

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet 30 October 2019 Report of the Assistant Chief Executive and Chief Digital Officer– K. Jones

Matter for Monitoring

Wards Affected: All Wards

Comments, Compliments and Complaints Annual Report 2018/2019

Purpose of the report

1. To provide an overview of the complaints, compliments and comments received during the period 1 April 2018 to 31 March 2019.

Executive Summary

2. Neath Port Talbot Council is a large organisation providing a variety of services and whilst every effort is made to carry out responsibilities properly and effectively, complaints can be made for various reasons. Members of the public sometimes complain about lack of consultation about changes, council policy, lack of action or delay to service requests, staff attitude and decision making outcomes.
3. Complaints provide valuable information about how we are performing and what our customers think about our services. Most people who complain tell us what we have done wrong and how we can do better. We use this feedback to improve our services, strengthen our relationships with customers and make better use of our resources. Publishing an annual report demonstrates the Council's commitment to transparency and a positive approach to acknowledging, investigating, responding to and learning from complaints.

4. The Council recognises that in order to meet the needs and concerns of the public, the monitoring of customer feedback is a valuable tool. We will continue to review complaints, compliments and comments feedback and make changes to ensure that our complaints process remains customer focused to help the Council provide the best service possible. The two stage complaints model recommended by Welsh Government operates in Neath Port Talbot Council and is set out in the Council's policy which was approved by the Policy and Resources Cabinet Board on 16 June 2011 .This approach is practised by all Welsh Authorities and should provide greater consistency in the way complaints are handled nationally.
5. The guiding principle underlying the policy is "investigate once, investigate well" with an emphasis on conducting one investigation to deal thoroughly with the concerns raised, rather than multiple investigations at differing levels of the Council.
6. As well as the two stages in the policy, complainants who are dissatisfied with the Council's response following completion of those stages can refer their complaint to the Public Services Ombudsman for Wales (PSOW) or another appropriate organisation for independent external consideration.
7. Corporate performance measures regarding complaints and compliments are an important part of the Council's Performance Management accountability and scrutiny processes. Summary information regarding complaints and compliments for each service area/ directorate are regularly reported. Full year overviews for 2018/2019 were reported to Cabinet /Cabinet Board meetings held during July 2019.
8. Despite a small increase in the number of recorded Stage 1 complaints and bearing in mind the extent of whole authority responsibilities, no systemic failings could be attributed to a particular service area from the instances reported and investigated. Where the complaint was upheld/partially upheld the lessons learned from the investigation should be applied by the relevant service areas to improve service delivery and customer satisfaction going forward.

9. Overall, the number of stage 2 complaints upheld have remained the same as the previous year. No systemic failings could be attributed to a particular service area from the instances reported. Where the complaint was upheld/partially upheld, lessons learned from the investigation should be applied by the relevant service areas to improve service delivery and customer satisfaction going forward and to reduce recurrence of the same issue.

10. Overall, the number of compliments has decreased compared to the previous financial year. Some services do not always report compliments they have received. To help provide a balanced view, the complaints officers continue to reiterate the need for services to ensure compliments and positive feedback are captured and acknowledged.

Background

Two stage policy overview

11. **Stage One** - complaints that fall into this category are requests for a service that have not been actioned or properly dealt with. These complaints are handled by the staff and/or manager directly responsible for delivering the service with a response to be provided within 10 working days. Lessons can usually be learned from upheld complaints (and possibly where the complaint was not upheld) whereby the service area recognised there was scope for improvements to service delivery and implemented these for the future.

12. **Stage Two** - if a complainant is dissatisfied with the outcome of a stage 1 complaint, the complaint is then formally investigated by the designated complaints officer within the relevant directorate and a response provided within 20 working days. This includes a review of all relevant correspondence and often incorporates discussions with both the complainant and relevant officers from the service department concerned to enable a fuller response to be provided. Lessons can usually be learned from upheld complaints (and possibly where the complaint was not upheld) as recognition that improvements to services could still be made.

13. **Independent external consideration** – at the conclusion of stage 2, the complainant is made aware of the ability to refer their complaint to another organisation for external consideration e.g. the Public Services Ombudsman for Wales (PSOW). Before agreeing to investigate further, the Ombudsman should normally be satisfied that the matter has already been raised with the Council and that the Council has had a reasonable opportunity to investigate and respond in accordance with the two stage policy. Where this has not been done, the Ombudsman will usually refer the complaint back to the Council to provide an opportunity to attempt to resolve the complainant's concerns through the Council's own complaints processes first.

Reporting Processes

14. The model of complaints handling comprises a Corporate Complaints Officer employed in the Chief Executives Department with responsibility for the policy. That officer links with the designated complaints officers employed in each service directorate. Designated officers provide advice to their colleagues to ensure appropriate and timely complaint responses for the relevant directorate in which they arise. The designated officers collate and submit the quarterly information provided to them from service areas on to the corporate performance management system (CPMS).
15. The Policy and Democratic Services Principal Officer attends the All Wales Complaints Group (2 meetings annually). A representative from the PSOW also attends to improve information sharing and collaborative arrangements. Complaints investigated by the PSOW are included in their quarterly casebook and although the number of enquiries and complaints investigated by them have increased over recent years, there has been an overall reduction in complaints against local authorities.
16. The Head of Legal Services also reports annually on complaints referred to the PSOW following receipt of the Ombudsman's Annual Report to enable comparisons across all Welsh Councils.
17. The Council's Welsh Language Scheme was superseded by the imposition of the Welsh Language Standards in March 2016 with the Council's Comments, Compliments and Complaints policy updated

to reflect requirements within the standards. The complaint process for Welsh Language matters operates differently to the way other complaints are handled – the legislative provision stemming from the 2011 Welsh Language Measure. This includes the need to keep a record in relation to each financial year of the number of complaints received relating to our compliance with the standards. Complaints received from 1 April 2018 to 31 March 2019 were included in the Welsh Language Standards Annual Report to Cabinet on 19th June 2019.

18. Proposals were made by the PSOW earlier this year for an updated model policy for public service providers in Wales which is compatible with the Welsh Language Standards Regulations of 2018. A new requirement from the PSOW requires provision of our complaints data to them to enable an all Wales comparison in relation to local authority dealings on a quarterly basis. Data for the period 1 April 2019 to 30 June 2019 was submitted to the PSOW to meet the above request for information and the outcome of that exercise is awaited.
19. The actions and behaviour of a few customers have been considered unacceptable and these have been addressed by the use of letters sent by the relevant Head of Service to the customer concerned. Three reviews of unacceptable behaviour were undertaken resulting in a contact protocol being implemented by the Head of Service. An amendment to the existing Unreasonable/Unacceptable Customer Behaviour Policy was approved by Cabinet on 29 May 2019 to incorporate the use of covert recording of conversations.
20. On two occasions, restrictions on the provision of direct contact information and disclosure of work locations for Social Services employees were implemented as an extra precaution following risk assessment advice from Health and Safety.

Summary of performance 2018/2019

21. Considering the breadth of dealings across the council, it should be noted that the number of investigated complaints upheld was relatively low with the majority being resolved or not upheld. That said,

complaints will continue to be monitored via relevant scrutiny processes to help identify the cause of any continuing or recurring service area issues.

22. The level of activity appear to demonstrate that customers are using the complaints process appropriately. The low level of complaints escalating to stage 2 suggests that, in the main, complaints are addressed by managers at an early stage and, where applicable, lessons learned following investigation are being implemented.

Financial Impact

23. There are no financial impacts associated with this report.

Integrated Impact Assessment

24. An equalities monitoring form should be sent to the complainant when the outcome of a complaint is provided. The profile of complainants over the last year did not raise any known equality issues. However, to help provide a better insight in future, the complaints officers will seek additional information from the complainant when acknowledging complaints to help ensure no particular group is affected. Further review of the Complaints Policy is underway to incorporate the need to include consideration of reasonable adjustments if/when appropriate with the involvement of the Corporate Policy Officer for Equalities and Welsh Language

Valleys Communities Impact

25. No implications.

Workforce Impacts

26. Staff have been subjected to violent, aggressive and unacceptable behaviour on occasion. Line managers undertake risk assessments to help prevent such occurrences and to lower the impact of poor behaviour. Cross departmental information sharing helps to improve communications and preparedness to help frontline staff to anticipate difficult customer queries at the first point of contact. This can include a potentially violent person meeting facilitated by the

Health and Safety team. We will be reviewing whether there are opportunities to improve information sharing as there is anecdotal evidence that these types of situations are becoming a more regular occurrence.

Legal Impacts

27. This annual report has been produced in line with the Council's two stage policy which is reflected in the body of this report.

Risk Management

28. The profile of complaints made during the year, their resolution and lessons learned is taken into account when the Council's Annual Governance Statement is prepared. No systemic failings in the Council's Governance systems were identified by service areas or the designated complaints officers for complaints that were recorded, investigated and concluded in 2018/2019.

Consultation

29. There is no requirement for external consultation on this item.

Recommendations

30. For Members to monitor performance contained within this report.

Reason for Proposed decision

31. Matter for monitoring – no decision required.

Implementation of decision

32. Matter for monitoring – no decision required.

List of background papers

33. [Corporate Plan key performance indicators Cabinet Report 10th July 2019](#)

Officer Contact

Mrs Karen Jones, Assistant Chief Executive and Chief Digital Officer
k.jones3@npt.gov.uk
01639 763284

Mrs. Jayne Banfield, Principal Officer Policy and Democratic Services
j.banfield@npt.gov.uk
01639 686165