

<b>CITY OF WOLVERHAMPTON COUNCIL</b>	<b>Governance and Ethics Committee</b> 7 September 2023
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<b>Report title</b>	2022 -2023 Annual Complaints Report	
<b>Cabinet member with lead responsibility</b>	Councillor Paula Brookfield Cabinet Member for Governance and Equalities	
<b>Accountable director</b>	David Pattison, Chief Operating Officer	
<b>Originating service</b>	Information Governance	
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<b>Report to be/has been considered by</b>	Leadership Team Meetings Finance, Governance, Regeneration, Joint Families (Adult, Children's & Education, Public Health), Resident Services, City Assets, People and Change	August 2023

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**Recommendations for noting:**

The Governance and Ethics Committee is asked to note:

1. The contents of the 2022 – 2023 Annual Complaints Report for the period 1 April 2022 to 31 March 2023, including:
  - a. The Statutory Complaints Activity for Children's Services, Education Services, Adult Services and Public Health
  - b. All the other complaints activity governed by the Corporate Complaints Policy

## **1.0 Purpose**

1.1 This report provides an overview of the complaints, including Local Government and Social Care/Housing Ombudsman enquiries received during 1 April 2022 to 31 March 2023.

## **2.0 Background**

2.1 The council's Complaints Team handles complaints, compliments and service enquiries from members of the public. Those relating to children's, adults and public health matters fall under a statutory framework, while the remainder are handled under the council's corporate complaints policy

## **3.0 Summary Statement**

3.1 The complaints team has continued to work effectively and build strong relationships with council services and Leadership Teams ensuring they meet the corporate and statutory functions and deadlines.

3.2 The council will continue to maintain a professional relationship in their role as the link officer with the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO); this will ensure that the process works effectively for both the council and the Ombudsman whilst resolving complaints quickly and improving public services through learning from complaints.

## **4.0 Financial implications**

4.1 There are no financial implications associated with the recommendation in this report. [SR/02082023/A].

## **5.0 Legal implications**

5.1 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: [TC/04082023/A].

## **6.0 Equalities implications**

6.1 No equalities implications have been identified, either through actions or recommendations of this report or from the data presented within it.

## **7.0 All Other Implications**

7.1 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 people 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.

7.2 A number of complaint cases were implicated by Covid-19 Pandemic and are outlined in this report.

## **8.0 Human Resources**

8.0 There are no human resource implications identified. As part of their operational management duties, Managers will continue to monitor and encourage take up of the complaint training and take necessary action accordingly.

## **9.0 Schedule of Background Papers**

9.1 None for consideration.

## **10.0 Appendices**

10.1 Appended to this covering report are the following documents:

10.2 Appendix 1 – 2022 - 2023 Annual Complaints Report

Appendix 2 – Complaint Dashboard and Learning

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# City of Wolverhampton Council

## 2022 - 2023 Annual Complaints Report



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## LGSCO and HO Link Officer Assurance Statement

The council will continue to maintain a professional relationship in their role as the link officer with the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO); this will ensure that the process works effectively for both the council and the Ombudsman whilst resolving complaints quickly and improving public services through learning from complaints. The complaints team has continued to work effectively to build strong relationships with council services and Leadership Teams to maintain corporate and statutory functions and deadlines.

### Forward plan

The focus for 2023-2024 is to continue to achieve all corporate and statutory requirements and in doing so maintain the council's complaint standards and reputation. Complaint training will be monitored and reviewed on a regular basis and promoted across the council to ensure officer awareness of complaint handling and processes. The council's complaint procedures and complaint information resources will be developed and reviewed under a new complaint policy framework ensuring they are fit for purpose and meet the corporate and statutory guidelines. A review will also be undertaken of complaints policies and processes across managing agents and the council to benchmark against the Housing Ombudsman Code of Practice to improve customer experience and to focus on transparency and using them to improve services. The service has secured a new complaint case management system which will be launched in September 2023; this will transform ways of working and improve productivity for the complaints function across the council.

### Introduction

This report provides an overview of the council's handling of complaints, compliments and service requests/informal complaints from members of the public, including Local Government and Social Care (LGSCO)/Housing Ombudsman (HO) enquiries received during 1 April 2022 to 31 March 2023.

Those relating to children's, adults and public health matters fall under a statutory framework, while the remainder are handled under the council's corporate complaints policy and procedure. This report provides an update of the council's performance and an overview of what is going well and where improvements can be made.

The Annual Report provides an update on;

- Statutory complaints activity for Children's Services, Education Services, Adult Services and Public Health
- Complaints activity governed by the Corporate Complaints Policy and Procedure
- Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO) cases
- Complaint training for council officers via the council's learning hub
- Learning from complaints to improve performance across council services
- Managing unreasonable customer behaviour procedure
- Review of complaint policies and procedure and information

The council has an accessible central complaint function which addresses all corporate and social care statutory requirements, whilst maintaining the council's standards and reputation. The council continues to be committed to effective complaint handling, whilst adopting best practice in line with the Local Government and Social Care Ombudsman guidelines and ensuring good practice is embedded into the council's functions.

## Statutory and Regulatory Complaints

The council is required by statute to provide or undertake certain functions in line with the following statutory complaints procedure which must comply with the following. 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.

The remainder of complaints are handled under the council's corporate complaints policy and procedure.

## Trends – three year period analysis

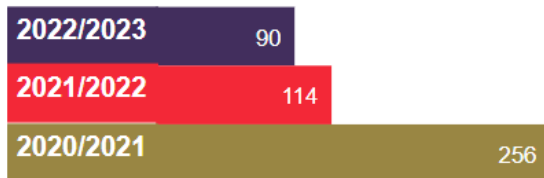
Total number of enquiries received by the Complaints Team – 2022 to 2023

<b>Complaint</b>	<b>Number received</b>
Service Requests/ Informal	1442
Stage 1s	156
Stage 2	20
Stage 3	0
HO	42
LGSCO	37
Compliments	694
<b>Total number of enquiries</b>	<b>2391</b>



## Corporate stage one and two comparisons

### Corporate stage one



Difference to 2021/2022: -24

In comparison to 2021/2022 a decrease has been seen in the number of stage 1 complaints received

### Corporate stage two



Difference to 2021/2022: -4

In comparison to 2021/2022 a decrease has been seen in the number of stage 2 complaints received.

## Children's stage one and two comparisons

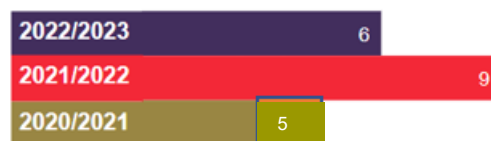
### Children's stage one



Difference to 2021/2022: 1

In comparison to 2021/2022 an increase has been seen in the number of stage 1 complaints received

### Children's stage two



Difference to 2021/2022: -3

In comparison to 2021/2022 a decrease has been seen in the number of stage 2 complaints received.

## Adults stage one and two comparisons

### Adult stage one



Difference to 2021/2022: -9

In comparison to 2021/2022 a decrease has been seen in the number of stage 1 complaints received

### Adult stage two



Difference to 2021/2022: -1

In comparison to 2021/2022 a decrease has been seen in the number of stage 2 complaints received.

## Local Government and Social Care Ombudsman (LGSCO)

### LGSCO Enquiries



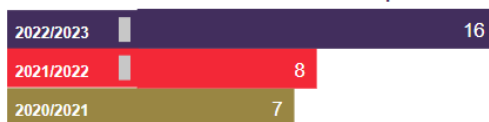
Difference to 2021/2022: 0

In comparison to 2021/2022 no change has been seen in the number of LGSCO enquiries.

Customer Feedback team has also received 27 initial LGSCO enquiries for 2022/2023.

## Housing Ombudsman (HO)

### HO Enquiries



Difference to 2021/2022: 8

In comparison to 2021/2022 an increase has been seen in the number of HO enquiries.

## Children's and Education Complaints Activity

### Informal Complaints

The complaint regulations provide an opportunity for young people/children, parents, advocates and carers to raise issues of concern without those matters being treated as formal complaints, as long as they are effectively addressed and resolved in a timely manner. These are referred to as informal complaints.

91 informal complaints were received during 1 April 2022 to 31 March 2023 compared to 75 informal complaints received during 1 April 2021 to 31 March 2022; an increase of 16 cases.

### Stage one complaints

The council received 41 stage one Children's and Education Services complaints compared to 40 during 1 April 2021 to 31 March 2022, an increase of one case. The 41 complaints received during this period refer to 14 separate service areas. The highest figure of 11 cases referred to the SEND Team. In some cases, this has followed extensive but unsuccessful attempts to resolve some of those complaints informally.

In accordance with Ombudsman's reporting good practice, the following customer groups submitted complaints to the council; (31) parents, (6) advocate, (2) headteacher/professional, (1) relative and (1) foster carer. Out of the 41 complaints logged and investigated 33 were submitted via email, six via webform and two via letters. Six stage one complaints were received via an advocacy service. Out of the 41 complaints logged and investigated during this period, six cases were upheld (at fault), 21 cases were partially upheld (partially at fault) and 14 cases not upheld (not at fault). The six cases upheld were for the following service

areas; Strengthening Families (2); Children and Young People in Care (DYPIc) (2); Adoption@heart (1); Education, SEND (1).

## Timescales

Out of the 41 complaints logged and investigated during this period, 12 complaints were dealt with in accordance with the Children's Act with a response timescale of 10 working days; the average timescale for statutory complaint responses was 14 days. 29 complaints were dealt with in accordance with the corporate complaints policy (Non-Children's Act) with a response timescale of 21 calendar days; the average timescale for corporate complaint responses was 22 days. The complaints team regularly reviews response times with Children's Services to improve timescales and complainants are regularly updated on the progress of their complaint, whilst providing realistic timescales.

## Stage two complaints

The council received six Children's stage two complaint cases. The council received four statutory stage two complaints in accordance with our statutory children's procedure; this is in comparison to no statutory complaint cases received during 1 April 2021 to 31 March 2022. The council received two corporate stage two complaint in accordance with our corporate complaints policy; this is in comparison to nine corporate cases received during 1 April 2021 to 31 March 2022. Out of the six cases received, five cases were partially upheld and one case upheld.

Stage two complaints are as follows:

- SEND Team received one complaint in relation to delays with EHCP and lack of information and support received from social care; outcome partially upheld; appropriate remedies and recommendations have been carried out
- SEND Team received one complaint in relation to delays with accessing education setting as outlined in EHCP; outcome partially upheld; appropriate remedies and recommendations have been carried out
- Children and Young People in Care received one complaint in relation to delays with processing a request for an extra bedroom at a foster carers; outcome partially upheld; appropriate remedies and recommendations have been carried out
- Children and Young People in Care not acting in the young person's best interest; outcome partially upheld; appropriate remedy and recommendations have been carried out
- Children and Young People in Care received one complaint in relation to consent for a hospital operation; outcome upheld; appropriate remedy and recommendations have been carried out
- Strengthening Families received one complaint in relation to insufficient service received by Children's Services and therefore young person's needs not met; outcome partially upheld; appropriate remedies and recommendations have been carried out

## 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 complaints procedure; a stage three Independent Complaint Review Panel. During 1 April 2022 to 31 March 2023 no complaints escalated to a stage three panel during this period; this is the same as the previous year, whereby no cases escalated to stage three.

## Complaint Category

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

## Compliments

All compliments are recorded by the complaints team and reported as part of the team's monitoring process. 90 compliments were received for Children's Services; Children and Young People in Care Team received the highest of 23.

## Public Health – Complaint Activity

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 Services.

### Informal complaints

Four informal complaints were received during 1 April 2022 to 31 March 2023; this is in comparison to one case received for 1 April 2021 to 31 March 2022.

### Stage one complaints

In relation to Public Health complaints, there has been one complaint received during 1 April 2022 to 31 March 2023; outcome partially upheld; appropriate remedies and learning have been carried out. This is in comparison to no complaints received during 1 April 2021 to 31 March 2022.

## Adult Services – Complaint Activity

### Informal complaints

The complaint regulations provide an opportunity for adult complaints to be resolved informally utilising a number of resolution methods as long as they are effectively addressed and resolved in a timely manner.

During 1 April 2022 to 31 March 2023 the council received 72 informal complaints which were resolved at service level without going through the formal route. This was compared to 53 informal complaints received during 1 April 2021 to 31 March 2022, an increase of 19 cases.

### Stage one complaints

The council received 25 formal complaints compared to 34 during 1 April 2021 to 31 March 2022, representing a decrease of nine cases during this period. The 25 complaints received covered 17 separate service areas. 20 complaints were received via email, two via telephone, two via webform and one via letter. In some cases, this has followed extensive but unsuccessful attempts to resolve some of those complaints informally. During this period, ten complaints received were in relation to commissioned services. Out of the 25 cases logged and investigated during this period, 11 cases were upheld, nine cases partially upheld and

nine cases not upheld. The seven cases upheld were for the following service areas; Commissioned Services (5), West Locality Team (1) and East Locality Team (1). Out of the 25 complaints cases received, 24 cases were investigated under our statutory procedure and one case was investigated under our corporate complaints policy.

## Complaint category

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

## Timescales

Out of the 25 complaints logged and investigated during this period, 24 cases were dealt with in accordance with the Statutory Adults procedure with a response timescale of 10 working days; the average response time was 16 days. One case was investigated under our corporate complaints policy with a response timescale of 21 calendar days; the average response time was 54 days. Cases responded to outside of the organisational timescales 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.

## Compliments

All compliments are recorded by the complaints team and reported as part of the team's monitoring process. 472 compliments were received for Adult Services; this figure also includes compliment feedback from an adult's customer satisfaction survey.

## Areas of Learning from Complaints

See attached Dashboard for learning.

## Corporate Complaints Activity

### Informal complaint enquiries/service requests

The complaints team works alongside the service involved and the customer complaining to resolve the complaint informally, preventing it becoming a formal complaint. 1,279 informal complaints and service request enquiries were logged with the complaints team in line with our corporate complaints policy during 1 April 2022 to 31 March 2023, compared to 1,229 received during 1 April 2021 to 30 March 2022. These types of enquiries are varied, for example, missed bin collection, contaminated bins, appeals, parking enquiries, litter or enquiries that fall outside of the corporate complaints policy jurisdiction. All enquiries were logged and resolved informally or sign posted to the correct process without going through the corporate complaints policy; this provides a swift outcome and resolution for the customer by resolving concerns at service level.

### Corporate stage one complaints

The council received 90 stage one corporate complaints compared to 114 received during 1 April 2021 to 31 March 2022; a decrease of 24 number of complaints received. Out of the 90 cases logged and investigated, 18 cases were upheld (at fault), 19 partially upheld (partly at fault) and 53 not upheld (not at fault). The 18 cases upheld were for the following service areas; Revenues and Benefits (11); Waste Management (2); Street Lighting (1); Facilities (1);

Customer Services (1) Registrars (1); Highways (1). The 90 complaints cover 20 separate service areas, the highest figure of 21 complaints refer to Revenues and Benefits followed by Waste Management, Licensing and Abor culture all receiving 11 cases. Out of the 90 stage one complaints received, 69 cases were submitted via email, 8 cases via webform, 8 cases via letter correspondence and 5 cases via telephone.

## Corporate complaint category

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

## Corporate timescales

The average response time for responding to each complaint is 16 days for 1 April 2022 to 31 March 2023; this is in comparison to 17 days for 1 April 2021 to 31 March 2022. The response timescale for stage 1 complaints responding within 21 calendar days (corporate complaints policy) is 92%. Out of the 90 cases logged and investigated during this period, 83 cases were responded to within 21 calendar days and 7 cases responded to outside of this timescale. The target of 95% response time has therefore not been achieved; the complaints team will continue to monitor this response time and work with service groups to improve this timescale. Cases responded to outside of the 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.

## Stage two corporate complaints

The council received 14 stage two corporate complaints compared to 18 cases for 1 April 2021 to 31 March 2022, a decrease of four cases in comparison to the previous year. Out of the 14 cases received, two cases were upheld (at fault) and six cases were partially upheld (partially at fault) and six cases not upheld (not at fault).

Stage two complaints received are as follows:

City Environment received nine cases as follows:

- Arboriculture Team received one case in relation to tree pruning not being carried out, overhanging branches and loss of light; outcome not upheld
- Arboriculture Team received one case in relation to overgrown trees affecting neighbours properties and wellbeing; outcome not upheld
- Environmental Health received one case in relation to conduct of compliance officer; outcome partially upheld; appropriate recommendations and remedies have been put in place
- Environmental Health received one case in relation to officer conduct and conflict of interest during site visit; outcome partially upheld; appropriate recommendations and remedies have been put in place
- Environmental Health received one case in relation to no response in relation to noise complaints; outcome upheld; appropriate recommendations and remedies have been put in place
- Waste Management received one case in relation to disabled access and rights and service at Household Waste Recycling Centre (RWRC); outcome not upheld
- Garden Waste/Highways/Environmental Health received one case in relation to various concerns for Garden Waste/Highways and Environmental services; outcome partially upheld; appropriate recommendations and remedies have been put in place

- Licensing received one case in relation to driver licensing application process and long delays; outcome not upheld
- Trading Standards/Licensing received one case in relation to service provided and charges applied for licensing transfer; outcome partially upheld, appropriate remedies and recommendations have been put in place

Finance received five cases as follows

- Insurance Services received one case in relation to handling of insurance claim regarding Wolverhampton Homes property for mould/damp claims; outcome partially upheld; appropriate recommendations and remedies have been put in place
- Revenues and Benefits received one case in relation to handling of housing benefits appeal by lead practitioner; outcome not upheld
- Revenues and Benefits received one case in relation to overcharging for council tax; outcome partially upheld; appropriate recommendations and remedies have been put in place
- Revenues and Benefits received one case in relation to council tax demand notices; outcome not upheld
- Revenues and Benefits received one case in relation to debt recovery and delays with responding; outcome upheld appropriate recommendations and remedies have been put in place

## Corporate compliments

All compliments are recorded by the complaints team and reported as part of the team's monitoring process. The council received 132 compliments; Planning Department received the highest number of 68.

## Area of learning for corporate complaints

See attached Dashboard for complaint learning.

## Local Government and Social Care Ombudsman Enquiries (LGSCO)

The council received ten Local Government and Social Care Ombudsman (LGSCO) enquiries as outlined below; out of the 10 cases received nine cases were upheld and one case not upheld.

Adult Services received three complaints as follows:

- Adult Services and Health Partnership and Commissioned Services received one enquiry in relation to care home failing to look after complainant and failed to return personal items; outcome not upheld, no maladministration
- Mental Health Service received one enquiry in relation to level of service and support received from assisted living; outcome, upheld, fault and injustice, appropriate recommendations and remedies have been put in place
- MASH/Safeguarding received one enquiry in relation to safeguarding enquiry at care home/care provider; outcome upheld, fault and injustice, appropriate recommendations and remedies have been put in place

Children's Services received three complaints as follows:

- Education Services, SEND Team received one enquiry in relation to failure to issue an amended Education Health and Care plan within the required time limit after an appeal to a SEND Tribunal; outcome upheld, fault and injustice; appropriate recommendations and remedies have been put in place
- Education Services, SEND Team received one enquiry in relation to delays with dealing with Education, Health and Care needs assessment and carer assessment application and issuing the final EHCP; outcome upheld, fault and injustice; appropriate recommendations and remedies have been put in place
- Base 25 received one complaint in relation to requests for information and how request was handled; outcome upheld, fault and injustice; appropriate recommendations and remedies have been put in place

City Environment received two complaints as follows:

- Licensing received one enquiry in relation to council's delays in dealing with private hire vehicle driver's licence; outcome upheld, no further action as council has already remedied complaint
- Environmental Services received one enquiry in relation to noise nuisance; outcome upheld, fault and injustice; appropriate recommendations and remedies have been put in place

Finance received one complaint as follows:

- Revenues and Benefits received one enquiry in relation to tenant's application for housing benefit; outcome upheld, fault and injustice; appropriate recommendations and remedies have been put in place

Wolverhampton Homes received one complaint as follows:

- Wolverhampton Homes/Housing Strategy received one enquiry in relation to faults in its handling of an application to its housing allocations scheme, how it determined priority banding on the scheme and how it has considered bids for properties; outcome, upheld, fault and injustice; appropriate recommendations and remedies have been put in place

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

The council received 27 Local Government and Social Care Ombudsman initial assessment enquiries. Out of the 27 initial assessment enquiries received the outcomes were as follows; private matter (1); Closed after initial enquiries no further action (10); Closed after initial enquiries out of jurisdiction (7); Passed to investigation team for further consideration (4); premature complaint (4); awaiting outcome (1).

## Local Government and Social Care Ombudsman (LGSCO) annual letter

The Local Government and Social Care Ombudsman (LGSCO) publishes annual complaint statistics for each local authority. The LGSCO provided decisions on 44 complaints and enquiries during 2022/23 in relation to this council; this is in comparison to 41 during 2021/22. This process involves referring complaints back to the council for local resolution (7), incomplete/invalid (4), advice given (3), referred for initial enquiries (19), upheld (9) and not



upheld (2). Out of the 44 enquiries from the LGSCO, they carried out 11 detailed investigations of the complaints they received about the City of Wolverhampton Council for 2022/23; this is in comparison to 13 detailed investigations received for 2021/22. Out of the 11 detailed investigations carried out, the LGSCO has recorded 9 cases (82%) findings of fault (upheld) for the council during 2022/23 (this compares to an average of 77% in similar authorities). In 22% of the upheld cases (9 cases) the LGSCO found the council had provided a satisfactory remedy before the complaint reached the Ombudsman. This compares to an average of 10% in similar authorities. The annual report confirms that the council is 100% compliant with carrying out the LGSCO's upheld remedies and recommendations.

### Total number of full investigations for 2022/23

Service Area	Upheld	Not upheld	Total number of full investigations
Adult Care Services	2	1	3
Benefits and Tax	2	0	2
Corporate and Other	0	0	0
Education and Children's Services	4	0	4
Environmental, Public Protection and Reg	1	0	1
Highways and Transport	0	0	0
Housing	0	0	0
Planning and Development	0	1	1
Other	0	0	0
<b>Total</b>	<b>9</b>	<b>2</b>	<b>11</b>

The annual letter confirms that the LGSCO has reviewed and changed their investigation process and are more selective in the cases that they look at in detail; they are less likely to carry out investigations on borderline cases, therefore, they are finding a higher portion of fault overall across all complaints and average upheld rates have increased for 2022/23. City of Wolverhampton Council's upheld rate has increased by 20%, from 62% for 2021/22 to 82% for 2022/23. This is in line with neighbouring authorities.

City of Wolverhampton Council's performance for 2022/23 can be compared with neighbouring and other authorities via the LGSCO's interactive map; this interactive tool shows data and information, including annual performance data, about councils in one place. The map also provides links to published decision statements, public interest reports, annual letters and information about service improvements that have been agreed by each council. This interactive tool assists the council to monitor the service improvements they agree to make following the LGSCO's investigations. See link to interactive map as follows: [your council's performance interactive map](#). The LGSCO has confirmed that the numbers of cases which they report will not necessarily match the complaints data that we hold as statistics are recorded by the LGSCO in different annual year business periods. Not all cases are published due to confidentiality.

A joint complaint handling code will be undertaken with LGSCO and HO; this will provide a standard for authorities to work to. The LGSCO will consult on the code and its implications later in 2023.

## Housing Ombudsman (HO) Enquiries

The council received 16 enquiries from the Housing Ombudsman for Wolverhampton Homes as outlined below; out of the 16 enquiries received eight cases service failure/maladministration, two cases not at fault and six cases awaiting final report.

- One enquiry received in relation to landlords handling of the resident's concerns relating to invoice for major works, charges for replacement windows, consultation process, cost of drainage works, cost of boundary wall works, charges for daily maintenance of works, reports about asphalt and request for guarantee and warranties of works; outcome, awaiting report from the HO
- One enquiry received in relation to landlords handling of reports of a leaking sewage pipe and handling of follow on works; outcome service failure, appropriate recommendations and remedies have been put in place
- One enquiry in relation to the handling of the removal of rubble in the garden and response to reports of pests in the garden; outcome maladministration, appropriate recommendations and remedies have been put in place
- One enquiry in relation to the landlords handling of repairs to the internal door, response to the conduct of a staff operative, response to a gas safety check, handling of reports about not having window keys, along with concerns about safety, handling of reports of a leak affecting the property below, the level and method of communication and landlord's handling of reports of anti-social behaviour; outcome awaiting HO report
- One enquiry in relation to the landlord's handling of adaptations to the resident's home and handling of the resident's reports of delays and lack of communication; outcome awaiting HO report
- One enquiry in relation to the landlord's handling of repairs to the resident's bathroom and resident's request for rehousing; outcome service failure and maladministration; appropriate recommendations and remedies have been put in place
- One enquiry in relation to handling of works to disconnect communal facilities from the electricity supply and handling of repairs needed in the property, including works to address damp, mould, water ingress, and structural issues; outcome service failure and maladministration, appropriate recommendations and remedies have been put in place
- One enquiry in relation to landlord's handling of drainage issues at the property; outcome maladministration, appropriate recommendations and remedies have been put in place
- One enquiry in relation to resident's reports concerning damp and mould and the landlord's response to the resident's request for a permanent decant; outcome awaiting HO report
- One enquiry in relation to the resident's concerns related to the ownership of the footway crossing and dropped kerb at their property and whether they are liable for the cost of the dropped kerb and driveway they installed; concerns related to neighbours using the dropped kerb they paid for, including their reports that damage has been caused to the hardstanding and their request to be refunded for the installation of rear fencing at their property; outcome no maladministration
- One enquiry in relation to the landlord's handling of a request for the removal of its single point of contact arrangement; outcome service failure, appropriate recommendations and remedies have been put in place
- One enquiry in relation to response to the resident's reports of difficulties heating their home and handling of the resident's reports of draughts; outcome no maladministration
- One enquiry in relation to the landlord's response to reports that the garden slabs/posts are unsuitable, handling of repairs to the outbuildings, response to an overgrown tree, response to the report of leaks and response relating to issues with the property fencing; outcome awaiting HO report

- One enquiry in relation to the landlord's decision not to award the resident compensation for the damage to the kitchen flooring; awaiting the HO report
- One enquiry in relation to the landlord's handling of repairs to the kitchen due to its condition; outcome service failure; appropriate recommendations and remedies have been put in place
- One enquiry in relation to response to reports of repairs needed to the flooring and handling of the complaint; outcome maladministration and service failure, appropriate recommendations and remedies have been put in place

## Housing Ombudsman (HO) assessment enquiries

The council received 26 Housing Ombudsman assessment enquiries. Out of the 26 initial assessment enquiries received, 21 enquiries were premature complaints and 5 enquiries progressed to a full investigation.

## Housing Ombudsman (HO) annual performance report

The Housing Ombudsman publish an annual Performance Report; their draft report for 2022/23 has been received and the council are currently verifying the data. The published annual Performance Report will be available later in the year.

## Learning from Complaints

Where complaints highlight that things have gone wrong, heads of service, managers and the complaints team are required to identify these areas, implement remedies and review processes/procedures where necessary. Complaints team and Directorates are committed to learning and require the completion of a tracking form/learning log from each complaint investigated at stage one. When a complaint is upheld/partially upheld (council at fault) and the findings of a subsequent investigation is for a financial remedy, change to policy or service delivery at stage 2 and 3 of the complaints process or at Ombudsman stage, the complaints 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 and compliant with any Ombudsman's recommendations and remedies. The complaints team also attend regular meetings; Adults and Children's Services quality assurance meetings, Children's Services Head of Service/Deputy Director complaint meeting, SEND Complaints and Compliance meetings and Waste Liaison meetings to ensure they use the learning from complaints to drive service improvements and implement learning into their practice improvement plans/terms of reference. See attached dashboard for learning from complaints.

## Complaints Training

Corporate, Childrens and Adults complaint training for council officers is available via the council's learning hub. Complaint training will be monitored and reviewed on a regular basis and promoted across the council to ensure officer awareness of complaint handling and processes. 86 council officers have completed the training for this period across the three training modules and bespoke training to services is available upon request. Work will be undertaken with the Organisational Development Team to review the existing training package. This will ensure that training via the learning portal is monitored on a regular basis and training promoted and undertaken by the appropriate council officers. LGSCO external

training will also be attended by customer engagement officers to improve and enhance complaint handling.

## Managing Unreasonable Customer Behaviour Procedure

The management of unreasonable complainant behaviour procedure has been active since February 2015. During this period, the complaints team has managed a total of six cases in line with this procedure.

## Complaints Policies and Procedures

The council's complaints policies procedures are regularly reviewed to reflect current working practices and legislation. During this period the corporate complaints policy and procedure, adults complaints procedure and joint protocol complaint handling have been reviewed. During this review process, consultations and equality analysis have been carried out and policies presented to the relevant leadership teams and democratic panel/board for approval.

**Select a service:**

Adults | **Children's** | Corporate | Public Health

**Select a year:**

2021/2022 | **2022/2023** | 2023/2024

**Select a quarter:**

Q1 | **Q2** | Q3 | Q4

**Stage 1 Complaints**

**41**

Stage 1 complaints received

**14**

Stage 1 complaints not upheld (council is not at fault)

**21**

Stage 1 complaints part upheld (council is partly at fault)

**6**

Stage 1 complaints upheld (council is at fault)

**Corporate complaints procedure**

**29** Complaints received | **22** Average response days (calendar days)

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**Statutory complaints procedure**

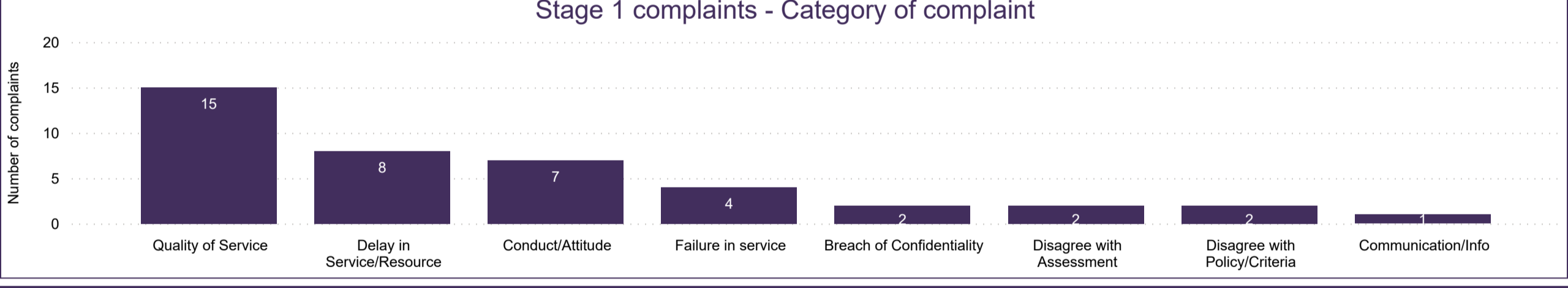
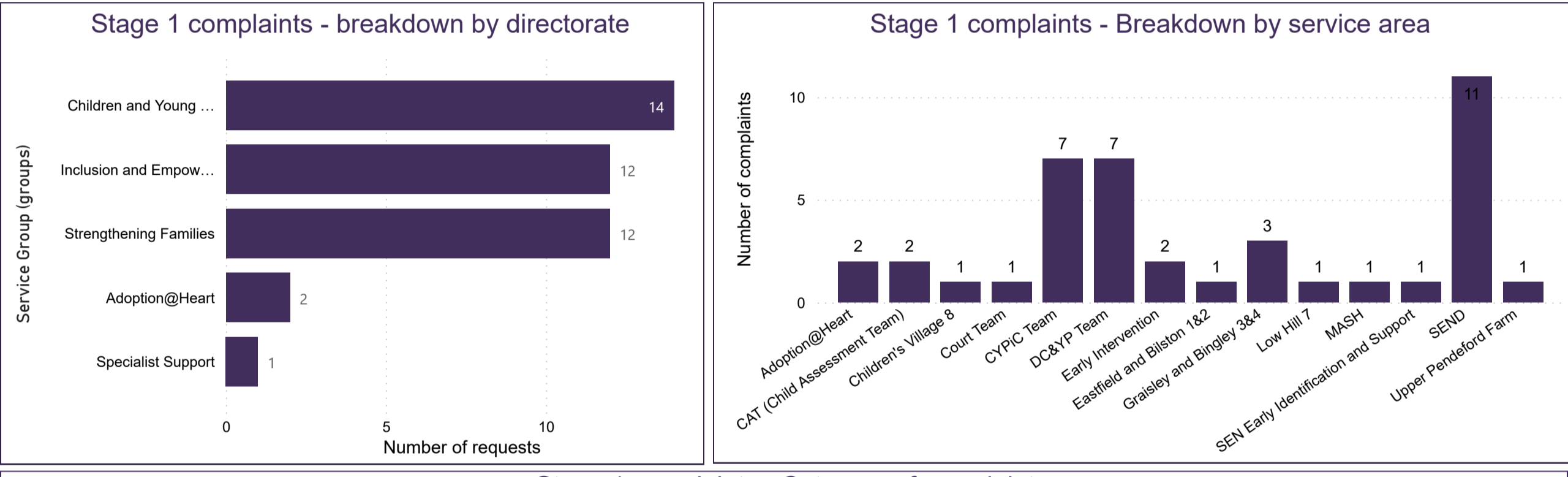
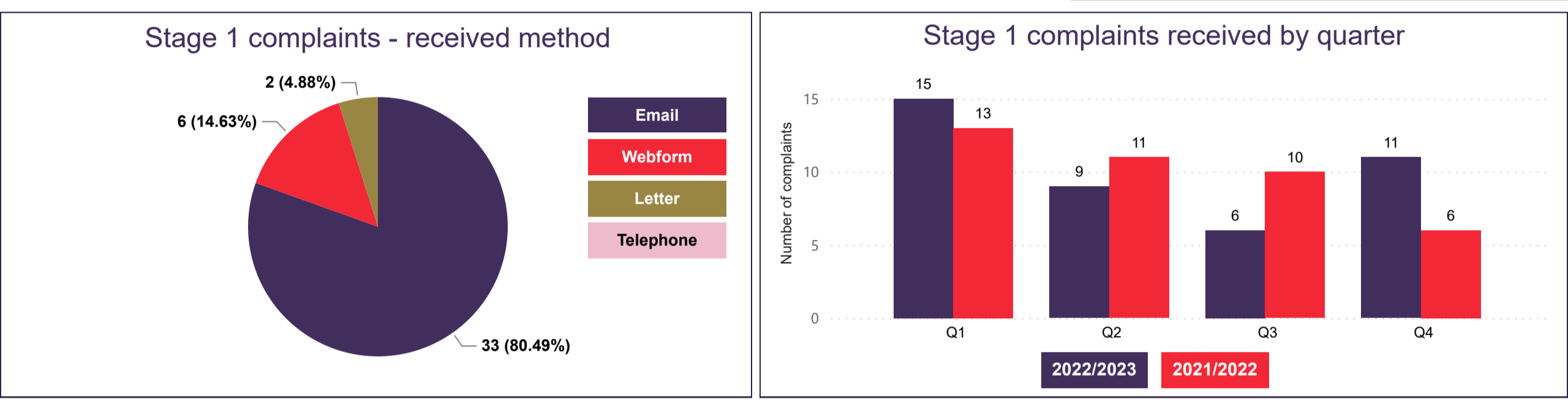
**12** Complaints received | **14** Average response days (working days)

**Comparison to previous year**

2022/2023	41
2021/2022	40

Difference: **1**

In comparison to 2021/2022 an increase has been seen in the number of stage 1 complaints received



**Stage 2 Complaints**

**6**

Stage 2 complaints received

**0**

Stage 2 complaints not upheld (council is not at fault)

**5**

Stage 2 complaints part upheld (council is partly at fault)

**1**

Stage 2 complaints upheld (council is at fault)

**2** Corporate complaints procedure

---

**4** Statutory complaints procedure

**Comparison to previous year**

2022/2023	6
2021/2022	9

Difference: **-3**

In comparison to 2021/2022 a decrease has been seen in the number of stage 2 complaints received

**Stage 2 complaints received by quarter**

Quarter	2022/2023	2021/2022
Q1	2	1
Q2	1	5
Q3	3	0
Q4	0	3

**Compliments, Informal Complaints and Stage 3 Complaints**

Informal complaints received

**91**

Compliments received

**90**

**0** Corporate complaints procedure

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**0** Statutory complaints procedure

**Comparison to previous year**

2022/2023	0
2021/2022	0

Difference: **0**

In comparison to 2021/2022 no change has been seen in the number of stage 3 complaints received.

**Select a service:**

Adults

Children's

Corporate

Public Health

**Select a year:**

2021/2022

2022/2023

2023/2024

**Select a quarter:**

Q1

Q2

Q3

Q4

**Stage 1 Complaints**

25

Stage 1 complaints received

9

Stage 1 complaints not upheld (council is not at fault)

9

Stage 1 complaints part upheld (council is partly at fault)

7

Stage 1 complaints upheld (council is at fault)

Corporate complaints procedure

1

Complaints received

54

Average response days (calendar days)

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Statutory complaints procedure

24

Complaints received

16

Average response days (working days)

Comparison to previous year

2022/2023

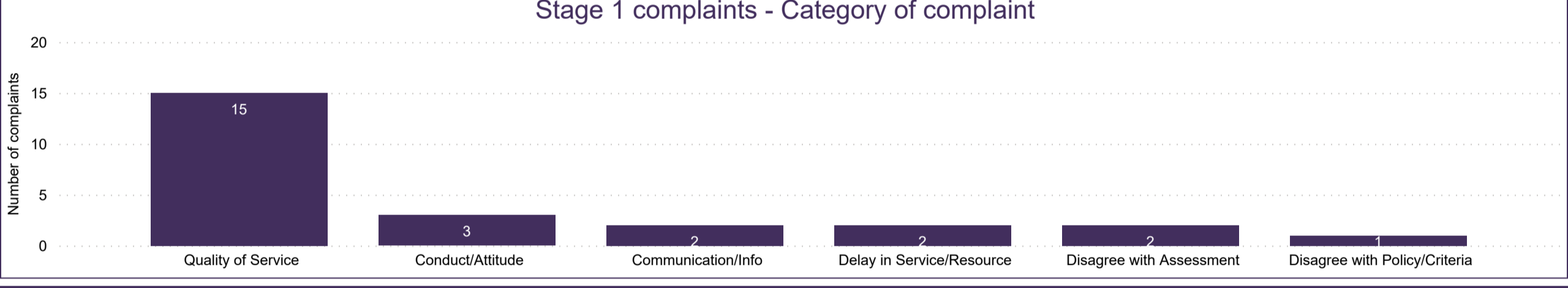
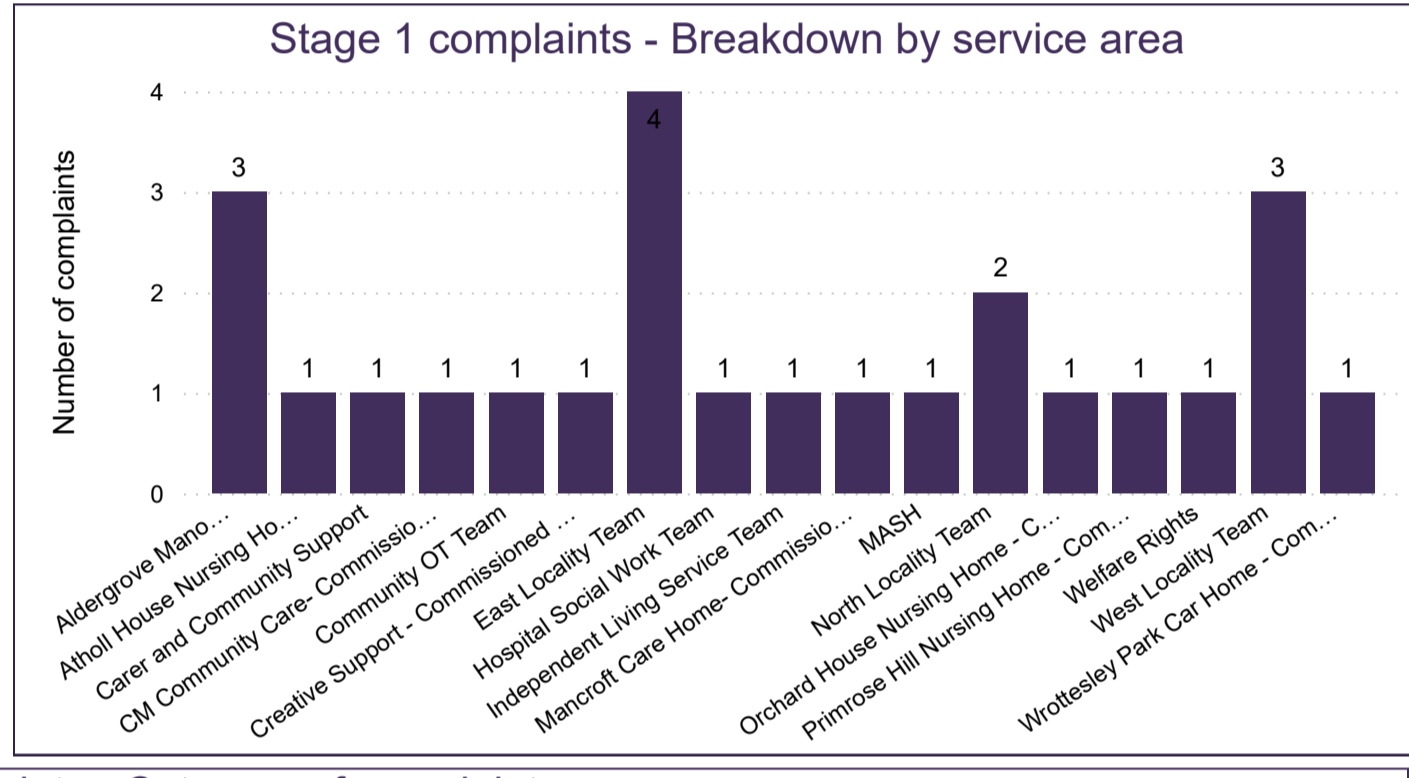
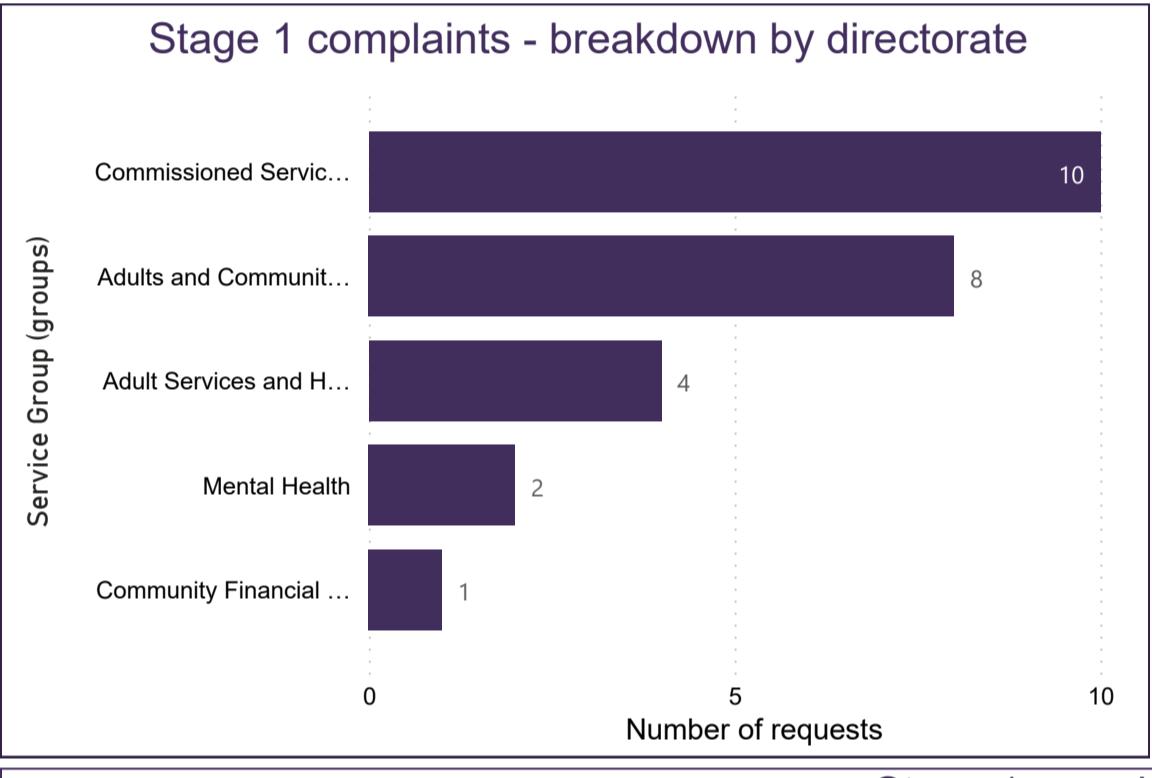
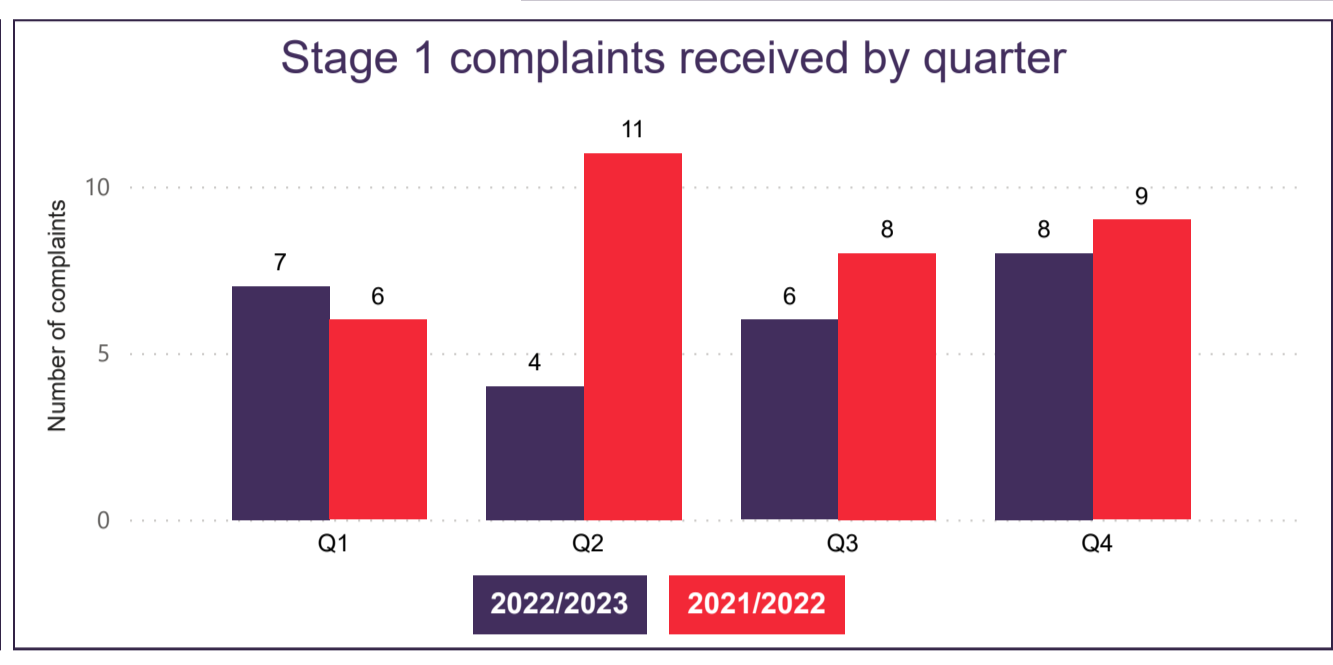
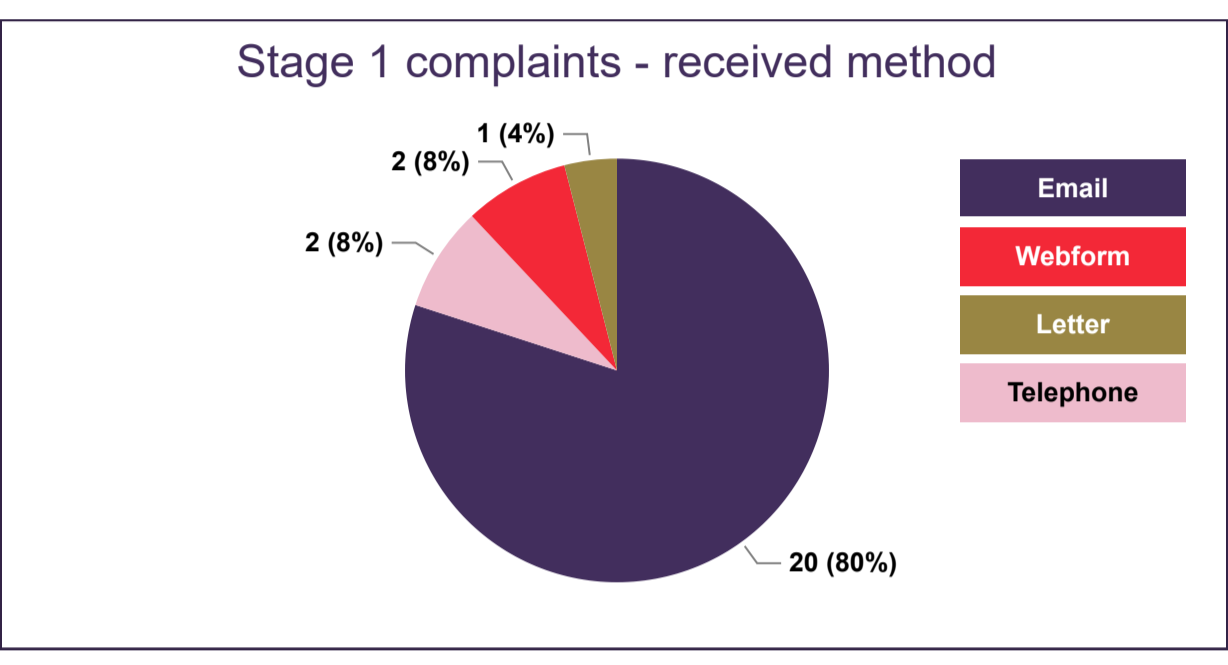
25

2021/2022

34

Difference: -9

In comparison to 2021/2022 a decrease has been seen in the number of stage 1 complaints received



**Stage 2 Complaints**

0

Stage 2 complaints received

0

Stage 2 complaints not upheld (council is not at fault)

0

Stage 2 complaints part upheld (council is partly at fault)

0

Stage 2 complaints upheld (council is at fault)

Corporate complaints procedure

0

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Statutory complaints procedure

0

Comparison to previous year

2022/2023

0

2021/2022

1

Difference: -1

In comparison to 2021/2022 a decrease has been seen in the number of stage 2 complaints received

Stage 2 complaints received by quarter

Quarter	2022/2023	2021/2022
Q1	0	0
Q2	0	1
Q3	0	0
Q4	0	0

**Compliments and Informal Complaints**

Informal complaints received

72

Compliments received

472

**Select a service:**

Adults
Children's
Corporate
Public Health

**Select a year:**

2021/2022
2022/2023
2023/2024

**Select a quarter:**

Q1
Q2
Q3
Q4

**Stage 1 Complaints**

1

Stage 1 complaints received

0

Stage 1 complaints not upheld (council is not at fault)

1

Stage 1 complaints part upheld (council is partly at fault)

0

Stage 1 complaints upheld (council is at fault)

Corporate complaints procedure

1
21

Complaints received | Average response days (calendar days)

---

Statutory complaints procedure

0
0

Complaints received | Average response days (working days)

Comparison to previous year

2022/2023
1

2021/2022
0

Difference: 1

In comparison to 2021/2022 an increase has been seen in the number of stage 1 complaints received

Stage 1 complaints - received method

1 (100%)

- Email
- Webform
- Letter
- Telephone
- Not Recorded

Stage 1 complaints received by quarter

Stage 1 complaints - breakdown by directorate

Stage 1 complaints - Breakdown by service area

Stage 1 complaints - Category of complaint

**Stage 2 Complaints**

0

Stage 2 complaints received

0

Stage 2 complaints not upheld (council is not at fault)

0

Stage 2 complaints part upheld (council is partly at fault)

0

Stage 2 complaints upheld (council is at fault)

0

Corporate complaints procedure

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0

Statutory complaints procedure

Comparison to previous year

2022/2023
0

2021/2022
0

Difference: 0

In comparison to 2021/2022 no change has been seen in the number of stage 2 complaints received

Stage 2 complaints received by quarter

**Compliments and Informal Complaints**

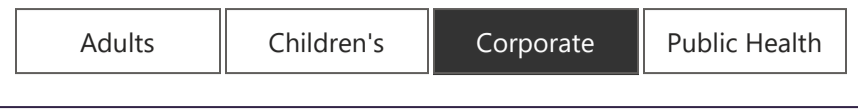
Informal complaints received

4

Compliments received

1

Select a service:



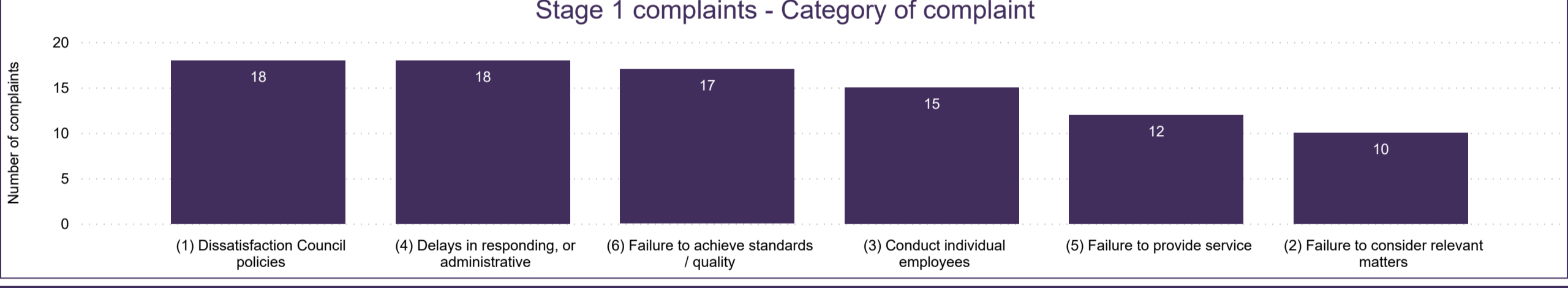
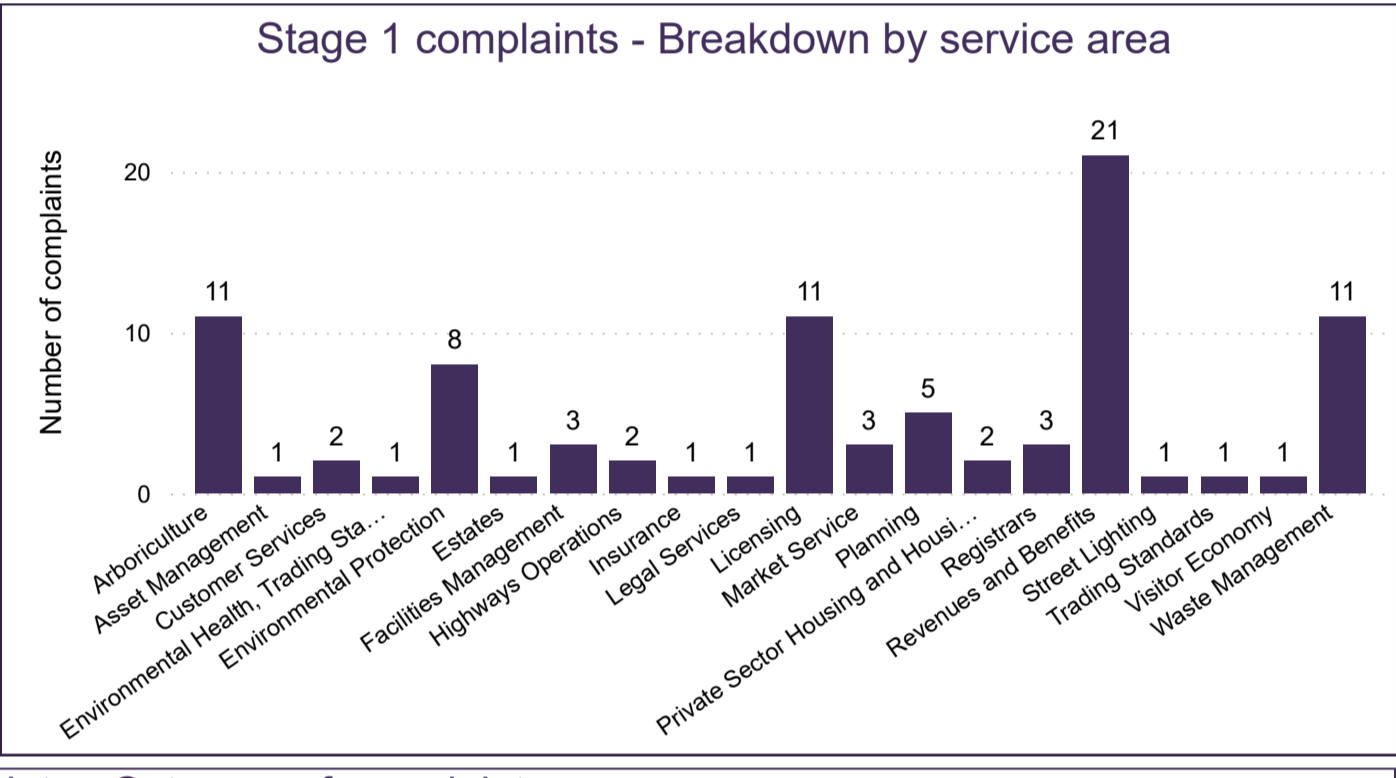
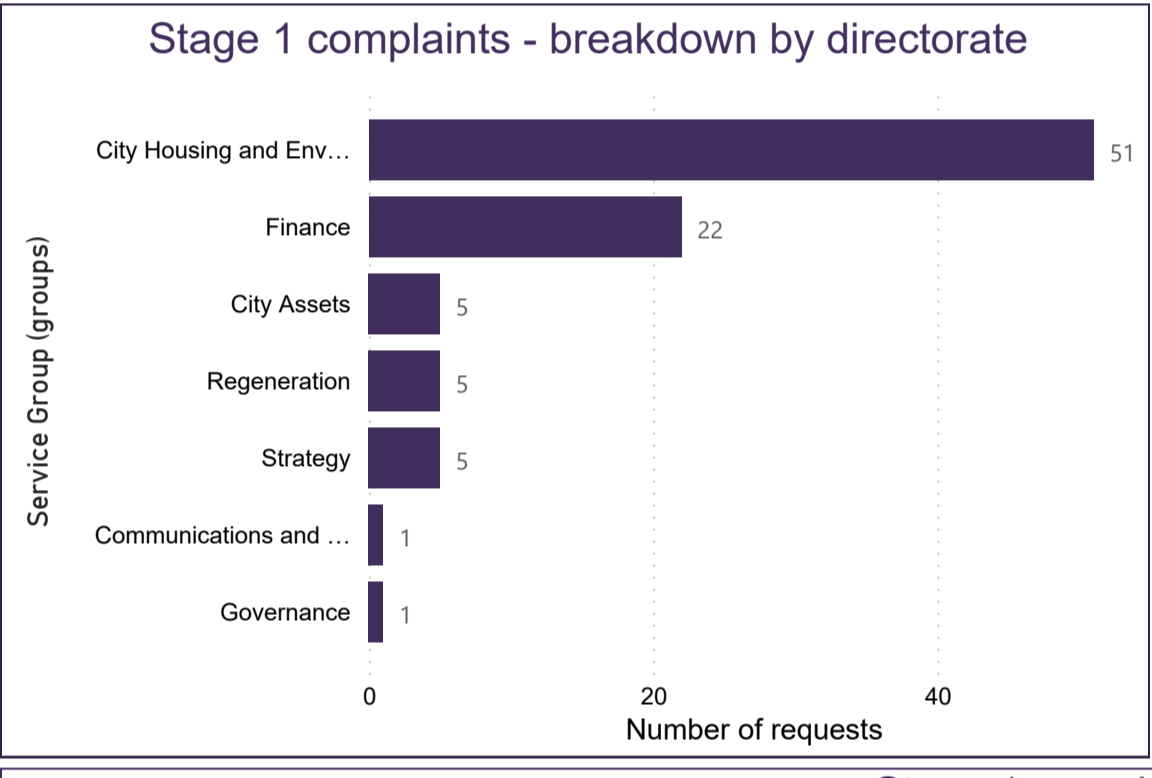
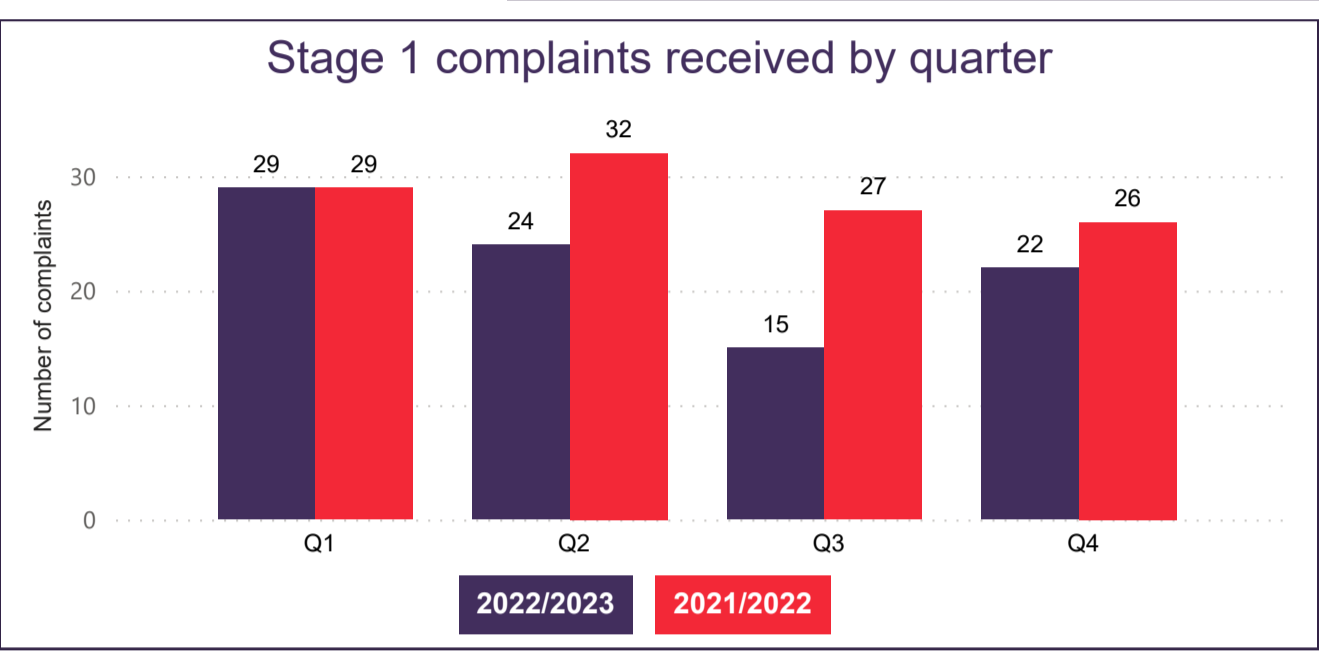
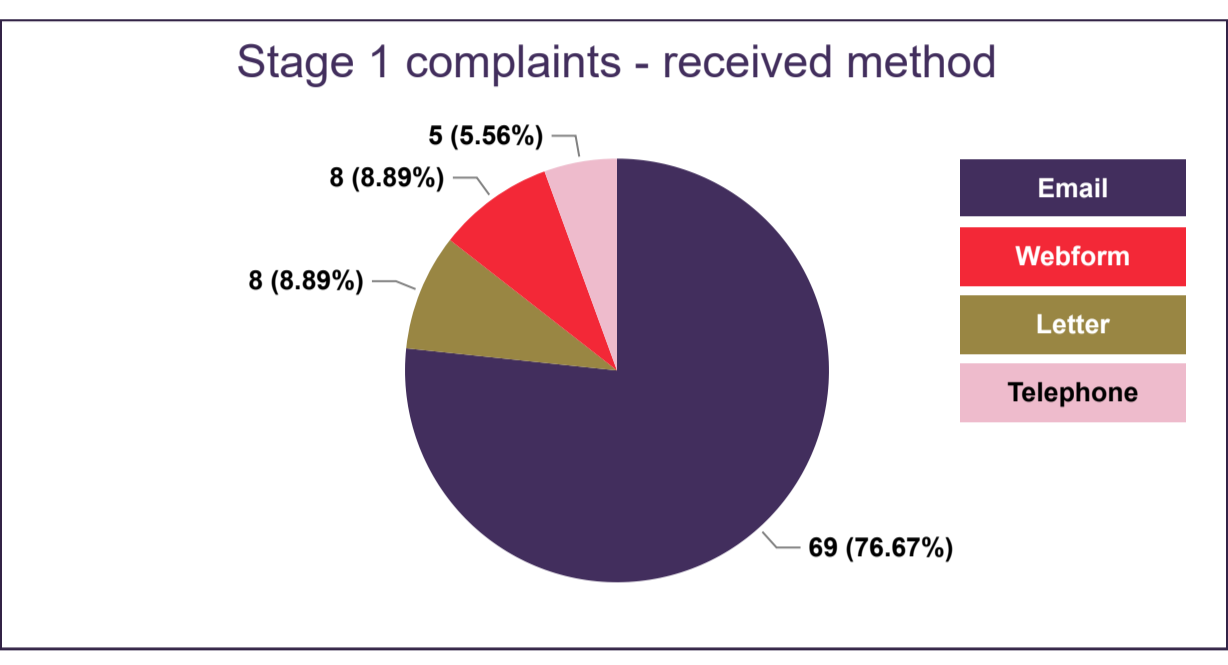
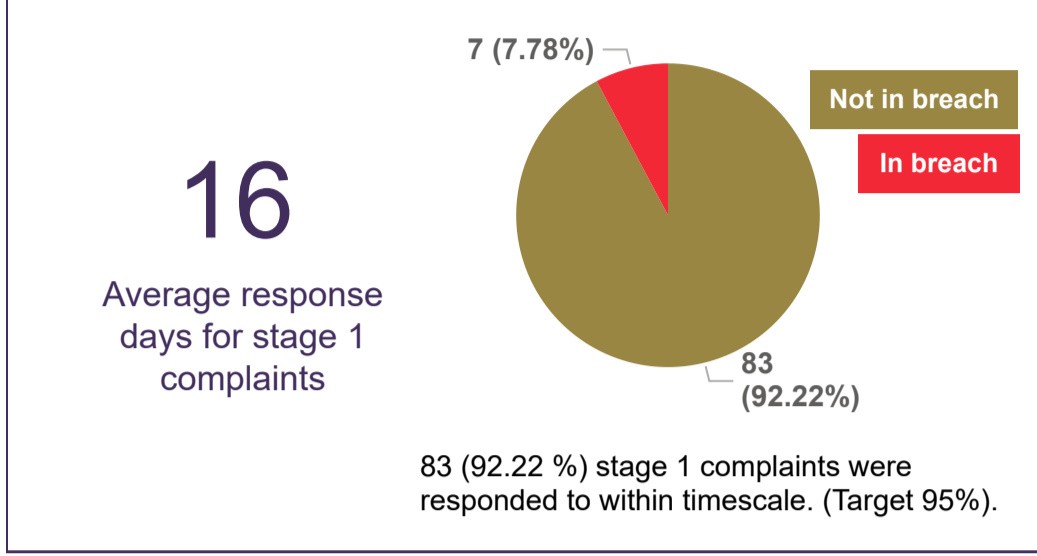
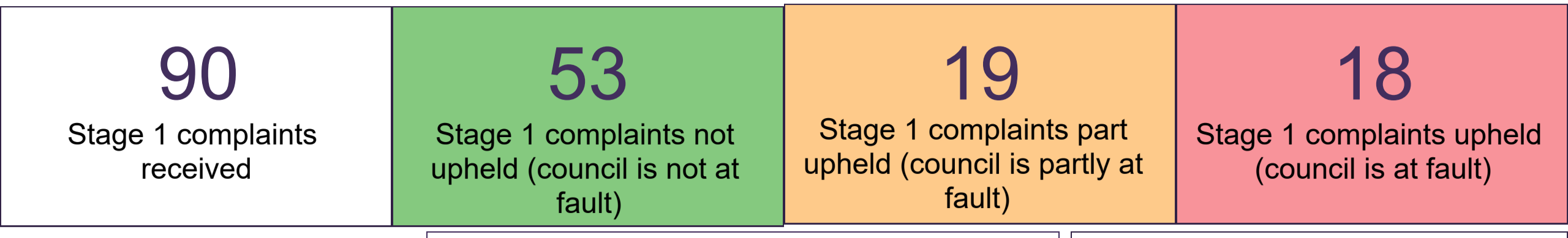
Select a year:



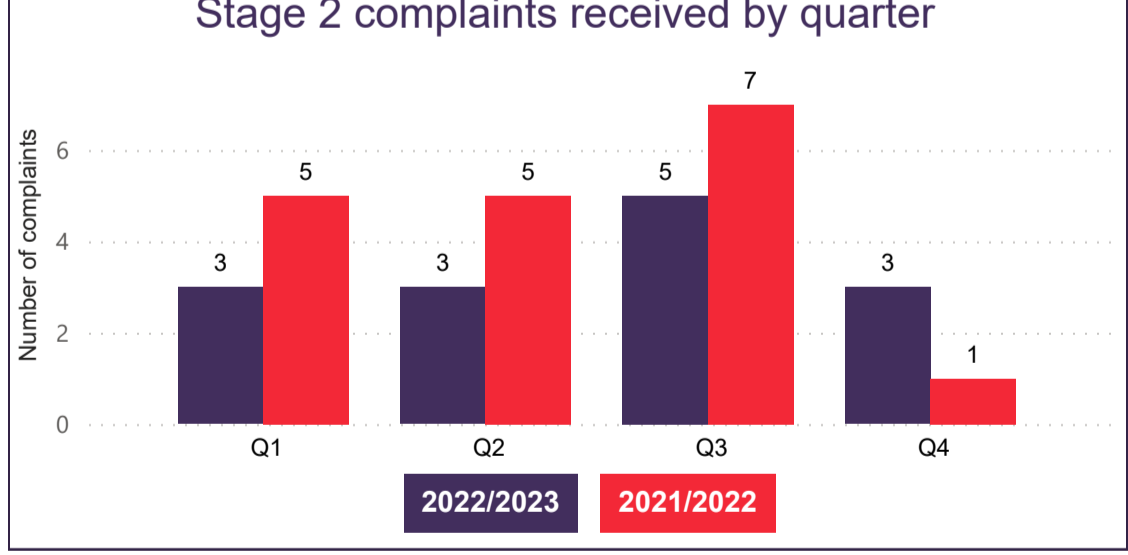
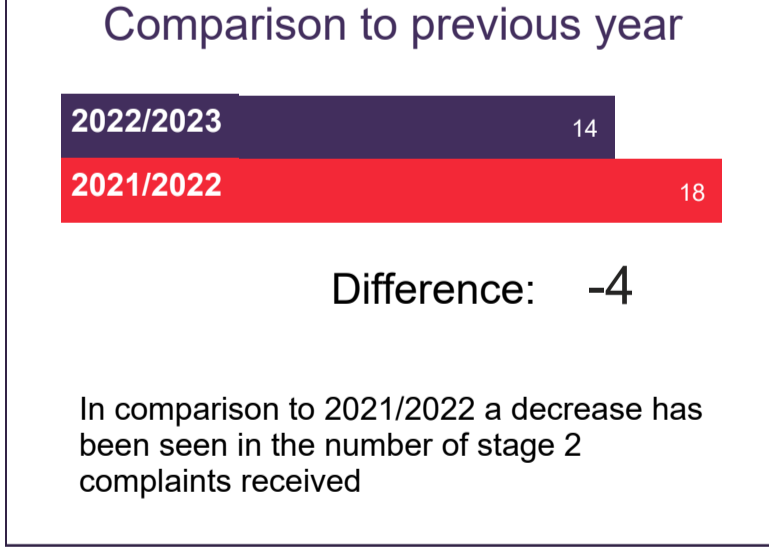
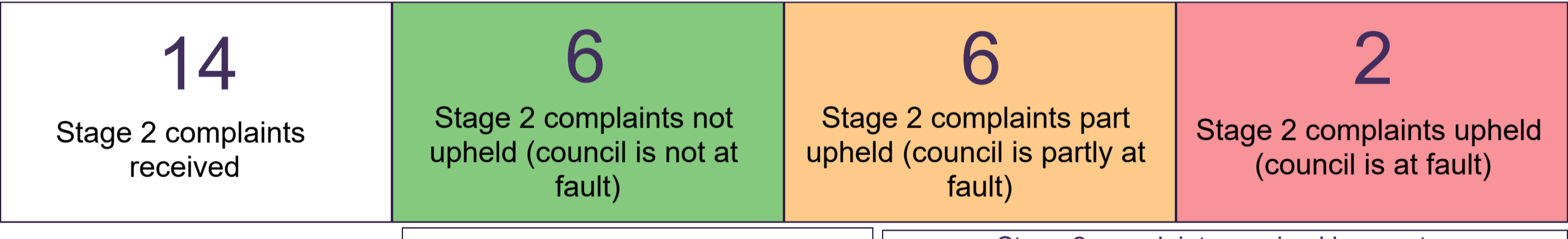
Select a quarter:



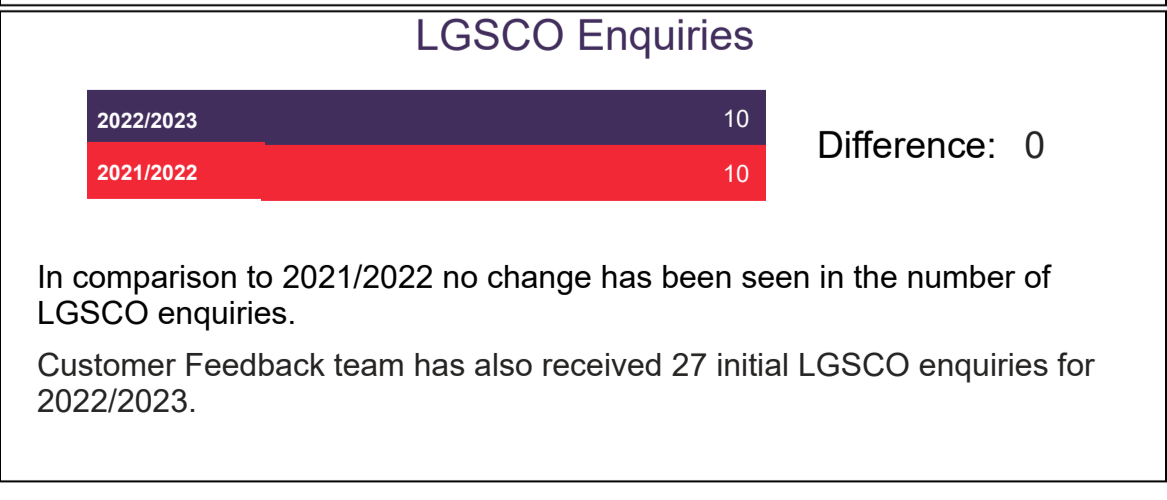
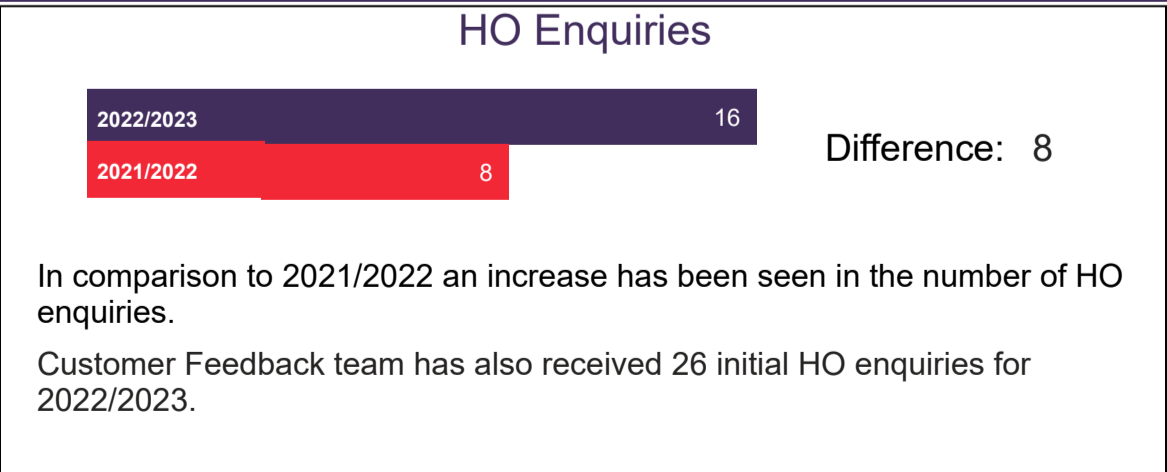
Stage 1 Complaints



Stage 2 Complaints



Compliments, Service Requests, HO and LGSCO Enquiries





Complaint details	Ombudsman Outcome/Requirement	Lessons/Action Timeframe
<p><b>Adult Services Mental Health Team</b> received one complaint in relation to service and support received in supporting living accommodation and interruptions to schedule causing stress and anxiety</p>	<p><b>Outcome</b> upheld, fault and injustice;</p> <ul style="list-style-type: none"> <li>• Provide a written apology to complainant which acknowledges the quality of support received due to staff absence was not to standard.</li> <li>• Pay £300 to acknowledge the impact on the support received</li> </ul>	<ul style="list-style-type: none"> <li>• Apology sent to complainant</li> <li>• Payment of £300 issued to complainant</li> </ul> <p>Note: Staff absences were due to Covid 19 impact and staff isolating in accordance with national guidelines</p>
<p><b>Adult Services and Health Partnership and Commissioned Services</b> received one complaint in relation to respite care received by care home</p>	<p><b>Outcome</b> not upheld, no maladministration;</p>	<p>N/A</p>
<p><b>Finance</b> received one complaint in relation to tenants' applications for housing benefit</p>	<p><b>Outcome</b> upheld, fault and injustice;</p> <ul style="list-style-type: none"> <li>• Appeals to be passed to Tribunal without delay (within 4wks)</li> </ul>	<ul style="list-style-type: none"> <li>• Appeals staff informed of implications</li> <li>• Appeals to be submitted within four weeks</li> <li>• Direction from the Tribunal should be requested if we considered that further evidence was required</li> </ul>

Complaint details	Ombudsman Outcome/Requirement	Lessons/Action Timeframe
<p><b>City Housing and Environment</b> received one complaint in relation to council's delays in dealing with private hire vehicle driver's licence</p>	<p><b>Outcome</b> upheld: no further action; LGSCO has confirmed that the council had already remedied –</p> <ul style="list-style-type: none"> <li>No investigation by LGSCO</li> </ul>	<ul style="list-style-type: none"> <li>Timescales for replying to licencing application reviewed by the service to ensure further delays not incurred</li> </ul>
<p><b>Children's Services</b> received one complaint in relation to failure to issue an amended Education Health and Care plan within the required time limit;</p> <p>LGSCO satisfied with how the service shares amended EHC plans following tribunal</p>	<p><b>Outcome</b>, upheld, fault and injustice;</p> <ul style="list-style-type: none"> <li>Apologise to complainant for delays and poor communication</li> <li>Review how the service monitors and arranges social care assessments for disabled children to ensure it completes these within a reasonable period of time.</li> <li>Pay £250 to recognise the delays</li> </ul>	<ul style="list-style-type: none"> <li>Service reviewed the arrangement of social care assessment for disabled children</li> <li>Apology and payment of £250 issued to complainant</li> </ul>
<p><b>Adult Services</b> received one complaint in relation to safeguarding enquiry at care home/care provider</p>	<p><b>Outcome</b> upheld fault and injustice;</p> <ul style="list-style-type: none"> <li>the Council will remind the care provider about the importance of raising safeguarding alerts immediately and keeping a record of safeguarding referrals</li> </ul>	<ul style="list-style-type: none"> <li>Commissioning Team contacted the Provider who has confirmed that they will adhere to Safeguarding Policies and Procedures and raising safeguarding alerts immediately whilst keeping relevant record of all safeguarding referrals. The Provider will continue to liaise with Quality Assurance Lead in the Commissioning Team at the Council</li> </ul>

Complaint details	Ombudsman Outcome/Requirement	Lessons/Action Timeframe
<p><b>Wton Homes/City Housing and Environment</b> received one complaint in relation to fault in its handling of an application to its housing allocations scheme, how it determined the priority banding on the scheme and how it has considered bids for properties</p>	<p><b>Outcome</b> upheld, fault and injustice;</p> <ul style="list-style-type: none"> <li>Provide a letter of apology to the complainant for the delay found in forwarding the request for a review of the council's decision on the medical priority</li> </ul>	<ul style="list-style-type: none"> <li>Apology letter issued to the complainant in relation to the delays established in requesting a review of the decision</li> </ul>
<p><b>Children's Services/Third party provider/agency</b> received one complaint in relation to how the Council and its Agency dealt with his request for information and council/agency's complaint handling process and communication</p>	<p><b>Outcome</b> upheld, fault and injustice;</p> <ul style="list-style-type: none"> <li>Provide a letter of apology again in writing to the complainant for the distress caused by the delays and poor handling of their complaint</li> </ul>	<ul style="list-style-type: none"> <li>Apology letter issued to the complainant for the distress caused by the delays and poor handling of complaint</li> </ul>

Complaint details	Ombudsman Outcome/Requirement	Lessons/Action Timeframe
<p><b>City Housing and Environment</b> received one complaint in relation how the council has managed noise complaint and about the Council's poor responses</p>	<p><b>Outcome</b> upheld, fault and injustice;</p> <ul style="list-style-type: none"> <li>• Provide a letter of apology to the complainant for the initial delay in dealing with her noise enquiry and lack of communication</li> <li>• Pay £150 to acknowledge the unnecessary time and trouble spent contacting the Council for a response</li> </ul>	<ul style="list-style-type: none"> <li>• Apology letter issued to the complainant for the initial delay in dealing with the noise enquiry and lack of communication</li> <li>• Payment of £150 issued to the complainant for the time and trouble spend contacting the Council for a response</li> </ul>
<p><b>Children's Services</b> received one complaint about how the Council dealt with Education, Health and Care needs assessment and plan and about how the Council dealt with a carer assessment application</p>	<p><b>Outcome</b> upheld, fault and injustice;</p> <ul style="list-style-type: none"> <li>• Provide a letter of apology again to the complainant in recognition of the injustice caused by its delays in dealing with EHC needs assessment and with issuing final EHC Plan</li> <li>• Pay £500 in recognition of the loss of some provision as contained in the final EHC Plan due to the Council's delays and pay £250 to acknowledge the distress and avoidable time and trouble caused for chasing updates with the final EHC Plan</li> <li>• Carry out training or other means remind staff of the importance of adhering to the Council's complaint procedure / timescales at stage one of the complaints procedure</li> <li>• Produce an action plan to demonstrate how the Council will meet statutory timescales for EHC needs assessments and EHC Plans</li> </ul>	<ul style="list-style-type: none"> <li>• Apology letter issued to the complainant for delays in dealing with EHC needs assessment and issuing the final EHC plan</li> <li>• Payment of £500 issued to complainant for loss of provision contained in the EHC Plan and £250 to acknowledge distress and time, trouble caused for chasing updates for the final EHC Plan</li> <li>• Officers reminded to carry out online children's and corporate complaint training via learning hub</li> <li>• Council has completed work relating to a Written Statement of Action; compliance is now at 70% for 2023 (above national average when compared to 2022) and our average compliance for the last 3 months is 83%. This is monitored every week with officers as business as usual</li> </ul>