

Committee:	CORPORATE SCRUTINY COMMITTEE
Date:	14 April 2016
Title:	The Council's Complaints Procedure
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1. Background

1.1 The Council's Complaints Procedure was adopted by the Cabinet on 10 June 2014. It has been in operation officially since 1 April 2015. This new procedure is in accordance with the Model Concerns and Complaints Policy and the Guidance published by Welsh Government, and produced under the guidance of the Public Services Ombudsman for Wales. This is advantageous as it is consistent with the complaint procedures of other public bodies, making the submission of a complaint easier for members of the public across public bodies.

1.2 The aims of the process were:

- Adopting the new procedure will bring specific benefits to the citizen by focusing on the resolution rather than the process. It will allow for complaints to be dealt with more swiftly, by abolishing one step of the current process which is fairly labour-intensive and lengthy.
- The new procedure will allow complaints which involve more than one department to be better coordinated, and will enable the coordination of complaints which involve external agencies or partners.
- By establishing a central, comprehensive database, it will be possible to keep an overview of the pattern of complaints and to learn lessons as an organisation. Currently, the valuable information contained in complaints tends to be lost.
- It is anticipated that the procedure will be better aligned with the Council's new culture of empowering staff to make decisions and to deliver one of the work streams of the "Gwynedd Way" project.

1.3 This procedure is not relevant to users of social services as there is a statutory procedure for them. Schools also implement their own complaints procedures.

Considerations

2. Features of the procedure

2.1 Emphasis is placed on resolving complaints, and doing so swiftly. To promote this, the new procedure is a two-step process, namely **informal resolution** and **formal investigation**. The complainant could go to the Ombudsman if he was not

satisfied with the Council's formal response. Previously, there was an additional step to the procedure, namely consideration by an independent panel of senior officers.

2.2 Informal Resolution - the core idea here is that dealing with complaints is an integral part of providing services. Staffs are encouraged to consider each time whether it would be possible to resolve the complaint 'here and now'. Customer care skills are important in this context e.g. placing yourself in the complainant's shoes, not being defensive, being ready to acknowledge that something has gone wrong and offering an apology. There is no requirement to record informal resolutions. However, the Service Improvement Officer will record all complaints (both formal and informal) that come to her attention.

2.3 Formal Investigation - If it is not possible to resolve the complaint informally, the complainant can refer it for a formal investigation. "*Investigate once, investigate well*" is the principle of this step of the process. Emphasis is placed on one thorough investigation to deal with the concerns raised, rather than on several investigations on various levels in the organisation. However, this element of the complaints process is intended to be flexible to respond appropriately to the complaint. 'Investigating well' also means undertaking an investigation in a way which is commensurate with the nature of the complaint and its severity. Commensurate means that the investigation into those complaints that are not as serious in nature need not be as detailed. This response will be the Council's final response to the complaint and will form the basis of its response if the complaint is referred to the Ombudsman. As a rule the investigation will be carried out by an officer from the eth department, who is of a sufficient seniority and who is independent from the source of the complaint. All formal complaints are recorded.

2.4 The Complaints Co-ordination Team - A complaints co-ordination team has been established which has responsibility for administering the procedure. The team includes a specific post in the Customer Care service (in the Corporate Support Department) namely 'Service Improvement Officer' and a Senior Solicitor, in the Legal Department. The Monitoring Officer is responsible for the Complaints Procedure and for ensuring that it is implemented appropriately.

2.5 The Service Improvement Officer has the responsibility for assisting the complainant, grading the complaint, seeking a swift resolution and monitoring the progress of formal investigations and any lessons learned as a result of the complaint. The team also includes one Senior Solicitor, with responsibility for advising on the process, the oversight of more complex investigations, working with the Service Improvement Officer to produce regular reports to the Corporate Management Team and the Cabinet Member.

2.6 The Service Improvement Officer is also the point of contact for the Ombudsman's office and the Team is responsible for ensuring that the Council will respond to complaints received by it, reporting to the Monitoring Officer as and when necessary.

2.7 Complaints will be referred by Galw Gwynedd to designated contact points within every department who will then refer them to appropriate officers for attention. The Service Improvement Officer will also receive complaints over the

phone and via the Council's website. She will also refer them to the contact points. These complaints will then receive attention through informal resolution or formal investigation as appropriate.

2.8 Members do not have a role to investigate individual complaints; however, constituents will contact them with complaints and they can refer the matter to the relevant service for attention. They can also ask to be updated and notified of the outcome of a complaint. The procedure does not affect members' rights to raise matters of concern directly with the Council's departments.

2.9 **Learning Lessons** - The procedure has introduced the ability to learn lessons from complaints by means of overview reports to be submitted to the Corporate Management Team and the Cabinet Member in order to ensure continuous improvement.

2.10 By establishing a central, comprehensive database, it will be possible to keep an overview of the pattern of complaints and to learn lessons as an organisation. Previously, the valuable information contained in complaints tended to be lost. It should be noted that formal complaints are recorded. It is not necessary to record informal resolutions and it would not be practical to do so. Despite this, there will be a record of the informal resolutions of which the Service Improvement Officer is aware.

3. Implementing the Procedure

3.1 The process of establishing and improving the procedure continues; however, after a year of implementing the new procedure, the main developments seen are as follows:

Service Improvement Officer

This role did not exist previously. The fact that there is a specific officer in place who ensures that departments respond to complaints promptly, can advise members of the public and officers on the implementation of the procedure, identifies opportunities to resolve complaints promptly and informally has proven to be very beneficial.

Service Improvement Plans

To assist the Council to learn from complaints, a procedure has been established whereby the Service Improvement Officer will provide a Service Improvement Form to departments if she is of the opinion that an investigation into a complaint has identified the need to improve procedures in order to provide a better service. She will also monitor progress to ensure that the steps are implemented.

Guidance and advice for departments

To date, as well as the advice provided in individual cases, the following has been undertaken:

- The Team visited every departmental management team to introduce the new procedure
- A meeting of departmental contact points

- A presentation has been given to the Senior Managers Group
- Guidelines and guidance for staff have been produced - a leaflet on good practice when dealing with complainants, examples of response templates, guidance on the standard of responses

Reports

A quarterly report is produced which is submitted to the Corporate Management Team and the Cabinet Member. The Complaints Co-ordination Team will meet with the Corporate Management Team to discuss the content of the report and the appropriate methods of disseminating any lessons learnt. The report outlines:

- The number of formal complaints responded to, by service
- Details of service improvement plans
- The number of Ombudsman complaints
- A summary of reports published by the Ombudsman
- Statistics on informal resolutions of which the Service Improvement Officer is aware
- Any patterns or lessons learned which could be significant across the authority along with a summary of relevant complaints.

An Annual Report will also be produced.

Ombudsman Complaints

There is a good working relationship with Ombudsman officials. The Service Improvement Officer will ensure prompt and adequate responses by the departments. The Team is also looking at lessons which could be learned e.g. did the complainant refer the complaint to the Ombudsman due to shortcomings in the way we deal with complaints within the Council, and are there lessons to be learned from that? These will be included in the quarterly report.

Assessing the standard of formal responses

At the request of the Corporate Management Team, a process is being established to assess the standard of formal responses in order to improve the service received by the complainant under the complaints procedure. Consideration is given. Through this process, to the manner in which responses are prepared, so that good practice can be shared and the responses given to complainants are improved.

4. Statistical Evidence

4.1 These are the figures for the number of complaints for the first year. No equivalent figures are available for the previous complaints policy

Formal Investigations 2015/16

Q1	28
Q2	22
Q3	15
Q4	16

Total = 81

Informal Resolutions 2015/16*

Q1	42
Q2	34
Q3	33
Q4	25

Total = 134

(*only those of which the Service Improvement Officer is aware)

Ombudsman's cases closed in 2015/16

Settled	4
Report	2
No investigation	22

Total 28

Still open

Investigations	2
Enquiry	1

Total 3

Ombudsman's cases closed in 2014/15

(Figures from Ombudsman's Annual Report 2014/15)

Settled	3
Reports	1
No investigation	29

Total 33

4.3 Under the new arrangements it is possible to monitor the **time taken to investigate and reply** to formal complaints. The target is 20 working days. If this is not possible, e.g. because of the complexity of the complaint, the complainant is informed of this.

Q1	21 under 20 days, 7 over 20 days (28 formal investigations)
Q2	18 under 20 days, 4 over 20 days (22 formal investigations)
Q3	12 under 20 days, 3 over 20 days (15 formal investigations)
Q4	14 under 20 days, 2 over 20 days (16 formal investigations)

Totals

65 under 20 days

16 over 20 days

(81 formal investigations)

It can be seen that 80% of investigations were completed within the target time and that the general trend is improving.