

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

The Information Team based in Legal, HR & 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 17 November 2020, to take effect from 23 November 2020.

The Policy sets out a two stage process as follows:

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

This Policy replaces the previous policy which was approved in 2013. The policy is a national policy required by the Public Services Ombudsman for Wales.

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

2.1 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. All informal complaints should be logged in the Corporate Complaints office as the Council is now required to report on these every quarter to the Public Services Ombudsman.

2.2 The Public Services Ombudsman now sets criteria for complaint types to be logged. For the period from 1 January to 31 December 2020, the number of informal complaints received against each category was as follows:

Informal Complaints	Number
Adult Social Services	3
Benefits Administration	10
Children' Social Services	7

Community Facilities (including Recreation & Leisure)	8
Education	149
Environment & Environmental Health	85
Finance & Council Tax	26
Housing	14
Planning & Building Control	3
Roads & Transport	73
Various/Other	30
Complaints Handling	0

### 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 sent to the relevant Head of Service who appoints a senior officer within the service to investigate the complaint and respond directly within 20 working days. The Information Team is provided with a copy of the response. If an investigation is more complex and more time may be needed, the complainant 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 51 formal complaints for the period from 1 January to 31 December 2020. The breakdown for the period is as follows:

	Jan – Dec 2020
No. of Complaints Received	51
No. acknowledged in 5 working days	48
No. acknowledged outside 5 working days	3

- 3.3 The table below sets out the number of formal complaints the Council has received in 2020 and the previous years two years:

Year	Number of Complaints Received
Jan – Dec 2018	59
Jan – Dec 2019	88
Jan – Dec 2020	51

3.4 The Information Team endeavour to ensure that all complaints (both informal and formal) are acknowledged within 5 working days. However in some circumstances and for a variety of reasons this is not always possible. The reason for the delay in the three instances are:

- i) The case had previously been logged at informal stage and was then escalated at request of complainant
- ii) referral was directly from Public Services Ombudsman for Wales which resulted in a delay in acknowledgement
- iii) the acknowledgment was delayed while it was determined if this was a Corporate or a Social Services complaint.

3.5 For the period from 1 January to 31 December 2020, the number of formal complaints received against each of the Public Services Ombudsman criteria was as follows:

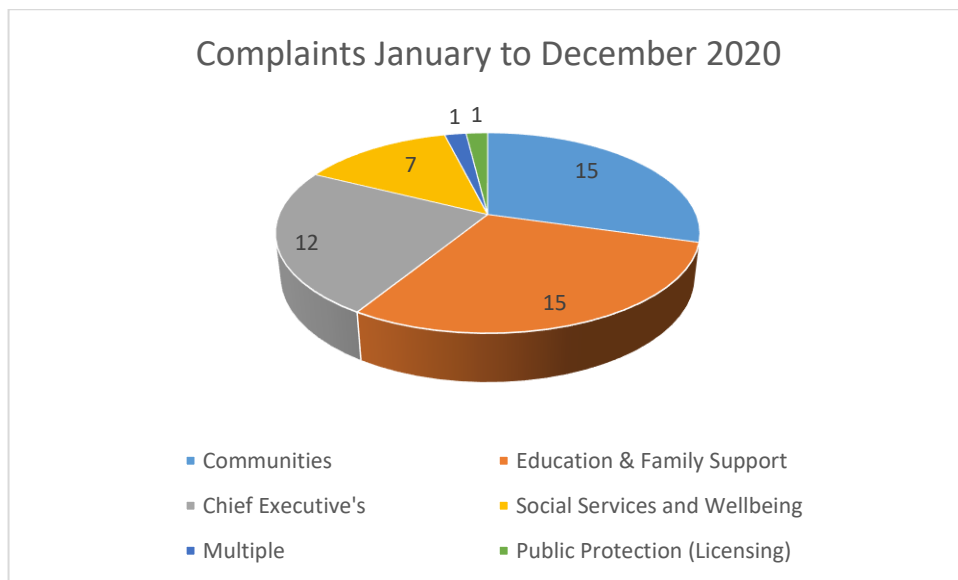
Formal	Number
Adult Social Services	3
Benefits Administration	1
Children's Social Services	4
Community Facilities (including Recreation & Leisure)	0
Education	15
Environment & Environmental Health	3
Finance & Council Tax	3
Housing	7
Planning & Building Control	4
Roads & Transport	7
Various/Other	4
Complaints Handling	0

3.6 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
Bryncethin	1
Bryntirion, Laleston and Merthyr Mawr	5
Caerau	1
Cefn Glas	1
Coity	2
Cornelly	2

Llangynwyd	2
Maesteg East	1
Maesteg West	2
Morfa	1
Ogmore Vale	1
Oldcastle	1
Pendre	1
Penprysg	1
Porthcawl West Central	1
Ynysawdre	2
Unknown/by e-mail	26
	51

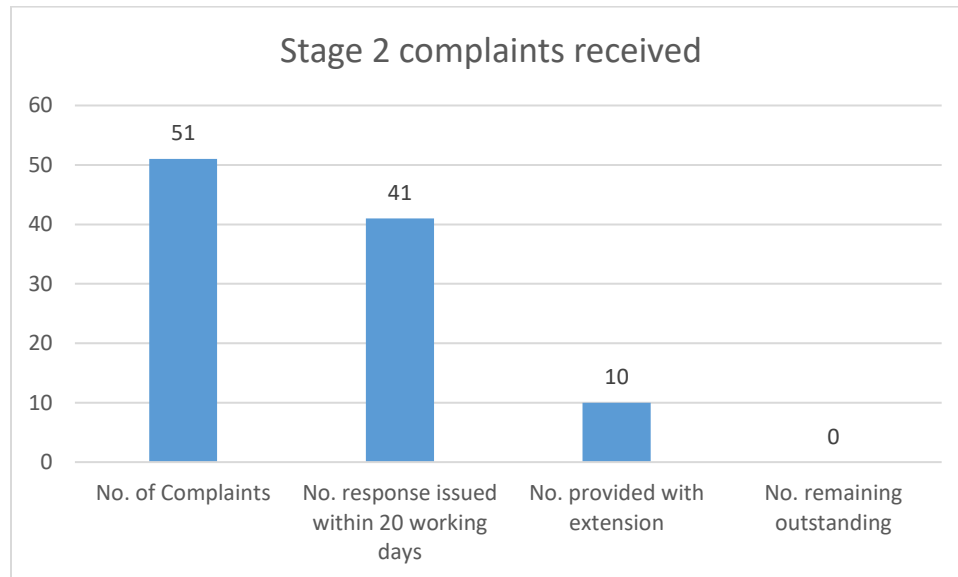
3.7 For the period from 1 January to 31 December 2020, the number of formal complaints received by each Directorate was as follows:



3.8 For the period 1 January to 31 December 2020 three complaints were received by the Welsh Language commissioner about a service provided by the Authority; one complaint was discontinued and two are still being investigated by the Welsh Language Commissioner.

3.9 As required by the Equalities Strategy, an equalities monitoring questionnaire has been developed to accompany the Corporate Complaints Form. The information collected informs the Strategic Equality Plan.

- 3.10 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

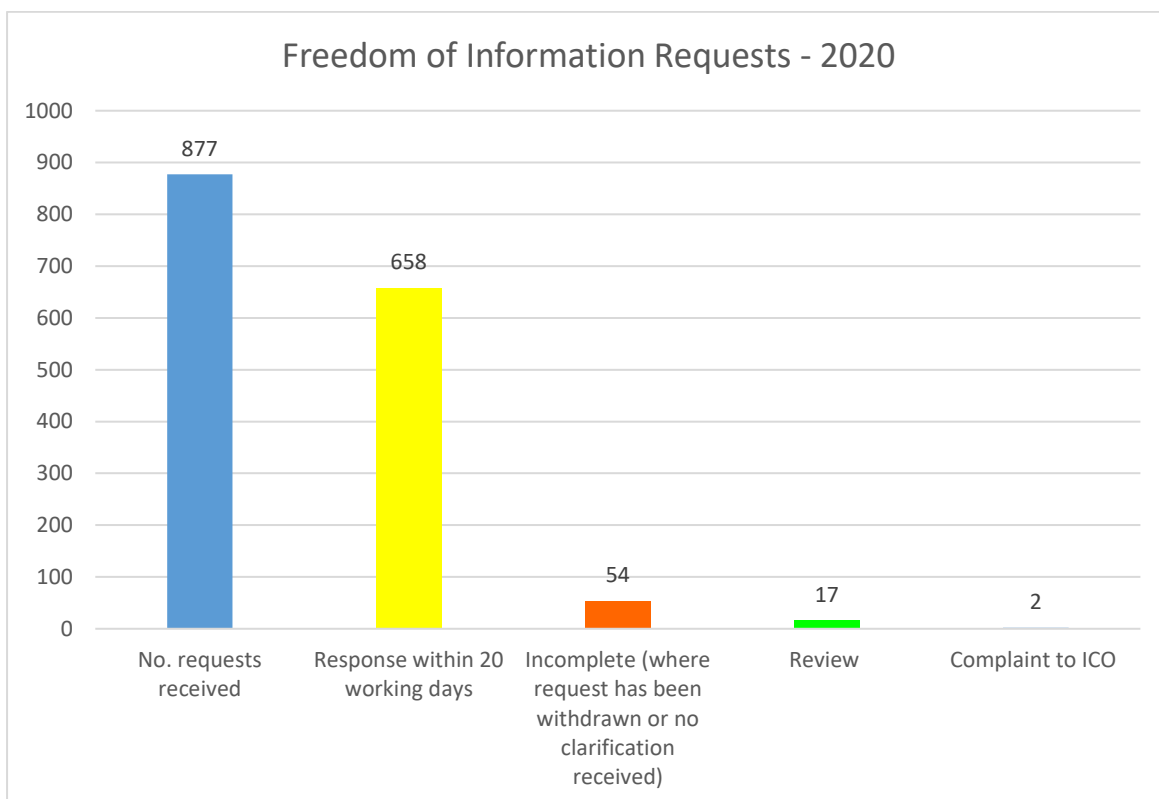
- 4.1 Customers have the right at any stage to refer their complaint to the Public Services Ombudsman for Wales for his consideration of maladministration e.g. unfairness or delay. However, the Ombudsman will usually give the Authority a reasonable opportunity to investigate and respond to a complaint, before he investigates.
- 4.2 The Public Services Ombudsman for Wales received 14 complaints about the Authority during the period January to December 2020, of these 3 were referred back to the Authority for investigation, 1 is an open investigation at the time of reporting and the remainder did not proceed to investigation as the Ombudsman found there was no case to answer. A breakdown of the complaints by service area is set out below.

Council Tax	2
Housing	4
Planning	2
Social Services	6

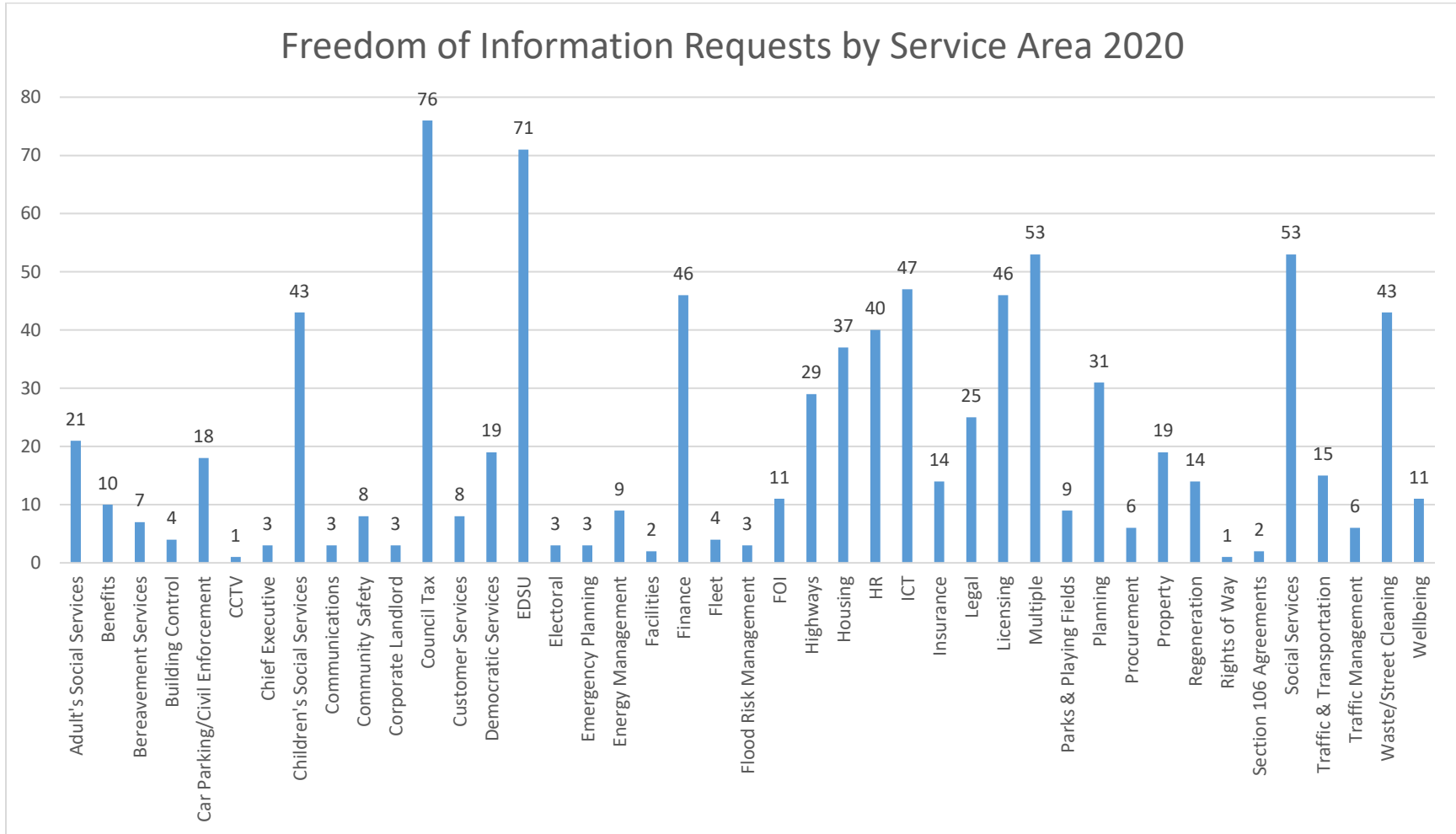
Total:	14
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## 5 Freedom of Information Requests

5.1 During the period 1 January to 31 December 2020 the Information Team logged and acknowledged a total of 877 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 17 internal reviews requested during January 2020-December 2020. 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 Information and Data Protection Officer. All internal reviews were responded to in 20 working days as recommended in the guidance provided by the Information Commissioner’s Office. 2 requests resulted in a complaint to the Information Commissioner’s Office.



## 6 Service Area Breakdown



## **7 FOI request comparison**

7.1 The table below sets out the number of Freedom of Information requests the Council has received in 2020 in comparison with the previous years two years:

Year	Number of FOIs Received
Jan – Dec 2018	1201
Jan – Dec 2019	992
Jan – Dec 2020	877

## **8 Data Subject Access Requests**

8.1 During the period January to December 2020 the Information Team processed a total of 93 data subject access requests and 2 requests from health board for disclosure of Social Services records.

## **9 Information Requests from Public Bodies**

9.1 During the period 1 January to 31 December 2020 the Information Team processed 148 requests for information from public bodies including UK Police Forces, HMRC, other local authorities, the Health & 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).