

Meeting of Effective Organisation Overview & Scrutiny Committee

11 January 2011

Customer Complaints Review – Task Group Final Report

Purpose of Report

1. This report presents the findings from the scrutiny review of the council's Customer Complaints policy carried out by a Task Group made up of members from this committee. Members are asked to consider and approve the recommendations arising from the review.

Background

2. In coming to a decision to review this topic, this Committee set up a Task Group to carry out the review on their behalf and agreed the following remit:

Overall Aim

To inform the design and priorities within the new complaints function in order to ensure its future effectiveness, identifying any revisions required to the Feedback Policy.

Objectives

- i. Reduce the number of common or repeat complaints.
 - ii. Reduce the number of complaints to the Ombudsman.
 - iii. Contribute to possible further efficiency savings
 - iv. Improve the customer experience (customer satisfaction to be measured and monitored).
2. At the first Task Group meeting in early November 2010, the following workplan was agreed:

Meetings Dates	Workplan
<u>Meeting 1</u> 4 November 2010 1:30 - 3pm	Scoping report providing information relating to the Customer Services Blueprint, and an overview of existing processes and the new structure/organisation/process
<u>Meeting 2</u> 19 November 2010 2:30pm	Receive interim report presenting: <ol style="list-style-type: none"> 1. Information on national best practice regarding the handling of complaints etc by local authorities e.g. centralised or not?, and most recent annual

	<p>Ombudsman Report.</p> <p>2. Directorate information on number and type of complaints received since 1 January 2010 including:</p> <ul style="list-style-type: none"> • Complaints from public • Councillor requests/inquiries • Complaints to Ombudsman • FOIs <p>Identify:</p> <ul style="list-style-type: none"> • relevant consultees and any issues to be addressed through consultation at the next meeting • any additional information required
<p><u>Meeting 3</u> 8 December 2010 2pm</p>	<p>Receive interim report and consult with relevant parties</p> <p>Based on information gathered, suggest any:</p> <ul style="list-style-type: none"> • possible further efficiency savings • further improvements to customer experience
<p><u>Meeting 4</u> 5 January 2011 2pm</p>	<p>Consider draft final report containing suggested recommendations</p>
<p>11 January 2011</p>	<p>Presentation of final report to Effective Organisation O & S Committee</p>

Consultation

3. The Assistant Director Customers & People attended all the meetings of the Task Group to assist them in their work on this review.
4. Also, at a meeting on 8 December 2010, the Task Group met with representatives from Directorates to discuss complaint statistics gathered from each directorate and their current working practices.

Options

5. Having considered the information provided within this report and its associated Annexes, Members may choose to
 - amend and/or agree the recommendations identified by the Task Group.
 - Identify additional recommendations
6. Members should note that whilst this review has been ongoing, officers have been working on the draft Corporate Complaints Policy and have made changes to the

draft policy in line with the draft recommendations identified within this report. Should this committee choose not to approve any of those draft recommendations or agree to revise them, officers will make further amendments to the draft policy to reflect those decisions.

Review Findings

7. At a meeting in November 2010, the Task Group considered the procedures within the draft Corporate Customer Feedback Policy and identified a number of issues relating to the different stages of the complaints process. They recognised that many of the 'complaints' received within Directorates were in fact service requests and not complaints, and therefore could be dealt with before the official 'stage 1' procedure was instigated.
8. Service Requests
Members recognised that the public need to understand the difference between a service request and a stage 1 complaint and that a clear definition of a service request would assist them to do so.
9. Service requests will still need recording to track reoccurring issues within service areas and to enable service delivery teams to monitor their own performance and identify service improvements. However, they should not be fed into the customer complaints data analysis and reports. Instead they should be recorded under the National Indicator 14 – reducing avoidable contact. The process for escalating a service request to Stage 1 of the complaints procedure is in the hands of the complainant who will indicate either verbally to an officer, or in writing, that they are not satisfied with the response to/outcome of their service request. This will then become a Stage 1 complaint.
10. Stage 1
The Task Group agreed the wording at Stage 1 of the procedure should be amended 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’
11. Stage 2
It should not be necessary for a complainant to have to set out their complaint again at Stage 2 as it may be antagonistic to expect the complainant to provide information that they had already supplied at Stage 1 of the procedure.
12. Stage 3
A Director might choose to delegate the investigation of a complaint to an Assistant Director, but it was important that the procedure recognised that the responsibility for handling the complaint rested with the Director. With this in mind the Task Group agreed the following wording should be removed ‘*or a member of staff independent of the service acting on the Director’s behalf*’.

13. Training

In regard to Councillors, they will need full training on their use of the new Complaints IT portal and its full capabilities. Some Councillors may also be willing to participate in testing the new system before it goes live.

14. For staff, the Task Group recognised that front line staff have a crucial role to play in presenting the face of the authority to the public, particularly when dealing with service users when they have problems. They also play an important part in the early resolution of complaints, to the benefit of service users and the authority and Members agreed it was therefore essential they were appropriately trained in how to:

- properly identify and handle the type of enquiry being received e.g. the type of issues that can be resolved at first point of contact.
- maintain a corporate record of them using the processes and procedures in place
- provide appropriate feedback to customers

15. the Task Group agreed that key officers within the new corporate complaints team would benefit from receiving the complaints training offered by the Local Government Ombudsman (LGO). It was noted that they run a range of one-day courses aimed at helping local authorities to improve their responses to complaints. All their courses are presented by experienced investigators who have genuine practical expertise in complaint handling, giving participants the opportunity to practise the skills needed to deal with complaints positively and efficiently. Those key officers could then disseminate the training to others in the complaints team.

16. Annual Ombudsman Review

Each year the LGO produces an annual review (previously known as the Annual Letter) for each local authority about their performance in dealing with complaints made about them to the Ombudsman. The aim is to provide councils with information to help them improve their complaint handling, and improve their services more generally, for the benefit of the public. The Task Group considered information on the number of complaints received by the LGO about City of York Council in 2009/10, in comparison to other local authorities, and received the LGO annual report detailing those complaints.

17. Number & Type of Complaints Received By CYC Since 1 January 2010

The Task Group considered statistics data from each Directorate showing the number and type of complaints received since 1 January 2010.

18. In regard to the complaints received by the Chief Executive's office, it was noted that they most often related to services elsewhere in the council. Accordingly, they are not recorded as stage 1, 2 or 3 complaints within the Chief Exec's own service and may well represent double counts with complaint handling elsewhere in the organisation where these stages are recorded. Similarly, all Ombudsman letters received in the Chief Executive's office relate to other services - these are passed to the relevant department and are also likely to be accounted for elsewhere in the statistics data that the Task Group considered (as provided by each Directorate). There is also significant contact with Members in the Chief Executive's office,

including for instance, direct communication between Councillors and the Chief Executive, but no data is kept to show this activity.

19. Members queried the figures provided by each Directorate, having taken account of the variance in volume post April 2010 resulting from the Organisation Review i.e. a reduction in the number of Directorates and the transfer of Legal, Civic, Democratic Services and Elections (which account for significant customer contact) from the Office of the Chief Executive to Customer & Business Support Services.
20. In acknowledging that each Directorate has its own methods for handling complaints, the Task Group were keen to meet with representatives from the Directorates to discuss the statistics provided in Annex C, including best practice in regard to timescales for responding to complaints and whether or not (and how) information derived from complaints was being used to identify service improvements. Therefore at a meeting in November 2010, the Task Group met with relevant officers.
21. Adult Social Services Complaints & Children's Social Care Services Complaints
The Task Group received details on the statutory and legislative requirements connected with these types of complaints and recognised that many of the requirements relating to complaints handling and providing feedback to customers, were suitable for use across the council as best practice. The Task Group were pleased to see that many of those methods were already being utilised within other directorates and that they had been written into the new draft corporate policy.
22. However, they deemed that some of the statutory and legislative requirements were excessive for use in relation to other types of complaints. With this in mind, they agreed that:
 - Sending an acknowledgement letter at every stage felt excessive.
 - The cost of sending a questionnaire to every complainant would prove excessive, therefore it would be beneficial to the council to find acceptable ways to limit the number sent out. It was suggested that for stage one complaints instead of sending one out every time, they could be sent out randomly to say every 20th complainant. However, the Task Group agreed that for later stage complaints the council would benefit from receiving feedback from each stage so the questionnaire should be sent out with the response letters
 - The cost of sending out a prepaid envelope with every questionnaire would not prove excessive as many would not be returned
23. In order for it to be clear to the public that the new Customer complaints Policy did not cover the specific statutory and legal requirements associated with adult social services and children's social care services complaints, the Task Group agreed these should be included as an appendices to the main corporate policy.
24. In addition, the Task Group agreed it should be acceptable to receive a complaint over the phone as long as the details were read back to the customer to verify the notes taken. However, they agreed it was better not to ask the equalities

questions over the phone as it may antagonize an angry customer. Instead, the equalities form could be sent with the questionnaire. Finally, the Task Group felt it was acceptable for a service manager to compile the written responses to complaints but they should be checked and sent out by the central team, in order to ensure the corporate approach is adhered to.

25. Changes to Draft Corporate Customer Feedback Policy

The issues identified by the Task Group have been picked up and addressed by officers through revisions to the draft policy. An updated version is attached at Annex A together with its appendices.

26. Business Case

At the last meeting Members requested to see the business case for the construction of the central complaints team going forward. This has yet to be debated by CMT and is likely to contain some sensitive issues and require some decisions about how the team will be constructed i.e. named individuals/teams and/or budget transfers. Therefore, at this stage it would be unfair to debate this with Members, particularly prior to any consultation with the affected individuals.

27. However, Members could refer to the original blueprint and project plan that was presented at an earlier Task Group meeting, which provides an outline of the forthcoming business case.

Recommendations Arising From Review

28. At the meeting held on December 2010, the Task Group agreed to propose the following recommendations to the Effective Organisation Overview & Scrutiny Committee:

- i. To assist the public, the new corporate policy to include:
 - definitions of a service request and a stage 1 complaint
 - the adult social services and children's social care services complaints procedures as appendices
- ii. Wording of policy to be revised as follows:
 - at Stage 1 to be revised as per paragraph 10
 - at stage 2 to be revised to reflect that a complainant does not have to set out their complaint again at Stage 2, as per paragraph 11
 - Removal of wording at Stage 3 – *'or a member of staff independent of the service acting on the Director's behalf'* as per paragraph 12
- iii. In regard to training (see paragraphs 13-15):
 - Investigate and provide relevant training for the different stages of complaint handling/investigation for key officers within the corporate complaints team
 - provide Councillors with training in a range of formats to suit their individual needs
- iv. 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 9)

- v. Provide suitable access to the Complaints Team :
 - Retain dedicated telephone number for social care clients
 - Provide dedicated email address for team
- vi. In regard to customer feedback:
 - For stage one complaints, no acknowledgement letter is required
 - All written responses to complaints to be checked and sent out by the central team
- vii. In regard to Questionnaires:
 - For stage one, only be sent out to every 20th complainant
 - For stage two & three complaints, to be sent out with all response letters
- viii. Following the introduction of the new policy, Effective Organisation O & S Committee to:
 - receive 6-monthly monitoring reports on its implementation
 - be consulted on any future revisions
 - receive annual report on complaints statistics at the beginning of each municipal year

Implications

- 29. **Financial & HR** - More for York savings are associated with the centralisation of complaints teams. The cost of the LGO courses referred to in paragraph 15 depends on the number of delegates i.e. courses for up to 15 people - £1,025, Courses for up to 30 - £1,735. If a course was to be shared with other local authorities, the cost per delegate would be £130 (costs correct as of December 2010).
- 30. **Equalities** All proposals contained in the Customer Strategy have been fully consulted upon and the work is covered by an Equalities Impact Assessment.
- 31. **Legal** Improvement of complaints handling may contribute to less cases reaching the Ombudsman. Centralisation of Freedom of Information requests will aid compliance with legislation on this matter.
- 32. **Information Technology (IT)** Resources are committed to providing the technology necessary for the newly centralised team.
- 33. There are no Crime and Disorder, Property or other implications.

Corporate Strategy

- 34. This review supports the Council's Effective Organisation priority around 'providing what customers want'.

Risk Management

- 35. Improvement in the management of complaints and resulting service improvement will reduce the risk of negative publicity and the Ombudsman publicly criticising the

council for maladministration. Improvement in the processing of Freedom of Information requests will minimise risks of the Information Commissioner imposing large fines on the organisation relating to its use of information.

Recommendations

36. The Effective Organisation Overview & Scrutiny Committee are recommended to agree the recommendations listed at paragraph 28 above.

Reason: To achieve the objectives of this review, including reducing the number of complaints and contributing to any further efficiency savings beyond those identified by the More for York review.

Contact Details

Author:

Melanie Carr
Scrutiny Officer
Scrutiny Services

Tel No. 01904 552063

Chief Officer Responsible for the report:

Andrew Docherty
Assistant Director Legal, Governance & ITT

Report Approved



Date

21 December 2010

Specialist Implications Officer(s)

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

Customer Strategy
Customer Services Blueprint

Annexes

Annex A – Revised draft Corporate Complaints Policy & Appendices