

# STATUTORY AND CORPORATE COMPLAINTS REPORT

SLOUGH BOROUGH COUNCIL

2022-2023

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## EXECUTIVE SUMMARY

This annual report details the level of complaints received in relation to services delivered by Slough Borough Council for the last year 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023. It also looks at our key performance targets;

- 1) the number of agreed response targets met.
- 2) the number of complaints escalated after the initial response
- 3) the number of cases partially upheld or fully upheld following independent investigation by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman.

This is inclusive of both statutory functions (Adult and Children's Social Care) as well as Corporate Complaints and Housing complaints. Slough Children's First produces a yearly complaints report which will be made publicly available via their website, [Slough Children's First Complaints](#) the annual report for 2022-23 is currently awaiting senior management sign-off.

### WHAT IS A COMPLAINT?

A complaint is defined as an expression of dissatisfaction about a council service that requires a response.

In summary;

- The Council received 797 stage 1 complaints and 42 Adults Social Care complaints during 2022/2023
- 40% increase in informal complaints/ enquiries responded to, 1540 rising from 1095 in 2021/22. [Headline Figures – Complaints received](#)
- Housing Repairs continue to attract the most complaints with over 40% of the complaints being from this area [Appendix](#)
- The main root cause for complaints continue to be communication delays and quality of service [Complaint Outcomes](#)
- 69% of complaints were fully or partially upheld and is below the 74% upheld rate reported by the LGSCO, but is in line with the departmental imposed target for 2022/23 of 68%- based on the previous LGSCO upheld rate. [Complaint Outcomes](#)
- During 2022/2023 the council had 72 complaints referred to the LGSCO, 13 were investigated, 11 of which were upheld and 2 not upheld. [Referrals to the Local Government & Social Care Ombudsman/ Housing Ombudsman](#)
- The Housing Ombudsman returned 4 decisions against Slough Borough Council and upheld/ partially upheld all. [Referrals to the Local Government & Social Care Ombudsman/ Housing Ombudsman](#)
- Departments continue to ensure that learnings are identified for upheld and partially upheld complaints. ([Learning from complaints](#))[Learning from Ombudsman Upheld Complaints](#)
- The Complaints Department endeavour to record each of those learnings to run reports providing oversight and the ability to monitor and assure those actions/outcomes.

## 1. INTRODUCTION

- 1.1. The production of a complaints report is a statutory complaints requirement for adult social care to provide an overview of the complaints received and handled through the Council's statutory complaints procedure. This summary for Slough Borough Council Adult Social Care is designed to meet this requirement of adult social care and is a public document. This report provides information about adult social care complaints for the period 1 April 2022 to 31 March 2023.
- 1.2. The Local Authority has a duty to ensure that any individual (or appropriate person acting on their behalf) who wishes to make a complaint about the actions, decisions or apparent failings of a local authority's social care provision have access to the Adults statutory complaints procedure.

## 2. ADULT SOCIAL CARE STATUTORY COMPLAINTS PROCEDURE

- 2.1. The Council is required to operate a separate Statutory Complaints and Representations procedure, in accordance with the Local Authority Social Services and National Health Services Complaints (England) Regulations 2009 and the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 (hereby referred to as 'the Regulations'). Any complaint which does not fall under these requirements is considered under the Council's Corporate Complaints Procedure. All complainants that have exhausted the Council's Statutory Complaints Procedure retain the right to approach the Local Government and Social Care Ombudsman (LGSCO).
- 2.2. The LGSCO are impartial and independent and act as the final stage for complaints about the Council, Social Care Providers, Care Homes and Home Care Agencies.

## 3. ACCESSING THE COMPLAINTS PROCEDURE

- 3.1. The complaints process aims to be as accessible as possible. Complaints can be made by telephone, in writing, by email or using our online complaints form on the Slough Borough Council website. [Adult social care feedback and complaints – Slough Borough Council](#)
- 3.2. All complaints received are aimed to be acknowledged within 2 working days and we aim to respond or send an update within 10 working days. More complex complaints may be responded to within 20 working days, with the complainant being kept informed during the process.

Our principles for responding to complaints in adult social care are that all complaints are dealt with efficiently.

- Complaints are properly investigated.
- Complainants receive a timely and appropriate response.
- Complainants are told the outcome regarding the investigation of the complaint.
- An apology is given if required.

- Appropriate response is taken where necessary.
- 3.3. The Adults Social Care statutory procedure starts with an internal investigation. A response will be sent from the manager within the service area. In the majority of cases, if a complaint is upheld or partially upheld, an apology will be offered and information will be given to the complainant outlining actions the service will take to ensure the situation does not arise again for the complainant or individuals in the future. The apology would be given by the manager on behalf of the service area complained about.
- 3.4. If the complainant is not happy with the outcome of their complaint, they can refer the matter to the Local Government and Social Care Ombudsman for consideration. Representations may be made to the LGSCO at any time and any member of the public is able to complain to the Ombudsman if they feel there has been maladministration or injustice, however, the LGSCO will not normally accept the complaint until the Council has had a chance to complete the investigation internally first.

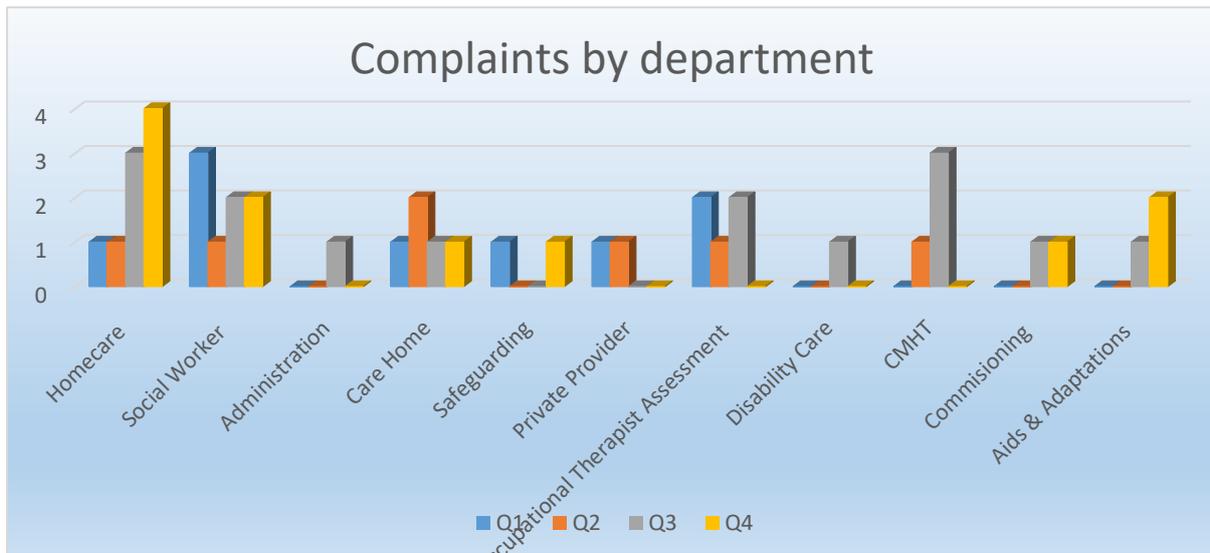
#### 4. OVERVIEW

- 4.1. Between 1 April 2022 and 31 March 2023, the Social Care Direct Team received: 11,957 contacts. In addition, Slough adult social care:
- carried out approximately 888 reviews;
  - investigated 1335 safeguarding concerns and there were 163 section 42 safeguarding enquiries;
  - supported 85 adults in residential care; 106 adults in nursing care; and 50 adults in supported living
  - provided enablement to 242 people through 357 externally purchased reablement care packages, and homecare to 464 people through 723 care packages.
  - supported over 1500 adults with a total of 2,990 care packages, including over 144 adults through direct payments, and 234 family carers.
- 4.2. The following adult social care complaints were received by the Council from service users, carers and/or their representatives. There were 42 statutory Adult Social Care complaints investigated from 1<sup>st</sup> April 2022- 31<sup>st</sup> March 2023. This represents a decrease from previous years by 5%. Table 1.below shows a representation of the statutory Adult Social Care Complaints investigated over the last 3 financial years.

Table 1. Adult Social Care complaints by tax year (2020-2023)

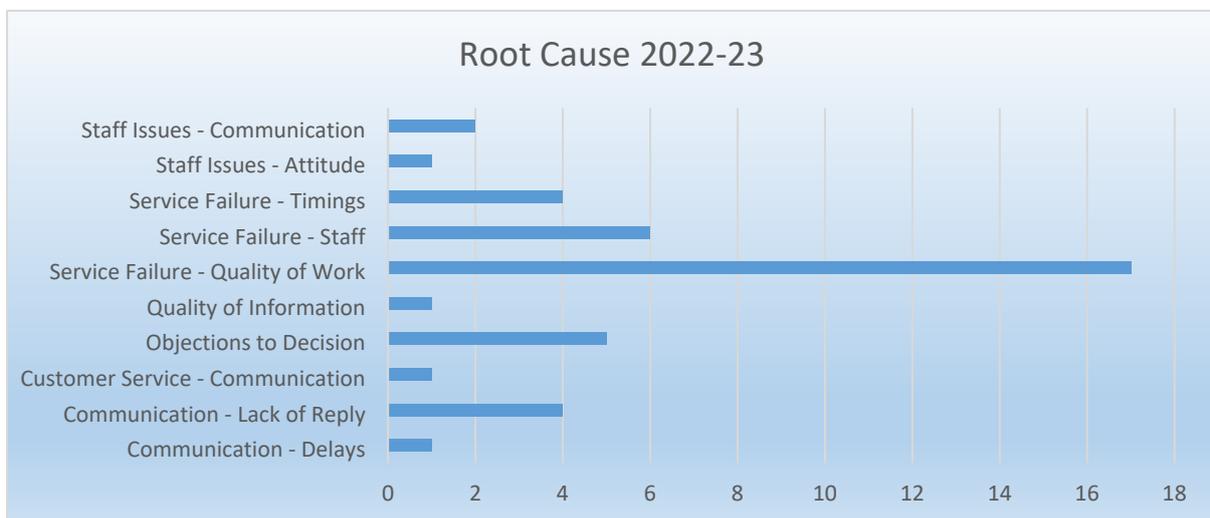
Year	Number of complaints	Percentage change (year on year)
2020-21	28	0
2021-22	44	+ 57%
2022-23	42	- 5%

Fig 4.1 Adult Social Care Quarterly Complaints by department Apr 22- Mar 23



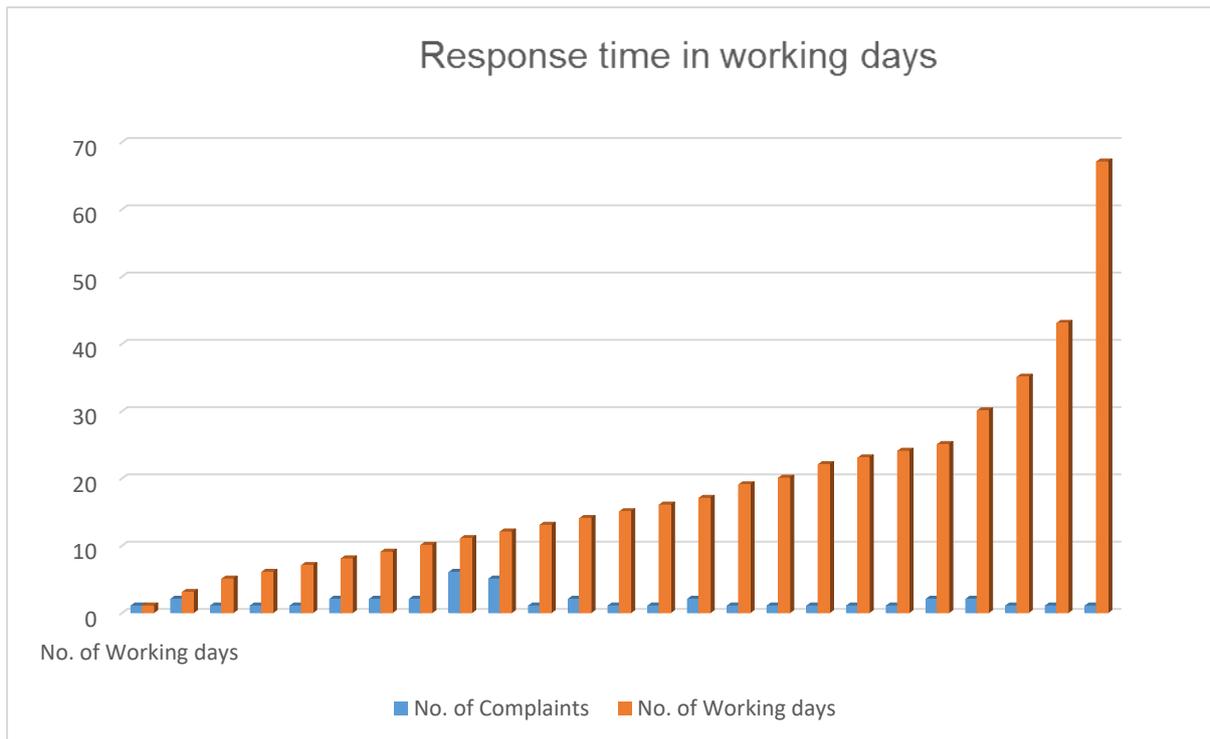
4.3. Most complaints received were in the latter half of the financial year with 26 of the complaints received during Q3 and Q4. The most complained about departments/areas were Home Care; 9, Social Worker; 8, Care Homes; 5, Occupational Therapist; 5. This is somewhat reflective of the previous years, as Homecare concerns continues to be the leading source for complaints to the service. Complaints relating to staff/social workers continues to be a relative factor and represents 19% of the 42 received. Fig 4.2 represents the trends of the complaints received over the 2022-23 period.

Fig 4.2 Complaints by Root Cause



4.4. To better understand and implement learnings to complaints it is helpful to know what triggers them being received in the first instance and thus we consider the causal factors. Although the root cause of the complaints received were varied, the main trend for complaints in 2022-2023 was Service Failure – Quality of Work 27% /12. A total of 19 /43% of the 44 investigated complaints were attributed to service factors. A further, 20% /9 were attributed to an objection to decisions made and also notable is that 23% /10 were attributed to staff related factors (attitude, customer service and communication). The remaining 14% /6 were related to communication; 5 or billing; 1.

Fig 4.3 Response time by working days (Adult Social Care Complaints)



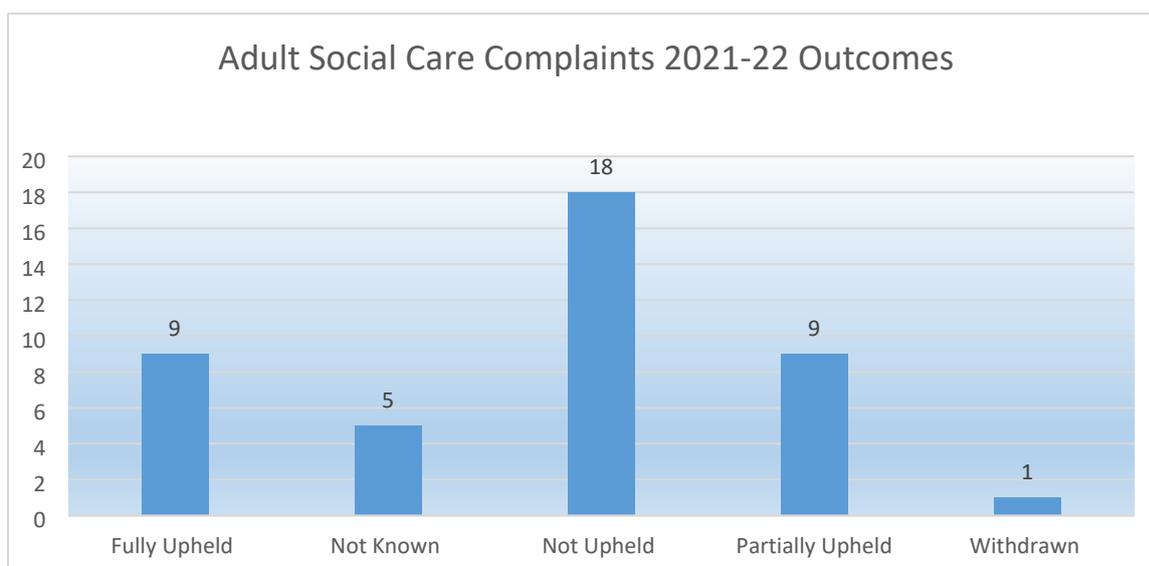
- 4.5. Of the 42 complaints investigated in 2022-23, 24% or 10 were responded to on or after 20 working days. This timing was necessary as there were complex investigations required. 5 of these in particular exceeded 30 working days with 1 needing 67 working days to be satisfactorily resolved.
- 4.6. 29%/12 were responded to by the 10<sup>th</sup> working day, with 10 of these, being responded to in under 10 working days- the council’s internal timescale for a response. Over 70% of the complaints were responded to after 10 working days, the department aims to respond to complaints within 20 working days; 76%/ 32 of the responses met this target. The average response time for Adult Social Care responses has also improved overall to 16 working days, down from 18.6 working days from in the previous year. This can be directly correlated to actions being taken to improve complaint handling and response times across the organisation.
- 4.7. There continues to be an increasing number of complaints which deal with integrated care; these are joint Adult Social Care/NHS complaints, and therefore require a multi-agency approach. This can have a detrimental impact on the Council’s performance against its internal response target as the co-ordination of responses means that the Council may be obliged to work to the Statutory Social Care and National Health Service timescales, which allow a six-month timeframe for complaints to be investigated and responded to.
- 4.8. It is however standard practice to send holding replies prior to the target response date, to inform complainants of any anticipated delays and to advise of any revised deadlines. Investigating managers maintain communication with complainants (with their agreement), informing them of progress throughout the investigation of their complaint and offering support, guidance and advice prior to formal complaint resolution.

## PROVIDER COMPLAINTS

- 4.9. Complaints regarding a commissioned service received directly by the council, are logged and processed in accordance with the statutory complaints procedure and referred to the Adult Social Care management. These are then referred to the provider to respond to the complainant; the council does however require a copy of the response to report on.
- 4.10. These do not include complaints by those who privately arrange their care and are therefore able to complain directly to the care provider and/or Local Government & Social Care Ombudsman.
- 4.11. There were no complaints received in the last year relating to the service and communication of care providers, however two were recorded in the previous year.

## COMPLAINT OUTCOMES

Fig 4.4 Outcome of complaints (Adult Social Care)



- 4.12. Fig 4.4 shows that 18 of the complaints received in 2022-23 were fully/ partially upheld, this represents an 8% drop on the previous year where 50% were fully/partially upheld. It also indicates that the authority's actions pertaining to these complaint in several instances was appropriate, thus being unable to accept fault. 42%/18 were not upheld and 11% /5 closed with no defined indication as to whether upheld or not. 1 complaint was withdrawn.

## LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN COMPLAINTS

- 4.13. A complainant reserves the right to refer their complaint to the Local Government and Social Care Ombudsman at any time. However, in most instances, the Ombudsman will seek to ensure that the Local Authority has been provided with the opportunity to respond to the complaint in accordance with the Council's statutory complaints process.

- 4.14. Slough Borough Council received 5 Adult Social Care enquiries & complaints from the Local Government & Social Care Ombudsman in 2022-23; 1 was classed as premature and the remaining 4 upheld. (see section 7 of this report for further details)

## 5. CORPORATE COMPLAINTS

### COMPLAINTS PROCESSES

- 5.1. Slough Borough Council have 3 complaints procedures they work under. These are Corporate, Social Care and Neighbourhood Services. Children's Services complaints fall under the responsibility of Slough Children's Services Trust.

### CORPORATE PROCESS:

- 5.2. **Stage One:** The complaint will be sent to the manager of the service that is being complained about.

**Stage Two:** The stage two complaint needs to be in writing, stating which aspects of the previous response they are not happy with and what more they think we should do. This will then be sent to the relevant service lead or director for a response.

**Stage Three:** If the customer remains unhappy with their stage 2 response, they can ask for the chief executive to review and respond to their complaint.

- 5.2.1. Complainants who are unhappy with the internal complaints process are entitled to seek a further review by contacting the Local Government and Social Care Ombudsman (LGSCO) or the Housing Ombudsman.

### NEW COMPLAINT PROCESS

- 5.3. From the 14<sup>th</sup> August 2023, the council has implemented a new two stage Corporate Complaints process. Corporate Complaints addressed and informed on, in this report relate to the previous three stage corporate process only.

**Stage One:** The Council will nominate an appropriate officer to respond to the complaint.

**Stage Two:** The stage two complaint needs to be in writing, stating which aspects of the previous response they are not happy with and what more they think we should do. This will then be sent to a more senior manager to respond, in most cases this be the service Director or a designated officer.

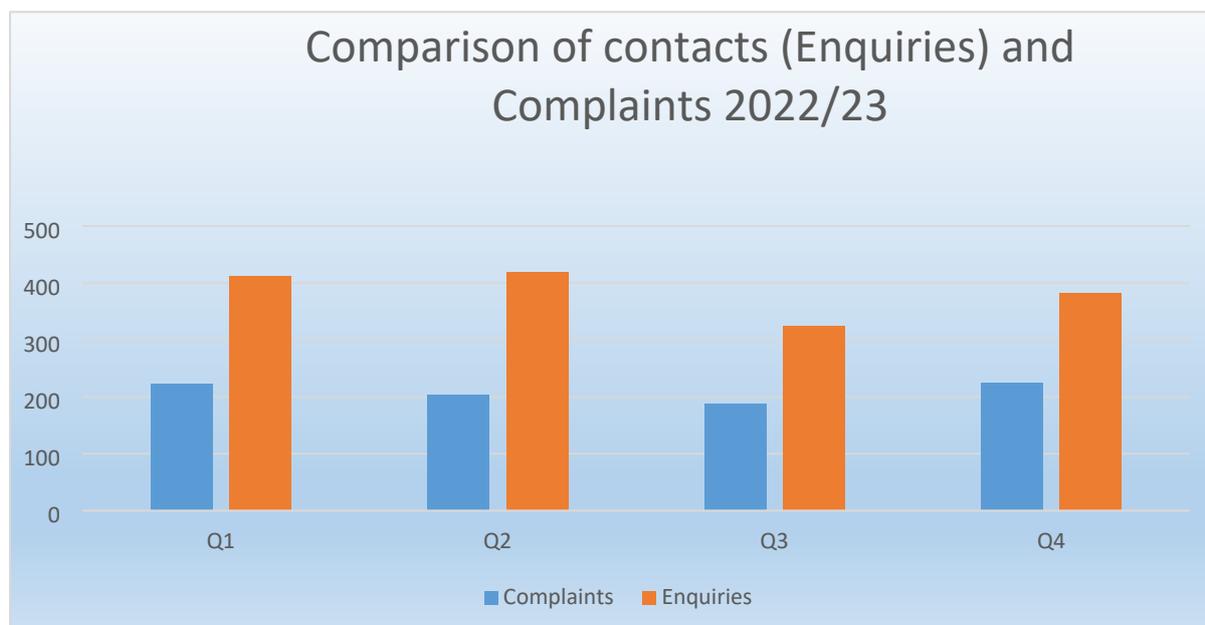
- 5.3.1. Complainants who are unhappy with the internal complaints process are entitled to seek a further review by contacting the Local Government and Social Care Ombudsman (LGSCO) or the Housing Ombudsman.

### HEADLINE FIGURES – COMPLAINTS RECEIVED

- 5.4. In the period 2022/23, 2,395 contacts were received via the Complaints team from the public; to express dissatisfaction with the services they had been provided. Of these, 854 were formally investigated via the complaints process, with the remaining 1,540 being handled as service requests (enquiries) through early resolution. This equated to 64% of all contacts received.

5.5. We are continuing to see a variation in the number of contacts being resolved informally to the customer's satisfaction, with 344 (22 %) of these being related to Revenues and Benefits. This high volume of contact/enquiries being resolved informally confirms that there needs to be a continued focus placed on early resolution of cases. The following graph Fig 5.1, shows the total number of complaints received in 22/23; the number of contacts received in 22/23 and the number of those contacts entering the formal complaints process.

Fig 5.1 Contacts/enquiries and complaints by quarter 2022/23



5.6. Tables 2 and 3 below shows a three year “like for like” comparison of complaints received by the Council but excludes complaints relating to Slough Children’s First. Complaints usually have to go through each stage of the council’s complaints process, though in some cases, may be dealt with at a later stage; usually at the direction of the Local Government & Social Care Ombudsman.

Table 2. Complaints by Tax year (2020-2023)

Year	Number of complaints	Percentage change (year on year)
2020-21	701	+5.7% (Previous year recorded 663 complaints)
2021-22	898	+ 28%
2022-23	839	- 7%

Table 3. Complaints by stages (2020-2023)

	2020/21	2021/22	2022/23
Stage 1	701	898	839
Stage 2	62	74	77
Stage 3	7	3	5
Total Complaints handled	770	975	921

5.6. The number of complaints handled has decreased by 7%, this is likely as a result of smarter approaches including redirecting request such as an appeal to the appropriate channels in the first instance, improvements in response timings of enquiries has also contributed to this. Of the 839 Complaints investigated, 77

progressed to a stage 2 and only 5 of these progressed to a stage. Figure 5.2 shows the number of complaints received at each stage of the process, whilst Figure 5.3 below shows how this is reflected as a % of the total complaints received for each department/area.

Fig 5.2 Complaints by stages 1<sup>st</sup> April 2022-31<sup>st</sup> March 23

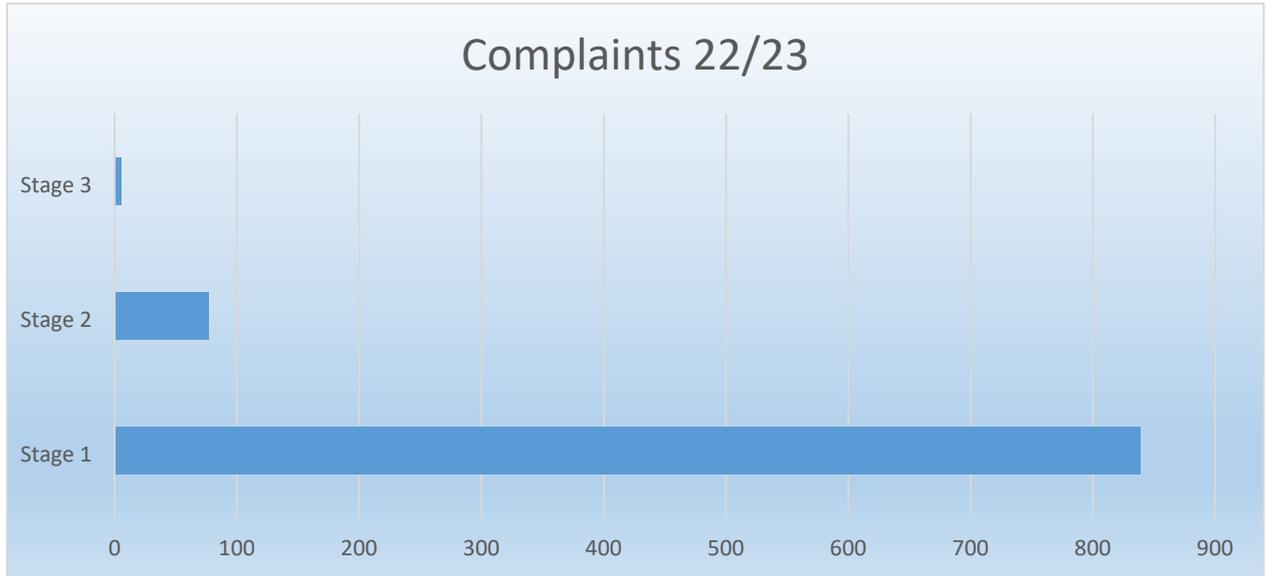
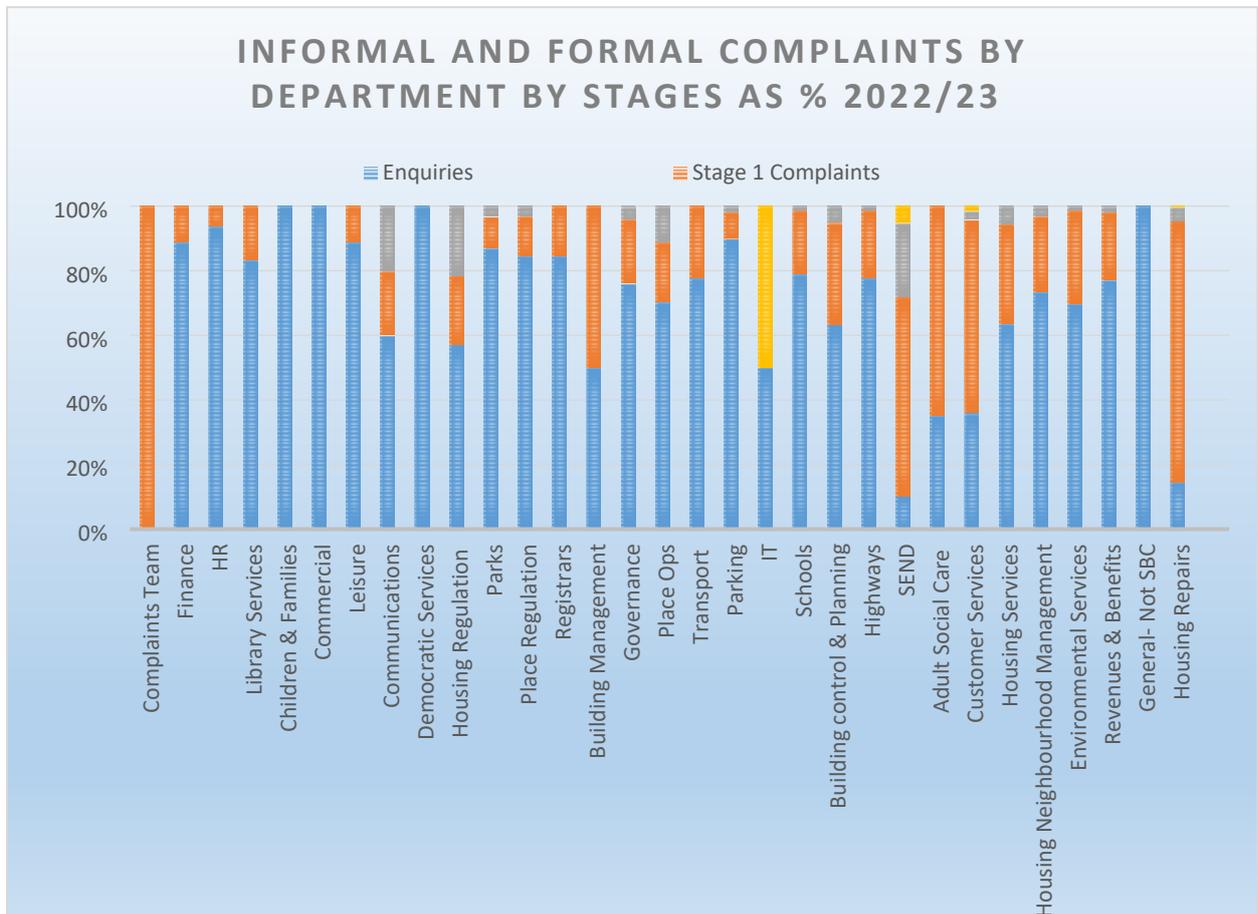


Fig 5.3 Informal and Formal Complain by Department and stages as % 2022/23

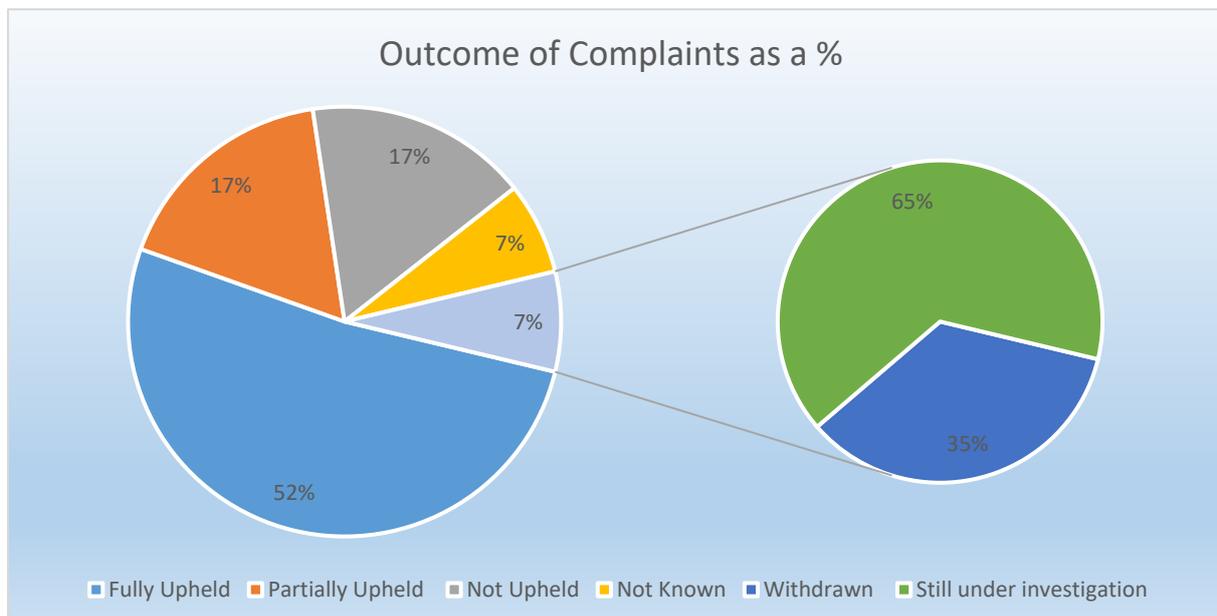


- 5.7. For all services, complaints which have been found to be either fully or partially upheld, have been analysed further to determine if there are any common factors which can be improved for future service provision. It is these cases that are now being used to make recommendations to services, on areas which require work and improvement. Appendix A shows a breakdown of complaints received by departments and highlights the areas which received the most complaints within the period 1<sup>st</sup> April 2022- 31<sup>st</sup> March 2023. Areas which received the most stage 2 complaints were Housing Repairs; 19, SEND; 9, Housing Services; 9, Housing Neighbourhood Management; 8 and Revenues & Benefits; 8. The standout in this list is SEND when considered that the other areas received significantly more complaints at stage 1 comparatively. Slough have been particularly impacted by the national shortage of Educational Psychologists. This has created unprecedented delays in finalising plans and has contributed to an increase in complaints being escalated to the next stage following the initial response at stage 1, two of these also progressed to stage 3. The LGSCO in their recent annual review has recognised that this difficulty in recruiting educational psychologists - a key requirement of the EHC plan statutory process, is a national issue with similar difficulties being seen across large areas of England.
- 5.8. Appendix A, shows that more than 40% or 345 of the complaints received in the period 1<sup>st</sup> April 2022- 31<sup>st</sup> March 2023 were relating to **Housing Repairs** and remains the highest complained about area. Of these, 193 or 55% of the 345 complaints received for this area, had a causal factor which centred on delays to either communication or service, and a further 28%/ 97 were attributed to the quality of work completed. 81% /279 of all complaints received for this area were fully or partially upheld. This is significantly higher than other departments, however work is being done to address the upheld rate in this area through quality monitoring. Complaints relating to damp more than doubled from 23 recording in the previous year to 51. A high profile case from Rochdale, resulting in the tragic death of a child from exposure to severe damp and mould reported on in November 2022 has brought this into greater focus and have encouraged residents to escalate their concerns around this matter. As a result, an open letter was sent by the Housing Ombudsman on the 30<sup>th</sup> November to all Social Housing landlords referencing this case and providing tips and suggestions for tackling this issue, the housing department have since written to all tenants providing them a specific route to report their damp and mould concerns to better facilitate the management of these repairs.
- 5.9. **Revenues and Benefits-** the second highest area to have received complaints saw 54%, 50 of the 93 stage 1 complaints being fully or partially upheld, again the root causes centred on communication or service delays. Although 28% of these were also in objection to the decisions made or the quality of work completed. Complaints for Revenues & Benefits decreased significantly this year by 43 which is a representative 31% decrease, conversely the number of informal complaints/enquiries for this area increased from 184 to 344 an increase by 87%. This largely relates to the Energy Rebate scheme introduced by Central Government and managed through Local Authority's Council Tax function. It required payments of £150 to be made to eligible households in council tax band A to D in response to rising energy bills. The money was paid to around 49,000 Slough households, which represents 89 per cent of all the borough's homes.

- 5.10. **Environmental Services-** Having received 8% of the stage 1 complaints over the last year, as anticipated the main causal factors unlike other areas mentioned were with reference to the quality of service being received with 50% of their complaints being as a result of this. From the 1st December 2022 the department introduced a change to green waste collection, which required registration and payment to join; this saw an influx in enquiries relating to this matter and contributing to an almost twofold increase by 92% of enquiries for this area from 84 to 161. The following chart shows the overall outcomes of all formal complaints in 2022/23.

## COMPLAINT OUTCOMES

Fig 5.4 Outcome of complaints (1<sup>st</sup> April 2022- 31<sup>st</sup> March 2023)



- 5.11. The above chart shows the final outcome after the investigation has been completed and response sent. This is separated into the above categories. Upheld complaints are complaints that have been found to be true and correct. Withdrawn complaints are complaints that the complainants have decided they no longer wish to pursue. Partially upheld complaints are those the investigation has been found to be partially true and correct. Not upheld complaints are those the investigation found to be incorrect or untrue. Not known are complaints for which an outcome cannot be disclosed (staff related complaints).

- 5.12. There were more complaints upheld this year than in previous years reported, with 52% of the complaints investigated in the period that this report covers being fully upheld compared to just 17% being not upheld. A further 17% were partially upheld and 2% withdrawn. Like many other local authorities, our focus over the last year has been to do the most we can with the resources we have, as a result, we are less likely to carry out investigations on requests which are not clear dissatisfaction of service. This allows for a more sustainable work approach, the changes means that our uphold rate has increased seven percentage points from last year to 52%. A total of 69% of the complaints received was partially/fully upheld and is below the uphold rate of 74% reported by the Local Government and Social Care Ombudsman for the same period. The Ombudsman's yearly

report also confirms that this is an increase in their uphold rate for complaints investigated by them of 7 percentage points.

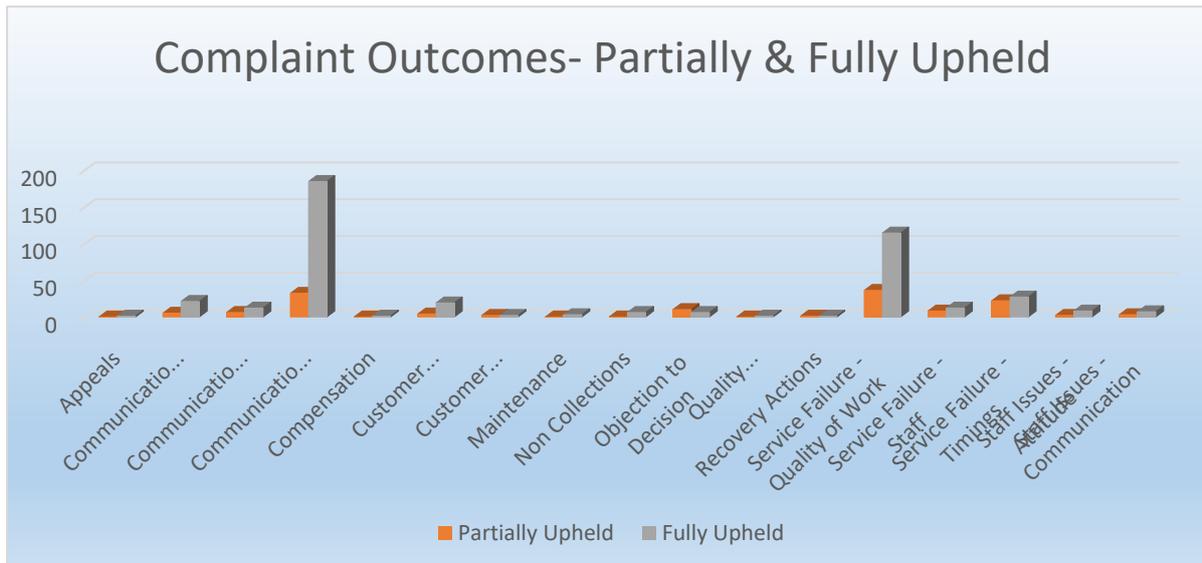
- 5.13. Of the 77 Complaints that were escalated to stage 2, 18 were fully upheld and 22 partially upheld; this represents a total of 40/ 52% of the 77. 28 of the remaining were not upheld and 3 were closed as not known and 7 are still under investigation.
- 5.14. Of the investigated stage 3s for which there were 5, 3 were fully (1) or partially upheld (2), 1 not upheld and the other still under investigation.

Table 4. Root Cause of Complaints

Root Cause/ Reasons for Complains	Number of Complaints
Appeals	1
Communication – Delays	38
Communication - Information Given	32
Communication - Lack of Reply	297
Compensation	2
Customer Service - Communication	27
Customer Service - Staff Issues	6
Maintenance	4
Non Collections	7
Objection to Decision	56
Quality of Information	3
Recovery Actions	5
Service Failure - Quality of Work	209
Service Failure - Staff	30
Service Failure – Timings	72
Staff Issues – Attitude	24
Staff Issues - Communication	26

- 5.15. The causal factor of the complaints received highlighted above, demonstrates that greater work needs to be done to address the lack of, and delays to communications, as well as delays to service delivery. Another outlier and area for improvement is with the quality of work and remains consistent with the previous year. The following shows where fault was found in complaints that were upheld and the founded aspects of those complaints partially upheld, which reflected the established trend noted above.

Fig 5.5. Complaint Outcomes- Partially and Fully Upheld (2022-23)

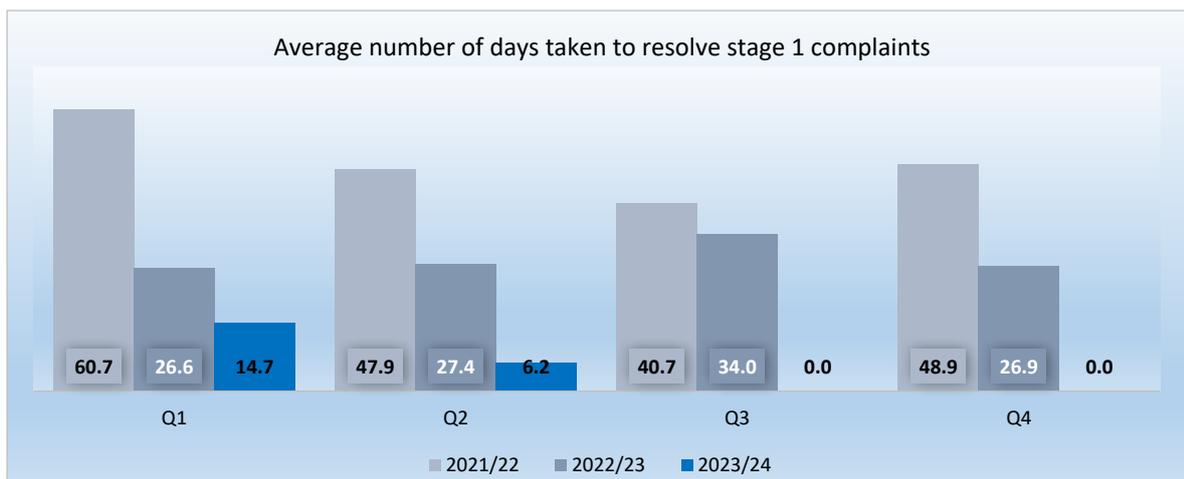


- Delays & Timeliness- Most complaints relating to timeliness have been Upheld. This category relates to the time taken to carry out a service. The Council always seeks to avoid delays in service delivery however as many of the services we undertake are demand led, this is not always possible. Although each service would seek to prioritise more urgent areas or ensure the most urgent cases and people with the highest levels of need are prioritised, this can understandably still be dissatisfying for members of the public whose concerns are not prioritised.
- Communication- A high number of complaints due to lack of communication have been Upheld or Partially Upheld. These are generally between officers, teams or departments within the Council. Where it is established, the council accepts fault and both acknowledge and apologise for any inconvenience caused.
- Quality- These complaints relate to services provided directly by Council staff or relate to the quality or conduct of staff employed by service partners. Quality issues within any area services are addressed through the relevant line managements. Quality issues with provider services are addressed through the Council's contract management procedures.

#### RESPONSE TIMES OF COMPLAINTS

5.16. The target for responses across the organisation is 10 working days, however the nature and complexities of some enquiries/complaints means that this is not always met. A concerted effort has however been placed on improvements to response times organisationally, resulting in a steady increase in response times being reflected. The response time for informal complaints over the last year was 9.3 working days with approximately 77% 1193 of the 1540 informal complaints being responded to by the 10<sup>th</sup> working day.

Fig 5.6 Average number of days to resolve stage 1 complaints by quarter (2021-2024)



## 6. LEARNING FROM COMPLAINTS

6.1. Slough Borough Council welcome and recognise the importance of complaints and all customer feedback. Departments are required to follow through changes resulting from complaints within their areas, recording these and reporting on the outcome and actions taken. Part of the complaints process is that learning is requested on fully/ partially upheld complaints which becomes part of the complaint file. Performance meetings are convened quarterly to review and discuss complaints response times, key themes and shared learning from complaints. This has enabled stronger engagement with the areas that log complaints. It is important that lessons are learnt and improvements made from complaints, with this in mind two regular items on the agenda for the quarterly Complaints Performance meeting are key learning from complaints and data entry review- ensuring informal/ formal complaints are appropriately recorded.

6.2. Any learning or training needs identified are followed through with relevant actions to be implemented to prevent further occurrences. Below are some identified themes, where learning was drawn.

Table 5. Identified themes and actions from learning.

	Theme	Actions
People	Issues relating to the behaviour or conduct of a member of staff	Formal reflections completed with staff, conducted additional training where a need was identified. Expanding capacity within teams and improving/ adjusting resource allocation. Provided staff with reminders both individually and in team meetings/121s, Reminded staff of Standard Operation Procedures (SOP) and expectations when communicating with members of the public. Improved management of customer expectations and customer care priorities.

Procedures	Changes to current procedures and working practice as a preventative measure	Changed working practice, Amended procedures. Implementing transitional arrangements. Implement systems for formal review.
Process and Performance	Issues relating to performance and processes	Reviewed existing processes and made amendments/improvements or implemented new processes.  Accepted/Acknowledged when fault was found with any of our processes and remedial steps taken to ensure that this isn't repeated, with an established learning shared departmentally.  Monetary compensation in some instances where multiple failings were noted. Partnership working with other LAs for best practice/guidance
Provider	Work with providers/ partners to review working practices, policies and contract compliance where applicable	Reported findings to providers (e.g. Enforcement Agents, Care Providers), reminded them of expected SOPs Monitor quality and care being provided by a specific care provider. Improvement to Contract management through increased communication and engagement, (Osbornes)

#### WHAT HAVE WE LEARNT?

Some specific examples of these learnings in action as it pertains to individual departments are listed below;

- 6.3. **Osbornes-** As a result of increased complaints relating to damp and mould, it became necessary for the reallocation of resources to respond to these concerns. Osbornes are continuing to take steps towards improving complaint response through the hiring of complaint handlers as well as a specific multi-skilled operatives. The team continues to meet weekly to discuss outstanding cases, with increased communication and refresher training to individual teams where training needs are identified or highlighted.
- 6.4. **Revenues & Benefits** - Where administrative delays were established, fault was acknowledged and the teams reminded of the need to ensure issues are fully investigated and resolved when identified and to escalate these, where unable to resolve individually. The focus has been on embedding the learnings from the previous year which has helped to reduce the number of complaints for this area by 30%.
- 6.5. **Environmental Services-** Having received and responding to several informal and formal complaints relating to missed recycling bin collections, as a result of rejections due to contamination (when items that cannot be recycled are placed

in the recycling bin). Slough residents produce too much waste and have the lowest rates of recycling in the country. This needs to change to enable us to meet targets set by government and reduce costs to the council. Therefore, the focus over the last year 2022/23 has been on educating residents on what can and cannot be recycled to help improve our recycling rate, as well as engaging more with landlords and management companies on flat premises to ensure waste management standards are maintained and recycling promoted. In addition, a Green waste subscription scheme was launched in November 2022. Following several concerns at the initial stages of launch, the administration was taken back in house and given to the back office team as delivery of stickers and correspondence by independent company was not reliable.

- 6.6. **Transport-** It has been noted that there needs to be an improvement in how some enquiries are directed when an online form is completed for the wider area of Transport and Highways; this creates delays to responses of an initial service requests and results in increased complaints; the teams are currently working on changes to online form routing in collaboration with the Web management team.
- 6.7. There remains a concern of a lack of capacity in some areas and work continues to be done on improving transparency in communication and managing resident expectations in their interactions with residents. This has meant that these key departments had to be clear on the significance of resource prioritisation in addressing the most problematic areas or concerns. Organisationally work is being done towards channel shifting and encouraging residents and customers to utilise available self-serve options as well as being clearer on what constitutes a complaint as some matters have stipulated processes that must be followed.

## 7. REFERRALS TO THE LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN/ HOUSING OMBUDSMAN

- 7.1. Complainants who remain dissatisfied with the response to their complaint at local resolution level were able to request an independent review to be undertaken by the Local Government and Social Care Ombudsman. After receiving a final response from the council, complainants are advised to contact the LGSCO if they remain unhappy. In 2022/23, the Local Government and Social Care Ombudsman made 72 decisions regarding Slough Borough Council and can be shown in the table below. The Housing ombudsman has investigated and fully/partially upheld 4 complaint against the council.

Ombudsman	Investigated	Upheld	Not Upheld	Not Investigated
LGSCO	13	11	2	59
Housing Ombudsman	4	4	-	-

- 7.2. Complaints not investigated by the LGSCO include those; sign-posted (6), closed after initial enquiries (24), incomplete or invalid (4) and referred back for local resolution (25). One complaint investigated by the Housing Ombudsman can be considered as Partially Upheld based on their determination letter.

## LEARNING FROM OMBUDSMAN UPHELD COMPLAINTS

7.3. Through the complaints investigated and upheld by the **LGSCO**, highlighted below by area/department.

- Adult Social Care

In a case which resulted in a public interest report and a subsequent cabinet report being issued dated 21.11.22 learning actions which were implemented.

- End the DFG Minor works waiting list and process applications for all those list in line with the statutory timeframes.
- The Council must complete its review of the DFG policy, taking account of new non-statutory guidance "Disabled Facilities Grant (DFG) delivery: Guidance for local authorities in England".
- The Council should ensure any future policies do not include any local priority systems intended to, or with the effect of, managing demand or creating waiting times beyond the statutory timescales. It should also ensure any future policies are approved by Cabinet, having been through legal and financial officer clearance.
- The Council reviews its arrangements with local housing associations to ensure that works to these properties can be undertaken in a cost effective and timely manner.

Additional learning/recommendations from adult social care investigated cases included;

- Improvement in working practices required – enhanced note taking and picking up on such a situation between teams when teams are formally discussing cases. Overall, to ensure we do not miss situations of this nature again.
  - Reminders issued to staff that; where the Council has decided an individual has eligible care and support needs, it has a statutory duty to ensure the care and support set out in their care and support plan is provided; and statutory guidance and Council policy says the Council should not force people to use direct payments to arrange care themselves against their will. Discussed at 1:1's, team meetings.
  - Copy of LGSCO's final decision on file so relevant Council staff who would be responsible for arranging any future relationship with the specified Care Provider are aware of its failure.
- Council Tax/ Fraud
  - Formalising the procedures for communication between different teams within the council; reviewing the approach to high value amendments to council tax accounts, and a review of the operating procedures of the counter fraud team.
  - Council tax to ensure that staff are reminded to contact and make arrangement/s with residents for large sums of outstanding debts, prior to making any direct debit deductions.
  - Fraud team to reminded staff to use professional language when discussing potentially sensitive issues.
- Home to School Transport & SEND
  - Home to School Transport staff and panel members to undertake refresher training on how to assess applications made on the grounds of SEN and mobility needs.
  - Ensure all decision letters set out the rationale by reference to the representations and evidence gathered about the child's SEN/mobility/disability needs.
  - Identify the reasons for the delay in issuing the final Education Health and Care Plan and take action to prevent recurrence.

- Environmental Services
- The Council has agreed to change its procedures to ensure it keeps records for more than 30 days of when it maintains hedges on land it is responsible for.
- A request for website to be updated regarding information on the removal of drug paraphernalia on privately land.

7.4. From the complaints investigated and upheld by the **Housing Ombudsman** highlighted below are the learnings/recommendations;

- to review its complaint handling: including reviewing drafts before these are issued by its repairs service provider, and to ensure all points raised in a complaint are being addressed.
- To review its handling of this complaint and ensure that its complaint responses include escalation rights and that its processes are in line with the Ombudsman's Complaint Handling Code; if it has not already done so, it should complete and publish the annual Code self-assessment
- to clarify processes for how compensation is handled at stage one of its procedure.
- to review its repairs prioritisation processes, to ensure these sufficiently allow repairs to be identified and flagged for completion as quickly as possible where appropriate.
- to review its handling of the legal advice it received, and to ensure that in future it uses this to inform how it addresses issues, rather than omit response to these altogether.
- arrange post inspection to some works and confirm in writing the outcome and the timescale for any remedial works

## 8. CONCLUSION

8.1. It is of note that there is an increased focus in respect of the provision of public services. Whilst we strive to bring down the dissatisfaction with services being delivered, complaints continue to provide data from which we are able to learn and improve as an organisation. As a result of the figures, and as mentioned earlier in this report, it is vital that a continued focus be placed on early resolution of concerns. This is an area where the LGSCO or Housing Ombudsman are able to find fault with the council, and monitoring and continued to be monitored with data shared to Heads of Services. Improvements were noted and included in this report for the first time is a view on response timescales, this remains an area of focus to ensure compliance rates are met. It is anticipated that the change in the Corporate Complaints process from three stages to two stages with increased timings will both foster and encourage greater compliance as well as a renewed focus on the quality of complaint responses thereby further reducing and improving complaint handling for all involved stakeholders. It has also been demonstrated that more complex complaints need more time to investigate thoroughly. Through streamlined processes and staff engagement the response rate for non-complex complaints has also improved and has been sustained. Learning from complaints is an integral part of the process and this has been managed and supported through increased internal reporting on complaints and quality assurance checks. However further work is needed to ensure that this continues to be embedded across the Council.

# APPENDIX

## APPENDIX A- COMPLAINTS BY AREA/DEPARTMENT (1<sup>ST</sup> APRIL 2022- 31<sup>ST</sup> MARCH 23)

