



AUDIT COMMITTEE – 14TH DECEMBER 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 April 2016 to 30th September 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, 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. The Policy was reviewed with minor changes proposed and presented to Audit Committee on 9th December 2015. The changes were endorsed and subsequently agreed by Cabinet on 20th January, 2016. The amended Corporate Complaints Policy has been uploaded on the intranet and internet.

- 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 In order to assist the compilation of comparative data it has been decided that the reporting period for update reports should be standardised – 1st April to 30th September and 1st October to 31st March. This report therefore overlaps with the data provided in the report to Committee in September, which included data for the period February to July.

4.7 **Review of Corporate Complaints**

- 4.7.1 The data referred to below represents the number of complaints received from 1st April 2016 to 30th September 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 108 comprising the following: -

**% of total number of
complaints received April
– September 2016**

9	Corporate	8.33
2	Education	1.86
50	Environment	46.3
39	Housing	36.11
3	Social Services	2.8
5	Other (cross Directorate)	4.6

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 | 2 |
| Number of Stage 1 complaints received in Environment | 40 |
| Number of Stage 1 complaints received in Housing | 33 |
| 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 84, of those 78 were responded to within timescale and 4 outside the timescale (4.76%), and 2 did not proceed
- (c) Of the 84 Stage 1 complaints, responded to, 15 have been upheld, 46 were not upheld and 21 have been partially upheld and 2 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	1	3	4	0	1
Education	0	2	0	0	0
Environment	9	22	9	0	0
Housing	5	19	8	0	1
Social Services	0	0	0	0	0
Other (cross directorate)	0	0	0	0	0
	15	46	21	0	2

Stage 2 Corporate Complaints

- | (d) Title | Actual |
|---|--------|
| Number of Stage 2 complaints received in Corporate Services | 0 |
| Number of Stage 2 complaints received in Education | 2 |
| Number of Stage 2 complaints received in Environment | 19 |
| Number of Stage 2 complaints received in Housing | 17 |
| Number of Stage 2 complaints received in Social Services | 3 |
| Number of Stage 2 complaints received Other (cross directorate) | 5 |
- (e) The total number of complaints received at Stage 2 were 46 of those 39 were responded to within timescale and 2 outside the timescale (4.34%) and 5 are ongoing.
- (f) Of the Stage 2 complaints, 24 were commenced at Stage 2 and 22 were escalated from Stage 1 to Stage 2; 11 within Housing, 9 within Environment and 2 within Education.
- (g) Of the 46 Stage 2 complaints responded to, 7 have been upheld, 24 were not upheld, 10 were partially upheld. There are 5 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	0	0	0
Education	1	1	0	0
Environment	2	12	3	2
Housing	3	9	4	1
Social Services	1	1	0	1
Other (cross directorate)	0	1	3	1
	7	24	10	5

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 4 stage 1 complaints were not responded to within the required timescale and 2 outside the timescale for stage 2 complaints. Members will recall the update report considered in September advised that this was due to a failure of officers to request an extension of time in accordance with internal guidance and would be raised formally at the next meeting of the Group. This issue has since been raised with the Group and will continue to be monitored.

4.8 Review of Trends and types of complaints

4.8.1 This information is being gathered and an analysis will be provided in the Annual Report.

4.8.2 Again the types of complaints received have been wide ranging for example, planning permission, access to customer first, damage to property, WHQS works, flying start, electoral services, highways, council tax, access to civic amenity sites, housing transfer applications, air quality, noise nuisance, grant works and waste collection. 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 and lessons learnt dealt with during this period is attached at Appendix 1.

4.9 Ombudsman referrals

4.9.1 Since the last report to Audit Committee, 9 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.

4.9.2 In addition 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 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. The Group however acknowledge that it is a useful aide in dealing with potential vexatious complainants.

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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Karen Williams, Support Officer
Judith Morgans, Customer Services Manager
Ros Roberts, Performance Manager

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Anwen Rees, Policy Officer
Richard Harries, Internal Audit Manager
Deborah Gronow, Auditor
Leigh Brook, Corporate Finance
Lianne Dallimore, Medium Term Financial Plan Programme Coordinator

Background paper:

Report to Audit Committee 9th September 2016 Update on the Numbers of Complaints Received under the Council's Corporate Complaints Policy

Appendices:

Appendix: Brief overview of complaints

Appendix 1 Brief overview of complaints

Council Tax Enquiry

A complaint was made regarding correspondence received in the form of an e-mail from a member of the council tax section. The complainant alleged it was a rather abusive e mail, written in block capitals. The complainant responded that they found the content and nature of how the email was written to be a form of shouting.

The relevant Manager apologised for the format of the email and provided a full explanation and breakdown of the other element of the complaint.

In reviewing the actual content of the emails, the Manager did not find the content 'abusive' in its tone; in fact, it was noted that member of staff did offer their apologies if the complainant found their initial email abrupt before going on to explain that the reason for their email was the lack of any contact from the management company regarding the particular property under consideration.

Lessons learnt

It was fully accepted that the format of the email was not acceptable and gave the impression that the sender was 'shouting' their message. This part of the complaint was addressed directly with the member of staff who assured the Manager that in future emails would be in the expected format.

Housing

Prior to a new tenancy commencing the appropriate Building Surveyor completes a 're-let standard checklist' to ensure the property is ready for the new tenant to move in. However, a new tenant raised concerns regarding the condition of the property he had just been allocated. During the investigation it was noted that some items had been recorded incorrectly by the Building Surveyor. An apology was provided to the complainant.

Lessons Learned

As a result Building Surveyors have been reminded of the importance of completing the documentation thoroughly and accurately.

Waste Management

A complaint was received on 28^h August (non-working day) in relation to a refuse bin not being collected for a week and forwarded to the relevant department on 30th August due to bank holiday. The complainant queried this online and was informed that the issue would be resolved in 5 working days. The complainant also contacted the Contact Centre. The Contact Centre advised that the refuse collection would take place on Wednesday but unfortunately this did not take place. The complainant made comments on facebook in relation to the bins for the street not being collected.

An email response was sent to the complainant apologising for the missed collection and inconvenience caused. The missed collection was due to vehicle breakdown and an alternate vehicle and crew was sent to collect several streets in the locality but unfortunately they were unaware of front and rear collection in this street.

The crew were given details of collection that needed to take place unfortunately there had been a delay in receiving the complaint due to bank holiday. A response was sent on 30th August from Community & Leisure Services advising that the bins would be emptied the following day.

Lesson Learnt

Refuse was not collected due to vehicle breakdown – an apology was provided, and crew were spoken to ensure missed collections are reported to the supervisor to prevent the problem from arising again.

Engineering Services

A complaint was made about the lack of communication from the Engineering Division. The complainant asked for the council to look at the drainage system outside their house and the enquiry was logged on the 12/05/16. The complainant was given a date of 21/06/16 as to when someone from the drainage department would look at the drainage system that week. The complainant sent a further 4 emails chasing this up to no avail.

As a result of the complaint, the Engineering Division carried out an investigation:

- The four e-mails have not been traced
- The inspection on the 21st June was in an adjacent (wrong) location
- A subsequent inspection in the right location took place on the 24th June
- A response was not sent to the complainant once this had happened

An apology was provided to the complainant and the correct location was inspected and the servicing of the drainage system carried out.

Lessons learnt being:

- To improve feedback to the customer/ complainant once the action(s) are concluded. The oversight has been discussed with the relevant officer.
 - To confirm the works done to the customer/ complainant, so allowing any correction(s) needed.
- Accuracy of location to be confirmed by Lead Officer, on each occasion.