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| MEETING | AUDIT AND GOVERNANCE COMMITTEE |
| DATE: | 13 MAY 2013 |
| TITLE OF REPORT: | CONSULTATION ON THE REVIEW OF THE COMPLAINTS AND FEEDBACK POLICY AND PROCEDURE |
| REPORT BY: | HEAD OF COMMUNICATIONS AND ENGAGEMENT |

1. Classification

Open.

2. Key Decision

This is not a key decision.

3. Wards Affected

County-wide.

4. Purpose

To invite the Audit and Governance Committee to comment on the operation of the Council's policy and procedures for handling complaints, comments and compliments.

5. Recommendation

THAT the Audit and Governance Committee passes on any observations that will assist the Cabinet to effectively review the policy and procedures at its meeting in June 2013.

6. Key Points Summary

- The Council has a "Policy and Procedure for Making Experiences Count" which was shared with NHS Herefordshire.
- A small specialist team manages the process, maintaining contact with the complainant and co-ordinating responses from across the authority.
- Across most areas of the Council, the procedure is a single-stage: the Council will fully investigate and respond with no further levels within the Council.
- In the area of children's services a three-stage complaints process proscribed by law is operated.

- All complaints are dealt with within the policy unless an alternative, statutory framework exists: such as challenging a fixed penalty notice.
- In the financial year 2012/13 the Council received 1673 items of feedback of which 864 were complaints.
- In that financial year, 60% of complaints were responded to within the timescales set out in the Policy and Procedure for Making Experiences Count.

7. Alternative Options

7.1 There are no alternative options identified in this report.

8. Reasons for Recommendations

8.1 Cabinet will review the policy and procedure at its meeting on 13 June 2013. Audit and Governance has the right to be consulted on this review.

9. Introduction and Background

9.1 The Council has a Policy and Procedure for Making Experiences Count (attached as Appendix 1).

9.2 A small team manages complaints and is able to monitor and report on aspects of how complaints are handled (Appendix 2). Reports are sent to senior managers on a monthly basis.

9.3 The stated objectives of the policy and procedure are

- 9.3.1 To provide an opportunity for customers to comment on our performance against our commitments laid down in the Herefordshire Council and NHS Herefordshire Customer Charter and to ensure we improve our performance where it is not meeting those commitments.
- 9.3.2 To provide an effective means for a customer to make a comment about how services could be improved in the future and to provide an effective means for a customer to compliment a service or employee.
- 9.3.3 To provide an effective means for customers and their representatives to complain if they are dissatisfied with the service they receive.
- 9.3.4 To ensure complaints are dealt with in a courteous and efficient manner and are resolved without avoidable delay.
- 9.3.5 To obtain information about the public's perceptions about our services, to inform future policy and service planning.
- 9.3.6 There are 6 overriding principles to good complaints handling that will be followed at all times: 1. Being customer focused, 2. Getting it right, 3. Acting fairly and proportionally, 4. Being open and accountable, 5. Putting things right, 6. Improving services as a result.

10. Key Considerations

- 10.1 The Committee may wish to consider the degree to which the Council has succeeded in meeting the objectives set out in the Policy and Procedure for Making Experiences Count and the degree to which the Council is able to provide evidence that it has met its objectives.
- 10.2 Given that the policy and procedure was shared with NHS Herefordshire but the Council now requires a policy for itself alone, the Committee may wish to consider the degree to which the policy and procedure are fit for purpose.
- 10.3 The Committee may wish to consider whether there are particular aspects or particular stakeholder perspectives that should be taken in to consideration by the Cabinet when it reviews the policy and procedure.

11. Community Impact

- 11.1 Ultimately the policy and procedure should help customers to shape improvements in the way the Council goes about its business. A less effective policy and procedure will lead to a less effective Council and a reduction in the positive impact the organisation can make on the community.

12. Equality and Human Rights

- 12.1 There are no equality and human rights implications directly arising from this report but the equality and human rights implications of the application of the complaints policy are significant. The policy and procedure ensure that people have equal access to the complaints process and are treated equally by the Council when they complain. The committee may wish to consider the degree to which the current policy and procedure promotes equality of access to complaints.

13. Financial Implications

- 13.1 There are no direct financial implications arising from this report but the decisions the cabinet takes with regards to any revisions to the policy and procedures could have financial implications in terms of the amount of staff time the Council will allocate to the process and in terms of the costs of promoting and reporting on complaints.

14. Legal Implications

- 14.1 Failure to investigate and resolve complaints effectively can lead to adverse findings by Local Government Ombudsman and can also leave the Council open to legal challenge.

15. Risk Management

- 15.1 An effective complaints policy helps the Council mitigate the risk that at any given time its policies and procedures may not be followed or they may not be fit for purpose.
- 15.2 The Cabinet must be satisfied that the complaints policy and procedure are fit for purpose.

16. Consultees

16.1 The Committee is being consulted.

17. Appendices

17.1 Appendix 1 - Policy and Procedure for Making Experiences Count.

17.2 Appendix 2 - Summary of feedback from different areas of the authority 2012/13.

18. Background Papers

18.1 None identified.