



AUDIT COMMITTEE - 14TH SEPTEMBER 2016

SUBJECT: ANNUAL REVIEW OF COMPLAINTS RECEIVED UNDER THE COUNCIL'S CORPORATE COMPLAINTS POLICY 1ST APRIL 2015 TO 31ST MARCH 2016

REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To provide Members with an overview of the corporate complaints received for the year 1st April 2015 to 31st March 2016.
- 1.2 To advise Members whether any trends were identified during this period and if so the action to be taken.
- 1.3 To provide Members with an overview of the lessons learned in respect of the complaints which have been upheld or partially upheld.

2. SUMMARY

- 2.1 To provide members with a review of the corporate complaints received during the year 1st April 2015 to 31st March 2016.
- 2.2 Complaints are 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.
- 2.3 The implementation of the Corporate Complaints Policy ensures that corporate complaints are dealt with consistently and fairly across all service areas.

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, on 1st April 2013, the Council implemented a Corporate Complaints Policy (referred to as the Policy in this report) in order to reflect the model policy introduced by the Welsh Government. The Policy was recently updated with a few minor changes and endorsed by Audit Committee on 9th December 2015 and Cabinet on 20th January 2016.

4.2 The Policy defines a complaint as “an expression of dissatisfaction or concern which requires a response” which may be:

- Either written or spoken,
- Made by one or more members of the public,
- About the Council’s action or lack of action or about the standard of service provided,
- About the Council itself, a person acting on its behalf or a public service provider partnership.

Members are aware that the Policy does not apply to Service Requests.

4.3 The Policy introduced a two-stage complaints process to be followed within the Council. Stage 1 complaints should 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.

4.4 The individual service areas are responsible for ownership of the conduct of the complaint process and investigate complaints at both stage 1 and 2, with the Stage 2 response being dealt with by the Head of Service or nominated representative.

4.5 To coincide with the introduction of the policy a Learning from Complaints Group (referred to throughout this report as “the Group”) was established, which is chaired by the Interim Monitoring Officer (or nominated representative), 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. The Group meets quarterly.

4.6 In addition, representatives from the Group attend the All Wales Complaints Group meetings which are held twice per year to share experience and learn from other Councils.

4.7 Complaints provide valuable feedback and are viewed as a positive opportunity to learn from experiences, which are in turn used to improve our services, strengthen relationships with customers and prevent similar problems which lead to the complaint from arising again. Some of the actions taken in response to complaints may seem to be of a minor nature however they can often make a big difference for example to the provision of a service. Members are asked to note the information contained in paragraph 4.13.5 and Appendix 2.

4.8 The information in relation to corporate complaints is reported on a six monthly basis to Audit Committee. In addition this Committee received the first Annual Report last year which reviewed the complaints received for the year 1st April 2014 to 31st March 2015. As this report is the second annual report, it includes comparative data against the data reported for the year 2014/15.

4.9 **Review of Corporate Complaints**

4.9.1 The data included in the Report relates to the complaints formally logged as corporate complaints received from 1st April 2015 to 31st March 2016. It includes comparative data for the year 2014/15 for each Directorate referred to, and an overview of the response timescales. The data also 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 4.9.6 and an overview of the outcomes in respect of Stage 2 Complaints are set out in paragraph 4.9.10 of the Report.

4.9.2 Members are asked to note that this report includes details of formally logged corporate complaints only and does not include detail of interactions with customers which are deemed to be service requests. In addition Members will note that the number of complaints considered by Education and Social Services are considerably less than those relating to services delivered by the Environment and Housing. Both of these areas operate separate complaints processes established by specific legislation.

4.9.3 The total number of corporate complaints received across the Authority was 192, this is a slight decrease on last years' total of 212.

4.9.4 A breakdown of the Stage 1 corporate complaints by reference to service area, together with comparative data from last year is set out below, and in the graph at Appendix 1.

	Stage 1 Corporate Complaints	15/16 Actual	14/15 Actual
	Corporate Services	21	25
	Education	2	7
	Environment	49	72
	Housing	81	60
	Social Services	5	4
	Other (cross directorate)	<u>0</u>	<u>10</u>
		<u>158</u>	<u>168</u>

4.9.5 It should be noted that the number of complaints per service does not necessarily provide a direct correlation with the standard of customer service provided and that these results should not be treated in isolation. Each of these services are heavily influenced by the type of business transacted by that service, for example the number of customer facing transactions carried out, the public profile of the actions carried out by that service and whether the customer has alternative formal routes for redress or appeal.

Outcomes of Stage 1 complaints

4.9.6 Of the 158 Stage 1 complaints responded to, 44 have been upheld, 84 were not upheld and 30 have been partially upheld. The breakdown by service area is listed below together with the comparative data for the year 2014/15.

	Yr 15/16 Upheld	Yr 14/15 Upheld	Y15/16 Not Upheld	Yr 14/15 Not Upheld	Yr 15/16 Partially Upheld	Yr 14/15 Partially Upheld
Corporate Services	5	8	10	9	6	8
Education	0	1	2	6	0	0
Environment	21	25	19	39	9	8
Housing	18	11	48	41	15	8
Social Services	0	0	5	4	0	0
Other (cross directorate)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>44</u>	<u>45</u>	<u>84</u>	<u>99</u>	<u>30</u>	<u>24</u>

4.9.7 There are no substantial changes to the stage 1 outcomes for this current year when compared to last year (74 compared to 69). However, the number of complaints not upheld have reduced - 84 compared to 99. This is caused largely by a reduction in the Environment area and can be linked to the decrease of stage 1 complaints dealt with in the Environment (49 compared with 72).

4.9.8 A breakdown of Stage 2 corporate complaints by reference to the service area, together with comparative data is set out below.

	Stage 2 Corporate Complaints	15/16 Actual	14/15 Actual
	Corporate Services	6	10
	Education	2	1
	Environment	28	15
	Housing	36	36
	Social Services	3	2
	Other (cross directorate)	<u>2</u>	<u>6</u>
		<u>77</u>	<u>70</u>

4.9.9 Again overall there is not a significant change in the figures, save for the Environment where the number of Stage 2 complaints has almost doubled. An analysis of the data has revealed that there was an increase in the number of complaints in relation to planning. However, it is worth noting that the Planning Department dealt with 938 planning applications last year.

Outcomes of Stage 2 Complaints

4.9.10 Of the 77 Stage 2 complaints responded to 24 have been upheld, 48 were not upheld, 4 were partially upheld and 1 did not proceed. The breakdown by service area is listed below together with the comparative data for the year 2014/15.

	15/16 Upheld	14/15 Upheld	15/16 Not Upheld	14/15 Not Upheld	15/16 Partially Upheld	14/15 Partially Upheld	15/16 Did Not Proceed	14/15 Did Not Proceed
Corporate Services	2	2	4	4	0	4	0	0
Education	1	0	1	1	0	0	0	0
Environment	3	1	22	10	3	4	0	0
Housing	18	13	16	16	1	6	1	1
Social Services	0	0	3	2	0	0	0	0
Other (cross directorate)	<u>0</u>	<u>0</u>	<u>2</u>	<u>3</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>0</u>
	<u>24</u>	<u>16</u>	<u>48</u>	<u>36</u>	<u>4</u>	<u>17</u>	<u>1</u>	<u>1</u>

4.9.11 Overall there is not a significant change to the number of Stage 2 complaints upheld or partially upheld this year (28 in 15/16 and 33 in 14/15)

4.9.12 There is a notable increase in the number of complaints not upheld in the Environment. However the number of complaints considered at Stage 2 by the Environment has increased when compared to last year.

4.10 **Ombudsmans Referrals**

4.10.1 Of the 77 Stage 2 complaints responded to 17 were referred to the Public Services Ombudsman for Wales. None were investigated.

4.10.2 However a report issued by the Ombudsman in April 2015 following an investigation undertaken the previous year, was upheld and related to a housing complaint. As part of the formal reporting process the Standards Committee considered this report on 18th June 2015 and 21st September 2015. The Standards Committee noted the progress made in respect of all of the recommendations contained in the Ombudsman's report and were satisfied that there was no requirement to refer the matter on to the appropriate Scrutiny Committee. This information will be reported to Council as part of the overview of the Ombudsman's Annual Letter.

4.10.3 The Authority has also agreed two quick fixes, one relating to Housing and one in respect of Services for Vulnerable adults.

4.11 **Target time for responses**

4.11.1 The data in relation to this indicates that compliance with the response deadlines is now 90.6%, slightly down on last years' figure of 92.8%. This is a matter that will be considered formally at the next meeting of the Learning from Complaints Group.

4.12 **Review of Trends and Lessons Learned**

4.12.1 The volume of complaints is not always as important as the nature and the content of the complaint. Each complaint can be an opportunity to make small changes or service improvement on a small or greater scale. Sometimes the smallest change can result in the greatest increase in customer satisfaction. Examples of some of the changes made are set out at paragraph 4.12.5 and at Appendix 2.

- 4.12.2 A complaint is not only valuable in terms of service improvements but also in terms of public relations and general public perception of and satisfaction with the Authority.
- 4.12.3 Over the last year officers have considered the data collected on a quarterly basis for each specific service area. The types of complaints received have been wide ranging for example, housing recharges, fly tipping, planning processes, housing benefit issues, council tax, refuse collection, permits at civic amenity sites, WHQS works, overhanging trees, recharges and noise nuisance. This is not an exhaustive list but no trends have been identified.
- 4.12.4 At the meeting of the Audit Committee in March 2016 Members agreed that the causes of complaints would be recorded in accordance with the agreed list. This work has commenced and the complaints log now includes this information. It is considered that the causes of a complaint will assist in further informing the analysis of data, however the monitoring is in its early stages. It is too early to tell if any trends will be identifiable for any of the 10 recorded categories. However the early indications are that the cause of a complaint can often include more than one of the recorded categories.
- 4.12.5 Examples of some of the lessons learnt and improvements made as a result of complaints during 2015/16 include:
- Further training on Corporate Complaints rolled out to senior staff in the Network Management Group to remind officers of the importance of complying with the approved complaints policy to avoid complaints around process;
 - Sharing the outcomes of complaints internally with the complaints officers to ensure that all service areas are updated (the particular case involved recommendations regarding record keeping);
 - Review of assessment process in relation to the Council Tax Reduction Scheme.
 - Review of the Call Recording Policy (this is ongoing);
 - Review of leisure centre booking procedures;
 - Review of repair appointment arrangements;
 - Additional allocation of resources to deal with service requests for trees, and
 - Internal training to planning staff on the level of information included in consultation letters to better inform consultees on the process to be followed

Appendix 2 gives an anonymised summary of a sample of upheld/partially upheld complaints across the various service areas for information.

4.13 **Vexatious Complainants Policy**

4.13.1 There have been no referrals under this Policy.

4.14 **Conclusion**

- 4.14.1 Corporate complaints have remained largely static over the last two years. It is important that the figures are viewed in the context of contacts with the Authority, in an average month customer service centres deal with about 6,400 customer visits and the contact centre deals with approximately 32,300 telephone calls and emails.
- 4.14.2 The consistency of the current arrangements in relation to complaints reporting and the static nature of the overall figures suggest that the complaints process continues to work effectively; although there is never room for complacency.

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. These reports are considered by Policy and Resources Scrutiny and Cabinet 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 None. The report is for information only.

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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Background Papers:

Report to Audit Committee 10th December 2014 – Social Services Representations and Complaints Procedure Activity

Report to Audit Committee 11th March 2015 - Procedure relating to School Based Complaints

Report to Standards Committee 18th June 2015 Complaint Made to the Public Services Ombudsman for Wales – Case Number 201400849

Report to Standards Committee - 21st September 2015 – Update of Progress on Compliance with Recommendations in a Report Issued by the Public Services Ombudsman For Wales – Case Number 201400849

Report to Audit Committee – Annual Review of Complaints received under the Council's Corporate Complaints Policy 1st April 2014 to 31st March 2015

Appendices:

Appendix 1 – Graph with Comparison of Numbers of Complaints for 2014/15 and 2015/16

Appendix 2 – Anonymised summary of a sample of upheld and partially upheld complaints