Corporate Representations Procedure

Annual Report 2023-2024

1. Purpose

1.1 This is the Annual Report for Worcestershire County Council on the operation of the Corporate Complaints and Representations Procedure covering the period from 1 April 2023 to 31 March 2024.

1.2 It provides information on the number and nature of all representations received and the outcomes. It also looks at some of the issues raised by them and what changes have resulted. Finally, it gives a flavour of some of the compliments received during the last twelve months.

2. Principles of the Complaints Process

2.1 Meeting the following principles should assist the local authority in providing a successful complaints process across a range of corporate services. The complaints process should:

- provide an acknowledgement within 7 working days.
- provide details of the person dealing with their representation
- make a full written response within 20 working days for Stage 1 complaints and advise of progress where this cannot be met.
- Aim where possible to come into alignment with the timescales in the new LGSCO Complaint Handling Code.
- treat all complainants fairly and courteously.
- treat all complaints in confidence.
- not discriminate against a complainant if they have complained before.
- always try to put things right.
- seek to improve services in the future.

2.2 The Local Authority may decide not to investigate a complaint made one year or more after the incident occasioning the complaint, unless it would be unreasonable to expect the complainant to have made the complaint earlier.

3. Outline of Complaints Process

3.1 The Representation Process encompasses comments, compliments and complaints.

3.2 A complaint may be generally defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council or its agents, affecting any customer.

3.3 The process is important because:

- It provides a way for members of the community to contact the Council and voice their satisfaction or dissatisfaction with staff or services.
- a well-publicised and efficient Representations Process improves communication between the Council and its customers.
- it demonstrates to customers that the Council values their comments and are prepared to act on them.
- it enables customers to reward good service by providing a method of recording their compliments. These are used by management to demonstrate to staff that they are working to

high standards and are valued by their customers and helps to provide a more balanced view of how successful the Council is at delivering high quality services to the public.
- it enables the Council to re-direct resources/attention thereby improving service.
- it enables the Council to assess customer satisfaction.
- customers benefit twofold: they benefit as individuals by having their problems sorted out; and they benefit collectively as a result of improved services.

3.4 There are three possible stages to the process.

- The first stage is known as Stage 1. At this stage a manager will investigate the issue and will produce a written response to the customer within 20 working days. If, after receiving this, the Customer remains dissatisfied, they can request that their complaint is investigated at Stage 2.

- At Stage 2 an officer or contractor other than the person who investigated at Stage 1 looks into the escalation points. This may be a simple or more complex investigation depending on the nature of the case. A response should be completed within 25 working days. It may be:

    - a letter or email from the Stage 2 investigator, or
    - a report from an independent investigating officer and a manager's response to that report.

3.5 If the complainant is still dissatisfied with the outcome of the investigation, they may contact the Local Government and Social Care Ombudsman.

4. Learning from Complaints

4.1 Learning from complaints is an important aspect of the complaints procedure. Where "lessons learned" are identified in a Stage 1 or Stage 2 complaint response, these are recorded in the Representations Management System along with dates identified.

5. Local Government and Social Care Ombudsman Complaints

5.1 There were **38** Corporate complaints made to the Local Government and Social Care Ombudsman (LGSCO) in the year.

- 25 were for Worcestershire Children First
- 8 were for the Economy and Infrastructure Directorate
- 2 were for the Finance directorate
- 2 were for matters outside of the remit of Worcestershire County Council.
- 1 was for the Commercial and Change Directorate

5.2 There were **22** determinations for corporate complaints by the LGSCO in the year. Please note that some may have been received in the previous year.

- 10 were closed after initial enquiries with no further action
- 7 were upheld due to maladministration and injustice
- 2 were closed before accepting as they were out of jurisdiction
- 2 were not upheld
- 1 was deemed as premature (it had not exhausted the council's complaint process)

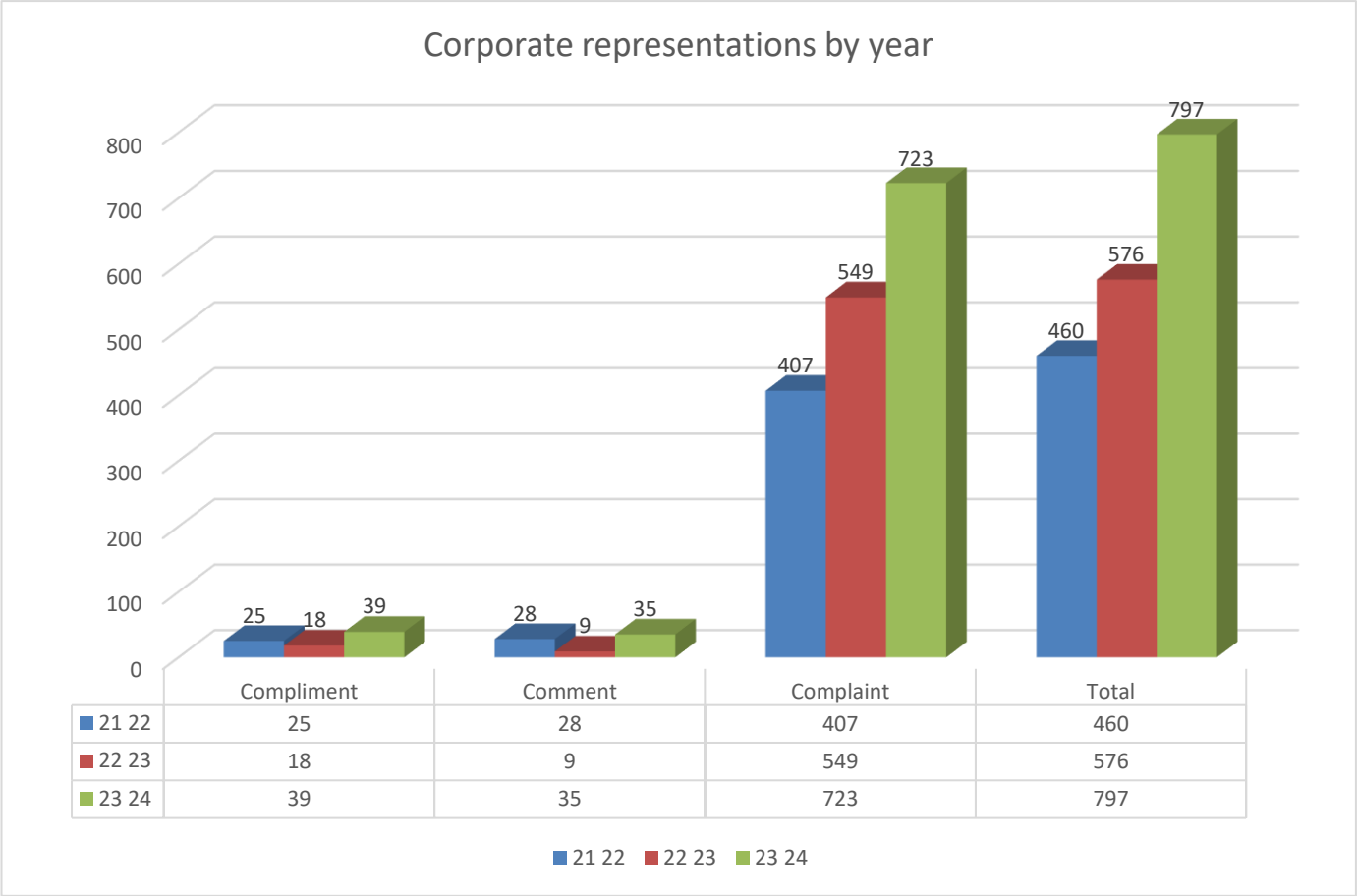
5.3 6 payments were made in relation to corporate complaints determined by the LGSCO and these payments related to complaints in respect of Worcestershire Children First. The total amount paid was £14,800.

6. Statistical Data

6.1 There will be some anomalies in the following statistical data. There are two reasons for this:

- A complaint that progresses through Stages 1 and 2 is counted at each stage but only included once in all other criteria.
- Some complaints may concern more than one service/issue

7. Total Number of Corporate Representations Received

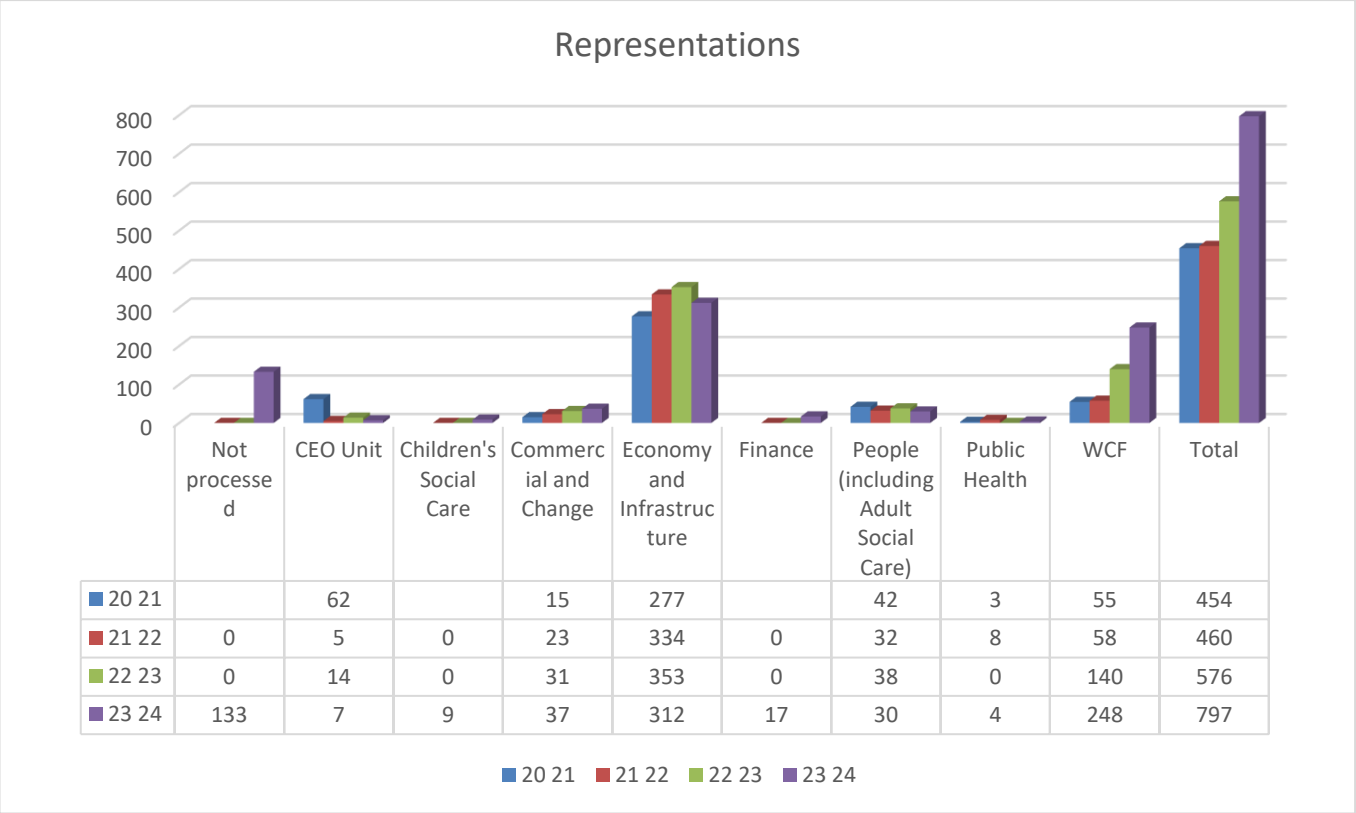


7.1 The total number of representations received in 2023-24 shows a significant increase compared with the previous year, which itself saw a 25% increase in volume of representations.

7.2 Part of this is explained by the fact that 123 complaints rejected before Stage 1 form part of the Stage 1 statistics for Quarters 3 and 4 since these started to be tracked in our new Representation Management System (RMS).

7.3 However, even when setting those complaints aside, the increase on representations is 18% compared to the previous year.

8. Representations received by Directorate



	Not processed	CEO Unit	Children's Social Care	Commercial and Change	Economy and Infrastructure	Finance	People (including Adult Social Care)	Public Health	WCF	Total
20 21		62		15	277		42	3	55	454
21 22	0	5	0	23	334	0	32	8	58	460
22 23	0	14	0	31	353	0	38	0	140	576
23 24	133	7	9	37	312	17	30	4	248	797

8.1 There are Statutory Complaints Procedures for both Adults and Children's Social Care, therefore their numbers are lower in terms of corporate representations.

8.2 Economy and Infrastructure traditionally has a larger volume of complaints. These typically concern highways matters.

8.3 During 2023-24 the number of representations received in Economy and Infrastructure saw a small decrease on the 2022-23 total from 353 to 312. There does not seem to be a single, specific factor causing this, although part of the explanation could be a more efficient re-routing of service requests into the Highways reporting system.

8.4 There is an increase in Commercial and Change from 31 to 37. This is mainly because since Q3, Freedom of Information Internal Reviews and data breach reports have started to be handled in the Representations Management System as Stage 1 complaints.

8.5 The number of representations received by Worcestershire Children First, mainly in regard of SEND (SSpecial Educational Needs and Disabilities) and Vulnerable Learners, increased significantly from 58 in 2021-22 to 140 in 2022-23 and now 238 in 2023-24.

8.6 For other directorates, 2023-24 saw a stable number of complaints received, except for Public Health which did not receive any new complaints in the year (the 4 shown are comments/compliments).

9. Representations by Service Area

9.1 There continues to be reorganisation within Directorates and therefore the tables below reflect the Directorate services and names at the end of the 2023-24 year.

9.2 **Economy and Infrastructure, 2023-24**

In Quarters 1 and 2, the teams within Economy and Infrastructure were broken down differently than in Quarters 3 and 4, following the introduction of the new Representations Management System for complaint handling.

As a result, there cannot be a like-for-like comparison of complaints assigned to different teams in this financial year.

It should also be noted that Waste Operations, as they operate Household Recycling Centres through a contractor, route many complaints locally instead of through the corporate complaints process.

	Q1	Q2	Q3	Q4	Total 23 24
Countryside Sites North					**0**
Countryside Sites South					**0**
Flood Risk and Highways Management	2		5	4	**11**
Gypsy Sites					**0**
Highways Maintenance South			3	0	**3**
Highways Control			4	1	**5**
Highways Maintenance Local Works Team			18	25	**43**
Highways Maintenance Operations - Routine and Cyclic	37	23			**60**
Highways Maintenance Operations - Design and Build	2	1			**3**
Highways Operations, Public Transport and PRoW	2	1	10	3	**16**
Highways Transport Operations	4				**4**
Mapping and Enforcement Operations			0	1	**1**
Network Control	11	20			**31**
Planning Development Control	4	20			**24**
Strategic Infrastructure and Economy	3	2			**5**
StreetWorks Team			6	1	**7**
Traffic Management Team			0	1	**1**
Transport Commissioning		3	6	4	**13**
Transport Contracts and Compliance			3	0	**3**
Transport Operations	7	11	1	0	**19**
Major Projects and Waste	4	11			**15**
Development Control			1		**1**
Highways Contracts and Programmes				1	**1**
Major Infrastructure Projects			1		**1**
Transport Policy and Strategy				1	**1**
Waste Operations			5	5	**10**
Waste Services				2	**2**
Total	76	92	63	49	**280**

Finance, 2023-24

Finance was last year counted under CEOU totals and not broken down.

	Q1	Q2	Q3	Q4	Total 23 24
Care Contribution Assessment Team				1	**1**
Finance		1		1	**2**
Finance Leadership Team				1	**1**
Financial Operational Services				1	**1**
Insurance Team			1	1	**2**
Payments Team			2	2	**4**
Pension Finance	1				**1**
	1	**1**	**3**	**7**	**12**

9.3 Chief Executive's Unit, 2023-24

HR&OD was last year counted under CEOU, but this year is part of People Directorate. Finance was also counted under CEOU and is now a directorate in its own right.

9.4 Worcestershire Children First 2023-24

As with other directorates, the breakdown of complaints has been split differently in Q3 and 4 since the introduction of RMS. SSpecial Educational Needs-related complaints have been gathered at the top of this table to enable a more like-for-like comparison.

	Q1	Q2	Q3	Q4	Total 23 24
SEND and Vulnerable Learners	60	53	4	4	**121**
Assessment Teams			4	3	**7**
Special Educational Needs North 1			6	9	**15**
Special Educational Needs North 2			10	16	**26**
Special Educational Needs South 1			21	21	**42**
Special Educational Needs South 2			7	15	**22**
Admissions Team				1	**1**
Children Missing Education			3	1	**4**
Education Engagement				2	**2**
Governor Services				1	**1**
Sufficiency and Place Planning	1	1			**2**
Adoption Services					**0**
Child Protection and LADO (Local Authority Designated Officer)					**0**
CWD, Short Breaks and Residential Care	2				**2**
Early Help Partnership					**0**
Fostering					**0**
Northeast					**0**
	63	**54**	**55**	**73**	**245**

9.5 People Directorate 2022-23

	Q1	Q2	Q3	Q4	Total 23 24
ACT					**0**
Commissioning			1		**1**
Delivery Lead & The Hive	2	2			**4**
DoLS (Deprivation of Liberty Safeguards) Safeguarding					**0**
Howbury	1				**1**
HR&OD		1			**1**
OP/PD					**0**
Redditch					**0**
Registrars	1				**1**
Safeguarding Operations					**0**
UPI	1		3	0	**4**
Vulnerable Resettlement Programme	3		5	4	**12**
Wyre Forest					**0**
	8	**3**	**9**	**4**	**24**

9.6 Commercial and Change 2023-24

	Q1	Q2	Q3	Q4	Total 23 24
Application Services				2	**2**
Business Admin and Systems	3	1			**4**
CIGT		1			**1**
Commercial & Change		2			**2**
Consumer Relations Unit			3	1	**4**
Customer Services Contact Centre	1	3	3	3	**10**
Content and Communications					**0**
Corporate Legal Services					**0**
Democratic Governance	1				**1**
Digital, Data and Web Services				1	**1**
GDPR Project Team				1	**1**
Information and Records Management				1	**1**
Legal Services		1			**1**
Property and Strategic Asset Management					**0**
Transformation			1		**1**
Web Manager		1			**1**
	5	**9**	**7**	**9**	**30**

9.7 Public Health 2023-24

There were no new complaints received in respect of the Public Health Directorate in 2023-24.

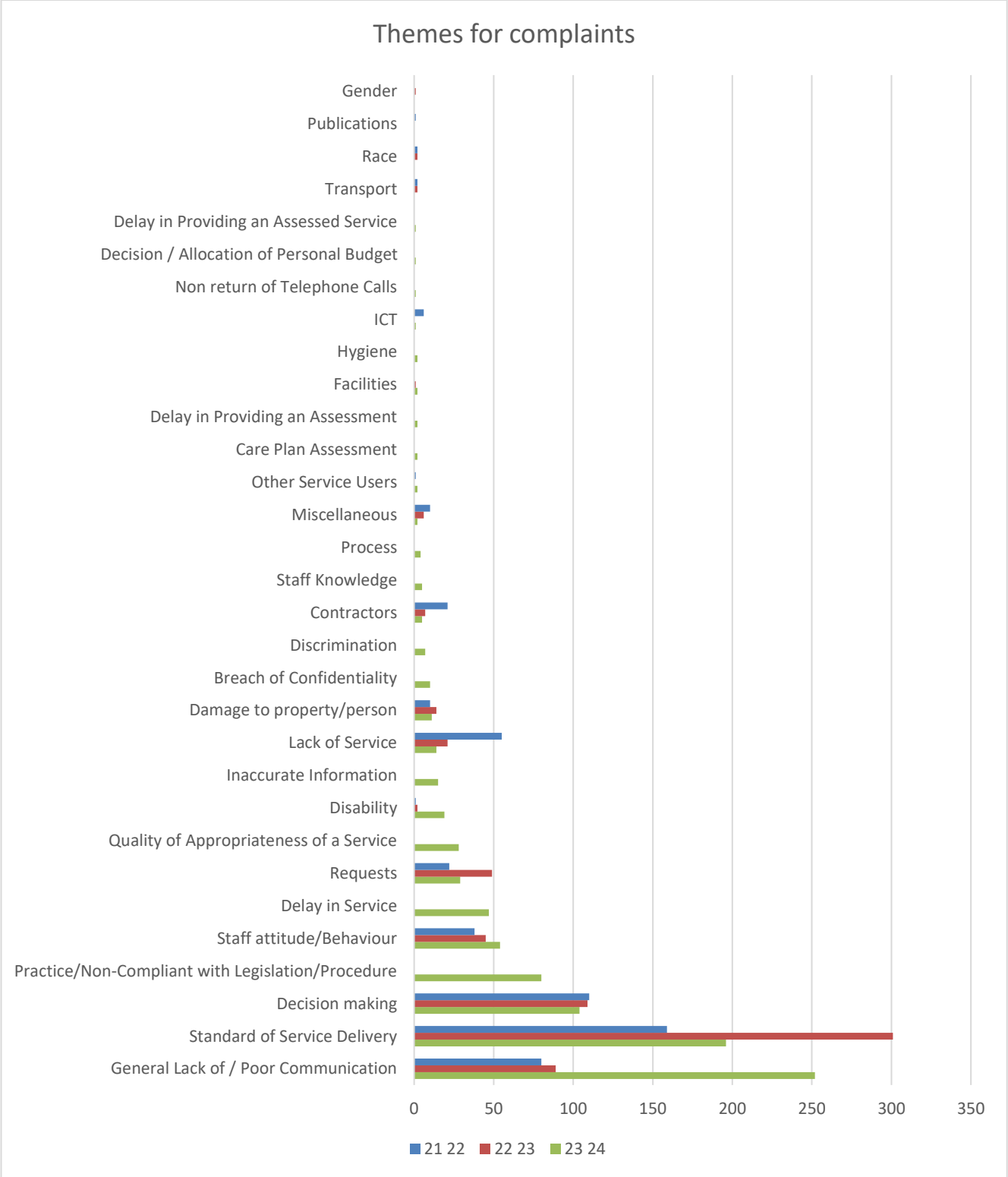
10. Freedom of Information Internal Reviews, Data Breaches and Dissatisfaction with Subject Access Request Outcomes

10.1 Since the adoption of a new complaints handling system, we are separating out the above reviews of information governance processes which fall under the aegis of the Information Commissioner. The requests dealt with in 2023-24 were as follows:

Freedom of Information Internal Review	12	6	12	11	**41**
Subject Access Request Review	n/a	n/a		3	**3**
Information Commissioner Case	n/a	n/a	1		**1**
Data Breach Reports	n/a	n/a	6	10	**16**
	12	**6**	**19**	**24**	**61**

11. Themes in Complaints 2023-24

11.1 A single complaint can have more than one theme recorded against it.



11.2 As in previous years, many of the complaints fall under the more general headings of Communication, Decision making and Standard of Service. There is an apparent rise in communication related complaint points versus a fall in Standard of Service complaints. This may reflect variations in how complaint themes are recorded, and the differing options between the Respond and RMS recording systems.

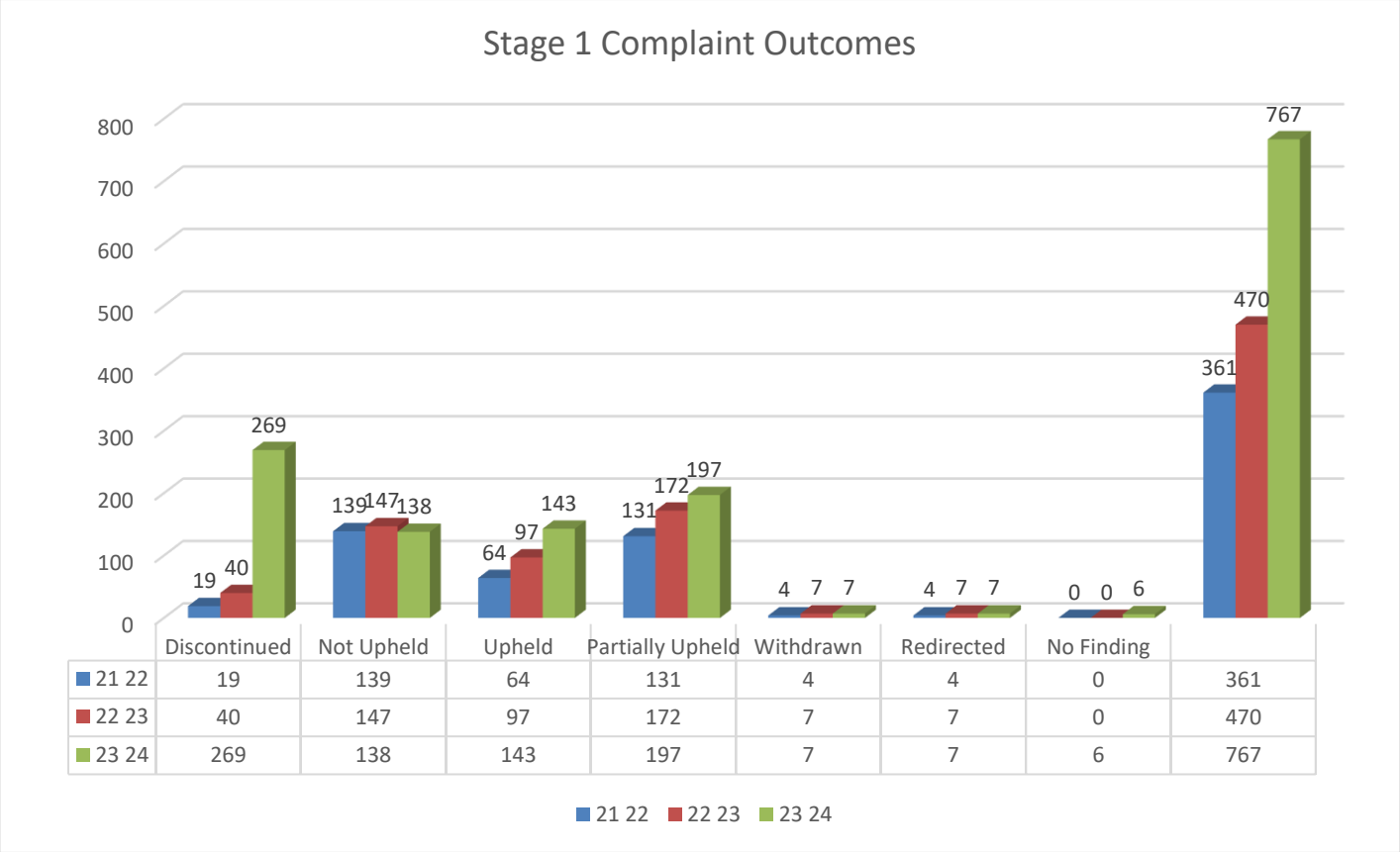
11.3 There is a slight increase in the appearance of “Staff attitude/behaviour”

12. Stage 1 Outcomes

12.1 In the year 2023-24 there were a total of 767 Stage 1 complaints determined compared to 470 in 2022-23.

This year saw a large increase in the number of discontinued complaints, which is a consequence of beginning to routinely log all complaint approaches, even those which are not taken at Stage 1. This can include service requests submitted as complaints (which are redirected to other departments) or complaints which fall outside of the remit of the corporate complaint process, either for reasons of jurisdiction, prematurity, or because the matter complained about is within the remit of another body entirely.

There was also a significant uptick in complaints upheld overall, partly explained by the additional complaints about Special Educational Needs services, where national systemic problems have impacted on delivery.

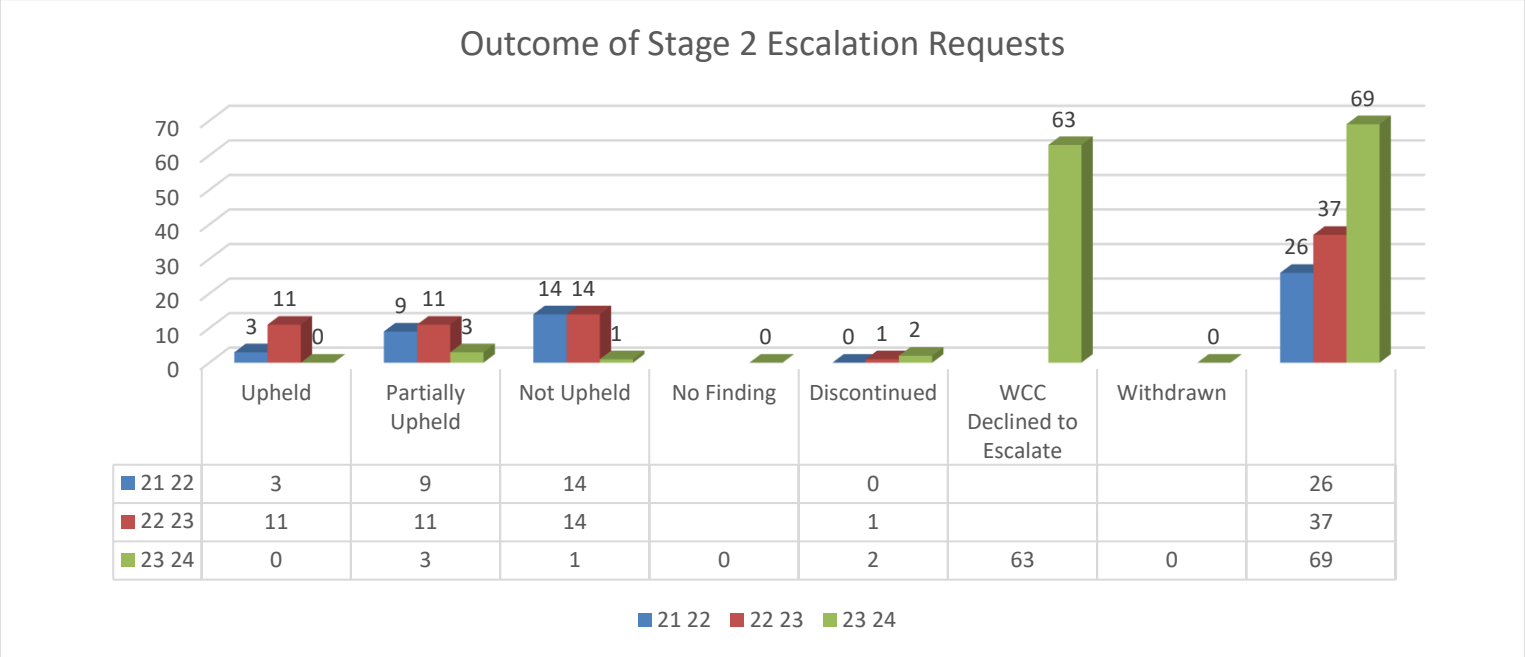


	Discontinued	Not Upheld	Upheld	Partially Upheld	Withdrawn	Redirected	No Finding	
21 22	19	139	64	131	4	4	0	361
22 23	40	147	97	172	7	7	0	470
23 24	269	138	143	197	7	7	6	767

13. Stage 2 Outcomes

13.1 In the year 2023-24 there were a total of 86 Stage 2 complaint escalations made, of which 20 were taken forward for further investigation and potential new findings. This is the first year we are including a statistic for escalations not accepted, and so this figure does not exist for previous years.

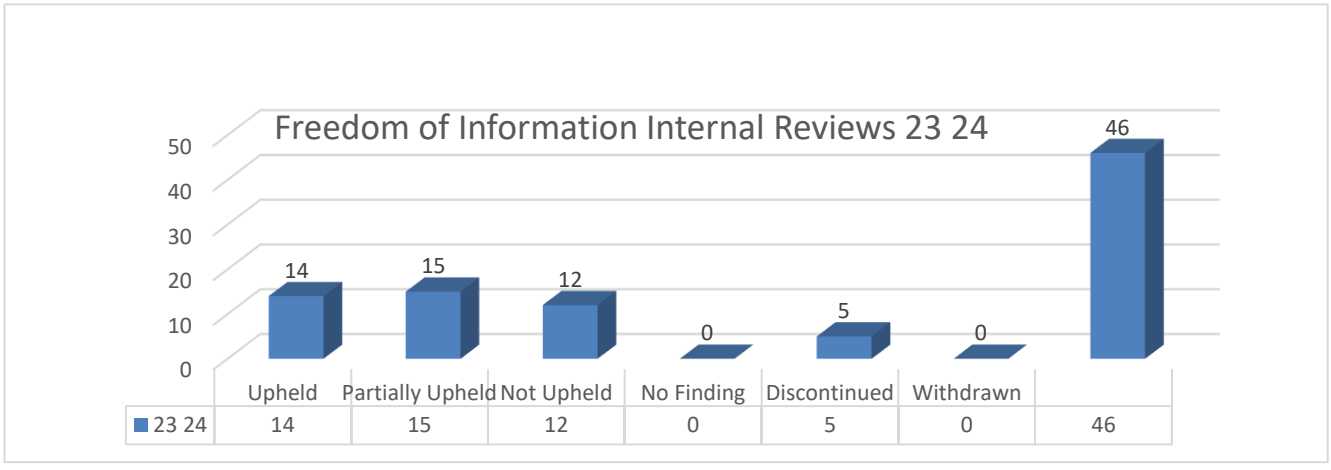
13.2 Of those taken forward in previous years, determined compared to 37 in 2022-23 and 26 in 2021-22. However, the previous years' totals include Freedom of Information internal reviews, which have been separated out this year into a new category as they follow a different process and escalation path.



13.3 With both Stage 1 and Stage 2 complaints some of the complaints completed in the 2023-24 year may have been received in the previous year and a number of investigations were on-going at the end of the year.

14. Freedom of Information Internal Reviews

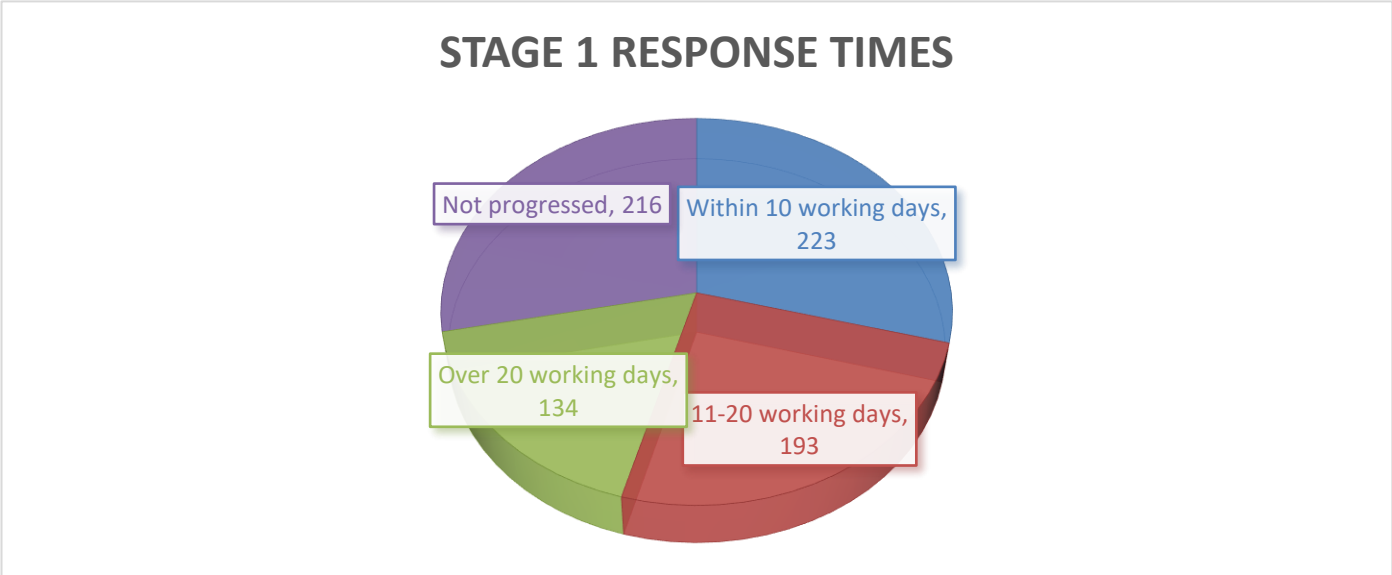
14.1 Since the adoption of a new complaints handling system, Freedom of Information reviews are being separately measured.



15. Timescales

15.1 **Stage 1**

15.1.1 The timescale for responding to a complaint at Stage 1 is 20 working days, although this year the LGSCO has published the new complaint handling code, and we are beginning to measure whether we achieve the 10-working day response time for Stage 1 complaints that the code suggests.



15.1.2 The new Local Government and Social Care Ombudsman Complaint Handling Code recommends a response time for Stage 1 complaints of 10 working days. Already, we have a compliance rate with the new code of 40.5% of the Stage 1 complaints that were progressed.

15.1.3 75.6% of the complaints progressed were responded to within the 20-day target. However, this fell from 82.8% last year. The average response time for all Stage 1 responses was 19.2 days, up from 13.37 days last year and 15 days the year before. However, the average figure has reduced across the course of this year.

Q1	Q2	Q3	Q4
25.8	18.6	15.5	15.7

15.1.4 24.4% of the complaints resolved in 23-24 progressed exceeded the 20-day target. Response times that exceeded the target varied from 21 days to 204 days. The complaints that take a much longer time to deal with can distort the average figure. The reasons for the delay are varied but can include information required from other parties or lack of requested evidence by complainant.

15.2 **Stage 2**

15.2.1 The timescale for response at Stage 2 is 25 working days.

15.2.2 The majority of Stage 2 complaints were responded to inside the 25-working day target. This includes escalations where we confirm the Stage 1 response is final (and where no further investigation takes place).

15.2.3 Several factors contributed to the exceeded time limits. The main reasons are the complexity and number of elements to some complaints and difficulties in arranging interviews with both complainants and WCC/WCF Officers.

15.2.4 Where complaints were known to exceed the standard timescales, dialogue was maintained with complainants to ensure they remained informed.

15.3 **Freedom of Information, Environmental Information and Data Governance**

15.3.1 Freedom of Information and Environmental Information reviews are conducted by the Consumer Relations Unit.

15.3.2 Since Quarter 3 of this year, other information governance complaints are responded to by the Corporate Information Governance Team using RMS. Timescales for these representations are below.

FOI IR and EIR RESPONSE TIMES	**Q1**	**Q2**	**Q3**	**Q4**	**Total**
Within 20 working days	6	5	8	12	31
Over 20 working days	5	5	4		14
Not progressed	1				1
	12	10	12	12	46

Other Data Governance RESPONSE TIMES			**Q3**	**Q4**	**Total**
Within 20 working days			2	4	6
Over 20 working days			2	3	5
			4	7	11

16. Comments

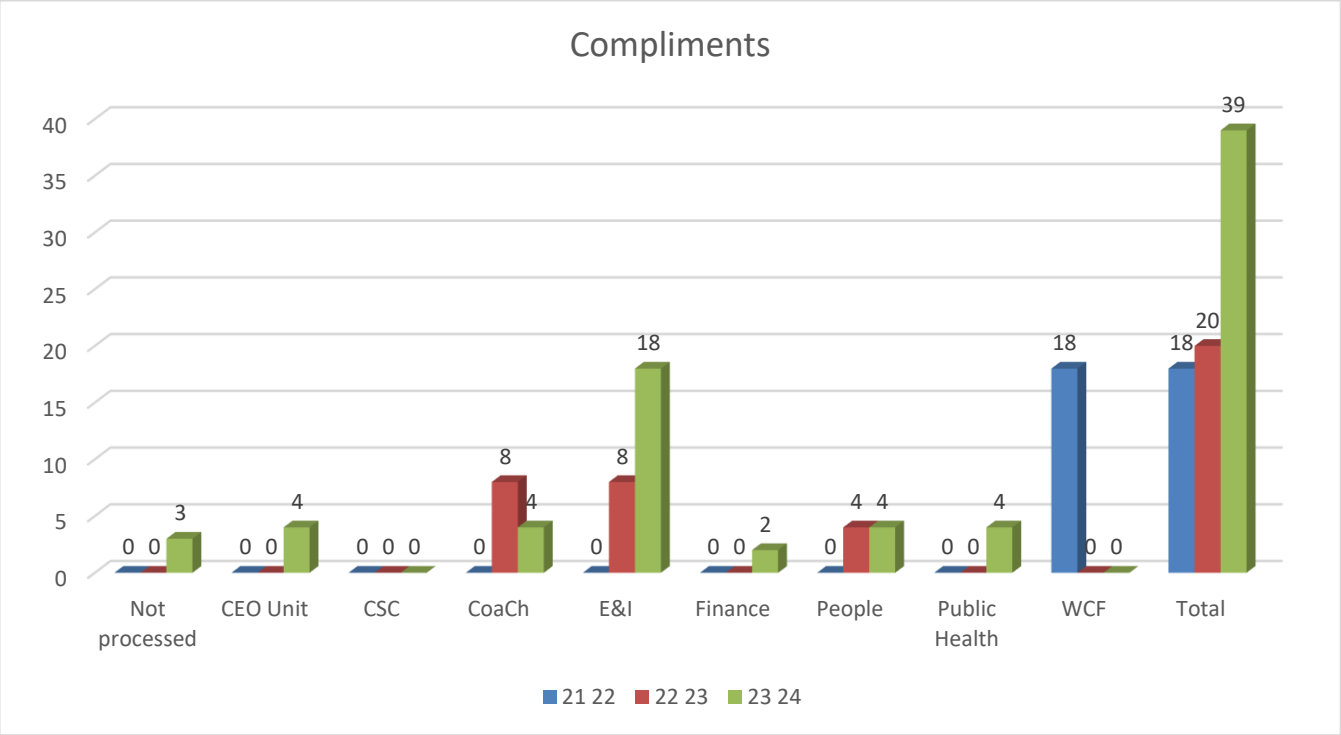
16.1 Comments are feedback about council services that do not constitute complaints or compliments. This can be because they do not express dissatisfaction or satisfaction with services as provided, but seek to address priorities. They may also raise concerns about a service by which the reporter is not directly affected or they may offer evidence of a possible matter to look into, without definitive information about whether a council service has failed.

16.2 33 comments were received. As with previous years these cover a wide range of topics and have included comments about major infrastructure projects, the County Council website, Public Rights of Way and household recycling centres.

16.3 Once a comment is accepted formally, it is deemed to require a written response, but this does not have a defined template and comment responses may range from a simple acknowledgement of the contents to a more detailed response.

16.4 Comments are passed to the relevant Directorates and are responded to by them as appropriate.

17. Compliments



17.1 39 compliments were received from members of the public and stakeholder partners pleased with the service they have received. This is around a twofold increase from the last two years.

17.2 Compliments received in 2023-24 have been divided between praise for individuals and services as a whole. Compliments for Adult and Children's Social Care Services are also received via the Statutory Representations Procedures.

17.3 The following are a selection of the compliments received:

- *"Natalie was extremely helpful in navigating the process of assessment of, and funding for, a supported self-employment internship for a young woman with complex needs who really wants to build up her own crafting business. There were multiple people that needed to be part of the decision-making to help CG's dream come true, and a significant amount of red tape to navigate. Natalie dealt with all in a professional (yet persistent) and effective manner. I would be very happy to liaise with her again."*
- *"Been receiving CVT permits yearly between 2016 & 2023. very appreciative and thankful."*
- *"MY AGE IS 82. THANK YOU FOR MY BLUE BADGE, I GOT IT TODAY, I NEED IT MORE THAN EVER NOW, THINGS GETTIING HARDER TO GET ABOUT, I NEEDED ST JOHNS LIB TO HELP ME. A BIG THANK YOU TO THEM, I CAN ONLY DO A BIT ON MY LAPTOP, I VERY MUCH DOUBT I WILL EVER WANT ANOTHER BADGE MY AGE. A BIG THANK YOU FOR ALL THE YEARS OF HELP. THANK YOU, DEREK."*
- *"Your highways team mended the road directly outside our house. This was done with great efficiency. But the main improvement has been to our lives! For over two years we have had to put up with lorries driving into the dip and making a sound like thunder, which often shook the whole house and made the windows rattle. I wrote to you several times and was almost in despair that it would ever be fixed. However, last Saturday it was, and you have no idea how much this has changed our lives! The road is very busy of course and always will be, but now the lorries pass by with barely a sound, which has had a really positive effect on my mental health as I was constantly tense, waiting for the next terrible noise. Thank you very much for getting the job done in such an efficient manner and for helping to make our lives just that little bit more peaceful!"*
- *"My husband and I visited the Malvern Household recycling depot on Saturday 09 March 2024 during the afternoon. we were struck by how tidy, clean and efficiently this was being run. We frequently use the facility but not always with our small trailer which we had on Saturday. We had a double divan to dispose of and the staff could not have been more helpful and lifted the two parts into the relevant skip for us."*
- *"I'd just like to say how lovely rhythm and rhymes at Bewdley library is. We've been to sessions at Kidderminster and Worcester before, but Bewdley really stands out. Carolyn is so kind, takes the time to learn all the children's names and my 2-year-old, Evie adores it. Just wanted to say thank you and please keep up the good work."*
- *"We run a community based mental health support group called 'Stronger Together' which is based in Hollywood & Wythall. We just want to put on record how much we appreciate the practical support and advice offered by Caroline & Jess [in Public Health]. The support group was set up in September 2018 and it hasn't always been easy to keep this group going, but now we feel we are part of something bigger thanks to the efforts of Caroline & Jess and we no longer feel we are trying to support people through their mental health journey on our own. Caroline & Jess have both shown patience, kindness and have been able to 'signpost' us to other people who are able to help us, and we really appreciate the effort they have put in to take our support group to the next level."*

Comments on this report are welcomed and requests for further information should be directed to representations@worcestershire.gov.uk or 01905 844096.

This document can be made available in other languages and alternative formats (large print, audio or braille) by contacting the Consumer Relations Unit on representations@worcestershire.gov.uk telephone number 01905 844096.