



AGENDA ITEM: 11

SUMMARY

Report for:	Cabinet
Date of meeting:	26 July 2016
Part:	1
If Part II, reason:	

Title of report:	New Complaints Policy And Procedure
Contact:	<p>Cllr Neil Harden, Portfolio Holder for Resident and Corporate Services</p> <p>Author/Responsible Officers;</p> <p>Robert Smyth, Assistant Director (Performance, People & Innovation)</p> <p>Matt Rawdon, Group Manager (People & Performance)</p>
Purpose of report:	For Cabinet to review and approve the three suggested changes to the complaints ' <i>Compliments, Comments and Complaints Policy and Procedure</i> ' following review at the previous Cabinet meeting (28 th June 2016).
Recommendations	That Cabinet approve the suggested changes to the proposed complaints ' <i>Compliments, Comments and Complaints Policy and Procedure as set out in paragraph 2 of the report</i> '.
Corporate Objectives:	Modern and Efficient Council – The effective management of complaints is vital to ensure that we deliver services which respond to the needs of residents.
Implications:	<p><u>Financial</u></p> <p>Managing complaints ensures that we improve the quality of services and target our resources in the most effective way.</p>
Value For Money Implications'	<p><u>Operational</u></p> <p>The failure to properly address issues raised in complaints (and to learn lessons) could lead to operational service issues.</p> <p><u>Value for Money</u></p> <p>Effective management of complaints supports the achievement of value for money in the pursuit of the Council's objectives</p>

Risk Implications	No risks are expected as this approach will improve the way we manage complaints.
Community Impact	Community Impact Assessment carried out
Health And Safety Implications	None
Monitoring Officer/S.151 Officer Comments	<p>Monitoring Officer:</p> <p>This policy will ensure that residents have a right to request that decisions, actions or omissions of the Council are reviewed at an appropriately level of management within the Council. The policy balances that right with the need to manage complaints in an efficient manner.</p> <p>Deputy S.151 Officer</p> <p>There are no direct financial implications of this decision.</p>
Consultees:	Corporate Management Team Officers Finance & Resources Committee
Background papers:	<i>'Compliments, Comments and Complaints Policy and Procedure'</i> .
Glossary of acronyms and any other abbreviations used in this report:	LGO AD CIMS

1. Introduction

- 1.1 Having an approach that enables the Council to manage and learn from complaints is vital if it is going to deliver high quality services that offer real value for money.
- 1.2 At the previous meeting (28th June 2016) the Cabinet reviewed the proposals and identified three changes that needed to be made before approval could be given.
- 1.3 The following report highlights those changes to enable the new *Compliments, Comments and Complaints Policy and Procedure* to be approved.
- 1.4 The broader changes introduced in the new *Compliments, Comments and Complaints Policy and Procedure* remain the same as debated at the previous Cabinet meeting (details provided below).

2. Alterations to the New Complaints Policy and Procedure

The three key changes identified at the previous Cabinet meeting are as follows:

2.1.1 Alteration 1

We have amended the wording around the time-limit of 90 days to make clear that it only applies from the point at which the complainant is aware of the incident or issue.

2.1.2 Alteration 2

We have clarified the wording so that if a resident is dissatisfied with our decision to close the case without progressing to Stage 2, they know to contact the Local Government Ombudsman.

2.1.3 Alteration 3

We have revised the policy, so that if we receive a duplicate complaint from an MP, Councillor or other agencies, we will now close their case, and only deal directly with the resident. This is a change from the previous approach which dealt directly with MPs, Councillors or other agencies.

3. Details of New Policy and Procedure (as discussed at Cabinet – 28th)

3.1 The key changes fall into three categories; policy, process and system.

3.1.1 Policy

Change 1 (P3, sec. 3.4)

We have introduced a time-limit of 90 days for a complaint to be lodged once the complainant is aware of the incident or issue. Previously we had no time-limit.

This will ensure that the evidence is still available and that we are not subject to spurious or false claims for historical incidents that cannot be properly assessed.

Change 2 (P7, sec 5)

We have introduced a clear policy for dealing with inappropriate, unreasonable or vexatious complainers. We currently have no formal policy on this issue.

This will ensure that we have the tools and approach to deal with unwanted behaviour, including restricting people's contact. This is necessary because vexatious complainers take time away from genuine complainants.

3.1.2 Process

Change 3 (P5, sec 4 Stage 1)

We have reduced the number of complaints steps from three to two. This is in line with LGO guidance and it streamlines our approach in line with many other local authorities.

As we have reduced the process we have also revised down the amount of time allowed for Stage 1 from 20 days to 15 days. This is in line with good practice in other areas. However for channel shift purposes we have only committed to this for individuals who complaint via our online form. For off-line contact we note that a response may still take up to 20 days.

Change 4 (P6, sec 4 Stage 2)

At present if anyone is unhappy, for any reason, they can ask for progression to Stage 2 and Stage 3. This is not an effective use of resources and it means we are likely to spend disproportionate amounts of time dealing with unreasonable demands and expectations.

We have introduced a new test that means a complainant has to evidence why the Stage 1 investigation was incorrect or unfair.

If a complainant cannot provide that evidence, we will not progress their complaint to Stage 2. An AD will write to the complainant explaining why the case was closed (and that if they are still unhappy they can go to the Ombudsman having exhausted our process).

Change 5 (P7, sec 4.6)

We can often receive the same complaint from a resident as well as from an MP, Councillor or other agencies, if they have chosen to send details of their issue to multiple parties. This makes it time consuming and difficult to manage, because in effect we are handling (and responding to) the same complaint multiple times. It can also delay the process.

We have introduced a new policy that if we receive a duplicate complaint, we will write to the MP, Councillor or other agencies to inform them that we are already dealing with this matter and that we will only be responding directly to the resident.

This will ensure we are not double handling issues and that we can focus our attention on the problems identified.

3.1.3 **System**

If these changes are accepted we will need to undertake some re-development work with our existing system.

In the medium term we are planning to introduce a new complaints system as part of the re-development of MS Dynamics, however in the meantime we will make some improvements to CIMS.