

**North East Derbyshire District Council**

**Organisation Scrutiny Committee**

**4 July 2018**

<b>Review of the Compliments, Comments and Complaints Policy</b>
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**Report of Councillor R Smith Portfolio holder for Corporate Services**

This report is public

**Purpose of the Report**

- To approve the revised Joint Compliments, Comments and Complaints Policy.
- To meet legal requirements and national guidance.

**1 Report Details**

Over three years ago, the decision was made to develop a joint Compliments, Comments and Complaints Policy to enable Officers working across both Councils to be able to do so within one set of standards and criteria. This also ensured a consistent approach for customers of both Councils. As a consequence the Joint Compliments, Comments and Complaints (CCC) Policy (and supporting) procedure is now embedded at each authority.

Both Councils have the Customer Service Excellence accreditation. The robust management of complaints corporately forms part of this accreditation. The Joint CCC Policy (and supporting procedure) have been reviewed and amended to reflect updated reporting practices. The procedure includes a formalised procedure for M.P. correspondence.

In order to be confident our practices are appropriate to the needs of our customers and are still fit for purpose, we have consulted with Officers at both Councils, with the Citizen's Panel, with customers during National Customer Service Week, run website surveys and consulted with equality consultation groups at both Councils.

Internal officers who deal with complaints at both Councils report that the system is working well. No major changes were requested.

Citizen's Panel surveys run at both Councils indicated 10 working days was a reasonable time to respond to a formal complaint -151 people at NEDDC and 245 at BDC. During 2016/17 NEDDC responded to 74% of all formal complaints (both complex and straightforward) within 10 working days. At BDC the average time for straightforward (direct from department) complaint responses was 9 working days, however a significant number of those took more than 10 working days to respond to (44%).

As the in-house compliments, comments and complaints system will need to be further developed to accommodate a new timescale, and there is currently a six month waiting period for development work, both Councils would be unable to adopt a new timescale without this developmental work.

As such it is proposed that the 15 working day response time for all Formal Investigation complaints is retained for a further year and that monitoring continues from April 1<sup>st</sup> 2018 at both Councils to establish if a 10 working day target for straightforward Formal Investigation complaints (stage 2) is achievable. It is also recommended that the 15 working day timescale for complex Formal Investigation complaints (those crosscutting departments or presenting reputational damage) is retained to allow sufficient time for a full and thorough investigation. It is noted that the Local Government and Social Care Ombudsman recognises that 20 working days is a reasonable timescale to respond to complex matters.

Please note: If it is decided to proceed to a 10 working day response time for straightforward Formal Investigation complaints (stage 2), a new target will then need to be set for performance monitoring purposes.

The joint procedure has been amended to support this policy.

The adoption of the reviewed Joint Compliments, Comments and Complaints Policy and Procedure will rescind the existing Joint Compliments, Comments and Complaints Policy and Procedure at both Councils.

## **2 Conclusions and Reasons for Recommendation**

The policy meets amended external drivers and compliance requirements.

Support will be given to officers dealing with compliments, comments and complaints and training is delivered more widely to all new appointees to both Councils within the mandatory Customer Services training.

Publicity will be carried out at both Councils to raise awareness that the Policy has been reviewed.

## **3 Consultation and Equality Impact**

The policy was initially developed by a number of officers in the Customer Service Department to ensure that it is fit for purpose. Consultation with some key officers has also fed into the review of the policy. Consultation has also taken place with officers and members on Improvement Group (both Councils).

An Equality Impact Assessment on the policy is not necessary as it is legislation and national guidance led. However the policy recognises equality requirements and an Equality Impact Assessment has been carried out on the supporting procedure to ensure that there are no barriers to the service and support is given to those customers who require it. Bolsover District Council's Equality Panel has been consulted with and they are happy that there are no adverse impacts to any protected group.

## **4 Alternative Options and Reasons for Rejection**

In reviewing the policy, consideration has been given to how best the required actions can be achieved within existing resources.

## 5 Implications

### 5.1 Finance and Risk Implications

Both Councils are at risk of recommendations or decisions by the Local Government & Social Care Ombudsman and the Housing Ombudsman if complaints are not handled well.

In cases of maladministration, financial penalties can be imposed by the Local Government Ombudsman, the Housing Ombudsman.

In the case of complaints about Freedom of Information, Data Protection and Environmental Information requests, the Information Commissioner's Office can issue decision notices and impose significant fines.

### 5.2 Legal Implications including Data Protection

The policy allows compliance with the Local Government Act 1974 and guidance set out by the Local Government & Social Care Ombudsman and the Housing Ombudsman. It is also in line with the requirements of the Data Protection Act 1998, Freedom of Information Act 2000, Environmental Information Regulations 2004 and General Data Protection Regulation (2018).

### 5.3 Human Resources Implications

Once approved, the joint policy and supporting procedure will be made available on the intranet to raise awareness across both Councils. Support (to manage the minor changes) will be provided to managers and those departmental contacts dealing with compliments, comments and complaints.

## 6 Recommendations

- To continue to monitor the timescale for straightforward complaints to see if it can be reduced from 15 working days to 10 working days.
- That Scrutiny Committee refers the revised Joint Compliments, Comments and Complaints Policy to Executive (BDC)/ Cabinet (NEDDC) for adoption.

## 7 Decision Information

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC:</i> <i>Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC:</i> <i>Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	Yes/No

<b>District Wards Affected</b>	N/a
<b>Links to Corporate Plan priorities or Policy Framework</b>	Customer Focused Services Strategic Organisational Development

## 8 Document Information

<b>Appendix No</b>	<b>Title</b>
1	Compliments, Comments and Complaints Policy
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
<b>Report Author</b>	<b>Contact Number</b>
Customer Standards and Complaints Officer (BDC)	2353