



<b>Title of meeting:</b>	Governance & Standards & Audit
<b>Date of meeting:</b>	24 September 2021
<b>Subject:</b>	Corporate Complaints Policy Review
<b>Report by:</b>	Assistant Director, Corporate Services
<b>Wards affected:</b>	All
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

---

## 1. Purpose

1.1. The purpose of this report is to present the revised corporate complaints policy to the committee for approval, as set out in Appendix A.

## 2. Recommendation

2.1. It is recommended that members approve the proposed revised corporate complaints policy as set out at appendix A.

2.2. It is recommended that members approve the proposed timeline for implementation of the new policy from 1 December 2021

## 3. Background

3.1. The council is committed to providing an excellent service for our customers but we know we don't always get it right and we recognise our customers have the right to complaint when they feel we have fallen short.

3.2. The council's corporate complaints policy explains our approach to managing complaints. It is important that our customers know what they can expect from us when they make a complaints, and know what to do if they are not satisfied with the outcome, including how they can escalate their complaint to the Local Government and Social Care Ombudsman (LGSCO).



3.3. The current corporate complaints policy and process was approved by this committee in 2017.

3.4. Since the policy was introduced, the LGSCO updated its guidance for local authorities on effective complaint handling in 2021, and the Housing Ombudsman published a new complaint handling code in 2020 in relation to the council's responsibilities as a landlord through its local authority housing.

3.5. The policy has therefore been reviewed to ensure it continues to align with the standards set out by the Ombudsman organisations.

#### **4. Research, consultation and review**

4.1. In addition to reviewing best practice from the ombudsmen, we also reviewed the corporate complaints policies and processes of the 20 local authorities that are considered by the Chartered Institute of Public Finance and Accountancy (CIPFA) to be our nearest neighbours for benchmarking purposes, based on demographic and socioeconomic indicators.

4.2. We have consulted within the organisation to ensure learning from hands-on experience managing complaints is incorporated. This included consulting with:

- The Chief Executive
- Directors
- Complaints lead officers: senior officers within directorates, who take responsibility for the quality of complaint responses for their directorates, and for ensuring learning from complaints is implemented.
- Complaints link officers: officers within directorates who support the process of administering complaints

4.3. The revised policy has been reviewed and approved by Legal Services.

4.4. The revised policy has been subject to an internal audit, to ensure alignment with the LGSCO guidance. The audit found no areas of concern, and noted the policy is thorough, meets internal objectives and external best practice guidance, and is of low risk to the council. The audit report is attached at appendix B.

4.5. The revised policy has also been reviewed by the LGSCO, and their comments have been incorporated in the final draft.

## **5. Key changes to the revised policy**

The revised policy will:

- reduce the number of complaints stages from three to two
- amend the timescales associated with each complaint stage to allow more time for complaints to be accurately defined before they are logged, and to enable more time for robust investigations
- increase the robustness of complaint investigations and responses at stage two
- increase oversight at director, and statutory officer level, supporting the organisation to learn from complaints

## **6. Rationale**

### **6.1. Reducing stages from three to two**

The best practice guidance from the relevant ombudsman organisations makes it clear councils do not need to have a three stage complaint process.

The Housing Ombudsman's complaint handling code specifies that landlords should have a two stage complaint process. It requires organisations with three stage processes to justify the need for a third stage as part of a self-assessment of their complaint process. This means, if the council opted for a three stage process, a self-assessment will need to be completed to satisfy the Housing Ombudsman of the rationale.

The LGSCO does not specify the number of stages that should be included in a council's corporate complaint process, leaving that decision to individual local authorities. However, examples of good practice in its guide to good complaints handling are based on two stage processes. The revised policy has been provided to the LGSCO for review, and their comments have been taken into account in completing the final draft.

Further, considering the approaches taken by other councils as a comparison, of Portsmouth City Council's 20 CIPFA nearest neighbours, only four have three stage complaint processes, the other 16 have two stage processes.

### **6.2. Reducing time taken to resolve complaints**

The change to a two-stage process will reduce the amount of time it takes for a complaint to be fully resolved through the council's process, ensuring a speedier resolution for our customers by removing the third stage.

The timescales for the two stages included in the revised policy will seek to ensure corporate complaints are fully resolved in nine weeks. This is three weeks less than the maximum 12-weeks to fully resolve a complaint that the LGSCO sets out in its guidance.

It means those customers who remain dissatisfied with our response can seek redress from the LGSCO earlier (as the ombudsman usually requires the council's full complaint process to be completed before they will consider a complaint).

### **6.3. Oversight and quality assurance**

The change will ensure directors play a key role in the complaint process, overseeing all stage two complaints for their directorates, enabling learning to be adopted more quickly and effectively.

Corporate complaints will also check stage two complaint responses. This will ensure the final stage in the council's process includes the additional level of oversight from outside the directorate where the complaint originates. This oversight is currently provided by the Chief Executive's office.

In line with the LGSCO's best practice guidance contained in its guide, the new policy also specifies regular reports on corporate complaints will be provided to the Chief Executive, Monitoring Office and Section 151 Officer, referred to by the LGSCO as the 'Golden Triangle'.

This approach will ensure oversight of all complaints at the appropriate level of the organisation, in addition to the annual review of complaints which is brought to the attention of councillors through this committee.

## **7. Improving the quality of complaint investigations and responses**

The changes to the policy will be supported by a new guide for managers on investigating and responding to complaints effectively, based on the best practice guidance provided by the LGSCO and the Housing Ombudsman. Training to accompany the guidance materials will be developed in 2022.

Updated templates to support comprehensive responses to complaints will also be provided, and added to the complaint hub resources on the intranet.

## **8. Timescales**

It is proposed that the new policy is implemented from 1 December 2021, as the complaints system needs to be reconfigured to accommodate a two-stage process, internal communications are needed to inform stakeholders of the changes, and training/guidance documents need to be developed.

## **9. Summary**

The proposed changes to the policy will support our on-going work to improve the way complaints are managed. The changes will ensure customer complaints are fully resolved and remedies implemented more quickly, will increase oversight and accountability at the appropriate levels of the organisation, and so will enhance learning from complaints.

The revised policy has been developed in accordance with best practice guidance from both the LGSCO and the Housing Ombudsman and reviewed by the LGSCO. The policy has also been consulted on internally, approved by Legal Services and been subject to an internal audit to ensure assurance.

The implementation of the new policy will be accompanied by new guidance documents for managers, with additional training planned for development in 2022.

## **10. Integrated Impact Assessment**

The integrated impact assessment document is attached.

## **11. Legal Implications**

The revised Policy at Appendix A has, as described in the body of the report, been reviewed and updated in light of recognised best practice and is considered appropriate for approval by the Committee as recommended.

## **12. Financial Implications**

There are no direct financial implications arising from the recommendations in the report.

.....  
Signed by (Director)

## **Appendices:**

**Appendix A: Corporate Complaints Policy 2021**

**Appendix B: Audit report**

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
Portsmouth City Council: Corporate Complaints Policy	<a href="https://www.portsmouth.gov.uk/ext/documents-external/cou-corporate-complaints-policy-2018.pdf">https://www.portsmouth.gov.uk/ext/documents-external/cou-corporate-complaints-policy-2018.pdf</a>
Local Government and Social Care Ombudsman: Guidance for Local Authorities on Effective Complaint Handling	<a href="https://www.lgo.org.uk/information-centre/reports/guidance-notes/guidance-on-effective-complaint-handling-for-local-authorities">https://www.lgo.org.uk/information-centre/reports/guidance-notes/guidance-on-effective-complaint-handling-for-local-authorities</a>
Housing Ombudsman: Complaint Handling Code	<a href="https://www.housing-ombudsman.org.uk/wp-content/uploads/2020/11/Complaint-Handling-Code.pdf">https://www.housing-ombudsman.org.uk/wp-content/uploads/2020/11/Complaint-Handling-Code.pdf</a>