

Scrutiny Board

13 September 2016

Report title	Annual Corporate, Social Care and Public Health Complaints Report	
Cabinet member with lead responsibility	Councillor Andrew Johnson Resources	
Wards affected	All	
Accountable director	Mark Taylor, Director of Finance	
Originating service	Customer Services	
Accountable employee(s)	Steve Rice	Customer Engagement Manager
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Report to be/has been considered by	Corporate Leadership Team	22 August 2016
	People Leadership Team	22 August 2016
	Place Leadership Team	22 August 2016
	Strategic Executive Board	13 September 2016

Recommendation(s) for action or decision: The Scrutiny Board is recommended to

1. Review complaints management and performance for the period 1 April 2015 to 31 March 2016.
2. It is proposed that two additions are made to the corporate complaint procedures. The first is to put in place a twelve month time limit for a person to raise their complaint with the Council from the date of the incident or event concerned. The second proposal will be to advise the complainant that once they have received the written response to their complaint they would need to contact the Customer Feedback team within 30 days if they remain dissatisfied

The Scrutiny Board is asked to note:

1. This is the first combined annual complaint report to Scrutiny Board covering all complaints and compliments received by the Council in relation to Social Care services, Public Health services and Corporate services.
2. Part A of the report relates to statutory complaints activity for Adult Social Care, Children and Young People Social Care and Public Health, Part B relates to all other complaints activity governed by the corporate complaints procedures.

1. **Purpose:** The purpose of this report is to provide a summary of the complaints, compliments, Local Government Ombudsman and Housing Ombudsman enquiries received by the Council during the period 1 April 2015 to 31 March 2016.
- 1.1 **Introduction:** This is the first combined annual complaint report to Scrutiny Board covering all complaints and compliments received by the Council in relation to Social Care services, Public Health and Corporate complaints. This report details a total of **515** complaints received by the Council in 2015/16, down from **718** complaints received in 2014/15, a decrease of **203** complaints over the year.
- 1.2 **Complaints, Compliments and Ombudsman** enquiries are considered as a form of customer feedback. They are all registered and monitored by the Customer Feedback Team based within the Corporate 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.
- 1.3 **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.
- 1.4 **This report:** is divided into two parts. Part A encompasses complaints that come under statutory Adult Social Care and Public Health Regulated Procedures, followed by Children Social Care statutory complaints and part B covers complaints relating to Corporate complaints received from 1 April 2015 to 31 March 2016.
2. **Part A – Adult Social Care and Public Health Complaints Activity. Followed by Children and Young People Social Care Complaints Activity.**
- 2.1 **Adult Social Care:** Adult Social Care complaints have to be dealt with in accordance with The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. There is a one stage approach to handling adult social care complaints. This means the Council has one opportunity to respond to the complaint and conclude matters satisfactorily before the complainant can take matters to the Local Government Ombudsman should they remain dissatisfied. However, although there is only one complaint stage the degree of enquiries that are carried out to seek a resolution can be significant depending on the nature of the complaint.
- 2.2 **Public Health:** Complaints in relation to Public Health services are required to be dealt with in accordance with The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.
- 2.3 Public Health is about improving and protecting the health of groups of people, rather than about treating individual patients. Public Health is about helping people to stay healthy and avoid becoming ill. The Public Health team at the City of Wolverhampton Council commission services across a range of policy areas including:
 - Sexual health
 - Health checks
 - Drugs and alcohol
 - Smoking cessation
 - Weight management

- 2.4 **Public Health Complaints received 2015/16:** **Two** complaints were received in relation to Public Health services during 1 April 2015 to 31 March 2016. This is the same amount [**two**] as received in the previous year 2014/15. We can report that very few complaints, regionally or nationally, are received by Councils in relation to Public Health Services.
- 2.5 The outcome from the **two** Public Health complaints was; **one** complaint was not upheld; and **one** complaint was withdrawn.
- 2.6 **Adult Social Care Complaints received 2015/16:** As of the 31 March 2016 there were **7060** adults, including Carers, receiving an Adult Social Care Service. From that figure Adult Social Care Services received a total of **79** formal complaints from 1 April 2015 to 31 March 2016. This year's figure of **79** complaints compares with **105** complaints in the same period 2014/15 representing a decrease of **26** complaints over the year. **99** complaints were received in 2013/14. This is reflected in Appendix 2.
- 2.7 **No** particular service area received a disproportionate number of complaints during 2015/16 with **21** separate Adult Social Care service areas receiving a complaint. The highest volume of complaints was received by the Adult Community East Team with **14** complaints and Adult Community Team West receiving **13** complaints.
- 2.8 **Outcomes:** At the beginning of each year there will be a number of complaints ongoing from the previous year, therefore overall the complaints team saw **83** complaints being resolved and closed between 1 April 2015 to 31 March 2016.
- 2.9 Each complaint is responded to individually with a 'finding' reached as to whether the complaint was justified, i.e. upheld, or not justified i.e. not upheld; or whether there are aspects of the complaint that should be partly upheld. Out of those **83** complaints concluded in 2015/16 **28** were upheld; **21** not upheld and **34** were partially upheld.
- 2.10 **Timescale Compliance - Adult Social Care and Public Health Complaints:** 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.
- 2.11 During 2015/16 **42** complaints out of the combined total of **81** Adult Social Care and Public Health complaints received in this period were responded to within ten days. A further **16** complaints were responded to within 11 to 20 days with the remaining **25** complaints taking 21 days or over for a written response to be provided. The average number of days to respond and conclude all complaints during 2015/16 was **19** days. We will continue to work on lowering that average response time, but it is a positive position and would compare very favorably across other local Councils.
- 2.12 **Compliments received for Adult Social Care and Public Health Services:** During 1 April 2015 to 31 March 2016 far more compliments were received than complaints this year, with a combined total of **207** compliments for Adult Social Care and Public Health services. Please see appendix 7.

3. Children Social Care Complaints and Compliment Activity 2015/16:

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 Engagement Team responsible for registering all complaints. The Team monitors 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 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 Complaints 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. Most commonly this involves either apologising for any mistakes made and correcting any resulting disadvantage (upholding the complaint) or finding that the work that was undertaken was appropriate (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.

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 the 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.

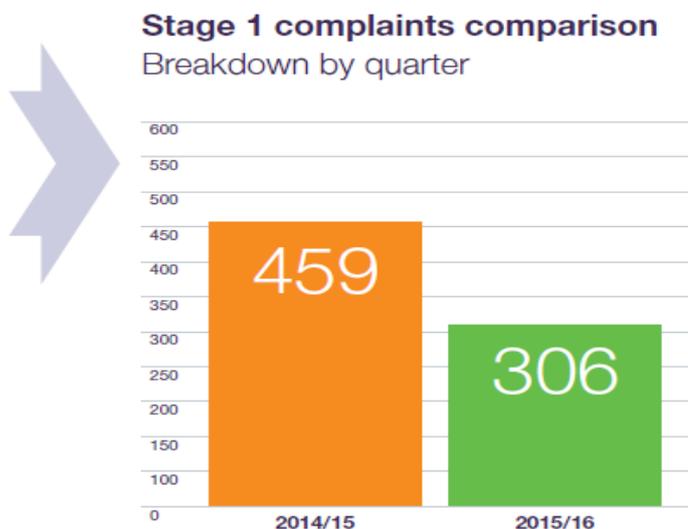
If the complainant remains dissatisfied following the stage three response they can; within twelve months of the panel hearing, approach the Local Government Ombudsman seeking further enquiries or investigation to be carried out into the complaints by that office. If the Ombudsman determines that the 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.

- 3.6 **Children Services Complaint Activity 2015/16:** During the year 2015/16 there was **5877** children in need, including Looked After Children and Child Protection cases. The overall number of children social care complaints received from 1 April 2015 to 31 March 2016 was **128**; this is a decrease of **24** complaints over the year. The **128** complaints received in this year 2015/16 compares to **152** in 2014/15 and **160** in 2013/14.
- 3.7 **Informal Complaints:** The complaint regulations provides an opportunity for children / young people 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; **39** were received during 2015/16.
- 3.8 **Complaint Issues:** This is the stated complaint issue raised by the complainant. The most frequently complained about issue in relation to Children Services was communication and information with **47**; Quality of service **36** and Disagreement with Policy and Criteria with **17**.
- 3.9 The **128** complaints received in 2015/16 involved **34** separate service areas across Children Services. No particular service area received a disproportionate number of complaints during 2015/16.

- 3.10 **Timescale Compliance.** 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. 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.
- 3.11 Of the **128** complaints received and closed during 1 April 2015 to 31 March 2016, **58** were responded to and concluded satisfactorily within the initial ten day statutory timescale. A further **39** complaints were responded to within 20 days with **23** fell outside of 20 days. The average number of days to respond and close all complaints over the year 2015/16 was **13** days. This is a positive position and a clear indication of the importance placed on responding speedily and effectively to complaints.
- 3.12 **Outcomes.** Of the **128** stage one complaints responded to and closed from 1 April 2015 to 31 March 2016: **39** were upheld, **48** were partially upheld and **33** were not upheld.
- 3.13 **Formal Complaint Investigations:** Where the complainant feels that they have not received a satisfactory outcome to their complaint at stage one, they will be informed of their right to move on to stage two which involves a formal independent complaint investigation.
- 3.14 During 2015/16 Children Services saw **3** complaints out of the **128** complaints received progress to stage two formal complaint investigation. This low figure would indicate that the fast response times and quality of replies to each complaint has prevented the necessity for other complaints to 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 stage two complaint investigation is between £2,000 to £3,500.
- 3.15 **Stage Three Review Panels:** Should a complaint not be resolved following a formal investigation at stage two the complainant can request that it progresses to stage three – Independent Complaint Review Panel. **No** requests were made for a stage three panel during 2015/16.
- 3.16 **Local Government Ombudsman:** During 2015/16 the Local Government Ombudsman dealt with **2** full investigations and **3** assessments in relation to the City of Wolverhampton Council Children Services.
- 3.17 **Compliments:** During 2015/16 Children/Young People, or their representative, took the opportunity to present **90** compliments for Children and Young People services.

4. Part B – Corporate Complaints Activity 2015/16.

- 4.1 **Service requests.** It is important to distinguish between a complaint and a service request. When a citizen of Wolverhampton makes a first contact with the Council to raise a difficulty with a service that it has responsibility for; then it is likely in the first instance that it will be recorded as a service request. If the issue being raised is new to the Council, and the service involved has not had the opportunity of looking into the issue before or of resolving it, then it is likely to be received as a service request. However, if the issue has been raised previously and it has not been properly looked into or satisfactorily resolved, then the person may then wish to pursue matters through the formal complaint procedures.
- 4.2 **Corporate Complaints Activity 2015/16:** The Customer Feedback Team records and tracks all complaints, working closely with the services being complained about, until the complaint is concluded.
- 4.3 During 1 April 2015 to 31 March 2016, the Council received **306** stage one complaints; compared to **459** in the previous year 2014/15 and **326** in 2013-14.



- 4.4 Analysis of complaint activity during 2015/16 suggests that there are two principal reasons for the reduced number of complaints received in 2015/16 [**306**] compared to those received in 2014/15. [**459**]
- First, greater emphasis has been placed on getting the issue of concern resolved at the first point of contact with the complainant. The focus on resolving the matter at the first opportunity to the customer's satisfaction prevents the need for matters to proceed through to the complaint procedures.
 - Second, members of staff being clearer about when the presenting issue should correctly be followed up as a 'service request' as against a complaint. Therefore providing an opportunity for the Council to put matters right first time to the customer's satisfaction.

4.5 The **306** stage one complaints received in 2015/16 are broken down by Directorates as follows: Place with **179**. Corporate **102**. People **23** and Pensions with **2**. Refer to appendix 6



4.6 From the **306** stage one complaints received during 1 April 2015 to 31 March 2016 **8%** were upheld, **92%** not upheld. (Appendix 6).

4.7 As result of continuous monitoring with service managers the complaint issues that are identified from the upheld complaints have been addressed; remedies have been provided to the customers by apologising and informing them of the improvements that have been made.

4.8 **Timescale Compliance:** All stage one complainants should receive a written response to their complaint within 21 calendar days. The complaint data for 2015/16 evidences that the City of Wolverhampton Council has achieved an excellent average response timescale of **12** days for all complaints, with **99%** of all complainants receiving a response in the required timescale.

4.9 The customer feedback team provides support to the managers investigating the complaints to ensure that they meet response deadlines and provide quality written responses. That direct contact takes place with the complainant as needed. Response reminders are sent to investigating officers by the complaints team on a weekly basis.

4.10 **Complaints 1 April 2015 to 31 March 2016:** From the **306** complaints received in this period, Waste Management services received the highest number of complaints (**58**). However, it should be noted that during 2015/16 Waste Management were responsible for the collection of an estimated **11,737,530** individual brown bins, caddies, black bins and garden waste bins from each of the **108,180** properties within the City of Wolverhampton.

4.11 Revenues and Benefits received **49** complaints, compared to **86** in the previous year, down by **37**.

4.12 **Stage Two Complaints:** During 1 April 2015 to 31 March 2016 the Council received **306** stage one complaints; from that figure **31** complaints were un-resolved at the first stage and progressed to stage two of the corporate complaints procedures.

4.13 From the **31** stage two complaints the Corporate Directorate received **eight**, Place Directorate received **19** and People Directorate received **four**. Out of the **31** complaints received, two complaints were upheld and two partially upheld.

4.14 **The Corporate Directorate** received **eight** complaints; **one** in relation to Education, **two** in relation to Managing Director's office, **three** in relation to Revenues and Benefits, **one** in relation to Customer Services and **one** in relation to Registrars.

Stage two complaint investigations were carried out resulting in **one** Education complaint being upheld (Council at fault) due to a customer not being informed of a school place. The remaining seven complaints were not upheld (Council not at fault)

4.15 **The Place Directorate** received **19** complaints; Public Realm (**five**), Bereavement Services (**one**), Waste Management (**two**), Housing (**one**), Planning (**two**), Parking Services (**one**), Markets (**one**) Leisure Services (**two**), Highways (**two**), Outdoor Events (**one**), Corporate Landlord (**one**).

Stage two complaint investigations were carried out; **one** Bereavement Services complaint was upheld, **one** Corporate Landlord complaint was upheld and **one** Outdoor Events complaint partially upheld. The remaining **16** complaints were not upheld (Council not at fault).

4.16 **The People Directorate** received **four** complaints; **one** in relation to Healthy Living Centre for officer conduct; **two** in relation to Libraries for officer conduct and **one** in relation to officer conduct for social care complaints.

Stage two complaint investigations were carried out and **none** of the People Directorate complaints were upheld.

4.17 **Local Government Enquiries:** During 1 April 2015 to 31 March 2016 the Council received **19** LGO enquiries; Corporate Directorate received (**eight**), Place Directorate (**five**) and People Directorate received (**six**). Out of the **19** LGO enquiries received, **six** enquiries were upheld.

4.18 The Corporate Directorate received (**eight**) LGO enquiries; **one** in relation to Legal Services, **four** in relation to Education Services, **two** in relation to Democratic Support and **one** in relation to Finance. Investigations were carried out and from the **eight** enquiries received; **one** complaint was upheld, resulting in maladministration and injustice in relation to Democratic Support/Education regarding a school appeal/school admission. The Council agreed to the LGO's decision and recommendations and agreed to offer a fresh appeal, to review the school appeal processes/procedures and set up a Children Missing Education Panel.

4.19 The outcome of the remaining seven complaints were as follows; **three** closed after initial enquiries no further action; **three** closed after initial enquiries out of jurisdiction, **one** not upheld – no maladministration.

4.20 The Place Directorate received (**five**) LGO enquiries; **one** in relation to Bereavement Services, **two** in relation to Planning Department, **one** in relation to Transportation and **one** in relation to Public Realm Services.

Investigations were carried out and from the **five** enquiries received, **two** were upheld (Council at fault); **one** enquiry is in relation Bereavement Services regarding a wrongly transferred burial plot; outcome, upheld causing maladministration and injustice. The Council agreed to the LGO's decision/recommendations by transferring the plot free of charge, apologising and paying for an inscription on the headstone, however, these recommendations were implemented by the Bereavement Services at stage two of the complaints procedure.

- 4.21 One enquiry in relation to the Planning Department regarding the Council failing to properly consider the impact of a new housing development; outcome upheld, causing maladministration, no injustice. The Council has agreed to the recommendations outlined in the LGO's decision and the Planning Department has agreed to review protocols and procedures with regards to amended plans. The remaining **three** enquiries were not upheld (Council not at fault).
- 4.22 The outcomes of the remaining **three** complaints were as follows; **two** not upheld no maladministration and **one** closed after initial enquiries out of jurisdiction.
- 4.23 The People Directorate received (**six**) LGO enquiries; **four** in relation to adult social care and **two** children and young people. Investigations were carried out and from the **six** enquiries received, **three** were upheld (Council at fault); **one** enquiry is in relation to an adults top up fees for residential care; outcome upheld causing maladministration and injustice. The Council agreed to the recommendations outlined in the LGO's decision by apologising, reviewing current care needs, review of record keeping and agreed a financial remedy for lost opportunity and uncertainty. **One** enquiry is in relation to a children and young people delayed referral; outcome upheld causing maladministration and injustice. The Council has agreed to the recommendations outlined in the LGO's decision by apologising, reviewing procedures for commissioning services, timescales for services and agreed a financial remedy.
- 4.24 **One** enquiry is in relation to the Council's offering an insufficient financial remedy for faults which occurred for full time carers; outcome upheld causing maladministration and injustice. The Council has agreed to the recommendations outlined in the LGO's decision by apologising, changed policy and procedures in connection with foster carer assessment approval and agreed a financial remedy. The Council has also previously provided a financial remedy regarding backdated payments for the care given.
- 4.25 The outcomes of the remaining **three** enquiries were as follows; **two** enquiries not upheld no maladministration; **one** enquiry is still under investigation.
- 4.26 **Local Government Ombudsman assessment enquiries/Housing Ombudsman assessment enquiries:** In order for the Ombudsman to determine whether a case should be formally investigated, local authorities are requested to provide further information about a complaint; this information is requested via an "assessment enquiry".

- 4.27 During 1 April 2015 to 31 March 2016 the Council received **41** initial assessment enquiries. The Corporate Directorate received (**10**), Place Directorate (**11**) and People Directorate received (**nine**), Wolverhampton Homes (**11**). Out of the **41** initial assessment enquiries received, **eight** proceeded to a full investigation.
- 4.28 **Compliments:** All compliments are recorded, acknowledged and each service areas are updated on the compliments they receive. During 1 April 2015 to 31 March 2016, the Council received **471** compliments, up from **185** in the previous year 2014/15.
- 4.29 The Planning Department accounted for the highest number of compliments (**76**) following by Housing Options Team (**39**), Legal Services (**17**) and Customer Services (City Direct) (**13**). The Customer Feedback team are currently promoting compliments via City People to ensure all officers are aware that we record compliments as part of our quarterly monitoring.
- 4.30 **Monitoring Information:** There are no concerns with the data analysis or evidence of any groups being disproportionately affected. The equalities data is based upon what complainants have provided.
- 4.31 **Service Improvements:** The Complaints Team produce service improvement reports for all upheld complaints where the recommendations are for a change to policy or service delivery. The recommendations are agreed with Heads of Service and shared with the relevant Service Director and Strategic Director, and the Managing Director. Recommendations will be delivered by the service group as appropriate.
- 4.32 **Ward Data:** During 1 April 2015 to 31 March 2016 ward complaint data has been collated. Monitoring ward data provides details about the types of complaints per ward that we receive as an authority and highlights trends in ward areas. [See appendix 5]
- 4.33 **Corporate complaint handling improvements**
- The corporate complaints procedure was last reviewed in 2013 to improve the handling of complaints. One of the improvements made to the procedure was to reduce the response timescale from 28 calendar days to 21 calendars days. During April 2015 to March 2016 the average time taken to respond to complaints was 12 calendar days.
 - In 2015/16 The Customer Feedback Team was formed to manage all areas of complaints received by the Council. This change brought together Statutory Social Care Complaint Procedures, Public Health and all Corporate complaints.
 - Improved Response timescales. The average response time of 12 days is highly positive and would compare very favourably with other Councils regionally and nationally. Timescale compliance nevertheless remains under constant review.

- A report has been prepared that will recommend the introduction of a corporate procedure for Councillor enquiries. It is proposed that the Customer Feedback Team and officers within Councillor Support services will offer a central point of contact for Councillor enquiries. The procedure will be discretionary, made available for Councillors to use in raising their enquiries. This procedure will enable the performance of Councillor enquiries to be monitored and highlight themes, trends and concerns.
- It is proposed that two immediate additions are made to the corporate complaint procedures to add clarity. The first is to put in place a twelve month time limit for a person to raise their complaint with the Council. The second proposal will be to advise the complainant that once they have received the written response to their complaint they would need to contact the Customer Feedback team within 30 days if they remain dissatisfied.

5. Local Government Ombudsman Annual Review Letter 2015-2016

The Local Government Ombudsman (LGO) sends an annual letter to all Councils, setting out the annual complaint statistics for the complaints they have received against each local authority in England. The table below shows the City of Wolverhampton Council's performance for 2015/16 in terms of the complaints investigated by the Ombudsman and their findings. The figures indicate that the City of Wolverhampton Council has the lowest number of complaints upheld against it by the Ombudsman in 2015/16 compared to other Councils regionally.

Number of LGO decisions made:

Authority	Invalid or incomplete	Advice Given	Referred back for local resolution	Closed After Initial Enquiries	Detailed investigations carried out			Total
					Not Upheld	Upheld	Uphold* Rate% (council at fault)	
Wolverhampton City Council	1	2	30	24	10	6	38%	73
Telford & Wrekin Council	0	0	16	11	8	7	47%	42
Shropshire Council	5	3	29	18	15	15	50%	85
Staffordshire County Council	5	1	48	25	12	15	56%	106
Dudley MBC	2	6	29	19	5	7	58%	68
Birmingham City C	22	30	264	104	36	71	66%	527
Sandwell MBC	9	7	52	21	5	11	69%	105

6. Financial Implications

There are no financial implications associated with the recommendation in this report. [MK/31082016/H]

7. Legal Implications

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 1st April 2009.
- Public Health - The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012. [Legal Code: TS/30082016/C]

8. Equalities Implications

8.1 There are no equalities implications associated with this report where in relation to its recommendation for noting. There are important equalities implications in terms of the complaints procedure itself and these were analysed for equalities implications when the corporate complaints procedure was reviewed in 2015. An equality impact assessment will be carried out and concluded by the end of 2016 in relation to the separate Adult and Children social care complaints procedures.

8.2 The Customer Feedback Team looks to capture specific equality data from each complaint received and this is contained in all quarterly performance reports presented for scrutiny. The person raising the complaint, concern or compliment is invited to provide their personal information in a number of areas including, Sex / Gender Identity. Ethnic Origin. Sexual Orientation. Religion. Age. Disability. However, the experience in many cases is that the customer does not provide this information. Customers have queried the reasons for requesting the data and how it might be used; which has been explained to them. As a result we are considering how we can put in place a new method for people to provide this data confidently, without feeling concerned as to its purpose or potential use.

9. Environmental Implications

There are no environmental implications associated with this report.

10. Human Resources Implications

There are no human resource implications associated with this report.

11. Corporate Landlord Implications

There are no corporate landlord implications associated with this report.

12. Schedule of Background Papers

None for consideration.

Appendices

1. Children and Young People Customer Feedback Dashboard
2. Adult Social Care and Public Health Services Customer Feedback Dashboard
3. People Directorate Organisational Learning
4. Corporate Complaints Equalities Data Stage One
5. Corporate Customer Feedback Stage Two, LGO Enquiries and Ward Data
6. Corporate Customer Feedback Stage One Dashboard
7. Compliments Data.

Children and Young People Annual Statutory Customer Feedback

Appendix 1 - Annual (April 2015 - March 2016)

Formal complaints received



*This represents
a decrease of*

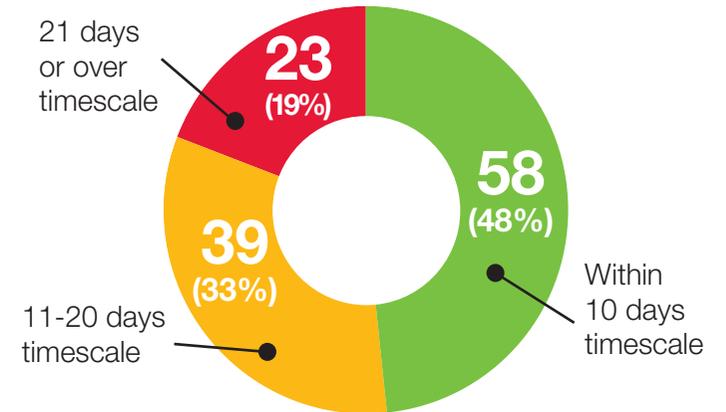


16%

Stage 1 complaints comparison for 2014/15



Response timescales



Average complaint response time

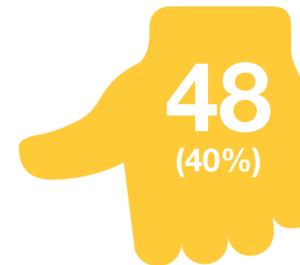


Complaints where the Council is at fault (upheld)



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



Complaints where the Council is not at fault



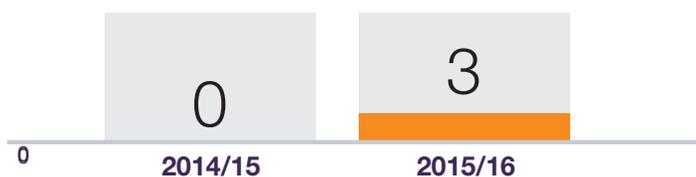
Children and Young People Annual Statutory Customer Feedback

Appendix 1 - Annual (April 2015 - March 2016)

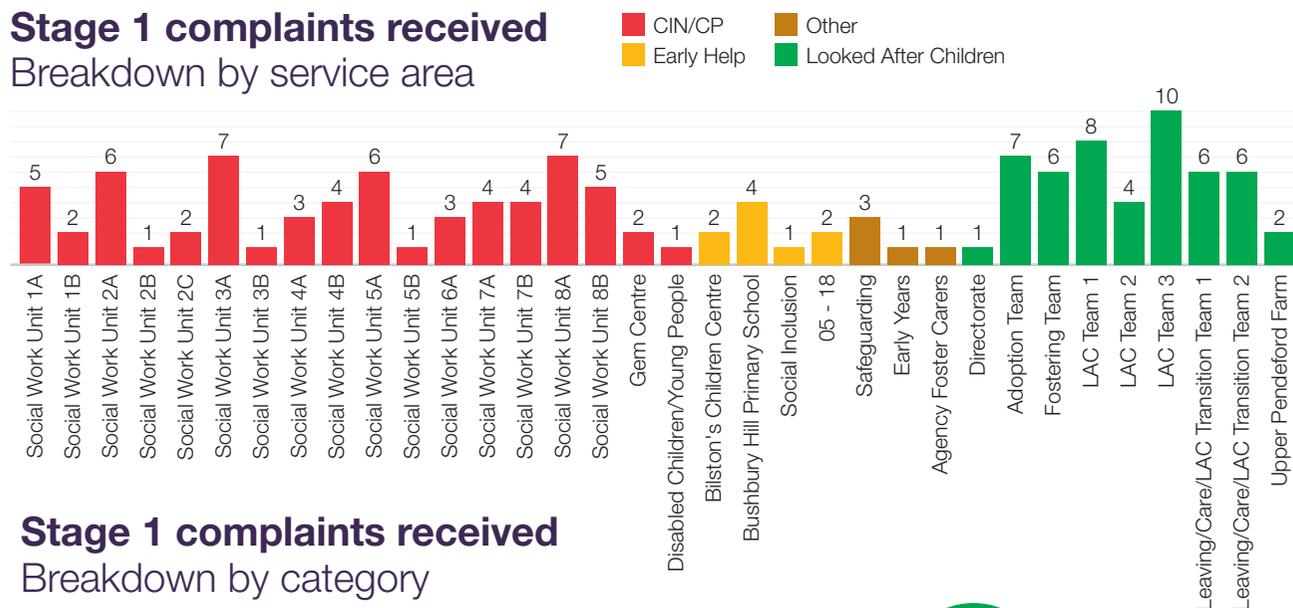
Stage 1 complaints comparison Annual breakdown



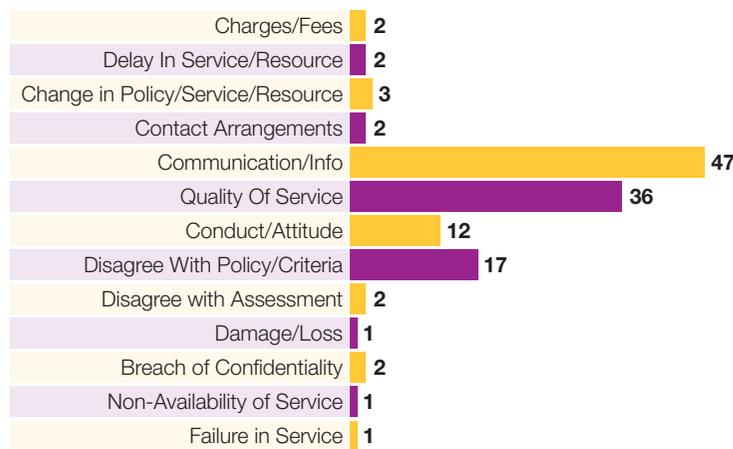
Stage 2 complaints comparison Annual breakdown



Stage 1 complaints received Breakdown by service area



Stage 1 complaints received Breakdown by category



90
Compliments

39
Informal
complaints

Adult Social Care and Public Health Annual Statutory Customer Feedback

Appendix 2 - Annual (April 2015 - March 2016)

Formal complaints received



*This represents
a decrease of*

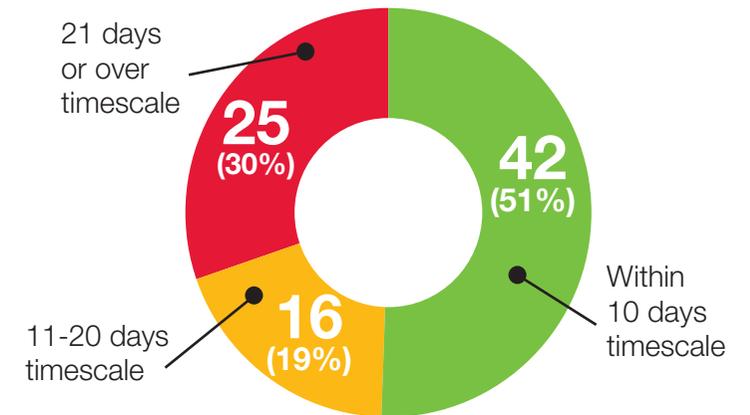


24%

Stage 1 complaints comparison for 2014/15



Response timescales



Average complaint response time

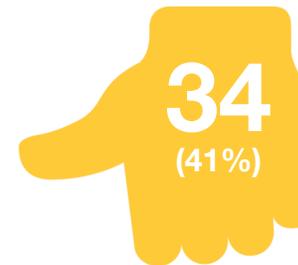


Complaints where the Council is at fault (upheld)



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



Complaints where the Council is not at fault

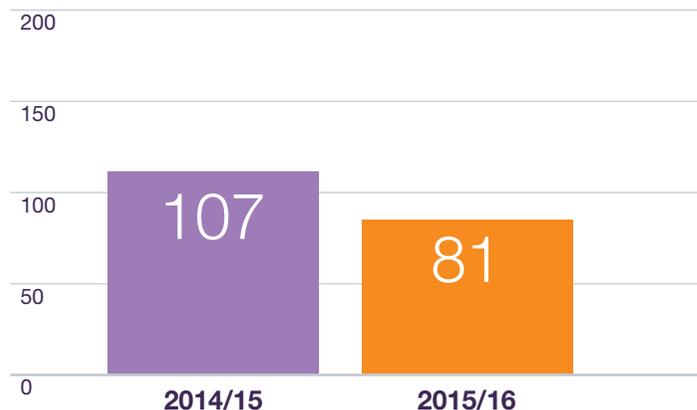


Adult Social Care and Public Health Annual Statutory Customer Feedback

Appendix 2 - Annual (April 2015 - March 2016)

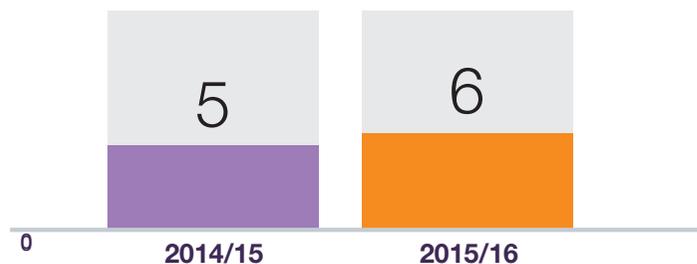
Stage 1 complaints comparison

Annual breakdown



LGO enquiries or investigations

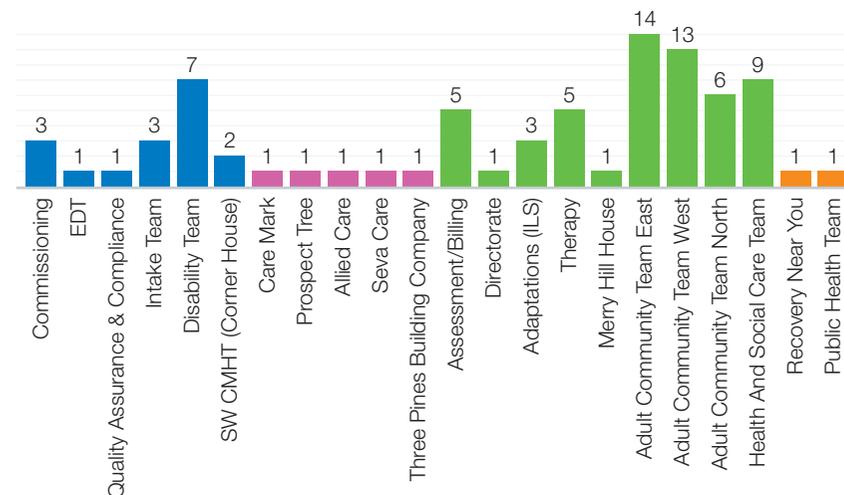
Annual breakdown



Stage 1 complaints received

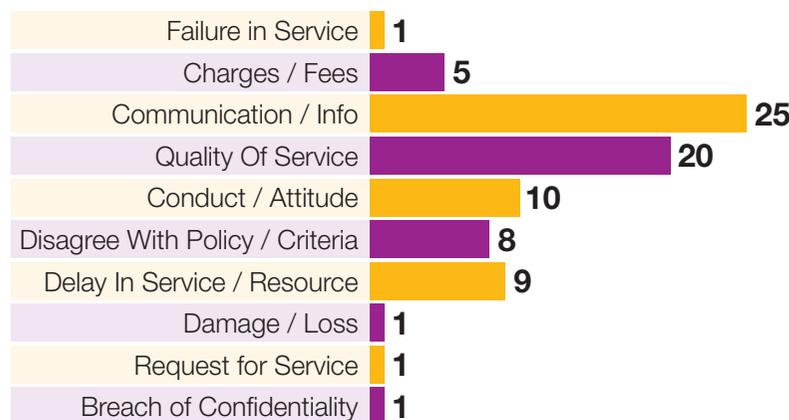
Breakdown by service area

- Disability and Mental Health
- Contracted / Independent
- Older People
- Public Health and Wellbeing



Stage 1 complaints received

Breakdown by category



207

Compliments

40

Informal complaints

Appendix 3 - Annual (April 2015 - March 2016)

Learning from Customer Feedback is an increasingly important part of the Authority's philosophy. Managers responding to complaints are encouraged to identify any shortcomings within the service. In a service striving for excellence there is no room for complacency and where there is an open culture of reflective learning, complaints can at best be used in the design, delivery and improvement of services, as well as highlighting concerns for the safety and welfare of adults: children, young people and families. Below are brief descriptions of learning from complaints for this quarter.

ASC - Therapy Assessments (ILS) -

The length of time it is taking for a Therapy Assessment for a Wet Room.

Learning: Ongoing work around waiting list is already taking place.

ASC - Assessment and Billing -

Incorrect invoice and reminder letter issued.

Learning: System has now been corrected and staff have been reminded to check the accuracy of their work.

ASC - Mental Health Intake Team -

Comments made by social worker are inaccurate and do not take on board the family concerns as she has not even met with them yet.

Learning: For all social workers involved in resettlement cases to engage with families provided the service user agrees and there are no safeguarding concerns raised.

ASC - Community Team East - Communication issues regarding social workers not returning 'phone calls and never doing what they say they will do. Family member was due to be assessed in September 2015 and this still has not been done.

Learning: Need to consider change in practise and a more robust monitoring of cases waiting for reallocation.

ASC - Community Team West - Failure to respond to correspondence received from the family seeking clarification of the funding for their mother's placement.

Learning: Ensure communication is maintained with customers; particularly informing them of progress when promised deadlines cannot be met.

CYP - Upper Pendeford Farm - Young person complained about a member of staff's behaviour towards them.

Learning: To monitor member of staff's future interactions with young people.

CYP - Leaving Care/Transitions Team - Daughter has been offered no support by the team, and the leaving care plan has not been adhered to to ensure she is looked after and helped to enter into adult life.

Learning: To ensure that Policies and Procedures in relation to care leavers are followed. Training has been organised for the team to ensure workers are trained in producing clear and concise pathway plans within realistic and specific timescales.

CYP - Social Work Unit - Complaint in relation to not receiving support/financial support in relation to taking care of young person following a falling out with her mother.

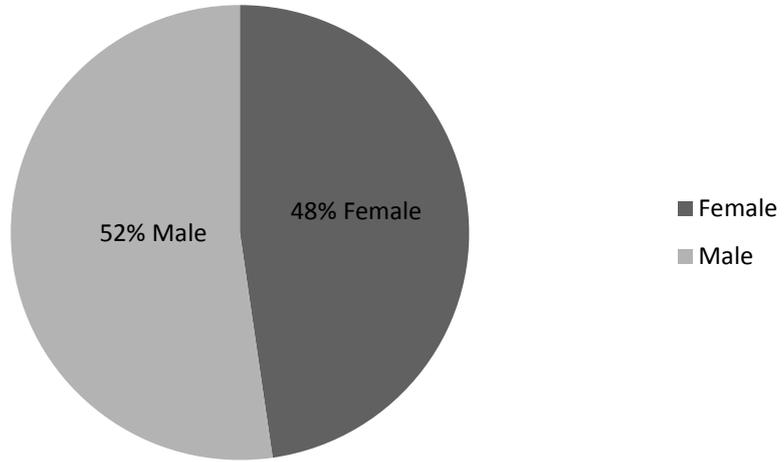
Learning: To ensure that there is effective communication between all parties and to ensure that referrals are made in a timely capacity.

CYP - LAC - Issues around father having his rights taken away from him and not being kept informed of everything that is going on. A discussion took place with the father to explain the reasons behind the actions/decisions made.

Learning: Improved and regular clear communication with birth families.

Appendix 4

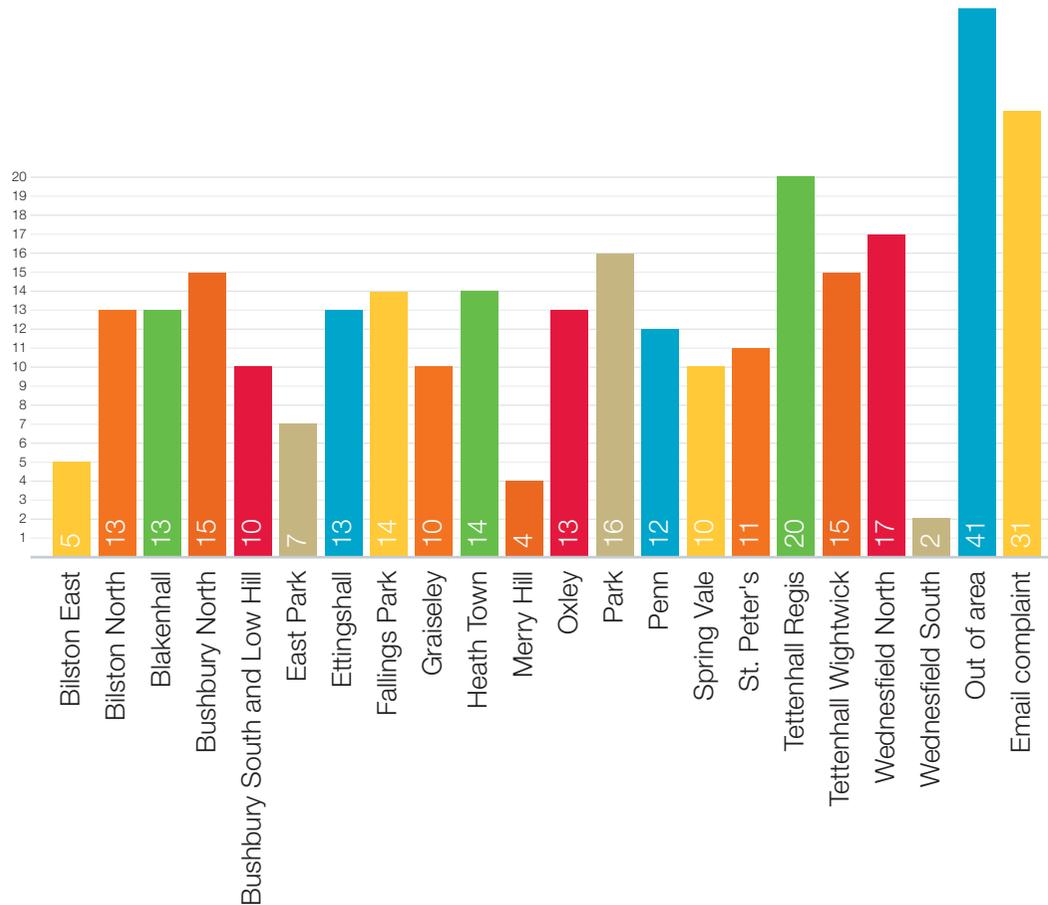
Equalities data for Corporate Stage 1 Complaints – Annual 2015-16



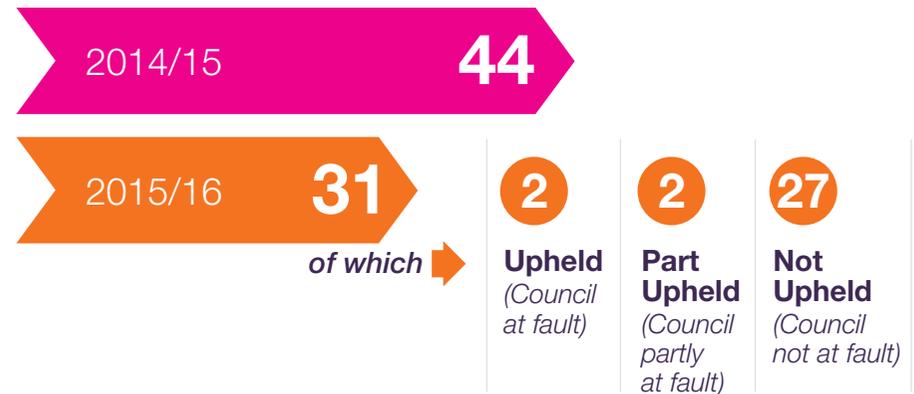
Stage 2 - Annual Corporate Customer Feedback, LGO Enquiries & Ward Data

Appendix 5: Annual 2015 - 2016

Complaints received by ward



Stage 2 complaints comparison for 2015/16



LGO enquiries for 2015/16



Annual Figures decreased for 2015/16 compared to 2014/15 - Customer Feedback Team has also received 41 initial LGO assessment enquiries for 2015/16.

Stage 1 Annual Corporate Customer Feedback

Appendix 6: Annual 2015 - 2016

Complaints received



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

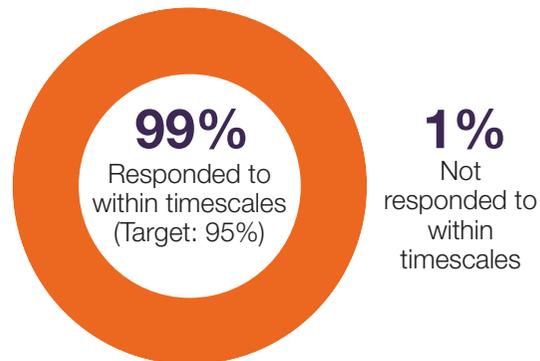


Issues have been identified from 24 upheld complaints and have been addressed; remedies have been provided to the customers by apologising and informing them of the improvements that have been made.

Complaints where the Council is not at fault



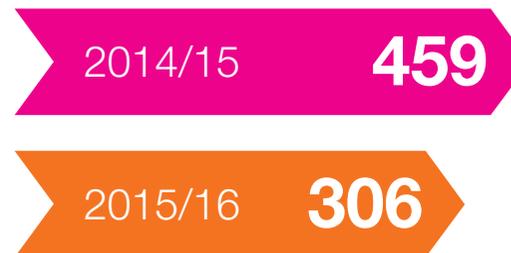
Response timescales



Average complaint response time



Stage 1 complaints comparison for 2015/16



Complaints received down by

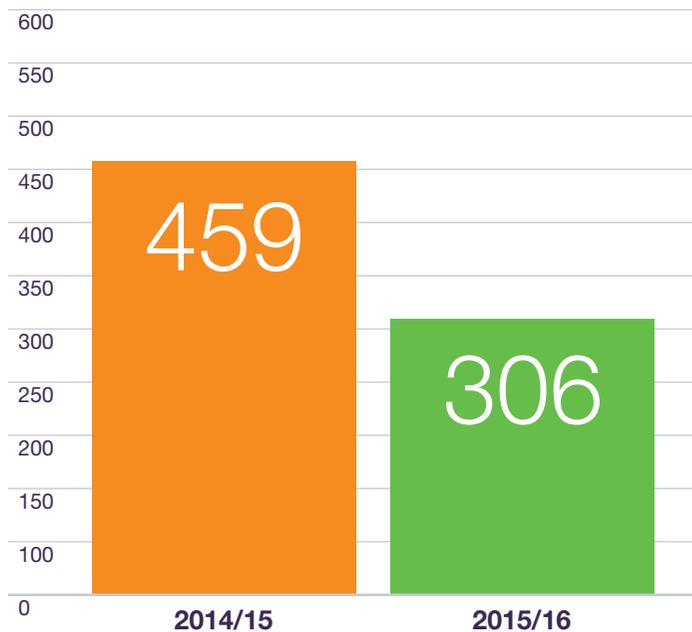


in comparison to 2014/15 - decrease due to service groups being encouraged to be more pro-active in resolving complaints at service level.

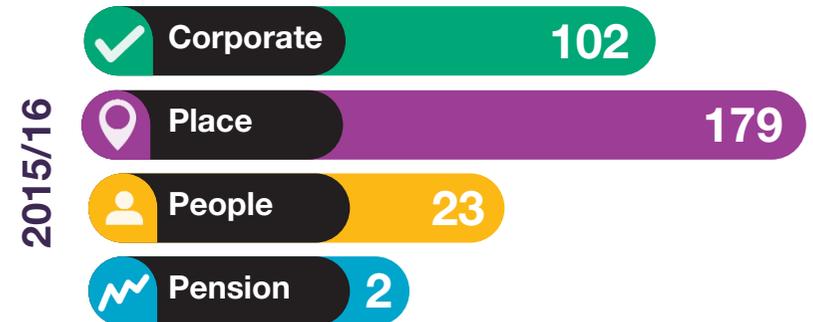
Stage 1 Annual Corporate Customer Feedback

Appendix 6: Annual 2015 - 2016

Stage 1 complaints comparison
Breakdown by quarter



Stage 1 complaints
Breakdown by directorate



**Annual
compliments
received**

471

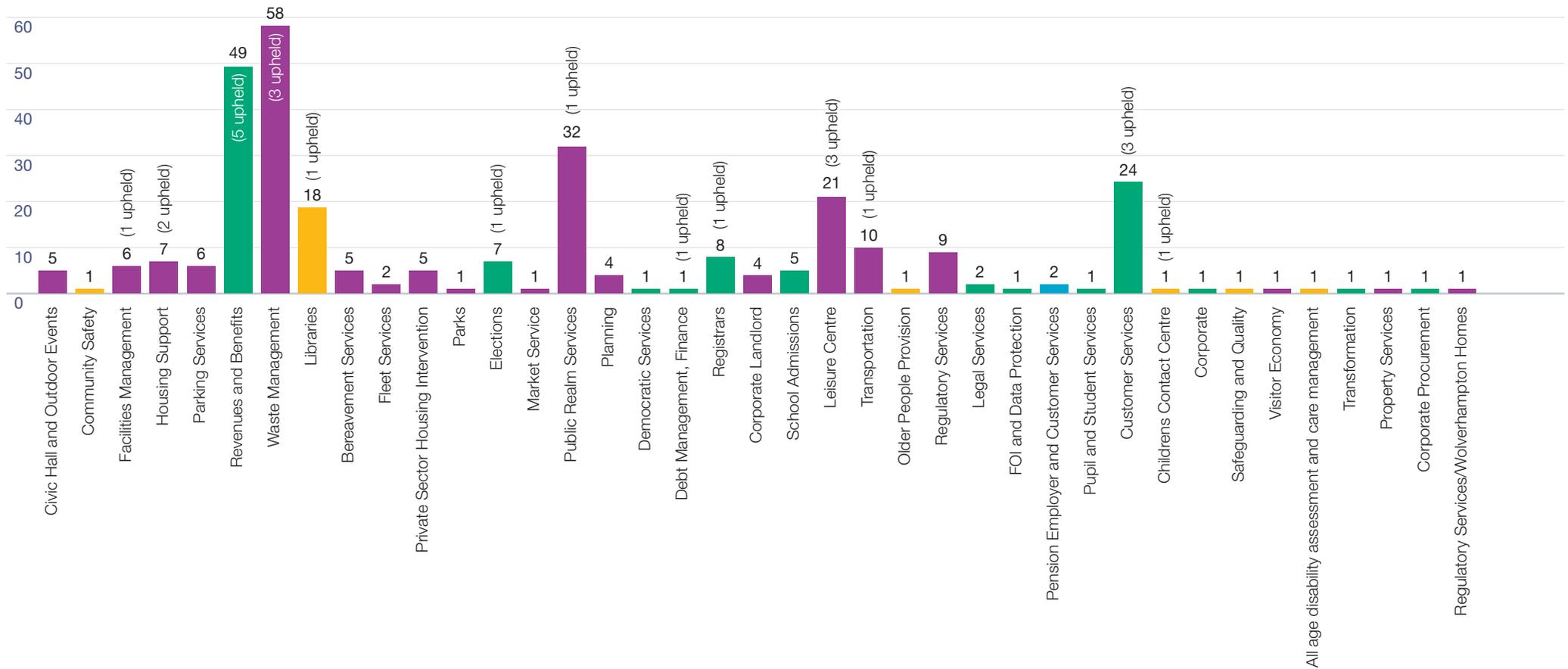
Stage 1 Annual Corporate Customer Feedback

Appendix 6: Annual 2015 - 2016

Stage 1 complaints received

Breakdown by service area

Complaints were not upheld unless otherwise indicated.



Appendix 7

Social Care Compliment Data for April 2015 to March 2016

Adult Social Care	Nature of Compliment
Ernest Bold	I wish to congratulate all the staff at Ernest Bold Resource Centre for the excellent service they provide. I cannot thank them enough for all the care, patience and support they give to my sister during her stays with them.
Duke Street	Thank you card which says "thank you to all of the staff in Duke Street for looking after our son for us".
Welfare Rights	Never having been involved with the benefit system before, I found WRO most helpful. She has a professional and pleasant manner and I am most grateful for her help to me in the matter.
Adult Community Team (West)	From the initial telephone call, the interview with the Social Worker whilst still in hospital, and the subsequent help received from member of staff; I found Social Services a godsend.
HARP	During the past six weeks having the HARP Team care has made a vast difference. It has given me confidence getting back into my home, routine and environment. I have been very satisfied with the service given and grateful for the care and attention they have given me.
Recovery House	The staff have been great - nothing is too much trouble.
Adult Community Team (East)	My compliment goes to a member of staff from social care. She has been caring, understanding and helped a great deal with our stress. We now have a life and I am grateful.
Adult Community Team (North)	Thank you to member of staff for sorting out a problem I had acquiring extra time allocation for my mother to have a shower.
Complaints Section	Thank you for the experience of working with you and for the way in which you are doing a great job.
Disabilities Team	I have been a service user for some time now and wanted to take the opportunity of sending a commendation with regard to how member of staff has helped me recently. It is a pleasure to come across someone who is helpful, professional and cheerful whilst carrying out their work.
Health and Social Care Team	I would like to express my gratitude to the social worker for the support and effort which he put into the Care Package for our mother. His commitment to dealing with the requirements necessary for our mother was second to none.

Children and Young People	
Blakenhall Contact Centre	Very impressed with Family Worker's supervision skills during contact. Made a difficult contact enjoyable.
Complaints Section	Thank you for your help and mediation in relation to our complaint being resolved before progressing to Stage 2 re 'Staying Put Retainer'.
Leaving Care/Transitions Team 2	Thank you to member of staff for everything she did, and pushing me to go on holiday and finding funds to help pay for my place. I cannot begin to thank her enough for everything she has done. I really do appreciate it.
Adoption Team	Compliment in relation to the work carried out by the team.
Fostering Team	Received feedback from customer stating "cannot speak highly enough about Social Worker - she makes her visits fun. She is so informative and she helps with the problems that may arise".
LAC Team 2	I would like to say that in the short space of time in which I met Social Worker it has been great. She is very positive and supportive.
Social Work Unit 3a	Compliment with regard to Social Worker and the support she provided for a pupil at our school who was subject to a CP plan. Throughout the time that she supported the family, she was always professional, courteous and efficient and always had the needs of the pupil at the forefront of her practice.
Early Help (0-5yrs)	I just want to say how wonderful my experience has been. I have enjoyed attending baby massage and playgroup at Nursery. I have also attended the swimming sessions run at the Centre; it has been a wonderful place to play, socialise and to get some support with local parents and very friendly, helpful and support from staff. The service has been invaluable to me with my first child and I truly hope that other people have the opportunity to continue to access it.
Early Help (5-18yrs)	Worker is very good at engaging parents in a supportive manner. His professional and relaxed approach is very effective.

Appendix 7

Corporate Compliments – Annual Report – 2015-16

Bereavement Services	I wanted to write to say a huge thank you for your flexibility with us regarding the crematorium. Your manner was particular polite and courteous and nothing was too much trouble. You went out of your way to help us out of a tight spot for this I am grateful. Once again, please accept my personal thanks for your assistance.
Customer Services	Customer Services Officer has been an absolute little gem; very thorough, proactive, nothing was too much. I feel it is important to feedback as some people do not recognise how important positive feedback is. Officer was very helpful and has time for the customer. I just felt I had to tell you how she was really really good. I am a manager myself, dealing with 45 staff I thought I owed it to her to take the time to praise her
Housing	I want you to know you have an exceptional employee. Her calm, patient manner was a great help to me when my frustration was at an all-time high. Her knowledge of social housing and her remarkable problem-solving abilities are rare indeed. If the quality of the councils employees is an indication of future success, then this officer has a very bright future.
Housing Benefits	Council tax and benefits have all been courteous and helpful Officer dealt with case efficiency and pleasing; what a lovely lady a credit to any organisation
Planning	I just wanted to thank you for your help and assistance with our recent planning application. You dealt with us professionally and efficiently from pre-application stage until application approval.

Public Realm	<p>It was a pleasant surprise to come home from work this week to find that the verges had been trimmed. We have never seen the verges looking so nice. On closer inspection, it was a really professional job, with lovely lines and all the excess taken away. Well done!</p> <p>I would like to thank the street cleaning team for a fantastic job in cleaning up all the leaves around my street and surrounding streets. I walk around the area many times a day and the roads and pavements look amazing. thank you all for your super hard work.</p>
Waste Management	<p>Compliment refuse team regarding excellent schedules for household waste for Christmas 2015; arrangements were clear and carried out in a most efficient way. Many thanks to all refuse staff.</p>
Libraries	<p>I am just wanting to praise a lady at Wolverhampton Library (reference library) for her dedicated help in tracking down my books. All staff are also helpful</p>
Leisure Centres	<p>One of the members at Bert Williams was really happy with the service provided yesterday. Really helpful and answered all his questions efficiently.</p>