

Royal Borough of Windsor and Maidenhead

Annual Complaints and Compliments Report 2021-22

Contents

1. Introduction.....	3
2. Summary of Activity	3
3. Statutory Adults Complaints Process	6
4. Children’s Complaints Processes Summary (Statutory and Corporate)	9
5. Children’s Statutory Complaints	10
6. Children’s Corporate Complaints	13
7. RBWM Formal Corporate Complaints Process	17
8. Compliments received.....	25
9. Appendix A: LGSCO Annual Review 2022 letter	27
10. Appendix B: Council’s complaints process and procedures	30
11. Appendix C: National and legislative context – March 2022.....	32

1. Introduction

- 1.1. This annual report covers the period 1 April 2021 to 31 March 2022, and details all compliments and complaints made by or on behalf of customers that are investigated under the:
 - Adults Statutory Complaints process
 - Children's Statutory Complaints process
 - Children's Corporate Complaints process
 - RBWM's Formal Corporate Complaints policy
- 1.2. Local Authorities are required under statute to report complaints submitted on adults and children's services, however whilst they are not required to produce an annual report on complaints relating to corporate activities, the compliments and complaints team produces an annual report detailing the volumes of all complaints and compliments, including insights into response rates and the reasons for complaints. This allows the council to assess how residents experience the council in its entirety and can inform service improvement.

2. Summary of Activity

- 2.1. In 2021/22 the council received 1,556 contacts from customers that were initially logged as complaints. This is a 31.2% decrease in contacts to the compliments and complaints team from 2020/21 (2,267 contacts in 2020/21). Contacts that were not progressed as complaints were signposted to an alternative means of resolution, for example a service request or via an alternative appeals process, such as parking appeals or statutory tribunals or were withdrawn.
- 2.2. The total volume of complaints progressed through Stage 1 of the specific complaints process that they followed was 399 in 2021/22, an increase on 2020/21 (398) Stage 2 and 3 complaints are escalations of Stage 1 complaints and so are not counted as new complaints.
- 2.3. Table 1 summarises the total volumes of complaints at Stage 1 and breakdown by outcome in 2021/22 in comparison to 2020/21 for each process (Adults, Children's Statutory, Children's Corporate and RBWM Formal Corporate). A green arrow indicates a positive outcome, and a red arrow indicates a less favourable outcome when compared to last year.
- 2.4. From Table 1 it can be seen that the percentage of complaints upheld or partially upheld in 2021/22 has been less for all processes namely, Adults Statutory (50% in 2021/22, 66% in 2020/21), Children's Statutory (54% in 2021/22, 71% in 2020/21), Children's Corporate (53% in 2021/22, 68% in 2020/21), RBWM Formal Corporate (50% in 2021/22, 63% in 2020/21). Overall, the percentage of complaints upheld or partially upheld in 2021/22 was 50% and less than 2020/21 (65%).
- 2.5. The timeliness to respond within timescales has reduce across all processes, except for Children's Statutory, namely Adults Statutory (32% in 2021/22, 58% in 2020/21), Children's Statutory (69% in 2021/22, 50% in 2020/21), Children's Corporate (44% in

2021/22, 50% in 2020/21), RBWM Formal Corporate (46% in 2021/22, 64% in 2020/21), making the overall percentage of complaints responded to within timescales lower in 2021/22 (46%) when compared to 2020/21 (62%). (Table 1)

Table 1: 2021/22 Summary of Complaints at Stage 1 by each process

Process	No. of complaints	Upheld	Partially Upheld	Not Upheld	No Finding	In Progress at the time of reporting	Upheld or Partially Upheld	Responded to within timescales
Adults Statutory	22 ↑ 2020/21 (12)	27% ↓ 2020/21 (33%)	23% ↓ 2020/21 (33%)	45% ↑ 2020/21 (33%)	0% ↔ 2020/21 (0%)	5%	50% ↓ 2020/21 (66%)	32% ↓ 2020/21 (58%)
Children's Statutory	13 ↓ 2020/21 (14)	0% ↔ 2020/21 (0%)	54% ↓ 2020/21 (71%)	38% ↑ 2020/21 (21%)	0% 2020/21 (7%)	8%	54% ↓ 2020/21 (71%)	69% ↑ 2020/21 (50%)
Children's Corporate	62 ↑ 2020/21 (34)	6% ↓ 2020/21 (12%)	47% ↓ 2020/21 (65%)	35% ↑ 2020/21 (24%)	0% ↔ 2020/21 (0%)	12%	53% ↓ 2020/21 (68%)	44% ↓ 2020/21 (50%)
RBWM Formal Corporate	302 ↓ 2020/21 (339)	27% ↓ 2020/21 (43%)	23% ↑ 2020/21 (20%)	40% ↑ 2020/21 (35%)	0% 2020/21 (3%)	10%	50% ↓ 2020/21 (63%)	46% ↓ 2020/21 (64%)
Overall	399 ↑ 2020/21 (398)	23% ↓ 2020/21 (39%)	27% ↑ 2020/21 (26%)	39% ↑ 2020/21 (33%)	0% 2020/21 (1%)	11%	50% ↓ 2020/21 (65%)	46% ↓ 2020/21 (62%)

Reasons and outcomes

2.5 When logging their complaint via the council website, complainants self-select the reason for their complaint and the compliments and complaints team does not change this categorisation. When a complaint is logged by a member of the team or the Customer Contact Centre on behalf of a complainant, the staff member will select the reason they believe is most appropriate. Only one reason can be selected for each complaint.

Local Government Social Care Ombudsman (LGSCO)

2.6. The Local Government Social Care Ombudsman (LGSCO) received 52 complaints and enquiries about the council in 2021/22, an increase on 2020/21 (31).

2.7. Table 2 sets out complaints and enquiries received by LGSCO by different categories in comparison to last year. This table shows that those received by LGSCO in 2021/22 have increased in all services except Environmental Services & Public Protection & Regulation and Highways & Transport Housing when compared to 2019/20.

Table 2: 2021/22 Complaints and enquiries received by LGSCO: Comparison with previous years' (data received from LGSCO in July 2022. Covering letter in Appendix A).

Year	Adult Care Services	Benefits & Tax	Corporate & Other Services	Education & Children's Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Housing	Null / Other	Planning & Development
2021/22	5	5	5	13	6	3	5	1	9
2020/21	2	3	1	5	8	4	3	0	5

2.8. The Ombudsman made 51 decisions in 2021/22 in comparison to 33 decisions in 2020/21.

2.9. Table 3 breaks down the decisions made by outcome. After detailed investigations, 71% of decisions were upheld, an increase from 2020/21 (69% upheld). The 10 complaints that were investigated and upheld were in relation to:

- Adult Social Care (1)
- Corporate & Other Services (1)
- Education and Children Services (1)
- Planning & Development (2)
- Housing (3)
- Environmental Services & Public Protection & Regulation (2)

Table 3: 2021/22 Decisions made by outcome: Comparison with 2020/21

Year	Advice Given	Closed after initial enquiries	Incomplete/ Invalid	Referred back for local resolution	Detailed investigation Upheld	Detailed investigation Not Upheld	Percentage Upheld
2021/22	1	23	2	11	10	4	71%
2020/21	1	7	1	11	9	4	69%

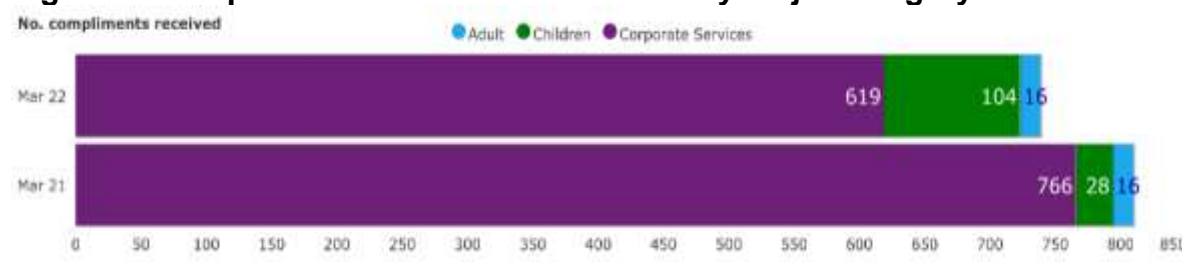
Improvements in working with LGSCO and other parties

2.10. The Compliments and Complaints team continue to be members of SRCMG (South Region Complaints Manager Group) which meets quarterly and is used to raise concerns or queries and support each other on a need basis.

Compliments

2.11. Compliments are fed back to the relevant service areas to ensure that due recognition is given to staff and that learning is shared and disseminated across teams. In 2021/22 a total of 739 compliments were received, 8.8% decrease on 2020/21 (810). Figure 1 shows the breakdown of compliments by major category (Adults, Children, Corporate Services). For the purpose of this report, "Corporate Services" refers to compliments that were received by all services other than those within adult and children's services.

Figure 1: Compliments received: Breakdown by major category



3. Statutory Adults Complaints Process

Complaints received

3.1. Figure 2 shows the volumes of adults' complaints in the last 5 years. There has not been a sustained decrease in the number received since 2017/18. 22 complaints were received in 2021/22, a 54% increase on 2020/21, which had the lowest volume of complaints received over the last 5 years.

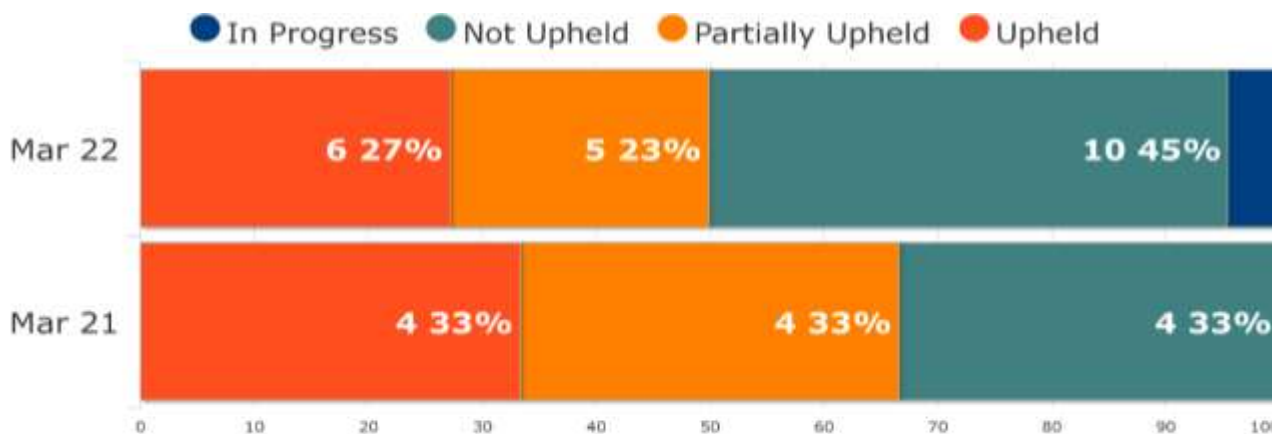
Figure 2: Adults' complaints volumes: Annual trends



3.2.

3.3. Figure 3 shows the breakdown of adults' complaints by outcome in 2021/22 compared to 2020/21. In 2021/22 both the percentage of complaints upheld (27%) and partially upheld (23%) are higher than 2020/21 (upheld 33% and partially upheld 33%).

Figure 3: Adults complaints by outcome



3.4. Figure 4 sets out the volume of adult's complaints made by reason in 2021/22 compared to 2020/21. It is unfortunate to note that in 2021/22 complaints have been recorded by a greater number of reasons (7) in comparison to 2020/21 (6). The number of complaints made in 2021/22 (22) is more than in 2020/21 (12).

Figure 4 Adults complaints by reason

Adults Complaints by reason: Comparison of this year's to previous year's



3.5. At the time of data extraction, out of 22 complaints, 21 had an outcome recorded and 1 was in progress with an outcome not yet reached.

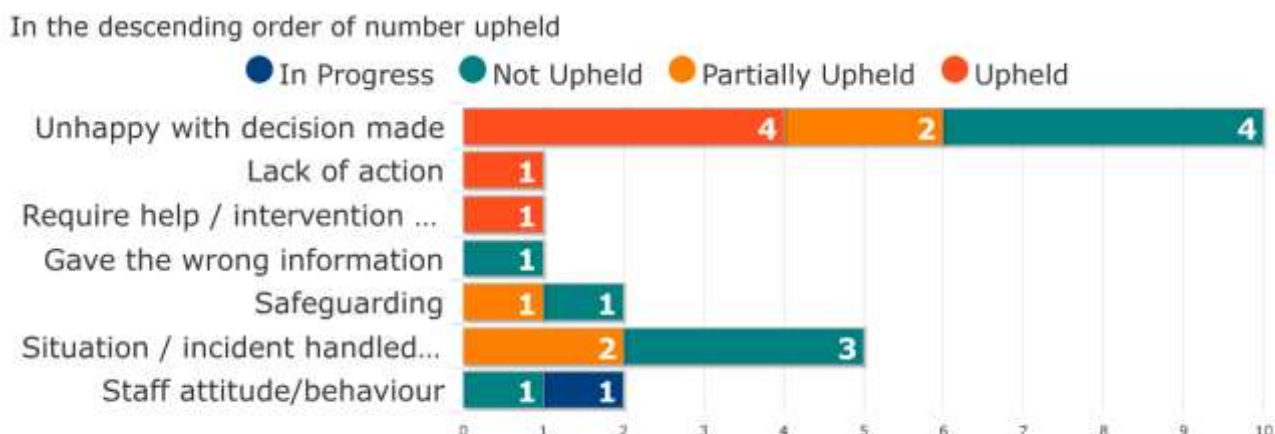
3.6. **Figure 5: Adults complaints outcome by reason**

In the descending order of number upheld



3.7. shows the outcome of adult's complaints by reason. It can be seen that 60% (6/10) of the complaints against the 'Unhappy with decision made' (top reason) were upheld/partially upheld.

Figure 5: Adults complaints outcome by reason



Timeliness

3.8. Although there is no specified time limit for statutory complaints about adult social care, the council's target for responding to adult services complaints is 10 working days which can be extended to 20 working days. If a response is not provided within 20 working days, the Complainant will be informed and provided with a response timeline. The final response will be provided within three months, and often within a shorter timescale.

3.9.

3.10. Figure 6 shows that in 2021/22 the percentage of complaints responded to within timescale is 32% (7/22), a reduction on 2020/21 (58% 7/12). Steps to negate any further reduction will be made by Optalis as detailed in their learnings in section 4.7.

Figure 6: Percentage of adults' complaints responded within timescales



Compliments

3.11. In 2021/22, Adults received 16 compliments, the same as 2020/21 (16). Whilst many are received, staff sometimes fail to record the compliments they receive; however they do obtain them and are regularly encouraged to log them.

Learnings from complaints – Adults

3.12. Listed below are some of the learnings from the adult's complaints:

Adult Social Care (Optalis)

<p>Timeliness: There has been an overall reduction in meeting timescales for response over the period. A new reminder system is in place to ensure that extensions are arranged for complex complaints or where needed. Informal training is in place for service managers and specific training to be given to individual staff where required.</p> <p>Number of complaints: This is a fluctuating picture although a downward trend is emerging over recent years including a big reduction at the beginning of COVID period. There is no clear rationale for the overall trend. There were 2 complaints with Actions Monitoring in place:</p> <p>Complaint 1: Complaint related to a case awaiting allocation of new Social Worker which took longer than expected.</p> <p>Response: The response confirmed that this was due to a large influx of referrals at the time.</p> <p>Actions:</p> <ul style="list-style-type: none"> • We have changed how we allocate cases; we now hold a weekly meeting to discuss cases waiting allocation of a worker. This helps in prioritising and managing risks with cases awaiting allocation. • We are also reviewing our direct payment process towards providing additional training/support to staff. <p>Complaint 2: This complaint related to the communication between a member of staff, the individual and the family receiving the service.</p> <p>Actions:</p> <ul style="list-style-type: none"> • Manager spoke to member of staff and recorded the concerns raised by the individual and their father in supervision notes. • Staff member will receive training with regards to their communication skills.

4. Children’s Complaints Processes Summary (Statutory and Corporate)

Summary

4.1. 2021/22 saw a total of 75 children’s complaints. Table 4 summarises the volume of complaints received and the Stage 1 outcome in comparison to 2020/21. 2021/22 saw 53% of complaints upheld or partially upheld, lower than 2020/21 (81%) and 44% of complaints responded to within timescales (29% 2020/21). Details on Children’s Statutory and Children’s Corporate complaints can be found in sections 5 and 6.

Table 4: Children's Complaints (Statutory and Corporate): Summary of Complaints at Stage 1

No. of complaints	Upheld	Partially Upheld	Not Upheld	No Finding	In Progress at the time of reporting	Upheld or Partially Upheld	Responded to within timescales
75 ↑ 2020/21 (48)	5% ↔ 2020/21 (5%)	48% ↓ 2020/21 (67%)	39% ↑ 2020/21 (23%)	0% 2020/21 (2%)	11%	53% ↓ 2020/21 (81%)	44% ↑ 2020/21 (29%)

Complaints received

- 4.2.
- 4.3. Figure 7 shows the total volume of children's complaints in the last 6 years. There has been some fluctuation in volumes and in 2021/22 75 complaints were received, a 65% increase on 2020/21 volumes (49).
- 4.3. Of the 75 complaints, 17% (13/75) were statutory and 83% (62/75) were corporate.

Figure 7: Children's Complaints Volumes: Trends over the years



Compliments

- 4.4. In 2021/22 children's services received 104 compliments, 76 more than 2020/21 (28). The teams within the organisation continue to be encouraged to share compliments they receive with the compliments and complaints team so that they can be logged. Achieving for Children (AfC) have been proactive in logging their compliments over the past year.

5. Children's Statutory Complaints

- 5.1 Most complaints about children's social care must follow a series of steps set out in law, known as the children's statutory complaints procedure. The statutory guidance, 'Getting the best from complaints' sets out which of a council's children's social care functions can be considered under the procedure. Generally, assessments and services in the following areas should be considered under the statutory procedure:

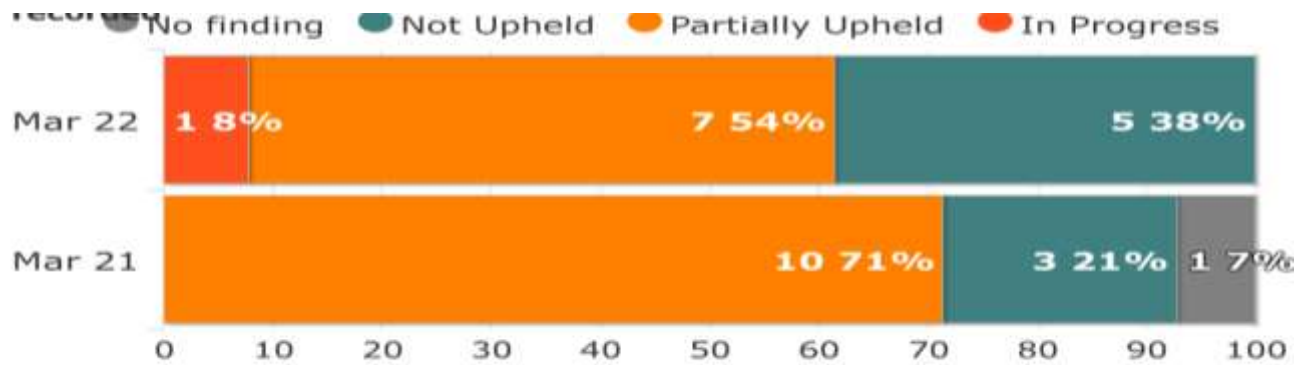
- Children in need
- Looked after children
- Special guardianship support
- Post-adoption support

- 5.2 In 2021/22 there were 13 statutory complaints which is 7.1% less than 2020/21 (14).

Stage 1 Outcome

- 5.3. At the time of data extraction, all 13 children's statutory complaints had an outcome recorded. Further breakdown of children's statutory complaints shows that none were upheld, 54% (7/13) partially upheld, 38% (5/13) not upheld and 8% (1/13) was in progress (Figure 8).

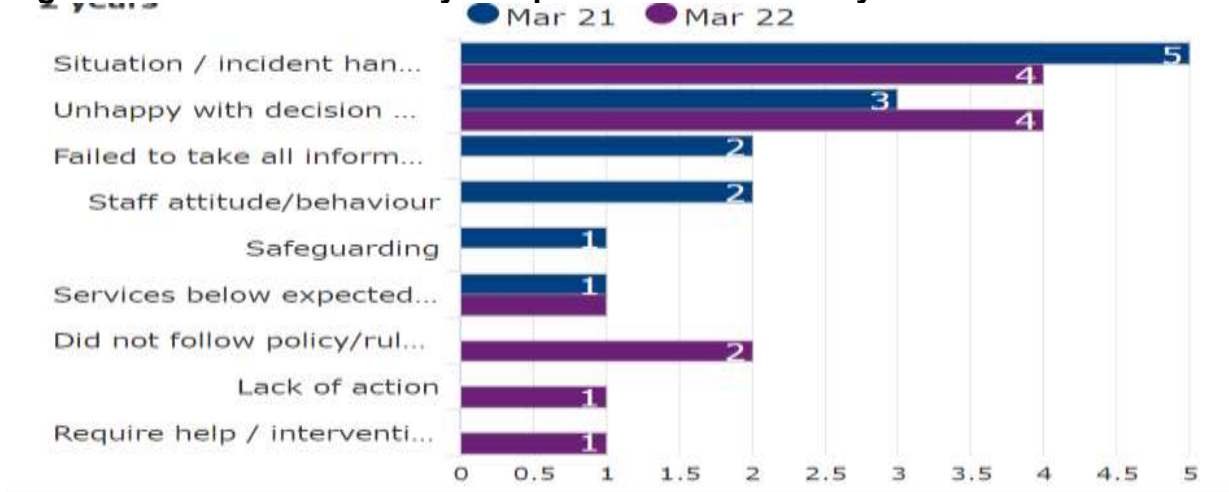
Figure 8: Children's Statutory Complaints by Stage 1 outcome



Reasons and outcome

5.4. Figure 9 shows the breakdown of children’s statutory complaints by reasons. 2021/22 saw statutory children’s complaints being recorded by the same number, but sometimes different reasons (6) as 2020/21, both years with only 5 or less complaints recorded by each of the reasons. The 2021/22 reasons with most complaints was “Situation/incident handled incorrectly” and “Unhappy with decision made” which were both 31% (4/13).

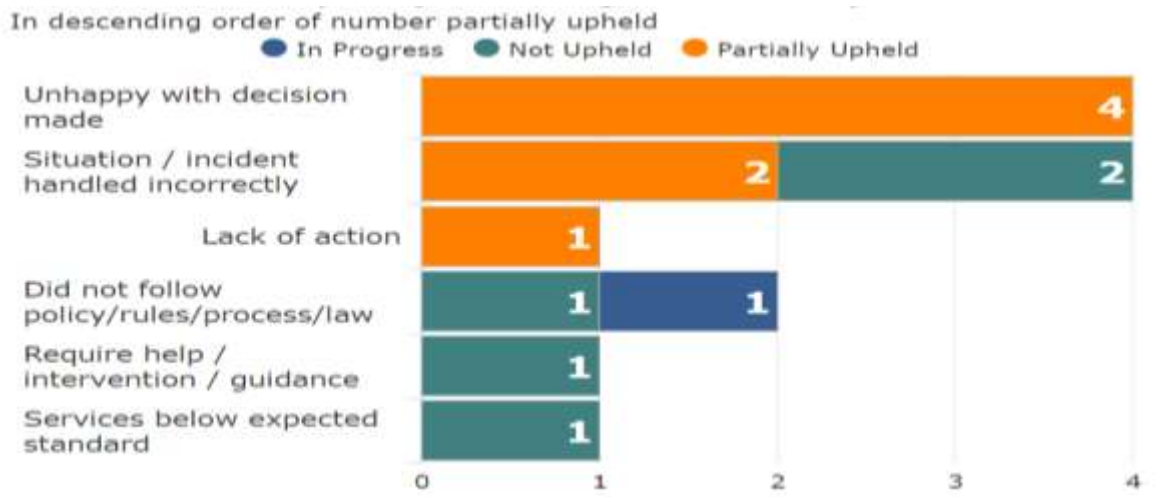
Figure 9: Children’s Statutory complaints: Breakdown by reason



5.5.

5.6. Figure 10 breaks down Stage 1 outcomes by reasons. It is noteworthy that none of the complaints were upheld. Out of the 4 partially upheld complaints, “Unhappy with decision made was the one reason where 100% of complaints made were partially upheld.

Figure 10: Children’s Stage 1 Statutory Complaints outcome by reason



Stage 1 Timeliness

5.7. The timescale for dealing with children’s statutory Stage 1 complaints is 10 working days. However, this can be extended to 20 working days for more complex complaints or if additional time is required. The timeliness of response for statutory complaints in 2021/22 was 69% (9/13) an increase from 2020/21 by 2 (50% 7/14) (Figure 11).

Figure 11: Percentage of Children's Statutory Complaints responded within timescales



Stage 2 Outcome

5.8. At Stage 2, the complaints are investigated by an independent investigating officer (IO) who will work with an independent person (IP).

5.9. In 2021/22 there were no complaints progressed to Stage 2, however there was one complaint from 2020/21 that was still in investigation stages and had not completed the process.

Figure 12: Children’s Stage 2 Statutory Complaints by outcome



Stage 2 timescales

5.10. The timescale for dealing with children’s statutory Stage 2 complaints is 25 to 65 working days from the date the agreed statement of complaint has been agreed with the customer, IO and IP. During 2021/22, there were zero new Stage 2 complaints submitted.

Stage 3 complaints

5.11. At Stage 3, complaints are reviewed to ensure correct processes were followed at each stage by a panel comprising of three people, one of which will be appointed as the chair who is independent of the service that the complaint is about. The panel produces a written report of what was discussed and provides recommendations for the resolution of the issues. One complaint progressed to Stage 3. There was a Stage 1 complaint made in January 2021, which then escalated to a Statutory Stage 2 with an IO and IP, this was then progressed to a Stage 3 panel review meeting which took place in December 2021.

6. Children's Corporate Complaints

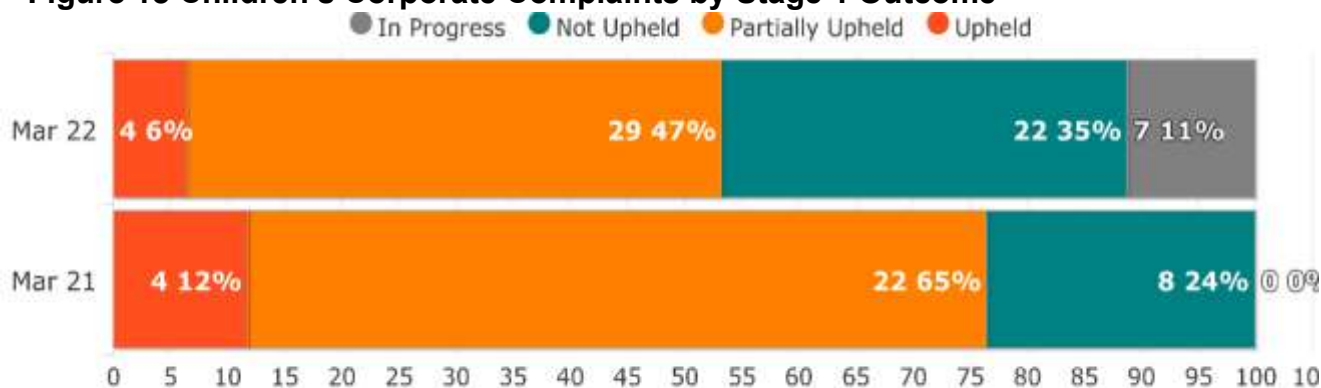
6.3. Children's complaints that are not taken through the statutory process will follow the corporate complaint route. In 2021/22 there were 62 corporate complaints, 27 more than 2020/21 (35).

Stage 1 Outcome

6.4. In 2021/22, 55 complaints had a Stage 1 outcome recorded and 7 were in progress. Further breakdown shows 6% (4/62) were upheld, 47% (29/62) partially upheld, 35% (22/62) not upheld, and 11% (7/62) in progress.

6.5. Figure 13 shows breakdown of complaints at Stage 1 by outcome. There has been a lower proportion of children's corporate complaints upheld (6%) when compared to 2020/21 (12%), and a lower proportion of complaints partially upheld 47% (2020/21 65%).

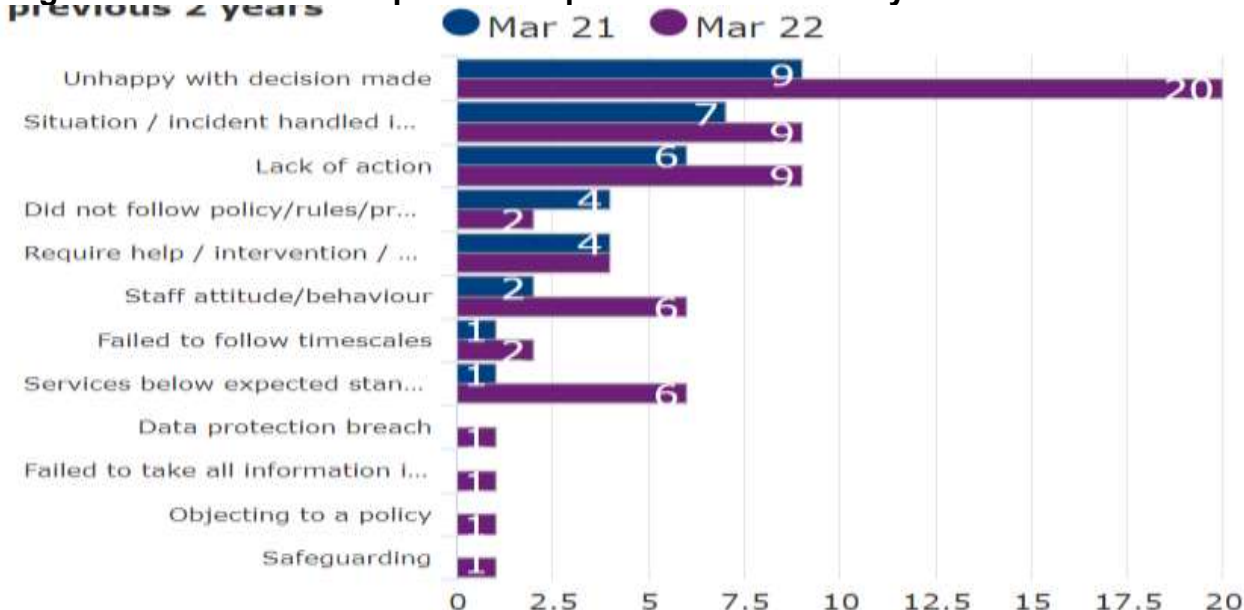
Figure 13 Children's Corporate Complaints by Stage 1 Outcome



Reasons and Outcome

6.6. Figure 14 shows the breakdown of children's corporate complaints made by reasons. 2021/22 saw children's corporate complaints being recorded by more reasons (12) when compared to 2020/21 (8). The top 2 reasons in 2021/22 were "Unhappy with decision made" (32% 20/62), "Situation/incident handled incorrectly" (15%, 9/62) and "Lack of Action" (15% 9/62).

Figure 14: Children’s Corporate complaints: Breakdown by reason

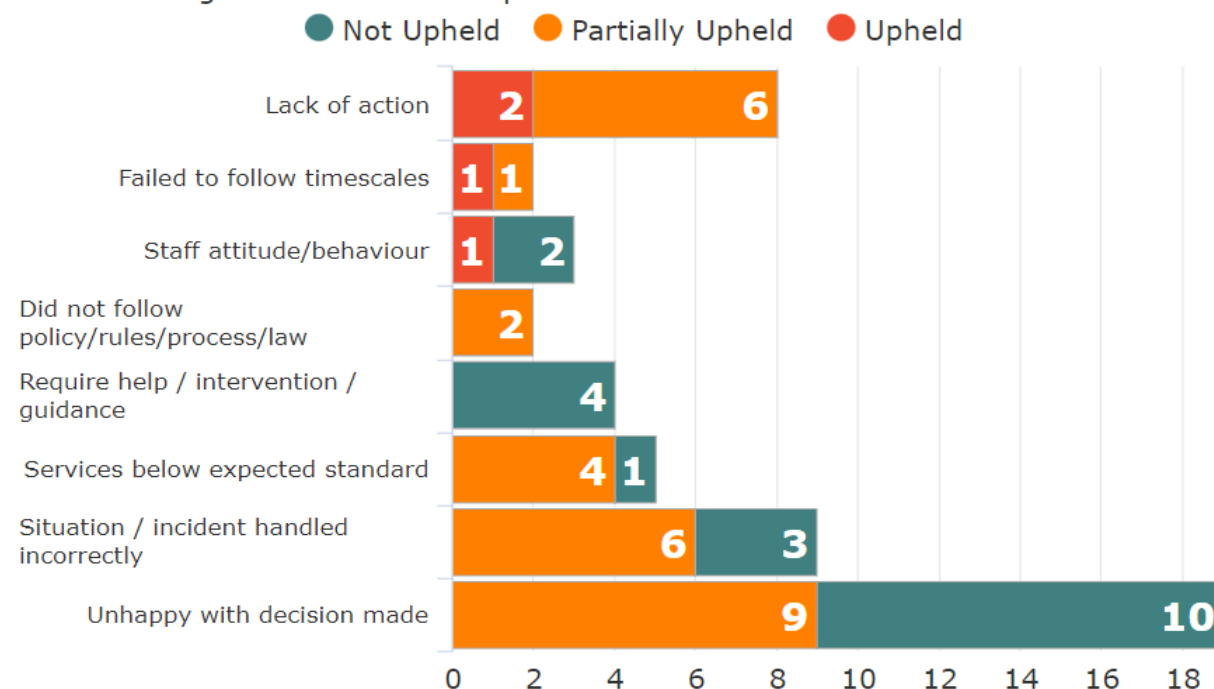


6.7.

6.8. Figure 15 shows the breakdown of outcome at Stage 1 by different reasons. Looking at the number of complaints upheld/partially upheld for the top 3 reasons, 43% (9/19) were partially upheld against “Unhappy with decision made”, 67% (6/9) were upheld/partially upheld against “Situation/incident handled incorrectly” and 100% (8/8) were partially upheld against “Lack of Action”.

Figure 15: Children’s Stage 1 Corporate Complaints outcome by reason

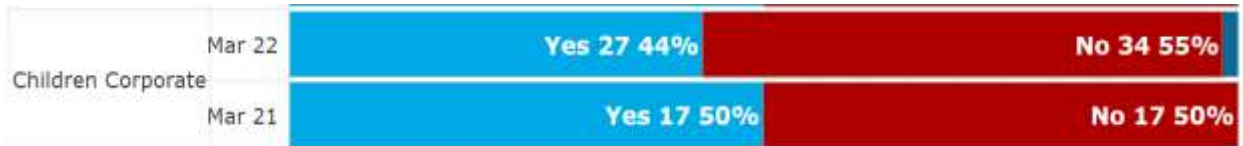
In descending order of number upheld



Stage 1 Timeliness

6.6 The timescale for dealing with children’s corporate Stage 1 complaints is 20 working days. However, this can be extended by 10 working days for more complex complaints or if additional time is required. There has been a decrease in timeliness of response for corporate complaints in 2021/22 (44% 27/62) in comparison to 2020/21 (50% 17/34).

Figure 16: Percentage of Children's Corporate Complaints responded to within timescales



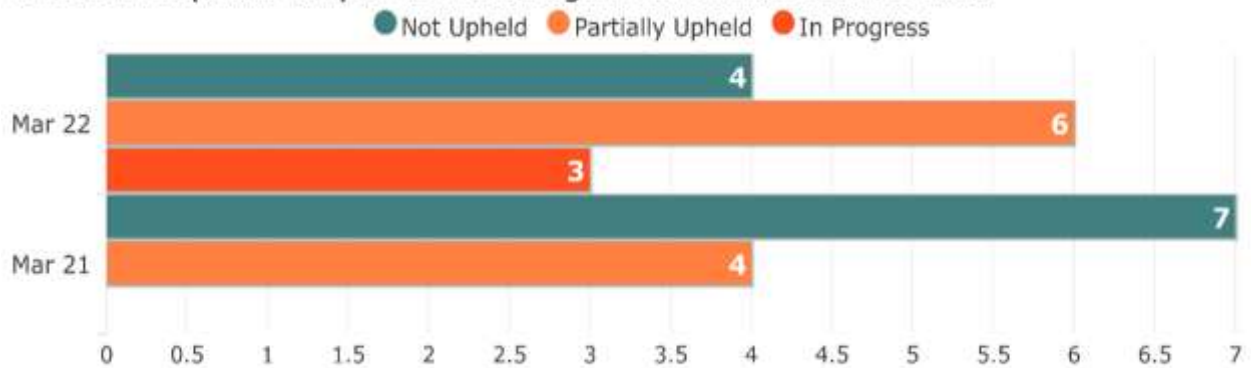
Stage 2 Outcome

6.7 Out of the 62 children’s corporate complaints 13 (21%) had progressed to Stage 2 which is 2 more than 2020/21 (32% 11/32).

6.8

6.9 Figure 17 breaks down the Stage 2 children’s corporate complaints by outcome showing that none were upheld, 46% (6/13) partially upheld and 31% (4/13) not upheld. This is very positive outcome when compared to 2020/21 where 36% of Stage 2 complaints were partially upheld.

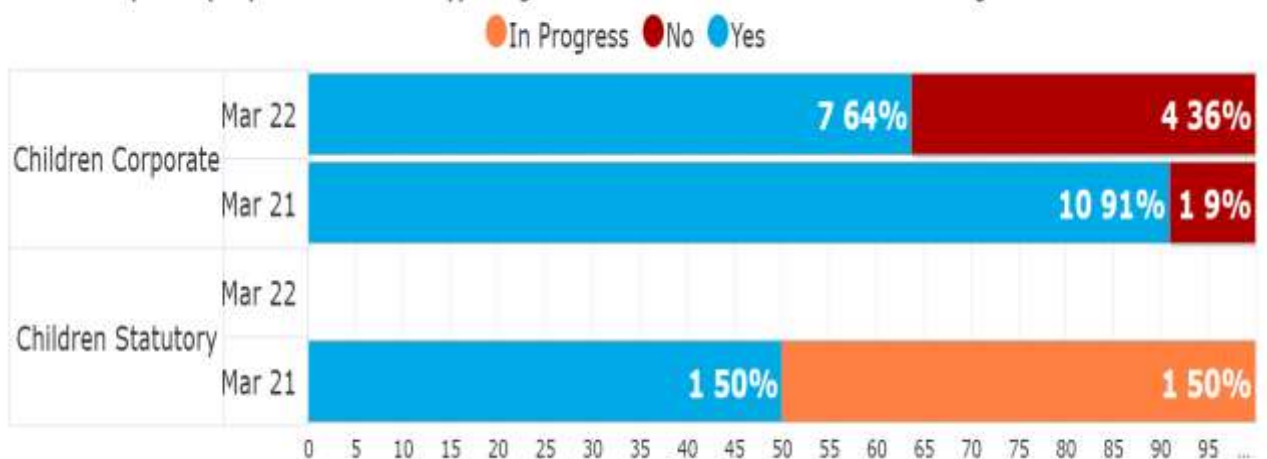
Figure 17: Children’s Stage 2 Corporate Complaints by outcome
Children's Corporate Complaints where Stage 2 Outcome has been recorded



Stage 2 Timeliness

6.10. The timescale for dealing with children’s corporate Stage 2 complaints is 20 working days. The percentage of Stage 2 children’s corporate complaints responded to within timescale was 64% (7/11) a considerable decrease from 2020/21 (91% 10/11).

Children Complaints (Corporate and Statutory) : Stage 2 within timescales: Number and Percentage



Learnings from complaints - Children's

6.11 Listed below are some of the learnings from the children's complaints:

Children's Services (Achieving for Children)

In the last year there has been some significant across service learning from some complaints in particular. This has included:

- Regular workshops/meetings between the Complaints/Compliments Team and service staff (see below)
- Dedicated work on how to do a good complaint response.
- Regular meeting between the Complaints/Compliments Team and the AfC Director of Children's Services
- Training programme with staff on the quality of assessments. This included differentiating fact from professional opinion, analysis, evidencing statements made in assessments.
- New enhanced process for quality assuring assessments in order to identify and resolve errors in assessments
- Training with staff on enhanced communication with service users, particularly when there has been a change in circumstances.

We have completed a piece of work, on the back of a complaint, on completing an aide memoire for staff on the points in a case where parents/carers should be informed and updated.

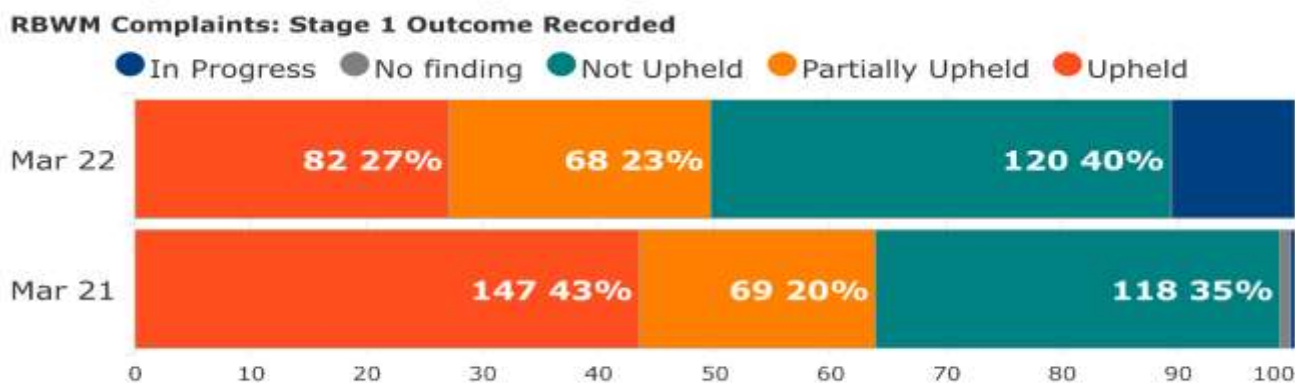
7. RBWM Formal Corporate Complaints Process

- 7.1. In 2021/22 76% (302/399) of all complaints were progressed under the formal corporate complaints process. This is a decrease on 2020/21 (85%, 339/400).

Stage 1 Outcome

- 7.2. At the time of data extraction for preparation of this report, 302 complaints had a Stage 1 outcome recorded, 32 (11%) were in progress and an outcome had not yet been reached.
- 7.3. Figure 18 shows the breakdown of Stage 1 complaints by outcome recorded. 27% (82/302) complaints were upheld (43% in 2020/21), 23% (68/302) partially upheld (20% in 2020/21), 40% (120/302) not upheld (35% in 2020/21), 0 where there was no finding, (1% in 2020/21) and 11% (32/302) in progress, (0.3% in 2020/21).
- 7.4. 2021/22 saw a lower proportion of complaints upheld/partially upheld (50%) when compared to 2020/21 (64% upheld/partially upheld).

Figure 18: RBWM Formal Corporate Stage 1 complaints by outcome recorded



Top 5 service areas for complaints

7.5. Figure 19 shows the top 5 service areas for customer complaints in 2021/22 of which Waste Management is the highest (24%, 73/302) followed by Revenue and Benefits and Planning Services (15%, 44/302), Housing Services (10%, 30/302, and Car Parks (10%, 29/302).

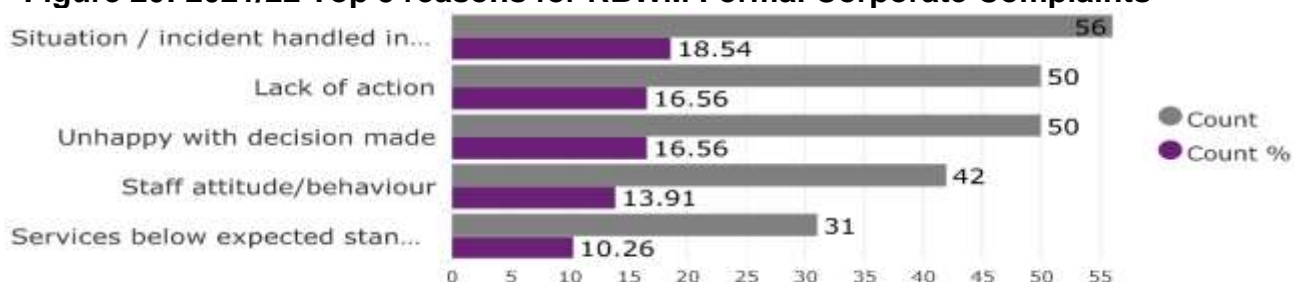
Figure 19: Top 5 service areas for RBWM Formal Corporate Complaints received



Reasons and outcomes

7.6. Figure 20 highlights the top 5 reasons for customer complaints in 2021/22 with the highest number of complaints being recorded against “Situation / incident handled incorrectly” (19% 56/302).

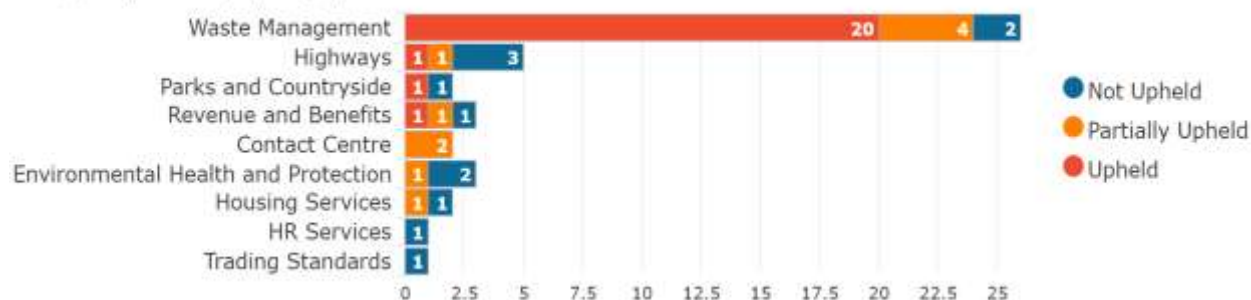
Figure 20: 2021/22 Top 5 reasons for RBWM Formal Corporate Complaints



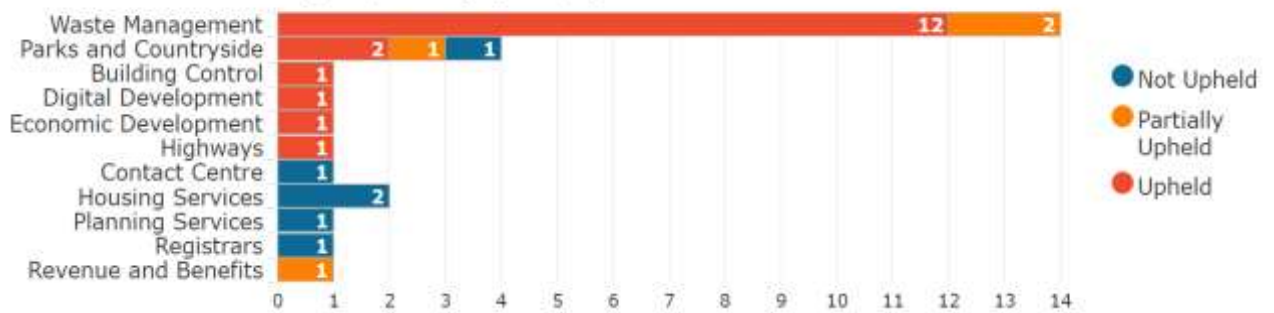
7.7. Figure 21 shows the breakdown of Stage 1 complaints outcome by the reason for the complaint. The Top 3 reasons where the most complaints were upheld/partially upheld are “Lack of action” (24), “Services below expected standard” (14) and Situation / incident handled incorrectly” (16).

Figure 21: RBWM Formal Corporate Complaints Stage 1 outcome by reason

RBWM Formal Corporate Complaints due to "Lack of Action": Service areas where Stage 1 Outcome recorded as Not Upheld/Partially Upheld/Upheld



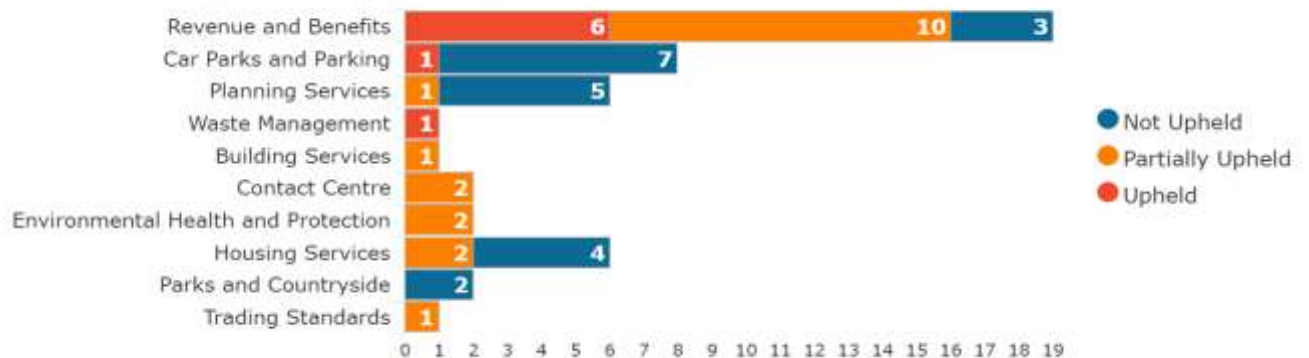
RBWM Formal Corporate Complaints due to "Services below expected standard": Service areas where Stage 1 Outcome recorded as Not Upheld/Partially Upheld/Upheld



RBWM Complaints due to "Staff Attitude/behaviour": Service areas where Stage 1 Outcome recorded as Not Upheld/Partially Upheld/Upheld



RBWM Complaints due to "Situation/Incident handled incorrectly": Service areas where Stage 1 Outcome recorded as Not Upheld/Partially Upheld/Upheld



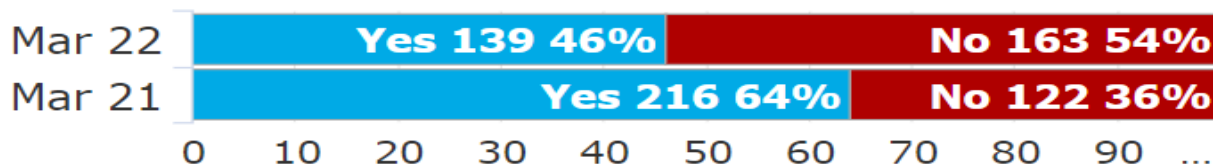
RBWM Complaints due to "Unhappy with decision made": Service areas where Stage 1 Outcome recorded as Not Upheld/Partially Upheld/Upheld



Timeliness at Stage 1

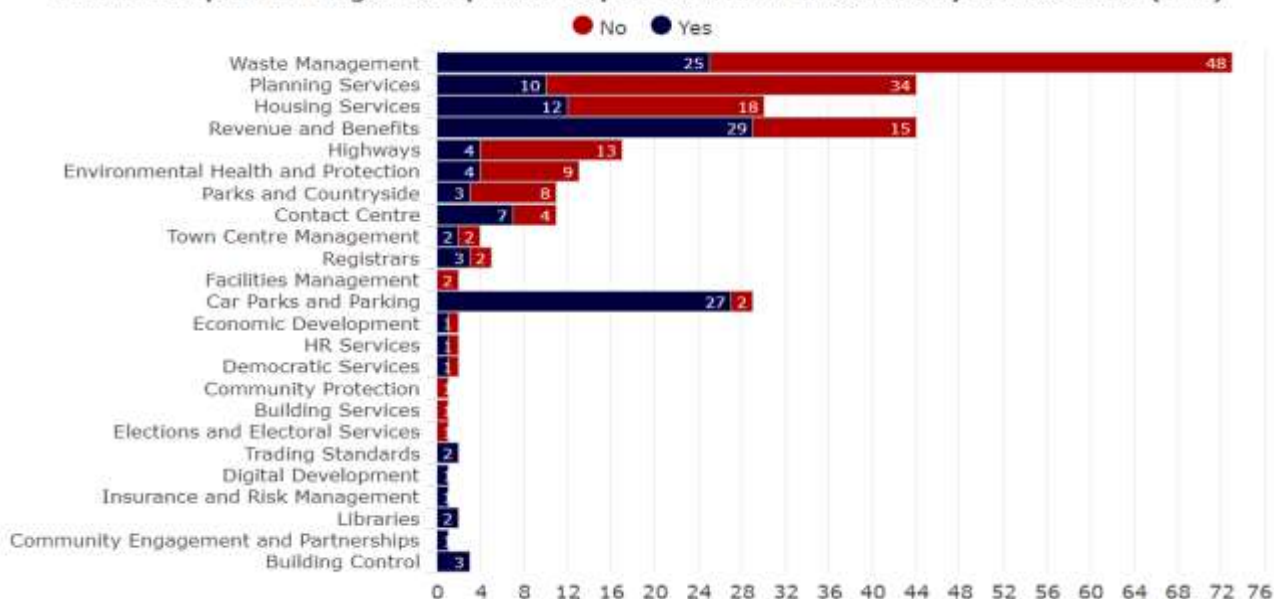
7.8. The timescale for responding to a Stage 1 RBWM formal corporate complaint is 20 working days.

Figure 22: Percentage of RBWM Formal Corporate Stage 1 Complaints responded to within timescale



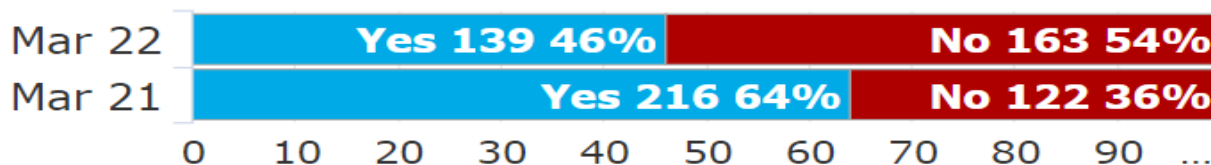
7.10. Figure 23 shows the service areas who have consistently not responded to Stage 1 complaints within timescales are Housing Services (60%), Waste Management (66%), Environmental Health and Protection (69%), Parks and Countryside (73%), Highways (76%) and Planning Services (77%).

Figure 23: Services and their responses within timescales
RBWM Complaints: Stage 1 complaints responded within timescales by service areas (YTD)



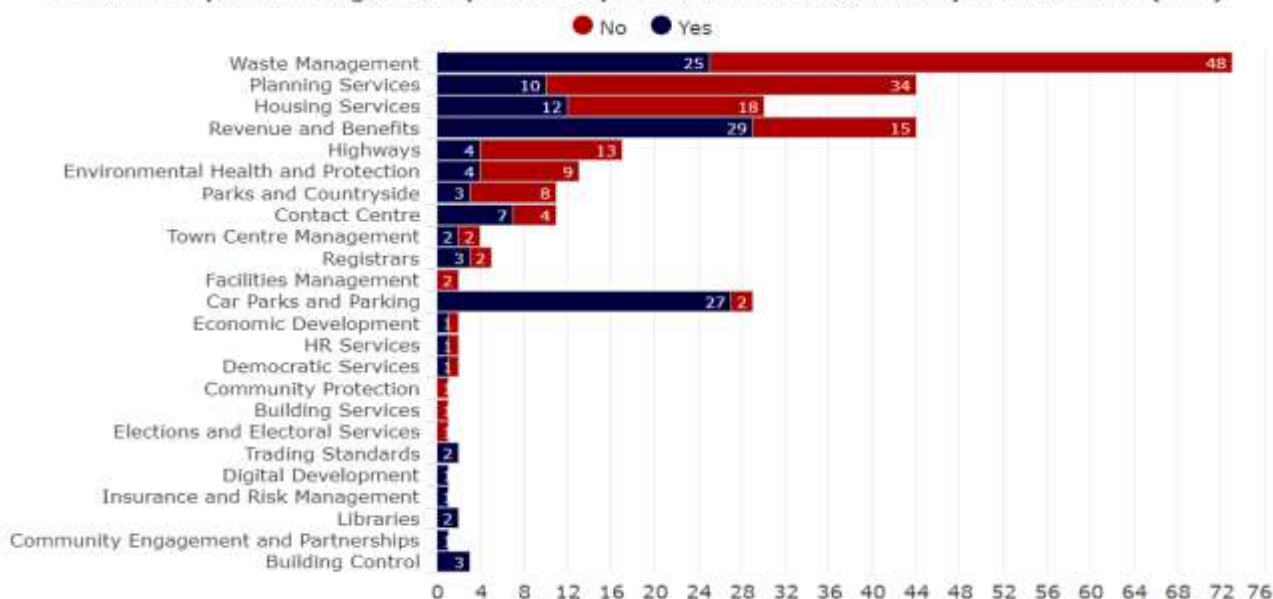
7.11. shows a reduction in the percentage of complaints responded to within timescale (46% 139/302 in 2021/22) in comparison to 2020/21 (64% 216/338).

Figure 22: Percentage of RBWM Formal Corporate Stage 1 Complaints responded to within timescale



7.12. Figure 23 shows the service areas who have consistently not responded to Stage 1 complaints within timescales are Housing Services (60%), Waste Management (66%), Environmental Health and Protection (69%), Parks and Countryside (73%), Highways (76%) and Planning Services (77%).

Figure 23: Services and their responses within timescales
RBWM Complaints: Stage 1 complaints responded within timescales by service areas (YTD)



Stage 2 RBWM Formal Corporate Complaints

7.13. If a complainant feels certain areas have not been addressed after receiving a response at Stage 1 of the corporate complaints process, they may request a review by the director of the service. In 2021/22 16% (49/302) of Stage 1 complaints progressed to Stage 2, a slight decrease from 2020/21 (17%, 56/338).

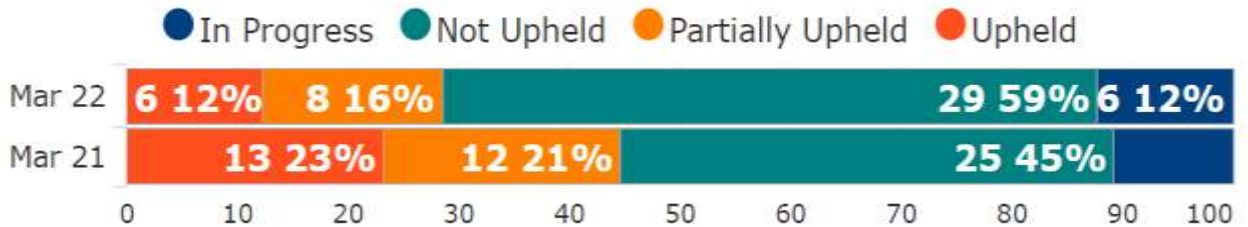
7.14. Breaking down the 49 Stage 2 complaints, 6 (12%) were upheld, 8 (16%) were partially upheld, 29 (59%) were not upheld and 6 (12%) were “In Progress” (

7.15.

7.16. **Figure 24).**

7.17. Even though 2021/22 saw an increase in the volumes of complaints progressing to Stage 2, only 29% of them were upheld/partially upheld when compared to 2020/21 (45%).

Figure 24: RBWM Formal Corporate Stage 2 complaints by outcome recorded

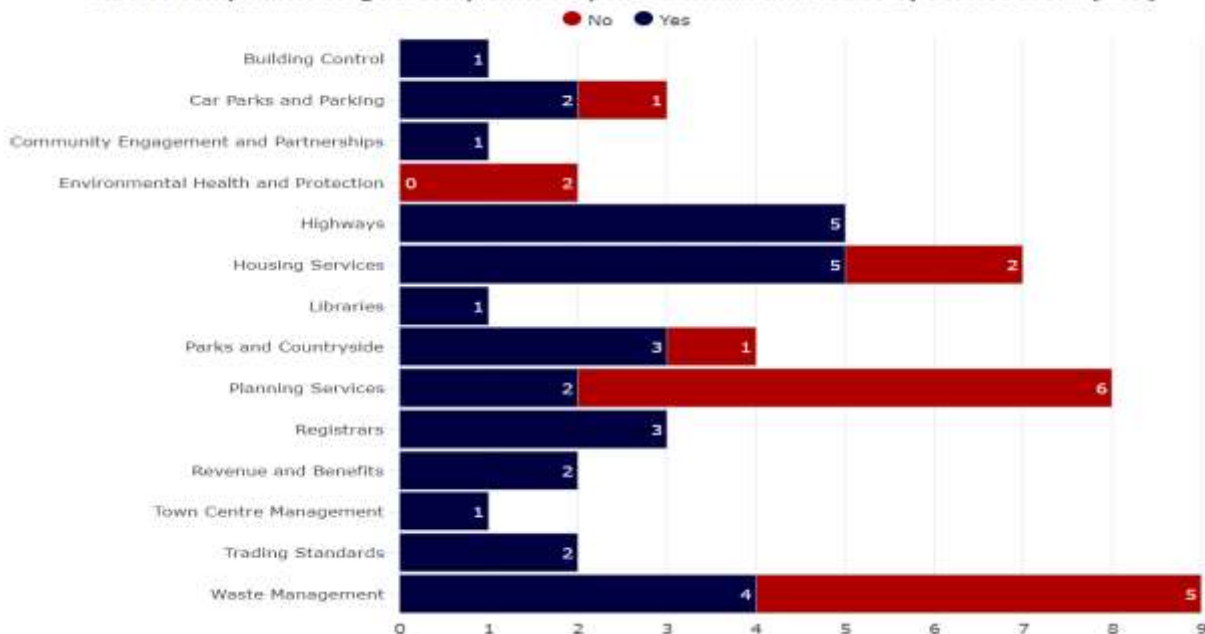


Timeliness at Stage 2

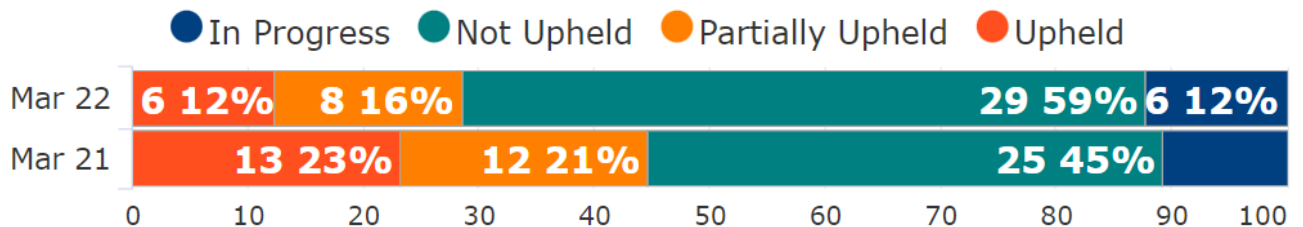
7.18. The percentage of complaints responded to within timescales at Stage 2 is 65% (32/49), less than 2020/21 (88% 49/56). Timeliness of response at Stage 2 is better than at Stage 1, this could be because there are fewer complaints progressing to Stage 2. Additionally, the timescale for response at Stage 2 is 20 working days whereas at Stage 1 is 20 working days, with a possible 10 day extension.

7.19. The service areas who have consistently not responded to Stage 2 complaints within timescales are Waste Management (56%), Planning Services (75%) and Environmental Health and Protection (100%).

RBWM Complaints: Stage 2 complaints responded within timescales by service areas (YTD)

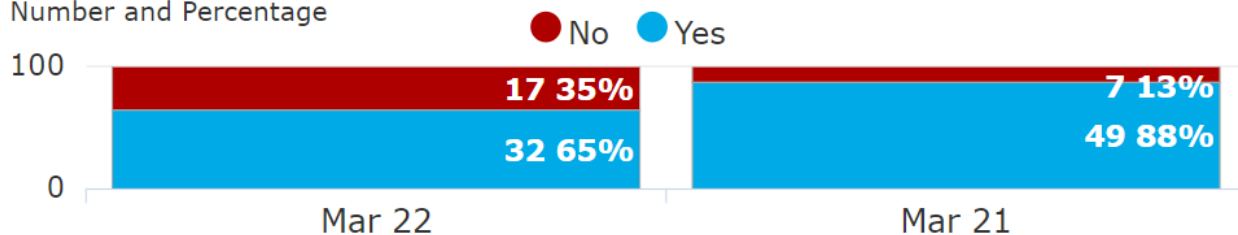


RBWM Complaints: Stage 2 Outcome Recorded



RBWM Stage 2 complaints responded to within timescale

Number and Percentage



Learnings from complaints - RBWM Formal Corporate Complaints

- 7.15. An important part of the complaints process is capturing the learning and embedding good practice across the council. Following are the learning that have been identified by various services areas:

Waste Management / Environmental Services

The waste service is one that impacts on every resident and household, as a result the number of complaints received by this service area would be expected to be high in comparison with other some service areas. A major service change was implemented in October 2021 whereby fortnightly refuse collections were introduced, any such service change can result in increased enquiries and complaints. However, the total number of complaints has decreased from 120 for 2020/21 to 73 for 2021/22 which is very positive under such circumstances.

The Environmental Services area has expanded but continues to have resourcing issues which have had an impact on some response times. Recruitment is currently underway to address some of the resourcing impact.

Following the review of any complaint, recommendations are made to improve service delivery and customer experience. The team work closely with the Complaints team to monitor progress and reduce the number of complaints not responded to within the set timeframes.

Planning

Over the course of the year there have been a number of vacancies within the department which has impacted the timeliness of responses. These are now filled so that response times can improve over the next year. Vacancies have also impacted the speed of determination of applications and communication from officers which was a repeating theme in the complaints received. Following these complaints recommendations have been implemented to improve communication between officers and applicant/agents as well as internally. Additional monitoring has also been put in place to ensure that applications are being determined in time as far as possible.

Parking / Car parks management

The team work closely with the Complaints team to monitor progress and reduce the number of complaints not responded to within the set timeframes. Following the review of any complaint, recommendations are made to improve service delivery and customer experience. The number of 'not upheld' responses remain high in comparison to the number received. The total number of Stage 1 and 2 complaints received by the service (33) is less than the compliments received (34).

Trading Standards

Following the review of any complaint, recommendations are made to improve service delivery and customer experience, a sample of those recommendations are listed below:

1. Online forms have been implemented across the service area to enable applicants to apply online
2. All day workshop was held with the transformation team to fully understand the customer persona and amend the customer journey to reflect the learning

Governance

Although the number of complaints within the service area is low (5) and none were escalated to Stage 2, better communication is needed amongst the management team to ensure the appropriate officer to provide a response is identified in a timely manner.

Revenues, Benefits, Libraries and Resident Services

The Revenues and Benefits service saw a large increase in the volume of work being received, particularly in relation to Council Tax, as the Covid restrictions eased. Residents who had not previously been able to move properties, for various reasons, started to do so resulting in some work being outstanding for longer periods. In addition, enforcement action began again with the Magistrates courts permitting hearings for liability orders again in order to secure the outstanding debts. Such recovery action inevitably results in increased volumes of complaints.

Waste

The waste service is one that impacts on every resident and household, as a result the number of complaints received by this service area would be expected to be high in comparison with other some service areas. A major service change was implemented in October 2021 whereby fortnightly refuse collections were introduced, any such service change can result in increased enquiries and complaints. However, the total number of complaints has decreased from 120 for 2020/21 to 73 for 2021/22 which is very positive under such circumstances. There have also been a total of 174 compliments for the waste service which shows how successfully the changes were implemented.

The Environmental Services area has expanded but continues to have resourcing issues which have had an impact on some response times. Recruitment is currently underway to address some of the resourcing impact.

Following the review of any complaint, recommendations are made to improve service delivery and customer experience. The team work closely with the Complaints team to monitor progress and reduce the number of complaints not responded to within the set timeframes.

Housing

Following the review of any complaint, recommendations are made to improve service delivery and customer experience, a sample of those recommendations are listed below:

1. Due to the pressures on front line service delivery, an extension is being sought on timelines for responding to complaints to manage customer expectations
2. All day workshop was held with the transformation team to fully understand the customer persona and amend the customer journey to reflect the learning
3. As a result of the complaints received within the housing service, a post has been created to ensure a 360-degree approach to learning and development. This includes an ongoing sample of cases being reviewed on a regular basis, with any learning shared across the team through formal training sessions, and procedures and policies updated to reflect the lessons learnt. This approach will also be taken for any complaints reviewed, any MP enquiries received and formal requests for review on applications.

The intention is for this post to provide a similar service across Environmental Health and Trading Standards moving forward.

Environmental Health

Following the review of any complaint, recommendations are made to improve service delivery and customer experience, a sample of those recommendations are listed below:

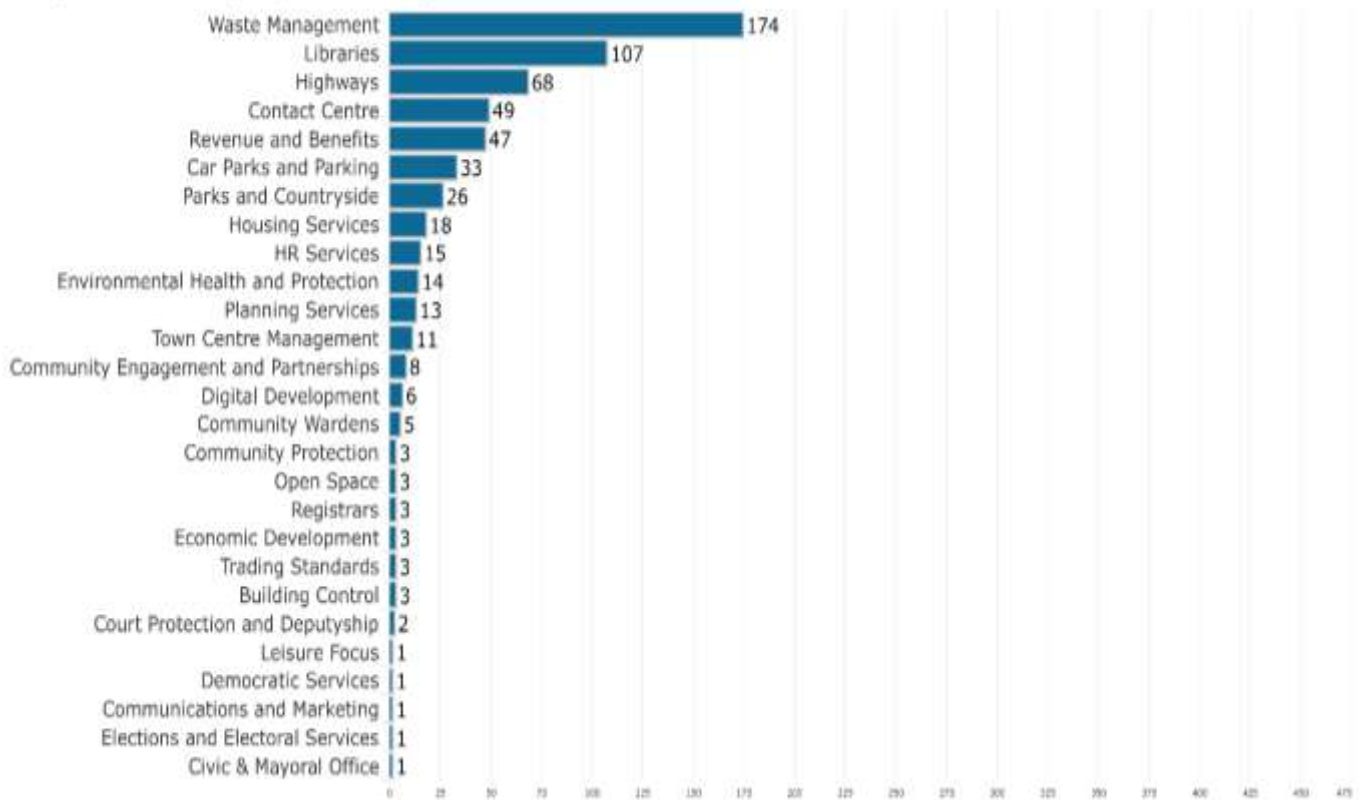
1. Amended our standard letter to residents complaining about noise to include a section on neighbourhood disputes including recommending residents call the police if their neighbour is displaying violent, threatening, harassing or abusive behaviour.
2. If a response cannot be provided within the agreed authority timelines, a holding response should be sent, explaining the circumstances surrounding any delay.
3. Complainants will be given written confirmation explaining why their noise complaint was closed.
4. All day workshop was held with the transformation team to fully understand the customer persona and amend the customer journey to reflect the learning

8. Compliments received

- 8.1. In 2021/22 RBWM Corporate services received 619 compliments which is a reduction when compared to 2020/21 (766).
- 8.2. Figure 24 sets out the volume of complaints received by teams. The team in receipt of the most compliments was Waste Management (28%, 174/619), followed by Libraries (17%, 107/619) and Highways (11%, 68/619).

Figure 25: Compliments received by teams 2021/22

Compliments received (Corporate Services)



9. Appendix A: LGSCO Annual Review 2022 letter

20 July 2022

By email

Mr Sharkey
Managing Director
Royal Borough of Windsor and Maidenhead Council

Dear Mr Sharkey

Annual Review letter 2022

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 2022. The information offers valuable insight about your organisation's approach to complaints. 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.

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.

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 agreed 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 27 July 2022. 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 your organisation, like ours, will have been through a period of adaptation as the restrictions imposed by the pandemic lifted. While some pre-pandemic practices returned, many new ways of working are here to stay. It is my continued view that complaint functions have been under-resourced in recent years, a trend

only exacerbated by the challenges of the pandemic. Through the lens of this recent upheaval and adjustment, I urge you to consider how your organisation prioritises complaints, particularly in terms of capacity and visibility. Properly resourced complaint functions that are well-connected and valued by service areas, management teams and elected members are capable of providing valuable insight about an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery.

I want to support your organisation to harness the value of complaints and we continue to develop our programme of support. Significantly, we are working in partnership with the Housing Ombudsman Service to develop a joint complaint handling code. We are aiming to consolidate our approaches and therefore simplify guidance to enable organisations to provide an effective, quality response to each and every complaint. We will keep you informed as this work develops, and expect that, once launched, we will assess your compliance with the code during our investigations and report your performance via this letter.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. We adapted our courses during the Covid-19 pandemic to an online format and successfully delivered 122 online workshops during the year, reaching more than 1,600 people. To find out more visit www.lgo.org.uk/training.

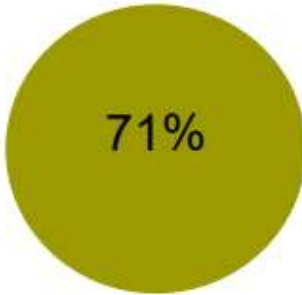
Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a stylized flourish at the end.

Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Royal Borough of Windsor and Maidenhead Council
For the period ending: 31/03/22

Complaints upheld



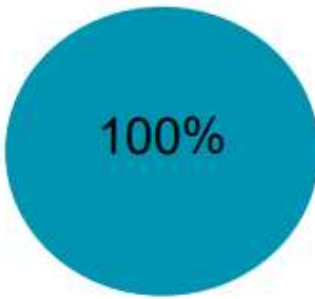
71% of complaints we investigated were upheld.

This compares to an average of 64% in similar organisations.

10 upheld decisions

Statistics are based on a total of 14 investigations for the period between 1 April 2021 to 31 March 2022

Compliance with Ombudsman recommendations



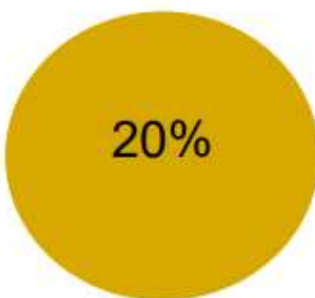
In 100% of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of 99% in similar organisations.

Statistics are based on a total of 9 compliance outcomes for the period between 1 April 2021 to 31 March 2022

- 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



In 20% of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of 12% in similar organisations.

2 satisfactory remedy decisions

Statistics are based on a total of 10 upheld decisions for the period between 1 April 2021 to 31 March 2022

10. Appendix B: Council's complaints process and procedures

The principle behind the council's complaints procedure is to ensure that every opportunity for resolution is sought through dialogue or local resolution before a complaint is submitted. Where agreement is not achieved someone has the right to complain and the complaints process has different stages dependant on the area of service the complaint is about.

Complaints made about the council's services are dealt with under three processes. The formal corporate complaints process for general council activity such as: council tax; housing; highways; communications; democratic services and so on; and the statutory adult and statutory children's processes.

The different complaint processes have different stages, however regardless of which policy a complaint is investigated under, or the outcome, the complainant still has the right to refer their complaint on to the Local Government and Social Care Ombudsman. The different stages are:

- The formal corporate complaints process contains two stages
- The adult complaints process contains one stage
- The children's complaints process contains three stages

Although customers can refer complaints to the Local Government and Social Care Ombudsman (LGSCO) at any stage, the LGSCO will not normally investigate until the council have exhausted their complaints processes.

Complaints are made by email, phone call, letter, face to face or by logging the complaint online. All complaints received, along with comments and compliments, are recorded on the council's complaints database (Drupal). The Drupal system provides for compliments and complaints to be captured by number, types, themes, postal address and timeliness of complaint.

The council's complaints policies are intended for use by service users, customers, residents, businesses and visitors or their chosen representatives, which may include councillors.

The council's complaints process is managed through one team. This means the team is independent of the two statutory adult and children's services, ensures independence from services, removes the possibility of conflicts of interest and secures impartial challenges.

Quality assurance

Effective complaint management is crucial to allow confidence on the part of complainants to submit complaints in the understanding that the council will take these seriously and respond.

When a complaint is received the complaints and compliments team focus on ensuring:

- The process for investigating the complaint is followed and on time.
- Complaint responses answer the questions asked and are clear and easy to read.
- Lessons learned and recommendations are captured to secure continual improvement – this includes one to one training/advice/meetings with relevant employees providing them with support and guidance on how best to resolve a complaint.
- Any actions or recommendations are noted on Drupal and monitored.

Complaints processes – March 2022

Incoming concern: Received via online form, email, telephone call or face to face contact. However received, all complaints are logged on the complaints database (Drupal) for monitoring and tracking.

Once logged the complaint is acknowledged within 3 working days and customer informed whether this will be taken as a complaint and if so, under which complaints process

Stages	Adult services complaints	Children's services complaints	Formal Corporate complaints	Not within the formal complaints process
Stage 1	Statutory No specific timescale but aim to respond within 10 working days. Response from Service Manager or higher.	Statutory Up to 10 working days. Can agree extension for a further 10 working days. Response from Head of Service.	Up to 20 working days. Can agree extension for a further 10 working days. Response from Head of Service.	N/A
Stage 2	N/A	Statutory 25-65 working days. Completed by independent complaints investigators and report produced. Adjudicating letter in response to report completed by Children's Director of Social Care.	Up to 20 working days. Review of stage 1 complaint and response by Director.	N/A
Stage 3	N/A	Statutory Stage 3 independent panel. Up to 70 working days. Panel of three independent members who produce a report. Letter in response to the report completed by the Directors of Children's Services.	N/A	N/A
LGSCO	Can complain to the Local Government and Social Care Ombudsman	Can complain to the Local Government and Social Care Ombudsman	Can complain to the Local Government and Social Care Ombudsman	N/A
Alternative appeal process	N/A	N/A	N/A	Customer given timescales for response

11. Appendix C: National and legislative context – March 2022

Formal corporate complaints

The council's formal corporate complaints policy is discretionary and has been developed based on the Local Government and Social Care Ombudsman's guidance 'Effective complaint handling for Local Authorities' – October 2020'.

Adult services

The council has a statutory duty, under the NHS and Community Care Act 1990, to have in place a complaints procedure for Adult Social Care services and is required to publish an annual report relating to the operations of its complaints procedures.

The Local Authority Social Services and NHS Complaints (England) Regulations 2009 introduced a single approach for dealing with complaints for both the NHS and Adult Social Care, the key principles of which are:

- Listening - establishing the facts and the required outcome.
- Responding - investigate and make a reasoned decision based on the facts/information.
- Improving - using complaints data to improve services and influence/inform the commissioning and business planning process.

Children's services

The procedure for dealing with children's statutory complaints and representations is determined by the following legislation:

- The Children Act 1989, Representations Procedure (England) Regulations 2006.
- The Children & Adoption Act 2002 and Children (Leaving Care) Act 2000 and
- The accompanying guidance 'Getting the Best from Complaints' (DfE July 2006).

Qualifying individuals are defined in national guidance as the child or young person, their parent, carer or foster carer or 'anyone who could be seen to be acting in the best interests of the child.'

Under the regulations, the council is required to produce and publish an annual report.