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| <b>Committee:</b>       | <b>CABINET</b>  |
| <b>Date:</b>            | <b>18 July 2017</b>   |
| <b>Title:</b>           | <b>2016/17 Annual Report on the Implementation of the Council's Complaints Procedure and the Service Improvement System</b> |
| <b>Author:</b>          | <b>Clrs Mair Rowlands</b>   |
| <b>Liaison Officers</b> | <b>Iwan Evans, Monitoring Officer<br/>Geraint Owen, Head of Corporate Support Department</b>                                |

## **Background**

- 1.1 This is the annual report on the system to improve the Council's services for the period 1 April 2016 to 31 March 2017. The foundation for this system is the Council's Complaints Procedure which came into operation on 1 April 2015 (see Appendix 1) and this report elaborates on the implementation and the performance of the Complaints Procedure, and how dealing with complaints has led to permanent improvements in the services the people of Gwynedd receive.
- 1.2 A number of officers across the Council have a role to play in implementing the service improvement system and complaints procedure, starting with the role that all Council officers have, which is to ensure the best possible services for the people of Gwynedd and deal with enquiries and complaints about them. These are supported by an officer within each department who are designated points of contact and complaints are referred from Galw Gwynedd and the Service Improvement Officer to them in order to ensure that they receive attention from the appropriate officer within the department.
- 1.3 The Procedure and the associated officers are supported by the Service Improvement and Complaints Coordination Team. The Team includes a Monitoring Officer, the Organisational Development Manager, the Service Improvement Officer and the Senior Solicitor (Corporate).

The Organisational Development Manager and the Service Improvement Officer lead on promoting service improvement across the Council by focusing on ensuring the greatest benefit from the opportunities the complaints offer services to identify the improvements that can derive from them, and the lessons to be learnt. The Monitoring Officer and the Senior Solicitor are responsible for ensuring that the Complaints Procedure is implemented appropriately and for deciding on investigations in the most complex cases. They also offer specialist support to the Service Improvement Officer.

The Service Improvement Officer also advocates on behalf of complainants to ensure a response to the complaints received. She has the responsibility for coordinating an informal response to all complaints that remain unresolved (see paragraph 2.2 below), receive complaints over the phone and via the Council website, and provide support to complainants and services.

## **2.0. The Performance of the Council's Complaints Procedure 2016/17**

2.1 The procedure adopted by the Council is in accordance with the Model Concerns and Complaints Policy and the Guidance published by the Welsh Government, and produced under the guidance of the Public Services Ombudsman for Wales.

## 2.2 Number of Complaints Received

Complaints are responded to in two ways, namely:

### Informal Resolution

This stage offers the complainant an opportunity for informal contact in the place where the service is provided in order to seek to resolve complaints either as the concern arises or very soon thereafter.

### Resolution or Formal Investigation

If the complainant is unsatisfied with the informal resolution, it can be referred for a formal investigation.

**In the year 2016/17, 67 formal complaints were recorded. This is compared with 81 in 2015/16.**

## 2.3 Reasons for Complaints

In order to be able to further analyse the nature of the complaints received, and in order to receive more meaningful information, the complaints are categorised and recorded in five specific headings, namely:

|   | Percentage of complaints<br>2016/17 |
|---|-------------------------------------|
| Mistake/incorrect action by the Council | 19%                                 |
| Unhappy with the decision               | 27%                                 |
| Lack of response/action                 | 48%                                 |
| Officer conduct                         | 3%                                  |
| Language and Equality matters           | 3%                                  |

## 2.4 Complaints Response Time

Under the procedure, it is possible to monitor time taken to investigate and respond to formal complaints. The target for formal response is 20 working days. **In 2016/17, 84% of formal complaints were responded to within 20 working days, with an average of 11.6 days.** This is compared with 81% in 2015/16, and an average of 16 working days.

If it is not practical to respond within the target period, e.g. if it is an especially complex complaint, the situation is explained to the complainant.

## 2.5 Other Complaint Procedures within the Council

For statutory reasons, there is a separate complaints procedure for social service users - and the reports on this procedure are submitted jointly. Individual School Governing Bodies have their own complaints procedures which are based on statutory guidance.

## 2.6 Complaints Referred to the Ombudsman

If the complainant continues to be unsatisfied following a formal investigation or after following social services or education procedures, he/she can take the complaint to the Ombudsman.

**In 2016/17, 29 complainants referred complaints to the Ombudsman** Of these, the Ombudsman was of the view that **there was no case to answer in 26 cases, with three leading to a settlement.** They did not publish a report against the Council during the year. In 2015/16, complainants referred 25 complaints to the Ombudsman - they decided that there was no reason to respond to 19 cases, with three cases leading to a settlement, and three attracting a report.

**2.7** Full details of the 2016/17 performance can be seen in Appendix 2

### **3. Service Improvement**

**3.1** In addition to ensuring the implementation of the Council's Complaints Procedure, the Service Improvement and Complaints Coordination Team was established in order to make the most of the data and information deriving from complaints in order to ensure improvement in the Council's services and to drive the work of embedding the appropriate culture across the Council.

The Team have a number of responsibilities whilst achieving this:

- offer guidance and advice to departments on how to deal with individual complaints.
- introduce suitable interventions in order to embed the appropriate culture
- promote and encourage improvements based on complaints or trends
- identify fields for general improvement
- present relevant development opportunities
- Review the Council's Complaints Procedure
- raise awareness of the Procedure outside and inside the Council
- report on the performance of the Procedure

More information is available about the work completed by the Team during 2016/17 in Appendix 3.

### **4.0 Conclusions**

**4.1** Performance improvement in terms of numbers and response period in 2016/17 is encouraging and shows that the procedure contributes towards a positive effect on our services. It is likely that a number of factors contribute towards this.

- departmental procedures and the emphasis on dealing with complaints in the first instance, in accordance with the principle of the procedure of attempting to achieve an informal resolution
- Service Improvement and Complaints Coordination Team promoting the principle of resolving problems as an important part of providing a quality service for citizens and embedding a culture which maintains this.
- The principle of 'investigate once, investigate well'
- A specific officer (Service Improvement Officer) in place who ensures that departments respond to complaints promptly, who can advise members of the public and officers on

the implementation of the procedure, and identifies opportunities to resolve complaints promptly and informally.

- improvement in the methods of gathering and analysing information regarding complaints

4.2 But it is important that this work continues. The performance figures have highlighted specific fields that will be addressed over the next months. This work will be likely to include training and discussions with relevant departments on the obstacles they have and the appropriate resolutions.

4.3 Also, the work of offering guidance and support for services has proved to be key in placing an emphasis on staff to be empowered to resolve complaints and take responsibility for them and, as a result, to help embed the appropriate culture.

4.4 The key work of developing methods of gathering and analysing information to enable the Council to learn lessons from complaints will continue. This will include gathering examples of good practice within the Council and communicating them across the Council.

## Appendix 1

### The Council's Complaints Procedure

The procedure adopted by the Council is in accordance with the Model Concerns and Complaints Policy and the Guidance published by the Welsh Government, and produced under the guidance of the Public Services Ombudsman for Wales. The advantage of this is that it is consistent with the complaint procedures of other public bodies, making the submission of a complaint easier for members of the public across public organisations.

The procedure was adopted by the Cabinet with the following aims:

- Providing a specific benefit for the citizen by focusing on the solution rather than the process. It will allow for complaints to be dealt with promptly, by removing one step of the current process which is fairly laborious and long-winded.
- It will allow complaints which involve more than one department to be better coordinated, and will allow for the coordination of complaints which involve external agencies or partners.
- By establishing a central, comprehensive database, it will be possible to keep an overview of the pattern of complaints and to learn lessons as an organisation.
- Ensuring consistency with the Council's culture and the principles of Ffordd Gwynedd.

#### The Procedure

A complaint is defined as:

- an expression of dissatisfaction or concern
- either made in writing or verbally or by any other means of communication
- made by one or more members of the public
- it is in relation to how the Council has acted or failed to act
- or it is regarding the standard of service provided
- and there is a need to respond to it.

A complaint is not:

- an initial request for service, such as informing about a faulty street light
- an appeal against a decision that has been 'made appropriately'
- a way of seeking a change in legislation or a policy decision that 'has been made appropriately'
- a way for lobbying groups/organisations to promote their case.

The core principles behind the Procedure are:

- that dealing with complaints is an integral part of providing services.
- staff are encouraged to consider each time whether it would be possible to resolve the complaint 'here and now'.
- seek the most appropriate result for individuals and services

- allow dealing in a pro-active way by focusing on the people's needs, namely resolving the problem rather than the complaint process itself

There are two internal stages to the new procedure, namely:

### **Informal Resolution**

This stage offers the complainant an opportunity for informal contact in the place where the service is provided in order to seek to resolve complaints either as the concern arises or very soon thereafter. It is not essential to record all complaints or problems that are informally resolved, and it would not be practical to do so without creating a specific reporting system. Therefore it is not possible to report on the numbers.

### **Resolution or Formal Investigation**

If the complainant is unsatisfied with the informal resolution, it can be referred for a formal investigation. "Investigate once, investigate well" is the principle in this stage of the process. The emphasis is given on one investigation to thoroughly deal with the concerns raised. Usually, an investigation would be carried out by an officer within the department who is on a sufficiently senior level and who is independent from the source of the complaint. From time to time, this will not be appropriate and the complaint will be investigated by an officer who is independent from the department in question. Unlike informal resolutions, all formal complaints are centrally recorded.

In order to be able to further analyse the nature of the complaints received, and in order to obtain more meaningful information regarding standards, the complaints are categorised into five specific headings, namely:

- Mistake/incorrect action by the Council
- Unhappy with the decision
- Lack of response/action
- Officer conduct
- Language and Equality

Under the procedure, it is possible to monitor the time taken to investigate and respond to formal complaints. The target to formally respond is 20 working days.

If this is not practical, e.g. if it an especially complex case, the situation is explained to the complainant.

For statutory reasons, complaints procedures are separate for social and school service users.

## Appendix 2

### 2016/17 Performance

#### Formal Complaints 2016/17 (2015/16)

Every formal complaint is recorded centrally and below are the figures for the numbers of formal investigations to complaints during the year.

#### Total 67 (81)

The number of formal complaints per service are analysed as follows:

| Service   | Number of formal complaints |
|---|-----------------------------|
| Planning  | 11                          |
| Highways  | 6                           |
| Waste   | 14                          |
| Municipal   | 2                           |
| Leisure   | 1                           |
| Social Services ( <i>outside the social services statutory procedure,</i> | 3                           |
| Consultancy   | 3                           |
| Revenue   | 1                           |
| Housing   | 4                           |
| Parking   | 1                           |
| Transportation  | 2                           |
| Property  | 0                           |
| Licensing   | 5                           |
| Elections   | 1                           |
| Education   | 2                           |
| Benefits  | 1                           |
| Audit   | 0                           |
| Trunk Roads   | 0                           |
| Public Protection   | 2                           |
| Economy Development   | 0                           |
| Registration  | 2                           |
| Customer Contact  | 0                           |
| Language  | 1                           |
| Income  | 1                           |
| Legal   | 1                           |
| Maritime  | 0                           |
| Corporate Support   | 1                           |
| Trading Standards   | 1                           |
| Committees  | 1                           |
| <b>Total</b>  | <b>67</b>                   |

It must be noted that the number of complaints received by a service does not necessarily reflect the standard of service provided and these results cannot be considered on their own. The nature of the services provided influence heavily on the results. Among the factors that could have an impact on the figures are the number of direct contacts that are to be had with customers, the service's public profile or if an individual has other formal ways of rectifying or submitting an appeal. As a general

comments to set the context, one must bear in mind the number of service provider contacts between the Council's Services and the public on a daily basis, compared to the number of complaints.

### **Informal Resolutions**

Complainants are encouraged to contact the service provider directly in the first instance to seek an informal resolution. Therefore, it is not possible to comprehensively report on the numbers.

### **Complaints Response Time**

Under the procedure, it is possible to monitor the time taken to investigate and respond to formal complaints. The target to formally respond is 20 working days.

#### **2016/17 (2015/16)**

|              | <b>Under 20 working days</b> | <b>Over 20 working days</b> | <b>No response yet but within the 20 working days</b> |
|--------------|------------------------------|-----------------------------|---|
| <b>Total</b> | <b>56 (66)</b>               | <b>10 (15)</b>              | <b>1 (0)</b>  |

84% of investigations were completed within the target time over the year. In 2015/16, 81% of complaints were responded to within the target period

On average, formal complaints were responded to within 11.6 working days. In 2015/16 a response was received within 16 working days on average.

### **Reasons for Complaints**

In order to be able to further analyse the nature of the complaints received, and in order to receive more meaningful information regarding standards, the complaints are categorised into five specific headings, namely:

|   | <b>Percentage of complaints 2016/17</b> |
|---|---|
| Mistake/incorrect action by the Council | 19%                                     |
| Unhappy with the decision               | 27%                                     |
| Lack of response/action                 | 48%                                     |
| Officer conduct                         | 3%                                      |
| Language and Equality matters           | 3%                                      |

There is no analysis available for 2015/16



## 5. Ombudsman Cases

5.1 A complainant can refer his/her complaint to the Ombudsman if he/she is dissatisfied with the Council's formal response. A summary of the statistics from the annual reports of the Ombudsman are seen below:

|  | <b>2016/17 (2015/16)</b> |
|--|--------------------------|
| <b>No Investigation</b>  | <b>26 (19)</b>           |
| <b>Settlements (where a resolution is offered to the complaint by the Ombudsman)</b> | <b>3 (3)</b>             |
| <b>Reports (following a full investigation)</b>                                      | <b>0 (3)</b>             |
| <b>Total</b>   | <b>29 (25)</b>           |

## Appendix 3

### Service Improvement

A key part of the service improvement system is the role undertaken by the Service Improvement and Complaints Coordination Team. The Team was established in parallel with the Council's Complaints Procedure in order to ensure the greatest benefit from the Procedure. The Team has led on a number of interventions over the year in order to do this.

### Advice and Guidance

The Team's main responsibility is to offer guidance and advice to the Council's departments and leadership. During the year, as well as the advice given on individual cases, the following has been achieved:

- The Complaints Coordination Team visited every departmental management team last year to introduce the new procedure. By now, the services are happy and willing to pick up the phone for guidance and advice where required.
- A meeting of departmental contact points is held annually.
- A presentation was given to the Senior Managers Group.
- Guidelines and guidance for staff have been produced - a leaflet on good practice when dealing with complainants, examples of response templates, guidance on the standard of responses. All of the above can be viewed on the Service Improvement and Complaints site on the Intranet.
- Arrangements were made to make Braille paper copies and Synthetic Voice disks available at our One Stop Shops in order to comply with Equality Expectations.

The following activities are already in the pipeline:

- Identify where customer care skills need to be developed and arrange appropriate training
- Raise awareness of the procedure and promote it amongst staff by using the Council's intranet - a new Intranet Page in place.
- Raise public awareness of the procedure by means of the Website and Newyddion Gwynedd.
- Promote departments to contact Galw Gwynedd to discuss improvements to their services in terms of responding to complaints and identifying trends.

### Improvement Plans

To assist the Council to learn from complaints, a procedure was established whereby the Complaints Coordination Team will discuss solutions if it is of the opinion that an investigation into a complaint has identified room to improve procedures in order to provide an improved service.

The following are examples of Plans implemented this year.

- **Social Services** The wrong name has been used on a letter and errors had been made in the legal documents of one individual. *Action - the relevant department to update and reinforce their administrative/internal control arrangements*
- **Registration** Lack of timely response. *Action - the relevant Department has established a system to prevent this from happening again.*

These are in addition to the improvements that each department is introducing in response to complaints dealt with under the informal system.

### **Review of the Procedure**

During the year, review meetings were held with the services to see whether or not they required assistance or training in relation to any aspect of dealing with complaints, and to receive feedback regarding the efficiency and effectiveness of the process. Very positive feedback was received that the services felt that the procedure was helpful.

### **Raising Awareness**

In order to raise public awareness and further promote the procedure:

- an article was included in Newyddion Gwynedd during the year regarding the Complaints Procedure and its objectives
- the Complaints Form was changed to allow that so that the public has an opportunity to offer praise to the Council
- a Service Improvement and Complaints page has now been included on the Council's intranet in order to ensure an improved awareness of the Procedure among Council staff
- arrangements were made for a number of officers to visit Galw Gwynedd in Penrhyndeudraeth in order to see how the Centre works and have an opportunity to discuss improvements to their services in light of the experiences of Galw Gwynedd staff

## **Appendix 4**

### **Feedback from complainants**

Along with receiving observations from complainants on the standard of service received, or the manner in which their complaints were dealt with, the Service Improvement Officer will also contact a sample of complainants to ask them about their experience of using the procedure.

The following are examples of the responses received:

"Thank you very much for the swift response." (Leisure)

"Thank you for your response early this morning, I really appreciate the swift attention given to investigate the matter." (Waste and Service Improvement Officer)

My observations regarding how the complaint was dealt with are very favourable. My complaint was acknowledged immediately and I received a substantial response within a reasonable time-frame. This was good service. I do not have any complaint regarding how your Council dealt with my complaint." (Corporate Support)

"Thank you for your response, I am very satisfied with the resolution." (Maritime)

"Thank you for responding so quickly, and for apologising. The proposed resolution is acceptable." (Leisure Service)

"I feel that you have taken my complaint seriously and have dealt with the matter very courteously and professionally." (Customer Care and Service Improvement Officer)

"Thank you for your response. I will let you know if the situation does not improve." (Waste)

"Thank you very much for all your assistance, it is appreciated. I have now seen the new signs, they are very good." (Municipal and Service Improvement Officer)

"I am more than happy with the swift response and the way in which you dealt with my complaint." (Municipal)

### **Offering Praise**

This year, the Concerns and Complaints Form was amended, in order to give the Public an opportunity to offer praise about the Council's staff and its services. This change has been very positive, see below some of the observations that have been received. When such observations are received, they are forwarded to the relevant service with a requirement for them to be forwarded to the staff. Arrangements are underway to create space on the Intranet to celebrate such successes.

"Front-line staff collect our Recycling in all weathers and in all temperatures. I appreciate their work." (Waste and Recycling)

"Geraint and his colleague on the Scarab cleaned the road and the pavement very effectively near Mynydd Bangor today. It is now a pleasure to step outside through the front door." (Highways and Municipal)

"A big thank you for cleaning the road between Corris and Aberllefenni." (Highways and Municipal)

"An excellent Library Service. We have started to read much more as a result" (Libraries Service)

"Our road is being kept clean, and if any gutters are blocked, we only need to contact and they are cleaned immediately." (Highways and Municipal)

"The customer service in Bangor Library is excellent. Everyone is so enthusiastic and ready to help." (Libraries Service)

"I forgot to put my green bin out today, and the Waste collector went to the trouble of looking inside the bin and emptying it. An excellent service." (Waste and Recycling)

"The lights in the Tai Cynhaeaf area have been recently replaced with LEDs. I understand that these use less energy and thus create savings to the Council and to the environment. I have also noticed that these lights light the road much better." (Street Lighting)

"Excellent new weightlifting equipment in Dolgellau. Excellent holiday programmes for children in Tywyn. The staff need to be applauded. " (Leisure Service)

"An excellent service, as one of your staff went out of his way to help me." (Waste and Recycling)

# IMPROVING OUR SERVICES BY LEARNING FROM COMPLAINTS 2016-17



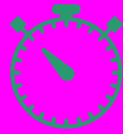
**67**

formal complaints during  
the year

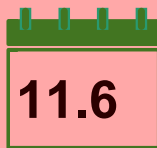
**84%**

response time of 20 days

received a prompt  
response



average response  
time



days

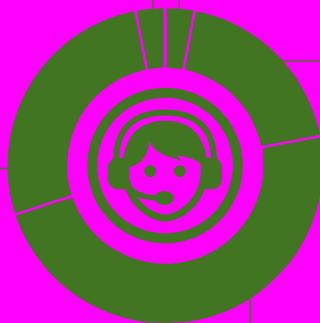
Language and  
Equality issues  
**3%**

Staff Conduct  
**3%**

**19%**  
Mistakes/  
incorrect actions

**27%**  
Unhappy with a decision

**48%**  
Lack of response/action



"Thank you for your response, I am very happy with the solution."

"Thank you very much for all your support, it's much appreciated"



"I'm very happy with the early response and the way you dealt with my complaint."

Please tell us if something has gone wrong,  
we are here to help

[cwynion@gwynedd.llyw.cymru](mailto:cwynion@gwynedd.llyw.cymru)

