

APPENDIX 1

LONDON BOROUGH OF RICHMOND UPON THAMES CORPORATE COMPLAINTS REPORT for 2022-23

1. MATTER FOR CONSIDERATION

RECCOMENDATIONS

- 1.1 That Members are recommended to review and note the report and associated appendices.

- 1.2 The report provides statistics and context to the complaints received and closed by Richmond Council for all services during the year 2022/23. Wherever possible comparative analysis with previous years is included.

2. SUMMARY

- 2.1. The report has been produced to keep Members and senior officers informed of the overall numbers of complaints made to the London Borough of Richmond upon Thames, to provide details of the complaints which have followed one of the three complaints procedures at local and statutory levels, all of which may ultimately result in an investigation by the Local Government and Social Care Ombudsman (LGSCO).
- 2.2. In 2022-23, the LGSCO upheld an average of 77% of complaints across all London boroughs. This is higher than the average of 71% last year because, to ensure best use of resources, the LGSCO is now being more selective about the cases they investigate and only choosing those which are high risk or are in the public interest. The LGSCO have advised in their Annual Review letter dated 19 July 2023 that Council's should expect a higher uphold rate due to this change of approach and should compare uphold rates with local authorities of a similar size, rather than last year's performance data.
- 2.3. For Richmond 91% were upheld (or 10 complaints out of 11 cases investigated). Whilst this is higher than then average for other London Boroughs, only a small number of complaints reached formal investigation compared to 51 number of enquiries that the LGSCO made to Richmond Council this year.
- 2.4. When compared to three boroughs of similar population sizes (Kingston, Westminster and Hammersmith and Fulham) the average upheld is 77%; however, Westminster had 82% upheld out of 34 investigations and Hammersmith and Fulham had 64% upheld out of 28 investigations. The average number of investigations across Richmond Council and our 3 statistical neighbouring boroughs is 21, as Richmond received a lower number

of investigations (11 cases) compared to the average, this has disproportionately increased the uphold rate if comparing by the number of actual formal investigations.

- 2.5. In terms of the number of Public Reports issued by the LGSCO against the Council, there were no new Public Reports issues this year and Richmond is in line with its neighbouring boroughs with one over the last five years (this data is for five years up to 2022-23). Also, Richmond achieved 100% compliance in satisfactorily implementing LGSCO recommendations which compares to 99% across all London boroughs.
- 2.6. It should be noted that only a very small proportion of interactions and contacts with the Council result in formal complaints, such context has been set out in greater detail in the report below. Comparing the last four years, the overall number of complaints has increased. There was a small increase from 297 complaints in 2019-20 to 301 in 2020-21 (+1%) but this changed in 2021-22 when the total number of complaints completed was 366 (+22%). This year has shown a further increase: **453** complaints were closed in 2022-23 (+24%). This steady increase in complaints is addressed further below in para 4.5.
- 2.7. The Corporate Complaint Team's role is to support the organisation to ensure that the Council has effective and efficient complaints procedures, in line with best practice and statutory requirements. The Complaints Team also have responsibility to train and support Council officers to respond effectively to complaints and ensure learning from complaints feeds directly into service improvement.
- 2.8. The Council's response to complaints it receives remains a key element of its approach to the delivery of quality services. Dealing positively and swiftly with complaints continues to be a high priority task for Directors, managers and staff at all levels. The Council encourages residents and businesses to provide feedback on services, to make a complaint or comment or to submit a suggestion, through various channels and online arrangements.
- 2.9. A key part of an effective complaints system is to highlight areas for learning from those complaints that can inform ongoing improvement of services. Common themes in terms of learning from complaints have tended to focus on staff training and improving staff communication, rectifying financial errors, and ensuring data quality. Further Directorate level insight and narrative on the data and learning from the complaints are included in the report (see section 6).

3. BACKGROUND

- 3.1. All councils in England and Wales are required to provide a complaints procedure for people who are in receipt of council services. In common with other councils, the London Borough of Richmond upon Thames follows three complaints procedures, summarised below and set out in detail in Appendix 1:
 - a) The Corporate complaints procedure, revised 1 January 2021 and 1 April 2023
 - b) The Local Authority Adult Social Services and National Health Services complaint regulations 2009

c) The Children Act 1989 complaints procedure

- 3.2. The Council has a statutory duty to produce an annual report for the Adults and Children's complaints' procedures at (b) and (c) above – these are submitted separately to Adult Social Services Health and Housing Committee members, Director's Board and Education and Children's Services Committee. However, data gathered for both the Adults and Children's Social Care annual reports has been included in this report to provide a complete picture of all complaints that the Council dealt with during the past year.
- 3.3. Whilst there is no statutory requirement to provide an annual corporate complaints report, there is a requirement for Local Government Monitoring Officers to provide information on LGSCO complaints received and responded to.
- 3.4. The council's corporate complaints procedure is available on the public webpages. A useful definition of a complaint is provided below, along with a description of other enquiries which have different procedures and are therefore not considered under the corporate complaints procedure.
- 3.5. A complaint is:
- “...an expression of dissatisfaction about a council service (whether that service is provided directly by the council or by a contractor or partner) that requires a response”.*
- 3.6. Other enquiries: In line with LGSCO guidance, the council now logs minor problems such as missed refuse collections, street related issues, abandoned vehicles, graffiti and fly tipping as '**faults**' or '**service requests**'. They are often resolved quickly by the service or the relevant contractor. However, if the same issue occurs repeatedly (more than twice), it is elevated to the Council to address as a formal stage 1 complaint.
- 3.7. Some matters have a separate appeals procedure:
- Housing Benefit appeals
 - Council Tax disputes
 - Planning application appeals
 - School admission appeals
 - School exclusions
 - Special Educational Needs decisions (Education, Health and Care Plan appeals)
 - Penalty Charge Notice appeals
 - Homelessness decisions
- 3.8. Complaints are counted in the year in which they were responded to or closed. Therefore 2022-23 complaint figures include complaints that will have been initiated in the previous year but then closed in the reporting year.

4. OVERVIEW OF COMPLAINTS

- 4.1. This section sets out the key messages regarding the number of complaints, the types of complaints, the timescales in which they were responded to, and a summary of the outcomes and learning.
- 4.2. Timescales for Adult and Children's statutory complaints have been removed and shown separately as they follow a different process. Complaint types have also been amended for the purpose of this report as some categories for statutory complaints are different to the ones used for Corporate complaints. Both Adult and Childrens statutory complaints have a separate a more detailed report as required by the complaints legislation. These reports will go separately to the relevant Adult and Children's Scrutiny Committees¹.
- 4.3. Appendix 2 provides figures for the whole Council and shows all corporate complaints by type, level and time and includes information on complaints received via the statutory reporting processes and equalities data. Appendix 3 provides the LGSCO annual decisions. Appendix 4 provides the LGSCO Annual Review Letter in respect of Richmond Council. Appendix 5 provides some examples of learning from upheld or partly upheld complaints across all directorates.
- 4.4. Where available, specific learning examples are explored for each Directorate in **Section 6** below but some headline examples from this year are outlined below:
 - **Achieving for Children** has further developed the SEND service including procedural updates training to ensure that EHCPs are issued by the 20-week statutory deadline and improving the recruitment and retention of SEN officers; additional capacity has supported the team to better track EHCP Annual Reviews and the updating of ECHPs.
 - **Adult Social Care** have improved the quality of financial information and letter templates for people receiving chargeable social are services and social workers have been supported to improve the quality of advice provided to people who choose to arrange their own care privately.
 - In **Housing and Regeneration** , managers have been reminded of the importance of dealing with complaints through the corporate complaints process, responding to complaints within deadlines and ensuring that responses are empathetic by showing an understanding of the complainant's situations.
 - In **Resources**, through refresher training, the quality of the advice given to Council Tax benefit claimants has been improved to ensure it is of the high standard expected in the Benefits Service.

¹ Education and Children's Services Committee 14th September 2023 and Adult Social Services Health and Housing Committee 13th November 2023

- **Environment and Community Services** have made improvements to correspondence used in planning enforcement to ensure that accurate terms are used in to avoid misunderstanding and support quick resolution.
- **Chief Executive Office** - Customer Service representatives received refresher training on identifying and making reasonable adjustment for customers with disabilities.

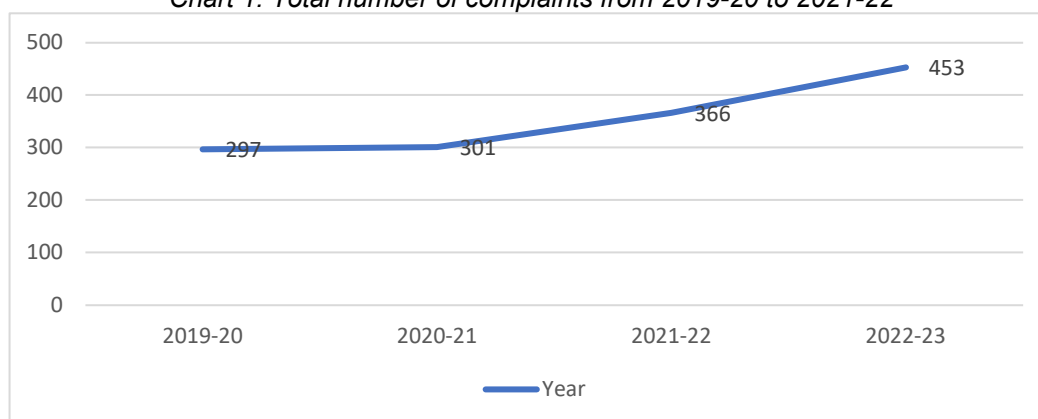
4.5. As **table 1 and chart 1** below show, the number of complaints resolved by Richmond Council in **2022-23 was 453**; this represents a 24% increase or 87 more complaints than the previous year (2021-22) when the total was 366. An overall increase in complaints should not be seen as a negative – it is a positive indication of a healthy complaints culture within the organisation. Each year the Complaints Team works with Directorates to maintain a positive attitude towards complaints and to continuously improve the accessibility of our complaints processes. An analysis of complaint numbers across individual directorates is provided later in the report.

Table 1: LBRuT total number of complaints 2019-20- to 2022-23

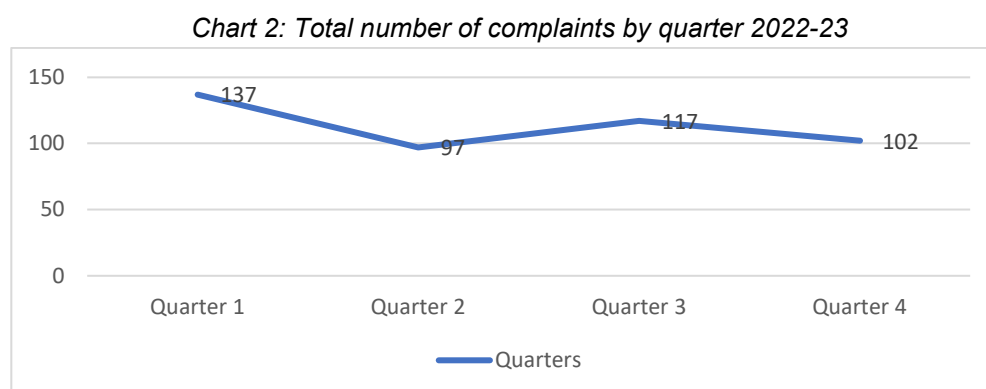
Year	Number of Complaints
2019/20	297
2020/21	301
2021/22	366
2022/23	453

4.6. The volume of complaints should be set in context by looking at the overall level of contact and interaction the Council has with its residents and services users. For example, 453 complaints for 2022/23 is low given that Richmond Council's Customer Services handled 190,784 telephone contacts (including 463 callback requests), 47,735 emails and 3,015 webchats. This year Richmond Council also handled 2958 Member Enquiries.

Chart 1: Total number of complaints from 2019-20 to 2021-22

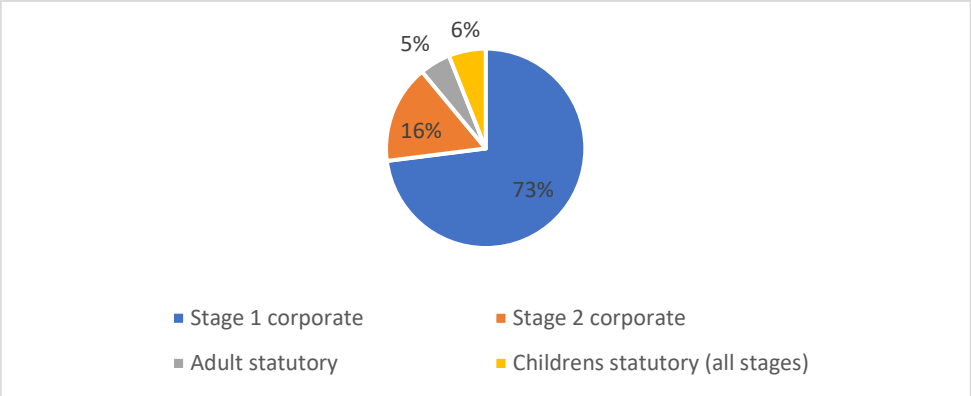


- 4.7. **Chart 2** below shows complaint numbers across the quarters. Whilst overall numbers have risen, most complaints were received in quarter 1.



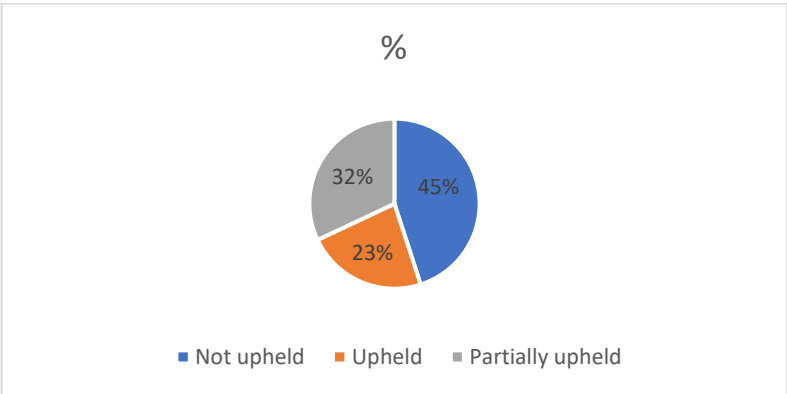
- 4.8. The following data shows the proportion of the **453** complaints across stages 1 and 2 of the corporate process and both statutory processes:
- At stage 1 of the corporate process, 330 (or 82%) of complaints were completed
 - At stage 2 of the corporate process 72 (or 18%) were completed.
 - Statutory complaints for Children's Services at all 3 stages accounted for 27 complaints (6%).
 - Statutory complaints for Adult Social Care accounted for 24 (5%) complaints.
- 4.9. The 330 stage 1 complaints represent a 11% increase on the 298 stage 1 complaints last year.
- 4.10. The 72 stage 2 corporate complaints closed represents a 18% increase on the 61 closed last year. Whilst stage 2 complaints have increased, last year proportionally 16% escalated from stage 1 to stage 2 which is the similar to this year.
- 4.11. Overall, statutory complaints have decreased. There were 27 Children's statutory complaints across all 3 stages which is a 16% decrease on the 32 closed last year. 24 Adult statutory complaints were closed which is 14% less than the 28 closed last year. Statutory complaint numbers and trends are examined in detail in the two separate Adult and Children's statutory complaint reports 2022-23. **Chart 3** below show the percentage of complaints by corporate and statutory process.

Chart 3: percentage of complaints by corporate stages and process 2022-23



- 4.12. Across all stages and processes, this year 205 (45%) of complaints were not upheld, compared to 181 (58%) last year. 104 (23%) were upheld, compared to 84 (20%) last year and 144 (32%) were partly upheld compared to 101 (22%) last year. Chart 4 below details the split by percentage.
- 4.13. Overall, 55% of complaints either upheld or partially upheld issues. Complaints can be multi-faceted, and often complaints are partially upheld because there may be an element of the complaint, such as communication, that could be improved even if the substantive issue is not upheld. This is to be expected in a large and diverse organisation and demonstrates a healthy complaints culture that listens to its residents and seeks opportunities to improve.

Chart 4 percentage of complaints by outcome across all stages and types 2022/23



- 4.14. **Table 2** below shows outcome of complaints from for the past two years, following the removal of service requests from the complaints process. Across all three complaint outcomes, proportionally the numbers of complaints not upheld, upheld and partially upheld are similar.

Table 2: Outcome of complaints across all stages from 2019/20 to 2022/23

	2019/20		2020/21		2021/22		2022/23	
Upheld	56	19%	61	19%	84	20%	104	23%
Partially upheld	118	40%	66	22%	101	22%	144	32%
Not upheld	123	41%	174	58%	181	58%	205	45%
Total	297		301		366		453	

4.15. In 2022-23 the LGSCO again made decisions on 45 Richmond cases which resulted in 11 detailed investigations. This is a 27% decrease on the 62 decisions in 2021-22 and a 54% decrease on the 24 detailed investigations that year because the LGSCO are being more selective about the cases they investigate due to resource.

Chart 5: LGSCO decisions and investigations 2019/20 – 2022/23



4.16. Types of complaints by directorate

4.17. As shown in **Table 3**, this year 'service delay or failure' was the most raised issue of complaint (59% or 267 complaints). Next staff error/attitude was the most raised issue (14% or 62 complaints).

4.18. It is recognized that 'service delay or failure' is a broad category and there may be a benefit of splitting this out in future years so we can be clearer if complaints are mostly about delays or failures to deliver services in accordance with council procedures.

Table 3: Types of corporate complaints New Process 2021-22²

Type of complaint	2021-22	2022-23
Service delay or failure	211 (58%)	267 (59%)
Outside service procedure	46 (13%)	26 (6%)
Staff error/attitude	43 (12%)	62 (14%)
Disagreement with/failure to implement assessment	27 (7%)	28 (6%)
Financial charges/billings/costs	26 (7%)	22 (5%)
Poor/incorrect information	13 (4%)	48 (11%)
	366	453

- 5.6 It is difficult to compare complaint types with the previous year as new complaint categories were introduced when the new corporate complaints process went live in January 2021. **Table 4** below shows the types of complaints raised over the past two years and issues about quality of service, insufficient service and delayed service were separate categories, therefore it is likely that complaints raising these issues have been picked up in the new category of 'service delay or failure'.

Table 4: Types of complaint by top five issue in the last two years 2019-20 to 2020-21

Type	Times Raised %	
	2019-20	2020-21
Quality of Service	14%	11%
Insufficient Service	14%	11%
Staff attitude	8%	9%
Delayed Service	9%	9%
Service not Provided	10%	9%
	100%	100%

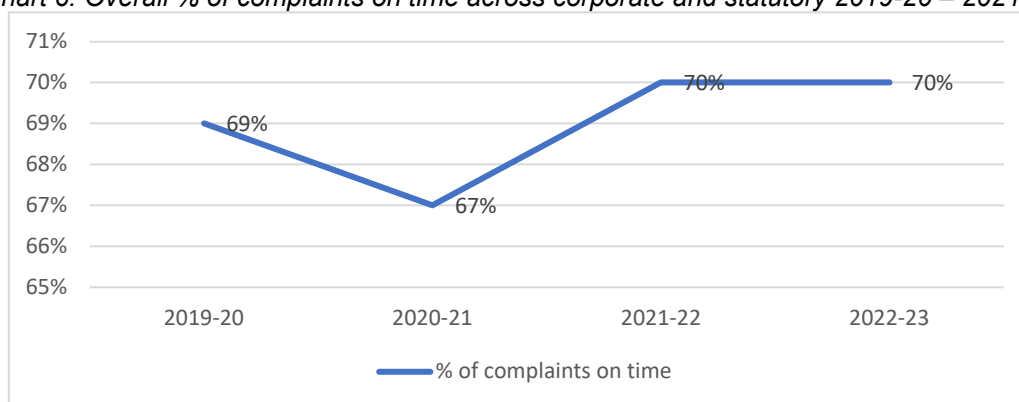
² Complaint types for statutory Adult and Children's social care complaints are analysed in detail within the 2022-23 Statutory Complaint reports. The 'type' of complaints used in statutory reporting do vary to the ones used for the corporate complaints process. Some categories are the same, for example, complaints about assessments, staff attitude and communication. Where complaint types differ, they have been adjusted to fit corporate complaint types for this report. For example, statutory reporting has separate issues for delays and the quality of services. These have been combined into 'service delay or failure' for the purposes of this report.

- 5.7 A more detailed breakdown of types of types of complaints by Directorate is provided further in the report and a full breakdown of all types of complaints across the last three years is provided in **Appendix 2**.

5.8 Timescales for responding to complaints

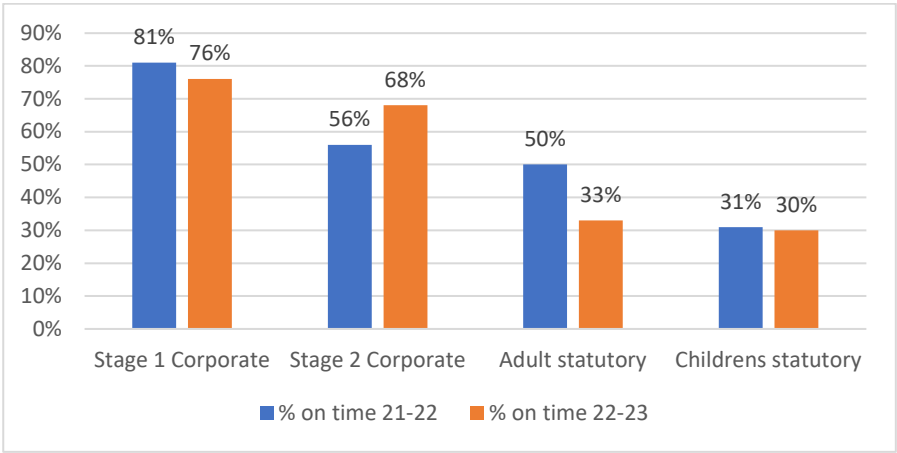
- 5.9 This section sets out compliance against complaint timescales (see Appendix 2). As shown in **chart 6**, this year 317 (70%) of complaints at all stages were responded to on time. This is 23% higher than the 257 responded to on time last year, but proportionally this is the same (70%).

Chart 6: Overall % of complaints on time across corporate and statutory 2019-20 – 2021-22



- 5.10 Of the 330 stage 1 corporate complaints, 252 (76%) were on time compared to 199 from 249 (80%) last year.
- 5.11 This year there were 72 stage 2 corporate complaints. 49 (68%) were completed on time compared to 34 out of 57 (60%) last year.
- 5.12 Of the Social Care complaints completed, Adult Social Care responded to 8 (33%) within the local target of 25 working days, compared to 14 (50%) last year. It should be noted that the Adult Social Care statutory complaints legislation does not provide a required timescale to respond to complaints, other than to risk assess complaints and respond within an appropriate timescale (full resolution should be achieved within six months).
- 5.13 Children's Services (Achieving for Children) completed 8 (30%) complaints on time across all three stages. This compares to 10 (31%) on time last year.

Chart 7: Number of complaints on time by stage and process 2021-22 – 2022-23



5.14 As Chief Executive’s Department only completed one formal complaint this year, there is no further analysis in the Directorate breakdown section of the report. However below is a case study from a complaint that, whilst led by the Customer Service Centre that sit in the Resources directorate, input was provided by the Council’s Data Protection Officer (DPO) within the Chief Executive’s Directorate.

Learning from complaints: Case study- Stage 1 Accessible information

Background

A resident complained about incorrect information provided during a telephone call with a customer services representative. The resident asked for signposting to make a Subject Access Request, Freedom of Information Request and a complaint. During the telephone call they were told they would have to put both requests and the complaint in writing, despite advising that this would be difficult for them as they are Dyslexia.

Learning

Richmond Council is committed to providing an accessible and inclusive service for all residents and this complaint provided an opportunity to review accessibility at the customer service 'front door'.

Firstly, the standard telephone message for Customer Services was changed to say *'Please let us know if you have any disability or need for assistance so we can assure you receive the best possible service from our advisors'*.

Customer service representatives also received refresher training which clarified that with any disability, including Dyslexia, there is no single approach or adjustment, and there are several options that could be tailored to meet the residents needs or any specific challenge that they might experience due to the disability.

From the training and through regular monitoring and coaching, customer service representatives are now better equipped to work with residents to gain an understanding of what they are able and comfortable to do when accessing council services and identify opportunities to ask how they can help what can be offered.

It was also clarified to the team that Subject Access Requests, Freedom of Information Requests and complaints do not have to be made in writing and if a process requires a written submission, such as an Appeals process, the resident should be signposted to other services such as advocacy, Citizen's Advice and BSL translation if they need additional support.

6 BREAKDOWN BY DIRECTORATE

- 6.1 This section focuses on number of complaints, the timescales and the outcomes and learning for each of the Directorates.
- 6.2 **Number of complaints per Directorate**
- 6.3 Table 5 below shows the breakdown of complaints completed per directorate (and includes statutory complaints) from 2019/12 to 2022/23. Complaint numbers have increased for Corporate complaints in each Directorate but statutory complaint numbers have dropped in both adult and children's services.

Table 5: Number of complaints – Directorate breakdown 2019/20 to 2022/23

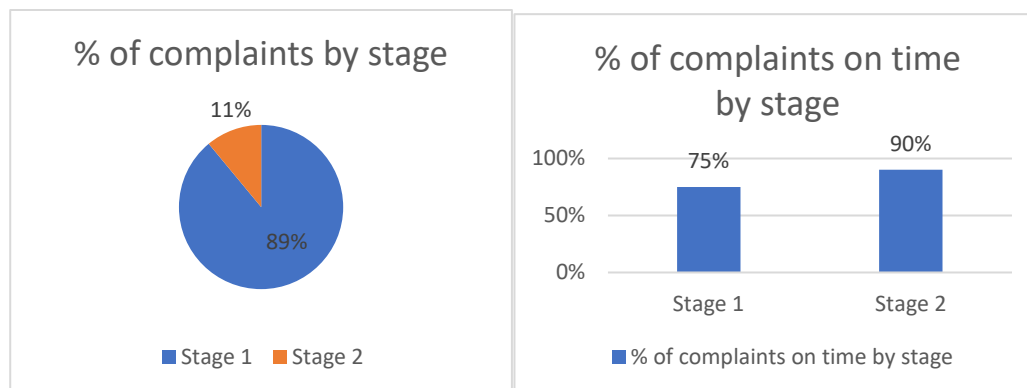
	Directorate Totals				
	2019/20	2020/21	2021/22	2022/23	% +/-
Environment and Community Services	99	88	163	185	+13%
Resources	65	94	85	121	+42%
Housing and Regeneration	26	17	15	26	+73%
Children's Service (corporate and statutory combined pre 2022/23)	45	64			
Children's Services Corporate ³			23	67	+191%
Children's statutory			32	27	-16%
Adult Social Care Corporate and statutory combined	56	37			
Adults Social Care - Statutory			28	24	14%
Adult Social Care – Corporate				2	
Chief Executives Group	6	1	7	1	
Total	297	301	366	453	

- 6.4 Proportionally, the most significant change at Directorate level is the increase in corporate complaints for Children's Services in **Achieving for Children**. These are mainly education complaints concerning EHCP processes due to delays or dissatisfaction with the multi-agency SEND system rather than the SEND Service.
- 6.5 Whilst complaints for **Housing and Regeneration** (+73%) have seen an increase proportionally, possibly due to greater attention of housing issues in the public domain, overall complaint numbers are still low because Richmond Council does not hold any housing stock. **Resources** have also seen an increase (+42%) due to a number of reasons including an increase in Covid-19 self-isolation payments. **Environment and Community Services** (+13%), have seen an increase due to an increased use of public spaces. In both **Children's Services** and **Adult Social Care**, statutory complaint numbers have decreased.

³ Numbers of corporate complaints for the adult and children's social care directorates were combined in previous reports. Going forward these two separate functions will be separated for reporting purposes.

Environment and Community Services (ECS)

Chart 8: Percentage of corporate complaints completed by stage and 'on time' for ESC 2022/23



- 6.6 For **ECS Directorate**, the main learning from complaints completed during 2022/23 was the need for a renewed focus on improvements to customer communication, engagement and interaction, across all areas of service delivery. This was particularly important in relation to services residents use on a regular basis such as waste, street cleaning, parks.
- 6.7 This year ECS completed 185 complaints compared to 163 last year which is a 13% increase. 164 (89%) were at stage 1, which is an 18% increase on the 139 completed last year. 21 (11%) were at stage 2, which is a 13% reduction on the 24 completed last year, and, as less complainants requested escalation to stage 2, it is evidence of an improvement in stage 1 responses. As well as the 185 complaints, ECS also handled 2,313 Member Enquiries.
- 6.8 The increase in complaints for ECS has been caused by an enhanced use of the borough's public spaces and related services such as parks and leisure centres, most notably over the summer months during the prolonged period of hot weather experienced.
- 6.9 The national challenges faced in recruiting staff have impacted upon services across the department and across a wider range of council services, which was particularly felt where this led to disruption of public services. For example, staffing shortages, particularly in Leisure Centres, led to an increase in complaints.
- 6.10 The increase in 2022/23 compared to 2021/22 also included an increased number of complaints related to the Council's ambitious street tree planting programme, with complaints made about both placement of trees and about the speed of replacement trees planted, the majority of which were not upheld.
- 6.11 This increase in service use (i.e. leisure centres and parks) and ambitious service programmes (i.e. street tree planting) led to an elevated level in complaints dealt with at Stage 1 in these areas.

- 6.12 Across both stages, Environment responded to 77% of complaints on time despite receiving the highest number of complaints across all directorates (41% of all complaints). This compares to 131 (80%) on time last year.
- 6.13 Broken down, 123 (75%) stage 1 complaints were on time compared to 115 (83% last year. 19 (90%) stage 2 complaints were on time compared to 16 (67%) last year.

Table 6: Type of complaints for ECS 2022-23

Type of complaints	Times raised 2021-22	Times raised 2022-23
Service Delay or Failure	118 (72%)	138 (75%)
Outside Service Procedure	24 (15%)	5 (3%)
Staff Error/Attitude	15 (9%)	22 (12%)
Disagreement with/failure to implement assessment within timescales	1 (1%)	2 (1%)
Financial Charges/Billings/Costs	3 (2%)	3 (2%)
Poor/Incorrect Information	2 (1%)	15 (8%)
	163	185

Learning from complaints: Case study Stage 1 'Leisure Service'

Background:

A resident complained at Stage 1 about the closure of the outdoor pool, which had coincided with one of the hottest days of the year in 2022. The pool closure was a consequence of insufficient staffing levels, meaning the pool was not able to be opened safely with the lack of lifeguards available. The customer believed insufficient effort was being made to rectify the situation by finding replacement lifeguards to allow the service to continue as normal.

Learning:

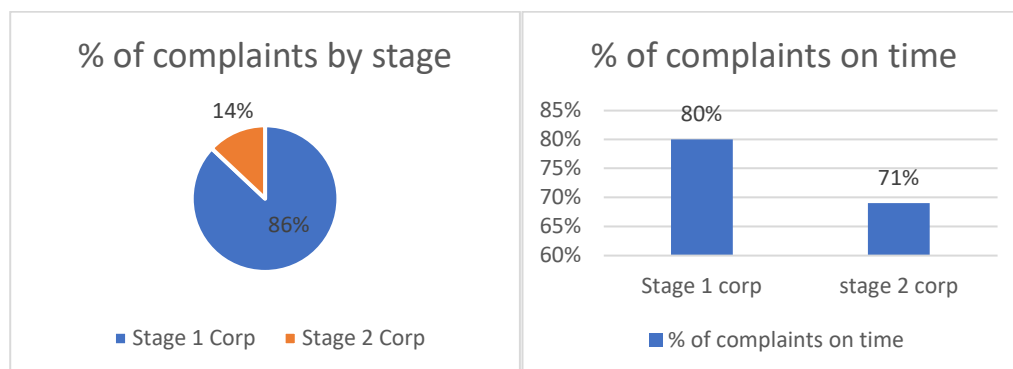
Whilst increased efforts for the recruitment of lifeguards and measures to mitigate this impact was already ongoing within the Sports service; this Stage 1 investigation identified opportunities for service improvement, for online communications and recruitment.

It was considered that the Sports service could better utilise online communication channels to advertise vacant leisure roles, such as lifeguards, through specific targeted online adverts. Officers also saw an opportunity to seek to further use local residents to fill open vacancies and expanded the offer opportunities for local residents to complete the National Pool Lifeguard Qualification (NPLQ) training for free, on the basis of commitment to work in the Council leisure facilities after they had completed the training. This training was rolled out and led to Pools on the Park acquiring 40 new lifeguards.

Officers also noted the need for improvements for the timetable for the outdoor pools, with a balance on when the pool was closed. Unfortunately, at times the pool facilities will experience last minute closures when it is simply not safe to open it due to insufficient staffing levels, but the Sports service understands the importance in ensuring customer communication is clear, effective, and efficient.

Resources Directorate

Chart 9: Percentage of corporate complaints completed by stage and 'on time' for Resources 2022/23



- 6.14 For **Resources Directorate**, the main learning from the complaints completed during 2022/23 was in relation to individual officer training and also reviewing the allocation of resources to any future projects such as the Self Isolation Payments Scheme.
- 6.15 This year Resources completed 121 complaints compared to 85 last year which is a 42% increase.
- 104 (86%) were at stage 1, which is an 42% increase on the 73 completed last year.
 - 17 (14%) were at stage 2, which is an 42% increase on the 12 competed last year.
- As well as the 121 complaints, Resources completed 151 Member Enquiries.
- 6.16 The increase in complaints has been in several areas. Technical Support received a large number in relation to delays in awarding various payments. In quarter 3 2021/22 Technical Support had a 500% increase in Covid Self-Isolation Payments applications, processed the new Fuel Support Payments scheme for approximately 9,000 customers, and had an increase in requests for assistance with Discretionary Housing Payments. There were limited resources to deal with the increase in demand, so delays in processing occurred. As all resources were prioritised to processing applications, there were delays in dealing with the complaints, therefore the responses were sent in quarter 1 2022/23, although complaints were received in the previous two quarters.
- 6.17 There was also an increase in complaints regarding Council Tax following recommencement of recovery actions after Covid 19. The Resources Directorate resolved 121 complaints in 2022/23 yet this directorate is responsible for processing in excess of 53,000 parking permits annually (resident, business and visitors permits) and also deals with other high-volume areas including over 13,000 benefit claims, over 80,000 Council Tax accounts and over 6,000 Business rate accounts.

- 6.18 Across both stages, Resources Directorate completed 95 (79%) of complaints on time. This compares to 70 (82%) on time last year. Therefore, performance has remained strong despite a 42% increase in complaints for the directorate in 2022/23.
- 6.19 Broken down by stages, 83 (80%) of stage 1 complaints were on time, compared to 63 (86%) last year. 12 (71%) of stage 2 complaints were on time compared to 7 (58%) last year.
- 6.20 The highest number of complaints fell into the 'service delay or failure' category (49 complaints). For example, there were 17 regarding delays in processing Housing Benefit claims or change in circumstances. It should be noted for context that over 45,000 changes in circumstances were processed last year. Other service delays included not responding to correspondence in a timely manner and delays issuing parking permits and Energy Payments. As mentioned above, issues in relation to delays with Self Isolation Payments, Fuel Support Grants and Discretionary Housing payments are also included within this category.
- 6.21 Most categories received similar levels of complaints. 'Outside Service Procedure' (20 complaints) which related to issues such as the amount of costs awarded or being unhappy with recovery action taken. Finance Charges/ Billings/ Costs' (17 complaints) included disagreeing with charges or bills for Council Tax or Business Rates. Poor / incorrect information (17 complaints) included receiving requests for information already provided or misinformation by Customer Services.
- 6.22 Within Resources Directorate, there were some delays in processing appeals. The learning outcome has resulted in creating a new part time post from the reduced hours on the team, which has improved the turnaround time in dealing with Appeals. In regard to complaints about delays in dealing with Council Tax correspondence, an automated response was updated to reflect that delays processing correspondence may occur during Annual Billing.

Table 7: Types of complaints for Resources 2023-23

Type of complaints	Times raised 2021-22	Times raised 22-23
Service Delay or Failure	34 (40%)	49 (41%)
Outside Service Procedure	15 (18%)	20 (17%)
Staff Error/Attitude	8 (9%)	16 (13%)
Disagreement with/failure to implement assessment within timescales	1 (1%)	2 (2%)
Financial Charges/Billings/Costs	16 (19%)	17 (14%)
Poor/Incorrect Information	11 (13%)	17 (14%)
	85	121

Learning from complaints: Case study Stage 1 – Council Tax**Background**

A Council Taxpayer made a complaint that despite owning a property for 17 years, their single person discount had been removed, after returning to the property during a period of living another part of the country. Upon their return to the property, for the forthcoming year, until the property was sold, the officer dealing with the account did not allow them to sign the statutory declaration to confirm they were eligible for the single person discount even though they had done so for the previous 17 years without incident.

The resident was instead asked to provide personal documents to prove that they owned the property, were residing in Richmond and to prove that they had moved to another part of the country and purchased a second home. The data requested was of a personal and sensitive nature, some of which pertained to health records. The resident provided numerous documents regarding their ownership and residence in the Richmond property and confirmation of their purchase of their home. They did not however provide any NHS documents to protect their privacy regarding their health issues and believing that it was unnecessary and a possible abuse of power.

Despite the information provided the officer concerned removed the single person's discount entitlement dating back to 2017 resulting in multiple bills being issued.

Learning for the Council

Following a review, it was established that the Council Tax Officer made several errors in the administration of this account. The single person discount should not have been removed, as the evidence provided was sufficient to apply the discount. The request for further evidence was unnecessary and the decision to remove the discount for historical periods was incorrect. The officer concerned has received individual feedback on this case and the Council Tax Service as a whole has been issued with information to assist in the decision-making process when awarding discounts to avoid this mistake from happening to other residents.

Learning from complaints: Case study ‘Stage 2’

Background

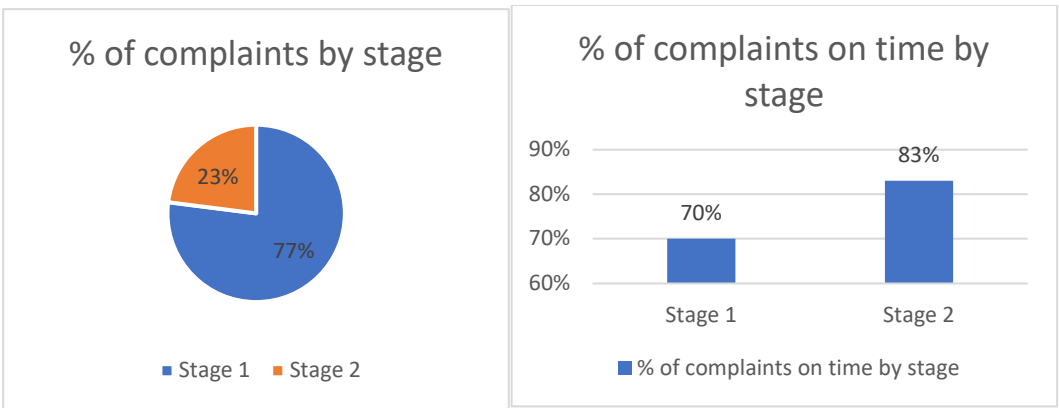
A complaint was reviewed at stage 2 by a resident who was unhappy with how their income was used to calculate a Council Tax Support assessment and how the credit on their Council Tax account was reduced without providing the opportunity to pay by instalments.

Learning

The stage 2 review found that there had been errors made on the claim and the way that the calculations were explained had caused confusion for the resident. Also, staff had failed to book a telephone appointment as requested by the resident which resulted in the appointment being delayed. Through refresher training, action was taken to be taken to ensure that the quality of the advice given to claimants in the future is of the high standard expected in the benefits service. Assessment staff were also reminded how to process Council Tax Reduction claims with a Universal Credit income.

Housing and Regeneration Directorate

Chart 10: Percentage of corporate complaints completed by stage and ‘on time’ for Housing and Regeneration 2022/23



6.23 This year HRD completed 26 complaints compared to 15 last year which is a 73% increase. As well as the 26 corporate complaints, HRD handled 305 Member Enquiries.

- 20 (77%) were at stage 1, which is an 50% increase on the 10 completed last year.
- 6 (23%) were at stage 2, which is 1 more than the 5 completed last year.

6.24 Across both stages, HRD completed 19 (73%) complaints on time. This compares to 6 (40%) of time last year. This is a significant improvement given that complaints have increase by 73%.

- 6.25 Broken down by stages, 14 (70%) stage 1 complaints were on time, compared to 5 (50%) last year. 5 of the 6 (83%) stage 2 complaints were on time compared to only 1 of the 5 (20%) stage 2 complaints last year.
- 6.26 It is worth acknowledging that 19 of 26 complaints were responded to on time (73%) across stage 1 and 2 within the Housing and Regeneration Directorate this year, compared to 6 of 15 from 2021/22 (40%). This is a good increase in performance and builds on the learning of last year where managers were reminded of the importance of responding to complaints in a timelier manner. This also comes in a year where the service was to an extent significantly affected by new demands on it, and as such recruitment was undertaken to mitigate the impact it has had.
- 6.27 For HRD, the main topics of complaint concerned issues with communication, such as a lack of communication with teams supporting complainants or receiving unsympathetic responses from officers. There were also complaints about assessments not being undertaken in a timely manner following the submission of medical documents. Learning from the stage 1 and 2 corporate complaints received during 2022/23 was primarily focused around:
- being clearer and more understanding in communication with customers
 - being responsive to correspondence
 - the importance of assessments being conducted in a timelier manner.
 - Managers have been reminded of the importance of dealing complaints through corporate complaint processes, responding to complaints within deadlines and ensuring that responses are empathetic by showing an understanding of the complainant's situations.
- 6.28 The majority of complaints fell into the 'service delay or failure' category (42% or 11 complaints). The other notable areas being 'staff error/attitude' (7 complaints) and 'disagreement with/failure to implement assessment within timescales' category (6 complaints).
- 6.29 Some of the topics that have been summarised in the category of 'Service Delay or Failure' are communication issues, such as a lack of communication with the clients, delays with the decision on client's cases, dissatisfaction with the way their cases have been handled. The common theme to be drawn from this is communication, and keeping clients updated effectively. This has formed a key part of learning this year in the department and will be considered throughout the next year.

Table 8: Types of complaints for HRD 2022-23

Type of complaints	Times raised 2021-22	Times raised 2022-23
Service Delay or Failure	10 (67%)	11 (42)
Outside Service Procedure	1	1 (4%)
Staff Error/Attitude	1	7 (27%)
Disagreement with/failure to implement assessment within timescales	3 (20%)	6 (23%)
Financial Charges/Billings/Costs	0	0
Poor/Incorrect Information	0	1 (4%)
	15	26

Learning from complaints: Case study Stage 1 - 'temporary accommodation'

Background

A customer made a homelessness application for help from Richmond's Housing department in March 2022. After receiving advice from a Council officer to keep looking at renting privately, the complainant applied for several homes. They were unsuccessful due to not earning enough to pass referencing stages. They were then informed later that accommodation would be ready for them in June 2022. On the day of their eviction, they did not receive any email or phone call regarding their accommodation move and thus had no place to stay for the weekend. On the next working day, they had still not heard anything.

Upon chasing the Temporary Accommodation Team, they received a text with the address of the property, which did not suit the requirements of the complainant. They advised they needed to be in the Richmond area due to work commitments and schooling for their child. The property offered was an hour away with no traffic. After collecting keys out of fear of not receiving further help, they found the property was highly unsuitable for a parent and child to stay in. The size was very small. Upon submitting a complaint and sofa surfing for almost 2 weeks, another offer was made. Viewing the property, it was in a terrible state and the size was again too small. After the flat was cleaned, the property was then broken into which left the complainant and their child very distressed. No support was given, and they could not get through to anyone and had to report this to the Police. Later in the month, they received a 3rd offer but the property was not ready to be moved into. Calling every day for 3 weeks for an update, they received no confirmed date of moving in and were having to pay storage costs. It was a very stressful situation for them, and staff were reported to be unsympathetic.

Learning

The Council's Temporary Accommodation Team have reviewed their procedure regarding offers of temporary accommodation in relation to transfers of temporary accommodation and formalised updated procedures to prevent the same situation happening again.

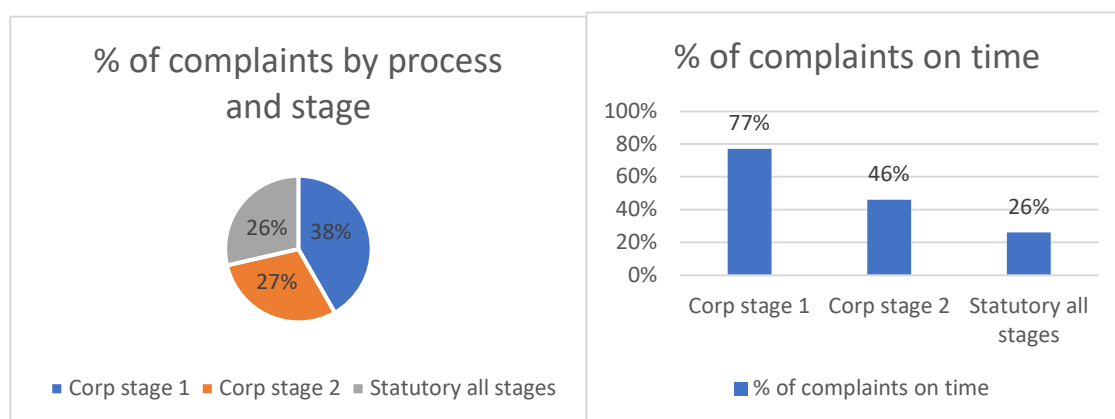
The updated procedure has resulted in clearer information to people and families that it may be necessary to make emergency placement if there is no other accommodation but finding a suitable property will be a priority. Now, when an issue is identified, properties are inspected to ascertain conditions, the distance of the accommodation in relation to care and support needs, medicals, schooling, risk etc.

Where required, additional supporting information will be obtained, and discussed with the Deputy Managers of the relevant Teams. Customers will be notified in writing as to the outcome of the assessment and of their right to request a review. Staff have been reminded on the suitability order and Code of Guidance which provides the framework around suitability.

We hold regular meetings with officers and as learning will ensure that they understand the need to be more understanding of client's personal circumstances and ensure that a thorough explanation is given as to why the placement has been made and of the rehousing options available to them and how they can achieve this.

Education and Children's Services

Chart 11: Percentage of corporate complaints (by stage) and statutory complaints completed and 'on time' for Education and Children's Services 2022/23



6.30 This year Achieving for Children (AfC) completed 94 complaints compared to 55 last year which is a 71% increase.

- 39 (41%) were at stage 1 of the corporate process, which is an 179% increase on the 14 completed last year.
- 28 (30%) were at stage 2 of the corporate process, which is 211% more than the 9 completed last year.
- 27 (29%) complaints were children's statutory complaints which is a 16% decrease on the 32 statutory complaints completed last year.

6.31 Across both stages, Achieving for Children completed 51 (54%) of complaints on time. This compares to 25 (45%) of time last year. Proportionally, this is an improvement given that complaints have increased overall by 71%

6.32 Broken down by stages:

- 30 (76%) stage 1 corporate complaints were on time, compared to 10 (71%) last year.
- 13 (26% 46%) stage 2 corporate complaints were on time compared to 5 (55%) last year.
- 8 (26% 30%) of statutory complaints were on time compared to 10 (31%) last year

6.33 **Learning from Children's Services (AfC) complaints:** across statutory children's social care services, all learning from complaints is implemented and monitored through the Performance and Quality Improvement Board. Learning from statutory social care complaints is explored in more detail in the Statutory Annual Complaints report scheduled for Richmond Council's September 2023 committee cycle, however, key learning focused on:

- Improving communication with parents to ensure that processes are fully explained, for example families are fully aware of the possible outcomes of child protection processes and the reasons for social worker involvement.
- Ensuring that social care assessments are written clearly and shared in good time for parents/guardians to read them and comment.

- Being aware of the importance of including fathers in assessments and ensuring they are fully involved in matters relating to their children.

6.34 For SEND, learning from complaints was shared with the Parental Engagement Lead to ensure lessons learnt are built into the training schedule for SEN officers. In summary key learning focused on:

- Improving communication with parents, for example, increasing telephone communication, particularly when there are staffing changes and ensuring that information presented is a clear and accurate picture of the current situation.
- Improving and revising the standard letters that are issued throughout the process to include timescales and information about the SEND panel's function and membership.
- Strengthening collaboration with medical professionals to ensure appropriate education for children with medical needs.
- Improving the recruitment and retention of SEN officers; additional capacity has supported the team to better track Annual Reviews and the updating of EHCPs.
- Reviewing the casework handover procedures to ensure tighter oversight when there is a change in the officer working with a family.
- Better partnership working with schools, for example, schools have been reminded of responsibilities and processes for seeking therapy input to avoid delays.
- Establishment of a SEND Commissioning Team. Now, whenever there are changes to a curriculum offer from an independent school, these are included in the broader commissioning and monitoring conversations with providers.
- Working with the Designated Clinical Officer for SEND to review and improve how agencies work together to support young people holistically.
- Working with the Integrated Care System to undertake a review of the therapy provision (Section F) in EHCP's; this has developed a spot commissioning process that has successfully provided more packages of care to individual young people.

6.35 **Types of complaint for Achieving for Children** (across corporate and statutory): The majority of complaints fell to 'service delay or failure' (64%) and 'disagreement with/failure to implement assessment within timescale' (15%). Complaints about 'staff error/attitude' and 'poor incorrect information' also accounted for 10% of complaints respectively.

6.36 In Children's Social Care, complaints were about dissatisfaction with individual social workers, the quality of communication between parents/guardians and professionals, the quality of records and assessments and timeliness of information. Complaints about staff attitude are still fairly prevalent in children's social care due to the increase in agency staff and difficulties with recruitment and retention of permanent social workers, which can create an inconsistent approach to social work practice within AfC.

6.37 In education, we are aware of delays or dissatisfaction with the EHCP process and complaints largely stem from dissatisfaction with the SEND system rather than the SEND Service. For example, complaints concerning a lack of delivery of therapies is related to recruitment challenges within the Integrated Care System, a lack of delivery of specialist provisions relates to the broader shortage of specialist placements available nationally, and disagreement about decisions and communication across the SEND system has been

impacted by the appeal R (L, M and P) v Devon County Council [2022] EWHC493 which established new case law in March 2022 related to Annual Review processes. This has been compounded by an increase in need which places pressures on schools. The complaints route is via the SEND service.

Table 9: Types of complaints for Children's Services 2023-23

Type of complaints	Times raised 2021-22	Times raised 2022-23
Service Delay or Failure	28 (50%)	60 (64%)
Outside Service Procedure	2 (4%)	0
Staff Error/Attitude	14 (25%)	10 (11%)
Disagreement with/failure to implement assessment within timescales	6 (11%)	14 (15%)
Financial Charges/Billings/Costs	0	0
Poor/Incorrect Information	5 (9%)	10 (11%)
	55	94

Learning from complaints: Case study 'Early Years Funding' Stage 2**Background**

A parent complained that Achieving for Children had breached its statutory obligations regarding early years funding because, whilst they were receiving the '30-hour funding', the nursery was able to charge the parent's a top-up fees. The parent also felt that Achieving for Children should have escalated this matter to the complaints process at an earlier stage, as by the time the parent was made aware of their right to complain, there had already been protracted correspondence.

Learning

The stage 2 review clarified that early years providers are able to charge parents for additional costs whilst accepting the government 30 hour funding, but that these additional costs should be voluntary and providers should offer an alternative. It also found that an audit of the provider did not pick up non-compliance with how they applied the 30-hour funding. Several learning actions that were taken forward.

The Early Years website was updated to include clearer information for parents, particularly in relation to how the 30-hour entitlement can be stretched over a full year, additional hours and additional costs, a glossary of key terms with explanations and examples, and a set of key questions for parents to ask providers about funding and provision.

All staff in the Early Years service received updated training on managing complaints, including trying to resolve any concerns at an informal stage through discussion with the complainant to better understand their specific concerns.

Audit processes of early years providers (to ensure they are applying the free funding correctly) were reviewed and improved, including ensuring that any recommendations and actions are implemented quickly.

Learning from complaints: Case study

Learning from complaints: Case study ‘EHCP amendments following Annual Review’ Stage 1

Background

A parent complained about that her son's EHC plan was the subject of an annual review meeting held on 21 February 2023, but there has been no amended plan sent since then. The Local Authority (LA) decided to amend the plan but this notification did not include details of the amendments that were being proposed and therefore the LA were in breach of this statutory duty.

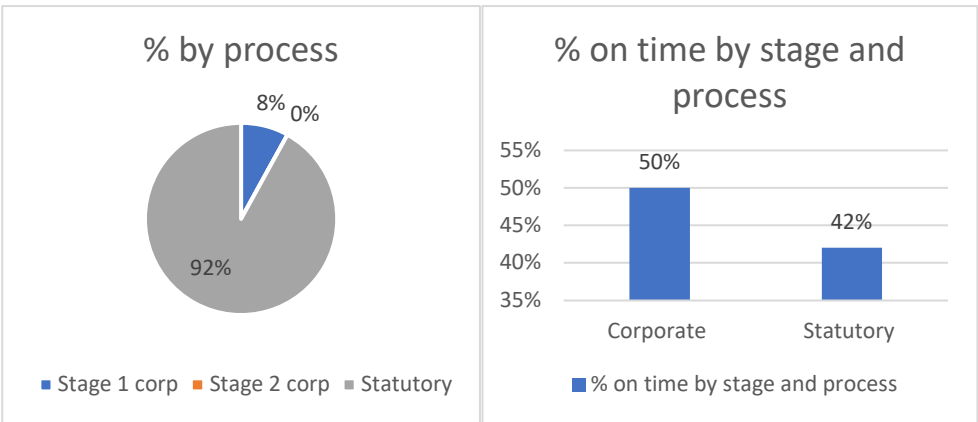
Learning

The stage 1 response upheld the complaint referencing delays earlier in the review process in terms of the postponement of the meeting, and the delay in receiving the post review paperwork which had impacted on the delivery of statutory duties placed on local authorities (LA) following the meeting, this included sending out a decision letter as to whether or not AfC intended to amend the EHC Plan. However, it was acknowledged and accepted overall that the LA was in breach of our statutory duties as a result.

The amended EHC Plan had been issued by the time the complaint response had been sent and timeframes clarified for the issue of the finalised plan were provided. The LA alerted School Improvement Partners and Lead School Improvement Advisors of the need to revisit key Annual Review responsibilities for schools with a focus on reinforcing the statutory duties surrounding the process, the role of the school within that and the impact of non-compliance. A post complaint reflection meeting was held with key SEND staff to consider what could have been done differently, and enabled staff participation in understanding the impact of a complaint to ensure key learning can be actively embedded in improving practice, this involved timelier responses in making plan amends.

Adult Social Care and Public Health⁴

Chart 12: Percentage of corporate (by stage) and statutory complaints completed and ‘on time’ for Adult Social Care 2022/23



⁴ There were no complaints for Public Health this year

6.38 This year Adult Social Care completed 26 complaints compared to 41 last year which is a 37% decrease. As well as the 26 complaints, Adult Social Care handled 168 Member Enquiries.

- 2 (8%) were at stage 1 of the corporate process, compared to 8 completed last year.
- Neither of the 2 corporate complaints escalated to stage 2. Last year 5 were completed.
- 24 (92%) complaints were statutory complaints which is a 25% decrease on the 32 statutory complaints completed last year.

6.39 Broken down by stages,

- 1 of the 2 stage 1 corporate complaints was on time.
- 10 (42%) of statutory complaints were on time compared to 14 (50%) last year.

6.40 When considering the response times for Adult Social Care statutory complaints, the Adult Social Care Statutory complaints legislation does not provide a required timescale to respond to complaints, other than to risk assess complaints and respond within an appropriate timescale (full resolution should be achieved within six months). This recognises the complexity of Adult Social Care complaints, which often require input from multiple teams, and at times, partner organisations. The focus within Adult Social Care is the quality of responses and achieving resolution within this process with no defined stages.

6.41 The department receives two types of complaint and deals with them under separate processes:

- Corporate complaints: these relate to complaints from people who have contacted Adult Social Care but are not receiving statutory social care services. An example could be a relative of a service user who is unhappy with how the Department has treated them personally but is not about any statutory social care provision.
- Adult statutory complaints relate to complaints made by a person in receipt of social care services under the Care Act 2014 (or their representative if they have consent and are acting in the person's best interests).

6.42 **Learning for Adult Social Care** This year key learning focused on:

Ensuring people receiving services from the Mental Health team are supported to access advocacy when this would enable them to fully input into processes regarding their care and support needs.

- Ensuring social care teams are knowledgeable about the Council's complaint processes through refresher training from the Complaints Team.
- Reflecting on the importance of good communication to promote a safe and settled life for those with care and support needs. One specific example was to make sure service users and families are regularly updated throughout the process of finding placements as part of the discharge from hospital process.
- Partnership working with the Information Governance Team to create a new Council policy that sets out the guidance on responding to requests for care records from family members of deceased service users. This will ensure that any decisions are compliant with the Data Protection Act.

- For people organising their own care and support, ensuring that social workers provide accurate information on the different sources of care and the implications of their choices, particularly for people who choose a private care provider that does not have a contract with the Council.
- Reviewing and improving Direct Payment letters to ensure that the language is understandable and providing training to finance officers on letter writing style.

6.43 Types of complaint for Adult Social Care: Most complaints fell in the category of service delay or failure (40%). These complaints were mainly about delays in social care processes, for example, waiting times for assessments, or delays in communication. Whilst overall numbers are low, the next raised issue was 'staff error/attitude'. Some of these relate to locum Social Workers not being fully appraised on processes and procedures or meeting expected standards. We do have some competent, motivated, and skilled locums working with us in vacant posts. Types of complaints have slightly different categories in the Adult Statutory Complaints Annual Report 2023.

Table 10: Types of complaints for Adult Social Care 2023-23

Type of complaints	Times raised 2021-22	Times raised 2022-23
Service Delay or Failure	21 (51%)	9 (35%)
Outside Service Procedure	0	0
Staff Error/Attitude	5 (12%)	6 (23%)
Disagreement with/failure to implement assessment within timescales	1 (2%)	5 (19%)
Financial Charges/Billings/Costs	8 (20%)	2 (8%)
Poor/Incorrect Information	6 (15%)	4 (15%)
	41	26

Learning from complaints: Statutory Case study 'quality of care'

Background

A relative of an elderly service user complained about the standard of care provided by a domiciliary care agency. The complainant said that the care agency had not provided an assessment or support plan for the care workers to follow. This caused distress and anxiety as it appeared that they were not suitably trained to support their relative who suffered from dementia. The complaint also highlighted that the care workers were not provided with sufficient travel time or parking fees which was reducing the length and quality of the care visits.

Learning

The complaint was investigated by the Quality Assurance and Contracts Team who are responsible for the monitoring of contracted external care providers. The investigation found that not all care workers had the electronic app needed to view care assessments or support plans that they are required to read before visiting service users. This was rectified with the care provider to ensure that all care workers are now equipped to be able to access care and support plans and were reminded of their responsibility to review this information on their mobile devices before care visits take place.

With regards to travel time, the roster did evidence that the care agency was allowing sufficient travel time between visits, but some of the actual visits were shorter than they should have been. Also, the Council had stopped providing free parking permits to domiciliary care agencies due to its commitment to reduce carbon emissions. As many domiciliary care providers employ staff on zero hours contracts, there can be no incentive to provide parking permits. The Council were already aware of these challenges and the investigation confirmed that the Council has committed to reduce the number of carers employed on zero hours contracts when commissioning new domiciliary contracts to ensure that carers are paid the National Living Wage. Also, because of this complaint, the issue of parking permits will also be reconsidered when commissioning new care contracts.

7 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN

7.1 LGSCO decisions

7.2 The LGSCO issued Richmond's Annual Review letter for 2022-23 on 19 July and all Councils' review letters were published on their website on 26 July 2023. In 2022/23 the LGSCO registered 15,488 complaints and enquiries and made 2,412 recommendations. This compares to 15,826 complaints and enquiries in 2021/22 and 11,830 in 2020/21 (numbers were lower in 20/21 due pause on casework due to the Covid-19 pandemic).

7.3 Despite this, as demonstrated in Chart 5 on page 7 of this report, the four-year trend is an upward trajectory with regards to the number of complaints raised and detailed investigation by the LGSCO.

7.4 This year's Annual Letter set out that in the last 12 months, the key areas of concern included complaints about Special Educational Needs and Disabilities provision and Adult Social Care. The South East made up the largest proportion of its complaints about children and education (33%) whereas in London, this accounts for 12% of residents' complaints.

In London, housing and homelessness are the biggest cause of complaints to the LGSCO (26%).

- 7.5 Towards the end of the year, Michael King, ended his tenure as Local Government and Social Care Ombudsman, and currently Paul Najsarek is acting as Interim Ombudsman. In the Annual Letter, the Interim Ombudsman relays the importance of complaints as they offer organisations intelligence which has the potential to transform services, highlight problems with service delivery and provide a perspective on how well the organisation has a culture that nurtures the ability to learn from complaints.
- 7.6 In the Annual Letter, the Ombudsman states that their average uphold rates for all investigations has increased this year. From the 15,488 complaints and enquiries 2,412 recommendations were made to improve services and 4,907 recommendations to remedy personal injustice, such as apologies and reimbursements. The uphold rate has increased because, make best use of their resources, the LGSCO has been more selective about the complaints they look at in detail, and prioritising complaints that are high risk or in the public interest. The LGSCO has said that this will make comparing uphold rates with previous years less reliable and recommends comparing statistics with similar local authorities.
- 7.7 Whilst the LGSCO issued 38 public interest reports, with Education and Children’s Services, Adult Care Services and Housing the subject matter in most cases. Education and Children’s Services remain some of the most high-profile cases, featuring in more than half of the LGSCO public interest reports, it is positive that no new public interest reports have been published this year concerning Richmond Council.
- 7.8 **LGSCO local level decisions**
- 7.9 In 2022/23 the LGSCO investigated 11 complaints, 10 of which were upheld which has resulted in a 91% uphold rate. This compares to 77% across all London Boroughs (this does not take account of population size).
- 7.10 Including the 11 formal investigations, the LGSCO made decisions on 45 Richmond cases compared to 62 last year and 54 the year before. This 27% decrease is in line with the LGSCO narrative that they are being more selective about the complaints they look at in detail.
- 7.11 The total number decisions on Richmond cases (45) remains below the average number across London (114) and of similar sized boroughs (75).
- 7.12 The Council is still performing well in relation to similar sized local boroughs. The average ‘upheld’ rate for the three statistical neighbouring boroughs with the closest profile to Richmond (Kingston, Hammersmith and Fulham and Westminster) is 77%. Whilst Richmond’s uphold rate is 91%, the Council only received 11 investigations compared to an average of 21 across its statistical neighbours. As the LGSCO has confirmed they are selecting higher risk cases for investigation, the low number of investigations for Richmond does disproportionately push up the uphold rate when compared to boroughs which received a higher number of investigations. The Ombudsman made recommendations in all of the upheld cases, and as already stated, Richmond Council had a compliance rate of

100% with those recommendations. Learning from Ombudsman cases can be found in Appendix 3.

- 7.13 With regards to the 45 decisions made by the LGSCO, setting aside the 11 detailed investigations (10 upheld, 1 not upheld), 1 case was invalid, 18 were referred back for local resolution (premature) and 15 were closed after initial enquiries.
- 7.14 Some of the key practice changes from LGSCO investigations this year are:
- The AfC children's safeguarding service issued a briefing note to staff that covered the need to be clear with parents about the role of the LADO, to take care with language and not misrepresent facts when social work staff have challenging emails communications or conversations with parents, and to ensure that assessments clearly distinguish between facts and opinion.
 - The AfC SEND service organised a whole team briefing about the importance of staff acting promptly on receipt of a SEND tribunal decision to put in place provisions outlined in any amended EHCP.
 - The AfC SEND service reviewed its 'medical provisions policy' and associated documents to ensure they are consistent with the Education Act 1996 and statutory guidance and its procedures for providing GSCE learning for children unable to attend school. All SEND staff were then provided with training on these revised procedures.
 - As part of their service-wide briefings, SEND managers discussed the importance of concluding EHC Needs Assessments and issuing final EHC Plans by no-later than the statutory 20-week deadline. As a result of combined efforts, and Team Managers focusing their discussions with SEND officers in weekly meetings and supervisions, improvements were made each week and month. The SEND service continues to discuss the importance of timely advice with the full range of EHC Needs Assessment advice providers and the Integrated Care System. AfC is jointly investing in a dedicated post to coordinate spot-commissioning arrangements when they are needed.
- 7.15 The Monitoring Officer for Richmond in 2022-23 was Louise Round but the role is now the responsibility of Abdus Choudhury, the Monitoring Officer for Wandsworth. There is duty under section 5(2) of the Local Government and Housing Act 1989 for the Monitoring Officer to prepare a formal report to the Council where it appears that the authority, or any part of it, has acted or is likely to act in such a manner as to constitute maladministration or service failure, and where the LGSCO has conducted an investigation in relation to the matter. A detailed analysis of the ten upheld cases in 2022/23 is provided as Appendix 3.
- 7.16 The number of Public Reports issued by the LGSCO against Richmond Council is in line with the average for its neighbouring boroughs with one public report issued in the last five years. It was issued in 2019/20 regarding complaints about delays made by 3 families who were receiving SEND services from the Council. **In 2022-23 Richmond did not receive any new public reports.**

8 HOUSING OMBUDSMAN SERVICE

- 8.1 Under the Localism Act 2011, the Housing Ombudsman Service (HOS) had its jurisdiction extended to all social housing in England from 1 April 2013. The HOS offers impartial dispute resolution in rented housing, working with others to improve landlord and tenant relations.
- 8.2 Under the Localism Act 2011, the Housing Ombudsman Service (HOS) had its jurisdiction extended to all social housing in England from 1 April 2013. The HOS offers impartial dispute resolution in rented housing, working with others to improve landlord and tenant relations.
- 8.3 Richmond Council does not have any housing stock: it was sold and transferred to Richmond Housing Partnership (RHP) in 2000 and RHP continues to own and manage all ex-Council housing.

Tenants' Champion

- 8.4 The role of Tenants' Champion was established by the Council in 2011, as part of the Council's commitment to better assist tenants and leaseholders living in housing association homes who may be experiencing unresolved issues with social landlords. The Tenants' Champion develops expertise in housing and builds relationships with Housing Association colleagues to help provide solutions to long term complaints. In 2022-23 the role was held by Councillor Paulina Vassileva.
- 8.5 In 2022/23, the Tenants' Champion service assisted 166 households compared to 189 in the previous year. Of these 122 were new cases (compared to 161 last year). The balance consisted of cases from previous years that continue to require ongoing support. 32 of the new cases were forwarded to the relevant Ward Councillor to help in the first instance.
- 8.1 Of the 122⁵ new cases, 69% (or 99) concerned repairs, 14% (or 20) concerned anti-social behaviour (ASB) and 17% (or 24) concerned transfers. Please note that some cases had more than one issue. The Tenants' Champion works with other partners to provide better outcomes for residents.
- 8.2 During 2022-23, in addition to casework Cllr Vassileva led the twice yearly Tenants' Champion Interagency Forum (which includes Housing Associations, Police, Fire service, Community Safety Team, Housing, Mental Health Social care, Mental Health Trust and Voluntary sector colleagues), attended CMARAC meetings and worked closely with other advocates such as Citizens Advice, RUILS, Richmond Aid and the borough's two MPs.

9. GOING FORWARD: KEY ACHIEVEMENTS AND PRIORITIES FOR 2022-23

- 9.1 Below are some of the key achievements from this year:

⁵ Some cases raised more than one issue

- We have worked with services to drive up complaints performance which has resulted in stronger adherence to timescales across all complaint types. Of particular note are corporate stage 2 complaints; 68% were responded to on time across the year (against a KPI of 50% on time) compared to 36% on time in 2021-22. The co-ordinated focus on performance by the central complaints team and directorates' own business support teams resulted in particularly strong results in the last two quarters of 2022/23 with 78% and 83% of stage 2 complaints responded to on time.
- The Complaints Manager has progressed work on learning from complaints to ensure that it provides added value by directly feeding into service improvement. For example, in children's services, quarterly meetings take place with the Head of Participation and the Quality Assurance Manager to triangulate themes and learning from complaints with work undertaken by the Children's Quality Assurance Team. This is then fed into quarterly Senior Management Team meetings, chaired by the Assistant Director for Children's Social Care, to complete the information loop.
- The new Unreasonable Complainant Behaviour Policy was launched in January 2021 and has been put into practice during 2022-23 to good effect. The policy provides a structure for the Complaints Team to manage complainants who take up a disproportionate amount of time, freeing up resources for other complainants to ensure a fair and equitable service. The policy has been aligned with the Unreasonable Customer Behaviour policy and is now overseen by a bi-monthly senior level working group which reviews customers who have had their communication restricted under one or both policies to ensure that decisions have been made fairly, reviewed regularly and staff are applying consistent approaches.
- Our external webpages, complaint leaflets, and internal staff guidance on complaints handling have been reviewed and improved to ensure the complaints service remains inclusive and accessible.
- Information on the Council's complaints processes is now included in the Member Induction pack (following 2022 elections) and will be included in mandatory staff induction for all new starters from 1 April 2024. Both actions help to support a healthy complaints culture within the organisation.

7.2 In 2023-24 our priorities will be to:

- Support directorates through the changes to the corporate complaints process so that their current high performance continues. From 1st April 2023 the new timeframe for stage 2 responses of 25 working days (from 15 working days) will allow more time to provide quality reviews and identify further learning. However, the KPI of '50% on time' will be increased to 80% on time, which following a benchmarking exercise, is in line with other boroughs.

- Work closely with the Ombudsman to ensure our complaint handling remains effective. This includes reviewing, updating and publishing the Council's self-assessment against the Housing Ombudsman's complaint handling code and preparing to respond to a consultation from the Local Government and Social Care Ombudsman who are proposing a new joint complaint handling code with the Housing Ombudsman.
- Further strengthen our complaint training offer to Directorates for both statutory and corporate complaints. Statutory: The Complaints Team are already planning, in liaison with the Children's Services Quality Assurance and Multi Agency Safeguarding Lead, to host a training event for team managers and supervisors on good complaints practice and with Adult Services, a bespoke complaints training session for the Learning Disabilities service. Corporate: Briefings on the corporate process are available to all council-wide services but have not been delivered in the last six months due to limited team resources following a noticeable increase in stage 2 complaints and LGSCO and HO investigations. There will be renewed promotion of the briefings to services which have shown they would benefit from training, and these will include the recent changes to the stage 2 process.
- Developing complaints procedures, policies and literature into Easy Read format to further improve the accessibility of the complaints service.
- Creation of public facing adult and children's statutory complaint procedures that set out how the Council apply the Statutory Complaint Regulations when making decisions on how to manage complaints, and any exceptions or cross-over with other policies/rights of appeal.
- Work with colleagues in the Consultation Team to explore opportunities to engage with residents to obtain feedback on the accessibility of complaints processes.
- Further roll out of Respond Case Management System to Corporate complaints to enhance strategic oversight and streamlined responsive reporting. The system is now operational for Adult complaints and Freedom of Information Requests.
- Enhance work on learning from complaints to include detailed learning case studies in reports and ensure that learning from Ombudsman complaints is included in quarterly complaint insight reports for senior managers.

9 COMMENTS OF THE DIRECTOR OF RESOURCES

- 9.1 The cost of dealing with all complaints is met from within existing approved resources.

10 COMMENTS OF THE MONITORING OFFICER

- 10.1 The Monitoring Officer maintains an oversight of decisions of the LGSCO where the complaint is upheld; in most cases, provided the recommendations of the LGSCO are followed, there will be no need for further action. In Richmond's case, all recommendations have been implemented. There have been no public reports, so it has not been necessary to refer any reports on individual complaint investigations to Full Council.

11 APPENDICES

Appendix 2 – Data tables
Appendix 3 – LGSCO Upheld Decisions 2021/22
Appendix 4 – LGSCO Annual Review Letter 2021/22
Appendix 5 – Learning from complaints

CONTACT

Jon Evans
Assistant Chief Executive (Policy and Performance)
London Borough of Richmond upon Thames

Nancy Kurisa
Statutory and Corporate Complaints Manager
London Borough of Richmond upon Thames

RICHMOND complaints - year end 2022-23

		Upheld	Partially upheld	Not upheld	Total	overall totals
Chief Executive's Office						
stage 1	HR/Community Safety/Support Services/Customer Services	1			1	1
stage 2	HR etc as above				0	
Resources						
stage 1	Housing Benefits, C Tax, business rates	22	4	33	59	
	Electoral Services/ Pensions/Northgate/trans serv/HR		1	1	2	
	Customer services - Arts, insurance /Appeals /Tech Sup	15		8	23	
	Parking	2		18	20	104
stage 2	Housing Benefit/Council tax	2	5	4	11	
	Pensions/Insurance				0	
	Parking services (permits)	2	2		4	
	Customer contact/electoral services		1	1	2	17
Achieving for Children - Corp						
stage 1	Admissions/R&A/Safeguarding			3	3	
	SEND/School standards	14	8	7	29	
	Education Welfare/Early Years/Family Support	1	2	4	7	
					0	39
stage 2	Admissions/sch transport	1		1	2	
	SEND	3	13	3	19	
	Education Welfare/Early Years/Family support		2	5	7	28
Achieving for Children - Stat						
stage 1	Ch Prot/Disabled Ch Team/SPA/R&A		14	5	19	
	Looked after children/Adoption/OOT	1			1	20
stage 2	Targetted Support Team/IRT/CPT/LSCB/R&A		2	3	5	5
stage 3	As above		1	1	2	2
Environment						
stage 1	Highways, traffic and transport planning			2	2	
	Sports and Leisure	2	42	15	59	
	Street Cleansing/waste mgt/street scene/Allotments	10	1	4	15	
	Planning/Development control/Bldg control	1	3	16	20	
	Parking policy		1		1	
	Facilities Management- business support		1		1	
	RSP(env health, noise nuisance, licensing)/Trading standards		1	1	2	
	Registrars/pollution service/libraries		6	5	11	
	Properties/ Parks - Cemeteries/IT/Trees	15	8	30	53	164
stage 2	Planning/ Devel Control/Bldg control		2	7	9	
	Highways and Transport/Parking policy/Construction			1	1	
	Facilities Management/ Env Health/RSP			2	2	
	Street Environment/Registrars/Libraries/Sports/Parks	1	3	5	9	21

Adult Social Care - Statutory						
stage 1	Safeguarding or MH team or RRRT, QA	2	4	6	12	
	Reablement or PLD or After Hours or OT/day services		1	3	4	
	In house care provision, HIA, Commissioning				0	
	Teddington and Twick H&SC team, community services		3	1	4	
	Richmond, Ham & Kew/Esheen & Barnes H&SC team				0	
	Finance or providers or Access team		3	1	4	
	PUBLIC HEALTH and ordinary corporate ACS complaints				0	24
stage 2	PLD - Dem Services				0	
Adult Social Care - Corporate						
stage1	Public Health, Qual Assurance, all other Adults corp	1		1	2	2
stage 2	Public Health, Qual Assurance, all other Adults corp				0	
Housing						
stage 1	Housing options/ temp accomm/neighbour nuisance	5	10	4	19	
	Residential team/EH/housing provision/pest control/HIA			1	1	20
stage 2	Housing options, Housing provision	3		3	6	6
TOTAL		104	144	205	453	

SUMMARY: Corporate	
Total stage 1	330
Total stage 2	72
	402
Statutory children's	
Total stage 1	20
Total stage 2	5
Total stage 3	2
	27
Statutory adults	
Total stage 1 (only 1 stage)	24
Total (ALL complaints)	453

OLD CORPORATE COMPLAINTS PROCESS

2019-2020

Stage 1

Quarters	1	2	3	4	Total
CEO	0	0	0	6	6
Resources	9	17	15	14	55
AfC	2	8	10	15	35
Env	10	20	30	14	74
ACS	21	6	10	17	54
Housing	8	3	2	2	15
Total	50	54	67	68	239

Stage 2

Quarters	1	2	3	4	Total
CEO	0	0	0	0	0
Resources	2	4	3	1	10
AfC	2	3	2	2	9
Env	9	5	6	5	25
ACS	1	0	1	0	2
Housing	5	1	3	2	11
Total	19	13	15	10	57

Stage 3

Quarters	1	2	3	4	Total
AfC	0		1	0	1
Total			1		1
Total (all)	69	67	83	78	297

NEW CORPORATE COMPLAINTS PROCESS

2021-22

Stage 1

Quarters	1	2	3	4	Total
CEO			2		2
Resources	17	17	23	16	73
AfC	10	12	9	8	39
Env	50	30	18	41	139
ACS	8	7	11	10	36
Housing	2	3	1	4	10
Total	87	69	64	79	299

Stage 2

Quarters	1	2	3	4	Total
CEO		3	1	1	5
Resources	2	5	3	2	12
AfC	3	5	4	1	13
Env	5	4	9	6	24
ACS			2	3	5
Housing		3	1	1	5
Total	10	20	20	14	64

Stage 3

Quarters	1	2	3	4	Total
AfC	0	3		0	3
Total					3
Total (all)	97	89	84	93	366

NEW CORPORATE COMPLAINTS PROCESS

2022-23

Stage 1

Quarters	1	2	3	4	Total
CEO	0	0	0	1	1
Resources	33	21	26	24	104
AfC - Stat	4	7	3	7	21
AfC - Corp	10	9	9	11	39
Env	52	36	46	30	164
ASC- Stat	9	2	9	3	23
ASC - Corp	1	0	0	1	2
Housing	4	6	4	6	20
Total	113	81	97	83	374

Stage 2

Quarters	1	2	3	4	Total
CEO	0	0	0	0	0
Resources	7	3	3	4	17
AfC - Stat	2	2	0	1	5
AfC - Corp	8	6	7	7	28
Env	6	4	7	4	21
ASC - Corp	0	0	0	0	0
Housing	1	1	1	3	6
Total	24	16	18	19	77

Stage 3

Quarters	1	2	3	4	Total
AfC - Stat	0	0	2	0	2
Total	0	0	1	0	2
Total (all)	137	97	117	102	453

Richmond: Complaints by type 2022-23

Total by Directorate									
Type of Complaint	CEO	Resources	AfC- Corp	AfC-Stat	Env	Adult SC&PH- Corp	Adult SC- Stat	Housing	Total
101 Service Delay or Failure		49	47	13	138		9	11	267
102 Outside Service Procedure		20	0	0	5		0	1	26
103 Staff Error/Attitude		16	4	7	22	2	4	7	62
104 Disagreement with/failure to implement assmnt within timescales		2	10	4	2		4	6	28
105 Financial Charges/Billing/Costs		17	0	0	3		2		22
106 Poor/incorrect information	1	17	6	4	15		4	1	48
TOTALS	1	121	67	28	185	2	23	26	453

should be
27?should be
24?

Total by quarter	
Quarter 1 =	137
Quarter 2 =	97
Quarter 3 =	117
Quarter 4 =	102
TOTAL	453

Q1

	CEO	Resources	AfC- Corp	AfC-Stat	Env	Adult SC&PH- Corp	Adult SC- Stat	Housing	
Type of Complaint									Total
101 Service Delay or Failure		22	16	3	47		4	1	93
102 Outside Service Procedure		6			1				7
103 Staff Error/Attitude		1		3	8	1	2	2	17
104 Disagreement with/failure to implement assmnt within timescales		0	2		2		2	1	7
105 Financial Charges/Billing/Costs		5					1		6
106 Poor/incorrect information		6						1	7
TOTALS	0	40	18	6	58	1	9	5	137

Q2

	CEO	Resources	AfC	AfC- stat	Env	ASC&PH- Corp	ASC-Stat	Housing	
Type of Complaint									Total
101 Service Delay or Failure		8	12	3	34			5	62
102 Outside Service Procedure		5			1				6
103 Staff Error/Attitude		3		2	4			2	11
104 Disagreement with/failure to implement assessment within timescales		2	2	2			2		8
105 Financial Charges/Billing/Costs		4							4
106 Poor/incorrect information		2	1	2	1				6
TOTALS	0	24	15	9	40	0	2	7	97

Q3

	CEO	Resources	AfC	AfC- stat	Env	ASC&PH- Corp	ASC-Stat	Housing	
Type of Complaint									Total
101 Service Delay or Failure		11	6	2	39		5	1	64
102 Outside Service Procedure		7							7
103 Staff Error/Attitude		2	2		6		1		11
104 Disagreement with/failure to implement assessment within timescales		0	5	2				4	11
105 Financial Charges/Billing/Costs		6			1		1		8
106 Poor/incorrect information		3	3	1	7		2		16
TOTALS	0	29	16	5	53	0	9	5	117

Q4

	CEO	Resources	AfC	AfC- stat	Env	ASC&PH- Corp	ASC-Stat	Housing	
Type of Complaint									Total
101 Service Delay or Failure		8	13	5	18			4	48
102 Outside Service Procedure		2			3			1	6
103 Staff Error/Attitude		10	2	2	4	1	1	3	23
104 Disagreement with/failure to implement assessment within timescales		0	1					1	2
105 Financial Charges/Billing/Costs		2			2				4
106 Poor/incorrect information	1	6	2	1	7		2		19
TOTALS	1	28	18	8	34	1	3	9	102

Richmond: Equalities data complaints 2022-23

Ethnicity	Q1	Q2	Q3	Q4	
White					
400 White British (English, Welsh,	18	22	15	13	68
401 White Irish	1	1		2	4
402 White Gypsy/Irish					0
403 White Roma		1			1
404 White Other	5	4	3		12
Mixed					
405 Mixed White & Black					0
406 Mixed White & Black African					0
407 Mixed White & Asian	1		2	1	4
408 Mixed Other				1	1
Asian					
409 Indian				1	1
410 Pakistani					0
411 Bangladeshi					0
412 Chinese					0
413 Other	1			1	2
Black/Caribbean/ African/Black British					
414 Black Caribbean			1		1
415 Black African	1				1
416 Other Black/Caribbean/ African					0
Other Ethnic Group					
417 Arab				1	1
418 Other Ethnicity	1	2			3
					0
Prefer not to say	9	4	15	6	34
Not disclosed	100	63	81	76	320
Total	137	97	117	102	453

Gender	Q1	Q2	Q3	Q4	
Female	63	51	58	50	222
Male	41	24	40	42	147
Self-describe					0
Not disclosed	30	20	13	7	70
Prefer not to say	3	2	6	3	14
Total	137	97	117	102	453

Disability	Q1	Q2	Q3	Q4	
Yes	23	4	6	9	42
No	12	23	23	13	71
Prefer not to say	6	5	19	5	35
Not disclosed	96	65	69	75	305
Total	137	97	117	102	453

Age	Q1	Q2	Q3	Q4	
under 18	1				1
18 - 24	3	1			4
25 - 34	6	11	5	4	26
35 - 44	9	4	10	6	29
45 - 54	10	6	8	3	27
55 - 64	8	14	11	8	41
65 - 74		2	3	2	7
75+	2	2	1	4	9
Prefer not to say	5	3	17	5	30
Not Disclosed	93	54	62	70	279
Total	137	97	117	102	453

Racial inequality	0	0	0	0	0
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Sexual orientation	Q1	Q2	Q3	Q4	
Heterosexual/straight	19	24	20	16	79
Gay/Lesbian	1		1		2
Bisexual				1	1
Self-describe					0
Prefer not to say	13	7	20	8	48
Not disclosed	104	66	76	77	323
	137	97	117	102	453

Religion	Q1	Q2	Q3	Q4	
No religion	8				
Christian	17	14	5	7	34
Muslim	1	13	12	6	48
Hindu		2		1	4
Sikh					0
Jewish				1	1
Buddhist				1	1
Other	1		2		3
Not disclosed	101	63	56	79	299
Prefer not to say	9	5	42	7	63
Total	137	97	117	102	453

Status	Q1	Q2	Q3	Q4	
Single	7	7	8	5	27
Married/Civil Partnership/C	18	20	14	14	66
Other			1		1
Not disclosed	105	50	53	79	287
Prefer not to say	7	20	41	4	72
Total	137	97	117	102	453

2019/2020	Timescale - in time				overall % in time?	st 1% in time	st 2 % in time
	Total	stage 1	stage 2	stage 3			
Q1				0	0.00%	0%	0% correct as at
Q2				0	0.00%	0%	0%
Q3				0	0.00%	0%	0%
Q4				0	0.00%	0%	0% correct as at
	0	0	0	0	0.00%	0%	0%
		0.00%	0.00%				

Richmond: Timescales - corporate and statutory complaints 2022-23

Directorate	In time				Total in time		Not in time				Total not in time
	Q1	Q2	Q3	Q4			Q1	Q2	Q3	Q4	
Chief Exec											
Stage 1				1	1						0
Stage 2					0						0
Resources											
Stage 1	21	18	22	22	83		12	3	4	2	21
Stage 2	5	1	3	3	12		2	2		1	5
AfC - Corporate											
Stage 1	9	7	5	9	30		1	2	4	2	9
Stage 2	2	1	4	6	13		6	5	3	1	15
AfC - Statutory											
stage 1			1	2	4		3	6	1	5	15
stage 2	1	1		1	3		1	1		1	3
stage 3				1	1				1		1
Environment											
Stage 1	43	26	28	26	123		9	10	18	4	41
Stage 2	6	4	6	3	19				1	1	2
Adult Statutory											
Stage 1 only	2	1	3	2	8		8	1	6	1	16
Adult - Corporate											
Stage 1	1				1					1	1
Stage 2					0						0
Housing											
Stage 1	2	6	2	4	14		2		2	2	6
Stage 2			1	3	5		1				1
Total	92	67	77	81	317		45	30	40	21	136

Corporate	301	101	402	75%
Statutory	16	35	51	31%
Total	317	136	453	70%

2022-23 Summary all 4 quarters			
	in time	not in time	total
Corporate only			
stage 1	252	78	330
stage 2	49	23	72
	301	101	402
	75%	25%	
Adults and children's social care only			
stage 1	12	31	43
stage 2	3	3	6
stage 3	1	1	2
	16	35	51
	31%	69%	

Appendix : Richmond LGSCO complaints upheld 2022-23

Reference	Authority	Category	Decided	Decision	Remedy	Details
21000960	London Borough of Richmond upon Thames	Education & Childrens Services	30/11/2022	Upheld	Apology, Financial redress	<p>Complaint about failure to carry out agreed support and record information about children and about how the complaint was investigated.</p> <p>Outcome The LGSCO found fault with the Council for failing to properly record information, and for the issues identified in its complaint handling.</p> <p>Agreed action The Council recognised the fault in its stage three complaint response and the remedies provided were in line with LGSCO guidance. No further action.</p>
21006652	London Borough of Richmond upon Thames	Adult Care Services	07/12/2022	Upheld	Apology, Financial redress: Avoidable distress/time and trouble, Procedure or policy change/review, Reassessment	<p>Complaint about the ICB's funding of a disabled child's care. Complainant said the ICB did not fund enough care hours, so the Council paid for extra overnight care which meant it would not increase the respite hours for the parent and child. This had a negative impact on both parent's mental health and they lost out financially.</p> <p>Outcome LGSCO found fault as organisations did not assess the child's needs for care and support in a holistic and multi-agency way in line with relevant guidance. They also failed to communicate with each other effectively. This caused preventable distress and inconvenience to complainant.</p> <p>Agreed actions The Council paid £900 and apologised for the impact of these failings. It will improve processes when assessing Children's Continuing Care.</p>
21009778	London Borough of Richmond upon Thames	Environmental Services & Public Protection & Regulation	03/08/2022	Upheld	Financial redress: Avoidable distress/time and trouble	<p>Complaint about failure to properly deal with reports made about highway obstruction and anti-social behaviour. Complainant that a subsequent Community Trigger Review request was not dealt with properly.</p> <p>Outcome LGSCO found there was delay and the Council did not communicate or record its decisions appropriately. The Council did not consider all the issues raised when making its decisions. The matter was subsequently resolved when it agreed to a Community Trigger Review, but this too was delayed.</p> <p>Agreed action The Council paid £150 for time and trouble.</p>
21010226	London Borough of Richmond upon Thames	Education & Childrens Services	14/10/2022	Upheld	Apology, Financial redress: Loss of service, Procedure or policy change/review, Provide training and/or guidance	<p>Complaint about the handling of EHCP and alternative provision when a child could not attend school. Complainant says their child missed provision they were entitled to.</p> <p>Outcome LGSCO found fault for using a flawed medical provision policy and for not assessing how many hours of tuition the child could access. This caused uncertainty about the tuition the Council would have offered the child if it was not for its faults.</p> <p>Agreed action The Council apologised, paid £600 and carried out service improvements.</p>
21010908	London Borough of Richmond upon Thames	Education & Childrens Services	16/08/2022	Upheld	Apology, Financial Redress: Quantifiable Loss, Financial redress: Loss of service, Financial redress: Avoidable distress/time and trouble, Provide training and/or guidance	<p>Complaint about failure to secure adequate education and other provision to help meet their child's special educational needs between March 2019 and July 2021.</p> <p>Outcome Fault found and injustice caused.</p> <p>Agreed action The Council apologised, paid £23,000 and made service improvements</p>
22001439	London Borough of Richmond upon Thames	Education & Childrens Services	03/01/2023	Upheld	NA	<p>Complaint about failure to provide a child with education, and education, health, and care provision.</p> <p>Outcome LGSCO found fault with the Council. It failed to assess the amount of home tuition the child could access and delayed providing cognitive behaviour therapy which in turn, delayed their return to school. This left child without any education provision for six weeks. Suitable financial remedy of £750 had already been offered by the Council.</p> <p>Agreed action N/A</p>

22004838	London Borough of Richmond upon Thames	Adult Care Services	07/12/2022	Upheld	NA	Complaint about the Council's failure to provide information that long term care would be chargeable. Outcome Some fault found for sending an invoice in error after the service ended. The Council resolved this when challenged; this limited the injustice to complainant. Agreed action NA
22006843	London Borough of Richmond upon Thames	Education & Childrens Services	23/01/2023	Upheld	Apology,Financial redress: Loss of service	Complaint about refusal to carry out an Education Health and Care (EHC) needs assessment or issue an EHC plan for a child and failure to provide suitable education for them from March 2021 to the end of May 2022. Outcome There was fault in the failure to consider statutory guidance between March and June 2021 which caused a loss of suitable education for child. Agreed action The Council apologised and made a payment of £500
22007509	London Borough of Richmond upon Thames	Benefits & Tax	05/10/2022	Upheld	NA	Complaint about delays in the Council telling complainant when they needed to start paying rent Outcome Not investigated because the Council has offered a suitable remedy to recognise the injustice caused by the delays Agreed action N/A
22008107	London Borough of Richmond upon Thames	Education & Childrens Services	16/02/2023	Upheld	Apology,Financial redress: Avoidable distress/time and trouble,Financial redress: Loss of service,Procedure or policy change/review	Complaint about the Council's delay in issuing her daughter's final Education, Health and Care Plan following an Annual Review. Outcome Fault found, there was delay resulting in a delayed right of appeal and loss of extra support for the child Agreed action The Council paid £1,850, apologised and made service improvements

Local Government & Social Care OMBUDSMAN

19 July 2023

By email

Mr Jackson
Chief Executive
London Borough of Richmond upon Thames

Dear Mr Jackson

Annual Review letter 2022-23

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. I was delighted to be appointed to the role of Interim Ombudsman in April and look forward to working with you and colleagues across the local government sector in the coming months. I will be building on the strong foundations already in place and will continue to focus on promoting improvement through our work.

Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates

with previous years carries a note of caution. Therefore, I recommend comparing this statistic with that of similar organisations, rather than previous years, to better understand your organisation's performance.

Compliance with recommendations - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations.

Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we were satisfied with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

Supporting complaint and service improvement

I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

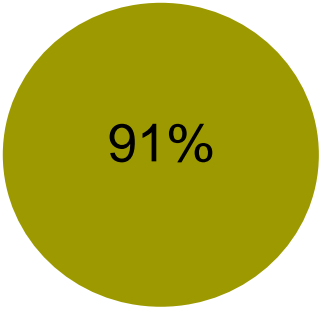
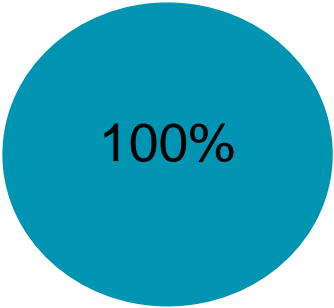
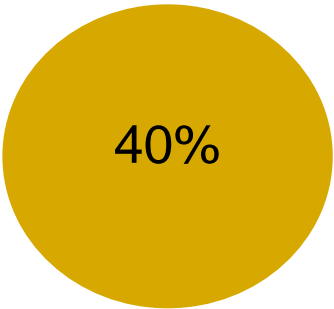
In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit www.lgo.org.uk/training or get in touch at training@lgo.org.uk.

We were pleased to deliver an online complaint handling course to staff at Achieving for Children during the year. I welcome your Council's investment in good complaint handling training and trust the course was useful to you.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'P. Najsarek', with a stylized, cursive script.

Paul Najsarek
Interim Local Government and Social Care Ombudsman
Interim Chair, Commission for Local Administration in England

Complaints upheld		
	<p>91% of complaints we investigated were upheld.</p> <p>This compares to an average of 77% in similar organisations.</p>	<p>10 upheld decisions</p> <p>Statistics are based on a total of 11 investigations for the period between 1 April 2022 to 31 March 2023</p>
Compliance with Ombudsman recommendations		
	<p>In 100% of cases we were satisfied the organisation had successfully implemented our recommendations.</p> <p>This compares to an average of 99% in similar organisations.</p>	<p>Statistics are based on a total of 7 compliance outcomes for the period between 1 April 2022 to 31 March 2023</p>
<ul style="list-style-type: none">Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.		
Satisfactory remedy provided by the organisation		
	<p>In 40% of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.</p> <p>This compares to an average of 15% in similar organisations.</p>	<p>4 satisfactory remedy decisions</p> <p>Statistics are based on a total of 10 upheld decisions for the period between 1 April 2022 to 31 March 2023</p>

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KEY LEARNING SUMMARY FROM UPHELD AND PARTIALLY UPHELD CORPORATE COMPLAINTS 2022-23				
Service complained about	Outcome at S2	Summary of Issue	Learning / Issue to be addressed at end of quarter	Management response
Housing & Regeneration				
Housing Assessment	Upheld	Complaint about the lack of communication regarding his housing situation	Poor communication	Recognise the importance of responding to correspondence in a prompt timeframe, as well as following through with actions agreed upon at stage 1 of the complaints procedure. Team managers will be reminding officers of this in one-to-one supervision and team meetings.
Housing Improvement Agency	Upheld	Complaint regarding outstanding adaptations at property	Poor communication	Staff will be reminded of the importance of dealing with enquiries promptly, and the need to keep clients informed when delays occur and to respond to telephone messages, so that clients do not have to repeatedly chase for updates. Adaptation work causes disruption and anxiety, and it is important that officers try and minimise this by giving regular progress updates.

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Children's (AFC)				
SEND	Partially Upheld	Complaint about the failure of the LA to secure the provision of a weekly 30 minute targeted session by a Speech and Language Therapist to assist in development of son's receptive language skills in line with the Consent Order issued by the Tribunal; also the failure of the LA to provide an intensive assessment of son's needs, as they relate to social care, as recommended by SENDIST in the same Consent Order; and concerns arising from the outcome of the annual review held in Nov 2021 following which the LA issued a Final Amended EHC Plan Jan 2022	Communication/Recruitment and retention	Achieving for Children is taking steps to improve the recruitment and retention process for Local Authority SEN officers. In the event that there is a gap in the service, AFC accept that it is important to maintain good communication with families. It is reviewing casework handover procedures to ensure that there is tighter oversight when there is a change in the responsible Local Authority officer.
SEND	Partially Upheld	Complaint about the quality of learning and progression within school environment versus home schooling during lockdown/ holidays. Lack of faith in daughter's ability to learn & grasp concepts	Timeframes	The Authority has learnt the importance of ensuring timely action following a statutory process to avoid unnecessary escalation of parental concern. Parental Engagement Lead notified, to ensure lessons learnt from this complaint are incorporated into our training schedule for the LA's SEN officers. In addition, improvement to local processes regarding the timeliness of the amendment process following a statutory annual review.
SEND	Partially Upheld	That the delay in finding a school place is having a further impact on daughter and her development as she will not be able to access any therapies without a school place and she has had no social interaction with her peers while she has not been in school.	Clearer communication needed for families and service users	To ensure that families are regularly updated regarding the consultation process following their move into our area so that it is clear that the SEND Team are working to secure an appropriate school placement.

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Early Years	Partially upheld	Complaint that AfC has breached its statutory obligations regarding early years funding.	Communication, training and review of process	The Early Years website will be updated to include clearer information for parents, particularly in relation to (i) how the 30 hour entitlement can be stretched over a full year; (ii) additional hours and additional costs; (iii) a glossary of key terms with explanations and examples; (iv) a set of key questions for parents to ask providers about funding and provision. All staff in the Early Years service will update their training on managing complaints, including trying to resolve any concerns at an informal stage through discussion with the complainant in order to better understand their specific concerns. Audit processes to be reviewed and improved, including the timeliness of recommendations and actions. There will be a review and improvement of both the EY pre-registration processes and compliance training for providers.
SEND	Partially upheld	Failure to provide special educational provision identified in Section F of their daughter's EHCP	Reviewing and training	The SEND Service will continue to work closely with schools through the implementation of training about the responsibilities of the Local Authority and schools in delivering Section F of Education, Health and Care Plans and identifying concerns and challenges far earlier. Training for schools and the SEND Service will be revisited regarding annual review timescales for responding to annual reviews and issuing draft and final Amended Education, Health and Care Plans. We will be reviewing and improving how agencies work together to holistically support young people, including where therapies have been commissioned to provide the Official support within Section F of an Education, Health and Care Plan. This will be done via regular liaison with our Designated Clinical Officer for SEND
SEND	Partially upheld	Son currently without an adequate schooling placement and has previously been signed off from school for a short period of time with anxiety. Raised several concerns in regard to communication from AfC SEND around processes and SEND Panels.	Communication	The SEND Team are revising the standard letters that are issued throughout the process and a description of the panel process and timescales will be added to these. These include a standard paragraph about the SEND Panel's function and membership. The letters also make clear the time by when the SEND Service will make its decisions. AfC will also be adding a description of the SEND Panel to the AfC Local Offer so that this can be accessed by all families within the local area. The EHCP Coordinator will continue to work with parents to secure home tuition support while the team continues to consult with schools about a specialist placement.

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SEND	Partially upheld	Lack of provision of the SaLT element of EHCP for the previous 18 months and no annual review of the EHCP in June 2022, which had previously been an issue sited in a previous LGSCO complaint.	Failure to implement EHCP Therapy Provision for 18 months	AfC and ICS will undertake a review of therapy provision in Section F of EHCP's to incorporate private co commissioning process being developed. There will also be a reconfiguration of the internal processes for incoming Annual Review documentation & its timely monitoring to ensure records are kept up to date.
Social Care	Partially upheld	Complaint against Social worker in regards to the following points - failing to find a placement for a Child Looked After within the Notice period given, failing to inform foster carers of what was happening, making a LADO referral about the foster carer, accusing the foster carer of abrupt ending of the placement when this was not true.	Lack of service	AfC social care teams are continuously working to improve the service customers receive and will include the feedback from this complaint in training sessions to help improve performance further.
Adult Social Care (examples from statutory complaints)				
Teddington & Twickenham Locality Team	Partially Upheld	The family of a deceased service user complained that they were not provided with access to their relatives social care records and were incorrectly informed. They were also unhappy with information provided on the implications of privately employing carers with a Direct Payment.	Delay and communication	Following this complaint a Council policy is being developed about responding to SAR requests for deceased people. The importance of updating and responding to customers in a timely manner has been emphasised with the relevant officers. It was also recognised that teams could be clearer when communicating about the different sources of care and the implications of these and teams were reminded that the Council does not recommend carers or services that have not been accredited by the Council.
Learning Disabilities	Partially Upheld	A complaint raised about the process of making a carers assessment and Direct Payments also raised issues that the complainant was not signposted to the Complaints Team.	Delay, communication and finance	Staff have been reminded about the correct process when they receive a complaint to avoid a repetition of this happening again. The Complaints Team are also running training for staff to support them in appropriate complaints handling.
Mental Health	Partially Upheld	A service user complained that a safeguarding meeting did not take account of adjustments needed to support their participation and there were delays putting an advocate in place.	Delay and communication	All social workers involved in safeguarding were reminded of the importance of considering a person's capacity to understand and engage in the safeguarding process and that this is reviewed throughout the process. This was also discussed in the team
Financial Payments	Partially Upheld	Unhappy with the way the Direct Payment Team communicated which impacted on the complainants understanding of how their Direct Payments could be used	Communication and finance	The team received reminded of the importance of the use of language and style in letter writing and this will form part of the team's ongoing learning and development.

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Environment & Community Services				
Libraries	Partially upheld	Complaint concerned the Library service's venue hire policy, specifically a lack of understanding of the equalities act, lack of free spaces for community groups, lack of person centred support and time taken for the Council to respond to her request.	Delay and communication	Library staff will send a holding emails in future to explain that they are working on the issue and when a customer can expect a resolution.
Planning Enforcement	Partially upheld	Complaint about the Council's handling of a planning enforcement investigation into a replacement fence along part of the front and side boundaries of a neighbouring property. The planning enforcement team failed to consider the breach and tried to cover-up errors. Complainant wants enforcement action to be taken or an explanation as to why enforcement is not being taken.	Misleading terminology in enforcement correspondence	There were occasions when misleading terminology and expressions were used in this case. Managers will ensure that accurate terms are used in any enforcement correspondence in future, and that any discussions with residents are clear and any misunderstandings resolved quickly. These points will be raised with officers in the planning enforcement team in their next team meetings to ensure this is reflected when officers investigate suspected breaches of planning control in the future.

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Waste Management	Upheld	Ongoing repeat missed refuse and garden waste collections since September 2022 and Serco's inconsistent ability to rectify the missed collections reported.	Continuous service provision failure	Council procedures will be reviewed to identify complaints for the Council to action immediately versus the contractor. A monitoring programme will be implemented to ensure the appropriate training and behaviour is being enforced by the contractor.
Street Cleansing	Upheld	Complaint about poor standard of street cleaning in his road. No explanation has been given in stage 1 about why there was a failure by the contractor to properly respond to the reported multiple service failures or why the pattern of underperformance was not picked up and acted upon by the contractor or the client side.	Communication between contractor and service	The Street Cleansing service will continue to work closely with the contractor to formally discuss cases that have caused issues, whatever the reason, with a view to understanding individual cases and to learn for the future. Officers are working with Continental Landscapes to integrate the Council's system with their system, but there is still the potential for repeat problems to be missed until this work has been completed. Therefore, the service is also looking at establishing weekly reports which will flag repeat issues to the contract monitoring team.
ECS -Spatial Planning and Design Team	Partially upheld	Section 35 of the Planning and Compulsory Purchase Act (PCPA 2004) is not being met in relation to Annual Monitoring Reports. This section of the Act states that every Local Planning Authority must prepare reports containing information on the implementation of the Local Development Scheme and the extent to which policies set out in Local Development Documents are being achieved.	Failure to publish statutory monitoring reports	Section 35 of the Planning and Compulsory Purchase Act (PCPA 2004) Annual Monitoring Reports to be made available on the Council's website as soon as possible. Additionally topic-based monitoring reports to be drafted & published in the months ahead to compliment the Annual Monitoring Report.

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Resources				
Housing Benefit	Partially upheld	Complaint regarding Housing Benefit assessment	More care needed when processing documents	Benefit assessment staff have been reminded to make full use of access to information at their disposal. Staff indexing documents have been reminded to be more careful when processing documents to ensure that documents are attributed to the right team, minimising any delays.
Benefits	Partially upheld	Incorrect income and capital used in Council Tax Support assessment and incorrect Council Tax account balance.	Quality of service/poor information	Ensure that the quality of the advice given to claimants is of the high standard expected of the Benefit Service. Assessment staff will be reminded how to process CTR claims with Universal Credit tariff income. Furthermore, staff will be reminded of the need to ensure they follow through on assurances given to customers when booking appointments.
Discretionary Awards	Partially upheld	Complaint regarding Technical Services Self Isolation Payments	More effective & timely communication of application outcomes required	The admin process for applications has been reviewed to ensure clearer decision outcomes & staff have been reminded to respond to correspondence in a timely manner.
Council Tax	Partially upheld	Council Tax recovery relating to the outcome of a summons and bailiff actions.	Full information given at point of 1st contact	Reminder to staff regarding: ensure all elements of complaint are addressed at stage 1; the complainant to be directed to 3rd party complaint mechanisms with contact details at the earliest opportunity.
Benefits	Upheld	Complaint relating to benefits	Communication and attention to detail	A reminder will be issued to officers in the Benefit Service to ensure that evidence received is examined more carefully at point of receipt to ascertain how it will impact on the claim and the customer, so that appropriate reassessments can then be undertaken to ensure the right benefit is paid at the right time. Furthermore current communication processes between the Benefit Service and the Council Tax Service in handling joint complaints will be reviewed to ensure a better outcome for customers.
Parking Compliance (permits)	Upheld	Parking permit payment facilities at the Council's Civic Centre office not accepting contactless payment by mobile phone	Method of payment not accepted despite previous use	A member of staff has been reminded of the correct payment protocol as a training and performance measure and this has also been reiterated to all team members.

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Council Tax	Partially upheld	Complaint regarding Council Tax recovery of a joint debt	Communication	A review will be undertaken to enhance the existing quality of correspondence, particularly centring around timeframes & enclosures.