

# ANNUAL COMPLAINT REPORT FOR HOUSING SERVICES AND ADULTS' SERVICES FOR 1 APRIL 2014 TO 31 MARCH 2015

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## PURPOSE OF THE REPORT

This report provides information and analysis of complaints and Members Enquiries received between 1 April 2014 and 31 March 2015 for Housing and Adults' Services and satisfies the requirements to publish annual information about complaints.

## OPTIONS OPEN TO THE COMMITTEE

For members of the committee to:

1. note the contents of the annual complaint report; and
2. discuss any concerns with the relevant Cabinet member.

## SUMMARY OF ANALYSIS

### a. **Housing Services** (See annex 1 – pages 5 to 21)

#### **Complaints**

- 23% (92) increase in informal complaints when comparing the 2013/14 figure of 405 with the 2014/15 figure of 497.
- 18% (31) decrease in Stage 1 complaints when comparing the 2013/14 figure of 175 with the figure for 2014/15 of 144. Of the 144 complaints, 26 were upheld, 35 partially upheld and 83 either not upheld or withdrawn. 65% (93) of the complaints were responded to within target.
- 54% decrease in Stage 2 complaints when comparing the 2013/14 figure of 39 with the figure for 2014/15 of 18. Of the 18 Stage 2 complaints, 1 was upheld, 5 partially upheld and 12 not upheld or withdrawn. 15 of the 18 Stage 2 complaints were dealt with within target.
- 23 Stage 3 complaints dealt with in 2013/14 and 2014/15. Of the 23 complaints 4 were partially upheld and 19 not upheld.
- An increase of 5 complaints escalating to the Ombudsman when comparing the figure for 2013/14 of 5 with the figure for 2014/15 of 10. Of the 10 complaints, 2 were upheld, 1 partially upheld and 7 were not upheld.

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## **Compliments**

- 40 compliments were recorded for the period 2014/15. This information was not collected for previous years.

## **Members Enquiries**

- 7% (78) increase in enquiries from Elected Members when comparing the figure for 2013/14 of 1,134 with the 2014/15 figure of 1,212.
- The two main areas where elected members raised enquiries were: (1) housing needs which accounted for 47% (571) enquiries; and (2) the repairs service which accounted for 12% (145) enquiries.

### **b. Adults' Services** (See annex 2 – pages 22 to 29)

## **Complaints**

- 30% (24) increase in informal complaints when comparing the 2013/14 figure of 80 with the 2014/15 figure of 104.
- 26% (11) decrease in Stage 1 complaints when comparing the 2013/14 figure of 42 with the 2014/15 figure of 31.
- The average time taken to conclude a Stage 1 complaint is 13.42 working days against a target of 20 working days. 84% of Stage 1 complaints were responded to within our published target of 20 working days.
- Of the 10 LGO investigations concluded during 2014/15, 5 begun in 2013/14 with 3 upheld, 3 partially upheld and 4 not upheld.

## **Compliments**

- 97% (30) increase in compliments when comparing the 2013/14 figure of 31 with the 2014/15 of 61.

## **Members Enquiries (ME)**

- 27% (39) increase in enquiries from Elected Members when comparing 2014/15 figure of 182 with 2013/14 of 143. The three main areas that Elected Members made enquiries about were: disability services 48 enquiries, personalised services 48 enquiries and access and assessment services 29 enquiries.

## **BACKGROUND INFORMATION**

### **1. The Council's Vision**

The Council's vision is about 'putting our residents first'. Feedback in the form of complaints and compliments is seen as a very important source of information from residents about the quality of services and care provided by the Council. In cases where something has gone wrong, we are committed to putting it right and ensure that it does not happen again.

### **2. What is a Complaint?**

In general terms a complaint can be considered as:

*"an expression of dissatisfaction by telephone, personal visit or in writing, about the standard of service, actions or lack of action by the council or its staff affecting an individual or group of customers."*

### **3. How Can People Complain?**

Complaints can be made in person, by telephone, in writing, by fax, via our website or email, either directly to the service area, Contact Centre or to the Complaints and Service Improvement Team.

### **4. Remedies for redress**

The purpose of redress is to remedy the injustice or hardship suffered and where possible to return a complainant to the position they would have been before the situation went wrong. Types of redress include:

- an apology;
- providing the service that should have been received at first;
- taking action or making a decision that the Council should have done before;
- reconsidering an incorrect decision;
- improving procedures so that similar problems do not happen again; and
- if after an investigation by council staff or the Ombudsman, it is concluded that as a result of maladministration there is no practical action that would provide a full and appropriate remedy or if the complainant has sustained loss or suffering, financial compensation may be the most appropriate approach.

### **5. Mediation**

For some complaints it will not be appropriate, or possible, to resolve a complaint through the complaint process - particularly where there has been a breakdown in the relationship between the service provider and the service user or where emotions are running high. In such situations the Complaints and Service Improvement Team Manager will consider whether mediation is an option that should be considered. If both parties are agreeable, mediation by an independent mediator allows both parties to come together to see if they can reach a solution through dialogue.

Please see annex 1 and annex 2 for detailed analysis and information of complaints, Members Enquiries and compliments received between 1 April 2014 to 31 March 2015.

## BACKGROUND DOCUMENTS

### Annex 1 – Complaints about Housing Services

Housing complaints are managed in line with the Corporate Complaints Procedure. This procedure operates as follows:

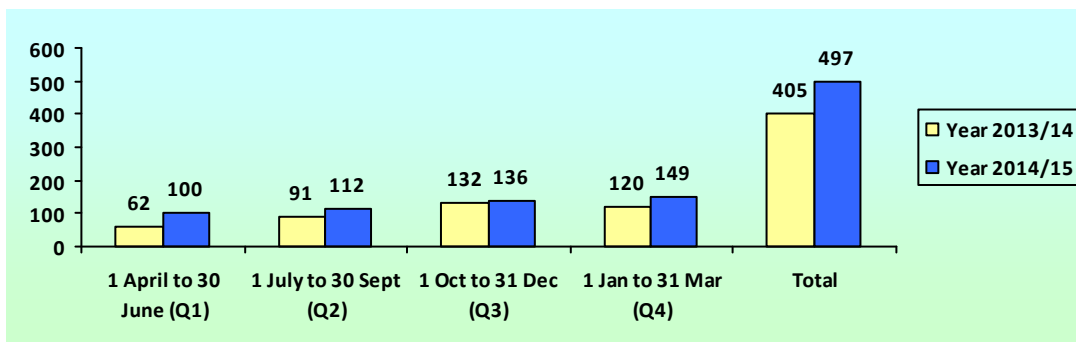
- Stage 1 – response from a Deputy Director, Residents Services or Head of Service
- Stage 2 – response from the Deputy Chief Executive and Corporate Director of Residents Services
- Stage 3 – response from the Chief Executive of the Council
- Stage 4 - Designated Person for the Council (for tenants of housing association, local authorities and ALMOS when local complaint procedures have been exhausted. Effective from 1 April 2013.)
- Local Government Ombudsman

A more detailed explanation of how the complaint procedure operates, the main complaint themes and statistical data for each stage of the process is provided below.

#### 1. INFORMAL COMPLAINTS

Housing staff focus is on resolving complaints informally. This emphasis to resolve issues and concerns quickly and avert the need to escalate these to a formal complaint is working and has helped to reduce the number of formal complaints.

#### **Informal complaints (service requests)**

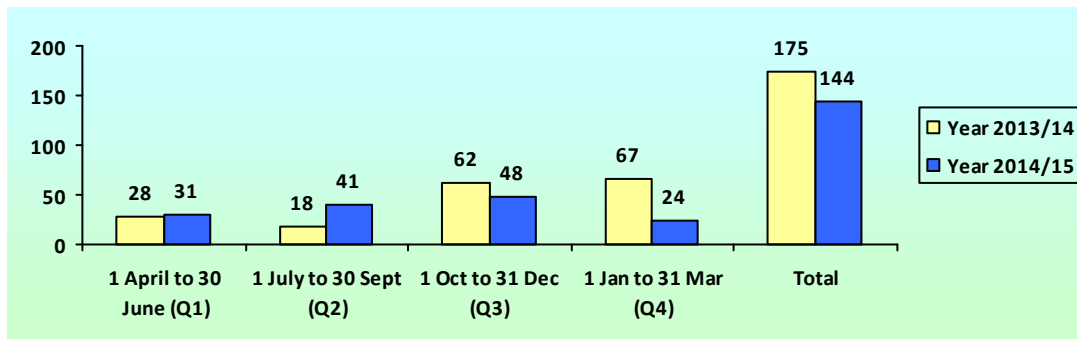


- 23% (92) increase in informal complaints when comparing the figure for 2013/14 of 405 with the figure for 2014/15 of 497.
- Repairs and Housing Need accounted for 52% (256) and 16% (80), respectively, of all informal complaints (497) recorded.

## 2. STAGE 1 COMPLAINTS

A Head of Service or Deputy Director, Residents Services will aim to respond within 10 working days.

### Total number of Stage 1 complaints



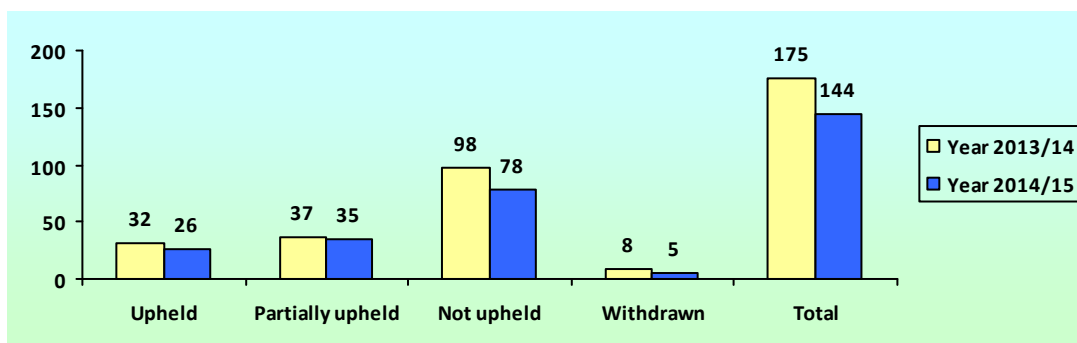
- 18% (31) decrease in Stage 1 complaints when comparing the figure for 2013/14 of 175 with the figure for 2014/15 of 144.
- 44% (57) decrease in the number of complaints recorded in quarters 3 and 4. This is due to the efforts made by officers to involve middle managers to intervene and put right what has gone wrong and apologising for it or offering an explanation why no action can be taken.
- The number of complaints is low in comparison to the number of council tenants (over 10k) and the number of repairs carried out each week (approximately 400).

The two main service areas that residents complained about were:

**Repairs** accounted for 39% (56) of all Stage 1 complaints. The main causes of complaint for this period were about disrepair, mould/damp/condensation, fencing and roofing repairs.

**Housing Need** accounted for 43% (62) of all Stage 1 complaints. Of the 62 complaints, changes to the revised Social Housing Allocations policy, introduced in July 2013, was a feature in almost all of these complaints.

### Outcome of complaints



- the number of upheld and partially upheld complaints is broadly similar when comparing 2013/14 figures with 2014/15 figures.
- 20% (20) decrease in not upheld complaints when comparing the figure for 2013/14 of 98 with the figure for 2014/15 of 78.

**Table 1 – Time taken to conclude a complaint at Stage 1 (working days)**

	<b>2013/14</b>	<b>2014/15</b>
Average time taken to conclude a complaint	8.7	10.11
Target	10	10
Variance	- 1.3	+ 0.11

- the time taken to conclude a Stage 1 complaint is 10.11 working days against a target of 10 working days. This is a dip in performance when compared against the 2013/14 achievement of 8.7 working days. To address this issue, officers are required to provide draft responses on the 5<sup>th</sup> working day and this makes it less likely that the 10 working day target will be missed.

**Table 2 - Number and % of complaints dealt with within 10 working days**

Period	Total number of complaints	Number dealt with within 10 working days	% dealt with within 10 working days
2013/14	175	128	73%
2014/15	144	93	65%

- of the 144 Stage 1 complaints, 93 (65%) were dealt within the 10 working day target.

### **Learning from complaints**

Of the 144 Stage 1 complaints, four themes emerged from 55 complaints where there was learning identified.

- **Customer service issues**

In 20 complaints, residents complained about the way they were spoken to by officers, communications not being responded to in a timely way, gaps in the information we held resulted in the original decision being overturned, incorrect banding that resulted in a direct allocation being offered, appointments not being recorded, being kept waiting on the telephone, work required was identified but not recorded and followed through, operative used a residents toilet without asking her permission, in error we recorded that work had been completed when it had not and failed to attend an agreed appointment with a resident on the date and time agreed.

- **Communication**

In 10 complaints, residents complained that they had not been called back, not advising a resident to complete a Change in Circumstance form, not providing clear advice on the eviction process, incomplete advice given, not advising a resident of the outcome of his application, misleading a resident to believe that her kitchen would be renewed and not advising when scaffolding would be erected and taken down.

- **Delays**

In 21 complaints, residents complained about delays in undertaking repairs, attending appointments, responding to communications sent, undertaking a medical assessment, the length of time it took to book an appointment and in investigating repairs required.

- **Poor Workmanship**

In four complaints, residents complained about the work carried out by operatives namely that underlying issues should have been picked up when the property was empty, the central heating system was incorrectly installed, a pipe had been pierced when work was undertaken and the need for brick work pointing to be re-done.

### **What has been done to improve performance?**

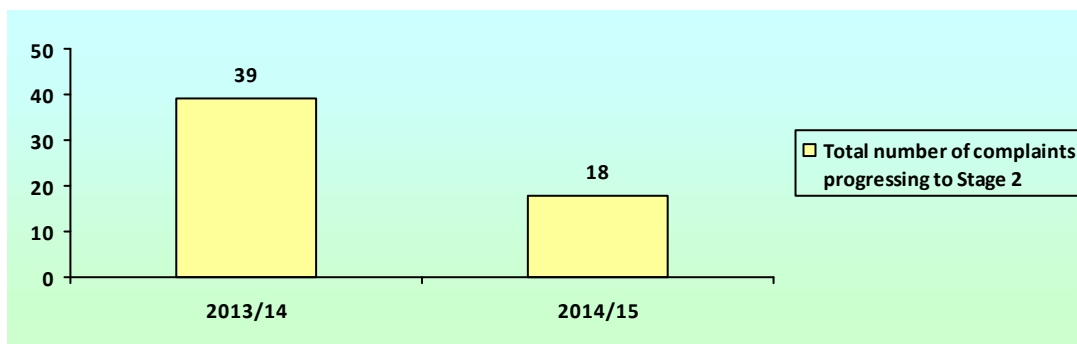
- reminders to individual officers and teams of the need to comply with customer service standards;
- staff briefings carried out; and
- a major review of the Corporate Complaints Procedure by the Corporate Services and Partnership Policy Overview Committee recommended that officers use their discretion to accelerate complaints through the complaints procedure if we feel that the decision cannot be overturned through the complaint process. This will help to streamline the process and reduce the volume of complaints escalating to Stages 2 and 3.

### **3. STAGE 2 COMPLAINTS**

The Deputy Chief Executive and Corporate Director of Residents Services will aim to respond to Stage 2 complaints within 10 working days.

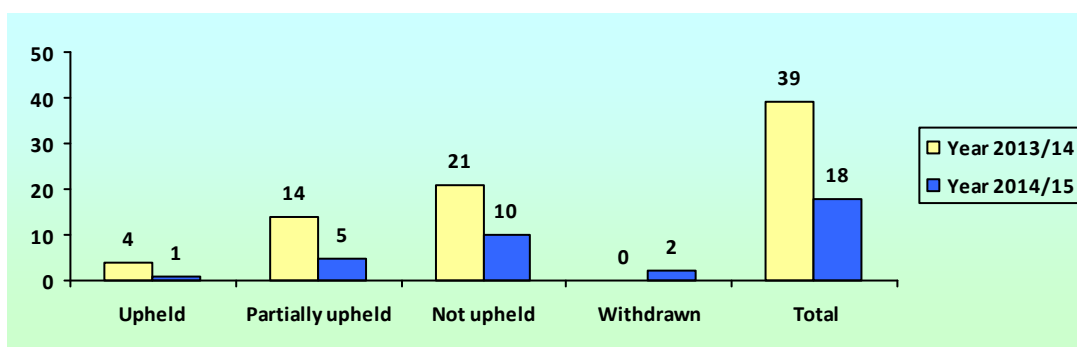


## Total number of complaints progressing to Stage 2



- 54% (21) decrease in Stage 2 complaints when comparing the 2013/14 figure of 39 with the 2014/15 figure of 18.

## Outcome of complaints



- the number of upheld complaints has decreased from 4 to 1;
- the number of partially upheld complaints has decreased by 64% (9) when comparing the 2013/14 figure of 14 with the 2014/15 figure of 5.
- the number of not upheld complaints has decreased by 52% (11) when comparing the 2013/14 figure of 21 with the 2014/15 figure of 10.

Table 3 below provides a summary of 10 Stage 2 complaints. The remaining 8 Stage 2 complaints (3860773, 3623216, 3623225, 3931161, 3867034, 3770061, 4102434 and 4078976) progressed to Stage 3 and their outcome is shown in table 4 on pages 11 to 15.

**Table 3 – Outcome of complaints progressing to Stage 2**

<b>Complaint details</b>	<b>Decision at Stage 2</b>
<p><b>3999765</b> Mr X complained that no engineer had attended on the date and time stated in the Stage 1 response.</p>	<p><b>Upheld</b> We apologised to Mr X that having listened to the recording of the telephone conversation, he was incorrectly advised that the appointment was for the afternoon and not the morning.</p>
<p><b>3624166</b> Ms X complained that her kitchen was not in decent condition and that repairs were needed to individual units.</p>	<p><b>Partially Upheld</b> Ms X was advised that a non decent kitchen was one that was both poor in condition and more than 20 years old. Her kitchen does not qualify as "non decent" and it was not due for renewal until 2027. We advised that repairs would be carried out to individual units.</p>
<p><b>3769999</b> Ms X complained that she had not been contacted about when her shed roof would be repaired. Ms X was also unhappy that officers contacted her to arrange an Occupational Therapy assessment.</p>	<p><b>Partially Upheld</b> We apologised that Ms X had not been contacted by our Planners and advised her that roofers had been booked for 28 August. In terms of the Occupational Therapy assessment, they contacted her to a) ask questions from a screening tool and b) to advise her that we were referring her case to the Early Intervention Team.</p>
<p><b>3875145</b> Mr X complained that a Team Leader refused to give his full name and that he received conflicting messages about a repair he had requested to be undertaken.</p>	<p><b>Partially Upheld</b> Mr X was advised that when an officer is asked for their name, the Council's existing customer care standards allow staff to give their first name with or without their surname. We apologised for the conflicting messages and explained how this happened.</p>
<p><b>3897503</b> Mr X complained about the delay in carrying out repairs.</p>	<p><b>Partially Upheld</b> We advised Mr X that inspections took place of all stairways in the block and many were found to need repairs. Anti-slip strips were fitted. We advised Mr X that 3 quotes would be needed to undertake repairs/inspection of the glass canopies and that is what was taking time.</p>
<p><b>3970574</b> Mr X complained that the Council was responsible for the damage to the kitchen decorations and as a result we should re-paint his kitchen in the existing colour.</p>	<p><b>Not Upheld</b> Mr X was advised that the Council does not carry out redecoration as a result of boiler replacement work. However, as a good will gesture we agreed to use some of the spare paint to make good areas in the lounge where holes had been filled in.</p>

<b>4234978</b> Mrs X complained that her application under the Right to Buy scheme was withdrawn by the Council without any notice.	<b>Not Upheld</b> Mrs X was informed that the statutory provisions contained in the Housing Act 1985 have been correctly applied. There are no grounds for the Council to review this decision nor any statutory obligation to reinstate her application. She was advised to make a fresh application.
<b>4027902</b> Mr X complained that a leak from his dormer window had not been resolved nor had the issue of condensation in his property been addressed.	<b>Not Upheld</b> Mr X was advised that we need to replace the glass in the window but before we could do this scaffolding was needed as it is so high up. In relation to condensation, he was advised to wipe down the windows, daily, and to open the windows to allow fresh air into the property.
<b>3994750</b> Mrs X's solicitors complained that the Council had reduced their clients banding whilst requesting information.	<b>Withdrawn</b> After discussion with a housing officer the complaint was withdrawn on the basis that Mrs X's banding remained the same.
<b>4155795</b> Miss X was unhappy with the way council staff had dealt with her housing situation.	<b>Withdrawn</b> After discussion with housing officers, Miss X decided to withdraw her complaint.

**Table 4 – Time taken to conclude a complaint at Stage 2 (working days)**

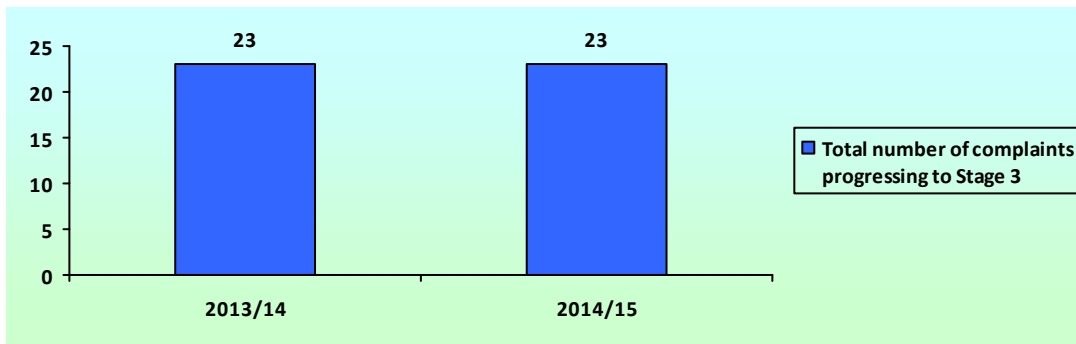
	<b>2013/14</b>	<b>2014/15</b>
Average time taken to conclude a complaint	8.50	8.6
Target	10	10
Variance	-1.50	-1.40

- the time taken to conclude a Stage 2 complaint is 8.60 working days against a target of 10 working days.
- of the 18 Stage 2 complaints, 15 (83%) were dealt with within target - complaints 3623216, 3931161 and 3972134 were not dealt with within target as a number of different issues were raised in all three complaints.

#### 4. STAGE 3 COMPLAINTS

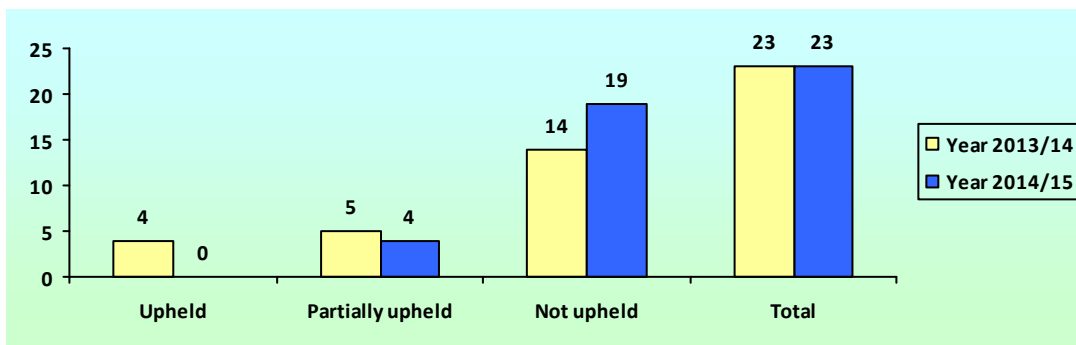
At Stage 3, the Chief Executive commissions an investigation by an officer in Democratic Services and the aim is to respond within 15 working days.

##### Total number of complaints progressing to Stage 3



- 23 Stage 3 complaints were dealt with in 2013/14 and 2014/15.

##### Outcome of complaints



Of the 23 Stage 3 complaints, 4 (17%) were partially upheld and 19 (83%) were not upheld.

Table 5 below provides a summary of the complaints that progressed to Stage 3 and gives details of the complaint and the decision.

**Table 5 – Outcome of complaints progressing to Stage 3**

<b>Complaint details</b>	<b>Decision</b>
<p><b>4102434</b> Mr X explained that for the past 22 months he had been having problems accessing the garage he rented from the Council. He had complained that vehicles owned by other residents and commercial vehicles were blocking access to the garage.</p>	<p><b>Partially Upheld</b> The Chief Executive apologised to Mr X as the situation has remained unresolved for nearly two years. Mr X was offered compensation, we would freeze his garage rent account and take forward a proposal for the installation of double yellow lines.</p>
<p><b>3565915</b> Mrs X complained that it had taken the Council 8 months to reach a decision on her homeless application, which was contrary to the legal requirement of 33 days.</p>	<p><b>Partially Upheld</b> The Chief Executive apologised for the time it took to give Mrs X a decision on her homeless application. However, she concluded that the remedy offered to Mrs X of re-opening the homeless application to be appropriate and proportionate.</p>
<p><b>3862292</b> Ms X's legal representatives stated that the Council had failed to address Ms X's homeless application in accordance with the statutory duty and, as a result, Ms X had been faced with the financial burden arising from her storage costs.</p>	<p><b>Partially upheld</b> The Chief Executive apologised for the error in not processing Ms X's Homeless Application when it was first submitted but advised that temporary accommodation provided was the appropriate remedy. It was for Ms X's to make her own arrangements for storage as the Council would not have been able to provide her with storage as none was available.</p>
<p><b>3788116</b> Ms X complained that she could not rely on the Council to deal with her homeless application properly and made her own arrangement for storage of her possessions. She sought compensation from the Council for her storage costs.</p>	<p><b>Partially Upheld</b> The Chief Executive apologised for the error in dealing with her initial homeless application. However, she advised Ms X that no mention was made of storage facilities she required in her homeless application but in any event, no storage facilities were available to offer her.</p>
<p><b>3972134</b> Mrs X complained on behalf of Mr and Mrs Y were being discriminated against because of their disabilities and that their requests for adaptations were reasonable under the terms of disability discrimination legislation.</p>	<p><b>Not Upheld</b> Mrs X was informed that Mr and Mrs Y had been provided with clear explanations as to why they have not been successful in their bids for housing to date. Mrs X was advised that adaptations are based on whether they are structurally possible within a property and on the needs of the individuals concerned.</p>
<p><b>3623225</b> Ms X was shocked and surprised that the Council did not inspect Houses in Multiple Occupancy</p>	<p><b>Not Upheld</b> Ms X was advised that the Council do not carry out inspections as a matter of routine but as this issue has been raised by Ms X</p>

(HMO) properties regularly.	officers in Private Sector Housing will inspect the property.
<b>3770061</b> Mrs X complained that her neighbour's tree was having an impact on her reasonable enjoyment of her garden, her warnings about rats had gone unheeded and that no action had been taken to get her neighbour to improve her garden.	<b>Not Upheld</b> Mrs X was advised that information had been provided regarding the relevant legislation under which the Council would consider it appropriate to take action against her neighbour. Mrs X was advised that officers had contacted her neighbour about feeding the local wildlife and although food was left out it was not considered to be excessive.
<b>3632719</b> Ms X complained of the stress she and her family were under having to sleep on her sister's sofa. Ms X was not happy with the advice given to her to rent privately and felt that people on housing benefit could not get a property in the private sector.	<b>Not Upheld</b> Ms X was informed that the Council had adhered to the correct policies as they relate to the allocation of social housing. The Council's Medical Advisor has asked her to provide additional information relating to the mental wellbeing of her son and on receipt of these documents her case will be reassessed.
<b>3623216</b> Mr X complained of the heightened risk to his health of being exposed to damaged MDF and for the delay in carrying out repairs to his property.	<b>Not Upheld</b> Mr X was advised that there was no record of his health issues and any MDF would be cut in our workshop before being installed. There was no evidence that repairs were delayed but were put on hold on Mr X's request.
<b>3477569</b> Ms X complained that she qualified for social housing under the ten year residency rule. Her medical condition had also deteriorated and this meant that she also qualified on medical grounds.	<b>Not Upheld</b> Ms X was advised that her eligibility for social housing had been clearly explained to her at every stage of her complaint. The Chief Executive considered the Council to have adhered to the correct policies and procedures as they relate to the allocation of social housing.
<b>3611765</b> Ms X complained that nothing had been done to address her homelessness and unsanitary bed and breakfast situation. She asked how she was going to be compensated given that it had now been recognised that she had been victimised from the start.	<b>Not Upheld</b> The Chief Executive advised Ms X that she had found no evidence of maladministration and that the Council does not have a duty to house someone who is appealing a 'discharge of duty' decision. However, officers provided Ms X with self contained accommodation whilst her appeal was being determined.
<b>3860773</b> Mr X complained that pipe work in the airing cupboard had not been fitted correctly and this caused a	<b>Not Upheld</b> The Chief Executive explained that the way in which the pipe in question had been fitted by our contractor was not best

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<p>leak. He maintained that the issue should have been detected at the inspection stage.</p>	<p>practice but it was fit for purpose. It had, regrettably, failed and resulted in a leak. The Council arranged for the pipe to be rerouted and discharge in an alternative manner.</p>
<p><b>3778552</b> Ms X's legal representatives complained that despite many requests for information, the Council had ignored emails.</p>	<p><b>Not Upheld</b> The solicitors were advised that the Council is not under any obligation to house individuals that are pending review. Officers exercised this discretion on compassionate grounds and placed Ms X and her son in bed and breakfast accommodation and then moved her into self contained accommodation.</p>
<p><b>3639933</b> Ms X's legal representative complained that the Council had been in full possession of the material evidence required to house Ms X and had failed in its duty to do so.</p>	<p><b>Not Upheld</b> The solicitors were informed that the information given by the Out of Hours officer was correct based on the information she had at the time. The domestic abuse suffered by Ms X had taken place some months previously and the current situation of residing with a friend did not require immediate emergency re-housing. Hence the advice given to Ms X to return the next day.</p>
<p><b>3931161</b> Mr X complained that the inspection of windows had been carried out incorrectly as the outside of his windows had not been inspected.</p>	<p><b>Not Upheld</b> Mr X was advised that the development of damp can be affected by the behaviour of occupants. It is the responsibility of tenants to ensure that a property is well ventilated, regularly cleaned and that the temperature is kept at an appropriate level. The new boiler and a new internal vent will help.</p>
<p><b>3470335</b> Ms X did not see how it was acceptable for the Council to provide her with a property that only had a disabled shower and no bath when it was known that she had a two-year-old child. She was also unhappy about exposed pipes and condensation.</p>	<p><b>Not Upheld</b> Ms X was informed that clear reasons had been provided why a bath was not installed. If she provided medical evidence why a bath is required, this issue will be revisited. Lagging was fitted to the exposed pipes and it is the tenant's responsibility to ensure that it is kept in a good condition and not tampered with.</p>
<p><b>3657155</b> Ms X complained that she was being discriminated against for pursuing a career, which had resulted in her living outside of the Borough for two years and therefore not meeting the ten year</p>	<p><b>Not Upheld</b> Ms X was informed that explanations had been provided why she had not met the 10 year residency criteria as set out in the Council's Social Housing Allocations Policy. Officers had applied the policy correctly and could only offer Ms X</p>

residency requirement for allocation of housing.	advice to find suitable accommodation in the private rented sector.
<b>3817989</b> Ms X could see no clear objection for her brother to be declined social housing in the London Borough of Hillingdon.	<b>Not upheld</b> Ms X was advised that the Social Housing Allocations Policy does not allow the inclusion of non dependent adults. There was also no medical grounds to require Ms X and her brother to reside together.
<b>3859106</b> Mrs X complained that she felt intimidated and discriminated against by officers when being interviewed.	<b>Not Upheld</b> The Chief Executive was satisfied that a satisfactory review and investigation had taken place into the conduct of the officers and concurred with the conclusion that there is no evidence of bullying or discrimination against Mrs X.
<b>3900421</b> Mrs X was unhappy with the Council's assessment of her mother's situation. She felt that the Council had a duty of care to provide her mother with a ground floor sheltered housing.	<b>Not Upheld</b> Mrs X was advised that the process for assessing her mother was correct. The case had been considered by the Extra Care and Sheltered Housing Panel who determined that her mother could bid for sheltered accommodation on Locata.
<b>3915255</b> Mr X alleged that officers had encouraged his tenant to (a) make herself deliberately homeless, (b) mis-led the Housing Department, (c) abuse the benefit system, (d) manipulate the housing waiting list and (e) obtain council housing by deception.	<b>Not Upheld</b> Mr X was told that the advice given to applicants includes the fact that the Council would never encourage wilful damage, rent arrears or any form of anti-social behaviour. All tenants are urged to follow the terms and conditions of their Tenancy Agreements to safeguard their existing tenancy and future support from the Council.
<b>3867034</b> Mr X complained that (a) no repairs had been completed, (b) that he had been caused stress by being informed that the property was dangerous and (c) that he had to take numerous days off work for different tradesmen to inspect the property.	<b>Not Upheld</b> Mr X was advised that the Council has to adhere to tendering processes, leaseholder consultations have been carefully explained and a direct officer contact has been provided so that he can receive updates. In relation to requests for repairs, they have to be prioritised and this can cause delays.



<b>4078976</b> Ms X complained that the 2 bedroom maisonette she lived in with her four children did not meet their housing needs. The overcrowding they were suffering was having a detrimental impact on them.	<b>Not Upheld</b> Ms X was advised that she had been awarded a Band B as a reflection of her individual circumstances. However, the number of residents who want social housing far exceeds the properties we have available to let. Ms X should bid on suitable properties that are advertised.
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## **5. INVESTIGATION BY THE COUNCIL'S DESIGNATED PERSON**

If a complaint is about a tenancy, leasehold, or other housing management issue, a complainant can request that the Council's 'Designated Person' for assistance in resolving his/her dispute with the Council. Alternatively, a complainant can wait 8 weeks from the date of the Stage 3 response and then escalate their complaint to the Housing Ombudsman.

**Table 6 - Total number of Designated Person Investigations**

<b>Period</b>	<b>Total number</b>
2013/14	1
2014/15	2

Table 7 below provides details of the two complaints considered by the Council's Designated Person.

**Table 7 - Outcome of the investigation by the Designated Person**

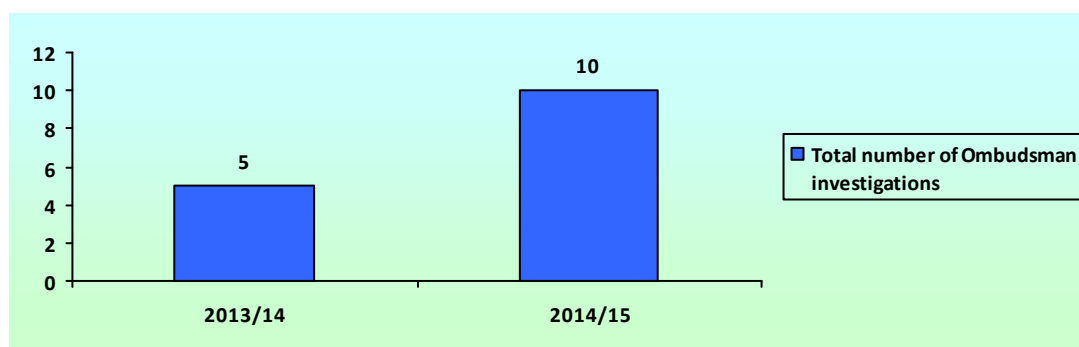
<b>The Complaint</b>	<b>Council's position</b>	<b>Decision of the Designated Person</b>
<b>3860773</b> Mr X complained that pipe work in the airing cupboard had not been fitted correctly and this caused a leak. Mr X maintained that the issue should have been detected at the inspection stage.	The Council acknowledged that the way in which the pipe had been fitted was not best practice but it was fit for purpose. It had, regrettably, failed and resulted in a leak. The Council arranged for the pipe to be rerouted and discharge in an alternative manner.	Mr X was advised that as some aspects of his complaint were already being considered by the Housing Ombudsman, he was advised to raise any additional issues directly with them.
<b>3632719</b> Ms X complained that she had applied for social housing and was awarded a Band C. She	Ms X was informed that the numbers of people who require supported housing far exceed the supply and even those	Ms X was told that the Council will follow the recommendation of the Medical Advisor. His view was that she was

<p>asked that her Locata banding be raised on the basis that she was overcrowded where she lived.</p>	<p>applicants with the highest priority have to wait. She was advised that the medical information she had submitted had been referred to the Council's Medical Advisor. His view was her banding should remain the same.</p>	<p>homeless due to the issue of the suitability of the current shared accommodation rather than the longstanding medical condition of her son and as a result her banding remained the same. Ms X could escalate her complaint to the Ombudsman.</p>
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## 6. INVESTIGATIONS BY THE OMBUDSMAN

Where it appears that a Council's own investigations have not resolved the complaint, the complainant is entitled to refer their complaint to the Ombudsman and at any stage of the complaint process. However, the Ombudsman normally refers the complainant back to the Council if a complaint has not first been fully considered by the Council.

### Total number of Ombudsman investigations



- An increase of 5 complaints escalating to the Ombudsman when comparing the figure for 2013/14 of 5 with the figure for 2014/15 of 10.

### Outcome complaints that escalated to the Ombudsman

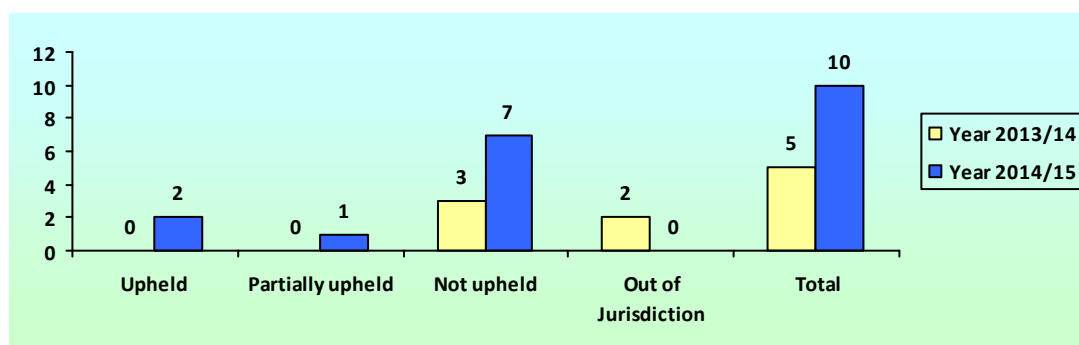


Table 7 below provides details of the 10 complaints investigated by the Ombudsman and the outcome for each complaint.

**Table 7 - Outcome of Ombudsman referrals**

Complaint details	Ombudsman decision
<p><b>3565915</b> Ms X complained that the Council had delayed unreasonably in coming to a decision on her homelessness application and this had meant that she could not join the housing register because of the change in the social housing allocations policy in 2013.</p>	<p><b>Upheld</b> The Ombudsman found that the Council was at fault for not checking the assured short hold tenancy. Although Ms X continued to live at the property for over a year she has faced uncertainty and the stress of not knowing how long she would be able to stay after the initial six months. In recognition of this the Council agreed to make an offer of compensation to Ms X.</p>
<p><b>3266088</b> Mr X complained that his front door was not properly repaired for an extended period of time and that as a result the property was left insecure and it forced him to move out of the property.</p>	<p><b>Upheld</b> The Ombudsman concluded that the Council failed to replace the front door within a reasonable period of time and that it had not demonstrate that the front door could be secured from the inside of the property. Mr X's complaint was upheld and he was offered compensation to remedy the situation.</p>
<p><b>3462034</b> Mr X complained that the Council refused to re-house him despite his family living in an annexe - it was overcrowded, no kitchen or bathing facilities, was unsuitable for his medical needs and that his families care needs had not been properly assessed.</p>	<p><b>Partially Upheld</b> The Ombudsman found that there was no fault in the way the Council considered Mr X's application for social housing, or assessed his care needs and requests for adaptations. However, the Council had not properly considered whether it had a duty to house him under homelessness legislation. The Council was asked to apologise Mr X for this, which was actioned.</p>
<p><b>3477569</b> Ms X complained to the Ombudsman about the Council's handling of her homelessness case and its decision not to allow her on to its housing register.</p>	<p><b>Not Upheld</b> The Ombudsman found that as Ms X had moved, there was insufficient injustice to warrant further investigation and decided not to pursue the complaint any further.</p>
<p><b>3611765</b> Ms X complained that the Council had not handled her homelessness and housing application correctly.</p>	<p><b>Not Upheld</b> The Ombudsman did not find any evidence of significant fault by the Council in the matters she investigated.</p>
<p><b>4054766</b></p>	<p><b>Not Upheld</b></p>

<p>Ms X complained the Council had acted with fault in failing to accept a homelessness application from her.</p>	<p>Without evidence of fault by the Council the Ombudsman will not pursue the complaint any further and the complaint is not upheld.</p>
<p><b>3859106</b> Ms X complained about the Council's handling of her homelessness application. (a) that the Duty Manager unduly influenced the decision; and (b) alleged that an officer and a security guard were racist towards her.</p>	<p><b>Not Upheld</b> The Ombudsman did not uphold the complaint on the basis that Ms X could have appealed to the County Court if she thought the Council's handling of her homelessness application was flawed. The Ombudsman did not have sufficient information to determine whether the allegation of abuse towards Ms X took place.</p>
<p><b>3470335</b> Ms X complained to the Local Government Ombudsman that the Council failed to cover heating pipes, replace the shower with a bath or address issues with mould and condensation.</p>	<p><b>Not Upheld</b> The Ombudsman did not find any evidence of fault causing Ms X a substantive personal injustice.</p>
<p><b>3470335</b> Ms X submitted a second complaint to the Housing Ombudsman about the Council's responses to her reports of damp and mould, exposed heating pipes, window repairs and the need for the shower to be replaced with a bath.</p>	<p><b>Not Upheld</b> Ms X was advised that the Housing Ombudsman will not consider complaints which he or any other Ombudsman has already decided upon. She was advised that the Local Government Ombudsman had already issued her with a decision in which they had found no fault which caused her an injustice.</p>
<p><b>4113845</b> Mr X complained that the Council would not let him rejoin the housing register. He says an officer told him when he signed his current tenancy agreement that he could re-apply and bid for two bedroom properties.</p>	<p><b>Not Upheld</b> The Ombudsman decided that the Council had told Mr X about changes to its policy and how it would affect his application to go on the housing register. The Ombudsman found no fault when the Council decided that Mr X could not join the housing register.</p>

## 7. COMPLIMENTS

**Table 8 – number of compliments received for Housing Services**

Period	Total number
2014/15	40

Nb This information was not collected for previous years.

### **Here's what some residents have said about Housing Services.**

*"On behalf of the residents of X Court I would like to say that we are very impressed with our scheme manager. She is always there to help if we have a problem and we can rely on her discretion. She has been particularly good over the last couple of weeks when we haven't had a lift, she has done her very best to get the problem sorted out. She has been a constant help to all of us especially the people who found the stairs very difficult, which was most of us. She made sure we got up or down safely and also helped with shopping which we obviously had a job to get up the stairs. Not everybody have a family to help and this time has been very hard for all of us living upstairs. But the main thing is that we can rely on her at all times."*

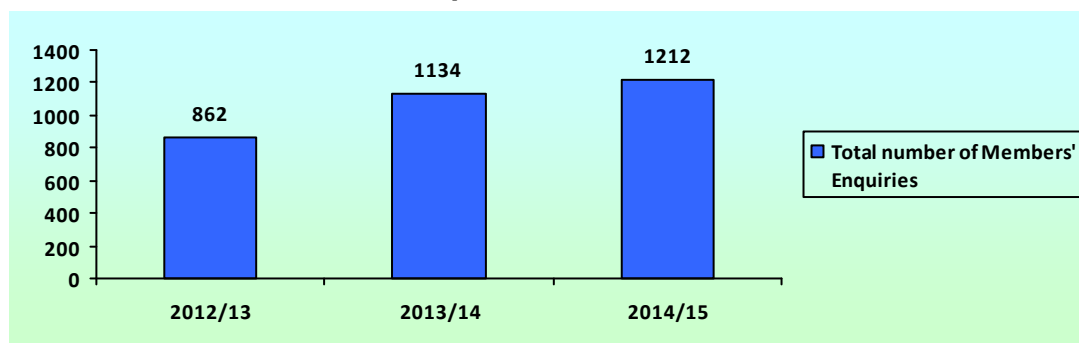
Ms F was very impressed with the work of X. She said *"prior to starting the work X explained to them in detail the work he was going to carry out. X asked them if they had any questions or concerns and they were very impressed that X has considered their needs and respect their property whilst he was carrying out his duties. The work that has been carried out so far appears to be of a very good standard"*.

*"I had a mental breakdown due to my health. I found that to get better was to move out of my house and start a new life again. So I want you to know that X went to everyone for me so I could get moves. She has done so much for me even though it isn't her job to do so. I would like to let you know there should be more people like X that help people with mental health and knows how to do it."*

## 8. MEMBERS ENQUIRIES

Enquiries can be submitted to officers on behalf of residents to Elected Members for further information.

### **Total number of Members Enquiries**



- 7% (78) increase in enquiries from Elected Members when comparing the figure for 2013/14 of 1,134 with the 2014/15 figure of 1,212.
- The two main areas where Elected Members raised enquiries were: (1) housing need which accounted for 47% (571) enquiries; and (2) the repairs service which accounted for 12% (145) enquiries.

## Annex 2 – Complaints about Adults’ Services

The procedure for dealing with Adults’ Services complaints is regulated by the ‘The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009’.

This procedure is far less prescriptive and allows for early escalation to the Local Government Ombudsman should the complainant be dissatisfied with the response from the Local Authority. The intention of this procedure is to achieve complete resolution at the first attempt, to remove bureaucracy and has been designed to empower complainants in shaping from the outset the approach to resolving the complaint.

The complaint procedure operates as follows:

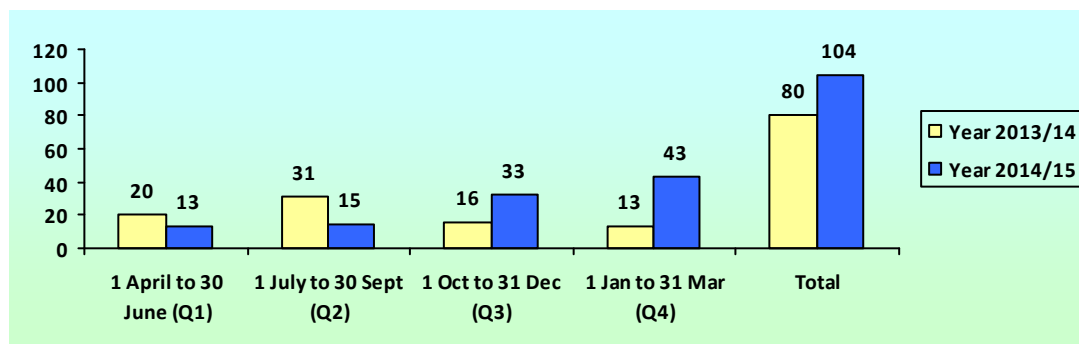
- Stage 1 – response from the Head of Service of the area complained of.
- Local Government Ombudsman.

A more detailed explanation of how the complaint procedure operates, the main complaint themes and statistical data for each stage of the process is provided below.

### 1. THE INFORMAL COMPLAINT

We will try to resolve enquiries/concerns on the spot by discussing the problem with a complainant. If we can solve the problem we will do so, immediately. This approach has helped to keep formal complaints at a low level.

#### **Informal Complaints received – (Service requests)**

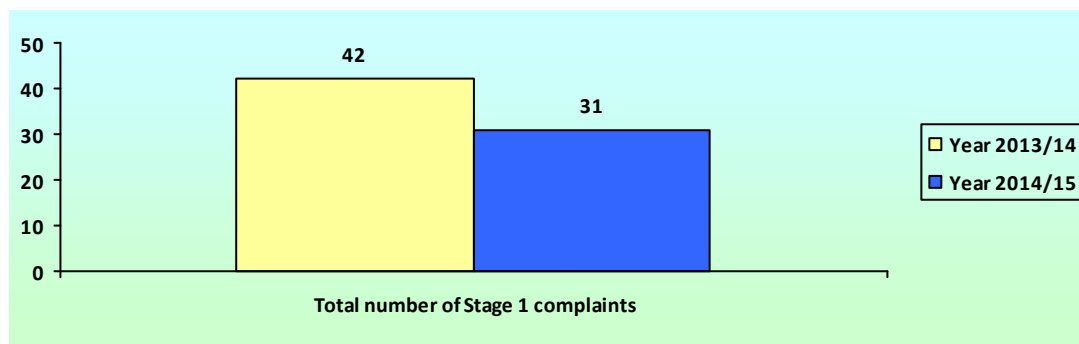


30% (24) increase in informal complaints when comparing the 2013/14 figure of 80 with the 2014/15 figure of 104.

### 2. STAGE 1 COMPLAINT - LOCAL RESOLUTION

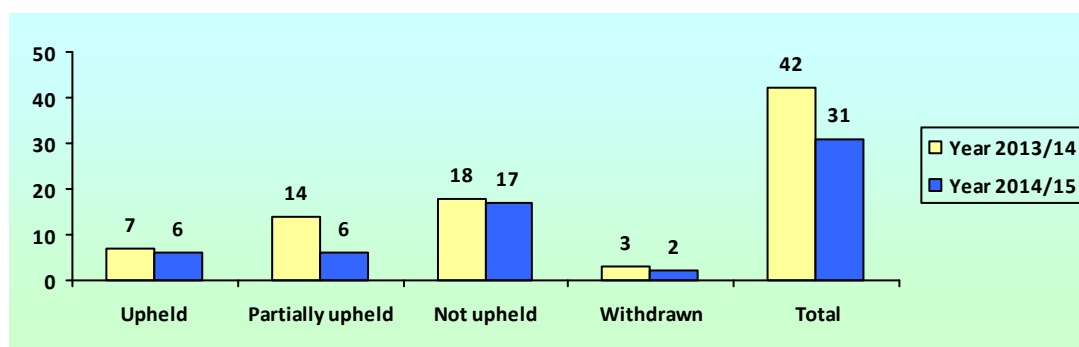
The Head of Service of the area complained about will aim to respond to the complaint within 20 working days.

## Total number of Stage 1 complaints



26% (11) decrease in Stage 1 complaints when comparing the 2013/14 figure of 42 with the 2014/15 figure of 31. Please note that all complaints relating to disability have been registered under Adult Services.

## Outcome of complaints



The number of upheld and partially upheld complaints of 6 and 6 is 38% of complaints registered (31). 55% of complaints were not upheld.

**Table 1 – Time taken to conclude a complaint (working days)**

	2013/14	2014/15
Average time taken to conclude a complaint	11.97	13.42
Target	20	20
Variance	- 8.03	- 6.58

The average time taken to conclude a Stage 1 complaint for 2014/15 is 13.42 working days against a target of 20 working days. This is a slight dip in performance when compared against the same period in 2013/14 of 11.97 working days but still within the 20 working day timescale. Two complaints (3710290 and 3855719) took 50 and 31 working days respectively to conclude and these two complaints have had a significant impact on the average time. The main reason for the delay in responding to both complaints was the time we had to wait for input from other agencies (two hospitals and a care home). In future, whilst we will always aim to send a single response to a complainant, the Local Authority will first seek assurance that other agencies can meet an agreed deadline otherwise separate responses will be sent.



Of the 31 Stage 1 complaints:

- 26 (84%) were responded to within our published target of 20 working days;
- 19 (62%) were responded to within 10 working days; and
- 5 (16%) were dealt with outside our published target of 20 working days.

### **Learning from complaints**

Of the 30 Stage 1 complaints, two themes emerged from 8 complaints where there was learning identified.

- **Communication**

In three complaints, service users and their families complained about the timeliness of our communications and when they did receive a communication from us, it did not fully address all the issues. This prompted them to send further communications seeking a response or clarification. In one other complaint unclear communication between two different service areas resulted in confusion on which area and who would be taking forward what action.

- **Delays**

In four complaints, service users complained about the delay in sending service users or their family's minutes of meetings, a copy of an assessment and the time it took for us to respond to their original communication or not at all.

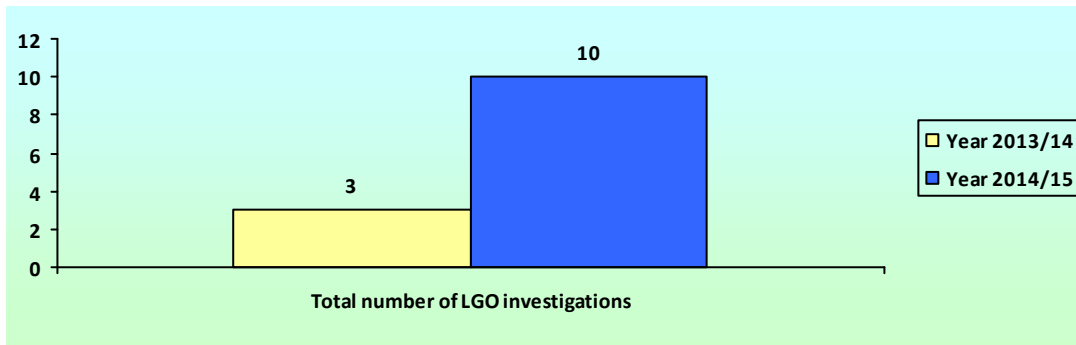
### **What has been done to improve performance?**

- issues have been raised directly with staff concerned;
- article published in Social Care Health News showing current performance, trends, learning identified, compliments received, etc;
- workshops for managers and relevant staff in investigating and responding to complaints is available for staff to use; and
- introduction of a joint Housing and Social Care board to consider cases that cross over both housing and social care jurisdictions and this should, in particular, assist with the Disabled Facilities Grant process.

### **3. LOCAL GOVERNMENT OMBUDSMAN INVESTIGATION (LGO)**

Where it appears that a Council's own investigations have not resolved the complaint, the complainant is entitled to refer their complaint to the Ombudsman and at any stage of the complaint process. However, the Ombudsman normally refers the complainant back to the Council if a complaint has not first been fully considered by the Council.

## Total number of LGO investigations



Of the 10 LGO investigations concluded this financial year, 5 complaints were responded to by this Council during 2013/14 but were concluded by the LGO in 2014/15.

## Outcome of LGO investigations

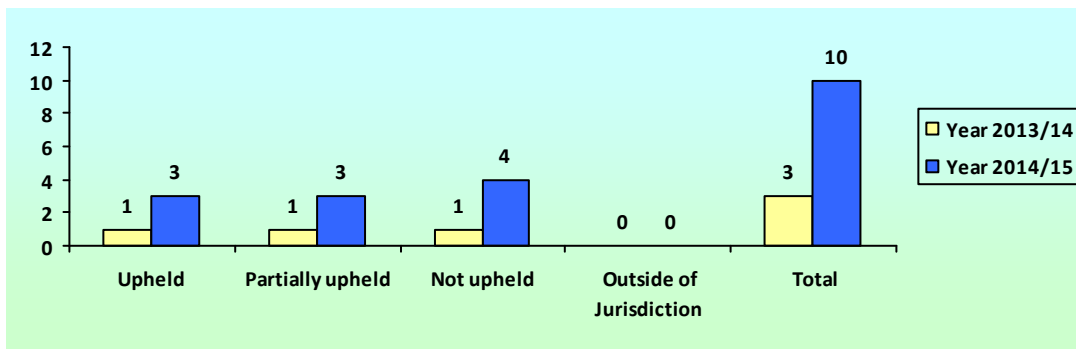


Table 2 provides details of the 10 complaints investigated by the LGO together with their findings and recommendations.

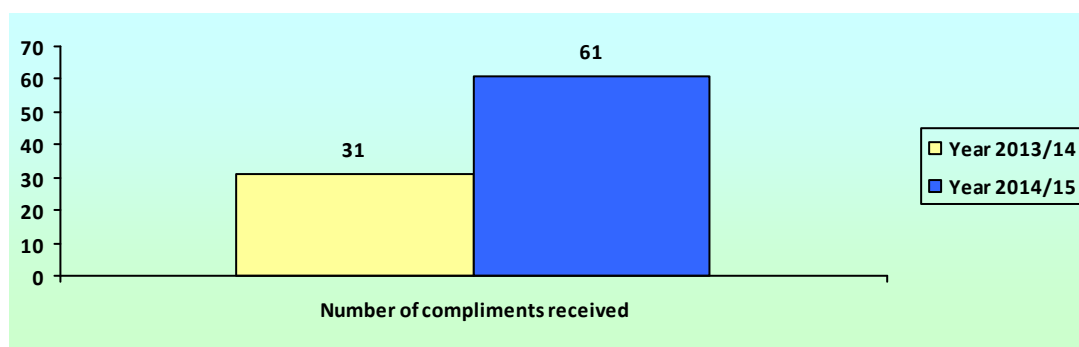
**Table 2 – LGO referrals**

Complaint details	LGO decision
<p><b>3047513</b> Ms X complained that the first safeguarding investigation was not thorough and the second investigation concluded the allegation of neglect but at a safeguarding conference, the chair decided the allegation of abuse was <i>'unsubstantiated'</i>.</p>	<p><b>Upheld</b> The Ombudsman found that there were flaws in the Council's safeguarding investigation and that it did not record a decision of <i>'substantiated neglect'</i>.</p>
<p><b>3409849</b> Mrs X complained that the Council failed to meet her sister's assessed needs: a) between October 2013 and March 2014 it failed to make agreed direct payments of 15 hours a week; and b) it wrongly refused to allow Ms Z's carers to use agreed respite payments to fund a holiday.</p>	<p><b>Upheld</b> The Ombudsman concluded that the Council did not provide direct payments to meet her sister's assessed needs for around six months and that the Council sought to restrict the way direct payments could be used. The Council has apologised to Mrs X and Ms Z for what happened, agreed to meet with them to discuss the arrangements for claiming payments and arranging breaks.</p>
<p><b>3538969</b> Mr X complained on behalf of his elderly mother that the Council failed to assess his mother when she left hospital and that it failed to keep her safe or carry out appropriate care when it provided care agencies to help her.</p>	<p><b>Upheld</b> The Ombudsman concluded that the Council should have assessed Mrs X's care needs sooner, it had made mistakes when it carried out assessments and that it did not assess her mental capacity.</p>
<p><b>3084087</b> Mrs X complained that the Council (a) failed to assess her father's needs when he was admitted to a care home; (b) mistakenly concluded that her father gave her a property; and (c) did not tell her that her father would need to pay the entire cost of his care.</p>	<p><b>Partially Upheld</b> The Ombudsman found fault in relation to the information provided about charges and in failing to carry out an assessment within three months of the placement. However, the Ombudsman did not consider that this had caused an injustice.</p>
<p><b>3141640</b> Mr X complained that the Council delayed (a) in applying for higher rate of Attendance Allowance, (b) it failed to supply financial information required for the administration of her estate and (c) that staff error's had caused him a financial loss.</p>	<p><b>Partially Upheld</b> The Ombudsman did find fault that the Council failed to apply for a higher rate of attendance allowance and concluded that this caused avoidable financial loss. However, no fault was found with the Council's response to Mr X's request for financial information.</p>

<p><b>3715016</b> Mrs X complained that the Council was at fault in how it delivered a transition programme when her daughter transferred from a placement at a three year residential college to a supported living accommodation placement.</p>	<p><b>Partially upheld</b> The Ombudsman did not find fault in how the Council arranged for her daughter's transition to the supported living placement or in not offering to pay for a residential placement. However, the Ombudsman did find fault that the Council did not tell Mrs X when the provider served notice to terminate the placement.</p>
<p><b>3418551</b> Mr X complained that the Council failed to properly investigate his allegations of financial and sexual abuse under its safeguarding procedures in 2011 and his allegations of abuse between 2003 and 2011.</p>	<p><b>Not Upheld</b> The Ombudsman found no evidence of fault causing injustice in the Council's investigation of Mr X's allegations of financial and sexual abuse.</p>
<p><b>3199284</b> Ms X complained that the Council incorrectly claimed she was a joint party to her mother's bank account, failing to take monies promptly from her mother's bank account for care charges and blocking emails she sent.</p>	<p><b>Not Upheld</b> The Ombudsman found no fault causing Ms X or her mother an injustice or that her e-mails were blocked by council staff.</p>
<p><b>3051639</b> Mrs X complained that the Council was at fault for suspending her direct payments because of anomalies in her accounts. She says she did not handle the accounting and that the Council should reinstate her payments.</p>	<p><b>Not upheld</b> The Ombudsman found some minor evidence of fault by the Council but she did not consider that this had caused Mrs X a significant injustice. Nor did she think the identified fault altered its decision on this matter.</p>
<p><b>3882099</b> Ms X complained about the Council's decision to reduce her direct payment and as a result her carer had to take a reduction in her hourly wage. Ms X said that this was embarrassing for her.</p>	<p><b>Not Upheld</b> The Ombudsman concluded that while it may be embarrassing for Ms X to ask her carer to reduce her hourly rate, the rate agreed between her and her carer is not a matter with which the Ombudsman can find fault with the Council.</p>

#### 4. COMPLIMENTS

##### Number of compliments received for Adults



- 97% (30) increase in compliments when comparing the 2013/14

figure of 31 with the 2014/15 figure of 61.

##### Here's what five people have said about Adults' Service

*"My instinctive feeling is that, given the very stressful situation of family members trying to care for relatives, you too often may only hear from people with complaints or perceived injustices or short comings of your services. Can I take a few lines to offer an entirely different reason for contacting you. I found X to be a thoughtful, caring and considerate professional who not only clearly had my uncle's best interests at heart but also helped me significantly with the burden of trying to care for someone in a country I no longer live in.*

*He has an excellent aptitude for encouraging my uncle to be heard and is very patient when often my uncle deviates from the matter at hand or does not answer the question being asked. I did find starting the process of engaging social services difficult and I did fear that the person leading the assistance my uncle badly needs may not be as effective as X has been. I would like you to understand that my career has brought me into contact with many levels and different aspects of public service jobs and that my opinion is both my personal view and also based on twenty years of assessing people for sometimes very senior appointments in health and social care. If you think it appropriate, please share these sentiments with X or whoever else in Hillingdon council you think appropriate. You all work in a tough job and I strongly believe people should be singled out for praise as quickly as others may seek performance review measures if and when an issue of service provision was upheld. He is a credit to your organisation".*

*"Yesterday after my visit to Moorfields at the low vision unit. I became aware of how kind you had been to me. I don't know why things went wrong along the way but I want to use this opportunity to say thank you. I was made to realise how supportive the borough of Hillingdon has been with my visual aids. Please do accept my apology if I did something wrong along the way. I apologize. Thank you for the visual aids I got. Also thank you for supporting with volunteers and now, with care which is getting better.*

*I am trusting that I will be able to give to the borough as God makes my journey more successful. I decided after my assessment yesterday that I would not only email you to say thank you but to also apologize for not being quite as appreciative as I could have been. There were several circumstances that became difficult to deal with which I can see are also going away.*

*Please accept my appreciation for your support".*

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Social Services, Housing and Public Health Policy Overview Committee  
3 September 2015

"My family and I would like to thank you personally and your department for all the help you have given X and myself over the past 3 years. Does the Borough of Hillingdon have a particular charity that it supports as I would like to show our appreciation by sending a donation".

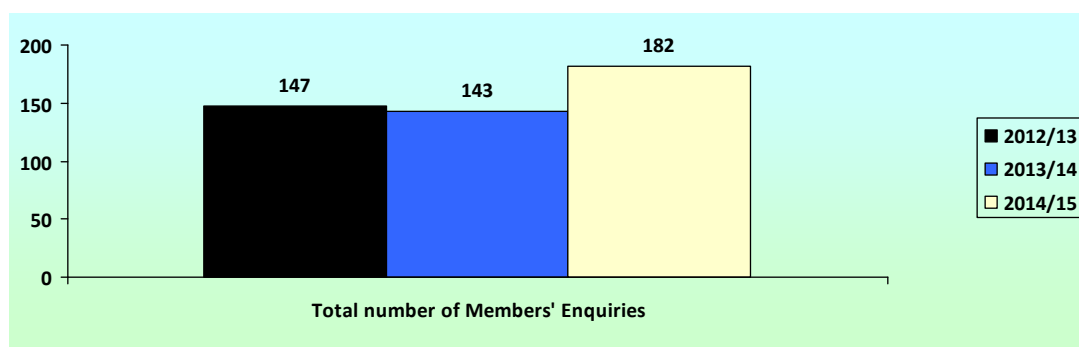
"X loved the carers coming in, and stated they brightened his day. Y is a very shy lady would like to thank the carers for reassuring her during their provision of care and making her feel at ease. Z expressed great thanks to A & B for their professional input and gratitude to the carers providing care to his father".

X would like to express her wishes to Y by saying "she is worth her weight in gold and she goes that extra mile for you, X is very very happy with the service she has received from Y (carer)".

## **5. MEMBERS ENQUIRIES (ME)**

Enquiries can be submitted to officers on behalf of residents to elected members for further information.

### **Total number of Members Enquiries**



- Adults' Services received far more enquiries from Elected Members (182) than complaints (31) during 2014/15 and in previous years.
- 27% (39) increase in enquiries from Elected Members when comparing the 2014/15 figure of 182 with the 2013/14 of 143.
- The three main service areas where Elected Members made enquiries about were: disability services 48 enquiries, personalised services 48 enquiries and access and assessment services 29 enquiries.