

CEREDIGION COUNTY COUNCIL

Report to:	Cabinet
Date of meeting:	1 st November 2022
Title:	Annual Report of Compliments, Complaints and Freedom of Information (2021-2022)
Purpose of the report:	<p>To inform Cabinet Members of the Council's performance in relation to Compliments, Complaints and Freedom of Information (FOI) 2000 (including Environmental Information Regulations (EIR) 2004.</p> <p>This report is accompanied by the Annual Letter from Ms Michelle Morris, Public Services Ombudsman for Wales ("the Ombudsman"), which outlines the Council's performance and activity in relation to cases referred to the Ombudsman during 2021-22.</p> <p>The Cabinet committee is required to agree the contents of the Annual Report and the actions outlined in the Ombudsman's Annual Letter.</p>
For:	Decision
Cabinet Portfolio and Cabinet Member:	Councillor Bryan Davies, Leader and Cabinet Member for Democratic Services, Policy, Performance and People and Organisation

Introduction

This report summarises the activity managed by the Council's Complaints and FOI Service between 1st April 2021 and 31st March 2022. The full report is provided within **Appendix 1**, which includes specific information on the numbers and types of compliments and complaints 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 ("the Ombudsman") during the reporting period. The Ombudsman's Annual Letter to the Council is included as **Appendix 2**, which provides further details in relation to all Ombudsman activity for Ceredigion, as well as for other Council's across Wales.

This is the **third consecutive report where there have been no Ombudsman investigations commenced or formal reports issued** in relation to complaints made against the Council. However, it is acknowledged that there has been a significant rise in complaints referred to the Ombudsman, as well as cases that were closed following the Ombudsman's intervention (i.e. 'Early Resolution' agreements)

This report reflects several challenges experienced during the reporting period i.e. the complexity of complaints received, a general increase in activity following the pandemic, in complaints, FOI, Ombudsman referrals and referrals to the Information

Commissioner's Office (ICO), as well as the challenges associated with the delivery of the Complaints and FOI Service itself. These challenges have inevitably had an impact on the Council's ability to meet its performance objectives in relation to prescribed timescales, which has subsequently resulted in a greater level of contact from the Ombudsman and the ICO.

Brief overview of all activity managed by the Complaints and FOI Service during 2021 - 2022:

- ↓ **224** Compliments were received
- ↓ **357** Enquiries were processed by the Complaints & FOI Service
- ↑ **133** Complaints were received: **Stage 1 = 73** **Stage 2 = 60**
- ↑ **52** 'Contacts' received via the Public Services Ombudsman for Wales
- ↑ **780** FOI & EIR requests processed by the Complaints & FOI Service

Summary

- There were significantly fewer Compliments received during this reporting period; however, this reduction can be mitigated, in part, by the surge in compliments received during the initial phase following the coronavirus pandemic. Several factors may have affected the Council's ability to capture compliments including the lack of resource to prioritise this activity. Further, work will be undertaken by the Complaints and FOI Service to streamline the way compliments are processed, so good practice can be capitalised upon, and accurate figures recorded.
- Fewer Enquiries were managed by the Complaints and FOI Service, but complaints rose to the same levels that were reported in 2018-19. This suggests that it was not possible to pro-actively resolve concerns without needing to engage in the complaints process. In addition, unplanned absences and vacancies within the Complaints and FOI Service will have contributed to the inability to manage cases as effectively as in previous years.
- There was a slight increase in Stage 1 (informal) complaints though 18 additional Stage 2 (formal) complaints were recorded during this reporting period. Compliance with prescribed timescales was also lower than expected, though it is acknowledged that Stage 2 complaints often require additional time to investigate thoroughly. This is entirely acceptable providing complainants are regularly updated on any developments.
- As acknowledged above, whilst the Ombudsman received 20 additional 'contacts' relating to Ceredigion County Council, compared with 2020-21, 72% of all cases did not require any intervention by the Ombudsman. However, the Council did undertake a higher proportion of Early Resolution agreements during the reporting period (13 in total). As stated above, there were no formal investigations undertaken by the Ombudsman.
- Two complaints were received in relation to the Council's compliance with the Welsh Language Measures, both of which were resolved at the informal stage.
- Refuse Collection and Household Waste Sites continues to be the main reason for complaints received at Stage 1; closely followed by Planning (including Planning Enforcement) and Council Tax and Housing Benefit. These three

services account for almost half of all Stage 1 complaints received, but as previously reported, these services are predisposed to attracting complaints – by their nature.

- Less than half of all complaints were upheld, compared with over half of all complaints being upheld in 2020-21. A total of 43 complaints were not upheld and the remaining 25 cases were either withdrawn by the complainant or remained ongoing beyond the end of the reporting period (i.e. 10 and 15, respectively). It is acknowledged that further work is needed to improve on learning the lessons arising from complaints, this will be taken forward by the Complaints and FOI Service.
- Compliance with Freedom of Information (FOI) and Environmental Information Regulations (EIR) timescales were at the lowest level reported, at 67% and it is acknowledged that vast improvements are required in this regard. A rise in referrals to the ICO was also evident, up from 4 cases to 9, during 2021-2022. It is most likely that the poor performance with meeting the statutory timescales was the main contributing factor, but the increase equates to only 1% of all requests received.

Areas to focus on

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

Has an Integrated Impact Assessment been completed? If, not, please state why: No, as this report is not related to a new policy or a change in service

Wellbeing of Future Generations:

Summary:
Long term: N/A
Collaboration: N/A
Involvement: N/A
Prevention: N/A
Integration: N/A

Recommendation(s):

1. To note the contents of the Council’s Annual Report for Compliments, Complaints and FOI Activity 2021-22 (Appendix 1)
2. To note the contents of the Ombudsman’s Annual Letter (Appendix 2)
3. To agree to continue to engage with the PSOW’s CSA work – including accessing training and providing performance data
4. To inform the PSOW of the outcome of the Council’s considerations and proposed actions

Reasons for decision:	To ensure continuous improvement and ensure that elected members are aware of the Council's performance in relation to compliments, complaints, FOI/EIR and Ombudsman activity.
Overview and Scrutiny:	The two appendices contained in this report were discussed in the Corporate Resources Overview and Scrutiny Meeting dated 3 rd October 2022.
Policy Framework:	Concerns and Complaints Policy Social Services Complaints Policy
Corporate Priorities:	Ceredigion is an organisation that is fit-for-purpose to deliver improving services to meet the needs of our citizens.
Finance and Procurement implications:	N/A
Legal Implications:	N/A
Staffing implications:	N/A
Property / asset implications:	N/A
Risk(s):	N/A
Statutory Powers:	
Background Papers:	
Appendices:	Appendix 1- Annual Report for Compliments, Complaints and Freedom of Information Activity – 2021/2022 Appendix 2- Public Services Ombudsman for Wales' Annual Letter: 2021 – 2022
Corporate Lead Officer:	Alun Williams, Corporate Lead Officer for Policy, Performance & Public Protection
Reporting Officer:	Marie-Neige Hadfield, Complaints & FOI Manager
Date:	11 th October 2022

Cyngor Sir CEREDIGION County Council

Annual Compliments, Complaints and Freedom of Information Report
1st April 2021 – 31st March 2022

Contents	Page/s
1 Introduction	2 – 3
2 Compliments Received	4 – 5
3 Complaints made to the Council	5 – 8
4 Learning Lessons from Complaints	9
5 Complaints made to the Public Services Ombudsman for Wales	9 – 11
6 Freedom of Information Activity	12 – 13
7 Summary & Conclusions	14 – 16
8 Complaints Data (inc. Ombudsman 'Early Resolution' reports – pages 19 – 23)	17 – 23

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 2021 to 31st March 2022. **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**. Due to the significant increase in Ombudsman activity, particularly cases that were resolved as a consequence of Ombudsman involvement, all cases resulting in ‘Early Resolution’ are also included in Section 8 – including the Summary Reports issued by the Ombudsman in relation to these complaints.
- 1.2 The recording systems in place for compliments, complaints and FOI requests have been updated to reflect the organisational structure, which has simplified the reporting process.
- 1.3 The Complaints and FOI Service is a small team (3.8 staff members) who follow three different complaints policies and two branches of information access legislation:
 - Model 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) was reviewed and ratified by the Council committee of elected members on 23rd September 2021.
- 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. This information is available on the Ombudsman’s [Complaints Standards Authority webpage](#)
- 1.7 The Council continues to work positively with the Ombudsman and a section of this report provides an analysis of all Ombudsman activity, including the outcomes of Early Resolutions (at the end of this report). 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 **third consecutive reporting period whereby there have been no formal investigations** launched by the Ombudsman’s office into complaints made against the Council.

- 1.8 Pro-active resolution of all 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. As a consequence, a total of **357** 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. It is accepted that challenges associated with service provision have resulted in the Complaints and FOI Service being unable to maintain effective communication with complainants in some instances.
- 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 Service 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 expected, the coronavirus pandemic continued to have an impact on service provision across the Council, with many services undertaking additional duties compared with pre-pandemic times. As reported previously, as a consequence, the Council's priorities and resilience has been tested but despite this, officers remained committed to ensuring service improvement as a direct consequence of complaints.

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 2021/22.

Service	2021/22
Policy, Performance & Public Protection	5
Schools	4
Economy & Regeneration	14
Finance & Procurement	5
Highways & Environmental Services	25
Customer Contact	29
Porth Cynnal	27
Corporate	6
Porth Gofal	77
Porth Cymorth Cynnar	29
Democratic Services	2
Legal & Governance	1
Total	224

2.4 Examples of compliments received

“I can honestly say that the work carried out is a massive improvement on what it was like before the work was undertaken. This is a fantastic outcome, and I would like to say a big “Thank you”.” – Economy & Regeneration

“Thank you to the traffic wardens who keep the traffic clear and the refuse gang who keep our bins emptied.” – Highways & Environmental Services

“The staff were so friendly and professional made our day very special. Thank you so much!” – Customer Contact

“I just wanted to say a huge and heartfelt thank you to you personally for taking care of [service user]. I wasn’t able to visit much but it was very reassuring to know that they were in the best possible place thanks to you and your colleagues.” – Porth Gofal

“I wanted to share with you how grateful for all the help this last year. Felt very supported. Thanks again.” – Schools Service

“You are brilliant in the way you are supporting Service User.” – Porth Cynnal

“Thank you for your kindness and patience.” – Finance & Procurement

“Please convey my thanks to all the people involved in resolving my concerns.” – Policy, Performance & Public

“With thanks for your generous work throughout the year.” – Porth Cymorth Cynnar

“I’d like to extend thanks to you and the members of staff in Ceredigion.” – Corporate

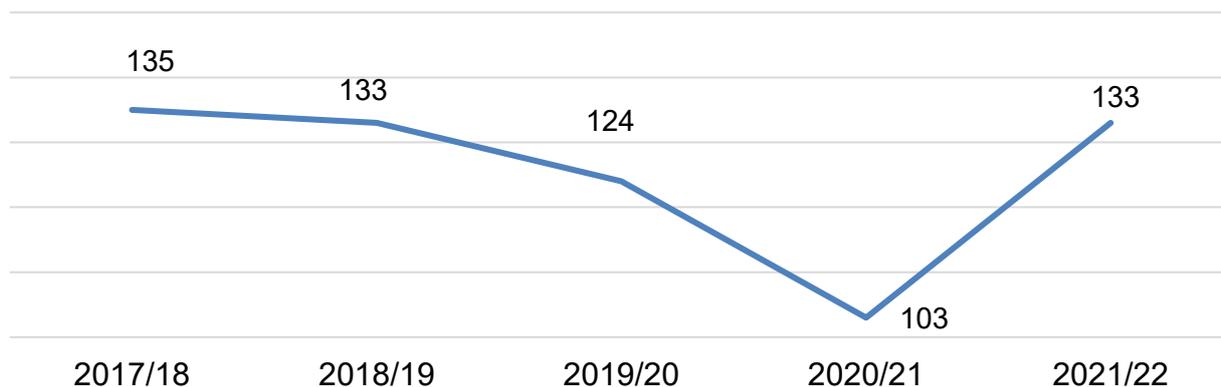
- 2.5 Compliments received from care homes and day centres are included within the current reporting system, which is well established across the Council’s Social Services.
- 2.6 The process for collecting, recording and monitoring compliments was due to be reviewed during this reporting period; however, as a consequence of the pressures within the small Complaints and FOI Service, this work will be undertaken in the forthcoming year (2022-2023). The benefit of such work would ensure that Council officers are aware of the clear and defined processes in place for dealing with compliments and championing good practice across the organisation.

3. COMPLAINTS RECEIVED

3.1 Total number of complaints received

The chart below shows the total number of complaints received during 2021/22 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).

Total Number of Complaints Received



3.2 Number of complaints made by stage

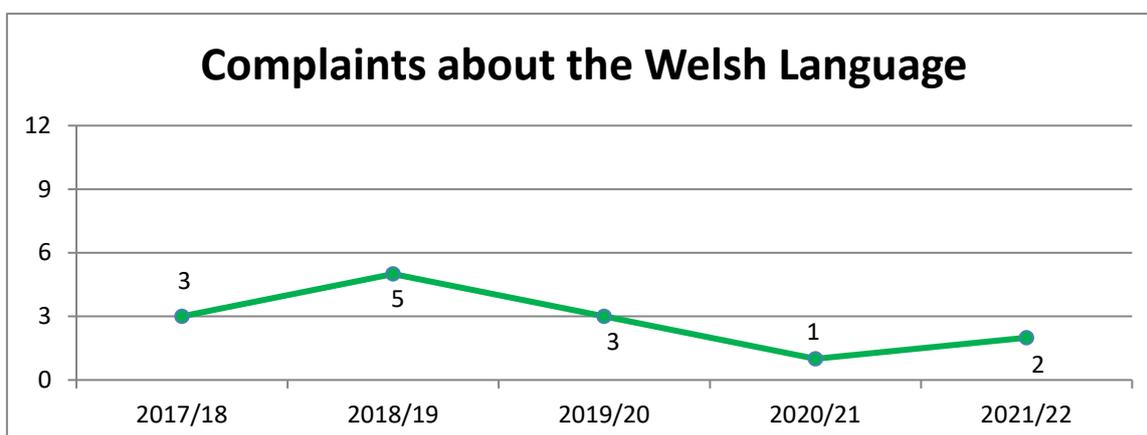
The number of complaints made against the Council under each stage of the Complaints Policy for the last five years is shown in the table below. These figures include complaints made in relation to Welsh Language provision.

Year	Stage 1	Stage 2	Total
2017/18	96	39	135
2018/19	92	40	133
2019/20	85	39	124
2020/21	61	42	103
2021/22	73	60	133

3.3 Welsh Language Complaints

During 2020/21 the Council received two complaints specifically relating to the provision (or lack thereof) of Welsh Language services across the Council. One complaint was referred to the Council by the Welsh Language Commissioner.

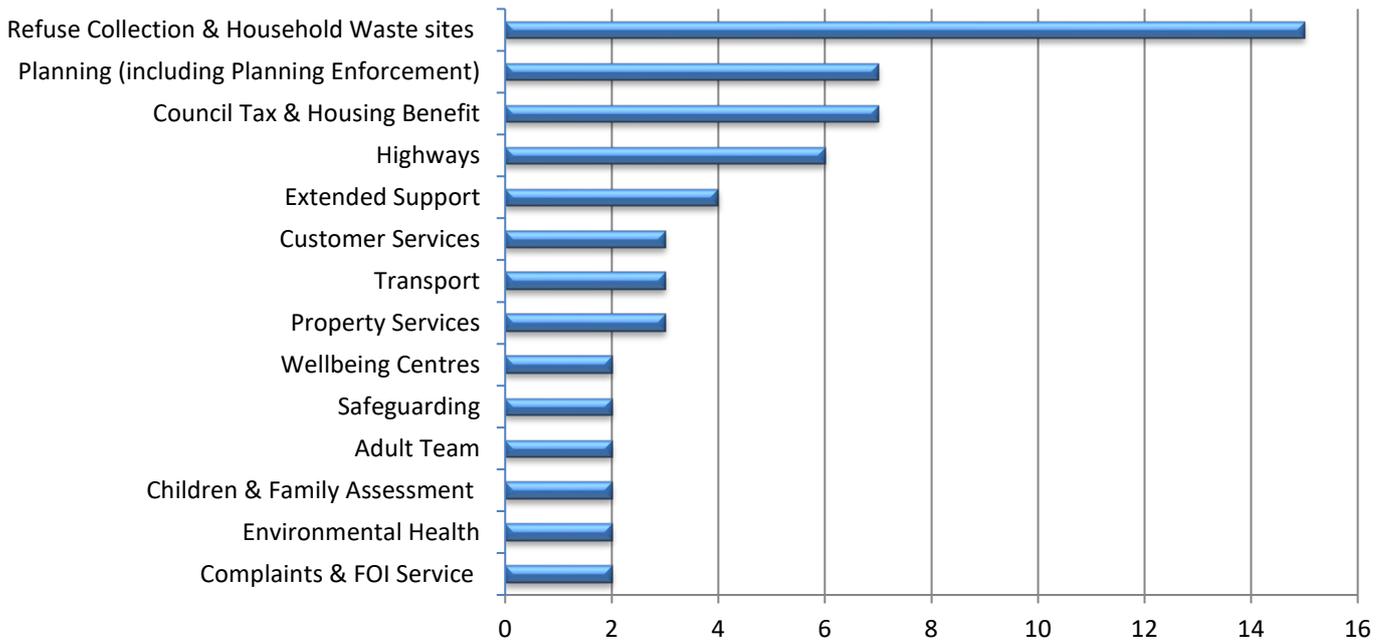
3.4 The number of complaints received during the reporting period is shown below, along with comparison data for previous years. The Council has fully implemented its requirements under the Welsh Language Standards.



3.5 Top Ten Sections with highest number of complaints in 2021/22

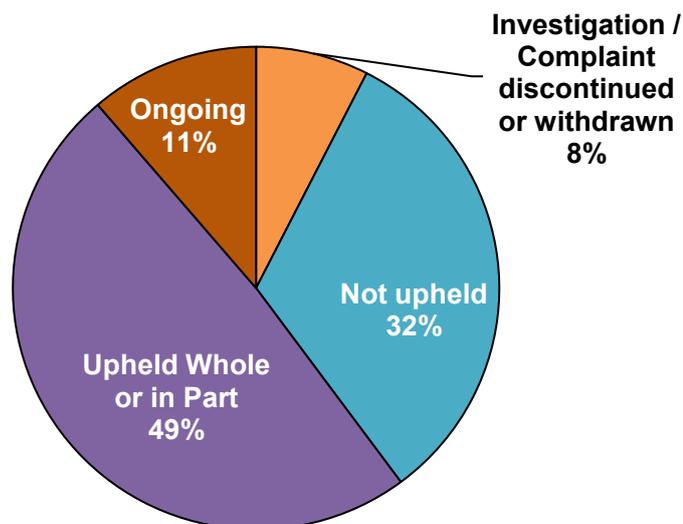
The chart below shows the top ten sections of the Council that receive the highest number of complaints at Stage 1. In accordance with Welsh Government guidance, ascertaining the subject areas complained about the most enables identification of trends – both internally and for national comparison.

Top 10 Stage 1 Complaints by Section



3.6 Complaint Outcomes

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

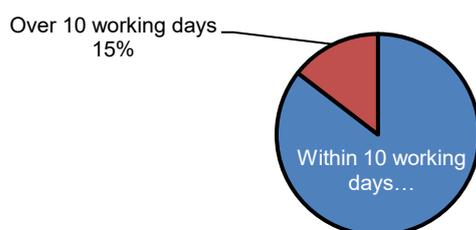


3.7 Timescales

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.

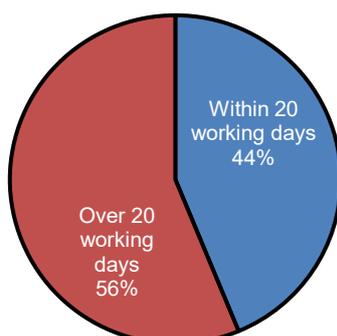
3.8 Stage 1 – A total of **73** Stage 1 complaints were received during the reporting period. Under the corporate policy, Stage 1 complaints should be completed within **10 working days**, and under the Social Services complaints procedures complaints should be completed within **15 working days** which includes the offer of a meeting / discussion with the relevant service manager. A total of **53** of the **62** corporate complaints at this stage were addressed within the prescribed timescales. As per the Concerns and Complaints policy, Stage 1 complaints were immediately escalated to Stage 2 if the ten-working-day timescale was exceeded.

Stage 1 Performance with Stage 1 Timescales (corporate policy)



3.9 Stage 2 – A total of **60** complaints were received at Stage 2. Of these, **12** were managed under the statutory Social Services Policy, 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 12 Social Services complaints, **three** remained open beyond the end of the reporting period (i.e. these cases were closed after 31st March 2022) and all but one of the remaining **9** took longer than the allotted time to conclude, which is permitted, providing the Statutory Director of Social Services provides written approval for an extension to be 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 2021/22.

Service Area	Issue	Lessons Learned
Highways & Environmental Services	Complaint regarding accessibility at Household Waste Sites.	Household Waste Sites implemented accessible 'drop off' areas for those who are unable to access the skips directly.
Porth Cynnal	Concerns raised regarding Children Services	All Social Workers working with children and families were reminded of their responsibility to share the outcomes of a Section 47 enquiry with parents, in line with the National Safeguarding Procedures for Wales.
Public Protection	Lack of response from the Service regarding a food safety issue	Further training provided to staff regarding the use of the information system.
Complaints and FOI Service	Failure to maintain communication with complainants	Ensure service users receive regular updates if there is a problem resolving their complaint within prescribed timescales.

5. COMPLAINTS MADE TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES

- 5.1 The Ombudsman's Annual Letter for 2021/22 was received on 9th August 2022 and is included as an appendix to this report.
- 5.2 The Ombudsman's expectation is that complainants will exhaust the Council's own complaints procedures before contacting their 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 these will 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 procedures (corporate and Social Services policies) include advice that complainants can refer their case to the Ombudsman if they remain dissatisfied with the Council's findings, or the handling of their complaint.
- 5.4 The Council has limited control over service-users contacting the Ombudsman directly, though this would normally be addressed during staff training (i.e. advising people about how they can complain if they are unhappy with the service provided).

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 2021/22 by primary subject (as categorised by the Ombudsman)

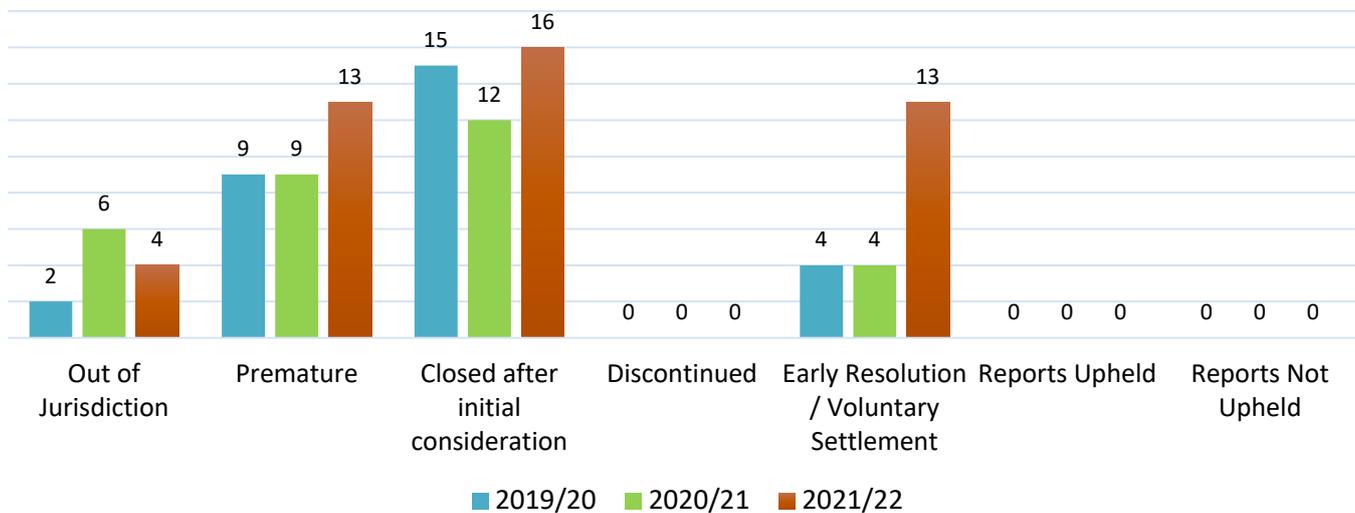
The chart below shows the number of complaints made by members of the public to the Ombudsman, which is demonstrated in the Ombudsman’s Annual Letter.

Subject	No. of Ombudsman complaints 2019/20	No. of Ombudsman complaints 2020/21	No. of Ombudsman complaints 2021/22
Complaints Handling	4	5	14
Planning & building control	6	8	10
Adult Social Services	4	5	6
Environment & Environmental Health	4	1	5
Roads & transport	1	2	5
Children's Social Services	5	3	3
COVID-19	-	3	3
Education	1	0	2
Finance and Taxation	2	2	2
Communities, facilities, recreation and leisure	1	0	1
Multi-Service Complaints	0	0	1
Benefits Administration	1	1	0
Licencing	2	0	0
Housing	0	2	0
TOTAL	31	32	52

5.7 The Ombudsman received **52** complaints about the Council during the course of 2021-2022, which is 20 more cases than the previous year. Despite this, the Ombudsman has not commenced an investigation into any of these cases. However, **13** Early Resolution agreements were reached, in order for the Council to be able to resolve the complaint to the Ombudsman’s satisfaction. More information on these complaints can be found at the end of this report (pages 19 – 23) including the official summary reports compiled by the Ombudsman.

5.8 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:

PSOW Complaint Outcomes



5.9 Ombudsman Cases resulting in Early Resolution

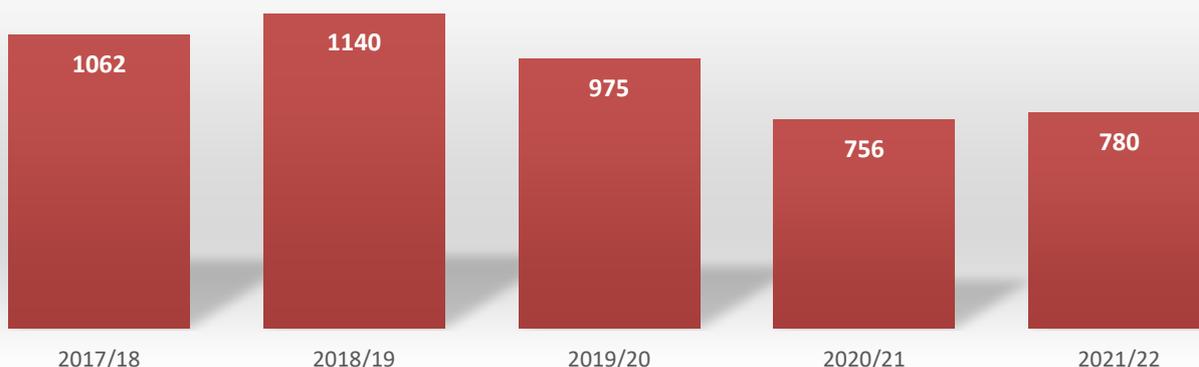
As referred to above, whilst there were no formal investigations undertaken by the Ombudsman for a **third** consecutive term, the number of complaints requiring additional action following consideration by the Ombudsman rose significantly to **thirteen** (compared with only **four** in 2020-2021). In these instances, the Ombudsman provides the Council with an opportunity to review its management of the case and agree to a course of action that should resolve the complaint.

5.10 The exponential rise in Early Resolution cases is as a consequence in the general increase in complaints received during the reporting period and the significant challenges faced by Council services during this time. In addition, the Complaints and FOI Service, which sits within the Policy, Performance & Public Protection Service, has faced several challenges during this reporting period as a result of unplanned absences, as well as vacancies within the Service. This was a significant contributory factor to the shortcomings in complaints handling referred to in the Ombudsman’s letter.

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 **780** requests for information under the Freedom of Information Act 2000 (FOIA) or Environmental Information Regulations 2004 (EIR). Of these, **eight** cases were escalated to the Corporate Lead Officer (CLO) for Policy, Performance & Public Protection requiring Internal Review. Four of the cases related to complaints that a response had not been provided within the 20-working-day timescale. With these cases, the information requested was provided as part of the Internal Review response. The exemption applied was maintained in two of the cases, and the remaining two cases remained open at the end of the reporting period.
- 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.

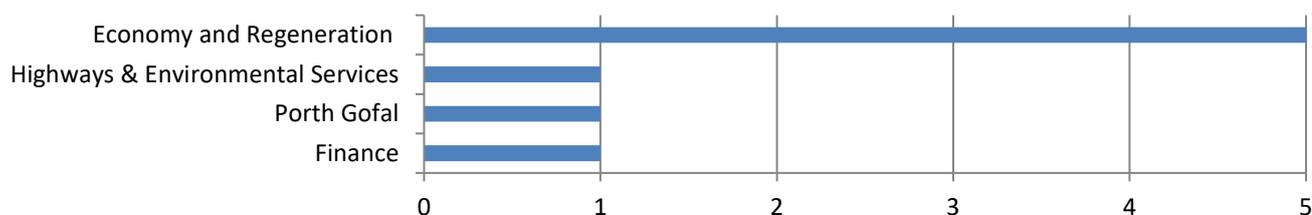
FOI & EIR Activity by Service

Service	FOI		EIR	
	Number of Requests Received	% of Total Requests Received	Number of Requests Received	% of Total Requests Received
Schools	57	7%	-	-
Finance & Procurement	132	17%	-	-
Democratic Services	13	2%	-	-
People & Organisation	40	5%	-	-
Porth Cymorth Cynnar	8	1%	-	-
Porth Cynnal	70	9%	-	-
Porth Gofal	79	10%	-	-
Policy, Performance & Public Protection	99	13%	4	20%
Highways & Environmental Services	117	15%	6	30%
Economy & Regeneration	70	9%	10	50%
Customer Contact	55	7%	-	-
Legal & Governance Services	6	>1%	-	-
Multiple Services	14	2%	-	-

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 **67%**.

6.8 A total of **eight** Internal Reviews were requested in 2021/22, all of which are shown below grouped according to service. This is an increase on the 7 received during 2020-2021.

Requests for Internal Review by Service



6.9 A total of 9 referrals were made to the Information Commissioner's Office (ICO) during the reporting period, the majority of which related to the Council's delay in providing information within the statutory timescale.

7. SUMMARY & CONCLUSIONS

- 7.1 This report demonstrates that the Council continues to face significant challenges since the emergence of the coronavirus pandemic, which stem from a variety of factors. Service continuity, the introduction of additional functions since the pandemic and the general pressures associated with the way services needed to be delivered during this period have all had an impact. It is evident that there has been a rise in complaints and FOI activity, including referrals to the Information Commissioner's Office; however, of most significance is the substantial increase in complaints received via the Ombudsman. This section will provide some analysis in respect of the data referred to within this report.
- 7.2 In summary, the main headlines of this report are as follows:
- ↓ **224** Compliments were received
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 - ↑ **52** 'Contacts' received via the Public Services Ombudsman for Wales
 - ↑ **780** FOI & EIR requests processed by the Complaints & FOI Service
- 7.3 There were significantly fewer compliments recorded during 2021-2022 compared with the previous reporting period; however, this cannot be interpreted in isolation, because there had been a surge of compliments recorded during 2020-2021 (in comparison with previous year). The reduction in compliments may be due to services being unable to prioritise passing any compliments to the Complaints and FOI Service to be recorded. A more likely explanation, however, is that the Complaints and FOI Service has been unable to undertake its planned review of the management of compliments across the Council during this reporting year (see para. 2.6 above), as a consequence of the pressures experienced by the Complaints and FOI Service throughout the year.
- 7.4 Although the Enquiries managed by the Complaints and FOI Service had decreased slightly, the number of complaints had risen to the levels reported in 2018-2019 (i.e. 133 cases). This was partly attributed to the lack of capacity within the Complaints and FOI Service to drive forwards a pro-active approach to resolving concerns at the earliest opportunity. It is also recognised that the absences and vacancies encountered within the Complaints and FOI Service will have been a significant contributory factor to the inability to manage cases as effectively as in previous years.
- 7.5 Whilst there was a slight increase in Stage 1 complaints, there were 18 more cases dealt with at Stage 2 (the formal stage) compared with the last reporting period. Compliance with prescribed timescales was also lower than expected, though it is acknowledged that Stage 2 complaints often require additional time to investigate thoroughly – providing complainants receive communication about any delays. Regrettably, the capacity to communicate with complainants and provide regular updates was beset by difficulties due to the pressures on the services, as referred to above.
- 7.6 Consequently, this resulted in complainants escalating their complaints to the Ombudsman far earlier, which ultimately led to the increase in general activity referred to the Ombudsman, as well as the substantial number of Early Resolution agreements.

- 7.7 It must also be noted that the complexity of the contact received by the Complaints and FOI Service during 2021-2022 was far greater than experienced in previous years. For instance, a number of Enquiries received, required substantial input from the Complaints and FOI Service, because they did not necessarily fall under the scope of the complaints policies. Such cases still generated a considerable amount of work (i.e. to explain why the complaints process could not be engaged, for whatever reason) as well as attempts to liaise with colleagues to resolve the issues being raised. For example, complaints about actions taken by the Council entirely legitimately (i.e. in accordance with policy and legislation) cannot be considered under the complaints policies, because they are considered to be a 'properly made decision'. In addition, a number of complaints were received whereby the complainant did not have the consent of the service-user, or their complaint related to the actions of third parties, as opposed to the Council. Such cases still require resolution of some sort and, in some instances, investigations will be undertaken, albeit outside of the complaints processes.
- 7.8 Two complaints were received in relation to the Welsh Language during 2021-2022, both of which related to instances whereby the service-users' preferred language of choice (Welsh) was not observed. Both complaints were promptly and satisfactorily resolved at Stage 1 and the relevant services involved in these cases had implemented measures to raise staff awareness and ensure future compliance with the Welsh Language Measures.
- 7.9 As referred to previously, the number of complaints referred to the Ombudsman was unprecedented (52 received in 2021-22, compared with 32 in 2020-21), as were the number of Early Resolution agreements (13 in total). On a more positive note however, 16 cases were closed following initial consideration by the Ombudsman, supporting the actions that were taken by the Council during its management of the complaint. A further 13 cases were premature (meaning that the complainant(s) had not yet exhausted the Council's own complaints process), and 4 cases were outside of the Ombudsman's jurisdiction.
- 7.10 Further analysis of all Ombudsman activity shows that 72% of cases did not require any intervention at all by the Ombudsman. Whilst it is acknowledged that there were far more cases resulting in Early Resolution agreements during 2021-2022 (13 in total); considering the additional 20 Ombudsman cases received over the course of the year, and the Council's ability to fulfil the agreements without invoking a formal investigation demonstrates the determination of officers to put things right.
- 7.11 Refuse Collection and Household Waste Sites continues to occupy the top of the list in terms of the service which received the highest number of Stage 1 complaints, closely followed by Planning (including Planning Enforcement) and Council Tax and Housing Benefit, having received 7 Stage 1 complaints each. The top three services share almost half of all Stage 1 complaints received by the Council. As previously reported however, the nature of these services predisposes them to attract high numbers of complaints.
- 7.12 Less than half of all complaints were upheld during 2021-2022; compared with 54% in 2020-2021. This is positive and indicates that despite the increase in the number of complaints during the year, fewer were justified. That being said, fewer complaints were not upheld too, though some cases remained open at the end of the reporting period. Ten complaints were discontinued by complainants during the process.

- 7.13 It is acknowledged that further work is needed to capitalise on the opportunities arising from complaints, in particular, with regard to learning lessons and sharing good practice across the organisation. This will be further explored in the forthcoming reporting year, and it is anticipated that this will be evidenced within next year's annual report.
- 7.14 There is always room for improvement with regard to compliance with prescribed timescales – both in complaints and FOI/EIR. The number of FOI/EIR responses issued within the 20 working-day timescale has dipped to the lowest level recorded in recent times. As with last year, 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 existing work commitments; being unable to obtain hard-copies of some documents; lack of capacity within the Complaints and FOI Service (which undertakes the majority of the administrative task 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).
- 7.15 Combined with a slight increase in the number of FOI/EIR requests received, there was also a rise in cases that were referred to the Information Commissioner's Office (ICO). A total of 9 cases were referred to the ICO, which equates to 1% of all requests received. However, there is still room for improvement in this regard, particularly in terms of compliance – as referred to above.
- 7.16 In conclusion, compliance with the statutory timescales for complaints and FOI must be prioritised moving forwards, and as a consequence, FOI compliance and Ombudsman activity are both included in the Complaints and FOI Service's performance measures for 2022-2023.
- 7.17 The content of this report is less positive when compared with the Council's performance in relation to complaints and FOI over recent years. The increase in activity, across both services, is consistent with what other Local Authorities are experiencing – as acknowledged in the Ombudsman's Annual Letter. However, resources and effective working practices will be reviewed, to deliver a more efficient and transparent service to our citizens and service-users. This will be a priority for the Complaints and FOI Service for the forthcoming year.

Marie-Neige Hadfield
Complains and FOI Manager

11th October 2022

8. DATA

ITEM 1: BREAKDOWN OF COMPLAINTS BY SERVICE

Service and Departments	Stage 1	Stage 2	TOTAL
Schools			
➤ Schools	0	3	5
➤ ALN	0	1	
➤ Childcare Offer	1	0	
Finance & Procurement			
➤ Council Tax & Housing Benefit	7	3	10
Democratic Services			
➤ Corporate Service Support	1	0	3
➤ Electoral Services	2	0	
People & Organisation			
➤ Payroll	0	1	1
Porth Cymorth Cynnar			
➤ Wellbeing Centres	2	1	3
Porth Cynnal			
➤ Adult Team	2	1	24
➤ Children & Family Assessment	2	2	
➤ Safeguarding	2	6	
➤ Extended Support	4	5	
Porth Gofal			
➤ Fostering	1	0	5
➤ Porth Gofal Triage	1	0	
➤ Homelessness / Housing (Inc. DFG, Eco Flex)	1	2	
Policy, Performance & Public Protection			
➤ Food Safety	1	0	11
➤ Trading Standards	0	1	
➤ Environmental Health	2	2	
➤ Complaints & FOI Service	2	2	
➤ Licensing	1	0	
Highways & Environmental Services			
➤ Highway Maintenance / Improvements	6	2	36
➤ Mooring	0	1	

Service and Departments	Stage 1	Stage 2	TOTAL
➤ Refuse Collection & Household Waste Sites	15	9	
➤ Transport	3	0	
Economy & Regeneration			
➤ Coast and Countryside	0	1	23
➤ Planning (including Enforcement)	7	7	
➤ Complaint against Staff	0	1	
➤ Property Services	3	0	
➤ Covid-19 – Misc.	0	1	
➤ TPO	1	0	
➤ Estates	1	1	
Customer Contact			
➤ Customer Services	3	0	5
➤ Registration	1	0	
➤ ICT & Information Management	1	0	
Legal and Governance services			
	0	0	0
Multiple Service / Corporate			
	0	7	7
TOTAL NUMBER OF COMPLAINTS RECEIVED	73	60	133

ITEM 2: COMPLAINT OUTCOMES

Outcome	2021/22
> Investigation / Complaint discontinued or withdrawn	10
> Not upheld	43
> Upheld Whole or in Part	65
> Open / Ongoing	15
TOTAL	133

ITEM 3 – OMBUDSMAN CASES RESULTING IN EARLY RESOLUTION AGREEMENTS

Report Issued	Case Ref.	Service(s)	Ombudsman Report Details
28/04/21	202005090	Porth Cynnal	<p>Mr X complained that his computer equipment, which had previously been provided following the Council's assessment of his needs, was no longer fit for purpose. The Ombudsman noted that Mr X had mentioned that he was also homeless and no longer resident in the Council's area due to his safeguarding concerns about them but was seeking a reassessment of his needs.</p> <p>The Ombudsman was concerned that there was a lack of clarity around whether Mr X intended to return to the Council's area and correspondingly whether there was a duty to assess him and consider his homelessness. The Ombudsman considered that it was reasonable for Mr X to confirm his intention about returning to the Council's area, before considering whether there had been maladministration by the Council.</p> <p>The Ombudsman considered that the matter was open to early resolution, once this had been confirmed by Mr X. This would confirm whether the Council had a duty towards Mr X. If it did, the Ombudsman was pleased to note that the Council agreed within 8 weeks to commence a reassessment of Mr X's needs (including communication needs) and as part of this, consider his homelessness status.</p>
13/05/21	2020006242	Porth Cynnal	<p>Ms X complained that the Council had not responded to her concerns regarding the care she had been providing to her friends. Ms X said that support she had requested had not been supplied.</p> <p>The assessment found that the Council had not formally responded to Ms X's complaint. The Council agreed to do so but would first contact the complainant, within 10 working days, to clarify her complaint. The Council agreed to provide an update to this office on its progress with formal consideration of the complaint within 20 working days. The Council also agreed to identify any social care needs that the complainant or her friends had (subject to the necessary consents) and to take steps to put in place any appropriate support services as soon as possible.</p>
22/06/21	202100516	Porth Cynnal	<p>Miss X complained that Ceredigion County Council ("the Council") failed to address her complaint about Social Services in a timely manner.</p> <p>In considering Miss X's complaint, the Ombudsman was concerned about the significant delays in responding to her complaint, that she had not received a response, and was inconvenienced by the Council's actions. He decided to settle the complaint without an investigation.</p> <p>The Ombudsman sought and gained the Council's agreement to:</p> <ul style="list-style-type: none"> • Offer Miss X a 'time and trouble' payment of £150.

			<ul style="list-style-type: none"> • Provide Miss X with a formal apology for the failures identified in relation to the handling of her complaint. • Investigate her complaint in accordance with the Social Services complaints procedure. <p>The Council agreed to carry out these actions within 4 weeks.</p>
28/07/21	202102361	Policy, Performance & Public Protection (Complaint Handling)	<p>Mr X complained about the delay in the Council responding to his complaint and Freedom of Information request ("FOI"), submitted to it in March and April 2021 respectively.</p> <p>The Ombudsman decided that within 20 working days the Council should provide a response to Mr X's complaint and an update in respect of his FOI request.</p> <p>The Ombudsman considered this to be an appropriate resolution to the complaint.</p>
09/08/21	202101675	Economy & Regeneration	<p>Mrs A complained about Ceredigion County Council's actions in relation to planning and enforcement issues in relation a housing development on land adjacent to her home and in particular, that the ground levels had been raised. Mrs A further complained about delays in complaint handling, the Council's poor communication and that questions raised were not fully answered.</p> <p>The Ombudsman found that there was insufficient evidence of maladministration in the planning or enforcement process to warrant investigation. There appeared to be unexplained delay in the complaints handling process, but an apology had already been provided by the Council. However, the complaint response lacked detail and explanation about how the decision had been reached and the Council had not responded to additional questions raised by Mrs A.</p> <p>The Ombudsman decided to settle the complaint without an investigation. He sought and gained the Council's agreement to provide Mrs A, within 20 working days, with a fuller complaint response, addressing the specific concerns raised with the planning department including a better explanation as how the ground levels were calculated, a written response to the queries raised with the Complaints Department by and an apology for the Council's failure to address the supplementary questions raised.</p>

20/08/21	202102036	Porth Cynnal and Policy, Performance & Public Protection (Complaint Handling)	<p>Miss X complained that the Council had not provided her with a response to her Social Services complaint which had been submitted to it in November 2020.</p> <p>The Ombudsman was concerned that Miss X had not received a formal response to her complaint and that she had been inconvenienced by the Council's actions. He decided to settle the complaint without an investigation.</p> <p>The Ombudsman sought and gained the Council's agreement to:</p> <ul style="list-style-type: none"> • Provide Miss X with an apology for the delay in responding to her complaint • Provide Miss X with an explanation for the delay • Provide Miss X with a complaint response • Offer Miss X £200 in recognition for the time and trouble in making her complaint <p>The Council agreed to complete the recommendations within 2 weeks.</p>
17/09/21	202102202	Economy & Regeneration and Policy, Performance & Public Protection (Complaint Handling)	<p>Mr X complained that Ceredigion County Council ("the Council"), acting as planning authority, had failed to take enforcement action regarding an unauthorised development on neighbouring land, which he reported in 2019. The Council had then (in 2020), granted retrospective planning consent which it later confirmed to be an error on its part (as it had intended to refuse the application). Since, Mr X said that the landowner had been allowed additional time by the Council to acquire further land to meet the terms of the permission granted but had seemingly not done so within the time permitted. Mr X further complained that the Council had failed to keep him informed and had failed to explain to him why it had not taken further action against the developer for failing to acquire the land or what it proposed to do.</p> <p>In considering the complaint, the Ombudsman acknowledged the error that the Council accepted had happened. He was concerned about the delay that had since occurred as well as the lack of update information provided to Mr X. He considered this to amount to maladministration and to be a serious injustice to Mr X, given he had first raised concerns in 2019. Recognising his jurisdictional limitations in planning matters (in that he cannot question professional judgement, or direct the Council to take enforcement action), the Ombudsman considered the complaint capable of being resolved on the basis of the following action, as an alternative to investigation.</p> <p>The Council agreed, within 1 month to:</p> <ol style="list-style-type: none"> (a) Apologise in writing to Mr X (through a Senior Officer) for the maladministration that had occurred. (b) Provide Mr X (separately or combined within the above) with a detailed explanation as to what had happened since the Council's decision to allow time for land acquisition, and how the issue is to be determined and brought to a conclusion. (c) Offer Mr X redress in the total sum of £1,500 for the injustice caused to him by the maladministration, as well as his time and trouble in pursuing his complaints with both the Council and the Ombudsman.

21/09/21	202102648	Economy & Regeneration	<p>Mr X complained that Ceredigion County Council (“the Council”) had failed to undertake a timely assessment of an alleged planning breach and to, if appropriate, take enforcement action.</p> <p>The Ombudsman contacted the Council and secured its agreement to, by no later than 1 November 2021, both respond to the complainant about its findings in respect of the alleged breach, and to offer both an explanation of and apology for the delay in doing so.</p>
06/10/21	202104213	Finance & Procurement and Policy, Performance & Public Protection (Complaint Handling)	<p>Mr X complained that the Council had not responded to his complaint submitted to it in April 2021 regarding issues with his council tax payments.</p> <p>The Ombudsman decided that the Council should provide Mr X with a stage two response (within 3 weeks) which should include an explanation for the delay. The Council will also perform an assessment to determine whether Mr X has lost out financially because of the delay. It will also consider a time and trouble payment for having to follow up on this matter and for contacting the Ombudsman.</p> <p>The Ombudsman considered this to be an appropriate resolution to the complaint instead of conducting an investigation.</p>
21/10/21	202104158	Economy & Regeneration	<p>Mr X complained that the Council failed to communicate progress about enforcement action in a timely manner. Mr X also complained about a lack of response to his complaint letter sent to the Council in June 2021.</p> <p>The Ombudsman decided that the Council should contact Mr X to discuss his complaint and obtain as necessary a copy of his complaint letter. It will then issue its formal (“stage two”) response in line with its internal complaint process within 20 working days.</p> <p>The Ombudsman considered this to be an appropriate resolution to the complaint instead of conducting an investigation.</p>
25/01/22	202106308	Porth Cynnal and Policy, Performance & Public Protection (Complaint Handling)	<p>Miss X complained that the Council failed to meet her son and her child’s needs. Miss X was also unhappy that a stage 2 investigation was not carried out in a timely manner after a request was put to the Council.</p> <p>The Ombudsman was concerned that the Council had not escalated Miss X’s complaint to a stage 2 investigation (under the Social Services Complaints Regulations) when requested and contacted the Council to resolve this. The Ombudsman therefore asked the Council to issue Miss X with an apology for not escalating her complaint on request, and to appoint an Independent Investigation Officer to undertake a stage 2 investigation.</p> <p>The Council agreed by 28 February to:</p> <ul style="list-style-type: none"> (i) apologise to Miss X for failing to escalate her complaint and (ii) to escalate Miss X’s complaint to stage 2 and to appoint an Independent Investigation Officer to undertake the investigation.

07/02/22	202106906	Policy, Performance & Public Protection (Complaint Handling)	<p>Miss X complained that the Council failed to respond to her complaint about social services, and further failed to respond to her letters.</p> <p>The Ombudsman decided that the Council should contact Miss X (within 5 days) to establish if she would like her complaint dealt with at stage 1 or 2 of the social services complaints procedure. Thereafter, it should handle Miss X's complaint in accordance with the statutory timeframes. It should also apologise to Miss X for failing to respond to her letters.</p> <p>The Ombudsman considered this to be an appropriate resolution to the complaint instead of conducting an investigation.</p>
23/03/22	202107539	Policy, Performance & Public Protection (Complaint Handling)	<p>Ms X complained that the Council had failed to investigate and respond to her complaint about an increase in nursing home fees.</p> <p>In considering the complaint, the Ombudsman was concerned that the Council had not responded to Ms X despite informing her in August 2021 that enquiries were being made. As an alternative to an investigation, the Ombudsman asked the</p> <p>Council to complete the following in settlement of Ms X's complaint: By 21 April 2022, a) Provide Ms X with an apology for failing to respond b) Provide Ms X with a full response to her email</p>

Ask for: Communications

 01656 641150

Date: August 2022

 communications@ombudsman.wales

Cllr. Bryan Davies
Ceredigion County Council
By Email only: bryan.davies@ceredigion.go.uk

Annual Letter 2021/22

Dear Councillor Davies

I am pleased to provide you with the Annual letter (2021/22) for Ceredigion County Council which deals with complaints relating to maladministration and service failure, complaints relating to alleged breaches of the Code of Conduct for Councillors and the actions being taken to improve public services

This is my first annual letter since taking up the role of Public Services Ombudsman in April 2022, and I appreciate that the effects of the pandemic are still being felt by all public bodies in Wales. Our office has not been immune from this, with records numbers of cases being referred to us over the last two years. The strong working relationships between my Office and local authorities continues to deliver improvements in how we are dealing with complaints and ensuring that, when things go wrong, we are learning from that and building stronger public services.

Complaints relating to Maladministration & Service Failure

Last year the number of complaints referred to us regarding Local Authorities increased by 47% (compared to 20/21 figures) and are now well above pre-pandemic levels. It is likely that complaints to my office, and public services in general, were suppressed during the pandemic, and we are now starting to see the expected 'rebound' effect.

During this period, we intervened in (upheld, settled or resolved at an early stage) a similar proportion of complaints about public bodies, 18%, when compared with recent years. Intervention rates (where we have investigated complaints) for Local Authorities also remained at a similar level – 14% compared to 13% in recent years.

Complaints relating to the Code of Conduct for Councillors

We also received a high number of Code of Conduct complaints last year, relating to both Principal Councils and Town and Community Councils. A record number (20) were referred to either the Adjudication Panel for Wales or local standards committees, due to evidence of a breach of the Code.

Supporting improvement of public services

In addition to managing record levels of complaints, we also continued our work using our proactive powers in the Public Services Ombudsman (Wales) Act 2019. Specifically undertaking our first Own Initiative Investigation and continuing our work on the Complaints Standards Authority.

October 2021 saw the publication of the first own initiative investigation in Wales: [Homelessness Reviewed](#). The investigation featured three Local Authorities and sought to scrutinise the way Homelessness assessments were conducted. The report made specific recommendations to the investigated authorities, as well as suggestions to all other Local Authorities in Wales and Welsh Government. Some of these recommendations will bring about immediate change – updating factsheets and letter and assessment templates to ensure that key equality and human rights considerations are routinely embedded into processes for example – all the recommendations were designed to bring about tangible change to people using homelessness services in Wales.

The Complaints Standards Authority (CSA) continued its work with public bodies in Wales last year. The model complaints policy has already been adopted by local authorities and health boards in Wales, we have now extended this to an initial tranche of Housing Associations and Natural Resources Wales. The aim being to implement this work across the Welsh public sector.

In addition to this, the CSA published information on complaints handled by local authorities for the [first time](#) – a key achievement for this work. The data for 21/22 showed:

- Over 15,000 complaints were recorded by Local Authorities
- 4.88 for every 1000 residents.
- Nearly half (46%) of those complaints were upheld.
- About 75% were investigated within 20 working days.
- About 8% of all complaints closed ended up being referred to PSOW.

The CSA has now implemented a model complaints policy with nearly 50 public bodies, and delivered 140 training sessions, completely free of charge, during the last financial year. The feedback has been excellent, and the training has been very popular - so I would encourage Ceredigion County Council to engage as fully as possible.

Complaints made to the Ombudsman

A summary of the complaints of maladministration/service failure received relating to your Council is attached, along with a summary of the Code of Conduct complaints relating to members of the Council and the Town & Community Councils in your area.

In light of the new duties on political leaders and standards committees to promote and maintain high standards of conduct of their members, we look forward to working with you, your Monitoring Officer and standards committees to share any learning from the complaints we receive and to support your authority's work.

I would also welcome feedback on your Governance & Audit Committee's review of your authority's ability to handle complaints effectively so that we can take this into account in our work and support its work on the handling of complaints.

Finally, can I thank you and your officials for the positive way that local authorities have engaged with my Office to enable us to deliver these achievements during what has been a challenging year for everyone. I very much look forward to continuing this work and collaboration to ensure we further improve public services across Wales.

Further to this letter can I ask that your Council takes the following actions:

- Present my Annual Letter to the Cabinet and to the Governance & Audit Committee to assist members in their scrutiny of the Council's performance and share any feedback from the Cabinet and the Governance & Audit Committee with my office.
- Continue to engage with our Complaints Standards work, accessing training for your staff, fully implementing the model policy, and providing complaints data.
- Inform me of the outcome of the Council's considerations and proposed actions on the above matters by 30 September.

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,



Michelle Morris

Public Services 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	14	0.20
Bridgend County Borough Council	55	0.37
Caerphilly County Borough Council	60	0.33
Cardiff Council*	182	0.50
Carmarthenshire County Council	54	0.29
Ceredigion County Council	52	0.72
Conwy County Borough Council	27	0.23
Denbighshire County Council	34	0.36
Flintshire County Council	99	0.63
Gwynedd Council	39	0.31
Isle of Anglesey County Council	29	0.41
Merthyr Tydfil County Borough Council	27	0.45
Monmouthshire County Council	20	0.21
Neath Port Talbot Council	45	0.31
Newport City Council	40	0.26
Pembrokeshire County Council	39	0.31
Powys County Council	55	0.42
Rhondda Cynon Taf County Borough Council	51	0.21
Swansea Council	71	0.29
Torfaen County Borough Council	18	0.19
Vale of Glamorgan Council	61	0.46
Wrexham County Borough Council	71	0.52
Total	1143	0.36

* inc 17 Rent Smart Wales

Appendix B - Received by Subject

Ceredigion County Council	Complaints Received	% Share
Adult Social Services	6	12%
Benefits Administration	0	0%
Children's Social Services	3	6%
Community Facilities, Recreation and Leisure	1	2%
Complaints Handling	14	27%
Covid19	3	6%
Education	2	4%
Environment and Environmental Health	5	10%
Finance and Taxation	2	4%
Housing	0	0%
Licensing	0	0%
Planning and Building Control	10	19%
Roads and Transport	5	10%
Various Other	1	2%
Total	52	

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	4	13	16	13	0	0	0	0	46
% Share	9%	28%	35%	28%	0%	0%	0%	0%	

Appendix D - Cases with PSOW Intervention

	No. of interventions	No. of closures	% of interventions
Blaenau Gwent County Borough Council	0	13	0%
Bridgend County Borough Council	7	54	13%
Caerphilly County Borough Council	7	58	12%
Cardiff Council	45	159	28%
Cardiff Council - Rent Smart Wales	1	16	6%
Carmarthenshire County Council	7	49	14%
Ceredigion County Council	13	46	28%
Conwy County Borough Council	2	24	8%
Denbighshire County Council	4	33	12%
Flintshire County Council	15	94	16%
Gwynedd Council	6	41	15%
Isle of Anglesey County Council	3	28	11%
Merthyr Tydfil County Borough Council	2	26	8%
Monmouthshire County Council	2	21	10%
Neath Port Talbot Council	5	45	11%
Newport City Council	4	36	11%
Pembrokeshire County Council	2	40	5%
Powys County Council	7	55	13%
Rhondda Cynon Taf County Borough Council	3	45	7%
Swansea Council	10	76	13%
Torfaen County Borough Council	2	20	10%
Vale of Glamorgan Council	9	62	15%
Wrexham County Borough Council	4	67	6%
Total	160	1108	14%

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	2	2	0	0	0	0	4

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
Llangoedmor Community Council	0	1	0	0	0	0	1
Llansantffraed Community Council	0	0	0	1	0	0	1
New Quay Town Council	0	1	0	0	0	0	1
Trefeurig Community Council	-	-	-	-	-	-	0

Information Sheet

Appendix A shows the number of complaints received by PSOW for all Local Authorities in 2021/2022. 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 2021/2022. 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 2021/2022. 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 2021/2022. 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.

Ceredigion County Council

REPORT TO: Cabinet

DATE: 1 November 2022

LOCATION: Hybrid

TITLE: Annual Report of Compliments, Complaints and Freedom of Information Activity 2021/2022

PURPOSE OF REPORT: To provide feedback from the Corporate Resources Overview and Scrutiny Committee held on 3 October 2022

BACKGROUND:

At its 3 October 2022 meeting, Members of the Corporate Resources Overview and Scrutiny Committee considered the Compliments, Complaints and Freedom of Information Activity 2021/2022 Annual Report.

During discussion, it was noted that:

- Although the Ombudsman complaints increased in comparison with previous years, and 13 of these were resolved by way of Early Resolution agreements, the Ombudsman did not refer any complaints for formal investigation and as such, no formal reports were issued by them,
- Refuse Collection and Household Waste Sites continues to be the main reason for Complaints received at Stage 1; closely followed by Planning (including Planning Enforcement) and Council Tax and Housing Benefit. These three services account for 40% of all Stage 1 complaints received,
- **A Committee Member referred to page 29 of the annual report, point 4 LEARNING LESSONS FROM COMPLAINTS, 4.1 - *The table below consists of a sample of some of the lessons learned from complaints during 2021/22* and suggested that greater detail on lessons learnt be provided in the next report. In response to this, an Officer confirmed that the Team will be reporting twice yearly in future.**

Members were pleased that the Team has identified the following areas to focus on:

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

Following discussion, Committee Members were asked to consider the following recommendation:

- The Scrutiny Committee is asked to note the contents of this report in advance of its presentation at the Cabinet meeting on 1st November 2022.

RECOMMENDATION/S:

Committee Members agreed to recommend that Cabinet:

1. note and endorse the contents of the Annual Report of Compliments, Complaints and Freedom of Information Activity – 2021/2022 and note the Ombudsman’s Annual Letter for 2021-2022;
2. request that the team avoid using % figures where possible in future as it distorts the relatively low level of complaints received; and;
3. that greater detail in Section 4 (referred to on page 1 above and shown in bold) on lessons learnt be provided in the next report.

The Chairman thanked the Officers and the Leader of the Council for attending and presenting at the meeting.

Councillor Rhodri Evans
Chairman of the Corporate Resources Overview and Scrutiny Committee