

CABINET
13 September 2022

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: 3C's Policy

REPORT OF: Customer Service Manager

EXECUTIVE MEMBER: LEADER OF THE COUNCIL - Councillor Elizabeth Dennis-Harburg

COUNCIL PRIORITY: PEOPLE FIRST

1. EXECUTIVE SUMMARY

- 1.1 This report proposes amendments to the Comments, Compliments and Complaints (3C's) policy, based on experiences, learning and discussions since the last policy review in 2019. An overview of those amendments is included in section 8.

2. RECOMMENDATIONS

- 2.1. That Cabinet adopt the following documents:
- Updated 3C's Policy
 - Appendix A – Complaint Flow Chart
 - Appendix B – Unreasonable Complainant (& Contact) Policy
- 2.2. That Cabinet agree to delegate any minor changes in relation to the 3C's policy to the Service Director – Customers in consultation with the Executive Member for the Customer Service Centre.

3. REASONS FOR RECOMMENDATIONS

- 3.1. The recommendations are being made to ensure the 3C's policy stays current and reflects learning since the last review date. The policy continues to remain in line with Local Government Ombudsman (LGO) best practice.
- 3.2. Some of the specific updates and amendments address matters that have arisen for the first time and therefore adding them now helps to ensure the policy is clear for all going forward.
- 3.3. The updates ensure the Council has a robust policy to refer to when required, and customers are clear on how the policy works.
- 3.4. The policies and associated report have been seen by the Overview and Scrutiny Committee on 06 September 2022.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. There were no other reasonable alternative options considered, as updates to the policy were due by September 2022.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. Consultation has taken place with the following:

- The Leader of the Council (who has Executive responsibility for the coordination of complaints and Ombudsman queries)
- The Leadership Team
- Political Liaison Board (PLB)
- Shared Internal Audit Service (SIAS) regarding the unreasonable complainant (& contact) policy

6. FORWARD PLAN

- 6.1 This report contains a recommendation on a key executive decision that was first notified to the public in the Forward Plan on the 5th August 2022.

7. BACKGROUND

- 7.1 The Council has a well-established 3C's process in place. The policy sets out how this process works, and additional key information.
- 7.2 The policy was last updated in September 2019 and was due for review by September 2022.
- 7.3 The review took place in Q4 2021, and throughout Q1 & Q2 2022 to ensure sufficient time to brief the Council on the changes and upload the policy to the website during September 2022.

8. RELEVANT CONSIDERATIONS

- 8.1 There have been no major changes to the policy, only updates to certain sections to reflect situations that have arisen since the last review and provide greater clarity.

- Linking the policy to the customer service strategy, and more specifically, the Council's 'People First' approach. (*Policy summary*)
- Inclusion of how compliments are shared and celebrated by the Council. (*Para 2.2*)
- An expansion on what is *not* covered by the policy, with the inclusion of relevant signposting. (*Para 3.4*)
- Inclusion of the various methods where a complaint can be logged (*Para 4.1*)
- An encouragement to customers to outline any injustice that has been caused, to enable a thorough response and allow the Council the chance to rectify. (*Para 4.1*)
- Clarity on anonymous complaints & third-party representatives. (*Para 4.2*)

- Clarity on whether an officer mentioned/complained about within the complaint can respond. (*Para 5.1*)
 - Hyperlinks to relevant documents on the website mentioned throughout the policy.
 - Inclusion of Councillors within the Unreasonable Complainant (& Contact) Policy, within *Appendix B*.
 - More examples of unreasonable actions and behaviours of a customer, within *Appendix B*.
 - An inclusion of the considerations that should be taken prior to invoking the policy, within *Appendix B*.
 - An expansion of options most likely to be considered by the Council if action is to be taken against an unreasonable customer, within *Appendix B*.
 - A direct link to the social media acceptable use policy, within *Appendix B*.
 - Information on the steps taken if the customer is deemed a risk to staff, within *Appendix B*.
- 8.2 The amendments to the policy as described above, are all based on learning and feedback since the last time the policy was updated. The changes made reflect a sincere desire to assist customers to get the information they need, and officers dealing with 3C's. It aims to ensure clarity in certain situations, where it may have been needed previously.
- 8.3 The look and feel of the policy has now been updated to align with other customer facing documents, such as the Customer Service Strategy for 21-27 and the Council Plan for 22-27. The policy also references both the above documents, to ensure cohesion between everything the Council wants to achieve.
- 8.4 It is worth noting that the percentage of interactions with the Council during 21/22 resulting in a complaint remained at less than 1%. Whilst the percentage is low, the updates ensure a robust policy for all to refer to when required.
- 8.5 When complaints are closed, officers are required to advise on learning outcomes which help to improve processes moving forward. This will also form part of the next review of the policy in 2025.
- 8.6 The unreasonable complainants (& contact) policy has also been updated in line with the updates within the 3C's policy. In Q2, SIAS completed an audit on this policy and concluded there are effective controls in operation providing substantial assurance. This ensures our staff can be confident in their decision making if they are faced with any unreasonable complainants.
- 8.7 The audit process included a research and benchmarking process both by the Customer Service Manager and by SIAS. Benchmarking was done against St Albans City and District Council and East Herts Council. SIAS concluded that the review undertaken has provided improvements and a good overarching policy for unreasonable complainants.
- 8.8 The Council has received a very low number of difficult customer cases (2) in at least the last 7 years, but in the two cases reviewed, SIAS advised that the approach taken has enabled the Council to follow a consistent approach, resulting in effective management of risks relating to unreasonable complainants.
- 8.9 The unreasonable complainants (& contact) policy now covers Councillors as well as staff. This is in response to a report by the Local Government Association (LGA) entitled

'Debate Not Hate: The impact of abuse on local democracy'. The report discusses how "increasing levels of abuse and intimidation in political and public discourse are negatively impacting politicians and democracy at local and national levels". The first recommendation from the LGA is encouraging Councils to take greater responsibility for the safety and wellbeing of Councillors and take a proactive approach to preventing and handling abuse and intimidation. By including Councillors within the policy, we are aiming to ensure Councillors feel supported by the Council and are supported by the policy when/if required.

9. LEGAL IMPLICATIONS

- 9.1 Cabinet's Terms of Reference include at 5.6.1 of the Constitution: 'to prepare and agree to implement policies and strategies other than those reserved to Council'
- 9.2 There are no other legal implications to this report.

10. FINANCIAL IMPLICATIONS

- 10.1. There are no financial implications to this report.

11. RISK IMPLICATIONS

- 11.1. No risks have been identified regarding the policy updates.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their 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.
- 12.2. There are no equalities implications to this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and "go local" requirements do not apply to this report as this is not a procurement exercise or contract.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to the 3C's policy.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 The policy aims to enhance officers experience when dealing with 3C's and provides a detailed process with clarity in situations that may need it. All staff will be briefed on the changes made via a staff briefing in September, followed by a Global email to ensure everyone is aware of the updated policy.

16. APPENDICES

16.1 Appendix A – 3C's Policy

16.2 Appendix B – Complaints Flow Chart

16.3 Appendix C – Unreasonable complainants' (& contact) policy

17. CONTACT OFFICERS

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18. BACKGROUND PAPERS

18.1 None