

Corporate Complaints Report 2021-2022

Introduction

The Local Government and Social Care Ombudsman is an authority for the resolution of complaints regarding services provided by councils.

In October 2020, they issued councils with guidance on how to handle complaints called 'Effective Complaint Handling for local authorities'. They said that councils should adhere to the following standards and practices to ensure complaints are dealt with effectively.

- **Getting it right:** do simple things well, by complying with the law and following policies.
- **Being customer focused:** Make the complaints process easy to find and use, and keep complainants informed
- **Being open and accountable:** Processes should be transparent and be honest when things have gone wrong.
- **Acting fairly and proportionately:** councils should explain their thinking, base decisions on sounds evidence and explain clearly why they were made.
- **Putting things right:** make amends. If something has been done wrong, councils should apologise and take steps to put right any injustice caused.
- **Seeking continuous improvement:** complaints are a great learning tool. Councils should put systems in place to capture the lessons, which will help improve your services.

In London Borough of Merton, formal or corporate complaints about the council's services are managed as a function of the Complaints Team, who similarly manage and co-ordinate other types of complaint. These are Children's Social Care complaints and Adult's Social Care complaints, which are reported on separately. The team also co-ordinate enquiries made on behalf of residents by the Council's members through its Members' Enquiries function. The team also log other types of spontaneous feedback through the "Comments" and "Compliments" mailboxes.

In 2021, following a restructure, the Complaints Team moved to sit within the wider Communications Team with a new head of service and a new team manager. A review of the service took place and a number of improvements to the service have been implemented, with further enhancements planned. These will bring London Borough of Merton into alignment with the expectations of the Local Government and Social Care Ombudsman and the guidance issued in 2020.

The Complaints Team are knowledgeable in the handling of complaints and operate independently of other service teams. Although it is the responsibility of the service teams to respond to complaints, the team acts as an impartial conduit for complainants and the council's officers. They remain available to both throughout the duration of a complaint, providing guidance throughout the process.

The Complaints Team Manager is also the link person for the Local Government and Social Care Ombudsman.

An important function of the Complaints Team is to collect and collate data from feedback received. This assists the council in preventing recurring complaints, identifying training needs and updating policies and guidance.

The Local Government and Social Care Ombudsman also says that councils should report annually on their complaint handling performance annually and make the reports easily accessible. The annual report should include the following data sets:

The learning from complaints: Specific actions the council has taken in response to complaint findings.

Recommendations for further actions to address underlying issues.

Complaints received by service area: London borough of Merton has four directorates and a number of smaller service teams within those directorates

How the complaints were received: phone, email, online, face-to-face

The number of upheld complaints for each service area.

There are generally four outcomes of a complaint, these are:

Upheld – where we agree with the complainant

Partially upheld – where we agree with the complainant in part, but not fully. It can also be used where a policy is applied but leads to an unfair outcome.

Not upheld – where we do not agree that there has been a service failure

Inconclusive – where we do not have evidence to conclude the complaint one way or another.

Withdrawn – Complaints can be withdrawn for a number of reasons, sometimes the complainant will choose to withdraw the complaint, or it maybe excluded from the formal complaints process if it is an exception.

The number of upheld complaints at each stage of the process: London Borough of Merton has a two-stage complaint resolution process.

How the numbers of complaints compared to previous years.

The council's performance against its own timescales for each service area: This is 20 working days at stage 1 and 25 working days at stage 2

The complaints performance of third parties on behalf of the council: The council replies to all complaints made against third parties who are carrying out work on behalf of the council, unless they are complaints about personnel, in which case they are dealt with directly by the contractors.

The council's LGSCO annual letter and progress against the agreed service improvements.

This is a letter written to all local authorities regarding their performance in terms of complaints that have been escalated to LGSCO and has links to data collected. It can be viewed by following this link:

<https://www.lgo.org.uk/documents/councilperformance/2022/london%20borough%20of%20merton.pdf>

Key points

It was expected that complaints would rise, following the relaxing of restrictions put in place during the coronavirus pandemic. During the course of the restrictions some services ceased or changed the way they were delivered. There has been an 70% increase in the number of complaints across the council. However, a reduction was seen in the number of complaints regarding children's services and dealt with under the corporate complaint procedure.

- Total number of stage 1 complaints received in 2021 – 2022 was 673 cases, compared with 403 the year before.
- Change in number of upholds
- Escalations
- 211 compliments were received

Complaints handling within London Borough of Merton

The council operates a two-stage complaints process.

Most complaints are resolved at stage 1, complainants can request escalation to stage 2, a review stage if they are unsatisfied with the response at stage 1. Stage two review is the final stage of the council's formal complaint resolution process. Having completed this process, the complaint maybe referred to the Local Government and Social Care Ombudsman if the complainant remains unsatisfied.

Under corporate complaints procedure:

Stage 1 complaints are: investigated by the service team

Responded to by the service manager

Required to be answered within 20 working days

Escalation is subject to approval by The Complaints Team

Stage 2 complaints are: reviewed by the Complaints Team

Agreed by the service's assistant director or director

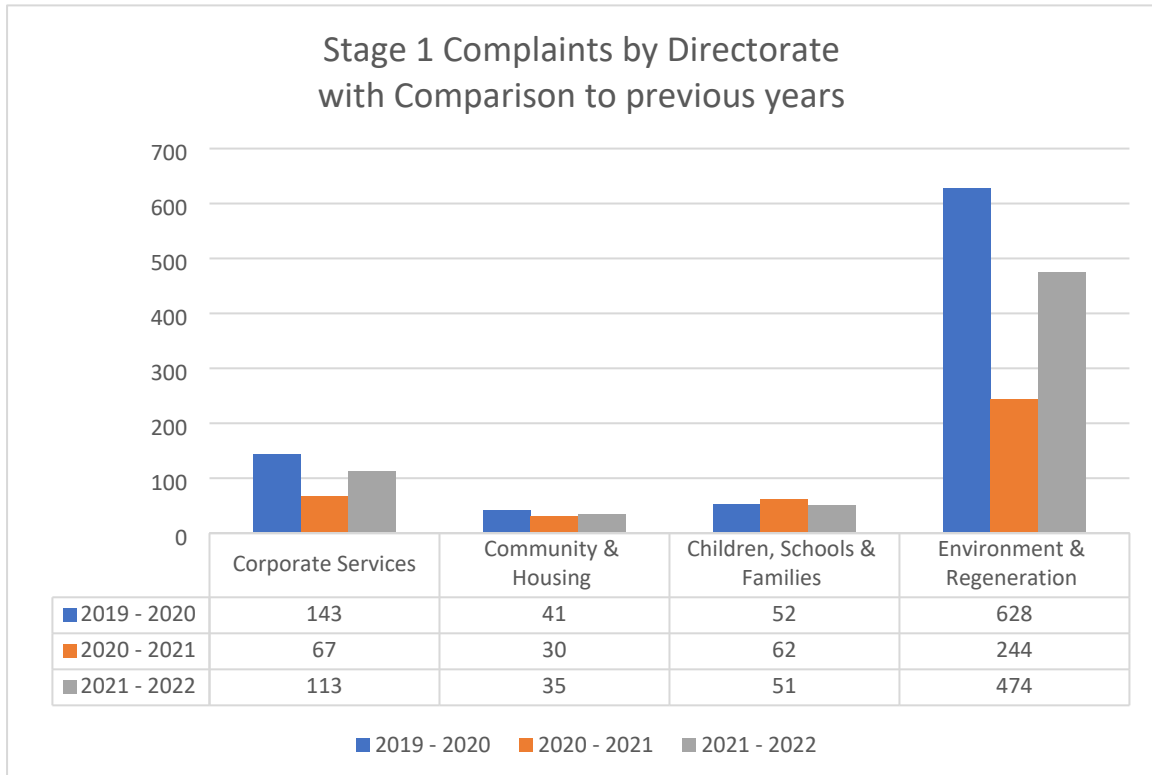
Required to be answered within 25 working days

Escalated to LGSCO at complainant's request.

Subject to a one-year limit for escalation to LGSCO

Number of complaints received

The Council received 673 formal complaints across its four directorates, compared with 403 complaints the year before. This is a 70% increase when compared with the figures for the year 2020 – 2021.



Environment and Regeneration saw a rise in complaints of almost 94%.

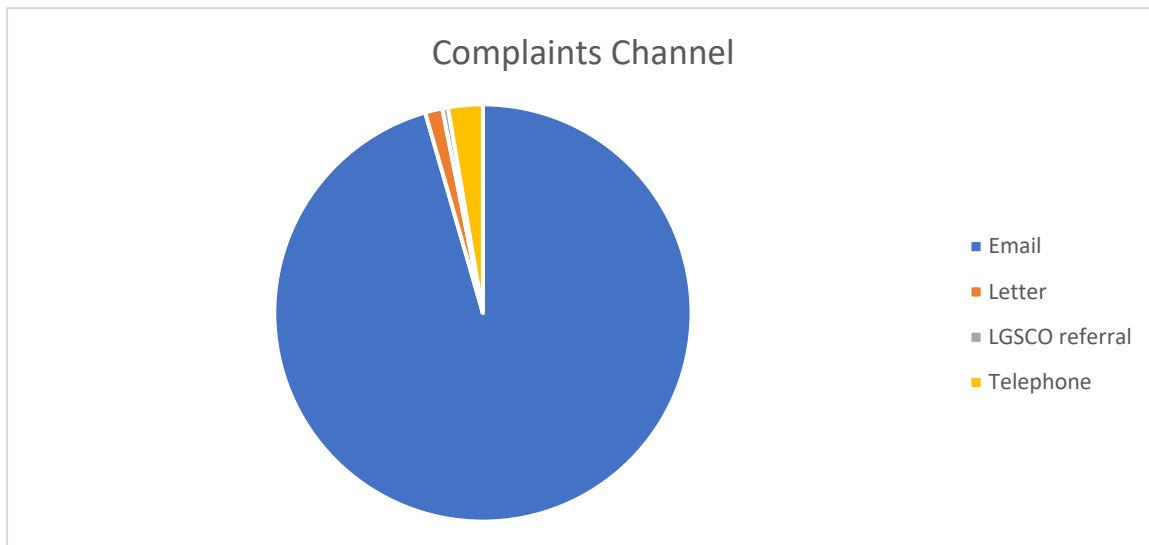
For Corporate Services the increase was 69%

Community and Housing saw a modest rise of 17%

Children, Schools and Families were the only directorate to experience a decrease in the number of corporate complaints – 18%.

Despite most services receiving more complaints, none are as high as in the year before the pandemic – 2019 – 2020.

How complaints were made



Most of the complaints received were submitted by email in 2021 - 2022. Whilst email has been the most popular way of submitting a complaint, it should be remembered that during this time no face-to-face meetings were offered due to most staff working from home and ongoing trepidation about viral transfer, and telephones were restricted to answer phone and a call back.

Complaint Outcomes

There are five outcomes that can be assigned to a complaint. These are upheld, partially upheld, not upheld, inconclusive and withdrawn.

Upheld and partially upheld are indicative of service failure and therefore these complaint outcomes should be scrutinised carefully. They also provide opportunity for service improvements.

In the year 2021-2022, of the 672 formal complaints received 428 were upheld in part or in full. That is 64%. The uphold rate was particularly apparent in Environment and regeneration where the rate was 71%. For the other directorates the uphold rate was around 50%.

The outcome – withdrawn refers to complaints that have been submitted, but not taken to full investigation. There are several reasons for this.

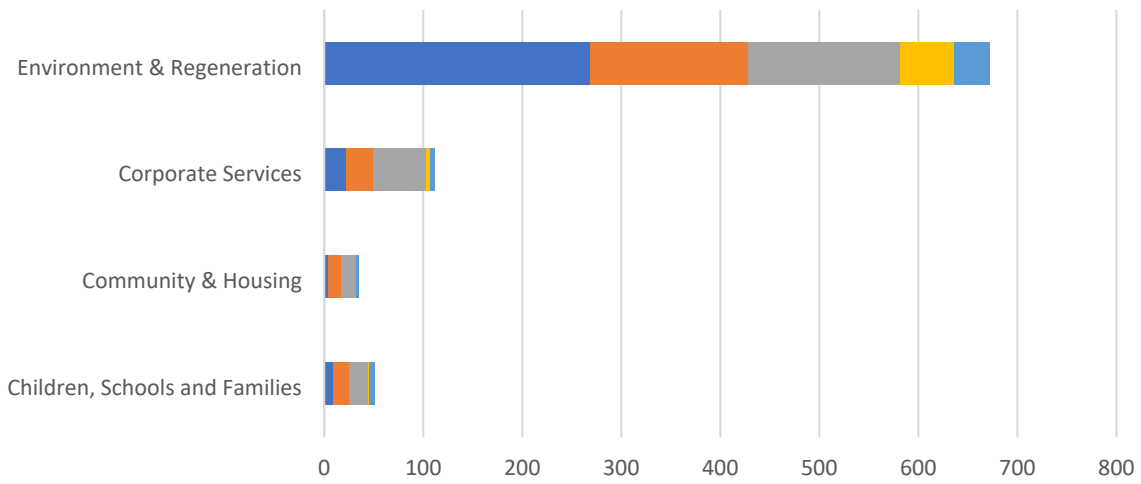
Complainant withdraws complaint – this often happens if the complaint can be resolved easily and quickly. For example, a service request has been delayed but is then carried out.

Complainant doesn't provide information – Sometimes people start a complaint, but then fail to provide any further details.

Exception – On assessment, the complaint is found to be in incorrect channel. It may need to be re-directed through an appeal, legal or specialist channel such as insurance, safeguarding or data protection.

Complaints Team decision – there are some discretionary exceptions that can be applied for example complaints over 12 months old, or where a complaints investigation will not result in a helpful outcome.

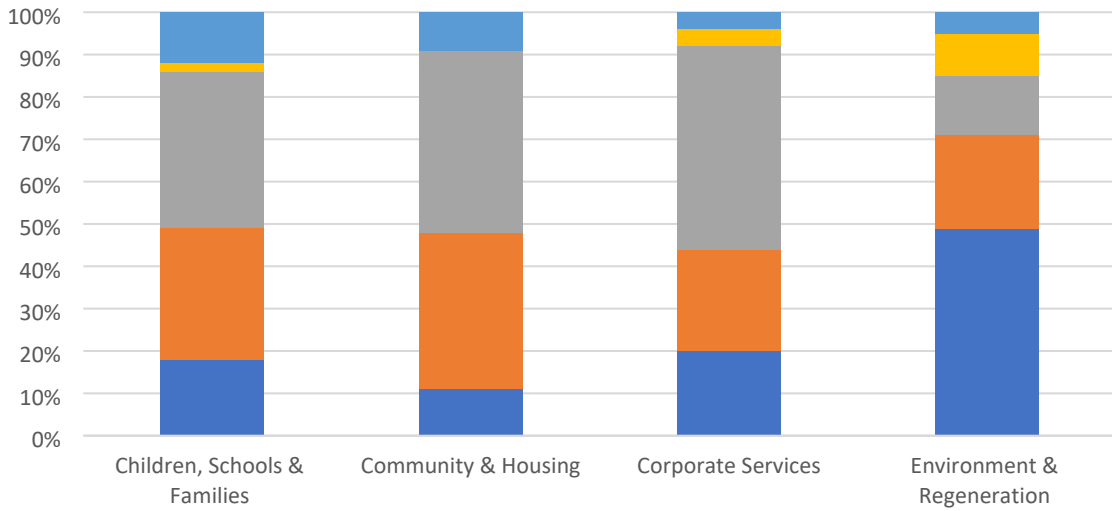
Stage 1 Complaints Outcomes



	Children, Schools and Families	Community & Housing	Corporate Services	Environment & Regeneration
Withdrawn	6	3	5	36
Inconclusive	1	0	4	54
Not Upheld	19	15	54	154
Partially Upheld	16	13	27	159
Upheld	9	4	22	269

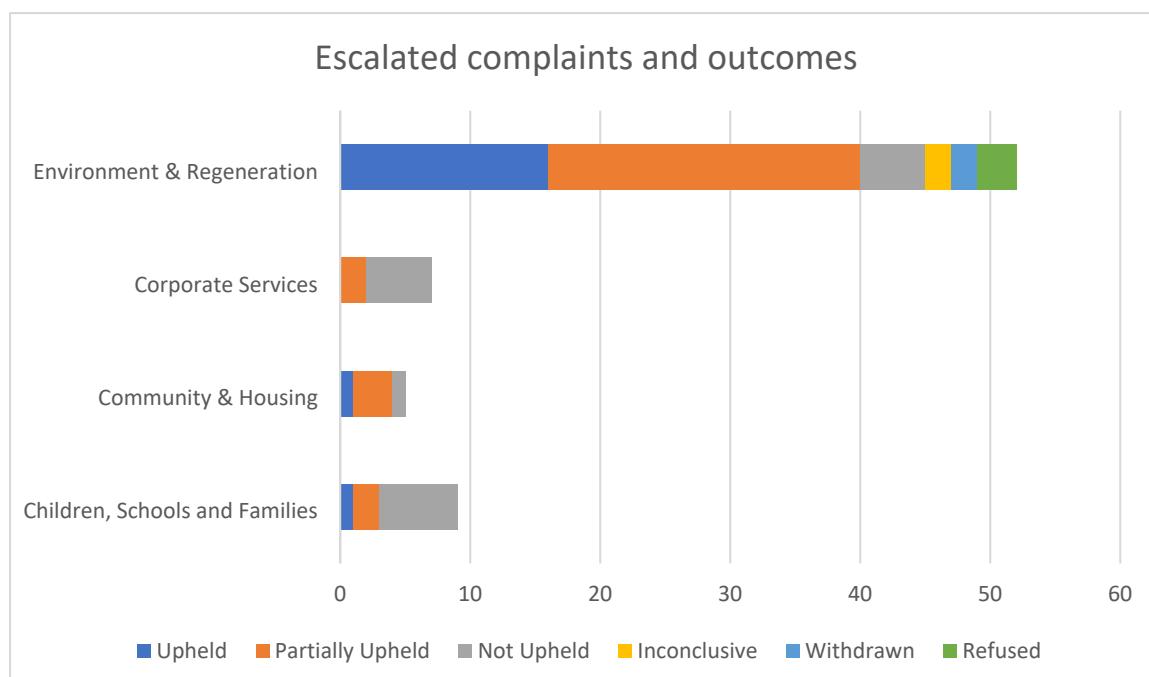
■ Upheld
 ■ Partially Upheld
 ■ Not Upheld
 ■ Inconclusive
 ■ Withdrawn

Stage 1 outcomes by percentage



■ Upheld
 ■ Partially Upheld
 ■ Not Upheld
 ■ Inconclusive
 ■ Withdrawn

Escalations to Stage 2



Complaint escalations usually occur for the following reasons:

- Complaint points have not been properly addressed or missed or new evidence has come to light which may change the outcome
- A complaint has been upheld but no solution has been offered
- A solution has been agreed, but not carried out

These are acceptable reasons for escalating a complaint.

The Complaints Team can refuse to escalate a complaint if:

- The complaint point has already been upheld and further investigation will not change the outcome.
- No new evidence has been provided and further investigation will not change the outcome
- The complaint is a policy complaint, and further investigation will not change the outcome
- The escalation request has been submitted after the deadline – discretion needs to be applied in such cases.

Complaints should be adequately answered at stage 1, and escalations to stage 2 should be infrequent. Changes of outcome at this stage should be rare.

In 2021 – 2022, about 11% of complaints escalated to stage 2 (73 of 672 complaints). This is just over the KPI of 10%.

Of the 73 cases that did escalate, 67% (49) upheld or partially upheld at stage 2 indicating further service failure or poor response at stage 1.

Actions have been taken to prevent this occurring in the future.

The complaints process is based on three documents, the complaint as submitted by the complainant, a formal acknowledgement and a response or outcome letter.

- **Formal acknowledgement**

All stage 1 complaint requests are now formally acknowledged by the Complaints Team, complaint points are numbered and summarised on a standard template, and the complainant is asked to check and agree the complaint points prior to investigation.

The acknowledgement document outlines any points that can't be investigated and the reasons why and signposts the complainant to the correct procedure where applicable.

The acknowledgement advised the complainant of how their complaint will be investigated and when they can expect to receive a response.

- **Templated response**

Once agreed, the Complaints Team pre-populate a response template with the agreed complaint points. The summarised complaints points enable service teams to address the points without having to go through lengthy complaint correspondence. This approach means that the complaint can easily directed to service teams where multiple teams are involved.

The template is structured in a way that ensures all complaint points are addressed and an outcome is given to each point.

The template has a section for the resolution with an expected completion date for upheld and partially upheld complaints. Similarly, there is space for lessons learned.

Finally, the template advised the complainant what to do should they be unhappy with the complaint response

Once the outcome letter has been drafted, it is quality checked by the Complaints Team before being sent to the complainant as a PDF attachment, from the Complaint Team's mailbox.

Sending the complaint outcomes from a central mailbox means that complainants have a single point of contact and reduces incidents of officer in service teams becoming involved in lengthy email discussions.

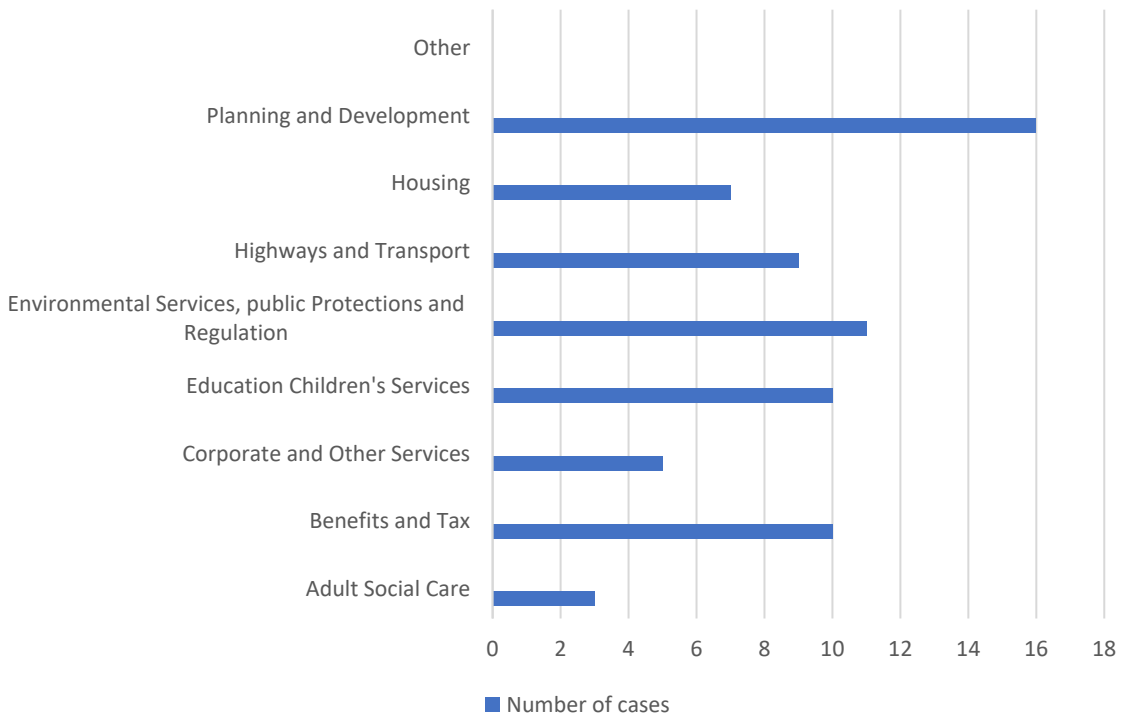
Apart from making the formal complaints process clearer for complainants and responding officers, the structured nature of the acknowledgement and outcome documents has the advantage that complaints can be more easily analysed, and more meaningful reports can be produced.

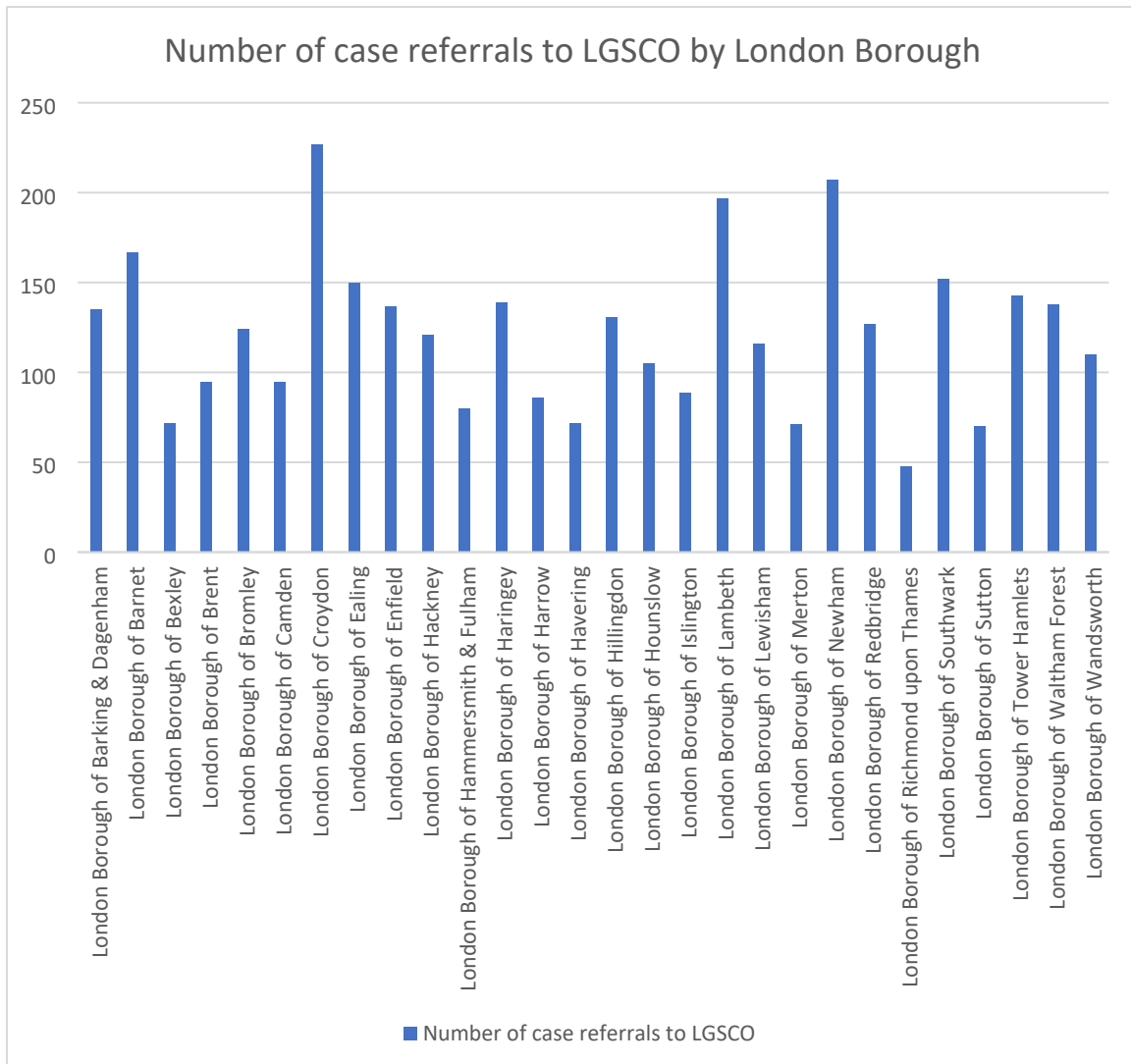
Escalations to the Local Government and Social Care Ombudsman

On completing both stages of the formal complaints process, complainants can refer their cases to the Local Government and Social Care Ombudsman for external review.

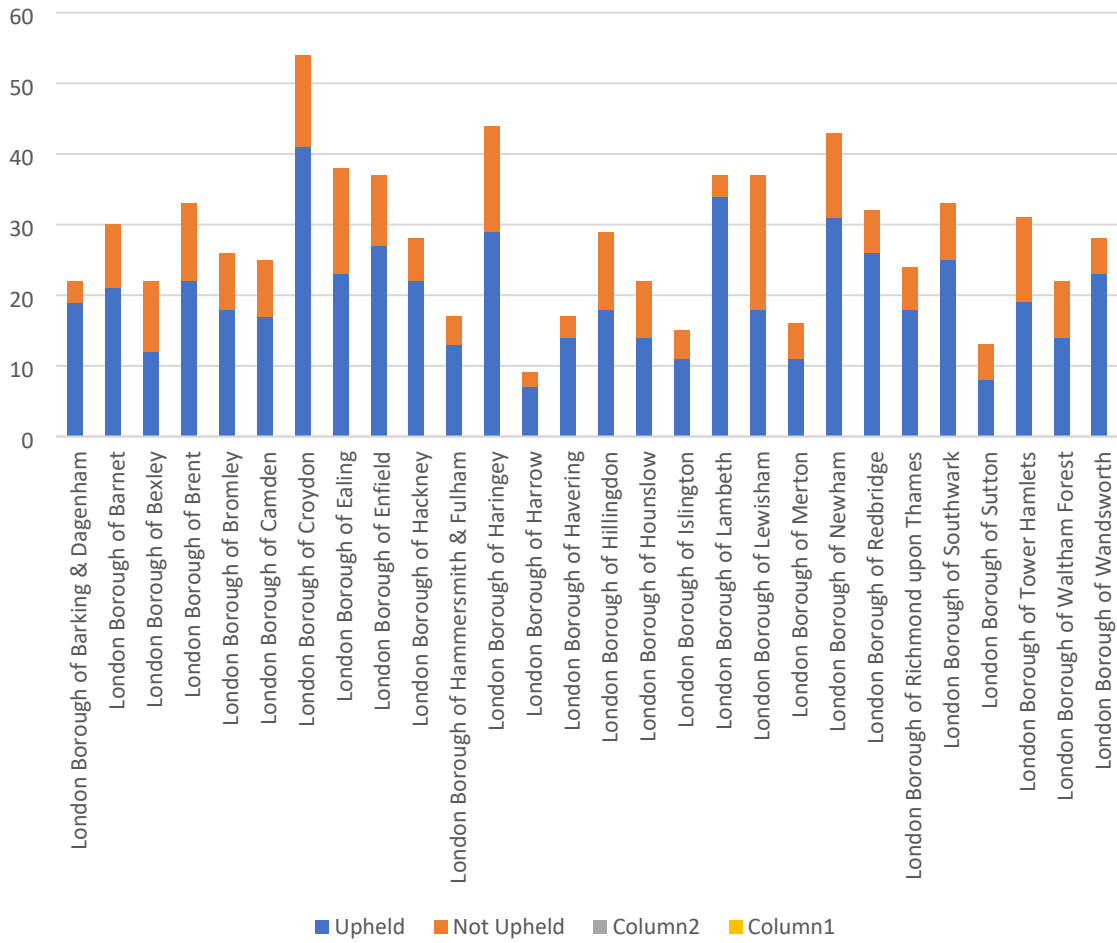
In the year 2021 – 2022, 71 cases were referred to the ombudsman. Only two London Boroughs had less referrals. Sutton and Richmond upon Thames, with 70 and 48 respectively.

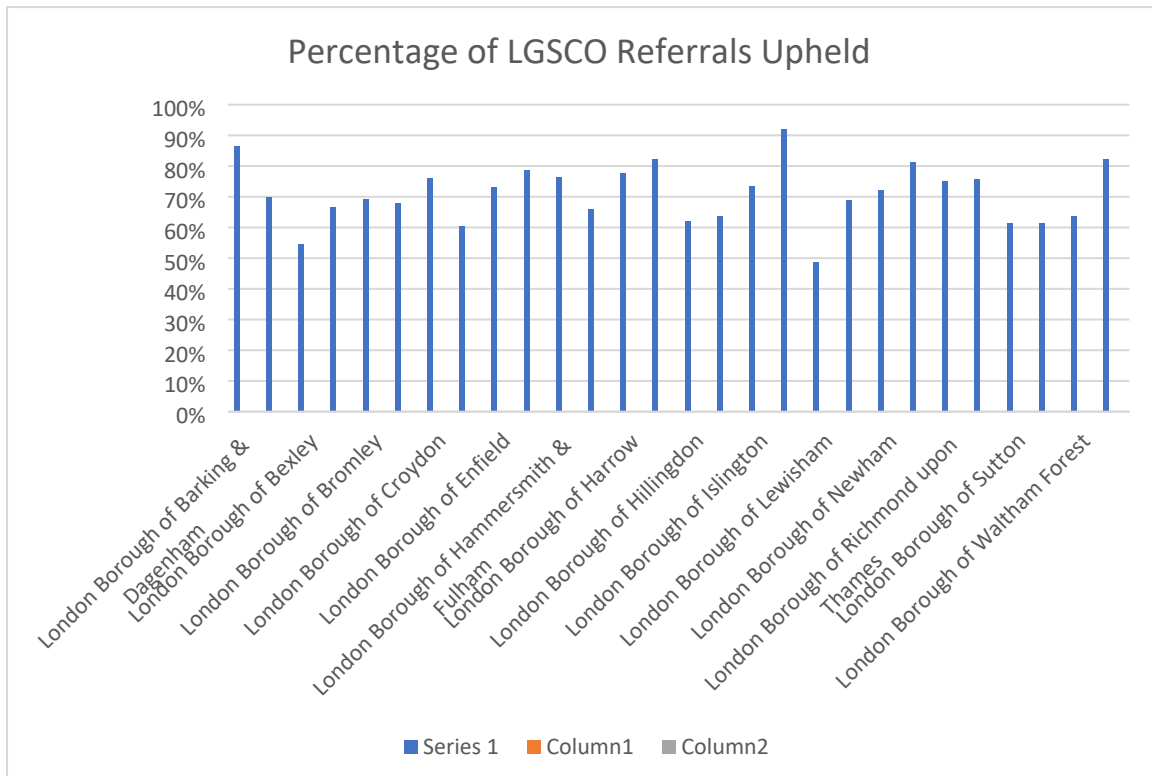
London Borough of Merton - LGSCO referrals by division



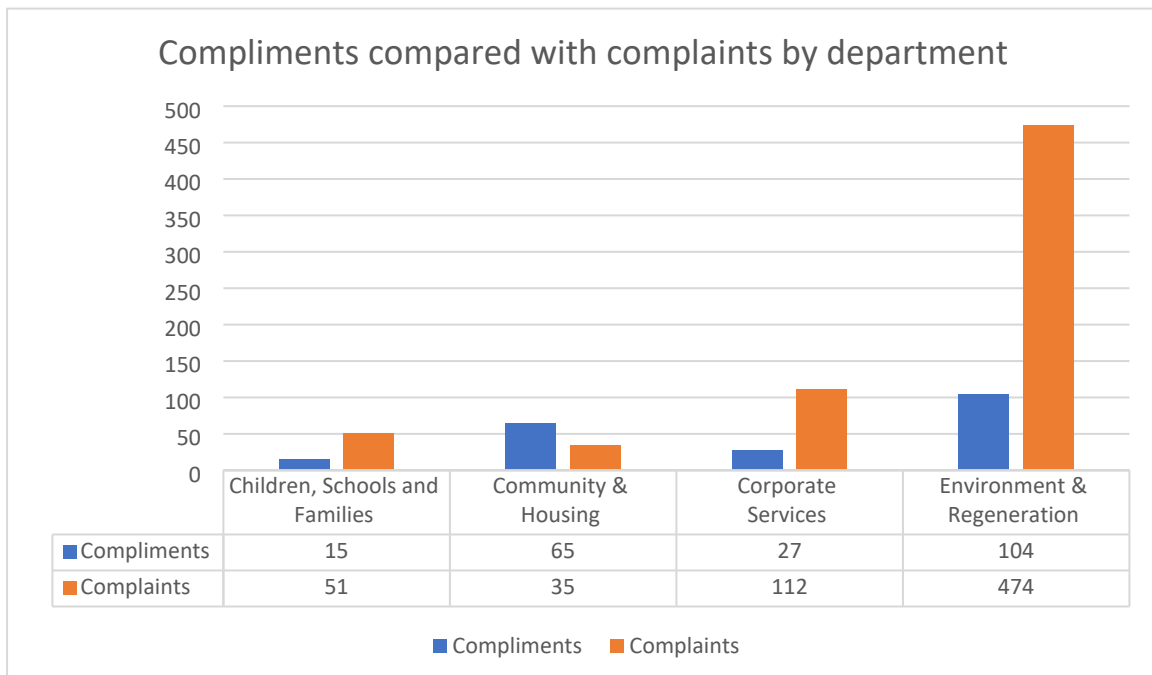


Outcomes of cases taken to full investigation





Compliments



Environment & Regeneration – Waste

“I just wanted to say how brilliant the waste operatives are that come and collect my bins. Every single time they go over and above and are always so helpful and friendly. Why people go off about the bin men and women I don’t know, but I’m convinced people will moan about anything!”

April 2021

Environment & Regeneration – Regulatory Services

*“I would like to also thank _____ for her patience and tremendous help to be able to complete the application which I was finding impossible to do through the electronic system. Without her help I would not have been able complete my application.
Please thank her again for me.”*

April 2021

Environment & Regeneration – Parking and CCTV

“Thank you for your assistance in this matter, whoever I spoke to was very helpful & patient in sorting out this issue.”

May 2021

Environment & Regeneration - Greenspaces

*“I would like to compliment council tree officer _____ for going above and beyond in helping me remove a fallen down tree on my vehicle after storm Eunice.
He was only supposed to come and inspect the damage. When he saw the trouble that I was in he produced a saw and helped me cut down and remove the fallen tree.
I would not have managed it on my own.
Thank you”.*

February 2022

Corporate Services - Registrars

“It is unfortunate that most feedback proffered is to register a complaint; I wish to offer a compliment.

I attended the registry office Wednesday AM for my UK citizenship ceremony. Everyone was welcoming, friendly and accommodating; even when I arrived early. Whilst excited at being sworn in, I was nervous; however, the staff were welcoming, amiable and congratulatory; especially the lovely registrar who took my affirmation and gave me a free pen!

Thank you one and all for a wholly positive experience!”

April 2021

Corporate Services - Revenues

“I wish to send my sincere thanks to _____ who was exceptionally thorough, compassionate and resourceful in helping me deal with my late stepfather's properties. In these unprecedented times it makes all the difference to have such customer care to make such a difficult process easier.”

April 2021

Effectiveness of the complaint procedures

There has been an initial review of the complaint resolution service. As part of the review a number of high-level recommendations were made. These were:

1. A revision of the Complaints, Comments and Compliments Policy should be carried out
2. Improve access to the Complaint Service
3. Introduce a case management System
4. Additional staff resource for the Complaints Team
5. Support culture change in attitudes to complaints

1. A revision of the Complaints, Comments and Compliments Policy should be carried out

The Complaints Policy has been reviewed and further recommendations have been made to make the policy clearer. A new document has been drafted to sit alongside the policy with comprehensive complaint handling guidance to be made available to all staff. This high-level recommendation will be finalised once some of the other recommendations have been completed.

2. Improve access to the Complaint Service

The Complaints Team has approached the council's Participation and Engagement manager to engage with Merton's Children in Care Council – called "Our Voice". Our Voice is a group of young care leavers who now engage with the council to input into services. Two questions were posed to the young people with respect to the complaints process:

1. How can we reach young people, so that they know there is a complaints process?
2. How would they want to contact us?

They came back with the following responses:

How can we reach young people, so they know there is a complaints process?

- Promoting the complaints through Jigsaw
- Having social workers/support staff inform them of the complaints process
- Having the complaints process advertised on care guide
- Having the complaints process made known in meetings like PEP meetings and reviews
- Having the complaints process on the bottom of forms
- Encourage feedback good or bad

How would they want to contact us?

- Being able to go straight to the person (complaints team) face to face (in civic)
- Phone, text, email, social media
- Go through Jigsaw
- Through the Merton website
- Other suggestions were
- Using online forms (One that gets emailed back to you so you have a copy of it)

Other suggestions were

- Using simple language in the complaint form
- Having set questions
- Having someone support/help with filing a complaint

The Complaints Team will now work with the wider Communications and IT teams to develop these suggestions.

3. Introduce a case management System

The Complaints Team are working with the IT team and Infosys to develop a Microsoft Dynamics based case management system. This project includes:

- A webform for submitting complaints – which will help us to capture the information required to fully investigate a complaint at the first point of contact, we will also request the characteristics of the complaint, which is a data set missing at present.
- The complaints form should be accessible across a range of devices such as mobiles, tablets, laptops and in hard copy.
- Improved reporting and tracking of complaints and resolutions
- Ability to link complaints to gain full picture.

4. Additional staff resource for the Complaints Team

A new, full-time, Complaints Officer has been recruited into the Complaints Team. All Complaints Officers will receive training in Children's Statutory Complaints handling.

5. Support culture change in attitudes to complaints

The Complaints Team has done a huge amount of work to change its image within the Council, and to raise its profile as a support to residents and service teams.

The way in which complaints are received and acknowledged has been revised. Complainants now receive a document with a detailed summary of their complaint points. They are invited to check the complaint points and discuss any amendments prior to investigation.

Service teams now have clarity over the points to be investigated and have access to in person or video guidance to complete complaint responses.

All complaint responses are quality checked and sent out via the complaints team mailbox, which helps to prevent escalations.

Service Teams are encouraged to consider lessons to be learned through complaints.

The Complaints Team run Team Development Sessions every week, to which other services are invited to take part

