

REPORT TO EXECUTIVE

PORTFOLIO AREA: PERFORMANCE AND FINANCE

Date of Meeting: 18 February 2008

Meeting:

Public: Yes

Key

Decision: Yes

Recorded in Forward Plan: No

Inside Policy Framework: Yes

Title: Corporate Complaints Policy
Report of: Head of Policy and Performance
Report reference: PPP 19/08

Summary:

The report presents Carlisle City Council's Corporate Complaints and Feedback Policy that will complement existing procedures and other complaints policies, and that will improve the ways in which the City Council captures and acts on feedback about the services it provides.

Recommendations:

The Executive Committee is requested to:

1. Consider comments from Corporate Resources Overview and Scrutiny Committee
2. Make any final comments on the draft policy
3. Refer the Policy to Full Council for adoption

Reasons for recommendations:

For the Council to adopt the Corporate Complaints and Feedback Policy in order to improve the ways customer feedback is captured and used to inform future service delivery and continuous improvement.

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Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: "Running and Complaints System" and "Good Administrative Practice" - Guidance - Local Government Ombudsman(LGO). January 2007 - LGO – Annual Letter June 2007

1. BACKGROUND

Carlisle City Council values feedback about its services and recognises the right of all its customers to complain, to compliment or to make a suggestion about its services. The Council is committed to ensuring that it captures and uses customer feedback to inform future service design and delivery and to achieve a better focus on customer needs.

The Corporate Complaints and Feedback Policy (the policy) has been developed based on good practice from other local authorities and guidance notes from the Local Government Ombudsman.

Appropriate amendments will be made to the existing corporate complaint policies and procedures to incorporate the new policy.

2. IMPLEMENTATION

The implementation of this policy will be phased over a number of months in order to allow sufficient time for staff training and to test that the policy and procedures are adequately robust.

Customer Services will be the main providers of the services detailed within the policy. Support will be provided by Committee Services who will set up and run Arbitration Boards. Legal Services will assist with advice and guidance on dealing with the Local Government Ombudsman.

3. CONSULTATION

Senior Management Team

Service Heads

Customer Services

Committee Services

Corporate Resources Overview and Scrutiny Committee; the policy was well received by the Committee. No amendments were requested.

4. IMPLICATIONS

- Staffing/Resources – An additional Customer Services Advisor has been appointed to the Customer Services Team to build capacity to implement and maintain the policy.
- Equality and disability - Carlisle City Council is committed to promoting equality of opportunity and diversity, and to challenging discrimination. The policy has been subject to an Equality Impact Assessment so equality and disability issues were considered as part of the policy development process. The new policy and accompanying procedures detail how we will promote equality of access. Customer profiles of complainants, and

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those making compliments and suggestions, will be monitored and used to improve the service wherever this is possible.

- Financial – Will contribute towards effective and efficient council activity and processes and will be met from existing budgets.
- Legal – There is a requirement to deal with Corporate Complaints in a timely manner, according to the requirements laid out by the Local Government Ombudsman.
- Corporate – The policy will form part of the Council's policy framework and enable the council to capture and act upon all customer feedback to inform performance, to improve services and to track customer satisfaction.
- Risk Management – The way we deal with corporate complaints potentially could impact on the reputation of the Council, for example, through media coverage or through adverse action from the Local Government Ombudsman.
- Environmental – None.
- Crime and Disorder – Monitoring information will identify complaints related to race or other equality issues.
- Impact on Customers – The policy provides clarity for the ways in which complaints and other feedback will be captured and used to inform service improvement.

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Policy Document Control Page		
Title	Title Version	Corporate Complaints and Feedback Policy DRAFT v9.0
Description		This policy describes how we will deal with complaints, compliments and general feedback.
Related Policies and Acts	Acts Policies	Unreasonable and unreasonably persistent complaints policy
Originator	Author Section	Policy and Performance Team
Consultation Process	Referred to and Date	SMT and Service Heads, April 2007 Customer Services, April 2007 Legal Services and Customer Services, October 2007 SMT and Service Heads and Management Briefing, Dec 2007 Executive Committee, December 2007 and Corporate Resources O&S Committee, January 2008 Executive Committee, January 2008 Executive Committee, February 2008 Full Council March, 2008
Circulation	To who: Date	All staff and the Internet
Review	Review Date: Responsibility	Ongoing following implementation Policy and Performance Manager
For Further Ref.		"Running and Complaints System" and "Good Administrative Practice" - Guidance - Local Government Ombudsman(LGO). LGO – Annual Letter June 2007

Carlisle City Council Corporate Complaints and Feedback Policy

1. Policy Statement

Carlisle City Council values feedback about its services and recognises the right of all its stakeholders to complain, compliment or make a suggestion about any Council activity or service. Stakeholders include local residents and businesses, visitors, suppliers of services, community groups and any other group or individual that uses or is affected by our services. The City Council is committed to ensuring that it uses customer feedback to help improve services and to focus on the needs of all our customers.

A Corporate Complaint is a particular type of complaint. The Corporate Complaints and Feedback Policy (the policy) includes the definition of a Corporate Complaint and explains how the City Council will deal with such complaints. The way in which Corporate Complaints are dealt with is referred to as the Corporate Complaints System.

Feedback, in the case of this policy, can be a complaint (corporate or otherwise) a compliment or a suggestion about a service. The policy details definitions of the other types of feedback, how these will be handled and what action we might take as a result.

2. Aims of the Corporate Complaints and Feedback Policy:

- To record all complaints, compliments and suggestions to help us analyse customer feedback and inform future service planning and delivery
- To encourage easy access to the customer feedback process; customers can give feedback in writing, in person, by fax, telephone and by e-mail
- To make a form available to help customers complain, available in hard copy, on-line and as an e-form
- To use plain language in all communications
- To monitor the progress of outstanding complaints to make sure customers receive a response in time
- To publish response targets for responding to feedback
- To keep customers informed when we cannot send them a full response in time
- To inform customers about their right to escalate a complaint when they are dissatisfied with our response
- To conform to the principles of natural justice and treat all customers with dignity and respect
- To reflect at all times other Council policies covering issues such as data protection, human rights and equalities

When a complaint cannot be resolved immediately, we will contact the customer to inform them of a named contact officer, telephone number, and date for a full response.

3. How we will publicise the policy

We will ensure the policy is available:

- In all of our public offices and customer reception areas
- In libraries, leisure centres, museums and the Tourist Information Centre
- At local Citizen Advice Bureaux (CAB), law centres and other advice agencies
- On our web site (www.carlisle.gov.uk)
- In reception areas, e.g. display posters and leaflets

4. How we will promote equality of access

We are committed to ensuring that all people are given full and equal access to the policy.

- We will ensure customer information is available upon request in Braille, large print, community languages, on audiotape and pictorially
- We will monitor customer feedback to make sure all community groups have easy access to the policy and associated procedures and an appropriate resolution
- We will ensure that all complaints (regardless of stage) involving a racist incident are recorded, investigated and monitored

5. Information and Training for employees

Procedures for implementing the policy are included in Appendix A. Employees and Members can receive advice, at any time, from the Customer Services Manager (complaints@carlisle.gov.uk) on anything in connection with the policy and procedures.

Training will be provided to all employees and Members, as appropriate, as part of the Council's on-going training and development programme.

6. Local Resolution

Whenever possible, we aim to deal with all customer feedback (complaints, compliments and suggestions) at the point of service delivery, Stage 1 of the process, Local Resolution of Complaint.

7. What is a Corporate Complaint?

The policy defines a Corporate Complaint as:

“An expression of dissatisfaction about the action taken by the council, or where the council has not taken any action, and the customer wants a further response.”

This definition encompasses a wide range of issues that would be considered as complaints. A service request that does not require the council to take specific action under the complaints system, is not included. The complaints procedures also exclude situations where a customer query is dealt with immediately, at the point of service delivery and the customer does not wish to make a complaint under the complaints system, i.e. they are satisfied with the response.

This definition could include one or more of the following:

- We fail to provide a service to a customer
- We delay in providing a service to a customer
- We provide a poor quality service to a customer or make a mistake. There is no definition of poor quality in the policy, this is based on the perception of the customer. The City Council should either prove the service was not poor quality and to acceptable standards, or apologise and say what it would do differently in the future
- We provide an inappropriate service to a customer. There is no definition of inappropriate service in the policy, this is based on the perception of the customer as above
- We remove or withdraw a service from a customer
- We charge an inappropriate cost for a service
- An employee's behaviour causes upset to a customer
- Council policy unreasonably disadvantages a customer
- We unfairly discriminate against a customer

Appendix B outlines some examples of what is considered a complaint, and what is outside the scope of the policy.

8. What is a compliment?

A compliment is when a customer gives us feedback about how well we deliver a service or how helpful an employee has been.

How will we deal with a compliment?

- We will log details locally within service areas and acknowledge receipt of the customers' compliments within 2 working days, if appropriate
- Excellent service will be acknowledged with individual employees by the Head of Service or appropriate manager

How will we respond to a compliment?

- We will thank the customer for taking an interest in our services and for taking the time to let us know we are providing a good service.

9. What is a suggestion?

A suggestion is when a customer gives us feedback on how we can improve any Council service.

How will we deal with a suggestion?

- We will log details of the suggestion and acknowledge receipt of the within 5 working days. The way we deal with suggestions will be integrated into the Council's Customer Relationship Management system (CRM) as this develops
- The local service manager will consider the suggestion and send a response to the customer within 15 working days

How will we respond to a suggestion?

- We will either explain to the customer how we will implement their suggestion or explain why we are unable to
- We will thank the customer for helping us to improve Council services

Customer Services will collate and monitor compliments and suggestions and will regularly publish this information on the Intranet.

Appendix A

Corporate Complaints and Feedback Procedures

1. How do we deal with a Corporate Complaint?

The Council has a specific procedure for dealing with Corporate Complaints and this is split into a number of stages. All Corporate Complaints must go through each of the stages below, however, very serious Corporate Complaints may go directly to stage 3, or very complex ones to stage 2. This would only be in exceptional circumstances and is at the discretion of the Deputy Chief Executive.

Stage 1

At this stage a member of staff from the service area concerned deals with the Corporate Complaint. It will usually be the first time this complaint has been raised, and is usually something related to the delivery of the service.

Stage 2

At this stage a Corporate Complaint may be about the handling of the initial complaint or about a service decision or failure. It will be dealt with by someone of the appropriate seniority, either the Service Head, Director of the service involved or the Deputy Chief Executive. The level of investigation will be decided upon based on a number of factors including;

- the severity of the complaint
- if the complaint crosses several service boundaries
- if the Service Head or Director request a higher investigation

Stage 3

This is a more formal stage of the Corporate Complaints process and involves Elected Members and an Arbitration Board which hears both sides of the case and makes a decision based on its investigation and findings.

Stage 4

This is an external stage when the Local Government Ombudsman ((LGO) an independent body considers all sides and makes a judgement which will be reported to all parties. Contact details for the LGO are available on the Council's Website.

2. What action can we take to put things right when a Corporate Complaint is vindicated?

- If feasible, we will take some practical action to put things right
- We will ask the customer to suggest what they would like us to do
- We will always try to put the customer back to the position that he or she would have been in but for our mistake

- We may decide that one or more of the following can be done to put things right:
 - Apologise to the customer
 - Provide a service to the customer
 - Provide information to the customer
 - Review customer information (leaflets, posters, etc)
 - Review our working procedures
 - Request members to review a policy
 - Arrange training or guidance for employees
 - Employee action (such as standards setting or change of key worker)

2. How do we deal with customers who remain dissatisfied after we have fully responded to their Corporate Complaint?

We will advise any customer who has been through the whole of our Corporate Complaint policy to contact the Local Government Ombudsman. If the customer makes a further complaint about the same issue, our Chief Executive may write to them informing them that we will not respond to future correspondence about the complaint unless the customer provides new evidence or makes a complaint about a different issue.

3. How do we deal with complaints about our contractors?

We require any organisation that provides services on our behalf to comply with the policy. This means we require our contractors to:

- record and respond to customer feedback
- provide us with information when requested
- assist us with complaint investigations as appropriate

4. How do we deal with a Corporate Complaint made by elected representatives?

Local Councillors and MPs can make a complaint on behalf of a constituent. The complaint will be dealt with in accordance with the policy and procedures.

5. How do we deal with unreasonable or unreasonably persistent complaints?

The Council has a specific, separate policy to deal with this and is available on the website and the intranet.

6. How do we monitor and learn from all feedback?

We will monitor trends and performance as part of the corporate performance management and monitoring framework. We will encourage and assist

Service Heads to define their information requirements. We will develop performance indicators to track the performance of the scheme including:

- Number of complaints
- Performance in acknowledging and responding to escalated complaints
- Number of compliments and suggestions
- Number of complaints involving a racist incident
- Equal opportunities information
- Customer satisfaction with complaint handling

We will monitor:

- Number by type of contact (complaints, compliments, suggestions)
- Methods used to contact us (by phone, in writing, email and so on)
- Time taken to acknowledge and respond to customer feedback
- Number of responses completed and volume of outstanding feedback
- Complaint types and outcomes
- Complaint remedies
- Action taken to improve services (complaints and suggestions)
- Customer satisfaction with the process and outcome
- Quality of complaint responses
- Customer profiles (age, gender, ethnicity and disability), and whether any of these groups received inequality of service

We will learn lessons and improve our services by making sure that action plans are produced and implemented whenever necessary.

7. How do we review the operation of the Corporate Complaints and Feedback Policy?

Our Customer Services Manager will review the effectiveness of the policy on a regular basis. The Customer Services Manager will retain feedback from those that have experienced our customer feedback process at first hand – customers, employees, Members, advice agencies and similar organisations. This would be an annual review, using consultation with front-line staff, members and selected complainants, including, for example, on-line questionnaires to ensure we were doing what we said we would do, and that changes to services were being made as a result of feedback we had received.

8. What complaints are excluded from our policy?

We recognise that some feedback is more appropriately dealt with through other processes, including:

- A complaint that is being dealt with or was previously dealt with by legal proceedings
- An employee's complaint about personnel matters including pay, pensions, disciplinary and grievance issues
- A complaint that is more appropriate for the NHS and Community Care Act or Children's Act complaint procedures

- A complaint that is more appropriate for our “Whistle Blowing” procedure
- A complaint about a service where we have no responsibility
- Matters where a statutory appeal body or tribunal has been established, for example, planning applications, parking representations, Benefit Reviews
- A complaint about an actual policy decision taken by elected Members (or an officer under delegated powers).
- Any complaint which is being dealt with by any of the Council’s partnerships.

Complaints about contractors services which they do on our behalf, may still come through the normal complaints channels.

Appendix B

Examples of Corporate Complaints:

The following categories are Corporate Complaints. Each category is shown with an example to help with the understanding of that category.

- a) Failing to follow the council's procedures/systems/rules, e.g. failing to collect a bin on the advertised day
- b) Delays in providing a service, e.g. delays in meeting agreed time scales for work
- c) Failing to provide a service, e.g. failing to open a facility at the advertised times without good reason
- d) Failing to meet published or advertised service standards, e.g. failing to answer a letter from a customer within 10 working days
- e) Failing to meet our statutory obligations, e.g. providing unsafe facilities for the public
- f) Complaints about the attitudes and/or actions of employees, e.g. an allegation about an officer being rude to a customer
- g) Failing to present all relevant information ready for a decision, e.g. not providing all appropriate facts in reporting to Members

Examples outside the scope of the policy

- a) Complaints where other appeal mechanisms are available, e.g. refusal of planning permission
- b) Complaints about Council policy, e.g. closure of public toilets
- c) Initial request for a service, e.g. report that a street lamp is out
- d) Decisions/actions which are associated with discharging regulatory powers, e.g. hygiene audit of food premises
- e) Complaints where the customer should appeal to a court or tribunal, e.g. valuation of a property for Council Tax banding purposes