



## **AUDIT COMMITTEE – 11TH JUNE 2019**

**SUBJECT: ANNUAL REVIEW OF COMPLAINTS RECEIVED UNDER THE COUNCIL'S CORPORATE COMPLAINTS POLICY 1ST APRIL 2018 TO 31ST MARCH 2019**

**REPORT BY: DEPUTY MONITORING OFFICER**

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### **1. PURPOSE OF REPORT**

- 1.1 To provide Members with an overview of the corporate complaints received for the year 1st April 2018 to 31st March 2019.
- 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 2018 to 31st March 2019.
- 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. RECOMMENDATIONS**

- 3.1 Members are asked to note the content of the report.

### **4. REASONS FOR THE RECOMMENDATIONS**

- 4.1 One of the terms of reference for the Audit Committee is to monitor the complaints process to ensure effective delivery of Council services.

## 5. THE REPORT

5.1 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, which has been subsequently updated and is available on the Council's Website. The Policy was subsequently reviewed and updated in 2016.

5.2 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.

5.3 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.

5.4 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. In addition where complaints relate to more than one directorate these are responded to by the Deputy Monitoring Officer.

5.5 Officers have established a Learning from Complaints Group (referred to throughout this report as "the Group"), which is chaired by the Deputy Monitoring Officer (or nominated representative), and includes Complaints Officers from across the Council, the Council's Senior Policy Officer (Equalities and Welsh Language), a representative from the Council's Performance Management Unit and a representative from the Council's Internal Audit Section.

5.6 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.

5.7 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 5.12.1 and Appendix 2.

5.8 The information in relation to corporate complaints has been previously reported on a six monthly basis to Audit Committee. In addition this Committee received the first Annual Report in 2015. This is the fourth annual report; it includes comparative data against the data reported for the year 2017/18. Moving forward the Committee will receive a six monthly update following the expiration of the first six month period together with an Annual report.

### 5.9 Review of Corporate Complaints

5.9.1 The data included in the Report relates to the complaints formally logged as corporate complaints received from 1st April 2018 to 31st March 2019. It includes comparative data for the year 2017/18 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 5.9.6 and an overview of the outcomes

in respect of Stage 2 Complaints are set out in paragraph 5.9.15 of the Report.

- 5.9.2 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 less than those relating to services delivered by the Environment and Housing. Both of these areas operate separate complaints processes established by specific legislation. In addition cross directorate complaints are dealt with under Stage 2 of the Corporate Complaints Policy.
- 5.9.3 The total number of corporate complaints received across the Authority was **202**; this is a notable increase on last years' total of **155**; there were **152** complaints dealt with at Stage 1 and **90** complaints dealt with at Stage 2 with **40** escalating from a Stage 1 to a Stage 2 (including **2** complaints which escalated from the previous years' stage 1 responses); **1** in Corporate Services; **14** in Housing; **21** in the Environment and **4** in Social Services. This comparison is set out in the graph at Appendix 1(A)
- 5.9.4 A breakdown of the Stage 1 corporate complaints by reference to service area, together with comparative data from last year is set out below.

<b>Stage 1 Corporate Complaints</b>		17/18 Actual	18/19 Actual
Corporate Services		14	15
Education		3	1
Environment		54	68
Housing		45	44
Social Services		11	24
		<b>127</b>	<b>152</b>

- 5.9.5 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

- 5.9.6 Of the **152** Stage 1 complaints responded to, **37** have been upheld, **85** were not upheld, **28** have been partially upheld, and **2** are ongoing. The breakdown by service area is listed below together with the comparative data for the year 2017/18.

Year	17/18 Upheld	18/19 Upheld	17/18 Not Upheld	18/19 Not Upheld	17/18 Partially Upheld	18/19 Partially Upheld	17/18 Did Not Proceed	18/19 Did Not Proceed	18/19 Ongoing
Corporate Services	6	8	7	6	1	1	0	0	0
Education	0	0	3	1	0	0	0	0	0
Environment	14	20	32	29	8	18	0	0	1
Housing	1	9	36	25	7	9	1	0	1
Social Services	0	0	9	24	2	0	0	0	0
	21	<b>37</b>	87	<b>85</b>	18	<b>28</b>	1	<b>0</b>	<b>2</b>

- 5.9.7 The overall number of complaints dealt with at stage 1 this year when compared to 2017/18 has **increased** by approximately 19.7% (**152** this year compared to **127** last year).
- 5.9.8 The number of Stage 1 complaints upheld has increased by 16 (37 this year compared to 21

last year); the number of complaints not upheld has slightly reduced and the number of complaints partially upheld has increased by 10 this year (28 compared to 18 last year).

- 5.9.9 From an analysis of the data, in terms of the increase in numbers of Stage 1 complaints responded to generally, these can be identified within the Environment Directorate and Social Services Directorate.
- 5.9.10 In terms of Social Services complaints, from an analysis of this data it appears that the Corporate Complaints policy has been utilised in more circumstances where complainants were unable to progress their complaints through the separate Social Services Complaints procedure as they were not in receipt of social services and therefore complainants received a response via the Corporate Complaints Process. That said all of the complaints dealt with were not upheld and one did not proceed.
- 5.9.11 With regard to Housing, the number of complaints which have been upheld have increased this year from 1 to 9. On analysis these are across a couple of different service areas provided including housing management, WHQS and private sector. There does not appear to be any particular trend.
- 5.9.12 With regard to complaints in the Environment directorate, these have been analysed and there appears to be a number of complaints partially upheld or upheld in relation to waste services and include those relating to the contamination of bins, non-collection of food waste assisted collections, and green waste sacks. This increase is likely due to the fact that the waste management department have been focusing on improving the quality of recycling and as such have not been collecting bins that contain bags or non-recyclables which has led to some non-collection complaints. There are also complaints regarding green waste sacks and the need to pay for new sacks which is a direct result of the charges introduced as part of the medium term financial plan savings. Officers will continue to monitor complaints of this nature and learn from the outcomes. However it should be noted that the Council collects recycling from every property once a week (i.e approx. 79,300) with the same service for food/green waste and once a fortnight for refuse. In summary that equates to a total number of collections approaching 200,000 per week and as such the number of complaints in comparison to the scale of the service are relatively small.
- 5.9.13 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	17/18 Actual	18/19 Actual
	Corporate Services	6	3
	Education	0	1
	Environment	28	50
	Housing	24	26
	Social Services	1	5
	Other (cross directorate)	7	5
		<b><u>66</u></b>	<b><u>90</u></b>

- 5.9.14 Members will note the number of complaints dealt with at Stage 2 have notably increased in comparison to last year, with the increase being evident within the Environment directorate. Social Services have had a slight increase of 4, Corporate Services have reduced by 3 and other areas have remained at a similar number.

## Outcomes of Stage 2 Complaints

5.9.15 Of the 90 Stage 2 complaints responded to 11 have been upheld, 63 were not upheld and 14 were partially upheld. The breakdown by service area is listed below together with the comparative data for the year 2017/18.

	17/18 Upheld	18/19 Upheld	17/18 Not Upheld	18/19 Not Upheld	17/18 Partially Upheld	18/19 Partially Upheld	17/18 Did Not Proceed	18/19 Did Not Proceed	18/19 Ongoing
Corporate Services	2	0	4	2	0	1	0	0	
Education	0	0	0	1	0	0	0	0	
Environment	4	7	20	36	4	7	0	0	0
Housing	3	4	17	18	4	4	0	0	
Social Services	0	0	1	3	0	0	0	1	1
Other (cross directorate)	1	0	3	3	3	2	0		
	<u>10</u>	<u>11</u>	<u>45</u>	<u>63</u>	<u>11</u>	<u>14</u>	<u>0</u>	<u>1</u>	<u>1</u>

5.9.16 Overall there has been a similar number of complaints upheld at Stage 2 this year (11 this year compared to 10 last year) and a slight increase in the number of complaints partially upheld (14 this year compared to 11 last year). In relation, Education and Social Services the figures have remained comparable and there has been a slight drop in Corporate Services.

5.9.17 With regard to Housing, the overall figures are very similar to last year with complaints being in relation to various aspects of housing. There was, however, a decrease in the number of housing management complaints and an increase in the number of WHQS complaints, which is due to the volume of works being undertaken.

5.9.18 In relation to Environment 3 more complaints have been upheld, 16 more not upheld and 3 more partially upheld. From an analysis of this data it has been noted that there has been an increase in the number of planning complaints however one particular planning application attracted 10 separate complaints all of which were not upheld. That said, the number of planning specific complaints received remain at a low level particularly when bearing in mind that over the last year 996 planning applications were validated. In addition there were a mix of complaints ranging from parking issues, illegal dumping, missed bin collections, rights of way, school transport, street lighting, contaminated bin waste and noise pollution. The issues regarding waste complaints have been referred to in paragraph 5.9.12 above. Having regard to the overall nature of the complaints dealt with no particular trends have been identified.

## 5.10 Ombudsman's Referrals

5.10.1 Of the 90 complaints responded to under Stage 2 of the Corporate Complaints Process, 12 were referred on to the Public Services Ombudsman for Wales, none of which were taken into investigation. There was however one case taken into investigation during 2017 and the decision issued in the year 2018/19. This related to a Planning Complaint which was partially upheld and the outcome reported to the Standards Committee in accordance with normal reporting procedures.

In addition to the Stage 2 responses referred to the Public Services Ombudsman for Wales there were 44 complaints referred to prematurely i.e without first exhausting the Council's Corporate Complaints process

In addition the Authority agreed 4 quick fixes, one in relation to housing repairs and maintenance; one in relation to road maintenance; one in relation to roads and transport and one in relation to parking.

For completeness, in addition to the above there were 5 quick fixes agreed in relation to the Social Services complaints procedure however this is outside the remit of this report.

## 5.11 Target time for responses

- 5.11.1 The data in relation to this indicates that overall compliance with the response deadlines is 88.9%, 0.7% down on last years' figure of 89.6% as identified in the graph at Appendix 1(B).
- 5.11.2 The reasons for not meeting the deadline include the following; the complaint was one of multiple complaints which required a comprehensive and multi service response; workload pressures; pressures due to sickness of team members; missed due to human error; a need to liaise with officers. The Group regularly discuss the data at its meetings and will continue to remind officers to request an extension of time from the complainant should it become clear that the deadline for responding cannot be met.

## 5.12 Review of Trends and Lessons Learned

- 5.12.1 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 Appendix 2 which contains an anonymised summary of a sample of upheld/partially upheld complaints across the various service areas. The lessons learnt include the following

### Corporate

- All staff, particularly recent recruits have received refresher training on how to advise customers of delays in service and have been reminded of the importance of carrying out tasks correctly.
- Refresher training given by Team Leader to Billing staff.
- The process of checking DWP deductions more regularly to try and prevent issues occurring again.
- Staff were made aware of the need to be as accurate as possible whilst acknowledging there was always potential for human error. Whilst the delay in applying the single person discount was minimal, 12 working days with a performance target to process circumstance changes within 14 working days but as the complaint was responded to on the basis that higher levels of correspondence was being experienced at that time action is being taken to address this issue.
- Reviewing an e-mail template to ensure that it provides clear information. Asking Team Leader of the Advisor that dealt with complainant to review the way in which her team handle calls and to put in place arrangements to improve the information that is provided and asking Team Leader to provide advice and coaching on blue badge applications.

### Environment

- Liaise with Refuse/Recycling collection crews prior to bank holidays to ensure the bin is emptied and when possible meet with residents on site to establish and ascertain the problem areas.
- Staff advised of the need to be very careful when and checking address specifics and customer requirements
- Ensure that complainants are provided with a professional and comprehensive explanation of policies and service levels.

- To recognise the importance of communication. CRM had been informed that a waste bag had not been collected for containing soil and rubble. Had the resident been informed of this the complaint may not have escalated.
- Crew have been instructed to place the recycling bags over the gates or boundary walls if possible, alternatively, if there are no front gardens, we have instructed the crew if the property has a food caddy, to place it, when emptied on top of the bags to stop them blowing away in inclement weather.
- Two new post mounted litter bins were installed in the area and officers will also monitor the area to ascertain if we need to cleanse the area twice a week instead of only once at present.
- Whilst the bin collections have indeed been missed on a number of occasions, there have been issues with vehicular obstruction. The issue is not yet resolved as the residents will be letter dropped and other options explored.
- Contractor did not follow correct procedure in terms of checking with Education Transport /college when student was not waiting for taxi at end of a college session. Correct procedure reiterated with Contractor – particularly with regards to dealing with pupils with additional learning needs. Noted that this was an exception and measures agreed should prevent a recurrence.

## **Housing**

- Housing Repair Operations Manager reminded officers from WHQS and Area Housing Office of the importance of checking systems before passing tenants onto other departments. This will also be included in the Centralised Repair Team 's regular refresher training.
- It has been agreed they need to monitor the contractor more closely and the need to reinforce the charter for trust with the contractors.
- To ensure tenants are given sufficient time to consider undertaking any rechargeable repairs themselves.
- Officers to be reminded to follow procedure when a tenant passes away and issue standard letters.
- A review of procedures for registering and assessing online housing application was carried out and the automatic request for a tenancy reference has been removed. Applications are now reviewed by an officer before arranging a tenancy reference appointment.
- To look to improve communication with homeless applicants
- Officers to be reminded to consider exercising discretion at an earlier stage
- Officers received additional training on the correct method of calculating redemption figures for Property Appreciation Loans
- To improve customer service and better explain the housing register limitations

- Officers to be reminded of the importance of clearly completing – signing and dating the End of Tenancy paperwork – letters must be checked to ensure accuracy and clarity.

### **Cross directorate**

- Relevant Officers to refresh their knowledge of the School Admissions Appeal code.
- Update procedure for instructing recovery of debt to make it clear if it relates to a private owner or Council tenant. Additional information in chase up letters for payment to acknowledge when payment received the letter can be ignored.

5.12.2 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.

5.12.3 Over the last year officers have considered the data collected for each specific service area. Members will note from the above information that the types of complaints received have been wide ranging and also include for example, street lighting, school transport, housing tenancy, council tax, WHQS works, customer services, overhanging branches, grass cutting, blue badge applications, noise nuisance, missed food waste collections, school admissions, illegal dumping, housing benefit, recycling assisted bin collections, planning applications, resident parking permits, rights of way, damage to property by contractors, car parking on verges, service received from social services, dropped kerb application, grants, dog waste bins and illegal dumping. This is not an exhaustive list but no trends have been identified.

5.12.4 Members will recall at the meeting of the Audit Committee in March 2016 it was agreed that the causes of complaints would be recorded in accordance with the following agreed list.

- 1 Collaborative Working
- 2 Decision Making
- 3 Delay in Service Provision
- 4 Officer/Contractors Conduct with public (including sensitivity/empathy of staff/politeness)
- 5 Following Council Policies/relevant Legislation
- 6 Accessibility of Services
- 7 Clarity/Accuracy/Timeliness of information
- 8 Quality of Work
- 9 Openness/ Fairness and Honesty
- 10 Compliance with Complaints procedure
- 11 A combination of categories

This data has been analysed within each directorate and is set out in the table at Appendix 3 with comparable data for the year 2017/2018.

### **5.13 Vexatious Complainants Policy**

5.13.1 There have been no referrals under this Policy, however it continues to provide a useful aide in dealing with potential unreasonable complainants.

### **5.14 Conclusion**

5.14.1 Whilst the number of complaints received and dealt with under the Corporate Complaints Process over the last year has increased, the areas of complaint remains wide ranging across the authority with no overall trends to report. That said it is recognised that the outcome of



many complaints dealt with enable us to implement changes and improve on our services provided. An important part of dealing with complaints are the lessons learned and any actions agreed as a result of recognising when we need to put things right for the customer and the service as a whole. Complaints officers will continue to monitor the complaints received and dealt with over the coming year with a view to providing the Committee with a six monthly report covering the period 1<sup>st</sup> April to 30 September.

## **6. ASSUMPTIONS**

6.1 The information contained in this report is based on data collected over the year and therefore it has not been necessary to make assumptions.

## **7. LINKS TO RELEVANT COUNCIL POLICIES**

7.1 Monitoring of the Council's corporate complaints and successful resolution of those complaints contributes to the following Well-Being goals within the Well-being of Future Generations Act (Wales) 2015 as it supports the provision of higher quality and more effective services to the public across all service areas. In addition monitoring provides 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, ensure that any trends or issues raised are identified and dealt with so as to be avoided in the future and to ensure that corporate complaints are dealt with consistently and fairly across all service areas.

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities and thriving Welsh language
- A globally responsible Wales

## **8. WELL-BEING OF FUTURE GENERATIONS**

8.1 This report contributes to the Well-being Goals as set out in Links to policies above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that the monitoring of the Council's corporate complaints handling across all service areas and enables departments to focus on areas of concern, to improve services and to monitor performance to ensure that any issues raised are identified and dealt with so as to be avoided in future.

## **9. EQUALITIES IMPLICATIONS**

9.1 Monitoring of complaints via the Corporate Complaints policy addresses the Council's statutory duties under the Equality 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.

9.2 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.

## **10. FINANCIAL IMPLICATIONS**

10.1 There are no direct financial implications associated with this report.

## **11. PERSONNEL IMPLICATIONS**

11.1 There are no direct personnel implications associated with this report.

## **12. CONSULTATIONS**

12.1 The views of the consultees have been incorporated into this report.

## **13. STATUTORY POWER**

13.1 Local Government Act 1972 - 2003

Author: Lisa Lane, Deputy Monitoring Officer

Consultees: Corporate Management Team  
Robert Tranter, Head of Legal Services and Monitoring officer  
Jan Carter, Senior Housing Officer  
Gemma Hoare, Housing Officer (Customer Services)  
Ruth Betty, Customer Services Manager  
Rob Waggett, Customer Services Development Officer  
Kath Thomas, Customer Services/Complaints Officer  
Nicola Broom, Customer Services Manager / Karen Broom  
Ros Roberts, Performance Manager  
Andrea Jones, Corporate Complaints Officer  
Anwen Cullinane, Senior Policy Officer – Equalities and Welsh Language  
Deborah Gronow, Service Auditor  
Karen Williams, PA to Chief Executive  
Leigh Brook, PA to the Director of Social Services and Housing  
Lianne Fry, PA to Corporate Management Team  
Sian Wilkes, PA to the Interim Corporate Director of Communities  
Hayley Bowen, Customer Services/Complaints Officer

### Background Papers:

Report to Audit Committee 17th September 2013 – Update on the Implementation of the Council's New Corporate Complaints Policy  
Report to Audit Committee 5<sup>th</sup> March 2014 – Update on the Implementation of the Council's Corporate Complaints Policy  
Report to Audit Committee 10<sup>th</sup> September 2014 – Update on the Implementation of the Council's Corporate Complaints Policy  
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 Audit Committee 14<sup>th</sup> September 2016 – Annual Review of Complaints received under the Council's Corporate Complaints Policy 1st April 2015 to 31st March 2016  
Report to Audit Committee 14<sup>th</sup> June 2017 Annual Review of Complaints received under the Council's Corporate Complaints Policy 1st April 2016 - 31st March 2017  
Report to Audit Committee 24th July 2018 - Annual Review of Complaints received under the Council's Corporate Complaints Policy 1<sup>st</sup> April 17 to 31<sup>st</sup> March 2018

### Appendices:

Appendix 1(A) – Graph with comparison of Numbers of Complaints for 2017/18 and 2018/19.  
Appendix 1(B) – Graph with comparison of targets not met for 2017/18 and 2018/19  
Appendix 2 – Anonymised summary of a sample of upheld and partially upheld complaints  
Appendix 3(A) and (B) – Graph identifying categories of complaints within each Directorate