

**TITLE OF REPORT: UPDATE OF COMMENTS, COMPLIMENTS AND COMPLAINTS POLICY**

REPORT OF THE STRATEGIC DIRECTOR OF CUSTOMER SERVICES  
PORTFOLIO HOLDER: COUNCILLOR MRS L.A. NEEDHAM

**1. SUMMARY**

- 1.1 This report seeks Cabinet approval to adopt the revised Comments, Compliments and Complaints policy also known as (3Cs) in order to ensure it is current and reflects best practice.
- 1.2 The policy has been updated to provide a clear and easy to understand explanation about how North Hertfordshire District Council (NHDC) manage and deal with customer feedback and whilst this is a general policy update there are some key points highlighted below:
  - The updated policy follows good practice guidance set out by the Local Government Ombudsman (LGO).
  - The introduction of an Unreasonable Complainant's Policy and the Community Trigger in 2013 and 2014 has been cross referenced in the updated policy.
  - The updated policy includes an amendment to the current two stage process; which is to introduce criteria to allow a complaint to escalate to Stage 2 of the complaints process and if the criteria is not met to signpost the complainant to the LGO for an independent review.

**2. RECOMMENDATIONS**

- 2.1 That Cabinet approve the updated Comments, Compliments and Complaints Policy.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To ensure that the NHDC Policy for Comments, Compliments and Complaints is up to date, clear and easy for our customers to understand whilst being aligned with current good practice set out by the Local Government Ombudsman.
- 3.2 To enable the most effective use of resources by the introduction of escalation criteria to request a Stage 2 review of a complaint and to effectively manage customer expectations.
- 3.3 A recent internal audit of the Customer Service Centre carried out by Price Waterhouse Coopers on behalf of Shared Internal Audit Service in January 2015 recommended that the policy is updated.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 No alternatives have been considered as this is an update to existing policy.

## 5. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 5.1 Consultation has taken place with the Portfolio Holder and with officers from the Local Government Ombudsman's office.

## 6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision but was entered in the Forward Plan on 19 December 2014.

## 7. BACKGROUND

- 7.1 At North Hertfordshire District Council (NHDC) we endeavour to provide high quality services to our customers, however, we recognise that on occasion, despite our best efforts things can go wrong. By welcoming feedback through our Comments, Compliments and Complaints (3Cs) procedures we can try to remedy situations that have gone wrong and continue to improve our services as well as learn from examples of positive feedback about things that have been done well.
- 7.2 To enable us to effectively capture, monitor and act on feedback we have a 3Cs system which adheres to the stringent standards set by the British Standards Institute in their Complaints Management System Standard ISO 10002/2004.
- 7.3 While all councils have a policy and defined processes for managing customer feedback, the structure of the policy will vary. For example at NHDC we operate a two stage process for managing complaints; some councils operate a one stage process.
- 7.4 In conjunction with the NHDC complaints policy, the unreasonable complainant's policy was adopted by Cabinet in December 2013, this along with the new community trigger policy, introduced in October 2014 have been cross referenced in the updated 3Cs policy.
- 7.5 Overview and Scrutiny Committee receive a report twice a year, reporting key data relating to the volumes and performance handling of 3Cs, for the purpose of useful background information some key data is included below:

	10/11	11/12	12/13	13/14
Contacts into NHDC (telephone, email and face to face)	651,000	665,000	683,000	772,000
Comments *	715	666	448	315
Compliments *	1986	2173	1345	469
Complaints *	933	910	1153	629
Stage 2 Complaints	24	24	18	36
LGO complaints	10	4	13	11
% of complaints resolved within 10 days	66%	62%	70%	71%

*\*includes contractor data*

## 8. ISSUES

- 8.1 The Comments, Compliments and Complaints policy is due to be updated and needs to provide a clear understanding for our customers as to how NHDC will manage and deal with customer feedback, in particular complaints.
- 8.2 In addition to the general updates to the Policy a change to the two stage process is being recommended as detailed at 8.3 – 8.7.
- 8.3 The current policy has a two stage process which applies to all complaints; this means that if a complainant is dissatisfied with the outcome of a complaint at Stage 1, which will have been investigated by a service manager, they can choose to escalate it to Stage 2 to have the complaint reviewed by a Head of Service or senior manager. If the complainant is still dissatisfied with the Stage 2 outcome they can choose to escalate it to the Local Government Ombudsman (LGO) for an independent review.
- 8.4 In most cases the outcome of a complaint does not change at Stage 2 and whilst the numbers of Stage 2 complaints are not unmanageable (there were 12 in the first six months of 14/15 of which none were upheld) there is usually no change at Stage 2 either because the complaint has been handled correctly at Stage 1 or the complaint relates to a disagreement with policy.
- 8.5 To manage our customers expectations effectively and to ensure the most effective use of Senior Management resources the updated policy will still allow a complaint to be escalated to Stage 2 but only under certain circumstances which are listed below:
- 8.5.1 The customer believes the complaint has not been fully understood or investigated thoroughly due to a misunderstanding of the original complaint.
- 8.5.2 That all points raised in the complaint have not been fully responded to.
- 8.5.3 A response to the Stage 1 complaint has not been provided within the prescribed timescales and an indication of when a response can be expected has not been received.
- 8.6 A number of actions have already been or will be implemented to support this change, including;
- The introduction of timed reminders and automatic escalations in the new Customer Relationship Management (CRM) system to remind managers of due completion dates of complaints and alert Senior managers at an early stage if complaint completion target dates are breached. Additionally quarterly reporting of high level complaint data to the Senior Management Team (SMT) with more detailed reporting presented to Overview and Scrutiny Committee twice a year.
  - Effective complaint handling training has been delivered by the LGOs office to a number of managers who deal with complaints.
  - Updated manager's guidance and letter templates will be made available on the intranet to ensure consistency in approach to responding to complaints.
- 8.7 Flow charts to show the current procedure and the proposed procedure are attached as Appendices C and D.

## 9. LEGAL IMPLICATIONS

- 9.1 Whilst the LGO will only consider complaints after they have been considered by a Local Authority, there is a benefit in ensuring that the system employed by the Council reflects the good practice Guidance issued by the LGO as it reduces the likelihood of a complaint being upheld and/ or recommendation of compensation.
- 9.2 The Cabinet has remit to agree to implement policies under its Terms of Reference (5.6.1), which are not reserved to Full Council.

## 10. FINANCIAL IMPLICATIONS

- 10.1 Claims for damages and compensation could be significant should the 3Cs procedure not be followed. Although no specific provision is made for compensation or costs, outside of insurable claims, any costs would have to be found from within existing budgets.
- 10.2 The introduction of clear criteria within the policy will assist the council in managing expectations and making the most effective use of resources available.

## 11. RISK IMPLICATIONS

- 11.1 Not having an up to date 3C's policy, could lead to the Council failing to capture an important area of performance management and not complying with best practice. The adoption of a revised policy mitigates this risk. Furthermore, feedback through 3C's provides an opportunity to rectify any short comings in service delivery and areas of good practice to be recognised.
- 11.2 There is a risk that the policy will not be followed but this is mitigated through training and the provision of clear guidance (as referred to in 8.6 of this report)

## 12. EQUALITIES IMPLICATIONS

- 12.1 The Equality Act 2010 came into force on the 1<sup>st</sup> October 2010, a major piece of legislation. The Act also created a new Public Sector Equality Duty, which came into force on the 5<sup>th</sup> April 2011. There is a General duty, described in 12.2, that public bodies must meet, underpinned by more specific duties which are designed to help meet them.
- 12.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give **due regard** to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.3 The authority actively promotes the opportunities available to the public to report issues that concern them. Whether this is to either make a comment or a complaint regarding the services we provide. Whilst that may increase the number of 3Cs we ultimately receive, it is important that this avenue of communication and 'voice' remains available to all sections of the community. By further refining the process in which the council handles and monitors those complaints, we strive to improve the council's service to the community.

### **13. SOCIAL VALUE IMPLICATIONS**

- 13.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at Paragraph 12.

### **14. HUMAN RESOURCE IMPLICATIONS**

- 14.1 The Council has well established and effective training events to ensure that staff receive behavioural and procedural training specifically for the requirements of the 3Cs procedure.

### **15. APPENDICES**

Appendix A – Current Comments, Compliments and Complaints Policy.

Appendix B – Updated Comments, Compliments and Complaints Policy.

Appendix C – Current Complaints Process (flow chart).

Appendix D – Proposed Complaints Process (flow chart).

### **16. CONTACT OFFICERS**

- 16.1 Report Author:  
Jo Dufficy, Customer Service Manager  
01462 474555  
[johanne.dufficy@north-herts.gov.uk](mailto:johanne.dufficy@north-herts.gov.uk)

#### **16.2 Contributors**

John Robinson, Strategic Director Customer Services  
01462 474655  
[john.robinson@north-herts.gov.uk](mailto:john.robinson@north-herts.gov.uk)

Fiona Timms, Performance and Risk Manager  
01462 474251  
[fiona.timms@north-herts.gov.uk](mailto:fiona.timms@north-herts.gov.uk)

Andrew Cavanagh, Head of Finance, Performance and Asset Management,  
01462 474243  
[andrew.cavanagh@north-herts.gov.uk](mailto:andrew.cavanagh@north-herts.gov.uk)

Jeanette Thompson, Senior Lawyer,  
01462 474370  
[jeanette.thompson@north-herts.gov.uk](mailto:jeanette.thompson@north-herts.gov.uk)

Reuben Ayavoo, Policy Officer,  
01462 474212  
[reuben.ayavoo@north-herts.gov.uk](mailto:reuben.ayavoo@north-herts.gov.uk)

Rebecca Webb, HR Operations Manager  
01462 474481  
[rebecca.webb@north-herts.gov.uk](mailto:rebecca.webb@north-herts.gov.uk)

**17. BACKGROUND PAPERS**

17.1 None.