

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE AUDIT COMMITTEE

SUBJECT: GOVERNANCE & AUDIT COMMITTEE -7th DECEMBER, 2021

REPORT OF: DEMOCRATIC SUPPORT OFFICER

PRESENT: Mr. Terry Edwards (Chair)

Councillors S. Healy
P. Baldwin
D. Davies
D. Hancock
J. Hill
W. Hodgins
M. Moore
J. Millard
J.C. Morgan
K. Rowson
B. Summers
H. Trollope
L. Winnett
Mr. Martin Veale

WITH: Audit & Risk Manager
Head of Legal & Corporate Compliance
Registration, Elections and Corporate Complaints Officer

AND: **Audit Wales**
Alice Rushby

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received for Councillors S. Thomas and J. Holt.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>Councillor B. Summers declared an interest in the following item:</p> <p>Item No. 6 - Response to Audit Wales Enquiry to those charged with Governance and Management (<i>Silent Valley Waste Services</i>)</p>	
No. 4	<p><u>AUDIT COMMITTEE</u></p> <p>The minutes of the Audit Committee held on 2nd November, 2021 were submitted, whereupon:</p> <p>It was reported that B. Baldwin should be amended to read P. Baldwin on the list of attendees.</p> <p>RESOLVED, subject to the foregoing, that the minutes be accepted as a true record of proceedings.</p>	
No. 5	<p><u>ACTION SHEET</u></p> <p>There were no actions arising from the meeting held on 2nd November, 2021.</p>	
No. 6	<p><u>RESPONSE TO AUDIT WALES ENQUIRY TO THOSE CHARGED WITH GOVERNANCE AND MANAGEMENT</u></p>	

	<p>Consideration was given to report of the Audit & Risk Manager.</p> <p>The Audit & Risk Manager presented the report which outlined the management response to the Audit Wales enquiries, attached at Appendix A, and the response provided on behalf of the Committee as those charged with governance.</p> <p>The Officer reported an error to Option 1 of the report which should read:</p> <p>‘The Committee note the attached Management response to the Audit Wales query and endorse the response of the Governance & Audit Committee as provided by the Chair of the Committee.’</p> <p>A brief discussion ensued when Officers clarified points raised by a Member.</p> <p>RESOLVED, subject to the foregoing, that the report be accepted and the Committee note the attached Management response to the Audit Wales query and endorse the response of the Governance & Audit Committee as provided by the Chair of the Committee (Option 1).</p>	
<p>No. 7</p>	<p><u>COMPLAINTS INFORMATION FOR QUARTER 1 AND QUARTER 2 – 2021/2022</u></p> <p>Consideration was given to the report of the Head of Legal & Corporate Compliance.</p> <p>The Head of Legal & Corporate Compliance presented the Council’s performance information in relation to investigations into Stage 1 and Stage 2 Corporate Complaints received for the period 1st April 2021 – 30th September 2021.</p> <p>The Officer explained that Stage 1 and Stage 2 referred to the Council’s internal processes for reviewing complaints. The Officer pointed out that in the event of failure to achieve a resolution through the Council’s internal processes, a complaint could be escalated to Stage 3 and referred to the</p>	

Public Services Ombudsman for consideration.

As previously reported the Governance and Audit Committee now had additional functions to include a role in oversight for complaints, and new statutory powers to:

- Review and assess the Authority's ability to handle complaints effectively; and
- Make reports and recommendations in relation to the Authority's ability to handle complaints effectively.

The Council was required to provide the Complaints Standards Authority (CSA) with complaints data on a quarterly basis and report to the Governance and Audit Committee the number and types of complaints received and their outcomes. The Committee agreed in June 2021 that this report would be presented to Committee twice a year.

The Officer then went through the performance information detailed in Appendix 1 of the report.

A Member pointed out that there was a higher number of complaints in relation to waste and refuse, and roads and transport and asked whether they should be reported to the relevant Scrutiny Committee for consideration.

The Officer said the higher number of complaints within those areas was to be expected due to the nature of the service. She confirmed that the data was analysed to inform service improvements, but also to identify any trends or issues that may need further consideration by the relevant Scrutiny Committee and the Governance & Audit Committee.

Another Member also asked whether there was comparative data available in relation to complaints received in other LA's, and also sought clarification on whether the figures included code of conduct complaints.

In response the Officer confirmed that the figures related to service complaints only. Data in relation to code of conduct complaints was submitted to the Standards Committee and Council on an annual basis. In relation to comparative data, the Ombudsman Annual Report presented to the last meeting

of the Committee included comparative data across all Councils in Wales, but not in relation to specific service areas. Blaenau Gwent had a relatively low number of complaints compared to other LA's and this was reflected within the Ombudsman report. The Officer said data from other LA's could be obtained but pointed out that this would have to be adjusted to reflect the size and needs of each LA.

In response to a further question the Officer confirmed that the process for making complaints was on the Council's website. Each Department had its own Complaints Officer and they were in the process of receiving training in terms of identifying complaints and ensuring they are logged appropriately.

A Member referred to section 5.1 of the report which stated that in certain circumstances the Council may award compensation and asked where this information would be recorded.

The Officer said compensation was very rarely paid but could be awarded by the Public Services Ombudsman in relation to Stage 3 complaints. The Officer undertook to investigate where this information was recorded.

Another Member referred to the two children's services complaints that were upheld and asked whether these should be reviewed particularly in light of the recent events reported in the press.

In response the Officer said she was unable to go into the details of the complaints. She confirmed that Social Services had their own complaints policy and procedures in place aligned to the corporate procedures, and were extremely efficient in ensuring that complaints were thoroughly reviewed and investigated. As an added assurance for Members the Officer undertook to liaise with the Head of Children's Services regarding an overview of procedures to deal with social services complaints.

A discussion ensued regarding Members' involvement in the process when they are contacted by a member of the public regarding an ongoing complaint, and whether there were

procedures in place to ensure no duplication of complaints.

The Officer said Members were often the intermediary when members of the public were not satisfied with a particular response. However, the process for making a complaint was on the Council's website and also how to escalate a complaint if they felt that the response received was unsatisfactory. In terms of Members involvement, she confirmed that Members were able to assist constituents in the complaints process. Communication with the public was important to ensure they had the information they needed to make a complaint, and there were various channels available to access that information.

A Member said the provision of a centralised complaints database would be beneficial for Members to access in order to provide an update to members of the public on progress of a complaint. The Officer said this could be explored.

Another Member referred to previous discussions relating to compensation and suggested that awards over £500 be reported to Committee moving forward.

In response the Officer explained that complaints against the Council was different to the litigation process and insurance claims and they did not form part of the data within this report.

The Audit & Risk Manager confirmed that systems for reporting figures in relation to insurance claims was being considered.

A further brief discussion ensued when the Officer explained that some types of issues raised by Members fell outside of this framework and one of the challenges was to ensure that those issues were being captured and escalated appropriately.

RESOLVED that the report be accepted and the Committee sought further clarification on areas within the report and highlighted areas of interest or concern that needed to be considered in future monitoring and reporting of complaints.
(Option 2)

<p>No. 8</p>	<p><u>AUDIT WALES CERTIFICATE OF COMPLIANCE FOR THE AUDIT OF BLAENAU GWENT COUNTY BOROUGH COUNCIL'S ASSESSMENT OF 2020-21 PERFORMANCE</u></p> <p>Consideration was given to the report of the Service Manager Performance & Democratic.</p> <p>The Audit & Risk Manger presented the Audit Wales Certificate of Compliance following the audit of the Council's Assessment of 2020-21 Performance (attached at Appendix 1).</p> <p>A Member expressed concern regarding the delay of the Audit Wales report on Silent Valley.</p> <p>The Audit & Risk Manager said this was a separate issue to this report, but confirmed that the report on Silent Valley would be reported to Committee in due course.</p> <p>RESOLVED that the report be accepted and the Committee note the compliance certificate dated November 2021.</p>	