



AUDIT COMMITTEE - 17TH SEPTEMBER 2013

SUBJECT: UPDATE ON THE IMPLEMENTATION OF THE COUNCIL'S NEW CORPORATE COMPLAINTS POLICY

REPORT BY: INTERIM MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To provide members with an update on the implementation of the new Corporate Complaints Policy from its introduction on 1st April 2013 to date.
- 1.2 To update members on the numbers of corporate complaints received under the new policy, whether any trends have been identified and if so the action to be taken.
- 1.3 To update Members on the proposals to introduce a Vexatious Complainants Policy to deal effectively with unreasonably persistent complaints.

2. SUMMARY

- 2.1 To monitor the corporate complaints received in order to provide information on the level of satisfaction 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 complaints are dealt with consistently and fairly across all service areas whilst ensuring staff are aware of the process of identifying unreasonably persistent customers.
- 2.3 As referenced in 4.3.3 and 4.3.4 this report details corporate complaints only with Social Services operating a separate complaints policy (following the Welsh Government "Listening & Learning Guidance") and the relevant schools deal with their own complaints.

3. LINKS TO STRATEGY

- 3.1 To support the provision of higher quality and more effective services to the public.

4. THE REPORT

4.1 Background

- 4.1.1 Members will be aware from a report presented to Audit Committee on 12th December 2012 that on 1st April 2013 the Council implemented a new Corporate Complaints Policy (referred to as the Policy in this report) in order to reflect the model policy introduced by the Welsh Government.

4.1.2 The Policy was introduced to ensure that complaints are dealt with in a consistent manner across Wales. The Policy has introduced a two-stage process to be undertaken within the Council. Stage 1 complaints are intended to be dealt with within 10 working days and Stage 2 within 20 working days. These timescales have been reduced from the previous timescale of 28 working days for all complaints. 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 Ombudsman for Wales.

4.2 New Process

4.2.1 To coincide with the implementation of the new Policy a Learning from Complaints Group (referred to throughout this report as “the Group”) has been established. The Group was referred to in the previous report to Audit Committee as “The Listening and Learning Group”, however the name has been changed so as not to be confused with the already established Social Services Complaints Group.

4.2.2 The Group is chaired by the Interim Monitoring Officer, and includes Complaints Officers from across the Council and a representative from the Council’s Performance Management Unit. Since April two meetings have been held and the intention is to meet quarterly in the future

4.2.3 The Group have set out its objectives in the Terms of Reference as follows:-

- To receive detailed statistics and reports from each Directorate in order to monitor, analyse and review qualitative complaints statistics having particular regard to trends and themes.
- Where trends are identified and analysed to make appropriate recommendations to ensure that lessons have been learnt including changes in practice and procedures.
- To report the findings of the Group on a six monthly basis to the Audit Committee which will draw out lessons learnt over this period and demonstrating how they have contributed to improved service delivery.
- To consider and make recommendations for the review of policies and procedures including the introduction of associated policies and procedures arising from the implementation of the complaints policy.

4.3 Review

4.3.1 The Policy has been in place for almost 5 months at the time of preparation of this report and the data referred to below represents the number of complaints received during this period and for each Directorate referred to, and an overview of the response timescales.

4.3.2 The total number of corporate complaints received across the Authority during this period is 109 comprising the following: -

| | | % of total number of corporate complaints received |
|---------------------------|----|---|
| Housing | 48 | 44.04% |
| Environment | 35 | 32.11% |
| Corporate | 11 | 10.09% |
| Social Services | 2 | 1.83% |
| Education | 10 | 9.17% |
| Other (cross Directorate) | 3 | 2.75% |

The breakdown of the types of complaints are summarised as follows: -

Stage 1 Corporate Complaints

| Title | Actual |
|---|---------------|
| Number of Stage 1 complaints received in Corporate Services | 5 |
| Number of Stage 1 complaints received in Education | 10 |
| Number of Stage 1 complaints received in Environment | 34 |
| Number of Stage 1 complaints received in Housing | 40 |
| Number of Stage 1 complaints received in Social Services | 1 |
| Number of Stage 1 complaints received Other (cross directorate) | 2 |

The total number of complaints dealt with at Stage 1 were 92, of those 62 were responded to on time, 21 outside the timescale and 9 are ongoing.

There are 3 ongoing corporate complaints with the relevant stage to be confirmed

Stage 2 Corporate Complaints

| Title | Actual |
|---|---------------|
| Number of Stage 2 complaints received in Corporate Services | 3 |
| Number of Stage 2 complaints received in Education | 0 |
| Number of Stage 2 complaints received in Environment | 4 |
| Number of Stage 2 complaints received in Housing | 11 |
| Number of Stage 2 complaints received in Social Services | 1 |
| Number of Stage 2 complaints received Other (cross directorate) | 1 |

The total number of complaints dealt with at Stage 2 were 20, of those 10 were responded to on time, 8 outside the timescale and 2 ongoing.

Members will note the total number of complaints listed above is 115. This figure takes into account 6 complaints, which were escalated from stage 1 to stage 2, 3 within the Housing Department, and 3 within the Environment Directorate

- 4.3.3 It should be noted 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.
- 4.3.4 Members are no doubt aware that Social Services operate a separate complaints policy for service users (following the Welsh Government "Listening and Learning guidance"). This data is considered by the Health, Social Care and Well being Scrutiny Committee and the last report received was on 14th May 2013. Within Education relevant schools deal with their own complaints, which are monitored within the Directorate of Education.
- 4.3.5 Members will note from the numbers of complaints dealt with that 6 were escalated from a Stage 1 complaint to a Stage 2 complaint, 3 within the Housing Department and 3 within the Environment Directorate.
- 4.3.6 Out of the 109 complaints received to date only one complaint was referred to the Ombudsman, who upon consideration of the complaint decided not to investigate further.
- 4.3.7 At the last meeting of the Group, officers considered the detail of the data collected for each specific department however no specific trends could be identified. Types of complaints have been wide ranging for example repairs, housing allocation, recharges, maintenance and waiting lists in Housing; planning issues, noise, waste collection, drainage issues and highway repairs in the Directorate of the Environment. The Group however will continue to monitor this data closely at its meetings held quarterly and Members will be kept updated.

- 4.3.8 A review of the data indicates that not all complaints have been dealt with within the timescales set out under the Policy and the Group has considered this issue.
- 4.3.9 As mentioned previously the new Policy requires complaints to be responded to within either 10 or 20 working days depending on the stage the complaint is at. The time-period under the old system was 28 working days.
- 4.3.10 It was recognised by the Group that occasionally due to the complex nature of some complaints it is not possible to produce full and detailed responses to the more complex complaints within the timescales of the new Policy.
- 4.3.11 In addition the Group also recognised the difficulty in providing responses to cross directorate complaints within the timescales of the new Policy. These complaints are identified as “other” in the data referred to above. By their very nature these types of complaints are complex and due to the involvement of various officers there can be a delay in receiving all of the information required to produce a full response.
- 4.3.12 To date there have been 3 cross Directorate complaints. Out of these 3 complaints 2 have not been responded to within the timescales.
- 4.3.13 Consequently in order to address this problem the internal guidance previously issued to officers to accompany the Policy will be updated to improve the current arrangements.
- 4.3.14 The new guidance will include a process to extend the time period for response by agreement with the complainant for up to ten additional working days. Where these circumstances arise officers will be required to explain to the complainant the reasons for the delay in providing a full response.
- 4.3.15 The issue regarding the number of complaints not complied with within the timescales will continue to be monitored with a view to improving processes where possible and improving the way in which we keep customers informed.

4.4 Update on Proposals to Introduce a Vexatious Complainants Policy

- 4.4.1 The majority of complainants pursue their complaints with the Authority in an appropriate manner. However there are a small number of complainants who pursue their cases in a way that can impede the investigation of their complaint or have significant resource implications in dealing the case, for example, the sheer number or nature of their enquiries may lead them to be considered as persistent or vexatious.
- 4.4.2 The Group are currently considering the most effective way of dealing with persistent/ vexatious complainants. The process is ongoing and information is being gathered from across Wales to obtain best practice. A report on this issue will be presented to the next meeting of the Audit Committee.
- 4.4.3 For information currently officers who directly experience aggressive or abusive behaviour from a complainant are protected by the Council’s Violence at Work Policy. Under this policy it is possible to restrict future contact with specific officers or restrict contact arrangements.

5. EQUALITIES IMPLICATIONS

- 5.1 The Corporate Complaints policy addresses the Councils statutory duties under the Equalities Act 2012.

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 consultees have been incorporated into this report.

9. RECOMMENDATIONS

9.1 It is recommended Members note 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.
Public Services Ombudsman (Wales) Act 2005.

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