

## REPORT TO CABINET

|   |   |   |   |  |   |
|---|---|---|---|--|---|
| <b>Open/Exempt</b>  |   | Would any decisions proposed :                  |   |  |   |
| <b>Any especially affected Wards</b><br>No  | Mandatory/  | Be entirely within Cabinet's powers to decide   |   | <b>NO</b>  |   |
|   | Discretionary /   | Need to be recommendations to Council           |   | <b>YES</b>   |   |
|   | <b><u>Operational</u></b>                               | Is it a Key Decision                            |   | <b>NO</b>  |   |
| Lead Member: Cllr Brian Long (Leader)<br>E-mail: <a href="mailto:cllr.brian.long@west-norfolk.gov.uk">cllr.brian.long@west-norfolk.gov.uk</a>             |   |   | Other Cabinet Members consulted:  |  |   |
|   |   |   | Other Members consulted: <b>Corporate Performance Panel</b>                             |  |   |
| Lead Officer: Honor Howell<br>E-mail: <a href="mailto:honor.howell@west-norfolk.gov.uk">honor.howell@west-norfolk.gov.uk</a><br>Direct Dial: 01553 616550 |   |   | Other Officers consulted: Chief Executive, Management Team, Democratic Services Manager |  |   |
| Financial Implications<br>YES/ <b><u>NO</u></b>   | Policy/ Personnel Implications<br>YES/ <b><u>NO</u></b> | Statutory Implications<br>YES/ <b><u>NO</u></b> | Equal Impact Assessment<br><b><u>YES/</u></b><br><b><u>: Pre-screening</u></b>          | Risk Management Implications<br><b><u>YES/NO</u></b> | Environmental Considerations<br>YES/ <b><u>NO</u></b> |

Date of meeting: 12<sup>th</sup> November 2019

## CORPORATE COMPLAINTS POLICY

### Summary

The borough council strives to provide excellent services to our customers, visitors and businesses, and to deliver those services right first time. Occasionally, customers may be dissatisfied with council services and will make a complaint about the service they have received. The current process focusses on the administration of complaints so a thorough review of the process has been conducted to drive greater consistency, reflect best practice, improve customer experience and to ensure all complaints are dealt with appropriately.

Issues identified during the review:

- The existing process focussed on administration of the policy. The revision has been developed on best practice and according to advice from the Local Government and Social Care Ombudsman
- Clear definitions of what constitutes a complaint were not explicit
- Clearer timescales in the handling of complaints were needed to bring the policy into line with the Ombudsman's timescales

The revised policy has been presented to the Corporate Performance Panel and their comments and recommendations have been incorporated into the policy.

### Recommendation

**Cabinet are requested to approve the Corporate Complaints Policy**

**Delegate authority to make any amendments considered necessary to the policy to the Chief Executive in consultation with the Leader of the Council.**

### Reason for Decision

To ensure the council has a robust, consistent and easily accessible policy for staff, members and customers to manage the complaints process and associated expectations.

## **1 Background**

- 1.1 The Borough Council of King's Lynn and West Norfolk aims to provide excellent services to customers and to deliver those services right first time. Occasionally, things do go wrong and customers will make a complaint about the services they have received or about a decision or outcome they do not believe is correct
- 1.2 A recent project to improve the monitoring and administration of corporate complaints highlighted a requirement to review the complaints policy to better reflect customer requirements, improve the effectiveness of services and to reflect best practice from the Local Government and Social Care Ombudsman.

## **2 Current Procedure**

- 2.1 The existing procedure for corporate complaints does not always provide the appropriate mechanism to resolve an issue. The three stages can result in the same issues being covered repeatedly without further information or resolution; and the definition of a complaint is too broad. This can lead to dispute over policy and formal decisions that cannot be resolved through the complaints process. This causes delay and frustration for the customer.
- 2.2 Complaints other than for social care are not subject to a statutory process. However, the Local Government and Social Care Ombudsman (LGO) publish good practice guidance for councils on running a complaints system. It includes advice on broad principles for effective complaints management and on key issues for policies and procedures. This guidance has been used in the review of the policy.

## **3 Policy Implications**

- 3.1 The draft policy places emphasis on the information resolution of complaints at the point of service delivery level. For complaints entering the formal system, the policy is designed to enable efficient and effective resolution with a two-stage process and reduced overall timescales to avoid duplication and improve efficiency.
- 3.2 The policy incorporates:
  - A clear definition of a complaint
  - A two stage process with limits on timescales to bring the council in line with the LGO
  - A fair approach to the escalation of a complaint
- 3.3 The explanation of complaints in the policy which fall outside the scope of the policy is not intended to discourage complaints from customers. The aim is to encourage customers to use the most appropriate path for their complaint. This could be an appeal or tribunal process. An example of this would be a customer filling in a complaint form in

respect of a housing benefit claim, which should be classed as an appeal and should be processed as such.

#### **4 Training**

- 4.1 The Local Government and Social Care Ombudsman offer training to Councils to assist the administration of their complaints processes. The council has booked this training for spring 2020 and all members of staff involved in the administration of complaints will be attending.

#### **5. Social Media Complaints**

- 5.1 Some customers can raise issues/complaints via the council's social media outlets such as Facebook or twitter. These are usually service requests, which are straightforward to resolve. However, if it is clear it is a complaint, wherever possible, the council will attempt to take the complaint offline and communicate with the customer via email. They will be requested to complete a complaint form to enable the council to consider the complaint according to the full process.

#### **6 Financial Implications**

- 6.1 There are no financial implications.

#### **7 Personnel Implications**

- 7.1 There are no personnel implications.

#### **8 Environmental Considerations**

- 8.1 There are no environmental considerations.

#### **9. Statutory Considerations**

- 9.1 The revised policy is consistent with the council's statutory obligations under the Data Protection Act 2018 and the General Data Protection Regulations.

#### **10. Equality Impact Assessment (EIA)**

- 10.1 A pre-screening form is attached. A full Equality Impact Assessment (EIA) is not required.

#### **11 Risk Management Implications**

- 11.1 A rigorous policy, consistently enforced mitigates the risk of the Local Government and Social Care Ombudsman finding against the council for failing to follow the published policy. It also mitigates the risk of legal action against the council.

#### **12. Declarations of Interest / Dispensations Granted**

12.1 None

### **13 Background Papers**

13.1 Ombudsman guidance on running a complaints system.

<https://www.lgo.org.uk/information-centre/reports/guidance-notes/guidance-on-running-a-complaints-system>

**Pre-Screening Equality Impact Assessment**

Borough Council of  
**King's Lynn & West Norfolk**



|   |   |          |          |         |        |
|---|---|----------|----------|---------|--------|
| Name of policy/service/function   | Corporate Complaints Policy   |          |          |         |        |
| Is this a new or existing policy/service/function?  | Existing  |          |          |         |        |
| <p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>   | <p>The process and administration of managing corporate complaints about a council service.</p> <p>No</p> |          |          |         |        |
| <b>Question</b>   | <b>Answer</b>   |          |          |         |        |
| <p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p> |   | Positive | Negative | Neutral | Unsure |
|   | Age   |          |          | x       |        |
|   | Disability  |          |          | x       |        |
|   | Gender  |          |          | x       |        |
|   | Gender Re-assignment  |          |          | x       |        |
|   | Marriage/civil partnership  |          |          | x       |        |
|   | Pregnancy & maternity   |          |          | x       |        |
|   | Race  |          |          | x       |        |
|   | Religion or belief  |          |          | x       |        |
|   | Sexual orientation  |          |          | x       |        |
|   | Other (eg low income)   |          |          | x       |        |

