

MAIDSTONE BOROUGH COUNCIL

CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE

7TH AUGUST 2012

REPORT OF THE HEAD OF CHANGE AND SCRUTINY

Report prepared by Catherine Negus

1. REVIEW OF COMPLAINTS 2011-2012

1.1 Issue for Decision

1.1.1 To consider the Council's performance in dealing with complaints for the period 1st April 2011 to 31st March 2012.

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 a corporate policy regarding the use of voicemail be agreed by SLT in order to reduce the potential for complaints about lack of contact or time taken to respond by officers, which has been a trend in some services (see 1.5.2.1).

1.3 Reasons for Recommendation

1.3.1 In order to ensure that complaints are being answered within corporate timescales and to a high standard it is important that a monitoring mechanism is in place. Through proper analysis, complaints can be used not only to measure dissatisfaction but as an improvement tool.

1.3.2 A breakdown of the Stage 1 complaints closed during this year, including timeliness and category, is included at Appendix A. During the year the Council received a total of 408 stage 1 complaints of which 365 (89%) were answered within 10 working days. This is lower than the 90% recorded in 2010-2011 and 96% in 2009-10.

1.3.3 The services with the highest number of complaints (30+) were:

Service	Complaints
Development Management	85
Waste Services	83
Environmental Enforcement	56
Housing options/PSH	47
Revenues	30

1.3.4 The services with a performance below the Council's average for answering complaints within 10 days were:

Service	Number of complaints	% answered on time
Community Partnerships	1	0%
Community Safety	1	0%
Complaints	2	0%
Hazlitt Theatre	1	0%
Museum	1	0%
Housing options/PSH	47	60%
Revenues	30	70%
Benefits	11	73%
Democratic Services	6	83%
Parks and Leisure	8	88%

1.3.5 There were a total of 47 Stage 2 complaints this year, of which 41 (87%) were closed on time. This is an improvement from 75% on time last year. In every quarter the largest number of Stage 2 complaints related to Development Management, often including complaints from people who were unhappy with planning decisions.

1.3.6 A breakdown of complaints survey responses received during the year is included at Appendix B. During the year 318 complaints satisfaction surveys were sent out and 118 (37%) were returned. 32% of respondents were satisfied with the handling of their complaint. 51% were not satisfied. 16% were either 'neither satisfied nor dissatisfied' or gave an unclear answer. The services which had at least ten returns with the lower percentage of satisfied survey respondents than the Council as a whole were:

Service	Number of survey returns	%Satisfied
Housing options/PSH	10	0%
Development Management	23	22%

1.4 The Principal Planning Officer is of the view that as complaints from aggrieved residents will not alter the decision made on planning applications, in many cases no response will satisfy the complainant. Any further details provided about why customers were dissatisfied will be collated during the next year.

1.5 Actions taken in 2011-12

1.5.1 *Complaint response times and action taken*

- 1.5.1.1 There has been variation in the Housing department's performance in responding to complaints on time. This improved from 67% to 86% in Q2 when a specific officer was allocated to deal with complaints. It then deteriorated to 20% in Q3 when the officer went on long-term sick leave. Executive support was provided to help deal with complaints and 67% were responded to on time in Q4. The Head of Housing and Community Safety believes many complaints should be reclassified as 'appeals' in order to be dealt with by the most efficient route. By statute, 40 days are allowed for dealing with appeals due to their complexity (see 1.5.2.4).
- 1.5.1.2 The Revenues service began the year with a very low on-time response rate of 54%; this improved when complaints began to be sent directly to the Revenues Manager. The on-time response rate has currently stabilised around 75%, though this is not yet ideal.
- 1.5.1.3 The poor percentage of on-time responses for Community Partnerships, Community Safety, the Hazlitt Theatre, the Museum, Democratic Services, and Parks and Leisure was in each case due to only one overdue complaint response. There were 2 complaints about the way other complaints were handled, one from a persistent complainant. Benefits had three overdue complaints but all three were in Q4, meaning a decline from 100% in Q1-3 to 25% in Q4. The responding officer believes this may have been due to problems accessing the complaints system when he was working at Tunbridge Wells leading to the complaints being responded to on time but closed late on the system. This was the case for one of the complaints and not the case for a second; it is not possible to ascertain what happened in the third case as the response letter has not been uploaded to Anite.
- 1.5.1.4 Details were sought from the Waste Manager as to how Waste Services' consistently good complaints management performance is achieved. She stated that she deals with all complaints personally, immediately ensuring that they are investigated by our contractor and monitoring officer, then responding as soon as this is done. The department also has a standard response to complaints about policy, which is tailored to the specific issues of complainants. This approach has been recommended to managers of departments with high rates of complaints and unsatisfactory on-time response rates.

1.5.2 *Trends and action taken*

- 1.5.2.1 The Head of Planning has commented that the number of complaints about Development Management (85) reflects the high profile of the service, including the high volume of planning applications. Furthermore, a more disciplined, efficient stance has been taken recently whereby 'dialogue' letters about planning decisions are re-

categorised as complaints. The largest number of complaints (28) was about service. Many of the 27 complaints about policy were from people who are unhappy about planning decisions. In Q2 and Q3 there were also many (15) complaints about the time taken to deal with issues, many of which were combined with complaints about the lack of contact from officers. The Head of Planning observes that most objectors wish to discuss their concerns; however, this must be balanced with the need to get on with determining applications. However, it is recognised that, on occasion, planning officers could be more prompt in returning calls so general training is taking place in order to address this issue. As this issue was also raised during the Peer Review of the service and has been noticed internally as a problem with various departments, it is recommended that SLT agree a corporate policy regarding the use of voicemail. This might include voicemail recordings giving callers an accurate expectation of when they will receive a response. It is suggested that Development Management consider whether there is a better way to manage incoming calls without disrupting the core work of officers, for example having one officer on duty to take incoming calls.

1.5.2.2 Waste Services received a high number of complaints (83) due to the fact that it serves every resident of the Borough (over 1.8 million collections were made in Q4 alone). The vast majority of complaints (59) were about service issues - such as missed bins (or failure to return to collect missed bins). However, many of these complaints were unsubstantiated as there was often a valid reason for non-collection. Procedures were put in place to prevent problems in Q2 with the supply of garden sacks from recurring: stock is now monitored weekly and there is a reserve of sacks with the manufacturer. A lower limit has been put in place to ensure sufficient time to replenish stocks. The service received 4 complaints about the policy of non-collection of garden waste over Christmas, 2 of which were about insufficient notice given. The garden service has been suspended over Christmas for the past few years and this is advertised through the annual recycling calendar. It is believed that the complaints this year were due to the unseasonal weather resulting in higher than expected garden waste production.

1.5.2.3 Environmental Enforcement received the third highest number of complaints (56). Many of these (21) were about staff, which is unusual among Council services in Maidstone. Of these a large proportion was about litter enforcement staff and many complaints about litter policy also criticized the attitude of staff. In all of these cases but one, the complaint respondent viewed video footage and was satisfied that staff had behaved in a polite and professional manner. There were also 14 complaints about policy, of which again a large number were about the litter fines (including e.g. lack of discount for early payment).

- 1.5.2.4 Whilst Housing drew a high number of complaints (47), particularly about 'service' (20), this could be due to the frustration of applicants not being able to access housing. The Council is experiencing a noticeable increase in demand for social housing as a result of the prevailing economy, particularly for larger family accommodation. The Head of Housing and Community Services believes many such complaints should be reclassified as 'appeals' – for example, where people complain about the number of points they have been allocated rather than about administrative errors or the policy for points allocation. The new IT system will hopefully make this easier. The Q4 report recommends that the Housing service develop criteria for classifying communications as complaints or appeals (See 1.5.1.1 above).
- 1.5.2.5 Revenues received 30 complaints, of which 18 were about service. Failures in the way the withdrawal of Council tax payment slips was implemented were noted and will be taken into consideration in future policy decisions.
- 1.5.2.6 Although there were five complaints about Parking staff in Q2, the Parking Services manager was satisfied that these were unrelated and did not highlight any training issues. These related to the contracted civil enforcement staff and not Council staff.
- 1.5.3 Equality implications: Cases of potential discrimination have been examined and most found to be without grounds. In one case in Q3 a complainant stated that a parking officer had asked a disabled person to get out of a vehicle. Procedures were clarified with APCOA. In Q4 one person complained because when a bus departed late and hence after 9.30am, elderly people with free passes were still not allowed to board and had to catch a busy later bus. The bus company was reminded of the need to ensure that the timetable and conditions for boarding are properly applied. There have been some allegations that litter enforcement officers target vulnerable people (such as lone women or the elderly), but investigation by the Environmental Enforcement team showed that the majority of fines are issued to males and to the age group 20-29.
- 1.5.4 Community safety implications: Action has been taken to prevent a repetition of two cases in Q3 where letters were sent erroneously to the ex-partners of customers. In Q4 a lady tripped on temporary road surfacing during high street works – this complaint was passed to the contractor. The complaints handler is following up with the contractor to find out what action was taken.
- 1.5.5 Where a customer raised issues on their satisfaction survey response these were followed up to ensure that the Council had done as much as possible to resolve the complaint.

- 1.5.6 There have been repeated problems with the quality of information recorded about complaints. The Q4 report recommends that a set of reminders be included in the Core Brief about good practice in complaints recording and also management, such as ensuring that a response is coordinated between different departments in the first instance, and that if a second complaint is received it is dealt with under Stage 2 if the service believes the issue has been answered.
- 1.5.7 A new complaints policy was approved. This is easier to understand than the old policy and was opened to public consultation.
- 1.5.8 The current Complaints IT software is not functioning properly. The Corporate Services Overview and Scrutiny Committee on 6th March 2012 recommended that the implementation of the new complaints/correspondence system be reviewed and completed using project management principles. Since then, the new correspondence system has been installed on site and the system is being integrated with the Council's address database (LLPG) to ensure accurate address data and customer identification. All the Complaints and Freedom of Information reports from existing systems will be replicated, and any further reporting requirements will be identified and developed. An extensive training exercise is underway to ensure all users of the system will be fully competent by the time it goes live.
- 1.5.9 Given that using the new IT system will make it unnecessary for the officer monitoring complaints to check and classify each record individually, directors have requested that they be involved in quality checking complaints responses and records in future. 25% of complaint responses will be checked by directors once the new system is in place. This procedure will be reviewed after six months.
- 1.5.10 The annual report from the Ombudsman (see Appendix C) shows that 35 enquiries and complaints were received by the Ombudsman, of which 29 were forwarded to their investigative team, of which 17 were investigated. In 11 of these cases there was not enough evidence of a fault, or no injustice found. In the final 6 cases, the injustice was remedied during enquiries. In the covering letter, the Ombudsman commented, 'I am pleased to say that I have no concerns about your authority's response times and there are no issues arising from the complaints that I want to bring to your attention.'

1.6 Future plans

- 1.6.1 The system will initially go live in June for Complaints and Freedom of Information requests, then subsequently for Environmental Impact Requests, Data Protection subject access requests, compliments, MP letters and Parish Council letters.

1.6.2 The Policy and Performance team will be reviewing the vexatious complaints policy before the end of the year.

1.6.3 The theatre-style customer care training developed with the Hazlitt will be rolled out. The Human Resources department is producing an outline of new customer care training for the Museum, and those sessions which have already been piloted will be run first. Training in writing friendly complaints responses is being included as one of this year's training needs.

1.7 Impact on Corporate Objectives

1.7.1 Customer service is a core value and one of the Council's priorities is Corporate and Customer Excellence. Management of complaints is critical to the success of this objective.

1.8 Risk Management

1.8.1 Failure to manage complaints represents both a financial and reputational risk to the Council. Regular reports are produced for CLT and also presented to the Corporate Services Overview and Scrutiny Committee and the Standards Committee. Monitoring is carried out by the Policy and Performance Manager.

1.9 Other Implications

1.9.1

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

1.9.2 A total of £900 was paid in compensation in 2011/12.

Quarter	Department	Amount	Reason
Q1	Housing	£50	Recommendation of Ombudsman due to poor communication
Q1	Housing	£150	Recommendation of Ombudsman due to poor communication
Q2	Council Tax	£250	Recommendation of Ombudsman due to non-payment of benefit followed by delay and misleading information, meaning the Council eventually paid benefit 18 months late
Q4	Housing	£450	Compensation for failure to issue a customer with a decision letter as required by Section 184 of Housing Act 1996

2 Appendices

Appendix A – 2011-12 Complaints Timeliness and Categorisation

Appendix B – 2011-12 Complaints Handling Satisfaction Data

IS THIS A KEY DECISION REPORT?

Yes

X

If yes, when did it first appear in the Forward Plan?

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This is a Key Decision because:

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Wards/Parishes affected:

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