



**Notice of meeting of
Decision Session - Cabinet Member for Corporate Services**

To: Councillor Gunnell
Date: Tuesday, 20 December 2011
Time: 4.30 pm
Venue: The Guildhall

AGENDA

Notice to Members – Calling In

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

10:00am on Monday 19 December 2011 if an item is called in before a decision is taken, or

4:00pm on Thursday 22 December 2011 if an item is called in after a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by 5:00pm on Friday 16 December 2011.

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on the agenda.

- 2. Minutes** (Pages 3 - 4)
To approve and sign the minutes of the Decision Session of the Cabinet Member for Corporate Services held on 18 October 2011.

- 3. Public Participation**
At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5.00pm on Monday 19 December 2011**.

Members of the public may register to speak on:-

- An item on the agenda
- An issue within the Cabinet Member's remit
- An item that has been published on the Information Log since the last session

- 4. Customer Feedback Policy** (Pages 5 - 38)
This report presents a revision of the council's Customer Complaints Policy (now referred to as the draft Customer Feedback Policy) for approval, incorporating changes identified in a review of complaints by the Effective Organisation Overview and Scrutiny Committee.

- 5. Urgent Business**
Any other business which the Chair considers urgent under the Local Government Act 1972.

Information Log

No items have been published on the Information Log since the last Decision Session.

Democracy Officer:

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting

- Registering to speak
- Written Representations
- Business of the meeting
- Any special arrangements
- Copies of reports

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Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an

interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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Holding the Cabinet to Account

The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business from a published Cabinet (or Cabinet Member Decision Session) agenda. The Cabinet will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Cabinet meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

MEETING	DECISION SESSION - CABINET MEMBER FOR CORPORATE SERVICES
DATE	18 OCTOBER 2011
PRESENT	COUNCILLOR GUNNELL

7. **DECLARATIONS OF INTEREST**

The Cabinet Member was invited to declare at this point in the meeting any personal or prejudicial interests she might have in the business on the agenda. None were declared.

8. **MINUTES**

RESOLVED: That the minutes of the Decision Session held on 19 July 2011 be approved and signed by the Cabinet Member as a correct record.

9. **PUBLIC PARTICIPATION**

It was reported that there were no registrations to speak under the Council's Public Participation Scheme.

10. **VEHICLE IDENTITY AND BRANDING**

The Cabinet Member considered a report that outlined the current position with fleet branding and made recommendations to the Cabinet Member on the livery of City of York Council vehicles.

Officers went through the proposals. The Cabinet Member noted that the recommendation was that the vehicle livery and branding would be used for all new vehicles. In respect of existing vehicles, changes would only be made if they could be implemented at minimal cost.

The Cabinet Member sought clarification as to how the livery linked with other aspects of corporate branding. Officers explained that fleet branding formed one section of the Corporate Branding Policy that had been adopted in 1996. The Cabinet Member requested that she be briefed on the policy and suggested that it was also important that issues such as the branding for the new trading company were not considered in isolation but took account of the corporate branding.

- RESOLVED:
- (i) That the vehicle livery and branding scheme, as outlined the report and including exceptions, be approved and used for all new vehicles.
 - (ii) That, where possible, practical and affordable, existing vehicles with an expected future life of more than 12 months be aligned with the livery and branding policy.

REASON: To ensure a consistent use of the council's brand and to identify the services it provides.

Action Required

1. Arrange briefing

SB

Cllr Gunnell – Cabinet Member

[The meeting started at 4.30 pm and finished at 4.50 pm].



Decision Session - Cabinet Member for
Corporate Services

20 December 2011

Report of the Director of CBSS

Customer Feedback Policy & Procedures

Summary

1. This report presents a revision of the council's Customer Complaints Policy (now referred to as the draft Customer Feedback Policy) for approval, incorporating changes as identified in a review of complaints by the Effective Organisation Overview & Scrutiny Committee published on 21 January 2011 (see appendix A for recommendations).
2. The Cabinet Member is asked to consider a further amendment to include a new 5 day response deadline for Stage 1 complaints in line with a Cabinet priority for 2011/12.

Background

3. In late 2010 the Effective Organisation Overview & Scrutiny Committee established a Task Group to review customer complaints and as a result there were a number of recommendations made to improve arrangements and produce a revised Policy. Members of the Committee agreed on 21 January 2011 that the draft Policy (see Appendix B) would be submitted for approval to the Cabinet Member for Corporate Services, at the point that the new Customer Feedback Team (CFT) had been formed.
4. The CFT (from November 2011) now forms part of Customer Services within the Customer & Business Support Directorate, having previously formed the core of the Housing and Social Care team in the Adults, Children and Education Directorate. The existing team with current workloads continue to work in the same capacity as before, and will do so until the draft policy is approved or otherwise.

5. Further resources are required to supplement the team in order to provide a council-wide service. In the meantime the team will work with contacts in all directorates on the implementation of the new policy. This will be for an interim period to assess resourcing needs and then further recommendations will be made to senior management on the appropriate structure to deliver the full service for all directorates.
6. One of the Cabinet's promises to residents from May 2011 was to implement a 5 day response time to all complaints. This commitment was made a number of months after the work of the Scrutiny Committee which confirmed the following timescales for each stage of the Feedback process:
 - a. Stage 1 – 10 day response*
 - b. Stage 2 – 20 day response
 - c. Stage 3 – 20 day response

**The complainant will be advised of the outcome within 10 working days or advised of any delay and when they can expect an outcome.*

Consultation

7. Directorate staff who process complaints within directorates were involved in the data collection for the original proposals as part of the Customer Services MoreforYork workstream and then for the scrutiny review.
8. The development of a centralised resource and a single approach to complaints processing was briefly discussed at the Equalities Advisory Group (EAG) Fair held in November 2011. The approach to bringing together the handling and monitoring of complaints/feedback was well received and positive comments made. No negative comments or issues were raised.

Options

9.
 - a. The Cabinet Member is asked to approve the revised Customer Feedback Policy, as recommended by Effective Organisation Overview & Scrutiny Committee (21 January 2011).

- b. Alternatively the Cabinet Member is asked to approve the revised Feedback Policy, as recommended by the Effective Organisation Overview & Scrutiny Committee (21 January 2011) with the following amendment to Stage 1 of the process:

The complainant will be advised of the outcome within 5 working days or advised of any delay and when they can expect an outcome.

Analysis

10. As transparency of the monitoring of complaints, feedback and eventually Freedom of Information requests improves, it is expected that, initially, the number of transactions will increase during the initial period of implementation. The size of this increase is unknown at this stage.
11. The implementation of a 5 day response may result in an increase in failure to meet the target or a high rate of holding responses in the system which would need tracking very carefully.
12. Conversely the implementation of a 5 day response rate could result in a greater level of satisfaction from a resident in having their concern addressed quickly and efficiently.

Council Plan

13. The creation of the Customer Feedback Team in Customer & Business Support Services, and the development of the Policy has links both with the Cabinet's objectives and the Council's corporate priorities, as set out in the Council's Plan 2011-15, to help to deliver its **Core Capabilities**. The effective use of customer feedback and complaints will enable us to remove service / council wide inefficiencies and add value to customer experience and satisfaction.

Implications

14. **Financial** – After an interim period, proposals will be made to the Director of CBSS on the appropriate resources needed to centralise all complaints, feedback and Freedom of Information activity within the new team in Customer Services.

- **Human Resources (HR)** – As above. Efficiencies could result in a reduction in posts needed across the council to deal with customer feedback activities.
- **Equalities** – See consultation activity above. In the future the customer IT system in use in Customer Services could be developed to include customer feedback activities, and will allow us to hold details of residents' protected characteristics. Customer Feedback questionnaires include equalities questions as per the council's standard approach.
- **Legal** - There are no implications (see risks below, however).
- **Crime and Disorder** - There are no implications
- **Information Technology (IT)** - There are no implications in relation to the initial team setup, however, this may change if the processes can be delivered through the customer system in use in Customer Services.
- **Property** - There are no implications
- **Other** – The new processes could result in an initial increase in the number of complaints recorded. The majority of these are likely to be at Stage 1.

Risk Management

15. There would be potentially a significant reputational and financial impact if the new processes are not delivered effectively and result in lengthening response times to complaints and Freedom of Information requests. This could result in a greater likelihood of complaints and complaints to the Information Commissioner, resulting in possible financial penalties and negative publicity.

Recommendation

16. The Cabinet Member is asked to approve the revised policy as recommended by the Effective Organisation Overview & Scrutiny Committee on 21 January 2011 with the following amendment at Stage 1 of the process:

The complainant will be advised of the outcome within 5 working days or advised of any delay and when they can expect an outcome.

Author's name
Title
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Report
Approved

Date 6th Dec 2011

Co-Author's Name
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Customer Services
01904 551706

Report
Approved

Date 6th Dec 2011

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

Corporate Customer Complaints Policy

Annexes

- A. Recommendations of the Effective Organisation Overview & Scrutiny Committee Review into Customer Complaints
- B. Revised Draft Customer Feedback Policy & Procedures

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Update on Implementation of Approved Recommendations Arising From Customer Complaints Scrutiny Review

Approved Scrutiny Recommendation	Update on Implementation as of November 2011
<p>i. To assist the public, policy to include a definition of a service request and a stage 1 complaint</p>	<p>Policy provides definition for a complaint.</p> <p>A complaint is:</p> <p><i>Any expression of dissatisfaction, however made, from a member of the public about the level or nature of a council service or policy, or the way in which the council's staff carry out their duties</i></p> <p>A complaint is not:</p> <p><i>A request for a service that is made for the first time. For example, if a customer complains that a streetlight is not working we will treat it as a service request that we aim to fulfil by repairing it within the service level agreement. If we then fail to repair it, and the customer is still unhappy, it should then be defined and treated as a complaint</i></p> <p>This is shown in policy document at section 2</p>
<p>ii. Service requests to be recorded, tracked and monitored by Directorates to allow for early identification of required service improvements, without being fed into the customer complaints data analysis and reports (see paragraph 11 of final report)</p>	<p>Policy provides a robust and consistent approach to recording / logging a customers dissatisfaction prior to raising a formal complaint. This means that service improvements/lessons learned can still be undertaken</p> <p>Dissatisfaction Prior To a complaint</p> <p>There will be occasions when a customer is dissatisfied with a service provision and will contact the council to make them aware of this. When this is the first time the council has been made aware of the problem, 'Front-line' staff who provide the service can generally deal with this quickly and satisfactorily. The member of staff should ensure that all steps are taken to resolve the persons concerns and record this on the</p>

	<p>appropriate file..</p> <p>If the complainant is not happy with the outcome at that point, it needs to be escalated into the complaints procedure</p> <p>This is shown in policy document at Part 2 Section 4 between the dealing with complaints section and Complaints Stages</p>
<p>iii. Wording of policy to be revised as follows:</p> <ul style="list-style-type: none"> • At Stage 1 to read ‘At this stage the line manager of the service will deal with a complaint and the complainant should be advised of the outcome within 10 working days or advised of any delay and when they can expect a full response, and what they can do if they remain dissatisfied at the end of Stage 1’. • At stage 2 to reflect that a complainant does not have to set out their complaint again at Stage 2 	<p>Policy wording revised to show that Line Manager at Stage 1 –</p> <p>‘At this stage the complaint will be logged on the system as a stage one complaint by the CFT staff. CFT will then acknowledge the complaint in writing to the customer and allocate to the appropriate line manager for action.’</p> <p>Updated policy wording on stage 2 –</p> <p>‘If the complaint is being progressed from Stage 1, the complainant will not have to set out their complaint again, but will only need to state what they remain unhappy or dissatisfied with following their Stage 1 response.’</p>

Approved Scrutiny Recommendation	Update on Implementation as of November 2011
iv. Removal of wording at Stage 3 – <i>‘or a member of staff independent of the service acting on the Director’s behalf’</i>	<p>This has been removed. Policy now reflects that the Centralised Feedback Team (CFT) has delegated authority.</p> <p>‘The CFT will be delegated the responsibility for investigating and responding to complaints at this stage, on behalf of the Director or chief executive so that the response is independent from service provision. However the team will liaise with senior managers in preparing and finalising their response.’</p>
v. CYC to investigate and provide relevant training for the different stages of complaint handling and investigation for key officers within the corporate complaints team and Councillors.	Customer Services Development Team trainers along with Manager of CFT are investigating training available as well as refreshing existing training guidance. Customer Services Operations Manager has updated and reissued logging and handling procedures and guidance to York Customer Centre staff.
<u>Scrutiny Comments on Update Received November 2011</u>	

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Corporate Customer Feedback

Policy and Procedures

December 2011 v4

DRAFT

CORPORATE CUSTOMER FEEDBACK POLICY AND PROCEDURE**INDEX**

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Part 1 - Policy

1. General Principles

City of York Council is committed to excellent customer service and to securing customer satisfaction in the way it responds to complaints and feedback from any of its service users. The Council will ensure it delivers a better service to its customers by monitoring and measuring complaints, concerns, compliments and comments. It will follow a standard procedure to achieve greater consistency in how it deals with complaints and feedback.

City of York Council will collect information on complaints and feedback so that it knows which areas of service customers are most satisfied /dissatisfied with. This enables a closer look at whether to change aspects of the service and/or offer training and support for staff to improve services as well as ensure that staff dealing with complaints are appropriately trained and supported.

City Of York Council will demonstrate that it listens to its customers' views and feeds them into service development. Gathering information on complaints and checking responses to them is one way we will do this.

City Of York Council wishes to be responsive to complaints made by members of the public; it views complaints as a valuable form of feedback. Therefore, a formal Corporate Customer Feedback Policy and Procedure will ensure that a complaint is fully investigated in a systematic and comprehensive manner and will ensure that it is able to mirror the lessons about good practice in complaints handling by learnt from statutory complaints procedures by being linked closely with them.

Fundamentally, all complaints will be dealt with in accordance with this policy and complainants should be advised about this.

City Of York Council will ensure that its feedback and complaints system:

- is easily accessible and understandable via one central function;
- is acknowledged and published as a model for developing good practice;
- ensures a thorough and fair investigation within set time-scales;
- provides an effective response and appropriate redress;

- is independent from service provision; provides feedback to management so that areas of dissatisfaction can be improved;
- keeps complainants informed of progress;
- is fully understood by all staff.

2. Making a Complaint

In order to be as flexible as possible and subject to the Council's procedures for dealing with unreasonably persistent complaints, the Council will accept a complaint from a member of public or anyone acting on behalf of a customer with the proper authority and consent, in the following formats

- in person at any Council office
- by telephone
- by letter
- by email
- through our website. www.york.gov.uk

A complaint is:

Any expression of dissatisfaction, however made, from a member of the public about the level or nature of a council service or policy, or the way in which the council's staff carry out their duties

A complaint is not:

A request for a service that is made for the first time. For example, if a customer complains that a streetlight is not working we will treat it as a service request that we aim to fulfil by repairing it within the service level agreement. If we then fail to repair it, and the customer is still unhappy, it should then be defined and treated as a complaint

This policy does not relate to those services where there is a statutory or other legislative requirement, or where there is another procedure for expressing dissatisfaction e.g. Appeals. However a person may be able to complain that another procedure or process has not been followed appropriately

This policy and procedures will also be used if we receive a complaint regarding one of our contractors or a partner organisation, which delivers services on our behalf.

3. Feedback e.g. Complaints, concerns, compliments and comments

The Council recognises that it is important to ensure feedback is also recognised and used to inform service design/delivery and reviews. It is equally important to give feedback regarding the service to the relevant areas.

In order to assist this process, the Council has developed the same method as for dealing with complaints, to collect, record and pass on feedback on a regular basis to the management team, staff and councillors. This will help to ensure the good work of staff is recognised and praised accordingly.

Part 2 - The Procedures

4. Dealing with Complaints

The procedure is specifically designed to check that, everything that should have been done has been done and that the Council's procedures and policies have been followed.

The identity of the person making a complaint should be made known only to those who need to consider the complaint, it should not be revealed to any other person or made public by the Council. Care should be taken to maintain confidentiality where particular circumstances demand (for example, information about third parties). It may not be possible to preserve confidentiality in some circumstances, for example where relevant legislation applies or allegations are made which involve the conduct of third parties.

The Corporate Feedback Team (CFT) will control and monitor all complaints, concerns, compliments and comments across the council. They will work with the Directorates to ensure all complaints are dealt with and response timescales are met.

The CFT staff will record the details of the complaint. Customer services staff will have the ability to transfer a call to the CFT, who will be specially trained in dealing with complaints. Training for the different stages of complaint handling and investigation will be provided to the CFT and made available to Councillors.

The CFT is the communications, monitoring and reporting hub for the whole Council. They will:

- ensure the right person in the right service gets the feedback
- monitor anything that needs a response to time or quality standards
- have their name and contact details on all responses to complaints so the customer can come back to a single point of contact for further action should they need to
- produce the customer feedback analysis and reports for DMT's, Annual Report to Scrutiny and Audit and Governance Committees
- respond to complaints on behalf of Directors at stage three of the procedure

- be the contact point for letters or investigations passed to the directorate from our Local Government Ombudsman (LGO) Link Officer

Dissatisfaction Prior To a complaint

There will be occasions when a customer is dissatisfied with a service provision and will contact the council to make them aware of this. When this is the first time the council has been made aware of the problem, 'Front-line' staff who provide the service can generally deal with this quickly and satisfactorily. The member of staff should ensure that all steps are taken to resolve the person's concerns and record this on the appropriate file.

If the complainant is not happy with the outcome at that point, it needs to be escalated into the complaints procedure. .

Complaint Stages

Stage 1 – Line Manager Involvement - 10 Day response

At this stage the complaint will be logged on the system as a stage one complaint by the CFT staff. CFT will then acknowledge the complaint in writing to the customer and allocate to the appropriate line manager for action.

A response will be given to the complainant by their preferred contact method within 10 working days of receipt of the complaint, stating the findings and outcome

The CFT will then send a follow up letter using the customers preferred contact method to the complainant advising how they can progress the complaint if they remain dissatisfied and will request that the customer completes a satisfaction questionnaire regarding the complaints process. They will then log the outcome of the complaint on the record and close the complaint at that stage.

The CFT will then send an action plan template for completion by the responding manager and when received will log this on the complaints file. They will then send reminders for updates on completed actions and will again log this on the file.

Stage 2 – Head of service / Assistant Director - 20 Day Response

At this stage the complaint will have been progressed by the CFT or started at this stage if decided by the CFT. The appropriate senior manager will be assigned to the complaint by the CFT.

If the complaint is being progressed from Stage 1, the complainant will not have to set out their complaint again, but will only need to state what they remain unhappy or dissatisfied with following their Stage 1 response.

A response will be given to the complainant by their preferred contact method (backed up in writing) within 20 working days from the start of the stage. Acknowledgement, response, follow up and action plan will be given as in stage 1.

Stage 3 – Chief Executive / Director of service – 20 Day Response

At this stage the complaint will have been progressed by the CFT or started at this stage if decided by the CFT.

The CFT will be delegated the responsibility for investigating and responding to complaints at this stage, on behalf of the Director or chief executive so that the response is independent from service provision. However the team will liaise with senior managers in preparing and finalising their response.

A response will be given to the complainant by their preferred contact method within 20 working days from the start of stage 3 and confirmed in writing. Acknowledgement, response and action plans will be given as in stage 1 and 2.

The complainant should also be made aware that if they are still dissatisfied with the outcome they can take their complaint to the Local Government Ombudsman (LGO), who may carry out an independent investigation of the complaint. LGO details to be given to the complainant enclosing the ombudsman's information leaflet.

5. Corporate Complaints Monitoring

The Assistant Director of Customer and Business Support Services will corporately monitor complaints through the Corporate Feedback Team.

- The details of the Council's procedures and contact details will be contained on the Council's website.
- The Council will respond to complaints in a positive manner and where it is clear that it has been at fault and caused injustice, appropriate remedy will be authorised by the CFT manager within principles set out in the LGO's remedies guidance and in consultation with senior managers, even if the complaint has not been referred to the Ombudsman.
- Where a complaint has been referred to the LGO, the Council will always use its best endeavours to meet the deadline set for responses and will maintain a positive, professional working relationship with the LGO Office.

6. Dealing with Unreasonable and Unacceptable Behaviour

The council is committed to considering all complaints and learning lessons to improve services. It recognises that in doing this, it will on occasions come into contact with people who may be both angry and distressed and who may have difficulties with communication, disabilities or illnesses which make their contact with the council at these times persistent, strained or even hostile.

It is important at these times to consider the reasons for this behaviour and to ensure that support is available to both the complainant and staff to enable the complaint to be heard and dealt with in a fair and equitable manner.

Examples of unreasonable and unacceptable behaviour:

- The person repeatedly makes the same complaint with minor differences and does not accept the outcome.
- The person changes aspects of the complaint or continues to add to the complaint, hindering the investigation.
- The person regularly breaks appointments or will not allow appointments with staff which would progress the complaints process.
- The person makes repeated contact with staff in different departments through different routes, letters, faxes, phone calls, MP, councillor and media enquiries.
- Contact is frequent, lengthy, complicated and stressful for staff and repeats the same themes.
- The person will not allow the complaint to progress to the next stage, but continues to express dissatisfaction.
- The person is abusive, makes inappropriate or personal comments, makes threats, or uses aggressive behaviour including shouting or swearing at staff.

Where one or more of the above types of behaviour is present, the complaint manager will attempt to identify reasons for this and strategies to resolve any difficulties by talking to the complainant and members of staff and may choose to hold a planning meeting or complete a risk assessment.

If appropriate and not already in place the possibility of an advocate or other support will be considered to enable the person to express and pursue their complaint and understand what action is being taken.

Where further support is not appropriate or is unsuccessful the complaint manager will write to the complainant explaining what behaviour they are using which is unreasonable or unacceptable. They will also advise them of

strategies to reduce the unreasonable or unacceptable behaviour so that the complaint can be pursued and services can continue.

This may involve:

- Identifying a key person, or team that the complainant should restrict their contact to.
- Agreeing times and frequency of contact.
- Requesting they provide clarification of the complaint and their desired outcomes.
- Reminding them that staff cannot enter into discussions about outcomes which have already been reached unless they allow this to be moved to the next stage.
- Requesting that they do not use inappropriate or abusive comments, shout or swear at staff, make threats, or use aggressive behaviour.

This letter will also advise them that if the unreasonable or inappropriate behaviour continues, it may become necessary for staff to discontinue the investigation of the complaint and discontinue their contact with the person.

If it becomes necessary to discontinue the investigation of a complaint and discontinue contact, this decision will be made in consultation with senior managers and a review of this must be held at least annually. The complaint manager will write again to the complainant to advise them this action will be taken, explaining the reasons for this and when it will be reviewed. The letter will also advise the person of their right to contact the LGO and that any new complaints will be investigated through the normal procedure.

The letter will also remind them how they can contact the department providing services to them to discuss any day to day issues which arise and how to request new services if this becomes necessary.

A copy of the letter will be circulated to relevant staff and managers.

Where threats or aggressive behaviour is likely to put staff at serious risk, contact will be withdrawn immediately without notification. A risk assessment will be completed with senior managers and this will identify if contact can continue and how this should be done. In these cases the option of contacting the Police and or taking legal action should always be considered.

7. Making a complaint about the conduct of a councillor

From 8 May 2008 the responsibility for considering complaints that a councillor may have breached the Code of Conduct moved to the standards committees of local authorities.

The Code of Conduct sets out the rules governing the behaviour of councillors in local authorities across the country and is included in Part 5 of the Council's Constitution.

What this means

Complaints about the conduct of a City of York Councillor or a Councillor from one of our parish councils must be submitted in writing to:

Chair of the Assessment Sub-Committee,
The Standards Committee, C/O the Monitoring Officer
City of York Council,
Guildhall,
York YO1 9QN.

Link to website to submit complaints online:

http://www.york.gov.uk/council/Elected_representatives/Councillors/complaints/#

What happens next?

The assessment sub-committee can only deal with complaints about the behaviour of a councillor. It will not deal with complaints about things that are not covered by the Code of Conduct. Any complaints must be clear as to why the complainant thinks that a councillor has not followed the Code of Conduct.

The assessment sub-committee aims to make an initial assessment of the complaint within 20 working days of receipt. If the decision is to take no further action, complainants will have the right to ask for that initial decision to be reviewed.

8. Performance Measures

The Council will monitor the effectiveness of this policy and procedures by collating all relevant information and statistics and will use these when it undertakes reviews of this policy and service delivery.

The Council will hold information on its Customer Relationship Management (CRM) system where available – in service areas where CRM is not available, a system will be introduced which is consistent with CRM and across the council.

This will comprise:

- The total number of complaints received
- how quickly they were dealt with
- whether they were resolved to the satisfaction of the complainant.
- equalities and diversities monitoring data (customer profiling)
- complaints received per directorate and department (Departments as per Appendix 4)
- Lessons learnt and action taken to improve services

It will use the information to:

- Identify areas of dissatisfaction with services;
- Highlight areas for service improvement;
- Monitor the success of service improvements based on the number of complaints subsequently received;
- Produce a quarterly and annual statistical report.
- Support the Council's Fairness and inclusion strategy, Engagement Strategy and Customer Strategy
- Support corporate strategy and effective organisation theme

This information will be reported to the Scrutiny and Audit and Governance Committees, Annual Report, etc.

The following performance information will also be collected:

- Number of Councillor and MP enquiries received.
- Number of access to records and Fol's received.
- Number of concerns, comments and compliments received.
- Number of complaints received.
- Number of complaints at stage 1,2,3.
- Number of Ombudsman cases and their outcome (Annually).

- Number of concerns complaints Upheld, Partly Upheld, Not Upheld, and Not Pursued.
- Quality monitoring through customer satisfaction with the process/procedure (not the outcome) levels

9. Quality Monitoring

Quality Monitoring will be conducted throughout the procedures by the CFT using results from the action plans put in place at each of the complaint stages as well as customer satisfaction results

CITY OF YORK COUNCIL Monitoring the Customer Feedback Procedure

1. How did you find out how to make a comment or complaint?

- | | | | |
|-------------------------|-------------------------------------------------------|----------------------------------------------------|--------------------------|
| Member of council staff | <input type="checkbox"/> | Professional not employed by the council eg doctor | <input type="checkbox"/> |
| Leaflet | <input type="checkbox"/> | Council's website | <input type="checkbox"/> |
| Friend / relative | <input type="checkbox"/> | Advocate | <input type="checkbox"/> |
| Other | <hr style="border: 0; border-top: 1px solid black;"/> | | |

2. How easy was it to make the comment or complaint?

Very easy Fairly easy Neither / nor Fairly difficult Very difficult

3. Was your complaint answered by the date you were given?

Yes **Go to Q5** No **Continue**

4. If your complaint was not answered in time, were you happy with the way staff kept you up to date with what was happening?

Yes No

5. Were you given a contact name and telephone number in case you had any further queries?

Yes No

6. Were staff helpful?

Yes No

7. If you needed support to help you make your comment or complaint, did we arrange this for you?

Yes No Not applicable

If you have any further comments please send on a separate sheet

Thank you for taking the time to complete this questionnaire.

On the back of this questionnaire there is an Equalities Monitoring form which helps us to check that everyone is getting the same standard of service.

EQUALITIES AND DIVERSITY FORM

Filling in this form is **anonymous and optional**. City of York Council and its partners need to know that services we provide reach all the people in our area. The information you provide will be used to help us and our partners make sure that we provide appropriate services for everyone, irrespective of individual differences like age, gender, disability, race, religion and belief, and sexual orientation. Our partners include the NHS, the community and voluntary sector and the emergency services. It is our policy and also a Government requirement to ask these questions so that we can improve life in the city for all.

Gender : <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Transgender			
Age Group <input type="checkbox"/> under 16 <input type="checkbox"/> 16-19 <input type="checkbox"/> 20-24 <input type="checkbox"/> 25-29 <input type="checkbox"/> 30-44 <input type="checkbox"/> 45-59 <input type="checkbox"/> 60-64 <input type="checkbox"/> 65-74 <input type="checkbox"/> 75-84 <input type="checkbox"/> 85-89 <input type="checkbox"/> 90& over			
Ethnic Origin (please indicate by a tick in the appropriate box)			
White <input type="checkbox"/> British <input type="checkbox"/> Irish <input type="checkbox"/> Any other White background	Mixed <input type="checkbox"/> White and Black Caribbean <input type="checkbox"/> White and Black African <input type="checkbox"/> White and Asian <input type="checkbox"/> Any other mixed background	Black or Black British <input type="checkbox"/> Caribbean <input type="checkbox"/> African <input type="checkbox"/> Any other Black background	
Asian or Asian British <input type="checkbox"/> Indian <input type="checkbox"/> Pakistani <input type="checkbox"/> Bangladeshi <input type="checkbox"/> Any other Asian background	Other Ethnic groups <input type="checkbox"/> Chinese <input type="checkbox"/> Any other ethnic group	<input type="checkbox"/> I do not wish to disclose my ethnic group	
Are you a disabled person? <input type="checkbox"/> I do not wish to disclose whether or not I have a disability <input type="checkbox"/> Yes <input type="checkbox"/> No			
Sexual orientation <input type="checkbox"/> I do not wish to disclose my sexual orientation <input type="checkbox"/> Lesbian <input type="checkbox"/> Gay <input type="checkbox"/> Bisexual <input type="checkbox"/> Heterosexual			
Religious Belief If you are comfortable giving us this information it will help us check everyone is getting the same standard of service: <input type="checkbox"/> I do not wish to disclose my religion/belief <input type="checkbox"/> Atheism <input type="checkbox"/> Buddhism <input type="checkbox"/> Christianity <input type="checkbox"/> Hinduism <input type="checkbox"/> Islam <input type="checkbox"/> Judaism <input type="checkbox"/> Sikhism <input type="checkbox"/> Other			

Action Plan following feedback**Reference Number:** <pre populated by system>**Name of responding manager:** <pre populated by system>**What stage was the complaint at (if appropriate):** <pre populated by system>**Brief description of feedback/ complaint:** <pre populated by system>

Was the complaint: (This relates to whether you agreed, partly agreed, or disagreed with what the customer said had happened or not happened. The complaint will only be not pursued if the customer decided they no longer had a complaint before any work you completed). Please indicate by highlighting in bold if emailing or circling if posting.

Upheld

Partly Upheld

Not Upheld

Not Pursued

What lessons have been learnt and actions to be taken: through this feedback:**By when:** <pre populated by system>**By Who:** <pre populated by system>**Date action completed:** <pre populated by system>

Council Directorates and Departments



Appendix 5

Ombudsman Complaint Procedure

The Local Government Ombudsmen (LGO) is an independent, impartial and free service, which investigates complaints about councils and certain other bodies. They investigate complaints about most council matters including housing, planning, education and social services and about how the council has done something. But they cannot question what a council has done simply because someone does not agree with it.

From 1st April 2009, the LGO has new arrangements for dealing with complaints. This new procedure, called **“Council First”** requires all complainants to go through all the stages of their council’s own complaints procedure before the Ombudsman will consider the complaint. However it is recognised that there will be some complaints where, for one reason or another, it would be inappropriate for this requirement to apply. Following consultation, the LGO decided that the following complaints will normally be treated as *exceptions* to the general requirement:

Complaints where the subject means the matter is clearly urgent

The LGO believes there are some complaints, which require priority consideration because time is a key factor in the injustice claimed. These are:

- Complaints about education (except transport) – *school admission complaints are already treated as a priority*
- Complaints about homelessness – *where the complainant is currently or will imminently be homeless*

Complaints where the LGO or the council decide that completing the council’s own procedure would be to the detriment of the complainant

These are:

- Complaints where there has been unreasonable delay by the council in processing a complaint – *the LGO believes that 12 weeks is generally sufficient time to conclude an investigation but what is unreasonable will depend upon the particular circumstances of the complaint*
- Complaints where the council’s Chief Executive has exercised discretion not to investigate further – *the LGO will check with the council if this is unclear*
- Complaints where the LGO has exercised discretion to accept a complaint because he/she has good reason to believe the council would not handle it effectively – *this would only happen after the LGO had discussed the matter with the council concerned.*

- Complaints against more than one body – *to avoid the possibility of different time scales for different procedures, the LGO will accept a complaint, which is made against two authorities within the jurisdiction of the LGO or within the jurisdiction of the LGO and Parliamentary and Health Service Ombudsman.*

Complaints where the complainant's circumstances indicate a need for priority

- Complaints made by children and young people – *up to the age of 21 or 25 if disabled*
- Complaints where referral to the council would disadvantage an already disadvantaged complainant – *where the particular circumstances indicate vulnerability and/or the need for urgency; the LGO will always provide reasons*

It is already normal practice for us to require the completion of our complaints procedures and some complaints, most notably about school admissions and homelessness, have always been given priority.

This is the procedure that the Ombudsman adheres to:

- On receipt of a complaint to the Ombudsman, a letter will be sent to the Authority advising us of the complaint with a 28-day response target.
- If no response is provided to the Ombudsman within this target, they will contact our Link Officer (who is our Head of Legal) who will then contact the relevant Head of Service for a progress report on the complaint.
- If there is still no response at this stage it will be filed for a further 14 days.
- If the Ombudsman has still not received a response after 14 days, a letter will be written to the Chief Executive. This will advise the Chief Executive that the Head of Service and Case Officer for the complaint will be required to report with all files relevant to the case for an interview at the Ombudsman's offices in York.

To make a complaint or for advice on making a complaint to the LGO, you can contact the Advice Team –which is available from Monday to Friday from 8.30am to 5.00pm

Tel: 0845 602 1983 or 0300 061 0614 (calls may be recorded for training and quality purposes)

Fax: 024 7682 0001

Text: "Call Back" to 0762 480 4299

Send to: The Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Email: advice@lgo.org.uk

Appendix 6

Target Measuring

Targets	Year 1	Year 2	Year 3
Complaints dealt with within target time	85%	90%	95%
Complainants found the complaint process easy to understand	85%	90%	95%
Written correspondence (letter, fax or e-mail) responded to within 20 days	85%	90%	95%
Number of Ombudsman maladministration claims	0	0	0

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