

# CYNGOR SIR CEREDIGION COUNTY COUNCIL

**Report to:** Council

**Date of meeting:** 14<sup>th</sup> December 2023

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

**Purpose of the report:** To provide Council 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 1<sup>st</sup> April 2022 and 31<sup>st</sup> 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 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 Council's across Wales. For information, a formal response is due to be issued to the Ombudsman, following the presentation of this report at the recent Cabinet Committee Meeting on 7<sup>th</sup> November, in order 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 has been presented to the following committees:

- Governance and Audit Committee Meeting on 27<sup>th</sup> September 2023
- Corporate Resources Overview and Scrutiny Committee Meeting on 19<sup>th</sup> October 2023.

- Cabinet Committee on 7<sup>th</sup> November 2023

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 note the feedback from the Cabinet Committee's discussion regarding these reports on 7<sup>th</sup> November 2023: ***'Cabinet noted the report and the feedback from the Corporate Resources Overview and Scrutiny Committee'***

### **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 19<sup>th</sup> 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 17<sup>th</sup> August 2023)

Appendix 5 – Summaries of Ombudsman Early Resolution/Voluntary Settlements

**Corporate Lead Officer:**

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

**Reporting Officer:**

Marie-Neige Hadfield, Complaints and Freedom of Information Manager

**Date:**

23<sup>rd</sup> November 2023