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SECTION 1:

Children's Services, Adult Services and Public Health Complaints Activity 1 April 2019 to 31 March 2020

1.0 Children's Services – Complaint Activity

1.1 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; 48 informal complaints were received during 1 April 2019 to 31 March 2020 compared to 68 received during 2018/19; a decrease of 20 cases.

1.2 Stage One Complaints

During 1 April 2019 to 31 March 2020 the council received 58 stage one Children's Services complaints compared to 70 during 2018/19, a decrease of 12 cases. The 58 complaints received during this period refer to 18 separate service areas. No service area received a disproportionate amount of complaints, the highest figure of 8 cases referred to Children and Young People in Care Team 1. In some cases, this has followed extensive but unsuccessful attempts to resolve some of those complaints informally.

1.3 Timescales

Overall, 53 complaints were responded to and concluded during 1 April 2019 to 31 March 2020. 16 complaints were responded to within 10 working days, 17 within 11-20 working days, and the remaining 20 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.

1.4 However, it should be noted that of the 53 complaints closed and resolved during this period 22 were dealt with in accordance with the Children's Act, with an average timescale of 11 working days and 31 complaints were dealt with in accordance with the Corporate Complaints Policy (Non-Children's Act) which states complaints should be responded to within 21 calendar days; the average timescale was 16 calendar days.

Out of the 53 complaints closed and resolved, eight cases were upheld (at fault), 26 cases were partially upheld (partially at fault) and 19 cases not upheld (not at fault).

1.5 Stage Two Complaints

During this period 1 April 2019 to 31 March 2020, we have received no statutory stage two complaints which are investigated in accordance with the Children's Statutory complaints procedure and, therefore, there were no financial implications for Children's Services. This is in comparison to one case received during 2018/19.

During this period 1 April 2019 to 31 March 2020, we have received five children's stage two complaints which were dealt with in accordance with our Corporate Complaints policy and procedure. This is in comparison to eight cases received during 18/19. Out of five

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stage two cases received during 19/20 two cases were upheld and one case partially upheld.

Stage two complaints received as follows:

- Children and Young People in Care – One complaint received for Adoption Team in relation to unnecessary delays and poor communication; outcome upheld appropriate remedies/resolution and learning has been carried out.
- Children and Young People in Care – One complaint received for Looked After Children Team 1 in relation to delays in replacing missing toys; outcome upheld, appropriate remedies and learning has been carried out.
- Adoption@Heart – One complaint received for Adoption@Heart in relation to the home visit for interest to adopt and delays in responding to correspondence; outcome partially upheld; appropriate remedies and learning has been carried out
- Children and Young People in Care - One complaint received for fostering was in relation to conduct of social work manager; outcome not upheld
- Strengthening Families - One complaint received for Child Protection was in relation to a home visit, conduct of social work and inaccuracies made by social worker; outcome not upheld.

Several other complaints that could have proceeded down this route were resolved after significant intervention, mediation and problem solving with the relevant service and customer feedback team.

1.6 Stage Three Complaints

Where a statutory children's 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 statutory complaint procedure; a stage three Independent Complaint Review Panel. During 1 April 2019 to 31 March 2020 no complaints escalated to a stage three panel during this period.

1.7 Complaint Category

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

1.8 Compliments

All compliments are recorded by the Customer Feedback Team and reported as part of the team's annual monitoring process. During this period, a pleasing 107 compliments were received for Children's Services, compared to 105 during 1 April 2019 to 31 March 2019. Disabled and Young People Team (DC&YP) and Safeguarding Team both received 13 followed by Children and Young People in Care (C&YPiC) Team 1 received 9 compliments.

2.0 Public Health Complaints

- 2.1 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 a separate complaint process managed by Health

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Services. In relation to Public Health services, there has been one complaint received during 1 April 2019 to 31 March 2020 in relation to Bert Williams Leisure Centre.

3.0 Adult Social Care Complaints

3.1 Informal Complaints

During 1 April 2019 to 31 March 2020 the council received 43 informal complaints which were resolved at service level without going through the formal route. This was compared to 78 informal complaints received during 1 April 2018 to 31 March 2019, a decrease of 35 cases.

3.2 Stage One Complaints

During 1 April 2019 to 31 March 2020 the council received 53 formal complaints compared with 74 during 1 April 2018 to 31 March 2019; representing a decrease of 21 complaints during this period. Out of the 53 formal complaints received, nine complaints were received in relation to contracted/independent services. This is where Adult Social Care commission an independent agency to deliver a service on its behalf. The 53 complaints received covered 22 separate service areas; the highest figure of 11 complaints referred to the Adult Community Team East. In some cases, this has followed extensive but unsuccessful attempts to resolve some of those complaints informally.

3.3 Complaint Category

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

3.4 Timescales

Overall, 42 complaints were responded to and concluded during 1 April 2019 to 31 March 2020. 21 complaints were responded to within 10 working days, 16 within 11-20 working days and five complaints were responded to over 21 working days. The average number of days to respond and close all complaints over the term was 11 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. Out of the 42 cases closed and resolved, 3 cases were upheld, 17 cases partially upheld and 22 cases not upheld.

3.5 Compliments

All compliments are recorded by the Customer Feedback Team and reported as part of the team's annual monitoring process. 246 compliments were received during 1 April 2019 to 31 March 2020 relating to Adult Services compared to 161 during 1 April 2018 to 31 March 2019. Welfare Rights received 64 compliments followed by Bradley Resource Centre received 33 compliments and Adult Locality Team West received 17 compliments.

3.6 Areas of Learning from Complaints

See Appendix 4 for stage 1 learning.

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SECTION 2: Corporate Complaints Activity, Local Government and Social Care Ombudsman and Housing Ombudsman Complaints Activity 1 April 2019 to 31 March 2020

4.0 Corporate Complaints Activity, Local Government and Social Care Ombudsman and Housing Ombudsman

4.1 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 1,021 service request enquiries were logged with the customer feedback team during 1 April 2019 to 31 March 2020, compared to 1,223 received during 1 April 2018 to 31 March 2019. These types of enquiries are varied, for example, missed bin collection, parking, litter, appeals; all enquiries were logged and resolved informally, or sign posted to the correct process without going through the corporate complaints procedure, therefore providing a swift outcome and resolution for the customer.

4.2 Corporate stage 1 complaints

During 1 April 2019 to 31 March 2020 the council received 185 stage one corporate complaints compared to 288 during 1 April 2018 to 31 March 2019 a decrease of 103 cases. Out of the 185 received, 54 were upheld (at fault). The 185 complaints covering 27 separate service areas, the highest figure of 56 complaints referring to Waste Management, Revenues and Benefits received 30 and Customer Services received 29. In some cases, this has followed extensive but unsuccessful attempts to resolve some of those matters at service level.

4.3 Corporate Complaint Category

During 1 April 2019 to 31 March 2020 the main issue of complaint involved failure to provide a service (75), followed by failure to achieve standards/quality (34), failure to consider relevant matters (22), conduct of employees (21), delays in responding or administrative (16), dissatisfaction of council policies (13), and failure to fulfil statutory responsibilities (4).

4.4 Corporate Timescales

The average response time for responding to each complaint is 14 days for this period; this is in comparison to 13 days for 2018/19. The response timescale for stage 1 complaints responding within 21 calendar days is 92%; 171 cases were responded to within 21 calendar days and 14 cases responded outside of this timescale. The target of 95% response time has therefore not been achieved; the Customer Feedback Team will continue to monitor this response time and work with service groups to improve this timescale.

4.5 Stage 2 corporate complaints

During 1 April 2019 to 31 March 2020 the council received 19 stage two corporate complaints compared to 17 cases for 18/19, an increase of two cases. Out of the 19

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cases received, four cases were upheld (at fault), four cases were partially upheld (partially at fault) and 11 cases not upheld (not at fault).

Stage two complaints received as follows:

City Environment

- One complaint received for Environmental Protection in relation to garden remediation/restoration works, in particular front drain on driveway; outcome not upheld
- One complaint received for Environmental Protection in relation to fly tipping and rubbish on the highway; outcome not upheld
- One complaint received for Environmental Protection in relation to officer conduct at site visit and delays in responding; outcome partially upheld; action plan compiled and appropriate remedies/resolution carried out by the service
- One complaint received for Environmental Protection in relation to noise and air pollution outside a factory; outcome not upheld, however, the service has arranged mediation service for complainants
- One complaint received for Customer Services in relation direct debit incorrectly set up for customer; outcome upheld; action plan compiled and appropriate remedies/ learning has been undertaken with the service
- One complaint received for Waste Management in relation to changes in refuse collection; outcome not upheld
- One complaint received for Waste Management in relation to missed garden waste collection; outcome upheld; action plan compiled and appropriate remedies/learning has been undertaken with the service
- One complaint received for Arboriculture Department in relation to maintenance/health and safety of a tree at the front of a property; outcome not upheld
- One complaint received for Arboriculture Department in relation to the maintenance of trees; outcome not upheld
- One complaint received for Licensing in relation to unclear guidelines on website in relation to renewing a vehicle plate; outcome upheld; action plan compiled and appropriate remedies/ learning has been undertaken with the service
- One complaint received for Parking Services in relation to conduct of enforcement officer and process/procedure of enforcement visit; outcome not upheld

Finance

- One complaint received for Revenues and Benefits in relation to council tax liability; outcome not upheld
- One complaint received for Revenues and Benefits in relation to housing benefit payments made to tenant and receipt of safeguarding request; outcome partially upheld; action plan compiled and appropriate remedies/ learning has been undertaken with the service
- One complaint received for Revenues and Benefits/ Customer Services in relation to errors made by the Council Tax department resulting in enforcement action; outcome upheld; action plan compiled and appropriate remedies/learning has been undertaken with the service

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Regeneration

- One complaint received for Planning Department in relation to new development site; outcome not upheld
- One complaint received for Planning Department in relation to a residential development; outcome not upheld.
- One complaint received for Planning Department in relation to decision to build a larger than planned house at the rear of a property; outcome not upheld
- One complaint received for Facilities Department in relation to charges for the toilets at West Park and cleanliness of toilets at East Park; outcome partially upheld; action plan compiled and appropriate remedies/learning has been undertaken with the service

Education/Children Services

- One complaint received for the Senstart Team in relation to EHCP plan and Senstart team; outcome partially upheld; action plan compiled and appropriate remedies/ learning has been undertaken with the service

4.6 Corporate Compliments

All compliments are recorded by the Customer Feedback Team and reported as part of the team's annual monitoring process. During 1 April 2019 to 31 March 2020 the council has received 230 compliments, a decrease in comparison to 2018/19. Planning received 88, followed by Bereavement 50 and Customer Services 26.

4.7 Area of Learning for Corporate Complaints

See Appendix 4 for stage one learning.

5.0 Local Government and Social Care Ombudsman/Housing Ombudsman

5.1 Local Government and Social Care Ombudsman Enquiries (LGSCO)

During 1 April 2019 to 31 March 2020 the council received 10 Local Government and Social Care Ombudsman enquiries.

Children's Services received four complaints as follows:

- Children and Young People in Care – one complaint in relation to no communication since January 2019 with Children's Services in relation complainant's child, who is under a care order; outcome upheld; at fault and injustice; action plan compiled and appropriate remedies/ learning has been undertaken with the service
- Children and Young People in Care – one complaint in relation to council has failed to fully implement the recommendations made by the stage three review panel; outcome upheld; maladministration and injustice; action plan compiled and appropriate remedies/ learning has been undertaken with the service
- Children and Young People in Care – one complaint in relation to adoption process, failure to communicate, failure to inform adoption was proceeding as

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twin rather than single tracked process, failure to complete paperwork and failure to attend court; outcome; upheld, maladministration and injustice; action plan compiled and appropriate remedies/ learning has been undertaken with the service

- Strengthening Families – one complaint about the council's actions leading up to a court hearing; outcome draft decision received, awaiting final report from the Ombudsman

Adult Services received two complaints as follows:

- Adult Services West Team – one complaint in relation to council did not properly inform family member of changes to individual's respite care; outcome not upheld, no maladministration
- Adult Service; West Team – one complaint in relation to council failing to offer a needs assessment following surgery which left individual temporarily immobile; this caused stress and upset as they received no assistance to procure needed equipment or care; outcome not upheld, no maladministration

Wolverhampton Homes received two complaints as follows:

- Wolverhampton Homes – one complaint in relation to council failed to take appropriate action in respect of a housing and homelessness situation; outcome not upheld, no maladministration
- Wolverhampton Homes – one complaint in relation to ASB complaint; outcome not upheld, no maladministration

City Environment receive one complaint as follows:

- Licensing – one complaint in relation to the clarity of information on the council's application form for private vehicle licence; therefore council only granted a licence for two months; outcome upheld, maladministration and injustice; action plan compiled and appropriate remedies/ learning has been undertaken with the service

Finance received one complaint as follows:

- Revenues and Benefits – one complaint in relation to the council failing to update the customer's address and lack of communication for outstanding council tax liability; outcome upheld, maladministration and injustice; action plan compiled and appropriate remedies/learning has been undertaken with the service

During 1 April 2019 to 31 March 2020 Children's Services received one published report from the LGSCO; a former foster carer complained that the council failed to provide appropriate financial support to take three looked after children to school. The council accepted the findings of the LGSCO and has reimbursed the foster carer with travel allowance for the period in question; the council has also made an additional payment for her time, trouble and inconvenience. The foster carer fees and allowances policy has been updated to ensure eligible foster children receive free home to school transport. The council has also written to all foster carers to confirm these changes and invited any foster carers who feel they may have been financially disadvantaged by the previous arrangements to contact us to arrange appropriate financial payments.

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5.2 Housing Ombudsman Enquiries

During 1 April 2019 to 31 March 2020 the council received seven enquiries from the Housing Ombudsman for Wolverhampton Homes as follows:

- One complaint received in relation to the council's response to a request to have an electrical appliance in the property re-sited into the kitchen, as it currently stands in front of a back door, blocking the exit; outcome no maladministration
- One complaint received in relation to the landlord's response to their reports of occupancy and succession of tenancy rights; outcome no maladministration
- One complaint received in relation to landlord's response to a complaint about communal garden upkeep and tree maintenance; outcome no maladministration
- One complaint received in relation to the landlord's response to complaint about damp and cold in the property; outcome service failure, no maladministration. Action plan compiled and appropriate remedies carried out in relation to service failure
- One complaint received in relation to the landlord's response to the level of damp/mould and moisture; outcome no maladministration
- One complaint received in relation to installation of a driveway and hard standing at the property and for the landlord to replace some fencing at the property; outcome no maladministration; complainant has requested a review of the Housing Ombudsman's decision and we are currently awaiting the outcome
- One complaint received in relation to how the council has dealt with reports of Anti-Social Behaviour; outcome service failure, no maladministration. Action plan compiled and appropriate remedies carried out in relation to service failure.

5.3 Local Government and Social Care Ombudsman (LGSCO) assessment enquiries

During 1 April 2019 to 31 March 2020 the council received 39 Local Government and Social Care Ombudsman assessment enquiries as follows:

- Children's Services received eight cases; Children and Young People in Care received three, Strengthening Families received three, Adoption at Heart one and SEND Team one
- Finance received nine cases; eight cases in relation to Revenues and Benefits and one case for Risk and Insurance
- City Environment received nine cases; two cases in relation to Arbor Team, two cases in relation to Environmental Crime, two cases for Parking Services, one case for Street Cleansing, one case for Licensing and one case for Transportation
- Adult Services received five cases; three cases for West team, one for Community Support and one case for Health and Social Care team
- Wolverhampton Homes received four cases; one case for Homeless Team, one case for Anti-Social Behaviour Team, one case for Adaptions Team and one case in relation to support for a housing case
- Regeneration received two cases in relation to Planning Department
- Housing received one case in relation to Facilities Team
- Governance received one case in relation to Democratic Support

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5.4 Housing Ombudsman assessment enquiries

During 1 April 2019 to 31 March 2020 the council received 12 Housing Ombudsman assessment enquiries for Wolverhampton Homes as follows:

- Five complaints in relation to anti-social behaviour/noise enquiries
- One premature complaint
- Two complaints in relation to disrepair issues
- One complaint in relation to right of access
- One complaint in relation to failure to update status of complaint
- One complaint in relation to court dispute
- One complaint in relation to refusal to escalate complaint

5.5 Local Government and Social Care Ombudsman Annual Review Letter 2019/20

The Ombudsman publishes annual complaint statistics for each local authority in England. The Ombudsman received 61 complaints and enquiries in 2019/20 in relation to this council; this is in comparison to 71 complaints and enquiries received during 2018/19. This process involves referring complaints back to the council for local resolution, no further action, invalid/incomplete complaints, advice given and detailed investigations. From the 61 enquiries received from the Ombudsman, they carried out 12 detailed investigations of the complaints they received about the City of Wolverhampton Council for 2019/20; this is in comparison to 19 detailed investigations received for 2018/19.

Out of the 12 detailed investigations carried out, the Ombudsman has recorded seven cases (58%) findings of fault (upheld) for the council during 2019/20 (this compares to an average of 67% in similar authorities). The annual report confirms that the council is 100% compliant with carrying out the Ombudsman's upheld recommendations.

City of Wolverhampton Council's performance for 2019/20 can be compared with neighbouring authorities via the Ombudsman's interactive map; this interactive map shows annual performance data for all councils in England, with links to published decision statements, public interest report, annual letters and information about service improvements that have been agreed by each council. This interactive tool assists the council to monitor the improvements they agree to make following the Ombudsman's investigations, as well as supporting scrutiny of local services. See link to interactive map as follows: <https://www.lgo.org.uk/your-councils-performance>

The Ombudsman has confirmed that the upheld numbers which they report will not necessarily match the complaints data that we hold as statistics are recorded by the Ombudsman in different business periods.

6.0 Learning/Action Plans

Customer Feedback Team and Directorates are committed to learning from customer feedback and require the completion of a tracking form/learning log from each complaint investigated at all stages. 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.

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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.

See attached Appendix 4, Learning dashboard