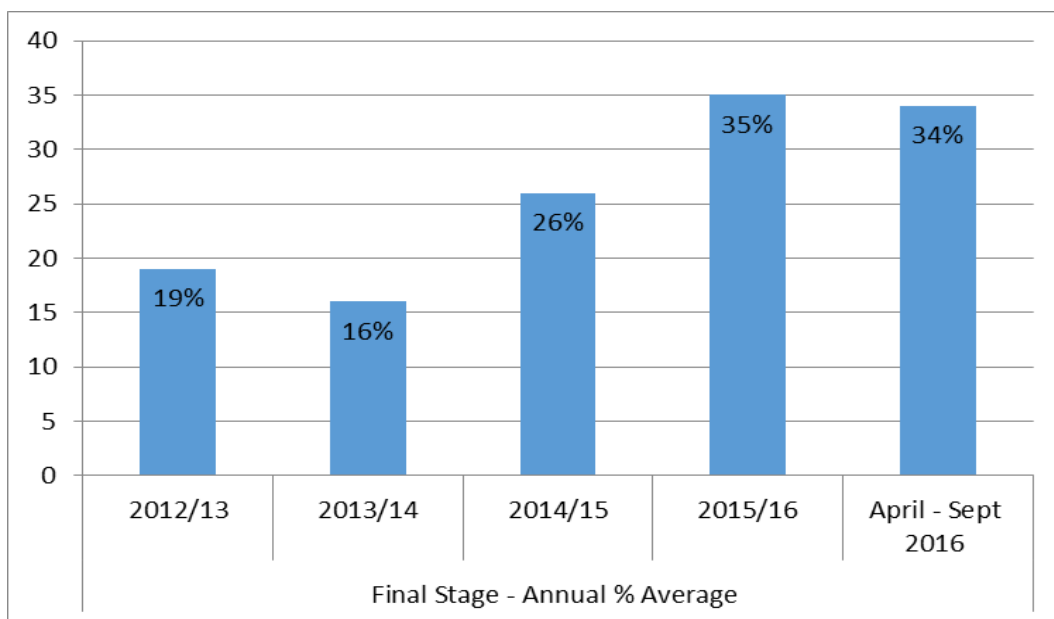
4.1 The Council identified that a proportionally high number of First Stage complaints were being escalated to Final Stage. As part of the improvements to the way complaints are managed, a revised complaints policy was published. This sharpened the focus on early complaint resolution and introduced a more rigorous approach to assessing requests for Final Stage investigations, including close working with the complainants to resolve their concerns. This new approach has resulted in the reduction of Final Stage complaints as illustrated by Chart 3.

Chart 3 – Final Stage Complaints Received between April 2015 – September 2016



4.2 The complaints which are escalated to Final Stage are usually complex matters requiring in-depth investigation, such as planning disputes. The chart below shows the percentage of Final Stage complaint investigations that were responded to within 30 working days during each year up to 2015/16 and the first 6 months of 2016/17. These investigations were assigned to senior managers (who carried out investigations alongside their substantive duties) across different Council departments, prior to the transfer of this function to the Complaints and Access to Information Team.

Chart 4 - Percentage of Final Stage Complaints responses within 30 working days



5. Local Government Ombudsman

- 5.1 As part of the revised corporate approach, the Complaints and Access to Information Team has taken over the responsibility for undertaking Final Stage investigations. This new arrangement will ensure that complaints are properly investigated and remedied, averting escalation to the LGO where possible. To date, only one case dealt with by the team has progressed to the Ombudsman (who subsequently agreed with the findings reached by the team). Using the insight provided through historic LGO investigations, the Complaints and Access to Information Team is also working with service managers to develop plans to address the underlying reasons that led to upheld complaints.
- 5.2 The 15/16 LGO's annual letter to the Council is appended to this report (Appendix 1). The LGO usually highlights significant issues of concern within the letter, it is noted that, unlike some Councils, no concerns were raised within the letter to Enfield Council
- 5.3 During 2015/16 the LGO issued 157 decisions regarding complaints and enquiries received in respect to Enfield Council, comparing to 154 in 2014/15. Of the 157 cases, 33 resulted from investigations. The LGO upheld 25 of the 33 cases (76%). When compared with Brent and Haringey, the average upheld rate was 73% * (*London Government Ombudsman, Review of Local Government Complaints 2016/16 Report*).
- 5.4 The Council agreed £1600 local settlements regarding LGO cases, compared with £2000 in 2014/15.
- 5.6 Appendix 2 provides a breakdown by category of the LGO cases together with comparison with the previous year.

6. NEXT STEPS

- 6.1 With most of the new system in place, the team can now move forward in implementing the benefits of the central function's original vision.
- 6.2 The Complaints and Access to Information Team will continue to support departments and services by taking the following actions: -
- continue to capture, analyse and track learning points from complaints to capture customer insight and learning to recommend service improvements across the organisation
 - provide oversight and robust performance monitoring of complaints and enquiries
 - work to further develop CRM to achieve full functionality and rollout across the organisation
 - support departments and services in drafting and reviewing responses to ensure consistency and quality in responses to complaints

