



AUDIT COMMITTEE - 14TH JUNE 2017

SUBJECT: ANNUAL REVIEW OF COMPLAINTS RECEIVED UNDER THE COUNCIL'S CORPORATE COMPLAINTS POLICY 1ST APRIL 2016 TO 31ST MARCH 2017

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 2016 to 31st March 2017.
- 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 2016 to 31st March 2017.
- 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 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

4. THE REPORT

4.1 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.

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. In addition where complaints relate to more than one directorate these are responded to by the Interim Head of Legal Services and Monitoring Officer or the Corporate Solicitor.

4.5 Officers have established a Learning from Complaints Group (referred to throughout this report as "the Group"), 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 4.12.1 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 in 2015. This is the third annual report; it includes comparative data against the data reported for the year 2015/16.

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 2016 to 31st March 2017. It includes comparative data for the year 2015/16 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 4.9.18 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. In addition cross directorate complaints are dealt with under Stage 2 of the Corporate complaints policy
- 4.9.3 The total number of corporate complaints received across the Authority was 199; this is a slight increase on last years' total of 192. This comparison is set out in the graph in Appendix 1a. Members are advised that of the total number of complaints dealt with at Stage 2 equates to 78, 40 of which escalated from Stage 1; 22 in Housing, 1 in Education and 17 in the Environment.
- 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.

| | Stage 1 Corporate Complaints | 16/17 Actual | 15/16 Actual |
|--|-------------------------------------|-----------------|-----------------|
| | Corporate Services | 19 | 21 |
| | Education | 4 | 2 |
| | Environment | 68 | 49 |
| | Housing | 70 | 81 |
| | Social Services | 0 | 5 |
| | | <u>161</u> | <u>158</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 161 Stage 1 complaints responded to, 28 have been upheld, 88 were not upheld and 42 have been partially upheld. The breakdown by service area is listed below together with the comparative data for the year 2015/16.

| Year | 16/17 Upheld | 15/16 Upheld | 16/17 Not Upheld | 15/16 Not Upheld | 16/17 Partially Upheld | 15/16 Partially Upheld | 16/17 Did Not Proceed |
|--------------------|-----------------|-----------------|------------------------|------------------------|------------------------------|------------------------------|-----------------------------|
| Corporate Services | 3 | 5 | 7 | 10 | 8 | 6 | 1 |
| Education | 1 | 0 | 3 | 2 | 0 | 0 | |
| Environment | 14 | 21 | 35 | 19 | 19 | 9 | |
| Housing | 10 | 18 | 43 | 48 | 15 | 15 | 2 |
| Social Services | 0 | 0 | 0 | 5 | 0 | 0 | |
| | <u>28</u> | <u>44</u> | <u>88</u> | <u>84</u> | <u>42</u> | <u>30</u> | <u>3</u> |

- 4.9.7 The overall number of complaints dealt with at stage 1 this year when compared to 2015/16 has remained fairly static (161 this year compared to 158 last year).
- 4.9.8 The number of Stage 1 complaints upheld has decreased (28 this year compared to 44 last year); the number of complaints not upheld has slightly increased (88 this year compared to 84 last year). However, the number of complaints partially upheld has increased by 12; 42 this year compared to 30 last year.

- 4.9.9 From an analysis of the data, this is in the main due to an increase in the number of Stage 1 complaints dealt with in the Environment. This equates to 19 more Stage 1 complaints responded to in 16/17 when compared to previous year, with 10 more partially upheld complaints than the previous year.
- 4.9.10 Overall the complaints dealt with in the Environment cover a broad spectrum including the following:-
- Within the Engineering Division, 6 complaints related to the same issue involving a pothole which was not upheld, but the pothole was repaired as a gesture of goodwill. Other matters include various issues such as Drainage, Traffic Management and Operations.
 - In Community & Leisure Services; Stage 1 responses covered numerous issues including refuse, assisted collections, missed collections, recycling and contaminated waste and also Civic Amenity Sites, trees, Leisure and Bereavements.
 - In relation to the Public Protection division a cross section of areas such as Catering, Pest Control, Noise Nuisance, Enforcement, Pollution and Community Safety.
 - There was however a reduction in the number of Stage 1 complaints dealt with by Planning. Of those complaints the issues dealt with related to Planning Applications, Enforcement, Tourism, Bilingual signs and LDP.
- 4.9.11 With regard to the partially upheld complaints in the Environment, these related to the following:-
- 11 in Communities & Leisure relating to refuse, including assisted collections and missed collections, recycling, trees and bereavement services.
 - 4 in Highways relating to grit bin, communication, welsh language leaflet and gates on public highway.
 - 3 in Public protection relating to dog warden service, community safety and provision of service.
 - 1 in planning relating to a planning application
- 4.9.12 To put the figures above into context, for the period 2016/17, Cleansing and Waste Management services alone dealt with approximately 38,900 contacts as service requests, whereas for the same period, the whole of the Environment Directorate which covers Engineering Services, Planning, Public Protection, Waste Management, and Community and Leisure Services dealt with 101 complaints under the Corporate Complaints Policy.
- 4.9.13 Due to the diverse nature of the services provided within the Environment directorate, the increase in the number of Stage 1 complaints cannot be wholly attributed to a particular service or service area, and as such no particular trends can be identified from this increase. In addition Members will note that overall the number of complaints has remained fairly static when compared to last year.
- 4.9.14 There has been a decrease in the number of Stage 1 complaints dealt with in Housing (70 this year compared to 81 last year). There does not appear to be any specific reason for the reduction in stage 1 complaints but it is noted that the greatest reductions related to Housing Management issues (25 to 19) and WHQS internal works (23 to 14).
- 4.9.15 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 | 16/17 Actual | 15/16 Actual |
|--|------------------------------|-----------------|-----------------|
| | Corporate Services | 0 | 6 |
| | Education | 1 | 2 |
| | Environment | 33 | 28 |
| | Housing | 31 | 36 |
| | Social Services | 3 | 3 |
| | Other (cross directorate) | <u>10</u> | <u>2</u> |
| | | <u>78</u> | <u>77</u> |

4.9.16 Members will note the number of complaints dealt with at Stage 2 has increased by 1 in compared to last year, with a slight variation between the Directorates responsible for these complaints. Some areas slightly increasing such as the Environment and others such as Housing which have slightly decreased.

4.9.17 However there has been a noticeable increase in the number of complaints dealt with as “other” (cross directorate), 10 this year compared to 2 last year. Members are reminded that these complaints relate to issues affecting more than one Directorate and under the Corporate Complaints Policy are dealt with by the Interim Head of Legal and Monitoring Officer or the Corporate Solicitor. An analysis of this data has revealed that the cross directorate responses have related to a variety of service areas including Corporate Services and Housing, Social Services and Education, Planning, Engineering Services & Public Protection, Social Services and Housing, Housing and Environment and no trends have been identified.

Outcomes of Stage 2 Complaints

4.9.18 Of the 78 Stage 2 complaints responded to 13 have been upheld, 40 were not upheld, 22 were partially upheld 1 did not proceed and 2 are ongoing. The breakdown by service area is listed below together with the comparative data for the year 2015/16.

| | 15/16 Upheld | 16/17 Upheld | 15/16 Not Upheld | 16/17 Not Upheld | 15/16 Partially Upheld | 16/17 Partially Upheld | 15/16 Did Not Proceed | 16/17 Did Not Proceed | 16/17 Ongoing |
|---------------------------|-----------------|-----------------|------------------------|------------------------|------------------------------|------------------------------|-----------------------------|-----------------------------|------------------|
| Corporate Services | 2 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | |
| Education | 1 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | |
| Environment | 3 | 4 | 22 | 18 | 3 | 10 | 0 | 0 | 1 |
| Housing | 18 | 8 | 16 | 15 | 1 | 7 | 1 | 0 | 1 |
| Social Services | 0 | 1 | 3 | 1 | 0 | 0 | 0 | 1 | |
| Other (cross directorate) | <u>0</u> | <u>0</u> | <u>2</u> | <u>5</u> | <u>0</u> | <u>5</u> | <u>0</u> | <u>0</u> | |
| | <u>24</u> | <u>13</u> | <u>48</u> | <u>40</u> | <u>4</u> | <u>22</u> | <u>1</u> | <u>1</u> | <u>2</u> |

4.9.19 Overall there have been less Stage 2 complaints upheld this year (13 this year compared to 24 last year) but a noticeable increase in the number of complaints partially upheld (22 this year compared to 4 last year). The main areas where complaints have been partially upheld are within Environment, Housing and Other (cross directorate).

4.9.20 In relation to the Environment, the partially upheld complaints related to matters in Planning, Engineering Services, Public Protection and Community and Leisure Services. The issues raised are wide ranging and include noise nuisance, planning applications, bereavement services, literature in welsh language, refuse and placement of bins so no pattern can be identified.

4.9.21 With regard to Housing, the reason for the increase in partially upheld complaints at stage 2 is not obvious; they are fairly evenly spread across a number of service areas, including housing management, response repairs, sheltered housing, WHQS (internal works) and leaseholder services.

4.9.22 With regard to the partially upheld cross directorate complaints the issues were again wide ranging including customer services, signage on housing office, education and social services issues.

4.10 **Ombudsman's Referrals**

4.10.1 Of the 78 Stage 2 complaints responded to 18 were referred to the Public Services Ombudsman for Wales, none were taken into investigation. In addition the Authority agreed 2 quick fixes, one relating to Social Services and one relating to Communities and Leisure Services. A quick fix is a voluntary settlement agreed so as to achieve an early resolution to the issues under consideration.

4.10.2 In addition to the above, the Ombudsman during the last year, 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 them referring the matter to the Ombudsman. Whilst the outcome of the investigation was reached outside the confines of this report, for information Members are advised that a report has been presented to the Standards Committee in accordance with the process followed in such cases.

4.11 **Target time for responses**

4.11.1 The data in relation to this indicates that compliance with the response deadlines is now 95.4%, 5% up on last years' figure of 90.6% as identified in the graph at Appendix 1b.

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 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

- Improvements being made to ensure tenants are aware of the extent of WHQS works before the work begins. It is the intention that more detailed letters will be sent to each tenant clarifying the extent of works that have been identified as part of the survey and will subsequently be included in the programme
- Due to noise issues relating to bin collection, arrangements were made for refuse crew to alternate the collection time.
- The terms of the standard "no access" letter used by the WHQS team has been reviewed and amended to exclude reference to legal action being taken and replaced with advice to the tenant that if access is denied their upgrading work will be delayed until the end of the programme in 2020 or removed from the programme completely.
- Staff have been reminded to leave grave areas uncut where vases and ornaments are placed in the mowing area.
- The wording of the email generated by CRM has been changed so that it is clear that the pest control service does not operate over the weekend period
- Vacant properties are checked to confirm that they are cleaned to expected standards before allocation.
- Officers have been reminded of the importance of conveying correct information and to make return courtesy calls when initial information provided was incorrect.

- The Housing divisions response repair team have been reminded to check if a flat is Council owned or leasehold before arranging any works as the cost of the work may be chargeable.
- Staff have been reminded to correspond with Customers in an appropriate manner and to avoid using block capitals which may give the impression of shouting.
- Contractors have been reminded that all their vehicles should carry an appropriate level of stock, which should prevent the need for parts to be ordered and thereby avoiding delay.

4.12.2 In addition to the above, there have been a small number of cases where the complaints policy was not followed in a timely manner and as a result further guidance has been issued to complaints officers to remind them of the requirements of the policy.

4.12.3 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.

4.12.4 Over the last year officers have considered the data collected on a quarterly basis 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, Leisure Centres, blue badge, fly tipping, planning processes, housing benefit issues, council tax, refuse collection, customer services, WHQS works, allotments, parking issues, flying start, traffic speed, leaseholder works, contact centre administration change to garden waste services, food hygiene rating process. This is not an exhaustive list but no trends have been identified.

4.12.5 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. This work has commenced and the data is now available for the whole year 2016/17.

- 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

4.12.6 Housing

With regard to Housing the greatest number of complaints, 34 related to category 8 (Quality of work/service), followed by 24 complaints against category 2 (Decision making) and 19 against category 3 (Delay in service provision). It is however expected that these would be the main categories for complaints in respect of Housing due to the nature of the service provided by the housing division.

As far as any trends are concerned, the complaints are generally spread over a number of service areas, within the housing division, and each complaint has its own elements. However, it is noted that there were repeat complaints regarding the standard of work and working practices of a contractor undertaking WHQS works. As a result the Chief Housing Officer met with the contract Director to address the issues raised and the situation continues to be monitored.

4.12.7 Environment

Within the Environment Directorate, 29 complaints have been dealt with solely under category 3 (Delay in Service provision), 22 dealt with under category 2 (Decision Making) and the same number dealt with under more than one category

The complaints are generally spread over a number of service areas including grounds maintenance, catering, environmental health, community safety, refuse, potholes, planning, tourism and highway maintenance and therefore no trends have been identified. Some of the issues raised in the above categories are for example in relation to delay, bad weather may have delayed highway works, or a vehicle breakdown may have delayed refuse collection. In relation to decision making complaints arise as a result of planning applications and the decisions made surrounding those applications. With regard to policies complaints have been received regarding the policy on replacement bins and the permit scheme for Civic Amenity sites.

4.12.8 Education

In respect of education the small number of complaints considered were all dealt with under category 5 (following council policies), four of which were not upheld.

4.12.9 Corporate Services

There is a general assortment of single and multiple categories within Corporate Services. The complaints cover a range of issues including Property Services, Customer Services, Finance and Electoral Services, and examples of the upheld complaints and lessons learned are outlined in Appendix 2, however there were no trends identified.

4.12.10 Social Services

The categories again related to a small number of complaints and included 2 (decision making), 7 clarity/accuracy/timeliness of information) and 10 (compliance with complaints procedure), one of which was upheld, one not upheld and one did not proceed.

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. For the same annual period the total customer contact recorded by Customer Services was 702,517, this included 142,972 contact centre calls answered, 93,859 face to face advice including Reception, 185,370 payments dealt with at customer counters, 233,539 switchboard calls answered and 46,777 other contacts including emails and web enquiries.

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. **WELLBEING OF FUTURE GENERATIONS**

5.1 This report contributes to the Well-being Goals as set out in Links to Strategy 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.

6. EQUALITIES IMPLICATIONS

- 6.1 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.
- 6.2 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.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no direct financial implications associated with this report.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no personnel implications associated with this report.

9. CONSULTATIONS

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

10. RECOMMENDATIONS

- 10.1 None. The report is for information only.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 To monitor the complaints process to ensure effective delivery of Council services.

12. STATUTORY POWER

- 12.1 Local Government Act 1972 - 2003.

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Ros Roberts, Performance Manager
Andrea Jones, Corporate Complaints Officer
Anwen Rees, Senior Policy Officer – Equalities and Welsh Language
Richard Harries, Internal Audit Manager
Deborah Gronow, Service Auditor
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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 Audit Committee – Annual Review of Complaints received under the Council's Corporate Complaints Policy 1st April 2015 to 31st March 2016

Appendices:

Appendix 1a – Graph with Comparison of Numbers of Complaints for 2015/16 and 2016/17

Appendix 1b – Graph with Comparison of Targets Not Met for 2015/16 and 2016/17

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

Appendix 3a – Complaints by Category

Appendix 3b - 2016/17 Causes of Complaints by Category