

**BABERGH DISTRICT COUNCIL and MIDSUFFOLK DISTRICT COUNCIL**

<b>From: Ben Staines, Project and Research Officer</b>	<b>Report Number: JOS/17/15</b>
<b>To: Joint Overview and Scrutiny Committee</b>	<b>Date of meeting: 21 May 2018</b>

**PROPOSED UPDATES TO THE JOINT COMPLIMENTS, COMMENTS AND COMPLAINTS POLICY**

**1. Purpose of Report**

- 1.1 To advise the Committee of proposed changes to the Joint Compliments, Comments and Complaints Policy that are on the forward plans for both Cabinets.
- 1.2 To advise the Committees of the training programme that will be put in place to mitigate the risks if the proposed changes are accepted.

**2. Recommendations**

- 2.1 The Committee is asked to recommend to the Cabinets that the revised Corporate Compliments, Comments and complaints Policy be accepted; and
- 2.2 The Committee is asked to recommend to the Cabinets that the Customer Experience Manager be asked to report to the Portfolio Holders any trend that signifies either an increase in the numbers of complaints being made or the number being upheld.

**3. Financial Implications**

- 3.1 There are no financial implications identified.

**4. Legal Implications**

- 4.1 There are no legal implications identified.

**5. Risk Management**

- 5.1 This report is most closely linked with the Council's Significant Risk number 5i - If we do not maintain the trust of our stakeholders and promote our public image and reputation, then this may prevent us from entering into positive partnerships, secure funding and ultimately may affect our ability to work with partners, businesses and key stakeholders in achieving the strategic priorities.

5.2 This report is most closely linked with the operational risks set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
If these changes are not introduced this could lead to the councils continuing to receive more stage 2 complaints.	High	Additional demand on resource to investigate the stage 2 complaints.	The recommended change to the criteria for escalating complaints to stage 2 should reduce the number at this level.
If training is not given to stage 1 complaint responders, this may lead to an increased number of complaints being taken to the Ombudsman and an increased proportion of those being upheld	Medium	An increased number of complaints being taken to, and potentially upheld by, the Ombudsman would cause reputational risk to the councils, and would demand increased officer time to respond to Ombudsman requests for information.	Training will be provided to all complaint responders to reduce the risk of complaints being taken to the Ombudsman, and of those that are taken being upheld.

## 6. Consultations

6.1 The Senior Leadership Team was consulted.

## 7. Equality Analysis

7.1 There are no equality and diversity implications arising from this report.

## 8. Shared Service / Partnership Implications

8.1 The overall approach is to have a Compliments, Comments and Complaints policy across both Councils.

## 9. Links to Joint Strategic Plan

9.1 Links to Enabled and Efficient Organisation Outcome Intelligence-based community insight and outcome-focussed performance management.

## **10. Key Information**

### **Background**

- 10.1 The existing Joint Corporate Comments, Compliments and Complaints Policy was approved by the two Councils in April 2014.
- 10.2 In the years following the approval of the Policy it was identified that there was an increasing number of complaints from a small number of individuals that were seen as being unreasonable, persistent and/or vexatious. The existing Policy was not seen as being sufficiently robust to effectively deal with these.
- 10.3 An external Barrister was asked by the Monitoring Officer to review the Policy and suggest changes to address the impacts these complainants were having on the resources of the councils and also any other areas where they observed that the operation of the Policy could be improved.
- 10.4 The recommendations from the external Barrister were received in early 2016 but due to other commitments, and changes in personnel, they were not fully actioned.
- 10.5 When the Constitutions of the two Councils were amended in 2016 the Joint Corporate Comments, Compliments and Complaints Policy was removed. Revisions to the Policy therefore no longer need to be approved by Full Council.

### **Proposed change to the Joint Corporate Comments, Compliments and Complaints Policy and procedures**

- 10.6 For a complaint to be accepted as a stage 2 investigation, the complaint will have to 'provide additional information or evidence for consideration at stage 2'.
- 10.7 The policy now includes a paragraph, as recommended by the Barrister, to offer additional protection to staff or contractors where complainants are rude, abusive or aggressive (paragraph 8 of the Joint Corporate Comments, Compliments and Complaints Policy).
- 10.8 Some operational parts to the Policy have been removed as the public do not need to be told details such as how we register or record complaints, or how complaint performance is monitored.
- 10.9 The removed operational notes will be put into a new guidance document that will be made available to all staff and will be part of the training to complaint responders included in the operational risk table above and noted in 10.11 below.
- 10.10 A practice trialled in Housing, where stage 1 Complainants were sent a survey to assess how satisfied they were with the Complaints process, will be extended to all stage 1 and stage 2 complaint investigations. The effectiveness of this, in terms of adding value to the complaints investigation process, will be monitored at the end of the year.
- 10.11 To mitigate the potential effects of the recommended changes, all officers that investigate and respond to complaints will be given refresher training to ensure there is a high quality of responses and consequently reduce the number of complaints that are escalated to the next stage.

**11. Appendices**

Title	Location
(a) Revised Corporate Compliments, Comments and Complaints Policy	Attached

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