

PAPUR / ENCLOSURE
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Cyngor Sir Ynys Môn / Isle of Anglesey

Committee	Standards Committee
Date of Meeting	13 March 2013
Title of Report	Complaints Management Project
Report By	Customer Care Officer
Purpose of Report	To update the Committee on the current status of the Complaints Management Project

1. The Concerns and Complaints Policy was presented to the Executive on 19.11.12. The Executive resolved to adopt the Policy and the Unacceptable Actions by Complainant Policy and endorsed the implementation date of 1st April 2013.
2. A report is being presented to the County Council on 5th March 2013 requesting that both Policies are formally approved and adopted. Report is attached for information. (Appendix 1)
3. Work to address the following issues has been completed or is ongoing to ensure that everything is in place for the implementation date:-
 - Relevant staff have been identified and training sessions arranged.
 - The IT service is working on a common recording system for the whole Council.
4. The adoption of a "Signposting Policy" also forms the final part of the Project Plan and this will facilitate access to information for Members in time for the new Council in May 2013.
5. The All Wales Corporate Complaints Officers working Group has also held its first meeting and it proved to be a useful and interesting meeting with representatives from 13 of the 22 Welsh Local Authorities present. The Minutes of that meeting are attached for information. (Appendix 2)
6. A report on the implementation of the new policy will be presented to the next meeting of the Standards Committee.

ATODIAD / APPENDIX

1

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to	THE EXECUTIVE AND THE COUNTY COUNCIL
Date	19th NOVEMBER 2012 AND 5 MARCH 2013
Subject	Concerns and Complaints Policy
Portfolio Holder	Councillor John Chorlton
Lead Officer	Lynn Ball – Head of Function (Legal and Administration – Monitoring Officer)
Contact Officer	Beryl Jones, Customer Care Officer (Tel. 01248 752588)
<p>Nature and reason for reporting: The Council is requested to endorse the recommendation by the Executive on 19.11.12 that the Concerns and Complaints Policy and the Unacceptable Actions by Complainants Policy be adopted with an implementation date of 1st April, 2013.</p>	

A – Introduction / Background / Issues
<p>Report to the Executive 19.11.12 (Attached)</p> <p>The new Policy was reported to the Executive on 19th November 2012 and the Executive resolved as follows:-</p> <p>“To recommend to the County Council:-</p> <ul style="list-style-type: none"> • That it adopts the new Concerns and Complaints Policy, together with the Unacceptable Actions by Complainants Policy; • That the implementation date of 1st April, 2013 be endorsed. <p>Reason for the Decision</p> <p>To comply with the Welsh Government proposal to develop a common complaints handling system for public service providers in Wales”</p>

B – Considerations		
Please see attached report		
C – Implications and Impacts		
1	Finance / Section 151	
2	Legal / Monitoring Officer	The corporate administration of the Policy rests within this Section
3	Human Resources	Discussions underway regarding training programme for relevant officers
4	Property Services	
5	Information and Communications Technology (ICT)	Discussions underway regarding common recording system.
6	Equality	Undertaken by the Welsh Government
7	Anti-poverty and Social	
8	Communication	The new Policy will be widely advertised at implementation
9	Consultation	Internal consultation on the two draft policies has taken place and amendments incorporated in the attached documents
10	Economic	
11	Environmental	
12	Crime and Disorder	
13	Outcome Agreements	

CH - Summary
The Welsh Government strongly recommend that all public service providers in Wales adopt the Concerns and Complaints Policy in order to standardise the public's experience of complaints handling.

D – Recommendation

That the County Council adopts new Concerns and Complaints Policy, together with the Unacceptable Actions by Complainants Policy, with a start date of 1st April, 2013.

Name of author of report: Beryl Jones

Job Title: Customer Care Officer

Date: 11.02.13

Appendices:

Appendix 1 – Concerns and Complaints Policy

Appendix 2 - Unacceptable Actions By Complainants Policy

Background papers

None

ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	The Executive
DATE:	19 November 2012
TITLE OF REPORT:	Concerns and Complaints Policy
REPORT BY:	Beryl Jones Corporate Complaints Officer
PURPOSE OF REPORT:	To Endorse a new Corporate Complaints Policy

1. Introduction and Background.

- 1.1 In 2009, the Welsh Government (WG) established the Complaints Wales Working Group, chaired by the Public Services Ombudsman. The Group was asked to develop a proposal for a common complaints handling system for public service providers in Wales.

A letter was received from the WG in August 2010 stating that a Policy had been devised and was endorsed by the Welsh Ministers and commended to all public service providers, urging them to consider its use as the basis for a complaints procedure: “open and accessible to service users; designed to deal with complaints in the most efficient and effective way; and uses the outcomes of, and learning from, complaints resolution to inform the delivery of high-quality, citizen-centred public services”.

2. The New Policy

2.1 In light of this strong recommendation, the Council is now asked to adopt a new Policy, based on the suggested model. The significant differences between the Council's current Policy, and the proposed new Policy, are:-

- Emphasis on customer care
- Systematic recording of ALL concerns (not just complaints)
- Early resolution, including redress (compensation)
- Standard Information Leaflet and Complaint Form for the public
- Assess and prioritise complaints
- New investigation requirements
- High level reporting to the Executive and SLT
- Demonstrating lessons learnt and improvements implemented
- No internal appeal process/ no operational role for Members
- The requirement for the Council to adopt an “Unacceptable Actions by Complainants” Policy

3. Internal Consultation

3.1 The draft “Concerns and Complaints” Policy and the draft “Unacceptable Actions by Complainants” Policy were sent out to Corporate Directors and Heads of Service for consultation on 26.9.12 and the responses received have been incorporated into the documents at Appendix 1 and Appendix 2 to this Report.

4. The New Policy

4.1 **The new Policy is in 2 parts:-**

- **Part 1** to be issued to the public, and should be standardised across Wales, other than reflecting the nature of the service provider.
- **Part 2** is guidance and each public service provider may tailor their Policy according to the size and operational requirements of the organisation provided this does not impact on the public's experience of complaints

handing – “elements such as the form, the timescales and the number of stages should be consistent for all”.

4.2 The New Approach

Stage 1 - Informal Resolution

- This stage offers the opportunity for informal engagement at the point of service delivery to try and resolve complaints, either at the time the concern arises, or very shortly thereafter. This stage should be part of front line service delivery and not viewed as a separate stage. This step will normally be an explanation, or other appropriate remedial action, by frontline staff.
- The informal resolution stage should be done as quickly as possible and certainly take no longer than 10 working days. If it is not possible to resolve the concern within that timescale, then the matter should be escalated to the formal investigation stage.

Stage 2 Formal Internal Investigation

- “Investigate once, investigate well” is the principle for this stage of the process. Emphasis is placed on one investigation to deal thoroughly with the concerns raised, rather than multiple investigations, at different levels of the organisation, which can result in protracted and, sometimes, open ended investigations.
- However, the Stage 2 element of the process is intended to be flexible and to respond appropriately to the complaint. “Investigating well” also means conducting an investigation in a manner that is proportionate to the nature and degree of seriousness of the complaint. Proportionate means that for less serious complaints, the investigation may not need to be so detailed/comprehensive.

5. The Unacceptable Actions by Complainants Policy

This Policy addressed those complainants whose behaviour is unacceptable. The Council currently has no equivalent policy. This new policy defines the types

of behaviour that are deemed unacceptable and provides advice and guidance on how these behaviours will be managed.

6. The Way Forward

In order for the new Policy to be introduced effectively the following actions need to be completed by all Services:-

1. Identify frontline staff who will need to receive training on the new Policy
2. Identify those staff who will be trained as investigators
3. Liaise with the Training and Development Officer to arrange training
4. Liaise with the ICT Service in order to ensure there is an adequate system in place to enable the recording of all concerns
5. Ensure signposting arrangement is in place so that Members know who to contact in order to receive assistance with queries from electors
6. Publicise the new Policy (corporately)

7. Implementation

To allow time to complete steps 1 to 6 it is suggested that the implementation date is 1st April, 2013.

Recommendations:-

1. That the Executive recommend and the Council adopt the Concerns and Complaints Policy, together with the Unacceptable Actions by Complainants Policy
- 2 That the implementation date of 1st April, 2013 be approved.

ATODIAD / APPENDIX
2

All Wales Corporate Complaints Officers Working Group

Minutes of meeting held on 19 November 2012

(Held at MRC, Llandrindod Wells)

Item	Action	By
<p>1. Welcome and Introductions</p>	<p>13 Local Authorities attended, represented by 16 officers, as set out below:</p> <p>Anglesey – Beryl Jones Ceredigion – Carys Hughes Conwy – Jan Manley Monmouthshire – Annette Evans Neath Port Talbot – Karen Jackson and Catherine Gadd Newport – Kit Wilson Pembrokeshire – Emily Sheen Powys – Julie Nicholas-Humphreys Rhondda Cynon Taff – Sarah Jones and Chris Macey Swansea – Andrew Taylor and Huw Evans Torfaen – Caron Davies Vale of Glamorgan – Eira Carroll Wrexham – Ian Downward</p> <p>As it was the first meeting of the Working Group everyone introduced themselves.</p>	
<p>2. Apologies for absence</p>	<p>Apologies:</p> <p>Blaenau Gwent – Angela O’Leary and Audra Williams Bridgend – Charlotte Branford Caerphilly – Karen Williams and Gail Williams Cardiff – Clare Taggart Carmarthenshire - Catherine Evans Conwy – David Smith Denbighshire – John LI Williams and Steve Goodrum Flintshire – Jenni Griffiths Gwynedd – Sion Huws Merthyr – Bernadette Jenkins Pembrokeshire – John Roberts Vale of Glamorgan – Tony Curliss Wrexham – Lisa Vaughan</p>	
<p>3. Appointment of Chair and Vice-Chair until April 2013</p>	<p>The Working Group agreed to the following appointments until April 2013:</p> <p>Eira Carroll (Vale of Glamorgan) – Chair Julie Nicholas-Humphreys (Powys) – Vice Chair</p>	

<p>4. Background – Customer Focus Wales and setting up of this Sub Group</p>	<p>EC (Chair/VOG) tabled the Terms of Reference for the Customer Focus Wales Group (CFWG), as some members of the Working Group had not heard of CFWG, and questioned its remit.</p> <p>CFWG decided to set up this Working Group as one of its sub groups as Corporate Complaints was falling under the remit of some (not all) Customer Services areas and it was identified as part of the work programme in March 2012.</p> <p>KW (Newport) and JNH (Vice Chair/Powys) were also members of the CFWG and they spoke briefly about the remit of the CFWG, which met on a quarterly basis. Two Sub Groups, in addition to this Working Group, had already been established and they were Web Group Wales and an Operations Group. SJ (RCT) also attended the CFWG.</p> <p>JNH said that she would arrange for a list of representatives on the CFWG to be circulated.</p> <p>It was noted that other Working Groups existed which had complaints/maladministration within their remit, eg Monitoring Officers Group and Social Care Complaints Group. It was agreed it would be helpful to make contact with the Chairs of these Groups to advise them of the work that this Working Group would be doing.</p>	<p>JNH to provide a list of LA representatives on CFWG to all members</p> <p>EC to make contact with Chairs</p>
<p>5. Draft Terms of Reference – for approval</p>	<p>EC (Chair/VOG) submitted the draft Terms of Reference for this Working Group. A detailed discussion was held suggesting amendments. The revised document is attached at Appendix 1 to these Minutes.</p> <p>It was noted that a North Wales Complaints Officers Group already existed.</p> <p>AT and HE (Swansea); KW (Newport) and JNH (Vice Chair/Powys) said that they supported the setting up of a South Wales Corporate Complaints Officers' Working Group. EC mentioned that a number of South Wales Local Authorities were not present – however she would make contact with them to see if they would like to join.</p> <p>It was agreed that it would be useful to share certain documents (eg Letter Templates; Staff Guidance; Policies) between members of the Working Group. JNH (Vice Chair/Powys) said she could establish a shared site on the Knowledge Hub, where members of the Working Group could have access.</p>	<p>EC to update TOR and circulate to members for final approval</p> <p>EC to make contact with South Wales LA contacts regarding a South Wales Group</p> <p>JNH to look into establishing a shared site on the Knowledge Hub for this Working Group</p>
<p>6. Model Concerns and Complaints Policy and Guidance for</p>	<p>EC (Chair/VOG) tabled a sheet which summarised which Local Authorities had adopted the Model Concerns and Complaints Policy and Guidance. Members who were present gave an update as to when they were due to adopt the Model Policy. A revised sheet is attached at Appendix 2 to these Minutes.</p>	<p>EC to update sheet and circulate with Minutes</p>

<p>Public Service Wales</p>	<p>KW (Newport) updated the Working Group on the work he did in Newport when they adopted the 2 Stage All Wales Model Concerns Policy and Guidance in April 2011. (This was prior to the Welsh Government publishing the Policy/Guidance in July/August 2011.)</p> <p>KW said that they had kept the Policy very short and put more detail in the Staff Guidance. There is central recording of all complaints using the Oracle CRM system. There were 2/3 complaint coordinators in each service who were trained in putting complaints on the CRM system. There were no hard copy complaint letters/documents – everything was electronically stored on CRM. In the first quarter (April to June 2011) there were hardly any complaints recorded however the numbers increased as people became aware of the Policy and their responsibilities to record complaints.</p> <p>KW wrote a report to Cabinet in April 2012 which analysed the complaints over the previous year, it also included lessons learned.</p> <p>KW said that Newport had been one of the highest local authorities in Wales for complainants to make contact with the Ombudsman. In 2011/12 it was the second lowest for Ombudsman contacts. This improvement was, in KW’s view, down to the adoption of the new Model Concerns Policy.</p> <p>KW explained the process followed at Stage 1 and Stage 2. In the first 6 months only 9 complaints went to Stage 2. All Stage 2 complaints go via KW and he decides who will investigate. Usually it is the Head of Service however if it is very serious and relates to eg fraud or harassment; or the complainant did not wish the service to be involved and KW supported this position it would be an independent manager of the service or a Director.</p> <p>KW said that Complaints are monitored and managed correctly in Newport. Letter templates are also used. KW said that compliments had also been included in his Policy and this had been welcomed by services, such as Registrars.</p> <p>KW said he would circulate his Policy and Staff Guidance to members of the Working Group.</p> <p>EC thanked KW for his update.</p> <p>AE (Monmouthshire) said that they included comments as part of their All Wales Model Policy.</p> <p>CD (Torfaen) said they had established a Corporate Complaints e-mail box.</p> <p>It was noted that some members of the Working Group did not use electronic systems to record complaints – some used excel spreadsheets.</p> <p>Some Local Authorities had included Vexatious Complaints in their All Wales Model Policy. It was agreed that members who had done so would share them with members of the Working Group.</p>	<p>KW to circulate his Policy and Staff Guidance</p> <p>Members who had included Vexatious Complaints in their Model Policy – to circulate to all</p>
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	<p>JNH (Vice Chair/Powys) asked whether actions had been taken under the Vexatious Complaints Policy. It was also raised in respect of FOI requests.</p> <p>From discussions it appeared that there was inconsistency in legal advice. Some had said it was OK to implement the Vexatious Policy against people who submitted excessive FOI requests – others had said no – it should not be implemented.</p> <p>AT (Swansea) said that his authority had been found guilty by the ICO concerning an FOI request.</p> <p>It was agreed that representatives from the Information Commissioner’s Office and the Public Services Ombudsman for Wales should be invited to a future meeting of the Working Group to discuss Vexatious Policies and FOI requests.</p> <p>A discussion was held on the categories/subjects of complaints referred to in the Model Concerns and Complaints Policy and Guidance. One person said it was difficult to comply with it given their in-house database which used their internal categorisation – another said it used the Local Government Service list and that was replicated on their website. One person said they used both – her own Local Authority categorisation and the All Wales Model categories.</p> <p>It was agreed that the categories/subjects of complaints referred to in the Model Concerns and Complaints Policy and Guidance should be discussed at a future meeting and that more information should be obtained as to the timescale for reporting on the categories.</p>	<p>on Working Group</p> <p>EC to make contact with the PSOW and ICO to invite them to a future meeting to discuss Vexatious complaints</p> <p>EC to make contact with a representative at the Welsh Government and to include as an agenda item at a future meeting</p>
<p>7. Learning from Complaints and Quarterly Casebook from Public Services Ombudsman for Wales</p>	<p>EC (Chair/VOG) tabled (for information) the report that Tony Curliss, Vale of Glamorgan Council (VOG), had drafted for that Council’s Customer Relations Project Board. The report included the Dashboard; the Executive Summary; Statistical Commentary; What was learnt from complaints; How the service has changed and an Action Plan.</p> <p>The issue of auditing when Lessons Learnt reports were produced was discussed. AT (Swansea) said that they were looking at including actions in Internal Audit Plans so that they could be monitored through this process. KW (Newport) said that Service</p>	

	<p>Plans included information on complaints.</p> <p>EC referred to the Quarterly Casebook which was produced by the Public Services Ombudsman for Wales' Office. As she was the VOG contact officer for the Ombudsman's Office she was sent a link to this document. She then circulated it to Heads of Service and Operational Managers at the VOG. The Casebook included complaints about specific service areas – however more general things such as complaints handling had been included in the most recent Casebook (Issue 10).</p>	
<p>8. Survey of Complainants and collection of information eg Protected Characteristics</p>	<p>EC (Chair/VOG) asked whether any local authorities surveyed complainants.</p> <p>Those present said that they did not currently. However AT and HE (Swansea) said that they had previously but had stopped because people found it difficult to distinguish between the outcome and the way their complaint had been dealt with. EC said that this had been found in VOG when surveys had been sent out in the past.</p> <p>CD (Torfaen) said that Social Care in her local authority did not survey complainants anymore as there was no value in it.</p> <p>It was reported that the North Wales Complaints Officers Group had considered at their last meeting whether to survey complainants and to do the exercise jointly. However when it was looked in to they had decided not to do so as the benefit did not outweigh the cost. However JM (Conwy) said that their Local Authority was looking to Customer Service Excellence as a whole rather than concentrating solely on complainants.</p> <p>EC asked whether members obtained Equality information on Protected Characteristics, ie Age, Disability, Gender Reassignment, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation in respect of complainants:-</p> <p>JNH (Vice Chair/Powys) said that Powys included Equality Monitoring Information as part of their Customer Satisfaction Survey of people who telephoned or had face to face contact. (However information on Protected Characteristics was not asked.) 150 people per month were contacted by post.</p> <p>ID (Wrexham) said that a questionnaire requesting details of Protected Characteristics was sent out to complainants at the beginning of the Stage 1 process by letter. (It was sent with the acknowledgment letter.) In addition the letter also asked them to identify any specific needs.</p> <p>KJ and CG (Neath Port Talbot) said that Equality Monitoring forms were sent out by complaints officers at Stage 2. It was available in hard copy and a return envelope was provided. The return rate was approximately 15%.</p>	
<p>9. Remedies and Compensation</p>	<p>EC (Chair/VOG) asked whether any local authorities paid complainants money or offered gifts for "time and trouble".</p> <p>HE (Swansea) recalled a letter from the Public Services Ombudsman</p>	

	<p>for Wales which referred to payment of £50 per month of delay. He also mentioned flowers being given. In Swansea it was the Head of Service who decided whether the payment should be made – this was based on clear rationale; detriment was also considered.</p> <p>ES (Pembrokeshire) said that a payment of £150 for goodwill had been made.</p> <p>EC referred to payment of £300 for time and trouble and upset to a complainant recently.</p> <p>(It was noted that Compensation is different from goodwill.)</p> <p>HE suggested that Remedies and Compensation be discussed at the next meeting of the Working Group in April 2013. It was agreed that everyone should bring examples of when payment was made for time and trouble. In addition examples when compensation was paid. The Ombudsman’s representative could be asked to attend to give a view and guidance.</p> <p>EC said that she would check whether the Ombudsman published any guidance on the payment of remedies.</p> <p>It was noted that the Public Services Ombudsman for Wales published a document “Principles for Remedy” but it did not include monetary amounts.</p>	<p>EC to include item on next agenda on Remedies and Compensation</p> <p>All to bring examples</p> <p>EC to invite a representative of the PSOW to attend to discuss</p> <p>EC to check whether guidance published</p>
<p>10. Benchmarking and Best Practice</p>	<p>EC (Chair/VOG) asked for suggestions on what information could be used for Benchmarking.</p> <p>JM (Conwy) said that the North Wales Complaints Officers Group already collated benchmarking information. However some Local Authorities were not able to provide information on all of them, due to for example, the way complaints were recorded.</p> <p>JM reported that in 2011/12 Conwy had received 575 complaints; Flintshire 617 and Anglesey 72. (These figures excluded Social Services Complaints.)</p> <p>JM agreed to circulate the Benchmarking form which was used by the North Wales Complaints Officers to members of the Working Group.</p> <p>It was agreed that Benchmarking information should be considered at the next meeting in April 2013.</p>	<p>JM to circulate Benchmarking information</p> <p>EC to add item to agenda for meeting in April 2013</p>

11. Roles and Responsibilities of Corporate Complaints Officers	<p>EC (Chair/VOG) asked whether those present would be willing to share information on the roles and responsibilities of Corporate Complaints Officers. This could include salaries and grades. This would be for information purposes only.</p> <p>HE (Swansea) said that it would be helpful to exchange information on Job Descriptions and Person Specifications. Management Structures would also be helpful. He was not sure that salaries and grades would be as useful.</p> <p>It was agreed that information would be exchanged on Job Descriptions and Person Specifications. If people wanted to include grades/salaries – this was voluntary.</p>	All to share Job Descriptions and Person Specifications
12. Meeting Review	<p>EC (Chair/VOG) asked for feedback on the meeting and whether it had been useful and worthwhile in attending.</p> <p>Overall those present thought that the meeting had been worthwhile and that it would be useful to have a more consistent approach to Corporate Complaints in Wales. It was also important to share best practice and establish benchmarking, provide support and have a forum at which to network</p>	
13. Any other Business	None were raised.	
14. Date of next Meetings	<p>April 2013 and September 2013</p> <p>Venue to be MRC – Llandrindod Wells</p>	<p>EC to book – on a Tuesday or Wednesday if possible</p> <p>EC to confirm dates once booked</p>