

**POLICY & RESOURCES CABINET BOARD**

**4<sup>TH</sup> SEPTEMBER 2014**

**FINANCE & CORPORATE SERVICES**

**REPORT OF HEAD OF LEGAL SERVICES  
MR. DAVID MICHAEL**

**INDEX OF REPORT ITEM – PRB-040914-REP-FS-DM**

**SECTION C – MATTER FOR MONITORING**

<b>Report Item</b>		<b>Wards Affected</b>
1. Corporate Services Comments, Compliments & Complaints Policy and Procedure Monitoring Report		Baglan, Skewen, Briton Ferry, Cimla, Aberavon, Glynneath, Cwmafan, Margam & Godre'r Graig.

## **ITEM NO. 1**

### **CORPORATE COMMENTS, COMPLIMENTS & COMPLAINTS POLICY AND PROCEDURE MONITORING REPORT**

#### **1.1. Purpose of Report**

The purpose of this report is to advise Members on comments, compliments and complaints which have been received through the Authority's Complaints Policy by the Finance & Corporate Services Directorate and Chief Executives Directorate for the period from 1<sup>st</sup> April 2013 to 31<sup>st</sup> March, 2014.

#### **1.2. Background**

1.2.1. The following number of comments, compliments and complaints have been received by the F&CS and CEX Directorate:-

Comments – 0  
Compliments – 24  
Complaints – 15

#### **1.2.2. Compliments**

21 compliments were received in the One Stop Shop and relate to the follow:-

- Thanks for excellent service
- Polite friendly and helpful when dealing with bus pass query
- Rapid response to exchange of bins online
- Impressed with service of online contact for recycling boxes
- Neath Reception helped write a letter regarding dropped kerb
- Professional and helpful staff at Contact Centre
- Thanks for investigating a query which had been addressed to the Leader

- Patience and understanding from staff whilst dealing with her son
- Thanked staff for their help with a claim
- Thank you card received for help
- Thank you letter received for attention given
- Thank you letter received for help filling in forms for bus pass
- DVD showed and training course was very good
- Thanked an Employee for helping him at an interview
- Lovely Social Care Institute for Excellence film about work in Brynsiriol
- Excellent customer service for Blue Badge enquiry
- Excellent service when renewed Blue Badge
- Excellent treatment and was very helpful with disability
- Professionalism and care and support
- Help and time given to support training models
- Gratitude during the two day date trial and intervening months

**1.2.3. Other compliments relating to Chief Executive and Finance and Corporate Services**

- From a resident thanking a Benefits employee for being helpful, courteous and informative at all times when he has visited Neath.
- From the Welsh Transport Regiment (Cardiff) commenting upon how well the Armed Forces Community Covenant signing event went. This event was organised to coincide with the Flag Raising Ceremony organised by Mayoral Services.
- A resident complimented an employee for his help during a Benefits interview which took place at Neath Civic Centre.

#### 1.2.4. **Complaints – Stage 1**

##### **Case 1 (1)**

1.2.4.1 May, 2013 – A business owner invested money for advertising in a free brochure for the Registration Service. After signing, and the brochure was in its draft form, the company went into liquidation, subsequently the money the business paid to advertise was lost. The business owner's complaint was against the Registration Service for not informing them that the company was in liquidation.

1.2.4.2. Conclusion:- The complaint was investigated and it was confirmed that the Registration Service were not liable in this case as they had no knowledge of the company going into liquidation prior to the signing of the contracts with the Company. It was also noted that the contract was between the business owners and the Company that went into liquidation not the Registration Service. The complaint was not upheld and was responded to within the set timescale.

##### **Case 1 (2)**

1.2.4.3 June, 2013 - A complaint was received from a resident regarding his Council Tax arrears payment plan which was taken out of his salary without his permission.

1.2.4.4. Conclusion:- The complaint was investigated and an apology was issued and reimbursement of the money was made. The complaint was investigated within the set timescale.

##### **Case 1 (3)**

1.2.4.5. August, 2013 - A complaint was received from a resident and passed to the Council from the Ombudsman's office, the complaint is regarding her Council Tax arrears which were passed to the Bailiffs, the complainant stated that she had paid by the deadline, she then received a letter from Council Tax stating that she still owed the money.

- 1.2.4.6. Conclusion:- The complaint was investigated and an apology was issued and an explanation confirmed that the money was received in her account the same day the letter demanding the payment was sent. The complaint was investigated within the set timescale.

**Case 1 (4)**

- 1.2.4.7. September, 2013 - A complaint was received from a resident regarding single person discount for Council Tax. The resident had been unable to provide evidence of the whereabouts of her ex-partner, therefore causing a delay in the discount held on her account.

- 1.2.4.8. Conclusion:- The complaint was investigated and it was agreed that the discount be awarded. The complaint was investigated within the set timescale.

**Case 1 (5)**

- 1.2.4.9. September, 2013 – A resident complained about the bilingual messages on the comfort message (whilst on hold) waiting to speak to someone on 686868.

- 1.2.4.10. Conclusion – It was explained that our message is bilingual because of Council policy and also that she didn't have to wait any longer than needed because of the message. This was completed within the set timescale.

**Case 1 (6)**

- 1.2.4.11. December, 2013 – a complaint was received by a resident who had an agreement to pay monthly towards his Council Tax arrears. However, the resident had failed to keep to payment arrangements in previous years therefore Bailiffs were sent to collect the debt.

- 1.2.4.12. Conclusion – After the resident making contact, a further monthly payment arrangement was made but it was emphasised to the complainant that failure to keep to this new agreed payment arrangement may result in further recovery action. This complaint

was not upheld but a further arrangement was made with the complainant and was completed within the set timescale.

#### **1.2.5. Complaints – Stage 2**

##### **Case 2 (1)**

1.2.5.1. July, 2013 - A complaint was received from a resident regarding an issue he had with the Council Tax banding of his property and wanted to receive interest on the amount of overpayment he had made.

1.2.5.2. Conclusion:- The complaint was investigated and the resident was informed that it is not the Authority's responsibility to band properties and that the responsibility lies with the Commissioners of Inland Revenue. He was also notified that there are no provisions within the Local Government Finance Act 1992 to provide interest on money refunded. The complaint was not upheld and responded to within the 20 working day guideline. The complainant has been referred to the Ombudsman.

##### **Case 2 (2)**

1.2.5.3. August, 2013 – A complaint was received from a resident with regards to the refusal of his offer to make an agreement to pay his Council Tax arrears, being misled by officers of the Authority and the seizure of a motorcycle which was claimed was owned by his son.

1.2.5.4. Conclusion – The complaint was investigated and it was found that the resident had a past history of non-compliance to payment arrangements made in previous years, therefore it was felt that this case did not justify recalling the debt. The motorcycle was registered and insured to the resident therefore was distrained by the Enforcement Officers to satisfy the outstanding liability order for the debt. The complaint was not upheld and was replied to within the 20 working day deadline

### **Case 2 (3)**

- 1.2.5.5. August, 2013 – A complaint was received from a Chairman of a Residents' Association against a member of staff for supplying the wrong information, being rude and racially abusive and to the way in which the initial complaint had been conducted.
- 1.2.5.6. Conclusion – The complaint was investigated and it was found that there was a genuine misunderstanding and unintentional error made by the member of staff and that at no time was the member of staff intentionally rude or racially abusive to the complainant. It was also found that the initial complaint was dealt with in an appropriate manner. The complaint was not upheld and was replied to within the 20 working day deadline.

### **Case 2 (4)**

- 1.2.5.7. September, 2013 – A complaint was received from a resident outside the borough and passed to the Authority from the Ombudsman's office. The resident was awarded a payment by the Ombudsman to cover costs which the Authority had agreed to pay. The Complainant was asked, by letter, to telephone a designated Officer to confirm whether he was willing to accept the payment and conclude matters. The complainant telephoned but at the time he was unable to speak to the designated Officer and was put through to another Senior Officer who had no specific knowledge of the case. The complainant demanded that the payment be speeded up and transferred into his bank account promptly but was informed that an urgent payment was not possible at that time. The complainant therefore made a complaint against the Officer who spoke to him initially and demanded compensation.
- 1.2.5.8. Conclusion:- The complaint was investigated to find that the Officer who had spoken to the complainant had no knowledge of the matter and was under no obligation to speed up the payment. The Officer who had been designated to deal with the case returned the complainants telephone call and made arrangements for an immediate payment and the monies were transferred from the Authority's account into the complainants account by 4.00 p.m. that day. In respect of the request for compensation, no

commitment was made in offering settlement on a particular date therefore no compensation was granted. The complaint was not upheld and responded to within the 20 day guidelines.

### **Case 2 (5)**

- 1.2.5.9. September, 2013 – A complaint was received from a resident regarding a Council Tax payment which was taken out of her account twice in error. The resident had tried to pay online but was not able to proceed through to the approval stage, therefore contacted the office to ask if it had been paid, she was told that it had not reached her account and she subsequently paid again over the phone. When her account had updated the following day, two payments were taken.
- 1.2.5.10. Conclusion:- The complaint was investigated and found to be an error, an apology was made and procedures put in place to make sure it didn't happen again. The complaint was not upheld and responded to within the 20 day guidelines.

### **Case 2 (6)**

- 1.2.5.11. October to December, 2013 – Various complaints received from a resident of the County Borough who was due to be made homeless. The complainant had been in receipt of Housing Benefits but had not declared earnings. He complained that he had been lied to and there had been a lack of support offered by Officers of the Authority and Officers of the Authority being unwilling to meet with him.
- 1.2.5.12. Conclusion – The complaint was investigated and it was found that the complainant had been treated with respect by Officers at all times. It was found that the complainant and complaint had been dealt with in an appropriate manner. The complaints were not upheld and were investigated within the 20 working day deadline.



## Case 2 (7)

1.2.5.13. November, 2013 – A complaint was received by a resident who had not promptly advised the Authority of a change in circumstances and an allegation of fraud was made against her, when the complainant disputed this, an investigation was conducted by the Prosecution Panel of the Authority. The Panel accepted that an offence had occurred and the complainant was offered a final warning but was unwilling to accept this due to the fact that by doing so the complainant was accepting that an offence had taken place. The complainant was then offered three choices:-

- a) To receive a caution which would not result in a penalty or police record, just a formal warning but would be an admittance to fraud;
- b) Taking the case to Court;
- c) An administrative penalty with no admittance of fraud.

The complainant accepted an administrative penalty whilst still disputing that an offence had been committed and was informed that she had 28 days to change her mind as to whether to accept the penalty. No further correspondence was received.

1.2.5.14. Conclusion – It was explained to the complainant that under Section 112 (1)(a) of the Social Security Administration Act 1992 it is the duty of the claimant to advise the Authority promptly of any change in circumstances. In this instance, although the complainant stated that she had informed the Authority, neither the complainant nor the Authority were able to find any record and therefore it was deemed that they were not informed promptly. The complaint was not upheld and was undertaken within the 20 day working deadline. The resident responded and was taking her complaint up with the Ombudsman.

## **Case2 (8)**

1.2.5.15. January, 2014 – A complaint was received by a resident who had been unable to pay her Council Tax on New Year's day, due to closure of office.

1.2.5.16. Conclusion – Provided with other options to pay, automated, internet and direct debit. The complaint was not upheld and was investigated within the 20 working day deadline.

### **1.2.6. Appendices**

None.

### **1.2.7. Recommendation**

That the comments, compliments and complaints monitoring report be noted.

### **1.2.8. List of Background Papers**

Oracle Complaints System

### **1.2.9. Wards Affected**

Baglan, Skewen, Briton Ferry, Cimla, Aberavon, Glynneath, Cwmafan, Margam & Godre'r Graig.

### **1.2.10. Officer Contact**

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