

Wiltshire Council

Annual Complaints Report

2021-2022

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Introduction

1. This Annual Complaints Report provides an overview of the complaints Wiltshire Council received between 1 April 2021 and 31 March 2022 and how we have dealt with them (though we have not published the names or other personal details of people who have complained).
2. Wiltshire Council welcomes feedback to help us to identify and address problems for customers, and to improve our services. We aim to deliver a complaints function that:
 - Is simple for everyone to use and understand
 - Is led and supported by the very top of the organisation
 - Ensures excellent service standards are delivered
 - Fulfils the needs of our customers
 - Enables us to learn from customer feedback in order to improve
 - Complies with the relevant legislation and council policy
 - Focuses on fair, proportionate resolution at the earliest stage
 - Works in an open-minded and impartial way.

What is a complaint?

3. Complaints can be wide-ranging, but can be defined as
 - a failure to provide a service, or an inadequate standard of service
 - dissatisfaction with the application of a council policy
 - treatment by, or attitude, of a member of staff (excluding those which may be disciplinary in nature which are dealt with in accordance with the Council's HR policies)
 - disagreement with a decision where the customer cannot use another procedure (for example, an appeal) to resolve the matter
 - the council's failure to follow the appropriate administrative process.
4. It should be noted that when an issue is raised with the council for the first time, where appropriate, it is treated as a request for a service, rather than as a formal complaint. This reflects how the customer's priority is usually to have their issue promptly resolved, rather than to make a formal complaint. However, such service requests can escalate to formal complaints if the customer remains dissatisfied.

How do we handle complaints?

5. The council has a dedicated Complaints Team, sitting within the Legal and Governance directorate. The Complaints Team works closely with council services to respond to and address issues raised by customers.
6. To meet its statutory obligations, the council has several complaints procedures. Customers are supported to follow the appropriate route when they submit their complaint. The procedures are as follows:

	Stage 1	Stage 2	Stage 3
<p>1. Corporate Complaints Procedure (Protocol 6 of the Constitution)</p> <p>For all complaints, except those falling under the procedures outlined below.</p>	<p>Acknowledged within 2 days</p> <p>Response from the relevant service team within 20 days (can be extended to 30 days)</p>	<p>Independent investigation and written response from the Complaints Team</p>	<p>Customer referral to the Local Government and Social Care Ombudsman (LGSCO) for independent review.</p>
<p>2. Children’s Statutory Complaints Procedure</p> <p>For complaints regarding the council’s actions under the Children Act 1989, which generally includes assessments and services regarding:</p> <ul style="list-style-type: none"> • Children in need • Looked after children • Special Guardianship support • Post-adoption support 	<p>Acknowledged within 2 days</p> <p>Response from the relevant service team within 20 days (can be extended to 30 days)</p>	<p>Independent investigation and written response from the Complaints Team, overseen by an independent person</p>	<p>Consideration by Independent Review Panel</p>
<p>3. Adult Social Care Statutory Complaints Procedure</p> <p>For complaints regarding the council’s provision of Adult Social Care services.</p>	<p>Acknowledged within 2 days</p> <p>Response from the relevant service team within 6 months</p> <p>Extension permitted if agreed by all parties</p>	<p>Customer referral to the Local Government and Social Care Ombudsman (LGSCO) for independent review</p>	<p>N/a</p>
<p>4. Pension complaints</p> <p>For complaints about decisions made by the employer and/or Wiltshire</p>	<p>Response from the adjudicator (a person nominated by the body whom</p>	<p>Response from the referee (cannot be the same as the</p>	<p>Complainant referral to The Pensions Ombudsman (TPO) for</p>

Pension Fund regarding pensions.	the complaint is against) within 2 months Extension permitted	adjudicator) within 2 months Extension permitted	independent review.
<p>The council also considers complaints regarding:</p> <ul style="list-style-type: none"> • Elected or co-opted members of local councils in Wiltshire • The Wiltshire Police and Crime Commissioner <p>These types of complaint are dealt with under separate procedures and are not covered within this report.</p> <p>Please see the council's complaints webpage for further information.</p>			

Complaints activity 2021-22

7. This report provides an overview of complaints received by the council during the period **1 April 2021 to 31 March 2022**. It also outlines other contacts received by the Complaints team that were resolved without a formal complaints procedure being followed. Typically, these complaints were handled as 'service requests', where the Complaints Team direct the customer to the appropriate service for resolution of their problem.

Key headlines – 2021/22

- The gradual **reduction** in complaints received over the past four years has continued (a 41% reduction since 2018-19)
- The number of complaints resolved as 'service requests' has **reduced** since the previous year
- The number of complaints handled at Stage 1 of the corporate Complaints Procedure continues to steadily **decrease**
- The number of complaints handled at Stage 2 of the corporate Complaints Procedure is **stable**
- The number of complaints handled through the statutory Adult Social Care and statutory Children's complaints procedures is **stable**
- There was small **increase** to the percentage of complaints upheld or partially upheld by the council
- The service areas attracting the highest numbers of complaints were:

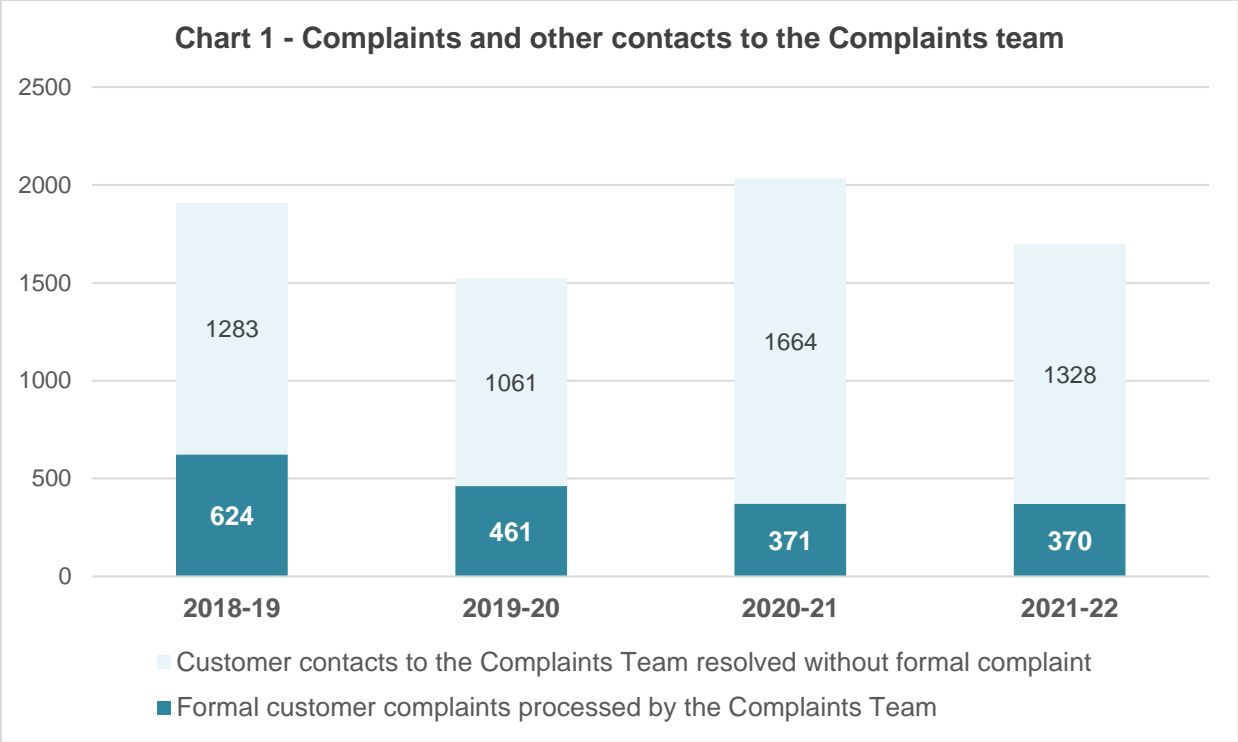
1. Children's Services¹ (88) – an increase on the previous year, but decrease on the two years before that
2. Development and Building Control (71) – an increase on the four previous years
3. Adult Social Care (64)² – continuing the steady reduction seen over the past four years
 - The service areas attracting the highest numbers of complaints that were resolved informally (i.e. as service requests) were:
 1. Waste Management (256)
 2. Highways and Transport (234)
 3. Housing (135)
 - There was a slight **increase** in complaints about the council received by the LGSCO, but a **decrease** on all three years prior to that
 - The LGSCO decided to investigate **more** complaints about the council than in 2020-21, when the LGSCO temporarily paused investigative work during the Covid-19 pandemic
 - The LGSCO upheld a **smaller** percentage of complaints about the council than they upheld about other unitary councils
 - **All** LGSCO recommendations to the council following upheld complaints were complied with.

Number of complaints received

8. As **Chart 1** shows, in 2021/22, the council handled 370 complaints through its formal procedures. This is consistent with the previous year (371), following a reduction in complaints over the past four years – a 41% reduction since 2018/19.
9. There were also 1,328 customer contacts to the council's Complaints Team that were resolved without a formal complaint. This represents a significant reduction on the previous year's total. The spike in contacts to the Complaints Team dealt with as service requests in 2020-21 is likely to be due to the impact of the Covid-19 pandemic on service demand and delivery.
10. The significant reduction in the number of formal complaints received over the past four years is due, at least in part, to the increasing emphasis placed on triaging and resolving complaints as service requests.

¹ Throughout the report, 'Children's Services' refers to the Children & Families and Education & Skills directorates.

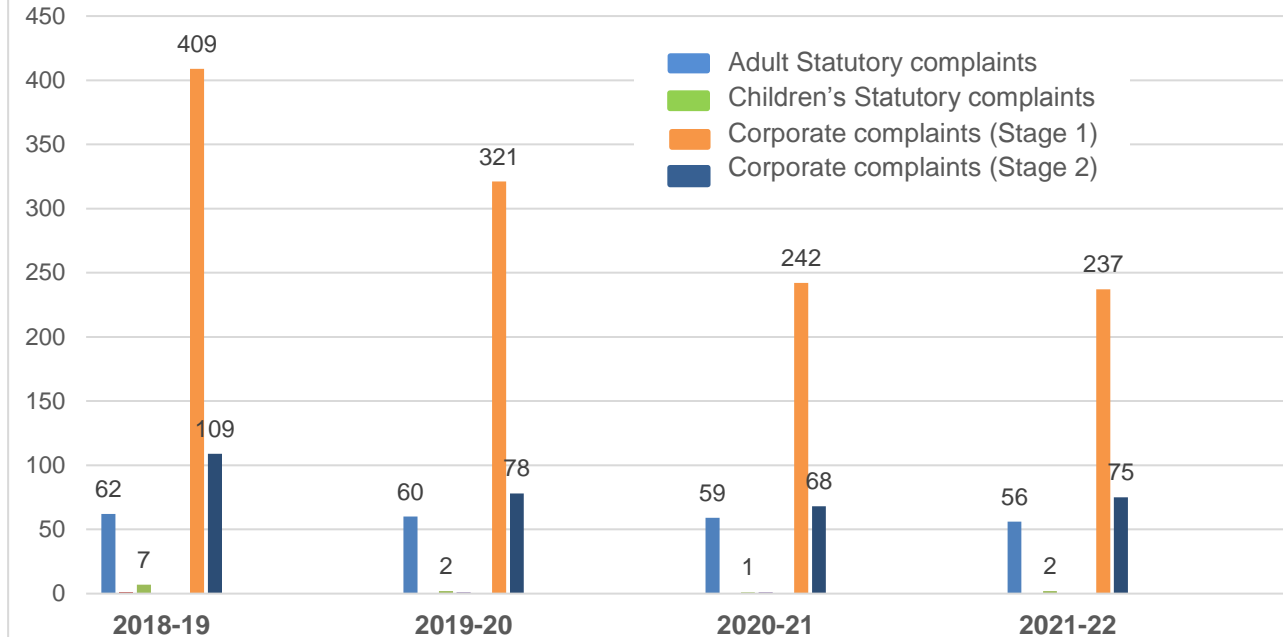
² Throughout the report, 'Adult Social Care' refer to the Ageing & Living Well and Wholelife Pathway directorates.



How the council handled complaints

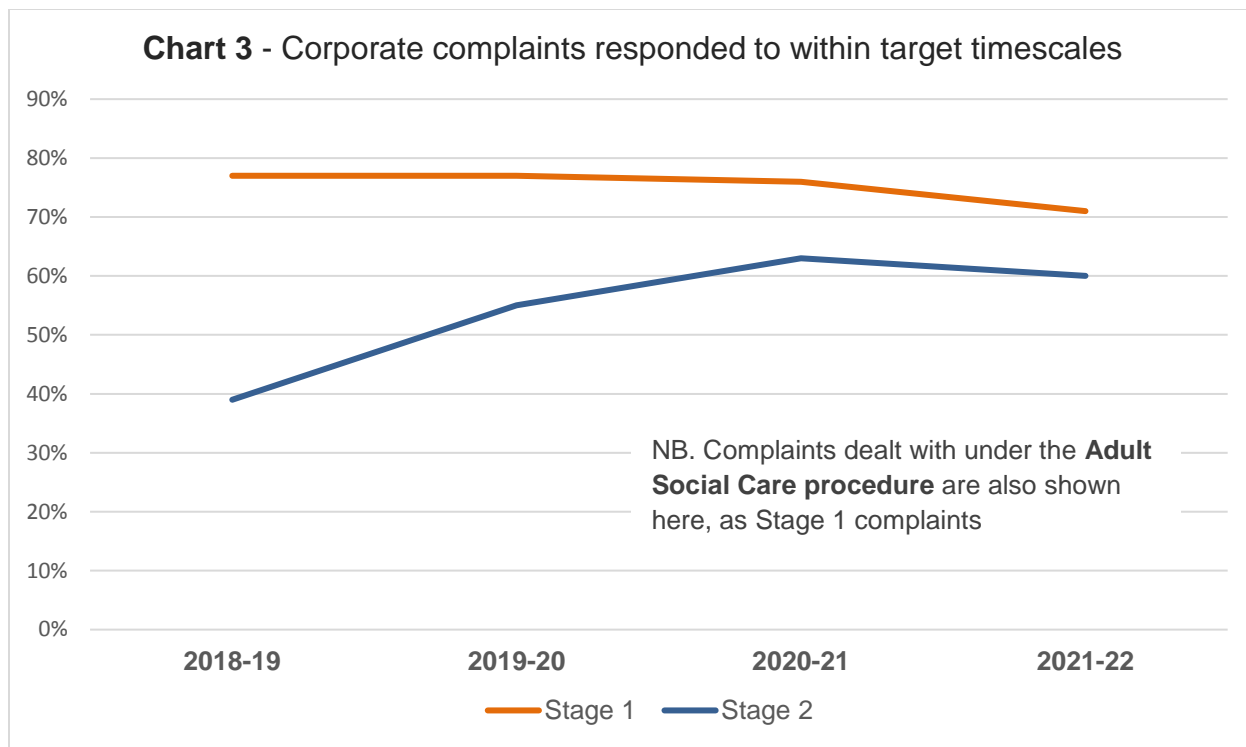
11. **Chart 2** shows how complaints were handled under the council’s various complaints procedures over the past four years.
12. The number of complaints handled at **Stage 1** of the Corporate Complaints Procedure has steadily **reduced**, and significantly accounts for the reduction in the numbers of complaints received overall.
13. The number of complaints reaching **Stage 2** of the Corporate Complaints Procedure, and under the statutory Adult Social Care Procedure, is relatively **stable**.
14. Very few complaints are handled under the statutory Children’s Complaints Procedure, reflecting the narrow parameters of that Procedure.

Chart 2 - Complaints received per complaints procedure



How quickly the council resolved complaints

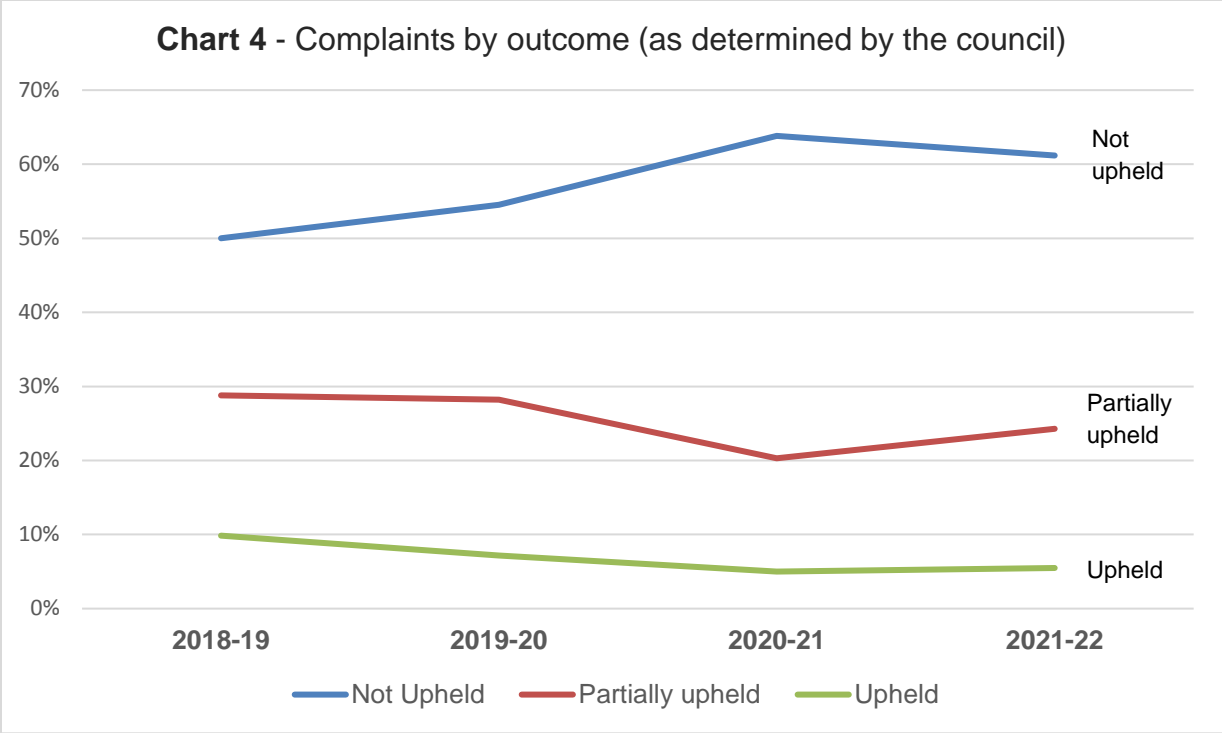
15. The council's complaints procedures include target timeframes for providing substantive responses to complainants (see paragraph 6 for details).
16. **Chart 3** shows the percentage of complaints for which responses were provided within those target timeframes. Stage 1 responses are provided by the appropriate service area. If the complainant remains dissatisfied, a Stage 2 investigation is undertaken by the Complaints Team who then provide a further response.
17. Complaints dealt with under the Adult Social Care statutory procedure, which is a one-stage process, are reflected in Chart 3 as Stage 1 complaints. The statutory timeframe for responding to complaints under this procedure is six months.
18. In 2021-22, slightly fewer responses to Stage 1 and Stage 2 complaints were provided on time than in the previous year. This is likely to be due to:
 - a) A high vacancy rate in the Complaints Team during the year covered – this has now been addressed; and
 - b) The increasing focus on dealing with complaints as service requests means those which do become formal complaints tend to be more complex and are more time-intensive to resolve.



Complaint outcomes

19. Once a complaint is resolved, it is labelled by the council as 'upheld', 'partially upheld' or 'not upheld'. For those complaints that are upheld or partially upheld, some form of remedial action is taken, such as provision of a service and an apology to the complainant.
20. **Chart 4** shows the outcomes of complaints, as determined by the council³. In 2021-22:
 - 61% of complaints were not upheld by the council
 - 24% were partially upheld by the council
 - 6% were upheld by the council.
21. This represents a small **increase** in the percentage of complaints being either upheld or partially upheld, and a small **decrease** on the percentage of complaints not being upheld, since 2020-21.

³ Unfortunately the data here is incomplete, with only 309 of the 370 complaints received being assigned an outcome. The council is currently developing a new complaints casework management system, which will improve complaints data recording and reporting.



22. **Chart 5** shows the outcomes of individual complaints (not *complainants*) broken down by service area. This is described further under the service section below.

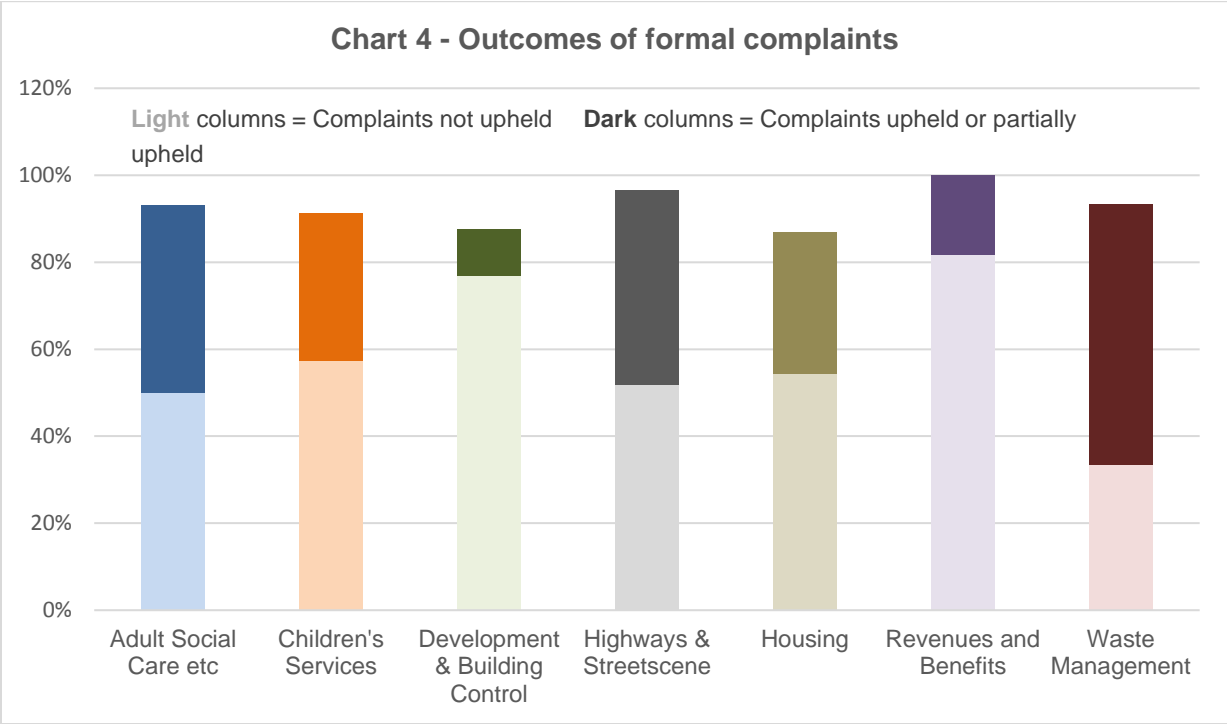
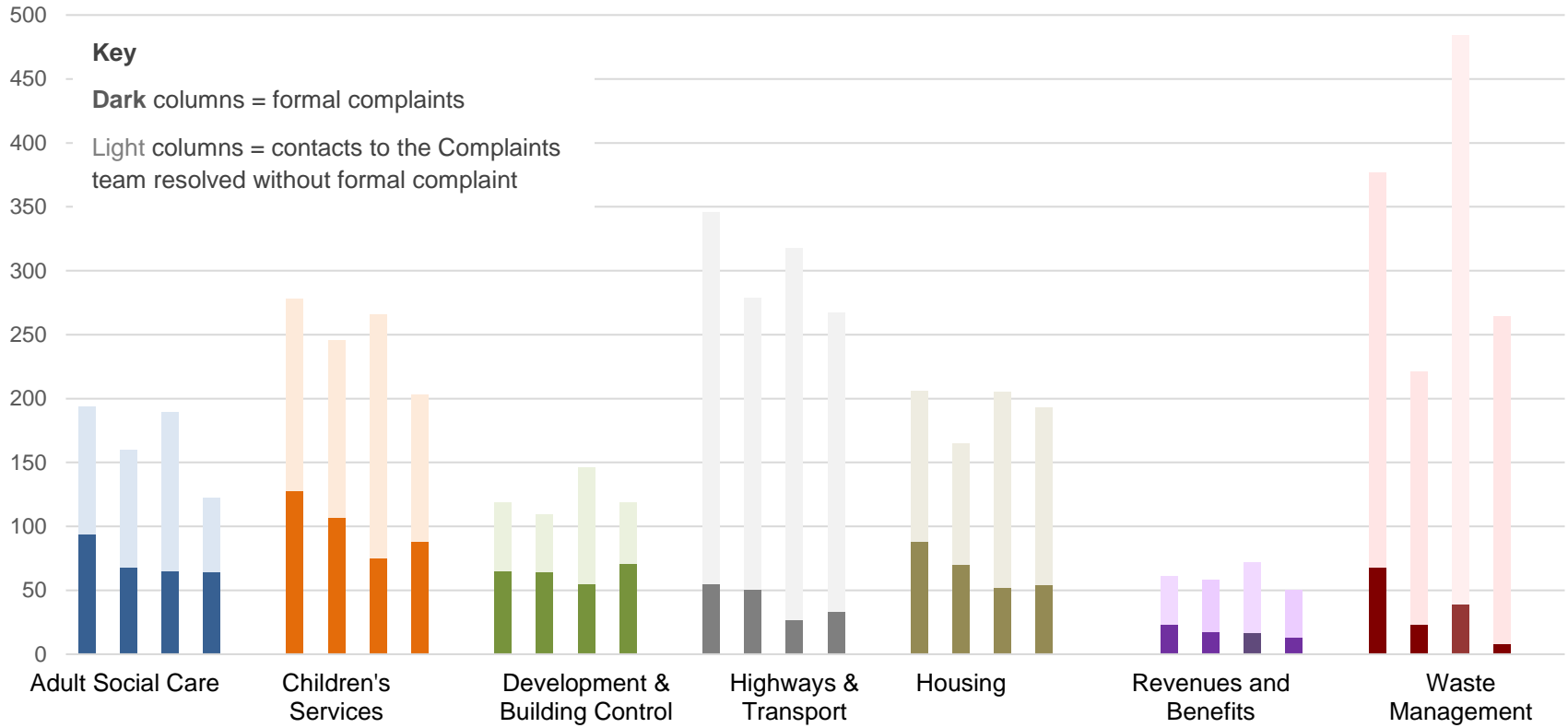


Chart 6 - Complaints and other contacts to the Council's Complaints Team

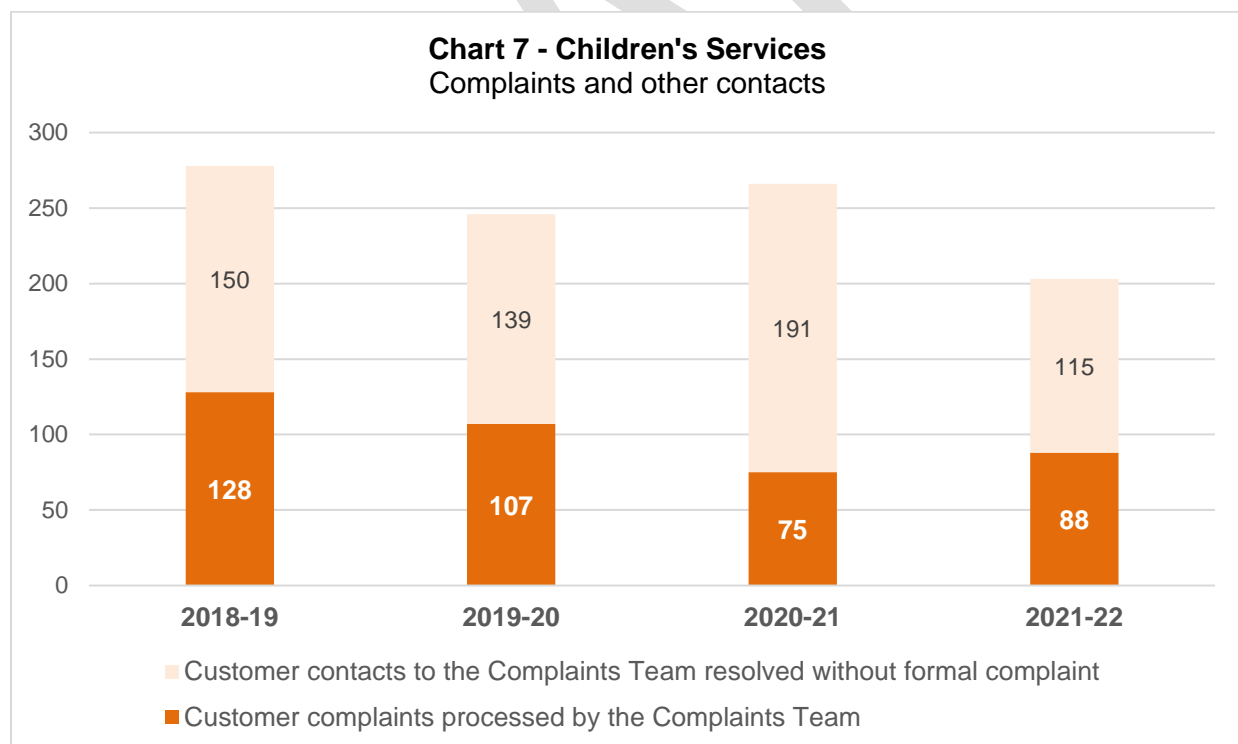


4-year figures: 2018/19 to 2021/22

What did we receive complaints about?

23. **Chart 6** (above) shows how complaints and service requests to the Complaints Team were distributed across the **seven** council service areas that attracted the highest number of such contacts. It is important to note that the number of complaints received is significantly influenced by the number of residents who access the service, its importance in their lives and the impact of the decisions that some services take (e.g. child protection).
24. **Chart 6** also shows the number of contacts received by the Complaints team that were resolved outside of the formal procedures – typically as service requests. For some areas, the number of formal complaints is relatively low while the number of service requests is high. This reflects how, for those services, most customers want to resolve their issue (e.g. address a missed bin collection) rather than pursue a formal complaint.
25. The seven service areas are presented below in descending order of the most formal complaints received.

1. Children's Services⁴



26. In 2021-22, the council handled **88** complaints about Children's Services through its formal procedures (24% of the council's total). This represents an **increase**

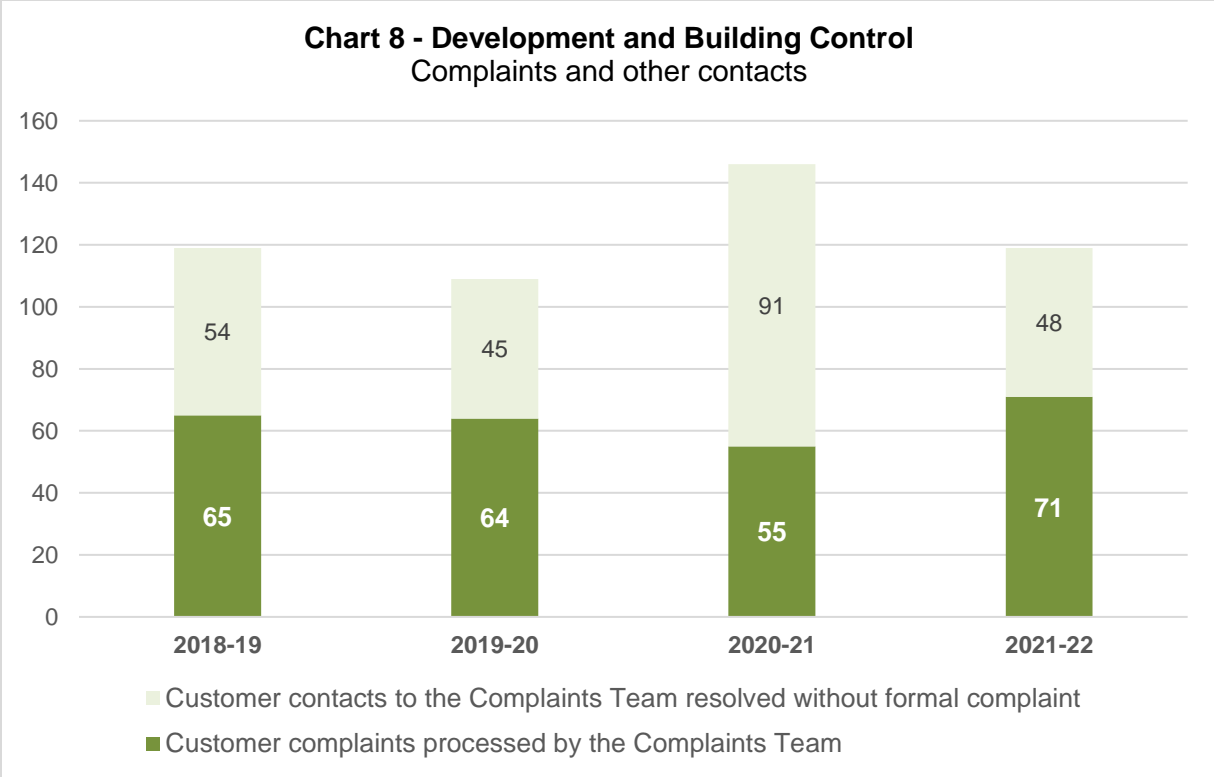
⁴ 'Children's Services' combines the Council's Children & Families and Education & Skills directorates.

compared with the previous year (75 / 20%), but remains **lower** than the two years before that.

27. Of the 88 complaints received, 4 were recorded as upheld, 19 partially upheld and 62 not upheld. This means that 26% were recorded as upheld or partially upheld; a fairly low percentage relative to the other six services detailed here.
28. The LGSCO received 25 complaints about the councils 'Education and Children's Services'⁵ – the most of any service area. Of these, 6 (24%) were upheld.
29. In addition to formal complaints, there were 115 other contacts to the council's Complaints Team about Children's Services that were resolved without the need for a formal complaint. This is a significant **reduction** compared with the previous year (191), in line with the reduction seen across other services.
30. Complaints about Children's Services have been concentrated on its SEND services – 44% of its total. This represents a significant **increase** on the number and percentage from all previous years. The SEND service has experienced significant demand following the pandemic and this has impacted on the timeliness of education, health and care plans (EHCPs). In many cases, the statutory 20 week period has been missed and this has resulted in an increase in complaints. The service is implementing plans to improve timeliness and to provide support whilst awaiting an assessment.

2. Development and Building Control

⁵ The way the LGSCO categorises complaints does not align with the Council's directorates.



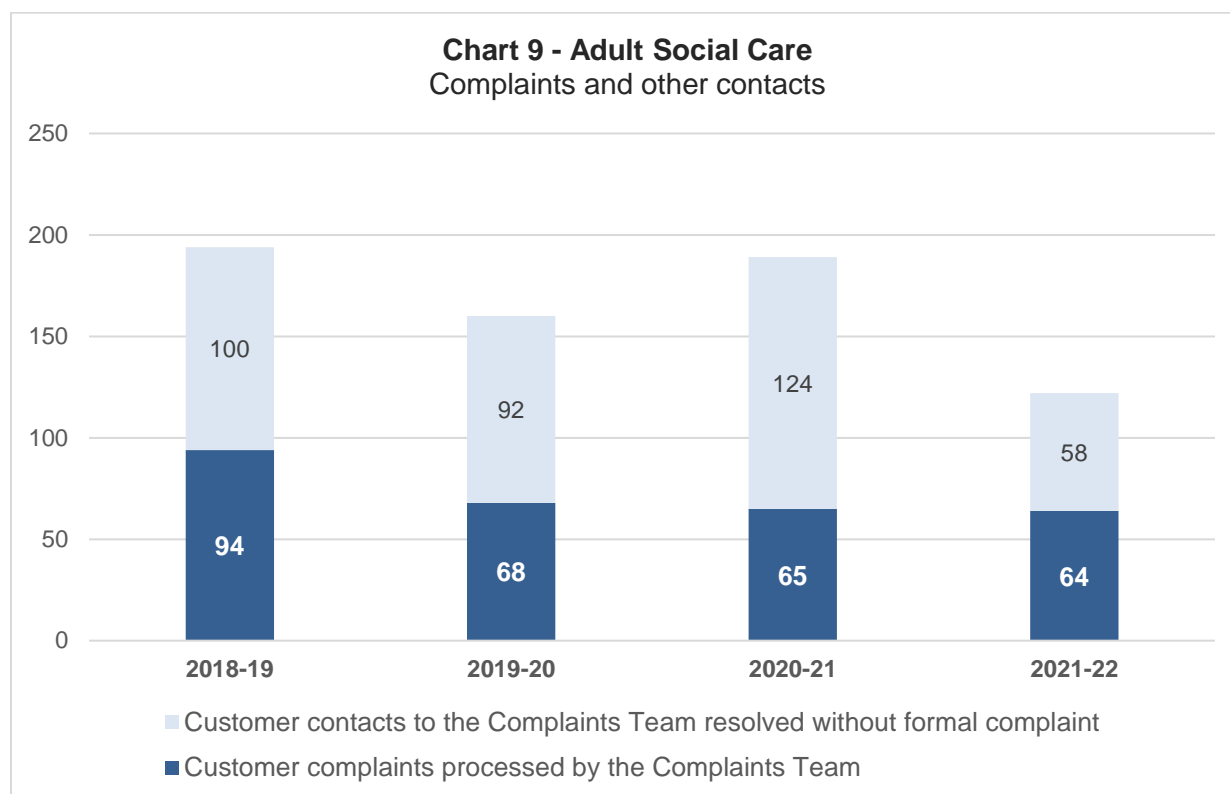
- 31. In 2021-22, the council handled 71 complaints about Development and Building Control through its formal procedures (19% of the council's total). This represents an **increase** compared with the four previous years.
- 32. Of the 71 complaints received, 1 was recorded as upheld, 6 partially upheld and 50 not upheld by the council. This means that 10% were recorded as upheld or partially upheld.
- 33. The LGSCO received 22 complaints about the council's 'Planning and Development Control'⁶ service area. Of these, only 3 (14%) were upheld.
- 34. In addition, there were 48 other customer contacts to the council's Complaints Team about Development and Building Control that were resolved without the need for a formal complaint. This is a significant **reduction** compared with the previous year, in line with the reduction seen across other services.
- 35. Complaints about Development and Building Control in 2021-22 were concentrated on its Development Control (47%) and Enforcement (31%) functions – a picture that is **consistent** with previous years.
- 36. Such complaints often relate to situations where there has been disagreement between officers and interested parties on the merits of planned development or the expediency to take enforcement action. When making decisions officers must

⁶ The way the LGSCO categorises complaints does not align with the Council's directorates.

consider the policies of the development plan and planning case law, as well as the circumstances of the site.

37. In some circumstances, complaints are received about the time it has taken to handle planning or enforcement matters. Often these matters are complex and require input from a range of people both within and external to the council.

3. Adult Social Care⁷

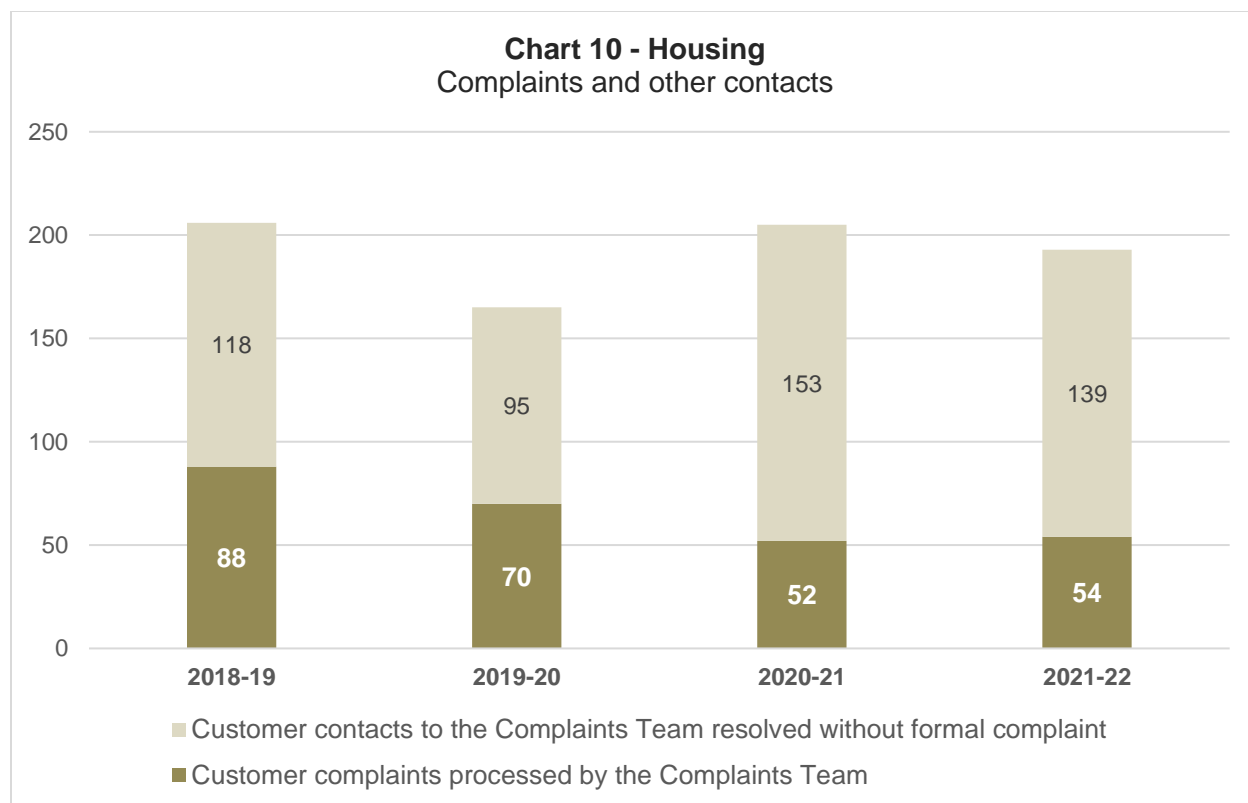


38. In 2021-22, the council handled 64 formal complaints about Adult Social Care (17% of the council's total), comprising 56 through the statutory Adult Social Care Procedure and 8 through the corporate Complaints Procedure.
39. This represents a marginal **reduction** compared with the previous year (65, or 18% of the council's total), and continues the steady **reduction** seen over the past four years.
40. Of the 64 complaints received, 4 were recorded as upheld, 15 partially upheld and 22 not upheld by the council. This means that 30% were recorded as upheld or partially upheld.
41. The LGSCO received 19 complaints about the council's 'Adult Social Care' service area – the third highest number by service area. Of these, 7 (37%) were upheld.

⁷ 'Adult Social Care' combines the Ageing & Living Well and Wholelift Pathway directorates.

42. In addition to formal complaints, there were 58 other customer contacts to the council's Complaints Team about Adult Social Care that were resolved without the need for a formal complaint. This is a significant **reduction** compared with the previous year (124), in line with the reduction seen across other services.
43. Complaints about Adult Social Care primarily related to its locality teams (now titled Ongoing Support) (58%) and finance (13%) – a picture that is broadly **consistent** with previous years.
44. Despite a significant increase in demand for support from adult care services in the past 12 months, the number of complaints received regarding adult care services has remained stable.
45. To simplify the financial assessment process for those who may have to pay for their care, the council has introduced an easy-to-use online calculator tool that can quickly advise how much the customer may need to contribute.
46. Individuals with longer term and more complex needs are supported by the council's Ongoing Support locality teams. These services are increasingly focusing on working with customers to prevent and delay increases in care needs. However, demand has grown here due to the numbers of people experiencing difficulties and the complexity of individual and family circumstances. Strategies are in place to grow the workforce responding to this demand, but challenges remain with staff recruitment.

4. Housing

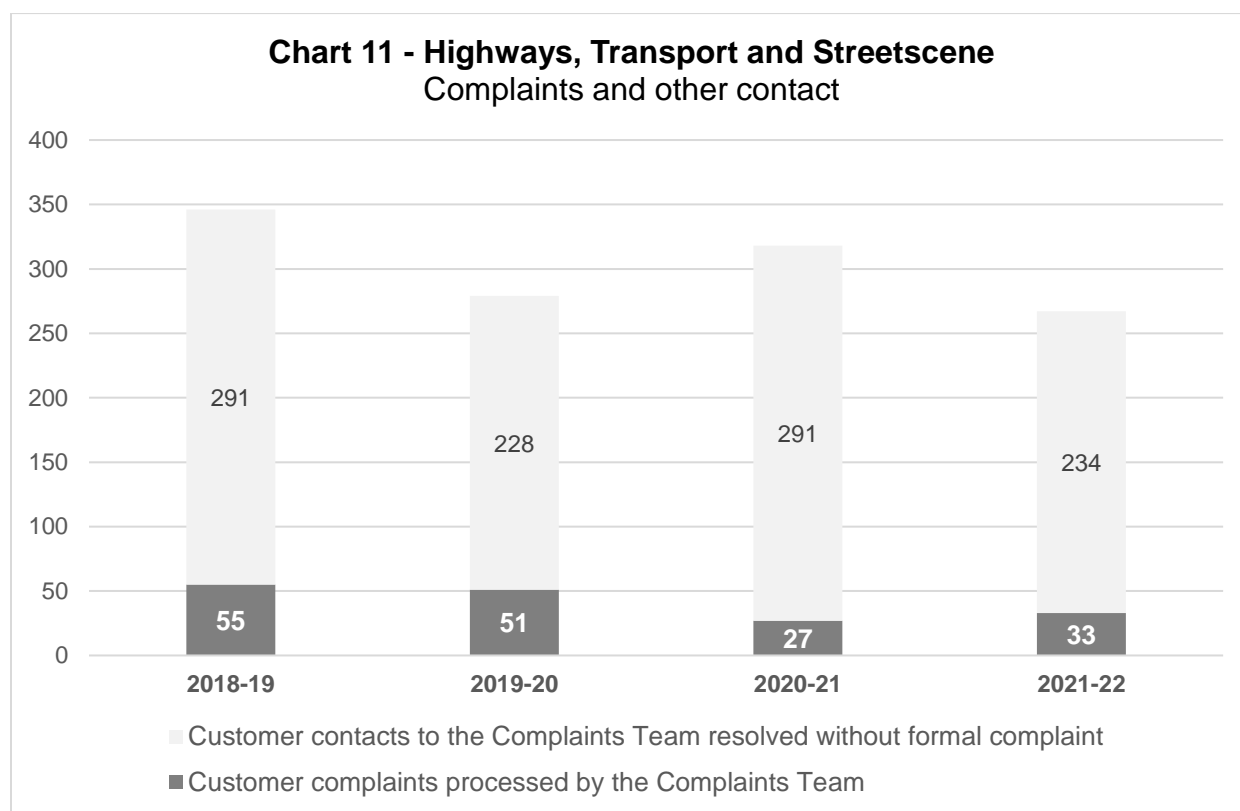


47. In 2021/22, the council handled 54 complaints about Housing through its formal procedures (15% of the council's total). This broadly **maintains** the number received in 2020/21 but is a **decrease** on the numbers received in previous years.
48. Of the 54 complaints received, 4 were recorded as upheld, 11 partially upheld and 25 not upheld by the council. This means 28% were recorded as upheld or partially upheld; a middling percentage relative to the other six services detailed here.
49. In addition, there were 139 other customer contacts to the council's Complaints Team about Housing that were resolved without the need for a formal complaint. As illustrated in **Chart 5**, this represents the **third highest** number of such contacts to the Complaints team of the seven services detailed here. However, it is a **reduction** when compared with 2020/21, in line with the reduction seen across other services.
50. Complaints about Housing in 2021-22 were concentrated on Repairs (54%) and Management (Tenancies) (20%) – a picture that is **consistent** with previous years.
51. Overall the level of complaints about services provided to the Council's tenants has remained broadly static year-on-year; the underlying trend is one of reduction when comparing with a number of previous years.
52. The number of Housing complaints represents only 3.6% of the total number of homes in receipt of the council's housing service (although any council tenant may raise multiple complaints). No Stage 2 complaints about Housing were upheld.

Some complaints have led to service changes being implemented, such as asbestos survey results being shared with tenants and tenants now being able to submit feedback digitally. The tenancy management and repairs service will be restructured in 2022 to provide services on a geographical basis, improving accountability for delivery and day-to-day intelligence around customer needs and performance.

53. 16% of Housing related to Housing Advice and Lettings. There has been an increase in demand in this area and a restructure has been undertaken to better meet customer needs.

5. Highways, Transport and Streetscene

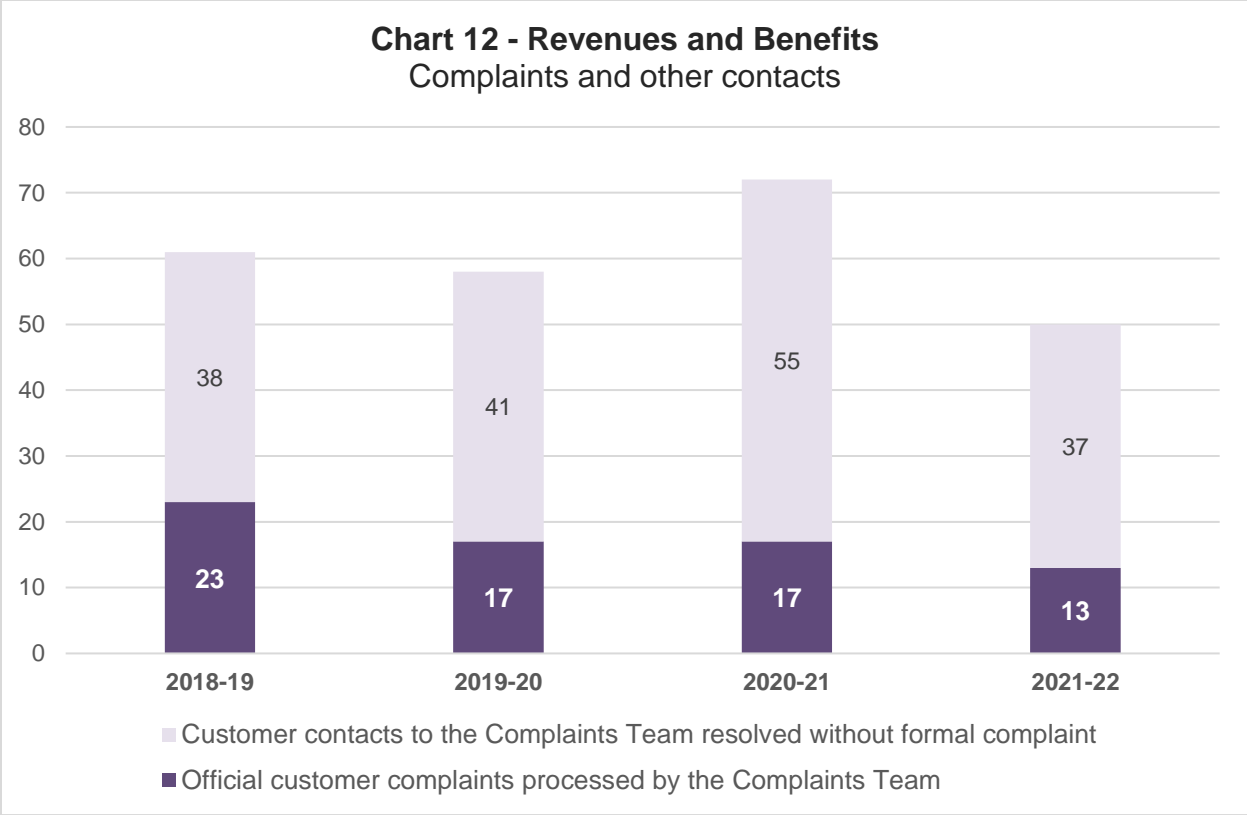


54. In 2021-22, the council handled 33 complaints about Highways, Transport and Streetscene through its formal procedures (9% of the council's total). This is broadly **consistent** with previous years, although continues an overall **decrease** since 2018-19.
55. Of the 33 complaints received, 2 were recorded as upheld, 11 partially upheld and 15 not upheld by the council. This means that 39% were recorded as upheld or partially upheld.
56. In addition, there were 234 other customer contacts to the council's Complaints Team about Highways, Transport and Streetscene that were resolved without the need for a formal complaint. As illustrated in **Chart 5**, this represents the **second**

highest number of such contacts to the Complaints team of all the council services. However, it is also a significant **reduction** compared with the previous year, in line with the reduction seen across other services.

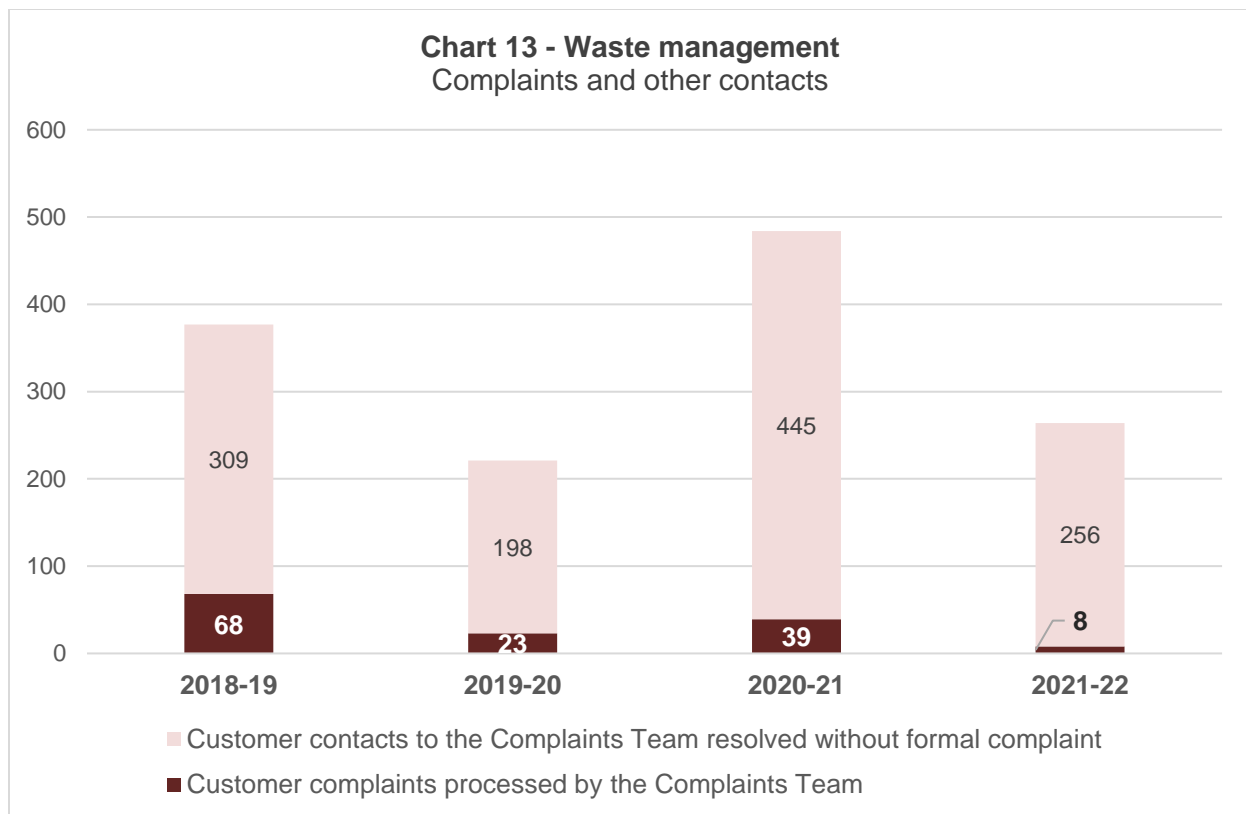
57. Complaints about Highways, Transport and Streetscene in 2021-22 were concentrated on its Passenger Transport functions (17 / 52%), which have shown a gradual **increase** over the past four years.
58. The service maintains over 4,400km of road and related infrastructure. There is considerable customer interest in issues such as routine maintenance and gully emptying where funding has been reduced over recent years. Funding is now being increased in these areas but rising costs may become an issue in the longer term. Shortages of drivers and the availability of resources can affect delivery of passenger transport functions, which can result in increased complaints.
59. Following customer feedback, Highway Operations has reviewed its services, with the following outcomes:
 - Parking Services consultation
 - New Streetscene contract
 - Emergency strategy for Fleet Services
 - New Highway Resilience plan; and
 - An improvement plan for fly tip control by Enforcement.
60. Where appropriate, Highway Services continue to delegate services to the local councils to better meet local priorities.

6. Revenues and Benefits



- 61. In 2021-22, the council handled 13 complaints about Revenues and Benefits through its formal procedures (4% of the council’s total). This represents a small **decrease** compared with previous years.
- 62. Of the 13 complaints received, 0 were recorded as upheld, 2 partially upheld and 9 not upheld by the council.
- 63. In addition, there were 37 other customer contacts to the council’s Complaints Team about Revenues and Benefits resolved without the need for a formal complaint. This is a **reduction** compared with previous years, in line with the reduction seen across other services.
- 64. A reduction in complaints about revenue collection may be explained by the waning of the Covid-19 pandemic during the year reported. The Benefits Service, meanwhile, has needed to deliver an increased number of financial support schemes at short notice, prioritising crisis support. Consequently, some longer-term customer may not have had the level of service attention experienced previously.

7. Waste management



65. In 2021-22, the council handled 8 complaints about Waste Management through its formal procedures (2% of the council's total). This represents a **decrease** compared with previous years.
66. In addition, there were 256 other customer contacts to the council's Complaints Team about Waste management resolved without the need for a formal complaint. As illustrated in **Chart 5**, this represents the **second highest** number of such contacts to the Complaints team of the council service areas detailed here. However, it is also a significant **reduction** compared with the previous year, in line with the reduction seen across other services.
67. The Waste Management service regularly transacts with every Wiltshire household and also manages the waste collected. The figures shown in Chart 13 should therefore be considered in the context of the scope and scale of the services provided, plus the significant public interest that they attract.
68. In 2021-22, improvements were made to kerbside collection arrangements following the introduction of new collection rounds in March 2020. While the new rounds provided efficiencies, after their introduction they also required rebalancing to maintain service reliability.
69. The implementation of new waste collection rounds from February 2021 is also relevant. Implementation was negatively impacted by industrial action amongst the contractor workforce, which resulted in the suspension of the kerbside recycling

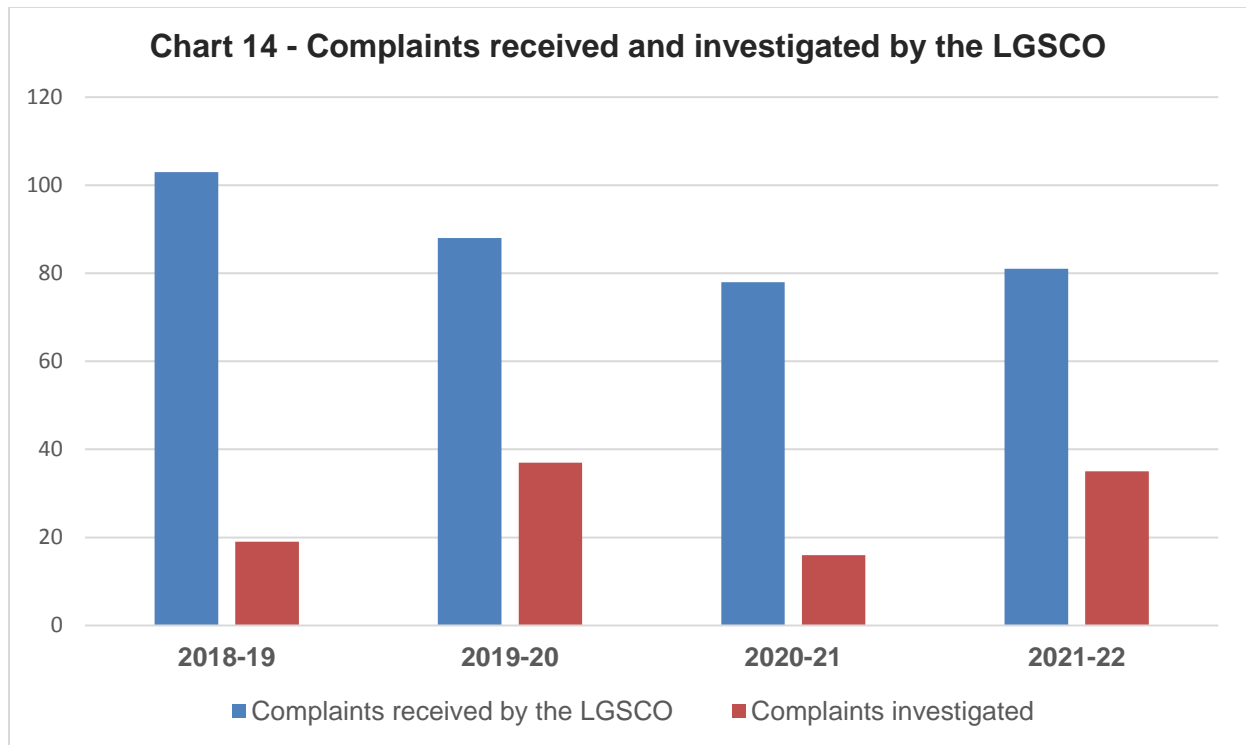
service between 7- 18 March 2022. Although this occurred towards the end of the reported period, the level of service disruption was significant.

Ombudsmen findings

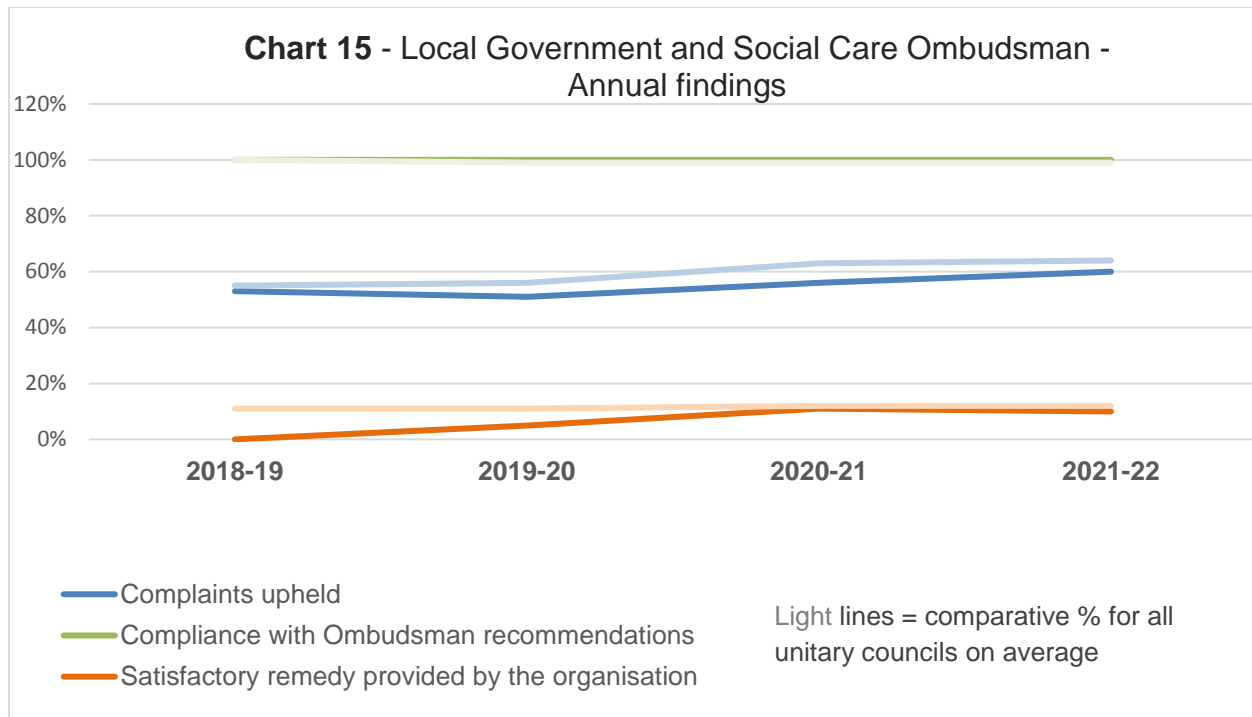
70. When residents are not satisfied with a local authority's response to a complaint, they can ask the [Local Government and Social Care Ombudsman](#) (LGSCO) to consider the matter. When the complaint relates to the local authority's responsibilities as a social housing landlord, the complaint must be referred to the [Housing Ombudsman](#). When the complaint relates to pensions, it must be referred to the [Pensions Ombudsman](#). Normally, the Ombudsmen will only consider complaints when all stages of the local authority's complaints procedure have been completed.

Local Government and Social Care Ombudsman

71. The council's LGSCO Annual Review letter for 2021/22 is attached to this report. The LGSCO produces an annual review letter each year and it provides a summary of the complaints made to the LGSCO regarding the council, and the LGSCO's findings in relation to these. The council's 2021-22 letter and all previous letters are available on the LGSCO website, [here](#).
72. In 2021-22, the LGSCO received 81 complaints regarding the council (see **Chart 14**). This is a slight increase on the total received in 2020-21, but a decrease on the number received in years prior to that.
73. Of the 81 complaints received, the LGSCO decided to investigate 35. This is an increase on the number of investigations undertaken in 2020-21, when the LGSCO temporarily paused investigative work in response to the Covid-19 pandemic.



74. 60% of investigated complaints about the council were upheld (21 of 35 investigations) (see **Chart 15**).
- This is a small increase on the percentage upheld in 2020-21 (56%)
 - This compares favourably with an average of 64% upheld against all unitary councils nationally.
75. In 100% of the complaints that the LGSCO upheld and made recommendations about (16), the council complied with all LGSCO recommendations.
- This maintains the 100% shown for the past four years.
 - This is slightly better than the 99% shown for all unitary councils.
76. In 10% of complaints the LGSCO investigated and upheld (2 of 21), the council had already provided a satisfactory remedy **before** the complaint reached the Ombudsman.
- This is a slight decrease on the previous year (11%).
 - This is slightly lower than the 12% figure for all unitary councils nationally.



Housing Ombudsman

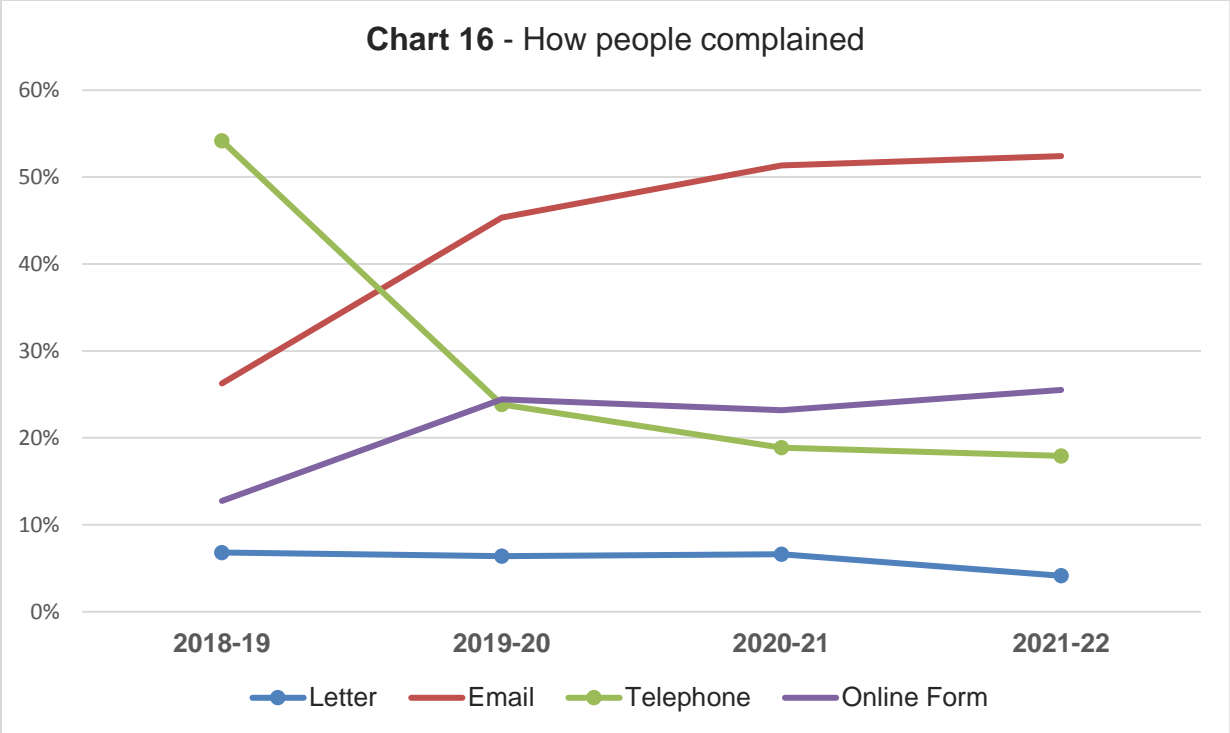
77. The Housing Ombudsman publishes annual landlord performance reports only for landlords with **five or more cases**. For 2020-21, the Housing Ombudsman only investigated two complaints about the council, one of which was determined as 'partial maladministration' and one as 'outside the Ombudsman's jurisdiction'. The data for 2021-22 is not yet available.

Pensions Ombudsman

78. In 2021-22, no complaints about the council in regard to pensions were considered by the Pensions Ombudsman.

How people complained

79. **Chart 16** shows that email continues to be the most popular method of submitting a complaint, with those received by letter continuing to decrease and those made in person reducing to nil (therefore not shown).



Complainant demographics

80. **Charts 17-19** show the reported demographics of customers who have contacted the council’s Complaints Team. This includes those with complaints that were ultimately resolved as service requests. As the charts indicate, unfortunately a high percentage of customers choose not to provide this information.

Chart 17 - Age of complainants

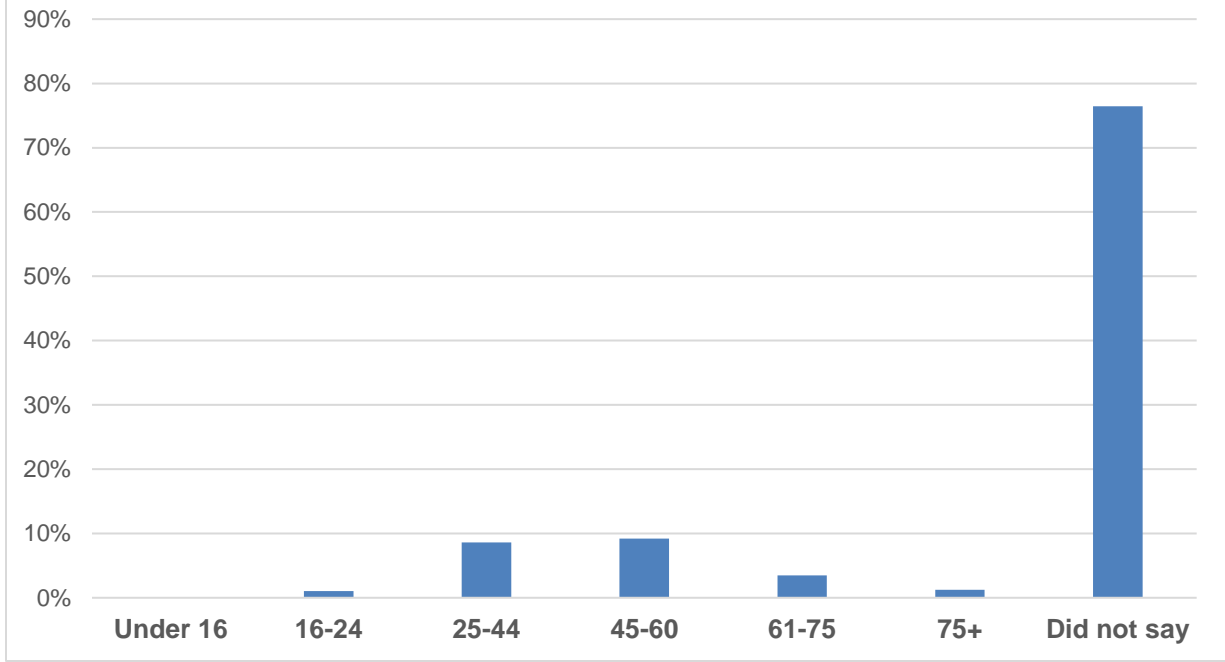


Chart 18 - Ethnicity of complainants

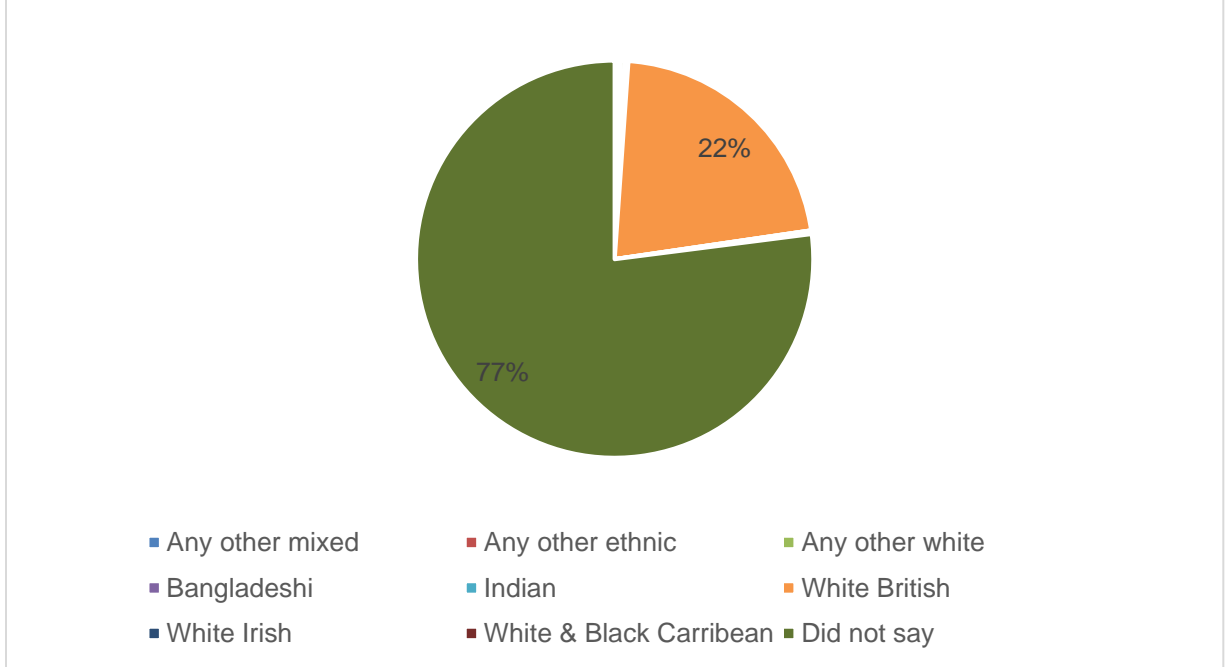
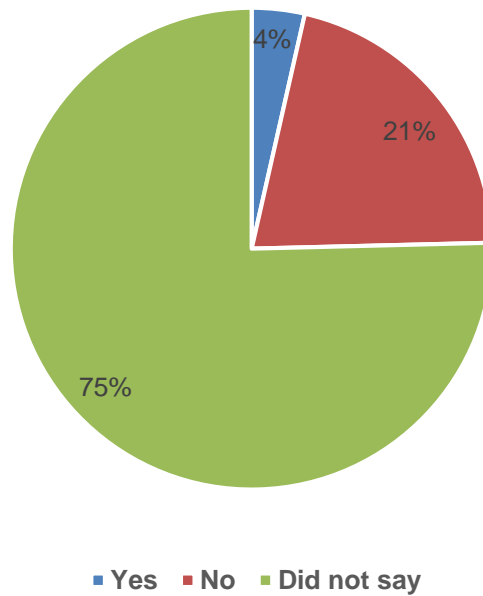


Chart 19 - Complainants with disabilities



Contact

If you would like further information, please contact Wiltshire Council's Complaints Team:

Email: complaints@wiltshire.gov.uk

Tel: 01225 718400

Further information

- LGSCO Annual Review Letter for Wiltshire Council 2022 ([link](#))
- Wiltshire Council Complaints webpage ([link](#))
- Wiltshire Council's corporate Complaints Procedure ([link](#))
- Making a complaint about Adult Social Care ([link](#))
- Children's social care: getting the best from complaints ([link](#)) (guide to the statutory Children's complaint procedure)