



THE LONDON BOROUGH OF
MERTON

ANNUAL COMPLAINT REPORT

Corporate Complaints 2022 - 2023

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1 Introduction

The Local Government and Social Care Ombudsman (LGSCO) was created by the Local Government Act 1974. Its main functions are to:

- investigate complaints against councils and other public authorities;
- investigate complaints about social care providers from people who arrange or fund their adult social care (Health Act 2009).

In October 2020, the LGSCO issued councils with guidance on how to handle complaints called 'Effective Complaint Handling for local authorities'. They state that councils should adhere to the following standards and practices to ensure complaints are dealt with effectively.

- **Getting it right:** do simple things well, by complying with the law and following policies.
- **Being customer focused:** Make the complaints process easy to find and use, and keep complainants informed.
- **Being open and accountable:** Processes should be transparent and be honest when things have gone wrong.
- **Acting fairly and proportionately:** councils should explain their thinking, base decisions on sound evidence and explain clearly why they were made.
- **Putting things right:** make amends. If something has been done wrong, councils should apologise and take steps to put right any injustice caused.
- **Seeking continuous improvement:** complaints are a great learning tool. Councils should put systems in place to capture the lessons, which will help improve your services.

In London Borough of Merton, formal or corporate complaints about the council's services are managed as a function of the Complaints Team, who similarly manage and co-ordinate other types of complaint. These are Children's Social Care complaints and Adult's Social Care complaints, both of which are reported on separately. The team also co-ordinate enquiries made on behalf of residents by the Council's members through its Members' Enquiries function. Other types of spontaneous feedback through the "Comments" and "Compliments" mailboxes are recorded by the Complaints Team and shared as appropriate.

Following a review of the formal complaints service in 2021, which identified several ways in which the handling of complaints could be improved, the focus of the past year has been developing and implementing new ways of working to bring the Council in-line with the guidance published by The Local Government and Social Care Ombudsman in 2020.

Throughout the year, the team have been working with IT and Microsoft Dynamics Partner, Infosys, to develop a Customer Relations Management (CRM) system to manage the functions of the Complaints Team – which are:

- Adult Social Care – complaints submitted under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
- Children’s Social Care - complaints submitted under The Children Act 1989
- Corporate Complaints
- Member Enquiries
- Compliments
- Comments
- LGSCO Link

This process has included process mapping and review of every function. The new system will:

- Enable residents to make complaints easily via a guided web form with immediate confirmation of receipt.
- Provide safe and secure storage of complaints in one place.
- Consistent recording of complaints for accurate reporting.
- Automated reminders to keep complaints on track.
- Tracking of agreed actions and monitoring of lessons learned.

The new system will go live in Spring 2023.

Complaints against Councillors under the Members’ Code of Conduct are dealt with by the Monitoring Officer and are not therefore included in the scope of the new CRM system described above.

2 Reporting on complaints

The Local Government and Social Care Ombudsman also says that councils should report annually on their complaint handling performance and make the reports easily accessible. The annual report should include the following data sets:

Data set	Summary of content
Learning from complaints:	<ul style="list-style-type: none"> • Specific actions the council has taken in response to complaint findings. • Recommendations for further actions to address underlying issues.
Complaints received by service area:	<ul style="list-style-type: none"> • London Borough of Merton had four Directorates in 2022/23 and a number of smaller service teams within those Directorates.
How the complaints were received:	<ul style="list-style-type: none"> • Phone, email, online, face-to-face

<p>The number of upheld complaints for each service area:</p>	<p>There are generally five outcomes from a complaint, these are:</p> <p>Upheld: where we agree with the complainant.</p> <p>Partially upheld: where we agree with the complainant in part, but not fully. It can also be used where a policy is applied but leads to an unfair outcome.</p> <p>Not upheld: where we do not agree that there has been a service failure.</p> <p>Inconclusive: where we do not have evidence to conclude the complaint one way or another.</p> <p>Withdrawn: Complaints can be withdrawn for a number of reasons, sometimes the complainant will choose to withdraw the complaint, or it maybe excluded from the formal complaints process if it is an exception.</p> <p>Note however that the LGSCO has phased out the use of the partially upheld outcome and has advised councils to do the same. The figures for upheld and partially upheld complaints have been amalgamated as have the figures for inconclusive and not upheld complaints.</p>
<p>The number of upheld complaints at each stage of the process:</p>	<p>London Borough of Merton has a two-stage complaint resolution process.</p>
<p>How the numbers of complaints compared to previous years:</p>	<p>Trends over time in terms of complaints received and outcomes.</p>
<p>The council's performance against its own timescales for each service area:</p>	<p>This is 20 working days at stage 1 and 25 working days at stage 2.</p>
<p>The complaints performance of third parties on behalf of the council:</p>	<p>The council replies to all complaints made against third parties who are carrying out work on behalf of the council, unless they are complaints about personnel, in which case they are dealt with directly by the contractors.</p>
<p>The council's LGSCO annual letter and progress against the agreed service improvements:</p>	<p>The LGSCO letter for 2022/23 is appended to this report as Appendix 1.</p>

2 Complaints handling within London Borough of Merton

The council operates a two-stage complaints process.

Most complaints are resolved at stage 1, complainants can request escalation to stage 2, a review stage if they are unsatisfied with the response at stage 1. Stage two review is the final stage of the council's formal complaint resolution process. Having completed this process, the complaint maybe referred to the Local Government and Social Care Ombudsman if the complainant remains unsatisfied.

Under the corporate complaints procedure:

Stage 1 complaints are:	Investigated by the service team. Responded to by the service manager. Required to be answered within 20 working days. Escalation is subject to approval by The Complaints Team
Stage 2 complaints are:	Reviewed by the Complaints Team Agreed by the service's assistant director or director. Required to be answered within 25 working days. Escalated to LGSCO at complainant's request. Subject to a one-year limit for escalation to LGSCO

3 Key figures

- Total number of stage 1 complaints received in 2022 – 2023 was 897 cases, compared with 673 the year before.
- 612 (68%) of the total number of stage 1 complaints submitted were either upheld or partially upheld in the year 2022 – 2023. This compares with an uphold rate of 64% (428 complaints) in the previous year, 2021 – 2022.
- In 2022-2023 111 (12%) of cases escalated to stage 2 of the formal complaints process, this compares to 73 (11%) cases in 2021-2022.
- 136 compliments were received.

4 Number of complaints received.

The Council received 897 formal corporate complaints across its four directorates, compared with 673 complaints the year before. This is a 33% increase when compared with the figures for the year 2021 – 2022. This represents a significant increase in complaints but is roughly level with pre-pandemic figures when 864 complaints were received.

It is expected that between one and three per cent of service users will complain, with approximately 80,000 households registered within the borough we would expect to receive between 800 and 2,400 complaints per year. 897 complaints are at the lower end of the scale and represent just over one per cent of households.

Low numbers of complaints should be treated with some caution as it can mean that residents do not find the complaints process accessible, or do not trust the process.

Table 1: Number of stage 1 complaints received by department and year.

	2019 - 2020	2020 - 2021	2021 - 2022	2022 - 2023
Environment & Regeneration	628	244	474	649
Community & Housing	41	30	35	63
Corporate Services	143	67	113	136
Children, Schools & Families	52	62	51	49
Totals	864	403	673	897

The Environment and Regeneration department saw a rise in complaints of 37%. Community and Housing saw a significant rise of 80%. This is explained in part by the reduced number of complaints received during the COVID19 Pandemic and the subsequent return to a position broadly comparable to pre-pandemic conditions. Further work will be undertaken during the second half of 2023/24 to understand whether there were other service related issues that contributed to the rise in complaints in these areas.

For Corporate Services the increase was 20%

Children, Schools and Families were the only directorate to experience a decrease in the number of corporate complaints of -4%.

5 Complaints responded to in time.

Most corporate complaints are dealt with in a single stage. However, the process does have a review stage, also known as stage 2.

Stage 1 complaints should be responded to within 20 working days, and stage 2 complaints should be answered within 25 working days. It is expected that at least 90% of cases be responded to within these timeframes.

In 2022 – 2023, 60% of complaints were responded to within the expected timescale at stage 1 and 50% were responded to in time at stage 2.

Failure to respond within the published timescales is, in itself, a service failure and is a primary cause of complaint escalation, it also leads to secondary complaints being logged.

It is recognised that there have been some circumstances that led to delays.

1. London Borough of Merton experienced two major incidents in the space of a few months that meant officers had to focus elsewhere. There was a clear

drop in respond in time rates in Quarter 2 as a consequence of the impact of those major incidents.

2. There has been a substantial increase of 33% in the numbers of complaints submitted in 2022 -2023 compared to the previous year.
3. There has also been a substantial increase in the numbers of Member Enquiries submitted. 4,288 member enquiries were submitted in 2022 – 2023 compared with 3,363 in the previous year, equating to an increase of 27%. Many officers responsible for responding to complaints are also responsible for responding to member enquiries.
4. The Complaints Team has been working hard with the IT team to develop a case management system which will benefit the service and provide efficiencies but has used a lot of resource during the development phase. At times this has meant that complaints have been dealt with outside of the published timescales.
5. The Complaints Team was short staffed for much of the year due to a staff member leaving unexpectedly and difficulties in recruitment. This has now largely been resolved with subsequent recruitment rounds proving more successful.

Although there have been issues, there has been a lot of positive work done, particularly with service teams that have a high number of complaints. A new service manager within the Environment and Regeneration Department has been liaising with the waste services team and complaints team to improve the quality and timeliness of responses. The new Head of Development Management and Building Control has worked with his team to clear a backlog of complaints and has made a number of service improvements.

Frontline teams are encouraged to prioritise complaints and seek support from the Complaints Team at the earliest opportunity. Complaints@merton.gov.uk

Table 2: Timeliness in responding to complaints 2022 – 2023.

Stage Department	Stage 1		Stage 2	
	No of cases	Responded to in time	No of cases	Responded to in time
Children, schools & families	49	15 (31%)	12	3 (25%)
Community & Housing	63	26 (41%)	9	5 (56%)
Corporate Services	136	87 (64%)	13	7 (54%)
Environment & Regeneration	649	414 (64%)	77	41 (53%)
Totals	897	542 (60%)	111	56 (50%)

6 How complaints were made.

Most complaints received were submitted by email in 2022 - 2023. Concerns have been raised about the accessibility of the formal complaints process, and in Spring 2023 a webform will be introduced which will make it easier for residents to submit

complaints, by asking for information and including drop down lists. It is recognised that there are a number of people for whom composing a complaint in writing may be challenging.

Due to staffing capacity issues the telephone lines to the Complaints Team have remained on restricted hours during 2022/23. The Complaints Team have been working with the Council's IT team to upgrade the telephone system. This will include menu options, advisory messages about waiting times and options to leave a voicemail. The new system is expected to go live in Autumn 2023.

Although complainants will be encouraged to use the webform, complaints can be accepted by any member of staff, through any channel and forwarded to complaints@merton.gov.uk

Table 3: Complaints broken down by submission channel and department for 2022 – 2023.

Department	Email	Telephone	Letter/post	Face to face	Agency referral	Total
Environment & Regeneration	601	32	11	2	3	649
Community & Housing	57	3	1	2	0	63
Corporate Services	127	7	2	0	0	136
Children, Schools & Families	49	0	0	0	0	49
Total	834	42	14	4	3	897

7 Complaint Outcomes

In the year 2022-2023, of the 897 formal complaints received 612 were upheld in part or in full. That is 68%. The uphold rate was around 70% for all directorates with the exception of Community & Housing which had an uphold rate of 56%. Not all 897 formal complaints progressed to full investigation and 66 cases were withdrawn from the process at stage 1.

Further work is being undertaken during 2023/24 to identify the causes of the high uphold rate and to identify ways in which improved service delivery arrangements can be introduced to reduce the number of complaints received and the proportion of those which are upheld.

As noted above, 66 cases were withdrawn from the process at stage 1. The reasons a complaint may be withdrawn are:

- Complaint resolved outside of the complaint process.
- The complaint was an exception to the complaint process.
- Complainant requested to provide more information – but none was forthcoming.

Where a complaint is not taken to full investigation a letter is sent to the complainant advising them that their complaint has been closed. Where possible the complainant is signposted if appropriate to an alternative process. As the decision to close a complaint is regarded as an outcome decision, it may be appealed through the complaint process or referred to the Local Government and Social Care Ombudsman.

8 Escalations to Stage 2

Complaint escalations usually occur for the following reasons:

- Complaint points have not been properly addressed or missed or new evidence has come to light which may change the outcome.
- A complaint has been upheld but no solution has been offered.
- A solution has been agreed, but not carried out.

These are acceptable reasons for escalating a complaint.

The Complaints Team can refuse to escalate a complaint if:

- The complaint point has already been upheld and further investigation will not change the outcome.
- No new evidence has been provided and further investigation will not change the outcome.
- The complaint is a policy complaint, and further investigation will not change the outcome.
- The escalation request has been submitted after the deadline – discretion needs to be applied in such cases.

Complaints should be adequately answered at stage 1, and escalations to stage 2 should be infrequent. Changes of outcome at this stage should be rare.

In 2022 – 2023, about 12% of complaints escalated to stage 2 (111 of 897 complaints). This is just over the KPI of 10%.

Of the 111 cases that did escalate, 43% (48) upheld or partially upheld at stage 2.

The table below provides a summary of the complaints received during 2022/23 and the outcome, and covers both Stage 1 complaints and those subsequently escalated to Stage 2.

Table 4: Complaints by department and outcome 2022 - 2023

Stage	Stage 1			Stage 2		
Department	No of cases	Upheld or partially upheld	Withdrawn	No of cases	Upheld or partially upheld	Withdrawn
Environment & Regeneration	649	449 69%	52	77 12%	37	18
Community & Housing	63	35 56%	2	9 14%	3	3
Corporate Services	136	95 70%	9	13 10%	3	1
Children, schools & families	49	33 67%	3	12 24%	5	1
Totals	897	612 68%	66	111 12%	48 43%	23

9 Reasons for complaint

Complaints typically fall into one or more of the following complaint types. It can be difficult to categorise complaints, and best efforts have been made to accurately record the primary reason for complaints.

Principle reasons for complaints vary by department, but the most common complaint is delays to the delivery of a service or non-delivery of a service. The second ranked reason for making a complaint is the quality or appropriateness of a service.

- **Administration:** This is a general administration complaint.
- **Assessment:** This is a complaint about the application of eligibility criteria.
- **Communication:** This usually refers to a lack of response to attempts to contact a team or an action being taken (or not taken) without informing the resident or representative.
- **Delivery or non-delivery of a service:** This may refer to the timeliness of service delivery and includes delays. Including delays in complaints process.
- **Disputed payments or charges:** Where the service user questions an amount being charged or paid.
- **Level of Service:** This refers to the level of service received against the resident's expectation.
- **Quality of service:** This relates to the quality of service, but not to a specific individual.
- **Staff conduct:** This relates to the behaviour of a specific employee.
- **Unwelcome or disputed decision:** The way in which a decision has been reached can be complained about in some circumstances.

The top three reasons for complaints across the council are:

1. Delivery or non-delivery of services
2. Level of service
3. Quality or appropriateness of service
4. Staff conduct.

There are variations from department to department. By department the top 3 reasons for complaint by department were as follows:

Community and Housing:

1. Quality or appropriateness of service
2. Communication
3. Delivery or non-delivery of service

Many complaints in housing are regarding applications on the housing waiting list, allocation of points and time waiting for a property.

Corporate Services:

1. Delivery or non-delivery of service
2. Quality or appropriateness of service
3. Disputed payments or charges

There was an issue with the processing of applications for concessionary travel which led to a backlog of applications. This was resolved by contracting additional resource to deal with the backlog.

Children, Schools and Families:

1. Quality or appropriateness of service
2. Level of service
3. Delivery or non-delivery of services

Many complaints to Children, Schools and Families were regarding fulfilment of EHC plans and provision of special educational needs services.

Environment and Regeneration:

1. Delivery or non-delivery of service
2. Level of service
3. Staff conduct.

The Environment and Regeneration department provide waste services to around 80,000 households each week/fortnight. This service receives several times more complaints than all other services. However, it should be noted that the rate of complaint is about 0.72% of service users.

The most frequent complaint is missed waste collection. The Council operates a "missed bin service" which allows residents to report a missed collection within 48 hours and the waste will be recovered. Formal complaints about missed collections will only be converted to formal complaints if the bins are repeatedly missed.

Missed bin collections can be reported at [Report a missed rubbish or recycling collection | Merton Council](#)

Table 5: Reason for complaint and outcomes all departments 2022 – 2023

Reason for complaint	Number of cases	Number of cases upheld or partially upheld	Number of cases not upheld
Administration	28	20	5
Assessment	7	5	2
Communication	30	25	2
Delivery or non-delivery of service	576	431	111
Disputed payments or charges	22	10	11
Level of service – quantity or frequency of a service	96	54	33
Quality or appropriateness of a service	58	35	21
Staff conduct	58	26	27
Unwelcome or disputed decision	19	7	6
Totals	894	613	218

Table 5a: Reason for complaint and outcome - Community & Housing 2022 - 2023

Reason for complaint	Number of cases	Number of cases upheld or partially upheld	Number of cases not upheld
Administration	2	2	0
Assessment	2	2	0
Communication	11	9	2
Delivery or non-delivery of service	9	5	4
Disputed payments or charges	0	0	0
Level of service – quantity or frequency of a service	8	0	8
Quality or appropriateness of a service	16	11	5
Staff conduct	7	3	4
Unwelcome or disputed decision	6	3	3
Totals	61	35	26

Table 5b: Reason for complaint and outcomes - Corporate Services 2022 - 2023

Reason for complaint	Number of cases	Number of cases upheld or partially upheld	Number of cases not upheld
Administration	17	14	3
Assessment	0	0	0
Communication	15	12	0
Delivery or non-delivery of service	41	35	4
Disputed payments or charges	20	8	11
Level of service – quantity or frequency of a service	7	4	3
Quality or appropriateness of a service	23	15	6
Staff conduct	10	7	3
Unwelcome or disputed decision	2	1	1
Totals	135	96	31

Table 5c: Reason for complaint – and outcomes Children, Schools and Families 2022 - 2023

Reason for complaint	Number of cases	Number of cases upheld or partially upheld	Number of cases not upheld
Administration	0	0	0
Assessment	5	3	2
Communication	4	4	0
Delivery or non-delivery of service	8	7	1
Disputed payments or charges	2	2	0
Level of service – quantity or frequency of a service	8	6	2
Quality or appropriateness of a service	10	7	3
Staff conduct	7	2	3
Unwelcome or disputed decision	5	2	2
Totals	49	33	13

Table 5d: Reason for complaint and outcomes - Environment and Regeneration 2022 - 2023

Reason for complaint	Number of cases	Number of cases upheld or partially upheld	Number of cases not upheld
Administration	9	4	2
Assessment	0	0	0
Communication	0	0	0
Delivery or non-delivery of service	518	384	102
Disputed payments or charges	0	0	0
Level of service – quantity or frequency of a service	73	44	20
Quality or appropriateness of a service	9	2	7
Staff conduct	34	14	17
Unwelcome or disputed decision	6	1	0
Totals	649	449	148

Table 6: Complaint outcomes by team and outcome 2022-2023

Environment & Regeneration	No of cases	Upheld or partially upheld	Not upheld	Withdrawn
Building Control	3	1	2	0
Greenspaces	41	32	9	0
Leisure	2	1	1	0
Parking and CCTV	65	13	38	14
Planning	54	31	18	5
Property	2	0	1	1
Regulatory Services	26	13	8	5
Street Cleansing	44	38	3	3
Traffic and Highways	52	21	24	7
Transport	3	1	1	1
Waste Assisted Collections	4	4	0	0
Waste Enforcement	4	3	1	0
Waste (Batteries and textiles)				
Waste (Bulky)	3	3	0	0
Waste (Fly-tipping)	15	13	2	0
Waste (Food)	25	19	3	3
Waste (Garden)	47	37	7	3
Waste (Paper)	11	11	0	0
Waste (Recycling)	43	37	6	0
Waste (Refuse)	125	106	13	6
Waste (Wheelie bins)	25	21	3	1
Waste other	30	27	2	1
Split	25	17	6	2
Total	649	449	148	52

Community & Housing				
Environmental Health Housing	7	3	4	0
Homelessness	1	0	1	0
Housing Options	36	18	18	0
Housing Registrations and nominations	8	7	1	0
Housing Strategy	1	1	0	0
Housing Supply & Development	5	3	1	1
Temporary Accommodation Service	3	1	1	1
Split	2	2	0	0
Total	63	35	26	2

Corporate Services				
Bailiffs (Council Tax)	5	1	3	1
Bailiffs (PCN)	8	5	3	0
Business Rates	1	1	0	0
Concessionary Travel	31	30	1	0
Council Tax	14	12	1	1
Council Tax benefits	2	1	0	1
Council Tax invoices	3	2	1	0
Council Tax Liability	7	5	2	0
Council Tax recovery	9	5	3	1
Council tax summons	3	2	1	0
Household Support Grant	1	0	1	0
Housing Benefit	24	17	5	2
Merton Link	3	0	3	0
Other	10	5	2	3
Split	15	9	6	0
Total	136	95	32	9
Children ,Schools & Families				
Access to Resources & CWD	1	1	0	0
Early Years and Children's Centres	2	2	0	0
Education Inclusion	1	0	1	0
MASH and Child Protection	5	3	2	0
Permanency, LAC and Care Leavers	1	1	0	0
Safeguarding and Care Planning	9	5	3	1
Special Educational Needs.	30	21	7	2
Total	49	33	13	3
Grand Total	897	612	219	66

10 Escalations to the Local Government and Social Care Ombudsman

On completing both stages of the formal complaints process, complainants can refer their cases to the Local Government and Social Care Ombudsman for external review.

In the year 2022 - 2023, 60 cases were referred to the ombudsman and 65 decisions were issued. Some cases were carried over from the previous auditing year which accounts for the difference in outcomes issued as compared with those referred. Nineteen cases were taken to full investigation with eleven being upheld, and eight not being upheld.

Table 7: LGSCO referrals by outcome and service 2022 - 2023

	Upheld	Not upheld	Closed after initial enquiries	Incomplete/ Invalid	Referred back for local resolution	Total
Environment & Regeneration	1	4	14	0	10	29
Environmental Services & Public Protection & Regulation	1	0	3	0	3	7
Highways & Transport	0	1	8	0	2	11
Planning & Development	0	3	3	0	5	11
Corporate Services	5	1	3	0	0	9
Benefits & Tax	5	1	2	0	0	8
Corporate & Other services	0	0	1	0	0	1
Community & Housing	4	1	3	2	7	17
Adult Care Services	2	1	2	1	5	11
Housing	2	0	1	1	2	6
Children, schools & families	1	2	4	0	3	10
Education & Children's Services	1	2	4	0	3	10
Totals	11	8	24	2	20	65

The cases listed under adult social care and education & children's services are explored in separate annual reports. Eight cases were upheld following the formal process for corporate complaints.

LGSCO Case Ref	21 013 957
Decision	Upheld
Category (as defined by LGSCO)	Homelessness
Date of final decision	27 June 2022
Summary	Miss X complained about the way the Council dealt with her homelessness application and its failure to provide suitable temporary accommodation. The errors in the way the Council dealt with Miss X's homeless application amount to fault. This fault has caused Miss X an injustice.

LGSCO Case Ref	21 013 960
Decision	Upheld
Category (as defined by LGSCO)	Housing benefit and council tax benefit
Date of final decision	20 June 2022
Summary	Miss X complained the Council incorrectly calculated her entitlement to housing benefit and wrongly refused to award Discretionary Housing Payment which has resulted in significant rent arrears. The delays and errors in the way the Council dealt with Miss X's housing benefit and Discretionary Housing Payment claims amount to fault. This fault has caused Miss X an injustice.

LGSCO Case Ref	21 015 179
Decision	Upheld
Category (as defined by LGSCO)	Council tax
Date of final decision	1 August 2022
Summary	Mrs X complained there was fault in the way the Council calculated her council tax and communicated with her. I found there was no fault in the actions taken to recover arrears. There was fault in the way the Council initially responded to Mrs X's complaint, but the Council apologised and rectified this in later correspondence. I found no fault that warranted a remedy for Mrs X.

LGSCO Case Ref	21 015 621
Decision	Upheld
Category (as defined by LGSCO)	Noise
Date of final decision	6 July 2022
Summary	Mr X complains about how the Council handled his noise complaint. I have concluded my investigation having found fault in how the Council handled Mr X's noise complaint. There were unreasonable delays throughout the process, and this caused an injustice to Mr X. The Council have agreed to the recommendations proposed.

LGSCO Case Ref	21 001 385
Decision	Upheld
Category (as defined by LGSCO)	Private housing
Date of final decision	19 July 2022
Summary	Ms Y complains the Council has not made the agreed rental payments for two homeless people which she agreed to accommodate as lodgers. We do not find fault in the substantive complaint however there is an outstanding payment for one tenant which the Council will now make.

LGSCO Case Ref	21 017 646
Decision	Upheld
Category (as defined by LGSCO)	Council tax
Date of final decision	6 July 2022
Summary	Mr Y complains about the Council's enforcement of historic council tax debts, which he was not liable for. He also complains about the Council's decisions about council tax liability. We uphold the complaint, because the Council did enforce against the wrong person and did not act on communications from Mr Y about this. We have not investigated the council tax liability. That is because Mr Y can appeal to the Valuation Tribunal about these issues.

LGSCO Case Ref	22 009 104
Decision	Upheld
Category (as defined by LGSCO)	Council tax
Date of final decision	21 December 2022
Summary	Mr X complained the Council delayed responding to his appeal against its decision to charge council tax. Mr X also complained the Council sent bailiffs to his home to collect the debt while he was appealing against the Council's decision. Mr X says this has caused him distress. The Council was at fault, but it has taken appropriate action to remedy any injustice caused by this fault.

LGSCO Case Ref	22 011 270
Decision	Upheld
Category (as defined by LGSCO)	Council tax
Date of final decision	15 December 2022
Summary	We will not investigate this complaint about an error by the Council which led to it wrongly issuing a court summons for unpaid council tax. The Council has already provided a suitable remedy.

11 Compliments

As well as complaints, the Complaints Team receive compliments to its mailbox compliments@merton.gov.uk These are welcomed and shared with relevant service managers.

Many compliments have been paid to the Adult and children's social work teams and these are explored in separate annual reports.

For other teams the Library service have received 42 compliments. Heritage and discovery days have been much complimented.

The waste team received 38 compliments. Most of these were regarding operatives who have gone above and beyond expectations and supported more vulnerable residents with their bin collections.

Regulatory services received 31 compliments for their support in resolving difficult neighbourly issues.

Table 8: Compliments v Complaints comparison by year

	2019-2020	2020 - 2021	2021 - 2022	2022 - 2023
Compliments	221	318	234	308
Complaints	864	403	673	897

Table 9: Compliments v Complaints by department 2022 -2023

	Community & Housing	Corporate Services	Children, Schools & Families	Environment & Regeneration
Compliments	136	22	47	103
Complaints	63	136	49	649

12 A review of the effectiveness of the complaint's procedure.

In the 2021-2022, five high level recommendations were made to improve the effectiveness of the complaint procedures across all complaint streams.

They were:

1. A revision of the Complaints, Comments and Compliments Policy should be carried out.
2. Improve access to the complaints service.
3. Introduce a case management system.
4. Provide Additional staff resource for the Complaints Team
5. Support culture change in attitudes to complaints

1. A revision of the Complaints, Comments and Compliments Policy should be carried out.

Performance indicators show that corporate timelines are not being adhered to. Although this may be attributable to conflicting work pressures and lack of available resource. This was certainly the case when the two major incidents were experienced in the Borough within a few months of each other and officers had to turn their attention to dealing with those.

It is clear that staff need to develop confidence in using the complaints procedure Those responding to complaints are encouraged to contact the Complaints Team to work through complaints. Complaints Officers are available in person or on Teams to provide support and can be contacted at complaints@merton.gov.uk

2. Improve access to the complaints service.

Work has begun on improving access to the complaints service. A new webform has been developed and will become available for use on the Council's website in Spring 2023. The form ensures that information required is captured at first contact. The form will be available across a range of electronic devices such as mobiles, tablets.

In Autumn 2023, it is expected that the Complaints Team telephone line will open for longer and will have an improved call data and voicemail facility.

Moving forwards, the Complaints Team will work with service teams and the communications team to promote the complaint service through website and other publications.

3. Introduce a case management system.

During 2022 – 2023 the Complaints Team has carried out a huge amount of work to develop a case management system for complaints. The Microsoft Dynamics system will work with an app to allow service teams to easily see and respond to complaints. The system will allow service managers to review reports and will send out automated reminders. It is hoped that along with training, this will prevent complaints from going overtime, and in cases where a complaint cannot be responded to, an extension request would need to be requested from a manager which will also prompt an update to be sent to the complainant.

4. Additional staff resource for the Complaints Team

For much of the year 2022- 2023, the Complaints Team has been under-resourced. There was difficulty recruiting following the unexpected departure of a member of staff from the team and another member of staff who went on maternity leave. The issue was compounded by additional work to develop the case management system. As a statutory process, Adult Social Care complaints were prioritised, but at times it was necessary to prioritise other complaints based on impact to the complainant. Statutory complaints, housing, council tax and concessionary travel were prioritised during these times.

5. Support culture change in attitudes to complaints

The Complaints Team continues to work closely with other teams within the council. As part of the development of the case management system most service teams have been invited to give their requirements for the new system and review procedures to make the procedure more efficient.

The system has been developed to include customer feedback to aid service development. The system also includes recording of lessons learned from complaints and tracking of remedial actions. The system should support staff in improvement of service delivery.

13 Conclusion

2022/23 has been a challenging year in many respects, with a continuing focus on recovery from the pandemic driving new ways of working, while coinciding with complaints activity returning to a position broadly equivalent to that seen pre-pandemic.

Overall, however, the number of complaints remains at the lower end of the expected scale, as noted in section 4 of this report, and while this should not lead to any complacency, it does indicate that overall, we continue to provide a good level of service to our residents. The report notes several pieces of work that will be undertaken during 2023/24 to better understand how we can further improve service delivery as a Council, and to better understand what is driving the high proportion of upheld complaints. Progress in these areas will be reported in the next annual report.

The continuing high number of compliments received across the Council's services also points to the high quality of much of the work that the Council does.

As noted at various points in the report, the Complaints Team, and the processes for receiving and responding to complaints have been subject to a number of challenges during 2022/23.

In the year 2023 – 2024 it is expected that the case management system will go live, making the complaints process more efficient and enabling an improved customer experience. As also noted in this report, previous recruitment challenges have now largely been resolved and the Complaints Team is on a more secure footing going into 2023/24 as a result.

Communication with residents remains the best way to resolve complaints. Those responding to complaints are encouraged to prioritise complaints, hold face to face meetings, video calls or telephone calls with the complainant to properly understand the complaint before responding.

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