

Report of:	Meeting	Date	Item No.
Cllr Vivien Taylor, Health and Community Engagement Portfolio Holder and Philippa Davies, Corporate Director of Resources	Cabinet	15 June 2016	7

Complaints Procedure

1. Purpose of Report

- 1.1 To report the findings following a review of the current complaints procedure and to agree the proposed amendments.

2. Outcomes

- 2.1 A clear, accessible and flexible process that forms part of service provision and does not overwhelm individuals, departments or other council processes.
- 2.2 A mechanism for recording comments, concerns and compliments as a way of gathering performance information.

3. Recommendations

- 3.1 Members are requested to note the results of the review and agree the proposed amendments with effect from 1 July 2016.

4. Background

- 4.1 The Council's current complaints procedure, referred to as the Customer Feedback Scheme, was originally agreed by Cabinet 24 July 2006.
- 4.2 The last formal review was undertaken by the Customer Services Watchdog Committee 20 February 2008 with a new Customer Relationship Management System being introduced in May 2009. Annually, a report is published on the Council's website analysing the number and type of complaints and the number of compliments received.
- 4.3 The Local Government Ombudsman's Annual Review Letter is also considered by Cabinet with the most recent report being considered at the meeting held 29 July 2015.

5. Key Issues and Proposals

- 5.1** An assessment of the current complaints procedure has been performed using the principles for effective complaint handling as published by the Local Government Ombudsman – Guidance on running a complaints system. Whilst it is considered that the current scheme complies with the criteria, there is a requirement for a periodic review of the process to keep it up to date and keep the public informed.
- 5.2** During 2015/16 there was a total of 86 complaints received; 65 (76%) at the first stage and 21 which were progressed to the second stage (24%). Senior Officers have raised concerns about the benefit of allowing customers to request a further review (i.e. at stage two) when the stage one complaint has already been comprehensively responded to by the appropriate service manager. Often, the stage two review merely repeats the response previously issued at stage one. The Council's scheme is such that both stage one and stage two must be exhausted before the complaint can be referred to the Local Government Ombudsman for investigation.
- 5.3** One option could be to amend the Council's complaints procedure to allow an initial investigation to be undertaken by the appropriate service manager but then to allow the complainant to refer the matter to the Local Government Ombudsman if they are not satisfied with the Council's response. In essence, this would reduce the number of complaints being dealt by senior officers and in 2015/16 would have resulted in 21 fewer investigations. The guidance does state, however, that 'if it is clear to the Council that there is nothing more to say on the complaint, then the Chief Executive can ask the Ombudsman to consider it without it having been through all of the Council's procedure.'
- 5.4** The guidance goes on to say that 'those systems that provide for a review by someone with no previous involvement, who has the authority to ask questions and take a fresh view are more effective in providing resolutions (even where those resolutions are simply explaining decisions clearly and with some degree of independence).' It is therefore recommended that the current two stage procedure continues but that the 2nd stage reviewers are asked to identify learning points for sharing with managers with a view to reducing the number of complaints/referrals to the Local Government Ombudsman. This would also meet the criteria which requires there to be a 'robust review by someone who has the independence and authority to ask questions, get at the facts and recommend changes in response to complaints'.
- 5.5** A quarterly report detailing complaints and compliments received is considered by the Management Team and Councillors can play an important part in reviewing performance on complaints through scrutiny procedures.

FINANCIAL AND LEGAL IMPLICATIONS	
Finance	None arising directly from the report although on occasion, complaints which have been referred to the Local Government Ombudsman, can result in a compensation payment being made to the customer.
Legal	There are no legal implications arising directly from this report.

OTHER RISKS/IMPLICATIONS: CHECKLIST

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

Implications	✓ / x
Community Safety	x
Equality and Diversity	x
Sustainability	x
Health and Safety	x

Risks/Implications	✓ / x
Asset Management	x
Climate Change	x
Data Protection	x

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List of Background Papers:		
Name of Document	Date	Where available for inspection

LIST OF APPENDICES

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