

MAIDSTONE BOROUGH COUNCIL
RECORD OF DECISION OF THE CABINET

Decision Made: 10 August 2011

COMPLAINTS POLICY

Issue for Decision

To consider the revised Complaints Policy as set out at Appendix A to the report of the Head of Change and Scrutiny.

Decision Made

1. That the Complaints Policy, as set out at Appendix A of the report of the head of Change and Scrutiny, be approved subject to recommendations from the Corporate Services Overview and Scrutiny Committee.
2. That the responses to the Scrutiny Committee Recommendation Action and Implementation Plan (SCRAIP), as attached at Appendix A, be agreed.

Reasons for Decision

Personnel changes at Maidstone Borough Council have meant that the responsibility for complaints moved to the Head of Change and Scrutiny in the summer of 2010. Following the change in responsibility and the proposal to implement a new correspondence system, the policy is now out of date and requires revision. It should also be noted that the complaints policy is required to be reviewed annually and it has not been reviewed since 2008 and that the guidance note for dealing with vexatious or persistent complainants will be revised in accordance with Local Government Ombudsman Guidance to a policy for dealing with Unreasonable or Persistently Unreasonable Complaints.

In reviewing the policy, the views of staff and customers have been sought as well as guidance from the Local Government Ombudsman. From customer and staff feedback it is apparent that the current policy is not customer facing and is focused on the internal procedures for handling complaints. The new policy is aimed at our customers and includes details on how to make a complaint to the Council, how we will deal with complaints as well as details on monitoring complaints. It is not an internal complaints procedure document for staff. Internal complaints procedures should be developed with customer services once the new correspondence system is in place. The policy does however cover how complaints will be dealt with, by whom and sets out timescales for this. Once the policy has been approved, the Head of Change and Scrutiny will be working with the Communications team to develop a new web page for customers dealing with complaints and a short summary guide to go in the Gateway and other points of customer access.

Whilst 70% of those staff who responded identified that the policy was simple and easy to read there was confusion as to what did and what did not constitute a complaint. The policy clearly states that a complaint can be made about a Council policy as the Local Government Ombudsman advises the "(they) can provide useful intelligence for the Council. As far as the service user is concerned they are a complaints and the service user will expect a response."¹ It is also identified in the policy that a request for service or enquiry about a Council service is not a complaint. With regard to requests for service, if we then fail to meet our set service standards then the customer may take it forward as a complaint. As a consequence of the staff feedback it is recommended that complaints training sessions are held for our front line staff who are most likely to be required to initially log and respond to a complaint. In addition to this a briefing is held with unit managers so we can ensure consistency in how we handle complaints as a council. Confusion centred on whether a complaint about policy should be classed as a complaint and when requests for service become complaints.

We held a small customer focus group with customers who have made complaints asking them about how the policy works in practice and whether the timescales are correct. The feedback from the workshop will be used to inform staff training. The group raised issues that would fall under requests for service as areas where they had, had to contact the council more than once to get a matter resolved and whilst they appreciated they may not be able to speak to the same person every time they did not wish to have to explain in detail their issues every time they phoned. The revised policy was also sent out to a number of customers for review and comment. As a result some of the wording was amended and the feedback will be used to inform the procedure notes that follow.

A meeting was held with key officers to review the policy; as a result of this, the definition has been amended to ensure contractors are included as well as staff. The group also sought clarity on whether policy complaints were complaints; this is now clearly set out in the policy. The other issue raised was the need to monitor requests for services in the complaints reports, where this information was collated this would be included on the complaints report.

Alternatives considered and why rejected

It would not be in the interest of customers or staff to continue with an out of date complaints policy.

Background Papers

Complaints Handling Policy

Guidance note for dealing with persistent and vexatious complainants.

Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Head of Change and Scrutiny by: **18 August 2011**

¹ Local Government Ombudsman, Guidance on Running a Complaints System

SCRUTINY COMMITTEE RECOMMENDATION ACTION AND IMPLEMENTATION PLAN (SCRAIP)

Committee: Corporate Services Overview and Scrutiny

Meeting Date: 2 August 2011

Minute N^o: 44

Topic: Complaints Policy

Recommendationⁱ	Cabinet Memberⁱⁱ	Responseⁱⁱⁱ	Timetable^{iv}	Lead Officer^v
a) MEPs should be added to section 7. of the Complaints Policy to read 'Complaints from Councillors, MPs and MEPs';	Corporate Services	Agreed – policy will be amended	Cabinet – 10 August 2011	Angela Woodhouse
b) Staff Training should be extended to include long serving Officers as well as front-line customer services;	Corporate Services	Agreed- Heads of Service and Unit Managers will be requested to nominate appropriate members of staff to attend the training this should include long serving officers.		Ellie Kershaw
c) Members should be advised by email when the updates were made to the website and the leaflet being designed for customers would be circulated	Corporate Services	Agreed		Ellie Kershaw

electronically; and				
d) That the Committee should be updated on the implementation of the Complaints Policy in 6 months time. Corporate Services	Corporate Services	Agreed		Ellie Kershaw

Notes on the completion of SCRAIP

ⁱ Report recommendations are listed as found in the report.

ⁱⁱ Insert in this box the Cabinet Member whose portfolio the recommendation falls within.

ⁱⁱⁱ The Officer/Cabinet Member responsible for responding to the recommendation should indicate in this box either the acceptance or rejection of the recommendation.

If the recommendation is rejected an explanation for its rejection should be provided. The 'timetable' and 'lead officer' boxes can be left blank

If the recommendation is accepted an explanation of the action to be taken to implement the recommendation should be recorded in this box. Please also complete the 'timetable' and 'lead officer' boxes.

^{iv} The Officer/Cabinet Member responsible for responding to the recommendation should indicate in this box when the action indicated in the previous box will be implemented.

^v The Officer/Cabinet Member responsible for responding to the recommendation should indicate in this box the Officer responsible for the implementation of the action highlighted in the 'response' box.