

# Y BWRDD GWEITHREDOL

22 MAWRTH 2021

## POLISI CWYNIION CORFFORAETHOL CYNGOR SIR CAERFYRDDIN

### Y Pwrpas:

Gweithredu Polisi Cwynion newydd yn unol â gofynion Asiantaeth Safonau Cwynion/Ombwdsmon Gwasanaethau Cyhoeddus Cymru.

### Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

Cymeradwyo'r Polisi Cwynion newydd (a fydd yn cymryd lle'r Weithdrefn Cwynion a Chanmoliaeth flaenorol).

### Y Rhesymau:

Mae'n ofynnol i'r Cyngor fabwysiadu polisi newydd yn unol â model a chanllawiau agyhoeddwyd gan Asiantaeth Safonau Cwynion o dan bwerau yn Adran 36 o Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2019. Maent yn berthnasol i bob darparwr gwasanaethau cyhoeddus yng Nghymru.

### Angen ymgynghori â'r Pwyllgor Craffu perthnasol:

OES - Y Pwyllgor Craffu – Polisi ac Adnoddau, ar 2 Mawrth 2021

**Angen i'r Bwrdd Gweithredol wneud penderfyniad:** OES - 22 Mawrth 2021

**Angen i'r Cyngor wneud penderfyniad:** NAC OES

**Yr Aelod o'r Bwrdd Gweithredol sy'n dal y Portffolio:** Y Cynghorydd Mair Stephens

Y Gyfarwyddiaeth: Y Prif  
Weithredwr

Enw Pennaeth y Gwasanaeth:  
Noelwyn Daniel

Awdur yr Adroddiad: John  
Tillman

Swyddi:

Pennaeth TGCh a Pholisi  
Corfforaethol

Rheolwr Cwynion a  
Llywodraethu  
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# EXECUTIVE SUMMARY EXECUTIVE BOARD

22<sup>ND</sup> MARCH 2021

## CARMARTHENSHIRE COUNTY COUNCIL CORPORATE COMPLAINTS POLICY

### **BRIEF SUMMARY OF PURPOSE OF REPORT.**

On 30<sup>th</sup> September 2020, the Public Services Ombudsman (PSOW) for Wales and its Complaints Standards Authority (CSA) formally launched a new Model Concerns & Complaints Policy (along with accompanying guidance):

<https://www.ombudsman.wales/complaints-standards-authority/>

Local authorities have been given 6 months from the above date to implement this new Policy/process and submit an updated document to the PSOW.

The model policy does not represent a significant departure from our existing Complaints & Compliments Procedure and complaints handling processes. Nonetheless, key changes include:

- A commitment to providing a refund/reimbursement to complainants in certain circumstances – specifically, where a person had to pay for a service that the Council should have provided. This may have financial implications in cases where this may arise, which are difficult to quantify.
- A requirement to provide bi-annual reports to (Scrutiny) Committees as well as quarterly reports to senior management;
- A commitment to reporting all 'serious' complaints to senior management;
- It is stated in the guidance document that complaints that cannot be resolved at Stage 1 (informal response) within 10 working days *should* be escalated to Stage 2. However, it is unclear at the present time whether the Ombudsman would strictly enforce this, given the wording of the guidance. This will be kept under review.

Arrangements to address these requirements are being progressed and it is suggested that complaints reporting are included in quarterly performance management reports from April 2021 onwards.

DETAILED REPORT ATTACHED?

YES

# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Noelwyn Daniel

Head of ICT & Corporate Policy

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

### 1. Policy, Crime & Disorder and Equalities

The recommendation is that a new corporate Complaints Policy be endorsed for approval and implementation.

### 2. Legal

This new Policy has a statutory basis as it has been issued under Section 36 of the Public Services Ombudsman (Wales) Act 2019.

### 3. Finance

The model policy contains a commitment to reimbursing complainants which may have an unquantifiable financial implication when implemented.

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Noelwyn Daniel

Head of ICT & Corporate Policy

## 1. Scrutiny Committee

Policy & Resources Scrutiny Committee consulted on 2<sup>nd</sup> March 2021

### Recommendations / Comments:

UNANIMOUSLY RESOLVED that the Carmarthenshire County Council Corporate Complaints Policy be received.

2. Local Member(s) - None

3. Community / Town Council - None

## 4. Relevant Partners

The Complaints Standards Authority has been consulted on changes to the text of the model policy.

5. Staff Side Representatives and other Organisations - None

EXECUTIVE BOARD PORTFOLIO  
HOLDER AWARE/CONSULTED

YES

## Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

### THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
CSA - Guidance for Public Service Providers on Implementing the Concerns and Complaints Policy	N/A	<a href="https://www.ombudsman.wales/complaints-standards-authority/">https://www.ombudsman.wales/complaints-standards-authority/</a>
CSA - Concerns and Complaints Policy for Public Services Providers in Wales	N/A	<a href="https://www.ombudsman.wales/complaints-standards-authority/">https://www.ombudsman.wales/complaints-standards-authority/</a>
CSA - Complaint Handling Processes – Statement of Principles	N/A	<a href="https://www.ombudsman.wales/complaints-standards-authority/">https://www.ombudsman.wales/complaints-standards-authority/</a>