

CITY OF  
WOLVERHAMPTON  
COUNCIL

# Governance and Ethics Committee

11 January 2024

**Time** 2.00 pm **Public Meeting?** NO **Type of meeting** Advisory Groups  
**Venue** Committee Room 3 - 3rd Floor - Civic Centre

## Membership

Councillor Rita Potter  
Councillor Rohit Mistry  
Councillor Milkinderpal Jaspal  
Councillor Lovinyer Daley  
Councillor Paul Brookfield  
Councillor Zee Russell  
Councillor Anwen Muston  
Councillor Susan Roberts MBE  
Councillor Wendy Thompson Opposition Leader  
Councillor Jonathan Crofts

## Information

If you have any queries about this meeting, please contact the Democratic Services team:

**Contact** Donna Cope  
**Tel/Email** 01902 554452 or Email: [donna.cope@wolverhampton.gov.uk](mailto:donna.cope@wolverhampton.gov.uk)

# Agenda

## PART 1 – Items open to all attendees

- | <i>Item No.</i> | <i>Title</i>  |
|-----------------|---|
| 1               | <b>Apologies for absence</b>  |
| 2               | <b>Declarations of interest</b>   |
| 3               | <b>Minutes of the previous meeting</b> (Pages 3 - 6)<br>[To approve the minutes of the previous meeting held on 23 November 2023 as a correct record].  |
| 4               | <b>Matters arising</b><br>[To discuss any matters arising from the minutes of the previous meeting].  |
| 5               | <b>Preparations for May 2024 Combined Authority Mayoral and Local Elections</b><br>(Pages 7 - 14)<br>[To note and provide feedback on the preparations for the May 2024 Combined Authority Mayoral and Local Elections] |
| 6               | <b>Evaluation of Annual Canvass 2023</b> (Pages 15 - 26)<br>[To provide feedback on the 2023 annual canvass]  |
| 7               | <b>Complaints Progress Update Quarter One and Two - 2023-2024</b> (Pages 27 - 46)<br>[To note the contents of the complaints progress update report]  |
| 8               | <b>Information Governance Progress Update - Quarter One and Two 2023-2024</b><br>(Pages 47 - 60)<br>[To note the contents of the Information Governance progress update report]   |
| 9               | <b>Code of Conduct Member Complaints - Annual Report</b><br>[To note the Annual Report][ <b>Report to follow</b> ]  |

<p>CITY OF WOLVERHAMPTON COUNCIL</p>	<h1>Governance and Ethics Committee</h1> <p>Minutes - 23 November 2023</p>
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## Attendance

### Members of the Governance and Ethics Committee

Cllr Rita Potter (Chair)  
Cllr Milkinderpal Jaspal  
Cllr Lovinyer Daley  
Cllr Paul Brookfield  
Cllr Zee Russell  
Cllr Anwen Muston  
Cllr Susan Roberts MBE  
Cllr Wendy Thompson  
Cllr Jonathan Crofts

### Employees

David Pattison	Chief Operating Officer
Laura Gittos	Head of Governance
Jas Kaur	Democratic Services & Systems Manager
Laura Noonan	Electoral Services & Scrutiny Manager
Donna Cope	Democratic Services Officer

## Part 1 – items open to the press and public

*Item No.*     *Title*

- 1     **Apologies for absence**  
Apologies for absence were received from Councillor Rohit Mistry.
  
- 2     **Declarations of interest**  
In respect of Item 7, David Pattison, Chief Operating Officer, noted that four members of the Committee were members of the Wolverhampton Homes' Board, but as no decisions were being made, there was no need for those members to declare an interest or leave the room when the item was considered.

There were no declarations of interest made.

3 **Minutes of the previous meeting**

That the minutes of the previous meeting held on 26 October 2023 be approved as a correct record.

4 **Matters arising**

Item 5 – David Pattison, Chief Operating Officer, stated that he would check that the DBS letter had been sent out by the Cabinet Member.

5 **Statutory Review of Polling Districts and Polling Places 2023-2025**

David Pattison, Chief Operating Officer, introduced the report: Statutory Review of Polling Districts and Polling Places 2023-2025. The report outlined the proposed polling district and polling place scheme for 2024 and recommended that the Council approved the proposals.

Laura Noonan, Electoral Services Manager, outlined the report and highlighted key points. She thanked members for their engagement during the consultation sessions and noted that all feedback had been implemented where possible.

Councillor Rita Potter moved the recommendations within the report. Councillor Milkinder Jaspal seconded the recommendations.

The report was debated by Committee and the Electoral Services Manager responded to questions asked.

A Member of the Committee noted that although other local authorities in the West Midlands used more schools as polling stations than Wolverhampton, there was no impact on education as the schools remained open. The Chief Operating Officer assured members that the Elections Team worked hard to avoid the closure of schools and agreed to request information from other local authorities on the matter.

Resolved:

That Council be recommended to:

1. Approve the polling district and polling place scheme contained in Appendix 1.
2. Approve the necessary amendments to polling districts for the publication of 2 January 2024 electoral register.
3. Approve the delegation of authority to the Returning Officer and Chief Operating Officer in consultation with the Cabinet Member for Governance and Equalities, Leader, and Leader of the Opposition to make minor alterations to the polling station scheme prior to the next compulsory statutory review.

That Governance and Ethics Committee noted:

1. The annual publication of the revised register had been delayed to 2 January 2024 due to a by-election taking place during the annual canvass period.
2. The submissions made to the Council as part of the polling district and station consultation and the Returning Officer response to these were contained in Appendix 2.

6 **Elections Fees and Charges 2023-2024**

David Pattison, Chief Operating Officer, introduced the report: Elections Fees and Charges 2023-2024. The report outlined the proposed schedule of fees and charges for the elections taking place next year and outlined the rationale behind the proposals.

Laura Noonan, Electoral Services Manager, outlined the report and highlighted the key changes. It was noted that due to an increase in the national living wage and the shared parliamentary constituency with Walsall, some of the proposed fees may change. If so, an update report reflecting these changes would be brought back to committee in January.

Councillor Rita Potter moved the recommendations within the report. Councillor Milkinder Jaspal seconded the recommendations.

The report was considered by Committee and the Chief Operating Officer responded to questions asked.

Resolved:

1. That the proposed schedule of fees for May 2023 as shown in Appendix 1 be approved.

7 **Local Authority Companies - Linked Bodies**

David Pattison, Chief Operating Officer, presented an update on Local Authority Companies - Linked Bodies. The Councils' current position in relation to Linked Bodies was outlined, and the Chief Monitoring Officer detailed how each of these bodies was monitored.

It was noted that the City of Wolverhampton Council was in a good position regarding Linked Bodies and that positive feedback had been received from external auditors in the audit for 2021/2022.

Councillor Milkinder Jaspal welcomed the update and thanked Finance and Legal Officers for their excellent monitoring work over the years.

Resolved:

1. That the update on Link Bodies be noted.

8 **Protocol for Full Council Public Questions**

David Pattison, Chief Operating Officer, outlined the report: Protocol for Full Council Public Questions, and highlighted key points. The report proposed minor revisions to the Protocol for Questions by Members of the Public and recommended that Committee approved the proposals. It was noted that public questions would be introduced at Full Council on 24 January 2024, and publicised on the Council's website before Christmas.

Councillor Rita Potter moved the recommendations within the report. Councillor Milkinder Jaspal seconded the recommendations.

The report was considered by Committee and the Chief Operating Officer responded to questions asked.

With regards to questions that had been submitted in time but not answered at the meeting, it was agreed that the written response would be provided within one week of the meeting and published on the Council's website for transparency.

It was further agreed that a satisfaction survey would be carried out to determine how participating members of the public rated the process. The findings would then be brought to Committee for review.

Resolved:

That Governance and Ethics Committee:

1. Noted the implementation of Questions by Members of the Public from January 2024.
2. Authorised the Chief Operating Officer to publicise the Protocol for Questions by Members of the Public on the Council's website.
3. Agreed that there was delegated authority to the Chief Operating Officer to make minor amendments to the Protocol for Questions by Members of the Public as required in consultation with the Cabinet Member and Chair of the Committee.

<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Governance and Ethics Committee</b> 11 January 2024
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<b>Report title</b>	Preparations for May 2024 Combined Authority Mayoral and Local Elections	
<b>Cabinet member with lead responsibility</b>	Councillor Paula Brookfield	
<b>Accountable director</b>	David Pattison, Chief Operating Officer	
<b>Originating service</b>	Electoral Services	
<b>Accountable employee(s)</b>	Laura Noonan	Electoral Services and Scrutiny Manager 01902 55 5050 Laura.noonan@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	Election Board	18 December 2023

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**Recommendation for action or decision:**

The Governance and Ethics Committee is recommended to:

1. Note and provide feedback on the preparations underway for the May 2024 elections.

## **1.0 Purpose**

- 1.1 To provide an update on preparations underway for the local elections and Combined Authority Mayoral elections taking place on Thursday 2 May 2024.

## **2.0 Background**

- 2.1 A third of Councillor seats are up for election on 2 May 2024. The West Midlands Combined Authority Mayoral Election will also be taking place on Thursday 2 May 2024. The Police and Crime Commissioner (PCC) duties are due to transfer to the Combined Authority Mayor following the election and as such there may not be a separate Police and Crime Commissioner election in 2024. However, the Home Office have published a consultation regarding the transfer of powers which runs until 30 January which means that the order has been delayed. This creates some uncertainty on whether a PCC election will also take place. The Regional Returning Officer is liaising with the Home Office on this.
- 2.2 Voter ID and online absent vote applications have already been implemented in 2023 by the Election Act.
- 2.3 New measures around intimidation, undue influence and candidates names and addresses came into force on 1 November 2023. The revised undue influence offence will better protect voters from improper influences to vote in a particular way, or to not vote at all, and provides clearer legal drafting to assist the police and courts in enforcing the offence. The new electoral sanction introduces a five-year disqualification from holding or standing for elected office. It applies where a person is convicted of an existing criminal offence of an intimidatory nature and where the offender was motivated by hostility towards a candidate, future candidate, substitute or nominee, campaigner or elected officeholder. The new digital imprint regime requires certain digital campaigning material to contain specific details to show who is responsible for publishing it. The imprint requires the name and address of the promoter, or any person on whose behalf the material is being published (and who is not the promoter). The new rules will increase the transparency of digital campaigning and enable voters to make informed decisions about material they see online.
- 2.4 The next tranche of Election Act changes coming in ahead of the May 2024 elections relates to Overseas Electors and Postal Vote Handling, which is outlined in sections 3 and 4 below.
- 2.5 A general election must be held by 28 January 2025. This could be called at any time with just a 25-working day timetable. Therefore, contingency plans are in place should the general election be called on the same day in May. The General Election will be held on the new parliamentary constituencies. General election plans are outlined in section 6.



2.6 For the Combined Authority Mayoral election, The Combined Authority Returning Officer is Julie Newman at Coventry City Council. Tim Johnson is the Local Returning Officer for the Wolverhampton area of the Combined Authority. More information on the Combined Authority Mayoral election is outlined in section 7.

### **3.0 Overseas Electors**

3.1 Currently British Citizens who left the UK up to 15 years ago can register as an overseas elector and are able to vote in national elections. Currently they must renew their registration every year.

3.2 From 16 January 2024, the 15 year rule will be removed and it will move to a three yearly renewal. Electoral Services will need to be able to evidence an electors previous registration through looking at old registers or their previous residence based on address verification checks.

3.3 As at December 2023, there are just 64 overseas electors. Typically overseas electors register for general election years and there were over 350 overseas electors for both the 2017 and 2019 general elections. Therefore it is anticipated that there will be a significant rise in overseas applications when a general election is called in 2024, which could be well in excess of the usual 350 due to the new changes.

### **4.0 Postal Vote Handling**

4.1 The statutory instrument for the provisions relating to postal vote handling and secrecy was made on 21 November 2023.

4.2 Political campaigners will be banned from handling postal votes.

4.3 There will be a limit placed on the number of postal votes a person can hand in, which will be six including their own. People handing in postal votes will need to complete a form. After the poll, the Electoral Registration Officer will have to notify every elector who had their postal vote rejected for this reason.

### **5.0 Planning for a parliamentary election**

5.1 There is a risk that a general election could be held on the same day as the local and regional elections taking place on 2 May. Polling stations and polling station staff would remain the same, but a combined election of this nature would impact on the verification and count plans, the volume of votes to process during postal vote opening and the count, and on core team resource capacity to deliver a general election on a 25 working day timetable on top of the other elections.

5.2 Another critical factor is that Wolverhampton's Returning Officer takes in 5 wards from Walsall for the Wolverhampton North East and Wolverhampton South East Constituencies. A draft cross boundary protocol is currently being prepared between the Walsall and Wolverhampton Returning Officer to agree roles and responsibilities, and this will be shared at the next Governance and Ethics Committee meeting.

5.3 If a general election is called on the same day in May, the verification and count would have to take place overnight on Thursday 2 May. The local election count would then start at 1pm on Friday 3 May. The Combined Authority Mayoral count would remain on Saturday 4 May.

5.4 Nationally, all councils are reserving white ballot papers for a parliamentary election. Therefore the local election ballot paper colour will be lilac and the Combined Authority Mayoral Election ballot paper colour will be yellow.

## **6.0 Combined Authority Mayoral Election**

6.1 The Combined Authority election is a single election delivered in seven local counting areas across the West Midlands Combined Authority (Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton), with the Combined Authority Returning Officer (CARO) having overall responsibility.

6.2 All Local Returning Officers will report regularly to the CARO on their progress in delivering the election.

6.3 The Notice of Election will be published on Thursday 21 March 2024.

6.4 There is a requirement to send a booklet to every registered elector who is eligible to vote in the Combined Authority Mayoral election. This booklet will contain FAQs about the Mayoral Election and the election addresses for all candidates who have supplied them in time for inclusion. The booklets will be handed over to Royal Mail by 15 April and delivered to the vast majority of electors by 26 April 2024.

6.5 Due to the delivery of booklets, the despatch of postal votes is expected to be later than usual in order to try and allow delivery of booklets before or at the same time as the postal packs. Wolverhampton has provisionally booked to hand postal packs over to Royal Mail on 17 April 2024.

6.6 The CARO has directed that the ballot papers for the Combined Authority Mayoral election will be yellow.

6.7 The count for the Combined Authority Mayoral election will be simpler than in 2021 because the voting system has changed from the supplemental voting system to first past the post.

## **7.0 Voter ID**

7.1 A team of seven graduates and apprentices will be redeployed to support Electoral Services with processing applications for Voter Authority Certificates and hosting drop-in sessions across the city. A total of 18 drop-in sessions are scheduled across the city in addition to daily drop in sessions at the Civic Centre from 25 March up to the Voter Authority Certificate application deadline at 5pm on 24 April. Drop-in sessions will take place across all libraries and some leisure centres. See a full schedule below:

7.2 A Voter ID leaflet will be included in all council tax billing letters in March, which will include the full details of drop in sessions. Electors will also be notified of how to apply for a VAC when they receive their poll cards. There will be regular communications sent across all communication channels to remind electors of the key election registration and deadline dates.

## **8.0 Candidates and Agents**

8.1 The Notice of Election will be published at 9am on Thursday 21 March 2024, which marks the start of the pre-election period.

8.2 The nomination period will run weekdays from 10am on Thursday 21 March 2024 until 4pm on 5 April 2024. Candidates will be required to book an appointment with Electoral Services to hand in their nomination papers in person. Candidates are strongly encouraged to also book an appointment for an informal check of the nomination paper before handing it in.

8.3 Electoral Services will be developing a video guide for candidates and agents on how to complete a nomination pack which will be shared with candidates and agents at the briefing.

8.4 The Returning Officer will be holding a candidates and agents briefing on Thursday 29 February 2024 at 5.30pm for prospective candidates and agents. There will be another briefing after the close of nominations for candidates and agents on Wednesday 17 April at 5.30pm.

## **9.0 Key registration deadlines**

- Deadline to register to vote: Tuesday 16 April
- Deadline to apply to vote by post: 5pm on Wednesday 17 April
- Deadline to apply to vote by proxy: 5pm on Wednesday 24 April
- Deadline to apply for a Voter Authority Certificate: 5pm on Wednesday 24 April

## **10.0 Polling Stations**

10.1 The designated polling stations were agreed by Full Council in December 2023.

10.2 Booking letters have been sent to all polling stations in December and 19% (25) polling stations have confirmed so far. All polling stations must be confirmed by 1 March 2024 in readiness for poll cards to be prepared.

## **11.0 Postal Vote Opening**

11.1 Postal Vote Opening will take place daily in the City Suite, Civic Centre from 10am on Tuesday 23 April 2024 up until polling day. The final sessions on polling day will take place at Aldersley. Further information will be communicated to candidates and agents in due course.

## **12.0 Verification and Count**

- 12.1 On Thursday 2 May after the close of poll, ballot boxes will be received at Aldersley. The ballot paper account calculations will be checked, but the ballot boxes will remain sealed and will be stored overnight with security. The final postal vote opening session will take place on Thursday from 8pm.
- 12.2 The verification of local and Combined Authority Mayoral ballot papers will commence at 10am on Friday 3 May. Ballot papers will first be sorted in the two types of ballot papers as electors will be putting both ballot papers in to the same ballot box. Once verification is complete, the Combined Authority Mayoral ballot papers will be put in to storage ready for counting the next day, and the local election count can start for each ward as soon as it is verified. It is anticipated that the count will finish by 5pm.
- 12.3 On Saturday 4 May, the count will commence for the Combined Authority Mayoral election at 9am. It is estimated that this will be complete by 1pm as the CARO has directed that count figures are provided this time.

## **13.0 Financial implications**

- 13.1 The current annual net budget to cover the cost of local elections is £277,000. The maximum recoverable amount that can be claimed to cover the cost of Wolverhampton elements to the CAM election is yet to be confirmed. However, based on the 2021 elections, it is estimated it will be around £237,000.
- 13.2 The date of the Parliamentary election is currently not known. When it is called, the maximum recoverable amount for each constituency will be shared in the Election Order set by Government.
- 13.3 It is anticipated that fees payable under the proposed schedule in this report will be met from the funding sources identified above, and depending on the combination of elections there could be an underspend against the annual local election budget which subject to necessary approvals would be requested to transfer balances to the Elections reserve for future standalone local elections where there could be a budget pressure without the economies of scale afforded by shared costs of combined elections.

[LD/20122023/L]

## **14.0 Legal implications**

- 14.1 All preparations outlined in this report are in line with the statutory provisions covering the delivery of local and combined authority mayoral elections.

[SZ/18122023/P]

## **15.0 Equalities implications**

- 15.1 Planning for these elections complies with the Public-sector equality duty and the new accessibility arrangements set out in the Elections Act 2022. Reasonable adjustments to

vote are made available for electors with disabilities in the polling stations, and staff working election duties receive substantial training on this.

**16.0 Other implications**

16.1 There are no other implications arising from the report at the current time.

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<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Governance and Ethics Committee</b> 11 January 2024
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<b>Report title</b>	Evaluation of Annual Canvass 2023	
<b>Cabinet member with lead responsibility</b>	Councillor Paula Brookfield	
<b>Accountable director</b>	David Pattison, Chief Operating Officer	
<b>Originating service</b>	Electoral Services	
<b>Accountable employee</b>	Alice Peacock	Deputy Electoral Services Manager
	Tel	01902 55 0551
	Email	Alice.Peacock@wolverhampton.gov.uk
<b>Report has been considered by</b>	Election Board	18 December 2023

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**Recommendation for action:**

The Governance and Ethics Committee is recommended to:

1. Provide feedback on the 2023 annual canvass.

## 1.0 Purpose

1.1 To provide an evaluation of the 2023 annual canvass.

## 2.0 Background

2.1 It is a legal requirement for the Electoral Registration Officer (ERO) to carry out an annual canvass to ensure that the electoral register is up to date.

2.2 This is the fourth year of the reformed annual canvass. The annual canvass started with a national data match of the electoral register with Department for Work and Pension (DWP) records to categorise properties into route one – matched properties (indicating no change in household composition), or route two – no match (indicating a change in household composition). This allows the ERO to take a flexible approach and target resources on properties where there is a change.

2.3 Route one properties receive a ‘light touch’ canvass, where they are sent a canvass communication but only need to respond if there is a change. The route two properties must respond and are sent multiple different types of communications including a door knock to elicit a response. There is also a route three for properties with a senior responsible officer who can respond on behalf of the residents. In Wolverhampton, Care Homes with a senior responsible officer are assigned to route three.

2.4 The earliest the annual canvass can start by 1 July and conclude by 1 December for the publication of the revised register. Wolverhampton started contacting electors as part of the annual canvass on 4 July 2023.

## 3.0 Overall Evaluation

3.1 On 1 July 2023, there was an electorate of 185, 687. The national and local data match took place in July using the same approach as last year, and there continues to be a high property match rate meaning there are fewer properties that needed to be canvassed via route two. The following table shows the number of properties and responses by route for 2022 and 2023.

Canvass	Route one	Route two	% response to route two	Overall completion rate
2022	81% (93, 805)	19% (22, 420)	69.3% (15, 549)	94.1%
2023	81% (94, 355)	19% (22, 285)	74% (16, 484)	95%

3.2 An evaluation of the annual canvass by the Electoral Commission in 2022 revealed that nationally 74.4% of properties were allocated to route one, so Wolverhampton was higher than the average both in 2022 and 2023, and higher than the West Midlands average of 74.2%.



- 3.3 The overall canvass completion rate was higher than last year at 95% compared to 94.1%. This could be attributed to a high match rate to begin with, and the additional responses gained from canvassers conducting the door knock. A total of 5,803 properties were outstanding a response at the end of the canvass. All of these properties received two written communications, two door knocks and a leaflet through the door encouraging them to respond to the canvass communications. Overall the total electorate reduced by 894 electors to 184,505 compared to 185,399 in 2022, and the number of postal voters reduced by 1,773 to 32,912 compared to 34,685. It is expected that these numbers will increase significantly ahead of a general election, as nationally the impact of event led registration is seen.
- 3.4 Positively, the number of attainers (young people aged 16-18) increased by 1,141 to 1,739 compared to 598 in 2022.
- 3.5 The annual canvass will conclude on 2 January 2024, when the revised register will be published. There are 184, 505 electors on the electoral register and 32, 912 postal voters.

#### 4.0 Route one evaluation

- 4.1 Properties in route one only needed to respond if there was a change, except for those who received an initial email, as they were required to respond to ensure that the communication had reached the property.
- 4.2 Emails were sent to 46, 257 properties this year compared to 42, 838 in 2022, and there was a 45.3% response rate (20, 953), which was an increase on the 29.7% (12, 735), response rate at this stage in 2022. In 2022 there were some queries from residents checking whether the email was legitimate as they had not been contacted in this way before. There were minimal queries this year and more communications were put out in residents' newsletters and on the website to inform residents that they may receive this email.
- 4.3 Households without email addresses and those who did not respond to the email were sent a Canvass Communication Form A which was a two-sided A4 letter without a pre-paid envelope showing the names of people registered at this address and to invite them to respond online only if there were changes required. The table below shows the outcome of the route one contacts:

	2022	2023
<b>Properties</b>	93, 805	94, 355
<b>Full responses</b>	25, 446 (27.18 %)	27, 277 (28.9 %)
<b>Changes (electors added/deleted)</b>	76	452
<b>No changes</b>	25,394	18, 731

4.4 Properties in this route only need to respond if there is a change. The majority of those who responded reported no change. Overall, there was a positive outcome as although there were more changes made compared to last year, there was also a higher response rate which leads to a more accurate and up to date register at the end of canvass. The following table shows the contact methods electors used to respond, which shows a sustained channel shift towards more online responses:

	2022	2023
<b>Post</b>	86 (0.3 %)	154 (0.5 %)
<b>Internet</b>	22, 176 (87.1 %)	23, 479 (86.3 %)
<b>Phone</b>	1, 779 (7 %)	1, 322 (4.9 %)
<b>Text</b>	740 (2.9 %)	797 (2.9 %)
<b>Email</b>	84 (0.3 %)	50 (0.2%)
<b>Phone call to customer services/electoral services</b>	460 (1.8 %)	1, 420 (5.2%)

4.5 An area of improvement for the 2023 Annual Canvass for route one properties was to further increase the number of emails being sent out and responded to, to reduce the cost of printing and postage. Data mining and data matching options with other council databases were used as part of this year's data match which led to a higher percentage of properties in route one.

## 5.0 Route 2 evaluation

5.1 All households in this route are required to respond and the ERO is required to contact these households three times and one of these must be a personal canvass such as a telephone call or door knock.

5.2 All 22, 285 properties received a Canvass Communication Form B letter which was an A4 double sided letter without a pre-paid envelope and electors were encouraged to respond online. Properties who did not respond at this stage were then sent an A3 double sided Canvass Form with a pre-paid envelope. Properties who did not respond to the canvass form then received 2 door knocks and a leaflet posted through the door. The table below shows the outcome of the route two contacts:

	2022		2023	
	Properties contacted	Response rate	Properties contacted	Response rate
<b>Stage 1: CCB letter</b>	22, 425	33 % (7, 471)	22, 285	31.2 % (6, 974)

<b>Stage 2: Telephone canvass</b>	2, 297	28 % (637)	2, 737	18 % (493)
<b>Stage 2: Canvass Form</b>	12, 656	8.5 % (1078)	14, 775	10.1 % (1, 494)
<b>Stage 3: Door knock</b>	10, 671	60 % (6, 354)	11, 362	54.9 % (6, 236)

- 5.3 In 2022 industrial action impacted the delivery of the stage 2 canvass forms resulting in a timetable crossover of stage 2 and 3. This led to a reduced response rate for stage 2 but an increased response to canvassers door knocking in stage 3. In 2023 the canvass timetable was brought forward to account for possible disruption.
- 5.4 There was a ten per cent drop in the response for telephone canvass this year. Generally, electors were less willing to provide details over the phone. Due to the telephone canvass being less effective than anticipated it is proposed that going forward these properties will be put through to a door knock route.
- 5.5 The following table shows the contact methods electors used to respond, which shows a sustained channel shift towards more online responses and less by post:

	<b>2022</b>	<b>2023</b>
<b>Post</b>	3.1% (694)	6.8% (1,103)
<b>Internet</b>	35.6% (7, 993)	47.9% (7, 821)
<b>Phone</b>	2.4% (543)	3.4 % (555)
<b>Text</b>	0.4% (82)	0.5 % (85)
<b>Email</b>	0.04% (9)	0.1 % (15)
<b>Door knock</b>	22.1% (4, 951)	28.6% (4, 674)
<b>Phone call to customer services/electoral services</b>	3.1% (686)	8.8 % (1, 441)

- 5.6 The door knock was trialled at an earlier stage than in the annual canvass in 2022 to give canvassers more time to visit properties. The initial start date for canvassing in one ward had to be pushed back due to a by election held on the on 28 September 2023. The canvass in the affected ward started after the result was declared. All canvassers commenced the door knock after the final closing date for elector registration for the by election. Canvassers worked from September up until the start of November. In previous canvasses they have worked from the beginning of October up until the end of November. The feedback from canvassers was that they preferred working September – October due to the weather and daylight hours. This will be reflected in next year’s canvass timetable.

## **6.0 Route 3 evaluation**

- 6.1 Electoral Services contacted 76 care homes by emailing and calling senior responsible offices up to three times. After the initial email, they were also sent a canvass form in the post with a pre-paid return envelope. 63% (49) of care homes responded to the canvass communication, which was higher than last year when 41% of care homes responded.

## **7.0 Financial implications**

- 7.1 There are no direct financial implications associated with the recommendations of the report.
- 7.2 The costs associated with the annual canvass are funded by the electoral registration budget. The current net budget for 2023-2024 is £316,000. The costs of future canvass operations will continue to be closely monitored as inflationary increases in postage costs and software are being seen. Funding of inflationary pressures will look to be mitigated through efficiencies in the first instance with any growth needing to be considered as part of future budget setting processes alongside the medium term financial strategy (MTFS) and will be subject to future reports.

[LD/20122023/Z]

## **8.0 Legal implications**

- 8.1 The statutory provisions for the annual canvass have been met by the ERO.

[SZ/20122023/P]

## **9.0 Equalities implications**

- 9.1 All communications sent to electors provide them with numerous ways to respond to the information - by phone, online or post. Many electors prefer to call Electoral Services directly or visit the Civic Centre to return their response and Electoral Services are happy to assist electors with responding to the information in whichever way suits them.

## **10.0 All other implications**

- 10.1 There are no other implications arising from this report at the present.

## **11.0 Schedule of background papers**

- 11.1 Update on the 2023 Annual Canvass, Governance and Ethics Committee, 7 September 2023.

## **12.0 Appendices**

- 12.1 Appendix 1- Route one responses received - all wards
- 12.2 Appendix 2- Route two responses received - all wards
- 12.3 Appendix 3- Route three responses received– all wards

# Wolverhampton

## Route 1 Responses received

<u>Area Name</u>	<u>Number Of Properties</u>
<None>	0
Bilston North	1,259
Bilston South	1,447
Blakenhall	921
Bushbury North	1,489
Bushbury South and Low Hill	1,176
East Park	1,145
Ettingshall North	1,382
Ettingshall South and Spring Vale	1,241
Fallings Park	1,297
Graiseley	1,194
Heath Town	1,117
Merry Hill	1,545
Oxley	1,751
Park	1,389
Penn	1,578
St Peters	1,511
Tettenhall Regis	1,557
Tettenhall Wightwick	1,655
Wednesfield North	1,304
Wednesfield South	1,319
<b>Total</b>	<b>27,277</b>

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# Wolverhampton

## Route 2 Responses received

<u>Area Name</u>	<u>Number Of Properties</u>
<None>	0
Bilston North	635
Bilston South	1,003
Blakenhall	974
Bushbury North	646
Bushbury South and Low Hill	691
East Park	751
Ettingshall North	752
Ettingshall South and Spring Vale	780
Fallings Park	631
Graiseley	788
Heath Town	1,485
Merry Hill	595
Oxley	811
Park	901
Penn	671
St Peters	1,796
Tettenhall Regis	652
Tettenhall Wightwick	683
Wednesfield North	518
Wednesfield South	721
<b>Total</b>	<b>16,484</b>

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# Wolverhampton

## Route 3 Responses received

<u>Area Name</u>	<u>Number Of Properties</u>
<None>	0
Bilston North	2
Bilston South	0
Blakenhall	7
Bushbury North	1
Bushbury South and Low Hill	3
East Park	0
Ettingshall North	3
Ettingshall South and Spring Vale	5
Fallings Park	3
Graiseley	5
Heath Town	2
Merry Hill	0
Oxley	1
Park	11
Penn	3
St Peters	1
Tettenhall Regis	0
Tettenhall Wightwick	2
Wednesfield North	0
Wednesfield South	0
<b>Total</b>	<b>49</b>

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<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Governance and Ethics Committee</b> 11 January 2024
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<b>Report title</b>	Complaints Progress Update Quarter One and Two – 2023-2024	
<b>Cabinet member with lead responsibility</b>	Councillor Paula Brookfield Cabinet Member for Governance and Equalities	
<b>Accountable director</b>	David Pattison, Chief Operating Officer	
<b>Originating service</b>	Information Governance	
<b>Accountable employee(s)</b>	Sarah Campbell	Customer Engagement Manager
	Tel	01902 551090
	Email	sarah.campbell@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	Leadership Team Meetings Finance, Governance, Regeneration, Joint Families (Adult, Children's & Education, Public Health), Resident Services, City Assets, People	December 2023

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**Recommendations for action or decision:**

The Governance and Ethics Committee is asked to note:

1. The contents of the Complaints Progress update for the period 1 April 2023 to 30 September 2023, including:
  - a. The Statutory Complaints Activity for Children's Services, Education Services, Adult Services and Public Health
  - b. All the other complaints activity governed by the Corporate Complaints Policy

## **1.0 Purpose**

- 1.1 This report provides an overview of the complaints, including Local Government and Social Care/Housing Ombudsman enquiries received during 1 April 2023 to 30 September 2023.

## **2.0 Background**

- 2.1 The Council's complaints team handles complaints, compliments and service enquiries from members of the public. Those relating to children's, adults and public health matters fall under a statutory framework, while the remainder are handled under the Council's Corporate Complaints Policy

## **3.0 Summary Statement**

- 3.1 The complaints team has continued to work effectively and build strong relationships with council services and Leadership Teams ensuring they meet the corporate and statutory functions and deadlines.
- 3.2 The Council will continue to maintain a professional relationship in their role as the link officer with the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO); this will ensure that the process works effectively for both the Council and the Ombudsman whilst resolving complaints quickly and improving public services through learning from complaints.

## **4.0 Financial implications**

- 4.1 There are no financial implications associated with the recommendation in this report. [SR/05122023/A].

## **5.0 Legal implications**

- 5.1 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 1 April 2009.
  - Public Health - The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

[TC/07122023/A]

## **6.0 Equalities implications**

6.1 No equalities implications have been identified, either through actions or recommendations of this report or from the data presented within it.

## **7.0 All Other Implications**

7.1 The complaints element of the social care and corporate procedure is part of a wider assurance process supporting quality in service delivery standards. This can then be a positive experience for people and contribute to their health and well-being. For those occasions where the experience which has led to a complaint is a less positive one, then there is an opportunity for appropriate action or redress so that the health and well-being of the complainant and/or relevant others is secured. The compliments process allows customers to note great practice by the Council; positive experience of officers working in many different settings will support improved experience of health and well-being for individuals as well as for staff who can be satisfied that their work is appreciated.

## **8.0 Human Resources**

8.1 There are no human resource implications identified. As part of their operational management duties, Managers will continue to monitor and encourage take up of the complaint training and take necessary action accordingly.

## **9.0 Schedule of Background Papers**

9.1 None for consideration.

## **10.0 Appendices**

10.1 Appended to this covering report are the following documents:

10.2 Appendix 1 – Complaints Progress Update Quarter One and Two – 2023-2024 slides  
Appendix 2 – Complaint Dashboards

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# Complaints Progress update Quarters 1 and 2 - 2023-2024

Page 31

11 January 2024

Governance and Ethics Committee

# Introduction Summary

1 April 2023 to 30 September 2023

Provide Governance and Ethics Committee with a 6 monthly update on the following:

- Page 32 Statutory complaint activity for Children's, Education, Adults and Public Health and other complaints under our corporate complaints policy and procedure
- Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO) enquiries and Joint Complaint Handling Code update
- Complaint training
- Learning from complaints
- Complaints policies and procedures update





# Children's & Education, Adults, Public Health & Corporate Complaints

See attached Appendix 2 dashboards for more detail

## Children's & Education



Difference: 3

In comparison to 2022/2023 an increase has been seen in the number of stage 1 complaints received



### Children & Education

#### Stage one

- Slight increase in the number of stage one cases received
- CYPiC Team received highest number of 5 cases

**Theme** – failure in service **Upheld** – 2 upheld, 12 partially upheld

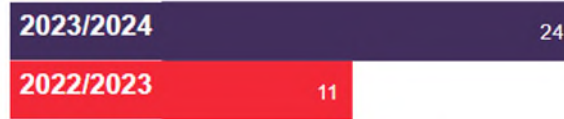
#### Stage two

- Four stage two cases received during this period, one partially upheld

#### Stage three

- One case received during this period, upheld

## Adults & Public Health



Difference: 13

In comparison to 2022/2023 an increase has been seen in the number of stage 1 complaints received



### Adults

#### Stage one

- Increase in number of stage one cases received
- East Locality Team received the highest number of 5 cases

**Theme** – quality of service **Upheld** – 6 upheld, 8 partially upheld

#### Stage two

- One case received during this period, partially upheld

### Public Health Stage one

- One case received during period

## Corporate



Difference: 15

In comparison to 2022/2023 an increase has been seen in the number of stage 1 complaints received



### Corporate

#### Stage one

- Increase in the number of stage one cases received
- Waste Management received the highest number of 12 cases

**Theme** – failure to provide a service **Upheld** - 18 upheld, 10 partially upheld

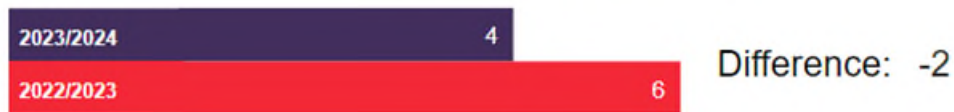
#### Stage two

- Ten stage two cases received during this period, one upheld and one partially upheld

# Housing Ombudsman (HO) and Local Government and Social Care Ombudsman (LGSCO)

Local Government &  
Social Care  
**OMBUDSMAN**

## LGSCO Enquiries

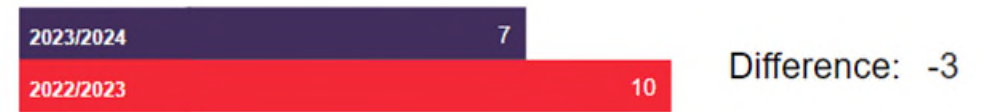


In comparison to 2022/2023 a decrease has been seen in the number of LGSCO enquiries.

Customer Feedback team has also received 19 initial LGSCO enquiries for 2023/2024.

**Housing**  
Ombudsman Service

## HO Enquiries



In comparison to 2022/2023 a decrease has been seen in the number of HO enquiries.

Customer Feedback team has also received 11 initial HO enquiries for 2023/2024.

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## HO and LGSCO Joint Complaint Handling Code

In October 2023 LGSCO and HO has consulted with all local authorities and landlords in relation to a new joint complaint handling code

Council submitted their response to the consultation in November 2023

LGSCO/HO is currently proposing a launch date of the new joint complaint handling code of 1 April 2024

Councils and landlords to ensure all changes are implemented into policies and ways of working; the LGSCO and HO will start reviewing cases from April 2025


Local Government and Social Care Ombudsman – full investigations	Ombudsman Outcome/Requirement	Lessons/Action Timeframe
<p><b>Team</b>  <b>Adult Services and Communities -</b>  Complaint in relation to the Council’s communication regarding the process and financial implications of moving into residential care</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 35</p>	<p><b>Outcome</b> - upheld fault and injustice</p> <ul style="list-style-type: none"> <li>- apology submitted for uncertainty caused by the delay in assessing eligible needs under the Care Act and for the distress caused by failing to request funding for the respite care in May 2022;</li> <li>- apologise for the uncertainty caused by not notifying complainant of its decision on whether to refer for a further carer’s assessment</li> <li>- backdate the Council’s assistance with the fees for the care home placement</li> </ul>	<p><b>Learning undertaken</b></p> <ul style="list-style-type: none"> <li>-review assessed contribution from April 2023 and notify of the correct assessed contribution.</li> <li>-review its record keeping procedures to ensure officers record all key decisions relating to a person’s care needs and notify the client of the decision.</li> <li>- by training or other means remind officers to provide key information about care home funding in writing following conversations with clients regarding funding arrangements. This is to ensure understanding of the key issues discussed and potential financial implications</li> </ul>
<p><b>Team</b>  <b>Resident Services/Wolverhampton Homes</b>  Complaint in relation to housing register</p>	<p><b>Outcome</b> – not upheld, no fault</p>	
<p><b>Team</b>  <b>Education Services, SEND Team</b>  Complaint in relation to delays with EHCP plan</p>	<p><b>Outcome</b> – upheld fault and injustice</p> <ul style="list-style-type: none"> <li>- apology submitted for injustice caused by its delays in finalising the EHCP plan.</li> <li>- pay complainant £350 in recognition of the avoidable distress and uncertainty</li> </ul>	<p><b>Learning undertaken</b></p> <ul style="list-style-type: none"> <li>- the LGSCO noted that the Council has already acknowledged there were delays in the process, and took reasonable steps to try and minimise the impact on the uncertainty, in so far as it was able. The LGSCO confirmed that the Council does not need to make any service improvement recommendations as these have already been undertaken by the service in July 2023</li> </ul>


Housing Ombudsman Full investigations	Ombudsman Outcome/Requirement	Lessons/Action Timeframe
<p><b>Team</b> <b>Tenant Management Organisation (TMO)</b> Complaint in relation to the landlord's response to the resident's request to install a fence</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 36</p>	<p><b>Outcome</b> – severe maladministration</p> <ul style="list-style-type: none"> <li>- to pay the resident £700 to reflect the distress and inconvenience caused to the resident, because of the repeated barriers placed to obtain approval to install a fence around the boundary of her front garden</li> <li>- to provide the resident with a written apology for the failures identified</li> </ul>	<p><b>Learning undertaken</b></p> <ul style="list-style-type: none"> <li>- carry out empathy and equality training with its staff to ensure it is upholding its obligation and commitment to actively consider equality and inclusion in very practical ways</li> <li>- review to be conducted into this case to identify any additional learning and improvement, and report the outcome</li> <li>-review its record keeping practices to ensure it keeps clear, accurate and comprehensive records of discussions in-person or over the telephone</li> <li>-review its fencing policy to clarify the process for assessing objections from other residents and confirm how the landlord will manage objections which are considered to be malicious</li> </ul>
<p><b>Team</b> <b>Wolverhampton Homes</b> Complaint in relation to the landlord's handling of and response to the resident's request for compensation, including property damage and the landlord's complaint handling</p>	<p><b>Outcome</b> - no maladministration by the landlord in respect of its response to the resident's complaint about damage to her carpets</p> <ul style="list-style-type: none"> <li>- maladministration by the landlord in its complaint handling</li> <li>- in relation to poor complaint handling the landlord is ordered to pay the resident £150 compensation</li> </ul>	<p><b>Learning undertaken</b></p> <ul style="list-style-type: none"> <li>-review this case to identify how it has improved its complaint handling processes since the resident's complaint, in order to ensure her experiences are not repeated. This review must be shared with the resident and the Ombudsman</li> </ul>

# Learning from complaints




Meetings/Action Plans/ Ombudsman decisions	Outcomes from meetings/action plans
---	-------------------------------------

<p><b>Adults, Education and Children</b> Quality Assurance Meetings for Adults and Children</p> <p style="text-align: right;"></p> <p>Complaints and compliance meetings for SEND</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 2</p>	<p>Quality assurance meetings - To bring together any learning, feedback or themes that are appearing in complaints and ensuring learning/themes incorporated into Children’s and Adults Practice Improvements plans. Complaint learning ensures social work practice is effective and of a high standard</p> <p>Complaint and compliance meetings - Complaint analysis feedback submitted to SEND team via meetings to improve services and implemented into Terms of Reference for SEND to improve ways of working; this includes feedback for tribunals, mediations etc</p>
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<p><b>Corporate complaints</b> Waste Liaison Meetings</p> <p>Service improvement work to be carried out</p> <p style="text-align: right;"></p>	<p>Waste Liaison meetings - To discuss operational requirements such as performance, processes, issues and learning/themes/trends for waste complaints</p> <p><i>Action: Service improvement meetings to be established corporately across the council to review learning from complaints and establish themes, which can now be easily extracted from the new complaint management system.</i></p>
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<p><b>Action plans</b> from complaints investigations and outcomes from Ombudsman investigations – ongoing</p>	<p>Outcomes from complaint investigations agreed with Services; Action plan compiled by complaints team and learning implemented by the relevant service by completion of agreed plan</p>
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<p>*More detailed information on LGSCO learning for 2023/24 on learning dashboard – Appendix 2</p> <p style="text-align: right;"></p>	
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# Complaint Training



## 6 Month Progress Update

### Progress to date:

- Online complaint training is available for council officers via the council's learning portal across the three modules, Corporate, Adults and Children's/Education
- Review is currently being undertaken with Organisational Development Team on complaint training modules; training is promoted corporately across the council via newsletters, OD circulars and communications to ensure officers awareness
- 'iCase' - A new complaint case management system, which was launched by the complaints team in September 2023; transforming complaints function and will improve ways of working in terms of interpreting learning, themes and trends
  - **Next steps** - where certain themes are identified the complaints team will be working with services to mitigate the cycle of recurring issues
- Ongoing complaint handling training is available for complaint officers to refresh learning and introduce/embed any new legislation or complaint code of practice changes



# Policy and Procedure



## 6 Month Progress Update

### Progress to date

- Currently developing a new complaint policy framework to ensure statutory guidelines are met and are fit for purpose; all complaint policies and procedures published on council website for customers and council intranet for council officers via Governance portal
- Reviewing corporate complaint policy and procedure in line with the proposed new joint HO/LGSCO complaint handling code, which will go live on 1 April 2024
- Adults 'easy read' complaint disability leaflet now compiled. Currently awaiting sign off from Adult Leadership Team; once finalised this will be available via council website, complaints team or adult services

### Forward plan

- Review managing unreasonable customer behaviour procedure



# Questions





**Select a service:**

Adults

Children's

Corporate

Public Health

**Select a year:**

2021/2022

2022/2023

2023/2024

**Select a quarter:**

Q1

Q2

Q3

Q4

**Stage 1 Complaints**

24

Stage 1 complaints received

10

Stage 1 complaints not upheld (council is not at fault)

8

Stage 1 complaints part upheld (council is partly at fault)

6

Stage 1 complaints upheld (council is at fault)

Corporate complaints procedure

6
21

Complaints received | Average response days (calendar days)

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Statutory complaints procedure

18
16

Complaints received | Average response days (working days)

Comparison to previous year

2023/2024

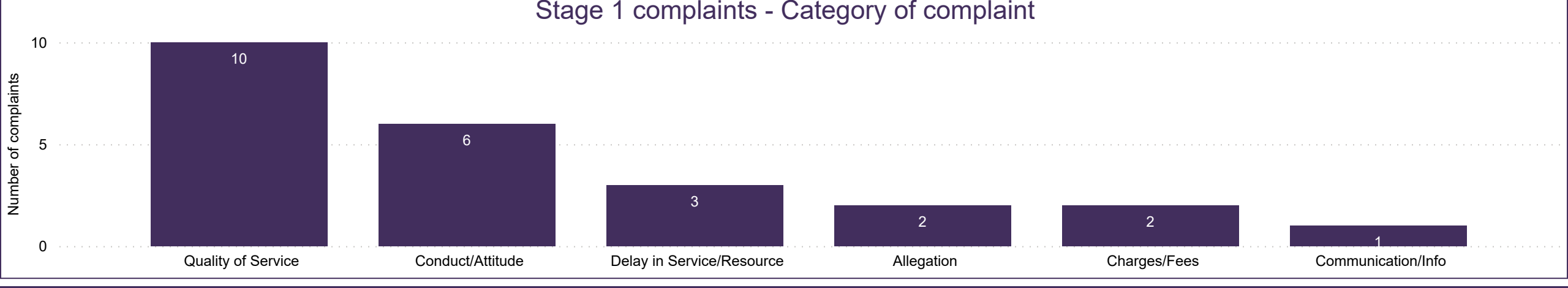
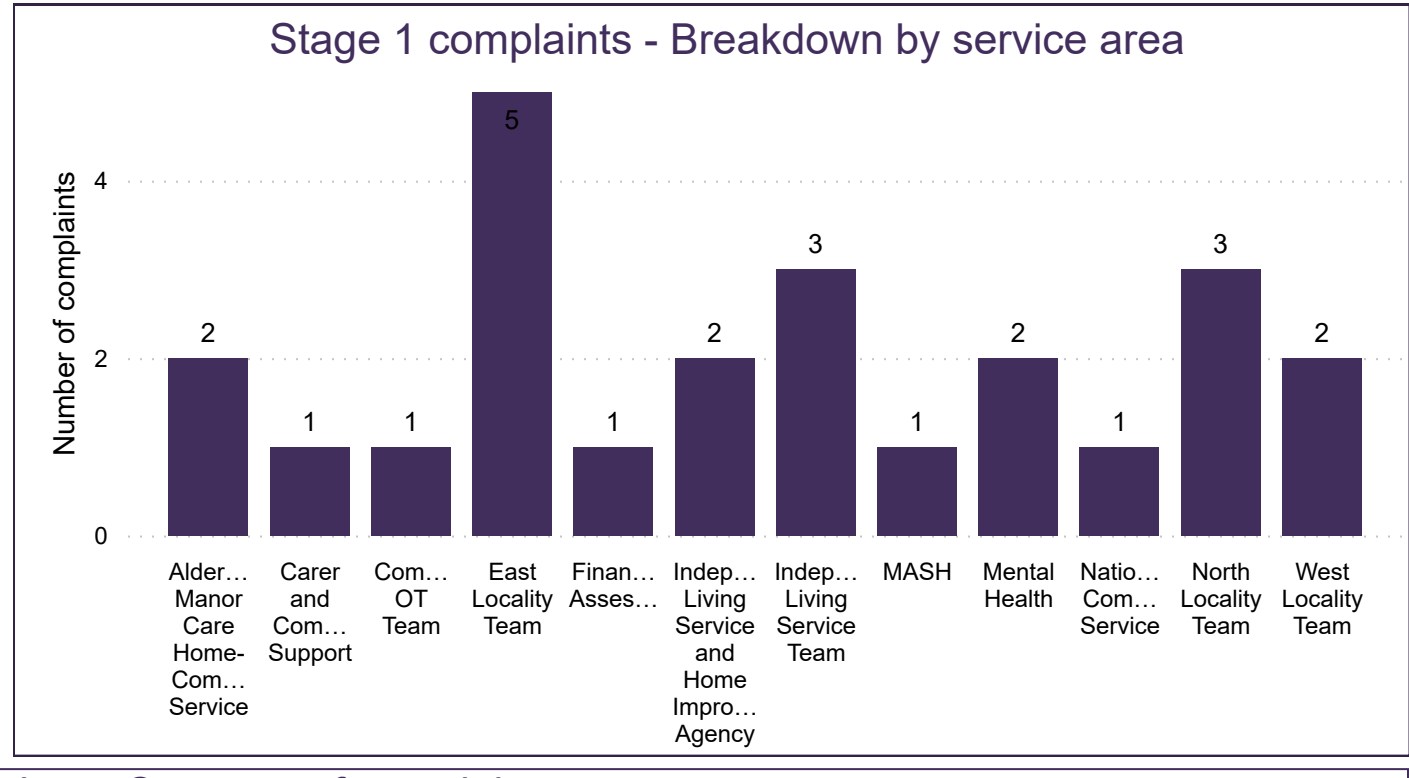
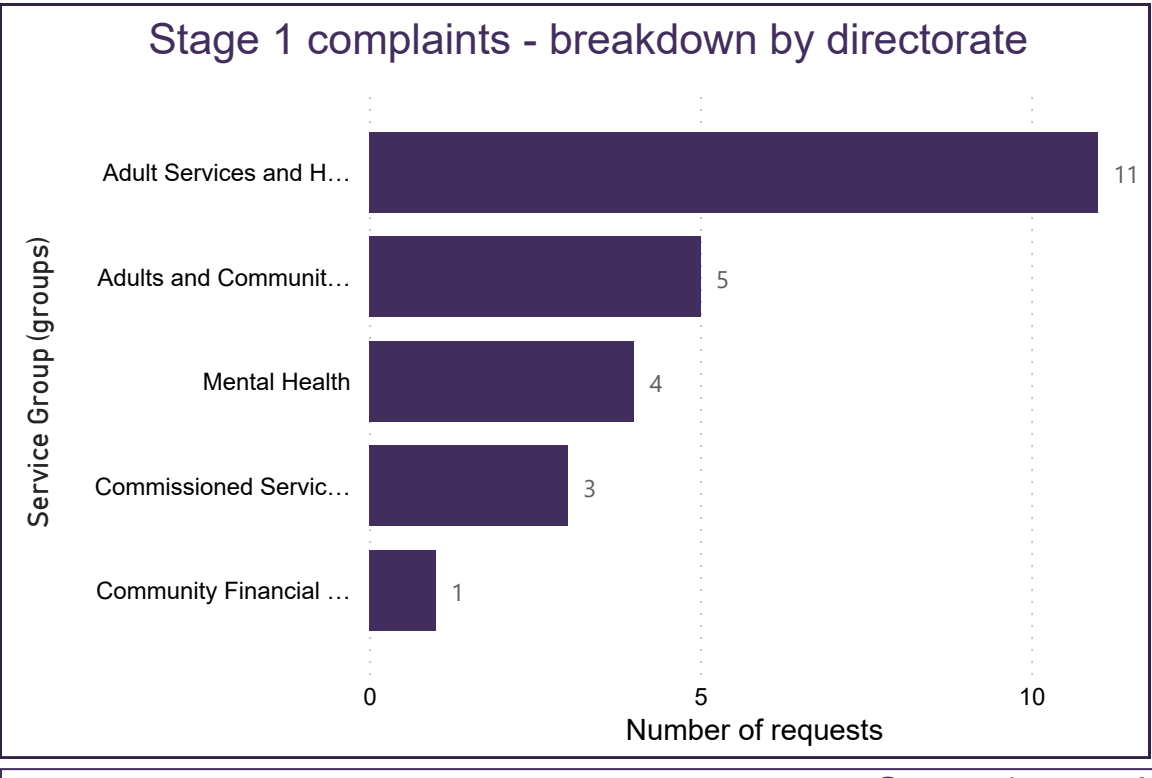
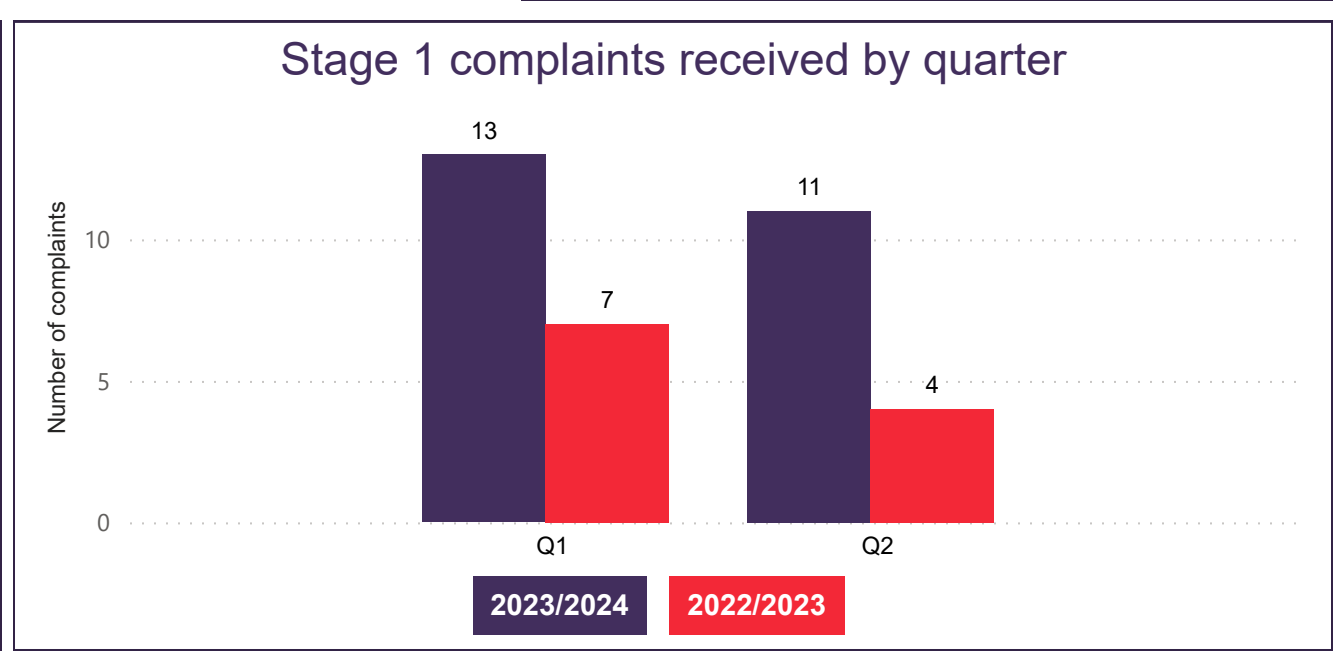
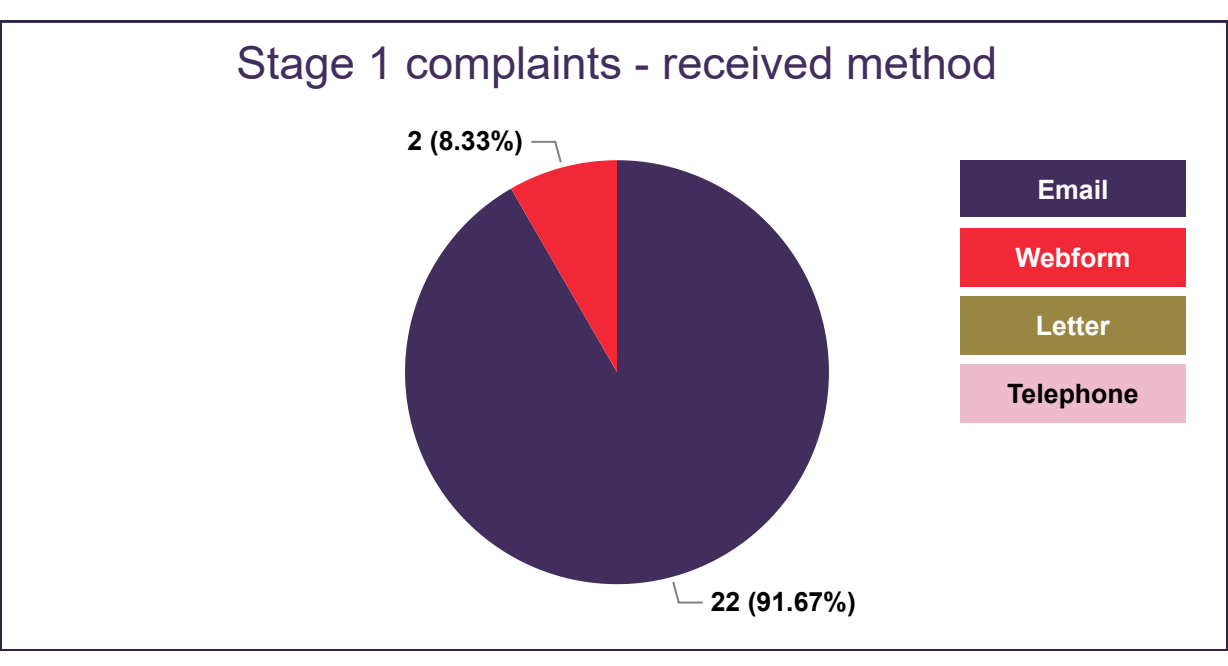
24

2022/2023

11

Difference: 13

In comparison to 2022/2023 an increase has been seen in the number of stage 1 complaints received



**Stage 2 Complaints**

1

Stage 2 complaints received

0

Stage 2 complaints not upheld (council is not at fault)

1

Stage 2 complaints part upheld (council is partly at fault)

0

Stage 2 complaints upheld (council is at fault)

Corporate complaints procedure

1
0

Corporate complaints procedure | Statutory complaints procedure

Comparison to previous year

2023/2024

1

2022/2023

0

Difference: 1

In comparison to 2022/2023 an increase has been seen in the number of stage 2 complaints received

Stage 2 complaints received by quarter

Year	Q1	Q2
2023/2024	0	1
2022/2023	0	0

**Compliments and Informal Complaints**

Informal complaints received

14

Compliments received

83

**Select a service:**

Adults | **Children's** | Corporate | Public Health

**Select a year:**

2021/2022 | 2022/2023 | **2023/2024**

**Select a quarter:**

**Q1** | Q2 | Q3 | Q4

**Stage 1 Complaints**

**27**

Stage 1 complaints received

**13**

Stage 1 complaints not upheld (council is not at fault)

**12**

Stage 1 complaints part upheld (council is partly at fault)

**2**

Stage 1 complaints upheld (council is at fault)

Corporate complaints procedure

**18**

Complaints received

**18**

Average response days (calendar days)

---

Statutory complaints procedure

**9**

Complaints received

**8**

Average response days (working days)

Comparison to previous year

2023/2024

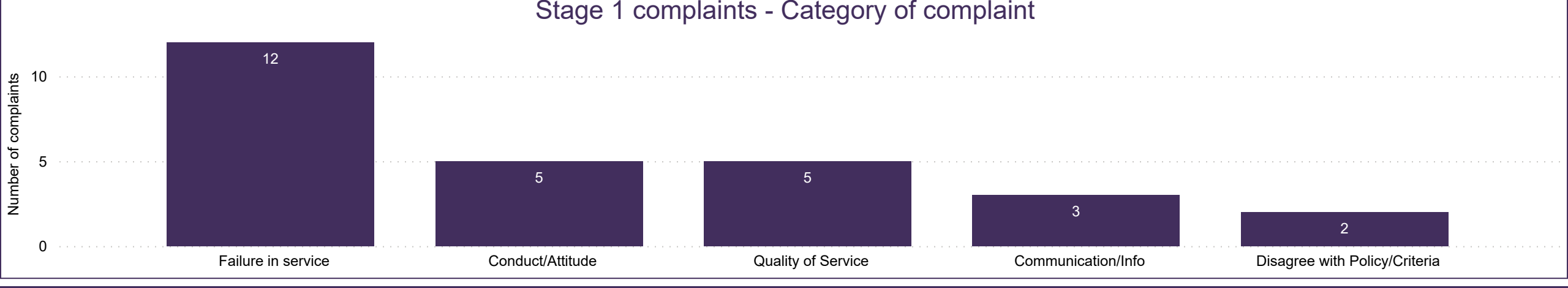
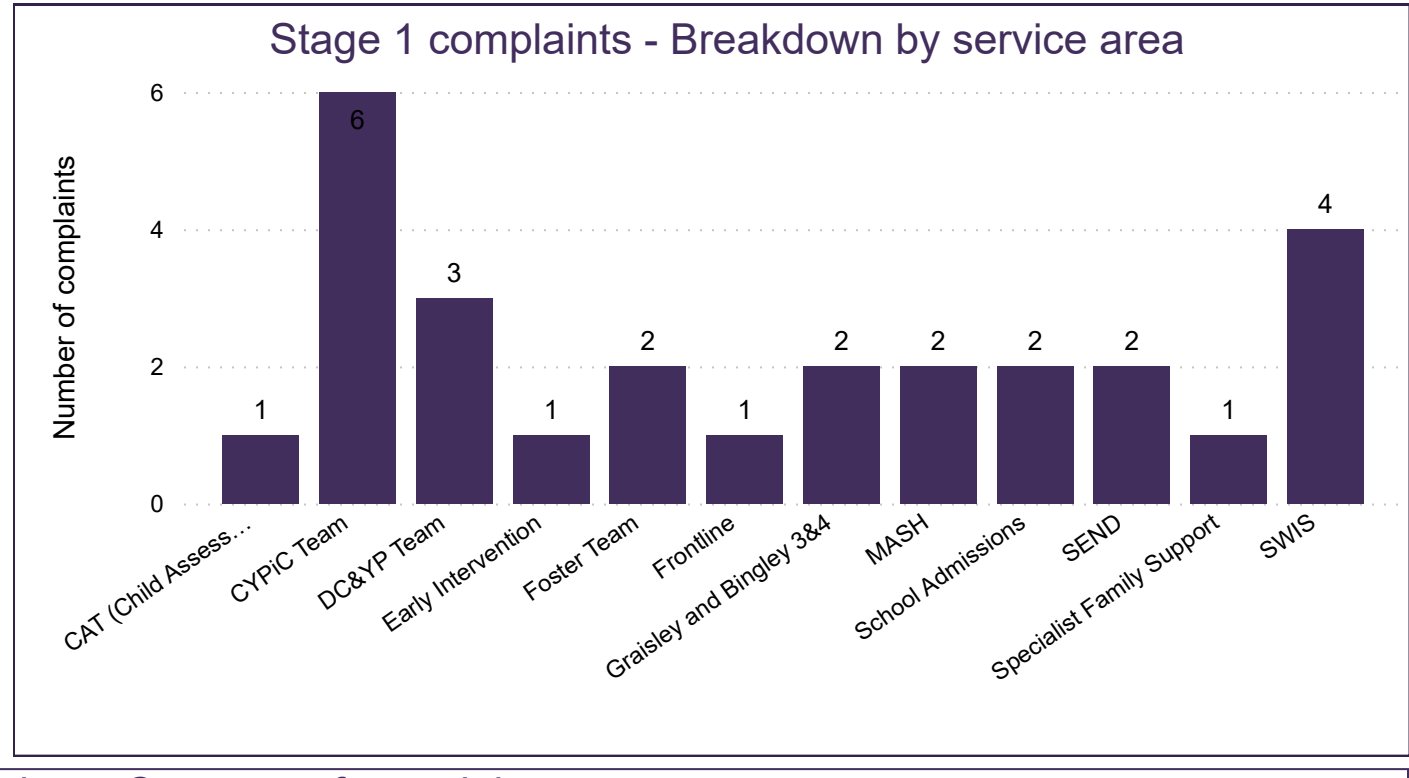
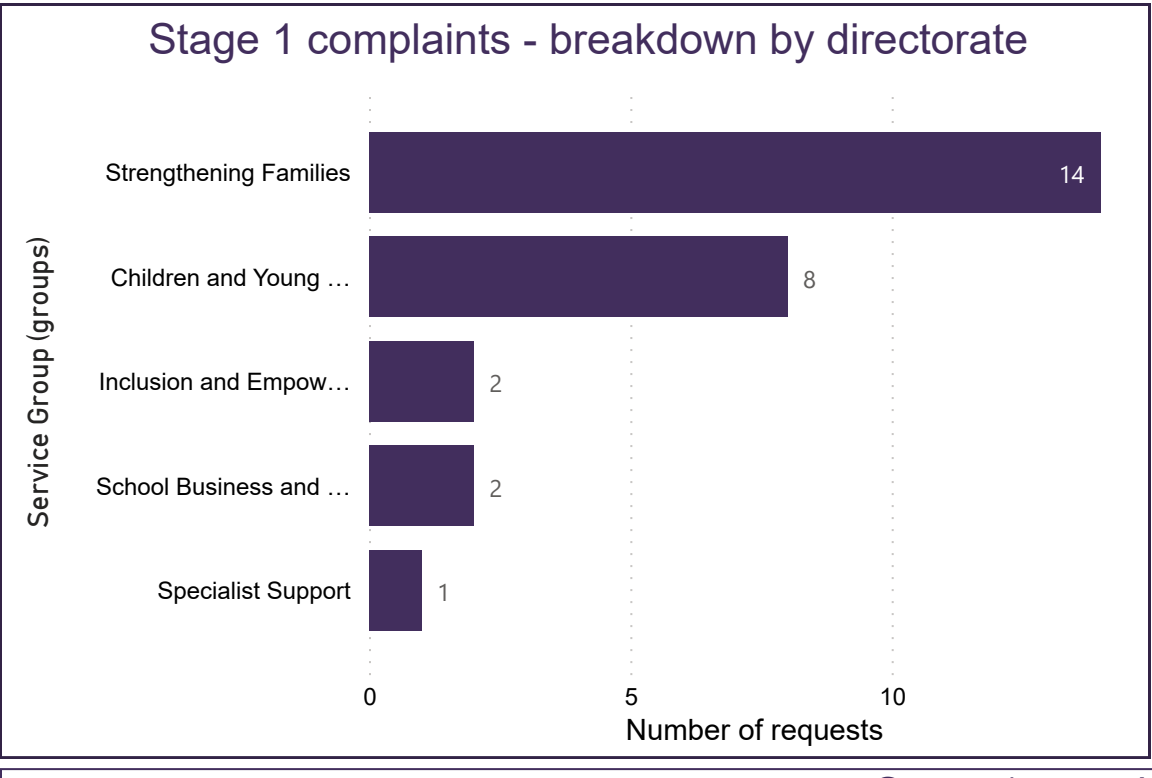
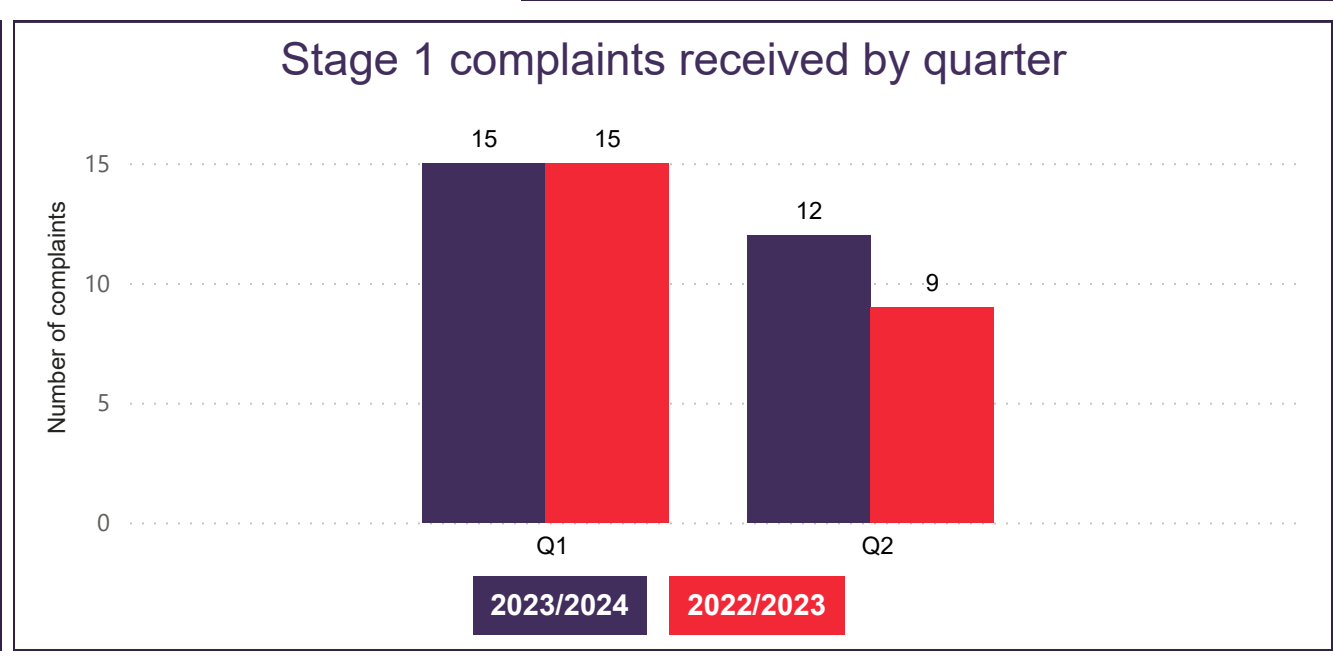
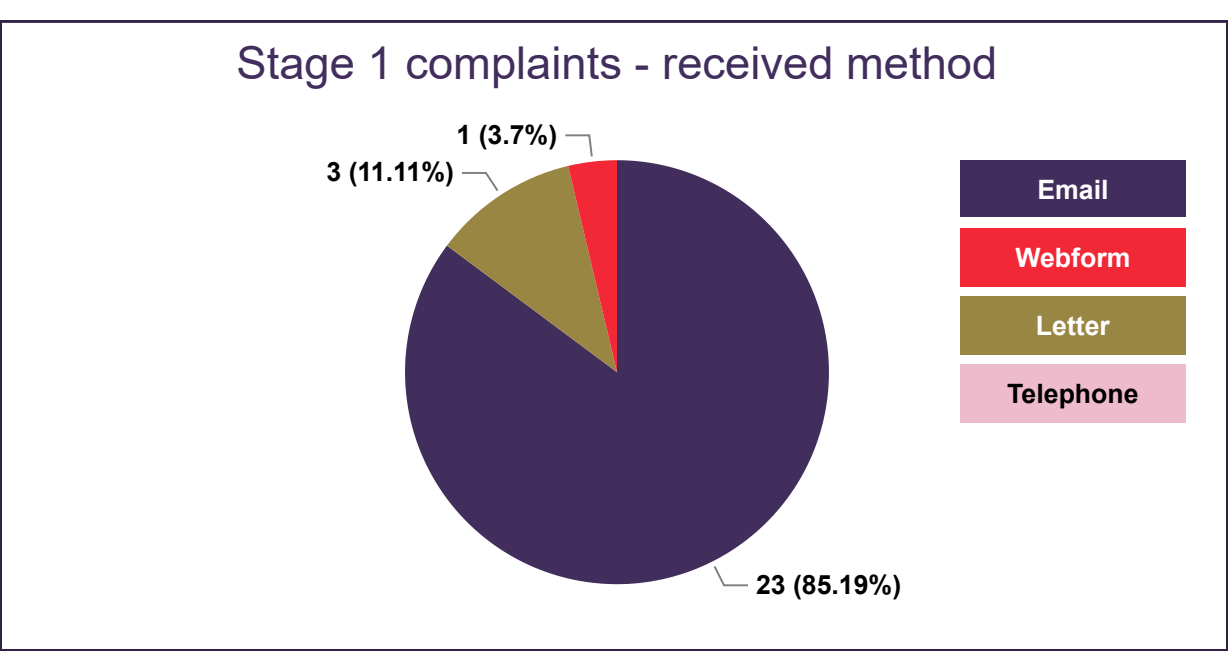
**27**

2022/2023

**24**

Difference: **3**

In comparison to 2022/2023 an increase has been seen in the number of stage 1 complaints received



**Stage 2 Complaints**

**4**

Stage 2 complaints received

**3**

Stage 2 complaints not upheld (council is not at fault)

**1**

Stage 2 complaints part upheld (council is partly at fault)

**0**

Stage 2 complaints upheld (council is at fault)

Corporate complaints procedure

**4**

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Statutory complaints procedure

**0**

Comparison to previous year

2023/2024

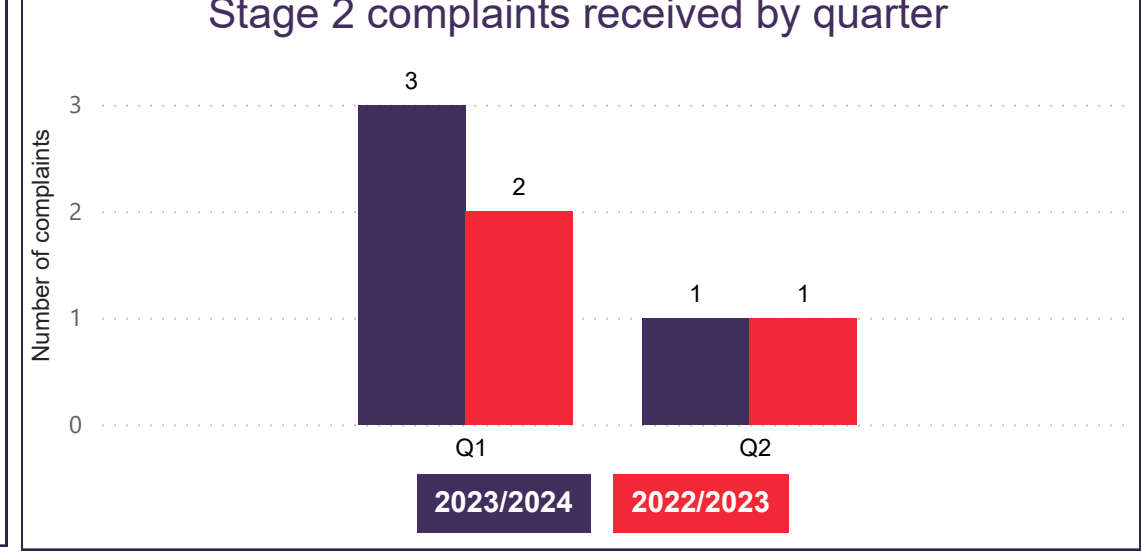
**4**

2022/2023

**3**

Difference: **1**

In comparison to 2022/2023 an increase has been seen in the number of stage 2 complaints received



**Compliments, Informal Complaints and Stage 3 Complaints**



Corporate complaints procedure

**0**

---

Statutory complaints procedure

**1**

Comparison to previous year

2023/2024

**1**

2022/2023

**0**

Difference: **1**

In comparison to 2022/2023 an increase has been seen in the number of stage 3 complaints received.

**Select a service:**

Adults
Children's
Corporate
Public Health

**Select a year:**

2021/2022
2022/2023
2023/2024

**Select a quarter:**

Q1
Q2
Q3
Q4

**Stage 1 Complaints**

68

Stage 1 complaints received

40

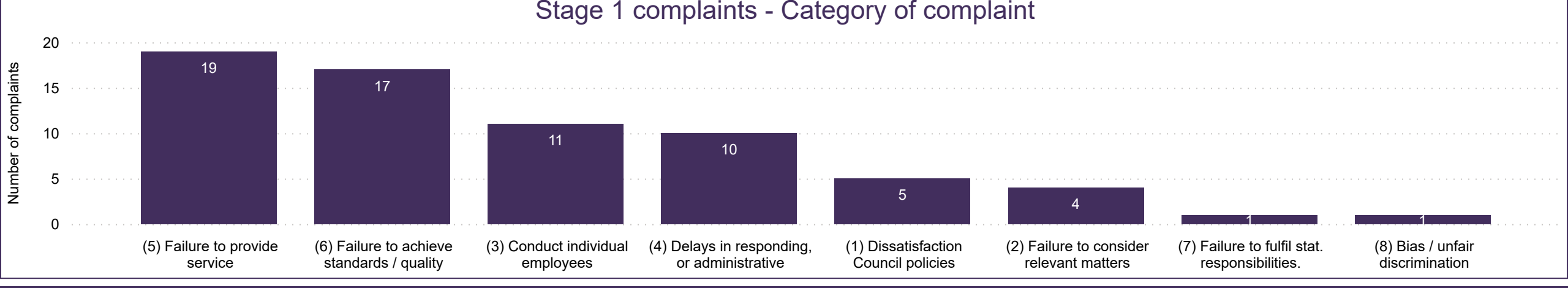
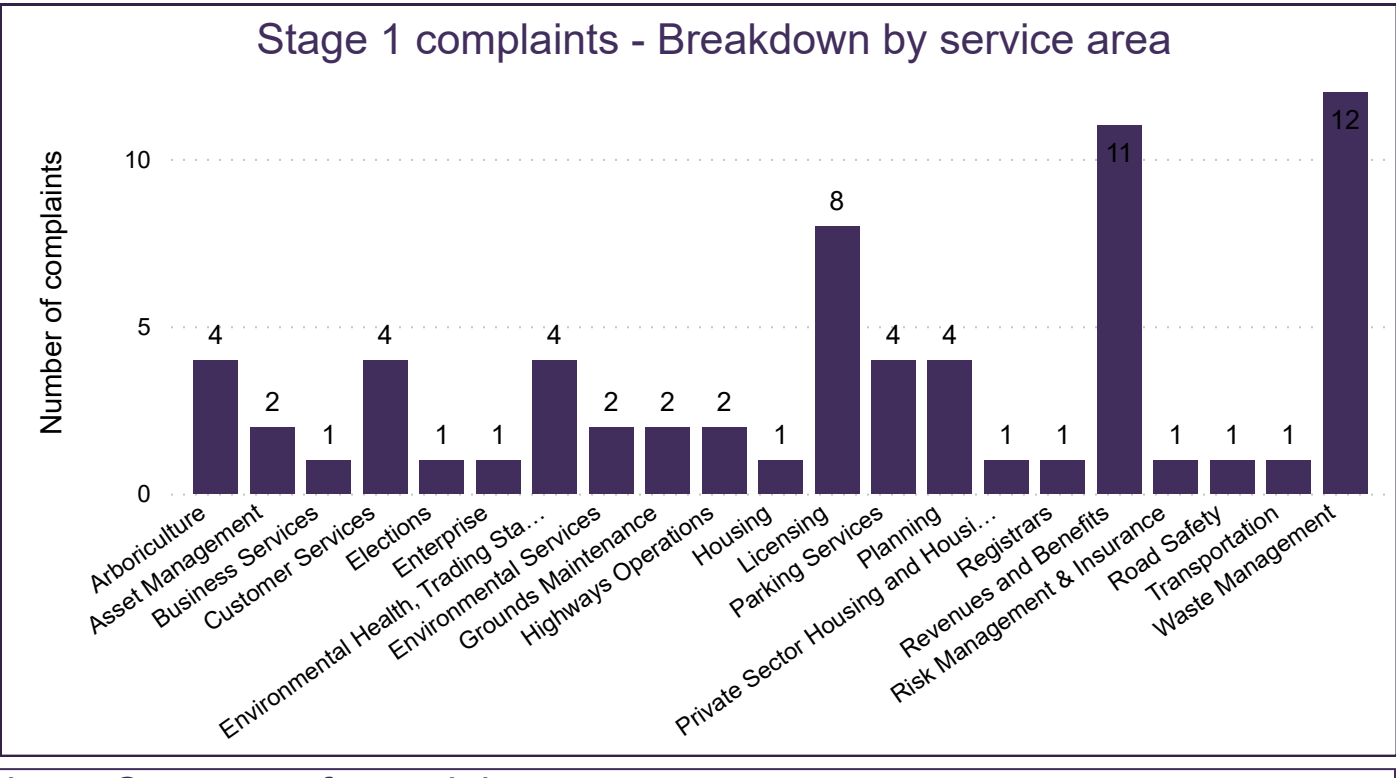
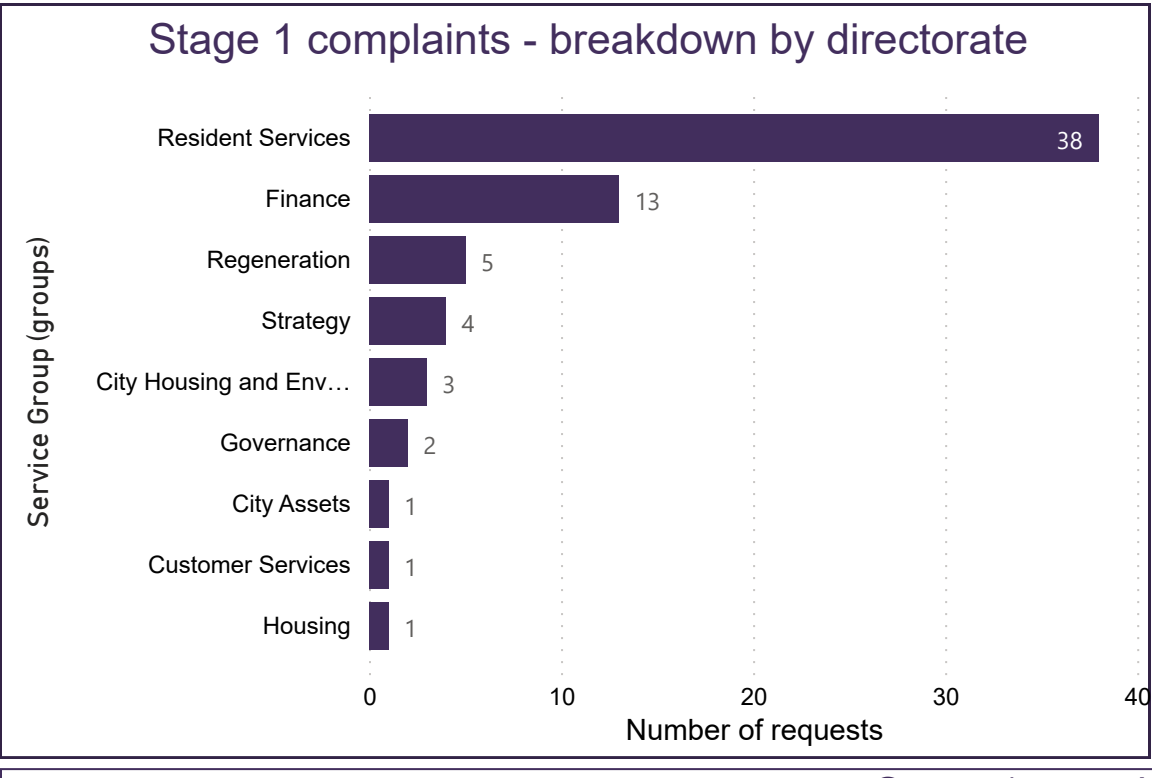
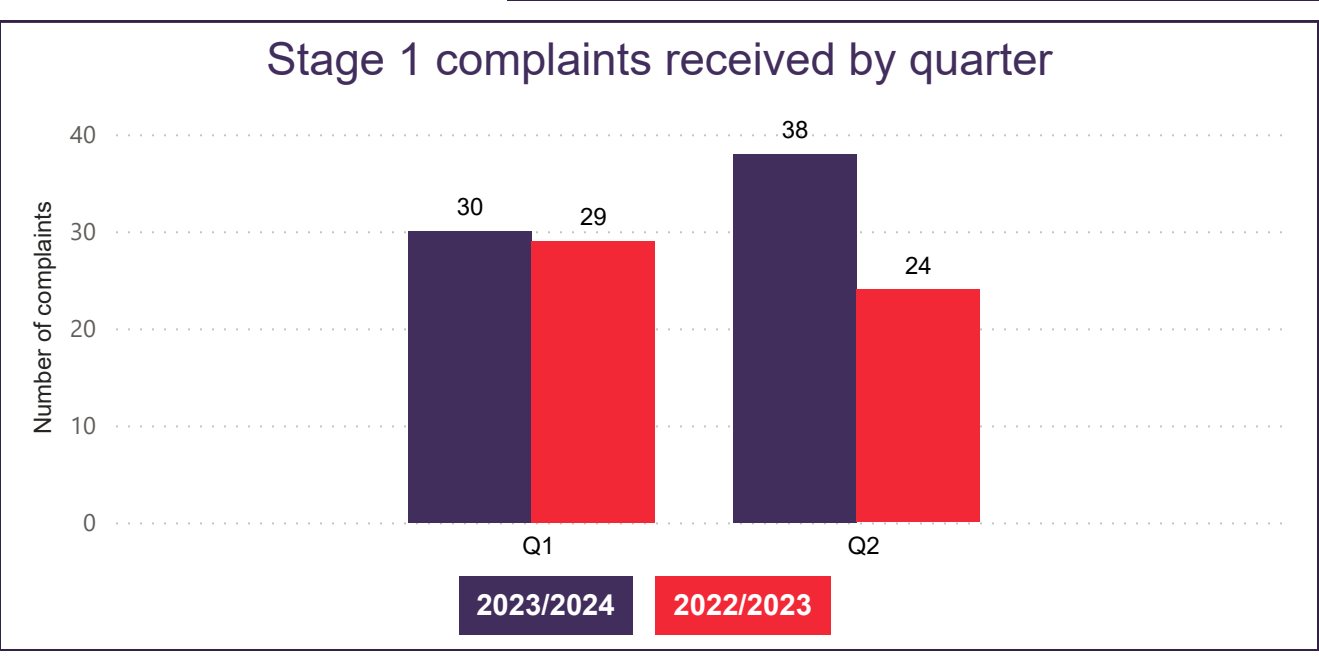
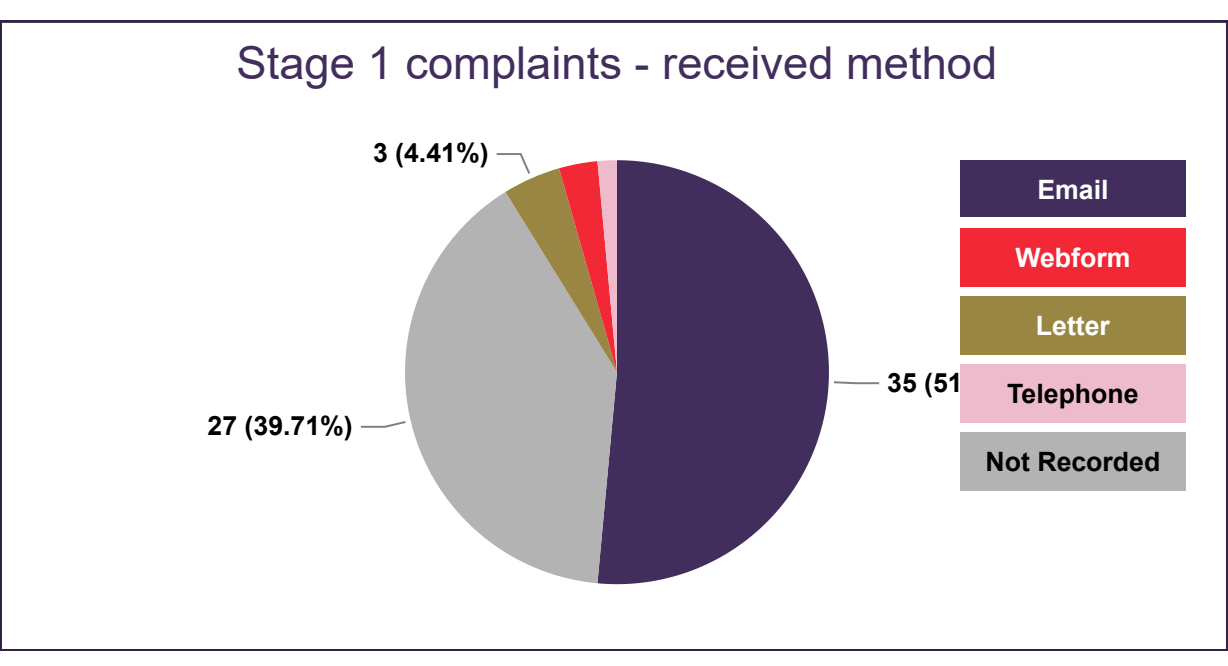
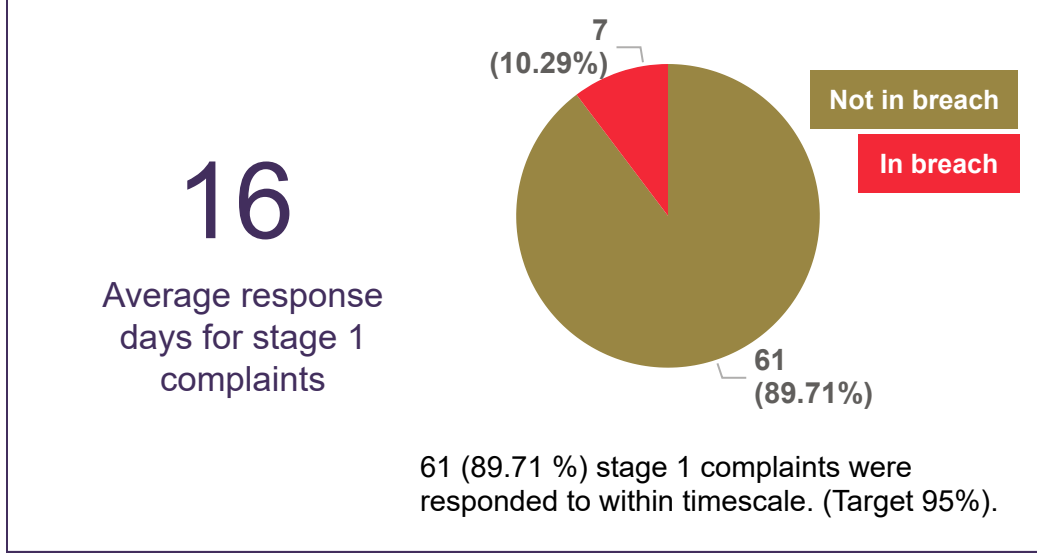
Stage 1 complaints not upheld (council is not at fault)

10

Stage 1 complaints part upheld (council is partly at fault)

18

Stage 1 complaints upheld (council is at fault)



**Stage 2 Complaints**

10

Stage 2 complaints received

8

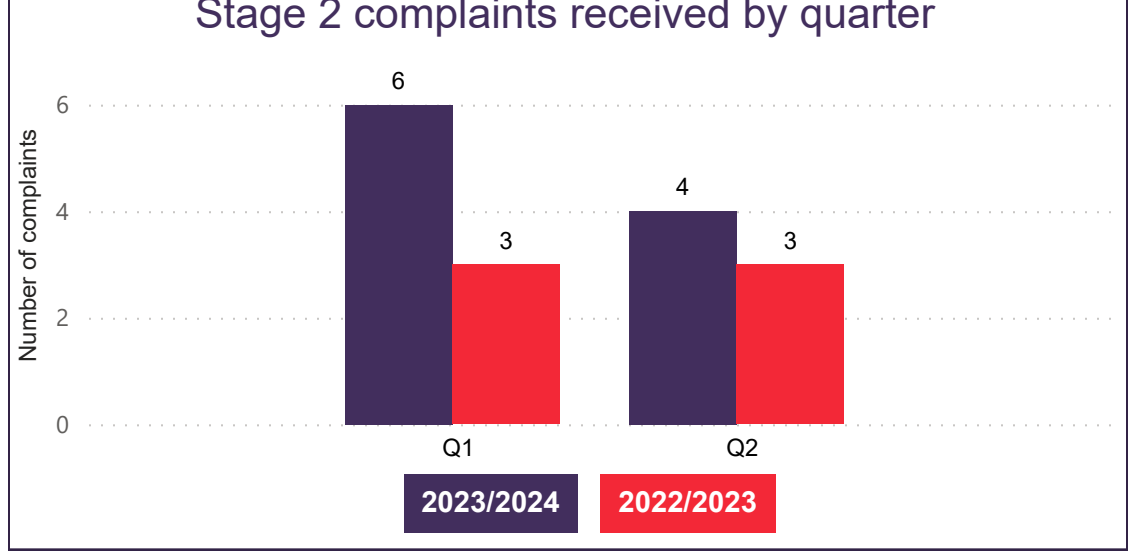
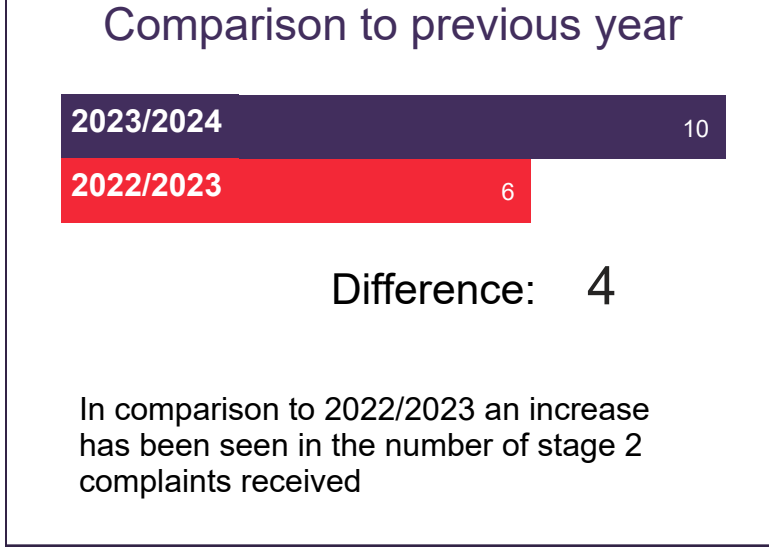
Stage 2 complaints not upheld (council is not at fault)

1

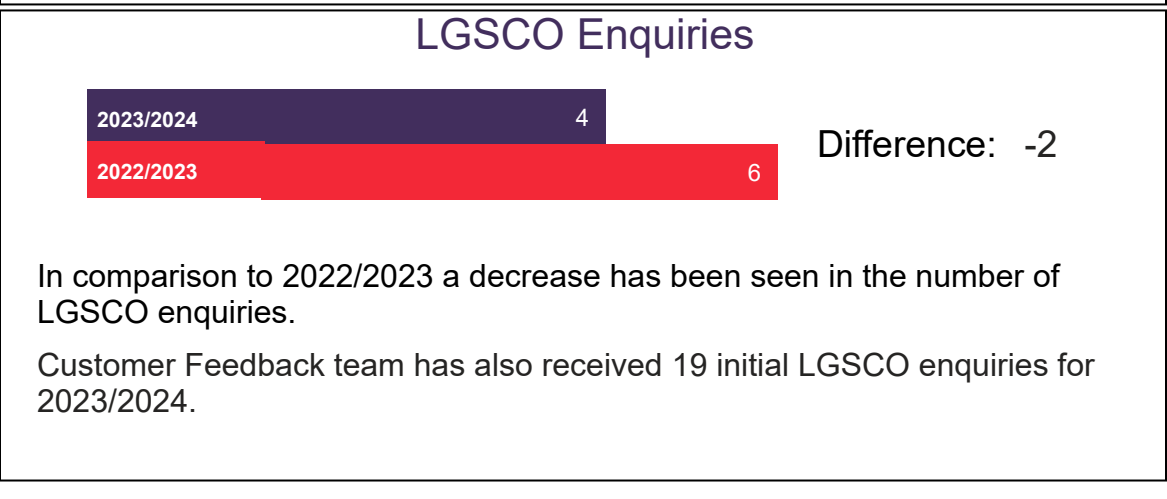
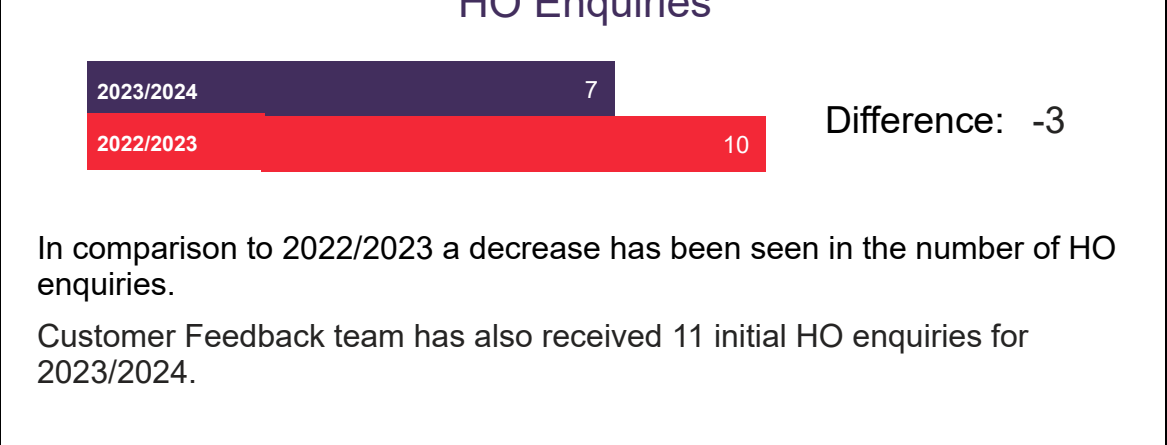
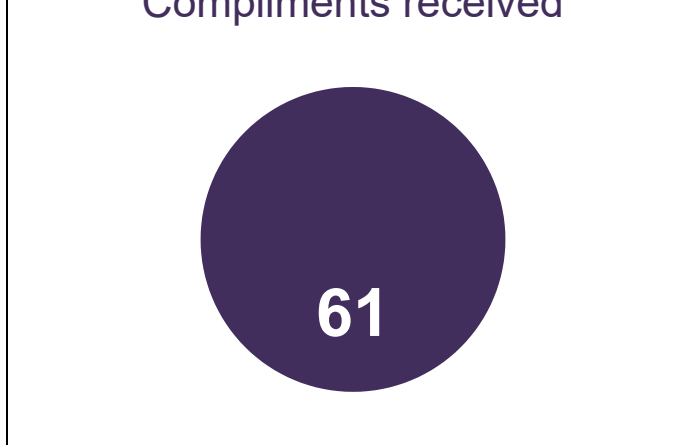
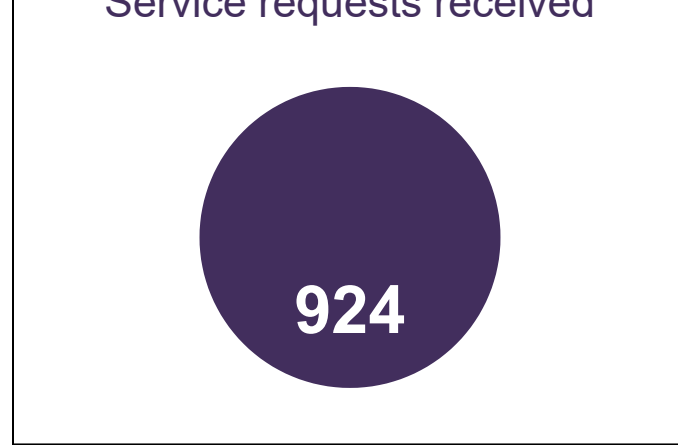
Stage 2 complaints part upheld (council is partly at fault)

1

Stage 2 complaints upheld (council is at fault)



**Compliments, Service Requests, HO and LGSCO Enquiries**



**Select a service:**

Adults | Children's | Corporate | **Public Health**

**Select a year:**

2021/2022 | 2022/2023 | **2023/2024**

**Select a quarter:**

Q1 | Q2 | Q3 | Q4

**Stage 1 Complaints**

<b>1</b> Stage 1 complaints received	<b>1</b> Stage 1 complaints not upheld (council is not at fault)	<b>0</b> Stage 1 complaints part upheld (council is partly at fault)	<b>0</b> Stage 1 complaints upheld (council is at fault)
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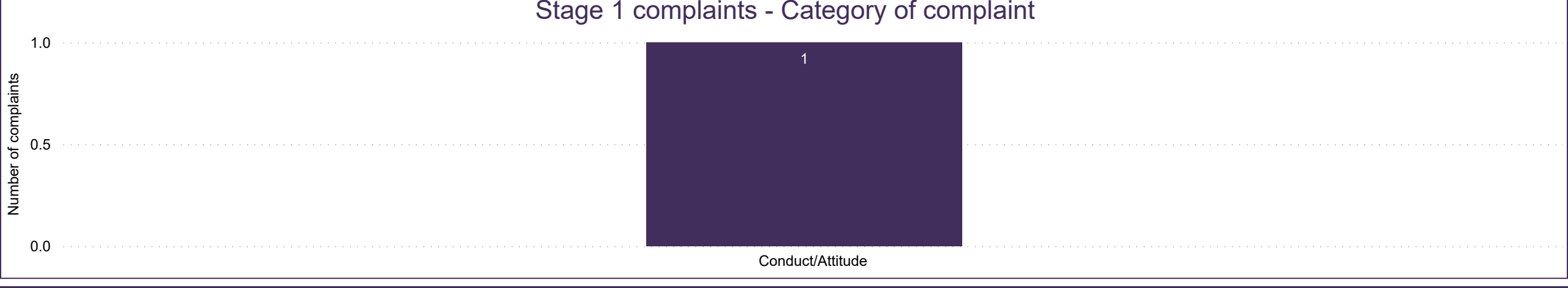
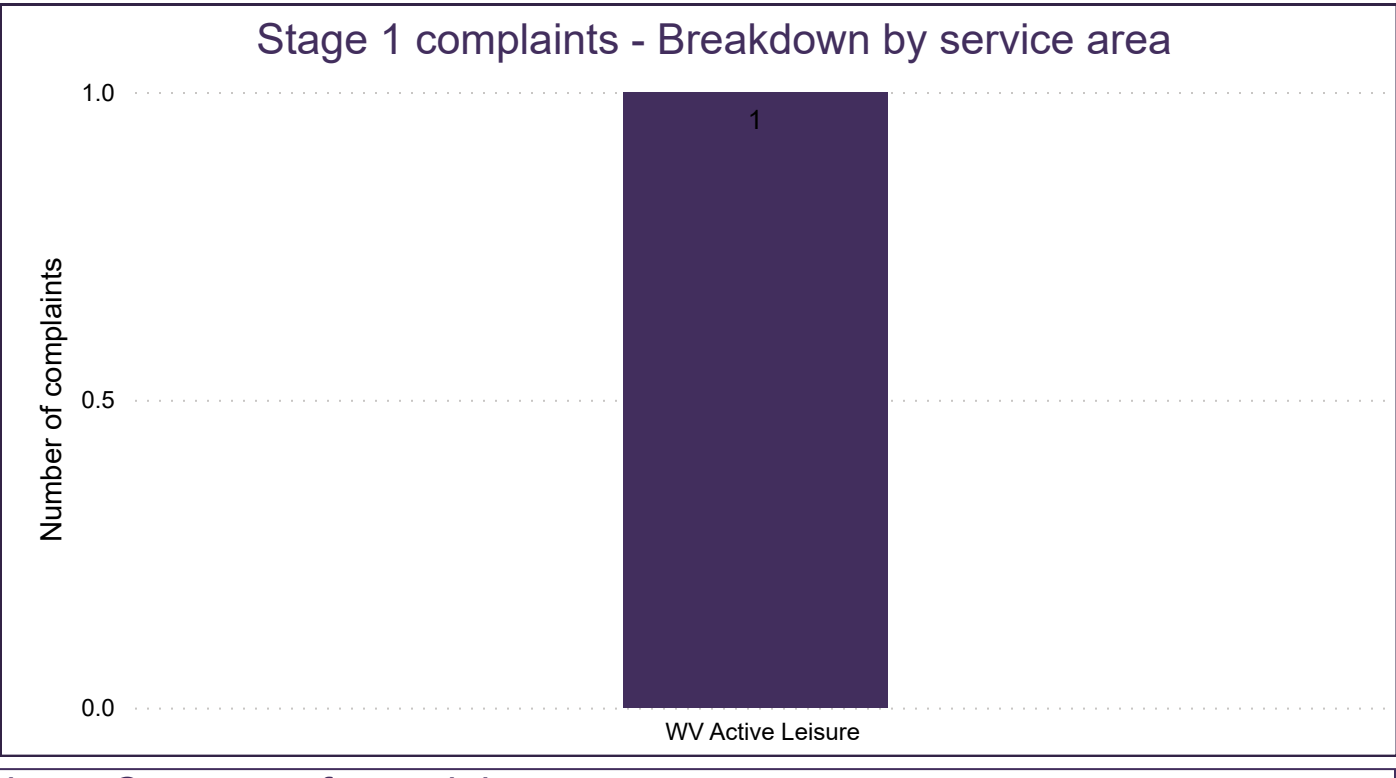
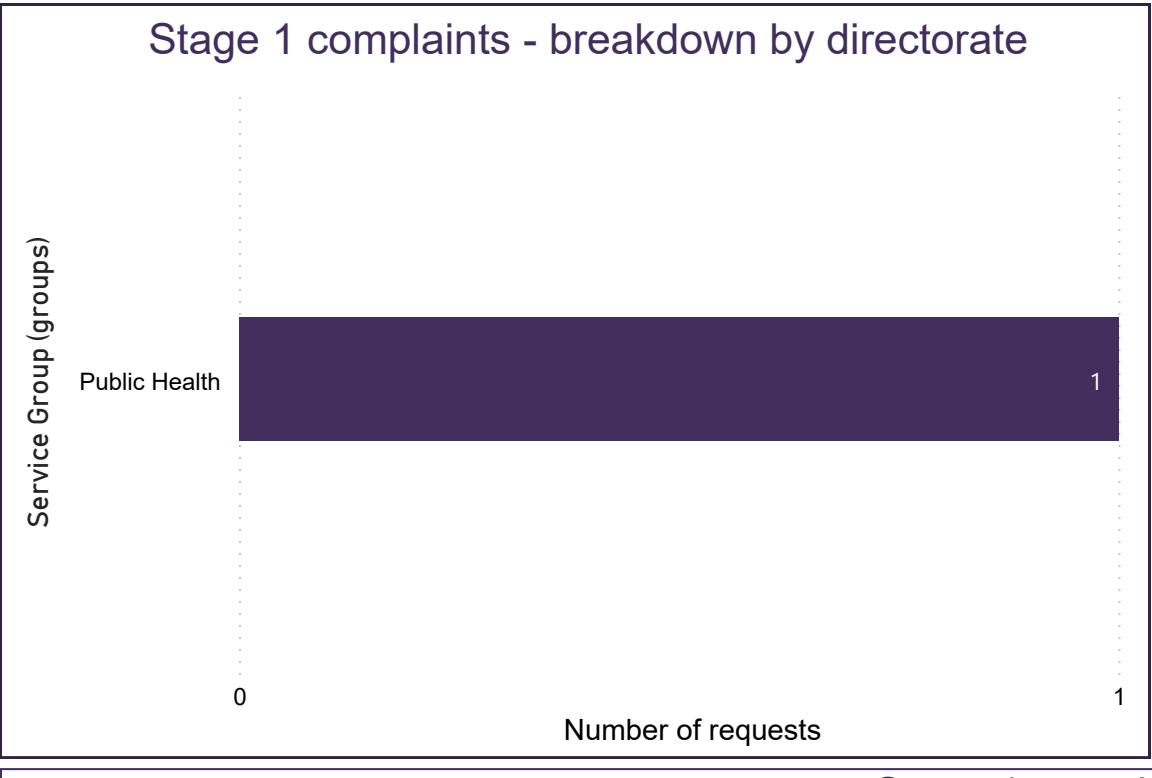
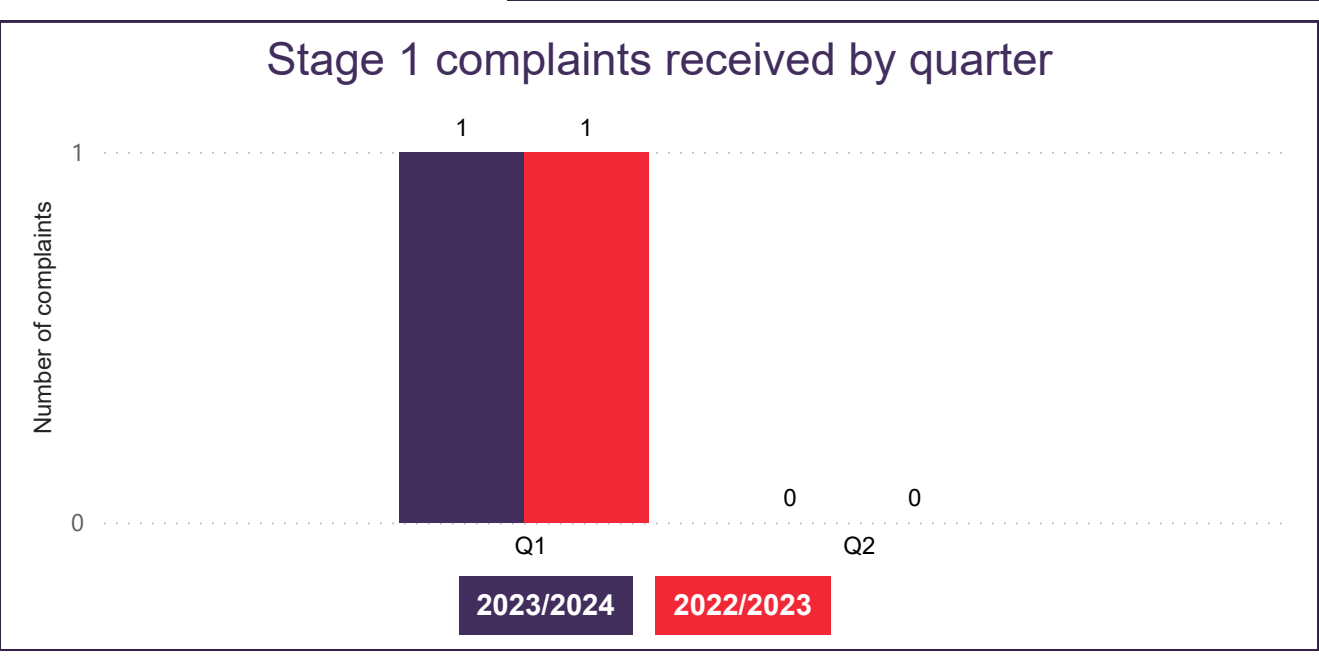
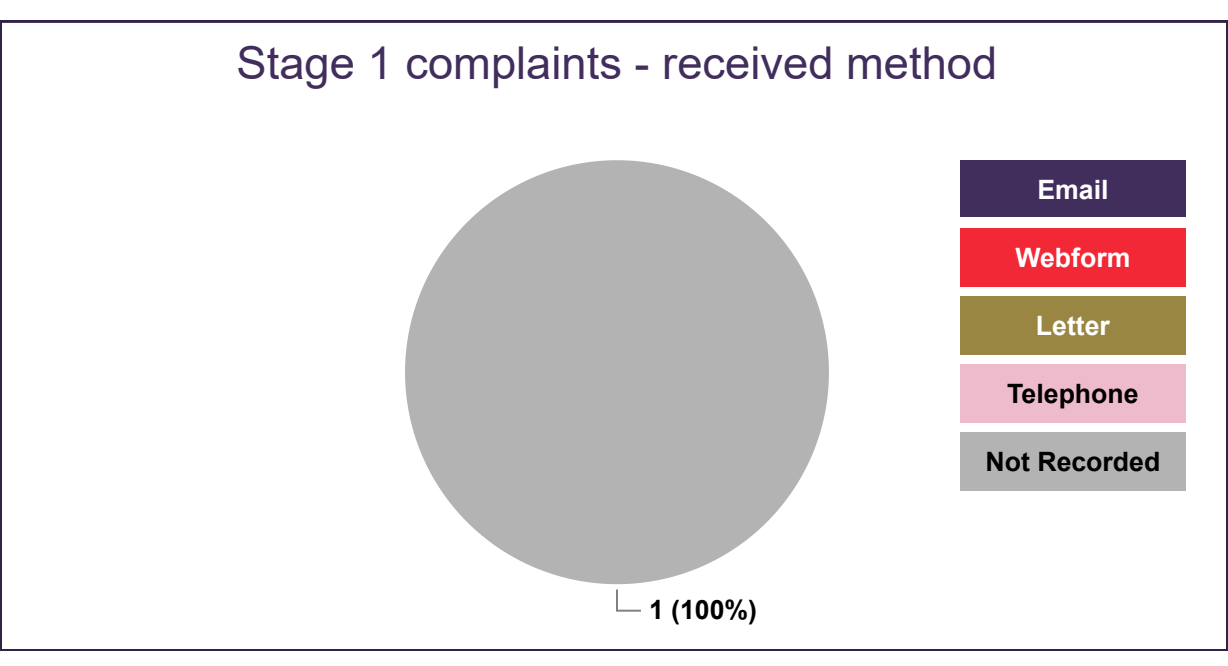
Corporate complaints procedure	
<b>1</b> Complaints received	<b>34</b> Average response days (calendar days)
Statutory complaints procedure	
<b>0</b> Complaints received	<b>0</b> Average response days (working days)

**Comparison to previous year**

2023/2024	1
2022/2023	1

Difference: 0

In comparison to 2022/2023 no change has been seen in the number of stage 1 complaints received



**Stage 2 Complaints**

<b>0</b> Stage 2 complaints received	<b>0</b> Stage 2 complaints not upheld (council is not at fault)	<b>0</b> Stage 2 complaints part upheld (council is partly at fault)	<b>0</b> Stage 2 complaints upheld (council is at fault)
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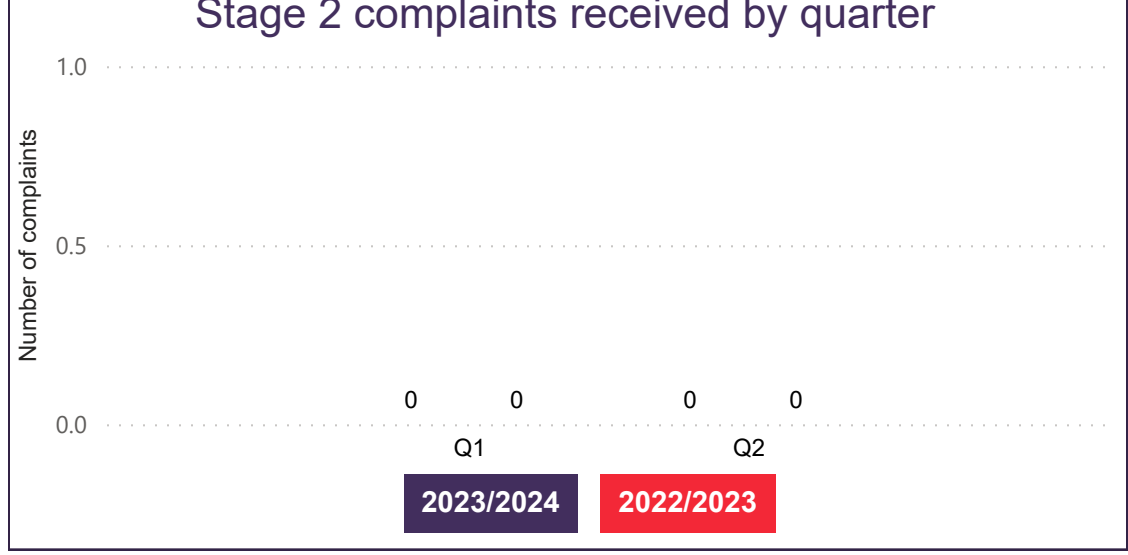
Corporate complaints procedure	<b>0</b>
Statutory complaints procedure	<b>0</b>

**Comparison to previous year**

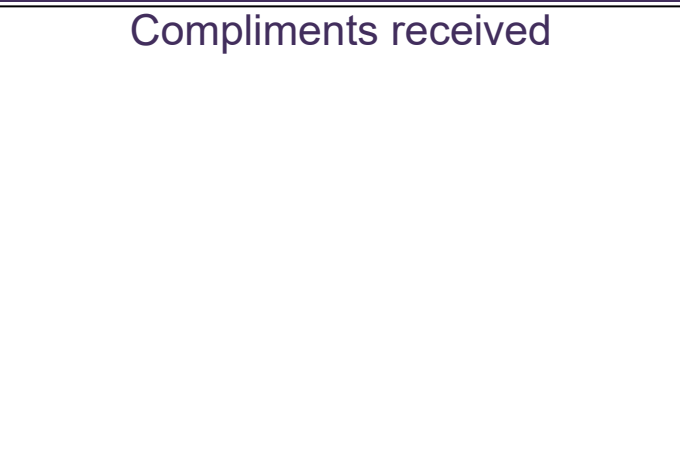
2023/2024	0
2022/2023	0

Difference: 0

In comparison to 2022/2023 no change has been seen in the number of stage 2 complaints received



**Compliments and Informal Complaints**



Local Government and Social Care Ombudsman – full investigations	Ombudsman Outcome/Requirement	Lessons/Action Timeframe
<p><b>Team</b>  <b>Adult Services and Communities -</b>  Complaint in relation to the Council’s communication regarding the process and financial implications of moving into residential care</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 45</p>	<p><b>Outcome</b> - upheld fault and injustice</p> <ul style="list-style-type: none"> <li>- apology submitted for uncertainty caused by the delay in assessing eligible needs under the Care Act and for the distress caused by failing to request funding for the respite care in May 2022;</li> <li>- apologise for the uncertainty caused by not notifying complainant of its decision on whether to refer for a further carer’s assessment</li> <li>- backdate the Council’s assistance with the fees for the care home placement</li> </ul>	<p><b>Learning undertaken</b></p> <ul style="list-style-type: none"> <li>-review assessed contribution from April 2023 and notify of the correct assessed contribution.</li> <li>-review its record keeping procedures to ensure officers record all key decisions relating to a person’s care needs and notify the client of the decision.</li> <li>- by training or other means remind officers to provide key information about care home funding in writing following conversations with clients regarding funding arrangements. This is to ensure understanding of the key issues discussed and potential financial implications</li> </ul>
<p><b>Team</b>  <b>Resident Services/Wolverhampton Homes</b>  Complaint in relation to housing register</p>	<p><b>Outcome</b> – not upheld, no fault</p>	
<p><b>Team</b>  <b>Education Services, SEND Team</b>  Complaint in relation to delays with EHCP plan</p>	<p><b>Outcome</b> – upheld fault and injustice</p> <ul style="list-style-type: none"> <li>- apology submitted for injustice caused by its delays in finalising the EHCP plan.</li> <li>- pay complainant £350 in recognition of the avoidable distress and uncertainty</li> </ul>	<p><b>Learning undertaken</b></p> <ul style="list-style-type: none"> <li>- the LGSCO noted that the Council has already acknowledged there were delays in the process, and took reasonable steps to try and minimise the impact on the uncertainty, in so far as it was able. The LGSCO confirmed that the Council does not need to make any service improvement recommendations as these have already been undertaken by the service in July 2023</li> </ul>

Housing Ombudsman Full investigations	Ombudsman Outcome/Requirement	Lessons/Action Timeframe
<p><b>Team</b> <b>Tenant Management Organisation (TMO)</b> Complaint in relation to the landlord's response to the resident's request to install a fence</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 46</p>	<p><b>Outcome</b> – severe maladministration</p> <ul style="list-style-type: none"> <li>- to pay the resident £700 to reflect the distress and inconvenience caused to the resident, because of the repeated barriers placed to obtain approval to install a fence around the boundary of her front garden</li> <li>- to provide the resident with a written apology for the failures identified</li> </ul>	<p><b>Learning undertaken</b></p> <ul style="list-style-type: none"> <li>- carry out empathy and equality training with its staff to ensure it is upholding its obligation and commitment to actively consider equality and inclusion in very practical ways</li> <li>- review to be conducted into this case to identify any additional learning and improvement, and report the outcome</li> <li>-review its record keeping practices to ensure it keeps clear, accurate and comprehensive records of discussions in-person or over the telephone</li> <li>-review its fencing policy to clarify the process for assessing objections from other residents and confirm how the landlord will manage objections which are considered to be malicious</li> </ul>
<p><b>Team</b> <b>Wolverhampton Homes</b> Complaint in relation to the landlord's handling of and response to the resident's request for compensation, including property damage and the landlord's complaint handling</p>	<p><b>Outcome</b> - no maladministration by the landlord in respect of its response to the resident's complaint about damage to her carpets</p> <ul style="list-style-type: none"> <li>- maladministration by the landlord in its complaint handling</li> <li>- in relation to poor complaint handling the landlord is ordered to pay the resident £150 compensation</li> </ul>	<p><b>Learning undertaken</b></p> <ul style="list-style-type: none"> <li>-review this case to identify how it has improved its complaint handling processes since the resident's complaint, in order to ensure her experiences are not repeated. This review must be shared with the resident and the Ombudsman</li> </ul>

<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Governance and Ethics Committee</b> 11 January 2024
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<b>Report title</b>	Information Governance – Progress Update Report – April 2023 to December 2023	
<b>Cabinet member with lead responsibility</b>	Councillor Paula Brookfield Cabinet Member for Governance and Equalities	
<b>Accountable director</b>	David Pattison, Chief Operating Officer	
<b>Originating service</b>	Information Governance, People and Change	
<b>Accountable employee(s)</b>	Anna Zollino- Biscotti Tel Email	Head of Information Governance & Customer Assurance and DPO 01902 555166 <a href="mailto:Anna.zollino-biscotti@wolverhampton.gov.uk">Anna.zollino-biscotti@wolverhampton.gov.uk</a>
<b>Report to be/has been considered by</b>	People and Change Leadership Strategic Executive Board	19 December 2023 19 December 2023

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**Recommendations for noting:**

The Governance and Ethics Committee is asked to note:

1. The contents of the Information Governance progress update report for the period April 2023 to December 2023 which provides a summary of the work carried out under the Information Governance function for the period.

## **1.0 Purpose**

- 1.1 To provide an update on progress of the work carried out by the Information Governance function for the period April to December 2023.

## **2.0 Background**

- 2.1 The Council has had a robust information governance framework in place for many years following the initial consensual audits with the regulator, the Information Commissioner's Office (ICO) which took place in 2011 and 2012.
- 2.2 Work has continued since the conclusion of the audits and a strategic approach to information governance has been adopted to ensure that the Council appropriately manages its information assets; this includes managing data protection as a corporate risk and monitoring the risk via the Council's Strategic Risk Register.
- 2.3 This report provides an update relating to the responsibilities of the Council's Senior Information Risk Owner (SIRO) and outlines information governance activity and performance during the period April 2023 to December 2023. It provides assurances that information risks are being effectively managed, highlighting any key risks and areas to focus on throughout the year as well as an overview of progress in general.

## **3.0 Summary Statement**

- 3.1 A slide set, detailing progress for the period can be found in appendix 1.
- 3.2 The Information Governance (IG) team has continued to maintain its exemplary eight-year record of ensuring the Council meets its statutory compliance deadlines in relation to Data Protection and Freedom of Information legislation.
- 3.3 The IG team have continued to forge stronger working relationships with leadership teams, resulting in earlier engagement, better integration, and a more robust compliance platform for each individual leadership area.
- 3.4 Information risks have in most cases been reduced across the period or maintained at an acceptable level. Any new or residual risk rated amber, or red have been transferred to the 2023- 2024 IG risk register where they will continue to be monitored and managed.
- 3.5 In summary, it is the consideration of the Council's Statutory Data Protection Officer (DPO) that the Council continues to comply with its duties under UK GDPR, Data Protection and Freedom of Information legislation.

## **4.0 Financial implications**

- 4.1 There are no financial implications associated with this report as Councillors are requested only to note the progress update report summarising the work undertaken by the Information Governance function for the period April 2023 to December 2023. All work associated with meeting information governance requirements is undertaken utilising existing budgeted resources.



4.2 It is worth noting, however, that a failure to effectively manage information governance carries a financial risk. Inaccurate and out of date information can lead to poor decision making and a potential waste of financial resources. Following the implementation of the General Data Protection Regulation (GDPR), a two-tiered sanction regime with higher financial penalties is in place. Lesser information incidents can now be subject to a maximum fine of either €10 million or 2% of an organisation's global turnover, whichever is greater. More serious violations could result in fines of up to €20 million or 4% of turnover.

[SR/08122023/A]

## **5.0 Legal implications**

5.1 The Council has a legal duty under the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, the Freedom of Information Act 2000 and Environmental Information Regulations 2004 to appropriately manage and protect information assets.

5.2 Failure to effectively manage information governance could increase risk of exposure to fraud and malicious acts, reputational damage, an inability to recover from major incidents and potential harm to individuals or groups due to inappropriate disclosure of info.

5.3 The Information Commissioner has the legal authority to:

- Fine organisations for breaches of Data Protection 2018 or Privacy & Electronic Communication Regulations. Following the implementation of the UK GDPR a two-tiered sanction regime was introduced and higher financial penalties are being adopted by the ICO.
- Conduct assessments to check organisations are complying with the Act.
- Serve Enforcement Notices and 'stop now' orders where there has been a breach of the Act, requiring organisations to take (or refrain from taking) specified steps to ensure they comply with the law.
- Prosecute those who commit criminal offences under section 170 of the DPA 2018
- Conduct audits to assess whether organisations processing of personal data follows good practice.
- Report issues of concern to Parliament.

5.4 Demonstration of the Council's compliance with the current Data Protection Law protects it from legal challenges for alleged breaches of individuals' rights.

[TC/12122023/A]

## **6.0 Equalities implications**

6.1 No equalities implications have been identified, either through actions or recommendations of this progress update report or from the data presented within it.

## **7.0 Digital**

7.1 Collaborative work continues with Digital and IT and any new work initiatives identified from this progress report will be programmed into the IG work plan for the remainder of this year and the upcoming year. This will assist in ensuring that the Council has in place the appropriate technical measures outlined under data protection legislation and to ensure continued compliance.

## **8.0 Human Resources**

8.1 There are no new direct human resource implications identified. As part of their operational management duties, Managers will continue to monitor and encourage take up of the mandatory refresher IG training and take necessary action accordingly.

## **9.0 All other Implications**

9.1 There are no other implications arising from this report.

## **10.0 Schedule of background papers**

10.1 None for consideration.

## **11.0 Appendices**

11.1 Appendix 1: Information Governance - Progress Update – April to December 2023

# Information Governance – Progress Update Report – Quarter One and Two 2023-2024

11 January 2024

## Update to Governance and Ethics Committee

# Information Governance Board – Agenda

Governance and Ethics Committee are being asked to receive an update on progress for the period April 2023 to December 2023 covering the following:

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- Summary Statement for the nine-month period
- Performance update for the period (April to October 2023 only)
- Update on identified risks
- Forward Plan/Current work plan

**This report was received by the Information Governance Board/SEB on 19 December 2023**



# Summary Statement - April to December 23

For the reporting period April to December 2023, we can confirm the following :

- Continued compliance with statutory duties under UK GDPR, Data Protection and Freedom of Information legislation
- Performance level within the 90% ICO standard (up to October 2023)
- Information risks and incidents have been managed and mitigated as usual.
- Only one incident was reported to the ICO; currently awaiting decision
- Met our Data Security and Protection Toolkit (DSPT) standards - no actions required
- Continuous support and collaborative work with Leadership teams and high-profile projects
- Continued support to traded services – schools, WH, TMOs and WV Living



# IG Performance - April to October 2023



90.1 %

835 requests received and processed



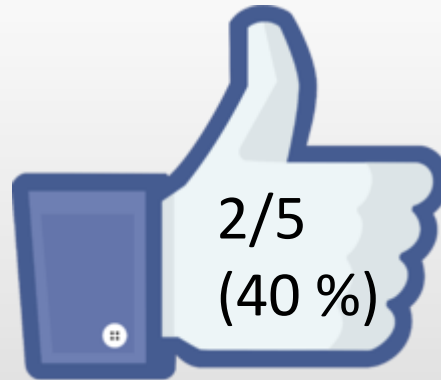
**69** Information incidents reported, recorded, assessed and managed – 1 escalated to ICO – Outcome – 1 TBC

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524 Data Protection requests received and processed

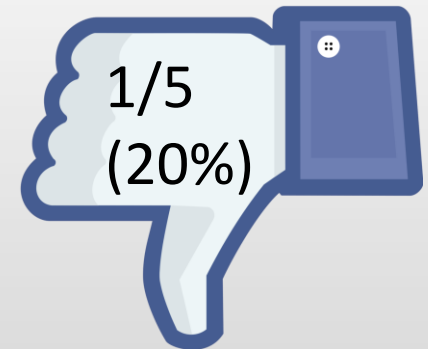
96.0 %



2/5 (40%)



5/1428 (<0.4%)



1/5 (20%)



tribunal



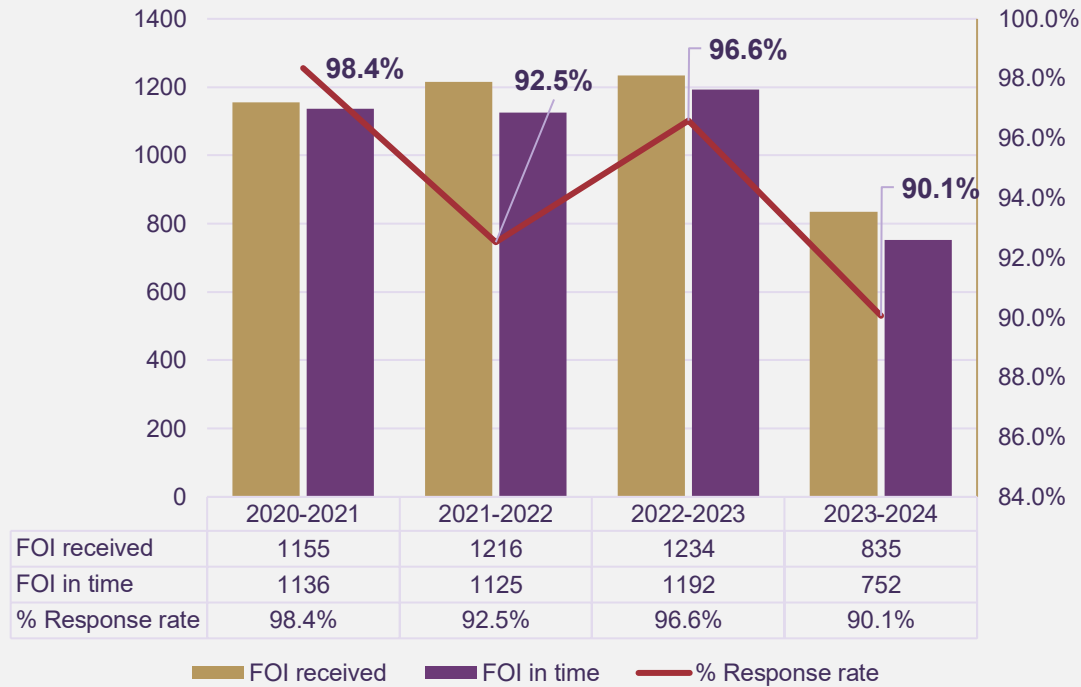
2/5 (40%)

# Performance - Information Requests

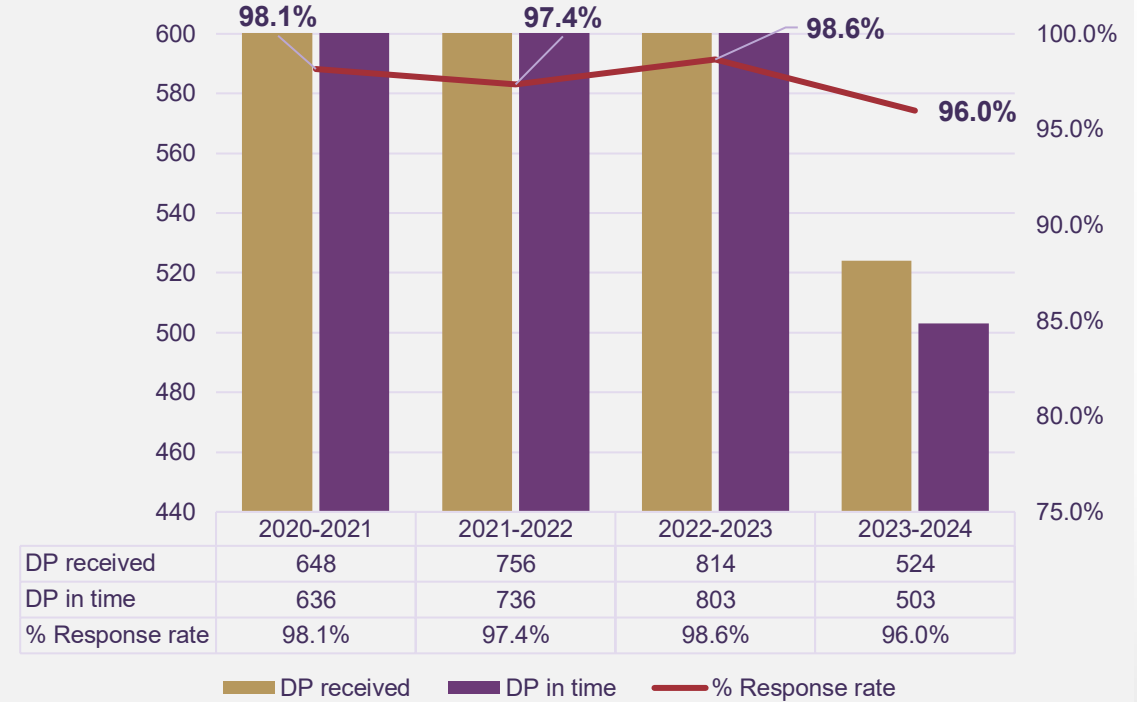


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FOI Performance - Four Year Annual Comparison



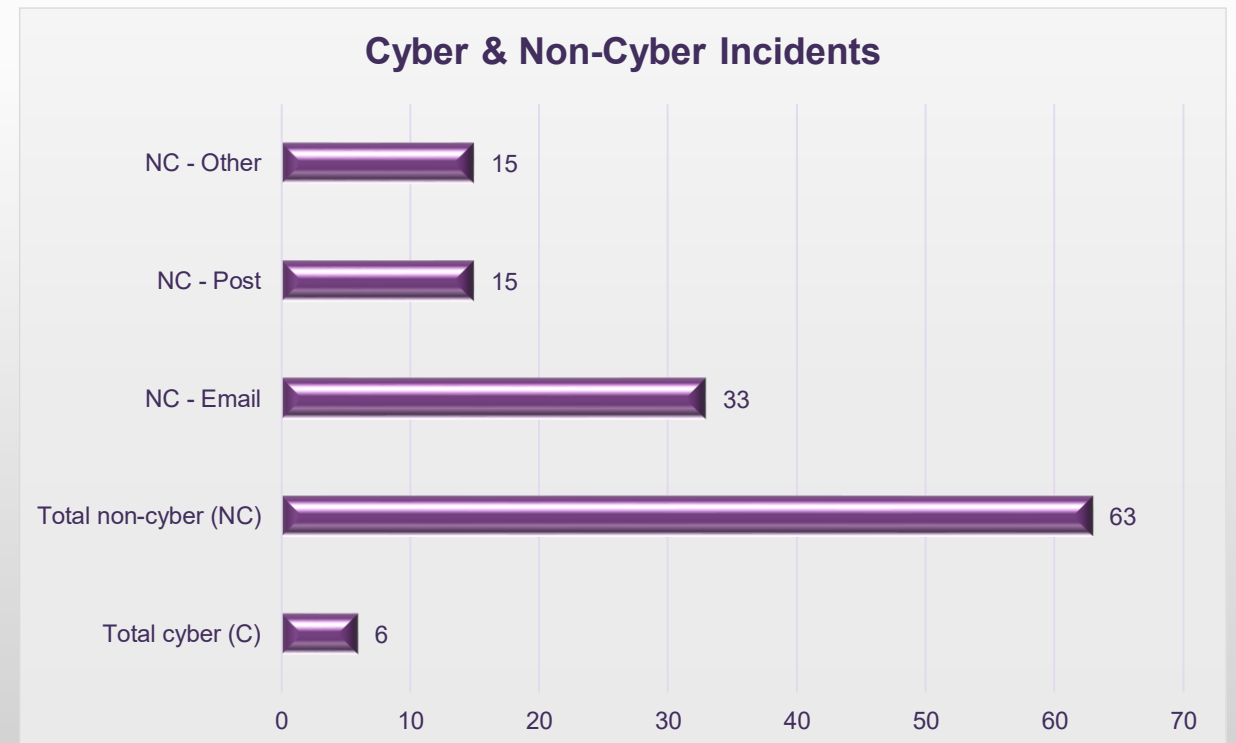
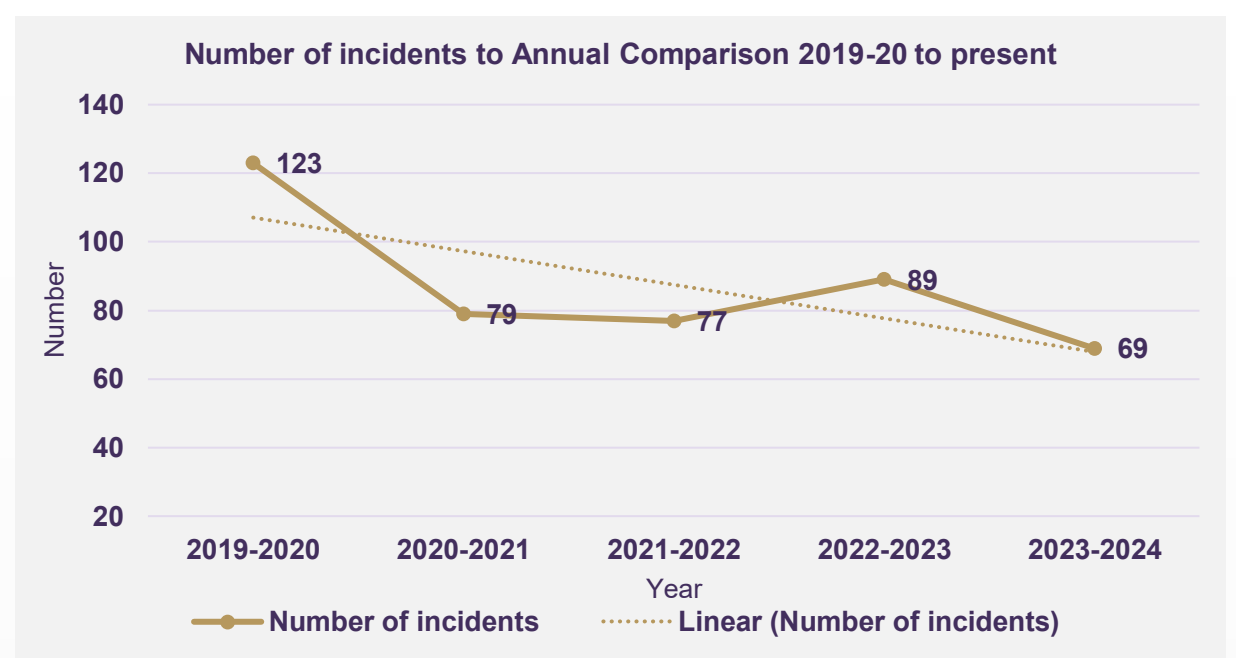
DP Performance - Four Year Annual Comparison



- 92% of requests for information on both regimes have been responded to on time since 1 April 2023; this is a drop in overall performance of 5%.
- The response rates for FOI requests has had the most effect on the overall figure; the introduction of a new case management system for complaints combined with capacity issues in certain service areas may have contributed to the decrease. Quality reviews are being conducted with case officers to identify any training requirements and the figures will be closely monitored to ensure they do not drop below the 90% standard of the ICO.

# Corporate Performance – Information Incidents

- 69 incidents reported from April 23 to November 23
- One breach was risk assessed that required reporting to the ICO –still awaiting decision
- Human error in sending emails and post to an incorrect recipient continues to be the main cause. This equates to 70% of all breaches reported for the period – lower than the figure last year (83%)
- Six cyber incidents have been reported so far (four reported last year)
- The current incident reporting process was reviewed to include more focus on Cyber incidents. Communications and awareness raising on Cyber has taken place.
- Training and awareness continues through leadership updates; where targeted training is identified this is undertaken with each specific service. Increased training may have resulted in more reporting of incidents





# Information Governance Risks

Information governance risks are scored using the RAG matrix which is also used across the council for risk management and data breaches.

Likelihood	5					
	4					
	3					
	2					
	1					
		1	2	3	4	5
Impact						

- As at November 2023 there is an entry for information governance on the Council's Strategic risk register in relation to operational and technical measures

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## Areas to monitor – 2023/2024



Records Management & digital continuity



Supply chain/data processors – Cyber incidents

Changing landscape of Cyber security



# IG Workplan 2022/23 – priority areas – Rag Status

Priority work activities		Period April 2023- December 2023 – Progress to date
Information Sharing Q2-Q4	Undertake a comprehensive review of the current city-wide Wolverhampton Information Sharing framework and present findings to IG Board.	<ul style="list-style-type: none"> <li>Review started on IS framework and templates in Q2</li> <li>Work stopped due to other commitments, but to resume in Q4. Timeframes may need to be reset for the new financial year. <b>Possible delay</b></li> </ul>
Corporate IG Awareness Raising All Year	Formulate a rolling corporate IG communication and awareness plan: <ul style="list-style-type: none"> <li>Routine updates on IG climate and provide additional learning</li> <li>Key updates on activities/incidents within the cyber and information security environment; linking with new Digital &amp; IT Cyber action plan</li> </ul>	<ul style="list-style-type: none"> <li>A rolling Communications plan has been developed and live for the 12-month period. <b>Completed and continued</b></li> </ul>
Policies Quarter 3 & 4	<ul style="list-style-type: none"> <li>Undertake a scheduled review of five policies completed on time</li> <li>Undertake a review of level two procedure documents and complete any remaining procedures to support the new IG policy framework.</li> </ul>	<ul style="list-style-type: none"> <li>Scheduled review of five policies completed on time <b>Completed.</b></li> <li>21 procedure documents are due for scheduled review in Q4 – <b>on track</b></li> </ul>
IG intranet All Year	Development and completion of IG intranet pages; digitalise forms and templates and include a repository for DPIAs, ISAs, PNs and IG level two procedure documents.	Work has started on creating new IG pages - IG section on Governance portal has been updated to reflect this and is live. IG Site is a work in progress and will continue to be updated as we develop further pages throughout the year. <b>On track.</b>
Records Management Quarter 3 – 4 2024/2025	Continue to embed the existing culture of change from manual to digital processes. To include: <ul style="list-style-type: none"> <li>Collaborative work with Audit Services – review of MS Teams and records retention (<b>started</b>);</li> <li>MS Teams Audit report actions present findings and action plan to IGB as appropriate.</li> <li>Longer term action plan being developed</li> </ul>	<ul style="list-style-type: none"> <li>Audit undertaken and report findings presented to SEB/IGB – <b>Completed</b></li> <li>Collaborative work with Digital &amp; IT started - Action plan created and requirements on track to be completed by Q3 and Q4 respectively. <b>On track</b></li> <li>Longer term action plan started, and principles agreed with IGB/SEB</li> </ul>
Supply Chain/ Data Processor Q3 – Q1 2024/25	Review and refresh current internal processes around use of suppliers/data processors.	<ul style="list-style-type: none"> <li><b>On track</b> for Q1 2024/25</li> </ul>
Training Q1 – Q4	Roll out level two and three role-based training	<ul style="list-style-type: none"> <li><b>Delayed</b> but re-prioritised for Q4</li> </ul>

# Questions



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