



# Scrutiny Board

21 September 2021

|  |   |  |
|--|---|--|
| <b>Report title</b>                            | Annual Social Care, Public Health and Corporate Complaints Report   |  |
| <b>Cabinet member with lead responsibility</b> | Cllr Paula Brookfield, Cabinet Member for Governance  |  |
| <b>Wards affected</b>                          | All   |  |
| <b>Accountable director</b>                    | David Pattison, Director of Governance  |  |
| <b>Originating service</b>                     | Information Governance, Customer Feedback   |  |
| <b>Accountable employee(s)</b>                 | Sarah Campbell<br>Tel<br>Email  | Customer Engagement Manager<br>01902 551090<br>sarah.campbell@wolverhampton.gov.uk |
| <b>Report to be/has been considered by</b>     | Leadership Teams -<br>Finance, Governance, Regeneration,<br>Adult, Children's, Public Health, City<br>Environment, City Asset/Housing,<br>Education | August/Sept 2021   |

---

## Recommendation(s) for action or decision:

The Scrutiny Board is recommended to:

1. Review complaints management and performance for the period 1 April 2020 to 31 March 2021.

## Recommendations for noting:

The Scrutiny Board is asked to note:

1. The Statutory Complaints Activity for Children's Services, Adult Services and Public Health, as detailed in Appendix 3 (Section 1).
2. All the other complaints activity governed by the Corporate Complaints Procedures as detailed in Appendix 3 (Section 2).

## **1.0 Background**

- 1.1 The Council's Customer Feedback Team handles complaints, compliments and service enquiries from members of the public. Those relating to social care and public health matters fall under a statutory framework, while the remainder are handled under the council's corporate policy and procedures.
- 1.2 This report provides an overview of the complaints, including Local Government and Social Care/Housing Ombudsman enquiries received during 1 April 2020 to 31 March 2021.

## **2.0 Attachments**

- 2.1 Appended to this covering report are the following documents:

Appendix 1 – Statutory Customer Feedback Dashboard

Appendix 2 – Corporate Customer Feedback Dashboard

Appendix 3 – Notes to the dashboard – Statutory (Section 1); Corporate (Section 2), Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO)

Appendix 4 – Learning from stage one complaints (corporate, adults, children's and public health)

## **3.0 Complaint Training**

- 3.1 The Customer Feedback Team has compiled mandatory corporate complaint training and children's complaint handling for council officers, which is available via the council's learning hub. The team has worked with the Council's organisational development team and is compiling an online training module for Adult's complaint handling; this will be launched during 2021/22.

## **4.0 Monitoring Information**

- 4.1 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.

## **5.0 Managing Unreasonable Customer Behaviour Procedure**

- 5.1 The management of unreasonable complainant behaviour procedure has been active since February 2015. During this period, the Customer Feedback Team has managed a total of five cases in line with this procedure.

## **6.0 Complaint Policy/Procedures**

The customer feedback team carries out regular reviews of the council's corporate complaints policy and Children's, Adults and Public Health complaint procedures to

reflect current working practices and legislation. All policies and procedures are presented to the relevant leadership teams and democratic panel/board for approval.

## **7.0 Financial Implications**

- 7.1 There are no financial implications associated with the recommendation in this report. [MH/17082021/T]

## **8.0 Legal Implications**

- 8.1 The statutory complaints procedure must comply with various statutes. These include:

- Children and Family Services - The Children Act 1989, Representations Procedure (England) Regulations 2006. The Local Authority functions covered include services provided under Parts III, IV and V of the Children Act 1989
- Adult Social Care – The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009; which came into force on 1 April 2009.
- Public Health - The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

Legal Code: [JB/16082021/P]

## **9.0 Equalities Implications**

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

## **10.0 Environmental Implications**

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

## **11.0 Human Resources Implications**

- 11.1 There are no human resource implications associated with this report.

## **12.0 Corporate Landlord Implications**

- 12.1 There are no corporate landlord implications associated with this report.

## **13.0 Health and Wellbeing Implications**

- 13.1 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.

#### **14.0 Covid Implications**

- 14.1 Customers who contacted the customer feedback team during 1 April 2020 to 31 March 2021 were notified that the Council was focusing its attention on addressing the challenges of the pandemic and therefore may not be able to meet the corporate complaint deadline of a reply within 21 calendar days or statutory complaint deadline of a reply within 10 working days. The team also confirmed that the Council may only be able to send out a response in electronic format, so where feasible customers were asked to provide an email address along with their request. If this was not feasible the team ensured information was provided in a physical manner. The Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO) also confirmed the need for flexibility. The LGSCO paused casework and did not accept new complaints for three months between March and June 2021 to allow local authorities to focus on Covid19; customers were also sign posted to their guidance. Covid 19 pandemic government restrictions and revised working procedures, which were put in place to protect staff and customers, impacted on waste service delivery and resources; these revised working procedures were not received well by some customers. All changes to service delivery for waste were implemented across the service and outlined on the council's website. Response timescales in some service areas has also been impacted across the complaints function; this is due to complexities of cases and Covid19 influences on service delivery; customers were notified of any delays and provided with response timescales and updates on cases. It should be noted, however, that all concerns and enquiries received by the customer feedback team were logged, actioned and responded to accordingly, with the focus of achieving the best outcome for the customer.

#### **15.0 Schedule of Background Papers**

- 15.1 None for consideration.