
Report to: **FINANCE & MANAGEMENT
COMMITTEE**
Date of Meeting: **1st September 2005**

AGENDA ITEM: **10**

CATEGORY: Open

Report from: **DIRECTOR OF CORPORATE
SERVICES**
Members' Contact Point: **PAM CARROLL (Ext 595784)**

DOC: S:\Cent_Serv\Committee
Reports\Finance and Management\01
Sept 05\Complaints Report.doc

Subject: **Complaints Procedure**

Ref: plc

Ward(s) Affected **All**

Terms of Reference:

1. Recommendations

That this committee agree the proposals to:

- 1.1 Change the existing Complaints procedure to include Comments and Compliments.
- 1.2 Change from a four-tier process to a three-tier process, in line with the recommendations from the Local Government Ombudsman.
- 1.3 Agree the changes to the way complaints are investigated.
- 1.4 Dissolve the Councillor's Complaints Panel that is currently not utilised in favour of an earlier referral to the Ombudsman.

2. Purpose of Report

To update Finance & Management on the review of the complaints procedure and make proposals for improving the process.

3. Executive Summary

- 3.1 Our existing Complaints Procedure is out of date and does not comply with the Local Government Ombudsman recommendations.
- 3.2 The current procedure is difficult to manage and keep within the agreed performance standards.
- 3.3 Our current procedure is purely aimed at Complaints and doesn't encourage any positive feedback or informal comments.
- 3.4 The standard of investigating and responding to complaints is inconsistent.

- 3.5 We don't utilise the procedure to generate improvements in service or identify any trends in poor service.

4. Detail

Background

- 4.1 The existing complaints procedure is based on a four-tier system. (see appendix A)

Stage 1 - Complainants are initially referred to the service that is the subject of the complaint. It is hoped that the majority of complaints can be resolved at this level, by the service department concerned. However, if the complainant is unhappy with the response and wishes to formalise the complaint, Stage 2 should be invoked

Stage 2 - All formal complaints are referred to the Customer Services Manager, who will ensure that the complaint is logged and an official complaints form completed where possible. This ensures an audit trail for all complaints

The Customer Services department record all complaints, issuing a reference number to each one so that it can be tracked throughout the enquiry. They ask for the complaint to be dealt with by a designated officer at a higher level than the person who originally handled the matter, within the service area that is being complained about.

Customer Services acknowledge the complaint within five working days, identifying who is dealing with the matter. The appropriate officer in the service unit investigates the complaint and responds directly, and sends a copy of the response to customer services. This response should be made within ten working days from receiving the complaint. If there is to be a delay that will prevent a full response being made, complainant will be notified by the service unit and given an indication of when a full response may be given.

Stage 3 - Where a complaint has still not been resolved, the person making the complaint will be advised of their right to have their case reviewed by the Chief Executive, who has the authority to overrule the decision taken on the complaint. Where this action is required, the complaint will be referred back to the Chief Executive, with copies of relevant documents and details of the decision/action taken by the service involved to resolve the matter.

The Chief Executive will then send an acknowledgment within five working days of receiving the details and will review the case with the relevant Strategic Director. A full response will normally be made within ten working days of receiving the details. The complainant will be advised of any perceived delays in responding where appropriate. When making the full response, the Reviewing Officer should also advise the complainant of their right to refer the matter to the Local government Ombudsman if they remain dissatisfied.

Stage 4 - If, after taking steps to review your complaint, the Chief Executive is still unable to resolve the matter to your satisfaction, you can ask for it to

be referred to a Councillors' Complaints Panel. The Panel members will investigate and will inform you of their decision within 6 weeks from the date the matter was referred to them for consideration.

- 4.2 If at the end of stage 3 the customer remains dissatisfied they can then take their complaint to the local Ombudsman.

Issues

- 4.3 Our current procedure is purely aimed at Complaints and doesn't encourage any positive feedback or informal comments.
- 4.4 If the relevant officer is not available to respond to a complaint, this can slow the process down and we fail to meet our time targets.
- 4.5 It is not always possible to keep track of the complaint as officers respond to the complaint in their own name. If the complainant then continues to correspond, they respond directly to the officer and Customer Services are no longer involved in the loop.
- 4.6 There is inconsistency into the level of investigation and the standard of the response.
- 4.7 The complaint is often considered by someone who has had involvement in the action or decision complained about.
- 4.8 If the complaint is escalated to stage two/three it is difficult to keep track and within the set time targets
- 4.9 There is a bottleneck at stage three where the Chief Executive has to handle and investigate numerous complaints.
- 4.10 The current procedure does not meet the recommendations of the Local Government Ombudsman.

Proposal for new three-stage procedure

In line with the recommendations from the Local Government Ombudsman, the following procedure is recommended. (see appendix B).

4.11 **First stage:**

As existing stage 1 (see 4.1 above)

4.12 **Second stage:**

As existing stage 2 (see 4.1 above)

Except the response should be co-ordinated by the Complaints Administrator, and sent from the Head of IT and Customer Services.

4.13 **Third stage:**

As existing stage 3 (see 4.1 above)

Except - The complaint should be escalated to a Corporate Director who is **independent of the service department**, acting on behalf of the Chief Executive. This response should be sent from the Chief Executive but co-ordinated by the Complaints Administrator to ensure consistency and adherence to the timescale.

- 4.14 The co-ordination of the complaints procedure should remain within the Customer Services Division and administered by the Complaints Administrator.
- 4.15 We should exercise discretion about the stage at which we start considering a complaint. Very serious complaints may go straight to stage 3 and complex ones may start at stage 2.

General

- 4.16 The new procedure should be renamed "Comments, Compliments and Complaints" and people should be encouraged to give informal feedback on our services.
- 4.17 Following the conclusion of a complaint, a satisfaction form will be sent to the complainant to gain feedback on how the complaint was dealt with. This will enable continuous improvement to the service.
- 4.18 At the same time, a form will be sent to the Head of Service to ascertain what, if any, actions were taken as a result of the complaint.
- 4.19 An improvement report will be produced on a quarterly basis and presented at the Corporate Improvement Group for discussion with Heads of Service and CMT. It will also be included in the Complaints report that is presented to Finance and Management Committee bi-annually.