

CEREDIGION COUNTY COUNCIL

Report to: Cabinet

Date of meeting: 7th March 2023

Title: Half Year Report of Compliments, Complaints and Public Services Ombudsman for Wales activity (2022/2023)

Purpose of the report: To inform the Cabinet Committee of Elected Members of the Council's performance in relation to complaints activity received in the first six months of the reporting year: 1st April 2022 – 30th September 2022. This is in accordance with the requirements stipulated by the Complaints Standards Authority (CSA), under the Public Services Ombudsman (Wales) 2019 Act.

For: Information

Cabinet Portfolio and Cabinet Member: Councillor Bryan Davies, Leader of the Council and Cabinet Member for Democratic Services, Policy, Performance and People and Organisation

Introduction

This report provides information relating to the work of the Council's Complaints and FOI Service between **1st April 2022 and 30th September 2022**. The report itself is attached as **Appendix 1**, and includes information about the number of compliments received, along with some examples of these; as well as information about the number and types of complaints received, the Council's performance in relation to complaints handling, complaint outcomes and any lessons learned. There is also a section regarding the contact received from the Public Services Ombudsman for Wales ("the Ombudsman") during the reporting period.

Summary of activity for the first half of 2022 - 2023

- **95** Compliments were received
- **66** Complaints were received: **Stage 1 = 40** **Stage 2 = 26**
- **16** 'Contacts' received via the Public Services Ombudsman for Wales
- **206** Enquiries were processed by the Complaints & FOI Service
- **413** FOI & EIR requests processed by the Complaints & FOI Service

1. The number of complaints received during this reporting period (66) is similar to the number received in both the first and second half of 2021/22 (62 and 71 respectively).

2. The number of enquiries managed by the Complaints and FOI Service has increased slightly in the first half of 2022/23 compared with both the first and second halves of 2021/22, with an increase of 6% compared to the first half of 2021/22, and an increase of 18% when comparing to the second half of 2021/22.
3. Stage 1 complaints rose by 8 (an increase of 25%) compared with the first half of 2021/22. However, there was a fall in the number of complaints investigated at Stage 2 (a decrease of 4, or 13%).
4. The number of complaints referred to the Ombudsman has decreased compared to the number referred within both the first and second halves of 2021/22. 9 complaints were closed after initial consideration (56%), with 1 case deemed as 'Premature' (6%). The remaining 6 cases were resolved by way of 'Early Resolution' (38%).
5. A smaller proportion of complaints were upheld during the first half of 2022/23, 41% compared with 49% of all complaints received in 2021/22. 33% of complaints received during this reporting period were not upheld, which is a similar proportion compared with 2021/22 where 31% of complaints were not upheld. There has, however, been an increase in the number of complaints that have either been discontinued or withdrawn, with 20% being discontinued/withdrawn during the first half of 2022/23 compared with 8% of all cases from 2021/22.

Wellbeing of Future Generations:	<p>Has an Integrated Impact Assessment been completed? If, not, please state why</p> <p>Summary: Long term: Collaboration: Involvement: Prevention: Integration:</p>	<p>No – no changes to policy, procedures or legislation.</p>
Recommendation(s):	<p>Review, assess and endorse the contents of the Half Year Report of Compliments, Complaints and Freedom of Information (1st April – 30th September 2022)</p>	
Reasons for decision:	<p>To keep Cabinet members aware of the Council's performance and management of compliments and complaints activity.</p>	
Overview and Scrutiny:	<p>N/A</p>	
Policy Framework:	<p>Concerns and Complaints Policy Social Services Complaints Policy and Procedures</p>	
Corporate Well-being Objectives:	<p>N/A</p>	

Finance and Procurement implications:	N/A
Legal Implications:	N/A
Staffing implications:	N/A
Property / asset implications:	N/A
Risk(s):	Potential for reputational damage and mistrust of general public if complaints are not managed correctly.
Statutory Powers:	N/A
Background Papers:	N/A
Appendices:	Appendix 1 – Compliments and Complaints mid-year report
Corporate Lead Officer:	Alun Williams, Corporate Lead Officer for Policy, Performance and Public Protection
Reporting Officer:	Marie-Neige Hadfield, Complaints and FOI Manager
Date:	16 th February 2023

Cyngor Sir CEREDIGION County Council

Compliments and Complaints Half Year Report
1st April 2022 – 30th September 2022

1. INTRODUCTION

- 1.1 This report will provide information relating to the numbers of compliments and complaints that were received by the Council during the period 1st April 2022 to 30th September 2022. **Section 2** of this report provides information relating to compliments received and **Section 3** shows some trends, themes and performance regarding the numbers, timescales and outcomes of Complaints received. **Section 4** gives details of all cases involving the Public Services Ombudsman for Wales (*“the Ombudsman”*). **Section 5** provides a Summary and Conclusions of the data provided in the report.

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 The table below shows the number of compliments that were recorded by each Service during the first half of 2022/23.

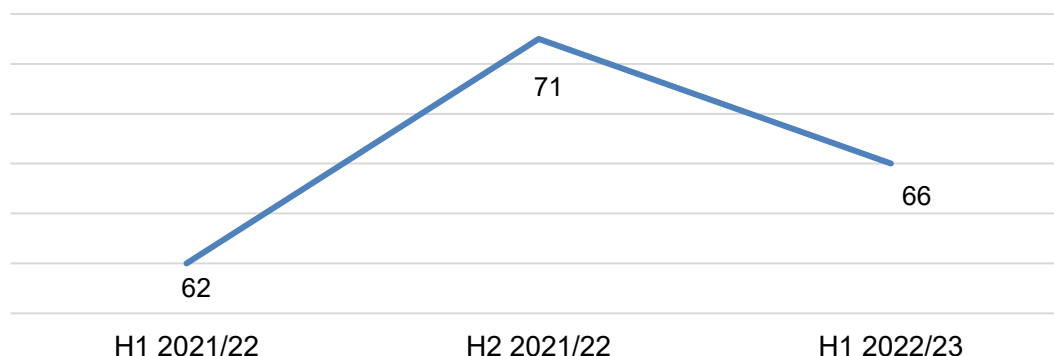
Service	Half Year 1 2022/23
Democratic Services	1
Schools & Culture	2
Policy, Performance & Public Protection	3
Customer Contact	3
Economy & Regeneration	4
Porth Gofal	6
Porth Cymorth Cynnar	9
Highways & Environmental Services	11
Porth Cynnal	28
Corporate	28
Total	95

3. COMPLAINTS RECEIVED

3.1 Total number of complaints received

The chart below shows the total number of complaints received during the first half of 2022/23 that were processed in accordance with the two-stage complaints policies. Comparisons are given in respect of the two halves of 2021/22.

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 2021/22 and the first half of 2022/23 in the table below.

Year	Stage 1	Stage 2	Total
Half Year 1 2021/22	32	30	62
Half Year 2 2021/22	41	30	71
Half Year 1 2022/23	40	26	66

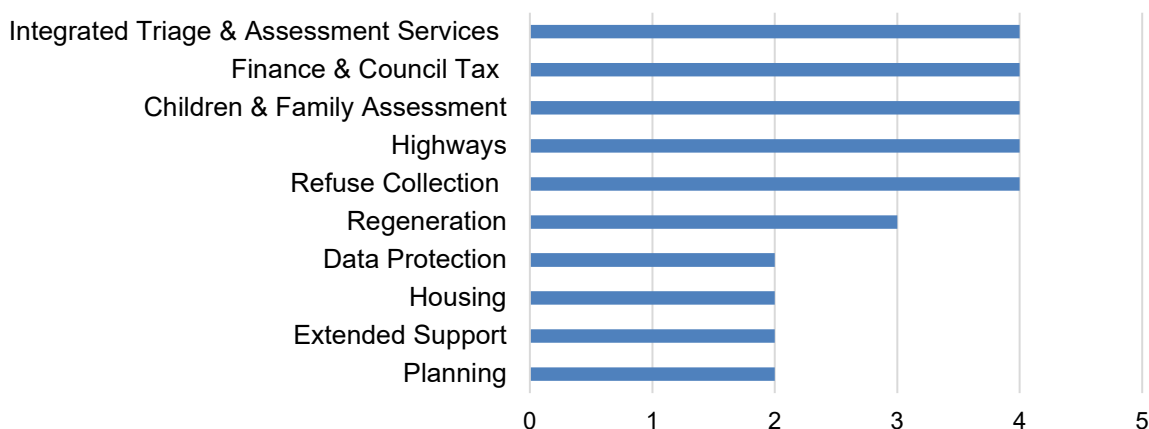
3.3 Welsh Language Complaints

During the first half of 2022/23 the Council received no complaints specifically relating to the provision (or lack thereof) of Welsh Language services across the Council.

3.4 Top Ten Sections with highest number of complaints in the first half of 2022/23

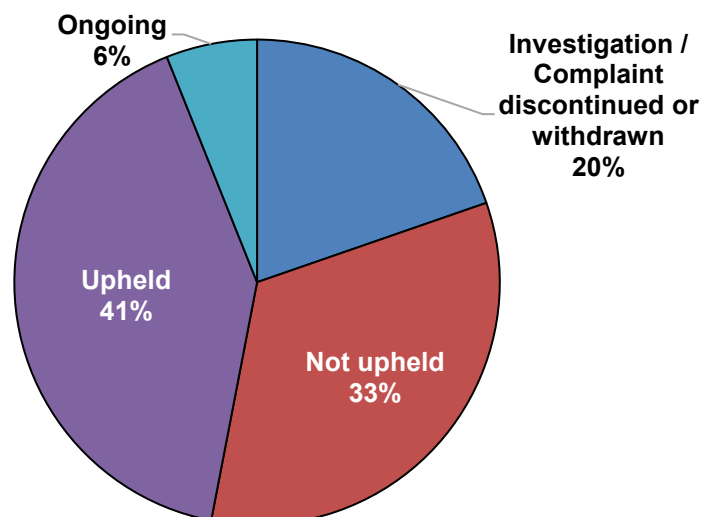
The chart below shows the top ten sections of the Council that receive the highest number of complaints at Stage 1. In accordance with Welsh Government guidance, ascertaining the subject areas complained about the most enables identification of trends – both internally and for national comparison.

Top 10 Stage 1 Complaints by Section



3.5 Complaint Outcomes

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



3.6 Timescales

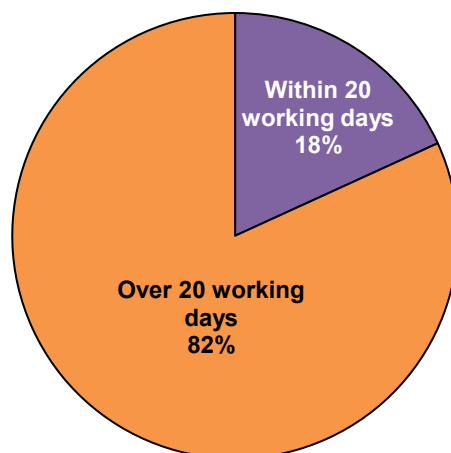
The Council is required to respond to all complaints in a timely manner and in any event, within the timescales stipulated by policy. It is important to note that there is a degree of flexibility afforded under Stage 2, particularly in the interests of ensuring thorough and robust investigations are undertaken, which often take longer to complete.

3.7 Stage 1 – A total of **40** Stage 1 complaints were dealt with 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 **21** of the **24** corporate complaints at this stage were addressed within the prescribed timescales. **3** complaints should have been escalated to Stage 2 when the ten-working-day timescale was exceeded, however, the response under Stage 1 was issued to these complaints on the 11th working day, and complainants had an opportunity to escalate their concerns to Stage 2 of the policy should they feel that their complaint was not suitably addressed.

3.8 Escalation from Stage 1 to Stage 2 due to timescale – Of the **22** corporate complaints dealt with at Stage 2 during this reporting period, **5** were automatically escalated from Stage 1 due to exceeding the 10-working day timescale. This equates to **23%** of all corporate Stage 2 complaints investigated.

3.9 Stage 2 – A total of **26** complaints were received at Stage 2. Of these, **4** 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 4 Social Services complaints, **one** remains open, **one** was withdrawn by the complainant, and the remaining **2** cases 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. COMPLAINTS MADE TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES

- 4.1** 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.
- 4.2** 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.
- 4.3** The Council has limited control over service-users contacting the Ombudsman directly.
- 4.4** 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).
- 4.5** Number of complaints made to the Ombudsman in the first half of 2022/23 by primary subject:

Subject	No. of Ombudsman complaints 2021/22	No. of Ombudsman complaints Half Year 1 2022/23
Customer Service	0	1
Planning & building control	10	2
Adult Social Services	6	5
Environment & Environmental Health	5	0
Roads & transport	5	1
Children's Social Services	3	0
COVID-19	3	1
Education	2	1
Finance and Taxation	2	1
Communities, facilities, recreation and leisure	1	1
Multi-Service Complaints	1	3

Complaint Handling	14	0
TOTAL	52	16

Categorisation of complaints made to the Ombudsman in the first half of 2022/23 are subject to change once the Annual Letter is received for 2022/23

- 4.6** The Ombudsman received **16** complaints about the Council during the course of this reporting period. The Ombudsman has not commenced an investigation into any of these cases. Of the 16 complaints referred to the Ombudsman, **9** cases were closed after initial consideration; **1** case was deemed 'Premature' and was referred back to the Council for investigation; and **6** Early Resolution agreements were reached, in order for the Council to be able to resolve the complaint to the Ombudsman's satisfaction.
- 4.7** As referred to above, there were no formal investigations undertaken by the Ombudsman for this reporting period. However, 6 Early Resolution agreements were reached. 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. SUMMARY & CONCLUSIONS

- 5.1** In summary, the main headlines of this report are as follows:
- **95** Compliments were received
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 - **16** 'Contacts' received via the Public Services Ombudsman for Wales
 - **206** Enquiries were processed by the Complaints & FOI Service
- 5.2** The number of complaints received during this reporting period (66) is similar to the number received in both the first and second half of 2021/22 (62 and 71 respectively).
- 5.3** The number of enquiries managed by the Complaints and FOI Service has increased slightly in the first half of 2022/23 compared with both the first and second halves of 2021/22, with an increase of 6% compared to the first half of 2021/22, and an increase of 18% when comparing to the second half of 2021/22.
- 5.4** Stage 1 complaints rose by 8 (an increase of 25%) compared with the first half of 2021/22. However, there was a fall in the number of complaints investigated at Stage 2 (a decrease of 4, or 13%).
- 5.5** As referred to previously, the number of complaints referred to the Ombudsman has decreased compared to the number referred within both the first and second halves of 2021/22. 9 complaints were closed after initial consideration (56%), with 1 case deemed as 'Premature' (6%). The remaining 6 cases were resolved by way of 'Early Resolution' (38%).
- 5.6** A smaller proportion of complaints were upheld during the first half of 2022/23, 41% compared with 49% of all complaints received in 2021/22. 33% of complaints received during this reporting period were not upheld, which is a similar proportion compared with 2021/22 where 31% of complaints were not upheld. There has, however, been an increase in the number of complaints that have either been discontinued or withdrawn, with 20% being discontinued/withdrawn during the first half of 2022/23 compared with 8% of all cases from 2021/22.