

# EXECUTIVE BOARD

22<sup>ND</sup> MARCH 2021

## CARMARTHENSHIRE COUNTY COUNCIL CORPORATE COMPLAINTS POLICY

**Purpose:**

The implementation of a new Complaints Policy in accordance with the requirements of the Complaints Standards Agency/Public Services Ombudsman for Wales.

**Recommendations / key decisions required:**

To approve the new Complaints Policy (which will replace the previous Complaints and Compliments Procedure).

**Reasons:**

The Council is required to adopt a new policy in line with a model and guidance issued by the Complaints Standards Agency under powers contained within Section 36 of the Public Services Ombudsman (Wales) Act 2019. They apply to all public service providers in Wales.

**Relevant scrutiny committee to be consulted:**

YES - Policy & Resources Scrutiny Committee on 2<sup>nd</sup> March 2021

**Exec. Board Decision Required**

YES – 22<sup>nd</sup> March 2021

**Council Decision Required**

NO

**EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:** Cllr Mair Stephens

Directorate: Chief Executive's

Designations:

Tel: 01267 224127

Email addresses:

Name of Head of Service:  
Noelwyn Daniel

Head of ICT & Corporate  
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# EXECUTIVE SUMMARY EXECUTIVE BOARD

22<sup>ND</sup> MARCH 2021

## CARMARTHENSHIRE COUNTY COUNCIL CORPORATE COMPLAINTS POLICY

### **BRIEF SUMMARY OF PURPOSE OF REPORT.**

On 30<sup>th</sup> September 2020, the Public Services Ombudsman (PSOW) for Wales and its Complaints Standards Authority (CSA) formally launched a new Model Concerns & Complaints Policy (along with accompanying guidance):

<https://www.ombudsman.wales/complaints-standards-authority/>

Local authorities have been given 6 months from the above date to implement this new Policy/process and submit an updated document to the PSOW.

The model policy does not represent a significant departure from our existing Complaints & Compliments Procedure and complaints handling processes. Nonetheless, key changes include:

- A commitment to providing a refund/reimbursement to complainants in certain circumstances – specifically, where a person had to pay for a service that the Council should have provided. This may have financial implications in cases where this may arise, which are difficult to quantify.
- A requirement to provide bi-annual reports to (Scrutiny) Committees as well as quarterly reports to senior management;
- A commitment to reporting all 'serious' complaints to senior management;
- It is stated in the guidance document that complaints that cannot be resolved at Stage 1 (informal response) within 10 working days *should* be escalated to Stage 2. However, it is unclear at the present time whether the Ombudsman would strictly enforce this, given the wording of the guidance. This will be kept under review.

Arrangements to address these requirements are being progressed and it is suggested that complaints reporting are included in quarterly performance management reports from April 2021 onwards.

DETAILED REPORT ATTACHED?

YES

# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Noelwyn Daniel

Head of ICT & Corporate Policy

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	NONE	NONE	NONE

## 1. Policy, Crime & Disorder and Equalities

The recommendation is that a new corporate Complaints Policy be endorsed for approval and implementation.

## 2. Legal

This new Policy has a statutory basis as it has been issued under Section 36 of the Public Services Ombudsman (Wales) Act 2019.

## 3. Finance

The model policy contains a commitment to reimbursing complainants which may have an unquantifiable financial implication when implemented.

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Noelwyn Daniel

Head of ICT & Corporate Policy

## 1. Scrutiny Committee

Policy & Resources Scrutiny Committee consulted on 2<sup>nd</sup> March 2021

### Recommendations / Comments:

UNANIMOUSLY RESOLVED that the Carmarthenshire County Council Corporate Complaints Policy be received.

## 2. Local Member(s) - None

## 3. Community / Town Council - None

## 4. Relevant Partners

The Complaints Standards Authority has been consulted on changes to the text of the model policy.

## 5. Staff Side Representatives and other Organisations - None

EXECUTIVE BOARD PORTFOLIO  
HOLDER AWARE/CONSULTED

YES

## Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

### THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
CSA - Guidance for Public Service Providers on Implementing the Concerns and Complaints Policy	N/A	<a href="https://www.ombudsman.wales/complaints-standards-authority/">https://www.ombudsman.wales/complaints-standards-authority/</a>
CSA - Concerns and Complaints Policy for Public Services Providers in Wales	N/A	<a href="https://www.ombudsman.wales/complaints-standards-authority/">https://www.ombudsman.wales/complaints-standards-authority/</a>
CSA - Complaint Handling Processes – Statement of Principles	N/A	<a href="https://www.ombudsman.wales/complaints-standards-authority/">https://www.ombudsman.wales/complaints-standards-authority/</a>