



AUDIT COMMITTEE – 5TH MARCH 2014

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

REPORT BY: INTERIM MONITORING OFFICER

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 August 2013 to January 2014.
- 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 introduction of the Policy and Procedure to deal effectively with unacceptable, persistent or unreasonable actions by complainants.

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 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

Background

- 4.1 Members will be aware from the report presented to Audit Committee on 17th September 2013 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.

- 4.2 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 Ombudsman for Wales.
- 4.3 Members were advised that a Learning from Complaints Group (referred to throughout this report as “the Group”) had been established, which is chaired by the Interim Monitoring Officer, and includes Complaints Officers from across the Council, the Council’s Policy Officer 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. The Group’s findings are then reported to the Audit Committee on a six monthly basis.
- 4.5 The first six monthly report was presented to the Committee on 17th September 2013. This report informs Members of the implementation of the corporate complaints policy between the period August 2013 to January 2014.

4.6 Review of Corporate Complaints

- 4.6.1 The data referred to below represents the number of complaints received from August 2013 to January 2014 and for each Directorate referred to, together with an overview of the response timescales.
- 4.6.2 The total number of corporate complaints received across the Authority during this period is 92 comprising the following: -

		% of total number of corporate complaints received
Corporate	24 *	26.1%
Education	5	5.4%
Environment	39	42.4%
Housing	21	22.8%
Social Services	1	1.1%
Other (cross Directorate)	2	2.2%

* This figure includes Equalities and Welsh Language complaints data, which have not previously been reported to this Committee.

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

(a) Stage 1 Corporate Complaints

Title	Actual
Number of Stage 1 complaints received in Corporate Services	22
Number of Stage 1 complaints received in Education	4
Number of Stage 1 complaints received in Environment	39
Number of Stage 1 complaints received in Housing	18
Number of Stage 1 complaints received in Social Services	1
Number of Stage 1 complaints received Other (cross directorate)	1

The total number of complaints dealt with at Stage 1 were 85, of those 70 were responded to within timescale, 7 outside the timescale and 8 are ongoing.

(b) Stage 2 Corporate Complaints

Title	Actual
Number of Stage 2 complaints received in Corporate Services	2
Number of Stage 2 complaints received in Education	1
Number of Stage 2 complaints received in Environment	4
Number of Stage 2 complaints received in Housing	7
Number of Stage 2 complaints received in Social Services	1
Number of Stage 2 complaints received Other (cross directorate)	1

- 4.6.4 The total number of complaints dealt with at Stage 2 were 16, of those 12 were responded to within timescale, 2 outside the timescale and 2 ongoing.
- 4.6.5 Of the Stage 2 complaints, 7 were commenced at Stage 2 and 9 were escalated from Stage 1 to Stage 2; 4 within the Housing Department, 4 within the Environment Directorate and 1 within Social Services.
- 4.6.6 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 operates a separate complaints policy for service users. Within Education the respective schools deal with their own complaints
- 4.6.7 Out of the 92 complaints received to date two were referred to the Ombudsman, who upon consideration of the complaints decided not to investigate further.
- 4.6.8 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 with a view to achieving responses within the relevant timescales
- 4.6.9 At the last meeting of the Group, officers considered the data collected during this period for each specific department however no specific trends could be identified. Types of complaints have been wide ranging for example, waste collection, highway repairs and drainage issues, council tax, maintenance and housing repairs, planning issues, school transport, equalities and Welsh Language issues. The Group will however continue to monitor this data closely at its meetings held quarterly and Members will be kept updated.
- 4.6.10 Whilst trends have not 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.
- 4.6.11 The current system of gathering complaints data includes brief details of the complaint, response targets, whether they have been met and if the complaint has escalated through the complaints process. However in order to further improve and monitor the services provided the data captured under the system will now include the outcome of each complaint.
- 4.6.12 The Group will review the outcomes on a quarterly basis with a view to reporting its findings as part of the next six monthly report to the Audit Committee.

4.7 Update on the Introduction of a Vexatious Complainants Policy

- 4.7.1 Members will recall providing comments on a Report presented to the Audit Committee on 6th November 2013, which outlined a draft policy to deal with unacceptable persistent or unreasonable actions, by complainants. Members queried whether consideration could be given to their being notified of/involved in the process for any such cases within their wards. Whilst highlighting the need for caution in terms of data protection issues, the Interim Monitoring Officer advised the Committee that their comments would be referred back to the

Learning from Complaints Group for consideration prior to presenting the report to Cabinet.

- 4.7.2 The overall view of the Group was that the direct involvement of Members in the process was fraught with difficulty, particularly with reference to data protection issues. Furthermore it was considered that practically it was very likely that Members would have been involved in the process previously, since persistent complainants will often take a 'scatter-gun' approach to complaints and involve Members, AM's and MP's etc.
- 4.7.3 In the circumstances the recommendation from the Group was that an additional paragraph should be incorporated in the Policy whereby relevant Members are formally notified if any Ward constituent's contact with the Authority has been restricted in any way under the Policy (on a need to know basis).
- 4.7.4 The above information together with the draft policy was presented to and endorsed by Cabinet on 27th November 2013. As a result the Policy has now been introduced and circulated to service areas. It is also available to view on the Council's website. Members are advised that to date there have been no referrals made under this policy although the Group will continue to monitor the use of the policy.

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
- 5.2 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 the legislation in 5.1 above

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.
Local Government (Wales) Measure 2010
Equalities Act 2010 (Statutory Duties) (Wales) Regulations 2011
Welsh Language Measure (Wales) 2011

Author: Gail Williams, Interim Monitoring Officer
Consultees: Nicole Scammell, Acting Director of Corporate Services
Lisa Lane, Solicitor
Jan Carter, Senior Housing Officer
Rachel Williams, Housing Officer (Customer Services)
David Titley, Customer Services Manager
Mary Hougham, Customer Services/Complaints Officer
Kim Davies, Customer Services/Complaints Officer
Karen Williams, Support Officer
Judith Morgans, Customer Services Manager
Meirion Day, Team Manager
Ros Roberts, Performance Manager
Andrea Jones, Corporate Complaints Officer
David A Thomas, Senior Policy Officer (Equalities and Welsh Language)
Richard Harries, Internal Audit Manager