

Report

Cabinet Meeting

Part 1

Date: 16 October 2019

Subject **Annual Report on Compliments, Comments and Complaints Management 2019**

Purpose The purpose of this report is to provide the Cabinet with an overview of all Corporate and Social Services compliments, comments and complaints received during 2018/2019. The report provides a summary of complaints received and recommendations for improvement.

Author Service Manager – Customer Experience

Ward All

Summary Newport City Council operates under a combined Corporate and Social Services Comments, Complaint and Compliments policy. In line with the model process outlined by the Public Services Ombudsman for Wales (Ombudsman) there is a two stage process (informal and formal) for dealing with complaints received. Social Services have a statutory requirement to operate a complaints procedure; guidance on the operation of the procedure is contained in The Social Services Complaint Procedure (Wales) Regulations 2014 and the Social Care and Wellbeing Act (Wales) 2014.

All compliments and complaints received for Corporate and Social Services have been recorded since April 2011. Since November 2018 compliments, comments and complaints received for all service areas are recorded on the My Newport platform. Compliments, Comments and Complaints made on the Council's social media accounts are not included in these figures. Residents posting on social media accounts are directed to other channels to submit their feedback, such as using online forms, or contacting other organisations as appropriate.

This report provides an overview for the year 2018/2019, broken down by services area and complaint types. The report highlights key trends or themes drawn from the data for consideration.

Complaints about schools are reported separately as they are subject to a distinct statutory framework; however there are some circumstances where complaints are recorded and treated as complaints about Education services. For example, where they concern administrative processes.

This report first considers compliments, comments and complaints received for corporate services, and then moves on to consider compliments, comments and complaints received for Social Services

Proposal To consider the volume, nature and themes regarding compliments and complaints received and recommended actions regarding complaint management set out in the report.
To comment on any issues arising from the report.
To endorse the recommendations for improvement set out within the report.

Action by Complaint Resolution Manager

Timetable Throughout 2019/2020.

Signed

Background

The policies and procedures in place for Comments, Compliments and Complaints comply with the legislation and guidance issued by the Public Services Ombudsman for Wales and the requirements of the Welsh Language (Wales) Measure 2011 and associated standards.

The Ombudsman's *Guidance for Public Service Providers on Implementing the Model Concerns and Complaints* sets out key principles to be applied when handling complaints. One key principle is that the management of complaints must deliver continuous improvement;

- Lessons learnt from complaints are gathered and feedback is used to improve service design and delivery.
- Systems in place record, analyse and report on the learning from concerns.
- The leadership of the public body:
 - takes ownership of the complaints process
 - regularly reviews and scrutinises its effectiveness
 - receives regular complaints monitoring reports, and
 - demonstrates what the organisation has done to improve service delivery as a result of complaints.
- Regulators have an important role in ensuring that lessons learnt from concerns are implemented satisfactorily and sustained.

The Ombudsman is currently consulting with the public regarding changes to the principles and procedures of the legislation and guidance for public bodies in relation to the new powers created under the Public Services Ombudsman (Wales) Act 2019. The Public Services Ombudsman (Wales) Act 2019 seeks to give the Ombudsman's office new powers aimed at;

- accepting complaints verbally, not just in writing
- investigating complaint handling when a patient's National Health Service (NHS) care is inextricably linked with private healthcare
- the ability to undertake 'own initiative' investigations when the Ombudsman considers them to be in the public interest
- gathering complaints data from public services in Wales on a quarterly basis

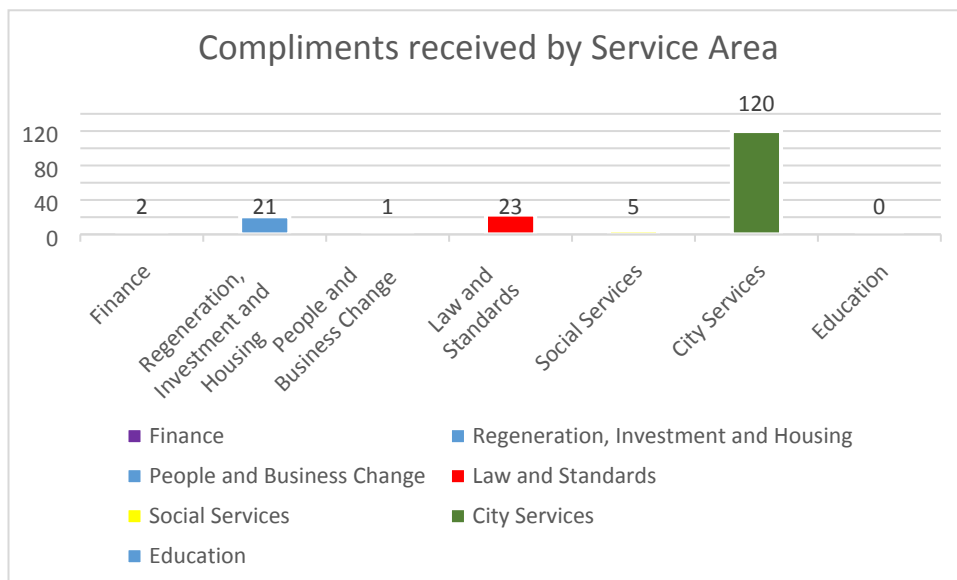
It is recommended that the Council's own policies and procedures are reviewed to ensure they continue to reflect the latest guidance and legislation. This would be appropriate to action following the conclusion of the Ombudsman consultation and subsequent implementation of the new act.

COMPLIMENTS – Corporate Summary

A total of 173 compliments were recorded in 2018/2019, this is higher than the number received in previous years. The opportunity to provide positive feedback is now more accessible to residents using improved webforms, the Council app or customer accounts, than in previous years. This option was available to residents from November 2018 onwards.

City Services account for almost all compliments received – this is largely due to the high visibility of these services to the public and high number of interactions with residents.

The graph below shows the number of compliments received by each service area.



COMMENTS

147 Comments were recorded during 2018/2019. Comments are recorded where a resident is dissatisfied with a policy or decision made by the Council that has been implemented or applied correctly. For example residents may be unhappy with the scheduled number of grass cuts in the City, or alternate streetlights being switched on. In line with the Ombudsman's guidance this feedback is recorded and if appropriate, responded to, but is not recorded as a complaint.

Similarly to compliments, the highest number of comments recorded are for City Services in line with the visibility of the services they provide.

Comments	Quarter 1			Quarter 2			Quarter 3			Quarter 4			Total
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
Total	10	14	21	15	15	20	11	12	11	7	5	6	147
Children & Young People Services	0	0	0	0	0	0	0	0	0	0	0	0	0
Adult & Community Services	0	0	0	0	0	0	0	0	0	0	0	0	0
Education	0	0	0	1	0	0	0	0	0	0	0	0	1
Regeneration, Investment & Housing	0	0	0	0	0	0	0	0	0	0	0	0	0
City Services	9	11	20	11	10	13	8	12	10	6	4	6	120
Law & Regulation	1	3	1	3	5	7	3	0	1	1	1	0	26
Finance	0	0	0	0	0	0	0	0	0	0	0	0	0
People & Business Change	0	0	0	0	0	0	0	0	0	0	0	0	0

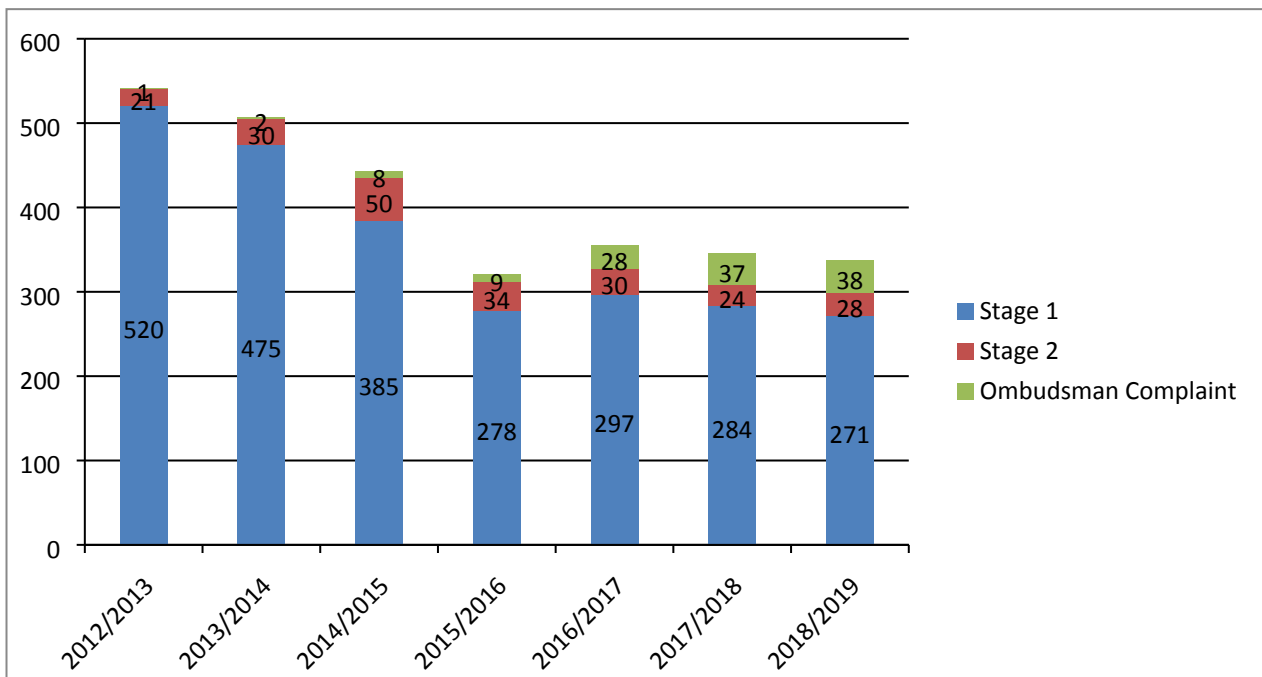
COMPLAINTS – Corporate Summary

Complaints accounted for 0.001% of the total customer contacts received by Customer Services in 2018/2019.

Year	Stage 1 Complaint	Stage 2 Complaint		Ombudsman Complaint	
		Count	Percentage	Count	Percentage
2011/2012	375	18	4.8%	1	0.3%
2012/2013	520	21	4.0%	1	0.2%
2013/2014	475	30	6.3%	2	0.4%
2014/2015	386	50	13.0%	8	2.1%
2015/2016	293	34	11.6%	9	3.1%
2016/2017	297	30	10.1%	28	9.4%
2017/2018	284	24	8.5%	37	13.0%
2018/2019	271	28	10.3%	38	14.0%

The proportion of complaints dealt with at Stage 1 that progress to a Stage 2 increased year on year. The proportion of complaints received that are referred to the Ombudsman continues to demonstrate an upwards trend, although the volumes received at this stage have remained static.

The graph below shows the complaints dealt with at each of the three stages since 2012/2013. Fewer Stage 1 complaints are being received or recorded, but there are more complaints going on to be reviewed at Stage 2 or by the Ombudsman.



Informal (STAGE 1) - Corporate Complaints

The breakdown by service for stage one complaints is as follows:

Complaints Stage 1	Quarter 1			Quarter 2			Quarter 3			Quarter 4			Total
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
Total	22	26	28	15	18	31	24	30	14	20	30	13	271
Education	2	2	1	1	1	4	1	3	1	3	3	0	22
Regeneration, Investment & Housing	5	6	1	3	0	2	3	2	4	3	0	0	29
City Services	8	13	19	7	11	21	13	18	8	10	22	9	159

Law & Regulation	5	4	5	4	4	4	7	5	0	4	5	1	48
Finance	2	1	2	0	2	0	0	2	1	0	0	3	13
People & Business Change	0	0	0	0	0	0	0	0	0	0	0	0	0

Formal (STAGE 2) Corporate Complaints

Complaints Stage 2	Quarter 1			Quarter 2			Quarter 3			Quarter 4			Total
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
Total	5	7	3	4	2	2	1	1	0	0	0	3	28
Education	0	0	0	1	0	1	0	1	0	0	0	0	3
Regeneration, Investment & Housing	1	3	1	2	1	1	0	0	0	0	0	1	10
City Services	4	4	2	1	1	0	1	0	0	0	0	2	15
Law & Regulation	0	0	0	0	0	0	0	0	0	0	0	0	0
Finance	0	0	0	0	0	0	0	0	0	0	0	0	0
People & Business Change	0	0	0	0	0	0	0	0	0	0	0	0	0

Social Services Complaints

There were 132 complaints recorded for Social Services in 2018/2019. This is in line with volumes received in previous years.

Complaints Stage 1	Quarter 1			Quarter 2			Quarter 3			Quarter 4			Total
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
Children & Young People Services	8	10	8	4	12	11	18	14	8	16	12	11	132
Adult & Community Services	0	5	3	3	6	1	4	5	3	4	2	0	36

In Children and Young People's Services 4 complaints progressed to Stage 2 investigation by an external investigator, and 3 of these were referred to the Ombudsman. These complaints were not upheld by the independent investigators or the Ombudsman.

4 of the 36 complaints received in Adult and Community Services were progressed to a Stage 2 investigation by an independent investigator, and one of these was partially upheld. 2 of the Stage 2 complaints were referred to the Ombudsman. One of these complaints resulted in a Public Interest Report.

Complaints to the Public Services Ombudsman for Wales (STAGE 3)

The data included in this section of the report is drawn from the Annual Letter produced by the Public Services Ombudsman for Wales.

The table below shows the number of complaints referred to the Ombudsman by Newport residents, how many were assessed to require investigation, and how this compares to other Local Authorities in Wales.

A. Complaints Received and Investigated with Local Authority average adjusted for population distribution

Local Authority	Complaints Received	Average	Complaints Investigated	Average
Newport City Council 2018/19	38	43	0	1
Newport City Council 2017/18	37	37	2	1
Blaenau Gwent County Borough Council	8	20	0	0
Bridgend County Borough Council	33	41	0	1
Caerphilly County Borough Council	65	51	1	1
Cardiff Council	115	103	0	2
Carmarthenshire County Council	49	53	1	1
Ceredigion County Council	23	21	0	0
City and County of Swansea	83	70	0	2
Conwy County Borough Council	41	33	2	1
Denbighshire County Council	26	27	1	1
Flintshire County Council	50	44	2	1
Gwynedd Council	32	35	2	1
Isle of Anglesey County Council	31	20	2	0
Merthyr Tydfil County Borough Council	15	17	0	0
Monmouthshire County Council	20	27	0	1
Neath Port Talbot County Borough Council	38	40	1	1
Pembrokeshire County Council	35	35	0	1
Powys County Council	67	38	4	1
Rhondda Cynon Taf County Borough Council	36	68	0	2
Torfaen County Borough Council	12	26	1	1
Vale of Glamorgan Council	24	37	0	1
Wrexham County Borough Council	45	38	3	1
Grand Total	886		20	

The table below shows the subject of complaints referred to the Ombudsman within Wales

B. Complaints Received by Subject

Newport City Council	Complaints Received
Adult Social Services	6
Benefits Administration	2
Children Social Services	4
Community Facilities, Recreation and Leisure	1
Complaints Handling	10
Education	3
Housing	2
Planning and Building Control	5
Roads and Transport	3
Various Other	2

10 of the complaints raised to the Ombudsman were about failing to respond or meet deadlines for responding to complaints. The Council has taken steps to provide adequate support to respond to complaints and in his annual letter the Ombudsman thanked the Council for taking a positive position in response to the feedback on these matters provided by his staff.

6 of the complaints received were recommended for an early resolution by the Ombudsman. The Council followed the Ombudsman's recommendations, which were to make apologies and in some instances to make small reimbursements for 'time and trouble' in making the complaint.

No complaints were investigated by the Ombudsman, however 1 complaint was assessed as requiring a Public Interest report. The complaint was about support provided to an adult with learning difficulties who was not assessed to establish her capacity to oversee her financial affairs. The Ombudsman found that whilst the general support provided by the Council to the individual was reasonable, failing to carry out a

formal capacity assessment put her at risk of financial exploitation. The Council took appropriate action to remedy the situation and learn from the finding. The individual was provided with appropriate support to manage finances and a review of the training and processes relating to the Mental Capacity Act 2005 was completed.

Service Development

The Council is committed to developing the service provided to meet the revised legislation and to meet the expectations of residents who wish to submit their feedback.

Significant progress has been made in 2019 towards delivering this.

Actions completed include;

- Consultation with staff to find out how they are currently dealing with complaints and how they wish to be supported to improve this.
- Consultation with residents to find out what is important to them when they wish to make a complaint when they are unhappy about the service provided.
- Implementation of a new system that is used to record and monitor all feedback from customers, including complaints. The system makes it much easier for residents to submit feedback, but also for the Council to analyse the feedback and assess performance.
- Communication with Officers across the Council to tell them how to access support from dedicated Complaint Resolution Officers.

These actions are part of a development plan with further actions to be delivered in 2019/2020;

- Develop the recording system further to increase accountability and transparency regarding complaint management.
- Develop a suite of training modules concerning complaint management and customer service that all Officers can access.
- Introduce a continuous improvement approach so that the feedback and lessons learnt from complaints can be tracked through to service improvements.
- Inviting complainants to tell us more about themselves when they make complaints so that we can understand if complainants are representative of all Newport residents.
- Review of policies and procedures to align with Public Services Ombudsman (Wales) Act 2019, following the conclusion of the Ombudsman's consultation.

Financial Summary

There are no direct financial implications associated with this report.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Failure to comply with the requirements of the Public Services Ombudsman for Wales in dealing with complaints	H	L	The Council has; <ul style="list-style-type: none"> • Implemented a new system of recording and monitoring complaints • Allocated adequate resource to support Officers throughout the Council in dealing with complaints appropriately • Policies in place for dealing with complaints • Developed a plan for improving complaint 	Service Manager – Customer Experience

			<p>handling across the Council</p> <ul style="list-style-type: none"> Submitted first quarterly report to the Ombudsman <p>The Council will;</p> <ul style="list-style-type: none"> Develop a set of training modules to support Officers who interact with the public and deal with complaints Refine the end to end case management of complaints in the new monitoring and recording system Formalise the process for reflecting on and embedding lessons learnt Review policies to make sure they reflect the new Public Services Ombudsman (Wales) Act 2019 	
Failure to meet the public's expectation for dealing with complaints	H	L	<p>The Council has;</p> <ul style="list-style-type: none"> Consulted with the public to find out what is important to them relating to complaints and complaint handling Consulted with Officers to find out what support is needed to help them respond to complaints effectively <p>The Council will;</p> <ul style="list-style-type: none"> Incorporate the feedback gathered during the consultations into the development of policy, process, guidance and training for responding to complaints effectively Introduce an option for complainants to provide feedback on their experience of making a complaint 	Service Manager – Customer Experience

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

The visions set out for Newport 2020 in the following service areas all highlight the importance of managing demand by improving customer service at first enquiry, and supporting the move towards self-service;

- Law and Standards

- Finance
- Adult and Community Services
- Children and Family Services
- Education
- Regeneration, Investment and Housing
- City Services

Comments of Chief Financial Officer

There are no financial implications associated with the proposals contained within this report. All improvement actions will be delivered using existing budgets.

Comments of Monitoring Officer

There are no specific legal issues arising from the Report, which sets out information regarding the compliments and complaints received regarding Council services during 18/19, both in relation to corporate complaints and those dealt with under the statutory social services complaints procedure. The report also contains details of the numbers of complaints referred to the Public Services Ombudsman for Wales during this period, which were either not accepted for investigation or resolved locally by way of settlement. The numbers of Ombudsman complaints was broadly similar to the previous year and were average compared to other Welsh councils, having regard to population figures. It is pleasing to note that there were no formal findings of maladministration against the Council during this period, although one of the settled complaints, where there were acknowledged shortcomings in the way in which a social care assessment was undertaken, did result in a public interest report being issued. The Ombudsman is currently consulting about increases to his investigatory powers under the Public Services Ombudsman (Wales) Act 2019, particularly in relation to accepting informal complaints and undertaking public interest investigations on his own initiative, without any complaint. The Council may need to review its own internal procedures in due course in the light of these changes to his statutory powers.

Comments of Head of People and Business Change

Analysis of compliments, comments and complaints supports the Council in achieving continuous improvement in the delivery of its services and ultimately in its mission to improve people's lives. The report notes that actions planned for 2019-20 include introduction of a continuous improvement approach so that the feedback and lessons learnt from complaints can be tracked through to service improvements.

The report also notes how analysing compliments, comments and complaints supports the Council in embedding the sustainable development principle within its operations.

There are no HR implications relating directly to this report. Staff have been consulted on how they can be supported in dealing with complaints better and a suite of training modules is to be developed concerning complaint management and customer service.

Comments of Cabinet Member for Community and Resources

I support the recommended actions in the report. The number of complaints received equates to 0.0018 per resident. This must be considered in context along with the vast number of services provided by the Council. I would encourage Members to submit any positive feedback received from residents so that these are captured alongside complaints.

Comments of Cabinet Member for Social Services

I support the recommended actions in the report. I am pleased to see the inclusion of positive comments from residents as well as complaints. I am concerned that not all the feedback received in services is currently being recorded centrally. I would recommend more communication with Officers in all areas so that there is more awareness of how to record compliments, complaints and comments from residents so that they are included in future reports.

Local issues

This report is relevant to all Wards.

Equalities Impact Assessment and the Equalities Act 2010

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

The report notes that the Council records all complaints where the customer believes they have experienced unlawful discrimination, and other conduct that is prohibited by the Act. This information is reported in more detail in the Equalities Annual Report.

Children and Families (Wales) Measure

Although no targeted consultation takes place specifically aimed at children and young people, consultation regarding complaints was open to all of our citizens regardless of their age via public access wi-fi, and the Council's website. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Wellbeing of Future Generations (Wales) Act 2015

This report enables Members to monitor the current position of the council's performance, this helps to drive improvement over the short and long-term and prevent poor performance.

Performance measures are also reported through the service plans and the improvement plan, which take into account the sustainable development principle promoted in the Act and the five ways of working; long-term, prevention, integration, collaboration and involvement.

Any changes to service provision as a result of feedback received would consider the five ways of working and the sustainable development principle as part of the decision making process.

- Long term: the actions being put into place will ensure that the Council is able to respond to feedback and complaints now and in the future.
- Prevention: Understanding what is important to residents and why we have received complaints will help the Council to make improvements that prevent similar complaints from occurring again.
- Integration: Reviewing the Council's policies regarding feedback from residents will help to ensure that the principles of the Public Services Ombudsman (Wales) Act 2019 are embedded in service provision.
- Collaboration: the approach to responding to feedback from complainants requires collaboration across the Council. All service areas receive and deal with complaints and their feedback as part of consultation will inform the development of training, guidance and support.
- Involvement: Public consultation has provided valuable insight into what is important for customers when they are unhappy with a service provided by the Council. This will be used to inform the development of training, guidance and support.

Consultation

Comments received from wider consultation, including comments from Council Officers and the public, are detailed in report in the attached documents.



Internal Complaint Public Consultation
Management Survey Results Complaints I

Background Papers

[Comments, Compliments and Complaints Policy](#)
[Unacceptable Actions by Complainants](#)

[A Guide to Handling Complaints and Representations by Local Authority Services](#)
[Principles of Good Administration](#)
[Principles of Remedy](#)

<https://www.ombudsman.wales/wp-content/uploads/2019/08/Newport.pdf>
<https://www.ombudsman.wales/consultation-on-new-powers-2019/>

Dated: 24th September 2019