

Report

Cabinet



Part 1

Date: 10 November 2021

Subject **Annual Report on Compliments, Comments and Complaints Management 2021**

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 2020/2021. The report provides a summary of complaints received and recommendations for improvement. This report provides an update of statutory duties conducted in line with Public Services Ombudsman Act 2019, that received Royal Assent in July 2019. This report shares the Ombudsman's 2020/2021 Annual Letter to Newport City Council.

Author Complaint Resolution Manager

Ward All

Summary In May 2021 the Council's Cabinet agreed the new Compliments, Comments and Complaints policy for the Council. This report provides an overview of how the Council manages compliments, comments and complaints and the Council's performance in 2020/21. Complaints about schools are reported separately as they are subject to a distinct statutory framework; however, complaints are taken about Education services such as administrative processes i.e., not receiving timely invites to Governor meetings.

This report provides an overview for the year 2020/2021, broken down by service areas and complaint types. The report highlights key trends or themes drawn from the data for consideration. In 2020/21 the Council received 174 compliments, 3111 comments and 222 complaints. Through the council's process 208 complaints were resolved before going to the ombudsman and out of those the Ombudsman intervened with five. The Ombudsman express that the focus isn't on keeping complaints to a minimum but giving customers various platforms in which to raise their concerns.

The report reflects on lessons learned for the council to improve and actions to deliver these improvements. More engagement with service areas will ensure a deeper understanding of the work of the Ombudsman including their powers and overall goals but also the importance of more structured training which would be beneficial at both employee induction and on-going annual refresher training.

Proposal Cabinet is asked to consider the contents of the report regarding the process and performance of the Council's corporate compliments, comments and complaints annual report 2020/21 and make any recommendations for improvement to the annual report.

Action by Complaint Resolution Manager

Timetable Immediate

This report was prepared in consultation with:

- Head of Finance
- Head of Law and Regulation
- Head of People and Business Change

Signed

Background

The policies and procedures in place for Compliments, Comments and Complaints comply with the legislative requirements of the Welsh Language (Wales) Measure 2011 and associated standards, specifically ensuring that the Council promote the 'Active Offer'. Social Services statutory requirements remain in operation alongside the Corporate Policy to ensure they are aligning with; Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014, ("the Regulations").

In May 2021, the [Council's Cabinet](#) approved the Compliments, Comments and Complaints Policy which is aligned based to the guidance issued by the Public Services Ombudsman for Wales and were passed by Cabinet. Work is continuing with our on-line forms and improvements on the way we collate complaint's data.

The Ombudsman's Principles of Good Administration and Good Records Management focus on six principles:

- Getting it right: In accordance with the law and authority's policy and guidance. Providing appropriately trained and competent staff
- Being customer focused: ensuring people can access services easily. Informing customers what they can expect. Responding to customers' needs flexibly, including, where appropriate, co-ordinating a response from other service areas
- Being open and accountable: Be clear about policies and procedures, provide clear and accurate advice. Taking responsibility
- Acting fairly and proportionately: Treat people with respect and courtesy without unlawful discrimination, ensuring no conflict of interests
- Putting things right: Acknowledge mistakes and apologise. Put things right quickly and effectively with information on how to appeal
- Seeking continuous improvement: Review policies and procedures regularly to ensure they remain effective. Asking and utilising feedback to improve services and improvement
- Creating good quality records: Keeping records accurate and up to date.

The new powers created under the Public Services Ombudsman (Wales) Act 2019 include.

- 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 (**Complaints Only**)

The quantity of complaints which are related to joint handling procedures are not solely the Council's responsibility and as such the report may not contain full data which is received and handled independently by the Council's partners and contractors

Data collection (period April 2020- March 2021)

Data has been collected quarterly as follows;

Q1- April 1st 2020 – June 30th 2020

Q2- July 1st 2020- September 30th 2020

Q3- October 1st 2020- December 31st 2020

Q4- January 1st 2021- March 31st 2021

Compliments, Comments and Complaints Annual Report 2020/21

COMPLIMENTS

A total of 162 compliments were recorded in 2020/2021. The opportunity to provide positive feedback is accessible to residents using improved webforms, the Council app or customer accounts.

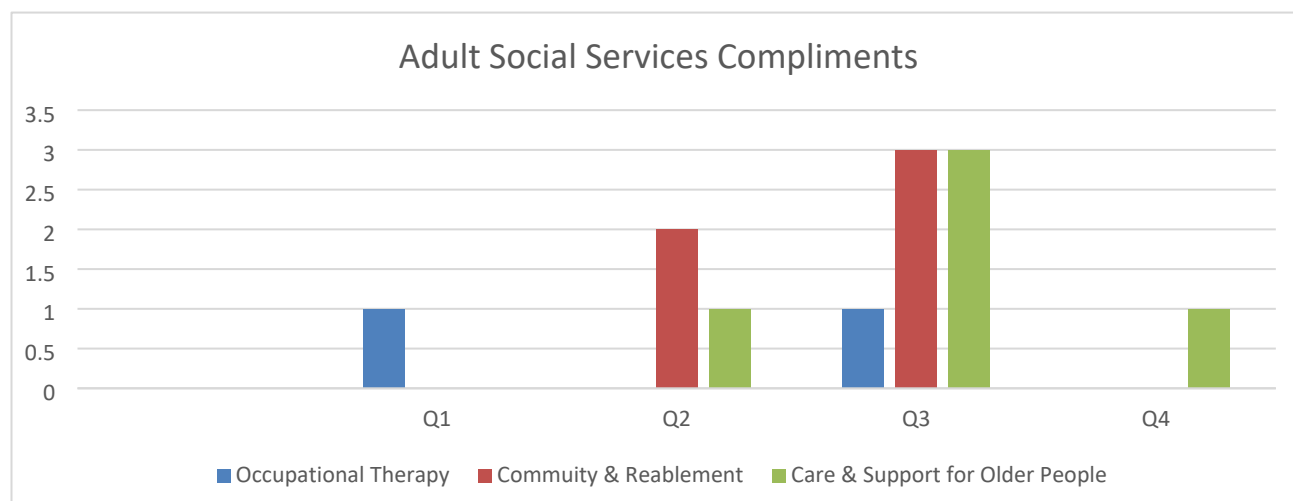
City Services received most of these compliments which is largely due to the high visibility of these services to the public and high number of interactions with residents.

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



Compliments Social Services

A total of 12 compliments were received for Adult Social Services during 2020/21. No compliments for Childrens Services were received during this timeframe. The graph below shows the breakdown:



COMMENTS

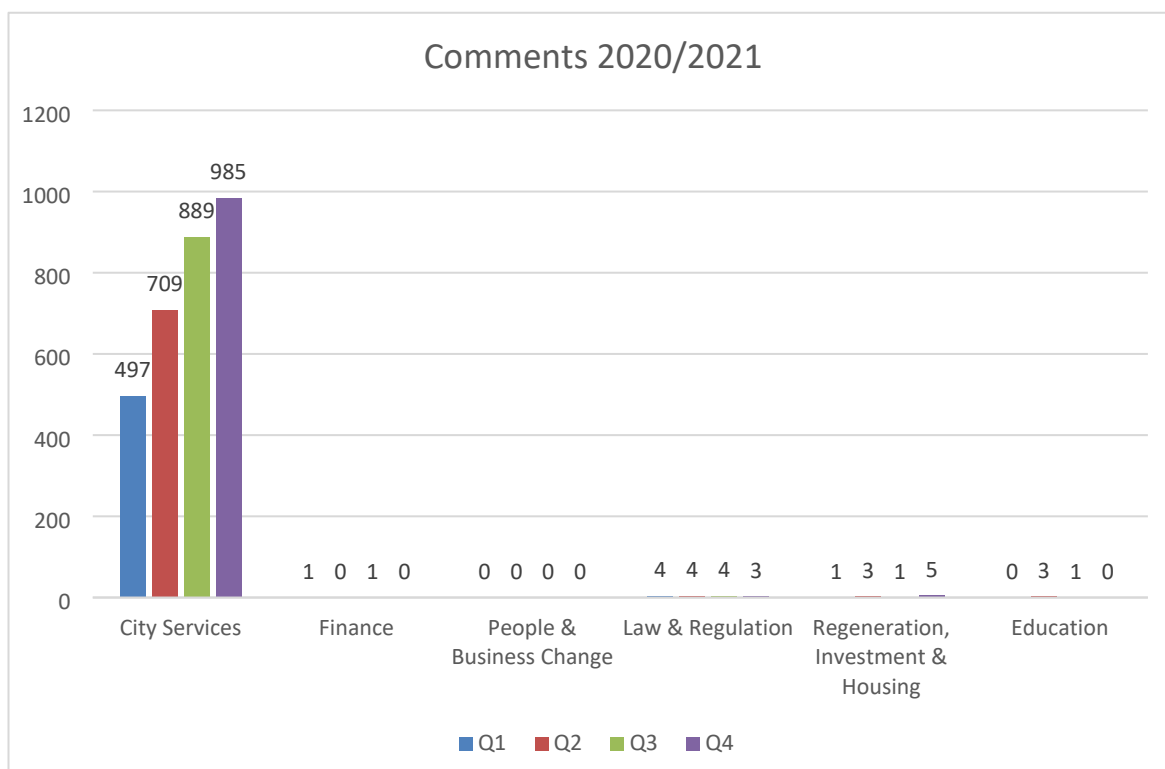
3111 (7 Adults and Children Services) comments were recorded during 2020/2021. Comments are recorded where a resident is dissatisfied with a policy or decision made by the Council that has been implemented or applied correctly. For example, residents may be unhappy with the scheduled number of grass cuts in the City. In line with the Ombudsman's guidance this feedback is recorded and if appropriate, responded to, but is not recorded as a complaint.

This record is the highest we have seen. The Complaints Team will carefully analyse all comments and complaints received to ensure they fit the relevant categories. Often what can be perceived as a complaint by the customer is only a comment from the Council's perspective as it relates to a policy decision. Quality checks are in operation to ensure the appropriateness of this category and this will continue.

This period created an unprecedented period of change and adaptations were made due to the Covid-19 Pandemic to keep both staff and residents safe. Consequently, a further increase in comments were seen. Examples of changes include booking at the refuse and recycling sites and closing all face-to-face premises such as the Information Station and Libraries.

The comments do provide the Council with an opportunity to utilise this feedback where trends are seen such as our refuse department helping Wastesavers deliver food caddy bags to reduce issues with the supply chain

Similarly, to compliments, the highest number of comments recorded are for City Services in line with the visibility of the services they provide, which is shown below. You will also see the increase during each quarter. This demonstrates the period where changes had the most impact.



COMPLAINTS – Corporate Summary

Year	Stage 1 Complaint	Stage 2 Complaint	Stage 2 Complaint %	Ombudsman Complaint	Ombudsman Complaint %
2011/2012	375	18	4.80	1	0.30
2012/2013	520	21	4.00	1	0.20
2013/2014	475	30	6.30	2	0.40
2014/2015	386	50	13.00	8	2.10
2015/2016	293	34	11.60	9	3.10
2016/2017	297	30	10.10	28	9.40
2017/2018	284	24	8.50	37	13.00
2018/2019	271	28	10.30	38	14.00
2019/2020	354	33	9.32	31	8.76
2020/2021	181	19	10.50	14	7.73

Since 2017/2018 the percentage of Ombudsman complaints that have been accepted has reduced dramatically. The Complaints Team have worked closely with service areas to resolve complaints at an earlier stage wherever possible.

Complaints Stage 1

Quarters	Q1		Q2		Q3		Q4			
Stage of Complaints	Stage 1	Stage 2	Stage 1	Stage 2	Stage 1	Stage 2	Stage 1	Stage 2	Stage 1	Stage 2
Contact Centre	1	0	8	0	7	0	9	0	25	0
Highways	2	0	3	1	2	1	5	2	12	4
Refuse & Waste	1	1	21	0	15	1	0	0	37	2
Parks & Cemeteries	2	1	3	1	2	1	2	0	9	3
Website	0	0	1	0	0	0	3	0	4	0
Household Waste Recycling	2	0	2	0	1	0	5	2	10	2
Street Cleansing	0	0	1	0	2	0	2	0	5	0
Landfill	1	0	0	0	0	0	1	0	2	0
Information Station	0	0	0	0	0	0	1	0	1	0
Grounds	2	0	0	0	1	1	1	1	4	2
Benefits	0	0	0	0	1	0	3	1	4	1
School Admissions	0	0	1	2	0	0	0	0	1	2
School Transport	0	0	2	0	2	0	1	0	5	0
Licencing	0	0	1	0	2	0	1	0	4	0
Coroners	0	0	0	0	0	0	1	0	1	0
Public Protection	0	0	4	4	0	1	2	3	6	8
Council Tax	0	0	4	0	3	1	2	2	9	3
Special Education Needs	0	0	0	0	1	0	1	1	2	1
Housing, Planning & Regeneration	1	0	4	1	2	1	4	5	11	7

Planning & Building Control	0	0	2	0	3	0	2	0	7	0
Registration Services	0	0	0	0	1	0	0	0	1	0
Transport & Roads	0	0	1	1	1	0	0	1	2	2
Flying Start	0	0	0	0	0	0	0	1	0	1
Communications & Public Relations	0	0	0	0	0	0	2	0	2	0
Total	12	2	58	10	46	7	48	19	164	38
Stage 1 & Stage 2 = 202										

Waste and Refuse received a lot of complaints during the pandemic as crews were having to self-isolate.

The Benefits team were incredibly busy during this period administering self-isolation payments and other Welsh Assembly grants.

Parks & Cemeteries were receiving complaints during lock-down as they were closed to the public, who felt they should be open to allow them to exercise in an open space due to gyms and other fitness centres being closed.

Public Protection received several complaints around cafes and restaurants not following COVID-19 guidance.

An increase in Complaints for homelessness was generally around trying to find accommodation to keep them safe during the pandemic. A lot of the homeless were camping out near one of the flyovers in the City, which became the target of arson which further increased the urgency of getting them into a safe place.

Highways were generally around the closing of the City Centre and reinstating the bollards to support businesses for outside seating in line with COVID-19 guidance. Road closures were also in place for tree felling for the Ash dieback which resulted in closures for several weeks.

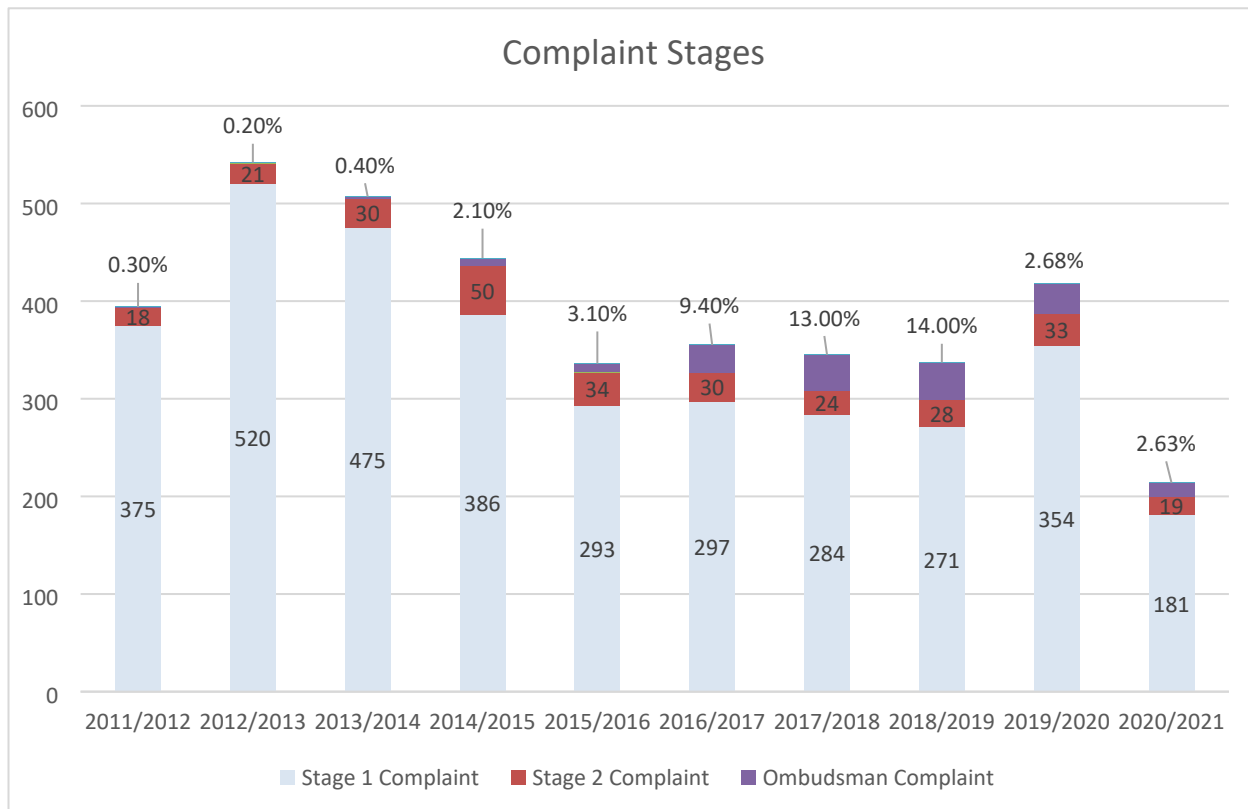
Education were dealing with complaints around which schools remained open during the pandemic.

School transport centred around the safety arrangement for children during the pandemic.

Landfill and household waste recycling complaints were initially around them being closed during lockdown. Later the complaints were centred around the introduction of a booking system to ensure the safety of residents and staff.

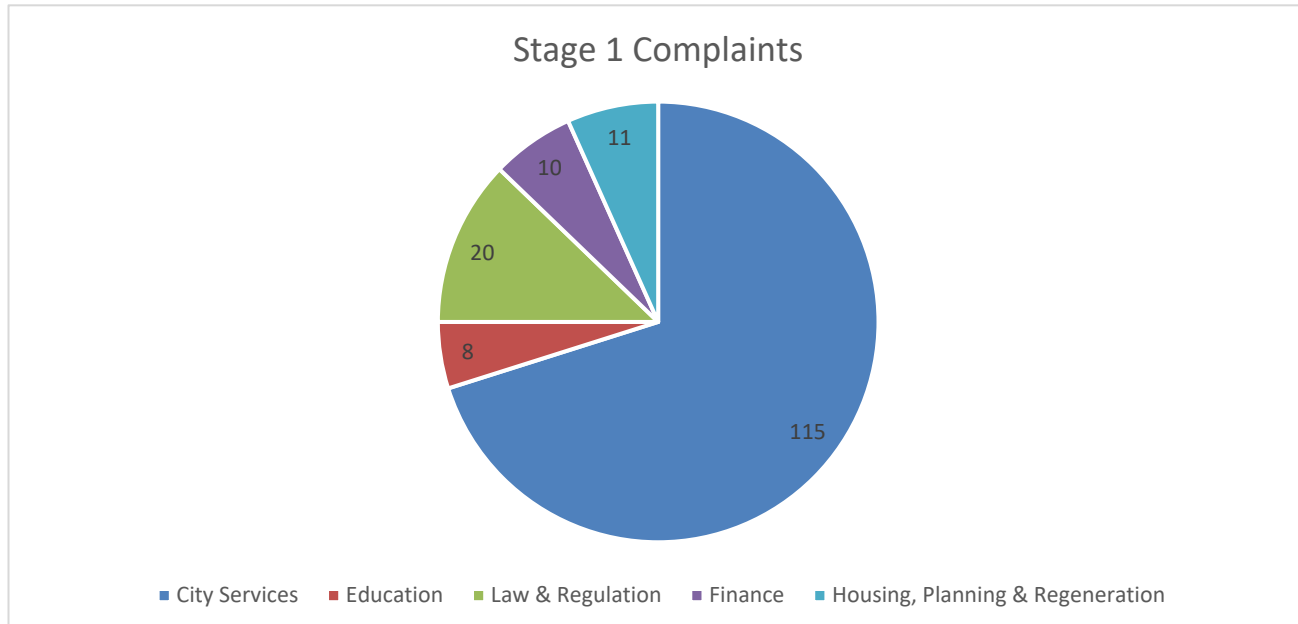
The contact centre complaints fall mainly into two categories, call waiting times and how staff have handled the calls. Any conduct issues are fed back to the operator and dealt with accordingly however when investigating these complaints, it is sometimes found that callers often don't like the information being provided and perceive the operator being difficult which ends up as a complaint. The call wait times relate mainly to Council Tax when there is a peak in demand for example, when statements, Court summons and Bailiff letters are sent out. The back office staff support as and when needed if they have sufficient resource available.

The graph below shows the complaints dealt with at each of the three stages since 2011/2012. Stage 1 complaints rose in 2019/2020 and reduced significantly in 2020/2021. The percentage going to Ombudsman has remained static over the last few years.



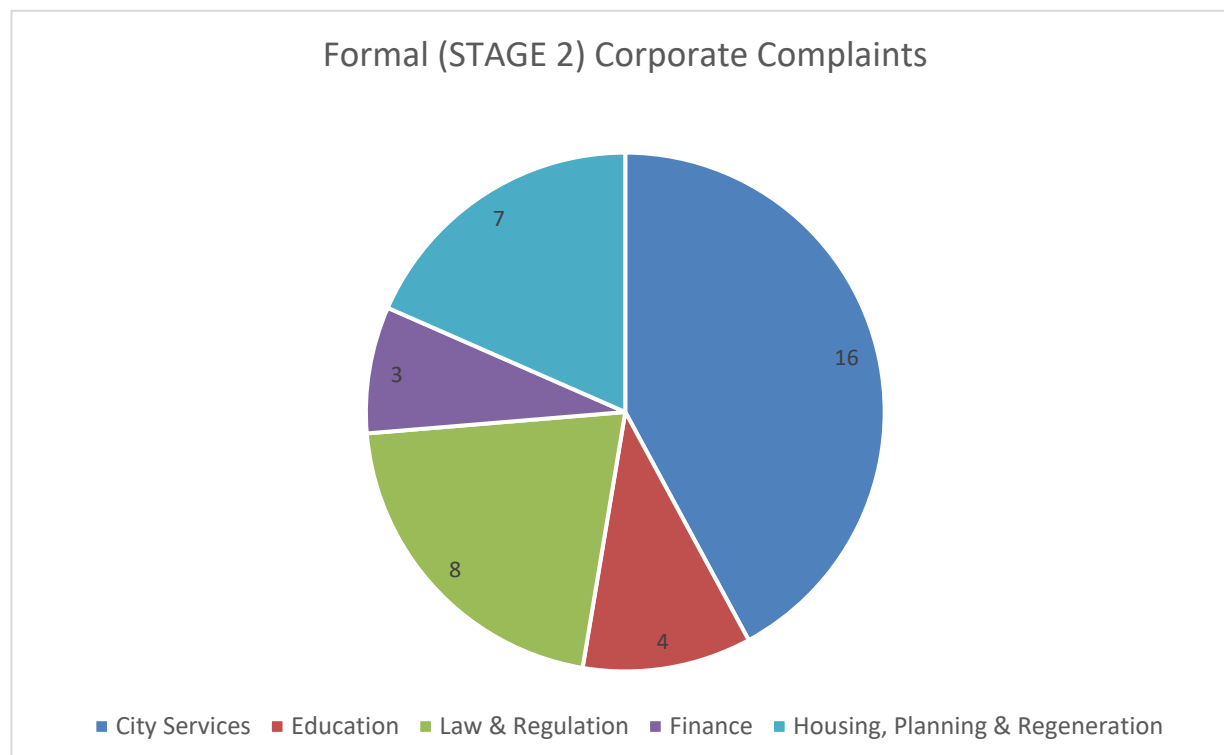
Informal (STAGE 1) - Corporate Complaints

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



This represents a total of 164 stage one complaints for 2020/2021. One complaint for Law and Regulation was received in Welsh.

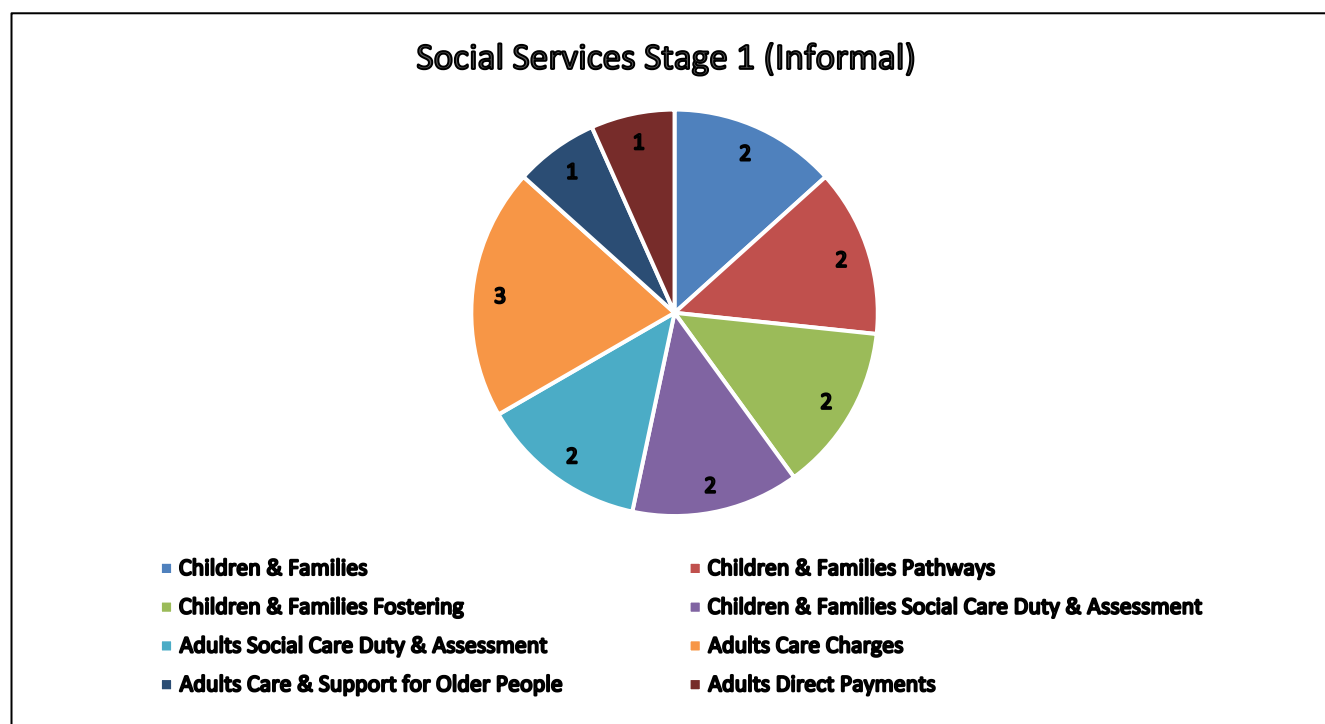
Formal (STAGE 2) Corporate Complaints



Total number of stage 2 complaints is 38 for 2020/2021

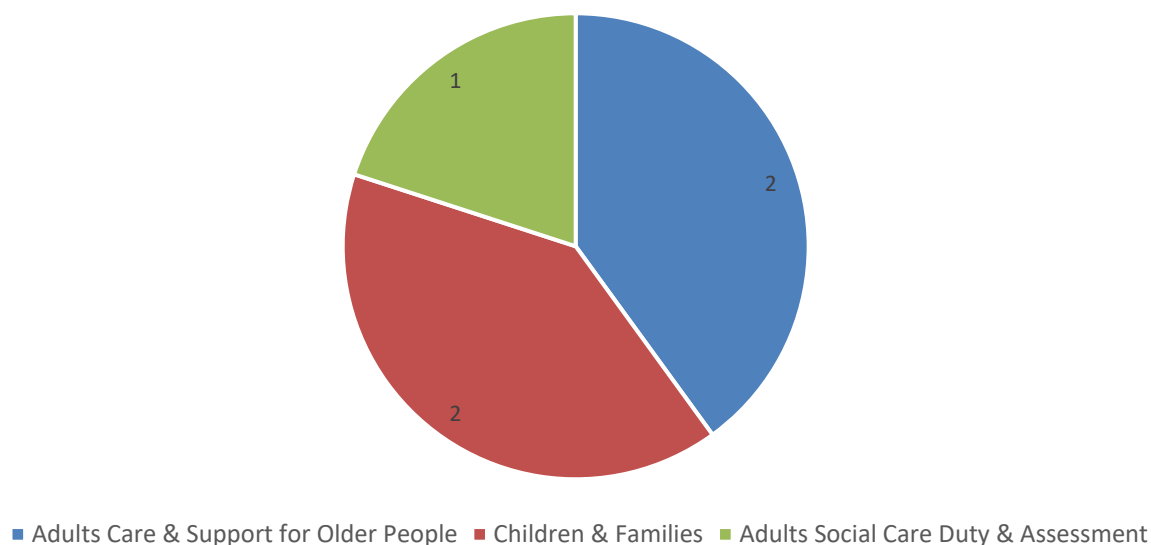
Social Services Complaints

This represents a total of 15 informal stage 1 complaints for 2020/2021



There were a total of 5 formal stage 2 social services complaints between 2020/2021.

Social Services Stage 2 (Formal)



Social Services Stage 3 Investigation

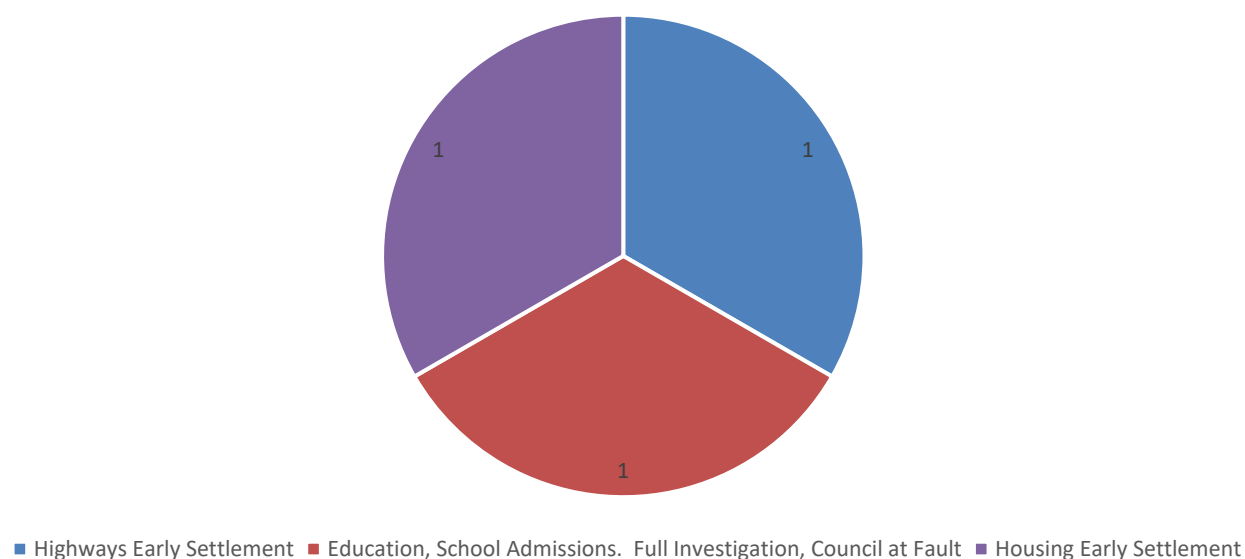
With social services complaints at times, it will be deemed appropriate to appoint an independent investigator where the case is deemed complex and labour intensive. For 2020/2021 only one independent assessor was appointed.

Ombudsman Corporate Complaints

During 2020/2021 the Ombudsman agreed to review a total of 14 corporate complaints and 3 social services complaints. This number does not include the total number of complainants whose complaints the Ombudsman declined to investigate. To follow is a summary of the outcome of those investigations:

Out of the 14 corporate complaints reviewed there were 3 cases where Newport Council needed to act:

Ombudsman Outcomes



Highways Early Settlement was following a customer's dissatisfaction that they were not approved a permit. As part of the early settlement, it was agreed to look at the application and provide a detailed response as the previous response had not explained the decision-making process.

The complaint regarding School Admissions was that Newport Council had incorrectly applied the oversubscription criteria of its policy. The policy has since been amended to reflect the correct criteria when dealing with oversubscriptions to primary schools and its definition of relevant siblings, to ensure it fully reflects the intentions of the Code.

A resident was dissatisfied regarding a housing assessment and how Newport Council handled their concerns. An early settlement was agreed on the basis that once lockdown restrictions eased the resident would receive a visit from the Home Options team so they can assess the resident's difficulties and an up-to-date occupational health assessment to be arranged. This case is currently being monitored.

Ombudsman Social Services Complaints

The Ombudsman agreed to review 2 of the social services complaints. An early settlement was agreed on one and the other a settlement was agreed.

The early settlement was for Adults Care & Support for Older People. The customer was unhappy that their complaint had not been escalated to a stage 2 and concerns regarding staff conduct. The early settlement was agreed on the basis that we would investigate as a stage 2 complaint.

A settlement was agreed regarding Children & Families, Child Protection around the failure to properly assess, support or assist a family regarding the placement of their grandsons. £250 was paid to the complainants for the considerable delay in providing them with the response to their complaint which may have impacted on their ability to engage with the further assessments by Social Services.

Complaints to the Public Services Ombudsman for Wales

The Annual Letter for 2020/2021 acknowledges that our statistics may not be useful for establishing trends or patterns due to the pandemic. New complaints received by Local Authorities decreased by 12.5% compared with the previous year. The Ombudsman did receive a sharp increase in the number of Code of Conduct complaints for local authorities. Newport City Council had two such complaints, however there was no evidence of a breach.

Each quarter all local authorities in Wales must report back to the Ombudsman by completing a template. Over the years the template has changed to capture different or additional information. The table below represents the last 5 years key information that has been reported back via the Ombudsman's Annual Letter. During the pandemic, complaints reduced significantly as this was not considered a priority over the need to stay home and remain safe. During this period there was significant fear due to the hold the pandemic had with many people struggling with their health. As lockdown eases an increase in complaints can be seen.

Year	New Complaints Received by NCC	Received per 1000 Residents	Cases with PSOW Intervention	% of Interventions	Code of Conduct Complaints	Community Council Code of Complaints
2016/17	26		7	23%	1 (closed)	0
2017/18	37		8	24%	3 (closed)	3 (closed)
2018/19	38		7	16%	3 (closed)	0
2019/20	39	0.25	4	11%	5 (closed)	1 (closed)
2020/21	31	0.20	5	17%	2 (no evidence of breach)	1 (no evidence of breach)

The Complaints Standards Authority have published data to the Public Services Ombudsman Wales website for the first time and this may be something as an authority we would want to replicate.

Although the Ombudsman are continuing to offer free training to all Officers, there are currently no available dates due to rolling out training to the NHS. The Complaints team however are currently designing their own training to support service areas. This will be broken down into modules and supported with e-learning. The team will also be getting involved in all induction training into the Authority to explain the importance of complaint handling, identifying missed opportunities and learning from these and the role that the Ombudsman play.

Having recently met with Matthew Harris, Head of Complaints Standards, PSOW, he was keen to express that Authorities and other organisations should not view complaints as a negative thing. If complaints are too low questions may be asked around whether our processes are clear enough and whether customers are given enough opportunities and access points to raise these concerns. Therefore, the Ombudsman do not provide league tables.

Service Development

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

Significant progress has been made in 2020/2021 towards delivering this with a full project plan in place for 2021/2022.

2020/2021 saw the following:

- Developed the recording system further to increase accountability and transparency regarding complaint management. More work is still required to further fine tune reporting.
- Developed some training modules concerning complaint management and customer service that all Officers can access. Due to significant staff shortages due to Covid 19 and the reallocation of staff to support core front line services, much of this work is being carried forward into 2021/2022.
- Introduce a continuous improvement approach so that the feedback and lessons learnt from complaints can be tracked through to service improvements. Again due to the above only a spreadsheet for tracking was implemented. This action has been incorporated into 2021/2022 project planner.
- Invite complainants to tell us more about themselves when they make complaints so that we can understand if complainants are representative of all Newport residents. We have worked in partnership with the Strategic Equalities Group to devise a questionnaire. This form now needs to be built into MCS which will be sent out to all complainants whose cases are closed.
- Reviewed policies and procedures to align with Public Services Ombudsman (Wales) Act 2019, following the conclusion of the Ombudsman's consultation.

During 2021/2022 we will continue to work with service areas and review our processes with the MCS team. There are concerns on how many options are available when closing complaints and this may be impacting on the quality of data being extracted. This will be included in the work for 2020/2021.

Lessons Learned

- More service area engagement to increase level of understanding in terms of the Ombudsman's powers and what they are looking to achieve.
- More supplier engagement to increase level of understanding of the Ombudsman. This is a significant piece of work that will be rolling year on year.
- Identify trends and opportunities to further improve how we reach out to certain customers who may feel disadvantaged in some way

Actions for Improvement

The table below outlines the actions that the team is undertaking in 2021/22 to improve the delivery of the service.

Action	Anticipated Completion date
Design modular based training that will be a mix of face to face or Teams training and e-learning. Contribute to all new induction training within the Council	April 2022
Work with third party providers who deliver services on behalf of the Council and look to align their complaint's policies with the Ombudsman requirements. Provide guidance when needed.	Start April 2022 - rolling
Work with relevant Council teams to analyse complaint demographics to seek further opportunities for improvement	October 2022

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">All policies have been reviewed in line with Public Services Ombudsman (Wales) Act 2019	Service Manager – Customer Experience
Failure to meet the public's expectation for dealing with complaints	H	L	The Council has; <ul style="list-style-type: none">Consulted with the public to find out what is important to them relating to complaints and complaint handlingConsulted with Officers to find out what support is needed to help them respond to complaints effectively	Service Manager – Customer Experience

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Compliments, Comments and Complaints Policy

Options Available and considered

- To consider the contents of this report for the Authority, providing any additional commentary and/or recommendations to Cabinet
- To request further information or reject the contents of this report

Preferred Option and Why

1. Option 1 is the preferred option with recommendations raised by the Audit Committee to be considered and reported to Cabinet and Officers in accordance with the Council's Constitution.

Comments of Chief Financial Officer

There will be no adverse budgetary impact as a result of this report. Any recommendations for improvements will be considered using existing budget provision.

Comments of Monitoring Officer

There are no specific legal issues arising from the report. This report provides an overview of the comments, compliments and complaints received by the Council during 2020/21, sets out how they were dealt with and also includes the Ombudsman's annual performance letter. The Council's Corporate Compliments, Comments and Complaints Policy, as previously approved by Cabinet, complies with the guidance issued by the Ombudsman in relation to the handling of complaints, while the statutory social services complaints procedures are in accordance with the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014.

Governance and Audit Committee have considered the effectiveness of the Council's complaints-handling procedures in accordance with their new statutory functions under the Local Government and Elections (Wales) Act 2021. However, any individual actions and service delivery issues arising from the complaints are matters for the relevant officers and Cabinet.

Comments of Head of People and Business Change

The Council has a responsibility for ensuring that services are provided to a satisfactory level to its users and that we ensure continuous improvement where issues have been raised. This report provides an overview of how we have performed in 2020/21 and where we need to improve on how we manage compliments, comments and complaints in the organisation. The Council actively promotes citizen engagement within its operations to act in a more preventative way and promote citizens involvement in its services.

There are no HR implications relating directly to this report. The action plan for 2021/22 outlines how we will ensure improvements are made to managing complaints and customer service.

Scrutiny Committees

The report is due to be received by the Governance and Audit Committee at their meeting on 11th November 2021

In May 2021, the Governance and Audit Committee agreed new terms of reference to align with the Local Government and Elections (Wales) Act 2021. One of the new requirements of the Committee is to: Make reports and recommendations in relation to the authority's ability to handle complaints effectively. This was the first report to the Committee about how the Council manages complaints and comments and its performance in 2020/21.

Fairness and Equality Impact Assessment: Wellbeing of Future Generation (Wales) Act

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 consider 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 because 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.

Equalities Impact Assessment

Not applicable as this is an information only report to Cabinet.

Welsh Language (Wales) Measure 2011

The Welsh Language Measure is considered in this report and is also covered by the Compliments, Comments and Complaints Policy.

Crime and Disorder Act 1998

Not Applicable

Consultation

N/A

Background Papers

<https://www.ombudsman.wales/wp-content/uploads/2018/03/Principles-of-Good-Administration-and-Good-Records-Management-Final-2016.pdf>



Annual Letter
September 2021.pdf