

CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	Governance and Audit Committee
DATE:	19 September 2024
TITLE OF REPORT:	Concerns, Complaints and Whistleblowing 2023-2024
PURPOSE OF THE REPORT:	Assurance on Policy Compliance
REPORT BY:	Director of Function (Council Business) / Monitoring Officer
CONTACT OFFICER:	Data Protection Officer and Corporate Information Governance Manager

CONCERNS AND COMPLAINTS

Introduction & Summary

This report provides information on issues arising under the Council's [Concerns and Complaints Policy](#) for the period 1st April 2023 – 31st March 2024. The report is also intended to include any whistleblowing disclosures made during the same period.

This report includes Social Services complaints but only those where the complainant is not a service user. Service user complaints are dealt with under the [Social Services Policy – Representations and Complaints Procedure for Children and Adults](#). These are reported annually to the Corporate Scrutiny Committee.

Complaints provide valuable information about the performance of the Council's services, the opinions of users about the Council's services and the overall customer experience of users. Importantly, complaints data provides valuable insight about how and where the Council could improve.

During the period 1st April 2023 – 31st March 2024, 235 concerns were received by the Council (down from 321 in previous year) and 48 complaints were received by the Council (up from 40 in previous year). 47 have received a response at the time of writing this report, with the other complaint having been discontinued.

The Public Services Ombudsman for Wales (PSOW) defines a “concern” as an expression of dissatisfaction that can be resolved ‘there and then’, at the initial point of contact, or very soon thereafter. A complaint is usually more serious in nature, may often not be possible to remediate, and generally requires an investigation into the circumstances before a response or resolution can be achieved.

Of the complaints addressed during the period, 5 were upheld in full, 4 were partly upheld and 38 were not upheld. One complaint was discontinued following discussions with the PSOW. Of the 38 complaints that were not upheld, 6 complaints were escalated to the PSOW. The PSOW rejected 4 of those prior to formal investigation and 2 were resolved through early resolution, where the Council accepts the PSOW's proposed actions.

Please also refer to section 3 which provides information about all complaints dealt with by the PSOW in 2023/24.

The number of complaints investigated by the Council during this year increased by 7, (up from 40 in 2022/23) and these are shown in the attached table (**Appendix 1**).

The overall rate of responses to complaints issued within the specified time limit (20 working days) was 83%. When responses are late, services are expected to write to the complainant to keep them informed of progress, to explain reasons for the delay and to give an estimated response time.

A total of 8 (16%) of the 48 complaints resulted from escalated concerns but this continues to indicate that Services are dealing effectively with concerns and that this is limiting the number of matters that escalate to formal complaints.

A total of 3 of the 48 complaints were referred to the Council by the PSOW, who refused to deal with them until the Council's internal process has first been exhausted.

Lessons Learnt

The [Concerns and Complaints Policy](#) places an emphasis on learning lessons from complaints and thereby improving services. Previous recommendations endorsed by this Committee have now become embedded as part of business as usual when dealing with complaints.

As mentioned above, during 2023/24, 5 complaints were upheld and 4 complaints partly upheld. **Appendix 2** explains what lessons have been learnt and any practice which has evolved as a consequence.

Complaints to the PSOW

Complaints about Services

The [Concerns and Complaints Policy](#) enables a complainant to refer a complaint to the PSOW if they remain dissatisfied with the Council's response. However, complainants frequently complain to the PSOW without first complaining to the Council; these types of contact are classified as premature by the PSOW.

During the period covered by this report, 41 complaints were lodged with the PSOW. These include matters dealt with under the Social Services complaints process and 3 complaints carried forward from 2022/23).

6 of the 41 were escalated to the PSOW after receiving formal responses under the Council's Complaints Procedure. 7 matters related to Social Services complaints, of which 4 were escalated following responses under the Social Services Procedure. 8 matters related to reviews of previous decisions and the remaining 20 were complaints made direct to the PSOW.

Of the 41 cases referred to the PSOW, 13 matters were closed as premature, 4 matters were out of jurisdiction, 14 were not investigated and 10 resulted in early resolution with the Council agreeing to the PSOW's proposed resolution.

Complaints about Members

Any complaint against an elected member must be based on an alleged breach, or breaches, of the Members' Code of Conduct, with the PSOW exercising 'first sift' jurisdiction (i.e. assessing merit) before deciding if, and how, to proceed.

During 2023/24, 5 code of conduct complaints were received by the PSOW against County Councillors and 3 were closed after initial assessment without any investigation. Limited information about such complaints is formally reported to the County Council's Standards Committee twice a year. 2 complaints against 2 County Councillors continue to be investigated by the PSOW. For the sake of completeness, complaints about the elected members of Town and Community Councils, in relation to the same Code of Conduct, are also reported twice a year to the County Council's Standards Committee.

Welsh language complaints

Information relating to complaints about the Council's use of the Welsh language are reported annually in the [Welsh Language Standards Annual Report](#), which is published on the Council's website.

4.2 During the period of the report, there were 7 complaints about the Council's use of the Welsh language. In addition, the public have the right to complain direct to the Welsh Language Commissioner but these complaints are not sent back to the Council to be investigated and are not therefore included in this report. These complaints are noted in the [Welsh Language Standards Annual Report](#) which is published on the Council's website.

Whistleblowing

The Council's [Whistleblowing Policy](#) and local Guidance document were devised to encourage and enable employees to raise those concerns, which fall within the ambit of the Policy, without fear of victimisation or discrimination. Whistleblowing is the popular term used when a member of staff (it includes contractors but does not relate to the public or elected

members) raise concerns about fraud, criminality, danger or serious risk that might threaten the public, their co-workers or the Council's reputation.

The level of information usually provided in this report has been agreed by the Leadership Team as, owing to the inevitably sensitive nature of such matters, and the Council's legal obligation to protect Whistleblowers from detriment in the workplace, only limited information will ever be disclosed.

During 2023/24, 0 whistleblowing concerns were received.

Decision/Recommendations of this Committee

The Committee accepts that this report provides reasonable assurance that the Council is compliant with the processes required under its **Concerns and Complaints Policy** and **Whistleblowing Policy**.

That the Committee reviews the Lessons Learnt table at **Appendix 2**, which consists of information provided by the services to the Corporate Information and Complaints Officer, and the Committee provides feedback to the services on the level of detail captured and to make recommendations for any remedial actions required e.g. particular training etc.

Appendix 1

Summary of Concerns and Complaints by Service for 2023 – 2024

Service	No. of concerns	No. of complaints	Number upheld	Number partly upheld	Number rejected	No. of late responses (x days late)	Compliments
Council Business							
Council Business	-	-	-	-	-	-	8
Highways, Waste & Property							
Highways & Property	15	4	1	-	18	1 (7 days)	19
Waste	19	2	09	-	12	-	15
Housing							
Housing	101	12	15	3	95	3 (7 days plus 2 x over 3 months **)	9
*Housing/ Social Services	-	2	1	-	1	-	-
Learning							
Learning (excludes schools)	6	-	-	-	6	-	12
Regulation & Economic							
Economic Development/ Maritime	-	1	-	-	1	-	4
Leisure	28	1	3	-	26	-	28
Planning	13	12	-	-	25	-	96
Planning / Highways	-	1	-	-	1	-	-
Public Protection	10	-	2	-	8	-	44
Resources							
Resources	43	13(12 as 1 discontinued)	8	1	46	4 (2 /18 /11 & 64 days)	31
Transformation							
Cyswllt Môn	-	-	-	-	-	-	8
H R	-	-	-	-	-	-	12
Totals	235	48 (47)	39	4	239	8	286

* Relates to more than 1 service

** 2 cases not correctly identified as Complaints according to the PSOW

Appendix 2

Summary of Lessons Learnt from Complaints Upheld in Full or in Part					
Reference number	Complaint Reference	Service	Error(s) identified	Remedial Action	Action completed
Housing					
1	41	Housing Maintenance	Poor communication	Apology and £200 credited to Rent Account. Complainant should have been made aware of the delays and staff were reminded of the importance of good communications with tenants.	Actions completed. 26/03/2023
2	64	Housing Maintenance	Workers visited property without confirmed appointment and left void calling card. Lack of communication to keep tenant informed of developments.	Apology issued and work practices to be reviewed. Staff reminded of the importance of good communications with tenants.	25/04/24
3	65	Housing	Poor Communication – not dealing with as a complaint	Moved tenant out to alternative address and engaged with Environmental Health to resolve issues	Actions completed. 14/03/2024
4	69	Housing Maintenance	Poor communication and lack of clear and consistent advice/responses to communications about proposed capital improvement works.	Clear instructions issued and single point of contact established to liaise with the complainant and arrange for works to be undertaken satisfactorily.	Action completed. 13/05/2024

Appendix 2

				Renewable Heating to be installed (ASHP) in lieu of existing electrical system during Q1 2024-25.	
5	71	Housing Maintenance	Poor Communication in connection with responsive repairs.	Apology issued for inconvenience caused. Staff reminded of the importance of clearly communicating any changes to agreed works and timescales for undertaking work with tenants.	Actions completed 22/11/2023
6	73	Housing Maintenance	Boiler Screw Cap not replaced during annual gas service.	Steps taken to ensure staff and external supporting contractors given refresher training on all processes relating to gas work and/or servicing.	Actions completed 15/03/2024
7	74	Housing Maintenance	Issue was with external company contracted to undertake work on behalf of Housing. Investigations found that the contractor did not plan or undertake works at a particular property in accordance with contractual expectations.	Contractor confirmed that they would formally review any claim for compensation and that they would contact the complainant direct to discuss the claim process. Apology issued to the complainant and arrangements confirmed to complete outstanding snagging works.	Actions completed 19/01/2024
Housing / Social Services					
8	46	Joint Protocol	Lack of Communication in relation to Adaptations Required in the Property	Additional training to be looked at for Occupational Therapists to support them with the communication with the individuals.	Actions completed. September 2023.

Appendix 2

Resources					
9	75	Benefits	Poor Communication – substantive issue not upheld	Customers Care Issues - Customer care issues discussed at meetings. The importance in dealing with initial dissatisfaction as early as possible to avoid escalation of complaints.	January 2024