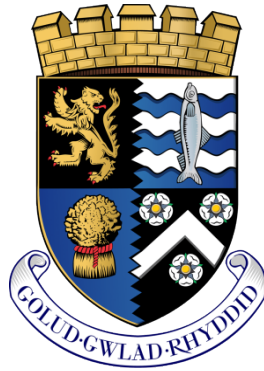


Compliments, Complaints and Freedom of Information Report



Cyngor Sir
CEREDIGION
County Council

2023 – 2024

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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 2023 and 31st March 2024.
- 1.2 Each section of the report will focus on the Council's management and performance regarding each of its statutory and procedural obligations in respect of complaints management and access to information rights.
- 1.3 Whilst the Complaints and FOI Team is responsible for providing advice to officers, liaising with members of the public, and ensuring all activity is recorded, monitored and processed in accordance with the relevant policies and legislation, it is a corporate resource - with services taking responsibility for the resolution of complaints, implementing improvements and providing the necessary information to answer requests under FOI/EIR.
- 1.4 The Complaints and FOI Team oversees the Council's compliance with the following **legislation** and the *policies and procedures* adopted by the Council:
 - * **Social Services Complaints Procedure (Wales) Regulations 2014**
(Social Services Complaints Policy and Procedures – 2020)
 - * **Freedom of Information Act 2000 (FOIA)**
(Freedom of Information Policy – 2018)
 - * **Environmental Information Regulations 2004 (EIR)**
(Environmental Information Policy – 2018)
- 1.5 The Complaints and FOI Team comprises of a manager and three officers who process all the Council's activity under the aforementioned legislation and policies, including any cases referred to the Public Services Ombudsman for Wales ("the Ombudsman") and the Information Commissioner's Office ("the ICO"). In addition to the tasks outlined in points 1.3 and 1.4 (above), the Complaints and FOI Team also provides advice and assistance to all schools, if requested, under the terms of a Partnership Agreement.
- 1.6 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](#).
- 1.7 The Council continues to work positively with the Ombudsman and Section 4 provides details of the **complaints that were referred to the Ombudsman** by members of the public. The Ombudsman's Annual Letter for 2023-2024, dated 9th September 2024, is given in **Appendix 1**, which accompanies this report.

- 1.8 The Council remains committed to the pro-active resolution of all concerns that are made by members of the public, but there are instances whereby the complaints policies may not apply. In these situations, every effort is made to explain the Council's position and signpost service-users to the most appropriate service or organisation that can help them. This work is not formally recorded or required by the Complaints Standards Authority but is often very time consuming for the Complaints and FOI Team to deal with.
- 1.9 Early intervention is crucial when dealing with customer dissatisfaction and the Council seeks to engage in positive discussions with service-users at the earliest possible opportunity. In most instances, it is possible to resolve concerns at the '*enquiry*' stage – without needing to initiate the formal complaints procedures.
- 1.10 A total of **314 enquiries** were managed by the Complaints and FOI Team during this reporting period. Of note, a new records management system for complaints and FOI was introduced on 1st April 2024; therefore, whilst all records preceding this date were previously reviewed and collated manually, the new system enables the team to identify how many enquiries subsequently required intervention and resolution under the complaints process.
- 1.11 This report gives an overview of all cases dealt with by the Complaints and FOI Team, including the Council's compliance with timescales and the outcomes of complaints that were managed in accordance with the corporate and Social Services policies. More information regarding the differences between the two policies will be provided in the relevant sections below.
- 1.12 The Council's ***Concerns and Complaints Policy*** (for corporate services) 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.**
- 1.13 The underpinning ethos for ensuring the effective resolution of these complaints recommends: '*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 is made to keep the complainant informed as to any delays and provide an indication as to when they should expect to receive the Council's formal response.
- 1.14 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 that complaints handling is often an additional aspect when a complaint reaches Stage 2 or the Ombudsman, and every effort is being made on a corporate level to ensure such challenges are addressed through timely and meaningful communication between services; unfortunately, this is not always achieved.

1.15 The Council's ***Social Services Complaints Policy*** also consists of two stages:

- **Stage 1 is the informal stage and must include the offer of a discussion between the complainant and the appropriate Corporate Manager and must be concluded within fifteen-working-days.**
- **Stage 2 requires the Council to appoint a suitable Independent Investigating Officer (IIO) to conduct the investigation. Complaints involving children must also involve an Independent Person (IP), who oversees the investigation stage. The Council should conclude a Stage 2 complaint within 25-working-days from the date that the complaint was 'agreed'.**

1.16 It can take some time to identify a suitable IIO (and where necessary, an IP) but under the statutory Regulations referred to in Point 1.4, the timescale for conducting the investigation does not start until both the complainant and the Council agrees the complaint. Any extensions beyond the stipulated timescale of 25-working-days must be authorised, in writing, by the Statutory Director of Social Services. The Complaints and FOI Team will maintain communication with complainants in respect of any delays.

1.17 The Corporate Lead Officer (CLO) for Policy, Performance & Public Protection is responsible for all complaints and FOI and EIR 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 and EIR performance, respectively.

2 Compliments

2.1 All compliments received from service-users are recorded and monitored on a regular basis. Positive feedback is used to **share and promote good practice** wherever possible and are a source of encouragement that gives Council staff the confidence that they are delivering a valuable and high standard of service.

2.2 Opportunities exist to share good practice on a corporate level as this can promote any tried-and-tested methods of effective service delivery on a broader level.

2.3 It is worth noting that the Council **only** records compliments that are received from **external sources**. Therefore, services that have very little, or no, direct contact with the public will be less likely to receive any positive feedback that would qualify for inclusion within this report. As such, the absence of data recorded against certain services (as shown in the table under point 2.5) is not indicative of a lack of appreciation for their working practices or any reflection on their general performance.

2.4 It is thought that many compliments are sent directly to services but are not then shared with the Complaints and FOI Team for recording and reporting purposes. The Complaints and FOI Team has undertaken some improvements in this regard, which includes the introduction of an online [Compliment Form](#) on the Council's webpage as well as a designated mailbox for staff (and service users) to pass on any positive feedback.

2.5 The table below shows the number of compliments received by Council services by year:

Service	2021 – 2022	2022 – 2023	2023 – 2024
Customer Contact, ICT & Digital	29	44	30
Democratic Services	2	3	-
Economy & Regeneration	14	12	2
Finance & Procurement	5	6	3
Highways & Environmental Services	25	33	36
Legal & Governance	1	3	-
People & Organisation	-	-	-
Policy, Performance & Public Protection	5	16	19
Porth Cymorth Cynnar	29	57	52
Porth Cynnal	27	78	53
Porth Gofal	77	139	91
Schools			4
Lifelong Learning	4	5	5
*Corporate	6	69	5
Total	224	465	300

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

2.4 Snapshot of compliments received during 2023 – 2024

"We would just like to express our gratitude and appreciation of the professional and caring service we received. SW was always ready to listen and helped us so much with the process we went through. A really nice person and efficient." – Porth Gofal

"X wanted to express their thanks and admiration to the PROW team, specifically to the team around Cenarth bridge. The pathway was lovely and would like to thank the team for their hard work." – Economy & Regeneration

"You are one in a million and I will never forget how frank and honest you were and that you saw things from outside the box. You do your job extremely well and think of family also which is important. Many others should take an example out of your book and experience. A massive thank you." – Porth Cynnal

"I would like to thank and congratulate those responsible for the excellent change in management at the roadside verge next to Morrisons in Aberystwyth. I was delighted to see that the new management has redrawn the mowing boundaries and now allows more of the meadow to flower, maintaining just a narrow edge of tightly mown grass for access. This is an excellent example of thoughtful management which is already providing a benefit to our pollinators." – Highways & Environmental Services

"I would like to thank you and all of your staff on the delivery of your NERS. When I first started I didn't have much confidence and the thought of going into a leisure centre was definitely off the cards but with the help and support of NERS it has given me confidence not only to walk into a leisure centre but to access all the facilities and classes that are available to me." – Porth Cymorth Cynnar

"I just wanted your team to know how much I appreciate the very professional and prompt service offered to my family and I. The operative that came to my house was excellent. Thank you again for an excellent service." – Policy, Performance & Public Protection

"We wished to pass on our thanks for all their work and helping in ensuring our wedding day went as perfectly as it did. Diolch yn fawr." – Customer Contact & ICT

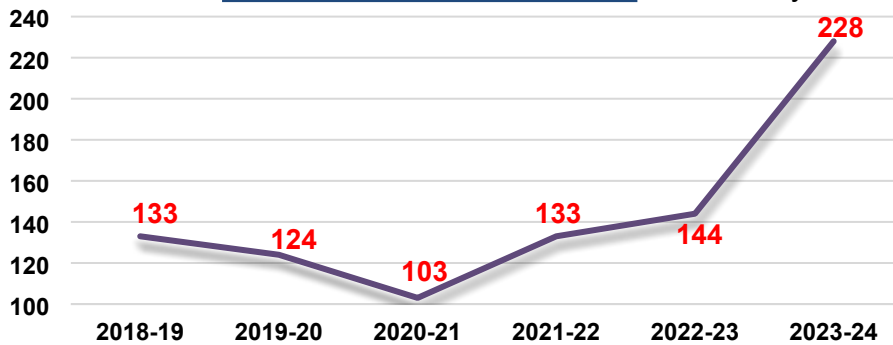
"Finance have been amazing and done everything really fast. I was expecting to be passed around but found everyone helpful and they made the whole experience easy." – Finance & Procurement

"Really cannot thank you and the county for offering provision - without it I really think X would have felt lost and majorly overwhelmed. This service and the space really does make X feel 'heard'. I really can't thank you enough!" – Lifelong Learning

"I just wanted to reach out and let you know that X is amazing. X's passion and commitment to the children they work with is inspiring and 100% benefits them. X advocates for the children and young people of Ceredigion consistently and the plans put in place are massively benefited from X's involvement." – Schools

3 Complaints

3.1 The chart below shows the TOTAL NUMBER OF COMPLAINTS received by the Council each year.



3.2 The table below separates COMPLAINTS BY STAGE for each of the reporting years shown above.

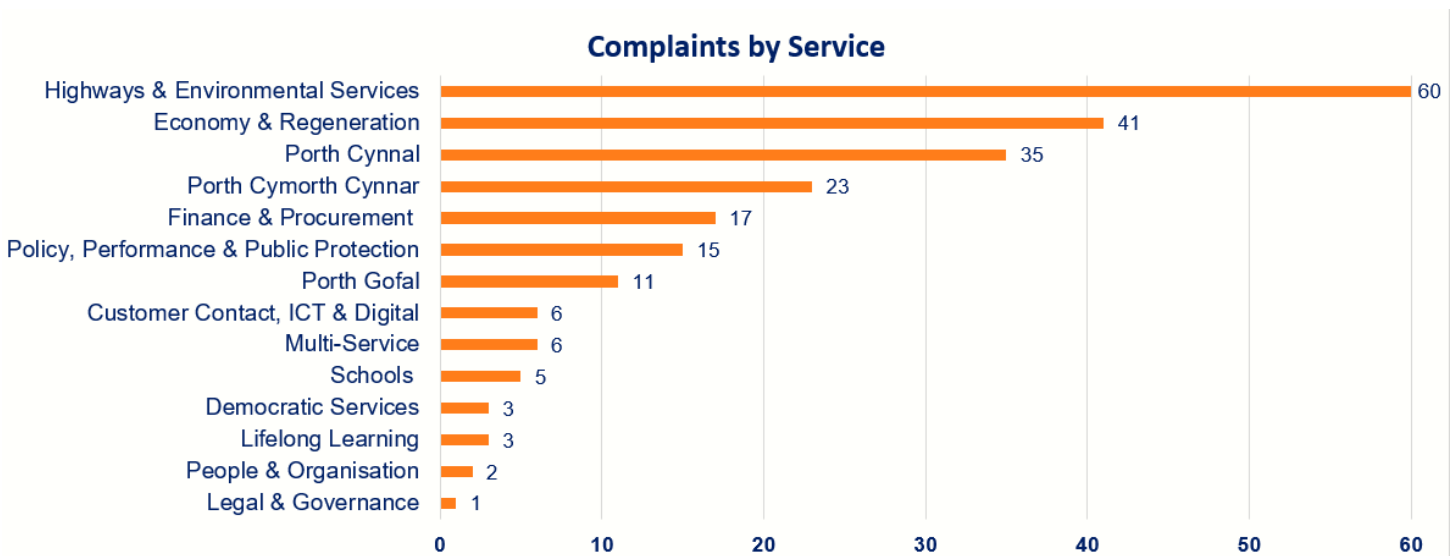
Year	Stage 1	Stage 2	Total
2018-19	92	40	133
2019-20	85	39	124
2020-21	61	42	103
2021-22	73	60	133
2022-23	96	48	144
2023-24	144	84	228

3.3 **3 complaints** were received during 2023-2024 regarding the provision (or lack thereof) of **Welsh Language services** across the Council, but no referrals were received from the Welsh Language Commissioner.

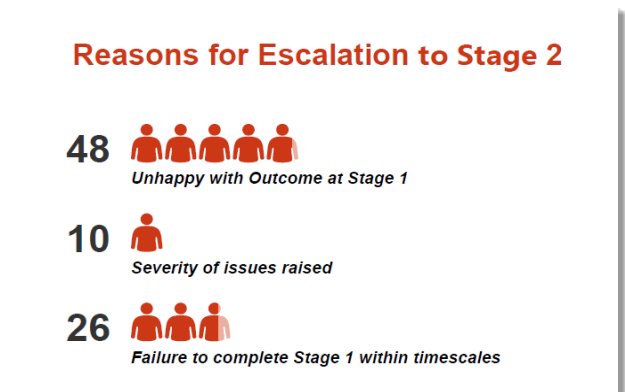
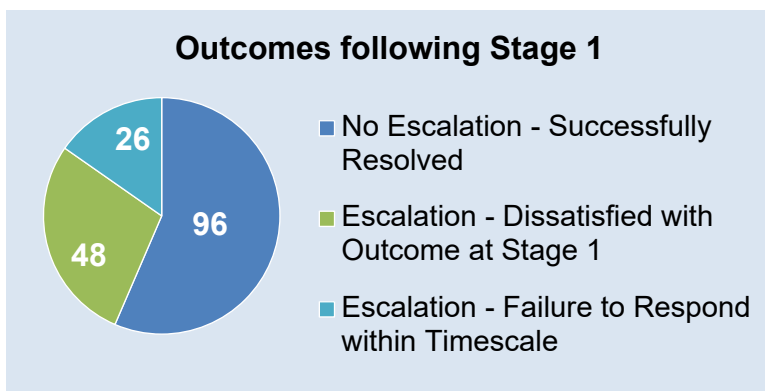
3.4 This chart shows the BREAKDOWN OF COMPLAINTS BY SERVICE and also provides an additional **'multi-service' category**, which is used when complaints span more than one service area. Please note that this graph relates to complaints under both the corporate and Social Services policies

3.5

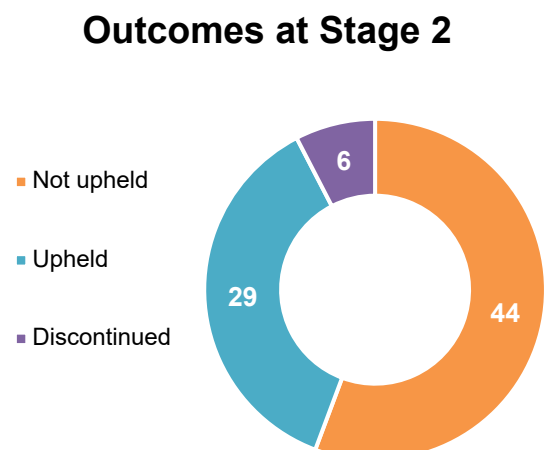
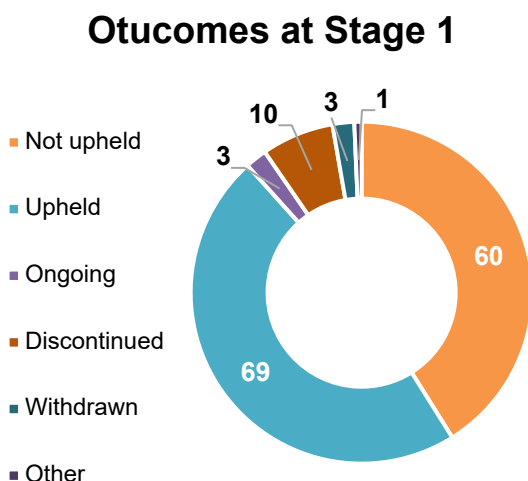
Complaints by Service



- 3.5 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 2023-2024, this is due to the time required to investigate and respond to complaints (e.g. a complaint received on 31st March 2023 will be recorded as having been received during 2022-2023 but, unless the complaint is closed on the day of receipt, the **outcome** will be included within the annual report for 2023-2024).
- 3.6 Analysis of the **Stage 1** complaints that were closed during 2023-2024 is provided below and shows the number of cases that were: **resolved successfully**, those that were escalated to a **formal investigation** under Stage 2 because the complainant was dissatisfied with the outcome, and the number of complaints that were escalated to Stage 2 because the Council **failed to respond** within the prescribed timescale for Stage 1 complaints (**ten-working-days**).
- 3.7 The second chart shows the different **reasons** for why complaints were investigated at Stage 2, particularly as **10 complaints** were **immediately** considered at the formal stage. This is permitted under the policy and will usually occur when serious complaints are received, or those that are received via the **Ombudsman**.



- 3.7 The outcomes of all **146 Stage 1 complaints** that were closed during 2023-2024 are shown below. The same applies to the **79 Stage 2 complaints** that were completed during 2023-2024.



- 3.8 A total of **26** corporate complaints were **escalated** to Stage 2 because the Council was unable to respond within the prescribed timescale of **10-working-days**. This practice is consistent with the Model Complaints Policy issued by the Ombudsman, in accordance with the regulations of the Complaints Standards Authority (CSA) regulations. This represents **15%** of all corporate Stage 1 complaints that were received during the year.
- 3.9 There is no requirement to escalate complaints if timescales are exceeded, under the Social Services complaints procedures, though written authorisation from the Statutory Director of Social Services is compulsory if the Stage 2 timescale is not met.
- 3.10 Of the 68 corporate complaints that were investigated under **Stage 2** and closed during this reporting period, **31** cases were completed **within the prescribed timescale of 20-working-days**. This represents **46%** of all formal complaints having been closed within the timescales set out in the policy. It is acknowledged that there is always room for improvement in terms of meeting response deadlines, though the primary objective should be to conduct a **thorough investigation** and provide a **comprehensive and meaningful response**.

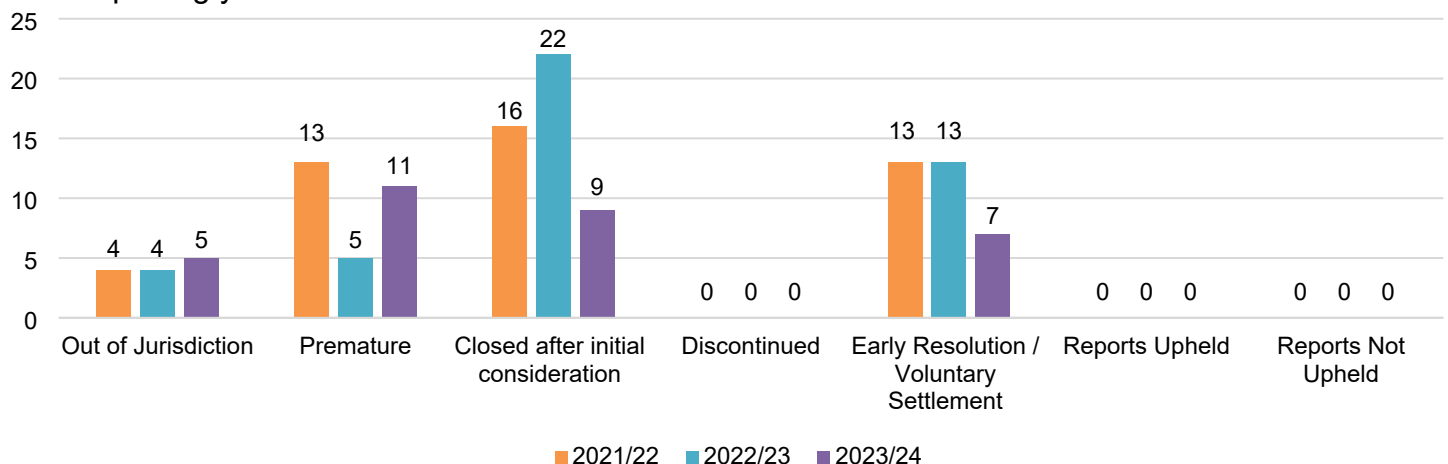
3.11 Identifying lessons from complaints

- 3.12 Every effort has been made throughout this reporting period to capture more information on the **lessons identified because of complaints**. Complaints present an opportunity to identify **improvements and opportunities** arising from the experiences of service-users. Examples of some of the lessons identified are provided at the end of this document.
- 3.13 Following feedback from members of various committees in previous years (Governance & Audit and Overview & Scrutiny), more details were requested in relation to the number of complaints that directly referenced poor communication. This is a recurring theme which is evident in most complaints and is usually characterised by one, or all, of the following:
- a) a lack of **clarity** surrounding the information provided by officers
 - b) the Council's **responsiveness and timeliness** when responding to enquiries from members of the public
 - c) conflicting information being given by different service areas which undermines any **consistency** in the messages that are shared
 - d) a combination of the factors referred to above can have an impact on a service's **accessibility**
- 3.14 Service managers are committed to sharing good practice and improving their systems and processes as a result of complaints. However, it is also crucial that the Council is able to manage the expectations of service-users, particularly as challenges continue to rise in respect of the availability of resources.
- 3.15 As outlined above, more information about some of the lessons that were identified from complaints during 2023-2024 are provided at the end of this report.

4 Complaints to the Public Services Ombudsman for Wales

- 4.1 Information regarding the complaints referred to the **Ombudsman** during this reporting year is detailed within the Ombudsman’s **Annual Letter** dated 9th September 2024, which is provided in **Appendix 1**. This document provides details about the **service areas** at the centre of these complaints as well as their **outcomes** following Ombudsman consideration.
- 4.2 The Council received a total of **32 Ombudsman referrals during 2023-2024**, which represents a decrease in activity for a second consecutive year. 35 Ombudsman referrals were received in 2022-2023; and 52 complaints were made to the Ombudsman in 2021-2022.
- 4.3 The number of cases resolved via **Early Resolution / Voluntary Settlements** have almost **halved** compared with last year; **7** cases were settled in this way during 2023-24, compared with 13 for the previous two years.
- 4.4 The **Ombudsman commenced one investigation** during this period, the first such case since 2018. This investigation remained ongoing beyond the period covered by this report and its outcome will therefore be included in the Ombudsman’s report for 2024-2025.
- 4.5 **Poor communication** remains a key theme in respect of complaints received by the Council, and those made to the Ombudsman. Improvements in this regard are ongoing and will be stepped up during 2024-2025 as part of a corporate commitment to deal with complaints and information requests more effectively.
- 4.6 A **summary of all Early Resolution / Voluntary Settlements** agreed with the Ombudsman is provided at the end of this report.
- 4.5 It is encouraging to note that of the **32 complaints closed** by the Ombudsman during this period were predominantly closed without requiring any intervention at all: **11** were deemed **premature**, **5** were **out of jurisdiction** and the remaining **9** cases were **closed following initial consideration**. The latter refers to instances when the **action** taken by the Council was deemed to be **reasonable and proportionate**, and nothing further would therefore be achieved by the Ombudsman reviewing the matter.

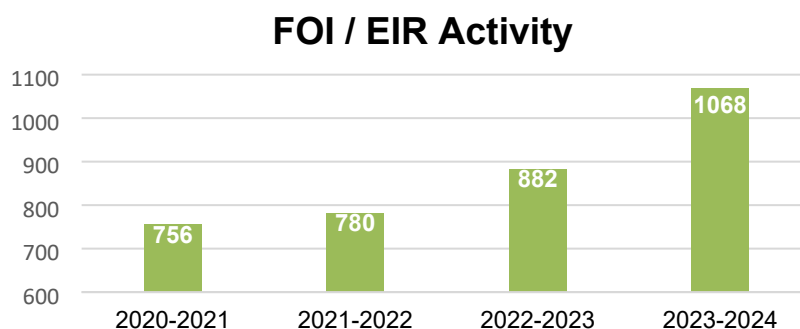
4.6 The Ombudsman’s decisions following consideration is shown below, for the last three reporting years:



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 **1068** requests for information. Of these, **8** cases were escalated to the Corporate Lead Officer (CLO) for Policy, Performance & Public Protection requiring **Internal Review**.

5.2 This demonstrates a marked increase in requests that were received during the last reporting period, and which is greater than any of the years shown below:



5.3 **3 complaints** were made to the **Information Commissioner's Office (ICO)**, all of which were resolved without further action. This represents a third of those that were referred to the ICO last year (9 cases).

5.4 The Council's **compliance** with meeting the timescales set out under FOI (**20 working days**) and EIR Regulations (up to **40-working-days**) was previously an area requiring improvement; however, a significant amount of work done on a corporate level has improved the Council's **performance during 2023-24 (80% compliance rate)**.

5.5 Information requests broken down by **service**:

Service	FOIs Received	EIRs Received
Customer Contact, ICT & Digital	53	-
Democratic Services	11	-
Economy & Regeneration	82	48
Finance & Procurement	185	1
Highways & Environmental Services	111	37
Legal & Governance Services	5	2
Lifelong Learning	24	
People & Organisation	82	-
Policy, Performance & Public Protection	125	13
Porth Cymorth Cynnar	81	-
Porth Cynnal	48	-
Porth Gofal	28	-
Schools	48	-
Multi-Service	72	12
Total	955	113
Total Requests Received:	1068	

Lessons Identified:

Examples of service improvements that were made as a consequence of complaints

Summary of Complaint	Lessons Identified
Complaint regarding a lack of response to several highways enquiries made to the Council.	A system of regular reporting is being developed that will allow any unassigned enquiries on the Highways Maintenance (HM) system to be highlighted and dealt with as they should be. Moreover, there is now a functioning link between the CRM and the HM systems which means that records of any enquiry follow-up calls are automatically transferred from the CRM to the HM system.
Complaint regarding a lack of response to Planning enquiries.	Additional resources have been put into place which will hopefully result in a significant improvement in the time taken to respond to such queries.
Complaint that the Council had requested a review of Council Tax / Housing Benefit less than twelve months after a previous review.	A further manual check has been introduced to the process to ensure customers are not sent a request for Council Tax and/or Housing Benefit reviews if less than twelve months have elapsed since the completion of any previous reviews.
Complaint that there were shortcomings in communication and support, and a general failure to follow specific processes for Leaving Care children.	Corporate Manager to undertake a review of all Leaving Care cases to ensure appropriate support is in place.
Complaint regarding delays experienced in receiving Direct Payments.	The Finance Team will be meeting with the Direct Payments Team to review the process of paying Direct Payments. The meeting will enable the Services to see what can be streamlined as well as put in place an acceptable timescale. This would mean the payment dates that the Direct Payments Team advises the Service Users and their PAs (that are paid via invoice and not through payroll) are fulfilled.
Complaint that the Council failed to respond to correspondence in a timely manner.	Officers will be strongly reminded of the need to ensure that correspondence is responded to in a timely manner.

<p>Complaint that Social Services have not promoted appropriate contact between parent and child.</p>	<p>Arrangements are being made to hold a 'Learning Event' for Social Care staff, the aim of this is to give staff the opportunity to reflect upon their individual, and collective, practices in a safe and confidential space. This will also enable staff to think about any alternative courses of action that may have been available to them at key points in time, and this will support a more positive and open approach towards learning lessons from complaints.</p>
<p>Complaint that a Concessionary Travel Card application was incorrectly reviewed and assessed.</p>	<p>The Council contacted Transport for Wales to advise that the original application was wrongly assessed, that it was satisfied with the evidence provided, and requested Transport for Wales to re-assess the application.</p>
<p>Complaint regarding a lack of response to enquiries.</p>	<p>Discussions have taken place with the relevant managers within Customer Services to clarify the current process and review how future processes can be improved.</p>
<p>Complaint regarding incorrect correspondence being sent to the family of an individual living in a Council residential home.</p>	<p>New policy implemented across all residential homes to provide consistent approach in dealing with correspondence. All staff have also been reminded of the need for compliance with the policy.</p>

Summary of Ombudsman cases requiring Early Resolution / Voluntary Settlement

Service(s) & Reference	Summary of Complaint	Agreed Actions
<p>Highways & Environmental Services</p> <p>Case ref: 202208201</p>	<p>Complaint that the Council had failed to respond to a complaint raised regarding its Highways Department in November 2022.</p> <p>The Ombudsman found that the Council issued a Stage 1 and 2 response which led to the complainant to raise additional concerns in January 2023. The Council has failed to respond to the additional concerns.</p>	<p>The Council agreed to apologise to the complainant and discuss the outstanding concerns within two weeks. The Council then formally addressed those concerns in writing.</p>
<p>Highways & Environmental Services and Complaint Handling</p> <p>Case ref: 202208602</p>	<p>Complaint that the Council failed to respond to a complaint from July 2022, and further failed to respond to most recent communication of February 2023.</p> <p>The Ombudsman decided that although the Council had responded to the complainant within its statutory complaint's procedure timeframe, it appeared that the complainant had not received this. It also decided that there had been a significant delay in the Council's response to the complainant's recent communication and said this caused frustration.</p>	<p>As an alternative to an investigation, the Ombudsman sought and gained the Council's agreement to provide the complainant with an apology for the delay in responding to recent communication, provide a copy of the Council's Stage 1 response, and provide further details on its complaint's procedure within 30 working days.</p>
<p>Economy & Regeneration and Complaint Handling</p> <p>Case ref: 202300621</p>	<p>Complaint that the Council failed to acknowledge or provide a response to a complaint about trees.</p> <p>The Ombudsman decided that the Council had failed to acknowledge any of the complainant's letters and had not logged concerns as a complaint. The Ombudsman said that this caused frustration and uncertainty to the complainant.</p>	<p>The Council agreed to provide a written apology and explanation to the complainant for the failure to respond to their correspondence, undertake a review of its internal process and ensure that any identified system failures are addressed to prevent this happening again. The Council also agreed to issue a Stage 2 complaint response within 4 weeks.</p>
<p>Schools Service; Highways & Environmental Services and Complaint Handling</p> <p>Case Ref: 202301990</p>	<p>Complaint that the Council failed to respond to a complaint about the lack of school transport for their child.</p> <p>The Ombudsman found that the Council had failed to issue a complaint response and had not provided regular and meaningful updates throughout the course of its investigation. This caused frustration and uncertainty to the complainant.</p>	<p>The Council agreed to apologise and provide an explanation for the lack of updates and for the delay in providing a complaint response.</p> <p>The Council also agreed to offer £75 redress for the time and trouble in making a complaint to the Ombudsman, and a further £861.84 for the cost incurred in transporting their child to school. Furthermore, it agreed to issue a complaint response within 4 weeks.</p>

Service(s) & Reference	Summary of Complaint	Agreed Actions
<p>Economy & Regeneration</p> <p>Case ref: 202302339</p>	<p>Complaint that the Council had failed to respond to a complaint regarding a proposed large-scale development in a field next to their father's property.</p> <p>The Ombudsman decided that there had been a delay and oversight in the Council's response, which caused frustration and inconvenience to the complainant.</p>	<p>The Council agreed to its complaint response, offer an apology for the delay and oversight, and offer redress of £50 within 3 weeks.</p>
<p>Economy & Regeneration and Complaint Handling</p> <p>Case ref: 202304164</p>	<p>Complaint that the Council failed to provide a response to a complaint about how it handled a planning application. The Council said it was unable to investigate the complaint because it was about the decision to refuse the planning application and therefore it remained open to appeal.</p> <p>The Ombudsman decided that the Council had overlooked aspects of the complaint. It had wrongly determined that the entire complaint fell outside the statutory complaints procedure.</p>	<p>The Council agreed to identify the aspects of the complaint that can be considered under the statutory complaints process, offer an apology for the delay and agree to provide a Stage 2 complaint response, within 5 working days.</p>
<p>Porth Cynnal and Complaint Handling</p> <p>Case ref: 202302711</p>	<p>Complaint that the Council forced their mother into a residential care home without consent and is now attempting to reclaim the costs incurred.</p> <p>The Ombudsman found that the Council failed to investigate the concerns raised under its complaints process advising instead that it was a properly made decision. The Ombudsman decided that the Council could not determine that it was a properly made decision without a formal investigation. This caused additional frustration and inconvenience to the complainant.</p>	<p>The Council agreed to apologise to the complainant and log the concerns as a formal complaint, acknowledging receipt within 5 working days. The Council also agreed to issue a £50 payment for the inconvenience.</p>