## **Annual Complaints Report 2022/2023**

# 1. Executive Summary

- 1.1 This report provides an overview of the Council's performance on complaints across all departments, as well as a summary of the findings from Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman Service (HOS) decisions.
- 1.2 The total number of accepted complaints in 22/23 was 1,671 compared with 1,674 the previous year. It should be noted that most departments have seen similar or fewer complaint volumes, except for Housing Needs that has seen a 63% increase. A considerable portion of these complaints predominantly revolved around concerns regarding either a lack of response or an insufficient response. In 22/23 66% of stage one responses were issued on time compared with 63% in 21/22, which continues to fall below the target of 90%. However, it should be noted that Housing Management has exceeded this target. A full summary of the Council's performance can be found in section 3 of the report.
- 1.3 Section 5 and 6 of the report outline key changes in the way complaints are managed, followed by progress that has been made in relation to the priorities that were set in 21/22.
- 1.4 Section 7 of the report covers the actions that have been set to improve management and learning from complaints in 23/24.
- 1.5 Appendix C includes a summary of complaints received and investigated by the LGSCO and HOS. The LGSCO received 70 complaints in 2022/2023, and 24 of those cases proceeded to investigation stage. Of these, 20 were upheld by the Ombudsman, which represents an 83% uphold rate. This is higher than the average uphold rate in similar authorities which is 77%. In 21/22, the LGSCO received 67 complaints and investigated 21 complaints, of which 14 were upheld (67%). Although this is a significant increase from 21/22, the Ombudsman invites Councils to be cautious about comparing performance with the previous year due to change in how they are accepting complaints.
- 1.6 Appendix C is the LGSCO's Annual Review Letter which indicates that although uphold rates have been steadily increasing for several years, this year's uphold rate is not solely attributed to that. The Ombudsman is not investigating "borderline" complaints, and this has also impacted uphold rates. The Ombudsman urges Local Authorities to "invest in and support complaint functions it is a false economy not to..."
- 1.7 Appendix A sets out how different Departments have implemented the learning gleaned from complaints feedback, with the aim of demonstrating how the organisation is listening to, and learning from, complaints to improve overall service delivery.

## 2 Recommendations

Leadership Team is asked to:

2.1 Note and discuss the performance on complaints and ombudsman cases for 22/23

2.2 Agree to the action plan set out in section 6 below.

# 3 Background

- 3.1 The Corporate Complaints Team has been in place since September 2019. It uses iCasework as the primary complaints management system. Housing Management used their own CRM system to manage complaints, but since 11 September 2023, they have moved over to using iCasework, (see paragraph 5.2 of this report). In April 2021, the Council moved from a three-stage complaints process to a shorter, two stage procedure aimed at making it easier and quicker for residents to make a complaint and receive a final response.
- 3.2 In moving to a two-stage approach, and to ensure complaints were still reviewed by a Senior Manager, Heads of Service were asked to sign off stage one responses, and Directors, to sign off stage two responses. In our engagement work with residents, we heard that residents felt the most important aspect of complaints management was to get a response quickly. Staff said that one of the barriers to achieving this was that Heads of Service's availability may be stretched. To address residents' feedback, stage one responses are now signed off by the person best placed to investigate, respond, and learn from the complaint. At stage two, Directors are notified of the complaint and Heads of Service are expected to review the reason for escalation and provide the final response. Grenfell complaints are still investigated by Heads of Service and Directors at stage one and two, respectively. There is some early indication that the change in approval process has slightly increased the timeliness of complaint responses across most service areas (section 3.12). The Council will need more time to support officers and Team Leaders with re-training to ensure that the changes are embedded.
- 3.3 Over a longer period, we expect to see an improvement in the quality of responses, timeliness and overall service delivery. This would be because the responsibility rests with Managers and Heads of Service for ownership of complaint investigation, associated learning, and improvement.

### 4 Performance Analysis 22/23

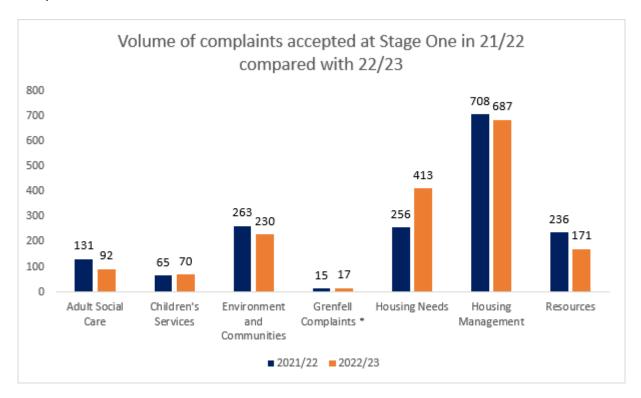
- 4.1 This section of the report provides detailed analysis of complaint volumes, outcomes, timeliness of responses and the volume of complaints escalated to stage two across departments; and is concluded by a summary of the compliments received.
- 4.2 Complaints about statutory Adult Social Care services are considered under the Care Act 2014, rather than the Council's complaints procedure. The legislation is clear that this relates to all Adult Social Care services, so we would reasonably expect 100% of complaints about Adult Social Care to be considered under the statutory procedure such as issues relating to homecare providers, statutory care assessments and associated decisions. Similarly, complaints about statutory Children's Social Care services are regulated by the Children Act 1989; such as complaints about a child in need and looked after children. Some complaints that are not considered to be statutory relate to special educational needs complaints, foster carer registration complaints or those that relate to Early Help Services, and these are considered under the Council's two stage complaints procedure.
- 4.3 Because of these regulations, complaints that are statutory in nature must be dealt with under the appropriate legislation. However, both departments aim to respond to all

- statutory complaints within ten working days and performance reported in this annual report and local departmental reporting is aligned with a ten working day response time.
- 4.4 There are allowances made within the Care Act and Children Act for statutory complaints to be responded to within a longer time frame however, we aim to answer as many complaints within the corporate complaint response time of 10 working days.
- 4.5 There were 284 complaints that were not accepted in the complaints' procedure and the top five reasons are shown in the table below. Historically, the organisation has been criticised for de-escalating complaints or not taking them seriously. The Corporate Team has, as a result, clearly set out the difference between a service request and a complaint. The criterion for a complaint is explained in the complaints policy¹ and the Corporate Team assesses all new complaints against this criteria, to avoid complaints erroneously being categorised as a service request. There is some anecdotal information to suggest that some complaints are still not being put through the formal process. This becomes apparent when the complaint is eventually received via the service team or directly from the resident, and it is evident that the resident was unhappy with the initial response and wanted to escalate the matter. The Corporate Team will flag these examples and escalate where appropriate. The remaining performance data excludes all 284 complaints as they are out of remit.

| Reason that complaint could not be accepted      | Volume of complaints |
|--|----------------------|
| Service request / enquiry - not a complaint      | 156                  |
| Duplicate complaint                              | 37                   |
| Complaint not for this organisation              | 37                   |
| Appeal not a complaint, e.g., school admissions, | 14                   |
| Housing Review, PCN or Court of Law              |                      |
| Complaint about council policy                   | 12                   |

 $<sup>^1\,</sup>https://www.rbkc.gov.uk/contact-us/complaints-comments-and-compliments/corporate-complaints-and-compensation-policy$ 

4.6 The volume of accepted complaints across each Department compared with 2021/22 are provided in the chart below.



- 4.7 The Council accepted 1,671 complaints. Most areas have seen a decrease in the volume of complaints received, except Children's Services and Housing Needs. It should be noted that 16 complaints about Family Services were raised by one resident, therefore this has contributed to the overall increase.
- 4.8 There have been 17 Grenfell related complaints which is similar to the previous year, Of the 17 complaints, six were about the Dedicated Service or Grenfell Partnerships, five about Grenfell Allocations and three about Grenfell Housing Services. Two complaints crossed over Grenfell Housing Allocations and Grenfell Housing Services. One complaint was about Parking services. There has been a drop in the number of complaints received in the second half of the financial year. Established relationships between Dedicated Service Workers and bereaved and survivors has helped ensure that issues are identified and resolved early and effectively. Grenfell Housing Services have also introduced regular property 'MOTs' in survivor households' homes to identify outstanding repairs and other recurrent issues.

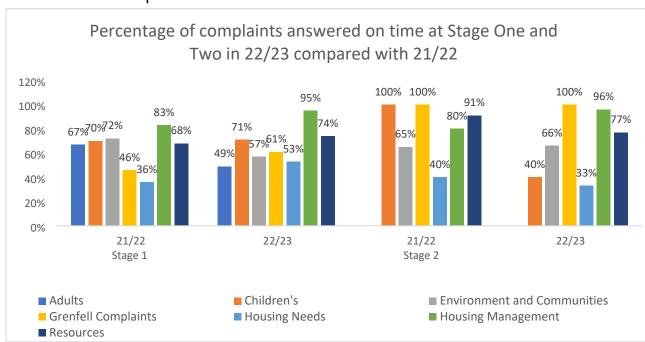
The table below contains a breakdown of the Grenfell related complaints:

|                              | Volume of<br>Complaints | Number Answered in Time |
|------------------------------|-------------------------|-------------------------|
| Grenfell Partnerships        | 1                       | 1                       |
| Multi-service complaint      | 3                       | 2                       |
| Dedicated Service            | 5                       | 5                       |
| Grenfell Housing Allocations | 5                       | 2                       |
| Grenfell Housing Services    | 3                       | 1                       |
| Total                        | 17                      | 11                      |

- 4.9 Housing Management has also seen a reduction in stage one complaints, but many of the complaints it has received are requests for financial compensation. This is in part, likely to be caused by the impact of the cost-of-living crisis. The Customer Experience Team's internal analysis shows that over 40% of those who escalate their concerns to stage two of the complaints process do so, at least in part, because they were dissatisfied with the level of compensation offered at stage one (this is based on the analysis of a sample of 75 escalations looked at in February 2023).
- 4.10 Aside from Childrens and Housing Needs, all other Directorates have seen either similar or fewer numbers of complaints compared with the previous year.

#### **Timeliness**

- 4.11 The Council's two stage complaints procedure has been in place since 1 April 2021, with a ten working day response time for stage one complaints, and twenty working day response target for stage two complaints. This does not include statutory complaints about Adult Social Care and Children's Services.
- 4.12 In 2021/22 63% of stage one complaints were answered on time, but in 2022/23, this has improved marginally to 66% but remains well below the Council's objective of 90% being answered in ten working days. It is expected that Directors and Executive Directors will use routine quarterly complaints reports presented by the Corporate Complaints Team to generate curiosity about performance. This should then be discussed at Service meetings so that actions can be agreed and monitored which should result in improvement.



4.13 Housing Needs have fallen well below the target for response times at both stages, although a marginal improvement at stage 1 is evident. The significant increase in volumes has been a challenge, as have staffing changes within the service and specifically a long-term vacancy in the Team Leader role within the Customer Experience Team. Officers have advised that an improvement plan will be put in place from September 2023 which includes having a performance management framework in place to look at key trends and understand what is happening and why.

- 4.14 In Environment and Communities, most of the late complaints were in the Cleaner, Greener and Cultural Services Directorate (Waste Collection and Filming and Special Events). It should be noted that many of the complaints were received and responded to late after Notting Hill Carnival, which did not take place in 2020 and 2021. Cleaner Greener and Cultural Services provide a wide range of universal services for all residents in the borough as well as a large number of services, activities and events most residents in the borough regularly engage with or are impacted by so a larger volume of complaints is anticipated. In November 2022, the Directorate introduced a new shared tracker so that Managers across different service areas can see the status of all complaints and provide support where needed. There were also late responses in the Parking Directorate, after analysis, the main reasons were because:
  - Enforcement action resumed to normal operation in Spring 2022 which has resulted
    in more complaints being received compared to 20/21 and 21/22. This has also
    meant that more investigations needed to take place, but there has been difficulty
    contacting contractors to complete the investigation. In this instance, it is not
    possible to conclude the complaint till the individual has responded to the Council's
    enquiries.
  - In line with the Council's complaints policy, when officers need more information from the resident to complete their investigation, the complaint is paused until the resident responds. Officers have not always been putting this through the system correctly and this affects performance information.
  - Analysis of complaints also identified that due to low complaint volumes in previous years, and some new staff starting, some complaints have inadvertently been accepted in the complaints process, when they should have been put through the appeals process. This has been addressed through staff training.
- 4.15 In relation to complaints about Adult Social Care, all statutory complaints are investigated in a one stage procedure. The Department of Health's regulations on statutory complaints stipulate that the method and timeframe for responding must be commensurate to the seriousness of the complaint and completed within 6 months<sup>2</sup>. However, in the absence of a prescribed timescale, the aim is to answer all complaints within ten working days, allowing an additional ten working days for complex complaints (in which case the resident is updated). 82% of all complaints were answered within 20 working days.

The main cause of delays is owing to:

- Complexity of a case.
- Co-managed cases i.e., with health partners, commissioned providers etc.
- Provision of supplementary / additional response.
- Availability of key staff to participate in the investigation.
- 4.16 For Children's statutory complaints, the aim is also to answer all complaints within ten working days, and most complaints are expected to the answered in that time. However, if a response cannot be issued in that time, a further ten working days is allowed<sup>3</sup> and

<sup>&</sup>lt;sup>2</sup> https://www.legislation.gov.uk/uksi/2009/309/regulation/14/made

<sup>2</sup> 

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/273895/getting\_t he best from complaints.pdf

the complainant is notified. In relation to stage two complaints, the investigation period could take between 25 and 65 working days. This means that when using corporate complaint timescales, all statutory stage two investigations will already be out of time.

| Department             | stage one               | stage two | stage three |
|------------------------|-------------------------|-----------|-------------|
| Adult Social Care      | 49% in ten working days | N/A       | N/A         |
|                        | 33% in 20 working days  |           |             |
| Children's Social Care | 43% in ten working days | 100%      | 100%        |
|                        | 29% in 20 working days  |           |             |

## **Escalation to stage two**

4.17 In 2022/2023, 356 complaints were escalated to stage two, and this makes up 20% of all complaints accepted within the procedure. This is significantly higher than 21/22, where 156 complaints were escalated, representing a 13% escalation rate. This would indicate that we are not getting better at resolving complaints at stage one. Whilst the organisation should aim to resolve more complaints at stage one, the percentage of complaints escalated varies by Department. The table below shows the breakdown.

| Department                  | % of complaints escalated to stage two in 22/23 | % escalated to stage two 21/22 |
|-----------------------------|---|--------------------------------|
| Children's Social Care      | 19%   | 13%                            |
| Environment and Communities | 27%   | 18%                            |
| Housing Needs               | 27%   | 25%                            |
| Housing Management          | 21% 🕌   | 23%                            |
| Resources                   | 14%   | 14%                            |

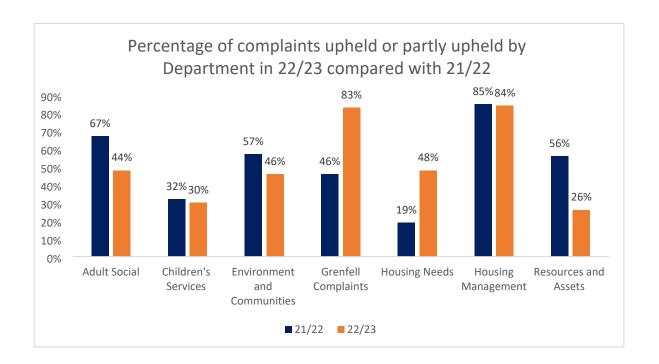
- 4.18 Environment and Communities and Housing Needs were the two Departments answering less than 70% of complaints on time, at stage one. They are also the Departments with the highest rates of escalation. It is likely, though unproven, that there is a direct correlation between these two facts, as it is perhaps unsurprising that residents will be frustrated with late responses, and this will give rise to further dissatisfaction.
- 4.19 The main reasons for residents escalating their complaints were because they disagreed with the decision that was reached, or the response failed to address all the issues raised. These are consistent with escalation reasons last year and table below shows the number of escalations recorded by each category.

| Stage two escalation reason       | Number of complaints |
|-----------------------------------|----------------------|
| Disagree with decision            | 90                   |
| Failed to address all issues      | 82                   |
| Promised action not taken         | 11                   |
| Ignored relevant information      | 8                    |
| Promised action insufficient      | 7                    |
| Inadequate explanation            | 5                    |
| Misleading or inaccurate response | 5                    |
| Inappropriate response            | 4                    |
| Reason not clear                  | 3                    |
| Delay in responding to complaint  | 3                    |
| Promised action delayed           | 1                    |
| Inadequate compensation           | 1                    |

- 4.20 Lack of timeliness is a reason for the initial complaint and due to the Stage 1 response not being answered to on time, it is a repeat theme for the reason for escalation to stage two. Whilst Housing Needs are frequently unable to provide the ultimate solution of rehousing an applicant, this analysis shows that escalations are being prompted by a failure to follow process and ensure appropriate timely decisions are made and that these are proactively communicated to residents. Whilst statutory decisions are reviewed outside the complaints process, if there are failings related to the journey or process these are handled within the complaints process.
- 4.21 Complaints were recorded and managed within the CRM system for Housing Management. Therefore, the commentary and analysis on performance has been provided by the Service. Now that Housing Management are using iCasework, there will be a benefit of having consistent controls and governance arrangements in place.
- 4.22 The Housing Customer Experience Team consider that the main reason that residents have escalated complaints is because they disagree with the level of compensation offered at stage one or because the works promised at stage one were not completed, or there have been delays. Due to the different IT systems being used for the period of this report the corporate complaints team are unable to independently verify this.
- 4.23 The root cause of most complaints is due to the resident saying they have had an insufficient response or update to their concerns. Thereafter, the cause of complaints is around policy objections (typically the lack of explanation around decision-making) and residents not being given clear timescales about how long it will take the Council to do something. All of these issues could and should be resolved at stage one of the process so there is clearly work for the organisation to do to ensure it is getting things right first time.

## **Outcome of complaints**

4.24 In 2022/2023, 1,782 complaints received an outcome at stage one, this includes some residual complaints that were received in 21/22 but where the response was due or sent after 31 March 2021. Overall, 50% of complaints were upheld at either stage one, two or at both stages. 80 stage one complaints that were recorded as not upheld were then upheld or partly upheld at stage two. This equates to 17% being overturned. The percentage of complaints upheld or partly upheld by each Department is reflected below, compared to what was recorded in 21/22.



- 4.25 In 21/22, the annual report raised concerns about the low percentage of complaints being upheld in Housing Needs, compared with the volume of complaints being escalated to the Ombudsman and subsequently upheld. Therefore, it is promising to see that the Directorate is more easily able to identify when things have gone wrong, and that the percentage of complaints upheld locally has increased this year and is now in line with the Council average.
- 4.26 The percentage upheld or partly upheld by Adult Social Care and Resources has reduced significantly. This is largely due to services proactively trying to resolve complaints quickly before they reach the complaints process.

### **Multi-service complaints**

4.27 The Corporate Complaints Team also records multi-service complaints. These are complaints that cross over more than one Service area, either within a Directorate or across different Directorates. There were 58 multi-service complaints during 22/23 which is the first full year that this information is available (this represents 3% of the complaints received overall) and 11 were escalated to stage two which represents 19% of the total number of multi-service complaints. Only 28% of the stage one complaints were answered on time. 72% of stage two complaints were answered on time. It should be made clear that the low level of timeliness at stage one was primarily because the Corporate Complaints Team have come across many challenges in co-ordinating responses across different Services. This echoes the experience that residents say they have when they are raising a concern or enquiry which involves more than one Team. The Corporate Team are now arranging meetings with all services involved in investigating the complaint to try and facilitate timelier responses, this learning needs to be translated into a business-as-usual approach so that residents don't feel the need to complain to get an outcome. This learning has been taken on board and resulted in carrying out service reviews in Council Tax and Parking Services. More information can be found in Appendix A.

- 4.28 All the root causes mentioned above are key issues that were raised by residents during Grenfell Legacy conversations, the Council Plan consultation and most recently in both survey responses and face to face engagement on the Council's Service Standards.
- 4.29 There is a real opportunity for the Council to swiftly and assertively address these issues, with the introduction of the newly co-designed Service Standards. It is important that this is embraced, and that, through the activities within the corresponding implementation plan, the organisation makes changes in how we work to demonstrate care and competence in dealing with residents.
- 4.30 Similarly, the introduction of the Council's contact commitments clearly sets out the standards that we will expect from every Council Officer when they are communicating with residents.

## Compliments

- 4.31 The Council has recorded 256 compliments about staff and services compared with 258 in 21/22. The main reasons for the compliments were for staff being:
  - Willing to go above and beyond.
  - · Calm, professional and efficient.
  - Courteous, helpful, and taking ownership of an issue.
  - Clear about processes and decision-making and finding a way to support residents.

## 5 Complaints Process – key activity over 22/23

- 5.1 During 22/23, Departments were asked by the Corporate Complaints Team to support the following changes to encourage further improvement in how the organisation manages and learns from complaints:
  - The Corporate Complaints Team and complaints network have worked together to update the Council's complaints policy to reflect how complaints will be investigated and signed off at stage one and two. This was approved as a Lead Member decision in September 2022.
  - In July 2021, the IT system was updated, making it mandatory to record corrective actions or lessons learnt if a complaint was upheld or partly upheld. 167 corrective actions were recorded for the remainder of that year (eight months). This year, 555 corrective actions were recorded which if averaged over an eight-month period, is still significantly more than the previous year. Environment and Communities and Housing Needs recorded the highest number of lessons learnt, but this seems to be proportionate to the volume of complaints received.
  - A new multi-service category was introduced in the IT system so that complaints crossing over more than one Service could be easily identified and reviewed. This information has routinely been shared with the Customer Access Programme and Improvement Team to inform prioritisation of service reviews.
  - To help the organisation respond to complaints on time, the IT system is set up to automatically remind allocated officers of due and overdue complaints. A summary of cases due is sent to Managers and Heads of Service as there is still an opportunity to send the response on time. However, for overdue complaints, a report is sent to the

- Head of Service and Director for awareness of the impact on performance and to assist with facilitating a response.
- 5.2 The Corporate Complaints function has been functioning a skeleton structure since October 2022 due to staff turnover and promotion, so routine quality assurance was paused in January 2023. The Manager has been carrying out recruitment and it is anticipated that quality assurance will resume in Q3 23/24. Complaints performance and analysis to DMTs through quarterly complaints reports has continued. The Corporate Team will continue to support and coach investigating officers through case specific examples and during routine training on complaints management.

## 6 Update on priorities set for 22/23

- 5.1 One of the Council's objectives is to answer 90% of all complaints on time. This year, 66% of complaints were responded to on time at stage one, and 51% of cases at stage two. Although various mechanisms are in place to support investigating Managers to respond on time, this continues to be an area of underperformance for the organisation. Section 6 of this report sets out the priorities planned for the coming year to support the organisation to improve on timeliness.
- 5.2 The Corporate Complaints Team collaborated with colleagues in Housing Management to migrate complaints recording and management from CRM to iCasework. Testing has been completed and implementation took place on 11 September 2023. This will ensure that the customer journey is consistent across all departments as the data will be more robust in terms of being reported and analysed in the same way.
- 5.3 Other work that will also support progress in managing complaints is that a commitment has been made for all letters and emails to have a named contact. This is set out in "Our Contact Commitments", a piece of work produced under the Customer Access Programme.
- 5.4 The Corporate Complaints Team carried out "Better Letter Writing" training across the organisation in the Summer of 2022, concluding this in October 2022. It is promising to see that some departments have had a lower percentage of escalations, but as the approval process for answering complaints has changed, training will need to resume as a priority. This will ensure that new Team Leaders and Managers have the right skills and support to deal with complaints properly, at the first stage, and that they record information about lessons learnt to avoid repeat complaints.
- 5.5 The Complaints Team routinely share complaints data with the Customer Access Programme to inform prioritisation of improvement work. For example, complaints feedback has been provided to show that residents had a poor experience when their enquiries involved more than one service. There were high volumes of complaints about Parking and Council Tax. Two reviews have been completed and the impact of the changes is set out in Appendix A.

#### 6 Actions for 23/24

6.1 In order to improve complaints management, the following actions are proposed for 23/4.

- 6.2 We must call customers immediately after receiving their complaint to ensure that we understand the issues and address all complaint points thoroughly.
- 6.3 We need to ensure that we answer complaints right, first time, so that residents are not having to escalate their concerns to get the issues resolved. This means Officers must answer the totality of the complaint with compassion and where the desired outcomes cannot be met, provide a through explanation about why.
- 6.4 Those responsible for replying to complaints must take them seriously and provide a response in line with the corporate complaints policy timeframe.
- 6.5 Officers must quality assure their draft responses to ensure all points have been understood correctly and answered before a response is sent to the complainant.
- 6.6 The Corporate Complaints team will support individual training needs and provide coaching for the use of iCasework, understanding the corporate complaints procedure, letter writing and investigatory techniques.
- 6.7 The Corporate Complaints team and Services will improve awareness and accessibility to the complaints process for those who are digitally excluded, do not speak English as their first language or for some other reason may find it harder to raise a complaint.
- 6.8 A review of the structure, roles and responsibilities of the Housing Needs and Housing Management Customer Experience Team and the Corporate Complaints Team must be undertaken. This will include identifying any duplication of activity or effort which is taking place in other complaints functions which should be addressed to ensure consistency (in line with our commitment to being a competent Council) and drive efficiencies.
- 6.9 All stage two draft responses for non-statutory complaints (excluding, Children's and Housing who have their own Teams to manage this) must be quality assured by the Corporate Complaints Team before they are sent out to residents.
- 6.10 The Contact Centre will undertake a trial to assess the effectiveness of making calls to residents where their complaints have not been upheld. This would give residents an opportunity to ask questions and may reduce avoidable stage two complaints, or indeed, referrals to the Ombudsman. This approach will need to be tested to determine if there is sufficient impact.
- 6.11 The Corporate Complaints function must notify all Directors and Executive Directors when a case has been escalated to the Ombudsman and then updated on progress accordingly. The team will notify Directors and Executive Directors of any non-compliant cases and forewarned of this where possible.
- 6.12 The Corporate Complaints function must provide proactive support to Services to help them manage and respond to Ombudsman enquiries. This may include meeting with Services to understand the request for information, review the evidence and reconsider if the outcome at stage two was fair.
- 6.13 All new Housing Management complaints are being managed in iCasework from 11 September 2023 with any existing cases managed to conclusion in CRM. Whilst Housing Management currently have their own policies about complaints handling,

- compensation and managing unreasonable behaviour, work must be done to create a single policy which addresses complaints handling, compensation, and redress as well as the Council's approach to dealing with unreasonable or persistent complainants.
- 6.14 Executive Directors must commit to driving good complaint handling practice, such as responding to complaints thoroughly and on time; and that the Council's contact commitments are thoroughly embedded to reduce avoidable complaints. They must use the quarterly complaints reports sent to DMTs to regularly monitor and manage underperformance linked to complaints, corrective actions, and learning opportunities. Future reports will include what actions were taken in relation to the previous quarter's learning opportunities.
- 6.15 As the Council commissions services such as waste collection, parking enforcement, temporary accommodation (the latter which resulted in a threat of witness summons in relation to one provider), contract Managers must have routine discussions about complaints management, learning and service improvements with contractors and inform contractors that they are expected to provide evidence of progress in this area.
- 6.16 Service managers must be proactive and curious about the feedback received from residents about their services by analysing the data in the Listening Tool.
  - Appendix A Reports on departmental performance, learning opportunities and service improvement
  - Appendix B shares findings of the Local Government and Social Care and Housing Ombudsman services.

Appendix C – Local Government and Social Care's Annual Review Letter 2023

Appendix D – Housing Ombudsman Service Landlord Report 2023

Appendix E - RBKC Equality Impact Assessment (EqIA)

## Appendix A – Service improvement

Below are the actions that have been taken by each Department in response to complaints, including service improvements that are expected to reduce avoidable complaints.

#### **Adult Social Care**

Below are some learning opportunities and improvements that have been identified:

- The teams have been reminded that all complaints, especially those made verbally, must be logged with the Customer Engagement Team to ensure due processes are followed and complaints are not left to escalate as a result.
- Working with homecare providers to ensure all complaints handled under their own CQC compliant processes are also reported to the ASC Customer Engagement Team to ensure a satisfactory resolution is achieved and in line with the LGSCO's directive that the Council is aware.

- The need for better collaboration between Housing Benefit and Client Affairs Team to avoid extensive arrears being accrued and feedback to the Community Team regarding the difficulty experienced by one service user in contacting them.
- Spot checks and increased supervision to take place in a specific commissioned service providing homecare.
- To review the referral and review process and the process of confirming funding arrangements so clients are not experiencing avoidable delays.
- Additional information or services were needed for: respite care, recommissioning a third-party support provider and for one provider to review a request for compensation.
- The data for this year shows that 18% of complaints in RBKC were about homecare services, down from 33% in 2021/22. The CE Team continues to work with providers and Contract Monitoring Team to ensure issues are identified and dealt with in line with contractual arrangements and LGSCO's guidelines. Most homecare complaints have been related to services quality or service failure.
- In addition to the findings from the above quality assurance, the Service is already aware of quality issues in the responses from this provider and this is going to be addressed with them at the next contract monitoring meeting.
- To ensure for complex multi-disciplinary complaints a meeting must take place early on to ensure a good investigation plan is implemented.

#### **Childrens Services**

Below are some learning opportunities and improvements that have been identified:

1) Recommendation: Receiving timely updates and invitations to Looked After Children (LAC) reviews or network meetings.

Social workers always aim to work in a timely manner and provide updates to families in a variety of ways such as through telephone calls/messages, emails. Very often at meetings, the date of the next meeting is usually confirmed to all attendees at the end of that meeting. Social workers have been encouraged to note meeting alerts, deadlines etc in their electronic diaries to prompt them. That way no meeting or impending deadline is missed. Children's services social care teams have recently procured and developed a new recording system which has several alerts in terms of timescales for meetings, visits etc – this will assist with the timeliness of delivering on some actions.

2) Recommendation: Inaccurate reflections in reports are to be amended when pointed out.

In the social work targets and service improvement plan, social workers are encouraged to share draft copies of reports with parents prior to them being signed off by the team manager. If there is any difference of opinion in terms of the content of the report or inaccuracies these are addressed prior to the report being finalised and signed off.

## Other service improvements

- Colleagues working in Special Educational Needs and Disabilities (SEND) have completed systemic training. This training has provided a framework for developing strong partnerships between parents, the school, health & social services, voluntary organisations, and the Council.
- The SEND service continues to hold face to face 'surgeries' (usually monthly during term time) in the borough. The surgeries provide the opportunity for parents to meet with representatives from the SEN Service alongside the parental support groups such as Full of Life and Make it Happen.
- The SEN service also continues to offer 'next steps' meetings with parents when an Education & Health Care (EHC) needs assessment has declined. The next steps meeting has a high take up and positive feedback from parents, schools and parental support groups has been received.
- Family Services have set up monthly meetings with colleagues in Housing Needs to review service priorities, challenges and high-risk cases specifically associated with victims of domestic abuse so that the two Directorates are aligned in approach and service delivery to protect vulnerable individuals at risk of harm.

#### **Environment and Communities**

- In January 2023, the Environmental Health Service introduced a new service initiative "While You Are There", the initiative is aimed at ensuring officers, when conducting visits and inspections, look out for other issues that may need the attention of another service area. For example, a Trading Standard Officer, when visiting a shop premises may note poor maintenance and filthy conditions where food is stored and therefore refer the matter to the Food Team for their information and action as appropriate. The aim of the initiative is to ensure that Environmental Health services proactively identify and share information that are addressed in a timely manner and do not go unnoticed.
- Within leisure and parks, the rain procedures have been reviewed and goodwill gestures have been discussed within the Service to avoid complaints/resolve them more quickly.
   A specific change will also be introduced in Kensington Leisure Centre so that accessibility needs can be met for an individual wishing to swim.
- The process has been changed to allow for earlier collections on narrow roads, and recollection later in the day if there are issues with Narrow Vehicle access.
- Officers have been advised to avoid using the "short report format" when lengthy and detailed objections are made regarding planning applications.
- Commitments were made on four complaints to update the Council website.
- Services must include more detail on the system when logging corrective actions, so that it is understood exactly what action is being taken and when, and how it is being implemented. This would assist with embedding the learning and help to track trends in future complaints that may arise regarding similar issues.
- In Cleaner, Greener and Cultural Services, where most complaints were received, there
  is a standing item on complaints management at the weekly Senior Management
  meeting to make sure Managers are dealing with complaints quickly. This has also

helped the Services deal with complaints when there is planned and unplanned absence.

## **Grenfell Related Complaints**

- The Dedicated Service Workers have continued to build strong relationships with individuals and families, listening to them, being empathetic and always looking to understand the resident and their needs.
- Grenfell Housing Services have rolled out property MOTs visits or calls to all survivors' homes, which has enabled them to proactively identify issues, particularly repairs.

## **Housing Needs**

In response to complaints and customer satisfaction survey feedback, residents said that:

- 1. There is a lack of pro-active engagement and communication with residents in temporary accommodation.
- 2. An improvement in customer service and the way in which officers engage and communicate with residents would be appreciated.
- 3. We were alerted to ongoing issues with temporary accommodation repairs and a lack of understanding as to how these can be escalated and resolved.

To address this feedback, the Service has:

- a) Created a new quarterly newsletter for all residents in temporary accommodation which includes information and updates across the service, signposting to other contacts.
- b) Re-circulating the moving into and out of the borough guide.
- c) Ongoing monthly temporary accommodation focus groups.
- d) Introduced call recording in all frontline teams so calls can be monitored, and service issues can be address quickly.
- e) Developing a telephone feedback survey which can be completed after a phone conversation, and directly links back to that interaction.
- f) A new staff induction booklet which has a specific training induction plan has been created, setting out mandatory training that needs to be completed within specific time periods; this includes both technical and interpersonal skills sessions.
- g) The first edition of the Housing Updates newsletter included information about the repairs process, with contact details, routes to escalate and an overview of the Council and Landlord's repair responsibilities.
- h) A dedicated team member is now responsible for handling all new repair cases reported to the Council in relation to residents in temporary accommodation.

- i) Repair cases in relation to temporary accommodation remain open until residents confirm that the repair has been satisfactorily completed.
- j) A co-located Independent Domestic Violence Advisor (IDVA) is working with Officers to provide practical information and advice on domestic abuse cases. They are training Officers on taking a believer's approach, being objective and addressing unconscious bias.
- k) There is more outreach work to identify individuals experiencing, or at risk of homelessness, where Officers are based in Children's Centres and other community spaces.
- A dedicated Project Support Officer was appointed in July 2022 and is responsible for ensuring improvement in response to Domestic Abuse across the Council. The role focuses on early intervention, protection, and repair.
- m) A Prevention and Projects Manager has also been appointed to work in partnership with other agencies such as Probation and NHS to alleviate having to respond to a homelessness crisis. This is intended to respond to the national challenges faced by Councils where housing stock is limited.

# **Housing Management**

Below are some learning opportunities and improvements that have been identified:

- Following a criticism from the Housing Ombudsman regarding the use of stage one follow ups (something which is not explicitly stated within the current or Corporate Complaints policy) a review of the Complaints policy was undertaken and then updated to reflect the reasons why a follow up may be appropriate.
- Given the 9% increase in inflation across the UK, and the 54% rise in the energy price cap in April 2022, the compensation policy was also updated to acknowledge this.
- The Ombudsman cases that are typically upheld are owed to committed actions not being completed in the specified time frame or communication being inadequate. The department should consider implementing monitoring controls in accordance with committed actions for a better customer journey, and to avoid/reduce escalations.
- A sampling exercise by the Customer Experience Manager showed 54.7% of the
  complaints that were escalated to stage two between May to November 2022, related
  to customer expectations not being reasonably managed. The Service should review
  what is causing this and how the Corporate Team can support in providing a more
  efficient way of updating complainants through the corporate IT system that Housing
  Management will start using in September 2023.

#### Improvements

1) As Housing Management manages its complaints via a different system, the data is not available to show the reasons for escalations to stage two, but some narrative is provided by the Customer Experience Manager for Housing Management in the following paragraphs. For the rest of the Council, the two most common reasons

recorded were because the customer disagreed with the Council's decision or failed to address all the issues raised. This is the same as reported last year.

- Further, after the 7% rise in rents was agreed in February 2023, the rates of compensation within our policy were increased in line with this figure.
- We also revised our policy for missed appointments, so that successive missed appointments in relation to the same repair are paid at a higher rate.
- Lastly, we revised our payment rates for loss of heating / hot water with respect to larger properties (2+ bedrooms), with the aim of better reflecting the costs of heating larger properties using temporary heaters.
- 2) The Housing Management Complaints Policy was also recently revised (as of the beginning of May 2023) to enable service charge disputes to go through the complaints process (with a proviso that, after stage two, complainants wishing to dispute the reasonableness of service charges should contact the 1st Tier Valuation Tribunal rather than the Housing Ombudsman, as the former holds jurisdiction over such matters). This was taken in recognition that more residents are seeking to dispute their service charges (which again is likely due to the cost-of-living crisis), and a more appropriate way to channel such disputes was needed.

A second point leading to rises in complaints is resident concern over damp and mould in their homes, particularly following the tragic death of 2-year-old Awaab Ishak in Rochdale, which gained wider publicity at the end of 2022. Whilst previously such matters might have been dealt with informally via the normal repairs process, it has been found that increasingly, customers seek to escalate at short notice. To address this, Housing Management has revised its approach to damp and mould, so now that every damp / mould / condensation is assigned a surveyor to oversee it, who will visit the property in the first instance to carry out a full assessment of the conditions inside, and then arrange and oversee the subsequent works until completion.

#### Resources

### 1. Parking review

A parking review was carried out including colleagues across the Contact Centre, Parking Services and Parking Permits Teams. The review looked at customer journeys in relation to applying for a new parking permit and permit renewals. Several changes were introduced to reduce the time it took to process applications such as: empowering staff to make decisions that matter to residents; staff owning and managing the processing of applications end to end and reviewing the evidence required to process an application based on the residents' circumstances. The new working methods resulted in a 40% increase in first-time resolution. Additionally, in 21/22, 38 complaints were made in relation to parking processes that crossed over the two Teams, whereas in 22/23, there were 25 complaints.

#### 2. Council Tax review

Another review was also undertaken to look at the customer journey for residents enquiring about their Council Tax account. This looked at the processes being followed by both the Contact Centre and Council Tax Team. The process was historically split

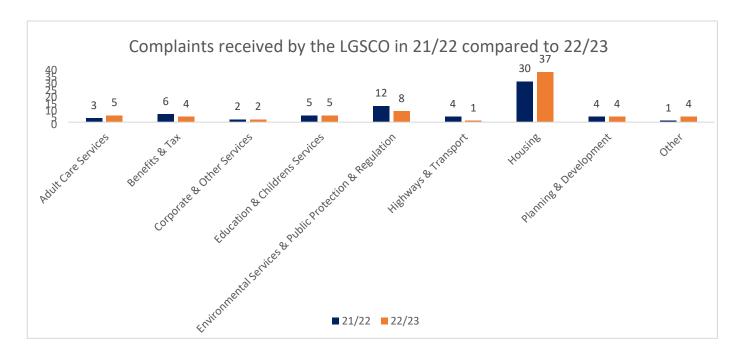
across the two teams, with contact centre colleagues being able to carry out simple actions and then needing to hand over to Council Tax, either by phone, or by asking the resident to email the Council Tax Team. The following changes were made and the impact of this is that in 21/22 89 complaints were made about Council Tax, and in 22/23 this has reduced to 70 complaints. The Service also reports that they have reduced outstanding work by 40% and that call volumes in July 2023 are 35.5% less compared with those in July 2022.

- Officers working in the Contact Centre were recruited to become Council Tax officers, so the end-to-end process to respond to resident enquiries is now managed within the Council Tax service.
- Staff now deal with more enquiries over the phone, and where residents need to send further information, they are able to email this directly to the Officer they were speaking with. There are early signs that this is reducing unanswered email correspondence volumes.
- 3. The Customer Access Programme and Improvement Team has also delivered on key projects, for example developing the Council's contact commitments, and Council wide Service Standards. Both should support the organisation to provide a more effective, helpful, and resident focused experience, thereby helping to reduce complaint volumes.
- 4. The Programme Team also routinely review complaints feedback to understand service specific issues and help to prioritise the programme of work.
- 5. Staff in Customer Services and Housing team were provided with additional customer soft skill training to improve their communication and empathy skills when supporting residents over the phone and in person.
- 6. The Customer Services team have been working on cross skilling staff to cover multiple services to reduce wait times across the contact centre. In addition, changes have been made to the sign off process for training to ensure staff are supported with embedding new knowledge.

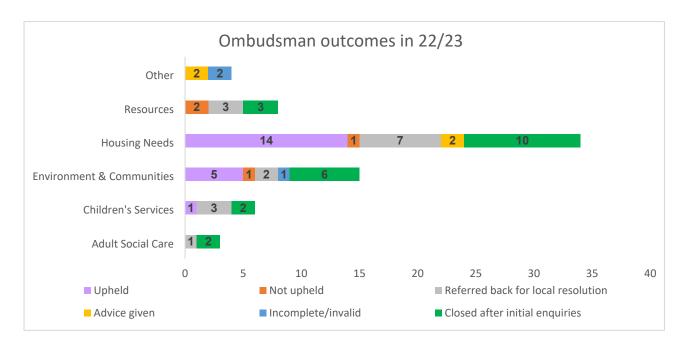
### **Appendix B – Complaints to the Ombudsman**

- 1. 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 (Appendix C) 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.
- 2. The chart below shows the volume of cases received by the LGSCO in relation to each Service category, this includes enquiries that the Ombudsman received, but may not have contacted the Council about, usually because they are out of jurisdiction.

3. In most areas, volumes are low, and consistent with the previous year, except for complaints about Housing Needs which have seen a 23% increase.



4. The LGSCO received 70 complaints in 22/23, compared to 67 in 21/22. The outcome of all complaints is reflected in the chart below.



5. Of the 70 complaints decided, 24 complaints proceeded to investigation stage and 20 of these were upheld, which represents an uphold rate of 83%. It's noteworthy to highlight that in the LGSCO's Annual Review letter (published on 19 July 2023), the Ombudsman states that the average uphold rates for all organisations has increased in 22/23. It suggests comparing uphold rates to other similar Local Authorities, rather than comparing data with previous years. Kensington and Chelsea's uphold rate is higher than the average for other similar Local Authorities, where 77% of complaints were upheld.

- 6. The Ombudsman has reported that the Council accepted and complied with all recommendations on time. It notes that only 10% of complaints were remedied during the Council's investigation of the issues, whereas the average of similar local authorities, is 15%.
- 7. It is a cause for concern that the organisation has an uphold rate higher than the average and that it has failed to remedy a smaller percentage of complaints within the local process. This is expected to be addressed through the recommendations being made (in section 6 of the main report) to strengthen complaints management and extending quality assurance activity of stage two complaints, carried out by the Corporate Complaints team, to all non-statutory complaints.
- 8. Of the 24 investigations, the table below shows the outcome of complaints by Department. Complaints that have already been upheld and remedied by the Local Authority are still recorded as upheld cases. The Directorate break down in section 9 acknowledges how many complaints were appropriately remedied by the Council during its own investigation. Housing Needs has a high uphold rate of 92%. The primary contributing factors are the inability to supply accommodation and the failure to provide appropriate housing.

| Department                  | Upheld | Not upheld | Total number of investigations |
|-----------------------------|--------|------------|--------------------------------|
| Adult Social Care           | 0      | 0          | 0                              |
| Children's Services         | 1      | 0          | 1                              |
| Environment and Communities | 5      | 1          | 6                              |
| Housing Needs               | 12     | 1          | 13                             |
| Resources                   | 0      | 2          | 2                              |

<sup>\*</sup> Please note the LGSCO did not publish two of the upheld decisions due to the sensitive nature of the complaints, therefore they are not accounted for in the above table.

9. Of the upheld complaints, the information below summarises the recommendations that were made:

## Children's Services

This case is not published to protect the individual's identity, but the Council was found at fault for failing to properly consider the risk posed to the resident and their children, in removing supervised contact. The Council agreed to:

- Write to the resident and apologise for the fault identified.
- Pay the resident £500 in recognition of the distress it caused her by placing her at avoidable risk of harm.
- Pay the children £150 in recognition of the distress caused by failing to risk assess potential harm.
- Review how information sharing and gathering for victims of domestic abuse to ensure Council officers working across different teams and departments communicate and understand what information it should share and how they should do this.

 Review how the Council will ensure staff are evidencing ongoing considerations of risk regarding domestic abuse.

#### **Environment and Communities**

## Private Sector Housing:

#### Case 1

The Ombudsman set out agreed actions where the Council should:

- apologise to the resident and pay £300 reflecting the time and trouble taken to pursue the complaint.
- remind officers dealing with environmental health cases of the need to include visits to the property of the person who has raised issues when those issues relate to matters which are affecting his or her property.
- remind officers of the need to keep those who have raised issues up to date with what is happening, as far as is possible without disclosing confidential information.
- meet with the resident to discuss the ongoing antisocial behaviour issues, separate
  from the smell issue, and discuss the options open to the Council and the evidence
  required or any formal action to be taken. The Council should then investigate those
  issues and confirm its findings to the resident.

#### Case 2

The Ombudsman set out agreed actions where the Council should:

- Provide a written apology to the resident.
- Make a symbolic payment of £300 to recognise the distress caused.
- Review the decision to close the case and contact the resident about whether he is willing to engage further; and
- Ensure it has appropriate systems in place to prevent similar faults occurring in the future.

### Case 3 and 4: Licensing and Streetline Enforcement

Two interlinked complaints were considered by the Ombudsman from the same resident. The complaint was regarding the Council's response to disturbance a resident was caused by a nearby hospitality business and the actions of the owner of that business. These were upheld and agreed actions were:

- a written apology to be provided.
- £300 to be paid to the resident in recognition of injustice.
- £200 in recognition of distress.
- £100 for avoidable time and trouble; and
- to give a commitment that if the resident has cause to complain again about the hospitality business' pavement licence, such complaints will be investigated by officers who have not previously had direct dealings with the resident.

In addition, the Ombudsman found that two other residents were likely to have been similarly affected by the injustice caused in this complaint. The Council therefore agreed that they would also each receive an apology from the Council. The Council agreed to learn lessons from this complaint and as such would issue a reminder to all officers in its licensing service of:

- a) the importance of providing written reasons if the Council decides it is not appropriate to consider exercising any formal or informal ASB powers in response to a request that it do so: and
- b) the importance of making only factual statements in their records or else only expressing opinions about behaviour which can be properly inferred from the facts.

## Case 5: Planning

The Ombudsman acknowledged that the Council had already made an offer of £500 compensation to the resident and found this to be a suitable remedy along with other actions agreed by the Council.

## **Housing Needs**

Please note that one additional complaint involved Housing Management as well as Housing Needs and was investigated and decided by the Housing Ombudsman – this case has therefore been outlined under 'The Housing Ombudsman Service' section below.

- 1) The Council was at fault for the length of time it left the resident in unsuitable temporary accommodation and for delaying in responding to her complaint. As a result, the resident had to live in accommodation which was not suitable for her household. The Council agreed to apologise and make a payment to acknowledge the time she spent in unsuitable accommodation.
- Apologise to the resident for the time taken to move her from unsuitable accommodation and for the delays in providing the stage two response.
- Pay the resident £2,100 for the time she was in unsuitable temporary accommodation. (This was calculated at £300 per month from October 2021 to May 2022.)
- The Council should also consider why it took so long to provide the resident a stage two
  complaint response in this case and identify what steps the Council will take to improve
  complaint handling.
- 2) The Council did not allow the resident to view potential temporary accommodation properties before accepting them, which contradicts the statutory guidance. The Ombudsman recommended that the Council:
- review and amend any internal policy documents it has, which say people should not be allowed to view temporary accommodation properties in advance of accepting them; and
- circulate guidance to all relevant staff to ensure they are aware of the requirements of the Homelessness Code of Practice.

- 3) The Council failed to keep adequate records and communicate with the resident about her possessions. It also failed to consider her circumstances when moving her possessions to a different storage facility. The Council agreed to:
- Write a personalised apology to the resident for the identified faults.
- Pay the resident £100 for the distress and frustration caused for failing to communicate with her regarding her possessions.
- Review the charges to the resident for access to her property considering her circumstances.
- Review procedures regarding assessments in homelessness cases and ensure staff are aware of these; and
- Remind all officers dealing with homelessness cases about the importance of attendance notes and record keeping. I note this has also been recommended in a previous complaint.
- 4) The Council failed to move the resident and his family to suitable temporary accommodation after it decided in May 2021 that his flat was unsuitable. This service failure caused the resident significant injustice. There were significant errors in the description of a property advertised on the choice-based lettings website and this was also fault. But the Ombudsman considered this did not cause an injustice to the resident. The ombudsman recommended that the Council should:
- Apologise in writing to the resident for leaving him and his family in unsuitable temporary accommodation from May 2021 until November 2022.
- Pay the resident £300 per month from 26 May 2021, when it decided his temporary accommodation was unsuitable, until November 2022 when it offered him a flat which would have met his assessed housing needs.
- 5) The Council failed to deal properly with the resident's homelessness application and left her and her child in unsuitable accommodation for 10 months longer than necessary causing them distress and anxiety. The Council also failed to communicate with the resident and keep her updated. The Council should:
- apologise for the faults identified and the injustice caused.
- pay £2,000 to the resident in recognition of the fact that she and her child were forced to live in unsuitable accommodation for 10 months longer than necessary; and
- pay the resident £250 for the additional uncertainty and anxiety caused by lack of communication over a period of six months.
- issue a reminder to staff of their duties in relation to issuing Personalised Housing Plans and reaching decisions on homelessness applications in a timely manner.
- 6) The resident complained the Council delayed making a formal decision on her homeless application and in providing her with a Personalised Housing Plan when she approached it as a victim of domestic abuse. The Council delayed in providing accommodation, in notifying the resident of the relief duty, in providing a Personalised Housing Plan and in the complaints process. The Council agreed to:
- make a payment of £500 to the resident to acknowledge the frustration and distress caused.
- Send a reminder to staff regarding the need to issue timely decisions.

- 7) The Council failed to respond properly to the resident's requests to be re-housed. As a result, there is uncertainty as to whether the resident could have been re-housed sooner. The Ombudsman recommended that the Council:
- Apologise to the resident for the faults identified.
- Pay the resident £300 to acknowledge the distress and uncertainty she experienced at not knowing whether she could have been re-housed sooner.
- Ensure the Housing Team provide people with all their housing options to find alternative accommodation when they are seeking or need to move. This will allow people to make an informed choice about what housing options they wish to pursue.

This remedy was recorded as being completed late.

- 8) The Council was at fault for failing to consider whether the resident's physical health condition meant he needed a properly with a bath, failing to consider if it could provide any temporary aids or adaptations, a delay in providing suitable temporary accommodation and a delay in responding to the resident's complaint. To put things right, the Council was asked to:
- Apologise to the resident.
- Assess whether his physical health means he needs a property with a bath.
- Pay £150 a month for his time in unsuitable accommodation between April and August 2021, for a total of £600.
- Pay £250 in recognition of his avoidable uncertainty and distress.
- 9) The Council was at fault for delays in processing the resident's homelessness application. The Council also was at fault for delays in issuing him with a Personalised Housing Plan after his assessment and for failing to review this. The Ombudsman recommended the Council:
- Apologise to Mr X for the faults identified.
- Pay Mr X £250 for the distress caused because of the delays in processing his homeless application, delays in issuing a PHP and for failing to review this.
- Provide Mr X with a decision on his homeless application, specifying whether the Council owes him the full housing duty. Should Mr X not provide the Councill with the information it has asked for, it should make the decision on the information it has.
- Considering the Council's position that the delays in this case were caused by staff shortages, the Council should consider what improvements it can make to its service to reduce the delays in processing homelessness applications. The Council should report its findings back to the Ombudsman.
- 10) There was fault in the way the Council considered the resident's application for re housing, but this did not cause injustice. No remedy was recommended on this basis.
- 11) The Council misplaced documentation and delayed completing a housing assessment. The Ombudsman considered the Council had provided a fair response and noted that the resident had complained to the Information Commissioner. It therefore decided not to investigate the complaint, however, recorded the outcome as 'Upheld: no further action, organisation already remedied'.
- 12) The resident complained the Council wrongly refused his requests for a move to a larger property under its Grenfell Policy. The Ombudsman did not find fault in the

process the Council followed; however, the Council agreed it was at fault for failing to share a letter with the resident and provide regular personalised updates. The Ombudsman found the apology was enough to remedy the injustice this caused.

In total, the LGSCO's recommendations have resulted in backdated and compensation payments totalling: £13,600 which is similar to last year (£13,365).

## The Housing Ombudsman Service

The Housing Ombudsman reached an outcome on 23 complaints, of which two were withdrawn. It upheld 11 complaints but acknowledged that in two complaints appropriate remedies were offered within the complaint responses. The outcome of the upheld complaints is provided below.

- 1) The Council was at fault for failing to address all the resident's complaint points in the original complaint and the request to escalate to stage two. The Ombudsman recommended a compensation payment of £100 to remedy this failing.
- 2) The Council offered a reasonable remedy of £200 to address the delays in carrying out a repair to the resident's shower. However, it was at fault for failing to escalate the resident's complaint to stage two; instead, it provided a stage one follow up which is not a defined stage in its complaints policy. The Council had to pay a further £50 to address this service failure.

It should be noted that the policy was updated to address this fault and the subsequent learning, and this is covered in Appendix A.

- 3) There was fault in the way the Council handled reports of noise nuisance. The Ombudsman recommended that:
- A compensation payment of £250 be paid to acknowledge the failing.
- Update the resident on works that would be carried out of the property and a commencement date.
- Visit the neighbours concerned to view the flooring in each property and what steps might need to be taken.
- 4) The Council was at fault for the delays in responding to reports of damage to kitchen units; and in completing the repairs. The Ombudsman recommended that the Council:
- Pay £200 in recognition of the distress and inconvenience caused to the resident.
- Provide the resident details to enable them to submit a liability insurance claim to the Council's Insurance Team for damaged fixtures.
- Review staff's training needs in relation to their application of the repairs, compensation, and reimbursement policies for planned repairs.
- 5) The Council was at fault for dealing with some repairs. It was asked to:
- Replace the resident's hallways lights with brighter bulbs (something it offered to do as a gesture of goodwill)
- Pay a total of £50 compensation this included £20 for a missed appointment and £30 for failure to replace the lightbulbs.

- Meet with the resident and, if appropriate, with members of the area residents'
  association, to discuss ways of improving the caretaker's on-site visibility and the
  reporting of issues by the caretaker.
- 6) The Council was at fault for delaying consideration of the resident's request for suitable storage when external works were taking place to the building. The Ombudsman recommended the Council pay £50 for this fault.
- 7) The Council was at fault for the way it dealt with reports of a leak which eventually resulted in a decant, which was not appropriately managed. There was also fault in the way the Council dealt with the complaint. The Council offered £250 for the disturbance caused by an initial flood, but the Ombudsman recommended that this payment be replaced as follows:
- £350 to reflect the landlord's handling of the water leak at the resident's property.
- £650 to reflect the landlord's handling of the resident's decant caused by a mouse infestation.
- £250 for its complaint handling
- 8) The Council was at fault for its handling of a mouse infestation. Although £200 was offered, the Ombudsman recommended the following, and advised that the £200 be deducted from the following payment if it had already been paid.
- £500 for the distress and inconvenience caused by the mouse infestation.
- £150 for the time and trouble caused by failing to respond to the resident's request for compensation in relation to damaged belongings.
- Consider the resident's request for this compensation, obtaining the relevant information) and confirm the outcome to the resident and the Ombudsman.
- Write to the resident, copying in this Service, setting out an action plan for addressing the ongoing infestation, which should include reference to any infestation in the communal areas.
- If it has not already done so, the landlord should pay the resident the £250 offered in relation to the complaint about the flood.
- The landlord should consider the Ombudsman's guidance on insurance complaints and decide whether its own policy requires updating and whether staff training is required in this area.
- The landlord should write to the resident setting out her options for moving home, and whether there is any assistance that it is able to offer with this in light of the ongoing infestation.
- 9) The Ombudsman found that there was maladministration, but it considered the redress offered by the Council prior to its involvement resolved the complaint satisfactorily.
- 10) The Ombudsman considered a complaint about the handling of repairs to an extractor fan but found that the Council had already provided a reasonable remedy. It suggested the Council notify the resident of its position in relation to additional compensation for increased energy bills.

- 11) The Council was at fault for its handling of repair works following the resident's reports of a leak from the property above, the length of time taken to resolve the work and the standard of the redecoration works. The Ombudsman recommended the Council:
- Pay the resident £150 compensation in recognition of the failings. This is in addition to the £200 compensation amount already offered in its complaint response.
- Complete the repairs, in the manner it has agreed with the resident.

The recommendations made by the Housing Ombudsman Service resulted in compensation payments totalling £4,200.