

MAIDSTONE BOROUGH COUNCIL

CORPORATE SERVICES OVERVIEW AND SCRUTINY

6 SEPTEMBER 2011

REPORT OF THE HEAD OF CHANGE AND SCRUTINY

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1. REVIEW OF COMPLAINTS APRIL-JUNE 2011

1.1 Issue for Decision

- 1.1.1 To consider the Council's performance in dealing with complaints during April –June 2011 and to note the areas identified for improvement.
- 1.1.2 To consider the Council's performance in dealing with complaints sent via the Ombudsman for the year 2010-2011.

1.2 Recommendation of the Head of Change and Scrutiny

- 1.2.1 That the Committee notes the performance in relation to complaints and agrees action as appropriate.
- 1.2.2 That the contents of the Ombudsman report are noted.
- 1.2.3 That any recommendations made by the Standards Committee on 25 August are noted.

1.3 Reasons for Recommendation

- 1.3.1 In order to ensure that complaints are being handled effectively and within corporate timescales it is important that a monitoring mechanism is in place.
- 1.3.2 Details of the complaints received broken down by service area, category and performance can be found at Appendix A.
- 1.3.3 During the period April-June 2011 there were a total of 97 complaints of which 87% (84) were responded to in time.
- 1.3.4 Of those complaints responded to outside of the target times, six concerned council tax/business rates and four concerned housing. No other department had more than one out of target. Whilst the closure

rate for housing complaints was still below target at 67% this is an improvement on the 50% closure rate achieved in the previous quarter.

- 1.3.5 The services with the highest numbers of complaints were;
- Waste collection had 14 complaints, five of which related to non collection of waste or recycling;
 - Council tax/business rates with 13, six of which related to the withdrawal of payment slips;
 - Development control had 13 complaints with no particular trend;
 - Housing options/private sector housing had 12 complaints, four of which concerned the allocations policy; and
 - Pollution had 12 complaints, five of which related to the behaviour of litter enforcement officers.
- 1.3.6 13 stage two complaints were processed in this quarter of which 12 (92%) were answered within timescale. Three of these concerned development control, three related to planning enforcement and two related to housing.
- 1.3.7 During the same period in 2010/11;
- 68 stage one complaints were processed of which 99% were processed in time;
 - The services with the most complaints were parking enforcement (16), council tax/business rates (12) and development control (8).
 - 11 stage two complaints were processed, all within time.
 - There is no correlation between complaints over the two years.
- 1.3.8 75 complaints surveys were sent out, 34 (45%) of which were returned. There were also four that came back as addressee unknown- these were housing complaints and customers may therefore have moved since making their complaint. A breakdown of the returned surveys can be found at Appendix B.
- 1.3.9 Seven of the returned surveys resulted in further correspondence with customers who were still unhappy and had made specific comments as to why on their surveys.
- Building surveying- wrote and explained that what they were still unhappy with was a service provided by Hyde Housing. Hyde was made aware of the issue.
 - Council tax- customer was sent a payment booklet and advised again of his right to take the complaint to stage 2. He has not done so.
 - Development control (2) - one customer had not received the response letter, copy sent. Another made a comment about a member of staff being unhelpful- this was fed back to the manager.

- Housing – customer was written to inviting her to provide more detail to enable us to carry out a subject access request for her.
- Waste (2) - arranged for one customer to have the hire of their garden waste bin extended further as compensation for the purchase of green sacks that were not needed. Another customer was written to explaining that he was not entitled to a larger waste bin.

1.4 Other issues

1.4.1A new complaints policy has been drafted with customer and staff involvement and approved by Cabinet. This has been covered in detail in a separate report. The policy is intended to make the process clearer for staff and customers. A new set of web pages will now be created to make it easy for residents to see how to make a complaint and what the process involves. Information about making a Subject Access Request and Freedom of Information will also be included to make navigation as easy as possible. We will be asking for customer feedback on the pages.

1.4.2 The customers who were consulted on the policy were ones who had been through the complaints process themselves. As a result of the consultation, one of these customers has offered to fund an award for staff who to deal with a complaint in such a manner that the complainant ends the process satisfied even if the outcome is not what they wanted. It was agreed at CMT that MBC does not have a protocol to accept the money offered, however, the idea will be taken forward and incorporated into the STRIVE awards. Satisfaction surveys and customer comments will be used to determine who should be rewarded.

1.4.2 Whilst the housing allocation scheme drew a number of complaints, this could be due to the frustration of applicants not being able to access housing. MBC is experiencing a noticeable increase in demand for social housing as a result of the prevailing economy, particularly for larger family accommodation. However, a review of the allocation scheme is taking place in readiness for changes being brought about by the proposals in the Localism Bill. Whilst housing had a low response rate, this was due to the complexity of the issues and the customers were contacted throughout the investigations.

1.4.3 When Council tax payment slips were withdrawn it was done without any notice to the taxpayer or any alternative being put in place. In hindsight it could have been dealt with in other ways, such as delaying the decision to withdraw them for a year and giving more notice. This will be taken into consideration in future policy decisions and other options will be considered for next year.

There was also an issue with a low response rate in time within this service. In future it has been requested that the complaints are sent to

the Revenues Manager instead of the Head of Revenues and Benefits Partnership in an effort to address this.

1.4.4 16 of the 34 returned surveys stated that their complaint had not been understood correctly. Seven of these were the customers detailed in 1.3.9 who had been contacted following their survey responses. In seven of the other cases the Policy and Review Officer was satisfied that the questions had been answered. In one the section has been contacted as the complaints policy was incorrectly quoted. In the final case the customer has been contacted asking if they would like to escalate their complaint to stage 2. However, since the survey was returned, their outstanding issue has been satisfactorily resolved. It is important that when signing off responses, Heads of Service ensure that the original complaint has been properly addressed and that corporate information contained in the response is correct.

1.4.5 The Policy and Review Officer is working with Learning and Development to create customer care training for staff and a session on writing complaints responses.

1.5 Ombudsman report

1.5.1 The Ombudsman has only provided a limited amount of information this year. Only Councils who have had over 50 complaints, poor response times or who have been issued a report have received a tailored letter. The complaints the Ombudsman received about MBC compared to our nearest neighbours is shown in the table below.

Council	Total	Local settlement	No Maladministration, no report	Ombudsman's discretion	Outside jurisdiction
Maidstone BC	23	5	7	6	5
Ashford BC	23	5	11	4	3
Basingstoke & Dearne BC	16	0	12	3	1
Braintree DC	12	2	8	1	1
Chelmsford BC	9	2	3	4	0
Colchester BC	23	6	13	4	0
Mid Sussex DC	13	1	2	8	2
Stafford BC	8	0	5	2	1
Test Valley BC	7	1	4	1	1
Tonbridge & Malling BC	9	0	7	1	1
Warwick DC	8	2	1	4	1
Wychavon DC	6	1	3	1	1

1.5.2 The Ombudsman considered 23 complaints about the Council. Of these five were closed with a local settlement and a further five were judged

to be outside the Ombudsman's discretion. There were no maladministration findings against the Council.

1.6 Alternative action and why not recommended

1.6.1 The Council's complaints management follows the Local Government Ombudsman's best practice. Managing complaints is a key means of ensuring the Council's objectives are delivered to a consistently high standard.

1.7 Impact on corporate objectives

1.7.1 Customer service is a core value and management of complaints is critical to the success of this objective.

1.8 Risk Management

1.8.1 Failure to manage complaints in a robust fashion represents both a financial and reputational risk to the Council. Regular reports are produced for CMT and Heads of Service are reminded of their responsibilities. Monitoring is carried out by the Policy and Review Officer overseen by the Head of Change and Scrutiny.

1.9 Other Implications

1.9.1

1.	Financial	x
2.	Staffing	
3.	Legal	
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	
6.	Community Safety	
7.	Human Rights Act	
8.	Procurement	
9.	Asset Management	

1.9.2 Two lots of compensation, for £50 and £150 were paid in this quarter on the recommendation of the Ombudsman. These both related to poor communication from private sector housing.

1.9.3 The four financial Ombudsman local settlements in 2010/11 were;

- £525.65 with regards to housing benefit
- £50 with regards to planning enforcement
- £50 with regards to private sector housing
- £50with regards to development management

1.9.4 Not all settlements are cash payments. The fifth settlement was an undertaking that we would monitor anti-social behaviour problems at a play area and liaise with the police and complainant.

1.10 Relevant Documents

1.10.1Appendices

<u>IS THIS A KEY DECISION REPORT?</u>			
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If yes, when did it first appear in the Forward Plan?			
This is a Key Decision because:			
Wards/Parishes affected:			

Appendix A- complaints breakdown
Appendix B- surveys