
GOVERNANCE & AUDIT COMMITTEE: 23 NOVEMBER 2021

DRAFT CARDIFF COUNCIL MID YEAR (CORPORATE) COMPLAINTS REPORT 2021-22

REPORT OF THE CHIEF DIGITAL OFFICER

AGENDA ITEM: 8.1

Reason for this Report

1. This report has been produced to enable the Governance and Audit Committee to review and assess the authority's ability to handle complaints effectively, and make any associated reports and recommendations.
2. The Governance and Audit Committee has incorporated the above responsibility into its terms of reference, as required in accordance with the provisions of the Local Government and Elections (Wales) Act 2021.
3. The intention of this mid year report is to focus solely on complaints. The Council's Annual Complaints Report will follow to Committee in May 2022 and will cover both complaints and compliments.

Background

4. By way of background, in 2019 the Ombudsman gained new powers under the Public Services Ombudsman for Wales Act 2019, this received Royal Assent in May 2019. Part of the act detailed a commitment for Local Authorities to report on complaints to senior management twice a year.
5. Going forward, the Local Authority will continue to provide its comprehensive Annual Complaints Report every year to Cabinet. However, a second report will be provided to Informal Cabinet, covering the first six months of the year.
6. Prior to being considered at Cabinet / Informal Cabinet, the Governance and Audit Committee will consider the complaints report(s). Committee had previously assessed the authority's ability to handle complaints effectively, by considering the Council's Corporate Complaints policy and Annual Complaints report (for 2020/21) on 20th July 2021.
7. The half-yearly report (found at Appendix A) provides information on the operation of the corporate complaints procedure between 1st April 2021 and 30th September 2021
8. In addition to the Council's Corporate complaints policy, it is a statutory requirement for Local Authorities to have in place a complaints policy for Social Services. The Council also

reports on the operation of the Social Services complaints policy and the report (Appendix A) contains information about the number of Social Services complaints received.

9. Complaints can be made face-to-face or by telephone, email, letter or by using the online form found on the Council's website.
10. **Complaint received.** A complaint can be registered via any Council venue and once received, should be forwarded to the Service Area Complaints Manager. Every Council service area has a lead officer for complaints. The Complaints Manager will ensure complaints are acknowledged and recorded and facilitate the investigation of the complaint in accordance with the corporate complaints procedure.
11. **Acknowledgment.** The Complaints Managers will aim to acknowledge complaints within 5 working days. At this stage, we can let the customer know who is dealing with their complaint and our understanding of what the customer's complaint entails. We can also let the customer know that a full response will follow within 20 working days of our receipt of the complaint.
12. **Full response.** At the end of an investigation, a response should be produced depending on how a customer has indicated they prefer to be contacted. The response should include the outcome of the investigation as well as any necessary action taken for service improvement. The Public Services Ombudsman for Wales states that the aim of every formal investigation should be to "investigate once, investigate well". Advice will also be included on the full response on what the complainant should do if they remain dissatisfied with the outcome – to contact the Ombudsman.
13. **Public Services Ombudsman for Wales.** Complaints that progress to the Ombudsman will have been thoroughly investigated by the service area. If a complainant remains dissatisfied, it is for the Ombudsman to assess whether there is any evidence of service failure or maladministration not identified by the Council.
14. **Complaints relating to Councillors** (that a Councillor may have breached the Code of Conduct) should be addressed to the Public Services Ombudsman for Wales. The Ombudsman's web site contains explanations on the standards of behaviour expected by the Code and the basis on which the Ombudsman decides whether or not to investigate a complaint.
15. The Council has also adopted a Local Resolution Protocol, in line with the recommendations of the Ombudsman, to deal with relatively 'low level' complaints made by another Member or Officer of Cardiff Council. Typically, these complaints will be about alleged failures to show respect and consideration for others as required by paragraph 4(b) of the Members' Code of Conduct. Low level complaints made by members of the public about an alleged breach of the Code of Conduct by a councillor may also be dealt with under the Local Resolution Protocol if the Monitoring Officer agrees this is appropriate.
16. All Directorates are responsible for providing high levels of service to their customers, clients or residents. The Chief Digital Officer has strategic oversight of the corporate complaints process in line with their Council-wide customer service responsibilities.

Issues

17. Details of complaints recorded by the Council under our Corporate process can be found in Appendix A.
18. A total of 2,248 (Corporate) complaints were recorded during Quarters 1 and 2 of 2021/22.
19. Increased pressures continue to be placed on service areas across the Council as a result of Covid-19. Issues faced included a greater demand placed on Council services, adapting to Council-wide homeworking and staff shortages due to illness and self-isolation.
20. Priorities for the coming six months include the proposed new Council-wide complaints & correspondence system and the subsequent improvement of complaints reporting and complaints training
21. During the next six to eight months, the Council will be implementing a council-wide complaints and correspondence system. The designated project team have considered 3 proof of concepts with the aim of having the preferred solution identified by the end of the year. Implementation of the new solution would then take place between January 2022 and May 2022.
22. The new platform will provide additional functionality which can be harnessed to improve performance in the following areas.
23. Complaints training - as part of the roll out and embedding of the council-wide complaints system, a central SharePoint site will be created so that staff will be able to access all supporting information, including training information, guidance documents and frequently asked questions. Specific training will be made available for all staff and will include:
 - ✓ The new process to manage complaints, compliments and enquiries
 - ✓ How to use the new solution
 - ✓ Clear definition information for complaints, compliments and enquiries.
 - ✓ Recording and reporting standards required to ensure corporate consistency
24. Complaints handling - as each Council service area has a lead officer for complaints (and receives and responds to their own complaints), complaints handling across the Council can vary somewhat. Regular corporate complaints meetings mean that the central corporate complaints team are able to provide advice and support to lead officers and ensure we are able to set the required standard for our complaint responses. However, the central database will lead to improvements in this area as the corporate complaints team will have increased oversight of all complaints. Furthermore, a central database will mean a move towards improved consistency of data entry across the organisation. It will also enable the Council to implement a tracking system for lessons learnt and monitoring how these improvements to the service areas are embedded into existing routines/policies.
25. Improved complaints reporting and recording - we are confident that the implementation of the council-wide system will lead to further improvements when it comes to recording and reporting on complaints received by Cardiff Council. There is also a pressing need to

meet the requirements of the Complaints Standards Authority (CSA). The CSA was created under the Public Services Ombudsman (Wales) 2019 Act and part of the CSA's duty is to collect and publish specific data from local authorities. A central complaints repository will help us greatly in this regard and emphasises the importance of a council-wide repository for complaints that can produce council-wide data quickly.

Legal Implications

26. Under Part 6 of the Local Government and Elections (Wales) Act 2021, section 115, Governance and Audit Committees are given new statutory functions, with effect from 1st April 2021, to 'review and assess the authority's ability to handle complaints effectively', and 'make reports and recommendations in relation to the authority's ability to handle complaints effectively'.
27. The information set out in the report is provided for the Committee to review, assess and consider whether to make any recommendations in this regard.

Financial Implications

28. The financial implications (if any) arising from this report have been contained within the body of the report.

RECOMMENDATIONS

29. That the Governance and Audit Committee considers and notes the content of the report and makes any comments or recommendations, as appropriate. We would invite Committee to provide any feedback on the draft complaints report prior to it being considered at Informal Cabinet.

Isabelle Bignall
Chief Digital Officer

The following is attached:

Appendix A: Draft Cardiff Council Mid Year (Corporate) Complaints Report 2021-22