



# Annual Complaints Report

2020/2021



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA



## Annual Complaints Report 2020/2021

### 1. Executive Summary

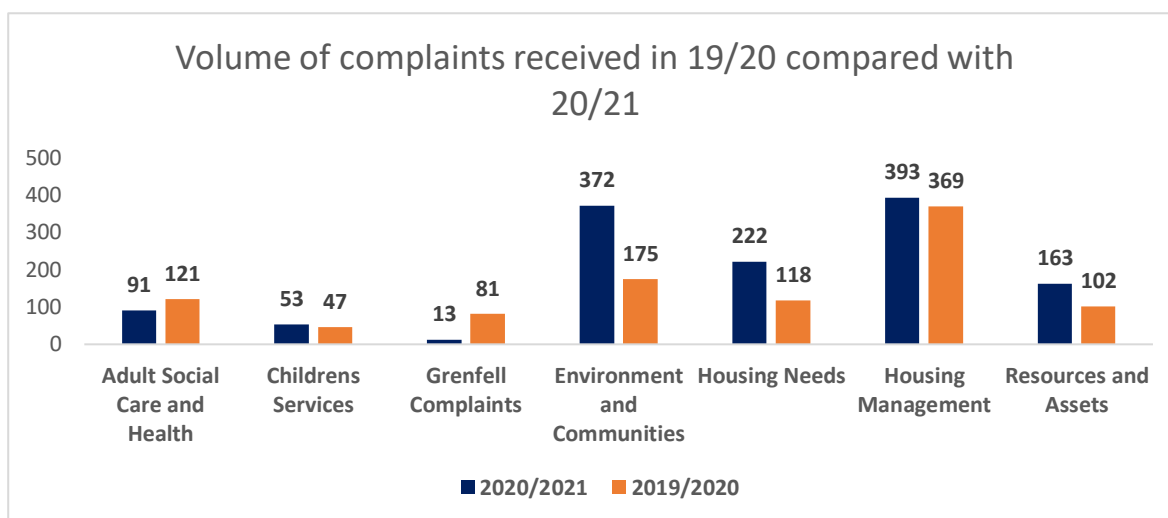
- 1.1 This report provides an overview of the Council's performance on complaints as well as a summary of the findings from Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman Service (HOS) decisions.
- 1.2 Complaint volumes have increased from 1,013 in 19/20 to 1,293 in 20/21, which was the expected result following the introduction of a Corporate Complaints Team and new IT system. 83% of Stage One complaints were responded to on time and escalations to Stage 2 and 3 of the complaints process were low, at 14% and 3% respectively.
- 1.3 A complaints process update is included in section 4, showing that the Council was not significantly slower at responding to complaints during the Coronavirus outbreak. It also reflects on the decision to move to a two-stage complaints process and increased reporting of complaints data and themes to Executive Directors and Lead Members.
- 1.4 In section 5 and 6 of the report, information about quality assurance activities undertaken by the Corporate Complaints Team is provided as well as the role of the Complaints Network in reviewing trends, enabling consistency and co-design of procedures and policies. This is followed by a summary of the learning opportunities that have been identified to improve complaint handling; and the improvements made to provide a more customer-focused experience for complainants and residents.
- 1.5 The main report concludes with a review of the low volume of equality data provided by complainants and the need for a review to determine if other measures could be introduced to improve engagement and response rates (section 7) as well as the priorities for 21/22 (section 8). These centre around an aim to respond to 90% of all complaints on time, further development of the way we manage complaints about third parties and how the Corporate Complaints Team and Complaints network will support the Council to improve the overall complaint journey.
- 1.6 [Appendix A](#) provides a summary of complaints received and investigated by the LGSCO and HOS. The LGSCO investigated 19 complaints and upheld 79% of them (15 complaints). This is higher than the average for similar Local Authorities where 72% of all complaints were upheld. The HOS has completed two investigations, one which it felt the Council had already satisfactorily resolved and another which it upheld.
- 1.7 [Appendix B](#) provides a summary of each Department's performance and more importantly the service improvements that have been introduced to demonstrate learning from complaints, such as improving information on the Council website, bespoke training to address specific Social Care issues and the introduction of virtual parking permits.
- 1.8 It is worth mentioning that the Council publishes its annual complaints report after receiving the LGSCO's Annual Review Letter which we received in July 2021.

## 2. Background

- 2.1 The Corporate Complaints Team was introduced in September 2019 and a review was completed in December. Recommendations were proposed to the Executive Management Team in the [18/19 Annual Complaints Report](#), which intended to make it easier for residents to complain and to strengthen the complaints process so that complaints were consistently recorded, responded to and the quality was being corporately monitored.
- 2.2 In the 2019/2020 Complaints report presented to EMT, further recommendations were made to improve the reporting of complaint data to Executive Directors and Lead Members, increase quality assurance activities and ensure a fair and robust approach to managing complaints about third party providers. A recommendation was also made to implement a two-stage complaints process. The two-stage process was adopted in April 2021 (and therefore the impact of this will not be reflected in this annual report).

## 3. Performance analysis 20/21

- 3.1 This section of the report provides information on complaint volumes, escalations to Stage Two and Three, the outcome of complaints and the percentage of complaints responded to on time.
- 3.2 Additional statutory complaints reports are produced by Adults and Children’s Services. These reports are ratified by Senior Management and the respective Cabinet Leads. The figures in the table below include statutory complaint volumes, but as statutory and non-statutory complaints follow different procedures, the following sections only provide analysis of timeliness and outcomes for corporate (non-statutory) complaints.



NB: NB: Grenfell complaints includes the Dedicated Service, Grenfell Housing Services and Grenfell Housing Needs and some historic complaints about the Keywork service. Due to the high volume of complaints within Housing (which is to be expected from a service of this nature), the figures have been reported separately.

- 3.3 The Council received 1,293 complaints in 2020/2021, compared with 1,013 in the previous year which is an increase of 22%. Although there was an increase, it is likely that the Covid-19 pandemic has reduced volumes overall due to some services being suspended during lockdowns. Complaint volumes for the 2021/22 so far show early signs of an overall upward trend.

- 3.4 Of the 1,293 complaints received, 192 complaints could not be accepted under the complaints procedure. This represents 19% of the total volume of complaints received. This information was not previously available for the full 19/20 financial year due to complaints being recorded locally in some Departments between April and October 2019 and so no year-on-year comparison is available. The table below shows that the most common reason a complaint was rejected was because it was a request for a service rather than a complaint about a service failure.
- 3.5 Extensive guidance and training have been provided to services to ensure that there is a good understanding of the difference between a service request and a complaint. Since the Corporate Complaints Team have been responsible for logging and acknowledging complaints, more scrutiny has been applied to the decision-making process to ensure that customer complaints are not unfairly re-categorised as service requests. A complaint can only be re-categorised as an enquiry or service request if it is a first-time request for information or a service. Complaints must be recorded if the customer raises concerns about:
- Delays
  - The Council failing to complete an action it has agreed to
  - A problem that has already been reported which has not been resolved
  - The quality of the service they have received or the impact of a decision the Council has made which affects them personally (except policy decisions)

| Rejection reason  | Volume     |
|---|------------|
| Service request / enquiry - not a complaint                               | 123        |
| Duplicate complaint   | 16         |
| Complaint not for this organisation                                       | 14         |
| Alternative appeal - Housing, Parking, School Admissions, Social Care etc | 11         |
| Complaint subject to legal proceedings                                    | 8          |
| Complaint about council policy  | 6          |
| Customer refused to provide a name or address                             | 6          |
| Data Protection / FOI complaint   | 3          |
| Insurance claim   | 3          |
| Customer has not responded to enquiries/is not contactable                | 2          |
| <b>Total</b>  | <b>192</b> |

- 3.6 Most departments have seen an increase in the volume of complaints, although the volumes have increased more significantly in departments that did not previously have central recording on a case management system. This increase was expected following the introduction of a new corporate complaints process, Team, and IT system and should be seen as a positive sign, since it indicates that we are now accurately recording (and capturing learning from) complaints.
- 3.7 It should also be noted that in the Council Plan (2019 – 2023) the Council made a commitment to make it easier for customers to complain and one of the improvements made to achieve this was to introduce a phone line. The complaints line has received 85 complaints. There is a possibility that these complaints may not have been raised if the customer was not able to ring the Council.

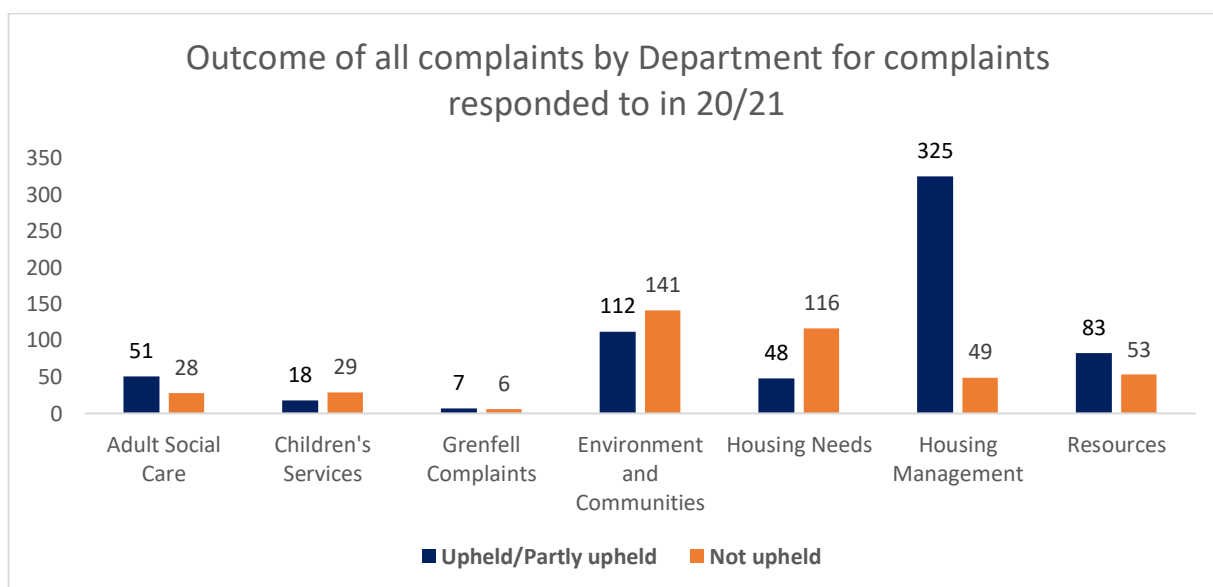
## Outcome of complaints

3.8 In 2020/2021, 1,143 complaints were investigated and responded to. This also includes the outcome of any complaints that hadn't been decided before 31 March 2019. It is tempting and right to be concerned about complaints being upheld as this indicates that the Council has got things wrong. But it is also encouraging that the organisation is accepting and taking responsibility for service failings and looking for ways to put things right.

|                                | Volume | Percentage |
|--------------------------------|--------|------------|
| <b>Upheld or partly upheld</b> | 634    | 55%        |
| <b>Not upheld</b>              | 509    | 45%        |

3.9 Whilst the Council upholds more complaints than those it doesn't, due to little comparative data from other Councils it is not possible to conclude whether Kensington and the outcomes are significantly different from those of other similar Local Authorities.

3.10 However, the Ombudsman upheld 72% of all the complaints it received from other similar Local Authorities, and 79% (15 out of 19 investigations) of complaints about Kensington and Chelsea Council. This may be an indication that Local Authorities (including RBKC) get things wrong more often than they are able to recognise and that opportunities to learn and improve may be missed because of this. However, findings from LGSCO decisions give Services an opportunity to learn from this and the Corporate Complaints Team are also focusing on this as part of support and advice to Services and during quality assurance activities.

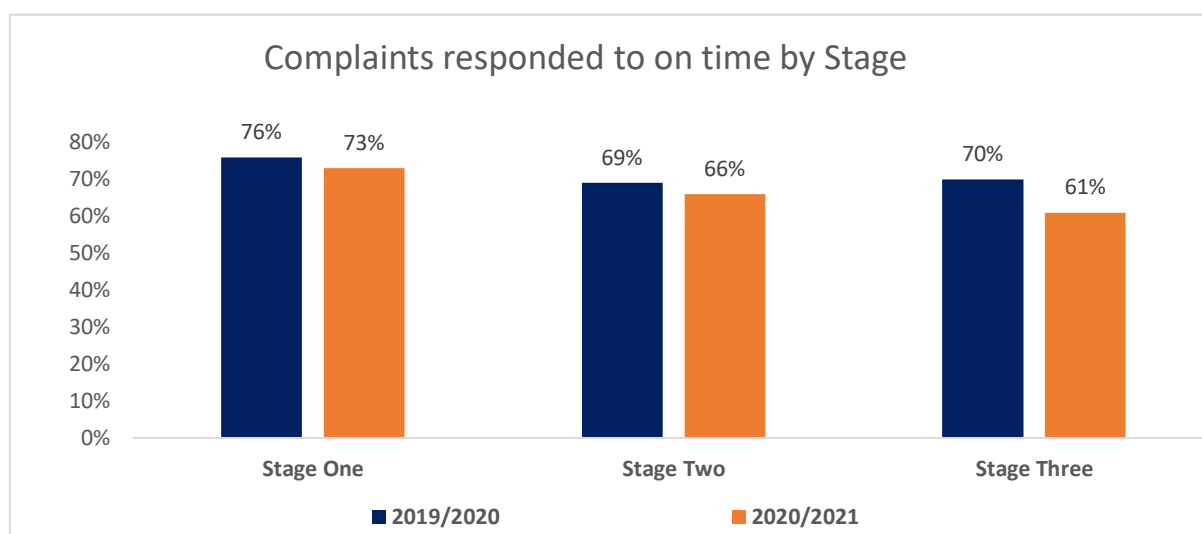


## Timeliness

3.11 936 complaints were considered within the Council's complaints procedure with an aim to respond to 90% within 15 working days. At Stage One, 83% were responded to on time, but at Stage Two, out of 134 complaints only 67% were responded to within the 15 working days.

3.12 Under the Council's existing three stage complaints procedure, 42 complaints were considered at Stage Three and 83% were responded to on time.

3.13 As the Corporate Complaints Team was implemented late in 2019, comparative data isn't available for the whole financial year, so the chart below shows timeliness by stage between September and March in 2019/2020 compared to the same period in 2020/2021.



3.14 Whilst it may be concerning to see that the organisation responded to fewer complaints on time during the 7-month period, the Council was still responding to the Covid-19 pandemic and had focused efforts and resources on priority Services. Therefore, it is positive to see that the impact of the pandemic did not significantly affect the Council's ability to investigate and respond to complaints.

### Escalation to Stage Two and Three

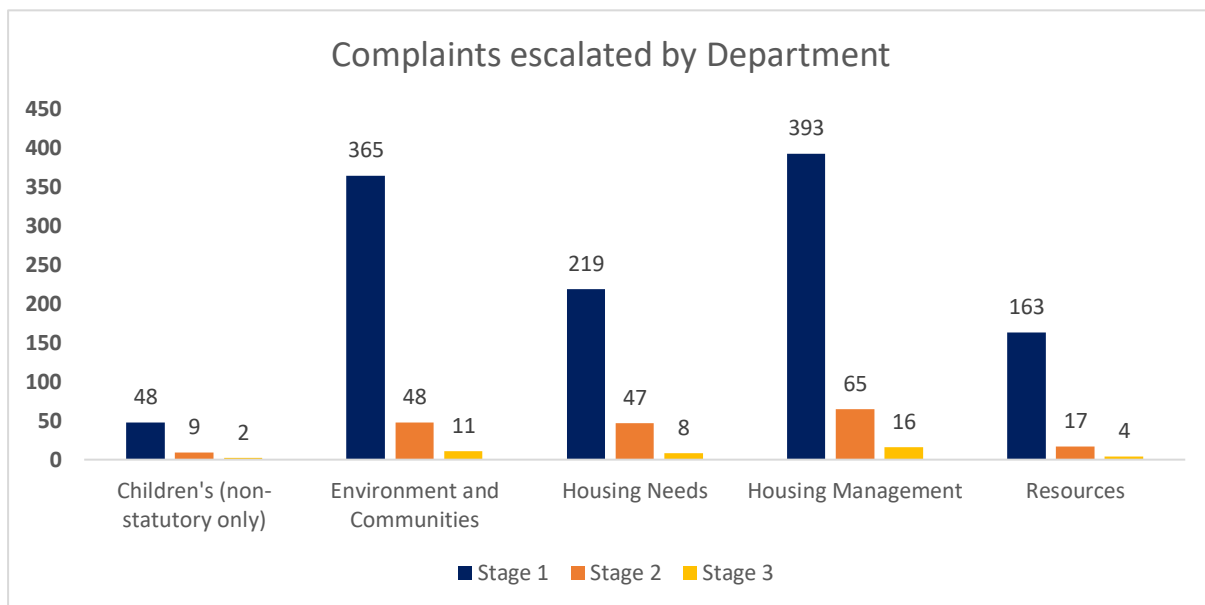
3.15 156 complaints were escalated to Stage Two, of which 42 were then escalated to Stage Three. The chart below shows complaints escalated by Department.

3.16 The most common reason recorded for an escalation to Stage Two was because the customer disagreed with the Council's decision or because the response failed to address all the issues.

3.17 In March and April 2021, Complaint Handling Training was delivered by the Independent Adjudicator who was in post to investigate Grenfell complaints at Stage Three. The training was offered to Managers, Heads of Service and complaints functions in Adult Social Care, Children's Services and Housing. During the training, emphasis was given to the importance of Investigating Managers calling customers to confirm the scope of their complaint and their desired outcomes. This was intended to encourage Managers to focus their responses on the issues that the customer felt were most important and for responses to concentrate on solutions that addressed the customer's expectations, whether they could be met or not.

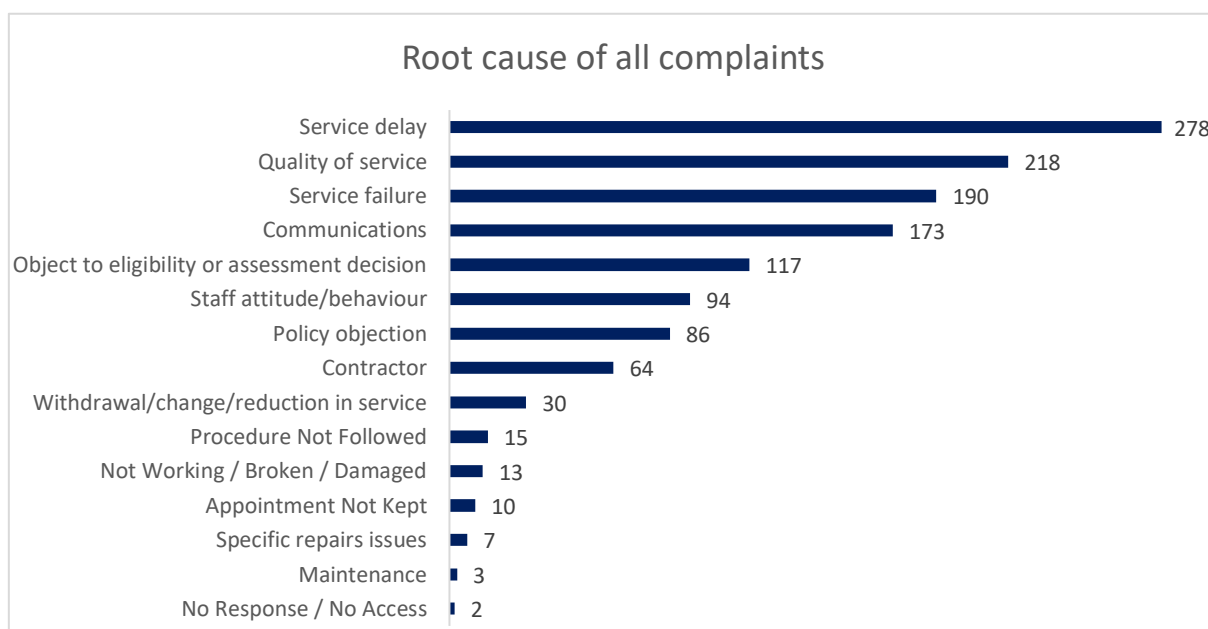
3.18 The Corporate Complaints Team continues to emphasise the importance of calling customers. This was already well-established practice in Adult Social Care, Children's Services and Housing Management, and other services are beginning to embed this within the investigation process. It is hoped that talking to customers early in the complaint journey will help to build relationships, understand the root cause of the

complaint, and ensure resolutions or options are helpful, specific and focused on supporting the customer.



3.19 From April 2021, the Council replaced its three stage complaints procedure with two stages. Removing the third stage may result in more complaints being escalated to Stage Two as the overall process is shorter. Therefore, the Corporate Complaints Team and other complaints functions are supporting Services to aspire to make Stage One complaints more robust, evidenced-based and solution- focused.

3.20 The chart below shows the root causes of the complaints received where the problem was categorised.



3.20 Service delays related to issues not being resolved within the timescales that a customer might expect or in line with the Service’s own commitments or published timescales.

3.21 Complaints about “quality of service” showed that the customer had raised multiple concerns or issues about their experience of contacting the Council, for example, that it

took the Service too long to respond, and when they did, some of the information was incorrect or the decision that was taken didn't consider all their circumstances.

#### **4. Complaints process - update**

- 4.1 This section of the report focuses on events that have impacted complaints handling and changes that have been introduced during 20/21.
- 4.2 In response to decisions taken by the Executive Management Team, the Corporate Complaints Team took ownership of logging and acknowledging new complaints. This facilitated timely recording of complaints and meant that customers received an acknowledgement within the agreed timescales which also confirmed the target response date.
- 4.3 In line with existing arrangements, Housing Management continue to use their well-developed CRM casework system to record and manage cases and complaints in parallel with the Corporate iCasework system. An integration of these two systems is planned to ensure a single source of data on complaints but this has been delayed due to the pandemic. In the meantime, therefore, officers in the Corporate Complaints Team and Housing Management continue to work closely to ensure recording is consistent (albeit duplicated) and that the process and approach to complaint handling is aligned.
- 4.4 In the wake of the Coronavirus outbreak, and in order that the Council could prioritise resources to deal with Covid-19, a recommendation was made to increase target response times for responding to non-urgent, non-Covid related complaints to 12 weeks (from 3 weeks).
- 4.5 Although these extended timescales were available, due to lower volumes of complaints during April and September, most complaints were responded to within 15 working days. Where complaint responses were late, the Corporate Complaints Team contacted the customer to inform them of the delay and agreed a new timescale.
- 4.6 On 26 March 2020, the Local Government and Social Care Ombudsman suspended casework for three months. However, in relation to cases that the Ombudsman was already investigating, the Council continued to provide responses to enquiries so that customers would not be disadvantaged.
- 4.7 Quarterly reporting of complaints to Executive Directors and Lead Members commenced in Q3 2020/2021. The reports are prepared in partnership with the departmental complaints lead and are intended to provide regular, summarised complaints information about performance, the outcome of quality assurance activities and a summary of learning and improvement opportunities. Where appropriate, recommendations are put forward for consideration.
- 4.8 Since 1 April 2021, the Council has moved to a two-stage complaints procedure which reduces the overall length of time it takes to receive a response. The timescale has been shifted to 10 working days at Stage one, and 20 working days at Stage Two. This has resulted in a shorter process overall and a quicker resolution for residents.
- 4.9 Most complaints about Adult Social Care and a significant proportion of complaints about Children's Services fall within the remit of the statutory complaints processes, and



these are therefore not affected by the changes to the Council's corporate complaints procedure.

- 4.10 Previously, complaints under the scope of the Grenfell complaints process also followed a slightly different process, whereby Stage Three complaints were investigated by the Independent Adjudicator. From 1 April 2021, all Grenfell complaints also follow the Council's two-stage complaints process.
- 4.11 After the Council has issued a final response, all complainants have the right to ask the Housing Ombudsman or Local Government and Social Care Ombudsman to investigate their complaint.
- 4.12 As these changes took place in the financial year 21/22 the impact of these will be reflected in the next annual report.
- 4.13 The Council has also routinely sent customer feedback surveys to complainants, approximately six weeks after a response was issued, to understand more about their experience of the complaint journey. To acknowledge the unique relationship between tenants, leaseholders and Housing Management, the department already gathers feedback through surveys and via resident, tenant association and estates meetings, as such email surveys are not sent to customers who raise complaints about Housing Management.
- 4.14 For all remaining complainants, surveys were sent to complainants who provided an email address and where their complaint is recorded on the corporate iCasework system.
- 4.15 The questions centre on capturing:
- how easy it was for the customer to make a complaint
  - whether the customer felt the Council listened to their concerns and acted on them
  - how well the customer was kept informed
  - the customer's overall satisfaction
- 4.16 From 1 April to 31 October 2020, 13 customers responded to a feedback survey out of the 145 that were sent out. Looking only at how easy it was to complain, out of 5, the average score was 2.62. However, from 1 November 2020 to 31 March 2021, 45 customers completed the survey out of 216 that were sent out. The average score increased to 3.13 out of 5.
- 4.17 Within the survey, customers are given the opportunity to provide more general feedback about their experience. This is routinely reviewed and where it is appropriate, the Corporate Complaints Team will contact the customer to better understand their experience, and what other measures can be implemented to improve how customers can give feedback.
- 4.18 Soon, and to address commitments made in the Customer Access Strategy, the Council will aim to ask consistent questions as part of all feedback surveys. The Council is also looking to implement a more interactive, and intelligent tool to analyse customer feedback which will also include information from complaints, comments, and compliments.

## **5. Quality assurance**

- 5.1 The introduction of the Corporate Complaints Team, corporate IT complaints system and associated procedures were a significant change in practice and culture within the Council. The initial focus was to support, encourage and engage services to appreciate the importance of recording complaints and responding in a timely way.
- 5.2 As there are complaints officers in several departments and services across the Council, we have introduced a Complaints Network. The aim of this is to discuss complex complaints, review trends and themes within complaints and to enable a more collaborative and consistent approach to complaints management. The Network is also designed to develop training, policies, and procedures and to support services to embed changes which improve complaints handling.
- 5.3 The Corporate Complaints Team carried out informal quality assurance activities and addressed learning and improvement opportunities through bespoke training, briefing sessions, attending Team meetings and by providing extensive 1:1 support.
- 5.4 Under the existing complaints procedure, the Corporate Complaints Team also investigated complaints at Stage Three. This provided an opportunity to review the quality of responses at Stage One and Two, provide feedback and make recommendations to enable timely learning and improvement.
- 5.5 Since January 2021, quality assurance activities have been recorded and reported in the quarterly complaints report. The next section reflects on the learning that has been identified and associated improvements that have been made.

## **6. What have we learnt and how have we improved?**

- 6.1 The following section reflects on Council-wide learning that has been identified by the Corporate Complaints Team through their independent investigations of Stage Three complaints, quality assurance activities and through the management of cross-departmental complaints.

### Identifying complaints

- 6.2 Following the introduction of the Corporate Complaints Team, corporate IT complaints system and associated procedures to complaints handling, we identified that there were some instances of officers attempting to resolve a customer's concerns without using the complaints process; even when it was clear the customer was dissatisfied. Officers have since been given additional support and guidance to understand when and how to signpost customers to the complaints procedure (as set out in items 3.4 and 3.5 above). Some of the learning interventions that have been offered are:
  - Briefings were given to all frontline services with high volumes of customer contact to give examples of complaints, explain the complaints process and their role in attempting to resolve concerns as well as how to inform and signpost customers to the complaints procedure
  - Feedback was also given to the Service as part of routine quality assurance activities undertaken by the Corporate Complaints Team.

- In areas with a high volume of service requests such as Waste Collection and Noise and Nuisance, bespoke training was offered in the form of case studies, to explain the difference between a service request and a complaint
- 6.3 To avoid complaints being re-categorised as service requests, the Corporate Complaints Team also applies more scrutiny to new complaints and engages in early dialogue with Services to check their understanding and agree the correct route.

#### Accessing the complaints procedure

- 6.4 The Council made a commitment to make it easier for customers to complain. Feedback was received from complainants regarding issues with the online complaints form, as well suggestions to introduce other channels to raise a complaint. Improvements have been made to enhance customers' experience of using the complaints process, some of these are:
- the online form timed out after 30 minutes and this made it more difficult to raise a complaint. This has been addressed, with the time limit increased to 2.5 hours to improve accessibility.
  - a complaints phone line was introduced in July 2020 so that customers can make a complaint over the phone. 85 complaints were received by phone in 20/21 and these may have been complaints that the Council would not otherwise have received.
  - the online complaints form also has a voice user interface so that customers can say their complaint and the software will automatically transcribe the complaint.
  - a central email address has also been published on the Council website which is linked to the Corporate iCasework system.

#### Complaint casework

- 6.5 As Council Officers transitioned to using the new complaints system and familiarised themselves with a more robust approach to dealing with complaints, this enabled the Corporate Complaints Team to identify opportunities to improve services' management and response to complaints which has been achieved by:
- The Corporate Complaints Team has worked in partnership with the Independent Adjudicator to offer complaint handling training to Managers and Heads of Service. Additional sessions have also been delivered directly by the Corporate Complaints Team to strengthen understanding and discuss case-specific scenarios.
  - The Complaints Network (which is made up of a Complaints Lead from each department), meet each month. The purpose of the meetings is to discuss complex cases, share best practice and to look at issues/trends and opportunities for individual and cross-departmental service improvement.
  - The network has worked collaboratively to create a Corporate Complaints Policy which addresses the needs of all departments. The Policy is intended to ensure

consistency in approach, maintain good practice and allow transparency for our customers regarding how complaints are handled.

- The network has also focused on ensuring a smooth transition to the two-stage complaints process by applying good practice from Adults and Children's Services who already operated a 10-working day target response time at Stage One.

6.6 Some multi-faceted complaints, particularly across Housing Management and Housing Needs were being investigated separately, meaning that the customer would receive more than one reply. Since the Housing Management Customer Experience Team started working cross-functionally across the department, fortnightly meetings were arranged to discuss new complaints and help identify multi-faceted complaints that would be co-ordinated by the Corporate Complaints Team to provide a more seamless response to the customer.

## **7. Equality monitoring**

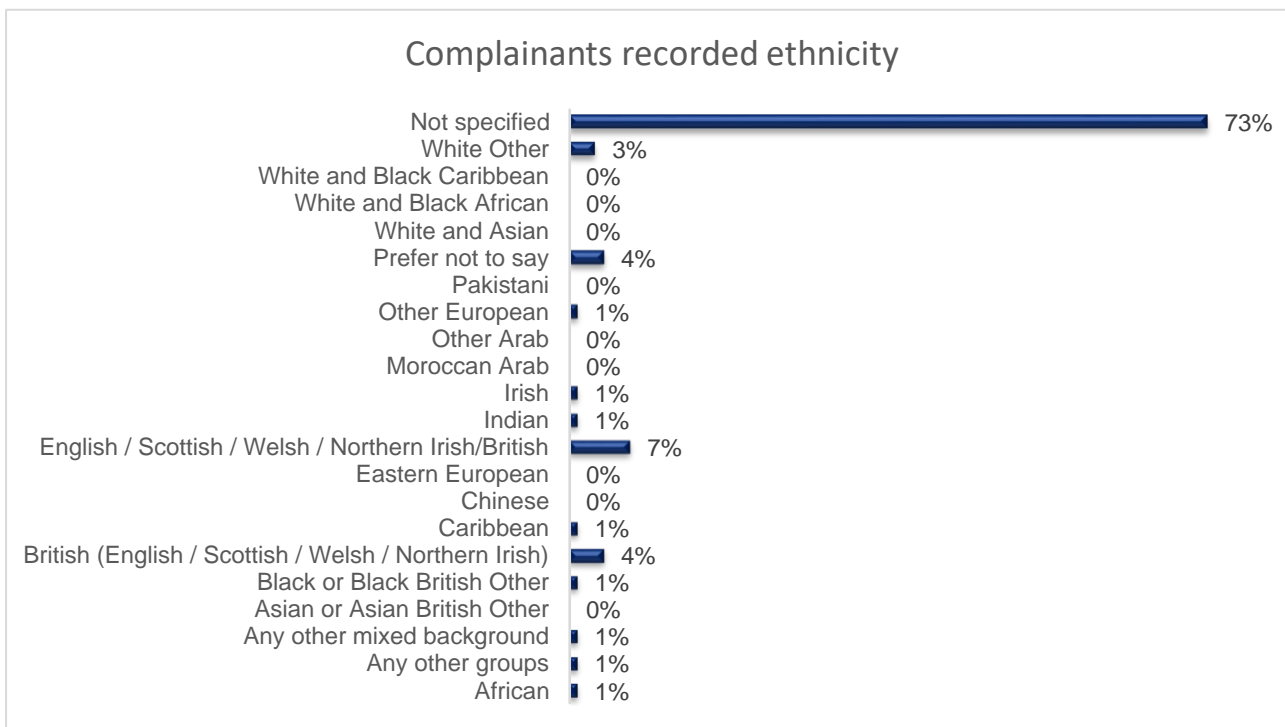
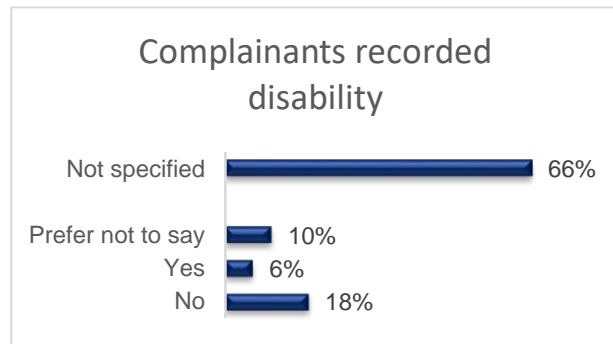
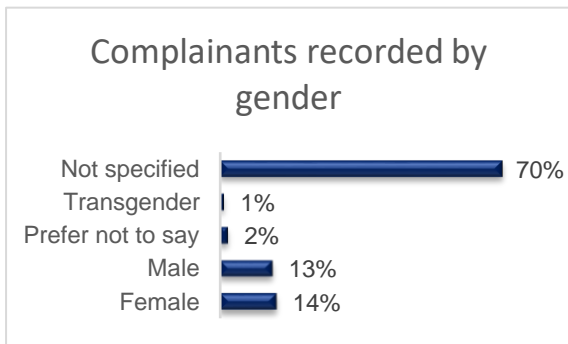
7.1 The Council encourages customers to provide information relating to protected characteristics, but this is only available if the customer makes a complaint using the online form or over the telephone, as this allows officers to prompt for this information.

7.2 There is little equality data being provided by customers when they raise complaints. 378 complaints were raised online; however, approximately 70-80% of customers did not provide data in relation to one or all of the categories.

7.3 The lack of data makes it difficult to identify or assess the needs of specific under-represented groups. This shows that there is work to be done in conveying to residents that there is value in providing us with this information. With a higher response rate, the Council may have a better idea of how to shape our services and complaint handling in a way that would accommodate their needs and allow for greater engagement with the complaints process.

7.4 As few customers are providing this data, we will need to review the measures that are currently in place regarding the collection of equality data and consider other feasible options that could be introduced to increase engagement and response rates.

7.5 We will also continue to explore improvement opportunities to make the complaints process easier to access (including responses) for those with disabilities. In early April, an improvement was made to the online complaints form, which now requires all customers to confirm whether they require reasonable adjustments. This was implemented to ensure that the Council is proactively taking ownership of gathering this information, rather than putting the onus on the customer to provide it. It is hoped that the Council's Customer Access Strategy, specifically the Access Channels and Digital Capabilities workstream will also facilitate improvements in this area.



## 8. Next steps/Priorities for 21/22

8.1 In the coming year, there are key aspects of the complaints process that we will focus on to improve the customer journey when making a complaint.

### Casework

8.2 Since the Council has moved to a two-stage complaints process, with reduced timescales at Stage One, it is likely that customers may be affected by late responses; especially those that are multi-faceted or more complex. The Corporate Complaints Team will identify and implement initiatives that raise awareness of pending complaints to avoid this happening.

8.3 Between April and September 2021, the Council responded to 70% of all complaints within 10 working days. Performance is being highlighted through quarterly reporting to DMTs so that Executive Directors and Directors can drive improvement to help the Council to achieve its objective to respond to 90% of all complaints within 10 working days at Stage One and 20 working days at Stage Two.

- 8.4 Whilst it is promising to see an increase in the volume of complaints being recorded, the results of quality assurance activities indicate that remedial/corrective case specific actions as well as more general learning opportunities aren't being recorded in the system. Better and more insightful recording is being encouraged by the Complaints Network, reminders are being introduced in weekly reports to Investigating Managers and recommendations are being made via quarterly complaint reports.
- 8.5 Although more services are now using templated letters to ensure that their response to complainants are consistent, comprehensive and customer-focused, the Corporate Complaints Team will be carrying out intensive quality assurance activities and aim to use a maturity model to demonstrate how services are performing and include the outcomes of these in quarterly reports to Executive Directors and Lead Members.
- 8.6 More internal guidance will also be made available to officers who have a role in handling complaints which will help build confidence and enable consistency in approach.

#### Third party complaint handling

- 8.7 The Complaints Network will work in partnership to understand the arrangements that exist for complaints about third party providers and how any variances can be streamlined to follow the Council's two-stage approach to investigating complaints and ensure that the Council takes responsibility for the performance of its third party providers.

#### Improving customer experience for customers who make a complaint

- 8.8 The complaints process should strive to align itself with the core principles of the Customer Access Strategy. To do so, we aim to:
- Embed the two stage complaints process with a focus on responding to complaints better, and more quickly
  - Implement a Complaints policy which means the Council is held to account for complaint handling and facilitates an open and transparent dialogue with customers about how the Council will investigate and respond to complaints
  - The Corporate Complaints Team will carry out proactive and regular quality assurance activities which also extends to analysis of root causes to address systemic issues
  - The Complaints Network will have a leading in role in driving and delivering best practice within specific areas, as well as working together to address improvements that will benefit the wider Council

#### Progress update on priorities for 21/22

- 8.9 The organisation has an ambition to provide an ever-improving service to its customers. Since setting the priorities above, the following measures have been introduced to improve the organisation's performance in complaint handling, specifically to address the timeliness and quality of responses:

## Timeliness

- Departmental performance which includes reporting timeliness, outcomes, quality of responses and service improvement is being highlighted through quarterly reporting to Executive Directors and Directors to drive improvement
- When a complaint is accepted at Stage One, in addition to the immediate system notification, the Manager and Head of Service are now copied into the acknowledgement email or letter, so they receive notification of the complaint and target response date
- The Corporate Complaints Team provides a weekly report of due complaints to the allocated Officer and Head of Service to remind them of pending responses. A weekly report of overdue complaints is also sent to all allocated Officers who have not responded to a complaint so that they can update the customer and issue the response as soon as possible. The reports also remind Officers to record the remedial actions and learning opportunities that have been identified during their investigation. The importance to recording learning continues to be emphasised in quarterly reports.

## Quality of responses

- Heads of Service oversee and sign off Stage One responses so that they are aware of complaint themes and trends as well as being able to drive improvements to demonstrate a learning culture
- All Stage Two investigations are now overseen and signed off by the Director of the Department so that they are alerted to complaint issues and have approved the Council's final response before the customer is given referral rights to the relevant Ombudsman Scheme.
- The Corporate Complaints Team is also conducting quality assurance activities on 20% of all complaints responded to in a month and share the findings in the quarterly reports. A mechanism to provide more timely feedback is being explored so that improvements in the quality of responses can be made more quickly.
- The Complaints Network has also developed a maturity model which is a tool that will help us to assess the effectiveness of each Department's complaint handling practice. The framework covers four themes: complaints process, investigation, resolution, and lessons learnt and each Department's approach to these will be assessed against five levels of maturity (ranging from ad-hoc through to resilient). The purpose of the tool is to identify actions or skills that will help the Department to improve their performance. In December, the Corporate Complaints Manager and relevant Departmental Complaints lead will jointly assess complaint handling practice and present the findings to the Executive Director's Management Team in Q4 21/22.
- A Corporate Complaints and Compensation Policy has been published to ensure the organisation is transparent about how it investigates and aims to resolve customer complaints

## **9. Complaints 20/21**

[Appendix A](#) - shares findings of the Local Government and Social Care and Housing Ombudsman services.

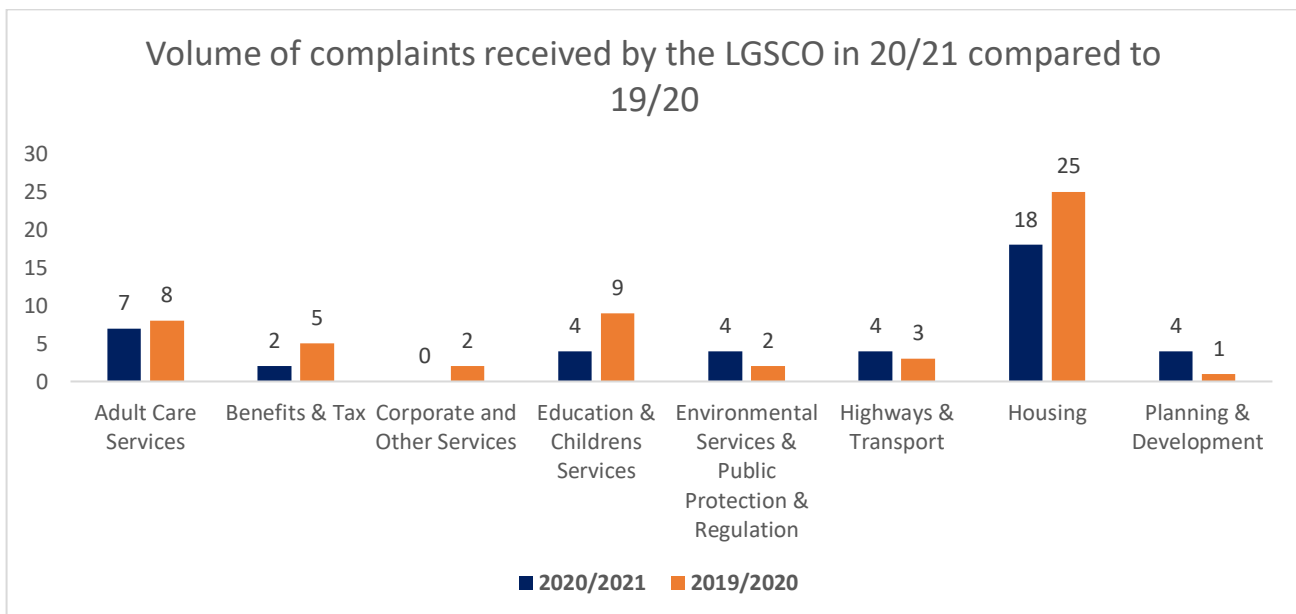
[Appendix B](#) – reports on departmental performance, learning opportunities and service improvements

## Appendix A – Complaints to the Ombudsman

The section focuses on analysis of cases received and decided by the Local Government and Social Care Ombudsman (LGSCO). The data is published in the Ombudsman’s annual report to councils and is publicly available on their website. The end of this section provides some information on complaints escalated to the Housing Ombudsman Services.

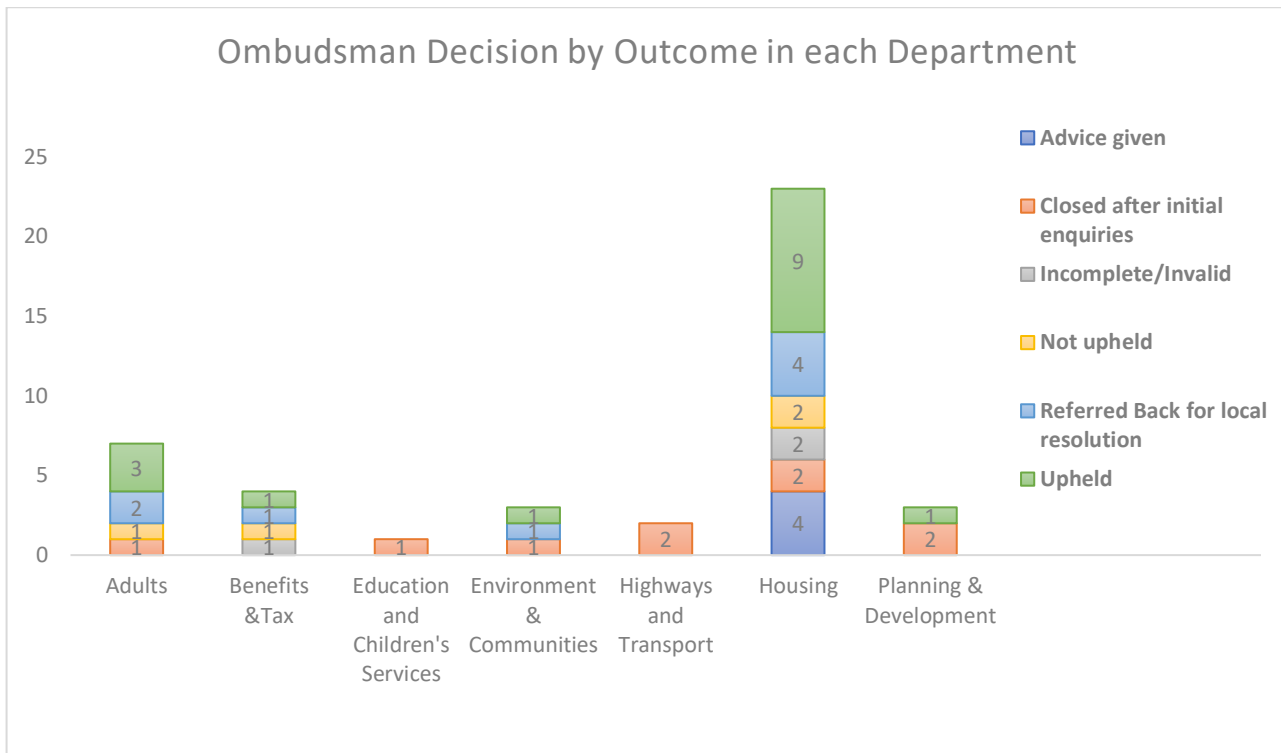
The chart below shows the volume of cases received by the LGSCO in relation to each Service, although it should be noted that the volumes and decisions are not reflective of the Council’s own records. This is because the LGSCO may receive enquiries which it does not later go on to investigate fully. In most areas, volumes are low, except for Housing. It should be noted that this relates to Housing Needs and not Housing Management (which is arbitrated by the Housing Ombudsman service).

The LGSCO received 42 complaints in 2020/2021, compared to 58 in the previous year. It is difficult to make reliable conclusions from this reduction because the LGSCO suspended casework for three months during the height of the pandemic and therefore did not accept new complaints during this time.



The LGSCO also reached a decision on 42 complaints although it should be noted that this will not be in relation to the same complaints referred to above as it may have received an enquiry before 1 April 2020 but made the final decision during 20/21.





In 2019/2020, the LGSCO referred 31% of all complaints back to the Council for resolution. At the time, it was reflected that high rates for this category could be an indication that customers may not be properly signposted to the Council's complaints process.

The Council has made it easier to search for the complaint procedure, offering to receive complaints by phone, email or an online form. Information about the complaint procedure is also provided at the acknowledgement stage so that the Council is transparent with its customers about the complaints process.

Departments have become more confident in using the new IT system to generate response letters. The templated letters in the system all have standard opening and closing paragraphs which clearly inform customers of their right to escalate the complaint if they remain unhappy.

Further to this, briefings across all Council services, especially those that have high customer contact volumes took place. The purpose of these briefings was to:

- Explain the difference between service requests and complaints
- Encourage officers to resolve issues at the first point of contact, but to build confidence about signposting to the Complaints process
- Explaining the Council's approach to dealing with queries/issues received via email and how to introduce the complaints process if the customer remained unhappy with an outcome or decision

It is therefore promising to see that in 2020/2021, only 8 out of 42 complaints (19%) were referred back to the Council to investigate or escalate the complaint. This indicates that the Council has made it easier for customers to complain and has made the complaints process more transparent for customers.

Of the complaints that were accepted for investigation 15 out of 19 were upheld (79%). This is higher than the previous year when 67% complaints were upheld by the Ombudsman. It should

be noted that five complaints about Housing related to the Council wrongly advertising properties as being eligible for a residents' parking permit.

| Department                        | Number upheld |
|-----------------------------------|---------------|
| Adult Social Care                 | 3             |
| Education and Children's Services | 1             |
| Environment and Communities       | 1*            |
| Housing Needs                     | 9             |
| Planning and Development          | 1             |

\*The Ombudsman considered that there was fault, but that the Council had offered an apology and an appropriate remedy to put things right within its complaints process.

Recommendations from complaints upheld by the Ombudsman identified the following opportunities to improve practice. The Council complied with 100% of the Ombudsman's recommendations.

### Adult Social Care

In 20/21, the Adult Social Care department had one complaint where the LGSCO decided to complete a full investigation that it upheld. The remaining 2 complaints relate to investigations that started in the previous financial year (19/20) but were not concluded until 20/21. The recommendations below relate to these:

- 1) The relevant Trust, Council and CCG will review all relevant policies and procedures to:
  - Ensure there is a clear process in place for assessing, and recording, the needs of service users who are entitled to Section 117 aftercare services. This process should ensure that each service user's Section 117 aftercare needs, and how these will be met, are clearly recorded in a robust care plan in accordance with the requirements of the Mental Health Act Code of Practice.
  - Ensure there is a clear process in place for completing regular and timely reviews for service users with an entitlement to Section 117 aftercare services. These reviews should clearly record the service user's ongoing care needs, The process should also ensure the service user and, where relevant, carers and family members are central to the review.
  - Ensure a clear register is maintained of all service users in the area with an entitlement to Section 117 aftercare. This should record when each service became eligible for Section 117 aftercare and when their next aftercare review should be completed.
  - Ensure all staff with responsibility for administering, commissioning, assessing for, or providing, Section 117 aftercare have knowledge of the revised policy, as well as any relevant law and guidance.
  
- 2) The Council should consider any training needs of officers completing or overseeing Needs Assessments or Direct payments under the Care Act. Ensure officers act within the Care Act.

## **Education and Children's Services**

- 1) Remind all relevant staff of the importance of:
  - Ensuring parents are invited to the ICPC where these are rescheduled
  - Sharing the completed assessment with parents before the ICPC where appropriate. If the Council decides it is not appropriate for the assessment to be shared, the Council should ensure its rationale is properly recorded
  - Ensuring detailed information is recorded to show the Council's rationale and decision making for gathering information

## **Housing Complaints and Grenfell Complaints**

- 1) Remind housing officers of the importance of contemporaneous records that allow a third party to understand how they reached decisions.
- 2) The Council should reconsider its blanket policy on providing unfurnished accommodation regardless of the applicant's means and circumstances. This review should consider how an unfurnished property might impact on a property's suitability

## **Grenfell Complaints**

- 1) The Council agreed to look back at the other backdated requests for food payments it received from eligible residents (i.e. those in hotels or serviced apartments) prior to putting these claims on hold in January 2018 and pay residents their backdated claims for food payments if there is sufficient evidence these residents were not told about the availability of food payments before the Council sent its generic letter in December 2017.

In total, the Ombudsman's decisions have resulted in the Council paying £23,643.00 in backdated payments or compensation for time and trouble.

## **The Housing Ombudsman Service**

The Housing Ombudsman contacted the Council about 12 complaints during 20/21, 4 of which were from one customer. It has concluded two investigations, one which it considered the Council had adequately investigated and remedied within the Council's complaints procedure. The other complaint was upheld and found that:

- a) the Council had failed to handle repairs to a tenant's property which resulted in the tenant experiencing nearly 12 months of repairs visits the Council offered a resolution the complaint and then failed to deliver it
- b) there was poor communication amongst Council departments and also between the Council and the resident

To put things right, the Housing Ombudsman recommended the Council make a payment of £400 to the resident for their time and trouble.

## **Appendix B – Departmental Performance**

### **Adult Social Care**

The Adult Social Care statutory complaints procedure is a one stage complaints process. It's important to explain that The Department of Health's regulations on statutory complaints stipulate that the timeframe for responding must be proportionate to the seriousness of the complaint and completed within 6 months.

However, Kensington and Chelsea Council use a 10-working day timescale. It should be noted that some delays are unavoidable due to the complexity of the case. 91 complaints were recorded, of which 52% were responded to within 10 working days, which is an increase from 45% in the previous year. In total, 85% of all complaints were answered within 20 working days.

Adult Social Care Teams upheld or partly upheld 67% of all the complaints received, compared with 51% in the previous year. In these cases, the complainants were all offered an apology and a commitment was made to improve the service. Some of these improvements were:

- 1) Training to be organised for staff in the North OT Complex Team to support them with conducting Carer's Assessments by enhancing skills and customer experience
- 2) Improve liaison with colleagues in finance to ensure there is a better understanding and process for complaints around homecare charging and invoicing
- 3) Improvement in provision of training around implementing Direct Payments for clients following an Ombudsman case
- 4) Homecare providers reminded to keep all logs/records accessible to help with charging investigations
- 5) Working with Health and Mental Health partners to improve the implementation, review and logging of section 117 after care cases as well as developing training tools to help staff across the board, following a LGSCO investigation.
- 6) Colleagues in finance/charging reminded that all requests for changes to care packages must be shared with the Social Work Team immediately and receipt should be acknowledged to make sure they are followed through effectively.
- 7) In cases where the complainant remains dissatisfied with the statutory response, we are routinely offering opportunities to meet and discuss outstanding issues to prevent unnecessary escalation.
- 8) Reminder sent to homecare management team to advise social work teams promptly where they note an increase in care cancellations so early discussion can be had with service users to avoid debt accrual.

More information about Adult Social Care complaints can be found in the Statutory complaints report. Please contact [hssccustomercare@rbkc.gov.uk](mailto:hssccustomercare@rbkc.gov.uk) for a copy of the report.

## **Children's Services**

Children's Services recorded 53 complaints in 20/21 compared with 47 the previous year. This represents a 11% increase, which is largely down to an increased awareness of the right to complain amongst service users.

Some of the complaints received centred around historical incidents, but where complainants only became aware of the issue they were complaining about after obtaining their social care records under the Data Protection Act 2018.

Children's Services responded to 80% of stage One complaints within the timescales, compared to 90% in 2019/20. This represents a 10% reduction in response times. This was mainly due to the Covid-19 restrictions. Complaints received by post could not be responded to within statutory timescales as per the normal procedures.

30% of all complaints were upheld, which is an increase from 26% the previous year. The following actions and or improvements were made in relation to complaints received:

- 1) Ensuring that parents understand what an assessment means and what information will be captured in the report
- 2) Social workers to provide detailed information within case records
- 3) Social Care workforce to undergo training in Domestic Abuse and to ensure that the victim is signposted to the relevant support group for help
- 4) Clear protocols and pathways to be put in place to minimise the likelihood of future complaints not being responded to in a timely manner
- 5) Social Workers are reminded to share the leaflet about the assessment process with families, and record that they have done so; this is to ensure families understand how an assessment is carried out and their right to view the draft report and provide feedback
- 6) The need for parents to be kept informed/updated about changes to a school route especially where a child with special educational needs is affected
- 7) Given the low number of complaints in the Division, the Customer Relationship Team will review the current process that's being adopted when a new complaint is received. One approach may be to arrange a meeting within three days of receiving the complaint so that the process of investigating and drafting a response is started much earlier
- 8) A meeting has been scheduled with the Fostering and Adoption Service to discuss statutory and non-statutory complaints to refine the process and ensure consistency across the Tri-Borough

## ***Environment and Communities***

As shown in item 3.2 of the main report, this department has seen a larger increase in the number of complaints received over 2019/2020 compared to other departments. As explained previously, the corporate IT complaints system and associated procedures were implemented late in 2019. Before this, services kept local records of complaints and responses. Therefore, this is the first full financial year that complaint volumes, timeliness and outcomes have been recorded within an IT system and are therefore available for aggregated analysis.

Environment and Communities includes many customer-facing services such as Parking, Cleaner and Greener Services, Environmental Health, Communities and Libraries and Registrars.

Environment and Communities report that the following actions and or service improvements were made to resolve complaints learn from them:

- 1) Improved letters regarding resident parking permits e.g. including flat numbers and permit expiry dates
- 2) Updating the Council website to inform residents that vehicles that obstruct footpaths may have enforcement action taken
- 3) Delivering training to improve the management of Planning Applications Committee meetings
- 4) Ensuring the cleaning rota is followed and spot checks are carried out in Holland Park to monitor cleanliness of toilets
- 5) Staff training on the handling of noise complaints during the Coronavirus outbreak
- 6) Staff training to improve interactions with visitors to libraries during the Covid-19 pandemic
- 7) Guidance given to staff on managing attendees at citizenship - assertiveness training to ensure that Covid-19 regulations are observed and maintained. Facilities Management and Security are also involved to support customer facing registrars at Citizenship Ceremonies
- 8) Officers within the Planning Team were reminded to call the applicant to inform them of the likely outcome of their planning application
- 9) A case specific remedy was to update the complainant on the progress of the ongoing investigation on the scaffolding tower and any information that is gathered on the quality of the basement flat

## ***Grenfell Related Complaints***

Up to April 2021, complaints that fall within the remit of the Grenfell Complaints service followed a 3-stage process and Stage Three complaints were investigated by an Independent Adjudicator. The Service has observed an 84% decrease in complaint volumes since 2019-20. This is mainly due to an improved triaging process and the conclusion of the key work service and transition payments.

Within this area, the following improvements were identified:

### 1) Resident needing support with benefits claims

It's important for services to ensure that transitioning plans are in place when commissioned services come to an end to avoid gap in service provision for residents. Going forward, the team will work with Housing to ensure that when survivors that are currently in Temporary Accommodation move, they are appropriately supported and referred to Citizens Advice Bureau regarding any benefit support without delay. This also applies to any bereaved and survivors moving.

### 2) Working Closing with Housing Associations

The complaint highlighted the importance of working closely with residents, Dedicated Service, Grenfell Housing Services and the Housing Associations, particularly around repairs issues. The role that the Grenfell Housing Services team played in this complaint was a crucial communication link between the resident/ Dedicated Service and the Housing Association, which helped to resolve this complaint.

## ***Housing Needs***

The Housing Needs Department provide a complaints report to the Leadership Team on complaint volumes and general management of complaints, as well as other requests such as Member Enquiries and Subject Access Requests.

The service has seen an increase in complaint volumes which may be owing to complaints that would previously have been considered under the Grenfell Complaints procedure.

Local reporting indicates that 42% of all complaints were responded to on time and a total of 23% of all complaints were either upheld or partly upheld.

The service reported the following learning opportunities to improve the handling of complaints:

- 1) The Complaints Team have produced a colour-coloured (green, amber, red) tracker that is circulated to Managers and officers within Housing Needs on a weekly basis, showing key information e.g., received date, deadline and assigned officer in order to keep track of volumes/timeliness
- 2) The Team will meet with Housing Needs' Heads of Service monthly to review the past month's performance, discuss trends, identify areas of poor (and good) performance and other areas of concern
- 3) Heads of Service have asked their respective officers to book times in their diaries to discuss complaints received and agree the investigation scope and approach before work is started on the response, which is hoped to improve the quality and timeliness of responses
- 4) A new service response time has been introduced with the Contact Centre to ensure consistency in response times and regular reviews of cases between Team Managers and officers has been introduced to ensure regular contact is being made
- 5) An agreement has been made to add an out of office message for any unplanned/indefinite staff absence so that residents are aware that the officer cannot respond
- 6) The Customer Experience Team are attending the Introduction to Housing and Homelessness training to improve knowledge so that complaints can be assigned to the correct Manager more promptly, with the hope that more responses are sent out on time
- 7) The Customer Experience Team Leader has worked with the Corporate Complaints Manager to create a template letter which includes headings and useful guidance tips embedded within the document to support Managers to address some of the gaps referenced above



## ***Housing Management***

Housing Management have maintained the way in which complaints are recording on their service-specific IT system (Microsoft Dynamics) rather than the corporate iCasework IT system. The service has seen a small increase in complaints. Local reporting indicates that 90% of all complaints were responded to within 15 working day at Stage One and 76% were on time at Stage Two. Approximately 87% of all Stage One complaints were upheld at Stage One, but these percentages decreased at Stage Two and Three to 77% and 46% respectively.

Housing Management report the following learning opportunities and service improvements that have been identified in response to complaints:

- 1) Improving communication with customers specifically around missed appointments
- 2) Introduction of Estate Reviews; looking at the volumes and types of cases, to understand the prevalence of the issues by locality and seek to address wider concerns. This has led to wider estate level inspections to understand remit of works required
- 3) Following complaints received from new tenants on expected works on void properties, the full agreed details of works to be delivered will be routinely shared with prospective tenants to seek to be open and transparent on work being delivered
- 4) Dissatisfaction from residents going through the decant process has led to the policy being reviewed, feeding in the complaints in this area to seek to design these issues out
- 5) Stage Two meetings; the analysis at a senior level flags wider concerns, areas for improvement, whether we're being equitable and how we're managing individual residents' unique circumstances to deliver the required outcome. For example, an overcrowded home with significant repair issues and family vulnerabilities allowed a larger home to be secured than routinely allowed for in the policy
- 6) Challenges with quality of works has led to the new contract being re-tendered with improved performance management requirements, including increased ability to reclaim compensation payments from the provider
- 7) The Customer Experience Team phone residents before closing commitments to ensure that case-specific actions have been completed; and they also provide Services with information about the root cause of complaints to enable better service delivery
- 8) Due to a high volume of complaints about compensation offers which indicate a review of the Housing Management Compensation policy will be carried out in 21/22
- 9) A specific complaint identified the need to review:
  - a) the procedure for prioritising the installation of noise monitoring equipment
  - b) case supervision procedures to avoid customer's experiencing delays
  - c) the quality of case recording to ensure records are accurate, available and reliable
  - d) support for vulnerable residents

## **Resources**

The key services receiving complaints in this area are the Contact Centre (this includes the Customer Services Centre), Council Tax and Recovery and Enforcement, and the Revenues and Benefits Teams which also include Discretionary Awards and the Accessible Transport Team.

The increase in complaint volumes is more likely to be attributed to central recording of complaints, as before the implementation of the system most complaints were managed via emails and so retrieval of complaints management data in previous years was more challenging. This is the first financial year that complaint volumes have been recorded in a case management system.

76% of all complaints were responded to on time and 61% were either upheld or partly upheld. The learning opportunities identified within the department were:

## **Community Shield Hub**

- 1) Re-training staff on mass Covid-19 mobile testing procedures
- 2) Colleagues in the Covid-19 Hub have retaken the mandatory e-learning data protection module. The service has reviewed and updated its data protection and call handling guidance to staff and developed enhanced data protection training. All staff have attended a data protection/call handling workshop led by their team leader.

## **Parking**

- 1) Improving the summary information when customers pay for their permit, so that it includes: Length of permit, start date and expiry date
- 2) Reviewed the processes for applying for a permit and change of vehicle notifications to make the online process more transparent e.g., clearer information about documents needed and templated responses for applications which could not be approved
- 3) Reduced the 48hour wait time for the Change of Vehicle application process, by providing residents the option of using their permit immediately
- 4) A meeting with the Parking Department has been scheduled to discuss the possibility of sending parking permit renewals by email and SMS messages
- 5) A review of the responses sent via email/system as a warning to residents prior to cancelling resident permits
- 6) An improvement made to the Parking application form where residents must acknowledge that they have understood that if payment for their parking permit is not made within 72 hours then their permit will be cancelled

## **Revenues and Benefits**

- 1) Reminding staff of the need to make sure that customers are contacted before we request deductions from someone's benefit
- 2) A review of resources during March and April to support the significant increase in call volumes on the Council Tax line within the Contact Centre in order to maintain 90% of calls being answered, which could be achieved by hiring three or four more officers on a temporary basis
- 3) A recommendation was made to the Council Tax Team to consider giving residents clearer information on their bill to show what class the property is
- 4) The Accessible Transport form is being put online for residents

## **Other**

- 1) Improved the management of complaints by moving the Stage One complaint management process back to Managers as opposed to Senior Advisors and implementing a 24-hour initial complaint review target to facilitate timely responses
- 2) The Complaints team provided Customer service Managers additional training on how to log corrective actions and learning opportunities within the system