

BRIDGEND COUNTY BOROUGH COUNCIL**MONITORING REPORT – COMPLAINTS, FREEDOM OF INFORMATION AND DATA PROTECTION****1. Background**

The Information Team based in Legal and Regulatory Services is responsible for processing all formal complaints in line with the Authority's Corporate Complaints Procedure, logging and responding to requests made under the Freedom of Information Act 2000 and Data Subject Access requests made under the Data Protection Act 2018. 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. The policy is a national policy required by the Public Services Ombudsman for Wales.

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 online 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

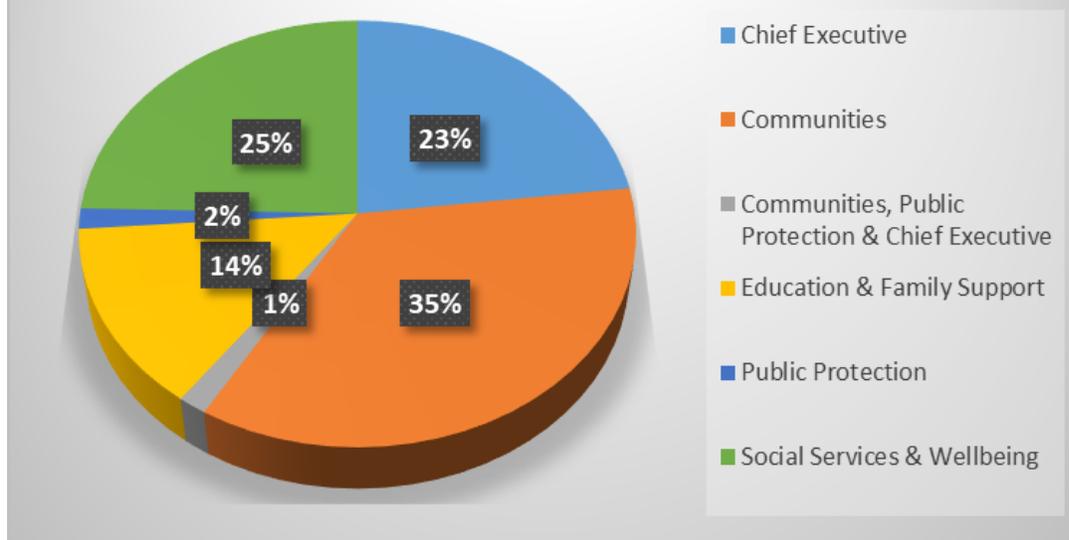
complaints are then sent to the relevant Head of Service concerned for the appointment of a senior officer to investigate the complaint and respond directly within 20 working days. The Information Team is then provided with a copy of the response. If an investigation is more complex and more time may 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 59 formal complaints for the period from 1 January to 31 December 2018. The breakdown for the period is as follows:

	Jan – Dec 2018
No. of Complaints Received	59
No. acknowledged in 5 working days	52
No. acknowledged outside 5 working days	7

- 3.3 In the 7 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 2018, the number of formal complaints received by each Directorate was as follows:

Complaints - Jan - Dec 2018



- 3.5 For the period 1 January to 31 December 2018 four complaints were received by the Welsh Language commissioner about a service provided by the Authority; these complaints are still being considered by the Commissioner.
- 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 2018 by service area, is shown in the following table:

Service Area	No. of Complaints
Adult Social Services	2
Blue Badges	1
Children's Social Services	11
Council Tax	5
Customer Services	1
Education	6
Finance	1
Flood Management	1
Green Spaces	1
Highways	3
Housing	3
Housing Benefits	1
Legal & Property	1

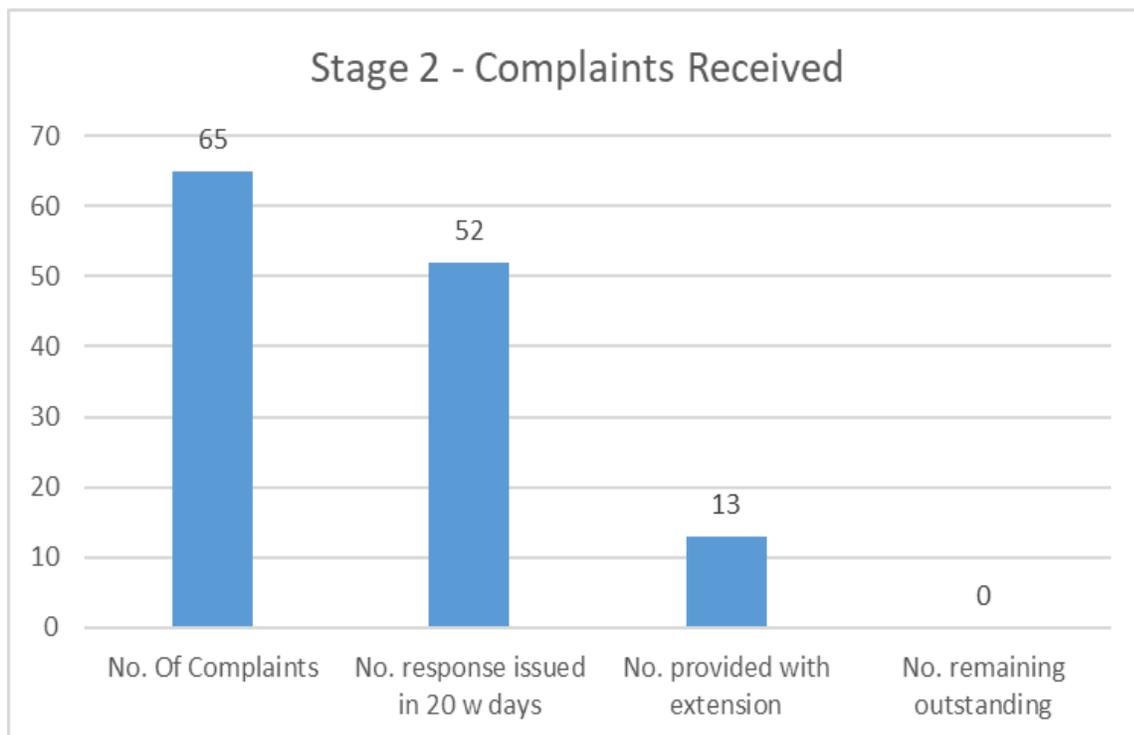
Licensing	1
Parking	1
Parks & Playing Fields	1
Pest Control	1
Planning	8
Planning, Public Protection & Legal	1
Public Protection	1
Rights of Way	1
School Transport	3
Social Services	3
Street Lighting	1
Waste	6

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:

Ward	No. of complaints
Aberkenfig	1
Bettws	2
Brackla	5
Bryncoch	1
Bryntirion, Laleston and Merthyr Mawr	5
Caerau	2
Coity	1
Llangeinor	1
Llangynwyd	1
Maesteg West	3
Nantyffyllon	1
Nantymoel	1
Newcastle	2
Nottage	2
Out of County	6
Penprysg	3
Penyfai	4
Pontycymmer	1

Porthcawl East Central	3
Pyle	4
Sarn	1
Unknown/by e-mail	15
	65

3.9 The chart below provides 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 29 complaints about the Authority during the period January to December 2018, of these 3 were resolved by means of an early resolution proposed by the Ombudsman's office, 7 were classed as 'premature' and referred back to the Authority for investigation, 1 is ongoing at the time of reporting and the remainder did not proceed to investigation. A breakdown of the complaints by service area is set out below. In 4 cases it was not possible to identify the service areas as the information was not provided by the Ombudsman's Office.

Housing Benefits	1
Children's Social Services	4
Council Tax	3
Education	2
Employment issue	1
HMO Enforcement	1
Housing	2
Insurance Services	1
Land Drainage	1
Licensing	3
Planning	1
Rights of Way	1
Street Lighting	1
Waste	3
Service area not specified	4
Total:	29

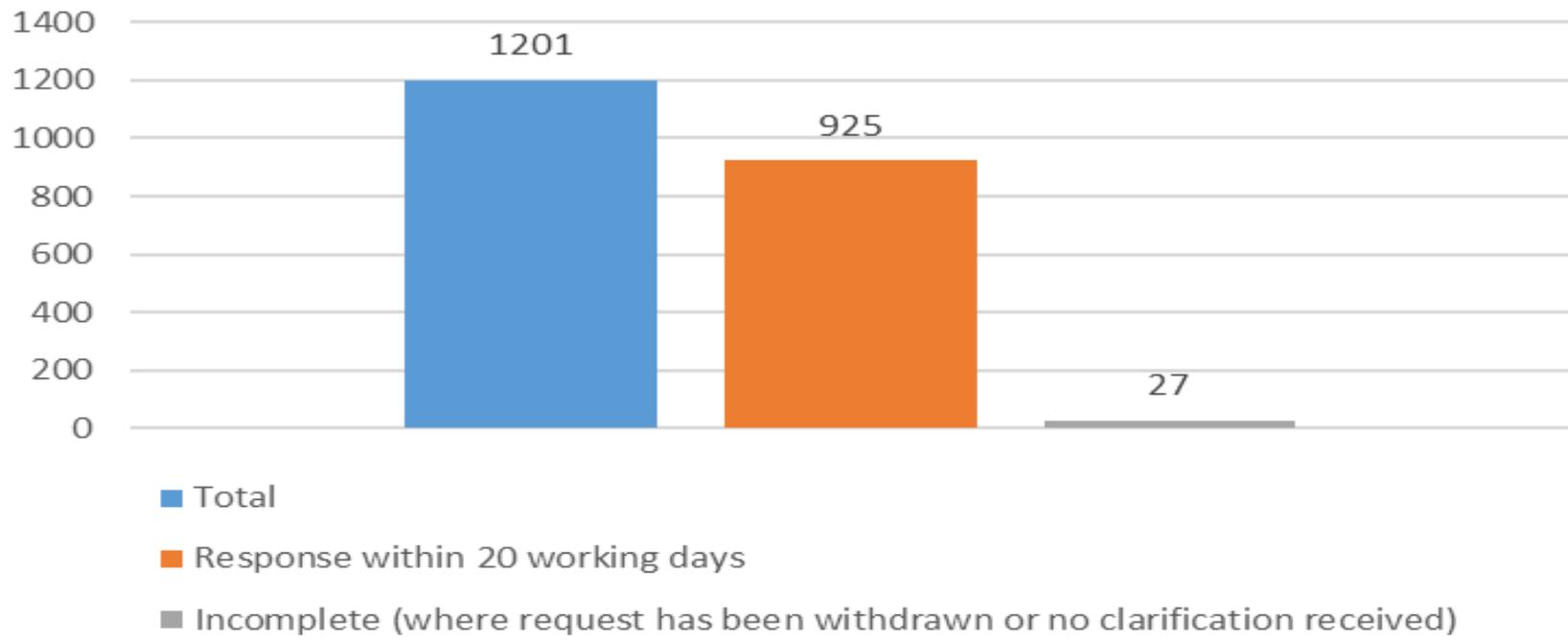
5 Code of Conduct Complaints

5.1 During the period January to December 2018 there were 8 complaints to the Ombudsman that a Community Councillor or County Borough Councillor had broken the Model Code of Conduct.

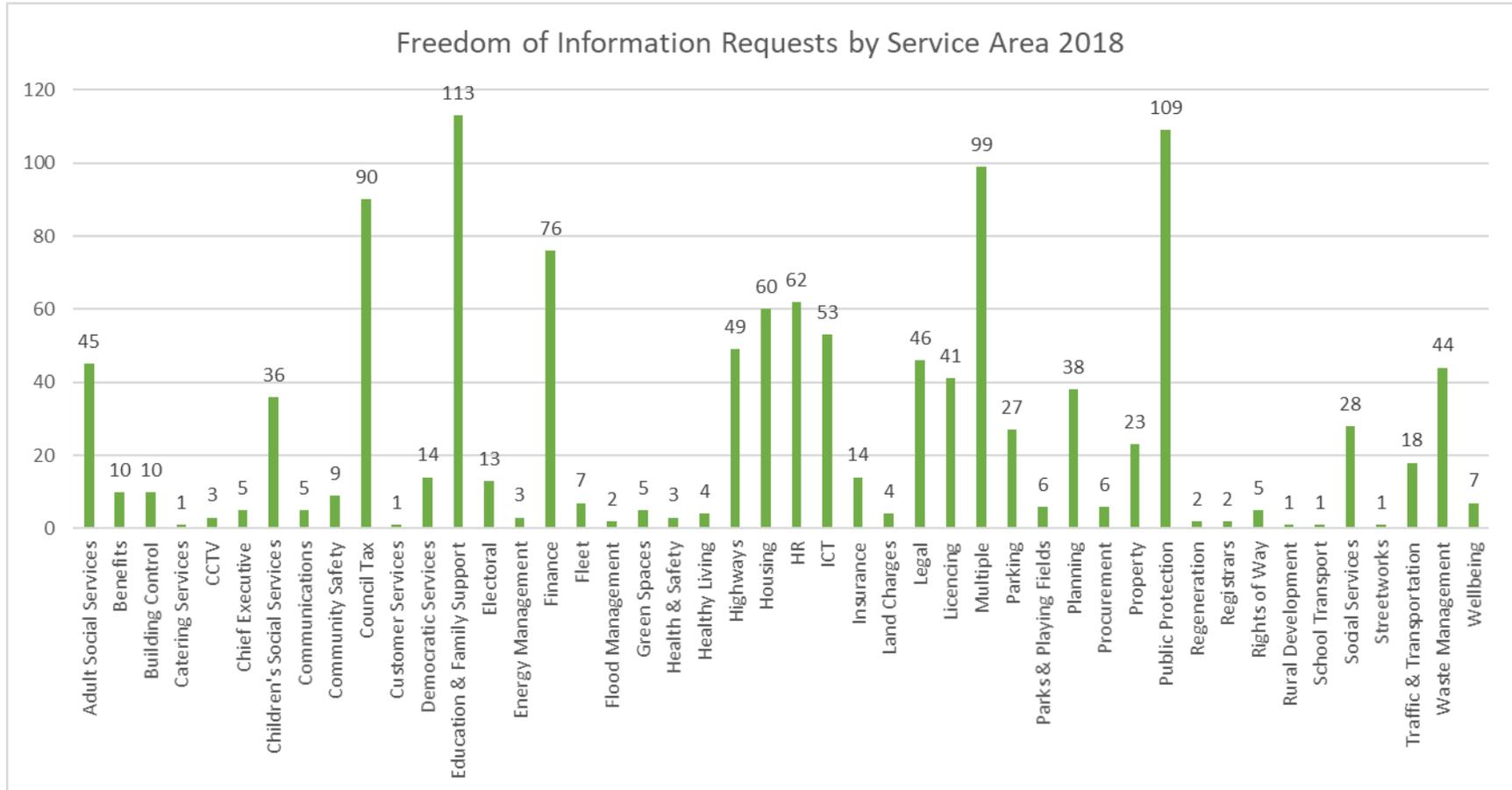
6 Freedom of Information Requests

6.1 During the period January – December 2018 the Information Team logged and acknowledged a total of 1201 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. There were 8 internal reviews requested during January 2018-December 2018. A requester may ask for a review to be undertaken if they are not satisfied with the Authority's response, and these are generally undertaken by the Principal Solicitor. All internal reviews were responded to in 20 working days as recommended in the guidance provided by the Information Commissioner's Office. No requests resulted in a complaint to the Information Commissioner's Office.

Freedom of Information Requests 2018



7 Service Area Breakdown



7 Data Subject Access Requests

7.1 During the period January to December 2018 the Information Team processed a total of 66 data subject access requests.

8 Information Requests from Public Bodies

8.1 During the period 1 January to 31 December 2018 the Information Team processed 101 requests for information from public bodies including UK Police Forces, Health Boards, HMRC, other local authorities, the Health and Safety Executive and the Probation Service. The majority of requests were made under Schedule 2, Part 1 (2) of the Data Protection Act 2018 (Crime and Taxation exemption).