

Scrutiny Board

11 September 2018

Report title	Annual Corporate, Social Care and Public Health Complaints Report		
Cabinet member with lead responsibility	Cllr Val Gibson, Governance		
Wards affected	All		
Accountable director	Andy Moran, Director		
Originating service	Customer Services		
Accountable employees	Sue Handy	Head of Customer Service	
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Report to be/has been considered by	Corporate Leadership Team	13 August 2018	
	People Leadership Team	13 August 2018	
	Place Leadership Team	20 August 2018	
	Strategic Executive Board	28 August 2018	

Recommendations for action or decision:

The Scrutiny Board is recommended to

1. Review complaints management and performance for the period 1 April 2017 to 31 March 2018.

Recommendations for noting:

The Scrutiny Board is asked to note:

1. This is a combined annual complaint report to Scrutiny Board covering all complaints and compliments received by the Council in relation to Social Care services, Public Health services and Corporate services.
2. Section 1 of the reports relates to statutory complaints activity for Adult Social Care, Children and Young People Social Care and Public Health and Section 2 relates to all other complaints activity governed by the corporate complaints procedures.

1. SECTION ONE – Adult Social Care, Children and Young People Social Care and Public Health Activity 2017/18.

- 1.1 Purpose:** The purpose of this report is to provide a summary of the complaints, compliments, Local Government Ombudsman and Housing Ombudsman enquiries received by the Council during the period 1 April 2017 to 31 March 2018.
- 1.2 Introduction:** This report details a total of 432 Formal complaints received by the Council in 2017/18. In addition to this, there were 123 informal complaints received and resolved, preventing the issue from becoming a formal complaint. The resolutions are achieved by the complaints team working together with the person raising the concern and the services involved. Therefore, a total of 555 complaints were received and dealt with by the complaints team during 2017/18 compared to 504 in 2016/17 and 515 in 2015/16 and 718 complaints in 2014/15
- 1.3 Complaints, Compliments and Ombudsman** enquiries are considered as a form of customer feedback. They are all registered and monitored by the Customer Feedback Team based within the Corporate Directorate. Monitoring customer feedback provides details about the types of complaints and compliments that are received by the authority and highlights any improvements or amendments made to service provision or delivery.
- 1.4 Complaints Procedures** are a mechanism to identify problems and resolve issues. If things go wrong or fall below expectation, we try to sort things out quickly and fairly. We also want to learn from our mistakes or concerns that arise and will make changes to improve services.
- 1.5 This Report** is divided into two parts. Part A encompasses complaints that come under statutory Adult Social Care and Public Health Regulated Procedures, followed by Children's Social Care statutory complaints and Part B covers complaints relating to Corporate complaints received from 1 April 2017 to 31 March 2018.
- 2. Part A – Adult Social Care and Public Health Complaints Activity. Followed by Children and Young People Social Care Complaints Activity.**
- 2.1 Adult Social Care:** Adult Social Care complaints must be dealt with in accordance with The Local Authority Social Services and National Health Service Complaints England Regulations 2009. There is a one stage approach to handling adult social care complaints. This means the Council has one opportunity to respond to the complaint and conclude matters satisfactorily before the complainant can take matters to the Local Government Ombudsman should they remain dissatisfied. However, although there is only one complaint stage the degree of enquiries that are carried out to seek a resolution can be significant depending on the nature of the complaint.
- 2.2 Public Health:** Complaints in relation to Public Health services are required to be dealt with in accordance with The NHS Bodies and Local Authorities Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch Regulations 2012.
- 2.3** Public Health is about improving and protecting the health of groups of people, rather than about treating individual patients. Public Health is about helping people to stay

healthy and avoid becoming ill. The Public Health team at the City of Wolverhampton Council commission services across a range of policy areas including:

- Sexual health
- Health checks
- Drugs and alcohol
- Smoking cessation
- Weight management

2.4 Public Health Complaints received 2017/18: A total of two complaints were received in relation to Public Health services during 1 April 2017 to 31 March 2018. This is compared to three complaints for the year 2016/17. We can report that very few complaints, regionally or nationally, are received by Councils in relation to Public Health Services.

2.5 The type of public Health complaints that would fall within the complaint procedures would for example refer to services commissioned by the Council, such as sexual health advice, fluoridation and other matters. Complaints in relation to GPs, Dentists, other similar health services do not fall under this complaint process but are instead dealt with separately by Health Services

2.6 The two Public Health complaints received in 2017/18 refer to:

1) Withdrawal of a commissioned enuresis service. This complaint was Partially Upheld.

2] The second complaint refers to water fluoridation, the complaint was not upheld.

2.7 Adult Social Care Complaints received 2017/18: As of the 31 March 2018 there were more than 4,574 people who received Adult Social Care Services in 2017/18. There are other people using services not included in this figure such as the 263 Carers who received a service in 2017/18. From those figures Adult Social Care Services received a total of 81 formal complaints from 1 April 2017 to 31 March 2018.

2.8 This year's figure of 81 complaints compares with 90 complaints in 2016/17, a decrease of nine. During 2015/16 81 complaints were also received.

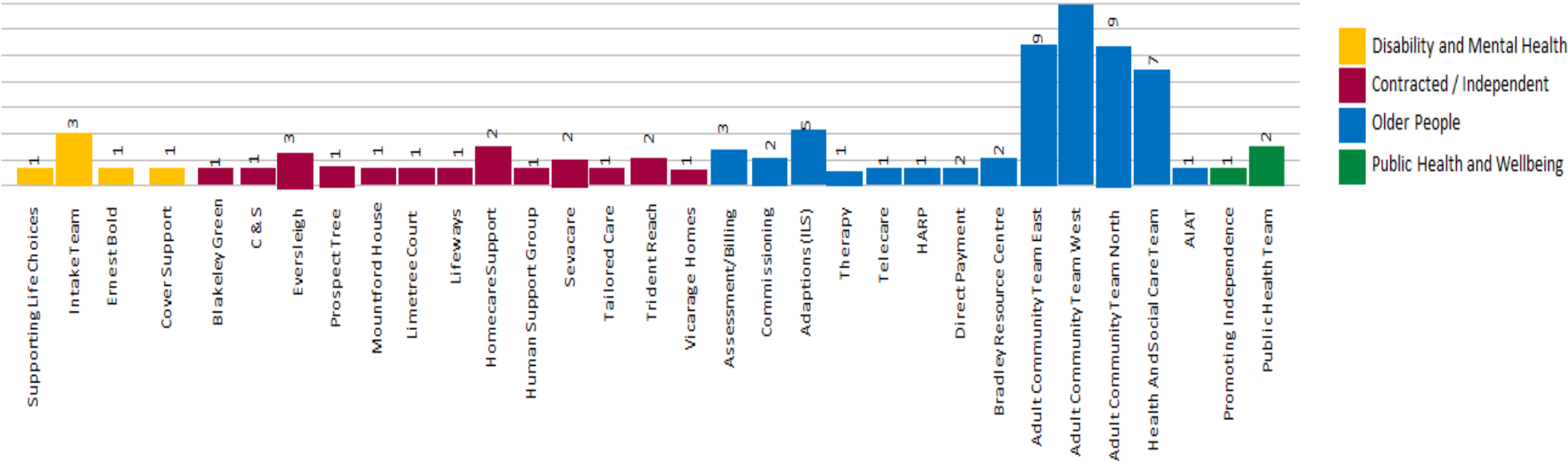
**Formal Complaints
Received**



81

- 2.9 **Service Areas:** This refers to the service the person is complaining about. The 81 complaints are spread across 32 separate Adult Social Care service areas. No service area received a disproportionate amount of complaints. The highest volume of complaints was received by the Adult Community Team West with 11 complaints and Adult Community Team North receiving 9 complaints.

Stage 1 Complaints Received Breakdown by Service Area

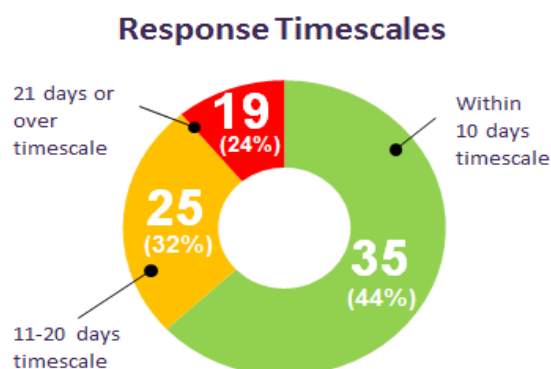


2.10 Complaint Outcomes: At the beginning and end of each year there will be a number of complaints ongoing, moving into the following year before being concluded. Overall, the number of complaints resolved during 2017/18 was 79. Each complaint is responded to individually with a 'finding' reached as to whether the complaint was justified, i.e. upheld, not upheld; or whether there are aspects of the complaint that should be partly upheld.



2.11 Timescale Compliance - Adult Social Care and Public Health Complaints: When responding to Adult Social Care and Public Health Services complaints, the People Directorate sets a target timescale of ten working days to provide a written response to the complaint. However, this can be extended where a complaint is complex or covers several service areas.

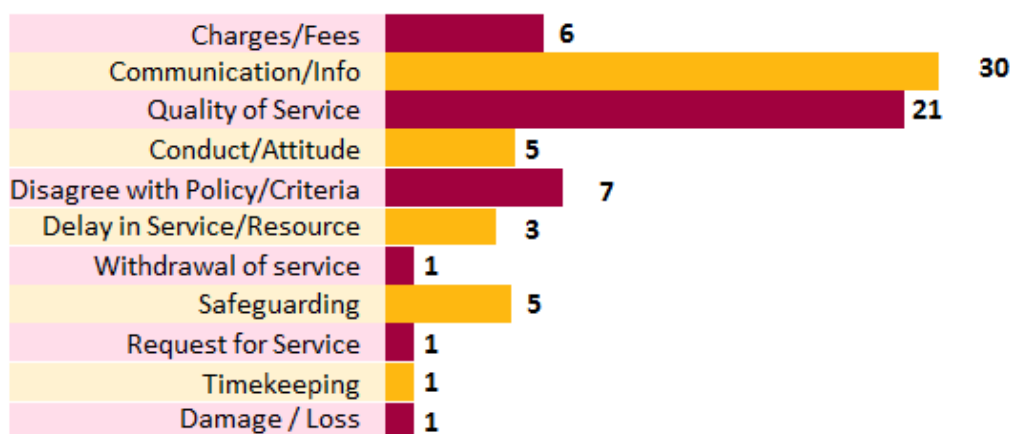
2.12 During 2017/18, 35 complaints out of the combined total of 81 Adult Social Care and Public Health complaints received in this period, were responded to within ten days. A further 25 complaints were responded to within 11 to 20 days with 19 complaints taking 21 days or over for a written response to be provided.



2.13 It is increasingly difficult to meet the 10-day response time, this is due to a number of factors, including the increased complexity of complaints and the demands on the services. However, every effort will continue to be made to respond within the agreed timescales for 2018/19.

2.14 **Complaint Issues:** This is the stated complaint issue raised by the complainant. The most frequently complained about issue, in relation to Adult Services was Communication and Information with 30 in 2017/18, this is compared to 13 in the previous year. Quality of Service was the second largest issue with 21 complaints in 2017/18 compared to 27 in the previous year.

Stage 1 Complaints Received Breakdown by Category



2.15 **Informal Complaints:** This is where the complaints team works alongside the person complaining and the service involved, to resolve the complaint informally, preventing it becoming a formal complaint. It should be noted that 59 complaints were resolved informally without going through the formal route. Mediation by Customer Feedback Team did save the Council financial resources.

59

**Informal
Complaints**

Informal complaints resolved through mediation.

- 2.16 **Compliments:** A pleasing 223 compliments were received from 1 April 2017 to 31 March 2018 relating to Adult Social Care and Public Health Services, compared to 185 compliments during 2016 to 2017 – an increase of 38 – and 202 received for 2015 to 2016. Just a few examples of compliments received are noted below:



EXAMPLES

“Thank you so much for all the support and help you gave us when we needed it. You were a bright shining light at the end of what had been a very long and dark tunnel. Mum was so happy in Langley Court....”

“Social Worker has been supporting one of our patients who requires care in a nursing home. She has shown patience, compassion and kindness in her approach to the case. She has been very helpful and responsive and both myself and the patient are grateful for her support.”

“Telephone call received thanking staff for their help and support in relation to her daughter. Her daughter has now received her full benefits she is entitled to and they are so grateful for everything you both have done.”

“We would like to thank you all for looking after our special son. We have had some fantastic weekends and even a week's holiday knowing he is in very safe hands.”

“Thank you for your patience and care provided to mom. The family appreciate everything the social worker did for them and will think of her fondly - fantastic social worker.”

“I would like to thank all of your team for all of the help that you gave me to get my stair lift. I feel like I have got back my independence and for that I am thankful.”

- 2.17 **Areas of Learning from Complaints:** Before a complaint is closed the Customer Feedback Team, together with the service areas involved, look at each complaint to assess any learning that can take place and specific actions to follow up. The

intention in future performance reports is to have a specific Learning from Section to demonstrate the learning that has taken place, and the actions followed up, across all service areas and covering all complaint activity.

EXAMPLES OF LEARNING

“Provide public information concerning Social Care policy or procedures relating to Discharge planning, the assessments processes, and residential care and funding.”

“An appropriate room is identified for all meetings with families to respect their confidentiality and dignity. Families are clearly advised who will be attending any formal meetings and what the agenda will be.”

“The worker concerned has been asked to complete a reflective piece of work relating to this case and the complaint, and to share and discuss with her own Line Manager.”

“Action to be taken with staff to ensure that customer information is always followed as in accordance with their individual support plans. Upon admission, customers and their family will have the opportunity to meet with an appropriate member of Staff/Duty Team Leader to ensure that information is transferred and recorded on the persons support plan. Subsequent information is updated. Customers and family members will be issued with worker names and contact number to improve communication. Further training regarding communication will be pursued with the team and monitored in their day to day practice.”

3. Children Social Care Complaints and Compliment Activity 2017/18:

3.1 The Children’s Act 1989, Representations Procedure England Regulations 2006 requires Children and Young People’s Services to have a complaints and representations procedure in place. The Local Authority functions covered include services provided under Parts III, IV and V of the Children’s Act 1989, for example:

- an unwelcome or disputed decision;
- concern about the quality or appropriateness of a service;
- delay in decision making or provision of services;
- delivery or non-delivery of services;
- quantity, frequency, change or cost of a service;
- attitude or behaviour of staff;
- application of eligibility and assessment criteria;
- the impact on a child or young person of the application of a Local Authority policy; and assessment, care management and review.

- 3.2 All Children Act complaints must be made known to the Customer Engagement Team who are responsible for registering all complaints. The Team will then monitor the progress of the complaint, ensuring that a written response is provided to the child/young person or the person representing them and that the response is of good quality and addresses all areas of complaints.
- 3.3 **Access to the Complaint Process:** Children and young people are made aware of their right to complain, comment or compliment about the service they receive. This can be by written information such as a complaint leaflet and/or verbally by their allocated worker or the Independent Reviewing Officers and Child Protection Conference Chairs.
- 3.4 **Advocacy:** Young people who complain on their own behalf must be offered the services of an advocate. The Black Country Advocacy Service provide this support. The Children Services Managers and the Complaint Engagement Manager meets with the manager of the advocacy service on a quarterly basis to ensure that performance is monitored in areas such as good access to the complaint process; a focus on early resolution, speedy responses, and that effective advocacy is available and taking place.
- 3.5 **The Complaints Procedure for Children's Social Care Services has three stages:**
- Stage One - Problem solving and informal resolution.
 - Stage Two - Formal Complaint investigation.
 - Stage Three - Independently Chaired Review Panel.

Stage One: This stage offers managers responsible for the relevant service being complained about the first opportunity of considering the complaint and responding on behalf of the Directorate as appropriate. A written response is provided by the relevant Manager to the young person or their representative. This could involve apologising for any mistakes made and correcting any resulting disadvantage, upholding the complaint or finding that the work that was undertaken was appropriate and therefore not upholding the complaint.

Stage Two: Where a complaint cannot be resolved satisfactorily at the first stage it may progress to stage two of the procedures, this is the formal complaint investigation stage. A considerable amount of work takes place to try to resolve matters – seeking to prevent the need for matters to escalate to Stage 2 unnecessarily. This can be evidenced by the relatively few complaints progressing to Stage 2. Stage two complaints are investigated by a person independent of the service. This can be another manager within the Directorate or an externally appointed person. Additionally, an independent person, not employed within the Local Authority, must be appointed in each case to oversee the investigation from the perspectives of thoroughness, fairness and objectivity. 25 working days up to a maximum of 65 working days are allowed for the formal investigation of the matter by the complaint investigator leading to a formal complaints report and the separate written response by the Service Director for Children's Services. If the complainant remains dissatisfied after the stage two process, then they can request that matters move to the final stage in the procedure.

Stage Three: If the complainant remains dissatisfied following the stage two investigation, they can request that matters proceed to an independent review panel. This process requires the Local Authority to convene a stage three review panel to hear the complaints within 30 working days of the request. The Review Panel involves three independent people, one of whom is appointed to chair the panel. The review panel considers the management and investigation of the complaint and the responses made at stages one and two.

If the complainant remains dissatisfied following the stage three response they can; within twelve months of the panel hearing, approach the Local Government Ombudsman seeking further enquiries or investigation to be carried out into the complaints by that office. If the Ombudsman determines that the complaint has not been looked into fairly and correctly by the Directorate, or that the service user has suffered an injustice in the services he/she has received then the Ombudsman could reach a finding of maladministration against the Authority.

- 3.6 **Children's Services Complaint Activity 2017/18:** The overall number of children social care complaints received from 1 April 2017 to 31 March 2018 was 90, compared to 96 in 2016/17; this is a decrease of 6 complaints. The overall number of complaints has decreased; however, the picture regionally and nationally is that the complaints being received by Councils in relation to Children's Services are increasingly complex.

**Formal Complaints
Received**



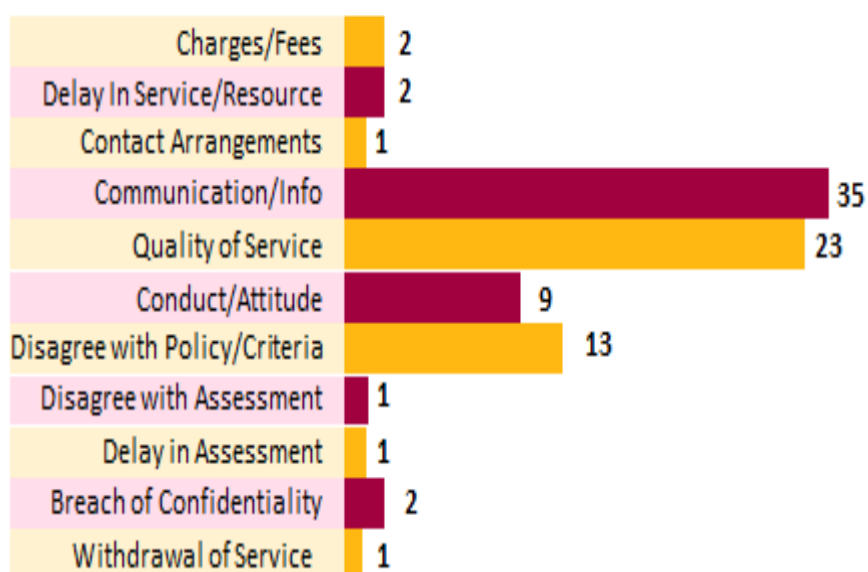
- 3.7 **Informal Complaints:** The complaint regulations provide an opportunity for children / young people to raise issues of concern without those matters being treated as formal complaints, as long as they are speedily and effectively addressed. These are referred to as Informal Complaints. 64 were received and resolved during 2017/18, compared to 32 in the previous year 2016/17 – an increase of 32.



**Informal
Complaints**

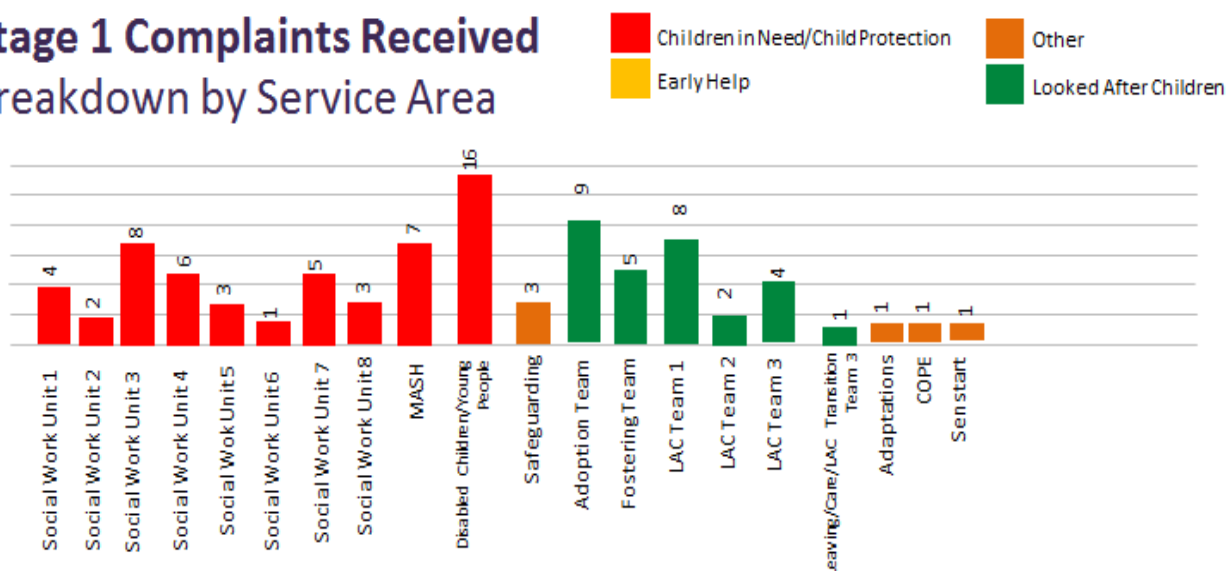
- 3.8 This gives a total of 154 formal and informal complaints logged and concluded during 2017/18 in comparison to 2016/17 of 128 – an increase of 26.
- 3.9 **Complaint Issues:** This is the stated complaint issue raised by the complainant. The most frequently complained about issue, in relation to Children's Services was Communication and Information with 35 in 2017/18, this is compared to 37 in the previous year. Quality of Service was the second largest issue with 23 complaints in 2017/18 compared to 34 in the previous year.

Stage 1 Complaints Received Breakdown by Category

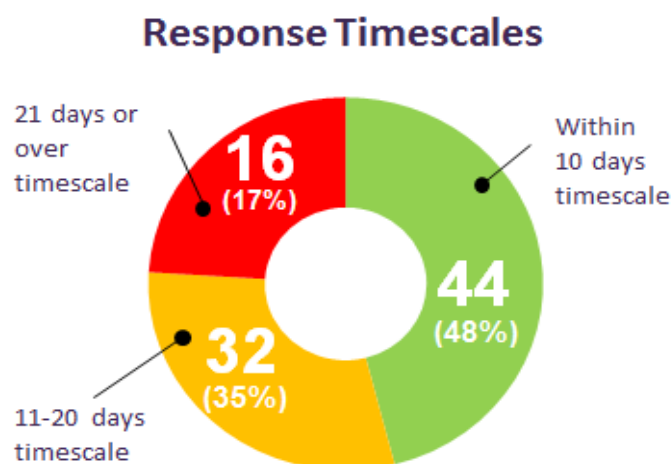


- 3.10 **Service Areas:** The 90 complaints received in 2017/18 involved 20 separate service areas across Children's Services. The highest figure of 16 referred to Disabled Children and Young People.

Stage 1 Complaints Received Breakdown by Service Area



- 3.11 **Timescale Compliance.** Regulation 14.1 of The Children Act 1989 Representations Procedure England Regulations 2006 places a 10 working day time limit for a response to the complaint, most stage one complaints should ideally be concluded within this time limit. The maximum amount of time that stage one should take is 20 working days. After this deadline, the complainant can request consideration at Stage 2 if they so wish.



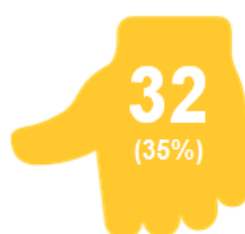
- 3.12 Including 2 complaints from the previous year - 92 complaints were closed during 1 April 2017 to 31 March 2018, 44 were responded to and concluded satisfactorily within the initial 10 day statutory timescale. A further 32 complaints were responded to within 20 days with 16 taking over 20 days. The average number of days to respond and close all complaints over the year 2017/18 was 14 days, which is the same as in the previous year 2016/17.
- 3.13 Given the growing complexity of complaints this response time remains positive, however, we will need to reduce the average response time where possible to ensure continued excellent performance against KPI, whilst ensuring that a full and effective response is provided to all individual complainants.
- 3.14 **Complaint Outcomes:** Of the 92 Stage 1 complaints responded to and closed from 1 April 2017 to 31 March 2018; 25 were upheld, 32 were partially upheld and 35 were not upheld.

Complaints Where The Council Is At Fault (Upheld)



Issues have been identified from upheld complaints and have been addressed; remedies have been provided to the customers by apologising and informing them of the improvements that have been made.

Complaints Where The Council Is Partially At Fault



Issues have been identified from partially upheld complaints and have been addressed; remedies have been provided to the customers by apologising and informing them of the improvements that have been made.

Complaints Where The Council Is Not At Fault



Customer advised of
outcome; including rationale.

- 3.15 **Formal Complaint Investigations:** Where the complainant feels that they have not received a satisfactory outcome to their complaint at Stage 1, they will be informed of their right to move on to Stage 2 which involves a formal independent complaint investigation.
- 3.16 During 2017/18 Children's Services saw four complaints out of the 90 complaints received progress to Stage 2 formal complaint investigation. This compares to two in 2016/17.
- 3.17 Although an increase of two stage 2 investigations during 2016/17, four still remains a relatively low figure of Stage 2 complaint investigations given the growing complexity of the complaints involved. The numbers are relatively low due to the reasonable response times and quality of replies to each complaint which has prevented the necessity for other complaints to proceed to Stage 2. A considerable amount of time and effort goes into resolving complaints that would otherwise proceed to Stage 2. This approach concludes matters speedily for the complainant, but it is also highly cost effective as the average cost of a stage two complaint investigation is between £2,500 to £4,500 and growing.
- 3.18 It is anticipated that the demand for complaints to progress to a Stage 2 complaint investigation will grow in 2018/19. This is due to the increased complexity of complaints and the difficulties involved in providing resolutions to those complaints. This will have implications for Children's Services such as increased demand on time and budgets to facilitate in responding to the complaints.
- 3.19 **Stage Three Review Panels:** Should a complaint not be resolved to the satisfaction of the complainant, following a formal investigation at Stage 2 the complainant can request that it progresses to Stage 3 (Independent Complaint Review Panel). One request was made for a Stage 3 Panel during 2017/18. This referred to a Child Protection case.
- 3.20 **Compliments:** During 2017/18 Children/Young People, or their representative, took the opportunity to present 98 compliments for Children and Young People Services, compared to 151 in the previous year, a decrease of 53.

98

Compliments

EXAMPLES

"I don't usually look at social workers or people that work with social services. I don't normally agree with them or have a bond with them and get on with them the way I have with you. I just wanted to say thank you for guiding me through my independence and to be honest I'm actually coping quite good; but like I said, thank you for helping me. This week has made me realise quite a lot. You're one of the best workers I've had. Thank you a lot."

"Thank you for providing the documents to lodge an application to discharge the care order on I will be lodging the application today and I must say the statement prepared by is as close to a perfect statement that I have read for a discharge."

"I wanted to thank you for doing the programme with R as I know it was felt he may not benefit from it. However, this was not the case. I feel that it has built his confidence and for the first time he is pleased to be achieving which is a big step for him. It was noted by school and also at parents evening that his writing is getting much more legible. R has much better concentration and in some instances is able to work independently as he is comprehending information given to him. I just wanted to say to you we really appreciate what you do and have done for both boys."

"Compliment received in relation to how case was managed in relation to the birth mother meeting with the prospective adopter."

EXAMPLES OF LEARNING

"Children's Services ensure they consider whether potential carers meet the criteria for a connected person's assessment."

“Assessment should commence from the date of placement for temporary approval not exceeding 16 weeks, if appropriate commence full assessment of the carers as a local authority foster parent before the end of the 16 week period comes to an end.”

“Ensure that a timely visit to the family is undertaken after reallocation of a case.”

“Better consultation with birth parents around assessment plans. Written assessment plan to be provided to birth parents.”

“Consideration to be given to how assessments are quality checked prior to signing off. Reasonable steps to be taken to ensure that all data collected is accurate and that the source of the data is clear and individuals have the right to have incorrect information rectified. The assessment training is now mandatory for all social workers and managers, all staff within Wolverhampton should now have received this training.”

“Case closure letters: Review Closure letters – ensure greater timeliness in providing closure letters with sufficient details of dates/reason for closure.”

“Social Workers should ensure that all information is effectively communicated to all relevant parties. Support for foster carers to understand their role in information sharing and when this is appropriate in order to minimise stress and anxiety to birth parents.”

“As part of our learning and improving our services, we will ensure that families are provided with copies of the Reports in a timely manner. This will enable families to raise their concerns sooner and will hopefully reduce families feeling upset. Social workers will be reminded of the importance of sharing documents with families.”

SECTION 2 – CORPORATE COMPLAINTS ACTIVITY

4. SECTION TWO – Corporate Complaints Activity 2017/18

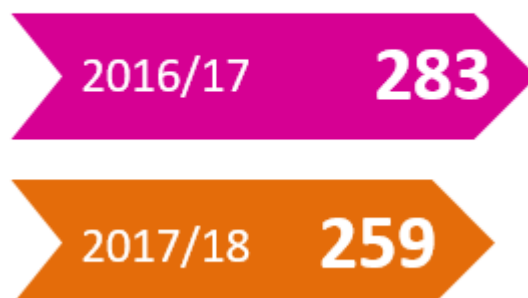
- 4.1 **Service requests.** It is important to distinguish between a complaint and a service request. When a citizen of Wolverhampton makes a first contact with the Council to raise a difficulty with a service that it has responsibility for; then it is likely in the first instance that it will be recorded as a service request. If the issue being raised is new to the Council, and the service involved has not had the opportunity of looking into the issue before or of resolving it, then it is likely to be received as a service request. However, if the issue has been raised previously and it has not been properly looked into or satisfactorily resolved, then the person may then wish to pursue matters through the formal complaint procedures.
- 4.2 **Corporate Complaints Activity 2017/18:** The Customer Feedback Team records and tracks all complaints, working closely with the services being complained about, until the complaint is concluded.
- 4.3 **Stage One Corporate Complaints:** During 1 April 2017 to 31 March 2018, the Council received 259 stage one complaints; compared to 283 in the previous year 2016/17.

Stage 1 Complaints 2017/18

Complaints Received

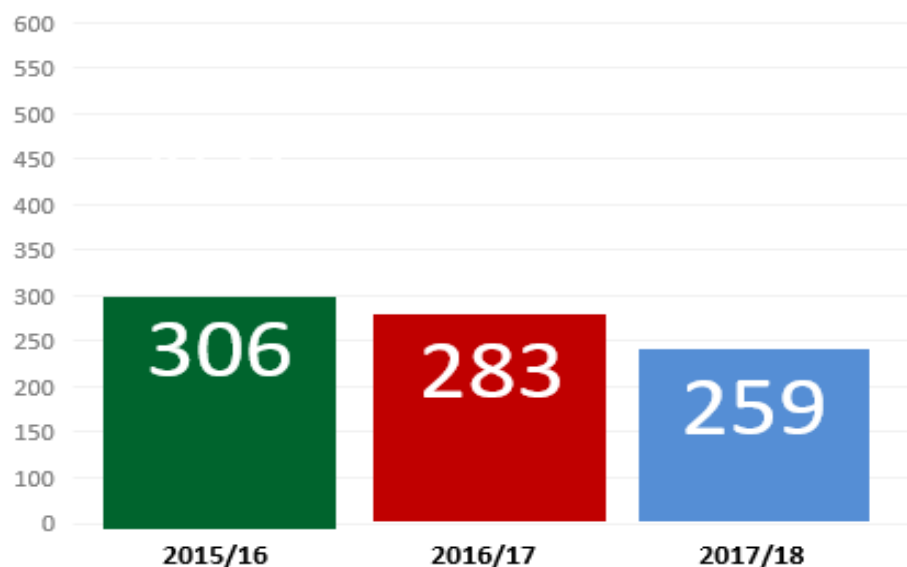


Stage 1 Complaints Comparison for 2017/18



- 4.4 Analysis of complaint activity during 2017/18 suggests that there are two principal reasons for the reduced number of complaints received in 2017/18 [259] compared to those received in 2016/17 [283]

Stage 1 Complaints Comparison



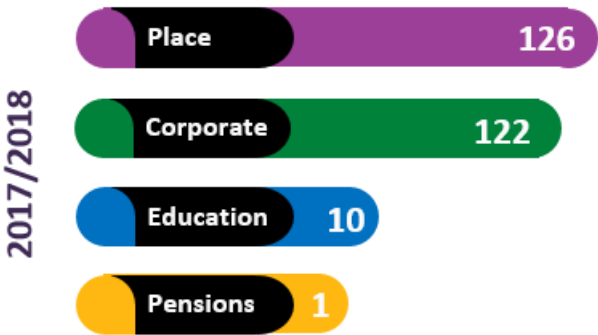
- The emphasis has remained on getting the issue of concern resolved at the first point of contact with the complainant. The focus on resolving the matter at the first opportunity to the customer's satisfaction prevents the need for matters to escalate and proceed through to the more resource intensive complaint procedures.
- Second, members of staff being clearer about when the presenting issue should correctly be followed up as a 'service request' as against a complaint. Therefore, providing an opportunity for the Council to put matters right first time to the customer's satisfaction.

- 4.5 The 259 stage one complaints received in 2017/18 are broken down by Directorates as follows:

- Place with 126 this year, compared to 178 in the previous year 2016/17.
- Corporate with 122 this year, compared to 96 in 2016/17.
- People with 0 complaints this year, compared to 2 for 2016/17,
- Education with 10 this year, compared to 7 in 2016/17 and
- West Midlands Pension Fund 1.

- 4.6 From the 259 stage one complaints received during 1 April 2017 to 31 March 2018 59 were upheld and 200 were not upheld.

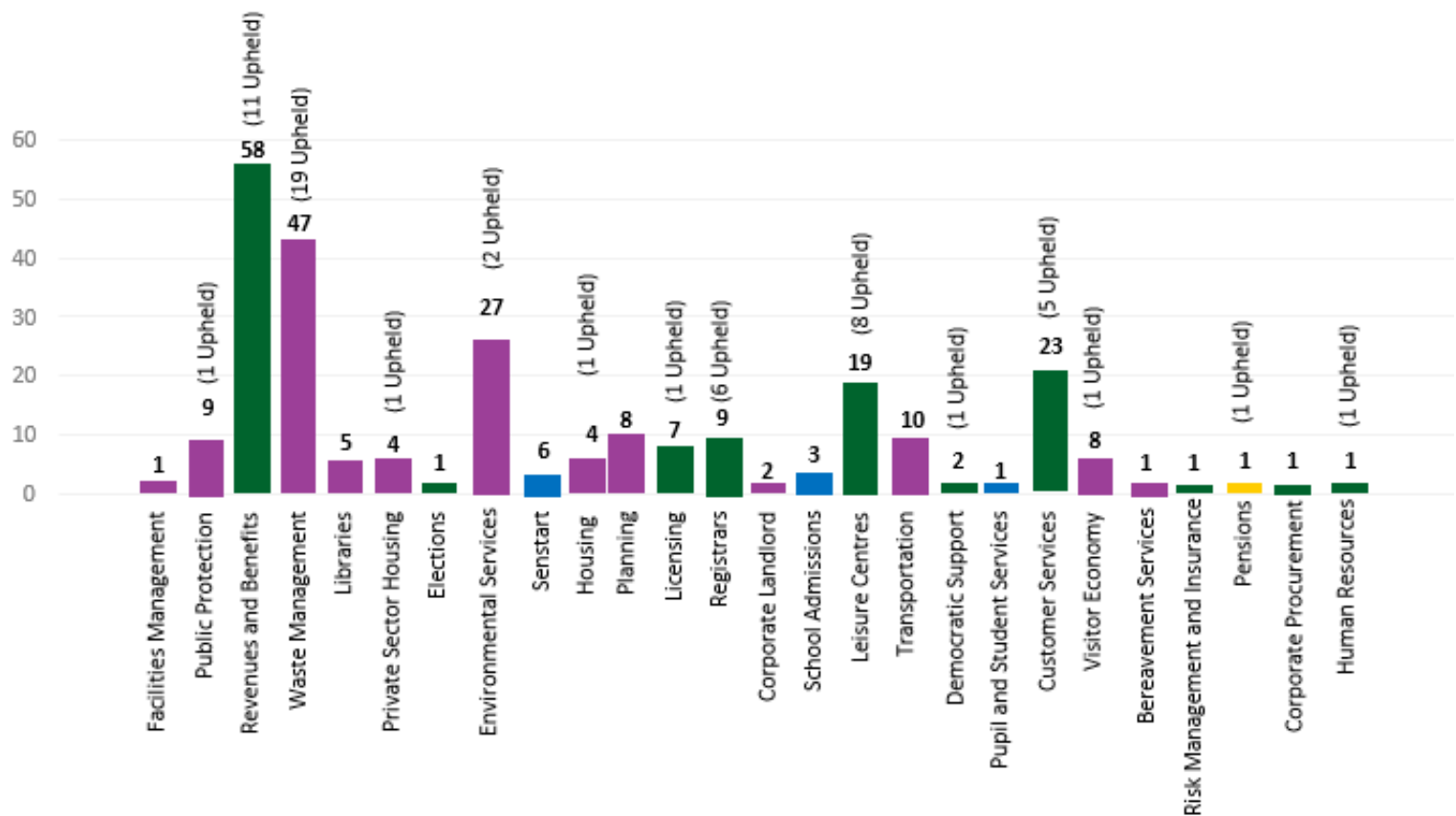
Stage 1 Complaints
Breakdown by Directorate



Stage 1 Complaints Received
Breakdown by Service Area

Complaints were not upheld unless otherwise indicated.





Complaints where the Council is at fault (*upheld*)



Issues have been identified from 59 upheld complaints and have been addressed; remedies have been provided to the customers by apologising and informing them of the improvements that have been made.

- 4.7 As result of continuous monitoring with service managers the complaint issues that are identified from the upheld complaints have been addressed; remedies have been provided to the customers by apologising and informing them of the improvements that have been made.
- 4.8 **Timescale Compliance:** All stage one complainants should receive a written response to their complaint within 21 calendar days. The complaint data for 2017/18

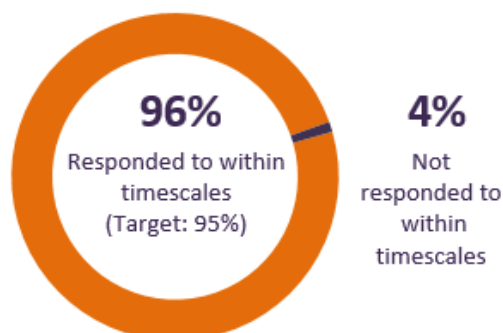
evidences that the City of Wolverhampton Council has achieved an excellent average response timescale in looking into and responding to complaints.

- 4.9 In 2017/18 the average response time for a complainant to receive a reply to their complaint was 11 days, this response time of 11 days was also achieved in 2016/17, 96% of all complainants received had a response in the required timescale.

Average Complaint Response Time

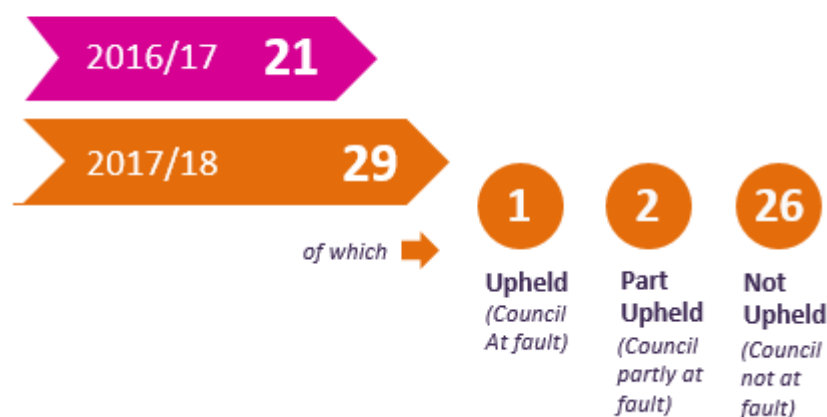


Response Timescales



- 4.10 The customer feedback team provides support to the managers investigating the complaints to ensure that they meet response deadlines and provide quality written responses. The team also ensures that direct contact takes place with the complainant as needed. Response reminders are sent to investigating officers by the complaints team on a weekly basis.
- 4.11 **Informal Service Requests/Enquiries:** This is where the customer feedback team works alongside the person complaining and the service involved, to resolve the complaint informally, preventing it becoming a formal complaint. It should be noted that **955** enquiries were logged with the customer feedback team and resolved informally without going through the resource intensive formal route, therefore providing a better outcome for the customer.
- 4.12 **Corporate Complaint Nature:** During 1 April 2017 to 31 March 2018 the main issue of complaint involved failure to provide a service (102), followed by failure to achieve standards/quality (43), dissatisfaction of council policies (41), conduct of employees (33), failure to fulfil statutory responsibilities (19), delays in responding or administration (10), failure to consider relevant matters (7) and bias/unfair discrimination (4).
- 5.0 **Stage Two Complaints:** During 1 April 2017 to 31 March 2018 the Council received 259 stage one complaints; from that figure 29 complaints were un-resolved at the first stage and progressed to stage two of the corporate complaints procedures.

Stage 2 Complaints Comparison for 2017/2018



- 5.1 During 1 April 2017 to 31 March 2018 the Council received 29 stage two complaints. Out of those 29 complaints investigated, one was upheld, two partially upheld and twenty-six not upheld.
- 5.2 Out of the 29 stage two complaints received, nine were for Corporate Directorate, 18 for Place Directorate and two cases for Education.

Corporate Directorate received nine; eight cases were in relation to Revenues and Benefits and one case for Customer Services as follows:

- **Revenues and Benefits (8)** - One complaint received was in relation to council tax accounts and council tax liability; advised to escalate by the Ombudsman; outcome partially upheld and appropriate remedies put in place. One complaint was in relation to officer conduct; outcome not upheld. One complaint was in relation to incorrect advice provided in relation to revenues and benefits; outcome not upheld. One complaint in relation to debt relief order; outcome not upheld. One complaint in relation to delays with council tax enquiry; outcome not upheld. One complaint in relation to delays in adjustments to be made to benefits; outcome not upheld. One complaint in relation to council tax payments, housing/customer services service received (joint response by services); outcome not upheld. One complaint in relation to empty property premium; outcome not upheld.
- **Customer Services (1)** – One complaint received in relation to name appearing on a list; outcome not upheld.
- **Place Directorate** received 18; Environmental Services received four, Transportation three, Public Protection one, Waste Management two, Parking Services one, Libraries one, Planning five and Corporate Landlord one.
- **Environmental Services (4)** – One complaint received in relation to trees, shrubs damaging fencing; outcome no upheld. One complaint received in relation to trees at the side of a property and falling tree debris; outcome not upheld. One complaint in relation to playground equipment; outcome not upheld. One complaint in relation to arbor treatment; outcome not upheld.

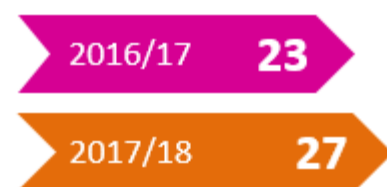
- **Transportation** (3) – One complaint in relation to decision to grant painted white box in the corner of residential street; outcome not upheld. One complaint in relation to parking restrictions and consultation; outcome not upheld. One complaint in relation to damage to car due to debris on the highway; outcome not upheld.
- **Public Protection** (1) – One complaint in relation to environmental health – license review, positioning/noise of smoking shelter and pub license; outcome not upheld.
- **Waste Management** (2) – One complaint in relation to suspension of kerbside collections; outcome not upheld. One complaint in relation to removal of new bins and replacement bins/emptying of bins; outcome not upheld.
- **Parking Services** (1) – One complaint in relation to new parking scheme permit/pay and display scheme; outcome not upheld.
- **Libraries** (1) – One complaint in relation to Community Centre Hub; outcome partially upheld and appropriate remedies put in place.
- **Planning** (5) – One complaint in relation to planning permission (extension to neighbour's property) affecting property; outcome not upheld. One complaint in relation to planning process; outcome not upheld. Two complaints in relation to process and procedure with planning application; outcome for both cases not upheld. One complaint in relation to building at rear of neighbour's garden; outcome not upheld.
- **Corporate Landlord** (1) – One complaint in relation to sale of school land and impact on local area; outcome not upheld.

Education Directorate received two; **SEN** received two.

- **SEN** (2) – One complaint in relation to SEN team not meeting education need of a student and not assisting in finding a new school; outcome not upheld. One complaint in relation to SEN delays in assessment in relation to relocation from neighbouring authority; outcome upheld, appropriate resolution and remedies put in place.

6.0 Local Government Ombudsman (LGO)/ Housing Ombudsman enquiries

LGO/Housing Ombudsman Enquiries for 2017/2018



Annual Figures increased for 2017/18 by 4 cases compared to 2016/17. Customer Feedback team has also received 37 initial LGO/HO assessment enquiries for 2017/18.

- 6.1 During 1 April 2017 to 31 March 2018 the Council received 27 LGO/Housing Ombudsman enquiries. Out of the 21 LGO enquiries received the Corporate Directorate received three, Place Directorate received six, People Directorate received 11 and Education Directorate received one. Out of the 21 LGO enquiries

received, four enquiries were upheld. Out of the 6 Housing Ombudsman enquiries received, Wolverhampton Homes received five enquiries and Pendeford Tenant Management Organisation (TMO) received one. Out of the six enquiries received, one enquiry for Wolverhampton Homes was maladministration.

- 6.2 **Corporate Directorate** received three enquiries. Out of the three enquiries received, two enquiries were in relation to Revenues and Benefits; one enquiry in relation to Council's removal of complainant's single person council tax discount; outcome closed after initial enquiries – no further action; one enquiry in relation to Council unreasonably sought to recover overpaid housing benefit; outcome closed after initial enquiries, out of jurisdiction. One enquiry received in relation to Democratic Services regarding appeal against refusal of a school place; outcome closed after initial enquiries, no further action.
- 6.3 **Place Directorate** received six enquiries. Out of the six enquiries received, one enquiry received for Environmental Services, one enquiry for Libraries and four enquiries for Planning. One enquiry for Environmental Services was in relation to Council's failure to properly maintain trees and shrubs and collect leaves near to a property; outcome, not upheld, no maladministration. One enquiry for Libraries was in relation to Council's failure to investigate service failings at a local centre; outcome closed after initial enquiries, no further action. Four enquiries were received for Planning – one enquiry in relation to Council's failing to take proper account of amenity when dealing with a planning application for a development next to a property; outcome; not upheld, no further action. One enquiry in relation to Council's decision to grant planning permission for a development close to a property; outcome closed after initial enquiries, out of jurisdiction. One enquiry in relation to neighbour encroaching on land and building over a pipe on land; outcome closed after initial enquiries, no further action. One enquiry in relation to a decision to grant planning permission and its enforcement investigations in relation to an outbuilding; outcome closed after initial enquiries, no further action.
- 6.4 **People Directorate** received 11 enquiries. Out of the 11 enquiries received, Children's Services received five enquiries and Adult Social Care received six enquiries.

Children's Services received five enquires; One enquiry in relation to actions of social worker at the time son was born; outcome upheld, maladministration and injustice; appropriate remedies implemented and financial sums agreed. One enquiry in relation to decision of where child should live; outcome closed after initial enquiries, out of jurisdiction. One enquiry in relation to safeguarding investigation; outcome upheld, maladministration and injustice - appropriate remedies implemented and financial sums agreed. One enquiry in relation to how children were being looked after in a foster placement; outcome closed after initial enquiries, no further action. One enquiry in relation to the council failing to inform the LADO of safeguarding concerns; outcome – we are currently awaiting the draft decision on this case.

Adult Social Care received six enquiries. One enquiry in relation to officer conduct; outcome closed after initial enquiries, no further action. One enquiry in relation to difficulties bringing complaint to the council, no advice or sign posting; outcome not upheld, no maladministration. One enquiry in relation to failings by social services in relation to death of a parent; outcome no maladministration. One enquiry in relation

to health deterioration since care assessment; outcome not upheld, no maladministration. One enquiry in relation to advice and poor care received, led to general deterioration; outcome upheld, maladministration and injustice – appropriate remedies implemented and financial sums agreed. One enquiry in relation to Council failing to provide service user with a care agency and failed to meet care needs; outcome upheld, maladministration and injustice – appropriate remedies and financial sums agreed.

- 6.5 **Education Directorate**; SEN team received one enquiry in relation to the Council not providing appropriate adequate education for a child; outcome upheld, maladministration and injustice – appropriate remedies implemented and financial sums agreed.

6.6 **Housing Ombudsman enquiries**

During 1 April 2017 to 31 March 2018 the Council received six enquiries. Out of the six enquiries Wolverhampton Homes received five enquiries and Pendeford Tenant Management Organisation (TMO) received one.

- 6.7 **Wolverhampton Homes** - One enquiry in relation to level of service from an Estate Manager; outcome no maladministration by the landlord. One enquiry in relation to handling of requests for information regarding building work, service charge for work and not receiving a copy of buildings insurance policy; outcome maladministration; appropriate remedies implemented and financial sums agreed. One enquiry in relation to dissatisfaction with repair work carried out to boiler; outcome, closed no further action. One enquiry in relation to handling of ASB case and concerns in relation to shared pathway; we are currently awaiting the outcome of this case from the Housing Ombudsman.
- 6.8 **Pendeford TMO** – One enquiry in relation to how ASB reports have been dealt with and its decision to serve a notice seeking possession; outcome no maladministration.

7.0 **LGO/Housing Ombudsman assessment enquiries:**

During 1 April 2017 to 31 March 2018 the Council received 37 LGO and Housing Ombudsman enquiries.

- People Directorate received nine assessment enquiries which comprised of Adult Social Care seven and Children's Services two.
- Place Directorate received 13 assessment enquiries which comprised of Housing one, Parking Services one, Environmental Services three, Planning five, Transportation two and Public Protection/Transportation one.
- Corporate Directorate received six assessment enquiries; Governance one, Democratic Support two, Human Resources one and Revenues and Benefits two.
- Wolverhampton Homes received eight assessment enquiries

- Springfield Horseshoe TMO received one assessment enquiry

Out of the 36 LGO/Housing assessment enquiries received eight cases have progressed to a full investigation.

- 8.0 **Compliments:** All compliments are recorded, acknowledged and each service areas are updated on the compliments they receive. During 1 April 2016 to 31 March 2017, the Council received 372 compliments, down from the previous year 2015. A decrease of 76 compliments for the year.

**Annual
Compliments
Received**

372

- 8.1 Environmental Services accounted for the highest number of compliments 98 followed by Planning 80 and Customer Services 48

Environmental Services - Just wanted to say how lovely Woodlands Walk in Penn is looking. I regularly walk my dog around there and it looks so neat and tidy. The bushes have been cut back from the pathway and it now looks really good. Compliments to the council staff for such a job well done.

Planning Department - I want to commend the efficiency and the most positive and proactive manner in which the Wolverhampton Planning Department has expedited our application. I have worked with many departments and agencies throughout my whole career, I would struggle to find any better or comparable level of service as observed by Wolverhampton Planning.

Customer Services - Compliment for blue badge officer about the exemplary work that the blue badge officer has done in handling my case for a Blue Badge. The officer has been very helpful, knowledgeable and understanding throughout the process and I would like to say the officer is a total credit to your department and the council as a whole.

The Customer Feedback team encourage officers to promote compliments and forward to the team as they are part of our quarterly and annual monitoring for service groups and are a valuable source of feedback. The Customer Feedback Team are currently working with the Communications Team to promote compliments via City People.

EXAMPLES OF LEARNING

Refuse Manager spoke to the customer and apologised that the waste collection crews are leaving bins blocking his driveway. Refuse Manager explained that this is not acceptable and that he would be speaking to the relevant crews to remind them that bins must be returned correctly and safely. Refuse Manager requested that the customer contact him directly if this were to happen again

Member of staff spoken with; further training undertaken on Registrars area

Letter of apology/explanation issued and advised that a review of the content of the original financial demand will be undertaken to avoid the same issue reoccurring

9.0 **Monitoring Information:** There are no concerns with the data analysis or evidence of any groups being disproportionately affected. The equalities data is based upon what complainants have provided.

10.0 **Action Plans/Learning:** The Customer Feedback Team produce Action Plans reports for all upheld complaints where the recommendations are for a change to policy or service delivery. The recommendations are agreed with Heads of Service and shared with the relevant Service Director, Strategic Director, and the Managing Director. Recommendations are delivered by the service group as appropriate.

11.0 Corporate complaint handling improvements

- Improved Response timescales. The average response time of 11 days is highly positive and would compare very favourably with other Councils regionally and nationally. Timescale compliance nevertheless remains under constant review.
- Training – During 2017/18 the Customer Feedback Team has developed and delivered complaint handling training to over 120 Managers and team members across all service areas. We are currently compiling mandatory online complaint training to provide an overview of the corporate complaints function.

12.0 Financial Implications

There are no financial implications associated with the recommendation in this report. [GE/05072018/Q]

13.0 Legal Implications

The statutory complaints procedure must comply with various statutes. These include:

- Children and Family Services - The Children Act 1989, Representations Procedure England Regulations 2006. The Local Authority functions covered include services provided under Parts III, IV and V of the Children Act 1989.
- Adult Social Care - The Local Authority Social Services and National Health Service Complaints England Regulations 2009; which came into force on 1st April
- Public Health - The NHS Bodies and Local Authorities Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch Regulations 2012. [RB/05072018/J]

14.0 Equalities Implications

- 14.1 There are no equalities implications associated with this report where in relation to its recommendation for noting. There are important equalities implications in terms of the complaints procedure itself and these were analysed for equalities implications when the corporate complaints procedure was reviewed in 2015.
- 14.2 The Customer Feedback Team looks to capture specific equality data from each complaint received and this is contained in all quarterly performance reports presented for scrutiny. The person raising the complaint, concern or compliment is invited to provide their personal information in a number of areas including, Sex / Gender Identity. Ethnic Origin. Sexual Orientation. Religion. Age. Disability. However, the experience in many cases is that the customer does not provide this information with some customers querying the reasons for requesting the data and how it might be used.

15.0 Environmental Implications

There are no environmental implications associated with this report.

16.0 Human Resources Implications

There are no human resource implications associated with this report.

17.0 Corporate Landlord Implications

There are no corporate landlord implications associated with this report.

18.0 Schedule of Background Papers

None for consideration.