

**BRIDGEND COUNTY BOROUGH COUNCIL**

**MONITORING REPORT – COMPLAINTS, FREEDOM OF INFORMATION AND DATA PROTECTION**

**1. Background**

The Information Team based in Operational and Partnership Services is responsible for processing all formal complaints in line with the Authority's Corporate Complaints Policy; logging and responding to requests made under the Freedom of Information Act 2000 and Data Subject Access requests made under section 7 of the Data Protection Act 1998. The Team also process requests for information from bodies such as the Police, HMRC and the NHS.

**Complaints**

The Corporate Complaints Policy was approved by the Cabinet at its meeting held on 28 May 2013, to take effect from 1 June 2013.

The Policy sets out a two stage process as follows:

- **Informal Complaint Stage**
- **Formal Complaint Stage**

This Policy replaces the previous policy which allowed for a three stage process including the option for a review by an officer appointed by the Monitoring Officer. There is no option for a Monitoring Officer review in the current Complaints Policy, and complainants are advised to contact the Public Services Ombudsman if they are dissatisfied with the Authority's response.

**2. Informal Complaints (Stage 1)**

The Policy recognises that complaints should be dealt with as quickly as possible and where possible informally as part of the normal working of the Authority. It advises customers to contact the office or officer responsible for the service to provide an opportunity to solve the problem.

**3. Formal Complaints (Stage 2)**

- 3.1 Formal complaints are received by email, telephone, letter or complaint form. All formal corporate complaints with the exception of schools and social services (which have their own statutory procedures) are received, logged and acknowledged centrally by the Information Team within 5 working days. These complaints are then sent to the relevant Head of Service concerned for the appointment of a senior officer to investigate the complaint and respond directly within 20 working days. The Information Team is then provided with a copy of the response. If an investigation is more complex and more time may be needed, the customer is advised of the likely

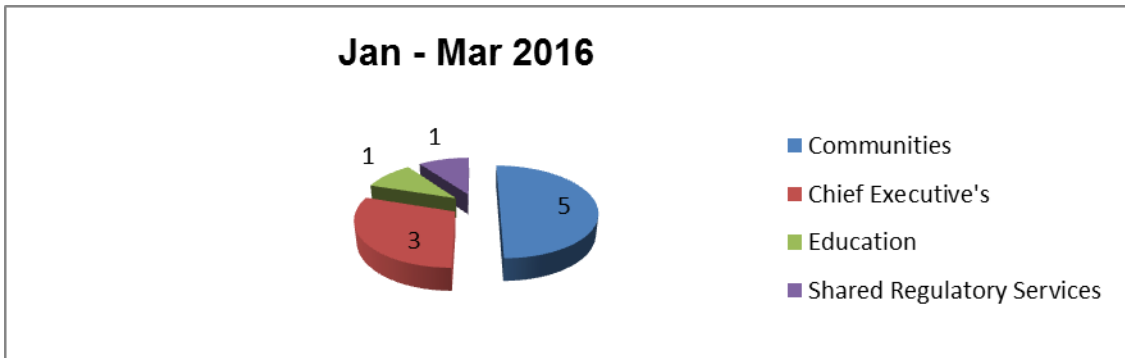
timescale and kept informed of progress.

3.2 The Information Team has received, logged acknowledged and referred a total of 50 formal complaints for the period from 1 January to 31 December 2016. The breakdown for the period is as follows:

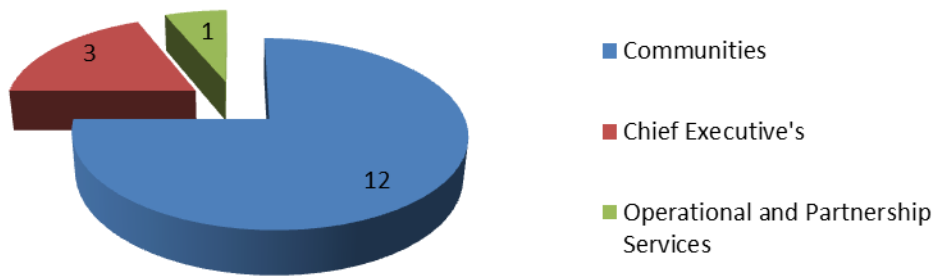
	Jan – Dec 2016
No. of Complaints Received	50
No. acknowledged in 5 working days	48
No. acknowledged outside 5 working days	2

3.3 In the 2 instances where complaints have been acknowledged after five working days, it was in cases where complaints had not been sent directly to the Information Team in accordance with the Council's Policy. In some instances the Team were not aware of the complaint until a copy of the response was provided. The relevant Directorates have since been reminded of the process, which has resulted in an increase in compliance with the policy.

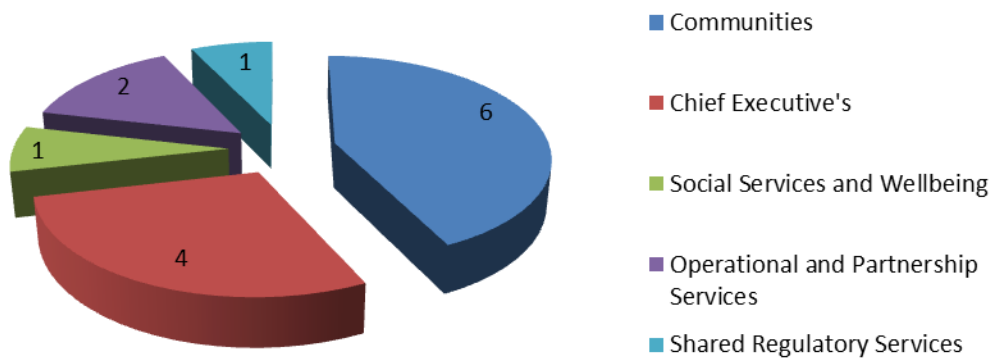
3.4 For the period from 1 January to 31 December 2016, the number of formal complaints received by each Directorate was as follows:

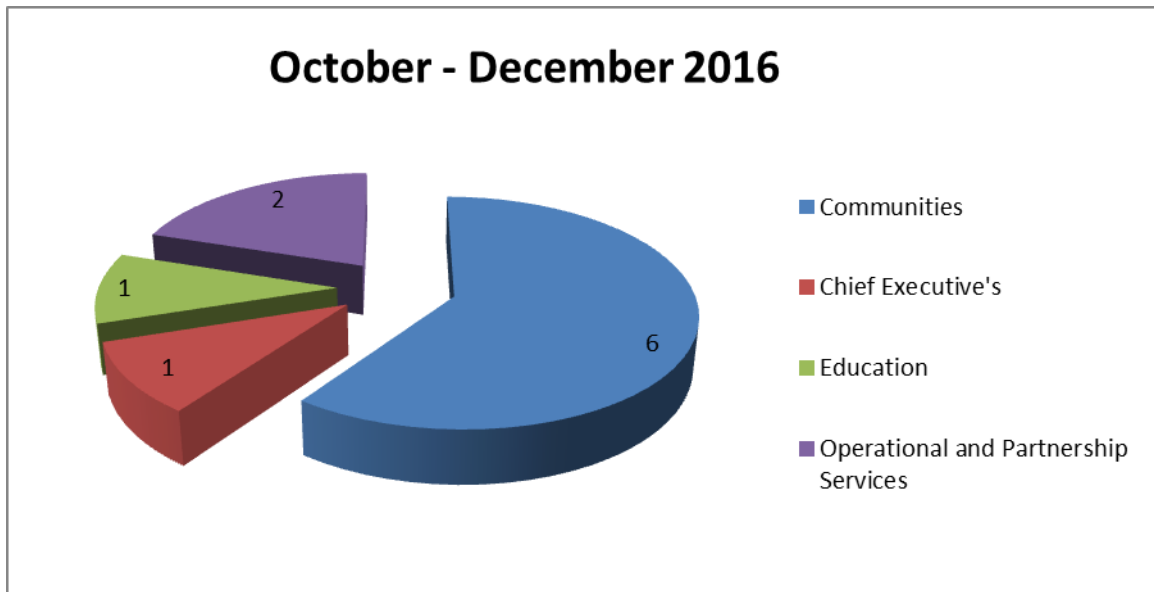


### Apr - Jun 2016



### July - September 2016





3.5 For the period 1 January to 31 December 2015 there were 2 formal corporate complaints made in the Welsh Language, regarding service provision via the medium of Welsh.

3.6 As required by the Equalities Strategy, an equalities monitoring questionnaire has been developed to accompany the Corporate Complaints Form. The information collected will inform an annual report.

3.7 A breakdown of the complaints received for the period 1 January to 31 December 2016 by subject, is shown in the following table:

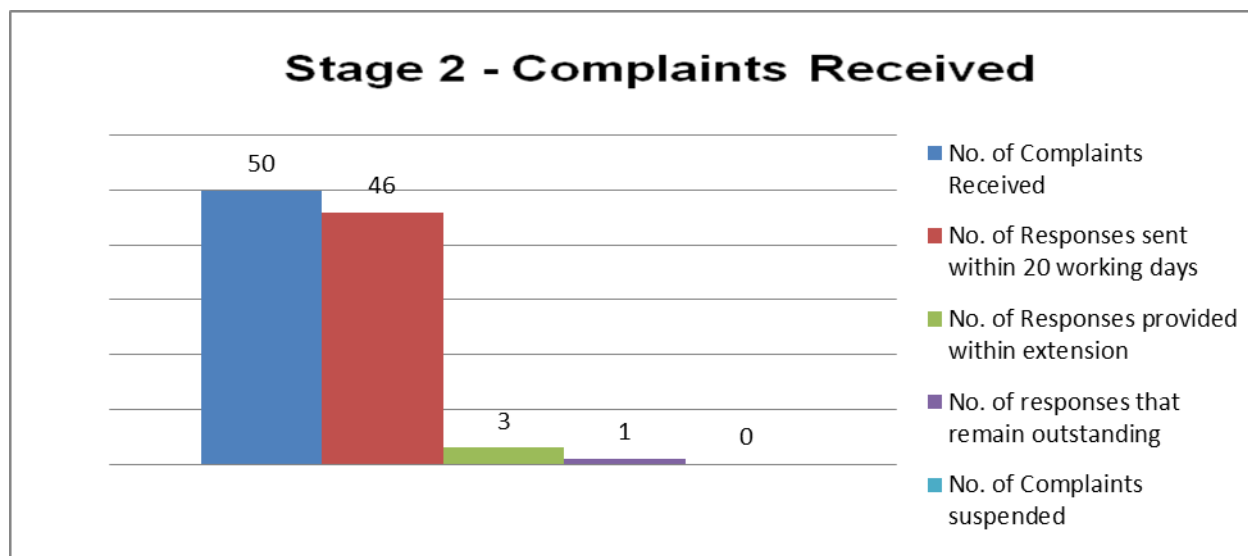
<b>Subject of Complaint</b>	<b>No. of Complaints</b>
	<b>Jan - Dec 2016</b>
Benefits and Financial Assessments	1
Building Control	3
Children's Services	1
Car Parks	1
Council Tax	9
Customer Services	3
Data Protection	1
Education (SEN)	1
Finance	1
Housing	2
Highways	3

Parks	1
Planning	14
Property	2
Public Protection	2
Rights of Way	1
School Transport	1
Street Naming	1
Waste	2
<b>Total</b>	<b>50</b>

3.8 The following information sets out the breakdown of formal complaints received regarding each County Borough Council Ward shown, which has been requested by elected Members:

<b><u>Breakdown of complaints by Ward:</u></b>	<b><u>Jan - Dec 2016</u></b>	<b><u>Ward Cumulative Total</u></b>
Aberkenfig	1	1
Brackla	3	3
Bryncethin	1	1
Bryntirion, Laleston & Merthyr Mawr	1	1
Cefn Cribbwr	1	1
Maesteg East	1	1
Maesteg West	3	3
Coity	4	4
Coychurch Lower	1	1
Llangynwyd	1	1
Morfa	2	2
Oldcastle	2	2
Pencoed	2	2
Pontycymmer	1	1
Porthcawl Rest Bay	1	1
Porthcawl West Central	2	2
Out of County	2	2
Unknown / email only	21	21
<b>Total</b>	<b>50</b>	<b>50</b>

3.9 The chart below provides for each quarter, a breakdown of the number of formal Complaints received, those responded to within 20 working days, those for which it was necessary to request an extension to the response deadline, those that remain outstanding and those complaints currently under investigation within the respective 20 working days.



#### 4. Complaints made to the Public Services Ombudsman for Wales

4.1 Customers have the right at any stage to refer their complaint to the Public Services Ombudsman for Wales for his consideration of maladministration e.g. unfairness or delay. However, the Ombudsman will usually give the Authority a reasonable opportunity to investigate and respond to a complaint, before he investigates.

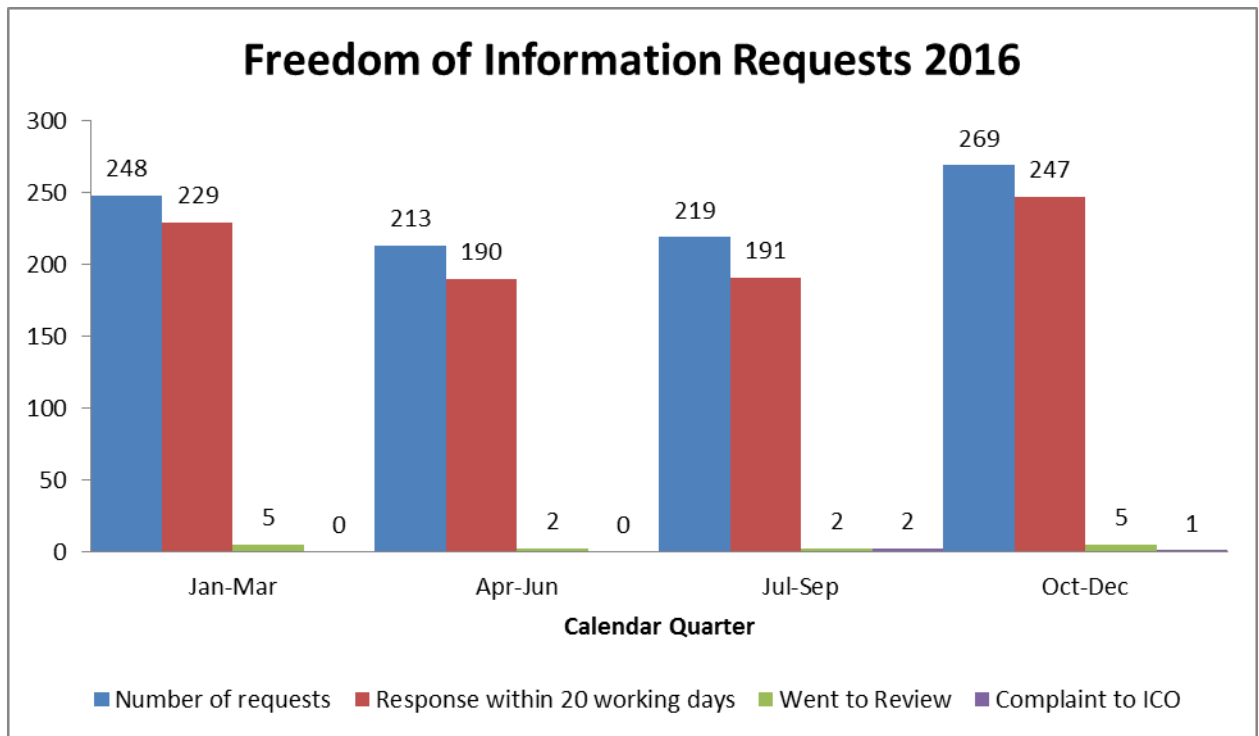
4.2 The Public Services Ombudsman for Wales received 23 complaints about the Authority during the period January to December 2016, of these 1 was upheld, and a report was issued under Section 16 of the Public Services Ombudsman (Wales) Act 2005, 1 was settled through a 'quick fix', 1 was settled through a 'time and trouble' payment, a decision is still awaited on 3 of the complaints, 12 were not investigated and 5 were referred back to the Council to investigate.

#### 5 Code of Conduct Complaints

5.1 During the period January to December 2016 there were 7 complaints to the Ombudsman that a Community Councillor or County Borough Councillor had broken the Model Code of Conduct.

#### 6 Freedom of Information Requests

6.1 During the period January – December 2016 the Information Team logged and acknowledged a total of 949 requests made under the Freedom of Information Act 2000. The chart below illustrates the number of responses provided within the statutory deadline of 20 working days and the number of internal reviews requested. All internal reviews were responded to in 20 working days as recommended in the guidance provided by the Information Commissioner's Office.



## 7 Data Subject Access Requests

7.1 During the period January to December 2016 the Information Team processed a total of 87 data subject access requests.

## 8 Information Requests from Public Bodies

8.1 During the period 1 January to 31 December 2016 the Information Team processed the following requests for information from public bodies: 36 continuing health care requests; 26 requests for information under section 29 (crime and taxation) of the Data Protection Act, and 2 proof of life enquiries from UK police forces.