



GOVERNANCE AND AUDIT COMMITTEE – 11TH OCTOBER 2022

**SUBJECT: ANNUAL REPORT ON CORPORATE COMPLAINTS
RECEIVED FOR THE PERIOD 1ST APRIL 2021 TO 31ST
MARCH 2022**

**REPORT BY: HEAD OF DEMOCRATIC SERVICES AND DEPUTY
MONITORING OFFICER**

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to provide the Governance and Audit Committee with an overview of the complaints dealt with under the Corporate Complaints policy for the period 1st April 2021 to 31st March 2022 together with the outcomes and lessons learned. The report will also be presented to Cabinet on 19th October.

2. SUMMARY

- 2.1 This report provides a summary of the complaints dealt with under the Corporate Complaints Policy for the period 1st April 2021 to 31st March 2022, the outcomes and lessons learned.

3. RECOMMENDATIONS

- 3.1 Committee is asked to note the complaints data contained in this report and to review and assess the effectiveness of complaints handling for the annual period 2021/2022.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 The Local Government and Elections Wales Act 2021 sets out provisions for the Governance and Audit Committee to "review and assess the authority's ability to handle complaints effectively and to make reports and recommendations in relation to the authority's ability to handle complaints effectively".
- 4.2 The guidance from the Public Services Ombudsman for Wales also requires the data to be reviewed by Cabinet, hence the report will also be presented to Cabinet.

5. THE REPORT

- 5.1 By way of background, on 19th March 2021 the Audit committee considered a report regarding the implementation of a new Corporate Complaints Policy based on guidance from the Public Services Ombudsman for Wales. The Committee provided comments on the draft policy which were considered by Cabinet at its meeting on 24th March 2021 who adopted the new policy along with an updated policy dealing with unacceptable and unreasonable actions by complainants under the complaints policy. The new Policy became effective on 1st April 2021 and is included within the background papers for information.
- 5.2 The Policy deals with corporate complaints only. There are separate complaints processes for dealing with social services complaints and school-based complaints. The Social Services Complaints Procedure Wales Regulations 2014 outlines the procedure for handling complaints from persons receiving a service from social services and school-based complaints are dealt with by the School and Governing Body. In addition, Freedom of Information complaints and complaints about Data Protection matters are within the remit of the Information Commissioner.
- 5.3 The Policy is not dissimilar to the previous policy in that it consists of an internal two stage process with the right for a complainant to refer the complaint to the Public Services Ombudsman for Wales should they be dissatisfied with the response.
- 5.4 In conjunction with the adoption of the new policy, complaints officers within the directorates have raised awareness amongst their respective staff of the importance of recognising complaints and dealing with them in accordance with the policy. This step change has resulted in more contacts being recorded under the policy when compared to recent years. Whilst the figures recorded for 2020/21 were lower than the previous year and stood at 177, this was due in part to the impact of the Covid 19 pandemic. The year prior 2019/20 saw a figure of 274 complaints recorded. One of the benefits of recording complaints more effectively is that we can recognise trends more readily and take steps to put things right and learn from any issues identified within the relevant directorate and beyond where appropriate.
- 5.5 Members will recall that to support the new policy over 80 officers were trained by the Ombudsman in complaints handling last year and contact has been made with the Ombudsman's office to request further training. Two training dates have been scheduled for April next year which is the earliest available date. It is the intention to build on the staff training already undertaken with specific focus on managing difficult behaviours and expectations and complaints investigation skills.
- 5.6 More recently complaints officers within their respective directorates have rolled out training to service areas which has been well attended and received by officers who have been supporting and engaging. In addition these individual officers maintain their directorates complaints data and continue to provide advice and support to their respective service areas, whilst the overall complaints database is maintained by the Corporate Complaints Officer based within Legal Services who is also the contact officer for the Ombudsman's office.
- 5.7 The work is continuing with the complaints officers and representatives from Digital and Customer Services on the development of a new complaints system which will help to both streamline controls and improve data records within the complaints process. Whilst it was anticipated that the system would have been ready for trial

within the early part of 2022 additional functionality has been included as part of the system which did not form part of the original specification and so resulted in further redesign and development work. This work has now been completed and trials will take place with complaints officers in September with a view to rolling out the system in October. The new system in the longer term will improve data mining options and facilities to enable and secure appropriate management information reporting improvements, utilising the built in Complaints Dashboard for reporting key statistics. This will mitigate the need for multiple data systems held across each directorate, that require much administration and manual interrogation in order to produce meaningful intelligence and learning.

5.8 To support the work of complaints officers and each directorate, officers have a long established Learning from Complaints Group (“the Group”) comprising Complaints Officers from each directorate, the Corporate Complaints Officer, the Council’s Senior Policy Officer (Equalities Welsh Language and Consultation), representatives from the Council’s Corporate Policy Unit and a representative from the Council’s Internal Audit Section. These meetings are chaired by the deputy Monitoring Officer and meet at least quarterly to discuss complaints data and the reporting mechanisms.

5.9 These meetings have resulted in the establishment of a formal template for use by each Directorate, which provides more in depth information and analysis on all aspects of the complaints data and its relevancy to the service areas within the directorates. However members views and feedback would be welcomed on this new reporting structure which will be fed back to the Group in subsequent meetings. It is also timely to provide members with a fresh overview of the service areas within each Directorate given that a number of changes have occurred over recent years.

5.10 **General Overview**

The total number of complaints dealt with during the period 1st April 2021 to 31st March 2022 under the Corporate Complaints policy is **549** and is broken down as follows

Stage 1	431
Stage 2	34
Escalated from Stage 1 to Stage 2	84
Total	549

The Outcomes are as follows

Total Upheld complaints	161
Total Not upheld complaints	383
withdrawn complaints	5

Ombudsman referrals

During this period **48** complaints were referred to the Ombudsman; there were **4** early resolutions, **1** in Housing, **1** in Social Services, **2** in Economy and Environment, **1** not known, which was not investigated and the remainder were not investigated. A full detailed breakdown of the 48 complaints referred to the Ombudsman are set out at the end of each Appendix, however in terms of early resolutions the outcomes were as follows

Housing

The Ombudsman investigated one case relating to a decision not to undertake adaptations to a property following OT assessments and costings. The assessments undertaken established the required adaptations were not feasible for the property nor the resident and the OT's final recommendation was to suggest the resident move to a suitably adapted property. The support worker for the family challenged this decision and the Ombudsman considered the complaint. The Ombudsman recommended an early resolution which was accepted and the following actions agreed; to make a one-off payment of £500 for inconvenience, a letter of apology for our failures in relation to communication and record keeping and a new OT assessment to be carried out on the resident at their property.

Social Services

The Ombudsman investigated one case and the early resolution was for social services within 1 month of the Ombudsman's decision to provide a written apology to the complainant for not addressing complaints under the Social Services Complaints Procedure (Wales) Regulations ("the Regulations") in the first instance, and for failing to advise of statutory right to progress concerns to the Independent Stage 2 Investigation under the Regulations. To offer complainant redress in the sum of £125 for time and trouble in pursuing concerns under the Regulations. To appoint an Independent Investigator to progress concerns under Stage 2 of the Regulations. To provide Ombudsman with a copy of the Stage 2 investigation report within one month of its completion. The above recommendations were agreed and completed.

Economy and Environment

The Ombudsman investigated one complaint in relation to a planning matter and proposed an early resolution of an apology and the provision of a response, which had already been actioned prior to receiving the Ombudsman's recommendation.

The second early resolution related to a property matter. The Ombudsman proposed an early resolution of an apology and to waive the fee for completion of legal documentation. This was accepted with an apology provided and fee waived

5.11 Detailed Data broken down by Directorate

The data is broken down in more detail per Directorate in the following Appendices which are attached to this report.

Economy and Environment	Appendix 1
Housing	Appendix 2
Education and Libraries	Appendix 3
Corporate Services	Appendix 4
Social Services (Corporate only)	Appendix 5

- 5.12 In addition to the data included in this report, the Public Services Ombudsman for Wales via her Complaints Standards Authority has been collecting information from all local authorities on the complaints dealt with and outcomes and the figures from April 2021 to March 2022 have been reported on her website via the following link <https://www.ombudsman.wales/published-statistics/>. Officers are continuing to provide this information on a quarterly basis.

5.13 Members will note from the data set out in the Appendices, that the Council is responding to complaints received in accordance with the provisions of the Complaints Policy but there is always room for improvement. A key area being developed is our ability to record and monitor the implementation of the lessons learned and ensure that lessons which would benefit the whole authority are shared as appropriate. To this end the report Templates provide a more holistic view of the trends and lessons learned. The Learning from Complaints Group will continue to develop and improve its processes for monitoring complaints outcomes.

5.14 **Conclusion**

Members are asked to consider and note the information contained in this report and Appendices.

6. ASSUMPTIONS

6.1 No assumptions are necessary as the content of the report is based on data collected and analysed.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

As the report is for information only an Integrated Impact Assessment is not required.

8. FINANCIAL IMPLICATIONS

8.1 There are no financial implications arising from this report

9. PERSONNEL IMPLICATIONS

9.1 There are no specific personnel implications arising from this report, however it is anticipated that the work being developed in paragraph 5.7 to centralise the whole authority complaints data system will improve our data collections and reporting efficiencies across the directorates.

10. CONSULTATIONS

10.1 The report has been circulated to the consultees listed below and any comments have been incorporated into this report.

11. STATUTORY POWER

11.1 Public Services Ombudsman (Wales) Act 2019

Author: Lisa Lane Head of Democratic Services and Deputy Monitoring Officer

Consultees: Corporate Management Team
Robert Tranter, Head of Legal Services and Monitoring officer
Gemma Hoare, Senior Housing Officer (Customer Services)

Gareth Jones Housing Officer (Customer Services)
Karen Williams, Customer Services Digital Hub Manager
Rob Waggett, Customer Services Development Officer
Liam Miles, Customer Services/Complaints Officer
Nicola Broom, Complaints and Information Manager Social Services
Michelle Moore, Social Services Complaints and Information Officer
Ros Roberts, Business Improvement Manager
Andrea Jones, Corporate Complaints Officer
Anwen Cullinane, Senior Policy Officer (Equalities, Welsh Language and Consultation)
Deborah Gronow, Audit Group Manager
Karen L Williams, PA to Chief Executive
Leigh Brook, PA to the Director of Social Services and Housing
Lianne Fry, PA to Corporate Director Education and Corporate Services
Sian Wilkes, PA to the Interim Corporate Director of Communities
James Penfold, Transformation Manager
Ian Raymond, Business Improvement Officer

Appendices

Appendix 1 Economy & Environment
Appendix 2 Housing
Appendix 3 Education and Libraries
Appendix 4 Corporate Services
Appendix 5 Social Services (Corporate complaints only)

BACKGROUND PAPERS

Report to Audit Committee 19th March 2021

Corporate Complaints Policy