



## **AUDIT COMMITTEE - 14TH SEPTEMBER 2016**

**SUBJECT: UPDATE ON THE NUMBERS OF COMPLAINTS RECEIVED UNDER THE COUNCIL'S CORPORATE COMPLAINTS POLICY**

**REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER**

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### **1. PURPOSE OF REPORT**

- 1.1 To provide Members with an update on the number of complaints received under the Corporate Complaints Policy for the period 1st February 2016 to 30th June 2016.
- 1.2 To advise Members whether any trends have been identified and if so the action to be taken.
- 1.3 To update Members on the use of the Policy and Procedure to deal effectively with unacceptable, persistent or unreasonable actions by complainants.

### **2. SUMMARY**

- 2.1 To provide members with an overview of the corporate complaints, which is one of the ways in which, the Council gains information on the level of satisfaction or dissatisfaction of the services provided corporately by the Council. The result of the monitoring enables each department to focus on areas of concern, to improve services and to monitor performance and ensure that any trends in issues raised are identified and dealt with so as to be avoided in the future.
- 2.2 To ensure that corporate complaints are dealt with consistently and fairly across all service areas.
- 2.3 To update members on the implementation of the Policy and Procedure to deal effectively with unacceptable, persistent or unreasonable actions by complainants.

### **3. LINKS TO STRATEGY**

- 3.1 Monitoring of the Council's corporate complaints and successful resolution of those complaints supports the provision of higher quality and more effective services to the public across all service areas.

### **4. THE REPORT**

- 4.1 Members will be aware that the Council implemented a two stage Corporate Complaints Policy (referred to as the Policy in this report) in order to reflect the model policy introduced by the Welsh Government. The current version of the Policy is available on the Intranet and on the Council's web-site.

- 4.2 The Policy has introduced a two-stage complaints process to be followed within the Council. Stage 1 complaints are intended to be dealt with within 10 working days and Stage 2 within 20 working days. If a complainant remains dissatisfied with the outcome of a Stage 2 response, he/she will have the opportunity to refer the matter to the Public Services Ombudsman for Wales.
- 4.3 A Learning from Complaints Group (referred to throughout this report as “the Group”) was also established, which is chaired by the Interim Monitoring Officer (or nominated substitute), and includes Complaints Officers from across the Council, the Council’s Senior Policy Officer (Equalities and Welsh Language) and a representative from the Council’s Performance Management Unit.
- 4.4 The Group meet on a quarterly basis in order to consider complaints statistics, identify trends and where appropriate review policies and procedures including the introduction of associated policies and procedures arising from the implementation of the complaints policy. In addition the Group also consider the causes of complaints in accordance with the list agreed by members at the meeting in March.
- 4.5 The result of the monitoring enables each department to focus on main areas of concern, to improve services and to monitor performance and ensure that any trends in issues raised are identified and dealt with so as to be avoided in the future. The Group’s findings are then reported to the Audit Committee on a six monthly basis.
- 4.6 This report provides an update on the corporate complaints received for the period **1<sup>st</sup> February 2016 to 30<sup>th</sup> June 2016**.
- 4.7 **Review of Corporate Complaints**
- 4.7.1 The data referred to below represents the number of complaints received from 1<sup>st</sup> February 2016 to 30<sup>th</sup> June 2016 for each Directorate referred to, together with an overview of the response timescales.
- 4.7.2 In addition, the complaints data captured includes the outcome of each complaint; namely whether a complaint has been upheld, not upheld or partially upheld. An overview of the outcomes in respect of Stage 1 complaints are set out in paragraph 4.7.4 (c) and an overview of the outcomes in respect of Stage 2 Complaints are set out in paragraph 4.7.4 (g) below.
- 4.7.3 Members are reminded that the number of complaints listed for Social Services and Education are significantly lower than those of other Directorates such as Housing and the Environment. The reason for the difference is that this report only includes details of corporate complaints received for those service areas. Social Services operate a separate complaints policy for service users. Within Education the respective schools deal with their own complaints. Members have received separate reports on both issues in the past.
- 4.7.4 The total number of corporate complaints received across the Authority during this period is 82 comprising the following: -

	<b>% of total number of complaints received February – June 2016</b>
9 Corporate	10.97
1 Education	1.22
29 Environment	35.36
40 Housing	48.8
0 Social Services	-
3 Other (cross Directorate)	3.65

4.7.5 A breakdown of the types of complaints are summarised as follows: -

### **Stage 1 Corporate Complaints**

- (a) **Title** **Actual**
- |   |    |
|---|----|
| Number of Stage 1 complaints received in Corporate Services     | 9  |
| Number of Stage 1 complaints received in Education              | 1  |
| Number of Stage 1 complaints received in Environment            | 21 |
| Number of Stage 1 complaints received in Housing                | 35 |
| Number of Stage 1 complaints received in Social Services        | 0  |
| Number of Stage 1 complaints received Other (cross directorate) | 0  |
- (b) The total number of complaints received at Stage 1 were 66, of those 54 were responded to within timescale and 10 outside the timescale (12.19%), 1 is ongoing and 1 did not proceed
- (c) Of the 64 Stage 1 complaints, responded to, 14 have been upheld, 33 were not upheld and 17 have been partially upheld and 1 is ongoing and 1 did not proceed. The breakdown of outcomes for each Directorate is listed below.

### **Outcomes of Stage 1 complaints**

	Upheld	Not Upheld	Partially Upheld	Ongoing	Not Proceed
Corporate Services	3	3	3	0	0
Education	0	1	0	0	0
Environment	7	9	5	0	0
Housing	4	20	9	1	1
Social Services	0	0	0	0	0
Other (cross directorate)	0	0	0	0	0

### **Stage 2 Corporate Complaints**

- (d) **Title** **Actual**
- |   |    |
|---|----|
| Number of Stage 2 complaints received in Corporate Services     | 1  |
| Number of Stage 2 complaints received in Education              | 0  |
| Number of Stage 2 complaints received in Environment            | 11 |
| Number of Stage 2 complaints received in Housing                | 18 |
| Number of Stage 2 complaints received in Social Services        | 0  |
| Number of Stage 2 complaints received Other (cross directorate) | 3  |
- (e) The total number of complaints received at Stage 2 were 33 of those 30 were responded to within timescale and 1 outside the timescale (3.03%) and 2 are ongoing.
- (f) Of the Stage 2 complaints, 16 were commenced at Stage 2 and 17 were escalated from Stage 1 to Stage 2; 1 within Corporate Services, 13 within Housing, 3 within Environment.
- (g) Of the 31 Stage 2 complaints responded to, 4 have been upheld, 22 were not upheld, 5 were partially upheld. There are 2 ongoing complaints. The breakdown of outcomes for each Directorate is listed below.

### **Outcomes of Stage 2 Complaints**

	Upheld	Not Upheld	Partially Upheld	Ongoing
Corporate Services	0	1	0	0
Education	0	0	0	0
Environment	0	10	1	0
Housing	4	11	1	2
Social Services	0	0	0	0
Other (cross directorate)	0	0	3	0

4.7.6 Equalities and Welsh Language complaints dealt with under the Corporate Complaints Policy are monitored and reported to members of this committee as part of the overall figures but detailed information also forms part of the statutory annual reporting framework to the Equality and Human Rights Commission and the Welsh Language Commissioner's Office. The Council's Policy and Resources Committee and Cabinet receives an annual report regarding progress against the targets in the Council's Strategic Equality Plan and Welsh Language Scheme, prior to submission to the relevant commission.

4.7.7 Members will note that 10 stage 1 complaints were not responded to within the required timescale and 2 outside the timescale for stage 2 complaints. It would appear that this was due to a failure of officers to request an extension of time in accordance with internal guidance. Consequently this matter will be raised formally at the next meeting.

#### **4.8 Review of Trends and types of complaints**

4.8.1 At the recent meeting of the Group, officers considered the data collected during this reporting period for each specific department however no specific trends could be identified.

4.8.2 Again the types of complaints received have been wide ranging for example, rent arrears, refuse collection, noise pollution, welsh language signage, damage to property, overhanging trees, non-domestic rates, permits for civic amenity sites, service failure to log telephone calls, procedure for dealing with lost dogs and bilingual leaflets. The Group will continue to monitor this data closely at its meetings held quarterly and Members will be kept updated. A brief overview of the types of complaints dealt with during this period is attached at Appendix 1.

4.8.3 Whilst no trends have been identified during this reporting period the Group recognises the importance of learning from all complaints handled under the policy with a view to monitoring and improving outcomes for both future complainants and the Authority as a whole.

4.8.4 It is too soon to tell if it is possible to identify any trends in relation to causes, however this information will be reviewed regularly and it is planned to incorporate this information in the next Annual Report..

#### **4.9 Ombudsman referrals**

4.9.1 Since the last report to Audit Committee, 7 complaints have been referred to the Ombudsman following the issue of the Council's Stage 2 response. The Ombudsman has decided not to investigate the 7 complaints.

4.9.2 The Council has agreed a quick fix in respect of a separate matter referred to the Ombudsman relating to Services for Vulnerable adults. A quick fix is voluntary settlement agreed so as to achieve an early resolution of the issues under consideration.

4.9.3 In addition to the above, the Ombudsman has decided to investigate a further complaint. Whilst acknowledging that the complaint may be considered out of time, he decided to exercise his discretion to undertake an investigation on the basis that the complainants had attempted to resolve their concerns via other means and this caused a delay in them referring the matter to the Ombudsman. Members will receive an update on the outcome of this complaint in due course.

#### **4.10 Update on the Use of a Vexatious Complainants Policy**

4.10.1 Members are advised that there have been no referrals made under this policy although the Group will continue to monitor its use.

## **5. EQUALITIES IMPLICATIONS**

- 5.1 Monitoring of complaints via the Corporate Complaints policy addresses the Council's statutory duties under the Equalities Act 2010 (Statutory Duties) (Wales) Regulations 2011 and the Welsh Language Measure (Wales) 2011 in two ways. It addresses specific complaints to the Council around alleged discrimination by service areas and also addresses the monitoring of complaints from people who fall under the categories protected by these statutory duties.
- 5.2 The full details of these issues (that cover wider matters than are recorded as Corporate Complaints in this report) are included in the annual reports provided to the Equalities and Human Rights Commission and the Welsh Language Commissioner's Office. Policy and Resources Scrutiny and Cabinet consider these reports prior to being published by the end of June each year.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 There are no direct financial implications associated with this report.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 There are no personnel implications associated with this report.

## **8. CONSULTATIONS**

- 8.1 The views of the consultees have been incorporated into this report.

## **9. RECOMMENDATIONS**

- 9.1 It is recommended that Members note the contents of the report.

## **10. REASONS FOR THE RECOMMENDATIONS**

- 10.1 To monitor the complaints process to ensure effective delivery of Council services.

## **11. STATUTORY POWER**

- 11.1 Local Government Act 1972 - 2003.

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Judith Morgans, Customer Services Manager  
Ros Roberts, Performance Manager  
Andrea Jones, Corporate Complaints Officer

Anwen Rees, Policy Officer  
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Background paper:

Report to Audit Committee 9<sup>th</sup> March 2016 Update on the Numbers of Complaints Received under the Council's Corporate Complaints Policy

Appendices:

Appendix 1 - Brief overview of complaints