

ADULT SOCIAL CARE, HEALTH AND HOUSING – ANNUAL COMPLAINTS REPORT 2009/10

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REASON FOR REPORT

- 1.1 Customer feedback is essential to service improvement and complaints are a way in which customers can inform us of where things go wrong and allow us the opportunity to put matters right and learn for the future. This report presents information about complaints received by the Adult Social Care, Health and Housing Complaints Team during 2009/10 and how these have been used to shape service improvements. At the request of the Committee this report includes information about Members Enquiries received during 2009/10.

OPTIONS OPEN TO THE COMMITTEE

1. Members of the Committee discuss and comment on the annual report and use the report to inform their overview activities.
2. Members of the Committee agree to raise any concerns with the relevant Cabinet member
3. Members of the Committee note the contents of the annual report.

INFORMATION

2. SUMMARY

- 2.1 We aim to resolve complaints at the earliest opportunity and to learn from complaints to improve our services.
- 2.2 Overall, the number of complaints and general concerns received has fallen during 2009/10 when compared to the previous year: 315 complaints were received during 2009/10 compared to 494 in 2008/09 and 502 in 2007/08. In view of the numbers of customers and volume of service activity each year, the number of complaints is relatively small e.g. for Housing Benefits 45 complaints were received in 2009/10, representing 0.26% of the caseload.

- 2.3 The focus of complaints management continues to be to prevent and resolve the customers' complaint at an early stage. This approach is effective as the overall number of complaints escalating to higher stages of the complaints procedure has fallen in 2009/10 compared to previous years.
- 92% of complaints were resolved at stage 1 of the complaints procedures (289 complaints resolved, 26 proceeded to stage 2 of the complaints procedure).
 - Overall, the number of complaints progressing to stage 2 during 2009/10 remained almost unchanged compared to the previous year (26 stage 2 complaints in 2009/10 compared to 25 in 2008/09). Of the 26 stage 2 complaints received in 2009/10, 23 (89%) were successfully resolved at this stage (compared to 80% during 2008/09).
 - At stage 3, a total of three complaints were received in 2009/10, compared to six in 2008/09.
 - The Local Government Ombudsman made decisions on 15 complaints for Adult Social Care, Health and Housing.
- 2.4 The key themes from complaints received during 2009/10 have been related to:
- Policy decisions (87 complaints, 28%) – related to the outcome of housing assessments and homelessness decisions, housing benefit assessments, the recovery of overpayments, repairs policy decisions, the right to succeed a tenancy in the event that the tenant dies, the application of the Council's charging policy for adult social care services and the outcome of occupational therapy assessments.
 - Customer care and communication / officer conduct (118 complaints, 37%) – perceptions of staff attitude / conduct when communicating unwelcome policy decisions including the outcome of housing needs assessments and decisions to recover housing benefit overpayments, a need for improved clarity in supporting information and letters sent to customers explaining policy decisions and assessments; and not always keeping the customer up-to-date with developments and decisions.
 - Quality of service – (110 complaints, 35%) complaints about the quality of temporary accommodation, the quality / accuracy of housing benefit and housing needs assessments in which complainants did not feel the information they had provided had been taken into account; complaints about water leaks in neighbouring properties affecting the tenants property; complaints about the condition of kitchen's / bathrooms; and delays in completing repairs, particularly to heating / hot water systems. Complaints have also been made about the timeliness of domiciliary care services and the quality of residential and nursing care – these relate to services commissioned from private and voluntary care providers.

3. CONTEXT/OVERVIEW

- 3.1 Adult Social Care Health and Housing (ASCH&H) works with and serves a large number of vulnerable people throughout the Borough. The department provides and arranges a wide range of support services to enable vulnerable people and those with care needs to live in appropriate housing and to stay in their own homes and when this is not possible will support residential or nursing care placements. Our services also include seeking to address the housing needs of residents, housing benefits and a housing landlord. Whilst we always aim to provide high quality services that meet the needs and circumstances of individuals, carers and their families, sometimes things do go wrong.
- 3.2 The complaints procedure is a mechanism to identify problems, resolve issues and make changes to improve services. The analysis of information about complaints at each stage of the procedure gives ASCH&H an opportunity to reflect on the quality of the services it provides to our customers and consider how well it listens and responds to their needs.
- 3.3 This report provides information about complaints made during the twelve months between 1 April 2009 and 31 March 2010 under adult social care complaints procedures and the Corporate Complaints procedure.

What is a Complaint?

- 3.4 A complaint, as defined by our corporate policy and procedure is:

“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.”

Who can make a complaint?

- 3.5 Under adult social care requirements, a person is eligible to make a complaint where the local authority has a power or duty to provide, or to secure the provision of, a service for someone and their need or possible need for such a service has (by whatever means) come to our attention. This also applies to a person acting on behalf of someone else.
- 3.6 We want the complaints procedure to be as accessible as possible. Adult Social Care, Health and Housing publicises information about how to make a complaint in both the corporate leaflet and the factsheet referring to the Social Care process for complaints. There is a specific information for people with learning disabilities.

- 3.7 A series of outreach visits have been made by staff throughout the year to voluntary organizations, day centres and residential settings to promote the accessibility of the complaints service.
- 3.8 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 Customer Care and Complaints Team.

Stages of the Complaints Procedure

- 3.9 The complaints procedure has three stages.

Stage 1, Local Resolution This is the most important stage of the complaints procedure. We expect the department's teams and external contractors providing services on our behalf to resolve as many problems and complaints as possible at this point. The complaints procedure requires complaints considered under the corporate complaints procedure at stage 1 to be responded to within 10 working days up to a maximum of 20 working days. For social care and healthcare complaints this is the only stage available to resolve the complaint before progression to the Local Government Ombudsman. For housing related complaints, including those for Hillingdon Homes, there are two further stages of the complaints procedure.

Stage 2, Formal Investigation This stage is usually implemented where the complainant is dissatisfied with the findings at stage 1. For complaints under the corporate procedure, the complaint is reviewed by the Deputy Director (for housing complaints) or the Chief Executive Officer for Hillingdon Homes who responds to the complainant within 10 working days.

Stage 3, Review Panel If complainants are still not happy after their complaint is investigated at stage 2, under the corporate procedure, the Chief Executive commissions an investigation by an officer in Democratic Services and responds to the complainant in light of the findings of the investigation. For complaints about Hillingdon Homes, an independent organization undertakes this review.

The Local Government Ombudsman (LGO) The LGO is empowered to investigate where it appears that our own complaints procedure has not resolved the complaint. Complainants can refer their complaint to the LGO at any time, although the LGO normally refers the complaint back to us if it has not been through our procedure first.

4. OVERVIEW OF COMPLAINTS RECEIVED

Stage 1 of the Complaints Procedure

- 4.1 The final out-turn for 2009/10 confirms that the Customer Care and Complaints Team received 315 new complaints at stage 1 during the year, compared with 494 the previous year. This figure is the total number of complaints that the complaints team handled.
- 4.2 In addition to formal complaints, the Customer Care and Complaints Team take customer enquiries or 'concerns' and deal with them promptly and informally. Many people contacting the Customer Care and Complaints Team want action to resolve the issue quickly and are happy that this is undertaken informally. We have seen a drop in the number of complaints received at stage 1 mainly due to an increased emphasis to resolve issues and concerns quickly and avert the need to escalate these to a complaint. Table 1 below summaries the number of complaints received during 2009/10 by service area:

Table 1 - Comparison of Stage One Complaints

Service Area	2007/8	2008/9	2009/10
Learning Disability	15	18	15
Mental Health	2	5	1
Older People	58	74	37
Physical/sensory Disability	20	13	6
Total Social Care	95	110	59
Housing Services	161	171	126
Hillingdon Homes	246	213	130
Total Housing	407	384	256
Total ASCH&H	502	494	315

- 4.3 The process of complaints resolution involves talking to the customer and talking through the issues they have raised, clarifying any points and understanding what outcome they are seeking to achieve, logging the complaint, progress chasing, advising and liaising with managers to seek the best outcome for the customer and the department. Clearly some complaints are very complex and require the involvement of several service areas within the Department or outside agencies, including Health partners.

Complaint Themes

4.4 The following table (table 2) summarises the complaints received at stage 1 during 2009/10 by theme:

Table 2 – Summary of complaints received by theme at stage 1:

Theme	Adult Social Care	Housing Services	Hillingdon Homes	Total
Against Council Policy	5	68	14	87 (28%)
Customer Care / Communications /Officer Conduct	25	35	58	118 (37%)
Quality of Service	29	23	58	110 (35%)
Total	59	126	130	315

4.5 Against Council Policy – This includes complaints relating to charging for adult social care services. One family complained that they should not have to pay for their mother’s care. Adult social care policy related complaints also included complaints about the outcome of occupational therapy assessments in which the family felt they did not take into account the full needs of the individual being assessed and did not agree therefore with the outcome of the assessment in line with the Council’s eligibility criteria / policy for social care.

4.6 The Housing Needs Team have received a number of complaints about the decision making process used by officers in reaching a decision on the homelessness status of households and their access to alternative housing. Complaints have also been received about the housing needs assessment banding with complainants dis-satisfied with the needs criteria / their assessment of need. A number of households have complained that the Council’s decision that they are not homeless is not correct and have been dis-satisfied with the housing options available. Wherever possible, advice and information about alternative housing options is offered to the customer to help them resolve their housing issues. This includes advice and support to access more suitable housing in the private sector.

4.7 Complaints have also been received about the assessment for housing benefit in which some complainants felt the benefit award was lower than they were expecting; Complaints have also been received about the Council recovering overpayments in housing benefit (e.g. due to a change in

circumstances for the claimant which has been notified to the Council some time after the change resulting in the claimant being overpaid benefits).

- 4.8 For Hillingdon Homes there have been complaints about the repairs policy in which tenants have complained about the refusal of Hillingdon Homes to undertake repairs which are considered the responsibility of the tenant detailed in the repairs policy. Complaints have also been received about refusals by Hillingdon to award a succession of a tenancy to a named person in the event that the tenant dies.
- 4.9 Customer Care/ Communications / Officer Conduct – With difficult decisions being made by council officers, including housing needs assessments, homelessness decisions, housing benefit assessments and recovery of overpayments, the charging policy for adult social care and the eligibility criteria for adult social care, some complaints have been received which relate to the way that officers communicate decisions in a non-empathetic way to people who approach the council for assistance.
- 4.10 During 2009/10, in those cases in which officer conduct has been the source of the complaint, improvements have been driven by follow up discussions with teams and individual members of staff to ensure that the customer experience improves. In some instances improved information has been produced to support the explanations about changes in services and options available to customers.
- 4.11 Some complaints have also been received about neighbour disputes / nuisance which have been referred to the anti-social behaviour team.
- 4.12 Quality of Service – For adult social care, most complaints received about poor service related to the quality of adult social care received, including the home carers not attending a clients home in line with the care plan and the quality of residential and nursing care. During 2009/10 these issues have been escalated with private/voluntary sector home care providers and residential/nursing home providers. Regular visits to care providers are undertaken by the Council's Care Inspection Team which has contributed to improvements in the quality of care provided in Hillingdon.
- 4.13 Housing Benefits complaints are mainly about delays or a lack of understanding about the way in which benefits are calculated. Improvements have and continue to be made to help people who apply for housing benefits to understand how their benefit is calculated.
- 4.14 Quality related complaints about Hillingdon Homes have tended to centre on the quality of kitchens, bathrooms and windows with existing or new tenants requesting replacements. In most cases the existing kitchen / bathroom / windows were found to meet the required minimum standard and will be

considered for replacement during the next scheduled planned maintenance programme. Complaints have also been received about mould and dampness in some properties. In response Hillingdon Homes has provided advice to tenants about ventilating and heating their property. Water leaks from neighbouring properties (usually flats) has resulted in some complaints from tenants / residents.

- 4.15 Complaints about the quality of the repairs service and repairs undertaken was received during 2009/10, which tend to focus on delays in completing heating and hot water repairs. Some complaints were received about contractors not keeping to scheduled appointments which has been followed up with the contractor throughout the year.

Stage 2 of the Complaints Procedure

- 4.16 During 2009/10, 26 complaints progressed to stage 2 of the complaints procedure – representing a small increase overall compared to the previous year. Table 3 below summarises the complaints at stage 2 by service area. This section of the report provides more detail about the complaints received and the outcome to demonstrate how individual complaints have been resolved. Due to a change in the regulations for adult social care complaints, there is not a second or third stage to the procedure for these complaints.

- 4.17 Of the 26 stage 2 complaints, thirteen (50%) were not upheld, nine (35%) were partially upheld, three were upheld (11%) and one (4%) is ongoing.

Table 3 – Total Number of Complaints Progressing to Stage 2

Service Area	2007/8	2008/9	2009/10
Learning Disability	1	3	0
Mental Health	0	0	0
Older People	3	0	0
Physical/sensory Disability	2	1	0
Total Social Care	6	4	0
Housing Services	17	10	12
Hillingdon Homes	12	11	14
Total Housing	29	21	26
Total ASCH&H	35	25	26

Housing Services – Stage 2 Complaints

4.18 Overall there were twelve complaints which progressed to stage 2 of the complaints procedure. Six complaints were not upheld and the remaining six were partially upheld. There were:

- four complaints about Housing Benefits mainly concerning the assessment process and communications with people applying for and claiming benefits
- six complaints were related to Housing Needs, mainly concerning the assessment of housing need in which the complainants felt the assessment was not a true reflection of their priority need for re-housing
- one complainant challenged the decision for the first time buyers scheme that they were not eligible (due to the high level of savings and income they had)
- one complaint was about the handling of their complaint

4.19 Table 6 below summarises the complaints received at stage 2. Nine of the stage 2 complaints were successfully resolved - two progressed to stage three of the complaints procedure.

Table 4 – Housing Services - Stage 2 Complaints

Complaint details	Outcome	Action taken
<p><u>Housing benefits</u> – Complainant does not agree that it is his responsibility to provide evidence of tenancy agreement and rent payments to support his housing benefits assessment. Wants the London Borough of Hillingdon to ensure landlord complies with providing information. Received in May 2009. Ref: HC-000018</p>	<p>Partially upheld. Under the Benefit Regulations if a claim is made for Housing Benefit, it is the responsibility of the person making the claim to supply the evidence and information that the Authority reasonably requires to consider the application. The investigation found that we did not communicate this requirement when the information was outstanding and did not action a change of address.</p>	<p>No further action required. Requirement to provide supporting information for a benefits assessments confirmed. (Complainant unhappy with the response at stage 2 and requested the complaint progress to stage 3)</p>
<p><u>Housing benefits</u> – Complainant is unhappy with the assessment for housing benefit and the process for being offered a viewing on a property through LOCATA. The complainant felt they were potentially facing eviction for non-payment of rent from the social landlord. Received in Aug 2009 Ref: HC-000060</p>	<p>Partially upheld. The communications across different housing teams could have been more joined-up. The arrears were in part due to delays in paying housing benefit which has been resolved.</p>	<p>The outstanding housing benefit has been paid to the social landlord. An agreement has been reached between the complainant and the landlord to pay outstanding rent arrears. To improve communications, in future officers will check case records to ensure co-ordination.</p>

Complaint details	Outcome	Action taken
<p><u>Housing benefits</u> - overpayment. Complainant unhappy that she is now being asked to repay a housing benefit overpayment which had arisen as a result of an administrative error by the London Borough of Hillingdon. Received in Aug 2009 Ref: HC-000088</p>	<p>Not upheld. The process of benefits assessments requires people claiming housing benefits to check the information which is being used to assess their housing benefit claim. The income for the household was under-stated and not confirmed as incorrect at the time by the claimant.</p>	<p>Agreement reached with the complainant to make repayments on a weekly basis. Complainant remains unhappy with the overpayment relating to one particular property (which they previously resided at) and has appealed. Agreed to proceed to an Independent Tribunal to resolve matters outstanding.</p>
<p><u>Housing benefits</u> – complainant feels that the suspension of housing benefit as a result of a change in circumstances was not communicated and has caused arrears on her rent account. Received in Aug 2009 Ref: HC-000114</p>	<p>Not upheld. It is usual practice to suspend benefit payments when there is a change in circumstances to avoid benefit overpayments. Any outstanding benefits have since been paid once the necessary information was provided to support the change in their circumstances. The suspension of benefits was confirmed to the complainants' partner at the time.</p>	<p>No further action taken.</p>

Complaint details	Outcome	Action taken
<p><u>Housing needs</u> – Complaint about delays in completing an accurate housing needs assessment, the delay this has caused to being re-housed in suitable accommodation. The offer of assistance with removals and the need for assistance with redecoration of a bedroom in their new home. Received in Apr 2009 Ref: HC-000017</p>	<p>Partially upheld. The delays in completing an accurate housing needs assessment were recognised in response to the initial, stage 1 complaint and an apology offered. The delay was caused by an officer using out-of-date information in the assessment.</p>	<p>The family have now been re-housed into a property managed by Hillingdon Homes and received an offer of help with removals due to the needs of the family. It is not the Policy of Hillingdon Homes to redecorate properties which are of a reasonable standard. No further action required.</p>
<p><u>Housing needs</u> – Complainant unhappy that he has been registered in housing need since 1998 and has not been re-housed permanently. In a recent bid for a property in which he and only one other bidder were involved he was unsuccessful and felt that he is being treated differently. Received in Oct 2009 Ref: HC-000171</p>	<p>Not upheld. The complainant is not in priority housing need and therefore has not attracted sufficient priority to be re-housed permanently.</p>	<p>No further action taken.</p>

Complaint details	Outcome	Action taken
<p>Housing Needs – Complainant unhappy that her daughter’s rent in the private sector is unaffordable which her daughter was referred to when she approached the Council for assistance with re-housing (Finders Fee). Complainant also raised the issue that her daughter is assessed as in a low housing priority band and re-housing into more affordable social housing will take many years.</p> <p>Received in Nov 2009 Ref: HC-000206</p>	<p>Not upheld. The rent level of the property through Finders Fee is considered to be more affordable than the rent levels for many properties in the private sector. The investigation also concluded that if the daughter could be more flexible about the area in which she would like to live, the property type and she bids regularly, she will increase her likelihood of re-housing.</p>	<p>The daughter was asked to complete an income assessment to re-check for benefit entitlement. No further action taken.</p>
<p><u>Housing Needs</u> – complaint against the decision not to re-instate the complainants cancelled housing register application.</p> <p>Received in Dec 2009 Ref: HC-000271</p>	<p>Not upheld. The complainants housing register application was cancelled in line with policy and procedure as the annual review form was not returned – the applicant had moved to an address out-of-the-borough and not informed the local authority. The application would have been re-instated had the applicant re-applied within three months of cancellation – but this was not received.</p>	<p>No further action taken.</p>

Complaint details	Outcome	Action taken
<p><u>Housing Needs</u> – complainant does not agree with the assessment of housing needs for his family and feels that his priority for re-housing should be higher. Issues of neighbour anti-social behaviour are significant and are contributing to the need for re-housing.</p> <p>Received in Jan 2010 Ref: HC-000318</p>	<p>Not upheld. The assessment of housing need was found to be correct and line with required policy. The complainants landlord is working to address the noise from the neighbour of the complainant.</p>	<p>Ongoing work to address issues with alleged excessive noise from the neighbour.</p>
<p><u>Housing Needs</u> – Complainant feels there has been a delay in verifying her for suitability for permanent re-housing and disagrees that she is making herself intentionally homeless by refusing to accept temporary accommodation which she considers to be unsuitable.</p> <p>Received in March 2010 Ref: HC-000393</p>	<p>Partially upheld. There was a delay in verifying information but this did not disadvantage the complainant from accessing suitable housing. There have been difficulties in arranging viewings at times convenient to the complainant for alternative temporary accommodation and difficulties in making contact with the complainant.</p>	<p>The complainant has been supported to access suitable housing.</p> <p>No further action.</p>

Complaint details	Outcome	Action taken
<p><u>First time buyers scheme</u> – complainant was not eligible for the scheme and feels that the communication about eligibility was not clear, the process and eligibility for the scheme should be transparent and an initial complaint about these was not dealt with.</p> <p>Received in Dec 2009 Ref: HC-000244</p>	<p>Partially upheld. The communication about eligibility for the scheme could have been clearer. The investigation found that the application of the criteria for eligibility to access the scheme was applied fairly and consistently in this case. The funds for the scheme need to be targeted at those most in need to access their first property.</p>	<p>No further action required.</p>
<p><u>Complaints handling</u> – complainant unhappy with the way in which her complaint was investigated at stage 1 and requested that this be progressed to stage 2.</p> <p>Received in Feb 2010</p>	<p>Partially upheld. The investigation concluded that there was no ‘cover-up’ in the investigation at stage 1, nor that the complainant was treated differently, and confirmed with the investigation at stage 1 that the communication during the handling of the complaint could have been clearer.</p>	<p>(Complaint unhappy with the response at stage 2 and requested the complaint progress to stage 3 – this was ongoing at year end)</p>

Hillingdon Homes – Stage 2 Complaints

4.20 There were fourteen complaints investigated at Stage 2 for Hillingdon Homes and six were upheld or partially upheld. Thirteen complaints at stage 2 were successfully resolved. One progressed to stage three of the complaints procedure. The details of the complaints, outcomes and action taken for these complaints are set out in the following table (table 5):

4.21 Of the fourteen Stage 2 complaints:

- three were from tenants about planned maintenance requesting that their kitchen, bathroom and/or windows should be replaced
- five complaints concerned repairs, including the decision not to replace internal doors which the tenant felt were damaged, the decision that

a complainant is responsible for maintaining their fencing and a complaint about dampness in the property

- two were about allocations/lettings which included a complaint about the condition of a property when it was let
- one challenged the decision to refuse a succession to a tenancy where the tenant had died
- one concerned anti-social behaviour
- another concerned the delay about fixing new signage and another the policy in place that customers have to pay for the cost of replacing a careline alarm pendant when it becomes accidentally damaged

Table 5 – Hillingdon Homes - Stage 2 Complaints

Complaint details	Outcome	Action taken
<p><u>Anti-social behaviour</u> – complaint about the intimidating and threatening behaviour from a neighbouring tenant. Complainant not satisfied with the response to date and is requesting further action.</p> <p>Received in July 2009 Ref: HC-000021</p>	<p>Ongoing - The Hillingdon Homes Anti-social behaviour team agreed to continue their investigations and to collect evidence in accordance with the requirements / expectations in the tenancy agreement.</p>	<p>On-going monitoring and appropriate action by Hillingdon Homes.</p>
<p><u>Succession of a tenancy</u> – complainant does not agree with the decision / policy that she is not entitled to take-over the tenancy of the property occupied by a close-friend / cared for person who passed away.</p> <p>Received in Oct 2009 Ref: HC-000217</p>	<p>Not upheld. The position regarding the ‘taking-over’ of a tenancy is set out in law. The complainant did not have the right to succeed the tenancy.</p>	<p>Complainant offered housing advice. No further action.</p>

Complaint details	Outcome	Action taken
<p><u>Community Housing</u> – Complainant unhappy that it has taken too long to put up ‘No ball games’ signs</p> <p>Received in Nov 2009 Ref: HC-000312</p>	<p>Upheld. Communication delays experienced in taking action to put up new signs.</p>	<p>New signs erected in January 2010. Complainant expressed satisfaction. No further action.</p>
<p><u>Careline</u> – complaint that his mother is being asked to pay for a replacement alarm pendant which was inadvertently damaged. Complainant felt that staff were not sympathetic to his mother’s situation in this case, but was very satisfied overall with the Careline service.</p> <p>Received in Feb 2010 Ref: HC-000416</p>	<p>Partially upheld. A charge is systematically levied for mis-placed or damaged pendant alarms so this aspect of the complaint is not up-held. But given the view that the complainant felt staff were unsympathetic to his mother’s circumstances, the small charge was waived.</p>	<p>No further action required.</p>
<p><u>Planned maintenance</u> - complaint from a tenant that their property has not been modernised to the required decent homes standard, including their central heating system and windows needing improvement to prevent dampness.</p> <p>Received in Mar 2010 Ref: HC-000388</p>	<p>Partially upheld. There is no provision in the planned maintenance programme for larger kitchens and each case needs to be judged on their own merit. Agreed to schedule for replacement windows and an improved heating system.</p>	<p>No further action required.</p>

Complaint details	Outcome	Action taken
<p><u>Repairs</u> - Complaint that there were delays in completing repairs to a heating system.</p> <p>Received in Mar 2010 Ref: HC-000413</p>	<p>Upheld. The investigation into the complaint found delays and poor communication from the contractor appointed to carry out the works to the complainants home.</p>	<p>Performance issues followed up with the contractor.</p>
<p><u>Planned Maintenance</u> – complainant unhappy that his kitchen and bathroom has not been replaced. Some of his neighbours have benefitted from a new kitchen / bathroom within the decent homes programme.</p> <p>Received in October 2009 Ref: HC-000196</p>	<p>Not upheld. All kitchens/bathrooms to be considered for replacement were assessed against agreed criteria to design the decent homes programme. The complainant's kitchen / bathroom was considered to be of an acceptable standard and does not require replacement.</p>	<p>No further action required.</p>

Complaint details	Outcome	Action taken
<p><u>Allocations and Lettings</u> – Complaint from a new tenant that the property she moved into was not cleaned thoroughly, there was a delay in re-connecting the cooker, concern that not all the ordered repairs were carried out, concern that she was not told that the previous tenant had passed away at the home and had concerns for health and safety; and the lock on the front door was not secure.</p> <p>Received in December 2009 Ref: HC-000239</p>	<p>Partially upheld. The property would have benefitted from a more thorough clean before the tenant moved in and the investigation confirmed the delay in re-connecting the cooker. All planned repairs were undertaken.</p> <p>The lock to the front door was inspected at the time of the visit and was found to be in working order – a follow up repair call was made to inspect the lock.</p> <p>It is not Hillingdon Homes Policy to advise prospective tenants that the former tenant of a home has passed away. The investigation confirmed that there are not health and safety concerns for the new tenants.</p>	<p>The property was re-cleaned and an apology offered for the delay in re-connecting the cooker.</p> <p>A repairs visit was arranged to check the security of the front door.</p>
<p><u>Repairs</u> – Complaint from a tenant that the condition of her internal doors are not safe for her young family and requires urgent action to make safe.</p> <p>Received in December 2009 Ref: HC-000297</p>	<p>Not upheld. The inspection of the damaged doors found that the damage was not due to fair wear and tear. Under the repairs policy, the tenant is responsible for the cost of these repairs. The inspection of the doors also concluded that they did present a health and safety risk to her family.</p>	<p>No further action.</p>

Complaint details	Outcome	Action taken
<p><u>Planned Maintenance</u> – the complainant is unhappy with the condition of his windows which he feels are draughty and need replacement not repair.</p> <p>Received in January 2010 Ref: HC-000344</p>	<p>Not upheld. The windows had been previously repaired by a specialist contractor and were considered to be fit for purpose – albeit they were single glazed. The tenant was offered additional sealing around the edge of the glass to ensure no draughts remain.</p>	<p>The windows are due for replacement in 2014/15 as part of the planned maintenance programme.</p> <p>No further action required.</p>
<p><u>Repairs</u> – the complainant is unhappy that the dividing fence in their garden is in disrepair and requires urgent attention to make it safe / keep their neighbours dogs out.</p> <p>Received in December 2009 Ref: HC-000352</p>	<p>Not upheld. Hillingdon Homes had not erected a rear dividing fence in the garden. Therefore in such cases, it is the responsibility of the household to repair / replace such fencing.</p>	<p>No further action required.</p>
<p><u>Repairs</u> – the complainant is unhappy that he is being asked to pay for repairs to his bathroom window. The tenant had to break the window when the lock / internal mechanism of the door failed and he was unable to exit the bathroom. The tenant claims that the door handle to the bathroom was damaged two years earlier by contractors working on the decent homes programme. Received in May 2009 Ref: HC-000109</p>	<p>Not upheld. The damage by the tenant is chargeable under the repairs policy. No further action could be taken to investigate the cause of the door mechanism failing due to time that had elapsed.</p>	<p>The tenant was offered to pay the cost of the repairs by instalments.</p> <p>No further action required.</p>

Complaint details	Outcome	Action taken
<p><u>Allocations and Lettings</u> – complaint from a prospective tenant that the property they had expressed an interest in for which their bid was unsuccessful was available for bidding 2-3 weeks later.</p> <p>Received in August 2009 Ref: HC-000132</p>	<p>Not upheld. The Hillingdon Homes property in question was withdrawn from the first round of bidding due to the property no longer being suitable for people with mobility needs. The property was re-advertised with a revised description. The successful bidder for the property had a higher assessed housing need than the complainant.</p>	<p>No further action required.</p> <p>(Complaint unhappy with the response at stage 2 and requested the complaint progress to stage 3)</p>
<p><u>Repairs</u> – complaint about dampness in the property at ground floor level. The complainant disagrees that the patio she laid is too high / close to the damp proof course and scalplings alongside the property are causing the dampness. Also she disagrees that the latex flooring she laid in the out-house has contributed to dampness.</p> <p>Received in February 2010 Ref: HC-000389</p>	<p>Upheld. The initial investigation of the complaint did not cover all the issues being raised by the tenant.</p>	<p>The issue raised by the tenant was re-investigated to determine any remedial works required.</p> <p>Officers involved in the initial investigation have been advised / briefed on the need to ensure all issues raised by tenants are thoroughly looked into.</p>

Stage 3 Complaints

4.22 During 2009/10, three complaints progressed to stage 3 of the complaints procedure – compared to six the previous year.

Table 6 – Total Number of Complaints Progressing to Stage 3

Service Area	2007/8	2008/9	2009/10
Learning Disability	2	0	0
Mental Health	0	0	0
Older People	1	0	0
Physical/sensory Disability	0	0	0
Total Social Care	3	0	0
Housing Services	1	4	2
Hillingdon Homes	1	2	1
Total Housing	2	6	3
Total ASCH&H	5	6	3

Housing Services – Stage 3 Complaints

4.23 Of the two stage 3 complaints for Housing Services, one was in relation to a Housing Benefit claim where the applicant did not agree that it was his responsibility to provide evidence to support his housing benefit claim. Instead he felt that the local authority should request information from his landlord. The complaint was partially upheld as we should have communicated clearly our expectations at an earlier stage.

4.24 The other complaint that progressed to stage 3 of the complaints procedure concerned the handling of a complaint, including the investigation at stage 1 of the complaints procedure. The complaint was found to be partially upheld but did not find that officers had ‘covered up’ or ‘colluded’ in their investigation.

Table 7 – Housing Services - Stage 3 Complaints

Complaint details	Outcome	Action taken
<p><u>Housing benefits</u> – Complainant does not agree that it is his responsibility to provide evidence of tenancy agreement and rent payments to support his housing benefits assessment. Wants the London Borough of Hillingdon to ensure landlord complies with providing information.</p> <p>Received in May 2009. Ref: HC-000018</p>	<p>Partially upheld.</p> <p>Under the Benefit Regulations if a claim is made for Housing Benefit, it is the responsibility of the person making the claim to supply the evidence and information that the Authority reasonably requires to consider the application. The investigation found that we did not communicate this requirement when the information was outstanding and did not action a change of address.</p> <p>The stage 3 review confirmed that an apology should be offered which it has.</p>	<p>Changes to the administration of change of address to ensure that records are updated in a timely way.</p> <p>Officers have worked with the complainant to expedite his benefit claim.</p>
<p><u>Complaints handling</u> – complainant unhappy with the way in which the complaint was investigated at stage 1 and 2 and requested that this be progressed to stage 3.</p>	<p>Partially upheld.</p> <p>The investigation concluded that there was no ‘cover-up’ in the investigation at stage 1 or 2, nor that the complainant was treated differently, and confirmed with the investigation at stage 1 and 2 that the communication during the handling of the complaint could have been clearer.</p>	<p>Apology offered to complainant and agreed action to ensure that the officer who is the subject of the complaint handling issues is subject to appropriate action.</p>

Hillingdon Homes – Stage 3 Complaints

4.25 During 2008/09 Hillingdon Homes received one complaint which progressed to stage 3 of the complaints procedure. The complaint concerned the withdrawal of a Hillingdon Homes property from the LOCATA bidding scheme as the property was initially incorrectly listed as being suitable for people with mobility needs. The complaint at stage three was withdrawn.

Table 8 – Hillingdon Homes - Stage 3 Complaints

Complaint details	Outcome	Action taken
<p><u>Allocations and Lettings</u> – complaint from a prospective tenant that the property they had expressed an interest in for which their bid was unsuccessful was available for bidding 2-3 weeks later.</p> <p>Received in Sept 2009 Ref: HC-000132</p>	<p>Withdrawn.</p> <p>The complainant has since been offered a Hillingdon Homes property through the LOCATA bidding process.</p>	<p>No further action required.</p>

Local Government Ombudsman Investigations

4.26 The Local Government Ombudsman receives complaints and although the standard is to ensure that the Local Authority has had an opportunity to respond, there are occasions when the Ombudsman will investigate a complaint that has not proceeded through the complaints procedure.

4.27 We work with the Ombudsman to ensure that they are fully informed of the rationale of our decision-making and we openly apologise when we need to.

4.28 During 2009/10 we saw an increase in the number of complaints the Ombudsman made a decision on – to fifteen during the year (from eight the previous year). In many cases there was no or sufficient evidence from the complainant to support the complaint. Table 9 below summarises the complaints received by the Local Government Ombudsman.

4.29 In one case concerning Adult Social Care the Ombudsman found that there was no or insufficient evidence to support the complaint that their mother was placed inappropriately into residential care. In a similar case the ombudsman found that the son of a service user had no jurisdiction to insist that his mother leave a residential care placement to live with him.

4.30 In housing services, two complaints were received about housing benefits and five complaints were received about access to suitable housing. In the complaints about benefit services, one was found to be outside jurisdiction and in the other a local settlement was agreed. For the complaints about housing allocations, the ombudsman used their discretion to reach a resolution for most and in one there was no or insufficient evidence to progress the complaint.

4.31 Of the Hillingdon Homes complaints investigated by the Ombudsman, one was for tenancy management in which no or insufficient evidence was found; a complaint about housing repairs and planned maintenance were found to be outside of jurisdiction; and a complaint about anti-social behaviour could not be decided due to no or insufficient evidence to support the claim of maladministration.

Table 9 – Hillingdon Complaints Received by the Local Government Ombudsman

Service Area	2007/8	2008/9	2009/10
Learning Disability			
Mental Health			
Older People	1	1	4
Physical/sensory Disability	1		1
Total Social Care	2	1	5
Housing Services	6	5	7
Hillingdon Homes	8	2	3
Total Housing	14	7	10
Total ASCH&H	16	8	15

Members Enquiries

4.32 Enquiries can be submitted to officers on behalf of residents by Elected Members. During 2009/10, we received 1137 enquiries from elected members on behalf of our residents in addition to the complaints set out above. Enquiries from members can include a request for further information, questions about an assessment, decisions or quality of service experienced by our resident.

4.33 The following tables set out in summary the types of enquiries we have received.

Tables 10a and 10b – Enquiries from elected Members during 2009/10

10a. Hillingdon Homes

Nature of the Enquiry	2009/10	%
Allocations	4	1%
Anti-Social Behaviour	16	5%
Careline	2	1%
Caretaking Services	14	4%
Community Housing	160	45%
Homeownership	4	1%
Leasehold	2	1%
Planned Maintenance	6	2%
Policy and Strategy	44	12%
Rent Arrears	6	2%
Repairs	59	17%
Sheltered Housing	3	1%
Surveyors Services	31	9%
Tenant Participation	4	1%
Grand Total	355	100%

10b. Adult Social Care and Housing Services

Nature of the Enquiry	2009/10	%
Adult Social Care - access to care	81	10%
Adult Social Care - assessment	31	4%
Adult Social Care - services provided	15	2%
Commissioning - care provision	17	2%
First time buyers scheme	10	1%
Healthy Hillingdon - walks	1	0%
Housing benefits - fraud	2	0%
Housing benefits assessments	11	1%
Housing benefits decisions	42	5%
Housing needs - housing advice	65	8%
Housing needs - temporary accommodation	33	4%
Housing needs assessment	218	28%
Housing supply	30	4%
PSH - access to grant funding	59	8%
PSH - fly tipping	7	1%
PSH - gardens	19	2%
PSH - landlord issues	3	0%
PSH - neighbour issues	51	7%
PSH - OT services	2	0%
PSH - Pigeon hazard	5	1%
PSH - Poor quality housing	40	5%
PSH - Rats, vermin etc..	8	1%
PSH - Rent increase	8	1%
PSH - Safety	3	0%
Safeguarding Adults - process	8	1%
Staffing Issues	13	2%
Grand Total	782	100%

Note

Percentages have been rounded

PSH = private sector housing

5. COMPLAINTS LEARNING

5.1 Every complaint is an opportunity to learn from our customers about what works and what does not. Even when a complaint is not upheld we need to look at why the person felt that they needed to make a complaint. Often it is because their expectation of the service differs from the actual service standard.

5.2 Communication is the key to a good relationship with our customers and it is as fundamental as:

- Accessible information about our services
- Clear eligibility criteria and rationale
- Clear service standards that are achieved and developed in partnership with customers
- Well-trained staff who are knowledgeable and have excellent customer care skills, who listen and demonstrate empathy
- Staff who keep in touch with the customer, keep them informed and return calls
- Clear communication and written correspondence.

5.3 Specific themes where services have identified improvements as result of complaints are set out below.

Improving Customer Care and Communication issues

- Improvements to written information in everyday language to explain housing benefit decisions and changes
- One-to-one discussions with individual members of staff and reviewing their written communication before letters are sent to customers
- Improved information about the First Time Buyers Scheme to make clear the eligibility for prospective applicants
- A review of standard letters across Benefit Services to ensure they are clear and easy to understand.

Quality of Services

- Targeted action and visits to care providers to review and follow up on quality of care issues to ensure care standards are met
- Improved monitoring within Hillingdon Homes of their contracts, including a major contractor. This has significantly reduced the number of complaints received about this contractor during 2009/10
- Continued improvements to adult social care access and assessment services have been made during 2009/10, bedding down new structures to ensure a focus on timely completion of assessments, reviews and greater choice and personalization for the service user and their carer. This includes implementing a new information system for adult social care to support effective information and performance management.

6. COMPLAINTS PROMOTION

6.1 In order to promote the complaints service to all our customers, a series of visits were made to Day Centres and Voluntary organizations. The visits not only promoted the complaints service but offered customers and partners the opportunity to learn more about the process and in fact make referrals to all services across the council. Customer Care and Complaints Staff have also attended team meetings to promote and advise staff of the complaints procedure and provided one-to-one support for staff dealing with complaints.

7. FUTURE DEVELOPMENTS

7.1 To further strengthen complaints management and service improvement, the focus is to:

- Improve the communication with complainants during the investigation and resolution of their complaint. When asked, some complainants felt that they were not always kept up-to-date. We will work with managers to address this
- Further develop information about how to access the complaints procedure
- Review with management teams how the arrangements for resolving complaints is working
- Develop mechanisms for reporting and monitoring changes and learning from complaints
- Work with managers to implement the Social Care Complaints Procedures.

BACKING DOCUMENTS

- Complaints regulations for adult social care
- Complaints procedures

SUGGESTED COMMITTEE ACTIVITY

Members of the Committee discuss and comment on the annual complaints report and use the report to inform their overview activities.