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| <b>Committee:</b>       | <b>CABINET</b>   |
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| <b>Title:</b>           | <b>Annual Report on the Council's Complaints Procedure</b>                                   |
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## **Background**

1.1 This is the first annual report since the Council's Complaints Procedure came into force on 1 April 2015. The purpose of the report therefore is to take an overview on the operation of the Council's corporate complaints procedure between 1 April 2015 and 31 March 2016.

1.2 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. This is advantageous as 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.

1.3 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 more swiftly, by removing one step of the current process which is fairly labour-intensive and lengthy.
- It will allow complaints which involve more than one department to be better coordinated, and will enable 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.
- It is anticipated that the procedure will be better aligned with the Council's new culture of empowering staff to make decisions and to deliver one of the work streams of the "Gwynedd Way" project.

## **2. The Procedure**

2.1 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.

This procedure is not relevant to users of social services as there is a statutory procedure for them. Schools also operate their own complaints arrangements.

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

### **Informal Resolution**

2.3 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. The core idea here is that dealing with complaints is an integral part of providing services and staff are always encouraged to consider if the complaint can be resolved immediately.

2.4 The aim of the procedure is to provide a system which is simple, flexible and focuses on seeking the most appropriate outcome for individuals and services. The arrangements allows the Council to deal with concerns in a far more proactive way by focusing on people's needs, namely, resolving the problem and not focusing on the complaints procedure itself.

### **Formal investigation**

2.5 If it is not possible to resolve the complaint informally, the complainant can refer the complaint for a formal investigation. "*Investigate once, investigate well*" is the principle of this step of the process. Emphasis is placed on one investigation to deal with the concerns raised thoroughly. Usually, an investigation is conducted by an officer in the department at a sufficiently high level and he/she is independent from the source of the complaint. Occasionally, this will be inappropriate and the complaint will be investigated by an officer who is independent from the department in question. In contrast to informal resolutions, every formal complaint is recorded centrally.

2.6 The complainant could take his/her complaint to the Ombudsman if he/she is not satisfied with the Council's formal response.

2.7 As part of the new procedure, the Complaints Coordination Team was established. The team consists of a Service Improvement Officer, located in the Corporate Support Department and this is a means of providing advocacy to ensure an answer for complainants. This officer has responsibility for coordinating a response to every complaint that is not resolved in the informal stage, receiving complaints on the phone and through the Council's website and providing assistance to complainants and services. Also in the team is the Senior Solicitor in the Legal Department who is responsible for decision-making on investigations involving the most complex cases and providing specialist support for the Service Improvement Officer.

2.8 The Monitoring Officer is responsible for the Complaints Procedure and for ensuring that it is implemented appropriately.

2.9 Contact points have also been established in every department and complaints from Galw Gwynedd and the Service improvement Officer are referred to them so that they are referred to the appropriate officer for attention.

### **3. Lessons Learnt**

3.1 One of the main reasons for introducing the new procedure was to enable the Council to use information regarding complaints to improve the way it provides services and to do so more effectively. By establishing a comprehensive central data-base, it is possible to take an overview of the complaints pattern and learn lessons as an organisation.

3.2 Overview reports are submitted to the Corporate Management Team and the Cabinet Member in order to ensure continuous improvement.

3.3 In addition, a procedure has been established whereby the Service Improvement Officer will provide a Service Improvement Form to a department if she is of the opinion that an investigation into a complaint has identified the need to improve procedures in order to provide a better service. She will also monitor progress to ensure that the steps are implemented.

3.4 **Review of the Process** - Meetings are planned with services to find out if they need assistance or training in relation to any aspect of complaints handling, and to obtain feedback on the effectiveness and efficiency of the process.

3.5 **Raising Awareness** - Following comments received by the Service Improvement Officer, we are looking at ways in which to raise the awareness of the complaints procedure among the public by, for example, the Council's website, appropriate literature and a message in Gwynedd News.

To raise awareness amongst Council staff, we are in the process of creating pages on the Council's intranet. The intention, in addition to explaining the procedure, is to share good practice, to celebrate successes and to provide case studies.

Arrangements are also being made for the Departmental Contact Officers to visit Galw Gwynedd to sit in on telephone calls. By doing this they will be better able to see how Galw Gwynedd works and

they will be given an opportunity to discuss ways to make improvements within their services in light of the experiences of Galw Gwynedd staff

#### 4. Performance

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

##### **Formal Complaints 2015/16**

Quarter 1 28  
Quarter 2 22  
Quarter 3 15  
Quarter 4 16

**Total 81**

##### **Informal Resolutions 2015/16**

Complainants are encouraged to contact the service provider directly in the first instance to seek an informal resolution. There is no need to record every complaint or problem that is resolved informally and it would not be practical to do so without creating a specific reporting programme. Therefore, it is not possible to report comprehensively on the numbers. However, the Service Improvement Officer records those which are sent to her in the first instance, rather than to the services and these are the figures seen below.

Quarter 1 42  
Quarter 2 34  
Quarter 3 33  
Quarter 4 25

**Total = 134**

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

| <b>Service</b> | <b>Number of formal complaints</b> |
|----------------|------------------------------------|
| Planning       | 9                                  |
| Highways       | 6                                  |
| Waste          | 12                                 |
| Municipal      | 1                                  |
| Leisure        | 4                                  |

|  |   |
|--|---|
| Democracy  | 0 |
| Social Services ( <i>outside the social services statutory procedure</i> ) | 1 |
| Consultancy  | 4 |
| Revenue  | 2 |
| Housing  | 4 |
| Parking  | 7 |
| Transportation   | 4 |
| Property   | 2 |
| Licensing  | 5 |
| Elections  | 0 |
| Education  | 2 |
| Benefits   | 2 |
| Audit  | 0 |
| Trunk Road Agency  | 2 |
| Public Protection  | 5 |
| Economy Development  | 0 |
| Registration   | 3 |
| Customer Contact   | 1 |
| Language   | 1 |
| Income   | 1 |
| Legal  | 1 |
| Maritime   | 2 |
| Corporate Support  | 0 |

4.3 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 greatly influences the results. Amongst the factors that could have an influence on the figures are the number of direct contacts made with customers, the public profile of the service or if an individual has other formal means of righting a wrong or submitting an appeal. As a general observation in order to set

the context, the number of daily service provision contacts there are between the Council's Services and the public, compared to the number of complaints, must be borne in mind.

4.4 However, work is ongoing to develop methods of further analysis of the nature of the complaints received to obtain more meaningful information regarding the standard of service provided for the public.

4.5 Under the new procedure it is possible to monitor the time taken to investigate and respond to formal complaints. The target to respond formally is 20 working days. Should this be impractical, e.g. if the complaint is extremely complex, the situation will be explained to the complainant.

|              | <b>Under 20 days</b> | <b>Over 20 days</b> |
|--------------|----------------------|---------------------|
| Quarter 1    | 21                   | 7                   |
| Quarter 2    | 18                   | 4                   |
| Quarter 3    | 12                   | 3                   |
| Quarter 4    | 14                   | 2                   |
| <b>Total</b> | <b>65</b>            | <b>16</b>           |

4.6 Therefore, it can be seen that 80% of investigations were completed within the deadline over the year. Although it is too early to come to a definite opinion, the general trend seen above suggests that the performance in terms of responding promptly has improved.

## **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>2015/16</b> | <b>2014/15</b> |
|-------------------------------------|----------------|----------------|
| <b>No Investigation</b>             | <b>23</b>      | <b>24</b>      |
| <b>Settlements</b>                  | <b>4</b>       | <b>3</b>       |
| <b>Reports</b>                      | <b>2</b>       | <b>1</b>       |
| <b>Total number of cases closed</b> | <b>29</b>      | <b>33</b>      |

## 6. Service Improvement Plans

6.1 To assist the Council to learn from complaints, a procedure has been established whereby the Service Improvement Officer will provide a Service Improvement Form to a department if she is of the opinion that an investigation into a complaint has identified the need to improve procedures in order to provide a better service. She will also monitor improvement to ensure that the steps are implemented.

6.2 The following are examples of Plans implemented:

| Area                      | Summary of the Complaint  | Service Improvement   |
|---------------------------|---|---|
| Planning and Galw Gwynedd | Not happy with the procedure where information must be provided for Galw Gwynedd rather than being able to contact the Planning Service.                    | A review of the procedure conducted as a consequence of several complaints about this system.   |
| Highways                  | A complainant felt that she was not informed about what was happening with her complaint  | Establish better arrangements to update customers.  |
| Waste                     | When investigating a complaint about the lack of bin collection, it was discovered that the individual had complained several times about the same problem. | Establish a procedure on the computerised system for customer contact management to identify when an individual has complained several times about the same issue.  |
| Registration (Marriages)  | Incorrect and incomplete documentation included in a ceremony pack for a couple.  | A review conducted by an independent officer from the service of the service and all ceremony documents.<br><br>The supervision procedure within the service was revised to ensure quality and to identify training requirements. |
| Registration (Marriages)  | Failed to obtain access to a wedding venue.   | Review the list of emergency contacts. Establish a new procedure of confirming prior arrangements with owners of buildings. Arrange   |



|                   |   |   |
|-------------------|---|---|
|                   |   | appropriate training.   |
| Income            | A final demand was sent although the individual had paid the invoice.   | Establish an arrangement to check the situation prior to sending such a notice and after receiving confirmation from other services for payments that have been received. |
| Public Protection | An individual failed to pay for a licence by means of 'chip and pin' in Siop Gwynedd.   | The process of allowing such a payment has already commenced but this was formalised by means of a service improvement plan.  |
| Public Protection | An individual continues to receive another business's bills along with his own despite informing the service.                                 | The specific situation has been resolved and arrangements strengthened to ensure that it will not be a situation that will happen again.                                  |
| Leisure           | Individuals had complained that they had not been informed of the changes in the arrangements for paying for swimming and gymnastics lessons. | The wording of the standard letters that are sent was changed. A refund was made to the customers affected by the shortcomings in the original communication.             |

## **7. Advice and Guidance**

7.1 Work has been undertaken on introducing the procedure together with offering advice and guidance for departments. Thus far, along with the advice given on individual cases, the following has been achieved:

- The Complaints Coordination Team visited every departmental management team to introduce the new procedure
- A meeting of departmental contact points was held.
- A presentation has been 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

7.2 This work will continue and the following activities are already ongoing:

- Hold meetings with departments to gather feedback on the implementation of the procedure to seek improvement
- Identify where customer care skills need to be developed and arrange appropriate training
- Raise awareness of the procedure and promote it amongst staff via the Council's intranet.
- Raise public awareness of the procedure by means of the Website and Newyddion Gwynedd.

## **8. Feedback from complainants**

8.1 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.

8.2 The following are examples of the responses received:

*“I am pleased to report that my whole experience of bringing the problem to the attention of Gwynedd Council and all subsequent actions was excellent. The new web site is a pleasure to use; the response was quick, direct and polite; action was taken swiftly, and the final result was both reasoned and reasonable” (Waste Service)*

*“Thank you for the update and the positive news which I am sure will be welcomed... that there is a willingness on the part of the council to deal with this matter”*

*“Many thanks for sorting out our issue so quickly” (Waste)*

“Thank you for your response this morning, I am very much impressed at the speed at which you have implemented an investigation into this matter”.(Service Improvement Officer, Waste Service)

The complainant appreciated a telephone call from the officer and his letter confirming the conversation. He was much happier with the situation and wished to thank the officer. (Housing)

A complainant telephoned to thank the officer for contacting him and dealing with the issue so quickly and so professionally (Trading Standards, Service Improvement Officer)

Thank you to the street lighting department for maintaining such a good service (Municipal)

*“Thank you so much for your prompt reply and sympathetic consideration of my complaint...I appreciate you taking an interest” (Municipal)*

*"Congratulations to everyone who took the trouble to reply so promptly to my complaint ... I would be grateful if you could send my thanks for the response and for including the answers from everyone..." (Leisure)*

## **9. Conclusions**

9.1 2015/16 was a year of establishing a new procedure, whilst continuing to develop and at the same time ensuring that individual complaints receive their due attention.

9.2 As no corporate recording procedure had been established under the previous complaints procedure, the comparative figures cannot be examined. Neither can too many conclusions be drawn from the figures of one single year. Nevertheless it can be seen from the quarterly statistics that the number of formal complaints has been reducing. It is likely that the emphasis on dealing with complaints in accordance with the principles of seeking an informal resolution has contributed to this. Also, the important daily work undertaken by the Team in promoting the resolution of complaints, as part of providing and maintaining a high quality of service for the citizen, cannot be ignored.

9.3 The pattern of response times is also heartening and we are definitely of the opinion that the coming of the Service Improvement Office has greatly contributed to this. This function did not exist previously. The fact that there is a specific officer in place to ensure that departments respond promptly to complaints, that the officer is able to advise members of the public and officers on implementing the procedure and identify opportunities to resolve complaints promptly and informally has proved to be beneficial. There was also seen a reduction in the time taken to provide information for the Ombudsman and being able to provide more detailed information in response to enquiries from his officers.

9.4 The work of offering guidance and assistance to services continues, with the emphasis placed on ensuring a culture where staff are empowered to resolve complaints and take responsibility for them.

9.5 We will also continue with the work of developing methods of gathering and analysing information to enable the Council to learn lessons from complaints, including the good practice acknowledged in the Council, to ensure continuous improvement in the manner in which services are planned and provided.