



Report for: Cabinet

Date of Meeting:	29 th June 2023
Subject:	Corporate Complaints Policy
Key Decision:	Yes
Responsible Officer:	Jonathan Milbourn - Head of Customer Services and Business Support
Portfolio Holder:	Councillor Stephen Greek - Portfolio Holder for Performance, Communications and Customer Experience
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	All Wards.
Enclosures:	Appendix A - Corporate Complaints Policy

Section 1 – Summary and Recommendations

This report sets out the approach to handling complaints.

Recommendations: Cabinet is requested to approve the corporate complaints policy as attached as an appendix to the report.

Reason (for the recommendations): On the 18 July 2022 Cabinet agreed the vision and principles to improve the customer experience of residents interacting with the Council.

The complaints policy explains how residents can make a complaint regarding the quality of our services, what standards to expect and what to do if still dissatisfied.

Section 2 – Report

Options considered

1. Review the complaints policy to ensure that it meets the needs of our residents
2. Continue with the existing corporate complaints policy.

Option 1 is seen as the most beneficial as it sets out an updated policy which will improve the customer experience.

Current situation

On the 18 July 2022 Cabinet agreed a set of principles to underpin the strategy to improve the Customer Experience

The 7th principle is After Care - along with checking that the issue is resolved we will capture resident feedback across all our channels so that we can further develop our service delivery. ***We will also review our complaints process to ensure that we better improve what we do*** and look at how we best interact with our elected representatives – both Councillors and MPs.

As the Council moves forward with its ambition of restoring pride in Harrow it is pertinent to review and refine the Complaints policy so that it helps the Council achieve its priority to put the resident first. The current complaints process has been in place since 2015 so it is appropriate to review the complaints policy to ensure it is fit for purpose. Good practice guidelines issued by the Local Government and Social Care Ombudsman (LGSCO) state that periodic reviews of the process should be conducted.

The Policy is a coherent framework, underpinning the approach to addressing service dissatisfaction and developing a learning culture to improve services.

The Council will strive to provide high quality services and if something goes wrong or doesn't meet an individual's expectations then we will try to put it right.

Ideally, we will be able to resolve any issues quickly by ensuring that the right people are involved who are able to make changes and decisions when things go wrong and explain the options available.

In the few instances where the Council cannot resolve the issue to the customer's satisfaction then there is a clear process to access the Ombudsman to advise.

The policy will be launched alongside clear guidelines on our website and a simplified suite of guidance and training for staff.

This will enable the Council to proactively manage demand that has been caused by a failure to do something right and support and empower staff to

deliver a consistent experience to our residents and service users that is as good as the best.

The Council will aim to respond to at least 90% of complaints within the performance standards (15 working days for stage I; 20 working days for stage II) as agreed within the flagship actions. Data will be produced on a quarterly basis through the Council's Performance Board process

The reasons for dissatisfaction will be reviewed so that lessons are learnt across the Organisation.

The Policy has been informed by reviewing what works well for residents and staff feedback. Benchmarking was also undertaken to include the review of complaints' policies from other local authorities and best practice Government guidelines.

The Council's approach will allow the Council to more quickly identify themes and track trends. It will also provide structure for training and development of staff, which will build resilience and consistency and in turn, reduce failure demand.

The Council's Complaints policy will be presented clearly for both staff and members of the public. The adoption of the Complaints policy will introduce more clarity for residents and service users and provide information to help improve service delivery across the Council as it does through customer feedback.

Implications of the Recommendation

Considerations

The structure and governance arrangements of how the customer experience is led across the Council has been agreed as part of the wider customer experience programme. There is a staff network for the Council's complaint coordinators to share best practise.

Resources, costs

Although there is no additional cost of implementing the new complaints policy, capacity to deliver against the performance standards will be monitored

Staffing/workforce

Staff guidance has been produced in line with the Complaints policy. A modular training programme around Customer Service and the Customer Experience will be rolled out from June to develop staff skills.

Ward Councillors' comments

Not Applicable

Performance Issues

The percentage of complaints answered within timescale (target of 90%) will be measured through the Performance Board process on a quarterly basis. This is a flagship action for the Council.

An Annual Complaints report will be presented to GARMS sharing the volume and reasons for complaints (including those sent to the LGO), resolution rates and lessons learnt.

Environmental Implications

There are no environmental implications associated with this report

Data Protection Implications

There are no data protection implications associated with this report.

Risk Management Implications

Risks included on corporate or directorate risk register? **YES**

“The Council provides a poor customer service” is included on the corporate risk register and rated at C3 (medium likelihood/moderate impact)

Separate risk register in place? **NO**

Are the relevant risks contained in the register are attached/summarised below? **NO**

The following key risks should be taken onto account when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
The Complaints policy is not adopted by staff.	<ul style="list-style-type: none">• A separate guidance document has been created to inform staff• Complaints coordinators are in place across the Council and network meetings to share best practise is in place.• Officers can liaise with the senior staff within Customer Services for assistance	GREEN
The Complaints policy does not improve the customer experience	<ul style="list-style-type: none">• There are baseline measurements to understand the current position• These will be measured throughout the year so that any necessary restorative actions can take place	GREEN
Customers are unaware of the complaints policy and cannot access it	<ul style="list-style-type: none">• The policy is available on-line• A copy of the policy can be obtained upon request	GREEN

Risk Description	Mitigations	RAG Status
Customers do not understand the policy and/or find it confusing	<ul style="list-style-type: none"> • Council Officers are able to explain the policy • Google Translate can be used to translate the policy into another language 	GREEN

Procurement Implications

There are no procurement implications associated with this report

Legal Implications

Having an effective complaints management system is part of an effective corporate governance framework, allowing the Council to continuously review and improve its services in response to feedback.

Residents and service users who remain dissatisfied with council services, having followed the internal complaints process, have a right to complaint to the LGSCO or the Housing Ombudsman (for landlord related matters). These are independent bodies responsible for investigating complaints made against local authorities (and social landlords). Under the Local Government Act 1974, the LGSCO is responsible for investigating complaints against local authorities, investigating complaints about adult social care providers from people who arrange or fund their own adult social care and for providing advice and guidance on good administrative practice. It is responsible for making findings of maladministration and injustice.

The LGSCO has the power to make recommendations to a local authority following a complaint on how to improve its services and to put things right for the complainant. The recommendations are not mandatory and the local authority does not have to accept or follow them. Remedies recommended by the LGSCO can include an apology, financial compensation, a review of procedures, staff training, and reconsideration of a decision and payment of money where this should have been paid.

Maladministration is not defined in the legislation, however case law has held that it includes bias, neglect, inattention, delay, incompetence, ineptitude, perversity, turpitude and arbitrariness. Examples of maladministration include excessive or unreasonable delay, making misleading or inaccurate statements, failing to follow a specified procedure, failing to consult or liaise, failing to provide information when requested to do so, not keeping adequate records and failing to investigate or reply to a query from a member of the public. The LGSCO is concerned with the manner in which the decision was reached, as opposed to the actual decision.

The LGSCO has published guidance on good complaints handling and principles of good administrative practice. This guidance states that to ensure effective governance the statutory governance officers should be aware of and engaged with complaints and should intervene at the right time. Learning

from complaints should be at the centre of the risk management framework and audit function. The principles for effective complaints handling include getting it right by complying with the law and policies, being customer focused, being open and accountable, acting fairly and proportionately, putting things right, including apologising and putting right injustice and seeking continuous improvement.

There are specific legal requirements for certain types of complaint, including children's social care, adult social care, school admissions and transport, housing benefit and council tax, homelessness, standards and member conduct and parking and traffic offences. Some matters will be outside the complaints policy due to other statutory routes being available to complain about the decision or service.

Financial Implications

There are no financial implications associated with this report. The rollout and implementation of the Complaints process will be contained within existing budgets.

Equalities implications / Public Sector Equality Duty

An initial equality impact assessment is underway as part of the Customer Experience programme.

Council Priorities

Please identify how the decision sought delivers this priority.

- 1. A council that puts residents first**
- 2. A borough that is clean and safe**
- 3. A place where those in need are supported**

The report and action plan are designed to improve the customer experience to ensure that residents are at the heart of service delivery.

Section 3 - Statutory Officer Clearance

Statutory Officer: Sharon Daniels

Signed on behalf of the Chief Financial Officer

Date: 14 June 2023

Statutory Officer: Sarah Wilson
Signed on behalf of the Monitoring Officer
Date: 9th June 2023

Chief Officer: Alex Dewsnap
Signed off by the Managing Director
Date: 8th June 2023

Head of Procurement: Nimesh Mehta
Signed by the Head of Procurement
Date: 9th June 2023

Head of Internal Audit: Neale Burns
Signed by the Head of Internal Audit
Date: 14 June 2023

Mandatory Checks

Ward Councillors notified: NO, as it impacts on all Wards

EqIA carried out: NO

An initial equality impact assessment is underway as part of the Customer Experience programme.

Section 4 - Contact Details and Background Papers

Contact: Jonathan Milbourn, Head of Customer Services & Modernisation, jonathan.milbourn@harrow.gov.uk , 020 8736 6711

Background Papers: None

Call-in waived by the Chair of Overview and Scrutiny Committee - NO