



AUDIT COMMITTEE – 9TH MARCH 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

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 August 2015 to 31st January 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 from previous reports presented to Audit Committee 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 Services 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 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.
- 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 1st August 2015 to 31st January 2016.

4.7 **Review of Corporate Complaints**

- 4.7.1 The data referred to below represents the number of complaints received from 1st August 2015 to 31st January 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 86 comprising the following: -

% of total number of complaints received August 2015 – January 2016

8	Corporate	9.3
3	Education	3.5
29	Environment	33.7
42	Housing	48.8
3	Social Services	3.5
1	Other (cross Directorate)	1.2

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	8
Number of Stage 1 complaints received in Education	2
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	3
Number of Stage 1 complaints received Other (cross directorate)	<u>0</u>
	69

(b) The total number of complaints received at Stage 1 were 69, of those 62 were responded to within timescale and 4 outside the timescale (5.8%), 3 are ongoing.

(c) Of the 69 Stage 1 complaints, responded to 19, have been upheld, 35 were not upheld, 12 have been partially upheld and 3 are ongoing. The breakdown of outcomes for each Directorate is listed below.

Outcomes of Stage 1 complaints

	Upheld	Not Upheld	Partially Upheld	Ongoing
Corporate Services	1	2	4	1
Education	0	1	0	1
Environment	9	9	3	0
Housing	9	20	5	1
Social Services	0	3	0	0
Other (cross directorate)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	19	35	12	3

Stage 2 Corporate Complaints

(d) 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	16
Number of Stage 2 complaints received in Housing	12
Number of Stage 2 complaints received in Social Services	1
Number of Stage 2 complaints received Other (cross directorate)	<u>1</u>
	33

(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 3.0% and 2 are ongoing.

(f) Of the Stage 2 complaints, 17 were commenced at Stage 2 and 16 were escalated from Stage 1 to Stage 2; 2 within Corporate Services, 8 within Environment, 5 within Housing and 1 within Social Services.

(g) Of the 33 Stage 2 complaints responded to, 7 have been upheld, 22 were not upheld, 2 were partially upheld and 2 are ongoing. The breakdown of outcomes for each Directorate is listed below.

Outcomes of Stage 2 Complaints

	Upheld	Not Upheld	Partially Upheld	Ongoing
Corporate Services	0	2	0	0
Education	0	1	0	0
Environment	2	12	2	0
Housing	5	5	0	2
Social Services	0	1	0	0
Other (cross directorate)	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>
	7	22	2	2

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.

4.8 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, housing recharges, planning processes, housing benefit, council tax, publications not produced bilingually. A brief overview of a selection of complaints received during this period is annexed at Appendix 1 for member's information. The Group will continue to monitor this data closely at its meetings held quarterly and Members will be kept updated.

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. Members will recall that as part of the Annual Complaints Report presented to Committee on the 9th September, the Group would be embarking on an analysis of complaints to focus on the causes of the complaints. The Group discussed a potential list of causes at its recent meeting in November and agreed to record causes against each complaint based on the following list:

- 1 collaborative working,
- 2 decision making,
- 3 delay in service provision,
- 4 officers contacted with public (including sensitivity/empathy of staff/politeness)
- 5 policies/relevant legislation,
- 6 accessibility of services,
- 7 clarity/accuracy/timeliness of information,
- 8 quality of work,
- 9 openness/fairness/honesty,
- 10 compliance with the complaints procedure.

4.8.4 The Group has commenced work to record the causes of complaints received, with a view to monitoring and evaluating the data and reporting and providing updates to this committee.

4.9 Ombudsman referrals

4.9.1 Since the last report to Audit Committee 10 complaints have been referred to the Ombudsman following the issue of the Council's Stage 2 response. The Ombudsman has decided not to investigate any of the complaints.

4.10 Update on the Introduction of a Vexatious Complainants Policy

- 4.10.1 Members will recall that the 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.
- 4.10.2 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.
- 4.10.3 The Vexatious Complainants Policy together with the Corporate Complaints Policy were recently reviewed by the Group resulting in some minor changes being proposed to the Complaints Policy. There were no changes proposed to the Vexatious Complainants Policy. This Committee received a report on both policies on the 9th December, 2015, which were endorsed and subsequently agreed by Cabinet on 20th January, 2016. The amended Corporate Complaints Policy has been uploaded on the intranet and internet.

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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Appendices:

Appendix 1 - Brief Overview of a Selection of Complaints Received