

Council Complaints Policy Annual Report

2022-23

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Foreword

This is our Corporate Complaints Annual Report for 2022-23, a document that details the complaints and compliments received by the Council during the financial year.

Our Corporate Complaints Team have continued to provide regular data to the Ombudsman's Complaints Standards Authority to identify trends and patterns in public service delivery.

Our Adult Services Complaints process is governed by the Social Services (Complaints Procedure) (Wales) Regulations 2014 (the regulations) and Welsh Government's 'A guide to handling complaints and representations by local authority social services' and is managed by the Council's Communities Department.

The feedback that we receive from our residents is key to improving our services and we are grateful for all the complaints, compliments and comments that we receive as a Council.

I would like to close by taking this opportunity to thank our staff who work to support the Corporate Complaints and Adult Services Complaints process across the Council and for the service they provide every day to the residents of Carmarthenshire.

Councillor Philip Hughes

Cabinet Member for Organisation and Workforce

1. Principles

Carmarthenshire County Council's Corporate Complaints Policy has been developed and published in line with the Complaints Standards Authority – Wales, "Concerns and Complaints Policy for Public Services Providers in Wales".

The Social Services Complaints Procedure (Wales) Regulations 2014 outline the procedure for handling complaints about Social Services issues in Wales. This annual report includes information in relation to complaints received as part of this procedure.

The Policy aims to emphasise the following principles:

- To ensure that as many complaints as possible are resolved at **Stage 1**, as a local resolution
- To ensure that investigations follow the '**Investigate Once, Investigate Well**' principle.

2. Definition of a complaint

The definition of a complaint is an expression of dissatisfaction or concern:

- About a public service provider's action or lack of action
- Or about the standard of service provided
- Which requires a response
- Whether about the public service provider itself, a person acting on its behalf, or a public service provider partnership.

The complaints referred to within this report are those where the investigation has been completed during the review period.

3. Setting the context

Our resources

The Complaints Team forms part of the wider Policy, Partnerships and Performance Team within the Regeneration, Policy and Digital Division. The team consists of two full time officers, supported by the Partnerships and Complaints Manager and the Policy and Involvement Manager. During the year, we have seen the nature of complaints becoming more complex and therefore the level of support required for departments has increased. At the end of 2022-23, the Partnerships and Complaints Manager was allocating 70% of their time to work related to complaints with the Policy and Involvement Manager allocating 10% of their time.

With regards to Adult Services complaints the Resolution and Complaints Manager works full time and the Service Improvement and Complaints Coordinator works three days per week. They are part of the wider Performance Analyst and Systems team.

An increase in numbers of complaints

During recent years, we have continued to see the number of complaints increase:

- 707 complaints in 2020-21 (during main period of COVID-19 pandemic)
- 930 complains in 2021-22
- 1,376 complaints in 2022-23

This increased number of complaints in turn affects our capacity as a team to support departments and undertake the analysis and developmental work that we wish to. We believe that the insight and data held by the Complaints team holds significant potential in supporting departments in their service planning and in influencing the implementation of key strategic projects.

Impact of significant service change

One of the key areas where an increase in the numbers of complaints has been seen during this reporting period is within the Waste & Environmental Division. During 2022-23, 619 Stage 1 complaints were received with 5 complaints investigated as Stage 2.

The division has been working on the delivery of a transformational change in approach to ensure high quality recycling and improving our performance against statutory recycling targets.

The first phase of the waste strategy was to introduce three weekly glass collection at kerbside, a move to three weekly residual waste collection and a weekly collection of dry mixed recycling and food waste. The above changes came into force on 23 January 2023, and 503 complaints (from the total of 619 for the year) were received following the implementation of the service change.

It should be noted that it is not unusual to see a spike to complaints when a service change is introduced as service users have issues adjusting to the new provision or as the new arrangements establish themselves. However, the spike seen during this financial year as a result of the changes to waste collection was significantly higher than usual, likely compounded by the fact that all Carmarthenshire households were impacted by the changes at the same time.

Management information

Sharing of management information has been one of the key developments during the year, with the team preparing monthly reports for our Directors and Heads of Service, to ensure that services consider any complaints as part of their service planning and delivery. This detailed information also helps us identify any barriers or trends and to ensure that our residents receive timely responses and communication.

The Performance Dashboard and Performance Observations Report, presented to Corporate Management Team on a quarterly basis, now includes key information on complaints alongside service performance

information, in order for the Chief Executive and Directors to discuss any barriers to compliance and any issues relating to specific services. This enables any issues of concern to be escalated and dealt with in a timely manner.

We have also developed a corporate performance measure, which is included in the Information Technology and Corporate Policy Division's business plan (now known as the Regeneration, Policy & Digital Division following re-alignment). On a quarterly basis, we report on the number of complaints completed within statutory deadline, with this result being reported to Scrutiny through the performance management framework.

Improved compliments recording

There continues to be a concern that the good service provided every day by officers within the Council is not being represented. During the year, we have been looking at ways of updating our recording procedure to ensure our compliments are captured and that we are continuing to share this information with departments.

Adult Services

With regards Adult Services complaints a Resolution and Complaints Manager commenced in post in October 2022 with the responsibility of coordinating processes relating to complaints and undertaking preventative work. The aim of this is to increase learning within teams to improve the quality of the service provided and to reduce the volume of complaints received. In addition to this post the service has appointed a part-time Service Improvement and Complaints Coordinator to support the Resolution and Complaints Manager. Adult Services complaints continue to be supported by the wider Performance Analyst & Systems Team.

Increasing awareness

Following the 2022 Local Elections held in May, a specific session was held as part of the Member Induction process to raise awareness of the processes in place. Colleagues from the Ombudsman's Office also took part, alongside the Complaints Team and the Performance and Management Information Team within the Communities Department. Members of the Governance and Audit Committee were invited to attend, and a copy of the presentation was circulated to all.

In January 2023, the Complaints Team held a specific session for third tier managers and information management officers from the Department of Place and Infrastructure. 65 attendees were present. Further to the session, the department prepared further guidance and a flow chart for managers, to ensure that complaints were dealt with in accordance with the policy and that clear communication is in place when resolving and responding to issues.

Feedback from the session was positive and we aim to provide further training on Stage 2 Investigations during 2023/24.

Complaints in relation to the Welsh language

The Corporate Complaints Team also manage any complaints received on lack of compliance with the Welsh Language Measure (Wales) 2011 or by the Welsh Language Commissioner and their office.

During 2022/23 the following complaints were received

1. A complaint regarding a debt collector and the use of English-only warnings when dealing with the clients. This was a service commissioned by the Council, and therefore, the company is also subject to the Standards.
2. A complaint from a member of the public stating that he was unable to display English-only materials in the County's libraries. The Council Standards clearly state that any materials we display on behalf of others, must be bilingual.

3. A complaint through the Office of the Welsh Language Commissioner that specific reports discussed by the Council's Cabinet were not available in Welsh as part of the Democratic papers. An Investigation is underway regarding this complaint.
4. A complaint through the Office of the Welsh Language Commissioner that the Council has not published an assessment of the implementation of the County's Welsh Language Promotion Strategy, or the second Promotion Strategy. It was explained that the work had been completed and that the documentation was going through the democratic process in order to launch it at the Urdd Eisteddfod Sir Gâr.
5. A complaint about the Welsh identity of the County Council on our website and social media. The complaint included comments about our contact details and the use of the Council's English-language email address. It was explained to the complainant that there are a restraint on the number of letters we can use on some media, but all possible elements have been updated.
6. A complaint about the lack of a Welsh form for arranging clinical waste. It was explained to the customer that the form was available through My Account and the relevant link was sent.

During 2022-23, no Investigations of non-compliance under the Welsh Language Standards were undertaken by the Welsh Language Commissioner's Office.

4. Corporate Complaints responded to

Our Complaints Policy provides a framework upon which we manage the complaints, compliments and comments received by the Council. At Stage 1, we aim to deal with all complaints as quickly as possible and within 10 working days.

If it is not possible to resolve a complaint at this stage, a Stage 2 formal investigation can then be instigated. We will aim to resolve / respond to concerns within 20 working days. However, if the complaint is more complex, the investigating officer will update the complainant and explain the revised timescales.

At the end of 2022-23, 169 complaints remained open on the system.

Complaints per Department				
Complaints related to the following departments:	Stage 1		Stage 2	
	Number of complaints	Number upheld	Number of complaints	Number upheld
Chief Executive	59	36	0	0
Corporate Services	75	20	2	1
Education & Children's Services	25	9	5	0
Place & Infrastructure	769	495	14	4
Communities	410	266	9	2
Cross Departmental	7	3	1	1
Total:	1345	829	31	8

Response Times for Complaints per Department

Complaints related to the following departments:	Stage 1		Stage 2	
	Number of complaints	Number of complaints responded to within timescale	Number of complaints	Number of complaints responded to within timescale
Chief Executive	59	36 (61%)	0	0 (0%)
Corporate Services	75	68 (91%)	2	0 (0%)
Education & Children's Services	25	14 (56%)	5	0 (0%)
Place & Infrastructure	769	436 (57%)	14	1 (7%)
Communities	410	155 (38%)	9	0 (0%)
Cross Departmental	7	4 (57%)	1	0 (0%)
Total:	1345	713 (53%)	31	1 (3%)

Chief Executive

Complaints related to the following divisions:	Stage 1		Stage 2	
	Number of complaints	Number upheld	Number of complaints	Number upheld
Administration & Legal	2	2	0	0
Electoral & Registration Services	3	0	0	0
ICT & Corporate Policy	3	1	0	0
Media & Marketing	44	30	0	0
People Management	3	1	0	0
Regeneration	4	2	0	0
Total:	59	36	0	0

Corporate Services

Complaints related to the following divisions:	Stage 1		Stage 2	
	Number of complaints	Number upheld	Number of complaints	Number upheld
Financial Services	1	1	0	0
Revenues & Financial Compliance	73	18	2	1
Cross Department	1	1	0	0
Total:	75	20	2	1

Education & Children's Services

Complaints related to the following divisions:	Stage 1		Stage 2	
	Number of complaints	Number upheld	Number of complaints	Number upheld
Access to Education	7	5	0	0
Children's Services (Corporate)	6	2	0	0
Children's Services (Statutory)	10	1	3	0
Education & Inclusion Services	1	0	0	0
Cross Department	1	1	2	0
Total:	25	9	5	0

Place & Infrastructure

Complaints related to the following divisions:	Stage 1		Stage 2	
	Number of complaints	Number upheld	Number of complaints	Number upheld
Business Support	3	1	1	1
Planning	31	8	8	0
Transport & Highways	116	26	0	0
Waste & Environmental Services	619	460	5	3
Total:	769	495	14	4

Communities				
Complaints related to the following divisions:	Stage 1		Stage 2	
	Number of complaints	Number upheld	Number of complaints	Number upheld
Homes & Safer Communities	110	46	6	0
Leisure	32	14	1	0
Housing Property & Strategic Projects	267	205	2	2
Cross Department	1	1	0	0
Total:	410	266	9	2

Cross Departmental				
	Stage 1		Stage 2	
	Number of complaints	Number upheld	Number of complaints	Number upheld
Cross Departmental	6	2	1	1

5. Adult Services statutory complaints

Adult Services Complaints and Compliments 2022-23

A total of 72 complaints were recorded at either Stage 1 or 2 in relation to Adult Services. This equates to 1.62% of individuals who receive a service formally complaining about the service they received.

Summary

- 55 of the Adult Services complaints were investigated at the Local Resolution Stage 1
- 17 were recorded under the Formal Investigation of Stage 2
- A further 41 complaints were dealt with by the department and recorded either as Redirects, No Further Action, on hold pending safeguarding or other
- 3 complaints were escalated to the Ombudsman for Wales following completion of a Stage 2 investigation. The Ombudsman did not accept any of these complaints and no further investigation took place
- 22 complaints continued to be investigated at the end of the financial year.

6. Response timescales for Adult Services Complaints

Response to Stage 1 complaints within statutory timescales

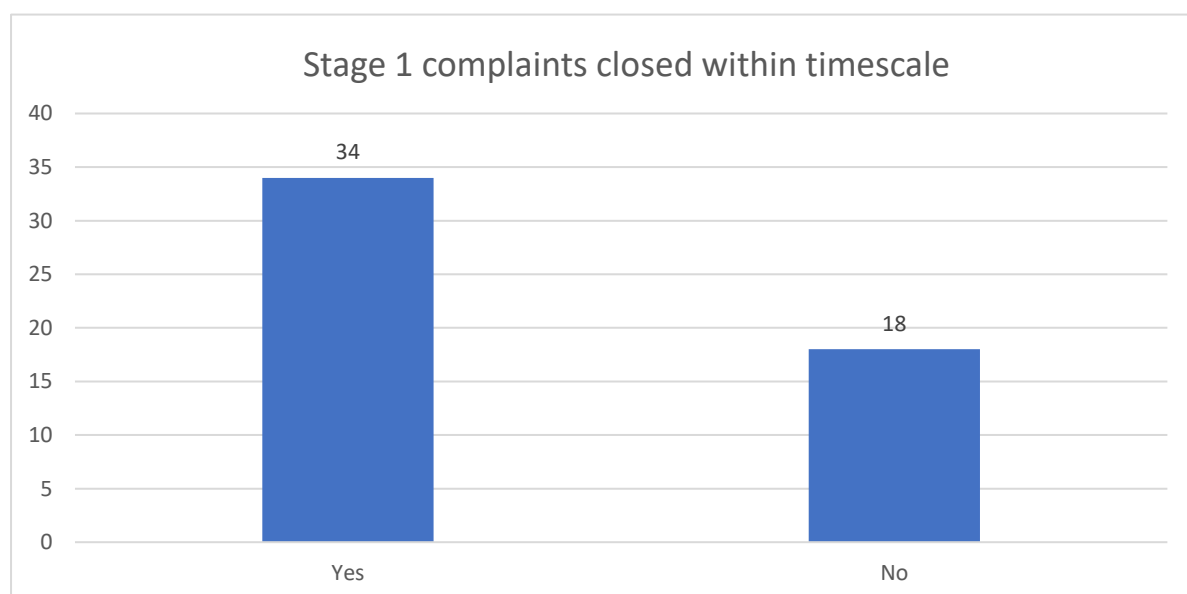
The statutory timescales for all Stage 1 complaints (local resolution stage) is 15 working days from the date that the complaint is acknowledged. The discussion must take place within 10 working days and if there is a mutually acceptable resolution of the matter, the local authority must write to the complainant with details of the terms of the resolution within 5 working days. This timescale may only be extended in exceptional circumstances with the agreement of the complainant.

Stage 1 Complaints that have been concluded

At the end of Q4 we have closed a total of 52 stage 1 complaints, 65% (34) of which were closed within agreed timescale. There is no requirement in the Guidance for complaints considered under Stage 1 to be concluded as upheld or not upheld.

For local resolution the Guidance states that a conversation should occur with the complainant to attempt to resolve the matter and where there is a mutually acceptable resolution to the matter the local authority must write to the complainant with details of the terms of the resolution.

There is no mention of a requirement to uphold or not uphold the complaint at this stage. However under the Formal Investigation of stage 2, the Guidance states that the local authority must take responsibility for determining whether or not the complaint is upheld and the action to be taken as a consequence.

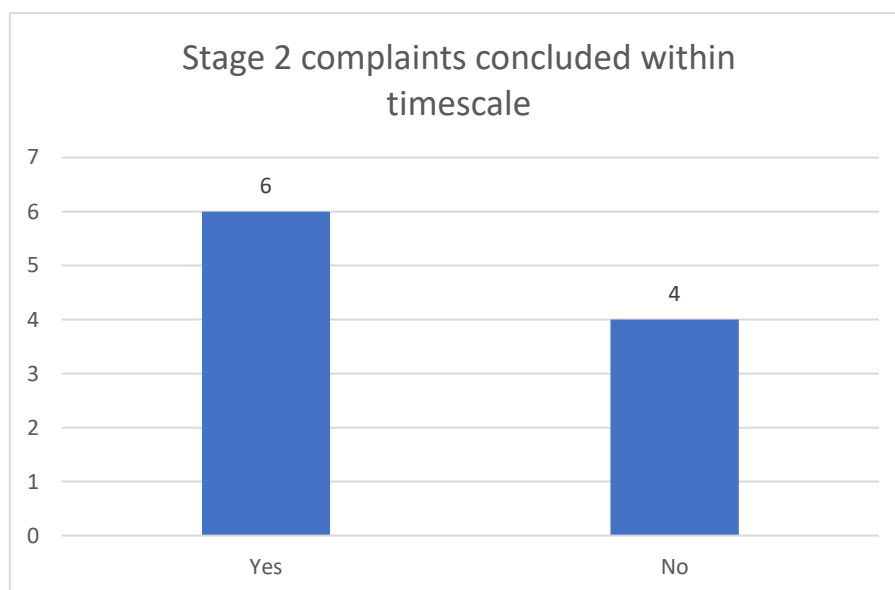


Stage 2 Timescales

In terms of statutory timescales, the local authority must compile a formal written record of the complaint within 5 working days of the date that it is received or moves from Stage 1 to Stage 2. The Formal Investigation stage must be completed, and a full written response issued to the complainant, within 25 working days of the start date. The timescale can only be extended in exceptional circumstances and the local authority must write to the Complainant to explain this. The full response must be issued as soon as possible and no later than six months from the date on which the complaint was received.

Stage 2 Complaints that have been concluded

At the end of Q4 we have closed a total of 10 stage 2 complaints, 60% (6) of which were closed within agreed timescale. At Stage 2 the Guidance states that the Local Authority must take responsibility for determining whether the complaint is upheld or not. Of the 10 complaints closed at the end of Q4, 3 were upheld and 7 were not upheld.



7. Compliments received

We receive many positive comments about our staff and the services we provide and Compliments are an important part of our learning as an organisation.

We therefore keep a record of the compliments we receive so that good practice and learning can be circulated across the Council. A total of 455 compliments were recorded during 2022-23.

From 1 April 2023, we will be recording all compliments received on the Info@Work system and therefore, comparative data will be available as part of future annual reports. The monthly reports provided to Directors will also include the compliments data.

Adult Services Compliments

A total of 152 Adult Services compliments were received from April through to March 2023.

8. Redirects

The Corporate Complaints Team also deal with a high number of redirects whereby requests reach the team which are not directly linked to the corporate complaints process.

A member of the public may consider a specific issue to be a complaint where it is actually a request for a service or for further information.

Redirects also include concerns that cannot be addressed via the complaints process for a specific reason, for example, something that relates to a Policy decision or if there is a more appropriate method of redress. The team redirect these requests to the relevant services.

Redirects per Department	
Redirected communication related to the following departments:	
Chief Executive	53
Corporate Services	74
Education & Children's Services	52
Place & Infrastructure	758
Communities	321
Cross Departmental	46
External to the Authority	38
Total:	1342

9. Complaints to the Ombudsman for Wales 2022-23

Following the formation of the Complaints Standards Authority (CSA) under the Ombudsman (Wales) 2019 Act, all public authorities across Wales are required to report their complaints activity to the Ombudsman's office on a quarterly basis. This information is available on the Ombudsman's Complaints Standards Authority webpage.

Complainants are also able to approach the Ombudsman's office directly and the information provided by the office is noted below:

- The number of complaints received by the Ombudsman was 53.
- The number of complaints referred to the Ombudsman per 1,000 residents in Carmarthenshire is 0.28%.

The following table shows the outcomes of the complaints which the Ombudsman closed for the Local Authority in 2022-23.

This table shows both the number, and the proportion that each outcome represents for the Local Authority.

Outcome	Number	% share
Out of jurisdiction <i>(The complaint is not within the Ombudsman's jurisdiction)</i>	6	10%
Premature <i>(Complainants are asked to contact the organisation directly as it appears that the organisation has not previously had a reasonable opportunity to consider the complaint)</i>	27	45%
Other case closed after initial consideration <i>(There may be an alternative route of appeal or a legal process has commenced or the case may not be timely)</i>	20	33%
Early resolution / voluntary settlement (noted as Interventions in the Ombudsman's data) <i>(If the body has not had an opportunity to consider and respond, it is unlikely that the Ombudsman will consider a complaint)</i>	7	12%
Discontinued	0	0%
Other reports – not upheld	0	0%
Other reports – upheld	0	0%
Total number of closures*	60	

* Total number varies due to crossover between financial years – 7 complaints carried over from 2021-22.

10. Our Learning

- **Complaints provide valuable feedback and are viewed by our staff as a positive opportunity to learn from experiences. This helps to drive continual service improvement and to prevent similar things happening again.**
- **For our customers, communication and regular feedback are integral to good services. Customers understand the service pressures that the public sector are facing; however, they must be kept up to date on issues in relation to the services that they use.**
- **Services and information must be accessible, with different access points and ways of communicating. We must continue to provide and develop a wide range of options for people to contact us.**
- **For our staff, complaints provide a first-hand account of the customer's views and experience, and resolving complaints early saves resources and creates better customer relations.**
- **Our colleagues across the Council need access to timely data and information so that they can support the implementation of the Corporate Complaints Policy.**

Adult Services Complaints

Stage 1

Following completion of a stage 1 investigation, if there are any recommendations made, the department log these on an action plan which is sent out to the teams to follow up. Trends and learning opportunities will be identified from these recommendations which will be brought to Process and Practice Board and subsequently disseminated in team meetings on a quarterly basis by the Resolution and Complaints Manager. In terms of governance the Complaints Audit Group continues to meet on a quarterly basis and complaints information is included in the Director's annual report.

Stage 2

The department log all the recommendations from a Stage 2 report and devise an action plan which is sent out to managers to complete. Following

completion of a Stage 2 complaint, if there are issues that need addressing, we will hold a lessons learned event which is chaired by the Head of Service. This is for best practice and to ensure the teams learn from the complaint. Currently there has been one lessons learned event held following the completion of a complex Stage 2 complaint.

11. Our Future Priorities

We will continue to review the Complaints service throughout 2023-24 and make any necessary changes to ensure that our complaints process remains customer focused and that the Council is providing the best service possible. Below are some of our priorities moving forward so that we can achieve these goals.

Sharing information

A significant increase has been seen in the number of complaints received by the Council (48% between 2021-22 and 2022-23). We are of course mindful of the specific increase within Waste & Environmental Services as a result of a service transformation; however, there is an increase across all departments.

As a team, we are constantly looking at ways to improve data collation in order to improve sharing of information with relevant service departments and to improve response times to complainants.

We will review the Process and Practice Board and Complaints Audit Group arrangements utilised for Adult Social Care complaints and develop a means to introduce a similar arrangement for corporate complaints in order to fully engage departmental lead officers and Heads of Service on key learning points and patterns from complaints.

Service user communication

During 2022-23, we have seen a clear trend in the number of complaints received relating to lack of communication and sharing of information with our residents. Closing the loop in terms of feedback, timescales, appointments etc is key and often, the lack of communication is the root of the complaint, rather than the service provided. This was a particular trend in relation to property Repairs complaints and was reported as part of quarterly performance monitoring arrangements.

It is therefore pleasing to note that we have seen an improvement with the situation around complaints relating to Property Repairs, with an improvement in the handling of complaints when received. Introducing the Housing Repairs Scheduling Team Leader's role at the end of January 2023 has played a key part in this as they have focused on improving customer care and complaints co-ordination and management. Further developments in complaints management have continued to positively impact. Often just knowing how things stand in terms of timescales leads to increased satisfaction from residents.

Further details on progress in this area will be provided in the 2023-24 annual report.

Developing guidance for Investigating Officers

During 2022-23, the team have been collating information and looking at specific areas of improvement for inclusion in the guidance for Investigating Officers. This guidance will be prepared for those undertaking investigations into Stage 1 and Stage 2 complaints and will define how complaints and compliments should be identified, recognised, recorded and reported for improved consistency across the organisation. Advice and support will also be given on completing investigations.

Monitoring timescales

Our performance management information and performance indicator shows a decline in our compliance with the corporate policy timescales. We recognise that capacity is an issue, not just for the Complaints Team (2 FTE posts) but across the Council and that appointing officers to investigate both at Stage 1 and Stage 2 can be a challenge.

We are currently not recording data to be able to report on the exact length of time which individual complaints run over by; however, we will be looking to introduce arrangements to do so during 2023-24. This evidence is essential as service improvement information for our departments and in improving our understanding of the challenges faced when responding. These are issues that we will look into during the next financial year.

Adult Services Complaints Priorities

In March 2023 the Adult Services complaints team underwent an internal audit and, although they are currently awaiting the final report, some initial recommendations have been made. A detailed update will be provided in the annual report for 2023-24.

It has been recommended that the team produce a procedural document based on the legislation and guidance and this will be a priority going forward.

Another recommendation is that complaints training should be offered to all staff. This is an area that the team have already been developing and it is planned that the following training will be offered on a regular basis:

- Complaints awareness training for all staff
- Stage 1 investigators training
- Stage 1 investigators training for providers.

In addition to the audit recommendations the team are also in the process of moving all complaints recordings from an Excel spreadsheet to the Eclipse Social Care Case Management System. The motivation behind this is to ensure all records are contained within a central location and to utilise the system to ensure accurate reporting of information.

There will also be a focus on preventative work to increase learning from complaints, within the teams, to improve the quality of the service provided and reducing the number of complaints received.