

CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Corporate Resources Overview and Scrutiny Committee

Date of meeting: 12th March 2024

Title: Half-Year Report of Compliments and Complaints –
between 1st April 2023 and 30th September 2023

Purpose of the report: To provide the Corporate Resources Overview and Scrutiny Committee with a comprehensive overview of the Compliments and Complaints activity received by the Local Authority between 1st April 2023 and 30th September 2023. This report also provides information about the complaints activity referred to the Public Services Ombudsman for Wales during this reporting period.

Reason Scrutiny have requested the information:

For information prior to the presentation of this Half-Year Report to the Cabinet Committee Meeting dated 14th May 2024.

Background

This report provides information relating to the Council's Compliments and Complaints activity between 1st April 2023 and 30th September 2023. The detailed report is provided in **Appendix 1** and includes specific information on the number and type of compliments received, the different complaints stages and information surrounding performance and outcomes.

It is acknowledged that challenges remain in relation to the complexity of complaints received and there is a consistent increase in all activity managed by the Council's Complaints and FOI Team.

Brief Overview:

171 Compliments were received

180 Enquiries were processed by the Complaints & FOI Service

116 Complaints were received: **Stage 1 = 68** **Stage 2 = 48**

19 'Contacts' received via the Public Services Ombudsman for Wales

523 FOI & EIR requests processed by the Complaints & FOI Service

Current Situation

- It is evident that more complaints were received in this reporting period than in earlier years. Efforts are ongoing to continue positive engagement with all service areas to resolve complaints efficiently and effectively.
- The service continues to deal with a significant number of 'enquiries' – though these will normally be referred to services for direct resolution. To clarify, an 'enquiry' is the term assigned to concerns that are either premature and do not yet meet the threshold of a 'complaint', or they are concerns that are received whereby the complaints policies do not apply (i.e. 'properly made decisions', complaints that are out of time, or issues that should be addressed via other means etc.). Therefore, a comprehensive and meaningful response is still warranted.

- A great deal of work continues to be made by the Complaints and FOI Team to prevent Stage 1 complaints from escalating to Stage 2 unnecessarily, on account that it was not possible to respond within the prescribed timescale of ten-working-days.
- Compliance with timescales under Stage 2 was also deemed to be an area requiring attention, though this was attributed largely to the challenges faced by the Complaints and FOI Team in light of increases in workloads.

Areas to focus on

- Improving performance in respect of meeting prescribed timescales that are set out in complaints policies and legislation
- Reinforce the principle that complaints should be owned by all staff and services throughout the Council
- 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 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):

The Scrutiny Committee is asked to note the contents of this report in advance of its presentation at the Cabinet meeting on 14th May 2024.

Reasons for decision:

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

Contact Name: Marie-Neige Hadfield

Designation: Complaints and Freedom of Information Manager

Date of Report: 20th February 2024

Acronyms:

EIR: Environmental Information Regulations
FOI: Freedom of Information
PSOW: Public Services Ombudsman for Wales

Compliments and Complaints Half Year Report
1st April 2023 – 30th September 2023

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 2023 to 30th September 2023. **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 2023/24.

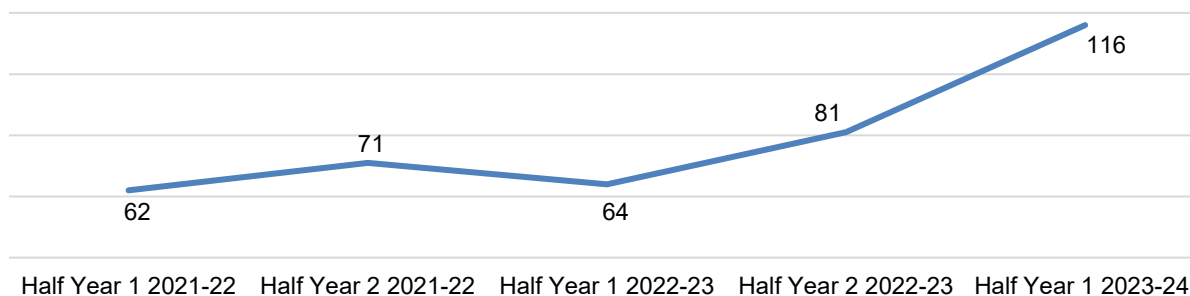
Service	Half Year 1 2023/24
Finance & Procurement	2
Corporate	2
Economy & Regeneration	2
Customer Contact	2
Schools & Culture	5
Policy, Performance & Public Protection	6
Highways & Environmental Services	19
Porth Cynnal	21
Porth Cymorth Cynnar	45
Porth Gofal	67
Total	171

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 2023/24 that were processed in accordance with the two-stage complaints policies. Comparisons are given in respect of 2021/22 and 2022/23.

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, 2022/23 and the first half of 2023/24 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	39	25	64
Half Year 2 2022/23	58	23	81
Half Year 1 2023/24	68	48	116

3.3 Welsh Language Complaints

During the first half of 2023/24 the Council received two complaints specifically relating to the provision (or lack thereof) of Welsh Language services across the Council. One complaint was in relation to Housing Services, and the other related to Integrated Triage and Assessment Services.

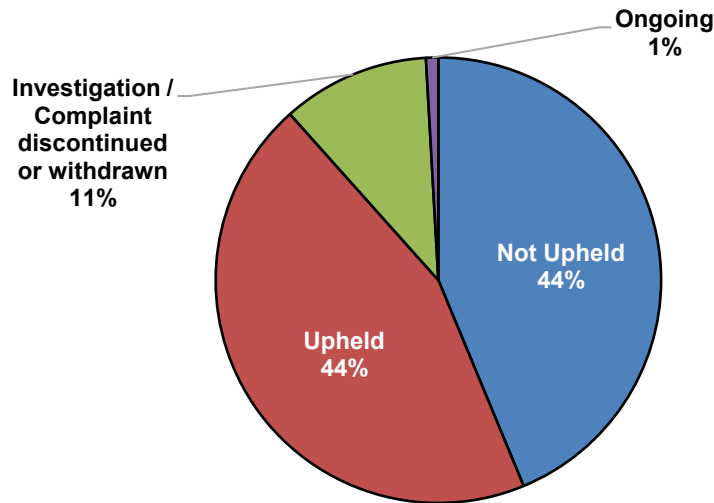
3.4 Number of complaints received by Service during reporting period

See below the number of complaints received in accordance with service area.

Service	Half Year 1 2023/24
Customer Contact & ICT	2
Democratic Services	1
Economy & Regeneration	26
Finance & Procurement	6
Highways & Environmental Services	23
Legal and Governance Service	-
People and Organisation Service	-
Policy, Performance & Public Protection	12
Porth Cymorth Cynnar	14
Porth Cynnal	15
Porth Gofal	8
Schools & Lifelong Learning	3
Multi-Service	6
Total	116

3.5 Complaint Outcomes

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



3.6 Timescales

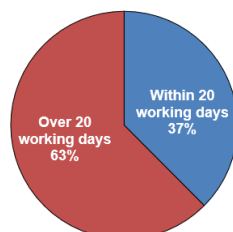
The Council is required to respond to all complaints in a timely manner and in any event, within the timescales stipulated by policy. It is important to note that there is a degree of flexibility afforded under Stage 2, particularly in the interests of ensuring thorough and robust investigations are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

3.7 Stage 1 – A total of **68** 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 **49** of the **54** corporate complaints at this stage were addressed within the prescribed timescales. **5** 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 **40** corporate complaints dealt with at Stage 2 during this reporting period, **14** were automatically escalated from Stage 1 due to exceeding the 10-working day timescale. This equates to **35%** of all corporate Stage 2 complaints investigated.

3.9 Stage 2 – A total of **48** complaints were received at Stage 2. Of these, **8** 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 **8** Social Services complaints, **two** cases were discontinued, **one** case remains open, **one** case was answered within the Statutory timescale. The remaining **4** 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 OMBUDSMAN 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, though this would normally be addressed during staff training (i.e. advising people about how they can complain if they are unhappy with the service provided).
- 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 Half Year 1 2023/24 by primary subject**

Subject	No. of Ombudsman complaints 2022/23	No. of Ombudsman complaints Half Year 1 2023/24
Licensing	1	
Education	1	
Children's Social Services	1	
Communities, facilities, recreation and leisure	1	
Roads & transport	1	1
Planning & Building Control	2	5
Environment & Environmental Health	2	
Housing	3	1
Various Other	4	1* (PROW)
Adult Social Services	5	1
Complaint Handling	14	9
Waste & Refuse	0	1
TOTAL	35	19

Categorisation of complaints made to the Ombudsman in Half Year 1 2023/24 are subject to change once the Annual Letter is received for 2023/24

4.6 The Ombudsman received **19** 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 19 complaints referred to the Ombudsman, **4** cases were closed after initial consideration; **2** cases were deemed to be out of the Ombudsman's jurisdiction; **8** cases were deemed 'Premature' and were referred back to the Council for investigation; and **5** Early Resolution agreements were reached, in order for the Council to be able to resolve the complaint to the Ombudsman's satisfaction.

4.7 Ombudsman Cases resulting in Early Resolution

As referred to above, there were no formal investigations undertaken by the Ombudsman for this reporting period. However, **5** 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:

- **171** Compliments were received
- **116** Complaints were received: **Stage 1 = 68** **Stage 2 = 48**
- **19** 'Contacts' received via Ombudsman Wales
- **180** Enquiries were processed by the Complaints & FOI Service
- **523** FOI & EIR requests processed by the Complaints & FOI Team

5.2 The number of complaints received during this reporting period (116) is a significant increase compared to the number received in both the first and second half of 2022/23 (64 and 81 respectively). This is a positive reflection of the work being done to ensure **all** complaints are recorded, as there were concerns that the high level of Ombudsman referrals could be indicative of missed opportunities to investigate and resolve some concerns as complaints.

5.3 The number of enquiries managed by the Complaints and FOI Service has decreased slightly in the first half of 2023/24 compared with the first half of 2022/23, with a decrease of 12%. However, the number of enquiries received in the first half of 2023/24 (180) has remained in line with the number received in the second half of 2022/23 (183).

5.4 Stage 1 complaints have risen by 29 (an increase of 74%) compared with the first half of 2022/23. There was also an increase in the number of complaints investigated at Stage 2 (an increase of 23, or 92%). Again, this demonstrates that work is ongoing to ensure complaints are suitably identified and resolved in a robust manner.

5.5 As referred to previously, the number of complaints referred to the Ombudsman has increased slightly compared to the number referred within the first half of 2022/23. 4 complaints were closed after initial consideration (21%); 2 cases were deemed to be out of the Ombudsman's jurisdiction (11%), and 8 cases were deemed 'Premature' and were referred back to the Council for investigation (42%). The remaining 5 cases were resolved by way of 'Early Resolution' (26%).

5.6 A smaller proportion of complaints were upheld during the first half of 2023/24, 44% compared with 54% of all complaints received in 2022/23. 44% of complaints received during this reporting period were not upheld, which is an increase in proportion compared with 2022/23 where 32% of complaints were not upheld.