

# Scrutiny Board

9 July 2019

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| <b>Report title</b>                            | Quarter 3 Social Care, Public Health and Corporate Complaints Report  |  |
| <b>Cabinet member with lead responsibility</b> | Cabinet Member for Governance   |  |
| <b>Wards affected</b>                          | All   |  |
| <b>Accountable director</b>                    | Ross Cook, Director of City Environment   |  |
| <b>Originating service</b>                     | Customer Services, Customer Feedback Team   |  |
| <b>Accountable employee(s)</b>                 | Sarah Campbell<br>Tel<br>Email  | Customer Engagement Manager<br>01902 551901<br>sarah.campbell@wolverhampton.gov.uk |
| <b>Report to be/has been considered by</b>     | Leadership Teams -<br>Finance, Governance, Regeneration, June 2019<br>Housing, Adult, Children's, Public Health,<br>Education, City Environment |  |

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## **Recommendation(s) for action or decision:**

The Scrutiny Board is recommended to:

1. Review complaints management and performance for the period 1 October 2018 to 31 December 2018.

## **Recommendations for noting:**

The Scrutiny Board is asked to note:

1. The Statutory Complaints Activity for Children's Services, Adult Services and Public Health, as listed in section 1 of the report.
2. All the other complaints activity governed by the Corporate Complaints Procedures as listed in section 2 of the report.

## **SECTION 1: Children's Services, Adult Services and Public Health Complaints**

### **Activity 1 October 2018 to 31 December 2018**

#### **1.0 Background**

- 1.1 Complaints activity concerning Children's Services, Adult Services and Public Health are governed by legislative framework and have to be dealt with in accordance with statutory guidance.
- 1.2 For Children's and Family Services, Regulation 14 (1) of The Children Act 1989 Representations Procedure (England) Regulations 2006 places a 10 working day time limit for resolution, most stage one complaints should ideally be concluded within this time limit.
- 1.3 Where the service cannot provide a complete response, it can implement a further ten days' extension (regulation 14(5)). If necessary, the Customer Engagement Manager may also suspend stage one until an advocate has been appointed (regulation 14 (3)). The maximum amount of time that stage one should take is 20 working days. After this deadline, the complainant can request consideration at stage two if they so wish.
- 1.4 Where the complainant feels that they have not received a satisfactory outcome they will be informed that he/she has the right to move on to stage two if they wish.
- 1.5 In Early Help, which is not governed by the legislation of the Children Act 1989, the authority has adopted the legislative guidelines for timescales for response to and closure of complaints across all service areas in order to provide a continuity of service.
- 1.6 Adult Social Care and Health complaints have to be dealt with in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. The Local Authority currently has a joint protocol for the handling of cross boundary complaints.
- 1.7 Public Health Complaints have to be dealt with in accordance with The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.
- 1.8 Whilst the regulations do not stipulate timescales for resolution to complaints, the People Directorate operate a ten day organisational timescale. This can be extended to 20 working days for more complex cases.
- 1.9 Non statutory People Directorate complaints are dealt with in accordance with the Corporate Complaints Procedure.
- 1.10 Details of the appropriate complaints procedures can be found on the Council internet site.

## 2.0 Complaints Intervention

2.1 The following actions are in operation to monitor satisfactory resolution of complaints in a timely manner:

- proactive chasing of managers responding to complaints, in accordance with escalation plan in operation
- mediation between complainants and investigating officers
- quality assurance checks undertaken of complaint response letters
- weekly reporting to Service Directors and Heads of Services on the status of complaints, detailing any areas for concern where managers will need to prioritise outstanding complaints and resolution in order to receive a satisfactory prompt outcome for the complainant.

### Customer Feedback Activity: 1 October 2018 to 31 December 2018

## 3.0 Children's Services – Complaint Activity

### 3.1 Formal Complaints

During quarter three (1 October 2018 to 31 December 2018) the Council received 16 formal Children's Services social care complaints compared to 21 in the previous quarter; a decrease of five.

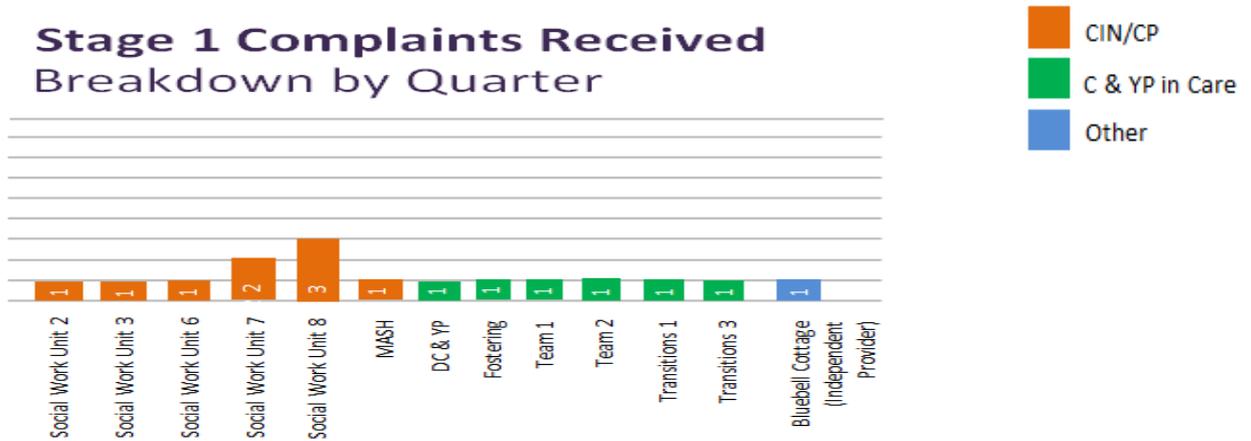
#### Formal Complaints Received



### Stage 1 Complaints Comparison Breakdown by Quarter

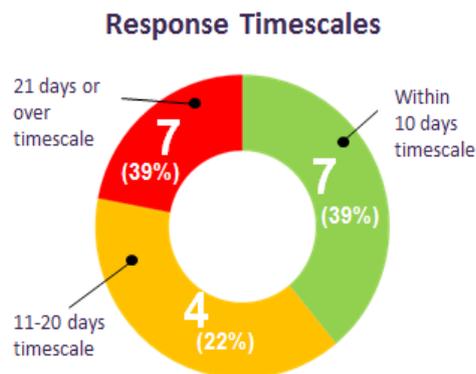


3.2 The 16 complaints we received during this third quarter refers to 13 separate service areas. No service area received a disproportionate amount of complaints, the highest figure of three referred to Social Work Unit 8.



### 3.3 Timescales

Overall, 18 complaints were responded to and concluded during this third quarter. Seven complaints were responded to within 10 working days, four within 20 working days, and the remaining seven in just over 21 working days. Cases responded to 21 days or over timescale are due to various reasons for example, complex cases, availability of resources. In these circumstances, complainants are regularly updated on the progress of their complaint.



3.4 However, it should be noted that of the 18 complaints resolved during this period 12 were dealt with in accordance with the Children’s Act and the average timescale is 14 days. Six complaints were dealt with in accordance with the Corporate Complaints Procedure (Non Children’s Act) which states complaints should be responded to within 21 calendar days; the average timescale was 20 days.

### Average Complaint Response Time



Statutory complaints

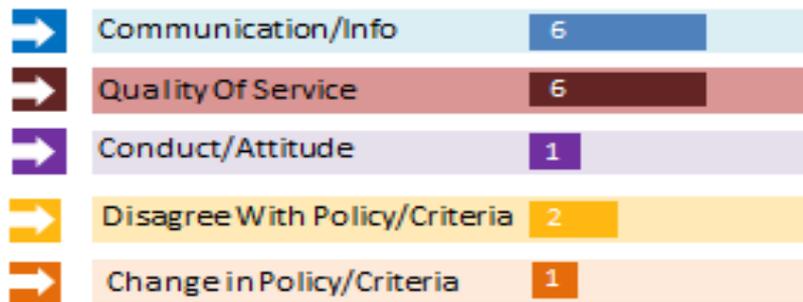


Corporate complaints

### 3.5 Complaint Nature

These are the headings under which we register the complaint against, based on the complaint details received.

### Stage 1 Complaints Received Breakdown by Category



### 3.6 Complaint Outcomes

At the conclusion of each complaint we ask that the manager/senior manager who has enquired into it; reaches a finding. This is to decide if the complaint is upheld, not upheld or partially upheld. This in turn assists in setting out the actions required to resolve the complaint, such as an apology, explanation, review of service, etc.

#### 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

### Complaints Where The Council Is Not At Fault



Customer advised of  
outcome; including rationale.

## 3.7 Informal Complaints

The complaint regulations provide an opportunity for children/young people, parents and carers 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; 23 informal complaints were received during quarter three (1 October 2018 to 31 December 2018) compared to 12 in the previous quarter; an increase of eleven.

### Informal Complaints



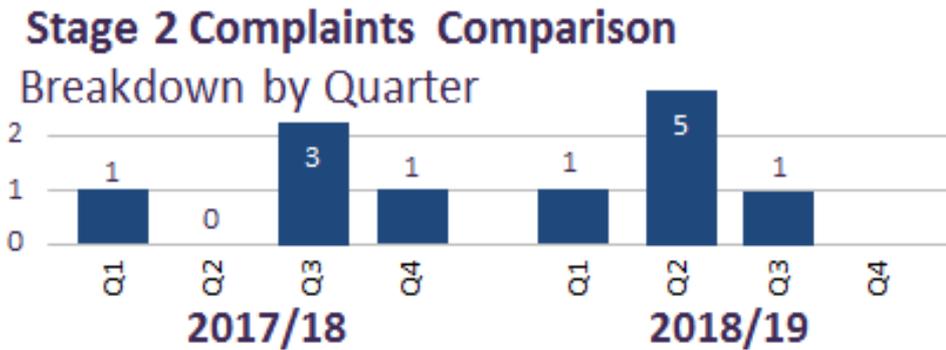
Informal complaints resolved  
through mediation.

## 3.8 Stage Two Complaints

More than 90% of all complaints are resolved at an early stage due to the exceptional efforts that are made to resolve them. Where the complainant is dissatisfied with the written response at Stage 1 regarding statutory complaints (dealt with in accordance with the Children's Act) they have the right to request that matters should proceed to stage two (a formal independent complaint investigation). However, complaints which do not fall under the Children's Act are dealt with in accordance with the Corporate Complaints Procedure and, therefore, where the complainant is dissatisfied with the response at stage one it is investigated and responded to by the Customer Engagement Manager at stage two.

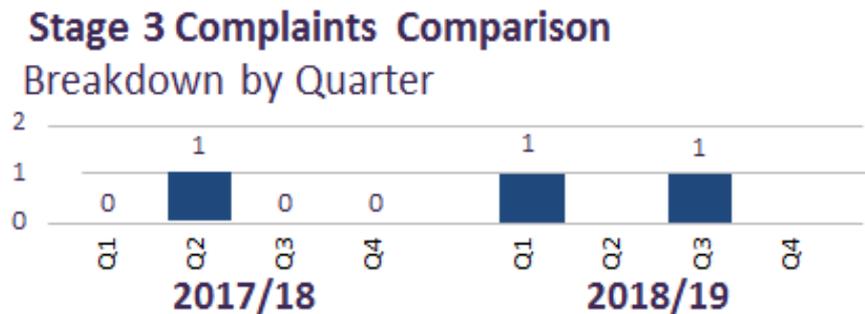
- 3.9 For Children's Services statutory complaints, a stage two investigation requires the appointment of two independent people to carry out a detailed, thorough complaint investigation, the average cost of which is between £3,500 to £4,500 and takes on average three months to conclude.

3.10 During this period we have had only one stage two complaint investigation; which was dealt with in accordance with the Corporate Complaints Procedure and, therefore, there were no financial implications for Children’s Services. Several other complaints that could have proceeded down this route were resolved after significant intervention and problem solving.



### 3.11 Stage Three Complaints

Independent Complaint Review Panel. Where a stage two complaint investigation has been carried out and the complainant remains dissatisfied, they have the right to request matters proceed to the final stage of the complaints procedures, a Stage Three Complaint Review Panel.



### 3.12 Compliments

All compliments are recorded by the Customer Feedback Team and reported as part of the team’s quarterly monitoring process. During this third quarter, a pleasing 30 compliments were received for Children’s Services, compared to 19 in the previous quarter. Children’s Safeguarding Team received eight and Disabled Children and Young People received four.



**Compliments**

## EXAMPLES

*"I am so pleased with my social worker. He is always available if I need to contact him and always keeps me up to date with what's happening. I also feel if I need any help at all I can turn to him."*

\*\*\*\*\*

*"We would like to thank the social worker for all the amazing support and help he has given us as a family. He has given us the strength to move forward with our son, and he has listened and advised us when we've needed it. We don't think we would have got through our journey without him, so thank you very much for everything. This has made us feel stronger that we can get through things and that there are people there if we need help and support with anything."*

\*\*\*\*\*

*"The social care that has been provided to me and my family by the social worker has been very appreciated. We have struggled in the past with care and concerns, but it really helps when there is someone to sit down with to talk it through. He will give us a call to give us updates of what we have talked about and how we can resolve problems. We are very satisfied with the service he has provided for our son."*

\*\*\*\*\*

*"Compliment received from complainant following a Stage 3 Panel Review meeting on the 29 November 2018 in relation to all the support she has received from the Complaints Team for guiding her through the complaint process."*

\*\*\*\*\*

*"The children's IRO is excellent we have very good meetings; everything is put in place for the children - thank you."*

\*\*\*\*\*

*"Thank you for helping me to live with my mom and dad. I really, really appreciate everything you have done for me and my family. It means the world to me that I'm back where I belong, and I will never forget how much you helped me get there."*

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### 4.0 Public Health Complaints

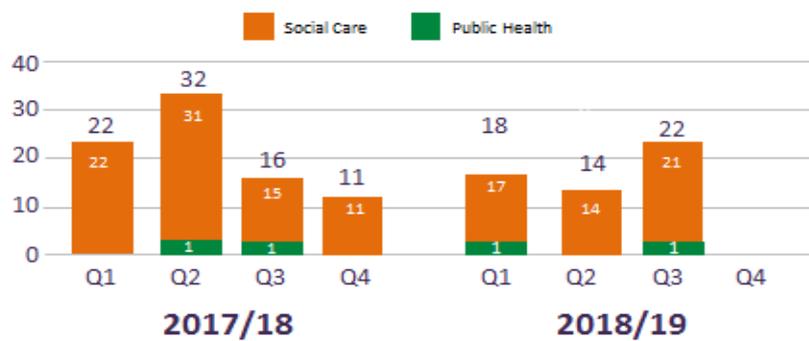
Regionally and Nationally, Councils receive very few complaints in relation to Public Health Services. A typical complaint would be where a Council has commissioned a service for local people through a Clinic or GP practice. Complaints in relation to GP's and Hospitals are dealt with through an entirely separate complaint process managed by Health Services.

4.1 In relation to Public Health services there was only one complaint received in quarter three (1 October 2018 to 31 December 2018).

## 5.0 Adult Social Care Complaints

During quarter three (1 October 2018 to 31 December 2018) the Council received 22 formal complaints (including one Public Health) compared with 14 in the previous quarter; representing a significant increase of eight complaints this quarter.

### Stage 1 Complaints Comparison Breakdown by Quarter

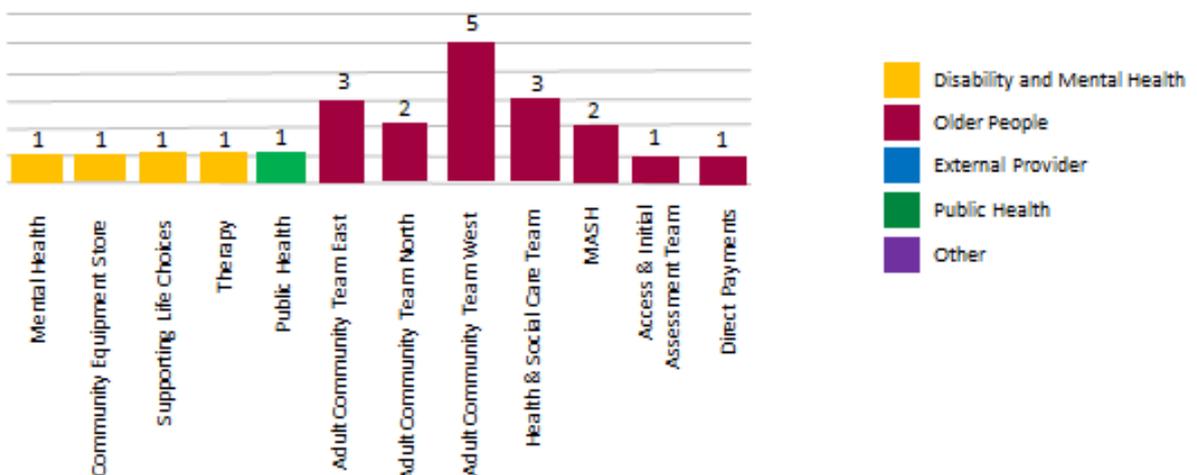


5.1 Of the 22 formal complaints received, there were no complaints received in relation to the Independent Providers. This is where Adult Social Care commission an independent agency to deliver a service on its behalf, such as a domiciliary care service.

## 5.2 Service Areas

This refers to the service the person is complaining about. No service area received a disproportionate amount of complaints. 22 complaints received covered 12 separate service areas; the highest figure of five complaints referred to the Adult Community Team West followed by the Adult Community Team East who received three.

### Stage 1 Complaints Received Breakdown by Service Area



### 5.3 Complaints Outcome

At the conclusion of each complaint we ask that the manager who has enquired into it reaches a finding. This is to decide if the complaint is upheld, partially upheld or not upheld.



### 5.4 Complaint Nature

These are the headings under which we register the complaint against, based on the complaint details received.

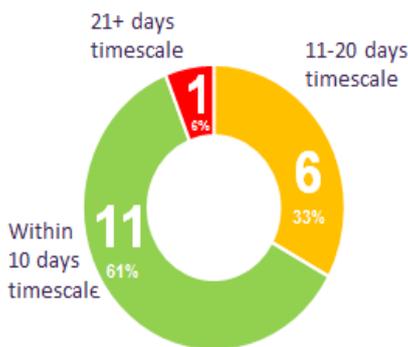
#### Stage 1 Complaints Received Breakdown by Category



## 5.5 Timescales

Overall, 18 complaints were responded to and concluded during this third quarter. Eleven complaints were responded to within 10 working days, six within 20 working days and one complaint was responded to over 21 working days. The average number of days to respond and close all complaints over the term significantly was eleven days. Cases responded to 21 days or over timescale are due to various reasons for example, complex cases, availability of resources. In these circumstances, complainants are regularly updated on the progress of their complaint.

### Response Timescales



### Average Complaint Response Time



## 5.6 Informal Complaints

It should be noted that 15 complaints were resolved at service level without going through the formal route.



Informal complaints resolved through mediation.

## 5.7 Compliments

All compliments are recorded by the Customer Feedback Team and reported as part of the team's quarterly monitoring process. 32 compliments were received during this third quarter relating to Adult Services. Bradley Resource Centre received six, followed by Carers' Support; Health and Social Care Team and Ernest Bold who each received four.



## Compliments

### EXAMPLES

*“Thank you – missing the wonderful company of all the staff and other residents; also excellent food.”*

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*“Thank you so much to all the staff for looking after me.”*

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*“Thank you to the worker for all the help and support she has given to my husband and I.”*

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*“Thank you for your donation of items which were donated for the Mental Health Drop-In session Christmas Party.”*

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*“Thank you to the worker for the help and support she gave me during my son’s annual review. I was apprehensive going into the review, but the worker supported me well through some concerns I had.”*

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*My son was in respite care over the weekend. He went out with staff on three occasions and had a great time. I wish to compliment the staff who supported him and thank them for their time and effort to make my son’s time in respite enjoyable.”*

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*“I and my family would like to take this opportunity to make you aware of the wonderful, kind, caring support extended to us by one of your social workers.”*

## 6.0 Areas of Learning from Complaints

Before a complaint is closed the complaints 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 feedback from each section to demonstrate the learning that has taken place, and the actions followed up, across all service areas and covering all complaint activity.

### EXAMPLES

**Children's Services** – *Complaint in relation to not disclosing serious allegations against a young person at point of referral or during assessment.*

**Learning** – *Manager will raise in team meeting and remind staff of the importance of information sharing with accommodation providers. Concerns also to be discussed with relevant worker in their supervision.*

\*\*\*\*\*

**Children's Services** – *Complaint regarding inaccuracies/discrepancies found in the report and also lack of communication.*

**Learning** – *This matter has been addressed with staff in a team meeting, and staff reminded of the importance of accurate recording and being factual.*

\*\*\*\*\*

**Children's Services** – *Requesting support for her and her children, but being told by worker that she was not entitled to any support as a person with No Resource to Public Funds (NRPF) due to immigration status.*

**Learning** – *NRPF processes are available for all workers to see via the policy portal. All workers will be encouraged to familiarise themselves with the policy and process in order to ensure that all NRPF cases are offered an aligned service. We will be having dedicated workers for NRPF cases which will hopefully ensure that all service users are offered the same assessment process and service.*

\*\*\*\*\*

**Adult Services** – *Not had a Carer's Assessment since 2012 and social worker did not provide details of respite including home based respite.*

**Learning** – *Complainant declined offer of Carer's Assessment in 2013, however, should have been offered an annual carers' review. This is now highlighted on the electronic client*

*information system. The fact that the social worker omitted to discuss home based respite options with the main carer/complainant will be addressed in supervision; and also in Team Meetings so that all staff are made aware of the possibilities.*

\*\*\*\*\*

**Adult Services** – *Strongly dispute the amounts that are being requested as Social Services were providing the care of a month. Family did not agree to pay any top up fees or anything else except for the final week in the home.*

**Learning** – *Manager to raise practice issues identified with Social Worker during their supervision (1:1). Learning to be shared with the relevant ACT Senior Social Work Manager for follow up to minimise ongoing risks of reoccurrence. In future a letter is given to all persons/their representative who are moving into a seven day bed with details of the financial implications of this.*

\*\*\*\*\*

**Adult Services** – *Complaint regarding disconnection of the supposed 'joined-up-care' process.*

**Learning** – *Wherever possible Social Workers should inform the individual in advance of any visits/meetings so that the individual has an opportunity to decline the visit or make arrangements to be accompanied by an advocate/supporter. As the individual lived in a Nursing Home this did not happen on every occasion and caused some distress. Staff will be reminded of this, however, it is noted that in some circumstances which may be very urgent i.e. safeguarding concerns, this may not always be possible or appropriate. The reason for not informing an individual beforehand should be recorded.*

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**Adult Services** – *Concerns raised regarding the personal budget (which did not reflect the market and availability of nursing homes), lack of choice, absence of a suitable offer at that rate and, therefore, unfairly required that family fund top up fees for any alternative home they may have selected; delay in providing timely information and lack of guidance on the process.*

**Learning** – *Manager has established an internal process to ensure that the Hospital Social Workers have access to the most recent Wolverhampton Care Home List. Manager has reminded all Hospital Social Workers of the importance of providing, or signposting, to family the relevant 'Going into a Care Home' Fact Sheets available from the Council website as early as possible to ensure family are fully informed in a timely way to support their decision.*

This report is PUBLIC  
[NOT PROTECTIVELY MARKED]

## **SECTION 2:**

### **CORPORATE COMPLAINTS ACTIVITY**

## **7.0 Corporate Complaints Activity, Local Government and Social Care Ombudsman and Housing Ombudsman**

7.1 This section provides a summary of the corporate complaints, compliments, Local Government and Social Care Ombudsman and Housing Ombudsman enquiries received by the Council during quarter three (1 October 2018 to 31 December 2018).

7.2 The Customer Feedback team monitors and completes a written record of all enquiries. The team analyses and monitors customer feedback which provides details about the types of complaints that are received by the authority and highlights suggested customer driven improvements to service provision. All corporate complaints, compliments, Housing Ombudsman and Local Government and Social Care Ombudsman enquiries are considered a form of customer feedback.

### **7.3 Informal service requests/enquiries**

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 327 service request enquiries were logged with the customer feedback team, compared to 231 received during quarter two. These types of enquiries are varied, for example, missed bin collection, litter, parking; all enquiries were logged and resolved informally without going through the corporate complaints procedure, therefore providing a better outcome for the customer.

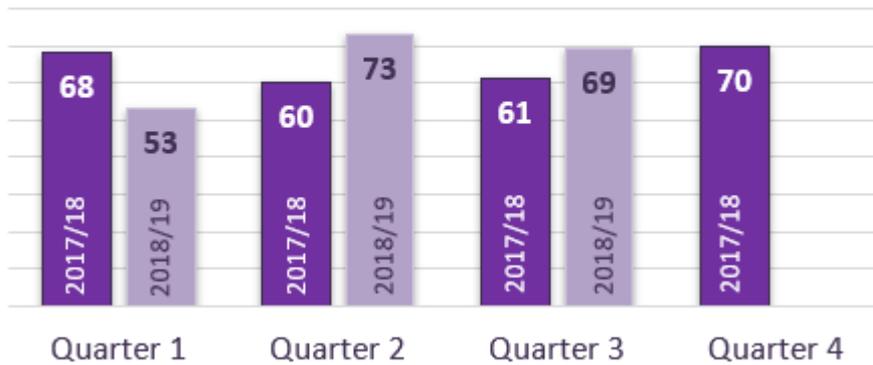
## **8.0 Corporate stage 1 complaints received**

### **Complaints Received**



8.1 During this third quarter (1 October 2018 to 31 December 2018) the Council received 69 stage one complaints compared with 73 in the previous quarter (1 July 2018 – 30 September 2018) a decrease of 4 cases.

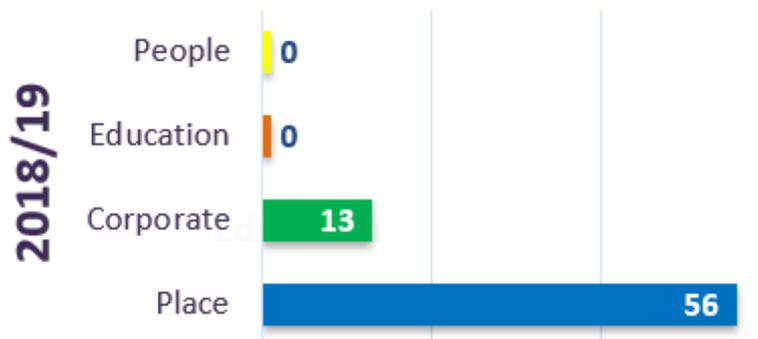
### Stage 1 Complaints Comparison Breakdown by Quarter



### 8.2 Number of Complaints for each Directorate

The 69 complaints received in this first quarter are broken down as follows:

### Stage 1 Complaints Breakdown by Directorate

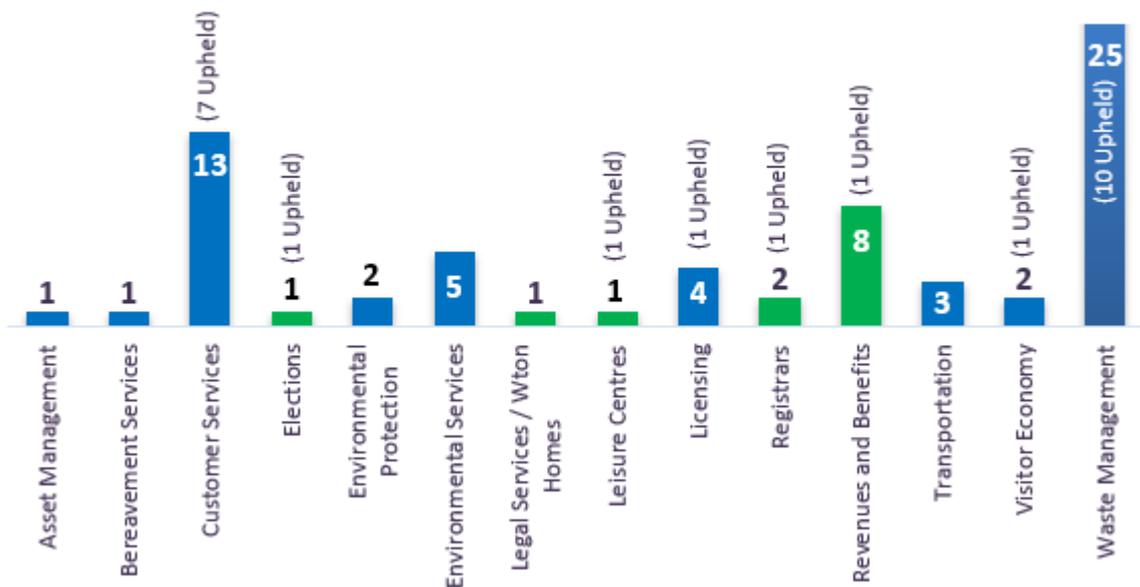


### 8.3 Complaints in relation to Service Areas

This refers to the service the person is complaining about. No service area received a disproportionate amount of complaints. The 69 complaints covering 14 separate service areas, the highest figure of 25 complaints referring to Waste Management, Customer Services received 13 and Revenues and Benefits received 8; an increase in complaints for waste management reflects the changes in refuse service and policy; this is compared to 16 waste management cases received during Quarter two. In some cases, this has followed extensive but unsuccessful attempts to resolve some of those matters at service level.

#### Stage 1 Complaints Received Breakdown by Service Area

(Complaints were not upheld unless otherwise indicated)



#### Complaints where the Council is not at fault



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



Issues have been identified from 23 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.

#### 8.4 Corporate Complaint Nature

During quarter three (1 October 2018 to 31 December 2018) the main issue of complaint involved failure to provide a service (32), followed by dissatisfaction of council policies (13), failure to achieve standards/quality (8), conduct of employees (7), failure to consider relevant matters (6), delays in responding or administrative (2) and failure to fulfil statutory responsibilities (1).

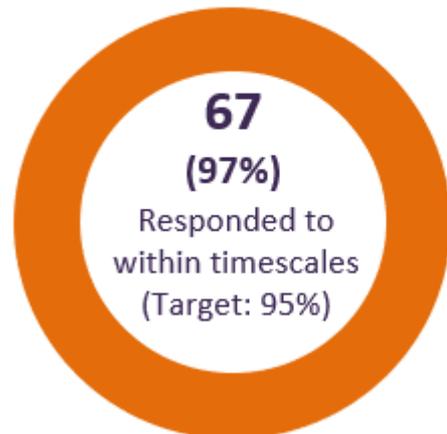
#### 8.5 Corporate Timescales

The average response time for responding to each complaint is 10 days for quarter three. This figure has improved from the previous quarter of 13 days. The response timescale for stage 1 complaints responding within 21 calendar days is 97% for quarter three; in the previous quarter the response timescale was 96% showing an improved response time of 1%.

#### Average Complaint Response Time



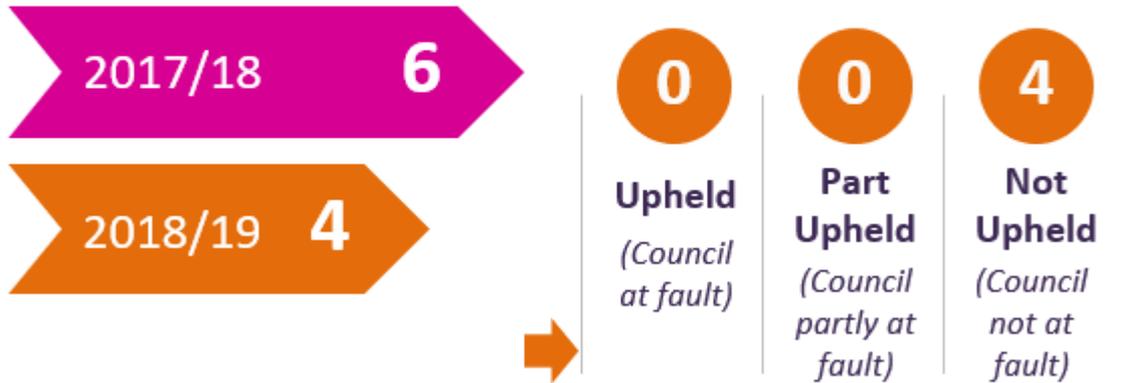
#### Response Timescales



#### 9.0 Stage 2 corporate complaints in quarter three (1 October 2018 to 31 December 2018)

9.1 During quarter three (1 October 2018 to 31 December 2018) the Council received four stage two corporate complaint.

## Stage 2 Complaints Comparison for Quarter 3



### 9.2 The Place Directorate received three complaints

- One complaint received for Parking Services in relation to process/procedure and officer conduct; outcome not upheld.
- One complaint received for Highways, Reactive Maintenance, in relation to salt gritting; outcome not upheld.
- One complaint received for Visitor Economy in relation to events that have taken place at a leisure centre; outcome not upheld

The Corporate Directorate received one complaint

- One complaint received for Revenues and Benefits in relation to outstanding council tax; outcome not upheld.

## 10.0 Corporate Compliments

10.1 All compliments are recorded by the Customer Feedback Team and reported as part of the team's quarterly monitoring process. During quarter three (1 October 2018 to 31 December 2019) the Council has received 116 compliments, a decrease from the previous quarter. Bereavement Services received 67, Planning received 29, followed by Customer Services receiving 10.

Compliments Received

116

### **Examples**

**Planning** – *It has been a pleasure working with you, very helpful throughout the project.*

\*\*\*\*\*

**Environmental Services** - *I would like to thank the council for the prompt and efficient response to an issue regarding broken branches at the rear of my property. Also your workers gave information regarding the trees which will help in the future.*

\*\*\*\*\*

**Customer Services** - *So at the end I spoke to a lady called XXXXXXX who works in admissions, she was so nice she helped me a lot with submitting my sons 5 preference schools, she was brilliant, this is the first time ever that a staff who I spoken to at City of Wolverhampton Council was so helpful and nice. Thank you again to XXXXX*

## **11.0 Area of Learning for Corporate Complaints**

Corporate, Place, People and Education Directorate services are committed to learning from customer feedback and require the completion of a tracking form from each complaint investigated at stage one. Where complaints highlight that things have gone wrong, heads of service, managers and the customer feedback team are required to identify these areas, implement remedies and review processes/procedures where necessary.

### **Examples of Corporate Stage 1 Learning**

**Complaint** – *Complaint in relation to registering a death with Registrars*

**Learning** - *Apologies given to customer via telephone and face-face. Liaised with Registrar General to fast track correction application. Customer attended the register office on the XXXXX to witness correction and reimbursement provided. Feedback relating to the complaint was given to the member of staff, and further training on how to deal with the bereaved*

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**Complaint** – *Complaint in relation to asbestos bags not being collected*

**Learning** – *Advised XXXXXXX of issues during handover of contract that resulted in delays to collecting asbestos; new service now in place so issues resolved*

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**Complaint** – *Complaint in relation to the timescale of waiting time on telephones*

**Learning** – *Apologised for wait times and assured customer various options being investigated to improve the quality of service; additional support and coaching carried out with officer to ensure this does not happen again*

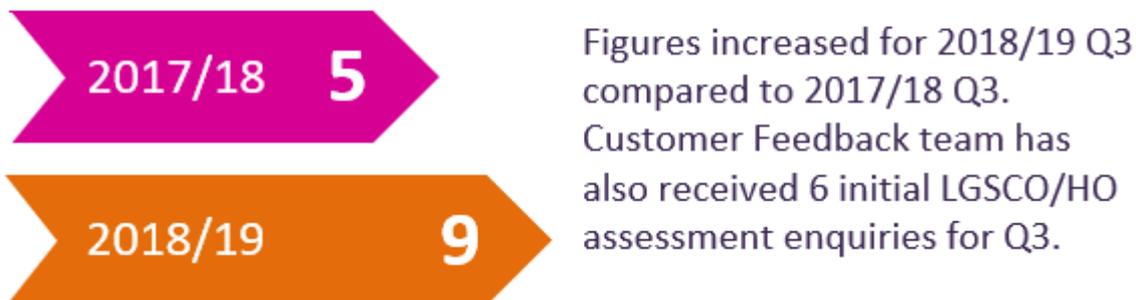
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**Complaint** – *Complaint in relation to bin men not emptying bin properly*

**Learning** - *Waste Supervisor has spoken to XXXXXXXXX regarding a bag of rubbish being taken of the top of her bin and placed onto her driveway. Waste Supervisor has also apologised to XXXXX about the operative's behaviour and he has spoken to the operative concerned, about the complaint. The waste collection crew returned the following day to the property and re-emptied the domestic bin. XXXXXX seemed to be happy with the outcome, and she now has XXXXXXXX telephone number, if she wishes to discuss any future issues.*

## 12.0 Local Government and Social Care Ombudsman Enquiries

### LGSCO/Housing Ombudsman Enquiries for Quarter 3



12.1 During quarter three (1 October 2018 to 31 December 2018) the council received seven Local Government and Social Care Ombudsman enquiries. The Corporate Directorate received one, Place Directorate received one, People Directorate received three, Education received one and Wolverhampton Homes received one.

12.2 The Corporate Directorate received one enquiry.

- one complaint for Revenues and Benefits in relation to finalising housing benefit claim and back payments; outcome not upheld, no maladministration.

12.3 The Place Directorate received one enquiry.

- one complaint for Planning Department in relation to planning permission for an extension of a property next to complainant's house; outcome, not upheld, no maladministration.

#### 12.4 The People Directorate received three enquiries.

- one complaint for Adult Services in relation to the council moving complainant from care home placements to sheltered accommodation and put in place a care plan at the sheltered accommodation which did not meet complainant's needs; outcome not upheld, no maladministration.
- one complaint for Adult Services in relation to care assessment/review that the council carried out does not reflect the complainant's needs; because of this the outcome/recommendation made by the council is wrong; outcome not upheld, no further action.
- one complaint for Children's Services in relation to the council failing to properly consider evidence in deciding concerns about a child's nursery that did not meet the Local Authority Designated Officer (LADO) threshold for an allegation's management meeting; outcome not upheld, no maladministration.

#### 12.5 The Education Directorate received one enquiry.

- One complaint for Special Educational Needs and Disability (SEND) Services in relation to the Council's failure to maintain an Education, Health and Care Plan (EHCP); outcome upheld, maladministration and injustice; remedy and actions implemented as per Ombudsman's final report.

#### 12.6 Wolverhampton Homes received on enquiry.

- One complaint for Wolverhampton Homes in relation to Right to Buy Scheme; outcome upheld, maladministration, no injustice; remedy and actions implemented as per Ombudsman's final report.

### **13.0 Housing Ombudsman enquiries**

#### 13.1 During quarter three (1 October 2018 to 31 December 2018) the council received two enquiries from the Housing Ombudsman. One enquiry received for Wolverhampton Homes and one enquiry received for Springfield Tenant Management Organisation (TMO).

- One complaint for Wolverhampton Homes in relation to leak at property; outcome upheld, maladministration; remedy and actions implemented as per Ombudsman's final report.
- One complaint for Springfield TMO in relation to leak at property; outcome awaiting final report from the Housing Ombudsman.

### **14.0 Local Government and Social Care Ombudsman assessment enquiries**

#### 14.1 During quarter three (1 October 2018 to 31 December 2018) the council received five Local Government and Social Care Ombudsman assessment enquiries. The Corporate Directorate received one, People Directorate received three and Education Directorate received one.

14.2 The Corporate Directorate received one enquiry.

- One complaint for Revenues and Benefits in relation to hardship due to shortfall between rent and housing benefit; outcome progressed to full investigation.

The People Directorate received three enquiries.

- One complaint for Adult Services in relation to no response to questions raised with the care home whilst service user was residing at care home; outcome closed after initial enquiries - no further action.
- One complaint for Adult Services in relation to actions of Council (including CCG, Hospital Trust and GP) failing to ensure continuing health care (CHC) funding; outcome progressed to full investigation.
- One complaint for Children's Services in relation to lack of support from Children's Services; outcome progressed to full investigation.

The Education Directorate received one enquiry.

- One complaint in relation to EHCP Plan not finalised; outcome progressed to a full investigation.

## **15.0 Housing Ombudsman assessment enquiries**

15.1 During quarter three (1 October 2018 to 31 December 2018) the council received one Housing Ombudsman assessment enquiry for Wolverhampton Homes.

- One complaint received in relation to water damage; outcome enquiry closed, no response from complainant.

## **16.0 Action Plans/Learning**

16.1 When a complaint is upheld (Council at fault) and the findings of a subsequent investigation is for a change to policy or service delivery, the Customer Feedback Team produce an action plan report. Recommendations within these reports are agreed with appropriate Heads of Service and shared with the relevant Service Director.

## **17.0 Complaint Training**

17.1 The Customer Feedback Team has compiled mandatory corporate complaint training for council officers, which is available via the council's learning hub. During quarter three, the learning and development team has confirmed 60 officers have completed the mandatory corporate complaint training. Statutory social care complaint training for Children's Services will be carried out by the Customer Feedback Team during March 2019.

## **18.0 Monitoring Information**

- 18.1 All complainants are requested to supply equalities monitoring information, however, response rates are low. In terms of the returns that have been received and analysed there are no concerns with the data analysis; there is no evidence of any groups being disproportionately affected.
- 18.2 The Council, being under the Public-Sector Equality Duty must, on an on- going basis, consider how its policies are working for the diverse communities a Council serves.

## **19.0 Single Point of Contact (SPOC)**

- 19.1 The Customer Feedback Team manages the Single Point of Contact (SPOC) function for the Council; this is in conjunction with our policy on the management of unreasonable complainant behaviour. The Customer Feedback Team are currently managing six cases; all cases are agreed and approved by Legal Services.

## **20.0 Financial Implications**

- 20.1 There are no financial implications associated with the recommendation in this report.  
[TT/04062019/E]

## **21.0 Legal Implications**

- 21.1 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.

[Legal Code: TS/01072019/G]

## **22.0 Equalities Implications**

- 22.1 There are no equalities implications associated with this report.

## **23.0 Environmental Implications**

- 23.1 There are no environmental implications associated with this report.

## **24.0 Human Resources Implications**

24.1 There are no human resource implications associated with this report.

## **25.0 Corporate Landlord Implications**

25.1 There are no corporate landlord implications associated with this report.

## **26.0 Health and Wellbeing Implications**

26.1 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 customers 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.

## **27.0 Schedule of Background Papers**

27.1 None for consideration.