

Notice of Meeting

AUDIT AND STANDARDS COMMITTEE

Wednesday, 28 June 2023 - 7:00 pm
Council Chamber, Town Hall, Barking

Members: Cllr Princess Bright (Chair); Cllr Mohammed Khan (Deputy Chair); Cllr Dorothy Akwaboah, Cllr Josie Channer, Cllr Rocky Gill, Cllr Margaret Mullane, Cllr Adegboyega Oluwole, Cllr Muazzam Sandhu and Stephen Warren

Independent Member (for audit matters only):

Date of publication:

Fiona Taylor
Chief Executive

Contact Officer: Yusuf Olow
Tel. 020 8227 7919
E-mail: yusuf.olow@lbbd.gov.uk

Please note that this meeting will be webcast via the Council's website. Members of the public wishing to attend the meeting in person can sit in the public gallery on the second floor of the Town Hall, which is not covered by the webcast cameras. To view the webcast online, click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

AGENDA

- 1. Apologies for Absence**
- 2. Declarations of Interest**
- 3. Minutes - To confirm as correct the minutes of the meetings held on 9 May 2023 (Pages 3 - 6)**
- 4. Customer Feedback Team Annual Report (Pages 7 - 72)**
- 5. Complaints Update (Pages 73 - 75)**
- 6. Council's Accounts Audit Update - 2019/20, Subsidiaries' accounts audit - 2021/22 and Progress on Accounts Closure - 2022/23 (Pages 77 - 86)**
- 7. Counter Fraud Annual Report (Pages 87 - 93)**

8. **Work Programme 2023/24 (Page 95)**
9. **Any other public items which the Chair decides are urgent**
10. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted**

Private Business

The public and press have a legal right to attend Council meetings such as the Audit and Standards Committee, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***There are no such items at the time of preparing this agenda.***

11. **Any other confidential or exempt items which the Chair decides are urgent**

Our Vision for Barking and Dagenham

**ONE BOROUGH; ONE COMMUNITY;
NO-ONE LEFT BEHIND**

Our Priorities

- Residents are supported during the current Cost-of-Living Crisis;
- Residents are safe, protected, and supported at their most vulnerable;
- Residents live healthier, happier, independent lives for longer;
- Residents prosper from good education, skills development, and secure employment;
- Residents benefit from inclusive growth and regeneration;
- Residents live in, and play their part in creating, safer, cleaner, and greener neighbourhoods;
- Residents live in good housing and avoid becoming homeless.

To support the delivery of these priorities, the Council will:

- Work in partnership;
- Engage and facilitate co-production;
- Be evidence-led and data driven;
- Focus on prevention and early intervention;
- Provide value for money;
- Be strengths-based;
- Strengthen risk management and compliance;
- Adopt a “Health in all policies” approach.

The Council has also established the following three objectives that will underpin its approach to equality, diversity, equity and inclusion:

- Addressing structural inequality: activity aimed at addressing inequalities related to the wider determinants of health and wellbeing, including unemployment, debt, and safety;
- Providing leadership in the community: activity related to community leadership, including faith, cohesion and integration; building awareness within the community throughout programme of equalities events;
- Fair and transparent services: activity aimed at addressing workforce issues related to leadership, recruitment, retention, and staff experience; organisational policies and processes including use of Equality Impact Assessments, commissioning practices and approach to social value.

MINUTES OF AUDIT AND STANDARDS COMMITTEE

Tuesday, 9 May 2023
(7:00 - 7:45 pm)

Present: Cllr Princess Bright (Chair), Cllr Dorothy Akwaboah, Cllr Josie Channer, Cllr Adegboyega Oluwole, Cllr Muazzam Sandhu and Stephen Warren;

Apologies: Cllr Rocky Gill and Cllr Margaret Mullane

30. Declarations of Interest

The Independent Member (IM) disclosed that he was engaged as a consultant to Public Sector Audit Appointments (PSAA), which appoints the Council's external auditor. The IM disclosed that he had advised on the financial evaluation on the forthcoming tender, and the potential impact on the time that would be required as a result of changes in auditing and accounting standards requirements.

The IM assured the Committee that this did not directly affect Barking and Dagenham Council or the appointment of an external auditor. The Chair agreed that this was not a disqualifying interest and permitted the IM to continue to participate in the meeting.

31. Minutes - To confirm as correct the minutes of the meetings held on 7 February 2023

The minutes of the meeting held on 7 February 2023 were confirmed as correct.

32. Council's Accounts Audit Update - 2019/20, Subsidiaries' accounts audit - 2021/22 and Progress on Accounts Closure - 2022/23

BDO representatives updated the Committee.

BDO expressed its disappointment that the 2019/20 audit was still outstanding. Most of the fieldwork had been completed and reviewed; however, there were outstanding issues in relation to infrastructure assets and property, plant, and equipment (PPE).

BDO reported that a temporary solution, agreed by Chartered Institute Public Finance and Accountancy (CIPFA) and the Financial Reporting Council (FRC) had been implemented in relation to the accounting for infrastructure assets. A bulletin was published by CIPFA in January 2023 and BDO had, in response, created a work programme which would be developed further to facilitate the completion of the fieldwork in regard to infrastructure, following receipt of working papers from the Council in relation to infrastructure assets.

BDO cautioned that the audit would not be completed by the next meeting of the Committee, which was scheduled for 28 June 2023. However, BDO was confident that it would be able to provide a detailed timeline relating to the completion of the 2019/20 audit by the end of May 2023, for consideration at the next meeting of the Committee. Following agreement, the timeline would be included in a progress

report that would contain an indicative timeline for the completion of all of the outstanding audits (2020/21, 2021/22, 2022/23) that BDO was contractually obliged to undertake.

In response to questioning, BDO said that resource prioritisation was considered on a weekly basis but given the continuing challenges in the audit market, this was challenging, and an absolute assurance could not be given.

The Chief Accountant (CA) said that, in relation to the Council's accounts, progress had been made. In regard to the draft group accounts, Companies House had been informed of the delay and it was expected that the accounts would be completed by the new statutory deadline of 17 May 2023.

The Committee expressed its disappointment at the latest delay to the 2019/20 Accounts Audit before noting the report.

33. Complaints Update

The Head of Law updated the Committee.

More information had been provided to the Committee. There were two ongoing investigations. One investigation had been delayed due to extenuating personal circumstances of the person subject to the complaint, but it was still ongoing. The other complaint was still ongoing, and in both cases, information was restricted due to data protection requirements.

The Committee noted the update.

34. Draft Internal Audit Charter, Strategy and Plan for 2023/24

The Head of Assurance (HoA) updated the Committee. The Internal Audit Charter was updated annually by the HoA. The Charter was subjected to minor changes to reflect current reporting lines and no other changes were deemed necessary.

The HoA then discussed the Internal Audit Strategy. The strategy was subject to an annual review and only minor changes were made to reflect a change in working practices.

The Internal Audit Plan consisted of 865 audit days and was developed in line with the Charter and Strategy. The plan also detailed the manner which Internal Audit resources would be used including draft audit titles and proposed audit objectives.

As part of the risk-based approach that the Council took in relation to audit, 65 of the 865 audit days within the plan had been held back in the event that some, as yet unspecified, risk emerged during the year and required an immediate response.

The HoA addressed the issues of management requests, emphasising that where such requests were made, this did not mean that these would be added to the audit plan. The HoA would determine this and it would be audited with the same rigour as other areas of internal audit.

In response to questioning, the HoA elaborated that input from managers and directors was sought as part of the construction of the plan, since they would be familiar with procedures and changes in legislation; however, the HoA stressed that they did not determine the final outcome of the plan. The final decision was that of the HoA.

The HoA also clarified to the Committee that, at the time the plan was being drawn up, the outcome of audits in particular areas from the previous fiscal year, such as financial systems, were still being finalised. These would be presented to the Committee at its next meeting, as part of the report relating to internal control.

The Committee agreed to approve the draft Internal Audit Charter.

The Committee agreed to approve the draft Internal Audit Strategy 2023/24.

The Committee agreed to approve the draft Internal Audit Plan 2023/24.

35. Work Programme 2023/24

The IM indicated that it was good practice to measure the Committee's Forward Plan against the Committee's Terms of Reference, as this would determine if the Committee would be able to fulfil its duties. The IM was of the conclusion that the Forward Plan, at present, did not do this.

BDO said that it would send the Governance Officer a list of items to be added to the Forward Plan for the Committee to consider. The Chair requested that all officers email the Governance Officer with items for the Forward Plan as soon as possible.

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Audit and Standards Committee

TBC

Title: Customer Feedback Team Annual Report	
Report of the Chief Operating Officer	
Open Report	For Information
Wards Affected: None	Key Decision: No
Report Author: Danielle Bridge Complaints and Information Manager	Contact Details: Tel: 020 8277 2111 E-mail: Danielle.Bridge@lbbd.gov.uk
Accountable Director: Natalia Monvoisin; Head of Customer Contact	
Accountable Strategic Leadership Director: Alex Powell, Director of Strategy	
<p>Summary</p> <p>This report is produced on an annual calendar year basis from January – December 2022 and provides insight into the work undertaken by the Customer Feedback Team. It incorporates information relating to complaints, members casework, Freedom of Information (FOI) and Subject Access Requests (SAR).</p> <p>Additionally, its objective is to detail the council's performance in relation to complaints and members' casework targets, showcasing the process of reviewing and identifying areas for service enhancement, which are subsequently implemented to improve overall effectiveness.</p> <p>Legislation dictates that an annual report is separately developed and published for Care and Support.</p>	
<p>Recommendation:</p> <p>The Audit and Standards Committee is asked to note and comment on the contents of the report.</p>	

1. Introduction and Background

- 1.1 The Customer Feedback Team are responsible for monitoring and tracking all complaints, members casework, Freedom of Information and Subject Access Requests submitted. This report focuses on complaints and members casework as this is where we can gather the most insight into how we can continually improve our services delivered to residents and members.
- 1.2 All casework is tracked on the Council's complaints handling system I-Casework. This system was implemented in January 2016.

1.3 The council has a number of information governance processes which are managed by the Customer Feedback Team. The four main processes are set out below with timescales and expected performance:

Complaints – The Council actively promotes the submission of complaints and has established a corporate procedure that enables residents to voice their concerns and raise issues of importance.

This process has two stages; the first stage where many are raised through our online form and we aim to respond within 10 working days.

If a complainant is not satisfied with the answer they receive at stage one they may ask for a review within 28 days of the response. The aim is to respond to a request for a review within 30 working days and if this target cannot be met a progress report will be sent to the resident directly to keep them informed.

If the complainant is still not satisfied with the response they can approach the [Ombudsman](#) or the [Housing Ombudsman Service](#) if the complaint is about housing.

The performance target for all complaints is currently to answer 90% within the timeframes described.

In addition to this process, there are certain services where there is a statutory complaints process that has to be followed and these are for complaints regarding:

- [adult social care services](#)
- [children's social services](#)
- [Schools](#)
- [Councillors](#)
- [reports of fraud](#)

Members Casework – Both elected members of parliament and councillors can submit casework from their residents. This casework has a 10-working day target for a response. The performance target for response is currently 90% within this time frame.

Freedom of Information/Environmental Information Regulations – Under the Freedom of Information Act, the council must make available to applicants' information which is held. This Act does allow for the council, if necessary, to apply exemptions to certain requests. The timeline for dealing with requests is currently 20 working days. The performance target for FOI's and EIR's is set by the Information Commissioners Office, and they currently expect that 95% of requests are dealt within these time frames.

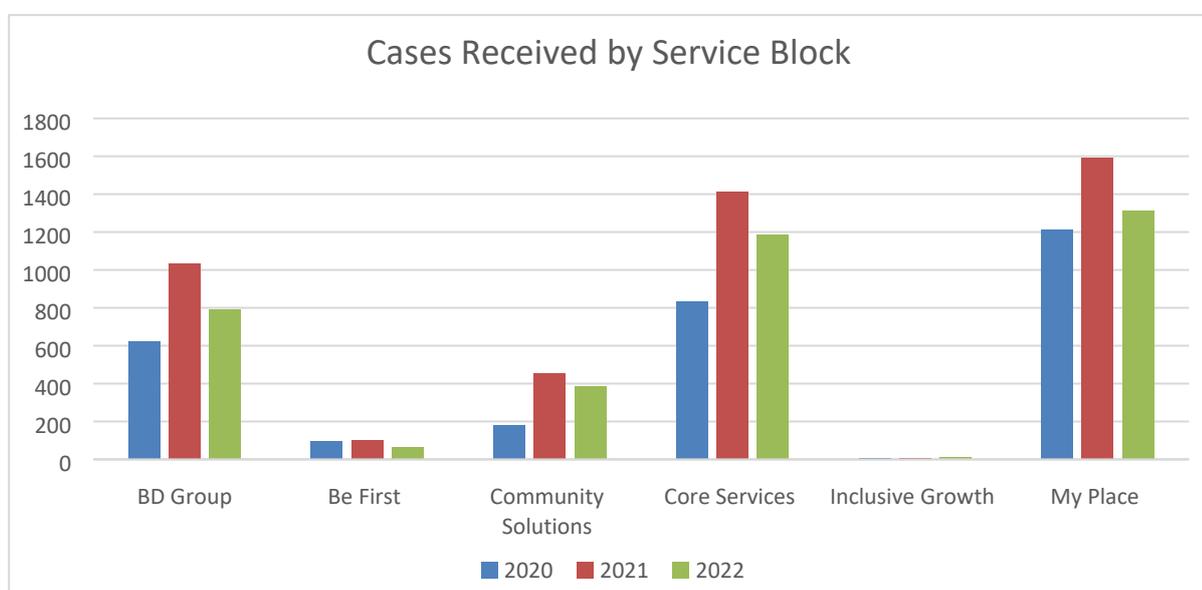
Subject Access Requests – Under the General Data Protection Regulations the council have to allow for any information which is held on a person to be made available to them upon request. Once a request is received, we have one calendar

month to provide all relevant information. The performance target for SAR's is 90% within this timeframe.

2. Corporate Complaints

- 2.1 Whilst reviewing the data which is included in this report it is important to note the number of services we provide to our residents and consider the number of complaints alongside this information.
- 2.2 The data below shows complaints received by service area. This does not include Care and Support; legislation dictates that an annual separate report is developed and published for these services.
- 2.3 The number of complaints decreased (-18%) in 2022 vs 2021, this is a positive step and is bringing the Council back down in range to our historic figures from prior to the pandemic. We need to work towards decreasing this figure year on year to ensure that as a Council we are making service improvements based on the complaints we receive.
- 2.4 76% of complaints were answered within timescale. This is below the corporate target of 90%

	2020	2021	2022
BD Group	625	1033	793
Be First	99	100	64
Community Solutions	181	454	384
Core Services	835	1414	1,188
Inclusive Growth	6	6	11
My Place	1,216	1,595	1,316
Total	2,962	4,602	3,756



2.5 The table below shows the outcome for each complaint received which has been responded to. Upheld complaints provide a good basis for us to consider how we can improve services offered. You will note that the figures below differ from our overall complaints total. This is due to a small number of complaints remaining open and therefore no outcome can be provided.

Outcomes from Complaints		
Upheld	1579	42%
Not Upheld	1036	28%
Partly Upheld	516	14%
Resolved at first point of contact	18	0.5%
Withdrawn	137	3.6%
TOTAL	3286	

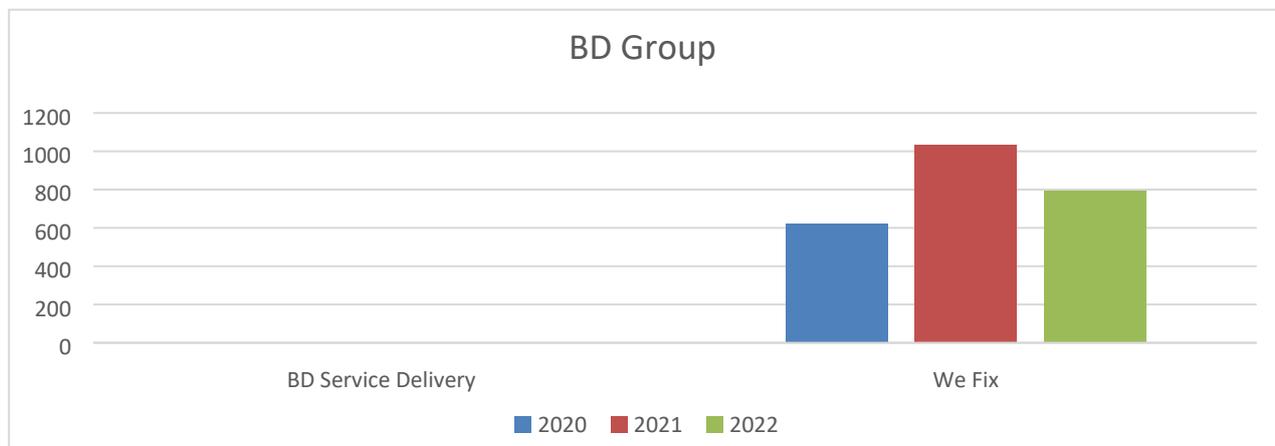
2.6 In 2022, we upheld 42% of complaints and whilst this is an increase on the previous year (2021 at 36%) we are still below 50%. While an increase is not ideal it shows that as a Council, we are undertaking thorough investigations and are able to identify where we can improve our services. It is how we translate the upheld complaints into real service improvements which indicates we are considering our customers and their journeys.

2.7 It should also be noted that 19% of the complaints which are submitted relate to our Refuse Service. As these relate to missed bin collections, in the main they are upheld unless we have sufficient evidence to suggest that the missed collection was due to resident fault. Of the 1579 upheld complaints 701 (44%) are missed bins, meaning only 878 complaints have been upheld against other services.

2.8 As a Council we recognise the importance of a cycle of continuous learning from our complaints especially in those service areas which receive a high level of complaints. The drive for Customer Feedback is to improve the customer journey and satisfaction with the services we provide, to get the basics right. We work with high volume service areas considering the complaints received and the way in which we can address these to ensure a reduction in numbers but also improvements in service. An example of this is the improvement in Parking Services where a high volume of complaints would suggest that with the facility to be able to speak to a specialist parking telephony service would put the resident at ease. Parking have listened to this feedback and have implemented a dedicated parking services telephone line helping to reduce the traffic into the general contact centre and complaints, but more importantly allowing the resident a way to communicate which is effective at alleviating their concerns and resolving the issue at first point of contact.

3. BD Group

Stage 1 Complaints Received BD Group			
	2020	2021	2022
BD Service Delivery	0	0	0
We Fix	625	1,033	793
Total	625	1,033	793

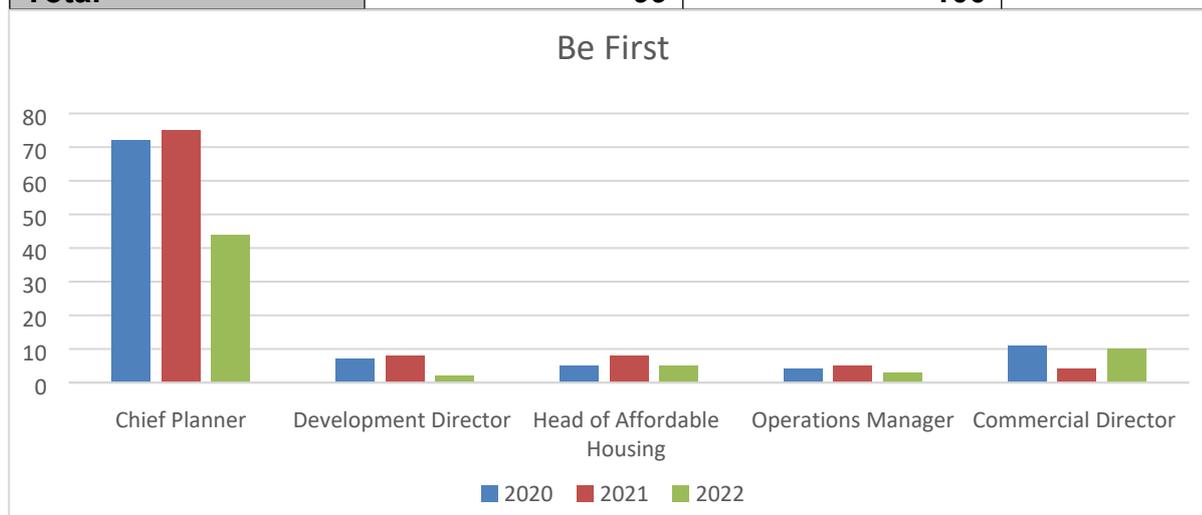


- 3.1 BD Group offers paid services to schools including catering and cleaning as well as repairs and maintenance. We Fix undertakes housing repairs for the council's housing stock.
- 3.2 Undertaking a review of the complaints submitted in 2022, we can see that as with previous years there are common themes which appear in a number of the complaints. These being follow on works not being scheduled, delays in initial appointments, dissatisfaction with the way the repair has been handled and due to a spotlight report from the Housing Ombudsman a clear increase in damp and mould cases being reported via the complaints system. These themes in the main are consistent year on year with the exception of the damp and mould cases which has become more prominent. We continue working with our colleagues in BD Group finding ways in which we can learn and therefore reduce the complaints which are submitted. This is having some impact as we can see a reduction in the number of complaints from 2021 by 23%. This work is by no way completed and we continue holding BD Group to account ensuring that we can see tangible actions which will positively impact on our residents.
- 3.3 BD Group continue to look for new ways to improve their overall service delivery. Engaging with contractors to support with clearing backlogged works and with our internal departments to resolve ongoing situations which are producing negative impact on the residents. One of these successes was the key fob process which was convoluted and involved numerous services. This process has now been changed to ensure a quicker turnaround for new fobs to be issued.
- 3.4 There is no quick fix for the repair and maintenance issues we are facing, however, working in partnership with BD Group we are both committed to working together and improving the customer experience from point of initial contact to the repair being completed.

- 3.5 The council does not record complaints which relate to the other services provided by the rest of the BD Group.
- 3.6 Of those complaints received for We Fix 79.5% were completed within timescale.

4. Be First

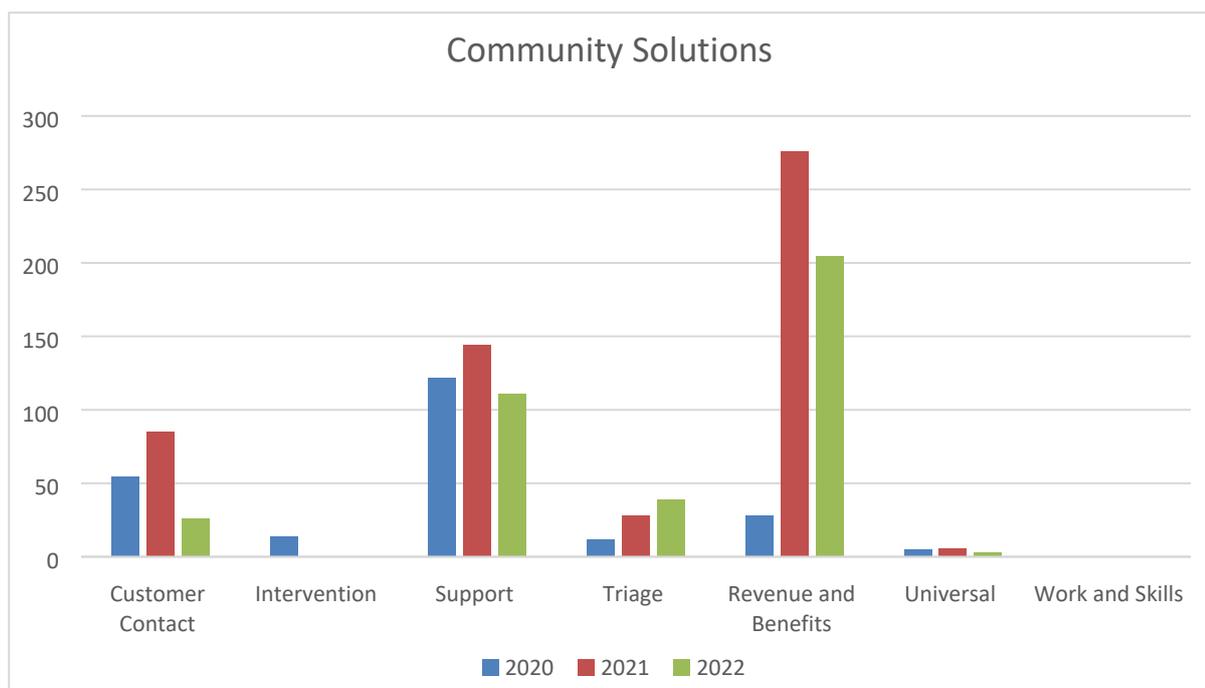
Stage 1 Complaints Received Be First			
	2020	2021	2022
Chief Planner	72	75	44
Development Director	7	8	2
Head of Affordable Housing	5	8	5
Operations Manager	4	5	3
Commercial Director	11	4	10
Total	99	100	64



- 4.1 Be First offers a range of services including Building Control, Planning Applications, Regeneration of Council Stock and Regeneration of the Local Area.
- 4.2 The main issues which are reported relating to Be First are complaints relating to the manner in which objections have been dealt with regarding planning and issues with building control providing certificates.
- 4.3 Chief Planner by a significant number continues to bring the most complaints for Be First as they deal with residents directly for both submission of plans but also objections to planning applications.
- 4.4 We are aware that significant process improvement is required concerning how defects are managed post the 12-month warranty period to ensure issues are resolved in a timely manner with minimal impact on the residents.
- 4.5 Of the complaints received for Be First 37.5% were answered within timescale. This is a large decrease on the performance of last year, we have addressed this with Be First directly who assure that complaints continue to be a high priority for the service and that resources will be made available to improve moving forward.

5. Community Solutions

Stage 1 Complaints Received Community Solutions			
	2020	2021	2022
Customer Contact	55	85	26
Intervention	14	0	0
Support	122	144	111
Triage	12	28	39
Revenue and Benefits	28	276	205
Universal	5	6	3
Work and Skills	0	0	0
Total	181	454	384



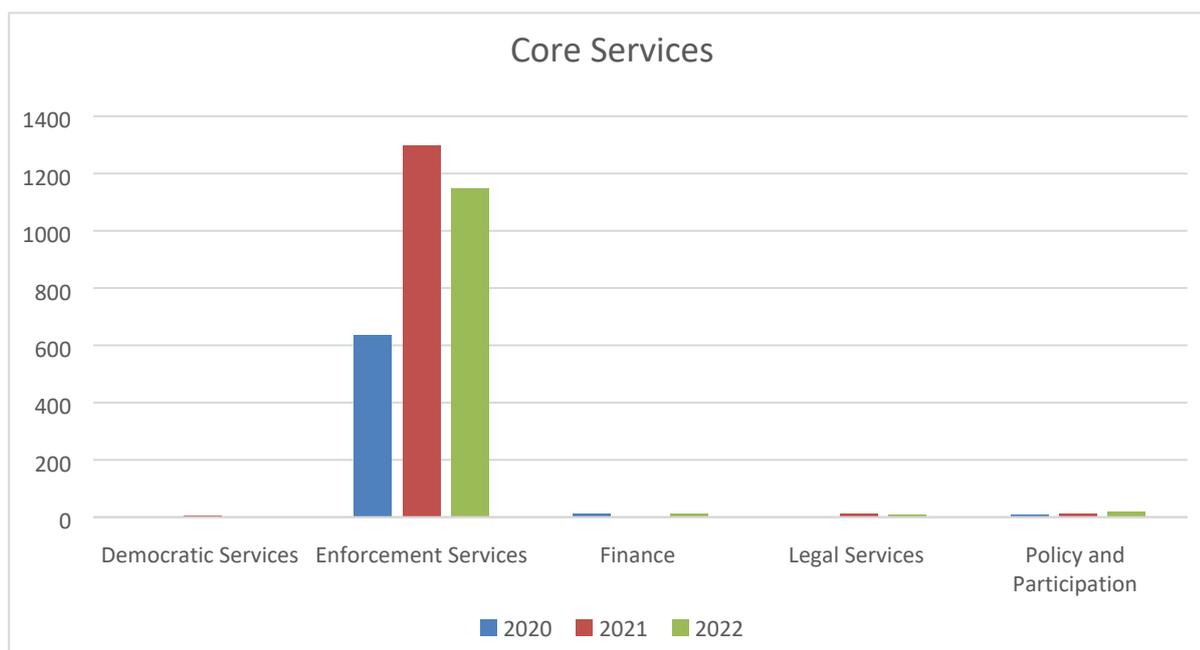
5.1 Community Solutions offers a range of services for our residents including maintaining housing allocations, tenancy sustainment, early intervention services and the Homes and Money Hub which offers valuable advice and support to those residents who require financial assistance.

5.2 Revenues and Benefits are the highest generator for complaints within Community Solutions and this is due to the service being one which affects all our residents and businesses within the Borough. Positively although the highest generator there has still been a decrease in the numbers reported from the previous year. The main crux of the complaints within this area is disagreement with decisions made such as not granting benefit applications made, charges on the account. Complainants will often suggest that they have rung and resolved an issue with an outstanding balance, but the system still generates letters informing of debt or legal action. We are reviewing the volume of communication reducing this where possible. Also adding to our communication QR codes for digital access.

- 5.3 The Support service comprises of several functions for which we deal with complaints these areas being Housing Allocations and Tenancy Sustainment. Housing Allocations is self-explanatory this relates to the wait time for Council Housing and disagreement with decision to place the resident on the housing list. Tenancy Sustainment in 2022 moved the general Anti-Social Behaviour function to Core Services but still will work with our tenants to resolve ongoing presenting issues which can relate to management transfer requests and keeping people in their homes.
- 5.5 Of those complaints received within Community Solutions 74.4% were answered within timescale.

6. Core Services

Stage 1 Complaints Received Core Services			
	2020	2021	2022
Democratic Services	0	6	1
Enforcement Services	635	1298	1147
Finance	13	1	11
Legal Services	3	13	10
Policy and Participation	9	11	19
Total	835	1,414	1188



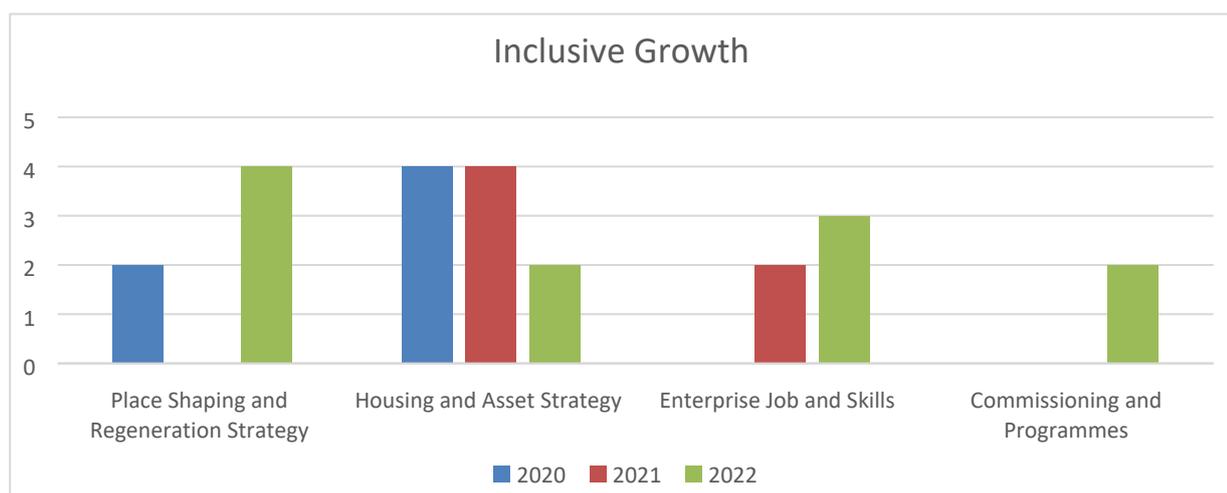
- 6.1 Core Services is a grouping of services which provide several essential services to our residents including parking and street enforcement.
- 6.2 Core Services maintain the contract for our leisure centres and residents are directed to submit complaints about these individual services to the centres directly.
- 6.3 All services in Core report minimal complaints aside from Enforcement Services. Enforcement provides a variety of services to our residents and the nature of those

services will generate high volumes such as Parking and Street Enforcement. This year also Enforcement created a new team and took responsibility for managing complaints relating to Anti -Social Behaviour both in private and public places. In 2022 we are reporting a decrease of 11% on complaints received.

- 6.4 When we take a deeper look at the breakdown of complaints for Enforcement Services it is clear that one particular service generates an unusually large amount, and this is parking with a 73% share of all complaints for this area. In 2022 we implemented a new process for parking complaints as a large amount of people would use the complaints process to circumvent the legislative process which is not the way to deal with Penalty Charge Notices. This we would have hoped to have seen a larger drop in % but this has not been the case. We need to question why despite making changes they are not having the desired effect.
- 6.5 Parking have reviewed their systems and made a decision to implement a phone line for which our residents can call to resolve issues relating to permits and PCN's it is hoped that this move will lower the number of complaints made as there is the facility to speak to specialised parking individual over the phone to ensure first point of resolution.
- 6.5 Of those complaints received in Core Services 57.2% were answered within timescale.

7. Inclusive Growth

Stage 1 Complaints Received Inclusive Growth			
	2020	2021	2022
Place Shaping and Regeneration Strategy	2	0	4
Housing and Asset Strategy	4	4	2
Enterprise Job and Skills	0	2	3
Commissioning and Programmes	0	0	2
Total	6	6	11



- 7.1 Inclusive Growth has 3 key priorities; develop our aspirational and affordable housing offer, shape great places and strong communities through regeneration, encourage enterprise and enable employment. As a commissioning function they do not directly deliver services.
- 7.2 This is a service which has a real impact on the Borough helping to deliver our strategy and vision. As a mainly strategic function, they are not customer facing and receive a minimal number of complaints.
- 7.3 Of the six complaints which were received in this area 45.4% were answered within timescale.

8. My Place

Stage 1 Complaints Received My Place			
	2020	2021	2022
Landlord Customer and Commercial	255	367	355
Contracts Quality and Compliance	7	5	1
Asset Management and Capital Delivery	93	91	76
Business Development	2	2	2
Public Realm	859	1130	859
Total	1,216	1,595	1,293



- 8.1 My Place is responsible for maintaining a large range of front facing services. They manage and provide all Public Realm services which include refuse collections, street cleansing as well as highways and landlord services for our tenants.
- 8.2 It is not surprising and in line with other authorities that My Place receives the most complaints.
- 8.3 Reviewing the numbers received 65% of these complaints relate to Public Realm. These particular teams offer services to the Borough as a whole such as refuse collections. There has been a 24% decrease in the complaints received for Public Realm in 2022 and of those complaints received only 2.3% went over the 10-day

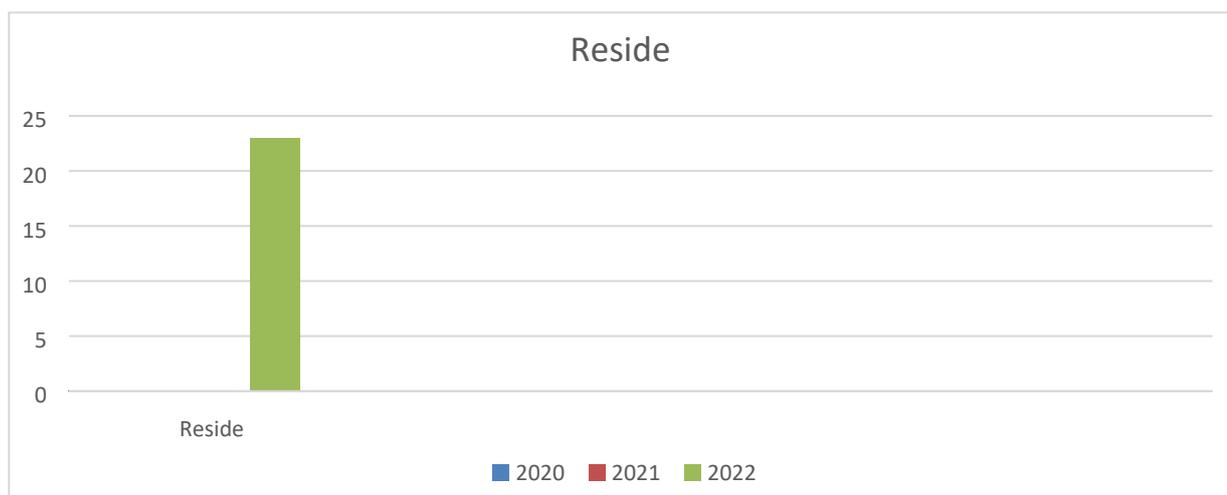
timescale. When we assess the numbers received against that level of performance it is showing the determination of this service to improve not only how they deliver their service but how they respond to the concerns raised.

8.4 The Strategic Director for My Place continues to enforce the message of responding to complaints within timescale and not only that but ensuring we are fully answering the concerns which are set out. We only have to consider the performance outcomes for Public Realm to show that this intervention is working.

8.5 Of those complaints received in My Place 95.7% were answered within timescale.

9. Reside

Stage 1 Complaints Received Reside			
	2020	2021	2022
Reside	0	0	23
Total	0	0	23



9.1 Reside is a housing company owned by the Council and aims to provide affordable rented properties who are in employment but are unable to afford private rent and have limited access to social housing.

9.2 Looking at the complaints received for Reside the most common theme is the repairs which are required to be undertaken in properties. Due to the majority of properties being newly built there is confusion on who is responsible for the repairs to be taken place.

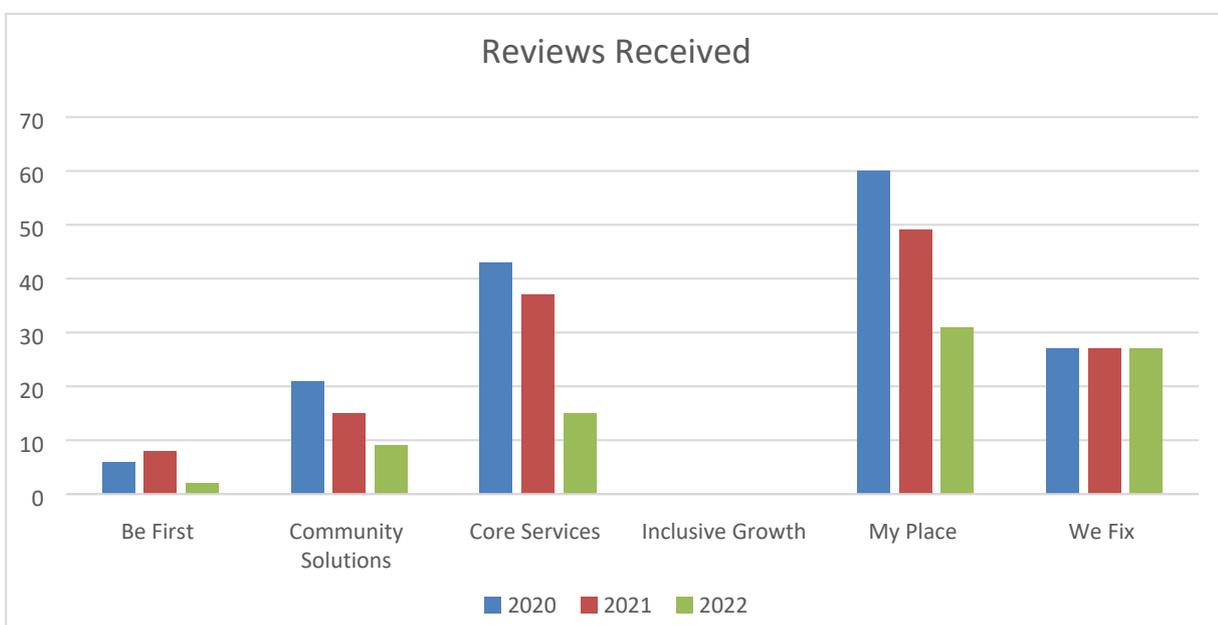
9.3 Of those complaints received in Reside 61% are answered in timescale.

10. Reviews (Stage 2)

10.1 The Local Authority strives to undertake a full investigation into all complaints. On occasion complainants will feel that more could have been done and at this point the Local Authority offers a review. Reviews are undertaken by the Customer Feedback Team as an independent service to ensure that a thorough investigation has been provided.

- 10.2 Only 2% of cases were reviewed in 2022, indicating that the Local Authority has provided a satisfactory resolution to the issue reported. Undertaking an overview of the requests which have been received show that reviews were requested as residents felt that the initial responses did not meet expectations in terms of offering clear and deliverable actions. Responses also on occasion failed to clearly respond to all reported issues and residents quite rightly questioned this and asked for further review of the complaint. It should be noted that this further review has provided the relevant detail as the number of complainants referring to statutory bodies such as the LGO or Housing Ombudsman has not risen.
- 10.3 In 2022 we have seen a decrease in the number of reviews by 38% from 2021 the spread across the teams asking for reviews remains static. **The top 3 service areas are repairs (27), parking (11), landlord services (16) meaning that 64% of our requests relate to 3 teams.** As we can note from the context in this report around the stage 1 complaints received it would not be considered unusual for these areas to feature as they generate the largest numbers throughout the year.

	Reviews Received		
	2020	2021	2022
Be First	6	8	2
Community Solutions	21	15	9
Core Services	43	37	15
Inclusive Growth	0	0	0
My Place	60	49	31
We Fix	27	27	27
Total	157	136	84



11. **Local Government Ombudsman and Housing Ombudsman**

11.1 In relation to Local Government Ombudsman (LGO) Complaints an annual report is shared with the Local Authority which is produced directly by the LGO. This report highlights how many cases were received and the decisions made on those cases. For further information on these are published at the following link www.lgo.org.uk/your-councils-performance/london-borough-of-barking-dagenham/annualletters/

11.2 From the cases which were submitted to the LGO the table below shows those cases which required detailed investigations. The LGO produce annual reports on a financial year rather than calendar year.

LGO Detailed Investigations	
Not Upheld	3
Upheld	19
Total	22

11.3 We have compared the number of detailed investigations carried out in Boroughs within London who are similar in population size to Barking and Dagenham.

LGO Benchmarking Data – Detailed Investigations	
London Borough of Barking and Dagenham	22
London Borough of Camden	25
City of Westminster	27
London Borough of Islington	15

11.4 Housing Ombudsman complaints are reviewed on a financial year basis and a report is produced by the Housing Ombudsman directly. These reports provide information on determinations on the complaints dealt with and are published at the following link [ACPI 2021-22 v2.xlsx \(housing-ombudsman.org.uk\)](#)

11.5 From the cases which were submitted to the HO the table below shows those cases which required detailed investigations.

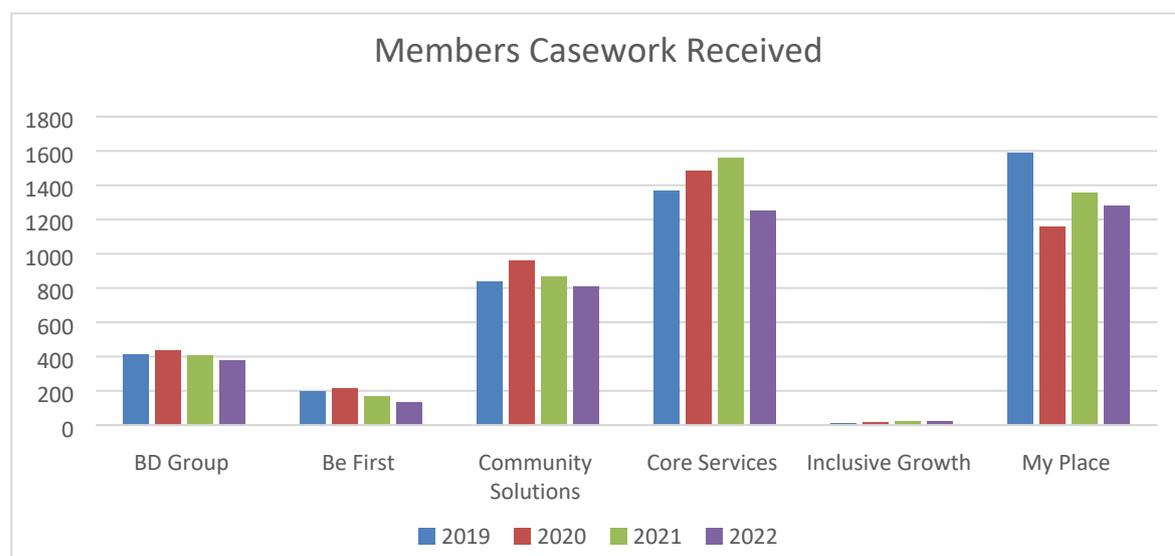
Housing Ombudsman Determinations	
Maladministration	2
Partial Maladministration	2
Reasonable Redress	1
No Maladministration	1
Outside Jurisdiction	2
Total	8

Housing Ombudsman Benchmarking Data – Determinations	
London Borough of Barking and Dagenham	8
London Borough of Camden	24
City of Westminster	34
London Borough of Islington	21

12. Members Casework

- 12.1 There is a comprehensive members casework system in place to answer Councillors and Members of Parliament queries and concerns. We aim to respond to 90% of these cases in 10 working days.
- 12.2 A decrease of 11% in casework received is reported within 2022. 80% of casework was answered within timescale. This is below our stated target of 90%.

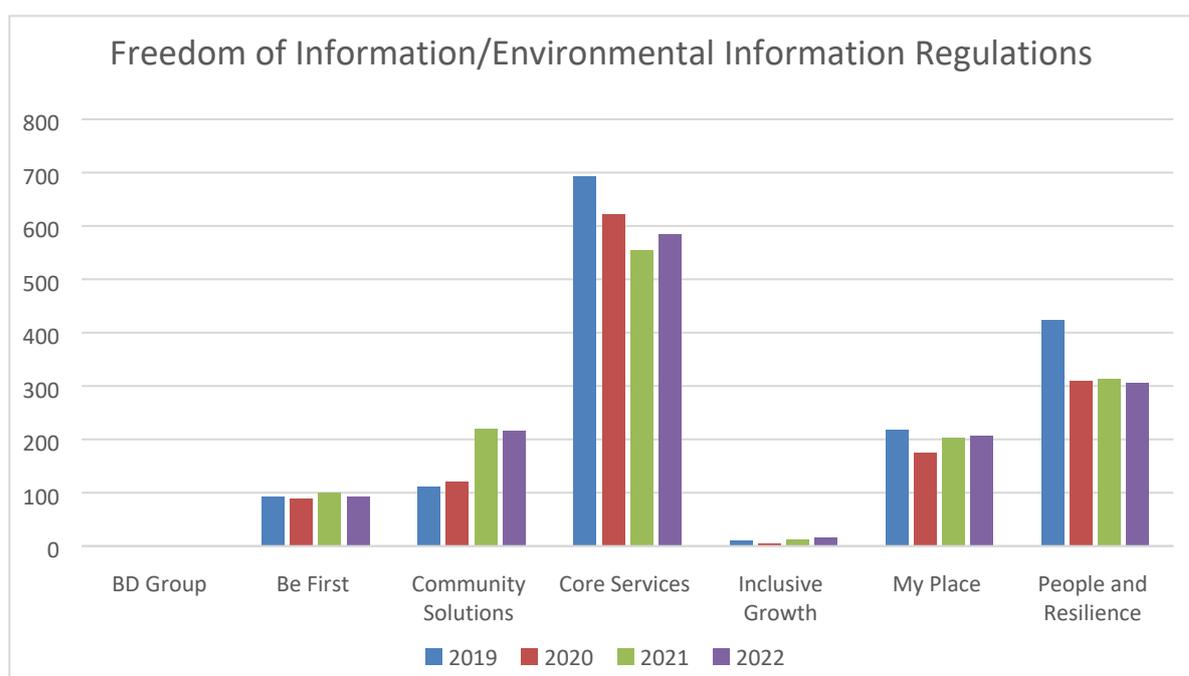
Members Casework Received			
	2020	2021	2022
BD Group	438	406	379
Be First	214	169	133
Community Solutions	961	865	807
Core Services	1,481	1,559	1,252
Inclusive Growth	15	23	23
My Place	1,158	1,353	1,281
Total	4,267	4,375	3,875



- 12.3 Member case work, in the main, mirrors that of our complainants who write to us directly aside from the inclusion of housing allocations and the associated wait time for these properties.
- 12.4 There has been a significant decrease of 19.6% reported for Core Services from 2021. This is impressive considering the services which are covered within this directorate with Enforcement being the largest. This trend down can be in part attributed to increased drive and motivation to ask Councillors to assist by encouraging residents to report issues such as eyesore gardens on our report it digital service. This allows teams to then focus on those more complex cases.
- 12.5 We continue to try and work proactively with the elected members to ensure that we address the issues which are being raised with them.

13. Freedom of Information Requests

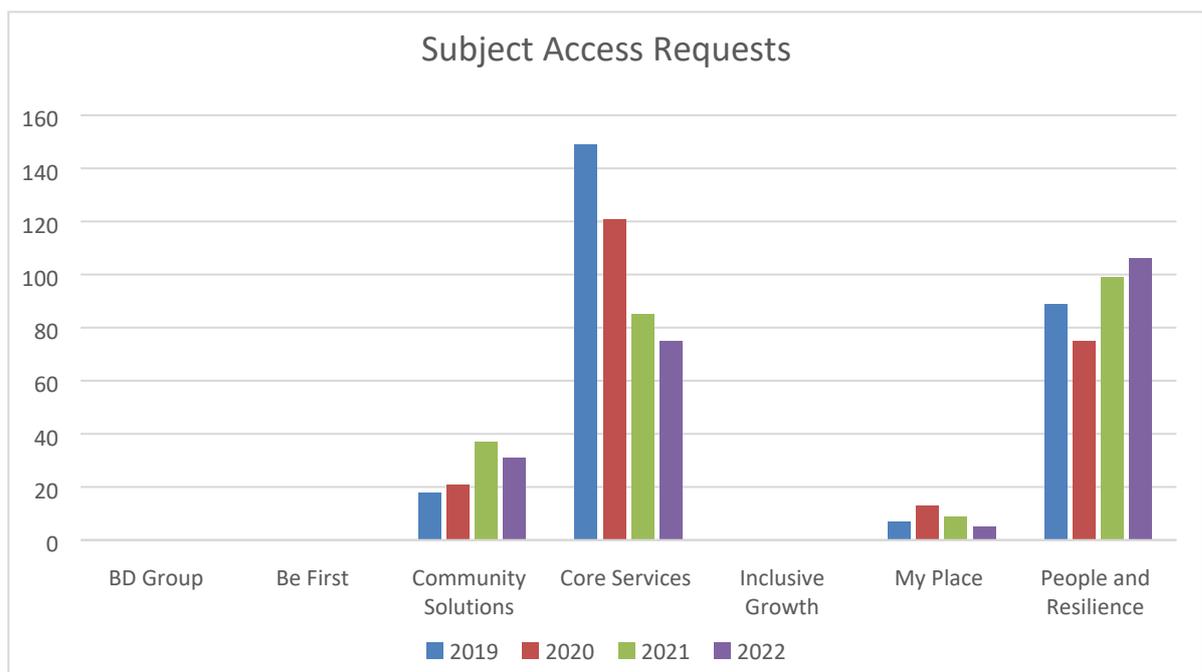
Freedom of Information/EIR Received			
	2020	2021	2022
BDTP	0	0	0
Be First	89	100	93
Community Solutions	121	220	216
Core Services	621	555	585
Inclusive Growth	5	13	15
My Place	174	202	207
People and Resilience	310	313	305
Total	1,320	1,403	1,421



- 13.1 In line with the Information Commissioners Office guidance, the council now publish all FOI and EiR's which have been responded on the Council's website. The link for the disclosure page is here <https://www.lbbd.gov.uk/council-and-democracy/transparency-and-information-requests/freedom-information>
- 13.2 We have seen a slight increase in FOI's which have been received in 2022 by 1%.
- 13.3 The highest volume of FOI's received continues year on year to be Core Services and People and Resilience receiving 62.6% (890 of 1421). The Commissioning Director Education received the highest volume of enquires with 8% relating to EHC plans, inclusion data and school admissions. Parking received 6% with requests including penalty charge notices issued and parking permits.
- 13.4 Of those FOI and EiR's received 85.2% (1196 of 1403) were completed within timescale.
- 13.5 Improvements in performance have been made in the latter part of the year with these expected to continue into 2023 increasing our overall target in line with guidance set by the Information Commissioners Office.

14. Subject Access Requests

	Subject Access Requests Received		
	2020	2021	2022
BD Group	0	0	0
Be First	0	0	0
Community Solutions	21	37	31
Core Services	121	85	75
Inclusive Growth	0	0	0
My Place	13	9	5
People and Resilience	75	99	106
Total	230	230	217



14.1 This year we have noted a further increase of 7% in the number of cases received within People and Resilience area which covers both Adult and Children Social Care files. Year on year People and Resilience and CCTV receive the largest portion of casework type.

14.2 Of those Subject Access Requests received 74.6% (162 of 217) were completed within timescale. This is a decrease on the previous year circa 14%. We are working with colleagues in Children's Social Care on this matter as these specific files have a large impact on the performance.

15. Financial Implications

15.1 None

16. Legal Implications

16.1 None

17. Other Implications

17.1 None

Public Background Papers Used in the Preparation of the Report

- None

List of appendices:

- Statutory Social Care Complaints Annual Report
- Housing Ombudsman Updated Self-Assessment

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Annual Complaints Report

Children's Social Care

2022/23

London Borough of Barking and Dagenham

Introduction

This report fulfils the council's statutory duty to monitor the effectiveness of the complaints procedure and produce an annual report for children's services social care complaints.

The Local Authority Social Services Act 1970 (as amended by the NHS & Community Care Act 1990) requires us to establish a procedure for considering complaints in relation to the discharge of, or failure to discharge, any social services functions in respect of a qualifying individual. The Children Act 1989 Representation Procedure (England) Regulations 2006 provides the legal framework for the procedures in relation to social care functions.

The regulations require the local authority to attempt to resolve complaints as soon as reasonably practicable and within specific timescales. The procedure has three stages, which are set out below, however where appropriate and with the agreement of the complainant the local authority may arrange for alternative dispute resolution to help resolve matters.

- Stage 1 (local resolution by manager) – 10 working days or up to 20 working days for complex cases
- Stage 2 (investigation by someone outside of the service area complained about) – 25 working days with maximum extension to 65 working days
- Stage 3 (independent review) – 30 working days to convene and hold a review panel; then 5 working days for the panel to issue its findings; and a further 15 working days for the local authority to respond to those findings.

All complaints are triaged by the Customer Feedback Team to ensure they are suitable for the process. This ensures matters are managed through the correct procedures, should an alternative process be in place. Any matters which are not suitable for the complaints process are filtered out and passed to the appropriate channel.

If the complainant remains unhappy with the outcome of their complaint, they have the right to approach the Local Government and Social Care Ombudsman who may choose to investigate their complaint.

The Children's Social Care Complaints Procedure is administered by the Customer Feedback Team, with oversight from the Customer Feedback Manager.

Children’s social care complaints received

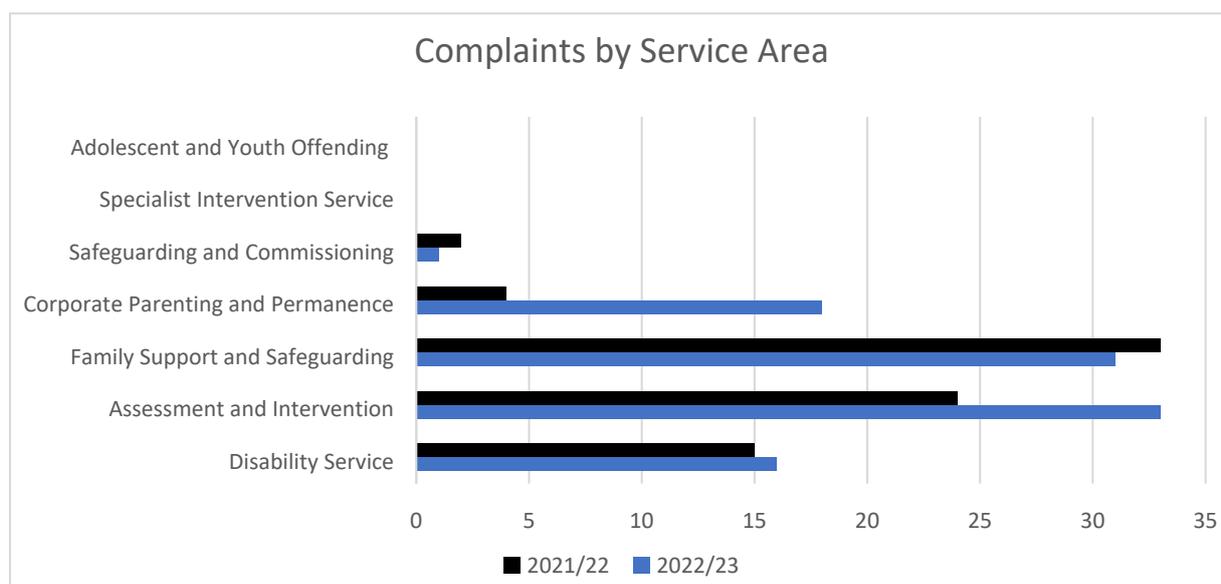
Stage 1 Complaints

The Local Authority welcomes all feedback, including complaints and representations about its services. Service users, families and carers can provide their views in an open and transparent way and can easily access the complaints process.

Children’s Social Care received 99 statutory complaints during 2022/23 this is an increase of 26% on the previous year when we dealt with 78 statutory complaints.

Possible factors contributing to the observed increase may include heightened awareness among our service users regarding the availability of the complaints process, which encourages them to voice their concerns without adversely affecting ongoing work within the service. Additionally, the Local Authority's commitment to learning from complaints has led to increased transparency, with procedures being more widely disseminated among our families.

Number of Childrens Social Care complaints		
Department	2022/23	2021/22
Disability Service	16	15
Assessment and Intervention	33	24
Family Support and Safeguarding	31	33
Corporate Parenting and Permanence	18	4
Safeguarding and Commissioning	1	2
Specialist Intervention Service	0	0
Adolescent and Youth Offending	0	0
Total	99	78



Timeliness of dealing with statutory stage 1 social care complaints

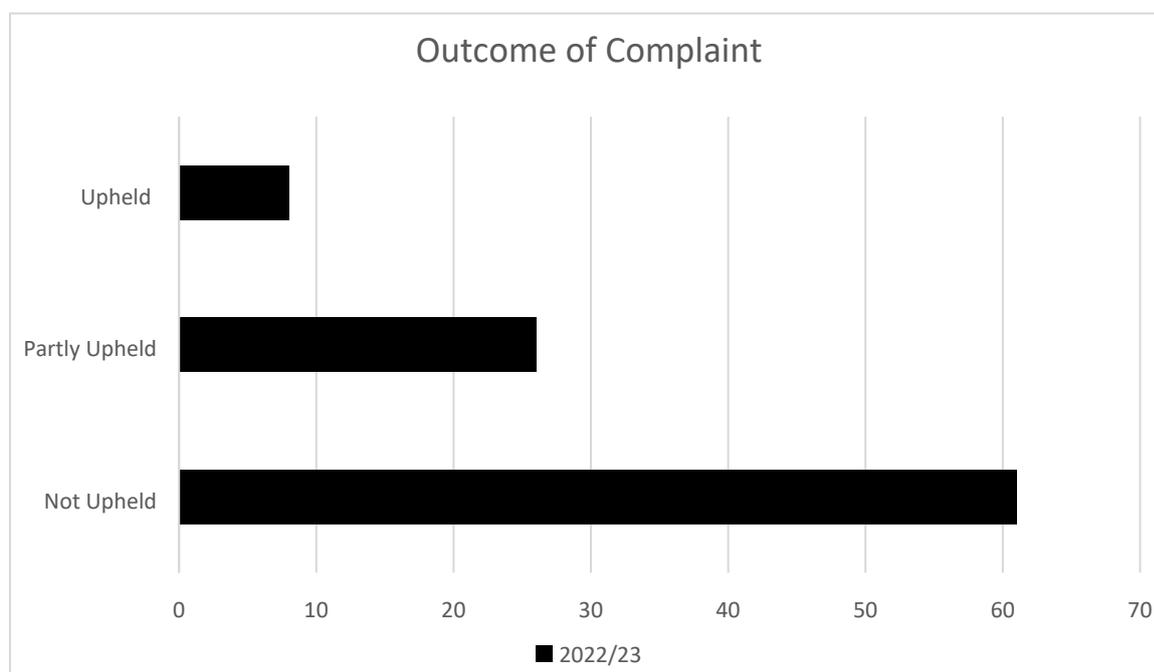
In 2022/23 we have seen a drop in our performance to 71% (71 of 99) of complaints answered within timescale, this is a large decrease from our previous year where we reached 2021/22 82% (64 of 78).

We have fallen further away from the corporate target of 90% and this is being addressed directly with the service, supported by the Operational Director and Heads of Service who recognise the importance of a timely, well investigated complaint helping our families understand that we listen and support their right to use the complaints process.

The Customer Feedback Team also continue to support Children’s Social Care with relevant information produced on a weekly basis which provides insight into open complaints for each service area as a way to maintain visibility and accountability.

Outcome of Complaints

Not Upheld	61	62%
Partly Upheld	26	26%
Upheld	8	8%



Upon thorough investigation of the complaints, we have determined that there are no grounds to find fault with our handling of the specific concerns raised within our service. In cases where we have been able to find fault with our handling we

continue to strive to adopt a continuous improvement/learning approach to improve our service offering.

Stage 2 and 3 Social Care Complaints

Barking and Dagenham continue processing low level numbers of Stage 2 and 3 complaints year on year. In 2022/23 we undertook only one Stage 2 complaint and one Stage 3 across all Children's Social Care. These cases related to Corporate Parenting and Permanence and Disability Service.

Outcome and Recommendations from Stage 2

Within the report it was found that most of the complaint was not upheld especially relating to the way the service provision was managed with the young person. Although recommendations were forthcoming relating to the way in which the complaint took an extended amount of time to work through the process. To combat this, we have agreed that more work will continue between the complaints service and social care to support understanding of what constitutes a complaint and when a referral should be made to either the complaints team or to the Children's Rights Advocate.

Outcome and Recommendations from Stage 3

After completing Stage 2 in the previous year, the complainant expressed dissatisfaction with the level of resolution achieved, deeming it insufficient in addressing their concerns. Consequently, they requested progression to the next stage of the process. This progression adhered to the established Policy and Procedure, resulting in a subsequent panel revising the initial decision by overturning the outcome of one complaint that was previously dismissed. Recommendations from this panel hearing related to the manner in which information was stored on file and how the language used could impact families. It asked for training to be given to staff in the area around using language which was more sensitive to the mother who requested to read the file. A recommendation was also put into place to strengthen our process for when families felt that they disagreed with information on the file and would ask for the Local Authority to either remove the comments entirely or to change the contents to accurately reflect the situation.

Local Government Ombudsman

The Local Government and Social Care Ombudsman remains the final step in the process where complainants can approach the service directly and ask for a further independent investigation into their complaint.

In 2022/23 the LGO approached the Local Authority on 4 cases relating to Children's Social Care and of these 3 were taken via the formal investigation route, both were upheld by the LGO. The 1 other case was determined to be closed after initial enquires were made and information provided.

Recommendations from the LGO

The below recommendations are directly quoted from published LGO reports at the following link [LGO Children's Social Care Decisions](#)

I find fault with the Council for not carrying out an assessment under Section 20 of the Children Act 1989 and for failing to provide Miss B with any support, causing her distress and frustration. The Council have proposed remedies which I am in agreement with.

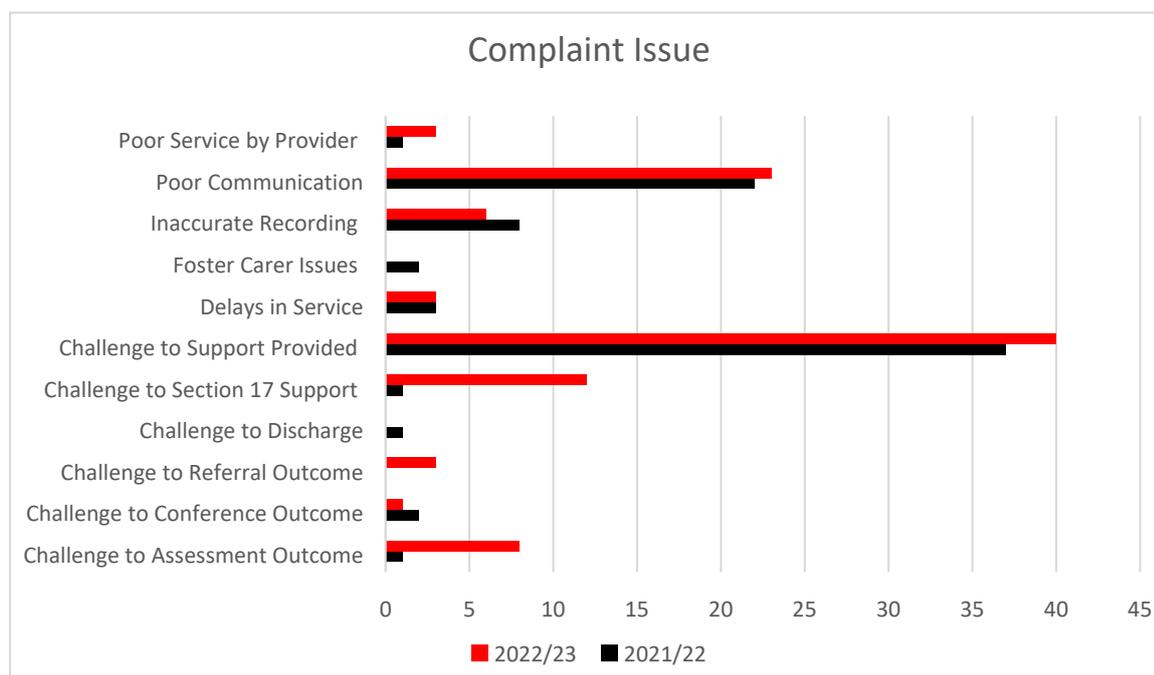
I have completed my investigation. The Council accepted the findings and recommendations of a thorough independent investigation. This is a satisfactory outcome.

Complaints by issue

Complaints received provide valuable insight into how services are perceived by the clients and how a culture of continuous improvement can be embedded across the service.

When broken down by reason for complaint the most frequently mentioned concern relates to challenging the support provided closely followed by poor communication

Reason for complaint		
Reason	2022/23	2021/22
Challenge to Assessment Outcome	8	1
Challenge to Conference Outcome	1	2
Challenge to Referral Outcome	3	0
Challenge to Discharge	0	1
Challenge to Section 17 support	12	1
Challenge to Support Provided	40	37
Delays in Service	3	3
Foster Carer Issues	0	2
Inaccurate Recording	6	8
Poor Communication	23	22
Poor Service by Provider	3	1
Total	99	78



It is important to recognise that social work is a complex and ever-evolving field, and there is always room for improvement. Complaints provide valuable insights into areas where social workers and agencies can improve practises. Therefore, it is crucial for services to persistently strive for learning and implementing improvements based on the valuable feedback received.

As a Local Authority we are committed to learning from our services users when they express dissatisfaction, and this is carried out by various methods such as;

- Using feedback from complaints to strengthen the voice of the children, young people and their families.
- Making sure our recording is clear including rationale behind decisions made so that they can be understood by children and families.
- Being transparent in our actions and communications

Below are examples of learning that we can take from our complaints and implement into our processes to show a desire and willingness to improve.

- Communication is a common issue in social care complaints between workers and families. To address this, it is essential to emphasise the importance of clear and open communication, active listening, and involving families and young people in decision making processes.
- Clear concise and transparent records which contain factual evidence-based information, so that if families should access records, they can understand the content. Within Social Work practice there is a need for us to base information contained in reports around not only evidence but opinions as well. When it is

necessary for the Local Authority to include opinion, these should be worded in a sensitive manner.

- Complainants will often express dissatisfaction about the support provided. This challenge is not always suggesting we are not providing enough support but also instances where families may question the necessity of social care intervention. In both scenarios, it is essential for us to enhance our communication skills and effectively convey the reasons behind our involvement or inability to provide the exact service they anticipate... Involvement with social care can come with stigma attached to it which families do not want to deal with. By working with our families and giving clear reasoning for involvement we can aim to break down the barriers with our residents showing we are here as a support and not to judge their capabilities.
- Consideration is being given to procure work with a consultancy who can support with Stage 2 and 3 of the complaints process which will help mitigate the risk of failure to comply with the prescribed timescales.

Compliments

It is important to balance the complaints with evidence directly from services users that their experiences with the Local Authority have been positive.

An extract of compliments received 2022/23

From a Residential Setting

“The way you also communicate with SS is exemplary. You understand the way she is able to respond to adults and are mindful of the way she perceives information. You are honest, open and transparent with SS but do this in a kind, caring and compassionate way”.

From a Parent

“As a family - the S’s -, we all wish to tell you about the man who supported us through our darkest days, again and again.

J would appear with his bike or his running gear and say a "Bonjour" and come in, our dog loved him, especially anything edible like his phone. I never felt intimidated having a social worker in the house. Sometimes, J came in and sat on the floor, relaxed, calm - chatting away to T and I. If my daughter was there she was always included - if she wanted to be a part of the meeting. -I may have been at work but she felt safe to contact him for help and advice

Nothing was ever too much, problem for him.

I know I have left him a message in the evening ...8pm, and next morning J was on my doorstep. He was always calm, listened to each person's version and then worked through the strategy needed or plan”.

From a Family

“Throughout the time working with F it has been a positive experience and it is a shame that it came to an end when we was finally getting settled but understandably it had to due to no longer being within the borough, but happy that it was an end that ended positively and allowed my family to continue to grow and restore faith in that there are some good social workers that work in ways to build on the strength and abilities that the family/mother has rather than diminish them and make the family feel less.

It was also pleasing to see that F had a supportive manger and we as a family are also thankful for the help that everyone else contributed to and supported F with within our case.

F I hope you continue to shine as the social worker that you are, you will always be remembered by us thank you for shinning some light into difficult circumstances”.

From MP Minister for Children, Families and Wellbeing

“Thank you to all of you for finding the time in your busy lives to share your experiences of fostering and the support many of you have received through the Mockingbird programme.

It was an inspiring meeting and left me even more convinced about the importance of the care you all provide for our most vulnerable children.

such a group of dedicated foster carers, who have all made an amazing difference to the lives of children.

Mockingbird programme: the networks that have been created; the support that it offers to other foster carers, and the real sense of community and shared values this creates”.

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Responding to Complaints

A guide for Team Managers

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1. Introduction
2. Top Ten Tips
3. Outcomes of complaints
4. Letter template
5. Useful Information

1. Introduction

Nobody likes to be the subject of a complaint – however the way in which the Local Authority investigates, responds to and acts on complaints is an indicator of the extent to which we respect and value the opinions of our residents. It is therefore important that we get it right.

Complaints can be received in a variety of formats – through letters, emails, using the council's complaints form, or through conversation.

Complaints can be regarding all manner of concerns and in its simplest form is an expression of dissatisfaction by our residents.

When residents take the time to communicate with the Local Authority and express their concerns we should ensure that we respond formally addressing the issues raised.

Key principles:

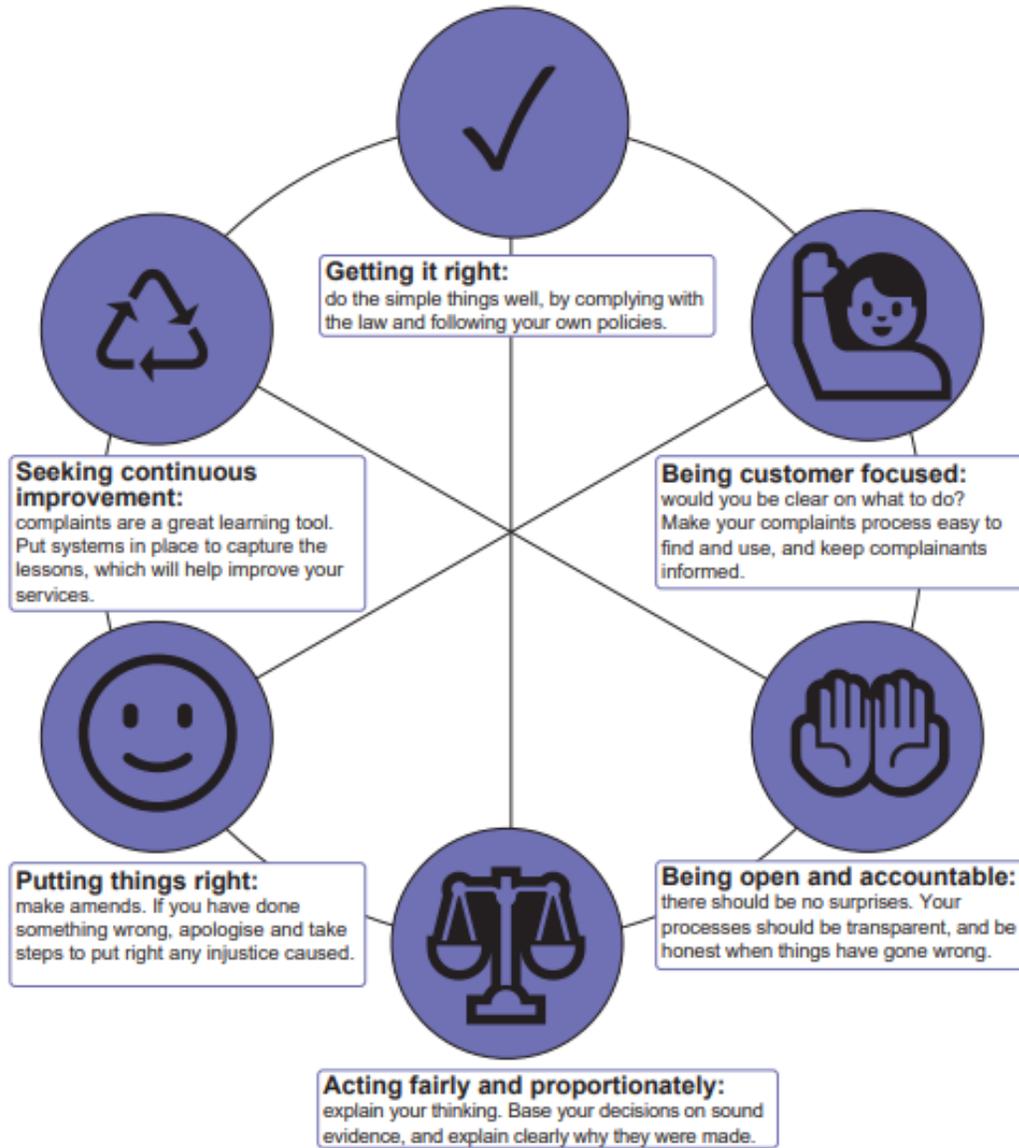
All complaints need thorough investigation. Some will be upheld and others will not, but all deserve to be considered in a consistent manner and in line with the council's complaints procedure.

There are exceptions in which we would not deal with complaints and these are listed clearly in our complaints procedure.

There is always room for us to learn from complaints and, as a result, to improve services and service delivery.

Managers always need to be aware that staff may experience a complaint investigation as a stressful process. There are procedures in place to provide support to staff in these situations.

Occasionally there will be service users who become persistent and litigious complainers and advice should be sought from the Feedback Team in how we deal with these situations.



Two key questions that underpin all complaint responses:

1. What happened?
2. What should have happened?

2. Top Ten Tips

The following pages provide guidance on 10 key areas of complaint responses.

1. Timeliness
2. Formal Procedures
3. Acknowledge and Inform
4. Personable and Professional
5. Apologise
6. New ways forward
7. Outcomes and Action
8. Judgement and Decision
9. Check It Out
10. Log It

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For each of these areas we will consider:

- **Possible actions**
- **What the action hopes to achieve**
- **What the consequence might be if we don't follow the action**
- **Guidance on the action suggested**
- **Forms of working to use in your complaint response to cover this action**

Top 10	Top Tips	Why?	If Not?	Comments	Suggested wording to use in a response
Timeliness	<p>Respond as soon as possible. Endeavouring to meet the time scales outlined in the procedure.</p> <p>Don't wait until the due date to start.</p>	<p>The complainant's annoyance is likely to decrease. It helps hold a situation if the complainant knows when to expect a response by and from whom.</p>	<p>The complainant may feel they are not being listened to and they may become more frustrated and angry. This is likely to lead to increased enquires and complaint escalation.</p>	<p>Where an investigation into a response is complex and may take more time to respond ensure you keep the complainant fully informed on: Why it is taking longer Revised timescales for a full response. Be realistic rather than keep extending response times.</p>	<p>I may need to investigate with other teams</p> <p>Unfortunately key members of staff are currently absent.</p>

Top 10	Top Tips	Why?	If Not?	Comments	Suggested wording to use in a response
Formal Process	Deal with the complaint formally and in line with the correct procedure	Complainants should be confident that their complaint is dealt with fairly, consistently and under the correct process.	The complainant can become frustrated and feel that they are being treated unfairly and it can lead to complaint escalation.	<p>If you don't know the procedure ask the Feedback Team for advice and guidance.</p> <p>Keep up to date on policies, procedures etc relating to service delivery levels and complaints resolution</p>	We are investigating your complaint at Stage 1 of the complaints process I am INSERT NAME JOB TITLE and I will respond to your concerns below

Top 10	Top Tips	Why?	If Not?	Comments	Suggested wording to use in a response
Acknowledge and Inform	<p>Feedback Team will send the acknowledgement in which we confirm timescales for response.</p> <p>In your response acknowledge that the resident has taken the time to complain, state the complaint points and respond to each point.</p>	<p>It shows that you value the resident and contribution.</p> <p>It demonstrates that you have read the complaint and that each point has been considered.</p>	The complainant may feel that you do not value their time and effort and that you have not taken the time to read the complaint.	<p>Keep communication open and clear.</p> <p>Respond to all points raised.</p> <p>Take responsibility for the complaint until resolved. Not all issues will be resolved by writing the letter sometimes there will be outstanding tasks to complete.</p>	<p>Thank you for taking the time to send us your concerns</p> <p>We take all complaints seriously</p> <p>I appreciate you taking the time to raise the issue</p> <p>I would like to respond to the issues you have raised</p> <p>In summary I understand that your complaint is that</p>

Top 10	Top Tips	Why?	If Not?	Comments	Suggested wording to use in a response
Personable and Professional	Be polite and empathetic in your response while outlining your role and responsibility	<p>Courtesy shows respect for the complainant</p> <p>Clear and justified explanations can help to clarify, defuse and resolve issues.</p>	The complainant may feel personally challenged and offended with the response and explanations.	<p>Endeavour to be positive, empathetic and constructive.</p> <p>Think about how you would like to be treated by an organisation.</p> <p>Keep focused on customer care even if the complaint is not justified.</p>	<p>I am sorry to hear that you feel</p> <p>I can only apologise that you feel</p> <p>In our role as ... we have a responsibility to ensure that</p> <p>I appreciate how frustrating this has been for you</p> <p>The officer was following the service policy which states that</p>

Top 10	Top Tips	Why?	If Not?	Comments	Suggested wording to use in a response
Apologise	Apologise as appropriate being aware that an apology can be to acknowledge someone's feelings, view point, or the way they have been treated.	This show the complainant that although you may disagree with them you have empathy with their situation.	<p>The complaint may feel that you or the service have no compassion or empathy.</p> <p>It shows contempt where an apology or recognition would be appropriate.</p> <p>It may encourage escalation of a complaint.</p>	<p>You cannot dispute the persons feelings so it is best to acknowledge them</p> <p>Apologise for how the situation has made a complainant feel</p> <p>Recognise if errors or misunderstanding have taken place and apologise for these actions.</p>	<p>I am very sorry that the situation has made you feel</p> <p>It is unfortunate that our miscommunication has resulted in</p> <p>We regret any inconvenience you have experienced.</p>

Top 10	Top Tips	Why?	If Not?	Comments	Suggested wording to use in a response
<p>Other Ways Forward</p>	<p>Complaints can occur because people do not know or understand what to expect</p> <p>Where appropriate the standard investigation process can be adapted to meet any special needs</p>	<p>The complainant may prefer or respond better to alternative methods of communication.</p> <p>The process maybe much quicker and less time consuming for example on quick cases to make a telephone call and resolve directly</p>	<p>The complainant may feel that their views are not being listened to.</p> <p>The complainant may feel the process is too formal and insensitive</p>	<p>Follow up with a telephone call, visit, or invite in to discuss concerns.</p> <p>Direct contact can be effective when trying to diffuse conflict and rebuild trust</p> <p>Think about a complainants needs and how best we can work with them to resolve the complaint/s.</p>	<p>For future support and information you may wish to contact</p> <p>I would appreciate it if we could meet to discuss your concerns and agree a way forward</p> <p>Please contact me should you have any further cause for concern.</p> <p>I would like to visit you to listen to your views and issues.</p>

Top 10	Top Tips	Why?	If Not?	Comments	Suggested wording to use in a response
Outcomes and Actions	<p>Be clear on the process and outcomes of your investigation and how you came to your decision</p> <p>State what action/improvements/learning will take place as a result of the complaint.</p>	<p>This shows that a full and thorough investigation took place</p> <p>The complainant is made aware what steps will be taken to redress the complaint and avoid a repeat in the future</p>	<p>It suggests the complaint has not been fully investigated and outcome may be considered unfair or biased.</p> <p>The complaints may be dissatisfied that no action will be taken as a result of the complaint.</p>	<p>Identify what actions have/will be put in place or considered in the future as a result of the complaint.</p> <p>Redirect them to alternative support or specialist groups for advice.</p>	<p>We take great care to ensure that important matters such as this are fully investigated...</p> <p>We have know take the following steps to address the issue you have raised...</p> <p>I would like to reassure you that we are aiming to resolve/improve....</p> <p>In light of this we have decided to XXXX which we hope will be acceptable to you</p>

Top 10	Top Tips	Why?	If Not?	Comments	Suggested wording to use in a response
Judgement and Decision	<p>State in a clear and appropriate way whether the complaint/s have been upheld, partially upheld or not upheld.</p> <p>Indicate how the decisions were reached</p> <p>Signpost the way forward for dissatisfied complainants.</p>	<p>Clarify on the complaint process and judgement will demonstrate thoroughness and fairness.</p> <p>The complainant is more likely to accept the outcome.</p> <p>It provides final resolution to the complaint.</p>	<p>The complainant may feel that they have not been taken seriously</p> <p>The overall outcomes and judgements may be unclear leaving the view that the complaint/s is still unresolved.</p>	<p>The complainant should feel that their complaint has been effectively dealt with even if they disagree with the outcomes</p> <p>The final judgement is essential as they are reported on corporately and to senior leadership</p> <p>Outlining the options for escalation is vital</p>	See Slide 15 for suggestions

Top 10	Top Tips	Why?	If Not?	Comments	Suggested wording to use in a response
Check it out	<p>Before sending out a response letter get someone to proof read it to check that it is clear without typo's and of an appropriate tone.</p> <p>Send to the Feedback Team who will send out the response.</p>	<p>A well written clear and sensitive letter with no mistakes can both defuse and resolve a complaint.</p> <p>It portrays the sender and service as being professional and competent</p>	<p>A confrontational or poorly written letter with mistakes can increase a complainant's anger and dissatisfaction.</p> <p>Escalation of the complaint</p> <p>It portrays the manager and service as unprofessional</p>	<p>Before you send anything read it back to yourself and ask: what would I do if I received this? How would I feel? If your answers are less than positive review the letter further.</p> <p>Ask a colleague or complaints officer to read and comment frankly on the letter.</p> <p>Be careful about accepting liability for a situation.</p>	

Top 10	Top Tips	Why?	If Not?	Comments	Suggested wording to use in a response
Log it	Keep records of all complaints correspondence and any activity undertaken to resolve the complaint across services	<p>If the complaint escalates you have a record and audit trail of how and when you dealt with the complaint.</p> <p>All documents relating to a complaint may be passed to senior managers and or external investigators for scrutiny</p>	<p>There is no evidence of how and when we dealt with the complaint</p> <p>Timelines and procedures cannot be evidenced.</p> <p>Portrays the manager and the service as unprofessional</p>	All complaint responses needed to be recorded with the feedback Team.	

3. Outcomes of Complaints

When responding to complaints we need to make sure that there is a clear outcome as to whether the investigating manager feels that the complaint is justified in some way.

This is important for the complainant so that they can make a decision about whether they wish to escalate the matter.

It is also important for the Council as we are required to collect statistics on the numbers of complaints that are upheld.

Complaints are judged as **upheld**, **partially upheld**, or **not upheld**.

An alternative wording would be **I agree**, **I partly agree**, or **I do not agree**.

The following wording are examples of how to the outcome of your investigation.

If there are several aspects to the complaint, each area requires a separate judgement about whether it is upheld.

Upheld

*On this occasion our expected standards have clearly not been met..
I agree that we have not performed to a required/appropriate standard*

...

I am sorry that we have not responded in a timely manner....

I conclude that your complaint was fully justified...

In light of the failure to.....

In order to address the issues you have raised in your complaint the following action will be taken

I therefore uphold this aspect of your complaint

Partially Upheld

Select from above and below and amend as required

I therefore partly uphold this aspect of your complaint

Not Upheld -

Having fully investigated your complaint I can find no evidence to

My findings are that there is no evidence to support your complaint

I have to conclude that there is no indication that the service failed in its responsibilities

Therefore I am unable to uphold your complaint

Although we have not clearly not succeeded in meeting your

expectations I have found that procedures have been followed.....

4. Response Template

Responses to complaints need a beginning, a middle and an end. The length of the 'middle will depend on the nature of the complaint.

The following is a suggestion of how to structure your response.

Beginning:

Dear Mrs Example

I am writing with the outcome/s of my investigation into your complaint which was received on (insert date) and dealt with under Stage 1 of the Complaints Procedure.

I would like to thank you for taking the time to send in your concerns and apologise for any anxiety/inconvenience/upset this incident/issue/period has caused you.

As part of my investigation I met with the staff from the following teams (insert names/roles) and read the relevant case files/electronic records/report. I will respond individually to each of the issues raised in your complaint and hope that this addresses your concerns.

Middle:

- 1. Complaint 1 (Insert complaint or give a brief summary)*
 - 2. Outline your findings in relation to this complaint, how this was evidenced*
 - 3. Outline your judgements and views and how you came to these conclusions*
 - 4. Clearly and appropriately indicate whether you have found the complaint to be upheld, partially upheld or not upheld (wording examples below)*
 - 5. Outline what actions have/will now take place or be considered to resolve the issue/s and or what lessons have been learnt*
- Repeat the process 1-5 as above and for all other complaints*

End:

I conclude that (insert summary of overall findings/judgement/action/lessons learnt)

Once again I thank you for taking the time to send in your complaint. It is important that we investigate and learn from complaints in order to improve our service.

I trust that I have dealt with your complaint satisfactorily. If, however you are not satisfied with my explanation, in some circumstances we may consider a request that your complaint is treated as a Review. Any appeal should be made in writing within 28 days and addressed to: The Corporate Complaints Team, Room 218, Town Hall, 1 Town Square, Barking, IG11 7LE or you can email complaints@lbbd.gov.uk In some circumstances we may not escalate your complaint, however, we will write to you giving our reasons for this.

A good decision letter consists of:

- The statement of complaint.
- > The steps you have taken to investigate the complaint.
- > What you have taken into account.
- > Your decision and reasons for it.
- > What will happen next: if action is to be taken, how, when, and by whom?
- > Any changes you will make to processes and procedures following the complaint.
- > If the complainant disagrees, how they can challenge the decision

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Appendix B – Self-Assessment Form

This self-assessment form should be completed by the complaints officer and discussed at the landlord’s governing body annually.

Evidence should be included to support all statements with additional commentary as necessary.

Explanations must also be provided where a mandatory ‘must’ requirement is not met to set out the rationale for the alternative approach adopted and why this delivers a better outcome.

Section 1 - Definition of a complaint

Mandatory ‘must’ requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
1.2	A complaint must be defined as: <i>‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.</i>	No	Set within our policy we clearly define what a complaint is. This policy is included on our web page currently at the following page Complaints Policy We understand that our web page requires updating with clearer avenues for our residents. This is forming part of our ongoing improvement plan with works looking to complete end of September 2023.
1.3	The resident does not have to use the word ‘complaint’ for it to be treated as such. A complaint that is submitted via a third party or representative must still be handled in line with the landlord’s complaints policy.	Yes	This is contained within our Policy under section 2 “What is a complaint”. The policy can be found at the following page Complaints Policy
1.6	... if further enquiries are needed to resolve the matter, or if the resident requests it, the issue must be logged as a complaint.	Yes	This is contained within our Policy under section 2 “What is a complaint”. The policy can be found at the following page Complaints Policy
1.7	A landlord must accept a complaint unless there is a valid reason not to do so.	Yes	This is contained within our Policy under section 5 “Complaints that cannot be considered under this policy”. The policy can be found at the following page Complaints Policy

1.8	A complaints policy must clearly set out the circumstances in which a matter will not be considered, and these circumstances should be fair and reasonable to residents.	Yes	Information pertaining to instances where we are unable to take a complaint is included in our policy and for ease of reference on our webpages. As with 1.2 above we accept that the web page could be reviewed and clearer and this is part of our planned improvement works to be completed end of September 2023.
1.9	If a landlord decides not to accept a complaint, a detailed explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.	Yes	Within our policy section 5 we advise on this matter and the steps we will take.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary and any explanations
1.4	Landlords should recognise the difference between a service request , where a resident may be unhappy with a situation that they wish to have rectified, and a complaint about the service they have/have not received.	Yes	We assess against policy and procedure
1.5	Survey feedback may not necessarily need to be treated as a complaint, though, where possible, the person completing the survey should be made aware of how they can pursue their dissatisfaction as a complaint if they wish to.	Yes	All survey feedback which is completed by service users is logged on the system and a response provided.

Section 2 - Accessibility and awareness**Mandatory 'must' requirements**

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
2.1	Landlords must make it easy for residents to complain by providing different channels through which residents can make a complaint such as in person, over the telephone, in writing, by email and digitally. While the Ombudsman recognises that it may not be feasible for a landlord to use all of the potential channels, there must be more than one route of access into the complaints system.	Yes	This is included in our policy under Section 4 "How to make a complaint". This is forming part of our ongoing improvement plan with works looking to complete end of September 2023.
2.3	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the number of stages involved, what will happen at each stage and the timeframes for responding.	Yes	Our Policy is published on our webpage. Complaints Policy
2.4	Landlord websites, if they exist, must include information on how to raise a complaint. The complaints policy and process must be easy to find on the website.	Yes	This information is published on our webpages. Ongoing improvement works being undertaken planned to complete end of September 2023.
2.5	Landlords must comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. Landlords must satisfy themselves that their policy sets out how they will respond to reasonable adjustments requests in line with the Equality Act and that complaints handlers have had appropriate training to deal with such requests.	Yes	The Local Authority will consider the individual needs of our residents at the time of engaging with them to ensure that any additional support which may be required is considered and implemented. More information can be found in the policy Section 10.
2.6	Landlords must publicise the complaints policy and process, the Complaint Handling Code and the Housing Ombudsman Scheme in leaflets, posters, newsletters, online and as part of regular correspondence with residents.	Yes	We will ensure as part of our ongoing improvement works on the internet that the Local Authority is providing relevant information to our residents regarding both Ombudsman.

2.7	Landlords must provide residents with contact information for the Ombudsman as part of its regular correspondence with residents.	No	We agree the importance of allowing residents information relating to the Ombudsman is important. We will be moving forward when communicating with residents provide information on these services by the use of residents communication which is sent out.
2.8	Landlords must provide early advice to residents regarding their right to access the Housing Ombudsman Service throughout their complaint, not only when the landlord's complaints process is exhausted.	Yes	We understand the importance of ensuring our residents are kept informed of their rights. As such correspondence will include right of access to the Ombudsman at all stages.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
2.2	Where a landlord has set up channels to communicate with its residents via social media, then it should expect to receive complaints via those channels. Policies should contain details of the steps that will be taken when a complaint is received via social media and how confidentiality and privacy will be maintained.	Yes	Officers who maintain social media sites are aware that any complaint should be referred to the complaints team. In the first instance they will undertake a check to ascertain if the complaint has been registered already if not a complaint will be logged.

Section 3 - Complaint handling personnel

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
3.1	Landlords must have a person or team assigned to take responsibility for complaint handling to ensure complaints receive the necessary attention, and that these are reported to the governing body. This Code will refer to that person or team as the "complaints officer."	Yes	The complaints in the council are managed by a team of 10 individuals shared across all services including our statutory functions.
3.2	...the complaint handler appointed must have appropriate complaint handling skills and no conflicts of interest.	Yes	Officers are reminded of the importance of ensuring impartiality when investigating complaints. Training is provided at the start of the role and completed annually as a review.

Best practice ‘should’ requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
3.3	Complaint handlers should: <ul style="list-style-type: none"> • be able to act sensitively and fairly • be trained to handle complaints and deal with distressed and upset residents • have access to staff at all levels to facilitate quick resolution of complaints • have the authority and autonomy to act to resolve disputes quickly and fairly. 	Yes	

Section 4 - Complaint handling principles

Mandatory ‘must’ requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
4.1	Any decision to try and resolve a concern must be taken in agreement with the resident and a landlord’s audit trail/records should be able to demonstrate this. Landlords must ensure that efforts to resolve a resident’s concerns do not obstruct access to the complaints procedure or result in any unreasonable delay. It is not appropriate to have extra named stages (such as ‘stage 0’ or ‘pre-complaint stage’) as this causes unnecessary confusion for residents. When a complaint is made, it must be acknowledged and logged at stage one of the complaints procedure within five days of receipt.	Yes	This is contained within the policy under Section 3 “Complaint Stages – Stage 1 Complaint”.

<p>4.2</p>	<p>Within the complaint acknowledgement, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.</p>	<p>Yes</p>	<p>There is an auto-generated acknowledgment for all complaints which is provided to the resident giving them a contact name, reference and estimated completion date. Should the details of the complaint be unclear we will liaise with the resident to establish any necessary further information.</p>
<p>4.6</p>	<p>A complaint investigation must be conducted in an impartial manner.</p>	<p>Yes</p>	<p>Stage 1 complaint investigations are conducted by the relevant service with teams who work alongside the service therefore being able to remain impartial. Complaints are not answered by any person named directly in the correspondence.</p> <p>Stage 2 investigations are undertaken by the Senior Complaints Officers acting as an objective investigator.</p>
<p>4.7</p>	<p>The complaint handler must:</p> <ul style="list-style-type: none"> • deal with complaints on their merits • act independently and have an open mind. • take measures to address any actual or perceived conflict of interest • consider all information and evidence carefully. • keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter. 	<p>Yes</p>	<p>Complaint investigations are undertaken based on facts and evidence available. Officers are reminded that the responses should be fair, consistent and set out professionally. Resolve the issues where possible and if unable to provide direction as to what recourse can be taken.</p>
<p>4.11</p>	<p>Landlords must adhere to any reasonable arrangements agreed with residents in terms of frequency and method of communication</p>	<p>Yes</p>	<p>Any request submitted is considered and responded to on its own merits</p>

<p>4.12</p>	<p>The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:</p> <ul style="list-style-type: none"> • set out their position. • comment on any adverse findings before a final decision is made. 	<p>Yes</p>	<p>We understand the importance of allowing residents to set out their position following any response which has been provided. Allowing comments on any adverse findings which have been found through investigation.</p>
<p>4.13</p>	<p>A landlord must include in its complaints policy its timescales for a resident to request escalation of a complaint</p>	<p>Yes</p>	<p>https://www.lbbd.gov.uk/council-and-democracy/complaints-and-compliments/complaints-procedure</p>
<p>4.14</p>	<p>A landlord must not unreasonably refuse to escalate a complaint through all stages of the complaints</p>	<p>Yes</p>	<p>The complaints policy and procedure sets out what will and will not be dealt with as a complaint https://www.lbbd.gov.uk/council-and-democracy/complaints-and-compliments/complaints-procedure</p>

	procedure and must have clear and valid reasons for taking that course of action. Reasons for declining to escalate a complaint must be clearly set out in a landlord's complaints policy and must be the same as the reasons for not accepting a complaint.		
4.15	A full record must be kept of the complaint, any review, and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties and any reports or surveys prepared.	Yes	We have a case management system which is used for tracking all complaints.
4.18	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives when pursuing a complaint.	Yes	Unreasonably Persistent Complaints Policy

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
4.3	Landlords should manage residents' expectations from the outset, being clear where a desired outcome is unreasonable or unrealistic	Yes	We try to manage expectations from the outset but this could be strengthened via our processes
4.4	A complaint should be resolved at the earliest possible opportunity, having assessed what evidence is needed to fully consider the issues, what outcome would resolve the matter for the resident and whether there are any urgent actions required.	Yes	Ideally the Local Authority work towards resolving all complaints at the earliest possible stage but complexity of the complaint can affect this
4.5	Landlords should give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord where this is reasonable.	Yes	Should a resident require either a representative or advocate to assist in the procedure this is understood and we will work with parties to ensure the complaint is dealt with.
4.8	Where a key issue of a complaint relates to the parties' legal obligations landlords should clearly set out their understanding of the obligations of both parties.	Yes	

4.9	Communication with the resident should not generally identify individual members of staff or contractors.	Yes	
4.10	Landlords should keep residents regularly updated about the progress of the investigation.	No	Not as routine we would only do this if there was a particular reason to do so. They are provided a deadline when the complaint is acknowledged and updated where necessary.
4.16	Landlords should seek feedback from residents in relation to the landlord's complaint handling as part of the drive to encourage a positive complaint and learning culture.	No	Currently this is not a feature which is included in our process. We are looking to review as part of the Voice of the Customer program how we can gather meaningful feedback which can impact our service delivery.
4.17	Landlords should recognise the impact that being complained about can have on future service delivery. Landlords should ensure that staff are supported and engaged in the complaints process, including the learning that can be gained	Yes	The importance of learning from our complaints is understood and as part of our improvement work being undertaken we are considering the use of analytical data tools which will quickly identify any theme or trend across the council which needs addressing.
4.19	Any restrictions placed on a resident's contact due to unacceptable behaviour should be appropriate to their needs and should demonstrate regard for the provisions of the Equality Act 2010.	Yes	Restrictions on contact are used only in cases where there is evidence of it being necessary and would give consideration to any presenting need and the Equality Act

Section 5 - Complaint stages

Mandatory ‘must’ requirements Stage

1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.1	Landlords must respond to the complaint <u>within 10 working days</u> of the complaint being logged. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	Yes	Whilst our service agreement is a 10-day response this has not always been adhered to. The Local Authority remain aware of the unnecessary additional strain these can place on our relationships with the customers and there is continual effort finding solutions delays in responding.
5.5	A complaint response must be sent to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed.	Yes	We have the facility to track completion of any actions required arising from the complaint.

5.6	Landlords must address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	When a complaint is received it is triaged and sent to the relevant service areas to investigate and respond. We ask that all letters are written in plain English and referencing any policy or procedure which is relevant.
5.8	Landlords must confirm the following in writing to the resident at the completion of stage one in clear, plain language: <ul style="list-style-type: none"> • the complaint stage. • the decision on the complaint • the reasons for any decisions made. • the details of any remedy offered to put things right • details of any outstanding actions • details of how to escalate the matter to stage two if the resident is not satisfied with the answer 	Yes	The guidance which has been provided for staff explains the importance of a well written letter, giving outcomes and remedies for the complainants.

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.9	If all or part of the complaint is not resolved to the resident's satisfaction at stage one it must be progressed to stage two of the landlord's procedure, unless an exclusion ground now applies. In instances where a landlord declines to escalate a complaint it must clearly communicate in writing its reasons for not escalating as well as the resident's right to approach the Ombudsman about its decision.	Yes	The Local Authority will always review any request for movement to the next stage of the procedure and take the case through the process unless a good reason is present. Should the Local Authority decide not to take this further this will be communicated in writing.
5.10	On receipt of the escalation request, landlords must set out their understanding of issues outstanding and the outcomes the resident is seeking. If any aspect of the complaint is unclear, the resident must be asked for clarification and the full definition agreed between both parties.	Yes	As with Stage 1 at Review we will triage the case read information provided by the resident alongside the response and if any part is unclear further information is sought from the resident.
5.11	Landlords must only escalate a complaint to stage two once it has completed stage one and at the request of the resident.	Yes	

5.12	The person considering the complaint at stage two, must not be the same person that considered the complaint at stage one.	Yes	
5.13	Landlords must respond to the stage two complaint <u>within 20 working days</u> of the complaint being escalated. Exceptionally, landlords may provide an explanation to the resident containing a clear timeframe for when the response will be received. This should not exceed a further 10 days without good reason.	No	Our Policy and Procedures are clear that we respond within 30 working days which has been approved by our members. We have a limited number of staff and to ensure that we provide a good quality service to our service users it is necessary and important for the 30 working days to remain. There is no plans to reduce this to 20 working days as this will compromise the service we provide.
5.16	<p>Landlords must confirm the following in writing to the resident at the completion of stage two in clear, plain language:</p> <ul style="list-style-type: none"> • the complaint stage • the complaint definition • the decision on the complaint • the reasons for any decisions made • the details of any remedy offered to put things right • details of any outstanding actions <p>and</p> <ul style="list-style-type: none"> • if the landlord has a third stage, details of how to escalate the matter to stage three • if this was the final stage, details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied. 	Yes	<ul style="list-style-type: none"> • the complaint stage – we ensure that the review stage is titled as such in our response to the resident so that they are fully aware of where they are in the process. We also ensure that the acknowledgement provides clarification on the stage they are at in the process. • the complaint definition • the decision on the complaint – We place our determinations in our response letters such as upheld, partly or not upheld. • the reasons for any decisions made – the above is backed up with how we have reached these decisions. • the details of any remedy offered to put things right – The review will provide background to the complaint and our conclusions with any remedial actions to be undertaken.

			<ul style="list-style-type: none"> • details of any outstanding actions – Any identified actions will also be included in our response to the resident and listed on our complaints management system. <p>In relation to the remainder of this point I can confirm that the Local Authority does not undertake a third stage in the complaint process. Residents at the conclusion of any review will be directed to the relevant ombudsman based on the circumstances of the complaint.</p>
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Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.17	Two stage landlord complaint procedures are ideal. This ensures that the complaint process is not unduly long. If landlords strongly believe a third stage is necessary, they must set out their reasons for this as part of their self-assessment. A process with more than three stages is not acceptable under any circumstances.	Yes	

5.20	<p>Landlords must confirm the following in writing to the resident at the completion of stage three in clear, plain language:</p> <ul style="list-style-type: none"> • the complaint stage. • the complaint definition • the decision on the complaint • the reasons for any decisions made. • the details of any remedy offered to put things right • details of any outstanding actions • details of how to escalate the matter to the Housing Ombudsman Service if the resident remains dissatisfied 	Not Applicable	
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Best practice ‘should’ requirements

Stage 1

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.2	If an extension beyond 20 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	No	As above 30 days is standard practice
5.3	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman’s contact details so the resident can challenge the landlord’s plan for responding and/or the proposed timeliness of a landlord’s response.	No	Please see above
5.4	Where the problem is a recurring issue, the landlord should consider any older reports as part of the background to the complaint if this will help to resolve the issue for the resident.	Yes	This is part of our standard practice
5.7	Where residents raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.	Yes	This is part of our standard practice

Stage 2

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.14	If an extension beyond 10 working days is required to enable the landlord to respond to the complaint fully, this should be agreed by both parties.	No	
5.15	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response	No	

Stage 3

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
5.18	Complaints should only go to a third stage if the resident has actively requested a third stage review of their complaint. Where a third stage is in place and has been requested, landlords must respond to the stage three complaint <u>within 20 working days</u> of the complaint being escalated. Additional time will only be justified if related to convening a panel. An explanation and a date for when the stage three response will be received should be provided to the resident.	Not Applicable	
5.19	Where agreement over an extension period cannot be reached, landlords should provide the Housing Ombudsman's contact details so the resident can challenge the landlord's plan for responding and/or the proposed timeliness of a landlord's response.	Not Applicable	

Section 6 - Putting things right

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
6.1	Effective dispute resolution requires a process designed to resolve complaints. Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right.	Yes	As a Local Authority we are aware of the need for good quality responses to be provided as part of any investigation and to support our staff guidance has been created.
6.2	Any remedy offered must reflect the extent of any service failures and the level of detriment caused to the resident as a result. A landlord must carefully manage the expectations of residents and not promise anything that cannot be delivered or would cause unfairness to other residents.	Yes	Any proposed remedy is based on the investigation of the complaint and the findings.
6.5	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	Yes	Any remedy offered following the investigation we use our complaints management system to track remedial actions to ensure they are complied with.
6.6	In awarding compensation, a landlord must consider whether any statutory payments are due, if any quantifiable losses have been incurred, the time and trouble a resident has been put to as well as any distress and inconvenience caused.	Yes	Ombudsman published guidance is followed regarding compensation payments. We will work with services and produce an internal remedy guidance.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
6.3	Landlords should look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.	Yes	This is part of our standard practice
6.7	In some cases, a resident may have a legal entitlement to redress. The landlord should still offer a resolution where possible, obtaining legal advice as to how any offer of resolution should be worded.	Yes	This is part of our standard practice

Section 7 - Continuous learning and improvement

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
7.2	Accountability and transparency are integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.	Yes	As a Landlord we produce an annual complaints report which includes information from both the HO and LGO. This report is published on our website and is also taken to our Audit and Standards Committee for the oversight of elected members. The report before publication is shared with our senior leadership staff to ensure that they are aware of the complaint information and how each area is performing.

Best practice 'should' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
7.3	A member of the governing body should be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This role will be responsible for ensuring the governing body receives regular information on complaints that provides insight to the governing body on the landlord's complaint handling performance.	Yes	Quarterly reports are provided to Senior Leadership Team which are then presented to the Members. We also produce an annual complaints report which is published on our website
7.4	As a minimum, governing bodies should receive: <ul style="list-style-type: none"> Regular updates on the volume, categories and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders Regular reviews of issues and trends arising from complaint handling, The annual performance report produced by the Ombudsman, where applicable Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The 	Yes	Any report which is found by an Ombudsman to have severe fault would be shared with the relevant Cabinet Member for the service area and the Senior Leadership Team. The Annual Complaints Report is also presented at a Members Board Overview and Scrutiny with data from the Ombudsman's included.

Annual Review of Self Assessment Completed June 2023

	implementation of management responses should be tracked to ensure they are delivered to agreed timescales. The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.		
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7.5	Any themes or trends should be assessed by senior management to identify potential systemic issues, serious risks or policies and procedures that require revision. They should also be used to inform staff and contractor training.	Yes	The importance of learning from our complaints is understood and as part of our improvement work being undertaken we are considering the use of analytical data tools which will quickly identify any theme or trend across the council which needs addressing. We also regularly read reports published by both Ombudsmans
7.6	Landlords should have a standard objective in relation to complaint handling for all employees that reflects the need to: <ul style="list-style-type: none"> • have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments. • take collective responsibility for any shortfalls identified through complaints rather than blaming others. • act within the Professional Standards for engaging with complaints as set by the Chartered Institute of Housing. 	Yes	This is the approach that we strive towards for our residents one council one service. Working together collaboratively ensuring the best outcomes for residents.

Section 8 - Self-assessment and compliance

Mandatory 'must' requirements

Code section	Code requirement	Comply: Yes/No	Evidence, commentary, and any explanations
8.1	Landlords must carry out an annual self-assessment against the Code to ensure their complaint handling remains in line with its requirements.	Yes	I can confirm that a SEF was undertaken in 2021 which was not published on our external website. It is clear the significant importance of this being made available to our residents and this will form part of the forward plan.
8.2	Landlords must also carry out a self-assessment following a significant restructure and/or change in procedures.	Yes	There has been no significant restructures which have taken place. This SEF would be included in any plans should a major change be identified. If not a review will be undertaken on an annual basis in line with

			the publication of the annual complaints report.
8.3	<p>Following each self-assessment, a landlord must:</p> <ul style="list-style-type: none"> • report the outcome of their self-assessment to their governing body. In the case of local authorities, self-assessment outcomes should be reported to elected members • publish the outcome of their assessment on their website if they have one, or otherwise make accessible to residents • include the self-assessment in their annual report section on complaints handling performance 	No	<p>Figures relating to cases submitted to the Council are contained within our Annual Complaints Report which is published online for public consumption.</p> <p>This report is overseen by the Audit and Standards Committee whose chair is an elected member. To ensure the right publicity for the Self-Assessment I can confirm that on an annual basis a copy of this will be placed as an appendix on the annual report.</p> <p>We also recognise the importance of this document being easily accessible and understandable for our residents and as such this will be published on the website with an explanation as to what the document contains.</p>

AUDIT AND STANDARDS COMMITTEE**28 June 2023**

Title: Complaints Update	
Report of the Monitoring Officer	
Open Report	For Information
Wards Affected: None	Key Decision: No
Report Author: Dr. Paul Feild Principal Standards & Governance Lawyer	Contact Details: Tel: 0208 227 2638 E-mail: paul.feild@lbbd.gov.uk
Accountable Director:	Alison Stuart, Chief Legal Officer and Interim Monitoring Officer
Accountable Strategic Leadership Director:	Fiona Taylor, Chief Executive
Summary:	
<p>This report is to provide the Committee with an update of complaints against Members of the Council, their status, outcome and actions taken.</p> <p>On 1 July 2012 the Assembly adopted, as required by the Localism Act 2011, a new local Code of Conduct and Complaint Procedure.</p> <p>In accordance with the Code, the Monitoring Officer conducts an initial assessment of complaints about Members of the Council against approved criteria and may consult with the Independent Person and try to resolve matters informally if possible or appropriate. If the complaint requires further investigation or referral to the Audit and Standards Committee there may still be a hearing of a complaint before its Sub-Committee.</p>	
Recommendation(s)	
The Audit and Standards Committee is recommended to note the report.	
Reason(s)	
For continued good governance and to ensure that the Standards Committee is aware of complaints against Members of the Council.	

1. Options Appraisal

1.1 This report is for information only.

2. Consultation

2.1 This report is for information only.

3. Financial Implications

3.1 There are no financial implications associated with this report.

4. Legal Implications

Implications completed by: Dr. Paul Feild
Principal Standards & Governance Lawyer

4.1 It is a legal requirement that the Council promotes and maintains high standards of conduct by Members and Co-opted Members of the authority. The Audit and Standards Committee contributes to this duty by receiving reports from the Monitoring Officer and assessing the operation and effectiveness of the Code of Conduct for Members. Additionally, the Committee advises on training of Members on matters relating to the Code as well as receiving referrals from the Monitoring Officer into allegations of misconduct in accordance with the authority's assessment criteria.

4.2 This report furthers those objectives by providing timely updates to the Audit and Standards Committee with regard to the operation of the Code of Conduct.

Background Papers Used in the Preparation of the Report:

- The Council Constitution

List of appendices: Appendix A – Schedule of Complaints received.

Member Complaints – Monitoring Officer Rolling Record - June 2023

Ref:	Receipt of Complaint	Member(s)	Complainant	Nature of Complaint	Investigation	Standards Hearing	Outcome	Status (Open/closed)
MC 6/22	Oct 2022	Two Members	Officer	Indicative matter of breach of the Code of Conduct	Fact finding process commenced	To be determined in due course	Not applicable	Open

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AUDIT AND STANDARDS COMMITTEE**28 June 2023**

Title: Council's Accounts Audit Update - 2019/20, Subsidiaries' accounts audit – 2021/22 and Progress on Accounts Closure – 2022/23	
Report of the Chief Financial Officer	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Thomas Mulloy, Chief Accountant	Contact Details: E-mail: Thomas.Mulloy@lbbd.gov.uk
Accountable Director: Philip Gregory, Chief Financial Officer (Section 151 Officer)	
Accountable Strategic Leadership Director: Philip Gregory, Chief Financial Officer (Section 151 Officer)	
Summary	
This report is to note an update regarding the external audit of the Council's Statement of Accounts 2019/20 as well as of a subsidiary. And to update on the latest regarding 2022/23 accounts closure of the Council's single entity accounts.	
Recommendation(s)	
The Audit and Standards Committee is recommended to note the contents of this report.	
Reason(s)	
It is a statutory obligation for the Council's Statement of Accounts to be produced and audited, and that the Statement of Accounts and the Annual Governance Statement must be approved by a Committee of the Council	

1. Introduction and Background

- 1.1 At the last meeting of the Committee, BDO confirmed they would not be in a position to complete the audit before this meeting. And it was agreed that BDO would provide a detailed timetable relating to the completion of the 2019/20 audit, for consideration at this meeting. The Council has since received the proposed timetable and this is outlined at the next section.

2. Accounts Audit Update – 2019/20

- 2.1 In order to set out the context behind the delays, the following timeline must be noted:

- 2.1.1 The 2019/20 accounts were published by 31 Aug 2020 in accordance with the extended deadline from DLUHC.
- 2.1.2 Following the delayed 2018/19 accounts audit, the ASC work programme amended to receive 2019/20 audit completion at 27 April 2021. The timetable provided at 21 Jan 2021 ASC remained committed to an April 2021 sign-off with additional resources committed by BDO to achieve this.
- 2.1.3 An update was presented by BDO to the ASC on 19 May 2021 confirming that 75% of the audit was complete and that completion was a priority following NHS work. The updated completion date was August 2021. This target completion was confirmed again at the 12 July 2021 ASC meeting.
- 2.1.4 Audit restarted in Sept 2021, however with no definitive completion date provided.
- 2.1.5 At the 31 Jan 2022 ASC meeting, BDO confirmed fieldwork was expected to be complete by Feb 2022.
- 2.1.6 An interim ACR (ISA260) was provided to the ASC in March 2022 with the expectation that sign off would be in April 2022 (subject to agreement on the treatment of infrastructure assets).
- 2.1.7 In Oct 2022, BDO were confident they would be complete by Jan 2023. In Dec 2022, BDO were aiming for March 2023 completion. In Feb 2023, this had shifted to April 2023. In May 2023, ASC were informed that the audit was unlikely to be complete by their July meeting and a timetable for completion would be provided.
- 2.1.8 The most recent timetable indicates that the audit work will recommence in Sept 2023 with completion in November and a sign-off in Jan 2024.
- 2.1.9 Some of the issues still prevalent in 2019/20 accounts but finance team have responded to queries and agreed corrections where necessary.
- 2.1.10 The finance team will work with BDO to ensure any review points raised on work done are closed off. Also work on producing the working papers for the infrastructure assets has now been on hold so as to prioritise the publication of recent years' draft accounts.

3. Barking & Dagenham Trading Partnership (BDTP Group)

- 3.1 Further to previous update, the FY21-22 Group Accounts for the BDTP have now been signed off by their external auditors and were filed at the Companies House on 27 May 2023.

4. Progress on Accounts Closure – 2022/23

- 4.1 Significant progress has been made on producing the draft Council's single entity FY22/23 accounts. This represents a big turn around compared to the previous years.

- 4.2 It must however be noted that there have been some delays in finalising outturn position from the subsidiaries. These figures feed into the Council's single entity accounts.
- 4.3 Previously the intention was to wait for the completion of FY19/20 accounts audit before the Council could publish the draft accounts of FY20/21 and FY21/22. This is now not practical given the ongoing delays.
- 4.4 The aim is to publish all three draft accounts (FY20/21, FY21/22 & FY22/23) as soon as possible with end June being the likely target date. The Group Accounts may have to wait given the time it takes for the subsidiaries to produce their complex accounts.
- 4.5 The finance team is keen to get back to the usual cycle of publishing the draft accounts as per statutory deadline. Work over the years have ensured the Council are in a position to do this going forward.

5. Financial Implications

Implications completed by: Thomas Mulloy, Chief Accountant

- 5.1 Other than the audit fees previously mentioned in the Audit Plan, there are no financial implications arising from the report.

6. Legal Implications

Implications completed by: Dr Paul Feild, Senior Governance Lawyer

- 6.1 The Chief Financial Officer has a statutory duty, under Section 151 of the Local Government Act 1972, to ensure that there are proper arrangements in place to administer the Council's financial affairs. An essential component of sound administration is a sound audit function.
- 6.2 The Local Audit and Accountability Act 2014, established a new audit regime. Local Authorities must appoint a local auditor which in carrying out its' role must be satisfied that the authority has:
- made proper arrangements for securing economy, efficiency and effectiveness in its use of resources;
 - in its accounts comply with the requirements of the enactments that apply to them;
 - observed proper practices in the preparation of the statement of accounts and that the statement presents a true and fair view.
- 6.3 This is supported by the Code of Audit Practice, published by the NAO, which requires auditors to 'take into account their knowledge of the relevant local sector as a whole, and the audited body specifically, to identify any risks that, in the auditor's judgement, have the potential to cause the auditor to reach an inappropriate conclusion on the audited body's arrangements.'

Public Background Papers Used in the Preparation of the Report: None

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BDO AUDIT PROGRESS REPORT & INDICATIVE TIMELINE FOR FUTURE AUDITS

London Borough of Barking & Dagenham

15 June 2023

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EXECUTIVE SUMMARY



This report provides the Audit and Standards Committee with an update on the progress of our audits and plans to clear the backlog of work.

DLUHC wrote to all local authorities and audit firms on 14 March 2023 requesting that auditors provide Audit Committees with a realistic project and delivery plan for delayed audits and the critical dependencies.

Issues nationally that have increased the resources required to complete local authority audits or have caused delays include:

- ▶ Backlog initially created during Covid and lockdown that has not been recovered
- ▶ Enhanced quality requirements following well publicised audit failures
- ▶ Implementation of new auditing standards
- ▶ Infrastructure accounting and inadequate historical records for highways and infrastructure spend
- ▶ Deficiencies in the quality of pre-audit statements and working papers prepared in advance of the audit
- ▶ Increased complexity of group structures, nature of transactions and asset ownership
- ▶ Difficulty recruiting auditors to the sector.

NATIONAL PICTURE

2019/20

Only 45% of 2019/20 local government bodies received an audit opinion by the extended deadline of 30 November 2020 and 44 (9%) had still not received the audit opinion by 31 December 2022.

2020/21

Only 9% of 2020/21 local government bodies received an audit opinion by the extended deadline of 30 September 2021 and 35% had still not received the audit opinion by 30 September 2022.

2021/22

Only 12% of 2021/22 local government bodies received an audit opinion by the extended deadline of 30 November 2022 and 373 remain outstanding.

2022/23

Last year of the current PSAA framework contract

Audit capacity and costs

The latest procurement by PSAA for contracts commencing for year ends 31 March 2024 will increase audit fees by 150% and Government has pledged to make an additional £60m of funding available over four years from 2021/22.

Redmond review

Limited progress has been made against the Redmond review recommendations to improve local public audit. The new system leader role to be undertaken by the Audit, Reporting and Governance Authority is expected to commence in 2024.

EXECUTIVE SUMMARY



AUDIT STATUS AND COMPLETION PLAN

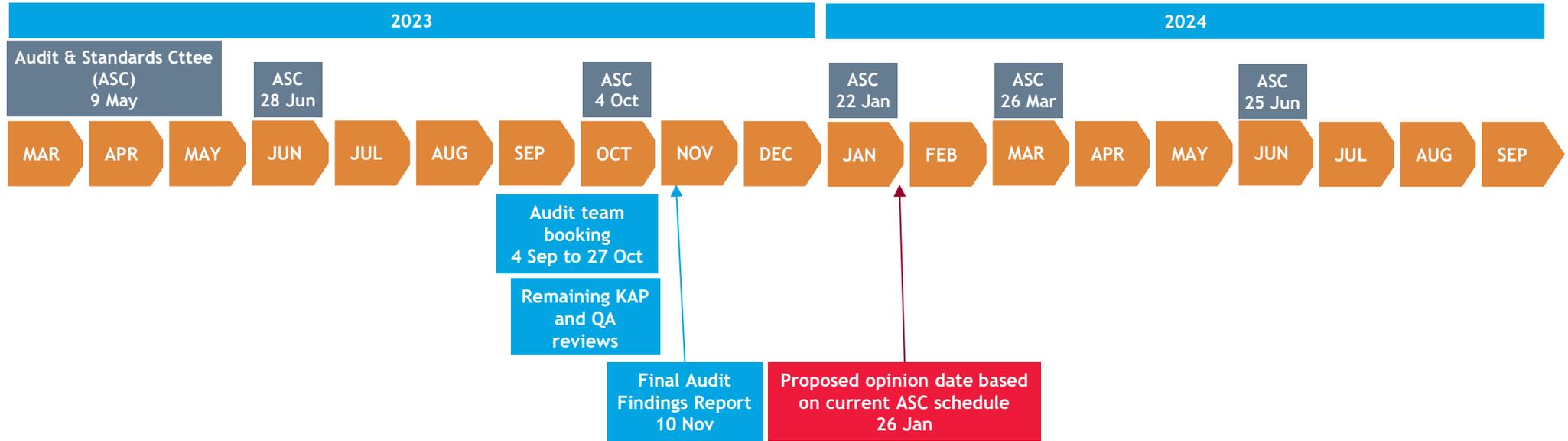
2019/20

- ▶ On the following page we set out the status of the audit for the period ended 31 March 2020 including outstanding work, issues to resolve and a timetable when we expect to complete.
- ▶ Manager reviews of audit fieldwork that has been completed to date have been performed.
- ▶ Key Audit Partner (KAP) and Quality Assurance (QA) reviews have commenced but will be completed during the final audit team visit which is scheduled to commence on 4 September 2023.
- ▶ We plan to complete the remaining fieldwork, Manager, KAP and QA reviews, clear outstanding review points and queries and issue the final Audit Completion Report by 10 November 2023.
- ▶ We will then need to present the Audit Completion Report, to those charged with governance, which would be done at the January 2024 scheduled Audit and Standards Committee, based on the planned committee schedule as it stands currently. If the Council decides to arrange an earlier Audit and Standards Committee, in late November or December, we will report to that meeting. After reporting, the final completion procedures can be performed and the opinion issued. This is usually done within three working days of reporting to those charged with governance if it is confirmed at the meeting that no further amendments to the financial statements are required, and after receipt of the Council's signed Letter of Representation.
- ▶ Achieving this revised timetable will be dependent upon receiving for audit the Council's working papers and revised Statement of Accounts supporting the implementation of the temporary solution for accounting for infrastructure assets (as set out in CIPFA Bulletin 12), before we commence the final audit visit on 4 September. Work that we have already completed elsewhere indicates that this is not an insubstantial piece of audit activity and also requires good quality justification papers to be prepared by the finance team to evidence, in particular, the appropriateness of judgements made in respect of the useful economic lives of infrastructure assets. This is likely to require both reference to benchmarking data and additional engagement with the Council's valuer. For this reason we have scheduled a July meeting with the Finance team to discuss audit expectations and the finance team's approach to preparing this evidence for audit.
- ▶ We will report the status of the final audit visit to the 4 October 2023 Audit and Standards Committee.

2020/21, 2021/22 and 2022/23

- ▶ We have prepared an indicative timetable for our audit of the three remaining years which is outlined on page 5 of this report. This has been agreed in principle with the Strategic Director, Finance and Investment (S151 Officer) and will be kept under review.
- ▶ Should any notable changes be required, for any reason, these will be reported to the Audit and Standards Committee along with the reasons for the proposed changes.

YEAR ENDED 31 MARCH 2020



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WORK COMPLETED

- ▶ The field work procedures are complete in a number of areas, including the procedures in response to significant risks, and Manager level reviews have progressed
- ▶ Financial statements reviewed with proposed amendments provided to management and a revised version of the financial statements has been received

WORK TO COMPLETE

- ▶ Infrastructure assets audit procedures - we are awaiting the Council's working papers before this work can commence
- ▶ Manager review of Property, Plant & Equipment valuations (in progress) and audit team clearance of any review points raised
- ▶ Clearance of Manager review points raised on other file areas
- ▶ Key Audit Partner and Quality Assurance reviews and audit team clearance of any review points raised
- ▶ Review of revised version of the financial statements against audit feedback and results provided
- ▶ Clearance of outstanding technical review points raised, by BDO's Financial Reporting Technical Standards reviewer, on the draft financial statements

ISSUES TO RESOLVE

- ▶ We are awaiting evidence from the Council's valuer to support the basis of the £5.6m/ha amount used in the valuation of residential land
- ▶ We are awaiting response to our property, plant & equipment queries raised May
- ▶ Infrastructure assets working papers to be provided for audit. These will need to be provided by 1 Sep 2023 if the above timetable is to be met

YEARS ENDED 31 MARCH 2021, 2022 & 2023

2020/21 Audit 2021/22 Audit 2022/23 Audit



ASC
4 Oct

PF Planning & Interim

PF Final Execution

Council Planning



ASC
22 Jan

ASC
26 Mar

ASC
25 Jun

Later ASCs
TBC

PF Final Execution

PF Planning & Interim

PF Final Execution

PF Planning & Interim

Council Interim

Council Final Execution

Council Planning

Council Interim

Council Final Execution



PF Final Execution

Council Planning

Council Interim

Council Final Execution

FOR MORE INFORMATION:

LISA BLAKE

m: 07791 397160

e: lisa.blake@bdo.co.uk

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AUDIT AND STANDARDS COMMITTEE**June 2023**

Title: Counter Fraud Annual Report	
Report Author: Kevin Key, Counter Fraud & Risk Manager Tel: 020 8227 2850, E-mail: kevin.key@lbbd.gov.uk	
Wards Affected: None	Requires formal Member-level approval: No
Accountable Director: Philip Gregory - Strategic Director, Finance and Investments	
Summary: This report brings together all aspects of counter fraud work undertaken during 2022/23. The report details progress to 31 March 2023.	
Recommendation: Audit and Standards Committee is asked to note the contents of the report.	

1. Summary of counter fraud work undertaken for Quarter 4 2022/23

1.1 The tables below indicate the level of work completed in the two separate areas for which the team are responsible: Corporate Fraud and Housing Investigation.

2. Corporate Fraud Activity including Whistleblowing

2.1 The update on corporate fraud activity for quarter 4, along with the annual totals, is set out below. The team receives many referrals throughout each quarter and log and assess each case independently. A decision is then made as to what the best course of action is to deal with the referral. This means either the team will open an investigation, refer to another service block of the council or arrange for the matter to be referred to a specific manager for action.

2.2 Quarter 4 2022/23 Fraud referrals incl. whistleblowing

	21/22 Total	22/23 Total	Q4
Cases Outstanding from last quarter			14
Referrals received in Period	198	174	57
Cases accepted for investigation	50	76	20
Referred to other service block within LBBD	102	84	37
Data Protection Requests received from other LAs, the Police and outside agencies	30	111	16
Cases closed following investigation	42	74	18
Ongoing Corporate Fraud Investigations:			16

2.3 For 2022/23 the recording remains an accurate representation of the work undertaken, outlining a true reflection of what action is being taken on every referral received. We also still report on all referrals made directly to the Police and/or Action Fraud.

2.4 The ‘referrals received’ relate to the number of cases that are sent through to the Fraud email inbox or where contact is made directly with members of the team. All contact is logged and assessed accordingly. Considering the scope of potential ‘fraud’, many referrals are sent through in the belief that fraud has been committed, but following assessment, found to be best dealt with elsewhere.

We receive requests that relate to CCTV, Subject Access Requests, Freedom of Information and Data Protection as well as referrals relating to Housing Benefits, Council Tax, Department for Work & Pensions, Complaints, Parking Enforcement, Housing Services, noise nuisance, Housing Association properties, Planning, Private Sector Licencing, Police matters and Trading Standards. If there is a possible consideration of fraud we are likely to have received a referral either via email or phone.

2.5 Outcomes – Quarter 4 and annual totals

	21/22 Total	22/23 Total	Q4
Disciplinary Action (including referrals for DA)/Resigned during investigation	4	11	2
Referred to Management/advice given	11	13	3
No fraud found/Not proven/NFA	19	36	8
Proactive Exercise	N/A	7	0
Referred to Police/Action Fraud/Covid Fraud	8	8	5

3. Housing Investigations

3.1 Members are provided specific details on the outcomes from the work on Housing Investigations. For 2022/23, outcomes are set out below.

3.2 Quarter 4 2022/23 Housing Investigations

Caseload	21/22 Total	22/23 Total	Q4
Open Cases brought forward			47
New Cases Added	156	464	168
Cases Completed	139	460	175
Open Cases			40

On Going Cases - Legal Action	Q4
Total Housing cases for recovery	1

Outcomes - Closed Cases	21/22 Total	22/23 Total	Q4
Convictions	1	1	0
Properties Recovered	6	11	2
Successions Prevented & RTB stopped/agreed	41	47	15
Savings (FTA, SPD CTax, RTB, Decant)	£444,639	£959,368	£310,298
Other Potential Fraud prevented/Advice given/passed to appropriate service block incl Apps cancelled	42	121	49
No further action required/insufficient evidence/not proven	37	41	9
Proactive Exercise cases	n/a	33	0

3.3 In addition to the above other checks are routinely carried out and information provided to others. Below is an indication of the level of work undertaken.

	21/22 Total	22/23 Total	Q4
Education Checks	371	411	96
Right to Buy initial checks	258	459	100

(Education checks relate to assisting admissions in locating children or families to free up school places or confirm occupancy and RTB checks are the early-stage checks undertaken to ensure occupancy and the legitimate tenant/s are entitled to continue with the RTB process to purchase their property).

4. Summary of Quarter 4 key issues along with review of year

4.1 The 2022/23 year has been successful across all aspects of Counter Fraud. The team have exceeded the previous year's totals across most outcomes and continue to look at proactive exercises to compliment the reactive work being undertaken. An interesting point to note is there was a 52% increase from 21/22 in the number of cases accepted. This was due to more publicity as well as Counter Fraud providing briefings at team meetings across all service blocks. There has been an increase in proactive exercises across the year to

compliment the reactive work received from colleagues and the public. The team recovered 11 properties, seeing an 83% increase on the previous year, meaning more deserving families were able to be provided housing in the borough.

4.2 Throughout December and into January/February, the team undertook visits to addresses across Barking that qualified for small business rates relief. This was a proactive exercise, in conjunction with colleagues within Community Solutions to establish whether there had been any change of circumstance in any business that was in receipt of Small Business Rates Relief – in total there are 1,666 properties that currently qualify for the scheme. Of an initial sample of 100 addresses, there were changes to the systems that resulted in additional charges of circa £10k. Realising the potential the team undertook a further 666 visits, and while the Revenue team are still working through the results, there has been an initial indication that the project has resulted in approximately £60K of relief being removed. A full breakdown will be provided once all remaining 900 visits have been undertaken and the revenue team able to update the business information held on LBBB systems.

4.3 As mentioned in Quarter 3, there was ongoing action to recover fraudulently claimed overtime from an ex We Fix employee. During Quarter 4, all money was paid back by the ex-employee. This was subsequently published on the internal staff, and managers, briefings.

4.4 Throughout Quarter 4 the team have been providing briefings to colleagues across Community Solutions. The briefings are part of an ongoing proactive exercise to widen the exposure of the Counter Fraud Team and look to encourage colleagues to report areas of concern or provide the us with areas to consider undertaking proactive exercise.

4.5 Quarter 4 also saw the team complete checks within the National Fraud Initiative. This biennial mandatory exercise starts with the upload of council data to the Home Office which is then cross checked with all other local authorities and other partners who have opted in. The returned data highlights where data from different boroughs/organisations matches with data held by LBBB. This year there were 3,945 matches for the team to review. To date 1,305 have been reviewed and closed. The Home Office provide estimated savings based on different types of fraud/error. Of the 1,305 completed, estimated savings of £282,678 have been linked to the removal of people from our housing waiting list (by either having a tenancy or being registered on another borough’s waiting list).

4.6 The team recovered 2 properties in Quarter 4 and a total of 11 in 2022/23. Outlined below is a summary of the people who were given the properties that were being sublet or not used in the correct way.

Property type	Who was rehoused into the property	Contact from Tenant or Subtenant if applicable
---------------	------------------------------------	--

4 Bed Town House	Relet 31 January 2023 to a Reside Applicant.	Tenant was living abroad and subletting to family members. Neither the tenant nor subtenant have approached the council for assistance.
Bedsit	Still Void	Tenant was referred by the Police for subletting. Was using the property as a business. No approaches made from the address for assistance.

4.7 As part of a commitment to be more transparent about how we deal with employees, outlined below is a summary of the 5 cases within quarter 4 that the Counter Fraud Team were involved in;

Service	Role	Allegation	Outcome
Adults and Childrens Services	Social Worker	Gross Misconduct Abuse of position	Fact-find undertaken – NFA as no evidence
Adults and Childrens Services	Head of Service	Gross Misconduct Abuse of position	Fact-find undertaken - Referred for management action/disciplinary investigation
Public Realm	Agency Worker	Gross Misconduct – accepting bribes	Established that Agency worker accepting food to dispose of commercial waste – Contract terminated.
Public Realm	Agency Worker	Gross Misconduct – Accepting bribes	Established that Agency worker accepting food to dispose of commercial waste – Contract terminated.
My Place/Community Solutions	Unknown	Abuse of Position by unknown staff member allocating properties via Snapchat	No evidence found and unable to establish named officer. NFA.

5. Regulation of Investigatory Powers Act

5.1 The Regulation of Investigatory Powers Act regulates surveillance powers, thus ensuring robust and transparent frameworks are in place to ensure its use only in justified circumstances. It is cited as best practice that Senior Officer and Members maintain an oversight of RIPA usage.

5.2 The last inspection of RIPA was undertaken by the Investigatory Powers Commissioner's Office in April 2020. The report was favourable, and all recommendations have been implemented.

5.3 Training was also provided to over 90 staff and managers, across all service blocks, at the beginning of the year to ensure as many people were aware of RIPA and the processes, we have in place regarding this. By providing this up-to-date training, the expectation is in place that for any use of covert surveillance, RIPA should be considered.

5.4 The current statistics are set out below following review of the central register, held by the Counter Fraud & Risk Manager. As per previous guidelines, RIPA authority is restricted only to cases of suspected serious crime and requires approval by a Magistrate.

(a) Directed Surveillance

The number of directed surveillance authorisations granted during Quarter 4, January – March 2023, and the number in force on 31 March 2023

Nil granted. Nil in Force.

(b) Communications Information Requests

The number of authorisations for conduct to acquire communications data during Quarter 4, January – March 2023

Nil granted. Nil in force.

6. Financial Implications

Implications completed by: Katherine Heffernan, Group Manager Service Finance

6.1 The team is fully funded and there are no financial implications impacting on this report.

7. Legal Implications

Implications completed by: Dr Paul Feild, Senior Governance Solicitor

7.1 The Accounts and Audit (England) Regulations 2015 section require that: a relevant authority must ensure that it has a sound system of internal control which—facilitates the effective exercise of its functions and the achievement

of its aims and objectives; ensures that the financial and operational management of the authority is effective; and includes effective arrangements for the management of risk.

7.2 Furthermore the Director of Finance has a statutory duty, under Section 151 of the Local Government Act 1972 and Section 73 of the Local Government Act 1985, to ensure that there are proper arrangements in place to administer the Council's financial affairs.

7.3 Counter Fraud practices set out in this report address the need to counter fraud, money laundering, bribery and the proceeds of crime. The Council's policies guide on the investigatory and prosecution process. In formulating the policies it addresses the issue of corruption and bribery. Corruption is the abuse of entrusted power for private gain. The Bribery Act 2010 defines bribery as "the inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages whether monetary or otherwise".

7.4 The Local Government Act 1972 provides the Council with the ability to investigate and prosecute offences committed against it. We will enhance our provision further by making best use of existing legislation, for example the Proceeds of Crime Act 2002, to ensure that funds are recovered, where possible by the Council.

8. Other Implications

8.1 **Risk Management** – Counter Fraud activity is risk-based and therefore supports effective risk management across the Council.

8.2 No other implications to report

Public Background Papers Used in the Preparation of the Report: None

List of appendices: None

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Audit and Standards Committee - Work Programme 2023/24

Chair: Councillor Princess Bright

Meeting	Agenda Items	Lead Officer	Reports deadline
4 October 2023	Committee Terms of Reference Review Standards Complaints update Internal Audit 22/23 Q1 Review Counter Fraud 22/23 Q1 Review Counter Fraud Policy Review	Yusuf Olow Paul Feild Chris Martin Chris Martin Chris Martin	5pm, 21 September 2023
22 January 2024	Standards Complaints Update Risk Management Update	Paul Feild Chris Martin	5pm, 10 January 2024
26 March 2024	Standards Complaints update	Paul Feild	5pm, 14 March 2024

Meeting dates in the 2023-24 Municipal Year;

- 28th June 2023
- 4th October 2023
- 22nd January 2024
- 26th March 2024

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