

Report

Cabinet

Part 1

Date: 22 March 2023

Subject **Policy Review: Customer Feedback - Compliments, Comments and Complaints**

Purpose To provide Cabinet with the updated Compliments, Comments and Complaints policy for review and approval.

Author Complaint Resolution Manager

Ward All

Summary The Compliments, Comments and Complaints policy is based on the model document published by the Complaints Standards Authority under the Public Services Ombudsman (Wales) Act 2019, together with other legislative and statutory requirements specified under the amendments. These principles underpin the complaints handling process. Changes are primarily to simplify and refine the existing policy. It has also been reviewed to ensure that the policy remains relevant and reflects the latest statutory and legislative requirements. This will ensure that feedback from residents is dealt with appropriately and equitably.

Performance is also reported to Cabinet annually in a separate report.

Proposal Cabinet is asked to review and approve the proposed amendments to the policy.

Action by Complaint Resolution Manager

Timetable Immediate

This report was prepared after consultation with:

- Cabinet Member (Organisational Transformation)
- Head of Finance
- Monitoring Officer
- Head of People, Policy and Transformation
- Heads of Service

Signed

Background

The primary driver for the amendments to the policy as attached to this Report is to simplify and refine the policy whilst clearly outlining how we administer Corporate and Social Services complaints. In September 2020, the Public Services Ombudsman for Wales (PSOW) wrote to all local authorities to confirm that the revised Statement of Principles, Model Complaint Handling Process and Guidance were in full effect. The PSOW requested that public bodies reflect on how their practices and procedures comply with the updated guidance and how they will ensure that all complaints are captured appropriately.

The PSOW model policy guidance recognises that organisations need to interpret it in a way which was appropriate to their own circumstances. However, it is explicit that the arrangements for managing complaints must be consistent. Due to the Covid Pandemic the Complaints Standards Authority were unable to support authorities with the practical implementation of the updated guidance and ensuring that complaints are fully recorded. The principles are that timescales and the number of stages should be consistent for all. The PSOW believes that local authorities are under-recording complaints and, where this is apparent, they will investigate further.

The policy has been reviewed to ensure that the policy remains relevant and reflect the latest statutory and legislative requirements. This will ensure that feedback from residents is dealt with appropriately and equitably. It was evident the early resolution (Stage 1) process needed review with further resource being spent to provide resolutions to residents – in some cases the PSOW querying why we had not taken residents through our formal process and instructing us to do so. By formalising the process, we manage resident's expectations from the outset and follow a clear complaints process.

The council values complaints and uses them as an opportunity to improve the services we provide. The absence of complaints does not necessarily indicate excellent services – just as an increase in complaints does not necessarily indicate poor services.

The policy has been informally reviewed by the PSOW Head of Complaints Standards and they are satisfied that our amendments align with the Complaints Standards Model Policy.

Amendments

The draft revised policy is attached to this Report, the amendments are:

- Simplification and refinements to the policy
- Refusal criteria detailed
- Clarity between processes for Corporate and Social Services Complaints
- A reduction in timeframe for accepting Corporate Complaints from 12 months to 6 months

Simplification and Refinement of the Policy

The existing policy from 2021 merged Corporate and Social Services Complaints resulting in a policy of significant size (21 pages). To ensure that the policy provides the essential information to citizens and staff, wording and layout of the policy has been fully reviewed. As a result, the policy content has been condensed to a more manageable size (14 pages). The policy has been checked for readability.

Refusal Criteria

It is necessary to be explicit what we are not able to progress as a complaint through the complaints process. Complaints Officers make reference to the reason within the correspondence to the resident. As a result of the review, we have included the following point as a reason to refuse a complaint:- A complaint which is being or has been investigated by the Public Services Ombudsman for Wales.

Process Clarity

The policy outlines the differences in how a Corporate Complaint and a Social Services Complaint is processed in accordance with Welsh Government Social Services Guidance for Complaints Handling.

Reduction in timeframe

As a result of call retention timescales held by the NCC Contact Centre and to align with neighbouring local authorities, corporate complaints will only be accepted within 6 months of the event rather than 12 months currently.

Legislation

The policy continues to comply with the following legislation.

- Public Services Ombudsman (Wales) Act 2019
- The Regulated Fostering Services (Services Providers and Responsible Individuals) (Wales) Regulations 2019
- RISCA (Regulation and Inspection of Social Care (Wales) Act 2016)
- Welsh Language Standards Regulations (No.7) 2018
- Challenging Bullying – Rights, respect, equality: Statutory guidance for local authorities (2019)

Revisions

The revisions to the policy have been developed through collaboration internally and with the Public Services Ombudsman for Wales.

Members are asked to consider and approve the Compliments, Comments and Complaints policy.

Performance Management

Comments, Compliments and Complaints are monitored and reported annually to Governance and Audit Committee and Cabinet, including comments, compliments and complaints data insight for all council areas.

Financial Summary

There are no direct financial impacts associated with these changes.

Risks

Failure to take appropriate action to update policies carries reputational and financial risk.

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Council does not take on board the comments/compliments/complaints and does not take actions as a result	M	L	<ul style="list-style-type: none"> • Communication of revised policy to staff • Publish revised policies on the internet and intranet • On-going training and guidance provided to staff • Regular reporting and monitoring in line with the policies 	Complaint Resolution Manager
Council doesn't have a consistent and effective complaints process	M	L	Adoption and implementation of the revised policy provides consistent and effective complaints responses with agreed targets and measures	Complaint Resolution Manager

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Monitoring of complaints and successful resolution of those complaints contribute to the following Well-Being goals within the Well-being of Future Generations Act (Wales) 2015, as it supports the provision of higher quality and more effective services to the public across all service areas. In addition, monitoring provides information on the level of satisfaction of the services provided corporately by the Council. The result of the monitoring enables each department to focus on areas of concern, to improve services and to monitor performance, ensure that any trends or issues raised are identified and dealt with to be avoided in the future and to ensure that corporate complaints are dealt with consistently and fairly across all service areas.

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities and thriving Welsh language
- A globally responsible Wales

Options Available and Considered

Option 1 – That Cabinet approve the revised Customer Feedback Compliments, Comments and Complaints Policy.

Option 2 – That the authority retains the existing Policy

Preferred Option and Why

Option 1 is the preferred option for the reasons stated within the report. This option ensures that complaints from residents are dealt with equitably and in line with the PSOW guidance.

Comments of Chief Financial Officer

This report has no direct financial implications. Any cost implications of future changes made to improve processes and learn from complaints will be met from existing resources.

Comments of Monitoring Officer

There are no specific legal issues arising from the Report. The revised Compliments, Comments and Complaints policy is consistent with the model complaints handling procedure required by the Public Services Ombudsman for Wales under section 38 of the Public Services Ombudsman (Wales) Act 2019 and the standards for complaints handling required by the Complaints Standards Authority. The proposed revisions to the previous policy provide a simplified version of the merged Corporate and Social Services policy and increased clarity around the differences between the two, refinement of the refusal of complaints criteria and a reduction in the time frame for accepting complaints.

Comments of Head of People Policy and Transformation

This report describes how the updates to the policy align with legislative and statutory requirements and closely links to the 5 ways of working and wellbeing goals of the Well-Being of Future Generations Act.

Changes and communication of this policy will enable us to better meet the needs of our residents and represents the objectives and principles of our Corporate Plan.

There are no direct human resource implications to this review, however our Human Resources and Organisational Development Teams will support the roll out and guidance for staff across the council.

Local issues

This report is relevant to all wards.

Equalities Impact Assessment and the Equalities Act 2010

Monitoring of complaints via the Corporate Complaints policy addresses the Council's statutory duties under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and the Welsh Language Measure (Wales) 2011.

Children and Families (Wales) Measure

The policy specifies the arrangements and support available for young people in Newport who wish to provide feedback about Council services, or about schools. Although no targeted consultation takes place specifically aimed at children and young people, the Compliments, Comments and Complaints policy is relevant to all of residents regardless of their age.

Wellbeing of Future Generations (Wales) Act 2015

This report contributes to the Well-being Goals as set out in Links to policies above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that the monitoring of the Council's handling of feedback across all service areas enables departments to focus on areas of concern. This supports service areas to improve services and to monitor performance to ensure that any issues raised are identified and dealt and are avoided in future.

- Prevention – addressing the comments and complaints from residents and others can assist the Council in preventing problems occurring or getting worse. The feedback provided is monitored for 'Lessons Learnt' and continuous improvement to services which helps to prevent similar issues happening again.
- Involvement – the ability of residents and others to submit compliments, comments and complaints provides another avenue by which they can be involved in decisions that affect them. This feedback is acted upon for the individual, but also helps to create a bigger picture of anonymised data that feeds into changes and decisions made about service provision.
- Integration – The Council's policy enables an integrated, consistent approach to handling comments and receiving feedback as required by a range of legislation. This creates one clear pathway that residents can access to provide feedback to the Council.
- Collaboration – Responding to feedback from residents requires collaboration across the Council. The specific arrangements for monitoring feedback provides a transparent framework for services to collectively consider what is important to residents and to agree on appropriate actions as a result of the feedback.

Consultation

Consultation was carried out internally and with the Public Services Ombudsman for Wales. Progress within the Annual Report was also discussed at Governance and Audit Committee and Cabinet.

Background Papers

Existing Compliments, Comments and Complaints Policy

Public Services Ombudsman for Wales Model Complaints Policy

Annual Reports: Cabinet, November 2022 and Governance and Audit Committee

Dated: 15 March 2023