

Royal Borough of Windsor and Maidenhead

Annual Complaints and Compliments Report 2020-21

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1. Introduction

- 1.1. The annual report covers the period 1 April 2020 to 31 March 2021, 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 not required to produce an annual report on complaints relating to corporate activities. They are required under statute to report complaints submitted on adults and children's services. 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 2020/21 the council received 2,268 contacts from customers that were initially logged as complaints. This is a 7.7% increase in contacts to the compliments and complaints team from 2019/20 (2,106 contacts). 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example a service request or via an alternative appeals process, such as parking appeals or statutory tribunals or were withdrawn.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 415 in 2020/21, an increase on 2019/20 (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 2020/21 in comparison to 2019/20 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 2020/21 has been less for all processes namely, Adults Statutory (45% in 2020/21, 52% in 2019/20), Children's Statutory (71% in 2020/21, 84% in 2019/20), RBWM Formal Corporate (58% in 2020/21, 63% in 2019/20) except Children's Corporate (68% in 2020/21, 57% in 2019/20). Overall, the percentage of complaints upheld or partially upheld in 2020/21 was 59% and less than 2019/20 (63%).
- 2.5. The timeliness to respond within timescales has also improved across all processes namely, Adults Statutory (64% in 2020/21, 56% in 2019/20), Children's Statutory (50% in 2020/21, 37% in 2019/20), RBWM Formal Corporate (62% in 2020/21, 60% in 2019/20) except Children's Corporate (49% in 2020/21, 66% in 2019/20) making the

overall percentage of complaints responded to within timescales higher in 2020/21 (61%) when compared to 2019/20 (59%). (Table 1)

Table 1: 2020/21 Summary of Complaints at Stage 1 by each process

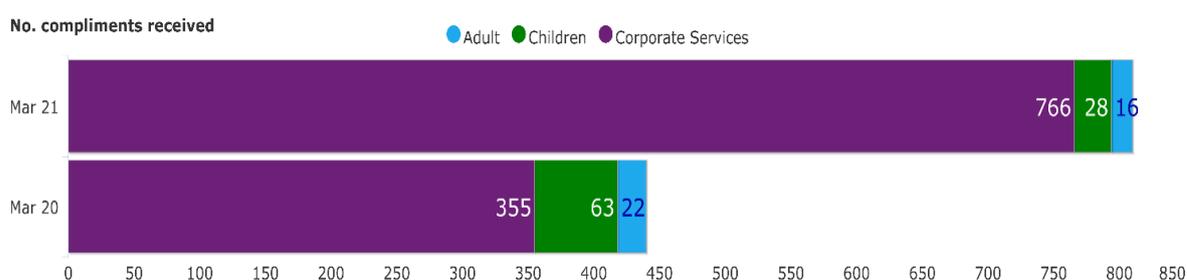
Process	No. of complaints	Upheld	Partially Upheld	Not Upheld	No Finding	In Progress at the time of reporting	Outcome not recorded* (No. of complaints)	Upheld or Partially Upheld	Responded to within timescales
Adults Statutory	11 ↓ 2019/20 (27)	18% ↓ 2019/20 (22%)	27% ↓ 2019/20 (30%)	36% ↓ 2019/20 (48%)		18%		45% ↓ 2019/20 (52%)	64% ↓ 2019/20 (56%)
Children's Statutory	14 ↓ 2019/20 (19)	0% ↓ 2019/20 (16%)	71% ↑ 2019/20 (68%)	21% ↑ 2019/20 (16%)	7%	None		71% ↓ 2019/20 (84%)	50% ↑ 2019/20 (37%)
Children's Corporate	36 ↑ 2019/20 (35)	11% ↓ 2019/20 (20%)	57% ↑ 2019/20 (37%)	23% ↓ 2019/20 (40%)	0% 2019/20 (3%)	9%	1	68% ↑ 2019/20 (57%)	49% ↓ 2019/20 (66%)
RBWM Formal Corporate	354 ↑ 2019/20 (317)	41% ↑ 2019/20 (39%)	17% ↓ 2019/20 (24%)	33% ↓ 2019/20 (37%)	1%	8%	1	58% ↓ 2019/20 (63%)	62% ↑ 2019/20 (60%)
Overall	415 ↑ 2019/20 (398)	36% ↑ 2019/20 (35%)	23% ↓ 2019/20 (28%)	32% ↓ 2019/20 (37%)	1% 2019/20 (0.3%)	8%	2	59% ↓ 2019/20 (63%)	61% ↑ 2019/20 (59%)

2.6. There were 2 complaints where the outcome could not be extracted because of the transition from previous to current recording systems. These are excluded from the percentage breakdown by outcome and response within timescales in the table above and are not further referenced in the report.

Compliments

2.7. 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 2020/21 a total of 810 compliments were received, 84% increase on 2019/20 (440). Figure 1 shows the breakdown of compliments by major category (Adults, Children, Corporate Services). For the purposes of this report, "Corporate Services" refers to compliments that were received by services other than those within adult and children's services.

Figure 1: Compliments received: Breakdown by major category



Local Government Social Care Ombudsman (LGSCO)

2.8. The Local Government Social Care Ombudsman (LGSCO) received 31 complaints and enquiries about the council in 2020/21, a reduction on 2019/20 (46).

2.9. Table 2 sets out complaints and enquiries received by LGSCO by different categories in comparison to last year.

2.10. Following the Covid pandemic, on 18 March 2020 the LGSCO temporarily suspended their central telephone line and complaint submissions via their website for all first-time complainants, this has since been reinstated.

2.11. It can be seen from the table below that complaints and enquiries received by LGSCO in 2020/21 have decreased or remained the same in all categories except in Housing when compared to 2019/20.

Table 2: 2020/21 Complaints and enquiries received by LGSCO: Comparison with 2019/20 (data received from LGSCO in July 2021. 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	Planning & Development
2020/21	2	3	1	5	8	4	3	0	5
2019/20	5	2	2	10	8	7	2	1	9

2.12. The Ombudsman made 33 decisions in 2020/21 in comparison to 49 decisions in 2019/20. This includes 10 enquires submitted to the LGSCO prior to 2020/21 and 23 enquiries submitted in 2020/21. Enquiries that were made to the LGSCO in 2020/21, but no decision made within that year will be included in the decisions reported in subsequent years.

2.13. Table 3 breaks down the decisions made by outcome. After detailed investigations, 69% (9/13) of decisions were upheld an increase from 2019/20 (47% upheld). The 9 complaints that were investigated and upheld were in relation to:

- Adult Social Care (3)
- Benefits and Tax (1)
- Education and Children Services (2)
- Highways (1)
- Housing (1)
- Environmental Services & Public Protection & Regulation (1)

Table 3: 2020/21 Decisions made by outcome: Comparison with 2019/20

Year	Advice Given	Closed after initial enquiries	Incomplete/ Invalid	Referred back for local resolution	Detailed investigation Upheld	Detailed investigation Not Upheld	Percentage Upheld
2020/21	1	7	1	11	9	4	69%
2019/20	0	16	4	14	7	8	47%

LGSCO Reports

2.14. One public interest report relating to adult social care was published in 2020/21. The requirements for publication and consideration by the relevant Overview and Scrutiny Panel and Cabinet were met and in November, the Ombudsman agreed that the council had taken the matter seriously, had delivered all the actions required and closed the case.

Improvements in working with LGSCO and other parties

2.15. The compliments and complaints team attended a webinar on complaints handling in 2020/21. They are 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.

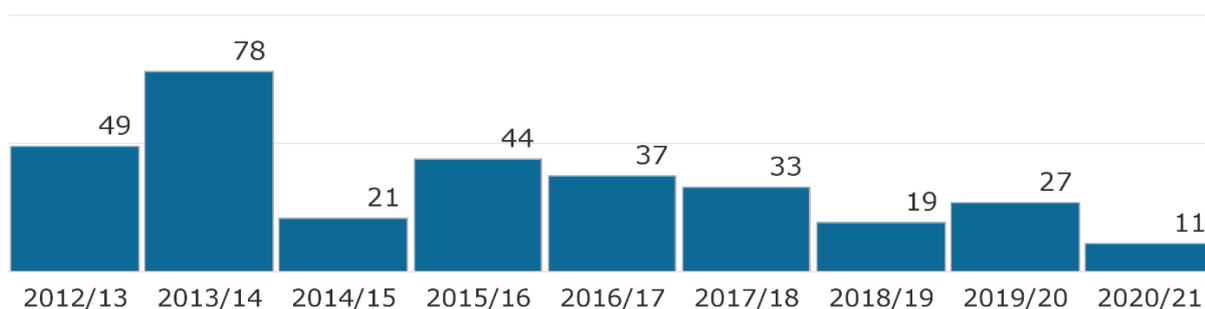
3. Statutory Adults Complaints Process

Complaints received

3.1. Figure 2 shows the volumes of adults' complaints in the last 9 years. With the exception of 2019/20 there has been a sustained decrease in the number of complaints received since 2015/16. Only 11 complaints were received in 2020/21, a 59% reduction on 2019/20. This has also been the lowest volume of complaints received in the last 9 years.

3.2. Following the Ombudsman's public interest report received in 2020, the approach to managing complaints within the service was radically overhauled. Emphasis has been placed on proactive management of issues before they escalate into formal complaints which is reflected in the numbers below. Where formal complaints are received, the Director of Statutory Services within Optalis is personally responsible for liaising with the complainants throughout the process to ensure that the process is transparent, and the outcome of the complaint is understood and accepted.

Figure 2: Adults' complaints volumes: Annual trends



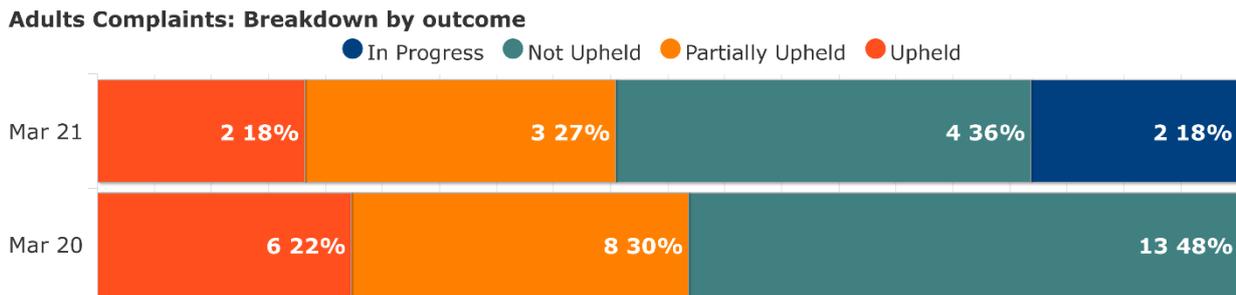
3.3.

3.4.

3.5.

3.6. **Figure 3** shows the breakdown of adults' complaints by outcome in 2020/21 compared to 2019/20. In 2020/21 both the percentage of complaints upheld (18%) and partially upheld (27%) are less than 2019/20 (upheld 22% and partially upheld 30%).

Figure 3: Adults complaints by outcome



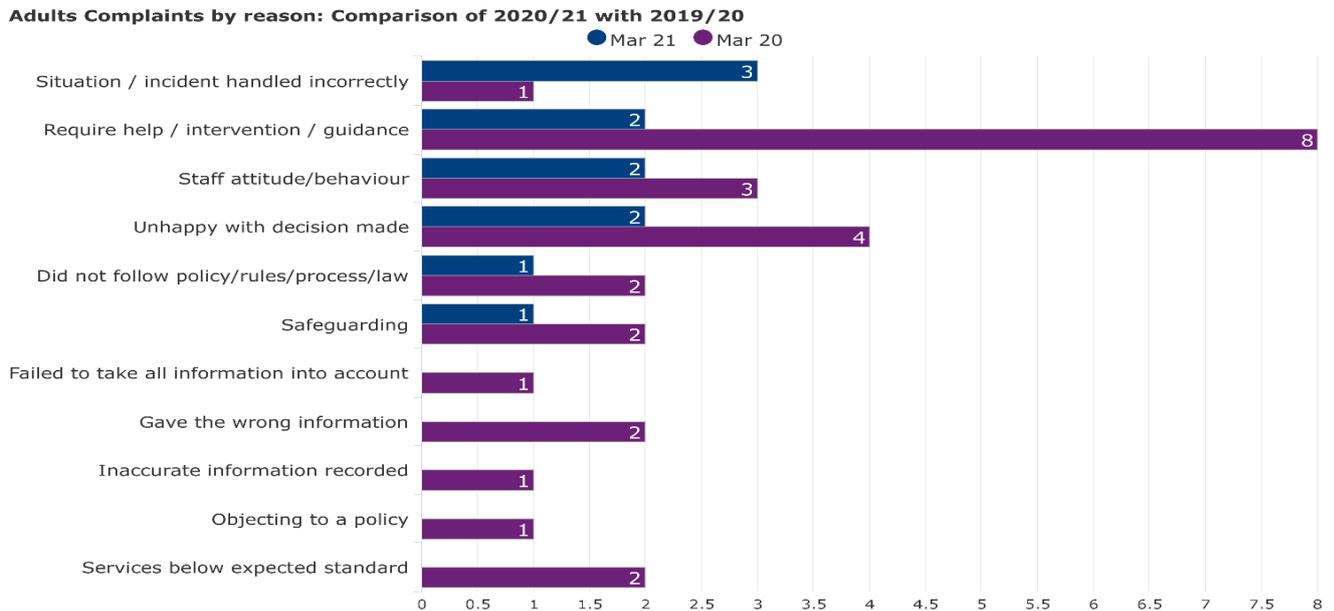
Reasons and outcomes

3.7. 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.

3.8. Figure 4 sets out the volume of adult's complaints made by reason in 2020/21 compared to 2019/20. It is encouraging to note that in 2020/21 complaints have been recorded by

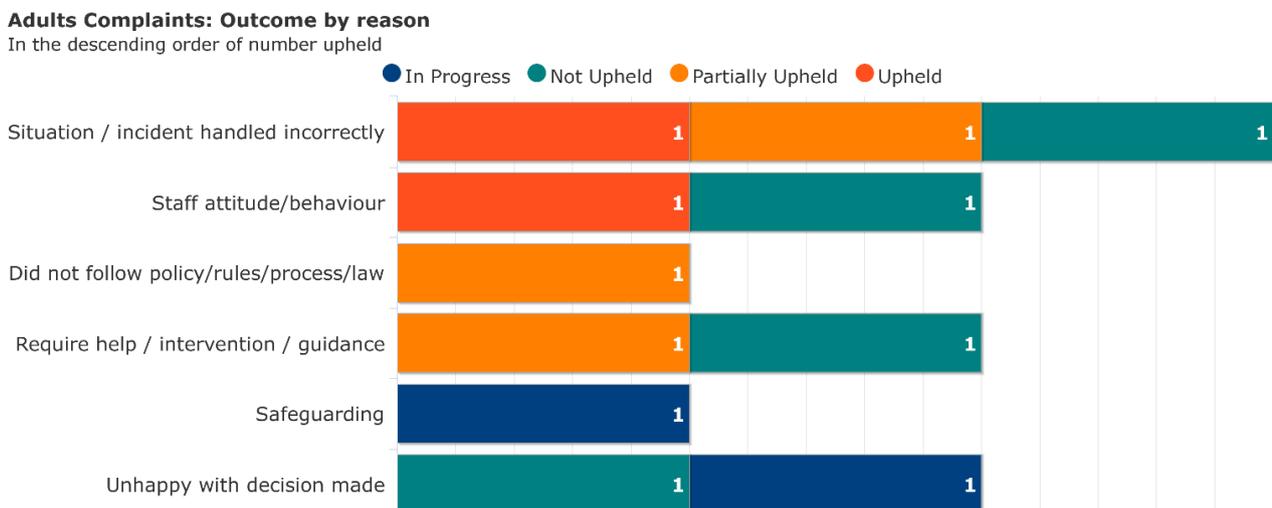
fewer reasons (6) in comparison to 2019/20 (11). Additionally, in 5/6 reasons, the number of complaints made in 2020/21 is less than 2019/20.

Figure 4 Adults complaints by reason



3.9. At the time of data extraction for preparation of this report out of 11 complaints, 9 complaints had an outcome recorded and 2 were in progress and an outcome had not yet been reached. Figure 5 shows the outcome of adult’s complaints by reason. It can be seen that 67% (2/3) of the complaints against the ‘Situation/incident handled incorrectly’ (top reason) were upheld/partially upheld. It may be helpful to clarify what led to the two complaints that were upheld/partially upheld. In one case there was confusion over whether the person was asking the Council to arrange their care which triggers a fee or was setting up and funding his own care. The complaint was that Optalis requested the arrangement fee inappropriately. This was then corrected, and managers have been reminded that this needs checking. The other case was about a need to improve practice when working with people who lack capacity. This led to practice improvement measures for the overall service and also the worker.

Figure 5: Adults complaints outcome by reason



Timeliness

3.10. 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 complaint will be informed and provided with a response timeline. Figure 6 shows that in 2020/21 the percentage of complaints responded to within timescale is 64% (7/11), an improvement on 2019/20 (56% 15/27). This improvement reflects the changes made to the way in which Optalis manages complaints.

Figure 6: Percentage of adults' complaints responded within timescales

Adults Complaints within timescales: Number and Percentage



Compliments

3.11. In 2020/21 adults' services received 16 compliments, 6 less than 2019/20 (22). Staff sometimes fail to record the compliments they receive; however they do receive them and are regularly encouraged to log them. It is encouraging however that overall there have been more compliments (16) than complaints (11) in adults services in 2020/21. Due to the pandemic there had been limited contact between staff and customers, which we think has reduced the number interactions which generate compliments.

Learnings from complaints

3.12. Adult Services are constantly learning from their complaints and striving to improve the quality of services provided. Below are some of the key learnings from the complaints made.

3.13. The Adult Services complaints upheld in 20/21 comprised a mixture of one case of confusion in care arrangements which led to an arrangement fee being levied incorrectly, as a result financial awareness training is being planned for all social care staff who undertake assessments. The second was concerning staff attitude which led to formal action. In another case there was some confusion how a couple who lacked capacity were supported, this resulted in increased support to a member of staff and a revised practice guidance note. Another was a limited error of communication where one family was feedback to, but not the other. One complaint was regarding services provided by a domiciliary care company as a result of the complaint staff training took place regarding communication between staff and families.

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

Summary

4.1. 2020/21 saw a total of 50 children's complaints. Table 4 summarises the volume of children's complaints (both statutory and corporate) received and the Stage 1 outcome in comparison to 2019/20. 2020/21 saw 69% of complaints upheld or partially upheld marginally higher than 2019/20 (67%) and 49% of complaints responded to within

timescales (56% 2019/20) (*Table 4*). 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
50 ↓ 2019/20 (54)	8% ↓ 2019/20 (19%)	61% ↑ 2019/20 (48%)	22 % ↓ 2019/20 (31%)	2% 2019/20 (2%)	6%	69% ↓ 2019/20 (67%)	49% ↓ 2019/20 (56%)

Complaints received

- 4.2. Figure 7 shows the total volume of children’s complaints in the last 9 years. There has been some fluctuation in volumes since the peak in 2015/16 (81) and in 2020/21 50 complaints were received, a 7% reduction on 2019/20 volumes (54).
- 4.3. Of the 50 complaints, 28% (14/50) were statutory and 72% (36/50) were corporate.

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

Total volume of complaints (Children's Corporate and Statutory)



Compliments

- 4.4. In 2020/21 the children’s services received 28 compliments 35 less than 2019/20 (63). It is not clear why this is, however, teams within the organisation will continue to be encouraged to share compliments they receive with the compliments and complaints team so that they can be logged. Without a doubt, the pandemic has had an impact on this. This includes schools not being open for all of the time, staff sickness and self-isolating, as well as people not being focused on this aspect of work, as they have been firefighting.

Learnings from complaints

- 4.5. Listed in 4.6 are some of the learnings from the children’s complaints which be embedded to constantly improve on the service delivered.
- 4.6. The processes which involve Customer Service colleagues are reviewed on an annual basis or when a gap is identified. A number of Customer Service colleagues have been established as 'Super users' and have received additional training with teams such as

school admissions and school transport to enhance their knowledge and improved their ability to offer support to residents. The Call Back system is being successfully used by both school admissions and school transport. This system avoids parents having to repeatedly contact the Customer Service centre and avoids multiple communications to teams regarding the same issue.

Social Care and early help:

- Have revised the process for managing Stage 1's, in order to be more streamlined, and anticipate seeing an improvement in timeliness as a result.
- Have introduced a new process for quality assuring assessments, based on feedback about factual inaccuracies.
- Parents/carers are now required to sign assessments to say they are factually accurate.

SEND Team:

- The SEND team have updated their processes to improve communication about cases which have to be paused in the complaint process if taken to Tribunal for resolution.
- Long-running concerns are now put into the complaints processes earlier to help drive increased clarity for residents.

5. Statutory Children's 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

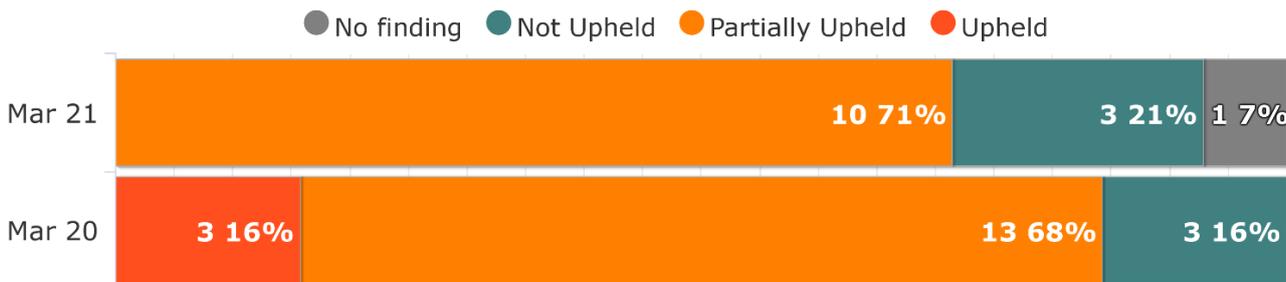
5.2 In 2020/21 there were 14 statutory complaints which is 26% less than 2019/20 (19).

Stage 1 Outcome

- 5.1. At the time of data extraction for preparation of this report all 14 children's statutory complaints had an outcome recorded. Further breakdown of children's statutory complaints shows that none were upheld, 71% (10/14) partially upheld, 21% (3/14) not upheld and 7% (1/14) with no finding (Figure 8).
- 5.2. From Figure 8 it can be seen that 71% of the complaints were upheld/partially upheld in 2020/21 which is less than 2019/20 by 13 (84% complaints upheld/partially upheld).

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

Children's Statutory Complaints where Stage 1 Outcome has been recorded

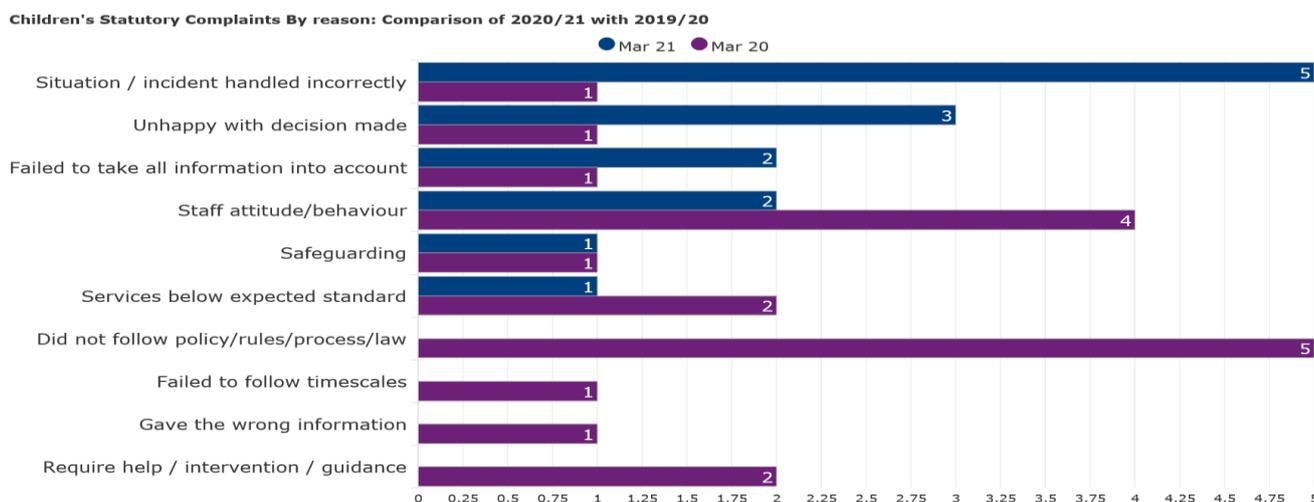


Reasons and outcome

5.3.

5.4. Figure 9 shows the breakdown of children’s statutory complaints by reasons. 2020/21 saw statutory children’s complaints being recorded by fewer reasons (6) when compared to 2019/20 (10) and with only 5 or less complaints recorded by each of the reasons. The reason with most complaints was “Situation/incident handled incorrectly” (36% 5/14).

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

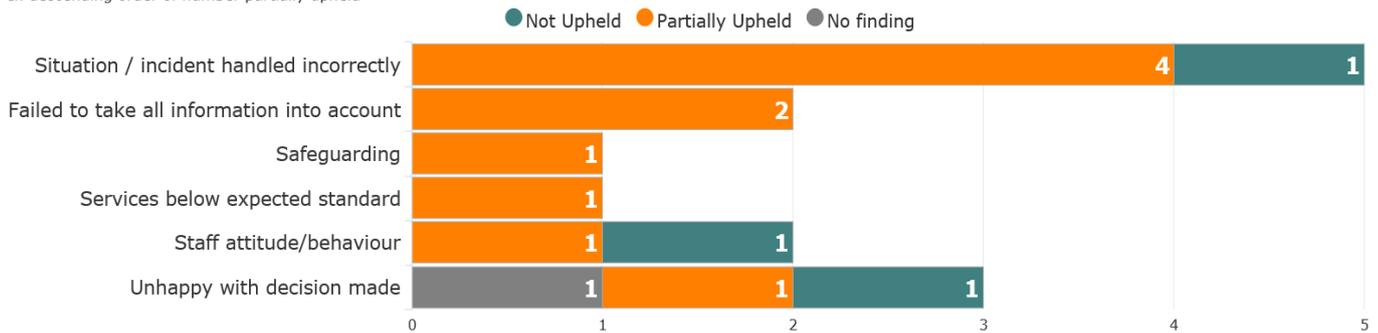


5.5. Figure 10 breaks down Stage 1 outcome by reasons for children’s statutory complaints. It is noteworthy that none of the complaints were upheld. Out of the 10 partially upheld complaints, “Failed to take all information into account”, “Safeguarding” and “Services below standards” are the three reasons where 100% of complaints made were partially upheld. However, it should also be noted that very few complaints (1 or 2) were made against these reasons.

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

Children's Statutory Complaints: Stage 1 outcome by reasons

In descending order of number partially upheld



Stage 1 Timeliness

5.6. 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 2020/21 was 50% (7/14) an increase from 2019/20 by 13 (37% 7/19) (Figure 11).

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

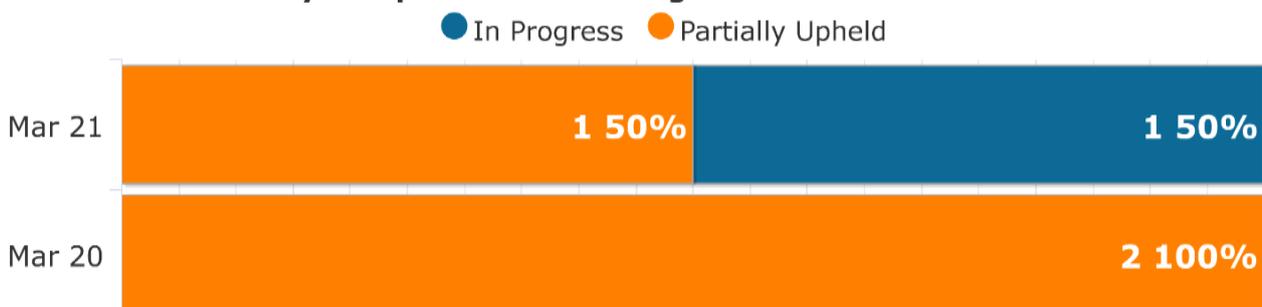


Stage 2 Outcome

- 5.7. At Stage 2, the complaints are investigated by an independent investigating officer (IO) who will work with an independent person (IP).
- 5.8. In 2020/21 only 2 complaints (14% 2/14) had progressed to Stage 2 which is the same number as in 2019/20 (11% 2/19).
- 5.9. Out of 2 complaints that had progressed to Stage 2, 1 had been partially upheld and 1 in progress at the time of data extract for preparation of this report. (Figure 12).

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

Children's Statutory Complaints where Stage 2 Outcome has been recorded



Stage 2 Timeliness

5.10. The timescale for dealing with children's statutory Stage 2 complaints is 25 to 65 working days. At the time of data extraction for preparation of this report, 1 complaint had been

responded to within timescale and 1 was in progress making timeliness to respond 50% in 2020/21 when compared to 100% in 2019/20 (2/2). N.B. these are very low numbers, which clearly skew the percentages.

Stage 3

5.11. At Stage 3, complaints are reviewed to ensure the 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. This was a Stage 1 complaint made in July 2019 and the Stage 3 Panel review meeting took place in July 2020.

6. Children’s Corporate Complaints

6.1. Children’s complaints that are not taken through the statutory process will follow the corporate complaint route. In 2020/21 there were 36 corporate complaints 1 more than 2019/20 (35).

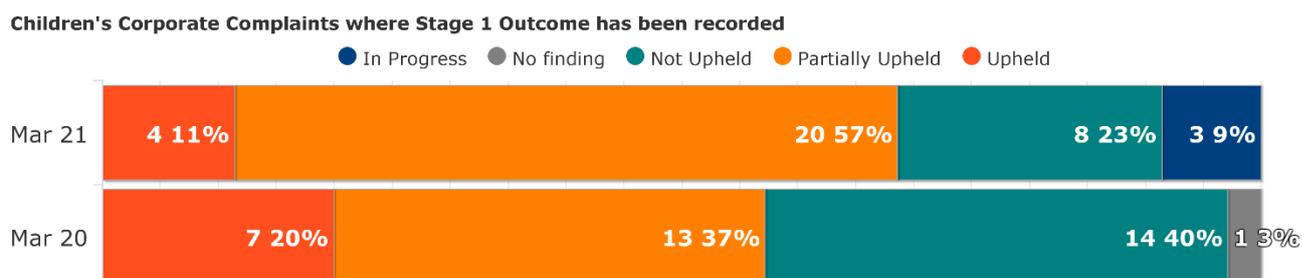
Stage 1 Outcome

6.2. At the time of data extraction for preparation of this report, 32 complaints had a Stage 1 outcome recorded and 3 were in progress.

6.3. Further breakdown of children’s corporate complaints shows 11% (4/35) were upheld, 57% (20/35) partially upheld, 23% (8/35) not upheld, 9% (3/35) in progress.

6.4. Figure 13 shows breakdown of complaints at Stage 1 by outcome. There has been lesser proportion of children’s corporate complaints upheld (11%) when compared to 2019/20 (20%), however a higher proportion of complaints partially upheld 57% (2019/20 37%).

Figure 13 Children’s Corporate Complaints by Stage 1 Outcome

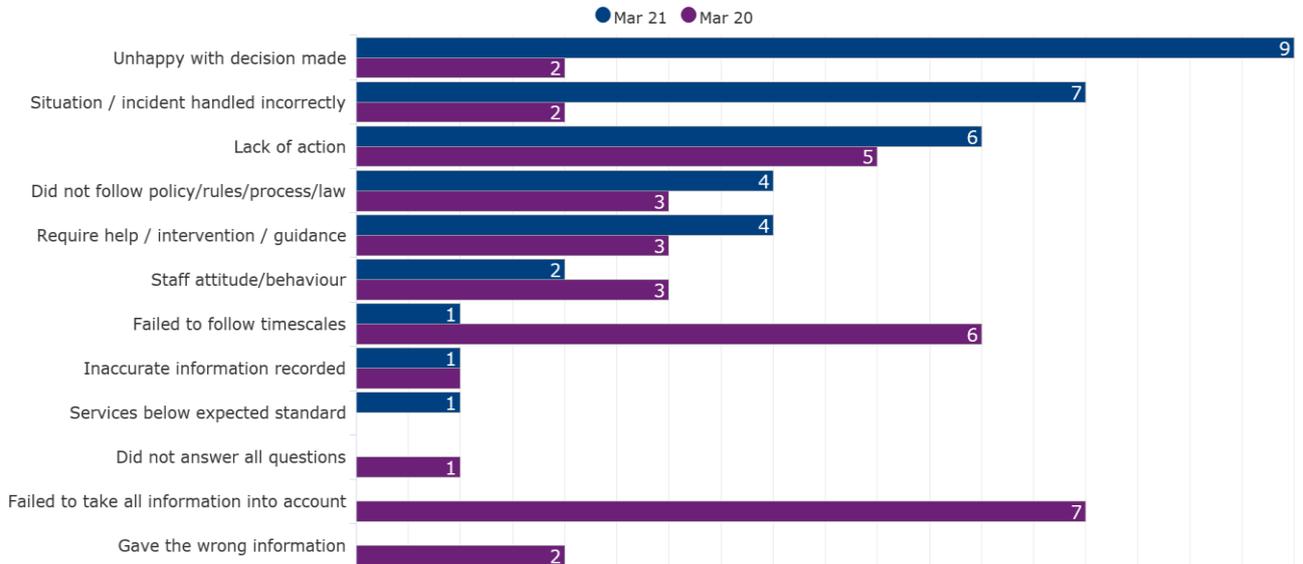


Reasons and Outcome

6.5. Figure 14 shows the breakdown of children’s corporate complaints made by reasons. 2020/21 saw children’s corporate complaints being recorded by fewer reasons (9) when compared to 2019/20 (11). The top 3 reasons in 2020/21 were “Unhappy with decision made” (26% 9/35), “Situation/incident handled incorrectly” (20%, 7/35) and “Lack of Action” (17% 6/35).

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

Children's Corporate Complaints By reason: Comparison of 2020/21 with 2019/20



6.6.

6.7.

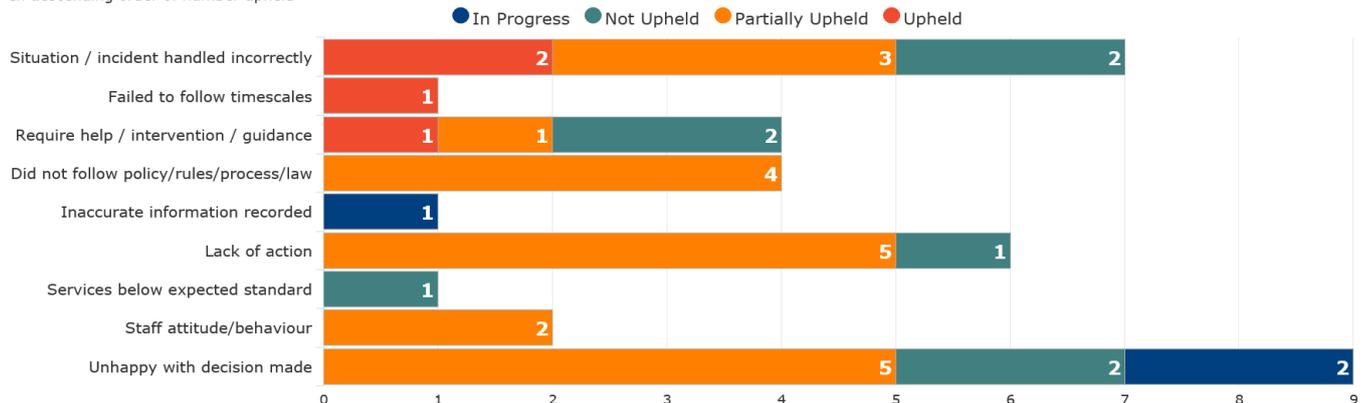
6.8.

6.9. **Figure 15** shows the breakdown of outcome at Stage 1 by various reasons. Looking at the number of complaints upheld/partially upheld for the top 3 reasons, 56% (5/9) were partially upheld against “Unhappy with decision made”, 71% (5/7) were upheld/partially upheld against “Situation/incident handled incorrectly” and 83% (5/6) were partially upheld against “Lack of Action”.

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

Children’s Corporate Complaints: Stage 1 outcome by reasons

In descending order of number upheld



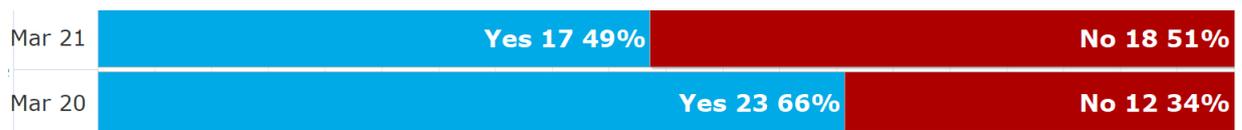
Stage 1 Timeliness

6.6 The timescale for dealing with children’s corporate 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. There has been a decrease in timeliness of response for Corporate complaints in 2020/21 (49% 17/35) in comparison to 2019/20 (66% 23/35). This decrease was an impact of the pandemic with staff self-isolating, being off sick etc,

for example not being able to speak to particular individuals to process the complaint. Also there were issues with the process, which have resulted in the development of a revised process for dealing with Stage 1 complaints.

6.7 The decrease in timeliness in 2020/21 was because a significant number of the complaints were those where the resident was not happy with the decision made so efforts were made to find alternative solutions, particularly with SEND related complaints. The deadlines were not extended to ensure there was the shortest possible delay for these families.

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



Stage 2 Outcome

6.8 Out of the 35 children's corporate complaints 11 (31%) had progressed to Stage 2 which is 6 more than 2019/20 (14% 5/35).

6.9

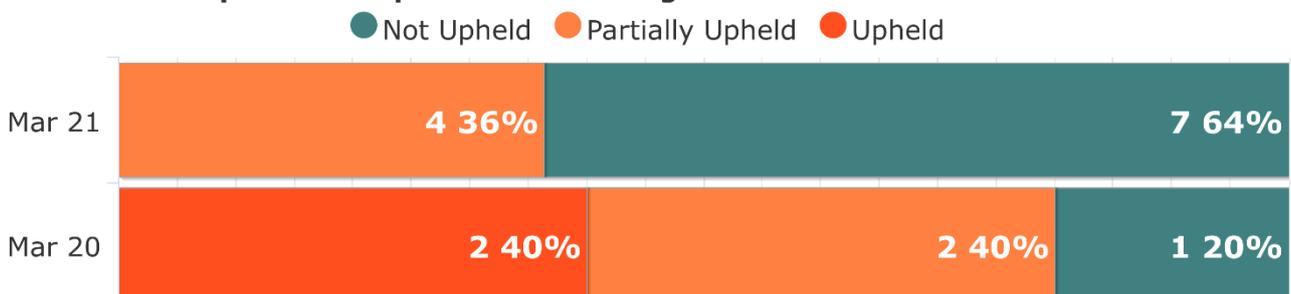
6.10

6.11

6.12 **Figure 17** breaks down the Stage 2 children's corporate complaints by outcome showing that none were upheld, 36% (4/11) partially upheld and 64% (7/11) not upheld. This is very positive outcome when compared to 2019/20 where 80% of Stage 2 complaints were upheld/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

6.13 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 91% (10/11) a considerable increase from 2019/20 (80% 4/5). This

increase in timeliness to respond at Stage 2 when compared to Stage 1 could be attributed to lesser number of complaints progressing to Stage 2 and an increase in the timescale at Stage 2.

7. RBWM Formal Corporate Complaints Process

7.1. In 2020/21 85% (354/415) of all complaints were progressed as complaints under the formal corporate complaints process. This is an increase on 2019/20 (80%, 317/398).

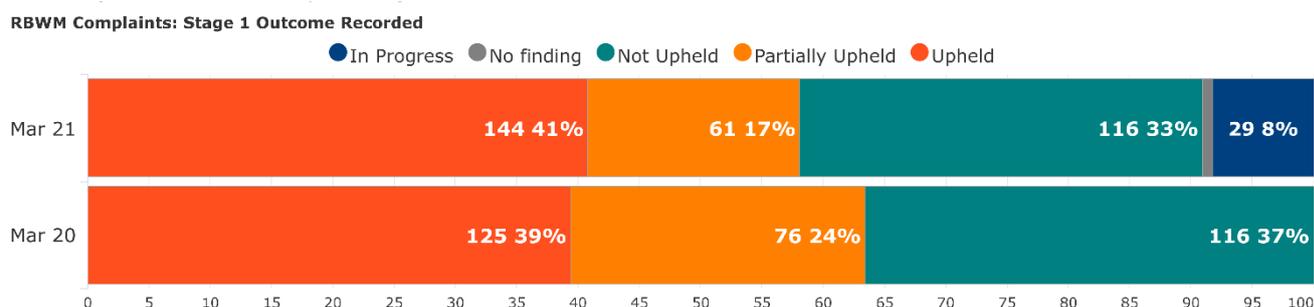
Stage 1 Outcome

7.2. At the time of data extraction for preparation of this report, 324 complaints had a Stage 1 outcome recorded, 29 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. 41% (144/353) complaints were upheld (39% in 2019/20), 17% (61/353) partially upheld (24% in 2019/20), 33% (116/353) not upheld (37% in 2019/20), 1% (3/353) where there was no finding; insufficient evidence to make a decision and 8% (29/353) in progress.

7.4. 2020/21 saw less proportion of complaints upheld/partially upheld (57%) when compared to 2019/20 (63% upheld/partially upheld).

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

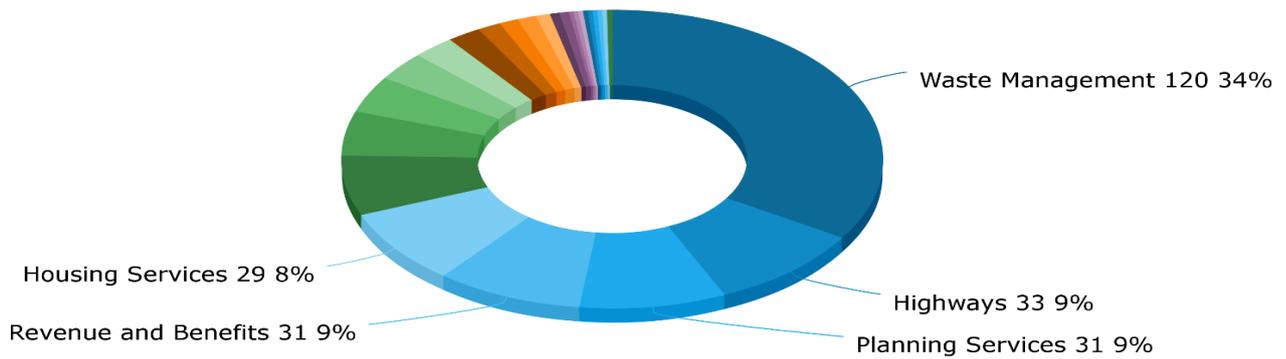


Top 5 service areas for complaints

7.5. Figure 19 shows the top 5 service areas for customer complaints in 2020/21 of which Waste Management is the highest (34%, 120/353) followed by Highways (9%, 33/353), Planning Services (9%, 31/353), Revenue and Benefits (9%, 31/353) and Housing Services (8%, 29/353).

7.6. The impact of Covid on the community and the economy has been felt in a number of areas of the council's operations. Waste and recycling collections moved to alternate weekly collections from 6th April 2020 during the COVID-19 outbreak as there were reductions in staff availability due to ill health or needing to self-isolate. Weekly household waste and recycling collections resumed from 17 August 2020 with a review in collection routes to make them more efficient and environmentally friendly. However, this had significant and enduring problems causing disruption in waste collection mainly in the month of September 2020 leading to increase in the number of complaints. This also had a knock-on effect on the volume of calls to the Customer Contact Centre (18,671 in September) and total digital form submissions (16,649 in September).

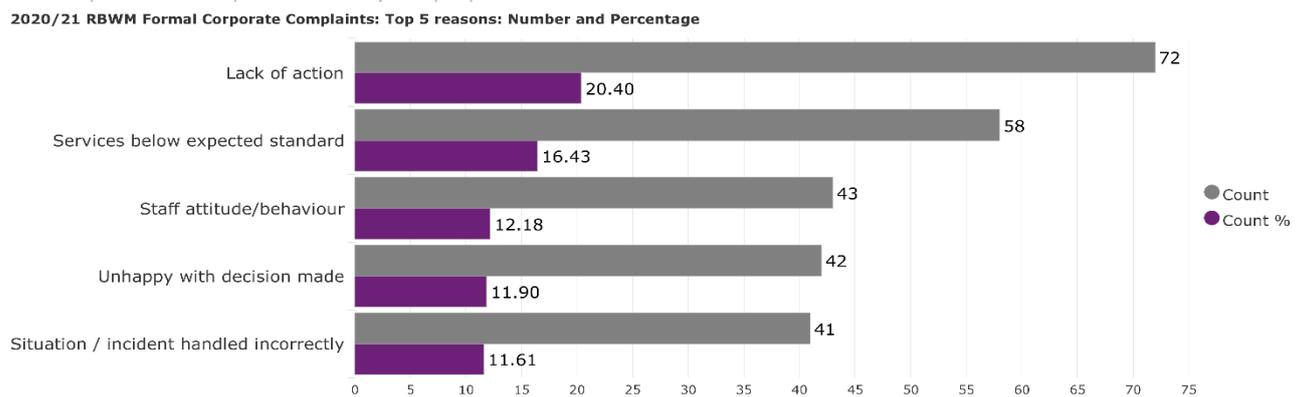
Figure 19: Top 5 service areas for RBWM Formal Corporate Complaints received



Reasons and outcomes

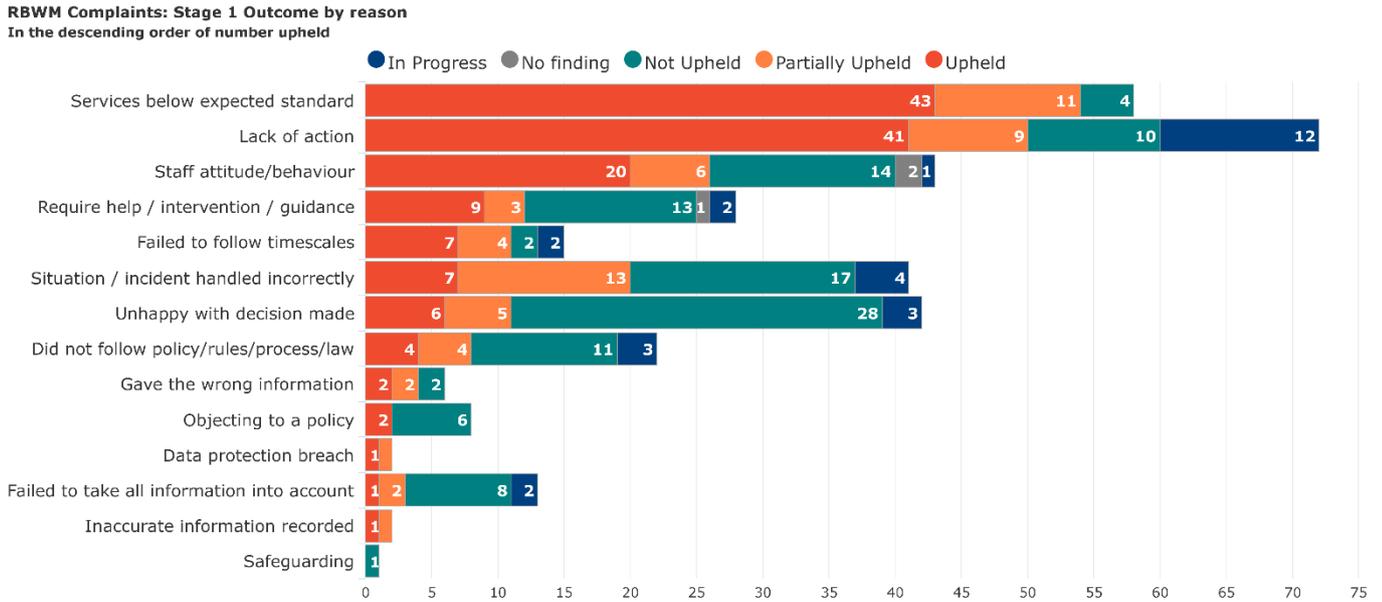
7.7. Figure 20 highlights the top 5 reasons for customer complaints in 2020/21 with one-fifth of the complaints being recorded against “Lack of Action” (20% 72/353).

Figure 20: 2020/21 Top 5 reasons for RBWM Formal Corporate Complaints



7.8. 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 “Services below expected standard” (54), “Lack of action” (50) and “Staff attitude/behaviour” (26).

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

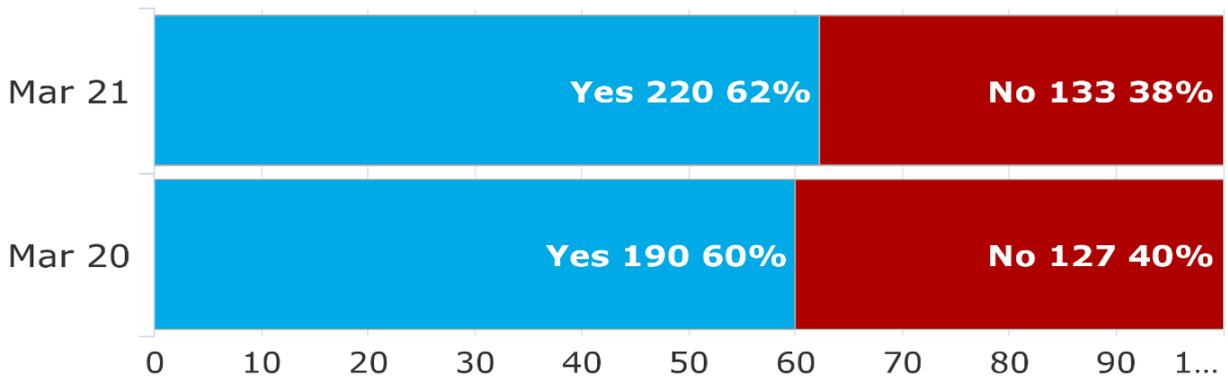


Timeliness at Stage 1

7.9. The timescale for responding to a Stage 1 RBWM formal corporate complaint is 10 working days. Figure 22 shows an increase in the percentage of complaints responded to within timescale (62% 220/353 in 2020/21) in comparison to 2019/20 (60% 190/317).

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

RBWM Stage 1 complaints responded to within timescale
Number and Percentage



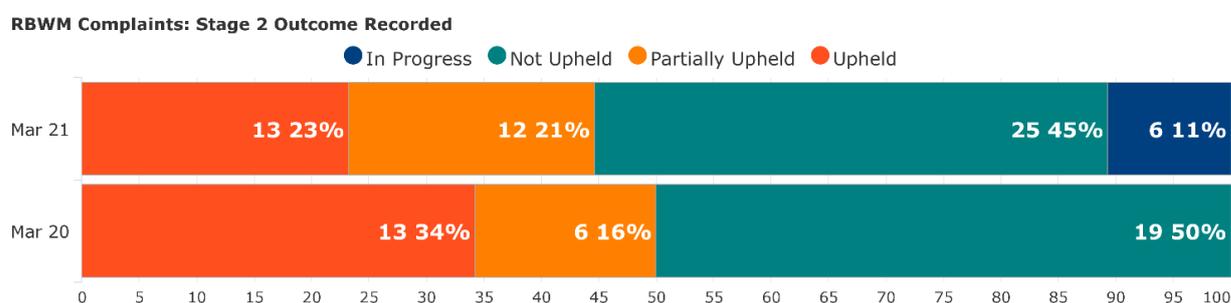
7.10. The previous complaints reporting system (JADU) would automatically send reminders to relevant teams or services with regard to any outstanding complaints or complaints due to expire soon. Since September 2020 a new complaint reporting system has been introduced and this facility is currently unavailable, however the compliments and complaints team continue to send a weekly report to relevant teams or services to ensure timescales are not missed.

7.11. A review of the timescales associated with Stage 1 of the RBWM formal corporate complaints process was undertaken in 2020/21 and from 2021/22 the timescales will be increased from 10 working days to 20 working days, with the ability to extend this by a further 20 working days if required. This change will allow officers more time to fully and robustly investigate complaints that are raised.

Stage 2 RBWM Formal Corporate Complaints

- 7.12. 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 2020/21 16% (56/353) of Stage 1 complaints progressed to Stage 2, an increase from 2019/20 (12%, 38/317).
- 7.13. Breaking down the 56 Stage 2 complaints, 13 (23%) were upheld, 12 (21%) were partially upheld, 25 (45%) were not upheld and 6 (11%) were “In Progress” (Figure 23).
- 7.14. Even though 2020/21 saw an increase in the volumes of complaints progressing to Stage 2, only 44% of them were upheld/partially upheld when compared to 2019/20 (50%).

Figure 23: RBWM Formal Corporate Stage 2 complaints by outcome recorded



Timeliness at Stage 2

- 7.15. The percentage of complaints responded to within timescales at Stage 2 is 88% (49/56) 7 less than 2019/20 (94% 36/38). Timeliness of response at Stage 2 is better than at Stage 1 and 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 10 working days.

Key learning from RBWM Formal Corporate Complaints

- 7.16. 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.

Planning

- 7.17. A number of planning complaints tend to relate to customers who are dissatisfied with the decision for one reason or another, however the general theme emerging from complaints during this period is considered to be related to a lack of communication. This primarily appears to relate to lower staffing levels and more limited communications options during the period of remote working.
- 7.18. The service is seeking to address this emerging theme through a focus on recruitment. We are also reinforcing customer service expectations to existing staff, so that they communicate even if only to let customers know that more time is needed.

Waste

- 7.19. This was a challenging year for waste and recycling services, with two major service changes. In April 2020 the service moved to alternate weekly collections as a result of staff shortages due to Covid 19, with some disruption to the service as a result. In August 2020, the weekly waste and recycling collections were reinstated, and a new collection model was put in place. This new model was not effective and resulted in high numbers of missed collections. In October further collection day changes were made and a collection service over 6 days, including scheduled Saturday collections, was implemented.
- 7.20. Staff have worked very hard with Serco staff and customer services to put in place systems to identify issues and provide feedback quickly, using a shared daily issues sheet which is updated by council staff and Serco daily to update on outstanding collections and resolutions. A new contract manager and operations manager at Serco have been put in place and have made changes to improve the number of missed collections, which has helped to reduce complaints caused by problems with the service. The collections are now running within the expected KPIs and complaints are at a lower level.
- 7.21. Customer service centre staff were giving additional training to handle calls related to waste correctly in the first instance. Calls to customer service centre were temporarily transferred from 1 October 2020 to 15 January 2021 to resolve waste collection complaints straightway and to ease pressure on them.

Housing

- 7.22. Housing have recognised the challenges of the current telephony system and are working with the transformation team to ensure a streamlined process is made available to enable all calls to be captured and responded to in a timely manner.
- 7.23. The housing service also recognises the need for ongoing training, which is now factored into the working week and takes place every Wednesday afternoon, conducted by internal and external providers.

Revenues, Benefits, Libraries and Resident Services

- 7.24. During 2020/21, as a result of the pandemic, a number of complaints were received in connection with the Registration Service's inability to conduct certain ceremonies such as weddings. This was not a service area which previously routinely received complaints, but couples were understandably frustrated at the restrictions imposed, either not being able to have any ceremony at all, or as a result of the limited numbers able to attend. RBWM chose to adapt policies covering this situation to be more flexible with regard to re-booking but did not offer refunds. The majority of complaints, associated with the Registration Service, were in connection with this.
- 7.25. Other areas within the Revenues, Benefits, Libraries and Resident Services area, such as Council Tax and Business Rates, had to adapt to the changing support announced by Central Government but the criteria for such support did not always meet the expectations of our residents.

Highways

7.26. Highway Services deliver a number of resident facing services which impact upon every resident, household, business and visitor to the Royal Borough. Services are often delivered which cause disruption (for example road works), these are essential and widespread as the council continues to invest in infrastructure across the Borough.

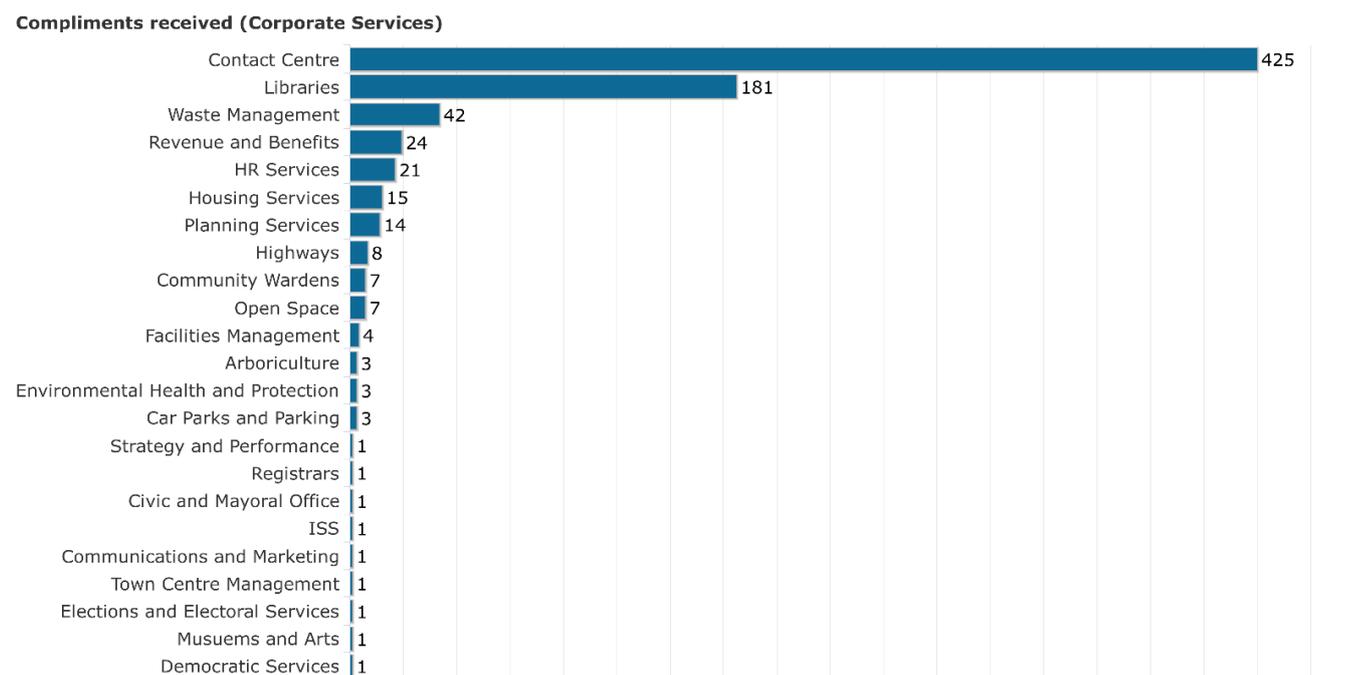
7.27. As a result, the number of complaints received by this service area would be expected to be high when compared to other service areas. In order to manage this, the Highways service area has worked closely with the Complaints team to streamline the allocation of complaints, regularly monitor progress and reduce the number of complaints not responded to within set timescales.

8. Compliments received

8.1. In 2020/21 RBWM Corporate services received 766 compliments which is a 116% increase compared to 2019/20 (355).

8.2. Figure 24 sets out the volume of compliments received by teams. The team in receipt of the most compliments was the Customer Contact Centre (56%, 425/766), followed by Libraries (24%, 181/766) and Waste Management (6%, 42/766).

Figure 24: Compliments received by teams



8.3. From the outset of the pandemic, call centre staff were engaged in setting up and training council staff in the use of new technologies to support engagement with local community groups and also local residents who may be shielded as a result of particular vulnerabilities to the virus. More than half of the compliments to Customer Contact Centre (56% 425/766) evidences a positive community engagement which was a key focus during the pandemic.

8.4. Libraries had a particular focus on the growth of the service's digital offer to support home-based leisure and learning and to mitigate the risk of a widening digital divide. The

introduction of “click and collect” and “click and deliver” services has maintained a physical link between the service and communities throughout the year. Libraries received nearly a quarter of the compliments (24% 181/766).

- 8.5. Waste management being in the top 3 teams receiving compliments (42) shows that despite disruption in waste collection for a short period of time the service was quick to recover to meet customer expectations.
- 8.6. The variety of compliments across different teams show the breadth of work carried out by the council and the positive difference it makes to the residents.
- 8.7. In general the overall response to the council’s management of the borough’s COVID response was outstanding. RBWM's COVID-19 community response focused on supporting a network of dozens of local voluntary efforts, maximising the local help available to vulnerable and shielding residents. Our centralised call centre acted as a conduit for support, using both Amazon Connect and our Lyon 2.0 system to connect those looking for help to those readily delivering it in the community.
- 8.8. With a greater than 90% success rate of contacting residents in need of help, we received dozens of written and verbal compliments from residents on the helpfulness of staff and our ability to work closely with the community. Indeed many staff went above and beyond, personally helping residents well outside of working hours, which didn't go unnoticed.
- 8.9. Such was the success of our facilitatory approach, partners at MHCLG asked us for written case-studies and interviews on how we'd worked successfully alongside our communities. There were articles in the Maidenhead Advertiser, the video sponsored by Amazon AWS on our approach, an invitation to submit written evidence to the Kruger Commission, an invite to speak at a national community learning event and even a phone-call with one of the MHCLG advisers in Downing Street who'd become aware of our work in RBWM. This feedback has since reminded us of the power of working in tandem with our local communities - not trying to enforce 'command and control', 'top down', bureaucratic interventions on communities, but instead working with local people, developing on local strengths, and instead taking a facilitatory role.

9. Appendices

Appendix A: LGSCO Annual Review letter 2021



21 July 2021

By email

Mr Sharkey
Managing Director
Royal Borough of Windsor and Maidenhead Council

Dear Mr Sharkey

Annual Review letter 2021

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2021. At the end of a challenging year, we maintain that good public administration is more important than ever and I hope this feedback provides you with both the opportunity to reflect on your Council's performance and plan for the future.

You will be aware that, at the end of March 2020 we took the unprecedented step of temporarily stopping our casework, in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 outbreak. We restarted casework in late June 2020, after a three month pause.

We listened to your feedback and decided it was unnecessary to pause our casework again during further waves of the pandemic. Instead, we have encouraged authorities to talk to us on an individual basis about difficulties responding to any stage of an investigation, including implementing our recommendations. We continue this approach and urge you to maintain clear communication with us.

Complaint statistics

This year, we continue to focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have focused statistics on three key areas:

Complaints upheld - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated.

Compliance with recommendations - We recommend ways for authorities 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 authority upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit authorities that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 28 July 2021. This useful tool places all our data and information about councils in one place. You can find the decisions we have made about your Council, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the resource with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

As you would expect, data has been impacted by the pause to casework in the first quarter of the year. This should be considered when making comparisons with previous year's data.

This year, we issued a public report about your Council after we found it did not do enough to consider a couple's circumstances who required social care support. Our investigation found the Council did not properly consider whether the couple could continue to live at home with live-in care workers after the woman had a stay in hospital. The woman was moved to a care home; a decision that was made permanent without any formal best interest decision and little regard to the couple's dignity or basic human rights. The man, left at home without visits to his wife, quickly deteriorated. The Council did not assess his needs properly and the care he received at home, from two care providers, was not adequate. He died before the Council belatedly responded to family concerns.

It was disappointing the Council initially failed to respond properly to our enquiries in this case, but I am pleased to note it accepted fault on receipt of our draft report and agreed to all our recommendations. The Council's response to the public report was excellent. As we recommended, it gave a fulsome and proper apology to the family and paid them £2,000 in recognition of the distress it caused and the time and trouble in bringing the complaint. It also provided evidence it had implemented the recommended service improvements. These included reviewing other cases where couples had been separated by their care needs, making sure assessment practice is consistent and Care Act compliant, reviewing commissioning practice, and following up to ensure care providers sustain improvements following complaints of poor practice.

I am pleased to note the Council gave clear public recognition that what had happened was unacceptable and welcome the Council's willingness to learn lessons from this case and complete the actions we agreed.

Supporting complaint and service improvement

I am increasingly concerned about the evidence I see of the erosion of effective complaint functions in local authorities. While no doubt the result of considerable and prolonged budget

and demand pressures, the Covid-19 pandemic appears to have amplified the problems and my concerns. With much greater frequency, we find poor local complaint handling practices when investigating substantive service issues and see evidence of reductions in the overall capacity, status and visibility of local redress systems.

With this context in mind, we are developing a new programme of work that will utilise complaints to drive improvements in both local complaint systems and services. We want to use the rich evidence of our casework to better identify authorities that need support to improve their complaint handling and target specific support to them. We are at the start of this ambitious work and there will be opportunities for local authorities to shape it over the coming months and years.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. During the year, we successfully adapted our face-to-face courses for online delivery. We provided 79 online workshops during the year, reaching more than 1,100 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 horizontal line underneath.

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

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 (Jadu). The Jadu 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 Jadu and monitored.

Complaints processes – March 2021

Initially once received via online form, email, telephone call or face to face contact 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

Internal process

	Adult services complaints	Children's services complaints	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 10 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
Alternative appeal process	N/A	N/A	N/A	Customer given timescales for response

External process

LGSCO - Can complain to the Local Government and Social Care Ombudsman

Appendix C: National and legislative context – March 2021

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 'Running a complaints system - Guidance on good practice'.

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.