



AUDIT COMMITTEE - 11TH MARCH 2015

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 mid July 2014 to mid January 2015.
- 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 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.
- 2.2 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

Background

- 4.1 Members will be aware from previous reports presented to Audit Committee 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.

- 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 This report provides an update on the corporate complaints received for the period mid July 2014 and mid January 2015.

4.7 **Review of Corporate Complaints**

- 4.7.1 The data referred to below represents the number of complaints received from mid July 2014 to mid January 2015 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 4.7.5 (c) and an overview of the outcomes in respect of Stage 2 Complaints are set out in paragraph 4.7.6 (d) below.
- 4.7.3 The total number of corporate complaints received across the Authority during this period is 91 comprising the following: -

		% of total number of corporate complaints received
15	Corporate	16.5
3	Education	3.3
28	Environment	30.8
43	Housing	47.2
1	Social Services	1.1
1	Other (cross Directorate)	1.1

4.7.4 The breakdown of the types of complaints are summarised as follows: -

4.7.5 Stage 1 Corporate Complaints

- | (a) Title | Actual |
|---|--------|
| Number of Stage 1 complaints received in Corporate Services | 13 |
| Number of Stage 1 complaints received in Education | 3 |
| Number of Stage 1 complaints received in Environment | 25 |
| Number of Stage 1 complaints received in Housing | 32 |
| Number of Stage 1 complaints received in Social Services | 1 |
| Number of Stage 1 complaints received Other (cross directorate) | 0 |
- (b) The total number of complaints received at Stage 1 were 74, of those 67 were responded to within timescale and 7 outside the timescale.
- (c) Of the 74 Stage 1 complaints responded to, 13 have been upheld, 49 were not upheld and 12 have been partially upheld. The breakdown of outcomes for each Directorate is listed below.

Outcomes of Stage 1 complaints

	Upheld	Not Upheld	Partially Upheld
Corporate Services	2	7	4
Education	1	2	0
Environment	4	16	5
Housing	6	23	3
Social Services	0	1	0
Other (cross directorate)	0	0	0

4.7.6 Stage 2 Corporate Complaints

- | (a) Title | Actual |
|---|--------|
| Number of Stage 2 complaints received in Corporate Services | 5 |
| Number of Stage 2 complaints received in Education | 0 |
| Number of Stage 2 complaints received in Environment | 6 |
| Number of Stage 2 complaints received in Housing | 19 |
| Number of Stage 2 complaints received in Social Services | 0 |
| Number of Stage 2 complaints received Other (cross directorate) | 1 |
- (b) The total number of complaints received at Stage 2 were 31 of those 30 were responded to within timescale and 1 outside the timescale.
- (c) Of the Stage 2 complaints, 17 were commenced at Stage 2 and 14 were escalated from Stage 1 to Stage 2; 3 within Corporate Services, 8 within Housing, and 3 within Environment.
- (d) Of the 31 Stage 2 complaints responded to, 7 have been upheld, 15 were not upheld, and 9 were partially upheld. The breakdown of outcomes for each Directorate is listed below.

Outcomes of Stage 2 Complaints

	Upheld	Not Upheld	Partially Upheld
Corporate Services	0	2	3
Education	0	0	0
Environment	0	5	1
Housing	7	7	5
Social Services	0	0	0
Other (cross directorate)	0	1	0

- 4.7.7 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 received a separate report from Social Services at its meeting on 10th December 2014 entitled Social Services Representations and Complaints Procedure Activity. The report regarding the Procedure Relating to School Complaints was deferred and is a separate item on the Agenda for this meeting.
- 4.7.8 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.
- 4.7.9 Members will note that the number of complaints responded to within the timescales has slightly decreased when compared with the data presented in the previous report. Complaints Officers from all Directorates will be asked to remind staff of the importance of responding to complaints within the policy timescales. The response times will continue to be monitored and a further update provided within the next six monthly report.

4.8 Review of Trends and types of complaints

- 4.8.1 At the recent meeting of the Group, officers considered the data collected during this reporting period for each specific department however no specific trends could be identified.
- 4.8.2 Types of complaints received have been wide ranging for example, student finance, recharges, housing/Council tax benefit, grass cutting, collection of waste and highway works. The Group will continue to monitor this data closely at its meetings held quarterly and Members will be kept updated.
- 4.8.3 Whilst no trends have been identified during this reporting period the Group recognises the importance of learning from all complaints handled under the policy with a view to monitoring and improving outcomes for both future complainants and the Authority as a whole. To this extent the last meeting of the Group considered a report from the Ombudsman issued in October 2014, which was duly reported to Members (see paragraph 4.9.2). The report related to a housing complaint, which the Ombudsman upheld and made a number of recommendations. The findings were reviewed by the Group to try and improve processes and learn lessons for the future.

4.9 Ombudsman referrals

- 4.9.1 Members were advised in the previous report to Committee that the Ombudsman had yet to conclude his consideration of three complaints. Of these three complaints the Ombudsman has decided not to investigate one and has issued draft reports in relation to the remaining two complaints, which are currently under consideration.
- 4.9.2 Members were also advised that the Ombudsman had issued a draft Report to the Authority in relation to his findings following an investigation into an earlier complaint. This report was finalised in October 2014 and is referred to in para 4.8.3 above. As part of the formal reporting process the Ombudsman's report has been considered by the Standards Committee and will be considered by the Policy and Resources Scrutiny Committee on 3rd March 2015.
- 4.9.3 Since the last report to Audit Committee 5 complaints have been referred to the Ombudsman following receipt of a response under Stage 2 of the Council's Corporate Complaints policy. The Ombudsman has decided not to investigate 4 of the complaints, and 1 is under

investigation. The report is awaited.

4.10 Update on the Introduction of a Vexatious Complainants Policy

4.10.1 Members will recall that the Policy was presented to and endorsed by Cabinet on 27th November 2013. As a result the Policy has now been introduced and circulated to service areas. It is also available to view on the Council's website.

4.11.2 Members are advised that to date there have been no referrals made under this policy although the Group will continue to monitor the use of the policy.

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.

5.3 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 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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Background Papers

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