

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

11 January 2024

Governance and Ethics Committee

# Introduction Summary

1 April 2023 to 30 September 2023

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

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



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

See attached Appendix 2 dashboards for more detail

## Children's & Education



Difference: 3

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



### Children & Education

#### Stage one

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

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

#### Stage two

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

#### Stage three

- One case received during this period, upheld

## Adults & Public Health



Difference: 13

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



### Adults

#### Stage one

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

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

#### Stage two

- One case received during this period, partially upheld

#### Public Health Stage one

- One case received during period

## Corporate



Difference: 15

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



### Corporate

#### Stage one

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

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

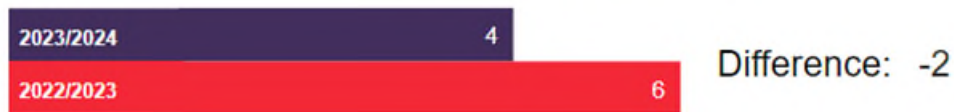
#### Stage two

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

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

Local Government &  
Social Care  
**OMBUDSMAN**

## LGSCO Enquiries



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

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

**Housing**  
Ombudsman Service

## HO Enquiries



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

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

## HO and LGSCO Joint Complaint Handling Code

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

Council submitted their response to the consultation in November 2023

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

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


Local Government and Social Care Ombudsman – full investigations	Ombudsman Outcome/Requirement	Lessons/Action Timeframe
<p><b>Team</b>  <b>Adult Services and Communities -</b>  Complaint in relation to the Council’s communication regarding the process and financial implications of moving into residential care</p>	<p><b>Outcome</b> - upheld fault and injustice  - apology submitted for uncertainty caused by the delay in assessing eligible needs under the Care Act and for the distress caused by failing to request funding for the respite care in May 2022;  - apologise for the uncertainty caused by not notifying complainant of its decision on whether to refer for a further carer’s assessment  - backdate the Council’s assistance with the fees for the care home placement</p>	<p><b>Learning undertaken</b>  - review assessed contribution from April 2023 and notify of the correct assessed contribution.  - review its record keeping procedures to ensure officers record all key decisions relating to a person’s care needs and notify the client of the decision.  - by training or other means remind officers to provide key information about care home funding in writing following conversations with clients regarding funding arrangements. This is to ensure understanding of the key issues discussed and potential financial implications</p>
<p><b>Team</b>  <b>Resident Services/Wolverhampton Homes</b>  Complaint in relation to housing register</p>	<p><b>Outcome</b> – not upheld, no fault</p>	
<p><b>Team</b>  <b>Education Services, SEND Team</b>  Complaint in relation to delays with EHCP plan</p>	<p><b>Outcome</b> – upheld fault and injustice  - apology submitted for injustice caused by its delays in finalising the EHCP plan.  - pay complainant £350 in recognition of the avoidable distress and uncertainty</p>	<p><b>Learning undertaken</b>  - the LGSCO noted that the Council has already acknowledged there were delays in the process, and took reasonable steps to try and minimise the impact on the uncertainty, in so far as it was able. The LGSCO confirmed that the Council does not need to make any service improvement recommendations as these have already been undertaken by the service in July 2023</p>


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

# Learning from complaints




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



## 6 Month Progress Update

### Progress to date:

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



6 month review



# Policy and Procedure



## 6 Month Progress Update

### **Progress to date**

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

### **Forward plan**

- Review managing unreasonable customer behaviour procedure



# Questions

