

Cabinet (Performance Management) Panel

16 September 2019

Report title	Annual Social Care, Public Health and Corporate Complaints Report	
Cabinet member with lead responsibility	Councillor Sandra Samuels Governance	
Key Decision	No	
In Forward plan	No	
Wards affected	All	
Accountable director	Ross Cook, Director of City Environment	
Originating service	Customer Services, Customer Feedback Team	
Accountable employee(s)	Sarah Campbell Tel Email	Customer Engagement Manager 01902 551901 Sarah.campbell@wolverhampton.gov.uk
Report to be/has been considered by	Leadership Teams Finance, Governance, Regeneration, Housing, Adult, Children's, Public Health, Education, City Environment (Strategic and Operational)	August 2019

Recommendations for decision:

The Panel is recommended to:

1. Review complaints management and performance for the period 1 April 2018 to 31 March 2019.

Recommendations for noting:

The Panel 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.

1.0 Purpose

- 1.1 The purpose of this report is to provide a summary of the complaints, compliments and Local Government and Social Care Ombudsman and Housing Ombudsman enquiries received by the council during the period 1 April 2018 to 31 March 2019.

2.0 Introduction

- 2.1 This report details a total of 546 formal complaints received by the council in 2018/2019. In addition to this, there were 146 social care informal complaints received and resolved, preventing the issue from becoming a formal complaint; the complaints team also received and resolved 1,223 corporate service requests. The resolutions are achieved by the complaints team working together with the person raising the concern and the services involved. Therefore, a total of 1,915 service requests, informal enquiries and complaints were received and dealt with by the complaints team during 2018/2019 compared to 1,628 during 2017/2018; an increase of 287 enquiries.

3.0 Complaints, Compliments and Ombudsman enquiries

- 3.1 These enquiries are considered as a form of customer feedback. They are all registered and monitored by the Customer Feedback Team based within City Environment Directorate. Monitoring customer feedback provides details about the types of complaints and compliments that are received by the authority and highlights any improvements or amendments made to service provision or delivery.

4.0 Complaints Procedures

- 4.1 Complaints procedures are a mechanism to identify problems and resolve issues. If things go wrong or fall below expectation, we try to sort things out quickly and fairly. We also want to learn from our mistakes or concerns that arise and will make changes to improve services.
- 4.2 This report is divided into two parts; Section 1 encompasses complaints that come under statutory Children's Services, Adult Services and Public Health complaints and Section 2 covers complaints relating to corporate complaints, Local Government and Social Care Ombudsman and Housing Ombudsman enquiries.

SECTION 1: Children's Services, Adult Services and Public Health Complaints Activity - 1 April 2018 to 31 March 2019

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.

3.0 Children's Social Care Complaints and Compliment Activity 2018/19

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

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

3.2 All Children Act complaints must be made known to the Customer Feedback Team who are responsible for registering all complaints. The Team will then monitor the progress of the complaint, ensuring that a written response is provided to the child/young person or the person representing them and that the response is of good quality and addresses all areas of complaints.

3.3 **Access to the Complaint Process:** Children and young people are made aware of their right to complain, comment or compliment about the service they receive. This can be by written information such as a complaint leaflet, email, website and/or verbally by their allocated worker or the Independent Reviewing Officers and Child Protection Conference Chairs.

3.4 **Advocacy:** Young people who complain on their own behalf must be offered the services of an advocate. The Black Country Advocacy Service provide this support. The Children Services Managers and the Complaint Engagement Manager meets with the manager of the advocacy service on a quarterly basis to ensure that performance

is monitored in areas such as good access to the complaint process; a focus on early resolution, speedy responses, and that effective advocacy is available and taking place.

3.5 The Complaints Procedure for Children's Social Care Services has three stages

- Stage One: Problem solving and informal resolution.
- Stage Two: Formal Complaint investigation.
- Stage Three: Independently Chaired Review Panel.

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

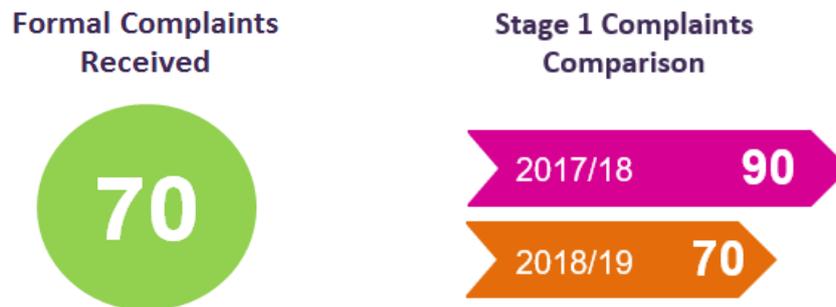
Stage Two: Where a complaint cannot be resolved satisfactorily at the first stage it may progress to stage two of the procedures, this is the formal complaint investigation stage. A considerable amount of work takes place to try to resolve matters – seeking to prevent the need for matters to escalate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

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

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

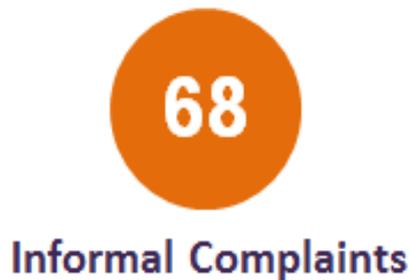
4.0 Children's Services Complaint Activity 2018/19

4.1 The overall number of children social care complaints received from 1 April 2018 to 31 March 2019 was 70, compared to 90 in 2017/18; this is a decrease of 20 complaints (22%). The overall number of complaints has decreased.



4.2 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; 68 were received and resolved during 2018/19 compared to 64 in the previous year 2017/18; an increase of 4.

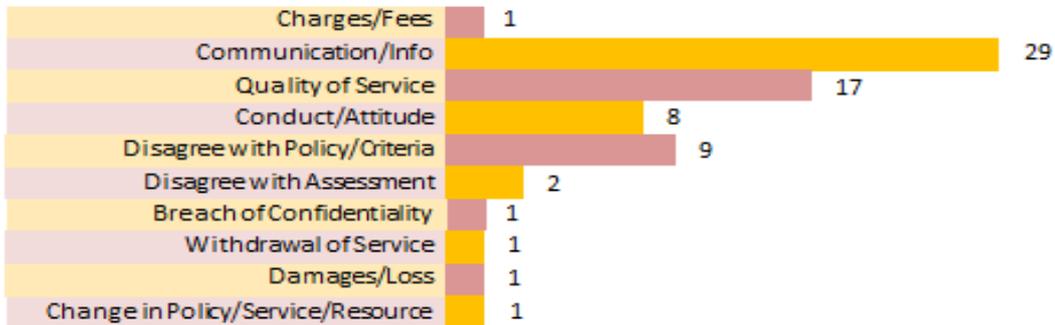


This gives a total of 138 formal and informal complaints logged and concluded during 2018/19 in comparison to 2017/18 of 136; an increase of 2.

4.3 Complaint Issues

This is the stated complaint issue raised by the complainant. The most frequently complained about issue, in relation to Children's Services, was Communication and Information with 29 in 2018/19. This is compared to 35 in the previous year. Quality of Service was the second largest issue with 17 complaints in 2018/19 compared to 23 in the previous year.

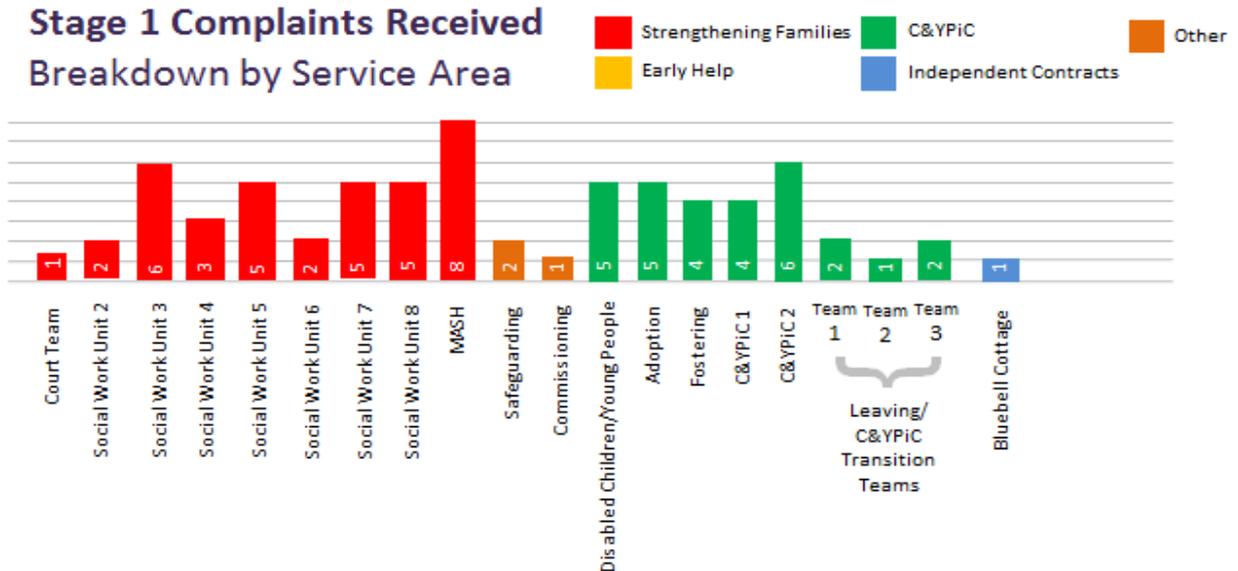
Stage 1 Complaints Received Breakdown by Category



4.4 Service Areas

The 70 complaints received in 2018/19 involved 20 separate service areas across Children’s Services. The highest figure of eight referred to Multi Agency Safeguarding Hub (MASH).

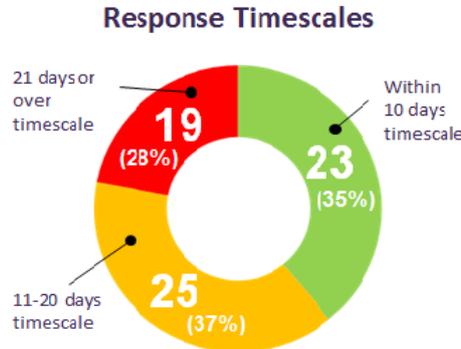
Stage 1 Complaints Received Breakdown by Service Area



4.5 Timescale Compliance

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

- 4.6 Including five complaints from the previous year, 67 complaints were closed during 1 April 2018 to 31 March 2019 of which 23 were responded to and concluded satisfactorily within the initial 10 day statutory timescale. A further 25 complaints were responded to within 20 days with 19 taking over 20 days.



- 4.7 However, it should be noted that of the 67 complaints resolved during this period, 44 were dealt with in accordance with the Children's Act and the average timescale is 14 days. 22 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 20.5 days.

Average Complaint Response Time



Given the growing complexity of complaints this response time remains positive, however, we will need to reduce the average response time where possible to ensure continued excellent performance against KPI's, whilst ensuring that a full and effective response is provided to all individual complainants.

4.8 Complaint Outcomes

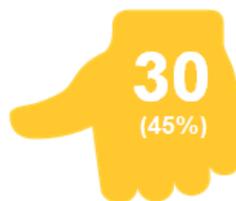
At the conclusion of each complaint we ask that the manager/senior manager who has enquired into it reaches a finding. This is to decide if the complaint is upheld, not upheld or partially upheld. This in turn assists in setting out the actions required to resolve the complaint, such as an apology, explanation, review of service, etc. Of the 67 stage one complaints responded to and closed from 1 April 2018 to 31 March 2019, 17 were upheld, 30 were partially upheld and 20 were not upheld.

Complaints Where The Council Is At Fault (Upheld)



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

Complaints Where The Council Is Partially At Fault



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

Complaints Where The Council Is Not At Fault



Customer advised of outcome; including rationale.

4.9 Formal Complaint Investigations

Where the complainant is dissatisfied with the written response at stage one 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.

During 2018/19 Children's Services saw nine complaints out of the 70 complaints received progress to stage two formal complaint investigation; one in accordance with the Statutory Complaints Procedure (Children's Act) and eight in accordance with the Corporate Complaints Procedure (Non-Children's Act). This compares to eight in 2017/18; of which four (Statutory) and four (Corporate).

It is pleasing to see a decrease in the number of complaints escalated to stage two of the Statutory Complaints Procedure during 2018/19, as this process involves appointing an external Independent Investigating Officer and an Independent Person. A considerable amount of mediation goes into resolving complaints that would otherwise proceed to stage two. This approach concludes matters speedily for the complainant, but it is also highly cost effective as the average cost of a statutory stage two complaint investigation is between £2,500 to £4,500.

It is still anticipated that the demand for complaints to progress to a stage two complaint investigation will grow in 2019/20. This is due to the increased complexity of complaints and the difficulties involved in providing resolutions to those complaints.

However, every effort is and will be made to work with the complainants to resolve matters at the early stage of receiving the complaint.

5.0 Stage Three Review Panels

5.1 Should a complaint not be resolved to the satisfaction of the complainant, following a formal investigation at stage two the complainant can request that it progresses to stage three (Independent Complaint Review Panel). Two requests were made for a stage three Panel during 2018/19. These referred to Children in Need/Child Protection.

6.0 Compliments

6.1 During 2018/19 Children/Young People, or their representative, took the opportunity to present 105 compliments for Children's Services, compared to 98 in the previous year; an increase of seven.



Compliments

EXAMPLES

"I haven't been unhappy with my service at all and I like that I have a relationship with my Social Worker."

"I just wanted to write and let you know what a great job the Social Worker has done for XXX Life Journey Work. Lots of communication with myself; she really listened and understood, not only that but she also clearly knew how Life Journey Work should be done. It is presented beautifully and set out in a really child friendly way."

"Thank you for all your help and support which we have found to be invaluable. We are all well and XXX is doing very well."

"I am writing this email with much sadness at the thought of losing you. I cannot put into words how much you have supported me and my family in getting through some tough times. It has also been nice to celebrate our successes as a family and share

these with you. You have been an immense support to my family and have made such a difference and you are by far the best Social Worker I have ever had in the entire time I have been involved with Social Services.”

“I attended the Compass Event in Birmingham and wanted to state with you that while Wolverhampton’s staff did not offer gifts, bags and other items you did offer the best service and information to me as a Student Social Worker. I had not considered your Authority, but I certainly will now. This is due to what your staff presented being the friendliest and the knowledge they shared.”

“Compliment received from complainant following the Stage 3 Panel Review meeting in relation to all the support she has received from the Customer Engagement Officer for guiding her through the complaint process.”

7.0 Public Health Complaints

7.1 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.

In relation to Public Health services there were two complaints received during 2018/19:

- 1) A major conflict of interest in that Public Health was involved in the planning and funding of the pitch. The complaint was not upheld.
- 2) Lack of support services in Wolverhampton for stopping smoking. The complaint was partially upheld.

8.0 Adult Social Care Complaints

8.1 During this year (1 April 2018 to 31 March 2019) the Council received 74 formal complaints (including two Public Health) compared with 81 during 2017/18; representing a decrease of seven complaints.



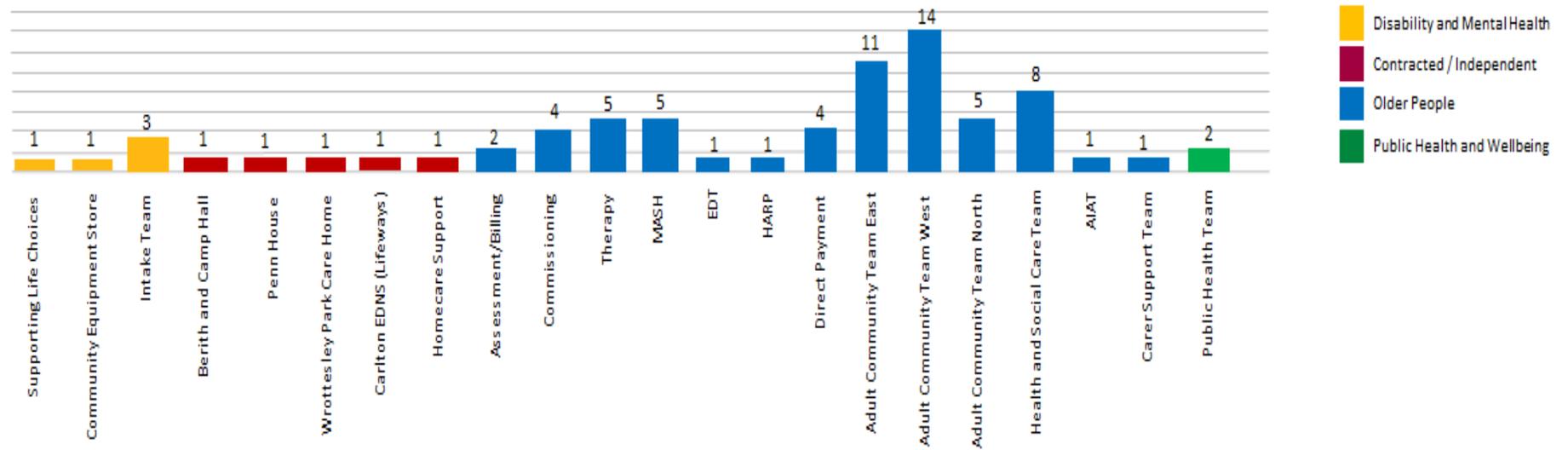
8.2 Of the 74 formal complaints received, there were five complaints received in relation to the Independent Providers. This is where Adult Social Care commission an independent agency to deliver a service on its behalf, such as a domiciliary care service.

8.3 Service Areas

This refers to the service the person is complaining about. The 74 complaints received covered 22 separate service areas; the highest figure of 14 complaints referred to the Adult Community Team West followed by the Adult Community Team East who received 11, and the Health and Social Care Team who received eight.

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Stage 1 Complaints Received Breakdown by Service Area



8.4 Complaints Outcome

At the beginning and end of each year there will be a number of complaints ongoing, moving into the following year before being concluded. Overall, the number of complaints resolved during 2018/19 was 69. Each complaint is responded to individually with a 'finding' reached as to whether the complaint was justified, i.e. upheld, not upheld; or whether there are aspects of the complaint that should be partially upheld.

Complaints Where The Council Is At Fault (Upheld)



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

Complaints Where The Council Is Partially At Fault



Issues have been identified from partially upheld complaints and have been addressed; remedies have been provided to the customers by apologising

Complaints Where The Council Is Not At Fault

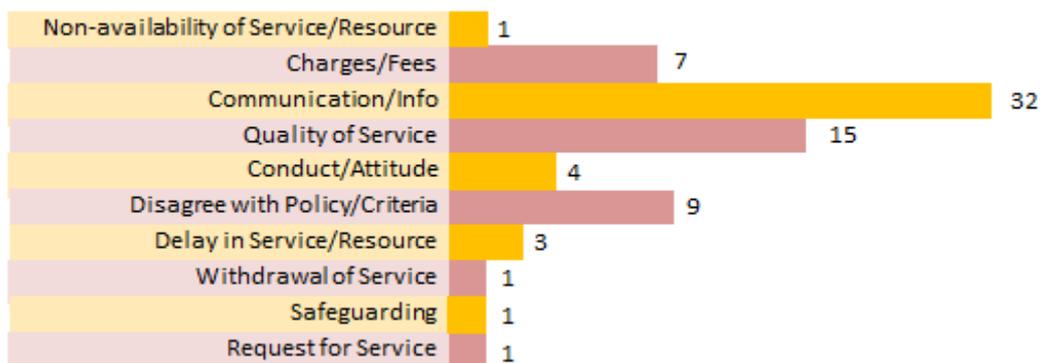


Customer advised of outcome; including rationale.

8.5 Complaint Issues

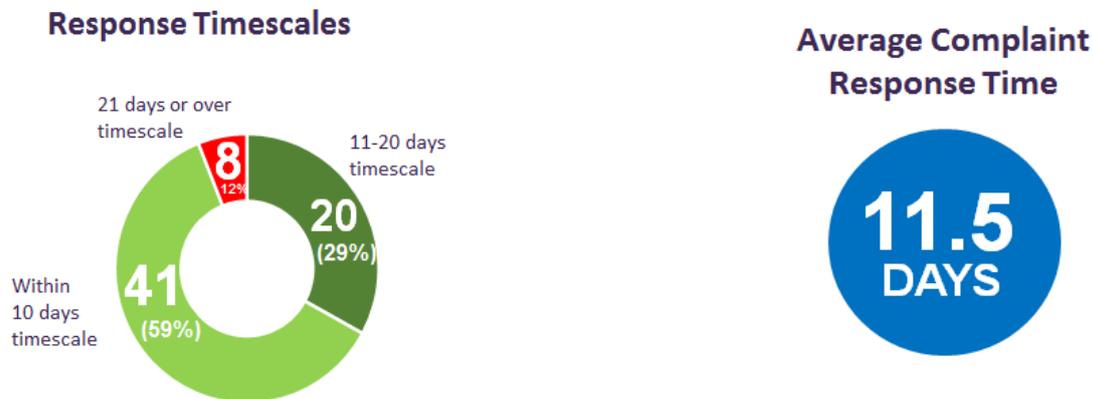
This is the stated complaint issue raised by the complainant. The most frequently complained about issue in relation to Adult Services was Communication/Information with 32 in 2018/19; this is compared to 30 in the previous year. Quality of Services was the second largest issue with 15 complaints during this period compared to 21 in the previous year. These are the headings under which we register the complaint against, based on the complaint details received.

Stage 1 Complaints Received Breakdown by Category



8.6 Timescale Compliance

When responding to Adult Social Care and Public Health Services complaints, the People Directorate sets a target timescale of ten working days to provide a written response to the complaint. However, this can be extended where a complaint is complex or covers several service areas. During 2018/19, 41 complaints out of the combined total of 74 Adult and Social Care and Public Health complaints received in this period were responded to within ten working days. A further 20 complaints were responded to within 11 to 20 working days and eight complaint was responded to over 21 working days. The average number of days to respond and close all complaints over the term was eleven and a half 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.



8.7 It can be difficult to meet the 10 day response time; this is due to a number of factors, including the increased complexity of complaints and the demands on the services. However, every effort will continue to be made to respond within the agreed timescales for 2019/20.

9.0 Informal Complaints

9.1 This is where the complaints team works alongside the person complaining and the service involved, to resolve the complaint informally, preventing it becoming a formal complaint. It should be noted that 78 complaints were resolved informally without going through the formal route.



10.0 Compliments

10.1 All compliments are recorded by the Customer Feedback Team and reported as part of the team's quarterly monitoring process. A pleasing 161 compliments were received from 1 April 2018 to 31 March 2019 relating to Adult Services and Public Health Services, compared to 223 compliments during 2017/18; a decrease of 62.



EXAMPLES

“A mom wanted to express her thanks to two members of staff for providing the support and physical assistance that her son required to enable him to attend his father’s funeral and to remain for the Wake. Without the physical assistance and staff accompanying her son it would have been impossible for him to attend. She stated that staff have always been devoted to the care and support that they provide.”

“We would like to take the opportunity to thank you for supporting us as a family with the move and putting everything in place; also for making things as smoothly as possible. You have been brilliant.”

“I would just like to say what an absolute pleasure it was meeting you and thank you for all your hard work you put in to complete XXX’s reassessment, it was great to be kept informed as you did all the time. I was very impressed with how you did this and really very grateful to you for what you have done. I was also very impressed with the meeting you conducted. You are a credit to your profession. Again, a massive thank you on behalf of XXX and also myself and the rest of the family too.”

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

“Compliment received advising that the Student Social Worker was very professional and was thanked for all the input for the whole family that she had arranged which had helped with XXX’s recovery and he is on the mend now.”

“You have honestly given us our mom back for a few years with your diligence and care and trust and honesty with our family. It is difficult to find a Social Worker who has the time. I appreciate all of the difficulties in the social work role having had experience myself and it gives me even more reason and appreciation for your due diligence and care for our mother and my father too. You and your team have really been there for mom and aunt which has allowed our family to stay together and supporting each other as a result. Had you not done so with such a high level of service firstly I am not sure how well my mom would be fairing and secondly in relation to the family circumstances I know that life would have been a lot more stressful and difficult during a period of change and difficulty – Thank you.”

“I just wanted to formally compliment the amazing support received in the care of my father from the Social Worker.”

11.0 Areas of Learning from Complaints

- 11.1 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 child being adopted by her foster carers instead of complainant’s who are approved adopters.*

Learning/Recommendations – *Explain the level of uncertainty re ‘early alert’ cases. Change of practice – Relevant Social Work Unit Manager will Chair professionals meeting to consider foster carers’ expression to adopt. Also devise a Policy re adopters expressing an interest to adopt.*

Children’s Services – *Concerns regarding the assessment being littered with complete fabrication and inaccuracies with no evidence to support opinions expressed about complainant and her family. Also, an outcome letter sent by Social Worker suggesting that a hate crime has taken place.*

Learning/Recommendations – *All Social Workers to be reminded to communicate effectively with families to ensure that they understand processes that are taking place and convey outcome from any assessments which may be completed. This will be done via team meetings and correspondence with extended service such as EDT.*

Children's Services – Complaint about letter received because a lot of things are not factual and her circumstances for that period have been misrepresented by the Social Worker.

Learning/Recommendations – Ensure that case notes are accurate. Ensure that all financial information gathered are stored on the Care First system.

Children's Services – Complaint in relation to children's belongings not going with them when they moved placements.

Learning/Recommendations – Review Policy/Procedures in respect of placement changes; including checklist for children's belongings. Discussion in team meetings re importance of ensuring all children's belongings and savings are accounted for when there is a placement change. Clear recordings of amount of savings in appropriate forms (visit form – this is to be checked on every visit).

Adult Services – Complaint in relation to care hours being reduced.

Learning/Recommendations – Referrals will be made to a range of professionals to provide their professional opinion. This matter will also be discussed with the Social Worker to ensure the appropriate referrals are made to the appropriate professionals to assist in making a decision about the care and support needs of adults with Learning Disabilities.

Adult Services – Complaint in relation to delays in allocating a social worker. Once allocated Social Worker, the Social Worker was unallocated due to lack of experience. Several messages were left and no telephone calls returned. Wrong telephone number was provided to the Complaints Team.

Learning/Recommendations – Improve our communication skills with the family and other involved partner agencies. a) Ensure that any future changes where a person is moved to another Social Worker will need to be communicated with the family. b) Ensure that managers maintain good communication; especially when people are being transferred to another Social Worker. c) Ensure that this is recorded. d) Ensure that messages are responded to in a timely manner. e) Ensure that managers consider the skills of the Social Worker when allocating people in the future.

Adult Services – Complaint regarding difficulty to report broken/faulty equipment.

Learning/Recommendations – Stores Team to draft a Procedure to ensure regular testing of the Out of Hours system. Also Stores to investigate the Out of Hours

arrangements for other items of equipment that may require this service. This arrangement currently only covers hoisting equipment.

Adult Services – *In summary we were informed that Social Services were providing the care for a month, and it was only after we received notification that this period was running out (albeit with wrong information being given to us by Social Services) that we requested a further week to enable us to sort out funeral arrangements for relative.*

Learning/Recommendations – *Practice issues to be raised with identified Social Worker during 1:1 session and documented accordingly. Senior Manager to monitor. Recommendation that 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.*

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SECTION 2:

CORPORATE COMPLAINTS ACTIVITY

SECTION 2 - Corporate Complaints Activity, Local Government and Social Care Ombudsman and Housing Ombudsman

1.0 Background

- 1.1 This section provides a summary of the corporate complaints, compliments, Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman enquiries received by the Council during 1 April 2018 to 31 March 2019.
- 1.2 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, LGSCO and Housing Ombudsman enquiries are considered a form of customer feedback.

2.0 Informal service requests/enquiries

- 2.1 The customer feedback team works alongside the person complaining and the service involved, to resolve the complaint informally, preventing it becoming a formal complaint; the team also provides support to the managers investigating the complaints to ensure that they meet response deadlines and provide quality written responses. It should be noted that 1,223 service request enquiries were logged with the customer feedback team, compared to 955 received during 2017/2018, an increase of 268 cases. These types of enquiries are varied, for example, missed bin collection, parking, appeals; all enquiries were logged and resolved informally without going through the corporate complaints procedure, therefore providing a better outcome for the customer.

3.0 Corporate stage 1 complaints received

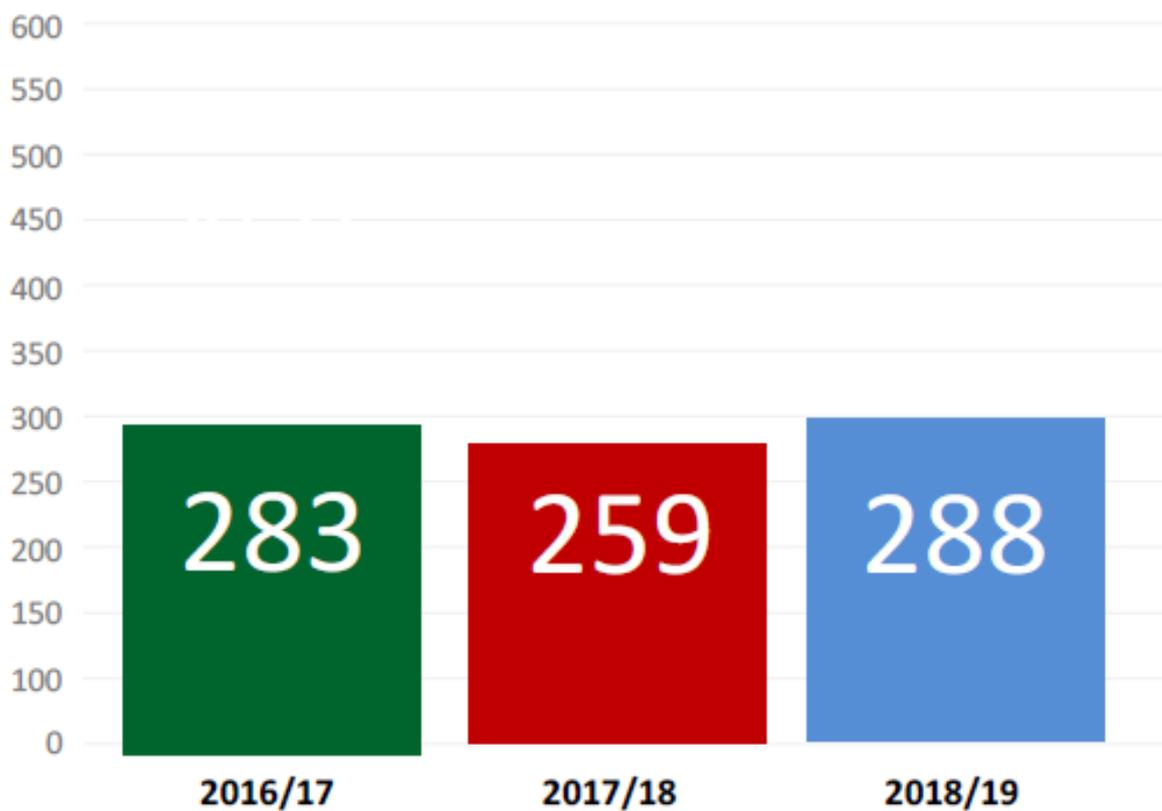
Complaints Received



288

- 3.1 During 1 April 2018 to 31 March 2019 the Council received 288 stage one complaints compared with 259 in the previous year (1 April 2017 – 31 March 2018); an increase of 29 cases.

Stage 1 Complaints Comparison



3.2 Number of Complaints for each Directorate

The 288 complaints received during 2018/2019 are broken down as follows per Directorate:



Complaints where the Council is not at fault



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

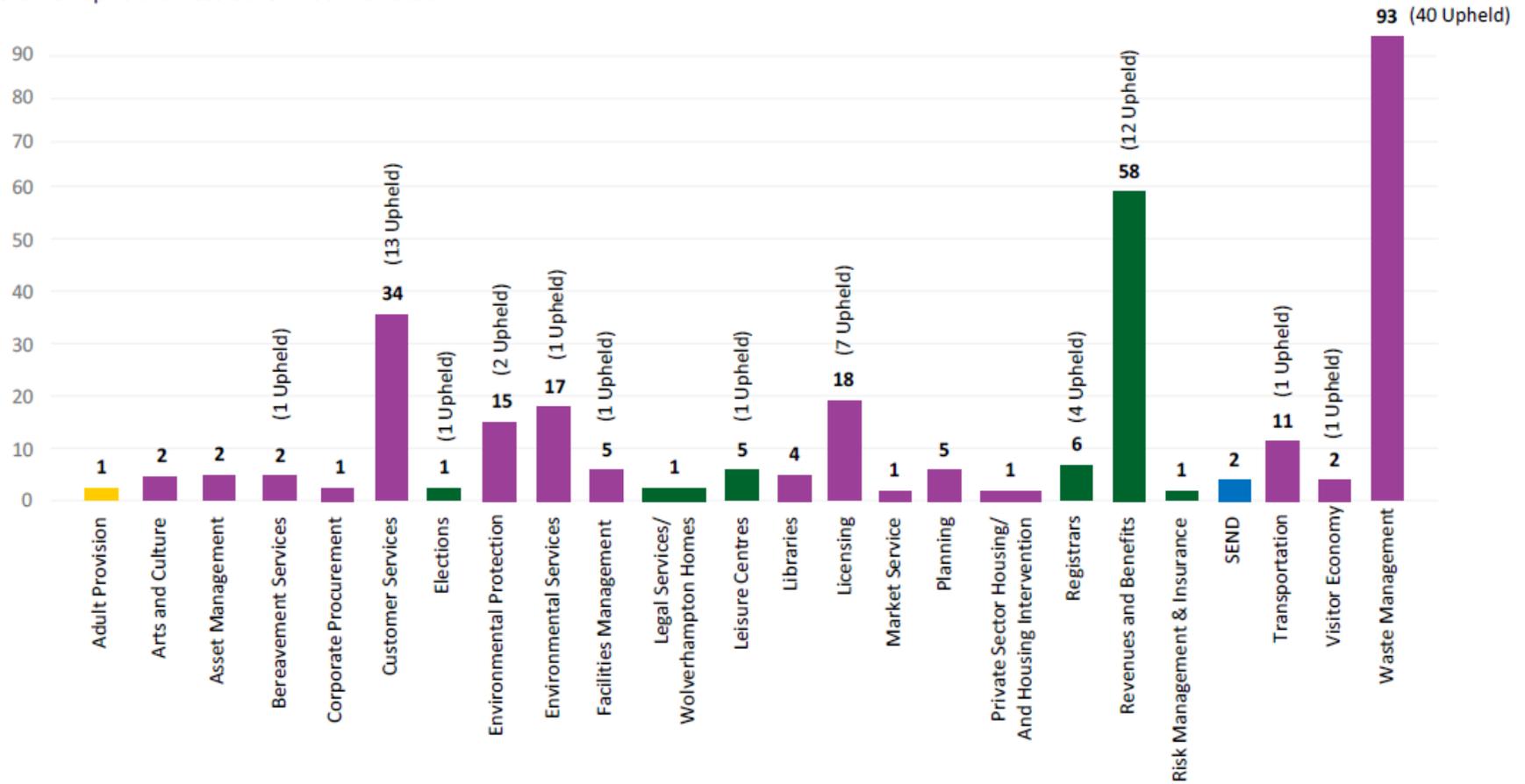


Issues have been identified from 85 upheld complaints and have been addressed; remedies have been provided to the customers by apologising and informing them of the improvements that have been made.

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Stage 1 Complaints Received Breakdown by Service Area

Complaints were not upheld unless otherwise indicated.



3.3 Complaints in relation to Service Areas

This refers to the service the person is complaining about. The 288 complaints covering 24 separate service areas, the highest figure of complaints referring to Waste Management; an increase in complaints for waste management reflects the changes in refuse service and policy. Revenues and Benefits received 58, followed by Customer Services receiving 24. In some cases, this has followed extensive but unsuccessful attempts to resolve some of those matters at service level. As a result of continuous monitoring with service managers, the complaint issues that are identified from upheld complaints have been addressed; remedies have been provided to the customers by apologising and informing them of the improvements that have been made.

3.4 Corporate Complaint Nature

During 1 April 2018 to 31 March 2019 the main issue of complaint involved failure to provide a service 155, followed by dissatisfaction of council policies 43, conduct of employees 39, failure to achieve standards/quality 15, failure to consider relevant matters 15, delays in responding or administrative 12, failure to fulfil statutory responsibilities 8 and bias/unfair discrimination 1.

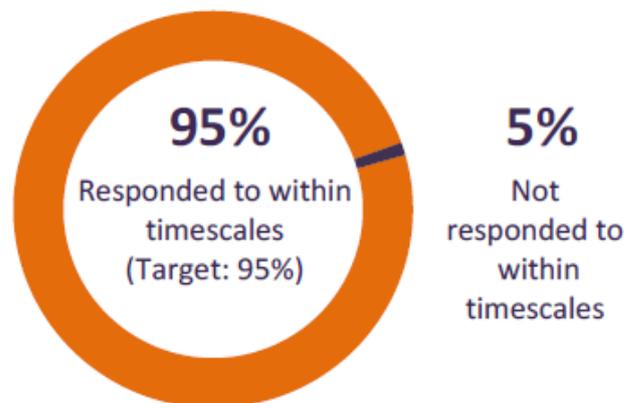
3.5 Corporate Timescales

The average response time for responding to each complaint is 13 days. This figure has increased from the previous year of 11 days. The average response timescales will be monitored closely with service groups to ensure targets are met. The response timescale for stage 1 complaints responding within 21 calendar days is 95%, which has reached our target of response timescales of 95%.

Average Complaint Response Time



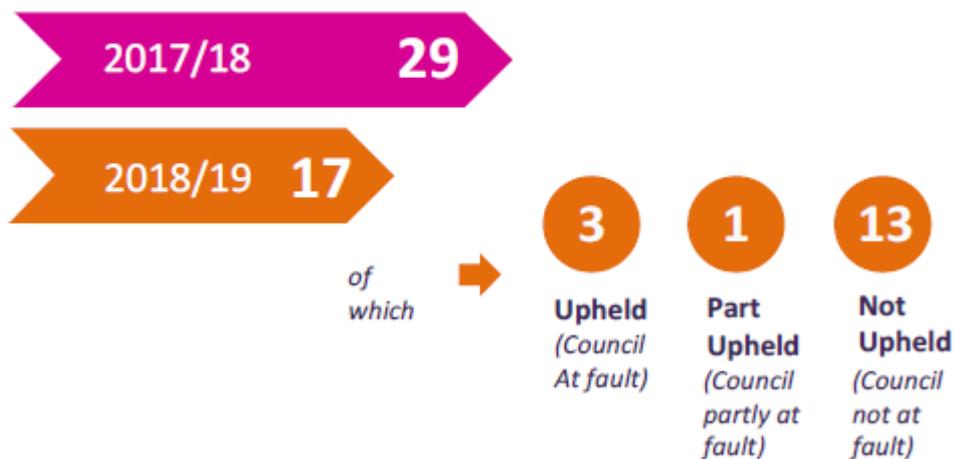
Response Timescales



4.0 Stage 2 corporate complaints

- 4.1 During 1 April 2018 to 31 March 2019 the Council received 17 stage two corporate complaints. Out of the 17 corporate stage two complaints received, the Place Directorate received 12, Corporate Directorate received three and Education Directorate received two. Out of the 17 corporate complaints received, three were upheld and one partially upheld.

Stage 2 Complaints Comparison for 2018/2019



- 4.2 The Place Directorate received 12 stage two complaints
- Environmental Services received two complaints; one complaint received in relation to removal of gate from council land; outcome not upheld. One complaint received in relation to overhanging trees at the side and back of property; outcome not upheld.
 - Regeneration received two complaints; one complaint received in relation to staff room facilities at Bob Jones Community hub; outcome not upheld. One complaint received in relation to an event at Aldersley Leisure Centre; outcome not upheld.
 - Environmental Crime received one complaint in relation to fly tipping and rediffusion cable; outcome partially upheld.
 - Planning received one complaint in relation to an approved extension to a neighbour's property; outcome not upheld.
 - Procurement received one complaint in relation to opportunities to supply turf to the City of Wolverhampton Council and officer conduct; outcome not upheld.
 - Parking Services received one complaint in relation to process/procedure and conduct for Parking Services; outcome not upheld.

- Highways Department received one complaint in relation to salt gritting on the highway; outcome not upheld.
- Customer Services received one complaint in relation to incorrect process and protocol carried by the Hub Support Team when a customer submitted payroll information; outcome upheld.
- Facilities Management received one complaint in relation to lack of response in relation to refund of a booking; outcome upheld
- Licensing Department received one complaint in relation to delays in issuing a taxi licence; outcome not upheld.

Corporate Directorate received three stage two complaints; three complaints received were in relation to Revenues and Benefits; one complaint received was in relation to officer conduct whilst reviewing a council tax account; outcome not upheld. One complaint was in relation to council not following tenants wishes and forcing tenant into arrears; outcome not upheld. One complaint was in relation to the council's response to outstanding council tax; outcome not upheld.

Education Directorate received two stage 2 complaints; two complaints received were in relation to SEND Team; one complaint was in relation to process/procedure with implementing EHCP; outcome not upheld. One complaint was in relation to EHCP not being finalised and no securing of a school place; outcome upheld.

5.0 Corporate Compliments

- 5.1 All compliments are recorded by the Customer Feedback Team and reported as part of the team's quarter and annual monitoring process. During 1 April 2018 to 31 March 2019 the Council has received 513 compliments, an increase from the previous year of 141.

Annual
Compliments
Received

513

Examples

Waste Management - Compliment for Anchor Lane Tip - I recently lost my mum and we are in the process of emptying her home. I went to anchor lane on Monday with my

daughter in law. I got very distressed there having to discard my mums home items we can longer keep. XXXXXXX and his colleagues were extremely kind and compassionate towards me at a very busy time there. Could you please pass on my sincere thanks to all of them. Monday was not the first or last time I had to visit anchor lane. They are all a credit to your organisation. If you have annual colleague recognition awards, I would definitely nominate them for their professionalism and kindness towards service users.

Environmental Services – *I wish to compliment whoever is responsible for the lovely spring bulbs everywhere. In my case Tettenhall Green is so beautiful with crocuses, purple ones especially, and snowdrops too. All will seed and multiply ensuring a show for years to come. Keep up the good work everyone feels better seeing such beauty.*

Customer Services - *I would like to send a compliment to the lady who had recently dealt with application. The officer had been very patient and has treated me with respect whilst dealing with my application. I think the officer is a credit to the council and needs commending for the skills when dealing with customers*

Revenues and Benefits - *A compliment for Revs and Bens Assessment and Recovery officer - I take this as opportunity to compliment a member of your Housing Benefit Team. This member of staff has been most helpful and pleasant with excellent telephone manner throughout my dealings with her on what was a very in depth problem caused by a government department.*

Planning - *Further to our recent dealings over my application, I would like to thank you for your time and professional way in which you dealt with. I appreciate, how patiently you provided all necessary information, how involved you were, and how it made my inquiry feel taken care of :) as well as your excellent communication skills, and focus on my case.*

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

6.0 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 corporate 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 Customer Service procedure when of signing in/out at the Civic Centre reception*

Learning – *The service has reviewed visitor management system, to include equalities analysis and sought advice from partner agencies for best practice for customers with disabilities*

Complaint – *Complaint in relation to service received from Registrars in relation to spelling of a name*

Learning – *Registrar General contacted for advice to established use of spelling of a name; this information was shared with all registration officers; an apology was issued to the customer and arrangements made for the customer to attend registrar office and resolve enquiry*

Complaint – *Complaint in relation to business rates department and enforcement agents holding incorrect information*

Learning – *The service established that contact details of the liable person was not updated correctly and when later received was not notified to enforcement agents, so agents attended the incorrect property. Service reminded all staff to follow correct procedures to avoid future errors; also to remind enforcement agents that in all cases where identification is offered to check the information and make necessary enquiries with CWC*

7.0 Local Government and Social Care Ombudsman Enquiries

LGSCO/Housing Ombudsman Enquiries for 2018/2019



Annual Figures increased for 2018/19 by 5 cases compared to 2017/18. Customer Feedback team has also received 54 initial LGSCO/HO assessment enquiries for 2018/19.

- 7.1 During 1 April 2018 to 31 March 2019 the council received 26 Local Government and Social Care Ombudsman (LGSCO) enquiries six Housing Ombudsman enquiries; a total of 32 enquiries for LGSCO and Housing Ombudsman.
- 7.2 Out of the 26 LGSCO, the Corporate Directorate received three enquiries, Education Directorate received one enquiry, People Directorate received 11 enquiries, Place Directorate received nine enquiries and Wolverhampton Homes received two enquiries.
- 7.3 The Corporate Directorate received three enquiries; one enquiry for Revenues and Benefits in relation to delays in finalising her housing benefit claim and Council's refusal to back date payments; outcome not upheld, no maladministration; one enquiry for Revenues and Benefits in relation to conflicting information provided regarding Council Tax and disputing third party living with complainant; outcome closed after initial enquiries, out of jurisdiction; one enquiry for Democratic Support, in relation to panel failing to properly consider a case, including the fact the application should not have been treated as late; outcome Ombudsman confirmed that final decision has been submitted to the school direct.
- 7.4 The Place Directorate received nine enquiries; One enquiry for Environmental Services in relation to a tree on council's land, causing problems with her garden, shedding leaves, pollen and a sticky white substance and droppings; outcome closed after initial enquiries, no further action. One enquiry for Waste Management in relation to council failing to empty her waste bins for over six months and delays incurred in replacing damaged bins; outcome upheld, maladministration and injustice. Two enquiries for Planning in relation to the actions of the Council in approving the planning application for new houses and the council's enforcement actions during the construction of the development; outcome upheld; maladministration and injustice. One enquiry for Planning in relation to planning permission for the extension of a property next to a house and no notification from the council that the customer had a statutory right to appeal against a decision; outcome not upheld, no maladministration. One enquiry for Transportation in relation to council introducing a traffic regulation order to restrict parking in his area; outcome closed after initial enquiries - out of jurisdiction. One enquiry for Parking Services in relation to Council's refusal to compensate residents for a failure to enforce parking restrictions; outcome closed after initial enquiries, no further action. One enquiry for Licensing Department in relation to the council delaying processing a taxi driver

licence application; outcome closed after initial enquiries, no further action. One enquiry for Transportation in relation to the council failing to properly consider whether it should prioritise a residential road for winter maintenance (salt gritting); outcome, not upheld, no maladministration.

- 7.5 The People Directorate received 11 enquiries; Adult Services received six enquiries and Children's Services received five enquiries outlined below.

Adult Services six enquiries as follows; One enquiry in relation to the council not providing adequate support to individual as a carer since November 2016, home based respite care has not allowed him/her to have a proper break and this is affecting him/her health; outcome not upheld; no maladministration. One enquiry in relation to the council not providing care and support for son since November 2016; outcome not upheld, no further action. One enquiry in relation to move of care home placements to sheltered accommodation and care plan at the sheltered accommodation which did not meet needs; outcome not upheld, no maladministration. One enquiry in relation to care assessment/review that the council carried out; outcome not upheld, no further action. One enquiry in relation to actions of council failing to ensure continuing health care (CHC) funding; outcome not upheld, no maladministration. One enquiry in relation to the council failed to deal properly with safeguarding concerns; outcome not upheld, no maladministration.

Children's Services five enquiries as follows; One enquiry in relation to Complaint regarding Council failed to properly consider evidence in deciding that his concerns about a nursery did not meet the Local Authority Designated Officer (LADO) threshold for an allegation management meeting in July 2018; outcome not upheld, no maladministration. One enquiry in relation to council's failure, until 2018, to accept resignation as a foster carer in writing; outcome upheld, maladministration and injustice. One enquiry in relation to council failing to pay her a mileage allowance since April 2016 for transporting foster children to school as their schools fell outside of the statutory travel limits causing financial distress; outcome awaiting Ombudsman final decision. One enquiry regarding the council failed to offer an appropriate remedy for faults identify in relation to child placed with family and offer a meaningful payment taking into account the specific financial loss; outcome upheld, maladministration and injustice. One enquiry in relation to failings in the way the council told parents and a special school that short break funding could not be used to pay for After-School Club sessions; outcome upheld, maladministration, no injustice.

- 7.6 The Education Directorate received one enquiry in relation SEND team's failure to maintain an Education, Health and Care Plan (EHCP); outcome upheld, maladministration and injustice.

For all upheld complaints, action plans and remedies have been carried out by the relevant services with the support of the Customer Feedback Team.

- 7.7 Wolverhampton Homes received two enquiries; One enquiry in relation to the Council not investigating complaint about how anti-social behaviour complaint was handled; outcome not upheld, no maladministration. One enquiry in relation to the council failing to inform complainant about discount regarding Right To Buy Scheme; outcome upheld,

maladministration, no injustice. Action plan, orders and recommendations have been carried out by accordingly.

8.0 Housing Ombudsman enquiries

8.1 During 1 April 2018 to 31 March 2019 the council received six Housing Ombudsman enquiries. Wolverhampton Homes received five enquiries and Springfield Tenant Management Organisation (TMO) received one enquiry.

Wolverhampton Homes received five enquiries as follows;

One enquiry for Wolverhampton Homes in relation to actions in response to allegations of ASB from neighbour; outcome no maladministration.

One enquiry for Wolverhampton Homes in relation to leak at a property; outcome service failure by the landlord in regard to its response to reports about leaks into a living room. There was maladministration in relation to Wolverhampton Homes' management of this enquiry; Action plan, orders and recommendations have been carried out accordingly.

One enquiry for Wolverhampton Homes in relation to flood damage from flat above property; outcome no maladministration by the Council in its management of a claim for damage to a flat and service failure by the Council in its handling of management of the enquiry. Action plan, orders and recommendations have been carried out accordingly.

One enquiry for Wolverhampton Homes in relation to the Landlord's response to allegations of anti-social behaviour made against by a neighbour; outcome awaiting final decision from Housing Ombudsman.

One enquiry for Wolverhampton Homes in relation to the way the landlord has dealt with reports of anti-social behaviour and noise nuisance; outcome awaiting final decision from Housing Ombudsman.

Springfield TMO received one enquiry as follows;

One enquiry for Springfield TMO in relation to reports of a leak at a property; outcome awaiting final decision and review from Housing Ombudsman.

9.0 Local Government and Social Care Ombudsman assessment enquiries

9.1 During 1 April 2018 to 31 March 2019 the council received 38 Local Government and Social Care Ombudsman assessment enquiries. Out of the 38 assessment enquiries received, 8 proceeded to a full investigation.

Corporate Directorate received eight assessment enquiries which comprised of Democratic Support received two and Revenues and Benefits received six. Education Directorate received three assessment enquiries which comprised of two enquiries for SEND team and one enquiry for management of a school.

People Directorate received 14 assessment enquiries which comprised of Adult Services received 10; which comprised of Adult Community Team received three, Adult Community Team East received one, Adult Community Team North received one, Health and Social Care received one, Therapy received one, MASH received one and Independent Providers received two. Children's Services received four which comprised of C&YPiC Team 2 received one, Safeguarding one, Social Work Unit 4 received one and Fostering one.

Place Directorate received 10 assessment enquiries which comprised of Environmental Services received four; Environmental Protection one, Licensing received one, Highways received one, Transportation received, one, Waste Management received one and Parking Services received one.

Wolverhampton Homes received three assessment enquiries which comprised of one enquiry in relation to a housing application and two enquiries in relation to Right to Buy.

10.0 Housing Ombudsman assessment enquiries

10.1 During 1 April 2018 to 31 March 2019 the council received 16 Housing Ombudsman assessment enquiries. Out of the 16 received Wolverhampton Homes received 14, Springfield Tenant Management Organisation (TMO) received one and Bushbury Hill Estate Management Board received one.

11.0 Action Plans/Learning

11.1 When a complaint is upheld (Council at fault) and the findings of a subsequent investigation is for a financial remedy, 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 Manager/Director to ensure appropriate remedies and changes to policy/service delivery are implemented.

12.0 Complaint Training

12.1 The Customer Feedback Team has compiled mandatory corporate complaint training for council officers, which is available via the council's Learning Hub. During 1 April 2018 to 31 March 2019, the learning and development team has confirmed 97 officers have completed the mandatory corporate online complaint training. Statutory social care complaint training for Children's Services was carried out face to face by the Customer Feedback Team during March 2019; a total of 26 Children's Services officers attended this training.

13.0 Monitoring Information

13.1 There are no concerns with the data analysis or evidence of any groups being disproportionately affected. 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.

14.0 Management of Unreasonable Behaviour

14.1 In conjunction with our policy on the management of unreasonable complainant behaviour, the Customer Feedback Team managed a total of 9 cases during 1 April 2018 to 31 March 2019. All cases are agreed and approved by the relevant service and Director of Governance.

15.0 Financial Implications

15.1 There are no financial implications associated with the recommendation in this report.

[TT/05082019/H]

16.0 Legal Implications

16.1 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.

[TS/06082019/Q]

17.0 Equalities Implications

17.1 There are no equalities implications associated with this report.

17.2 An equalities analysis was carried out with the Equalities Team in January 2019 when the corporate complaints policy was reviewed.

18.0 Environmental Implications

18.1 There are no environmental implications associated with this report.

19.0 Human Resources Implications

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

20.0 Corporate Landlord Implications

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

21.0 Health and Wellbeing Implications

21.1 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.

22.0 Schedule of Background Papers

22.1 None for consideration.