

GOVERNANCE & AUDIT COMMITTEE: 19TH JULY 2022

ARRANGEMENTS FOR HANDLING COMPLAINTS AND COMPLIMENTS (INCLUDING THE DRAFT COMPLAINTS AND COMPLIMENTS ANNUAL REPORT 2021/22)

AGENDA ITEM: 10.1

REPORT OF THE CHIEF DIGITAL OFFICER

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.

Background

3. The Authority's Corporate Comments, Complaints & Compliments Policy reflects guidance given in the Welsh Government Model Policy and Guidance Paper for Handling Complaints. In April 2021, the Authority adopted a revised policy, based on a model complaints handling for public service providers in Wales issued by the Public Services Ombudsman for Wales (The Ombudsman).
4. The revised policy did not represent a significant departure from our previous policy. There is no change to the Authority's one-stage approach with the aim of every complaints investigation being to "investigate once, investigate well". After receiving a complaint response, the complainant has the right to escalate a complaint to the Ombudsman should they be dissatisfied with the Authority's response.
5. A copy of the Authority's revised policy was shared with the Ombudsman who confirmed the policy was deemed compliant with the Ombudsman's principles and model complaints handling policy.
6. Under the Council's Corporate Comments, Complaints and Compliments Policy (link in appendices) complaints, comments and compliments can be made face-to-face or by telephone, email, letter or by using the online form found on the Council's website.
7. **Complaint received.** Every Council service area has a lead officer for complaints. The Service Area Complaints Manager will ensure complaints are acknowledged and recorded

and facilitate the investigation of the complaint in accordance with the corporate complaints procedure.

8. **Acknowledgment.** The Complaints Manager 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.
9. **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. Advice will also be included in the full response on what the complainant should do if they remain dissatisfied with the outcome – to contact the Ombudsman.
10. **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.
11. **Compliments** are also recorded and as an organisation, we receive many positive comments about our staff and the services we provide. Knowing where things are working well and are appreciated is as important to capture as knowing where things are perhaps not working. Good practice and learning can then be circulated across the Council.
12. Complaints and compliments provide valuable information about how we are performing and what our customers think about our services. Most people who complain tell us what we have done wrong and how we can do better. We use this feedback to improve our services.
13. An annual report is published which demonstrates the council's commitment to transparency and a positive approach to acknowledging, investigating, responding to and learning from complaints. The latest annual report for the financial year 2021/22 can be found at Appendix A though Members are asked to note that it is currently a draft version of the report, with further changes being anticipated before it is presented to Cabinet in September.
14. Members are asked to note that there are separate processes for dealing with complaints about Social Services, Elected Members and schools.
15. The Social Services Complaints Procedure (Wales) Regulations 2014 outlines the procedure for handling complaints from persons receiving a service from social services. Social Services complaints follow their own statutory complaints procedure with two stages – Stage 1 being an informal (internal) resolution stage and Stage 2 involving the appointment of an Independent Investigator not employed by the Authority.
16. The Social Services complaints team have been involved in the discussions surrounding the new council-wide complaints system and, despite being a separate team with their own procedure, we have arranged for information to be captured in the new system when it is introduced. However, it will be a completely different workflow for Social Services complaints to reflect that they have a different policy.
17. Members will recall that the Monitoring Officer provided an outline of the arrangements in place for handling Elected Member breach of code of conduct complaints in the Governance and Audit Committee meeting on 20th July 2021. Specifically, that 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.

18. 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. 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.
19. The Education Act 2002 requires that the governing bodies of all maintained schools in Wales, should establish procedures for dealing with complaints from parents, pupils, staff, governors and members of the local community. Accordingly, each individual school has their own complaints procedure.
20. The Committee have previously considered a copy of the Complaints and Compliments Annual Report 2020/21 in July 2021 and a 'Half-yearly' report in November 2021. The Committee subsequently received a confidential briefing and appendices relating to the action for Committee to receive an overview of the preferred option for the proposed new complaints handling system, including details of the specification used to inform the procurement process.
21. The Committee's terms of reference include the responsibility to "review and assess the authority's ability to handle complaints effectively", for which further details are provided in the following paragraphs.
22. In terms of current assurances, the Authority can take assurance from the consideration of the Ombudsman that the Council's complaints handling policy is deemed to be compliant with the Ombudsman principles and model complaints handling policy
23. The Corporate Complaints Team provide advice and support to complaints contacts across the council on a weekly basis. The team also facilitates a quarterly meeting of the complaints contacts to discuss any key issues, share good practice and to capture any lessons that can be learned to inform service improvement.
24. Data is published annually in the Council's Annual Complaints Report and we also provide data quarterly to the Ombudsman, who publishes it on her website. A half-yearly report is also presented to Informal Cabinet and which gives the Authority the chance to "take stock" at the six-month period.
25. The Authority can take comfort from the comments of the Ombudsman in terms of the completeness and accuracy of the figures contained within the Annual Report. The Ombudsman's Head of Complaints Standards has stated that they "are appropriate for a council our size and that they reflected a solid foundation of accepting, recording and responding to complaints".
26. Since the last meeting with Committee on this topic (November 2021), the Authority has created three specialist teams – to deal with our Adult Services, Children's Services and Corporate Complaints respectively. This has enabled the Authority to have dedicated expertise and skills harboured in specialist teams, demonstrating the absolute importance we as an organisation place on complaints.
27. Also since the previous meeting, Complaints Officers in each Directorate have received training from the Public Services Ombudsman for Wales. This training raised staff awareness in recognising a complaint and the process of recording the contact and dealing with it within

the policy guidelines. The Authority has since developed a bespoke training package in conjunction with the Ombudsman to roll out internally for council officers. As of July 2022, we are the only Local Authority to have developed such a package. This complaints-specific training will be mandatory for all officers who handle complaints.

28. During 2021/22, a library of supporting documents (Statement of Principles) have been introduced to assist complaints officers in terms of how to handle complaints. These documents have been developed to ensure an increased consistency of approach across the Authority and should result in greater efficiency.
29. Members will be aware that the Authority has committed to the introduction of a single, corporately owned system for Complaints, Correspondence and Members Enquiries. The aim of the council-wide system is to improve the handling process, increase efficiency and provide corporate oversight of the complaints, compliments and member/cabinet enquiries across the organisation.
30. Preparing for the council-wide system has given the Authority the opportunity to review the way in which we are reacting to citizen complaints and drive efficiencies and improvements via a standardisation of approach and greater monitoring capabilities. Engagement with our stakeholders at all levels has identified current gaps in our processes and challenges including:
 - Lack of corporate oversight - while the central corporate complaints team is in regular contact with each directorate, there is no corporate oversight of complaints.
 - No single system to handle complaints – with each directorate responsible for their own complaints, there are multiple systems being used to handle complaints.
 - Inconsistent recording of information and no ability to report centrally - complaints handling across the Council can vary. Having a central database will mean a move towards improved consistency of data entry across the organisation in terms of what data we want to capture as a council as a whole and also what the Ombudsman requires. This is data that is not routinely captured with the various current systems used.
 - No real-time data – with multiple systems being used to handle complaints, collecting complaints data from the various contacts can be time-consuming.
 - Inefficient processes with multiple handovers, double keying of information and duplication of work – engagement with stakeholders has involved all directorate contacts and an analysis on the systems and processes we use has shown that there are some inefficiencies.
31. The Authority has explored current mechanics and needs and also engaged upon a robust process in terms of assessing prospective systems against those needs. Members have previously received this analysis as well as contract information and specification of the project.
32. The investment in the new system demonstrates a corporate commitment from the Authority. There has been excellent engagement at all levels and we have engaged with key stakeholders –at officer level and those who will be dealing with complaints, but also at Senior Management level. The Chief Executive has had oversight of the project and provided strong leadership.

33. Using fictional scenarios, stakeholders have been taken through the process of managing complaints, compliments, and enquiries in the new system. They were shown how the system would work in terms of viewing and searching for tickets, logging, assignment, creating a response, approval, communicating the response, closing the record, and reporting. All the stakeholders were happy with the system and expressed this via positive feedback. Some of the comments are captured below.

- “100 times better than XXXX much easier to use, straight forward, like the flexibility and freedom to configure”
- “Thumbs up from Parks on this system”
- “It's very detailed. It looks like it does everything we need. I think it contains everything we need.
- Looks good, easy to use. Interested in the reporting side of things, better than the previous POC demo XXXX
- “I like it, it's a lot better than XXXX leaps and bounds”
- “Should make life easier for staff and capture and report on our performance. I think it's brilliant”
- “Will speed up reporting no end”
- “You've wowed us with the reporting functionality, I'd be embarrassed to show you the XXXX reporting functionality”
- “I am very impressed; it looks what we're after. It's great”

34. Several benefits can be achieved through the implementation of the new corporate system. Automated workflows and routing all complaints, compliments, and member enquiries via a new proposed ‘Corporate Centralised Team’ can achieve the following Customer and Organisational related benefits:

- Improved performance against corporate KPIs and statutory regulations
- Improved compliance with statutory regulations, GDPR and Ombudsman reporting
- Improved compliance with information security and governance policy and procedures
- Increased productivity
- Improved customer satisfaction
- Improved audit performance

35. The Authority takes complaints and concerns seriously and will display our commitment to continuous improvement by learning from any mistakes made. The Corporate Complaints Team will be developing a process to monitor both the effectiveness of the complaints process and how complaints data is being used to improve services. The information identified will then be used to contribute to service development which could include additional training, changes to internal procedures or increased monitoring.

36. Due to the number of complaints received by the Authority, it would be impractical for the Corporate Complaints Team to check that every complaint case has been managed appropriately. However, the new system will enable the Corporate Complaints Team to monitor the effectiveness of complaint responses by 'dip sampling' closed complaint files and checking if complaints were handled appropriately. It is envisaged that future reporting will place more importance on what we as an Authority are learning from complaints, to support improvement in complaint handling and in service delivery. This information will be regularly collated and analysed so that decision makers can regularly review the information gathered from complaints when planning service delivery. Information will also feature in future Annual Complaints Reports and Half-Yearly Complaints Reports and prior to both reports being published, there will be an opportunity for the reports to be considered at Director's SMT.
37. The new system will be introduced on a phased incremental basis. It has been piloted with the Cabinet Support team (as it will be used for Cabinet Member Enquiries as well as complaints, Member Enquiries and compliments) before moving on to three distinct services within the Authority before a soft launch in Summer 2022.

Legal Implications

38. 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'. The information set out in the report and appendices is provided for the Committee to review, assess and consider whether to make any reports and recommendations to the authority in this regard. In discharging its functions, the Committee must have regard to any relevant guidance issued by the Welsh Government.

Financial Implications

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

RECOMMENDATIONS

40. That the Governance and Audit Committee considers and notes the content of the report, in respect of its role to review and assess the authority's ability to handle complaints effectively, and to make any associated reports and recommendations.

Isabelle Bignall
Chief Digital Officer

The following is attached:

Appendix A: Draft Complaints and Compliments Annual Report 2021/22

Appendix B: Local Resolution Protocol

Appendix C: Presentation Slides

Background papers

- Corporate Comments, Complaints & Compliments Policy [Link](#)
- Previous report to Committee (November 2021). [Link](#)
- Welsh Government and Public Services Ombudsman for Wales guidance [Link](#)