

CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Cabinet

Date of meeting: 7th November 2023

Title: Annual Report of Compliments, Complaints, and Freedom of Information (2022-2023)

Purpose of the report: To provide Cabinet with a comprehensive overview of the Compliments, Complaints and Freedom of Information (FOI) activity (including Environmental Information Regulations - EIR) received by the Local Authority between 1st April 2022 and 31st March 2023. This report also provides information about the complaints activity referred to the Public Services Ombudsman for Wales during this reporting period.

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 Council's Compliments, Complaints and FOI activity between 1st April 2022 and 31st March 2023. The report itself is listed as **Appendix 1** and 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.

A report detailing the compliments and complaints activity in relation to Social Services is included as **Appendix 2**, and information about the Lessons Learned as a consequence of (corporate) complaints is provided within **Appendix 3**. The main report consists of a section about the contact received from the Public Services Ombudsman for Wales ("the Ombudsman") during the reporting period. The Ombudsman's Annual Letter to the Council is included as **Appendix 4**, and this gives further details about all Ombudsman activity for Ceredigion, as well as for other Councils across Wales. For information, a formal response will be issued to the Ombudsman, following discussions at the Cabinet Committee Meeting to confirm that the actions contained in her letter have all been met.

Appendix 5 provides a summary of all Early Resolution / Voluntary Settlement cases that were proposed by the Ombudsman during the reporting year, all of which were agreed by the Council.

This report was presented to the Governance and Audit Committee Meeting on 27th September 2023, and subsequently, at the Corporate Resources Overview and Scrutiny Committee Meeting on 19th October 2023. The contents of this report was noted by both committees.

This is the fourth consecutive report where there have been no Ombudsman investigations commenced or formal reports issued in relation to complaints made against the Council. Whilst there were fewer Ombudsman referrals during this reporting year, the Council has a consistently high rate of Early Resolution/Voluntary Settlements.

It is therefore acknowledged that challenges remain in relation to the complexity and volume of the work processed by the Complaints and FOI Team, which inevitably has an impact on the team's ability to meet performance objectives in relation to statutorily prescribed timescales.

Brief Overview:

- ↑ 465 Compliments were received
- ↑ 403 Enquiries were processed by the Complaints & FOI Service
- ↑ 144 Complaints were received: **Stage 1 = 96** **Stage 2 = 48**
- ↓ 35 'Contacts' received via the Public Services Ombudsman for Wales
- ↑ 882 FOI & EIR requests processed by the Complaints & FOI Service

Current Situation

- There were significantly more Compliments received during this reporting period. Improving the way that compliments are captured remains a piece of work that the Complaints and FOI Team needs to undertake, but this is being delayed due to capacity constraints.
- The service received a greater number of enquiries – many of which were either allocated back to the service areas to resolve pro-actively, or formal responses were required in order to explain why such matters could not be dealt with under the complaints procedures.
- It is worth noting that the number of complaints received by the Council was the third lowest in Wales.
- A great deal of work is needed to prevent Stage 1 complaints from escalating to Stage 2 unnecessarily on account that it has not been possible to respond within the prescribed timescale of ten-working-days.
- Compliance with timescales under Stage 2 also requires attention, as do the shortcomings in complaints handling that were referred to the Ombudsman. The Complaints and FOI Team continues to face challenges in meeting the demands of rises in the numbers of compliments, complaints, and FOI activity.
- As acknowledged above, there were fewer Ombudsman referrals than last year, but the number of Early Resolution / Voluntary Settlements is the highest in Wales.
- Complaints about Refuse Collection and Planning matters continue to be the main reasons for complaints; however, these services are predisposed to attracting complaints and these must be taken in context with the level of activity undertaken by these two service areas.
- Compliance with Freedom of Information (FOI) and Environmental Information Regulations (EIR) timescales requires significant improvement.

Areas to focus on

- Improving adherence with timescales prescribed in complaints and FOI/EIR policies/legislation
- Increase the resilience within the Complaints and FOI Team
- Reinforce the principle that complaints are owned throughout the Council
- Deliver a comprehensive training programme on complaints handling
- Improving system for capturing compliments and data surrounding lessons learned
- Continuing with open, transparent, and citizen-centred approach to resolving concerns

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.

No IIA has been completed because there is no policy or service change proposed within this report.

Summary of Integrated Impact Assessment:

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 2022-23 (Appendix 1)
2. To note the contents of the Ombudsman's Annual Letter (Appendix 4)
3. To agree to continue engaging with the Ombudsman's Complaints Standards Authority work – including accessing training and providing performance data
4. To inform the Ombudsman of the outcome of the Council's considerations and proposed actions
5. To note the feedback from the Corporate Resources Overview and Scrutiny Committee, whereby the Committee *'agreed to note the contents of this report in advance of its presentation at the Cabinet meeting on 7th November 2023.'*

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 appendices contained in this report were discussed at the Corporate Resources Overview and Scrutiny Committee Meeting on 19th October 2023.

Policy Framework:

Concerns and Complaints Policy
Social Services Complaints Policy and Procedures

Freedom of Information Policy
Environmental Information Regulations Policy

Corporate Well-being Objectives:

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):

There is a risk of reputational damage to the Local Authority in the event that the mechanisms for adhering to our statutory requirements in respect of complaints handling and information access rights (specifically FOI and EIR) are not robust.

Statutory Powers:

N/A

Background Papers:

N/A

Appendices:

Appendix 1 – Compliments, Complaints and FOI Report 2022-2023

Appendix 2 – Social Services Compliments and Complaints Report 2022-2023

Appendix 3 – Identifying Lessons from Complaints

Appendix 4 – Ombudsman’s Annual Letter (dated 17th August 2023)

Appendix 5 – Summaries of Ombudsman Early Resolution/Voluntary Settlements

Corporate Lead Officer:

Alun Williams, Corporate Lead Officer: Policy, Performance and Public Protection

Reporting Officer:

Marie-Neige Hadfield, Complaints & Freedom of Information Manager

Date:

23rd October 2023

Compliments, Complaints and Freedom of Information Report



Cyngor Sir
CEREDIGION
County Council

2022 – 2023

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1. Introduction

- 1.1 This report will provide information regarding the number of **Compliments, Complaints** and information requests received under the **Freedom of Information Act (FOIA) 2000**, and the **Environmental Information Regulations (EIR) 2004** during the period between 1st April 2022 and 31st March 2023.
- 1.2 Each section of the report will focus on the Council's management and performance of each of its statutory and procedural obligations in respect of complaints management and access to information rights that are within the responsibility of the Complaints and FOI Team. The various legislation/policies are outlined below:
 - * **Model Concerns and Complaints Policy (Corporate) 2020**
 - * **Social Services Complaints Procedure (Wales) Regulations 2014**
 - * **Freedom of Information Act 2000 (FOIA)**
 - * **Environmental Information Regulations 2004 (EIR)**
- 1.3 The Complaints and FOI Team is a small team, consisting of 3.8 staff members, and is responsible for the administrative function under the aforementioned legislation and policies, including any cases referred to the Public Services Ombudsman for Wales ("the Ombudsman"). The Complaints and FOI Team provides advice, assistance, and support to Council officers on a corporate level, as well as to schools – under a partnership agreement.
- 1.4 Following the formation of the **Complaints Standards Authority (CSA)** under the **Public Services Ombudsman (Wales) 2019 Act**, all public authorities across Wales are required to submit their complaints activity to the CSA on a quarterly basis. This information is freely available on the Ombudsman's [website](#).
- 1.5 The Council continues to work positively with the Ombudsman and Section 4 of this report will provide details of the **complaints that were referred to the Ombudsman** during this reporting year. It is worth noting that this is the fourth consecutive reporting period whereby there have been no formal investigations launched into a complaint against Ceredigion County Council. However, it is acknowledged that the Council has encountered the highest number of cases requiring Ombudsman intervention (compared with other Local Authorities). Such instances are referred to as Early Resolution/Voluntary Settlement decisions and will be addressed in greater detail below.
- 1.6 Pro-active resolution of any concerns received by citizens and service-users remains a high priority and every effort is made to achieve satisfactory outcomes when such instances are brought to our attention. Due to the continued efforts and positive collaboration between staff and managers across the Council, it is far more effective to resolve concerns when they are received as an 'enquiry', without needing to initiate the formal complaints procedure.

- 1.7 A total of **403 enquiries** were managed by the Complaints and FOI Team during this reporting period. However, the service does not yet have sufficient reporting capabilities that can identify how many of these enquiries subsequently required resolution via the (most appropriate) complaints procedure.
- 1.8 This report will provide some complaints information on a corporate level, i.e. data concerning complaints managed under the **corporate and the Social Services** policies. Both involve a **two-stage process**, but the requirements and timescales set out within each of these is different.
- 1.9 A report summarising the arrangements under the statutory Social Services complaints policy, which also provides analysis of all compliments and complaints that were received during 2022-2023, has been compiled for inclusion in the Statutory Director of Social Services' performance report. This document should be considered in conjunction with this report and is included as **Appendix 2**.
- 1.10 This report will therefore provide an overview of the corporate policy and additional detail surrounding the number, trends and outcomes of complaints registered for this reporting period (2022-2023).
- 1.11 The corporate Concerns and Complaints Policy consists of two stages;
- **Stage 1 is the informal stage and must be concluded within ten-working-days**
 - **Stage 2 requires a formal investigation, at a level deemed reasonable and proportionate to the issues being raised.**
- 1.12 The underpinning ethos for ensuring the effective resolution of complaints recommends as follows: '**Investigate once, investigate well**'. Formal investigations under Stage 2 may occasionally take longer than the **20-working-days** outlined within the policy. However, every effort will be made to keep the complainant informed as to any delays and when they should expect to receive the Council's formal response.
- 1.13 Information concerning the Council's performance in this regard 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 acknowledged however that significant challenges associated with service-continuity within the Complaints and FOI Team has once again impacted on the Service's ability to maintain effective communication with complainants in some instances.
- 1.14 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 Ombudsman and the Information Commissioner's Office (ICO) in relation to complaints and FOI performance, respectively.

2. Compliments

- 2.1 All compliments received from service-users are recorded and monitored on a regular basis. Such positive feedback is used to **share and promote good practice** wherever possible. Compliments are a source of encouragement that Council staff are delivering a valuable and high standard of service to those on the receiving end.
- 2.2 Opportunities may also exist to share good practice beyond the service area(s) receiving the positive feedback, as this can aid in adopting tried and tested methods of effective service delivery on a broader level.
- 2.3 The table below shows the number of compliments that were received for each service area during 2022-2023, along with the data for the two reporting periods preceding this:

Service	2020 – 2021	2021 – 2022	2022 – 2023
Customer Contact & ICT	37	29	44
Democratic Services	-	2	3
Economy & Regeneration	11	14	12
Finance & Procurement	24	5	6
Highways & Environmental Services	26	25	33
Legal & Governance	-	1	3
People & Organisation	-	-	-
Policy, Performance & Public Protection	3	5	16
Porth Cymorth Cynnar	344	29	57
Porth Cynnal	72	27	78
Porth Gofal	169	77	139
Schools & Lifelong Learning	11	4	5
*Corporate	117	6	69
Total	814	224	465

**Positive feedback provided in general terms (towards the entire Council workforce) and towards the office of the Chief Executive and Corporate Directors*

- 2.4 It is worth noting that the Council **only** records compliments that are received from **external sources**. As a consequence, services that have very little, or no, direct contact with the public will naturally be less likely to receive any positive feedback that would qualify for inclusion within this report. The absence of data recorded against certain services, therefore, is not indicative of a lack of appreciation for their working practices or any reflection on their general performance.
- 2.5 Data can be influenced by events during a specific reporting period, e.g. a significant number of compliments were received for Porth Cymorth Cynnar and on a 'Corporate' level, during 2020 – 2021. This is consistent with the extraordinary efforts made by officers during the height of the coronavirus pandemic (issuing food-boxes, support for carers etc.).
- 2.6 A similar trend occurred during this reporting period whereby a number of compliments were recorded on a 'corporate' level; this was mainly attributed to the success of the National Eisteddfod, that was held in Tregaron during August 2022.

2.7 Snapshot of compliments received during 2022 – 2023

"I'd just like to say how much I thoroughly enjoyed the recent events held through Porth Cymorth Cynnar in the Bandstand and Penparcau Family Centre. I learnt a lot and particularly enjoyed sewing my bucket hat. I hope there will be more events like these in the future." - Porth Cymorth Cynnar -

"Amazing! Spent a lot of time here. Bird boxes, glitter, smoothies, hair, flower-arranging, climbing wall – great. Children loved it. Plenty of activities of all varieties. Thank you!" - Corporate -

"A short message to thank you for supporting the sessions over the past few weeks and for sharing the information. What you are doing with the [Ukrainian Refugee] Welcome Centres is special – thank you very much." - Policy, Performance & Public Protection -

"Your support and advice have been incredibly valuable; I cannot thank you enough." - Corporate -

"Thank you to all the staff for arranging the Christmas Party in Hafan Deg. It was nice to see everyone today. Lovely food, music and presents for all." - Porth Cynnal -

"I recently made a visit to mid-Wales visiting Rhayader, Devil's Bridge and then Aberystwyth via the mountain road. I had a wonderful time and wanted to express my satisfaction of the local services especially during these difficult times." - Corporate -

"On our recent short holiday based at Tregaron, we travelled by car to all points of the compass. We were impressed by the excellent condition of all the roads whether main A roads or narrow winding lanes, as we toured about. Thank you very much for contributing to an enjoyable first visit to your country." - Highways & Environmental Services -

"I'd like to thank the officers who have made it possible for the lower path of Pen Dinas to be widened and resurfaced, as I noticed today whilst walking on the hill. This will make a big difference to people in the area as well as tourists, increasing access for people with mobility issues and contributing to their wellbeing." - Economy & Regeneration -

"As ever, I am so very grateful for the excellent way in which you have helped us and continue to provide support. Your efficiency is outstanding and your advice on all matters is friendly, thorough, and very reassuring to me." - Porth Cynnal -

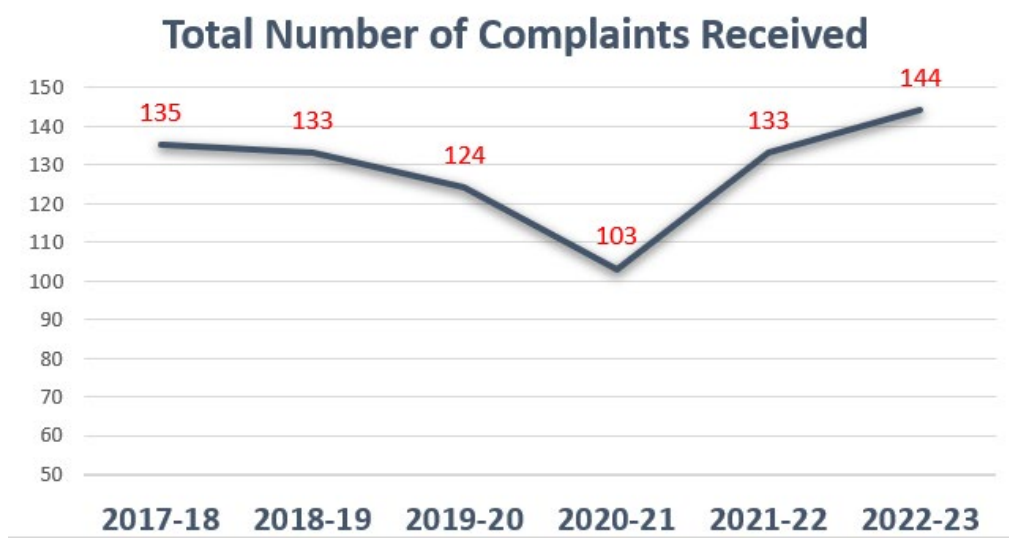
"Thank you / Diolch from the bottom of our hearts for all of the care and love you showed and gave to X. He was so happy and loved all of you, you gave him the best years of his life." - Porth Gofal -

"I just wanted to say a massive thank you for the ceremony yesterday: it was perfect! We wanted an intimate wedding with our little family unit and that's what we had. You've given us memories to treasure forever." - Customer Contact and ICT -

"I would like to thank staff for all the work they do within Clic" - Customer Contact & ICT -

3. Complaints

3.1 The chart below shows the **total number of complaints** received by the Council each year. This does not include the number of service requests, enquiries or concerns that were able to be resolved by the relevant service(s) on a pro-active basis or those which did not fall within the remit of the complaints policies: e.g. instances whereby an alternative route of appeal was available, or if the issue being complained about was considered to be a *'properly made decision'*. This is when the Council takes a course of action that is entirely legitimate and is supported by legislation and/or policy.



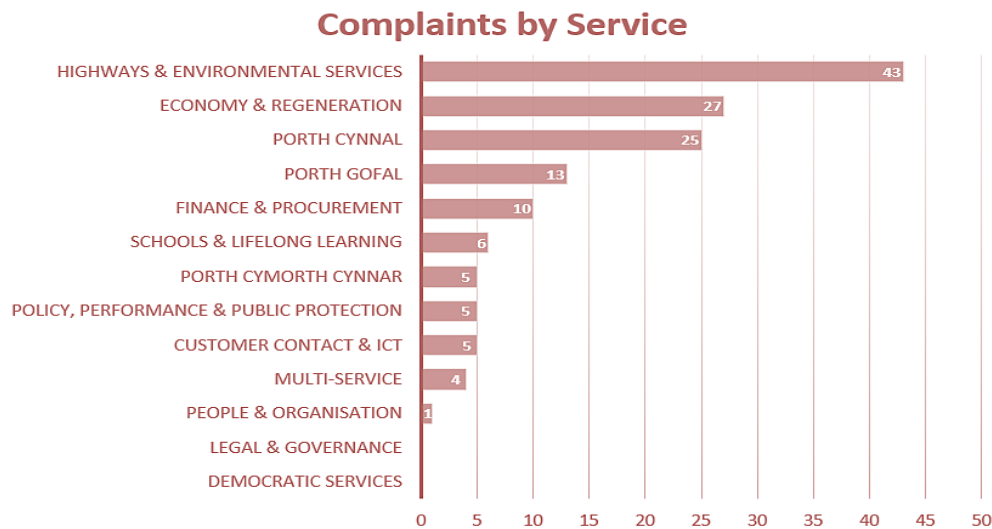
3.2 The table below separates **complaints by stage**, for each of the reporting years referred to above.

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
2022-23	96	48	144

3.3 No complaints were received during 2022-2023 regarding the provision (or lack thereof) of **Welsh Language services** across the Council, and no referrals were received from the Welsh Language Commissioner.

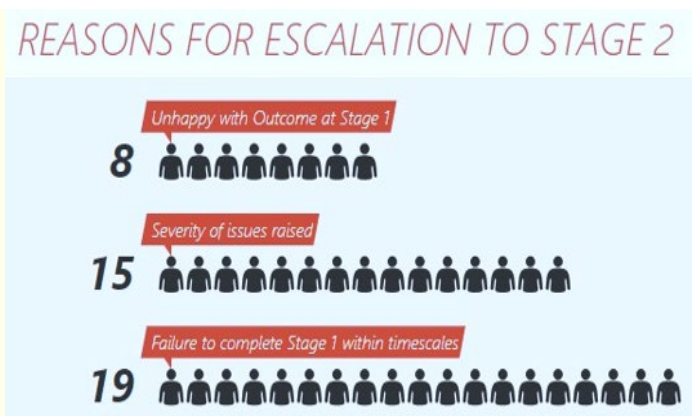
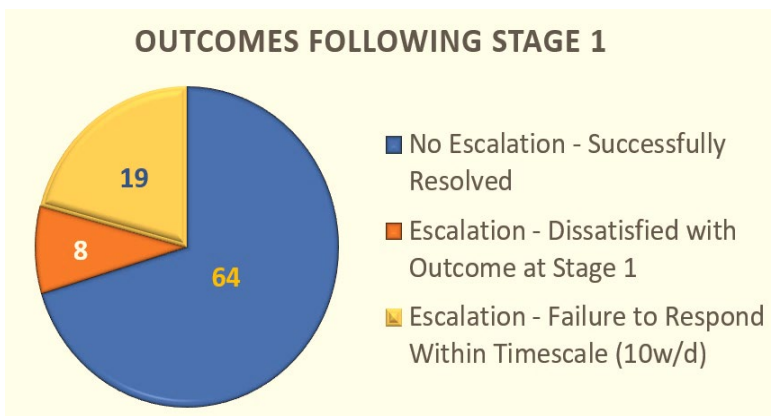
3.4 To put the above in context, it is worth noting that the Council logged **95,421** enquiries during 2022-2023.

3.5 This chart shows the **breakdown of complaints by Service** and also provides an additional **'multi-Service'** category, which is used when complaints span more than one service area.

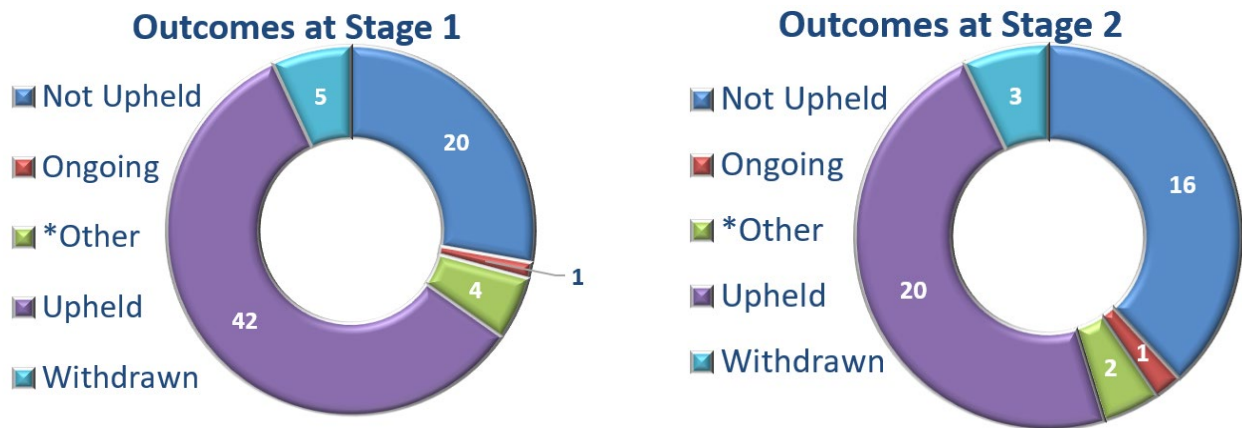


3.6 The following information refers to the number of complaints that were **closed** during this reporting year. Please note that there will be disparity between the number of complaints **received** and those that were **concluded** during 2022-2023, this is due to the time required to investigate and respond to complaints (e.g. a complaint received on 31st March 2022 will be recorded as having been received during 2021-2022, but unless the complaint is closed on the day of receipt, the **outcome** will be included within the annual report for 2022-2023).

3.7 Analysis of the **Stage 1** complaints that were concluded during 2022-2023 is provided below and shows the number of cases that were: **resolved successfully**, escalated to a **formal investigation** under Stage 2 (in the event the complainant was dissatisfied with the outcome), and the number of complaints that had to be escalated to Stage 2 due to the Council's **failure to respond** within the prescribed timescale for Stage 1 complaints (**ten-working-days**). The second chart shows the different **reasons** for why complaints were investigated at Stage 2. Of note, **15 complaints** were **immediately** considered at the formal stage, which is permitted under the policy and will usually occur when serious complaints are received, or those involving contact from the **Ombudsman**.



3.8 The outcomes of all **72 Stage 1 complaints** that were closed during 2022-2023 are shown below. The category referred to as ‘**Other**’ represents any complaints that were subsequently considered under a **different process** or were later deemed to be **outside of the scope of the complaints policy** (e.g. where an alternative policy should be followed or if it became apparent that the specific issue should not be considered as a ‘complaint’). The same applies to the **42 Stage 2 complaints** that were investigated under the corporate policy and were concluded during 2022-2023.



3.9 A total of **19 Stage 1** complaints were **escalated** to Stage 2 due to the **10-working-day timescale being exceeded**. This is consistent with the Model Complaints Policy issued by the Ombudsman in accordance with its Complaints Standards Authority (CSA) regulations. This represents **17%** of all Stage 1 complaints and demonstrates that improvements are needed to ensure compliance with the Stage 1 policy.

3.10 Of the **42 Stage 2** complaints that were investigated during this reporting period, **15** cases were closed **within the prescribed timescale of 20-working-days**. This represents only **36%** of all formal complaints having been closed within stipulated timescales. Again, **a great deal of improvement is needed** to ensure that complaints are investigated and responded to promptly. Such improvements will likely minimise the number of referrals to the Ombudsman.

3.11 Identifying lessons from complaints

3.12 Every effort has been made throughout this reporting period to capture more information on the **lessons that are identified as a consequence of complaints** and highlighting the **improvements and opportunities** arising from them. Unfortunately, the current recording system for complaints is incompatible for in-depth analysis on a case-by-case basis; however, all upheld complaints have been reviewed for the purposes of presenting information about lessons identified within this report.

3.13 Whilst there should always be opportunities to share good practice, more often than not improvements are identified when a complaint is **upheld**. Information is provided in **Appendix 3** which lists the various strategies, improvements and training opportunities that have all arisen as a consequence of a complaint.

- 3.14 Following consideration by various democratic committees when the Annual Compliments, Complaints and FOI Report was presented in 2022, a request was made for more information about complaints whereby '**communication**' was considered to be a significant factor. Analysis has therefore been undertaken in respect of this and, whilst **poor communication is a feature of most complaints**, information has been collated to determine the cases where this is the primary factor, or at least a significant aspect of the issue culminating in a complaint.
- 3.15 Of the **106** corporate complaints received during this reporting period, there were **56 cases** that directly referred to a **lack of communication** on the Council's part. Of these, **39 complaints** arose simply as a consequence of service's '**failure to respond**' to people. It must also be mentioned that the **Complaints and FOI Team** has experienced significant challenges in **maintaining communication** with those who contact the service (either during the course of the complaints process or when seeking to resolve the vast number of enquiries received).
- 3.16 The main reasons given for the communication shortcomings predominantly refers to a **lack of available resources** and problems encountered with the **allocation of service requests** and/or **enquiries**. This must be viewed in the context of the **increasing demands** from the public and the **additional complexity** of the issues arising.

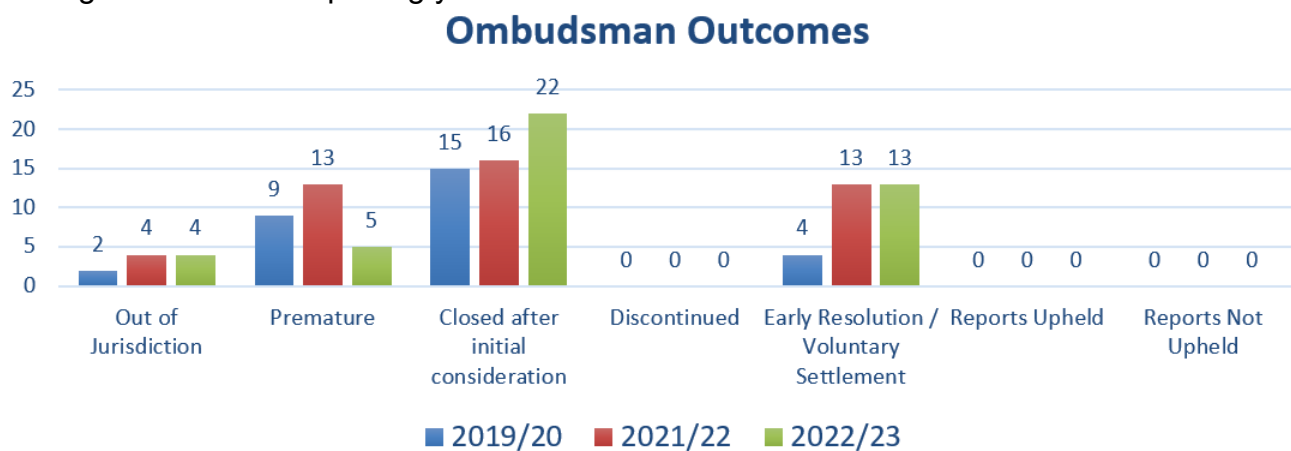
4. Complaints to the Public Services Ombudsman for Wales

- 4.1 Information regarding the number of complaints that were referred to the **Ombudsman** during the reporting year is detailed within the Ombudsman's **Annual Letter**, which is provided in **Appendix 4**. This document gives some detail surrounding the **service areas** that have been involved in referrals to the Ombudsman, as well as their **outcomes**.
- 4.2 Whilst the Council received **fewer referrals** to the Ombudsman during 2022-2023 – a total of **35**, compared with **52** contacts during 2021-2022, the number of cases resolved via **Early Resolution / Voluntary Settlement** is **consistent** with last year, totalling **13 cases**. Once again, the Ombudsman **did not conduct any investigations** into complaints referred to her office, though it is acknowledged that Ceredigion received the highest proportion of Ombudsman interventions compared with other Councils across Wales.
- 4.3 **Poor communication** remains a key theme in respect of complaints made to the Ombudsman. **Summaries** of the cases requiring Ombudsman intervention is provided in the **Appendix 5** (in relation to all Council services), and it is evident that the challenges that have faced the **Complaints and FOI Team** in particular, has had an **impact** on the ability to provide an **effective complaint handling service**. Again, this is as a consequence of the demands on the small team, that deals with complaints, FOI and EIR, and provides advice and assistance to schools under a designated Partnership Agreement.

4.4 The high volume of ‘enquiries’ (which in themselves may not be straightforward - as these will include cases whereby the complaints policy may not apply, but which require a comprehensive response nonetheless) is a **key factor** in the deployment of critical resources to an aspect of work that cannot be measured. This was further compounded by **staff absence** and the **recruitment and training** of a new staff member.

4.5 It is encouraging to note that of the **44 complaints closed** by the Ombudsman during 2022-2023, **31** were either **premature (5)**, **out of jurisdiction (4)** or, in the **majority** of cases (**22**) the Ombudsman **closed the complaint following their initial assessment**. This suggests that the **action** taken by the Council was **reasonable and proportionate**, and that nothing further could be achieved by the Ombudsman undertaking a review of the case.

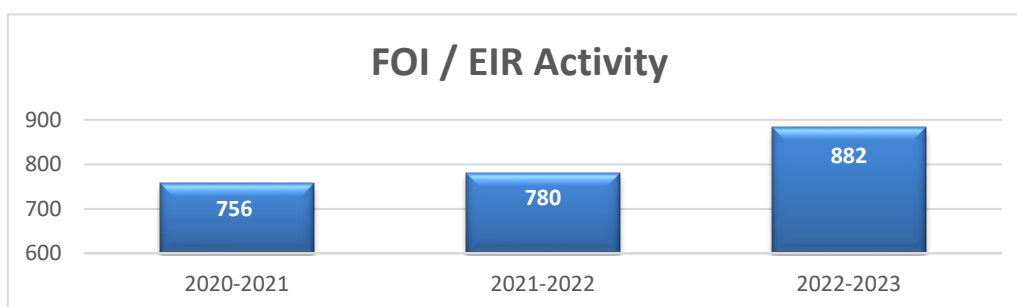
4.6 The graph provided below shows the outcomes of all complaints closed by the Ombudsman during the last three reporting years:



5. Requests Received under the Freedom of Information (FOI) Act and the Environmental Information Regulations (EIR)

5.1 During this reporting period the Council received a total of **882** requests for information under the Freedom of Information Act 2000 (FOIA) or Environmental Information Regulations 2004 (EIR). Of these, **13** cases were escalated to the Corporate Lead Officer (CLO) for Policy, Performance & Public Protection requiring Internal Review.

5.2 This demonstrates a slight increase compared with previous years, as shown below:



- 5.3 In addition, **9 complaints** were made to the **Information Commissioner's Office (ICO)**, all of which were resolved without further action. This remains consistent with the previous reporting year, which also recorded 9 referrals to the ICO.
- 5.4 The Council's **compliance** with meeting the timescales set out under FOI legislation and the EIR Regulations (**20-working-days**, with EIR's allowed to take up to **40-working-days** if the information requested is voluminous) was a cause for concern, which has prompted a significant amount of work to raise awareness of the Council's statutory obligations in this regard.
- 5.5 A **breakdown** of the number of FOI's and EIR's received according to **Service** is provided below.

Service	FOIs Received	EIRs Received
Customer Contact & ICT	68	-
Democratic Services	18	-
Economy & Regeneration	61	38
Finance & Procurement	172	-
Highways & Environmental Services	64	31
Legal & Governance Services	7	-
People & Organisation	58	-
Policy, Performance & Public Protection	123	10
Porth Cymorth Cynnar	12	1
Porth Cynnal	63	-
Porth Gofal	87	-
Schools & Lifelong Learning	60	-
Multi-Service	9	-
Total	802	80

Social Services Compliments & Complaints Report 2022-2023

Compliments

A total of **217 compliments** were received from service-users and/or their representatives during this reporting period. This is more than double the number of compliments that were recorded for Social Services during 2021-2022 (104 in total). Some examples of the compliments received are provided below.

Service	Compliments Received
Porth Cynnal	78
Porth Gofal	139
Total	217

“As ever, I am so very grateful for the excellent way in which you have helped us and continue to provide support. Your efficiency is outstanding and your advice on all matters is friendly, thorough, and very reassuring to me.”
– Mental Health / Wellbeing

“(Service user) was grateful for the afternoon and enjoyed meeting us all, knowing that the support was there should she need it.” – Early Intervention

“Thank you / Diolch from the bottom of our hearts for all of the care and love you showed and gave to X. He was so happy and loved all of you, you gave him the best years of his life.” – Porth Gofal

“Thank you for all your help and support during the last few months, my grandmother and the whole family appreciated it.”
– Direct Services

“The holistic manner that you work with, is outstanding and I so wish that others who are educating themselves in order to work in social care could have some of your insight in how things should be done and be allowed the time and resources to do so. Once again you are an absolutely fantastic social worker and there should be more like you.” – Mental Wellbeing

“We are very pleased with the quick response from the OT Service. They were clear in their communication, kept us updated throughout, and have provided valuable support to enable my mum, who is 93, to be much safer and more confident in her own home. This has been hugely beneficial to myself and the rest of the family, as we have been very worried about her. We are very thankful for the help and support.” –
Occupational Therapy Service

“Thank you for putting forward various options and many thanks for your kind assistance.” – Integrated Triage & Assessment Service

Complaints Report

Introduction

This report will refer specifically to all **Social Services compliments and complaints** received during 2022 – 2023. This data will also be included as part of the Council's Annual Compliments, Complaints and Freedom of Information (FOI) Report for 2022 – 2023, on a corporate level, which will be published later in the year.

The Council has fully implemented the requirements outlined in Welsh Government's statutory **Social Services Complaints Procedure (Wales) Regulations 2014** and the **Representations Procedure (Wales) Regulations 2014**. These regulations underpin the Council's own **Social Services Complaints Policy**, which is due to be reviewed during the forthcoming year. The current Policy was approved by the Council's Cabinet committee on 17th March 2020, and predominantly sets out the responsibilities placed upon staff within **Porth Cynnal** and **Porth Gofal** Services, as well as the corporate **Complaints and FOI Team**. This promotes accountability and ensures that effective arrangements are in place to resolve concerns at the earliest opportunity, and if this is not possible, to ensure complaints are managed in accordance with the Council's statutory obligations.

It is vital that the Social Services complaints process operates in accordance with the principles of the **Social Services and Well-being Act (Wales) 2014**, as well as ensuring that the process is accessible to all, and is fair and transparent.

Social Services Complaints Activity

Every effort is made to resolve complaints pro-actively and in many cases this is successful. In such instances the contact will be recorded as a concern. However, in some cases this is not possible, particularly when the issues being raised are of a serious or complex nature. These instances will be managed in accordance with the aforementioned complaints policy and procedures.

The Social Services complaints procedure consists of **two stages**, and Corporate Managers within Social Services (i.e. Porth Cynnal and Porth Gofal) are responsible for managing complaints against their respective service-areas, ensuring that the appropriate level of decision-making and accountability is in place. The Corporate Managers strive to achieve meaningful outcomes as a consequence of complaints and, where necessary, measures will be implemented to ensure lessons are learned and any service improvements are prioritised. The Complaints and FOI Team is independent from Social Services, managed within the Policy, Performance & Public Protection Service, and is responsible for overseeing the administration of the complaints process.

A total of **60 'concerns'** were received within the reporting period, with the majority having been resolved satisfactorily without requiring escalation under the formal complaints procedure. However, this report will focus on the **complaints** that were investigated under stages 1 and 2 during the course of the reporting year.

For information, Stage 1 is the only opportunity that is available for Corporate Managers to investigate and/or resolve a complaint. The statutory regulations stipulate that an Independent Investigating Officer (IIO) must be appointed to conduct investigations at Stage 2 and, in cases involving children, an Independent Person (IP) is also commissioned to oversee the investigation process. Once the Council’s own complaints process has been exhausted, complainants have the right to refer their complaint to the Public Services Ombudsman for Wales (PSOW) if they remain dissatisfied.

Total number of complaints received in 2022 – 2023

Service Area	Stage 1	Stage 2	Total
Porth Cynnal	19	6	25
Porth Gofal	12	1	13
	31	7	38

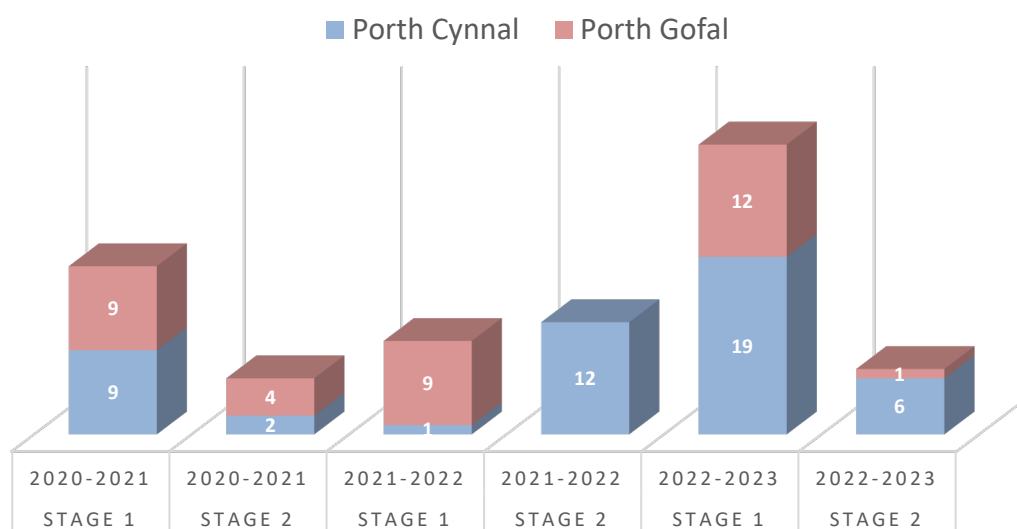
A total of **38 complaints** were received in relation to Social Services in 2022–2023, which demonstrates an increase when comparing these figures to the previous reporting period. During 2021–2022 there were **22** complaints in total which were addressed under the Social Services complaints policy.

Senior staff in Porth Gofal and Porth Cynnal continue to work closely with the Complaints and FOI Team by adopting an early-resolution approach when appropriate and this is proving to be an effective strategy. From the 60 concerns managed pro-actively, only eleven cases subsequently went on to be investigated at Stages 1 and/or 2; this equates to **82% of all concerns having been resolved satisfactorily** in the first instance.

Comparative data

Comparative data is provided below with regard to complaints received by Porth Cynnal and Porth Gofal, for the years 2020-2021 and 2021-2022 and the current reporting period – 2022-2023.

SOCIAL SERVICES COMPLAINTS



Complaint Outcomes by Service

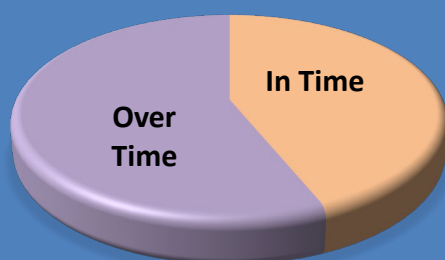
A breakdown of the number of complaints and their outcomes is provided below, in accordance with the relevant service areas:

Porth Cynnal	Not Upheld	Upheld	Ongoing / Suspended / Discontinued
Planned Care (Adults) (3)		1	2
Planned Care (Children) (6)	2	2	2
Safeguarding (Adults) (4)	1		3
Safeguarding (Children) (4)	1		3
Extended Support (Adults) (6)	1		5
Mental Wellbeing (Adults) (2)	2		
Total	7	3	15

Porth Gofal	Not Upheld	Upheld	Ongoing / Suspended / Discontinued
Integrated Triage & Assessment (Adults) (6)	2	1	2
Integrated Triage & Assessment (Children) (3)	1	2	
Targeted Intervention Service (3)			3
Direct Services (1)		1	
Total	3	5	5

Stage 1 Timescales

Of the **31** complaints which were recorded at Stage 1, only **16** were concluded (i.e. not suspended, withdrawn or discontinued – this will be explained in more detail in the analysis). **7** of these complaints were closed within the prescribed timescales. The remaining **9** exceeded the timescales.



Stage 2 Timescales

Only **5** of the **7** complaints that were recorded at Stage 2, progressed to the independent investigation stage, because two complainants decided to withdraw their complaints. All five of the complaints that were investigated took longer than prescribed timescale of 25-working-days.

However, the statutory requirements to obtain written approval from the Director of Social Services was fully complied with, and responses were issued at the earliest opportunity following completion of the investigation.

Analysis and Conclusions

Firstly, closer analysis of the **60 cases** that were initially recorded as '**concerns**' revealed that **only 11** of these **subsequently escalated to the formal complaints stage**. This predominantly supports the benefits associated with taking a '**pro-active resolution**' approach, where possible. The remaining 49 concerns (82%) were resolved successfully without further action required.

There has clearly been an **increase** in the number of complaints received in relation to Social Services during 2022-2023. Having received **31 Stage 1** complaints in the last year, this is the highest level since 2015-2016, when 32 Stage 1 complaints were received in a single year. There were **fewer Stage 2 investigations** conducted during this reporting period and in terms of outcomes, the ratio of upheld to not upheld complaints was fairly balanced.

However, the most striking factor within this year's report is that a total of **20 complaints** were not concluded. There are a variety of reasons behind these, which will be explained below.

A 'complaint' is usually recorded at the point of receipt when it is deemed to meet the criteria for instigating the policy immediately: i.e. it is not a 'first time request for a service' or the issues being raised are felt to be sufficiently serious that intervention at Corporate Manager level is necessary.

There are, however, other factors that need to be considered once a complaint is formally recorded, but before the process can actively commence:

- ensuring appropriate consent is obtained from the service-user (when others raise concerns on their behalf).
- consideration as to whether there are any 'concurrent investigations' underway (i.e. if there are any court proceedings or safeguarding investigations that could be compromised by a complaint investigation)
- ascertaining whether the complaints process can be followed at all (e.g. instances whereby the complainant is seeking to overturn a decision made by a Court)

In these instances, the complaint may not be able to progress until the necessary checks are completed and this can occasionally take some time, whilst engagement between the Service and the complainant ensues.

Analysis of the **20 complaints** that were not concluded during the reporting period showed that:

- **3 complaints** were **resolved immediately** following the intervention of the Corporate Manager for the relevant Service.
- Failure to supply the service-user's **consent** accounted for the discontinuation of **4 complaints**.
- In **5 cases**, the complainant **failed to engage** with the complaints process and the cases were subsequently closed.
- **4 complaints** were **ongoing** or **escalated to Stage 2** before completion of the Stage 1 complaint.
- **3 cases** were actively **withdrawn** by the complainant's.
- **1 complaint** was unable to be progressed due to **other investigations** taking priority.

Whilst this is an unprecedented number of complaints that were not concluded within the reporting year, the cases were managed in accordance with the statutory policies and procedures and, in the interests of openness and transparency these complaints were not removed from the system. Furthermore, all complaints were shared with the relevant service areas and the Corporate Managers responsible in each case sought to ensure that there were no underlying issues that required further intervention or investigation.

Response times at both stages of the complaints process requires improvement, though only one case exceeded the six-month timeframe. Complaints that take longer than the prescribed timescale to resolve is occasionally unavoidable, and the overarching priority is to ensure that complaints are investigated thoroughly, and careful consideration is given to the findings and recommendations which emerge from such investigations.

Porth Cynnal received a higher number of complaints which is largely due to the nature of the services they deliver, and their complexity.

Of the **18 complaints** that were fully investigated, **8** were upheld. Although this is an increase compared with the figures analysed during 2021-2022 (4 complaints upheld), this represents 44% of all complaints investigated, which is still an improvement on the statistics for 2020-2021, whereby 58% were upheld. Further, whilst almost half of all complaints investigated were upheld, acknowledgement must also be given to the number of concerns that were successfully resolved, and the complaints that were withdrawn earlier in the process because of the work undertaken by services to remedy the issues.

Themes and Trends

Poor communication remains a consistent factor in most complaints, and, in many cases, these are addressed promptly at service-level to prevent unnecessary escalation. This was evidently the case in respect of the 49 concerns resolved pro-actively, which far exceeds the number of cases that were subsequently investigated under the formal complaints process.

Timescales

As identified in previous reporting periods, improvements need to be made with regard to response times, particularly at Stage 1 of the complaints process. There is a requirement at Stage 1 to offer a 'discussion' between the complainant and the relevant Corporate Manager. Therefore, securing the availability of managers remains a challenge, as well as attempting to then co-ordinate their availability with that of the complainant. This will continue to be monitored in future reporting periods.

It has also become increasingly evident during the course of the reporting period that poor complaints handling has become a prominent feature in the failure to process cases expediently. Extensive efforts are being made to ensure better communication between Social Services and the Complaints and FOI Team, but some challenges have arisen as a consequence of increased complaints and FOI activity on a corporate level, as well as in the case of Social Services. This remains an ongoing concern which has been escalated as necessary.

Learning Lessons

In all cases whereby a complaint is deemed to be upheld (either in its entirety or specific elements) it is crucial that recommendations are put in place to learn lessons and prevent any recurrence in the future. Examples of some lessons learned from complaints received during 2022–2023 are summarised below:

- *It was agreed that the Service would commence a weekly log of all communication, which will be shared with the complainant and minutes of meetings will be shared promptly with the relevant parties. This should limit anxiety levels due to lack of communication and delays in receiving documentation from the service.*
- *Relevant staff will ensure that discussions are held with interested parties in advance of formal meetings, so that everybody is aware of the format of the meeting and how they are expected to contribute to this. These discussions will be recorded, and a formal record will be given to all attendees as part of the process. In addition, staff were reminded about the importance of making a brief log of any telephone conversations, in accordance with relevant Council policies.*
- *Completion of assessments / reviews and carer's assessments to be considered upon receipt of complaints, to ensure that level of care provision adequately meets the needs of the individual.*

Complaints referred to the Public Services Ombudsman for Wales (PSOW)

During 2022–2023 the Council received **eleven** new contacts from the office of the PSOW relating to Social Services complaints. These related to cases within the following services:

- Porth Cynnal (7)
- Porth Gofal (4)

There were a greater number of referrals received from the Ombudsman during 2022-2023, with only 9 having been received in 2021-2022.

Whilst no complaints referred to the PSOW resulted in a formal investigation, there were **eight complaints** that required intervention by the Ombudsman. These complaints were resolved by way of '**Early Resolution / Voluntary Settlement agreements**' reached with the Ombudsman's office, the details of which are provided in the table overleaf.

Appendix 2

Cases requiring Ombudsman intervention by way of Early Resolution Agreements

Service(s) & Reference	Summary of Complaint	Agreed Actions
<p>Porth Cynnal; Extended Support and Complaint Handling</p> <p>Case ref: 202200812</p>	<p>Complaint had previously been investigated independently under Stage 2; however, the complainant remained dissatisfied with the outcome.</p> <p>The complainant's main concerns were that the Service failed to undertake appropriate and necessary assessments to determine her relative's degree of learning disabilities, and that it failed to consider vital information provided during a telephone consultation.</p>	<p>The Ombudsman advised that the Council should respond to the additional queries raised by the complainant, following the independent investigation at Stage 2.</p>
<p>Porth Cynnal; Safeguarding and Complaint Handling</p> <p>Case Ref: 202201388</p>	<p>Complaint had previously been investigated independently under Stage 2. This process was unnecessarily protracted, and clarification was sought by the complainant regarding information that was included within the independent investigation report.</p> <p>In particular, the complainant wished to receive further information regarding the case law that was referred to, which the Social Worker had based their decision upon when providing care to the complainant's relative.</p>	<p>The Council agreed to provide additional information surrounding the case law that had been considered by the Social Worker at the time that decisions were made surrounding care provision.</p> <p>In addition, an earlier agreement to award a 'Time and Trouble' payment due to the lengthy complaints process, had been overlooked at the point that the formal response was issued. Therefore the Council honoured its earlier decision in this regard, and acknowledged the additional inconvenience caused by having to approach the Ombudsman to obtain the information requested.</p>
<p>Porth Cynnal; Extended Support</p> <p>Case Ref: 202200853</p>	<p>Complaint that the Council had failed to properly implement the terms of an Early Resolution agreement undertaken in September 2020. This included the Council's failure to fully complete a Carer's Assessment, and for the continuing uncertainty surrounding the terms and arrangements of Respite Care. The Complainant was also aggrieved that the Council appeared to take an inconsistent approach to Direct Payment uplift.</p>	<p>The Council agreed to follow up on the arrangements previously agreed in relation to conducting a Carer's Assessment. An Independent Social Worker was commissioned to complete this task.</p> <p>The Council also agreed to write to the complainant within six weeks to provide a full explanation regarding the Council's approach in respect of providing respite care.</p>

<p>Porth Gofal; Integrated Triage & Assessment and Complaint Handling</p> <p>Case Ref: 202205115</p>	<p>Complaint regarding the Council's failure to take seriously the concerns raised by the service-user about the care provider that was commissioned to assist her. The Complainant made a complaint directly to the care provider, but their response was incomplete and inaccurate.</p> <p>The Council declined to investigate the complaint because it was satisfied with the care provider's response and that no further action was needed. However, the Ombudsman disagreed – ruling that the Council did not fulfil its duty to accept the complaint in line with the Social Services Complaints Procedure (Wales) Regulations.</p>	<p>The Council agreed to contact the complainant to obtain her complaint and issue a response which was consistent with the statutory complaints procedure.</p>
<p>Porth Cynnal; Extended Support and Complaint Handling</p> <p>Case Ref: 202206613</p>	<p>Complainant contacted the Ombudsman because the Council had failed to investigate the complaints she had submitted in February 2022.</p>	<p>The Council accepted it had failed to investigate the complaints raised and agreed to commence Stage 1 of the complaints process immediately. An apology was also given for this failure in complaints handling and a redress payment was agreed in acknowledgement of the Time and Trouble the complaint went to in order to have her complaint considered.</p>
<p>Porth Gofal; Integrated Triage & Assessment Service & Complaint Handling</p> <p>Case Ref: 202202005</p>	<p>Complaint that the Council had failed to provide regular and meaningful updates regarding her complaint.</p>	<p>The Council agreed to issue a formal apology and an explanation for the delays she experienced during her complaint. It was also agreed that the formal response would be issued within four weeks of the Ombudsman's decision, and a payment of £100 would be given in recognition of the time and trouble the complainant went to in making her complaint to the Ombudsman.</p>

<p>Porth Cynnal; Extended Support and Complaint Handling</p> <p>Case Ref: 202107463</p>	<p>Following an independent investigation at Stage 2 of the Social Services Complaint Procedure, the complainant contacted the Ombudsman because the Council had failed to implement the recommendations made by the Independent Investigating Officer.</p> <p>In addition, the Council had failed to inform him that a full safeguarding investigation would not be taking place; though the issues identified during the complaint were considered during a Professional Concerns Meeting, under the All Wales Safeguarding Procedures.</p>	<p>By way of a Voluntary Settlement Agreement, the Ombudsman proposed that the Council and the Support Service that was involved in the original complaint, should meet with the complainant and his son (the service-user) formally to explain the safeguarding decision and to discuss any additional measures that would facilitate future learning.</p> <p>It was also agreed that a direct apology was warranted for the lack of communication following the conclusion of the Stage 2 investigation. The Council agreed with this proposal and the necessary actions were undertaken.</p>
<p>Porth Cynnal: Safeguarding Service and Complaint Handling</p> <p>Case Ref: 202107158</p>	<p>Complaint about the Council's failure to close down a safeguarding case promptly, which had repercussions on the complainant's ability to resume specific working responsibilities. The Complainant also stated that her complaint was not appropriately addressed once she had brought these matters to the Council's attention.</p>	<p>The Council accepted full responsibility for the delays the complainant experienced in respect of the safeguarding case, and that this was further compounded by the failure to manage her complaint effectively. Further, the Council accepted it had not fully appreciated the impact that these matters had on the complainant.</p> <p>The Council agreed to provide a corporate apology for the maladministration identified by the Ombudsman and provide financial redress in the sum of £725 in recognition of the injustice that prevented her from returning to her duties within a youth organisation, and for the poor complaints handling – including the time and trouble invested by her, having to pursue her complaint.</p>

Identifying Lessons from Complaints

Summary of Complaint	Lessons Learned
<p>Complaints regarding delayed disclosures under UK General Data Protection Regulations (UK GDPR) i.e. in respect of Subject Access Requests.</p> <p>NB: Whilst such complaints are recorded against the Customer Contact & ICT Service, as the lead service for Data Protection, delays mainly arose due to wider services failing to provide the information within the timescale allotted under SAR.</p>	<p>Delays in obtaining information from services – Data Protection Officer to remind Service of their statutory duties re SAR.</p>
<p>Complaint regarding delays in processing cases within the Planning Service.</p>	<p>Extensive efforts are being made to address capacity constraints within the service, including the appointment of external consultants to assist and provide a level of resilience moving forward.</p>
<p>Complaints re. missed waste collections.</p>	<p>Every effort is being made to avoid or minimise service disruption, though this may not be possible - depending on the cause of the disruption (i.e. staff absence or problems with the fleet).</p> <p>Moving forward, the team will review the way that assisted waste collections are provided and communicated within the team. A review of handover arrangements for supervisors will also be undertaken.</p> <p>Review carried out to find an alternative approach to waste collections scheduled for Bank Holiday Mondays being adopted during 2023. Elected Members are provided with twice daily updates on any disruptions.</p>

Appendix 3

<p>Complaint regarding improvement work that was due to take place on a Council-adopted Road.</p>	<p>Apologies issued for failing to complete the work that had been agreed and the Corporate Lead Officer will act as the single point of contact for the complainant until the work is complete.</p>
<p>Complaint about delay in sending information to complainant.</p>	<p>Apologies given for delays, which were due to lack of capacity within the service(s) involved – every effort will be made to identify and implement improvements.</p>
<p>Multi-service complaint which included aspects about transport, though the primary failure arose as a consequence of poor complaints handling.</p>	<p>Transport arrangements will be reviewed as soon as possible; however it is acknowledged that the complaint should have been expedited due to the issues being raised. Further training will be provided to the relevant officers.</p>
<p>Complaint about the Council's failure to assess information provided by the service-user, which led to additional problems arising for them.</p>	<p>Apology provided and identified that more timely intervention would have assisted the complainant.</p>
<p>Error made by service, which was rectified once complaint was received, and the service became aware of the issue.</p>	<p>Class C exemption should have been applied - records amended (inc. Bill) to reflect the error. Apologies given.</p>
<p>Complaint about the advice provided by the Housing Service and the delay in resolving the complainant's case.</p>	<p>Apology given for delays and explanation for this - resource problems at the time, which have since been resolved.</p>
<p>Delay in responding to enquiry and subsequent failure to ensure the issue was managed in accordance with the most appropriate protocol.</p>	<p>Training provided re Customer Charter and Complaints Policy</p>



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Date: 17 August 2023
Communications
@ombudsman.wales

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

Annual Letter 2022/23

Dear Councillor Davies

I am pleased to provide you with the Annual letter (2022/23) 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 letter coincides with my Annual Report – “[A year of change – a year of challenge](#)” – a sentiment which will no doubt resonate with public bodies across Wales. My office has seen another increase in the number of people asking for our help – up 3% overall compared to the previous year, and my office now receives double the number of cases we received a decade ago.

In the last year, I have met with public bodies across Wales – speaking about our casework, our recommendations, and our proactive powers. The current climate will continue to provide challenges for public services, but I am grateful for the positive and productive way in which local authorities continue to engage with my office.

1,020 complaints were referred to us regarding local authorities last year - a reduction of 11% compared to the previous year. During this period, we intervened in (upheld, settled or resolved at an early stage) 13% of local authority complaints.

We received fewer Code of Conduct complaints in 22/23 compared to the previous year, relating to both Principal Councils and Town and Community Councils. My role is such that I do not make final findings about breaches of the Code of Conduct. Instead, where investigations find the most serious concerns, these are referred to the Standards Committee of the relevant local authority, or the

Adjudication Panel for Wales. In 2022/23, the Ombudsman made 12 such referrals – a welcome reduction from 20 last year.

Supporting improvement of public services

Despite the challenges of last year, we have pushed forward with our proactive improvement work and launched a new Service Quality process to ensure we deliver the standards we expect.

Last year, we began work on our second wider Own Initiative investigation – this time looking into carers assessments within local authorities. This investigation will take place throughout the coming year, and we look forward to sharing our findings with all local authorities – not just those involved in the investigation.

The Complaints Standards Authority (CSA) continued its work with public bodies in Wales last year, with more than 50 public bodies now operating our model policy. We've also now provided more than 400 training sessions since we started, with local authorities, in September 2020.

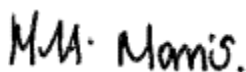
We continued our work to publish complaints statistics into a second year, with data now published twice a year. This data allows us to see information with greater context – for example, last year 25% of Ceredigion County Council's complaints were referred to PSOW.

I would encourage Ceredigion County Council, and specifically your Audit and Governance Committee, to use this data to better understand your performance on complaints and consider how well good complaints handling is embedded throughout the Authority.

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 and Audit Committee at the next available opportunity and notify me of when these meetings will take place.
- Continue to engage with our Complaints Standards work, accessing training for your staff, fully implementing the model policy, and providing accurate and timely complaints data.
- Inform me of the outcome of the Council's considerations and proposed actions on the above matters at the earliest opportunity.

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	16	0.24
Bridgend County Borough Council	55	0.38
Caerphilly County Borough Council	49	0.28
Cardiff Council*	142	0.39
Carmarthenshire County Council	53	0.28
Ceredigion County Council	35	0.49
Conwy County Borough Council	31	0.27
Denbighshire County Council	32	0.33
Flintshire County Council	65	0.42
Cyngor Gwynedd	36	0.31
Isle of Anglesey County Council	25	0.36
Merthyr Tydfil County Borough Council	17	0.29
Monmouthshire County Council	23	0.25
Neath Port Talbot Council	39	0.27
Newport City Council	42	0.26
Pembrokeshire County Council	44	0.36
Powys County Council	38	0.29
Rhondda Cynon Taf County Borough Council**	54	0.23
Swansea Council	94	0.39
Torfaen County Borough Council	16	0.17
Vale of Glamorgan Council	49	0.37
Wrexham County Borough Council	65	0.48
Total	1020	0.33
* inc 9 Rent Smart Wales		
** inc 2 South Wales Parking Group		



Appendix B - Received by Subject

Ceredigion County Council	Complaints Received	% share
Adult Social Services	5	14%
Benefits Administration	0	0%
Children's Social Services	1	3%
Community Facilities, Recreation and Leisure	1	3%
Complaints Handling	14	40%
Covid19	0	0%
Education	1	3%
Environment and Environmental Health	2	6%
Finance and Taxation	0	0%
Housing	3	9%
Licensing	1	3%
Planning and Building Control	2	6%
Roads and Transport	1	3%
Various Other	4	11%
Total	35	

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Rydym yn hapus i dderbyn ac
ymateb i ohebiaeth yn y Gymraeg.

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We are happy to accept and respond
to correspondence in Welsh.



Appendix C - Complaint Outcomes
(* denotes intervention)

Ceredigion County Council		% Share
Out of Jurisdiction	4	9%
Premature	5	11%
Other cases closed after initial consideration	22	50%
Early Resolution/ voluntary settlement*	13	30%
Discontinued	0	0%
Other Reports - Not Upheld	0	0%
Other Reports Upheld*	0	0%
Public Interest Reports*	0	0%
Special Interest Reports*	0	0%
Total	44	

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Appendix D - Cases with PSOW Intervention

	No. of interventions	No. of closures	% of interventions
Blaenau Gwent County Borough Council	0	16	0%
Bridgend County Borough Council	5	57	9%
Caerphilly County Borough Council	6	52	12%
Cardiff Council	25	145	17%
Cardiff Council - Rent Smart Wales	1	9	11%
Carmarthenshire County Council	7	60	12%
Ceredigion County Council	13	44	30%
Conwy County Borough Council	5	35	14%
Denbighshire County Council	2	33	6%
Flintshire County Council	5	70	7%
Cyngor Gwynedd	5	33	15%
Isle of Anglesey County Council	5	25	20%
Merthyr Tydfil County Borough Council	1	18	6%
Monmouthshire County Council	1	22	5%
Neath Port Talbot Council	7	38	18%
Newport City Council	8	48	17%
Pembrokeshire County Council	3	45	7%
Powys County Council	8	44	18%
Rhondda Cynon Taf County Borough Council	2	54	4%
Rhondda Cynon Taf County Borough Council - South Wales Parking Group	0	2	0%
Swansea Council	10	99	10%
Torfaen County Borough Council	1	17	6%
Vale of Glamorgan Council	15	53	28%
Wrexham County Borough Council	6	67	9%
Total	141	1086	13%



Ombwdsmon Ombudsman

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Appendix E - Code of Conduct Complaints

Ceredigion County Council

Investigations	Decision not to investigate	1
	Discontinued	1
	No evidence of breach	0
	No action necessary	0
	Refer to Adjudication Panel	0
	Refer to Standards Committee	0
	Total	2

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Appendix F - Town/Community Council Code of Complaints

Town/Community Council	Decision not to investigate	Investigations				Total	
		Discontinued	No evidence of breach	No action necessary	Refer to Adjudication Panel		Refer to Standards Committee
Llandysul Community Council	1	0	0	0	0	0	1
Llanfair Clydogau Community Council	0	0	0	0	0	0	0
Llangoedmor Community Council	0	0	0	0	0	0	0
Llansantffraed Community Council	0	0	0	0	0	0	0
New Quay Town Council	0	0	0	0	0	0	0
Trefeurig Community Council	0	0	0	0	0	0	0

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Information Sheet

Appendix A shows the number of complaints received by PSOW for all Local Authorities in 2022/23. These complaints are contextualised by the population of each authority.

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 2022/23. 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 2022/23. 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 2022/23. 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 in 2022/23. This table shows both the volume, and the proportion that each outcome represents for each Town or Community Council.

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Summary of Ombudsman cases requiring Early Resolution / Voluntary Settlement

Service(s) & Reference	Summary of Complaint	Agreed Actions
<p>Porth Cynnal; Extended Support and Complaint Handling</p> <p>Case ref: 202200812</p>	<p>Complaint had previously been investigated independently under Stage 2; however, the complainant remained dissatisfied with the outcome.</p> <p>The complainant's main concerns were that the Service failed to undertake appropriate and necessary assessments to determine her relative's degree of learning disabilities, and that it failed to consider vital information provided during a telephone consultation.</p>	<p>The Ombudsman advised that the Council should respond to the additional queries raised by the complainant, following the independent investigation at Stage 2.</p>
<p>Porth Cynnal; Safeguarding and Complaint Handling</p> <p>Case Ref: 202201388</p>	<p>Complaint had previously been investigated independently under Stage 2. This process was unnecessarily protracted, and clarification was sought by the complainant regarding information that was included within the independent investigation report.</p> <p>In particular, the complainant wished to receive further information regarding the case law that was referred to, which the Social Worker had based their decision upon when providing care to the complainant's relative.</p>	<p>The Council agreed to provide additional information surrounding the case law that had been considered by the Social Worker at the time that decisions were made surrounding care provision.</p> <p>In addition, an earlier agreement to award a 'Time and Trouble' payment due to the lengthy complaints process, had been overlooked at the point that the formal response was issued. Therefore the Council honoured its earlier decision in this regard, and acknowledged the additional inconvenience caused by having to approach the Ombudsman to obtain the information requested.</p>
<p>Porth Cynnal; Extended Support</p> <p>Case Ref: 202200853</p>	<p>Complaint that the Council had failed to properly implement the terms of an Early Resolution agreement undertaken in September 2020. This included the Council's failure to fully complete a Carer's Assessment, and for the continuing uncertainty surrounding the terms and arrangements of Respite Care. The Complainant was also aggrieved that the Council appeared to take an inconsistent approach to Direct Payment uplift.</p>	<p>The Council agreed to follow up on the arrangements previously agreed in relation to conducting a Carer's Assessment. An Independent Social Worker was commissioned to complete this task.</p> <p>The Council also agreed to write to the complainant within six weeks to provide a full explanation regarding the Council's approach in respect of providing respite care.</p>

Appendix 5

Service(s) & Reference	Summary of Complaint	Agreed Actions
<p>Porth Gofal; Integrated Triage & Assessment and Complaint Handling</p> <p>Case Ref: 202205115</p>	<p>Complaint regarding the Council's failure to take seriously the concerns raised by the service-user about the care provider that was commissioned to assist her. The Complainant made a complaint directly to the care provider, but their response was incomplete and inaccurate.</p> <p>The Council declined to investigate the complaint because it was satisfied with the care provider's response and that no further action was needed. However, the Ombudsman disagreed – ruling that the Council did not fulfil its duty to accept the complaint in line with the Social Services Complaints Procedure (Wales) Regulations.</p>	<p>The Council agreed to contact the complainant to obtain her complaint and issue a response which was consistent with the statutory complaints procedure.</p>
<p>Porth Cynnal; Extended Support and Complaint Handling</p> <p>Case Ref: 202206613</p>	<p>Complainant contacted the Ombudsman because the Council had failed to investigate the complaints she had submitted in February 2022.</p>	<p>The Council accepted it had failed to investigate the complaints raised and agreed to commence Stage 1 of the complaints process immediately. An apology was also given for this failure in complaints handling and a redress payment was agreed in acknowledgement of the Time and Trouble the complaint went to in order to have her complaint considered.</p>
<p>Porth Gofal; Integrated Triage & Assessment Service & Complaint Handling</p> <p>Case Ref: 202202005</p>	<p>Complaint that the Council had failed to provide regular and meaningful updates regarding her complaint.</p>	<p>The Council agreed to issue a formal apology and an explanation for the delays she experienced during her complaint. It was also agreed that the formal response would be issued within four weeks of the Ombudsman's decision, and a payment of £100 would be given in recognition of the time and trouble the complainant went to in making her complaint to the Ombudsman.</p>

Appendix 5

Service(s) & Reference	Summary of Complaint	Agreed Actions
<p>Porth Cynnal; Extended Support and Complaint Handling</p> <p>Case Ref: 202107463</p>	<p>Following an independent investigation at Stage 2 of the Social Services Complaint Procedure, the complainant contacted the Ombudsman because the Council had failed to implement the recommendations made by the Independent Investigating Officer.</p> <p>In addition, the Council had failed to inform him that a full safeguarding investigation would not be taking place; though the issues identified during the complaint were considered during a Professional Concerns Meeting, under the All Wales Safeguarding Procedures.</p>	<p>By way of a Voluntary Settlement Agreement, the Ombudsman proposed that the Council and the Support Service that was involved in the original complaint, should meet with the complainant and his son (the service-user) formally to explain the safeguarding decision and to discuss any additional measures that would facilitate future learning.</p> <p>It was also agreed that a direct apology was warranted for the lack of communication following the conclusion of the Stage 2 investigation. The Council agreed with this proposal and the necessary actions were undertaken.</p>
<p>Policy, Performance & Public Protection: Complaint Handling</p> <p>Case Ref: 202201302</p>	<p>Complaint regarding the handling of a Freedom of Information request and a lack of response on the part of the Complaints and FOI Service.</p>	<p>Shortcomings in communication were as a consequence of capacity constraints within the Complaints and FOI Service. An apology and a full response was issued to the complainant as agreed by the Ombudsman.</p>
<p>Economy & Regeneration and Complaint Handling</p> <p>Case Ref: 202201085</p>	<p>Complaint regarding the Council's failure to respond to a complaint regarding noise nuisance.</p>	<p>The Council agreed to provide the complainant with an apology and an explanation for the delay in responding to her complaint and to open a new Planning Enforcement investigation file. The Council also agreed to commence an investigation by August 2022 and provide a response to the complainant outlining its findings.</p>
<p>Economy & Regeneration and Complaint Handling</p> <p>Case Ref: 202201596</p>	<p>Complaint regarding a lack of communication and Council's failure to update the complainant regarding her complaint about a retrospective planning application.</p>	<p>The Council acknowledged that it had not provided the complainant with updates on the progression of her complaint. The Council therefore agreed to the Ombudsman's Early Resolution proposal which outlined that it should apologise to the complainant for failing to provide regular and meaningful updates, provide an explanation for why this had happened and to provide the Stage 2 complaint response.</p>

Appendix 5

Service(s) & Reference	Summary of Complaint	Agreed Actions
<p>Multi Service – including Complaints Handling</p> <p>Case Ref: 202108019</p>	<p>Complaint that the Council had failed to fully address all the issues referred to in her original complaint. Matters concerning Council Tax had been suitably addressed but her concerns about planning matters remained unanswered.</p>	<p>The Council agreed to provide a formal written response regarding the planning issues within a specific timeframe.</p>
<p>Porth Cynnal: Safeguarding Service and Complaint Handling</p> <p>Case Ref: 202107158</p>	<p>Complaint about the Council's failure to close down a safeguarding case promptly, which had repercussions on the complainant's ability to resume specific working responsibilities. The Complainant also stated that her complaint was not appropriately addressed once she had brought these matters to the Council's attention.</p>	<p>The Council accepted full responsibility for the delays the complainant experienced in respect of the safeguarding case, and that this was further compounded by the failure to manage her complaint effectively. Further, the Council accepted it had not fully appreciated the impact that these matters had on the complainant.</p> <p>The Council agreed to provide a corporate apology for the maladministration identified by the Ombudsman and provide financial redress in the sum of £725 in recognition of the injustice that prevented her from returning to her duties within a youth organisation, and for the poor complaints handling – including the time and trouble invested by her, having to pursue her complaint.</p>
<p>Multi Service – including Complaints Handling</p> <p>Case Ref: 202108379</p>	<p>Complaint regarding the Council's failure to adequately deal with a noise nuisance issue he had raised about a business operating from his neighbour's home.</p>	<p>The Council accepted it had encountered delays in dealing with the complaint and agreed to the proposal outlined by the Ombudsman. This included issuing a formal apology and explanation for the complaint handling failures. Assurances were also given that processes were being reviewed to prevent such shortcomings in the future. It was also agreed that a formal Stage 2 response would be issued to the complainant within a specific timeframe.</p>

CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Cabinet

Date of meeting: 07/11/2023

Title: Annual Report of Compliments, Complaints, and Freedom of Information (2022-2023)

Purpose of the report: To provide feedback from the Corporate Resources Overview and Scrutiny Committee in relation to the Annual Report of Compliments, Complaints, and Freedom of Information (2022-2023)

Background:

Members of the Corporate Resources Overview and Scrutiny Committee considered the Compliments, Complaints, and Freedom of Information Annual Report (2022-2023).

Members were pleased that an additional appendix had been included in the report as previously requested regarding the Lessons Learned as a consequence of (corporate) complaints.

Members were also pleased that this was the fourth consecutive report where there had been no Ombudsman investigations commenced or formal reports issued in relation to complaints made against the Council. Whilst there were fewer Ombudsman referrals during this reporting year, the Council had a consistently high rate of Early Resolution/Voluntary Settlements.

It was suggested that a further half yearly report will be presented to the Committee at its 22nd January 2024 meeting which will include a breakdown of complaints per service.

Recommendation(s):

Following discussion, Committee Members recommend that Cabinet:

1. receive and endorse the Annual Report.

Reasons for decision:

To ensure Members are aware of the performance of the Authority in respect of Compliments, Complaints and Freedom of Information.

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