



Royal Borough of Windsor and Maidenhead

Annual Complaints and Compliments Report **Formal Corporate Complaints** 2022-23

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1. Introduction

- 1.1. Every year the Royal Borough of Windsor and Maidenhead (RBWM) publishes an Annual complaints and compliments report, which gives an overview of the complaints the Council has received and how they were dealt with. RBWM welcomes customer feedback, as it helps to identify and address problems for customers, and to improve services. This report, covering the period 1 April 2022 to 31 March 2023, 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. Whilst Local Authorities are required under statute to report complaints submitted on Adults and Children's services, they are not required to produce an annual report on complaints relating to corporate activities, however 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.
- 1.3. This report provides an overall summary of the contacts into RBWM, but only provides detailed information relating to the Formal Corporate complaints and compliments. A separate report relating to Children's and Adults complaints has been produced and is available here [Annual Report - 2022-23 Childrens and Adults.docx](#).

2. Summary of Council-wide activity

- 2.1. In 2022/23 the Council received 1,408 contacts from customers that were initially logged as complaints. This is a 9.5% decrease in contacts to the compliments and complaints team from 2021/22 (1,556) and reflects a continued downward trend since 2020. Contacts that were not progressed as complaints were signposted to an alternative means of resolution, for example a service request or via a specific appeals process, such as parking appeals or statutory tribunals or were withdrawn.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 complaints process was 269 in 2022/23, a decrease of 32.6% on 2021/22 (399). This decrease could reflect the number enquiries and cases being resolved directly by the Compliments and Complaints team, rather than going to Stage 1. Stage 2 and 3 complaints are escalations of Stage 1 and are therefore not counted as new complaints.
- 2.3. Table 1 summarises the total volume of complaints at Stage 1 over the year, that were recorded by the Compliments and Complaints team, these have been broken down by outcome. The table contains a comparison to 2021/22 (in brackets):

Table 1: 2022/23 Summary of complaints at Stage 1 (2021/22 in brackets)

Process	No. of complaints	Upheld	Partially Upheld	Not Upheld	No Finding	In progress at the time of reporting	Responded to within timescales
Adults Statutory	16 ↓ (22)	25% ↓ (27%)	19% ↓ (23%)	56% ↑ (45%)	0% ↔ (0%)	0%	50% ↑ (32%)
Children's Statutory	11 ↓ (13)	0% ↔ (0%)	82% ↑ (54%)	18% ↓ (38%)	0% ↔ (0%)	0%	45% ↓ (69%)
Children's Corporate	74 ↑ (62)	22% ↑ (6%)	41% ↓ (47%)	38% ↑ (35%)	0% ↔ (0%)	0%	39% ↓ (44%)
RBWM Formal Corporate	168 ↓ (302)	22% ↓ (27%)	22% ↓ (23%)	42% ↑ (40%)	3% ↑ (0%)	11%	42% ↓ (46%)
Overall	269 ↓ (399)	21% ↓ (23%)	29% ↑ (27%)	41% ↑ (39%)	2% ↑ (0%)	7%	42% ↓ (46%)

Local Government Social Care Ombudsman (LGSCO) letter

- 2.4. The Local Government Social Care Ombudsman (LGSCO) received 49 complaints and enquiries about the Council in 2022/23 (Appendix A), a decrease on 2021/22 (52).

Table 12 details the breakdown as:

Table 2: LGSCO complaints received

Service	Complaints and enquiries
Adult Care Services	3
Benefits & Tax	1
Corporate & Other Services	5
Education & Children's Services	10
Environmental Services & Public Protection & Regulation	5
Highways & Transport	7
Housing	8
Null / Other	1
Planning & Development	9
Total	49

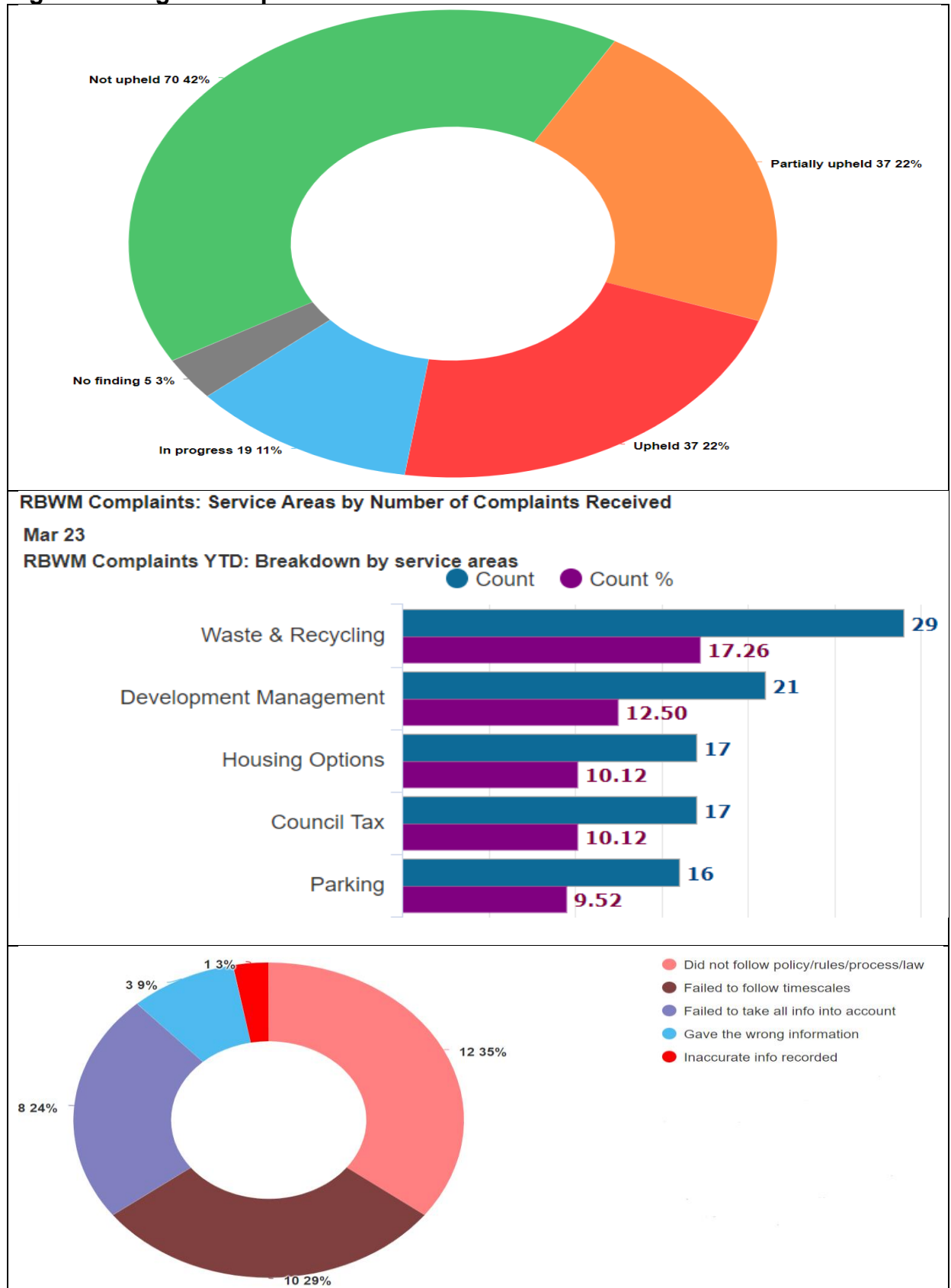
3. RBWM Formal Corporate complaints received**Stage 1 complaints received**

- 3.1. 168 Formal Corporate complaints were processed in 2022/23, which is a decrease of 44.4% (302) in 2021/22. Historically Formal Corporate and Children's Corporate complaints were reported together, however for 2022/23 these have been separated.
- 3.2. The majority of Stage 1 complaints (42%) into the Council were not upheld. Most were for Waste & Recycling at 17.26%. This was because contact is more likely to be made with the Waste and Recycling teams, as these services affect all residents in the Borough and therefore generate the highest level of contacts and subsequently

complaints – however this team also received the second highest amount of compliments see Figure 5 in Section 4.1.

3.3. Figure 1 shows the main reason for complaints was because of ‘failure to follow policy/rules/process/law’ (12.35%).

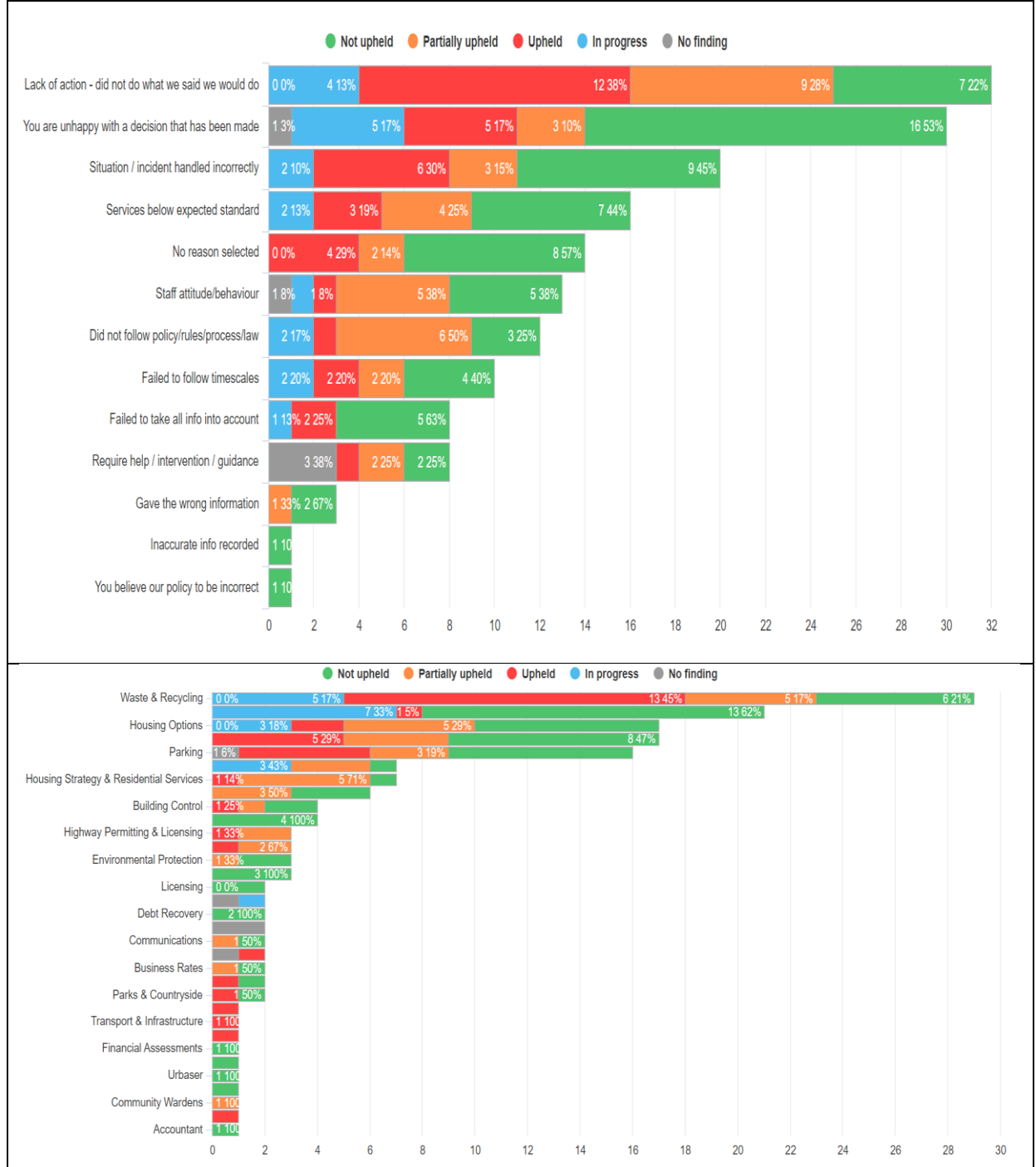
Figure 1: Stage 1 complaints received



Stage 1 Outcomes

3.4 Most complaints related to 'Lack of action – did not do what we said we would do', and this area also had the highest percentage of upheld complaints (12%). The reason for this was due to the nature of the service and most complaints are related to lack of waste/recycling collections which are then remedied following the investigation of the complaint. As detailed in Figure 2, the area with the most complaints that were upheld was Waste & Recycling (14.45%). This is again mainly to do with the nature of the complaints being missed collections which are verified and then rectified.

Figure 2: Outcomes of Formal Corporate complaints

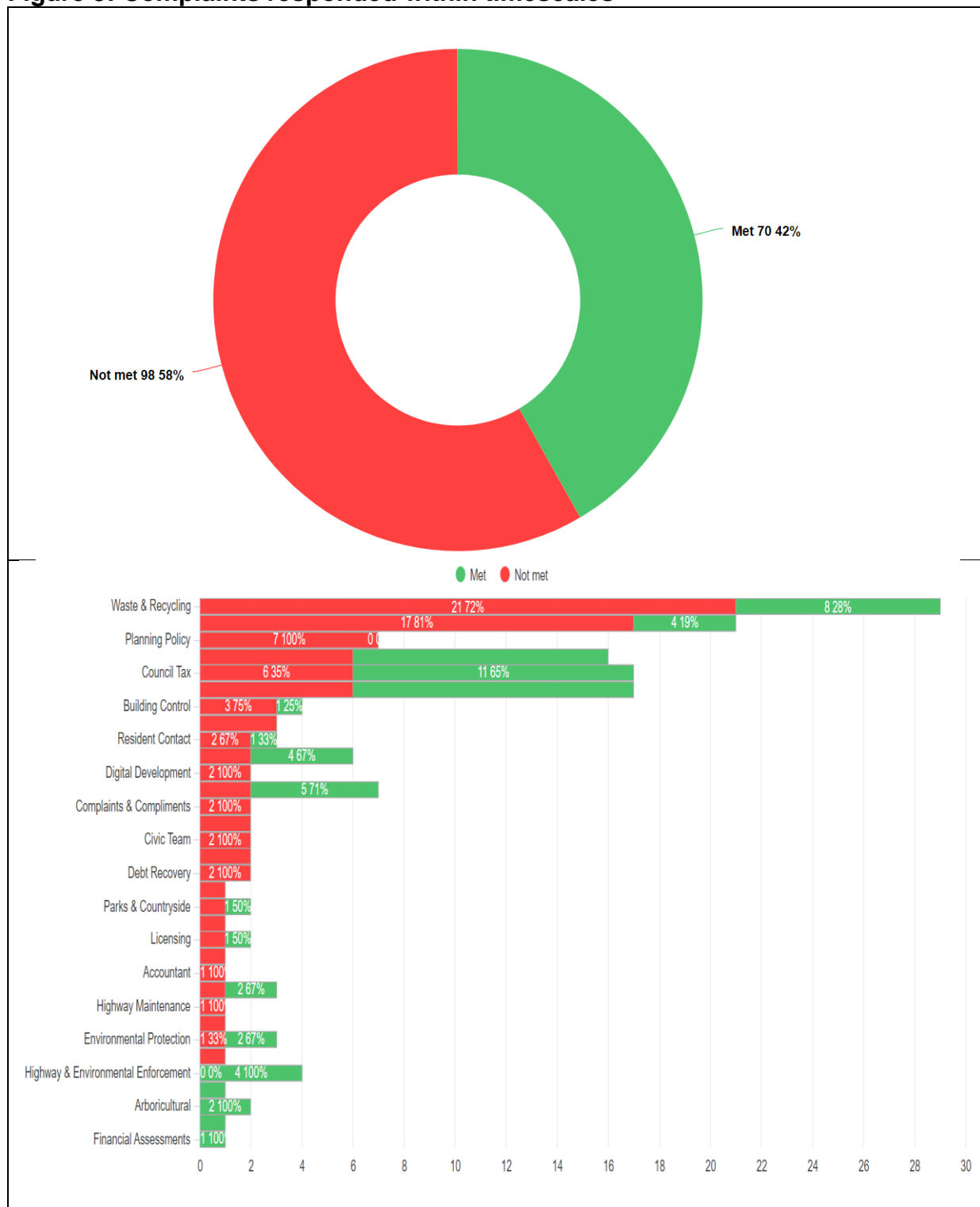


Stage 1 timescales

3.5 Timescales at Stage 1 were not met on 58% of occasions as detailed in Figure 3. The main reasons for this was due to the lack of resource in the Waste & Recycling Team.

There have been difficulties recruiting to vacant posts but we hope to address this shortly with a recruitment drive.

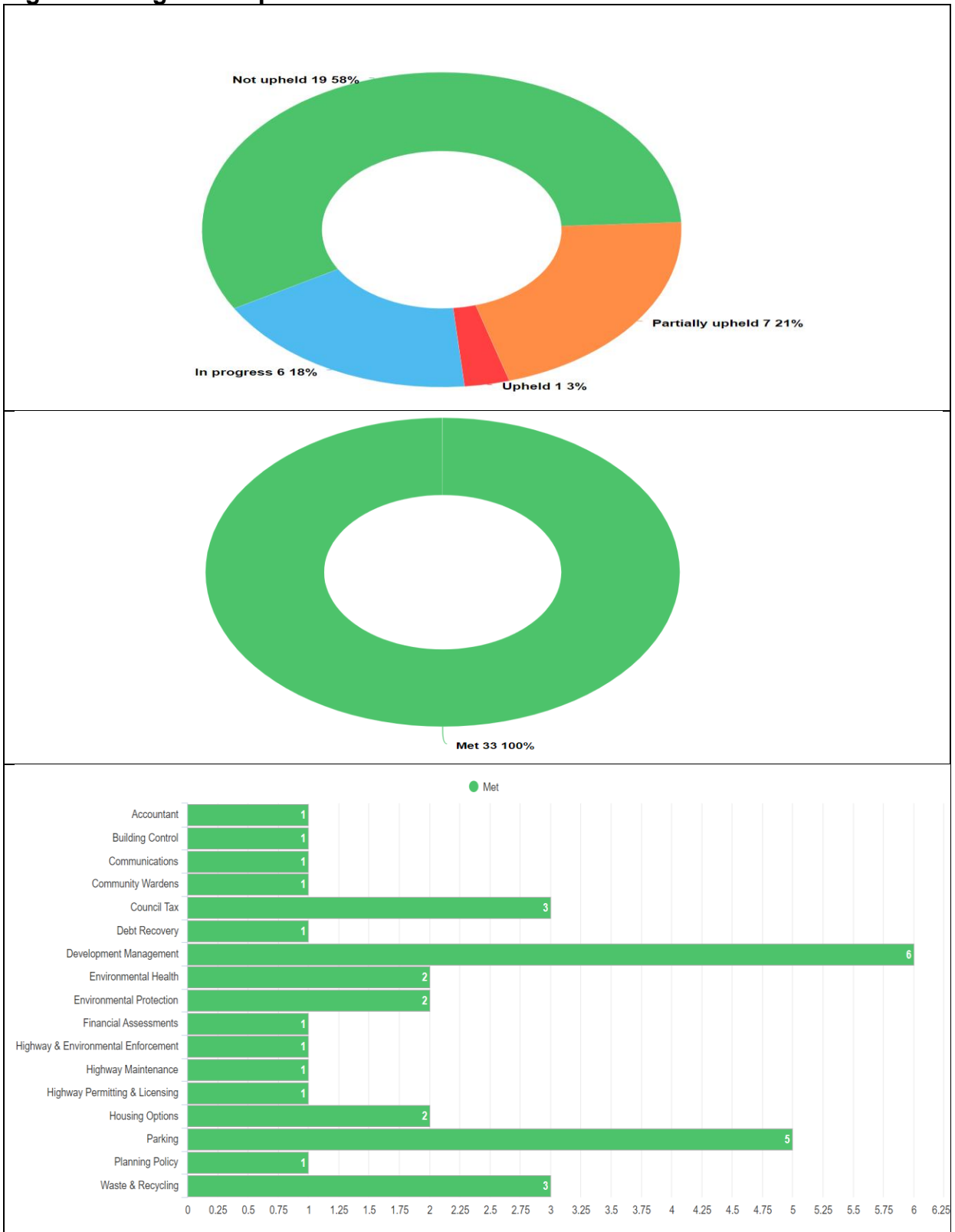
Figure 3: Complaints responded within timescales



Stage 2 complaints received

3.6. Of the 168 Stage 1 complaints, 33 were progressed to Stage 2. Figure 4 shows that 58% of complaints at Stage 2 were not upheld, and that 100% were responded to within published timescales, which is a significant improvement on 2021/22 (65%).

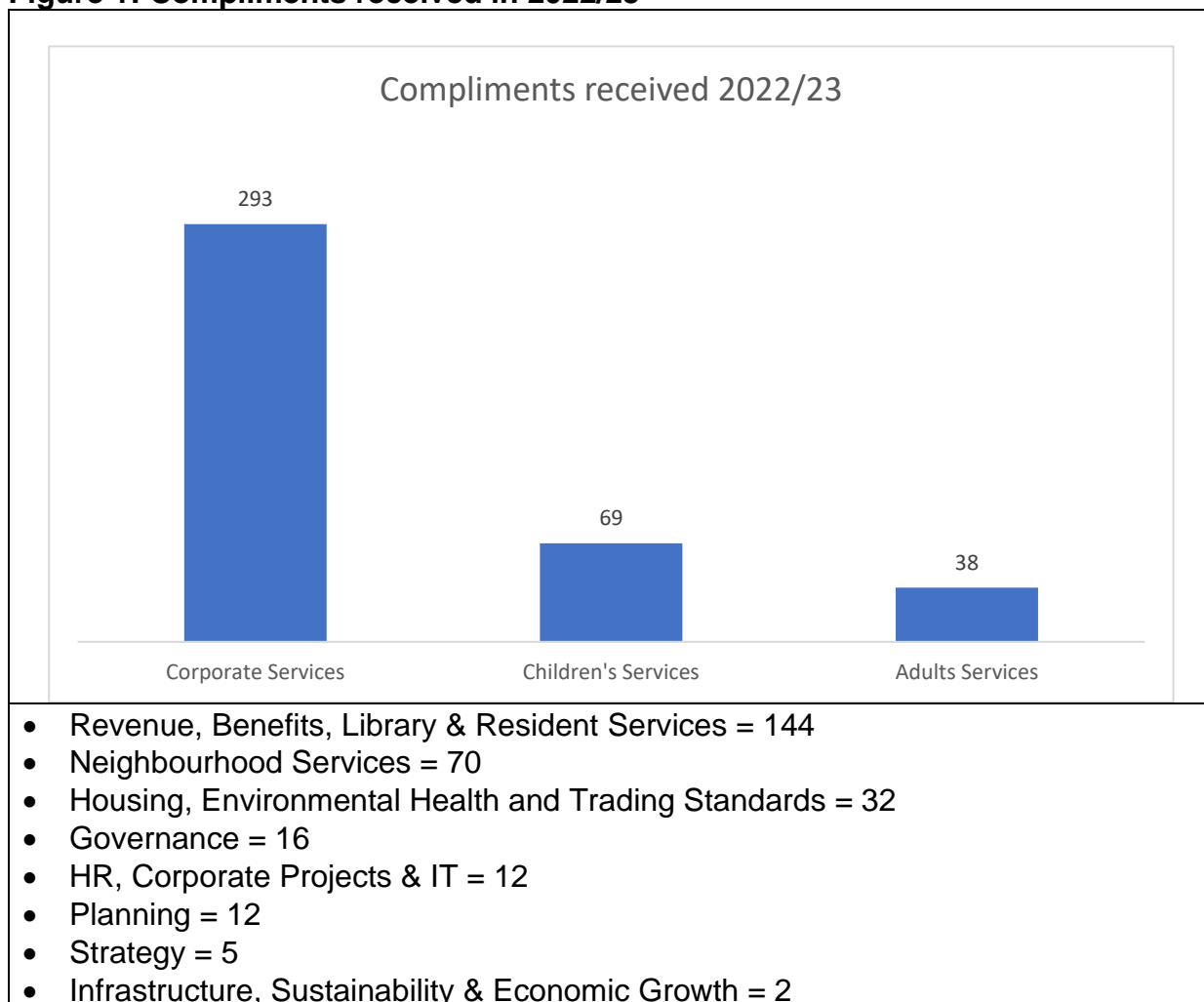
Figure 4: Stage 2 complaints received



4 Compliments received

4.4 In 2022/23 RBWM Corporate Services received 293 compliments. Figure 5 sets out the volume of compliments received and details the teams in receipt of the most compliments:

Figure 1: Compliments received in 2022/23



5 Lessons learned from complaints by Service area

5.1 An important part of the complaints process is capturing the learning and embedding good practice across the Council. Below are the learning that have been identified by various Service areas:

<p>Revenues, Benefits, Library and Resident Services</p> <p>The majority of complaints received result from recovery action taken against those liable for Council Tax, whether residents or non-resident landlords. There were a marked increase in complaints received from “freemen of the land” this year during the annual billing process with residents downloading standard documents from the internet maintaining that the council tax did not have to be paid or could be paid only in relation to selected services. Inevitably, such complaints are time consuming for senior officers therefore standard responses have now been developed to assist.</p>
<p>Planning</p> <p>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.</p>

Parking / Car parks management

The number of complaints has reduced from 33 in 2021/22 to 21 in 2022/23 which is a positive change.

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.

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. The total number of complaints has more than halved from 73 for 2021/22 to 32 for 2022/23 which is extremely positive and shows that more people are more satisfied with the service provided.

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

The Council's Housing Team deals with statutory homeless approaches, gives housing advice and where there is a statutory responsibility makes placements of homeless households into temporary accommodation. The Council's duties to the homeless are dictated by legislation and are not a matter of Council policy, the team are required by law to follow the processes laid down for them. The majority of complaints received by the service fall broadly into two categories, complaints from service users that they have not received the services they wished from the team and complaints about the quality of engagement with staff.

In respect of complaints regarding services received the team is limited to providing its services in line with the statutory requirements. This often leads to disappointment from service users who then lodge complaints that they have not received the service they expected. This is analogous to a service such as parking enforcement where complaints are received simply because the service has carried out its functions and there is no error or wrongdoing by the service. As the team must follow the legislation it is difficult to draw practical learning outcomes from such complaints as the Council must follow the requisite legislation and rules and cannot determine its own functions.

Complaints in respect of interaction with staff are usually cases where service users feel that they have not been treated with empathy or understanding or that staff have been rude or discourteous. These complaints do offer opportunities for learning and service improvement and such complaints are raised with the individual team leaders and also highlighted to staff. The Housing Service holds quarterly all-staff meetings that discuss various topics and two sessions have been held with staff as a follow up to such complaints. One session discussed the differences in perception between the service that staff thought they provided and that perceived by service users and one session dealt with the elements that made up good customer service and customer

service standards. It is planned to continue to use our complaints feedback to inform our services and further sessions will be held at future quarterly meetings.

Trading Standards

A sizeable number of complaints spanned other services areas, such as Planning and Housing. This occasionally led to a convoluted and delayed approach to complaint handling in some cases. There has been a significant reduction in resources which has impacted response times in some cases. Recruitment is being progressed to fill vacancies, including a Team Leader position.

A more sophisticated monitoring approach within the service has been put in place to review, progress, and check that complaint responses have been sent on time. Where complaints span other services areas, early contacts are made with relevant teams/service leads to coordinate a joint response. The service also works closely with the Complaints Team to monitor progress and redirect complaints to the approach team/service area.

6. Lessons learned - final summary

- 6.1. The Council welcomes and recognises the importance of complaints and all customer feedback. We use this in discussion at our leadership meetings and to help drive our services forward. Our complaints processes and procedures are regularly reviewed, and whilst found to be compliant a small number of improvements have been made. This includes the centralisation of the complaint's management processes under the responsibility of the Deputy Director of Law and Governance and Monitoring Officer. In addition, complaints data is being reviewed on a monthly basis by the Executive Leadership Team (ELT) for performance and improvement purposes.
- 6.2 These initiatives will ensure a consistent methodology to the reporting, investigation and response to all complaints made to the council. Over the next 18 months a new computer system will be procured, which will lead to improved monitoring, better performance recording and the ability to react earlier to patterns and trends highlighted within the complaints report.

7. Appendix A: LGSCO Annual Review 2023 letter

Local Government & Social Care OMBUDSMAN

19 July 2023

By email

Mr Evans
Chief Executive
Royal Borough of Windsor and Maidenhead Council

Dear Mr Evans

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.

Your organisation's performance

During the year, we [issued a public report](#) about your Council's failure to properly manage Free Early Education Entitlement after a parent raised concerns they were being charged a top-up fee. We also found the Council failed to ensure the nursery administered clear and transparent invoices. We recommended the Council should apologise and make payments to the complainant, and work with the nursery to ensure its invoices are clear and transparent. I am satisfied with the Council's actions in this case.

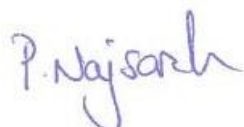
During the year some responses to our enquiries were late. These included three out of four responses from your Children's Services department and a long delay in a response from the Housing department. Investigations that are delayed can further frustrate complainants and I ask that you consider what steps can be taken to address these matters so that your liaison with us improves.

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.

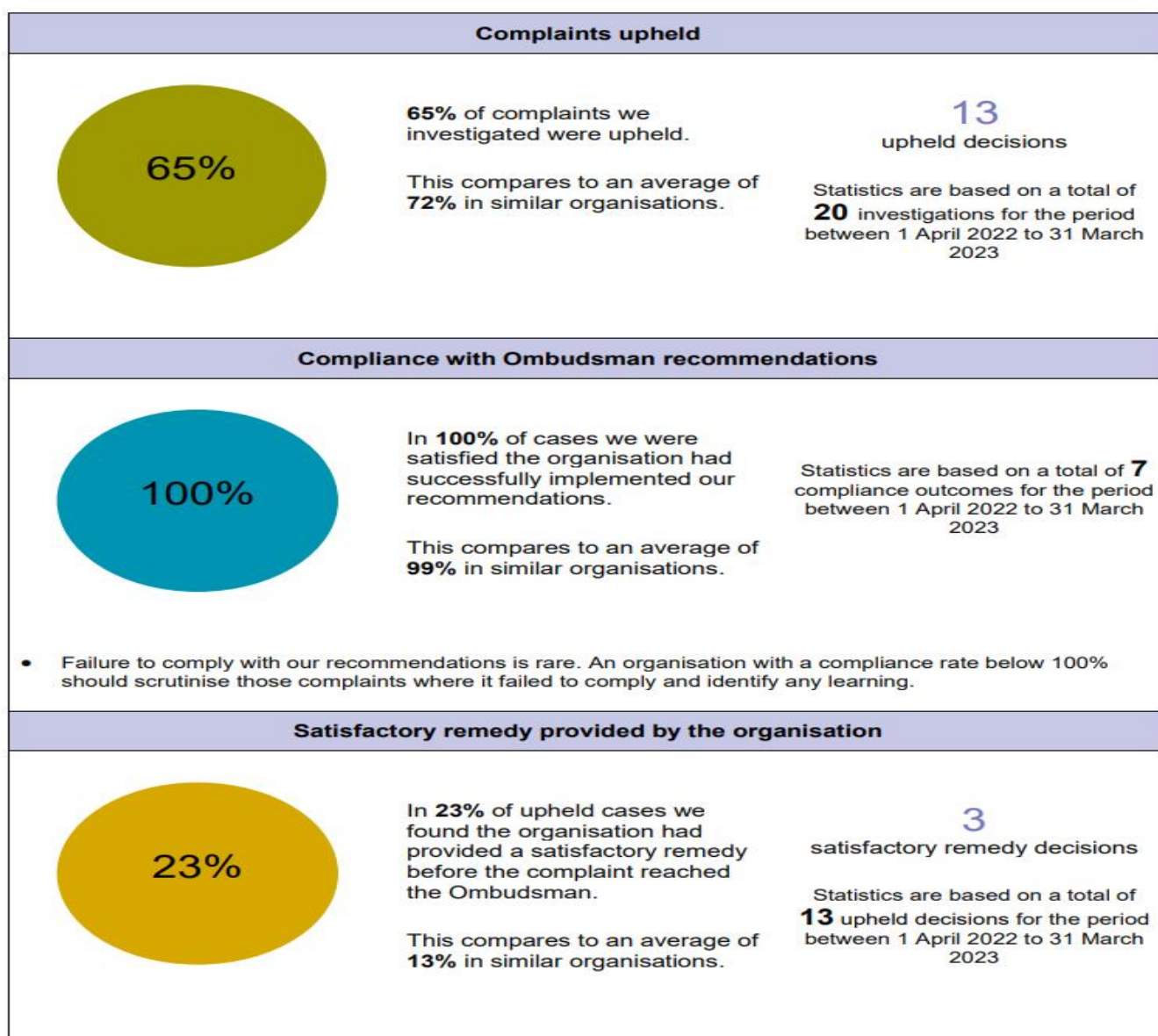
In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops 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.

Yours sincerely,



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

Royal Borough of Windsor and Maidenhead Council
For the period ending 31/03/23



8. Appendix B: Council's complaints processes

The stages of the Council's process is detailed in the table below:

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