

Cyngor Sir CEREDIGION County Council

REPORT TO: Governance and Audit Committee

DATE: 19th January 2022

LOCATION: Remotely via Video Conference

TITLE: Annual Report of Compliments, Complaints and Freedom of Information Activity – 2020/2021

PURPOSE OF REPORT: To provide the Governance and Audit Committee with a comprehensive overview of the Compliments, Complaints and Freedom of Information (FOI) activity (including Environmental Information Regulations - EIR) received by the Authority during the previous financial year. This report also provides information about the complaints activity referred to the Public Services Ombudsman for Wales during 2020/2021. A copy of the Ombudsman's Annual Letter to the Authority is included as an appendix with this report.

For: Information

CABINET PORTFOLIO AND CABINER MEMBER: Councillor Ellen ap Gwynn, Leader

Introduction

This report provides information relating to the work of the Council's Complaints and FOI Service between 1st April 2020 and 31st March 2021. The data and analysis is contained within **Appendix 1**, which includes specific information on the number and type of compliments received, the different complaints stages, performance and outcomes relating to these and information on compliance with FOI and EIR legislation. There is also a section regarding the contact received by the Public Services Ombudsman for Wales (PSOW) during the reporting period. The Ombudsman's Annual Letter to the Council is included as **Appendix 2**, which provides further details in relation to the Ombudsman activity for Ceredigion, as well as for other Council's across Wales.

This is the second consecutive report where there have been no PSOW investigations commenced or formal reports issued in relation to complaints made against the Council.

Whilst improvements have been made in comparison to previous years, this report also highlights the challenges faced by the Council during the height of the pandemic, when officers have had to adapt to new ways of working to ensure services continue to be delivered effectively. In addition, during the period covered by this report there were significant pressures placed on the Complaints and FOI Service, which inevitably had an impact on our ability to meet prescribed and statutory timescales.

Brief overview of the figures for 2020 - 2021:

- **814** Compliments were received
- **435** Enquiries were processed by the Complaints and FOI Service
- **103** Complaints were received (**61** at Stage 1 and **42** at Stage 2)
- **32** 'Contacts' from the PSOW

- 756 FOI and EIR requests
- 4 Internal Reviews under FOI / EIR legislation

Highlights

- As referred to above, this is the second consecutive reporting period in over a decade where there have been no investigations or reports issued by the PSOW.
- The Council received almost double the amount of compliments from service-users compared with 2019 – 2020. The majority of these having been received by Porth Ceredigion. It is believed, however, that the actual number of compliments is likely to be far higher and more work is therefore indicated to ensure that these are passed to the Complaints and FOI Service to be recorded.
- The Council received far fewer FOI/EIR requests during this reporting term and a fewer number of Internal Review requests compared with last year. Requests for Internal Review are usually only submitted when the Council refuses to provide information (by applying the appropriate exemptions or exceptions). This therefore supports the Council’s commitment to openness and transparency in accordance with legislation.
- However, it is noted that the Council’s performance surrounding the response times for FOI, in particular, dropped significantly during 2020-2021. The cause for this can be attributed to several factors including the lack of capacity on the part of services to be able to prioritise FOI above all the new tasks arising; being unable to obtain hard-copies of documents due to home-working; lack of capacity within the depleted Complaints and FOI Service (which undertakes the majority of the administrative work surrounding FOI activity; i.e. recording, acknowledging and distributing new requests and issuing all responses and applying any exemptions/exceptions and/or redactions as required).

Areas to focus on

- Improving adherence with timescales prescribed in complaints and FOI/EIR policies
- Improving system for capturing compliments and data surrounding lessons learned
- Continuing with open, transparent and citizen-centred approach to resolving concerns

Recommendation(s): Note the contents of the Annual Report of Compliments, Complaints and Freedom of Information Activity – 2020/2021 and the Ombudsman’s Annual Letter for 2020-2021.

Reason(s) for Recommendation(s): To inform the Governance and Audit Committee of the work being undertaken by the Complaints and FOI Service

Appendices: **Appendix 1**
Annual Report for Compliments, Complaints and Freedom of Information Activity – 2020/2021

Appendix 2
Public Services Ombudsman for Wales’ Annual Letter: 2020 – 2021.

Corporate Lead Officer: Alun Williams, Corporate Lead Officer for Policy, Performance & Public Protection

Reporting Officer: Marie-Neige Hadfield, Complaints & FOI Manager

Date: 4th January 2022

Appendix 1

Cyngor Sir CEREDIGION County Council

Annual Compliments, Complaints and Freedom of Information Report **1st April 2020 – 31st March 2021**

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1. INTRODUCTION

- 1.1 This report will provide information relating to the numbers of compliments, complaints and requests made under the Freedom of Information (FOI) Act 2000 that were received by the Council during the period 1st April 2020 to 31st March 2021. **This section** will provide an overview of how compliments, complaints and FOI requests are managed within the Council. **Section 2** provides information about the compliments received and **Section 3** shows some trends, themes and performance regarding the numbers, timescales and outcomes of complaints received during the reporting period. **Section 4** gives details of the Lessons Learned. **Section 5** relates to all cases involving the Public Services Ombudsman for Wales (*“the Ombudsman”*) and **Section 6** looks at FOI activity and any cases referred to the Information Commissioner’s Office (*“ICO”*). **Section 7** provides a Summary and Conclusions of the data provided in the report and a breakdown of the complaints data is given in **Section 8**.
- 1.2 The recording systems in place for compliments, complaints and FOI requests are not yet aligned with the current service structures but this should be addressed during the future reporting period. Once completed, the monitoring and reporting capability should be enhanced. Where possible, for the purposes of maintaining clarity and accuracy, the service groupings in this report have been amended to reflect the current organisational structure.
- 1.3 The Complaints and FOI Team work in accordance with three different complaints policies and two branches of information access legislation:
 - Concerns and Complaints Policy (corporate)
 - Social Services Complaints Procedure (Wales) Regulations 2014
 - Complaints procedures for school governing bodies in Wales (Circular 011/2012)
 - Freedom of Information Act 2000 (FOIA)
 - Environmental Information Regulations 2004 (EIR)
- 1.4 Whilst school governing bodies are responsible for their own complaints and FOI activity, the Complaints and FOI Team provides advice and assistance when required and will occasionally assist in more complex cases, where procedures allow.
- 1.5 As a consequence of recent changes in legislation the Concerns and Complaints Policy (corporate) has been reviewed and was ratified by the Council committee of elected members on 23rd September 2021. However, all corporate complaints activity during this reporting period were managed in accordance with the policy implemented on 1st April 2015.
- 1.6 Following the formation of the Complaints Standards Authority (CSA) under the Public Services Ombudsman (Wales) 2019 Act, all public authorities across Wales were required to report their complaints activity to the Ombudsman’s office on a quarterly basis.
- 1.7 The Council continued to work positively with the Ombudsman and a section of this report provides an analysis of all Ombudsman activity. This includes the outcomes reached by the Ombudsman’s office following their assessment of all complaints made to them in relation to Ceredigion County Council. It must be noted that this is the second consecutive reporting period whereby there have been no investigations launched by the Ombudsman’s office into complaints about the Council.

- 1.8 Early resolution of complaints remains a high priority within the Council and every effort is made to achieve satisfactory outcomes for the citizens and service-users that bring their concerns to our attention. Due to the continued efforts and positive collaboration between staff and managers across the Council and the Complaints and FOI Team, it is far more effective to resolve concerns at 'enquiry' stage, without needing to initiate the formal complaints procedure. A total of **435** enquiries were received during this reporting period.
- 1.9 Complaints being considered under Stages 1 and 2 of the respective complaints policies continue to be managed in accordance with the underpinning ethos for corporate complaints: *'Investigate once, investigate well'*. It is recognised, particularly in respect of Stage 2 complaints, that complex cases may take longer than outlined in the policy (i.e. 20 working days); however, in such circumstances, the complainant is usually notified of any delays and kept updated as to the status of their complaint. Information concerning the Council's performance with regard to compliance with timescales is provided within this report, but the priority remains to ensure a robust and meaningful investigation is undertaken – even if this takes longer than the prescribed timescales.
- 1.10 The Corporate Lead Officer (CLO) for Policy, Performance & Public Protection is responsible for all complaints and FOI activity within the Council and will escalate matters of concern to the relevant member(s) of the Leadership Group. In addition, the CLO is the Council's nominated Senior Officer for the offices of the Ombudsman and the Information Commissioner in relation to complaints and FOI activity, respectively.
- 1.11 The Council's Complaints and FOI Team is responsible for the design and delivery of all complaints training as well as the monitoring of all complaints and FOI activity. This includes liaising with the Ombudsman's office and the Information Commissioner's Office ("ICO") when cases are referred to them by service-users. Unfortunately, due to the challenges associated with the pandemic, no in-house complaints training was delivered during this reporting period. However, the Ombudsman's Complaints Standards Authority delivered Complaints Investigation Training to the majority of Corporate Managers in February 2021.
- 1.12 As referred to above, the Covid-19 pandemic provided additional challenges on a global scale and, on a local level, the Council's priorities and resilience were tested like never before. In spite of the additional professional, and indeed personal, pressures faced by Council staff during the pandemic, officers remained committed to ensuring service improvements (as a direct consequence of complaints) would be achieved.

2. COMPLIMENTS RECEIVED

2.1 Compliments

All compliments received from service-users are recorded and monitored on a regular basis and should be viewed as an opportunity to share good practice wherever possible. Compliments should be responded to individually and shared with the people directly involved.

2.2 An opportunity also exists to share compliments far wider within the Council when positive working practices are identified that could be adopted in other areas.

2.3 The table below shows the number of compliments that were recorded by each Service during 2020/21.

Service	2020/21
Policy, Performance & Public Protection	3
Schools	11
Economy & Regeneration	11
Finance & Procurement	24
Highways & Environmental Services	26
Customer Contact	37
Porth Cynnal	72
Corporate	117
Porth Gofal	169
Porth Cymorth Cynnar	344
Total	814

2.4 Examples of compliments received

“I want to say a huge thank you to CCC for the lovely path that has been created alongside Aberystwyth golf club. I am so grateful and I am sure it will be used and enjoyed by everyone in the locality” – Economy & Regeneration

“I would like to compliment and thank the county council's refuse collection service and workers. Throughout the pandemic the rubbish has been collected on time and to an excellent standard. Thank you for all of your great work” – Highways & Environmental Services

“Thank you Clic team!! Lovely people. Well done. You're all doing an amazing job” – Customer Contact

“We wanted to take this opportunity to thank you for the amazing care you are providing for our closest friend. We are so grateful that you took faith and feelings into consideration today and respect beliefs. We are truly grateful for all you are doing.” – Porth Gofal

“I just wanted to voice my appreciation for the continued help, support and general empathy our wonderful council are giving us.” – Schools Service

“I would like to thank you for all the support I've received. I feel very lucky to be working with you. Thank you again for your continued support I'm extremely grateful.” – Porth Cynnal

“Thank you, your comments and your support, advice and guidance have been greatly helpful and reassuring.” – Finance & Procurement

“Thank you for your help and support throughout this process.” – Policy, Performance & Public Protection

“Thank you for all that you do. You are the real heroes of this county, and we value every single effort you do to ensure the safety of our most vulnerable” – Porth Gofal (Residential Home)

“I just wanted to email to say thank you so very much indeed for the ‘Carer’s break in a box’ which I received today. Thank you once again, I do sincerely feel that this will bring a feeling of joy to other Carers that will be receiving theirs” – Porth Cymorth Cynnar

“I just wanted to thank everyone from the council having to come into work through such terrible times. I think you are all amazing and absolute angels. Everyone from receptionists, office workers, bin men, bosses and cleaners and everyone working to keep our country running as smoothly as possible in such demanding times.” – Corporate

“I just wanted to voice my appreciation for the continued help, support and general empathy our wonderful council are giving us.” – Schools Service

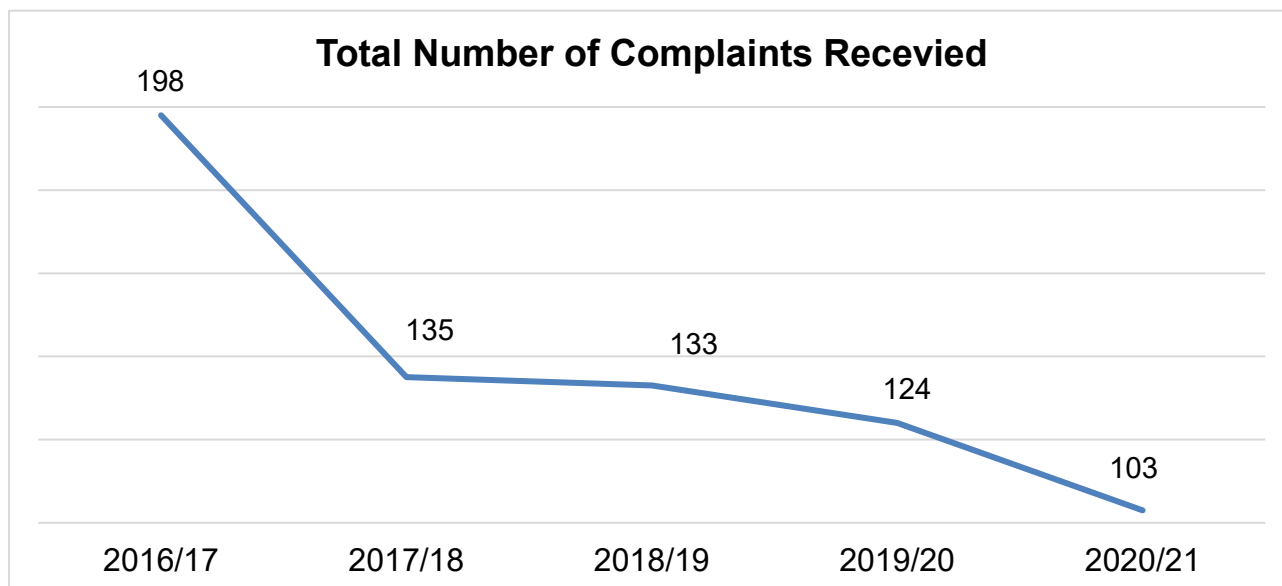
2.5 Compliments received from care homes and day centres are included within the current reporting system, which is well established across the Council’s Social Services.

2.6 The process for collecting, recording and monitoring compliments will be reviewed as part of the overall work undertaken to update the complaints policy to reflect changes to the Council’s structure.

3. COMPLAINTS RECEIVED

3.1 Total number of complaints received

The chart below shows the total number of complaints received during 2020/21 that were processed in accordance with the two-stage complaints policies. Comparisons are given in respect of previous years. This does not include the number of enquiries or service requests that were received by the Complaints and FOI Service, which were directed to the relevant service(s).



3.2 Number of complaints made by stage

The number of complaints made against the Council under each stage of the Complaints Policy for the last five years is shown in the table below. These figures include complaints made in relation to Welsh Language provision.

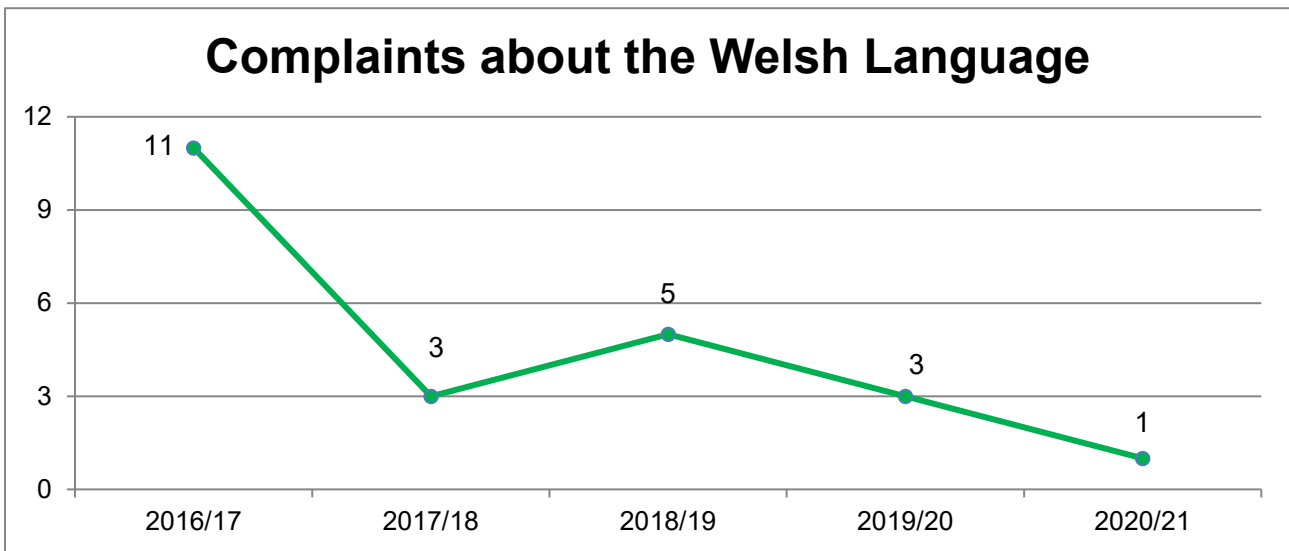
Year	Stage 1	Stage 2	Total
2016/17	149	49	198
2017/18	96	39	135
2018/19	92	40	133
2019/20	85	39	124
2020/21	61	42	103

3.3 Welsh Language Complaints

During 2020/21 the Council received one complaint specifically relating to the provision (or lack thereof) of Welsh Language services across the Council. This complaint was received and considered by the Welsh Language Commissioner. One other complaint was received which included a component concerning the provision of services in Welsh, but the reporting system used in the Council only categorises the primary element of the complaint, which in this case was care provision.

3.4 The number of complaints received during the reporting period is shown below, along with comparison data for previous years. The Council has fully implemented its requirements under the Welsh Language Standards.

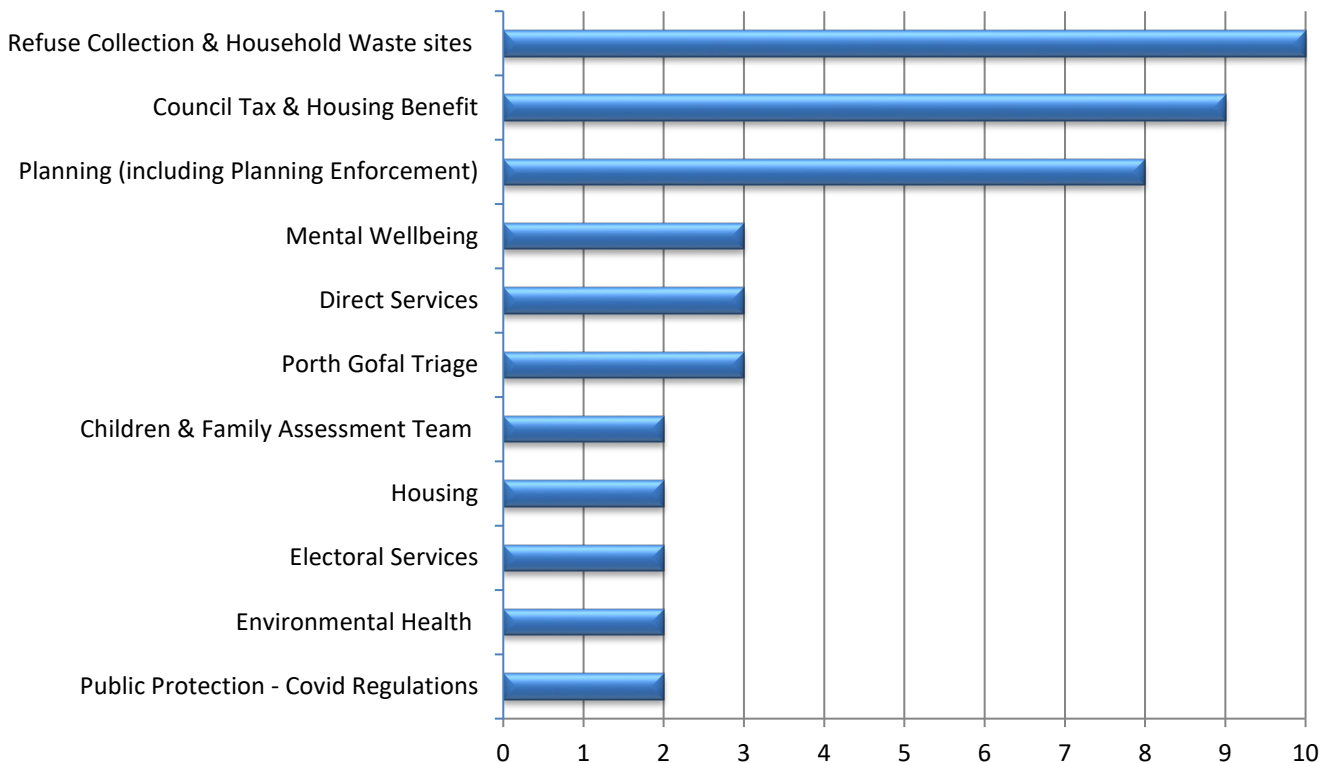
Complaints about the Welsh Language



3.5 Top Ten Sections with highest number of complaints in 2020/21

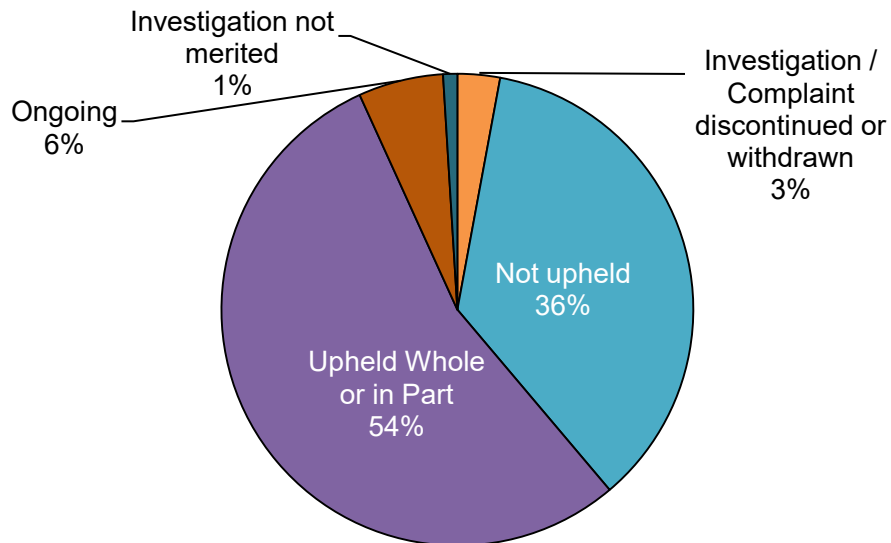
The chart below shows the top ten sections of the Council that receive the highest number of complaints at Stage 1. In accordance with Welsh Government guidance, ascertaining the subject areas complained about the most enables identification of trends – both internally and for national comparison.

Top 10 Stage 1 Complaints by Section



3.6 Complaint Outcomes

See below the outcomes recorded against all complaints for the reporting period.

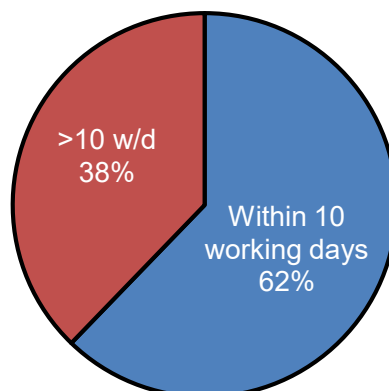


3.7 Timescales

The Council is required to respond to all complaints in a timely manner and in any event, within the timescales stipulated by policy. The charts below demonstrate the Council's performance with regard to meeting **Stage 1 (10 working days)** and **Stage 2 timescales (20 working days)** under the corporate policy. It is important to note that there is a degree of flexibility afforded under Stage 2, particularly in the interests of ensuring thorough and robust investigations are undertaken, which often take longer to complete.

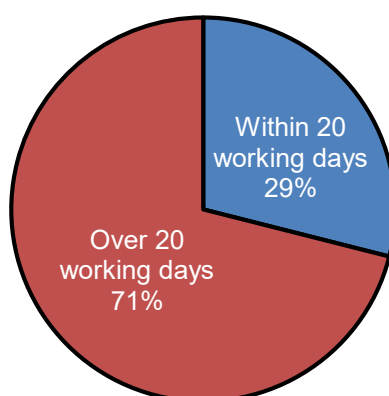
3.8 Stage 1 – A total of **61** Stage 1 complaints were received during the reporting period. Under the corporate policy, Stage 1 complaints should be completed within **10 working days**, and under the Social Services complaints procedures complaints should be completed within **15 working days** which includes the offer of a meeting / discussion with the relevant service manager. A total of **28** of the **45** corporate complaints at this stage were addressed within the prescribed timescales.

Stage 1 Performance with Stage 1 Timescales (corporate policy)



3.9 Stage 2 – A total of **42** complaints were received at Stage 2. Of these, **four** related to the statutory Social Services procedure, which allows 25 working days from the ‘Start Date’ as opposed to **20 working days** under the corporate Concerns and Complaints procedure. Performance in respect of the corporate policy is provided below. With regard to the four Social Services complaints, **three** remained open at the end of the reporting period (i.e. these cases were closed after the 31st March 2021) and the remaining **one** took longer than the allotted time to conclude, which is permitted providing the Statutory Director of Social Services’ written approval for an extension has been given.

Performance with Stage 2 Timescales (corporate policy)



4. LEARNING LESSONS FROM COMPLAINTS

4.1 The table below consists of a sample of some of the lessons learned from complaints during 2020/21.

Service Area	Issue	Lessons Learned
Porth Gofal	Complaint raised regarding the care of a relative.	Documentation was improved within the service to ensure language of choice is recorded so that in future, Welsh speaking Social Workers are assigned to service-users who request it. Staff were also reminded to communicate with all other agencies when co-ordinating care, discharge and to follow up on any referrals for specialist assessment and/or intervention.

Porth Cynnal	Concerns raised regarding suitable service provision.	It was agreed that that further development of the current information pack for service users would take place to include details of the range and types of assessments that will be undertaken. Consideration will also be given to introducing a 'matching process' for housing services users together.
Highways & Environmental Services	Multiple reports of missed waste collections at one particular property.	A new communication system between the Supervisor and the drivers has been established to ensure that the waste from the particular property is collected.
Procurement & Complaints Handling	Complaint regarding procurement interview process and time taken to deal with these matters.	Procurement arrangements have been altered to ensure these issues do not arise again in the future. Complaints handling was addressed by way of ensuring that the service was sufficiently staffed.

5. COMPLAINTS MADE TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES

- 5.1 The Ombudsman's Annual Letter for 2020/2021 is attached (labelled **Appendix 2**). The data from the Ombudsman's office, is consistent with the Council's own records in respect of all complaints activity referred to the Ombudsman during 2020/2021. All Ombudsman activity is explained in more detail below.
- 5.2 The Ombudsman's expectation is that complainants will exhaust the Council's own complaints procedures before contacting his office for independent consideration of their complaint. However, in exceptional circumstances the Ombudsman does have discretion to undertake a direct investigation. Usually, complaints which have not yet been considered by the Council will be recorded by the Ombudsman's office as '*Premature*' contacts and the case will normally be referred back to the Council to investigate under its own complaints procedures.
- 5.3 As a matter of course, all formal responses issued at Stage 2 of the Council's complaints process (corporate and Social Services policies) include the advice that complainants can refer their case to the Ombudsman if they remain dissatisfied with the outcome.
- 5.4 The Council has limited control over service-users contacting the Ombudsman directly and this is usually addressed through awareness-raising amongst staff (through complaints training). This enables Council staff to identify at an early stage whether the complaints procedure should be initiated and they are then able to inform the service user about how they can make a complaint.
- 5.5 It is useful to note that the Ombudsman provides data according to the number of '*contacts*' received by service-users as well as the number of '*cases closed*' during the reporting period. This method will account for any discrepancies in the number of cases being reported on (particularly if some straddle multiple reporting periods).

5.6 Number of complaints made to the Ombudsman in 2020/21 by primary subject (as categorised by the Ombudsman)

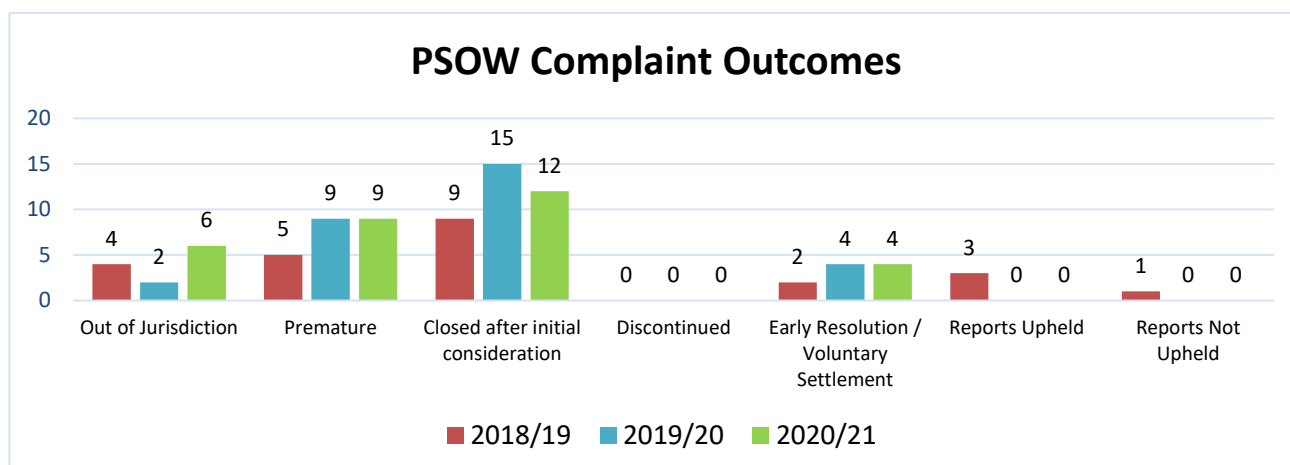
The chart below shows the number of complaints made by members of the public to the Ombudsman, in accordance with the categories provided by the Ombudsman.

Subject	No. of Ombudsman complaints 2018/19	No. of Ombudsman complaints 2019/20	No. of Ombudsman complaints 2020/21
Adult Social Services	2	4	5
Agriculture and Fisheries	1	0	0
Benefits Administration	1	1	1
Children's Social Services	0	5	3
Communities, facilities, recreation and leisure	1	1	0
Complaints Handling	4	4	5
COVID-19	-	-	3
Education	0	1	0
Environment & Environmental Health	3	4	1
Licencing	0	2	0
Finance and Taxation	0	2	2
Housing (inc. renovation grants)	1	0	2
Planning & building control	6	6	8
Roads & transport	2	1	2
Multi-Service Complaints	2	0	0
TOTAL	23	31	32

5.7 The Council's performance in respect of complaints handling has improved significantly in comparison to earlier reporting periods. Whilst the pandemic has inevitably had an impact on working practices, the strategies introduced in previous years continues to prove valuable in improving the Council's own complaints handling performance. Centralisation of the complaints service in 2017 and the subsequent introduction of an '*Ombudsman Toolkit*' in 2018, have helped to change the overall approach towards complaints.

5.8 The Ombudsman received 32 contacts during the course of 2020 – 2021, which is one more case than the previous year. Despite this, the Ombudsman has not conducted any investigations into any of these cases. However, for the second consecutive year four Quick Fix / Settlement Agreements were reached in order to be able to resolve the complaint to the Ombudsman's satisfaction. These cases will be explained in more detail below.

5.9 This chart provides comparison data for the outcomes of all cases closed by the Ombudsman during the period covered in this report and the two previous years:



5.10 As referred to above, whilst there were no investigations or formal reports issued by the Ombudsman for a second consecutive term, **four** cases required additional action following an assessment by the Ombudsman’s office. Such cases are referred to as ‘Early Resolution / Voluntary Settlement’ cases and the Council is given an opportunity to review its management of the case and resolve matters without the Ombudsman needing to launch a formal investigation.

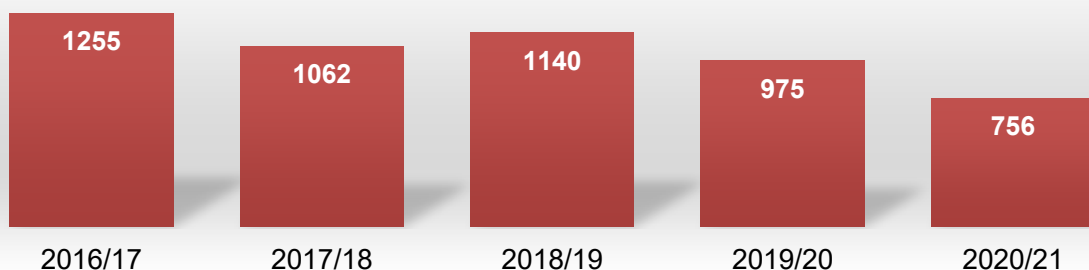
5.11 Summary of Early Resolution / Voluntary Settlement cases

Service & Reference	Summary of Complaint	Agreed Actions
Porth Cynnal (202005090)	Complaint regarding access to equipment and services.	The Council agreed to undertake a reassessment of the individual’s needs within 8 weeks of them confirming their location.
Complaints Handling / Public Protection (202002633)	Dissatisfaction with the way their complaint was managed and that the Council failed to escalate the complaint in accordance with policy.	The Council agreed to provide the complainant with an apology for the delays and to provide a substantive response within a specific timeframe.
Complaints Handling / Porth Cynnal (201907197)	Failure by Council to implement agreed actions following an earlier complaint about the provision of social care and support. This had a significant impact on the service-user at the centre of the case.	The Council agreed to undertake several actions to ensure that the actions it promised it would take, would be completed.
Complaints Handling / Planning (202000388)	Delays in complaints handling and an inadequate response was issued to the complaint. In addition, there was a need to review and resolve the planning enforcement aspects of the complaint.	The Council agreed to issue the complainant with an apology for the delays, for failing to address her complaint properly and for failing to update the complainant on the status of the enforcement case. In addition, the Council agreed to make a £50 time and trouble payment for the inconvenience of having to pursue her complaint.

6. FREEDOM OF INFORMATION ACTIVITY

- 6.1 The Council's compliance with the Freedom of Information Act 2000 (FOI) and Environmental Information Regulations 2004 (EIR) falls within the remit of the Policy, Performance and Public Protection Service. As with compliments and complaints activity, the FOI (and EIR) service was also centralised and makes up the Council's Complaints & FOI Service.
- 6.2 The Corporate Lead Officer for Policy, Performance & Public Protection is responsible for undertaking all Internal Reviews, which is essentially the complaints mechanism for FOI and EIR activity. Following the Internal Review stage, applicants have the right to refer their request to the Information Commissioner's Office (ICO) for further consideration.
- 6.3 Information requests received under FOI and EIR may be refused for various reasons providing there are lawful exemptions or exceptions (respectively) preventing disclosure. In such situations, the Council issues a Refusal Notice which provides clear information to explain the decision not to disclose the information being requested. It must be noted here that FOI and EIR relate to **recorded** information held by the Council and as such, there is no right to receive answers to questions which would require the creation of new information or records.
- 6.4 During this reporting period the Council received a total of **756** requests for information under the Freedom of Information Act 2000 (FOIA) or Environmental Information Regulations 2004 (EIR). Of these, **four** cases were escalated to the Corporate Lead Officer (CLO) for Policy, Performance & Public Protection requiring Internal Review. The Refusal Notices citing non-disclosure was overturned in one of the four Internal Review cases, a further explanation was provided in two cases and the exemption applied was maintained in the final, remaining case.
- 6.5 The number of FOI and EIR requests (combined) that were received during 2020/2021 is demonstrated below along with comparison data for earlier reporting terms.

FOI & EIR Activity



- 6.6 The chart below shows the number of requests received by each service and what percentage this equates to in respect of the total number of requests received by the Council.

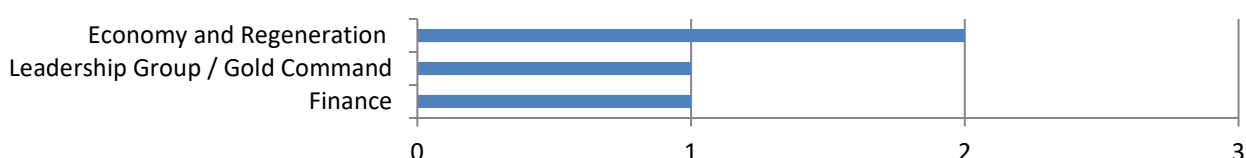
FOI & EIR Activity by Service

Service	FOI		EIR	
	Number of Requests Received	% of Total Requests Received	Number of Requests Received	% of Total Requests Received
Schools	28	4%	-	-
Finance & Procurement	157	21%	-	-
Democratic Services	10	1%	-	-
People & Organisation	44	6%	-	-
Porth Cymorth Cynnar	1	>1%	-	-
Porth Cynnal	64	8%	-	-
Porth Gofal	44	6%	1	20%
Policy, Performance & Public Protection	129	17%	3	60%
Highways & Environmental Services	92	12%	-	-
Economy & Regeneration	84	11%	1	20%
Customer Contact	53	7%	-	-
Legal & Governance Services	8	1%	-	-
Multiple Services	38	5%	-	-

6.7 The Council has a statutory responsibility to respond to all FOI's within 20 working days. The Council's overall compliance with this timescale for 2020/21 was **66%**.

6.8 A total of **four** Internal Reviews were requested in 2020/21, all of which are shown below grouped according to service. This is a decrease of 43% of requests for Internal Review compared with the seven that were received in 2019/20.

Requests for Internal Review by Service



6.9 Three referrals were made to the Information Commissioner's Office (ICO) during the reporting period. All three related to the Council's delay in providing information within the statutory timescale. None of the referrals made resulted in an investigation or decision notice being issued by the ICO.

7. SUMMARY & CONCLUSIONS

- 7.1 Due to the coronavirus pandemic, this entire reporting period posed significant challenges to services across the Council; both in terms of having to cope with a drastic increase to the workloads of many and also the need to adapt quickly to such new ways of working. Therefore, to see the number of compliments almost double and to have a 17% reduction in complaints was quite an achievement.
- 7.2 In summary, the main headlines of this report are as follows:
- ❖ **814** Compliments were received
 - ❖ **435** Enquiries were processed by the Complaints & FOI Service
 - ❖ **103** Complaints were received: **Stage 1 = 61 Stage 2 = 42**
 - ❖ **32** 'Contacts' received via the Public Services Ombudsman for Wales
 - ❖ **756** FOI & EIR requests processed by the Complaints & FOI Service
- 7.3 As outlined above, there were almost twice as many compliments received in this reporting period as there were in 2019/2020. A significant amount of these compliments were received in relation to the Covid-19 response efforts undertaken by the Council – from food boxes being delivered to the most vulnerable citizens and 'Care Packages' distributed to registered carers across the County.
- 7.4 The three services receiving the most Stage 1 complaints in this reporting period remains unchanged, with Refuse Collection receiving the majority, then Council Tax and Housing Benefit, followed closely by the Planning Service. By their very nature, these services are predisposed to receiving a large volume of complaints and whilst some complaints may be inevitable, it is encouraging to see that the Ombudsman's office closed 39% of all new referrals once they had an opportunity to consider the Council's attempts to resolve the complaint in the first instance.
- 7.5 Due to staff absences and vacancies within the Complaints and FOI Service during the entire reporting period, it is evident from the data that this had an impact on the Council's ability to meet timescales and manage cases at the standards we would normally expect. This was reflected in three of the four Quick Fix/Settlement Agreements proposed by the Ombudsman's office, though this has since been addressed with the appointment of new staff to the service.
- 7.6 It is encouraging to see fewer complaints for this reporting period. However, over half of all complaints were upheld following investigation. This means that, in the main, the complaint was justified and the Council had fallen short on delivering the standard of service it would usually strive for.
- 7.7 In view of 54% of all complaints having been upheld, there was very little capacity on the part of the Complaints and FOI Service to capture more evidence regarding lessons learned. This will be prioritised in 2021-2022 especially now that the service is at full complement.

- 7.8 It was not possible to deliver the in-house complaints training during this reporting period, due to the aforementioned challenges; therefore this will need to be prioritised in the future – albeit the training will most likely be delivered in a different way. Of note, the Head of the Ombudsman’s new Complaints Standards Authority (CSA) delivered two Complaints Investigation Training sessions to Corporate Managers via Microsoft Teams in February 2021, which proved to be extremely valuable. Further training opportunities will become available in the future via the CSA, who deliver the training free of charge. Any suitable sessions will be arranged and co-ordinated by the Complaints and FOI Service in due course.
- 7.9 It is evident that further work needs to be done in respect of meeting the timescales of both Complaints and FOI/EIR. The number of FOI/EIR responses issued within the 20 working-day timescale has fallen to its lowest level of compliance since before 2014. It is believed that this is due to a combination of factors including the lack of capacity on the part of services to be able to prioritise FOI above all the new tasks arising; being unable to obtain hard-copies of documents due to home-working; lack of capacity within the Complaints and FOI Service (which undertakes the majority of the administrative work surrounding FOI activity; i.e. recording, acknowledging and distributing new requests and issuing all responses and applying any exemptions/exceptions and/or redactions as required).
- 7.10 During 2020-2021 there were fewer FOI and EIR requests received than in any previous years (since 2014) with a total of **756**. The Finance and Procurement Service managed to maintain their record for receiving the most FOI’s by service area (receiving a total of 157). Policy, Performance and Public Protection came in with the second highest number of requests (**129**) with Highways and Environmental Services having the 3rd highest number of FOIs (**92**).
- 7.11 As referred to in point 7.9 (above) compliance with the statutory timescales for FOI requests fell from 86% in 2019-2020 to just 66% in 2020-2021. This will be one of the main priorities for the Complaints and FOI Service moving forwards, with FOI performance being included as a performance measure for 2021-2022.
- 7.12 In the main, this report is positive and an incredible achievement when taking into account the difficult year experienced by all! However, it is clear that there are several areas which require attention so that we can be confident that the Council is able to deal with Complaints and FOI activity effectively and in accordance with policies and legislation. In turn, this should enhance the confidence and trust our citizens have in our ability to take their concerns seriously and act transparently when they seek information from us.

Marie-Neige Hadfield
Complains and FOI Manager

1st October 2021

8. DATA

ITEM 1: BREAKDOWN OF COMPLAINTS BY SERVICE


Service and Departments	Stage 1	Stage 2	TOTAL
Schools			2
➤ Inclusion	1	0	
➤ ALN	0	1	
Finance & Procurement			19
➤ Council Tax & Housing Benefit	9	2	
➤ Covid-19 Business Grants	0	5	
➤ Debtors	1	1	
➤ Procurement & Payments	0	1	
Democratic Services			2
➤ Electoral Services	2	0	
People & Organisation			1
➤ Payroll	1	0	
Porth Cymorth Cynnar	0	0	0
Porth Cynnal			13
➤ Mental Wellbeing	3	1	
➤ Adult Team	1	0	
➤ Children & Family Assessment	1	1	
➤ Quality & Service Improvement	1	0	
➤ Adult Protection	1	2	
➤ Camu Mlaen	1	0	
➤ Community Team Learning Disabilities	1	0	
Porth Gofal			11
➤ Fostering	1	0	
➤ Direct Services	2	0	
➤ Porth Gofal Triage	3	0	
➤ Occupational Therapy Services	1	0	
➤ Homelessness / Housing (Inc. DFG, Eco Flex)	2	2	
Policy, Performance & Public Protection			8
➤ Food Safety	0	1	
➤ Covid Regulations (including TTP)	2	1	
➤ Trading Standards	0	1	
➤ Environmental Health	1	1	

Service and Departments	Stage 1	Stage 2	TOTAL
➤ Community Warden	1	0	
Highways & Environmental Services			
➤ Highway Maintenance / Improvements	1	1	16
➤ Street Lighting	0	1	
➤ Parking Services	1	0	
➤ Refuse Collection & Household Waste Sites	10	1	
➤ Cemeteries	0	1	
Economy & Regeneration			
➤ Coast and Countryside	1	0	27
➤ Planning (including Enforcement)	8	14	
➤ Complaint against Staff	1	1	
➤ Property Services	1	0	
➤ Covid-19 – Misc.	0	1	
Customer Contact			
➤ Customer Services	1	0	1
Legal and Governance services			
	0	0	0
Multiple Service / Corporate			
	1	2	3
TOTAL NUMBER OF COMPLAINTS RECEIVED	61	42	103


ITEM 2: COMPLAINT OUTCOMES

Outcome	2019/20
> Investigation not merited	1
> Investigation / Complaint discontinued or withdrawn	3
> Not upheld	37
> Upheld Whole or in Part	56
> Open / Ongoing	6
TOTAL	103

Ask for: Communications

 01656 641150

Date: September 2021

 communications@ombudsman.wales

Cllr. Ellen ap Gwynn
Ceredigion County Council

By Email only: ellen.apgwynn@ceredigion.gov.uk

Annual Letter 2020/21

Dear Councillor ap Gwynn

I am pleased to provide you with the Annual letter (2020/21) for Ceredigion County Council.

This letter discusses information from a year unlike any other in recent memory, and as such may not be useful for establishing trends or patterns. Information received during this remarkable year will, however, bring insights on how public services reacted in the face of unprecedented demand and the most difficult of circumstances.

During the past financial year, we have intervened in (upheld, settled or resolved at an early stage) the same proportion of complaints about public bodies, 20%, compared with 2019/20.

Regarding new complaints received relating to Local Authorities, the overall number decreased by 12.5% compared with last year. This reflects the reduction in complaints being reported by Local Authorities during the Covid-19 pandemic. My office intervened in a similar proportion of the cases closed as in the previous year (13%).

However, we referred a higher proportion of Code of Conduct complaints to a Standards Committee or the Adjudication Panel for Wales: 3.4% compared to 2% in the previous year. This higher referral rate was also accompanied by a sharp increase in the number of Code of Conduct complaints received.

During 2020/21, despite challenges caused by the pandemic, my office made great strides in progressing work related to Complaints Standards and Own Initiative Investigations. The theme and consultation period of the first wider Own

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Initiative Investigation – into Local Authority Homelessness Assessments - was launched in September 2020 and the report is due in the coming months. We also commenced 4 extended Own Initiative Investigations, where we extended the scope of our work on a complaint already under investigation.

Last year, my office also pushed ahead with two new publications – ‘Our Findings’ and our first Equality Report.

‘Our Findings’ will be accessed via the PSOW website and replaces the quarterly casebooks. Our Findings will be updated more frequently and will be a more useful tool in sharing the outcomes of investigations. Our first Equality Report highlights the work done to improve equality and diversity, and to ensure that our service is available to people from all parts of society.

Local Authorities in Wales continued to submit data about the complaints they handled to the Complaints Standards Authority (CSA) during 2020/21, as well as receiving a model complaints procedure and accessing 76 virtual training sessions.

The data submitted for 2020/2021 shows:

- Nearly 12,000 complaints were recorded by Local Authorities
- This equates to 3.77 for every 1000 residents.
- Nearly half (44%) of those complaints were upheld.
- About 75% were investigated within 20 working days.
- About 9% of all complaints closed were referred to PSOW.

The CSA will publish data to the PSOW website for the first time in the coming year, marking a key achievement in the progress of this work. Training sessions have been delivered to almost all Local Authorities in Wales, and our offer of training remains open ended and will be delivered free of charge.

A summary of the complaints of maladministration/service failure received relating to your Council is attached.

Also attached is a summary of the Code of Conduct complaints relating to members of the Council and to the Town & Community Councils in your area.

I ask that the Council takes the following actions:

- Present my Annual Letter to the Cabinet to assist members in their scrutiny of the Council’s complaints performance and any actions to be taken as a result.
- Engage with my Complaints Standards work, accessing training for your staff and providing complaints data.
- Inform me of the outcome of the Council’s considerations and proposed actions on the above matters by 15 November.

This correspondence is copied to the Chief Executive of your Council and to your Contact Officer. Finally, a copy of all Annual Letters will be published on my website.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nick Bennett', with a stylized flourish at the end.

Nick Bennett
Ombudsman

cc.Eifion Evans, Chief Executive, Ceredigion County Council
By Email only: Eifion.evans@ceredigion.gov.uk

Factsheet

Appendix A - Complaints Received

Local Authority	Complaints Received	Received per 1000 residents
Blaenau Gwent County Borough Council	15	0.21
Bridgend County Borough Council	31	0.21
Caerphilly County Borough Council	46	0.25
Cardiff Council*	96	0.26
Carmarthenshire County Council	27	0.14
Ceredigion County Council	32	0.44
Conwy County Borough Council	32	0.27
Denbighshire County Council	32	0.33
Flintshire County Council	59	0.38
Gwynedd Council	30	0.24
Isle of Anglesey County Council	18	0.26
Merthyr Tydfil County Borough Council	15	0.25
Monmouthshire County Council	20	0.21
Neath Port Talbot Council	19	0.13
Newport City Council	31	0.20
Pembrokeshire County Council	28	0.22
Powys County Council	38	0.29
Rhondda Cynon Taf County Borough Council	40	0.17
Swansea Council	73	0.30
Torfaen County Borough Council	12	0.13
Vale of Glamorgan Council	39	0.29
Wrexham County Borough Council	43	0.32
Total	776	0.25

* inc 2 Rent Smart Wales

Appendix B - Received by Subject

Ceredigion County Council	Complaints Received	% Share
Adult Social Services	5	16%
Benefits Administration	1	3%
Children's Social Services	3	9%
Community Facilities, Recreation and Leisure	0	0%
Complaints Handling	5	16%
Covid19	3	9%
Education	0	0%
Environment and Environmental Health	1	3%
Finance and Taxation	2	6%
Housing	2	6%
Licensing	0	0%
Planning and Building Control	8	25%
Roads and Transport	2	6%
Various Other	0	0%
Total	32	

Appendix C - Complaint Outcomes
 (* denotes intervention)

County/County Borough Councils	Out of Jurisdiction	Premature	Other cases closed after initial consideration	Early Resolution/voluntary settlement*	Discontinued	Other Reports- Not Upheld	Other Reports Upheld*	Public Interest Report*	Total
Ceredigion County Council	6	9	12	4	0	0	0	0	31
% Share	19%	29%	39%	13%	0%	0%	0%	0%	

Appendix D - Cases with PSOW Intervention

	No. of interventions	No. of closures	% of interventions
Blaenau Gwent County Borough Council	1	17	6%
Bridgend County Borough Council	2	30	7%
Caerphilly County Borough Council	3	45	7%
Cardiff Council	26	100	26%
Cardiff Council - Rent Smart Wales	0	2	0%
Carmarthenshire County Council	6	29	21%
Ceredigion County Council	4	31	13%
Conwy County Borough Council	5	31	16%
Denbighshire County Council	2	31	6%
Flintshire County Council	11	62	18%
Gwynedd Council	5	27	19%
Isle of Anglesey County Council	1	17	6%
Merthyr Tydfil County Borough Council	0	14	0%
Monmouthshire County Council	1	19	5%
Neath Port Talbot Council	1	17	6%
Newport City Council	5	29	17%
Pembrokeshire County Council	3	26	12%
Powys County Council	4	47	9%
Rhondda Cynon Taf County Borough Council	2	43	5%
Swansea Council	9	67	13%
Torfaen County Borough Council	0	11	0%
Vale of Glamorgan Council	5	38	13%
Wrexham County Borough Council	6	48	13%
Total	102	781	13%

Appendix E - Code of Conduct Complaints

County/County Borough Councils	Discontinued	No evidence of breach	No action necessary	Refer to Adjudication Panel	Refer to Standards Committee	Withdrawn	Total
Ceredigion County Council	0	2	0	0	0	0	2

Appendix F - Town/Community Council Code of Complaints

Town/Community Council	Discontinued	No evidence of breach	No action necessary	Refer to Adjudication Panel	Refer to Standards Committee	Withdrawn	Total
Llanfair Clydogau Community Council	0	1	0	0	0	0	1
Trefeurig Community Council	1	0	0	0	0	0	1

Information Sheet

Appendix A shows the number of complaints received by PSOW for all Local Authorities in 2020/2021. These complaints are contextualised by the number of people each health board reportedly serves.

Appendix B shows the categorisation of each complaint received, and what proportion of received complaints represents for the Local Authority.

Appendix C shows outcomes of the complaints which PSOW closed for the Local Authority in 2020/2021. This table shows both the volume, and the proportion that each outcome represents for the Local Authority.

Appendix D shows Intervention Rates for all Local Authorities in 2020/2021. An intervention is categorised by either an upheld complaint (either public interest or non-public interest), an early resolution, or a voluntary settlement.

Appendix E shows the outcomes of Code Of Conduct complaints closed by PSOW related to Local Authority in 2020/2021. This table shows both the volume, and the proportion that each outcome represents for the Local Authority.

Appendix F shows the outcomes of Code of Conduct complaints closed by PSOW related to Town and Community Councils in the Local Authority's area. This table shows both the volume, and the proportion that each outcome represents for each Town or Community Council.