

For publication

Revision of the Corporate Complaints Procedures (CB000)

Meeting:	Cabinet
Date:	1 November 2022
Cabinet portfolio:	Business Transformation and Customers
Directorate:	Digital, HR and Customer Services
For publication	

1.0 Purpose of the report

1.1 This report sets out a revised Corporate Complaints procedure which aims to modernise the council's approach to complaints handling and embed a 'learning from customers' culture which will underpin the delivery of excellent customer services across the Council.

2.0 Recommendations

2.1 That the revised two stage complaints procedure, as set out in Appendix 1 of this report is approved for implementation.

2.2 That the co-ordination and oversight of corporate complaints is integrated into the Customer Services function and that Customer Services Advisers take on responsibility for the 'complaint officer' role as set out in the revised complaints procedure.

3.0 Reason for recommendations

3.1 The changes in process will enable the Council to modernise and improve its complaints management system, streamline the data that is generated relating to complaints and comply with the legislative obligations required by the Local Government and Social Care Ombudsman and the Housing Ombudsman.

4.0 Report details

4.1 Residents can submit complaints, comments, or compliments to the council in several ways. Typically, this type of customer feedback is received online or by telephone, but other access channels are also available for customers to

make their views known, such as in person, via letter, email or via social media.

- 4.2 The customer feedback which is received is collated into a database known as the 3C's system. Any actions arising from this feedback are co-ordinated by the Council's Support Services team, which acts as a post room function, allocating the different types of feedback to service areas for response.
- 4.3 The existing 3C's database does not meet the Council's heightened information security standards and officers have been working to transfer the administration of complaints into the Council's digital platform and customer relationship management system. Making this transfer has provided officers with the opportunity to review and modernise the existing complaints procedures which have been in place since 2009.
- 4.4 Officers have undertaken research on complaints models which are in use within the public and private sectors and have sought guidance from the Local Government and Social Care Ombudsman and the Housing Ombudsman to determine best practice. This information has enabled a new framework to be developed for Chesterfield Borough Council which will drive positive outcomes for customers. The revised recommended complaints procedure is attached at Appendix 1.

Summary of proposed procedural changes

- 4.5 The number of stages in the complaint procedure have reduced from three to two. This will ensure that complaints are dealt with in a timely manner whilst also providing an opportunity for customers to escalate the complaint to an alternative, more senior person if they feel that the initial investigation was not completed fully. Benchmarking and research suggest that many Councils now already adopt a two-stage policy, and this works very effectively for them.
- 4.6 Target response times when dealing with a complaint at Stage 1 have reduced from fifteen to ten working days.
- 4.7 Target response times when dealing with a complaint at Stage 2 have been extended to twenty working days, in recognition that further investigation may be necessary to resolve the complaint.
- 4.8 It is recommended that the complaints procedure is managed within the Customer Services function instead of the Support Services team, with customer services officers taking on the role and responsibility of complaints officer for Chesterfield Borough Council.
- 4.9 Officers within the Customer Services function will review and allocate complaints at Stage 1 to the appropriate person, either within their own function if the service has already been consolidated into Customer Services, or alternatively to the relevant service area if a specialist officer is required to

investigate the complaint. Customer service advisors will use their experience to ensure that complaints which cannot be dealt with at source are allocated to the relevant area.

- 4.10 Responses to complaints will be resident focused and will clearly set out the customer's complaint and expected resolution, the Council's findings following investigation of the complaint and the actions which the complaint officer proposes to take to put things right if the complaint is upheld.
- 4.11 The new policy does not specify who will deal with each stage of the process. For example, stage one could be dealt with by a Team Leader, and stage two their manager. Complaints that are deemed complex may be reviewed by a manager at stage one and a Service Director at stage two. This gives the Council the flexibility to ensure that the appropriate person is allocated a complaint without unnecessary involvement from a director, or the Chief Executive in every case.
- 4.12 The new complaints procedure places focus on continuous improvement and learning from customer feedback, using data to improve service delivery. The Customer Services team will be responsible for identifying trends and compiling reports and dashboards which will be regularly shared with service managers and the Corporate Leadership Team, who will, in turn, be responsible for ensuring that actions are allocated within their own teams to ensure lessons are learnt and continuous improvement is achieved.

Housing Ombudsman complaint handling code

- 4.13 The Housing Ombudsman has undertaken a review of its own complaints processes and from 1st October 2022 has strengthened its service provision, so that tenants can engage with the Ombudsman immediately after the final response letter has been issued by the landlord, if the tenant believes that they have not dealt effectively with the complaint.
- 4.14 In support of this change, the Housing Ombudsman has developed and launched a Complaint Handling Code which provides a framework for high quality complaint handling for landlords, ensuring greater consistency across landlord complaint procedures.
- 4.15 Landlords are obligated to comply with mandatory aspects of the code and failure to do so will result in sanctions being awarded, known as complaint handling failure orders. The remaining guidance in the code is deemed 'best practice', with Landlords being able to choose whether to implement it or not.
- 4.16 The key changes brought about by the Complaint Handling Code for landlords are:
 - i. The introduction of a universal definition of a complaint.

- ii. The requirement to provide easy access to the complaints procedure and ensure residents are aware of it, including their right to access the Housing Ombudsman Service.
- iii. Provision of a recommended 'best practice' structure for complaints procedures – only two stages are necessary, with clear timescales set out by the Housing Ombudsman for responding to complaints.
- iv. Ensuring fairness in complaint handling, with a resident-focused process to be included in customer response letters, which sets out the complaint, the outcome expected by the customer and the things which can be done to put things right.
- v. Setting an expectation that Landlords create a positive complaint handling culture, generated through continuous learning and improvement.
- vi. Demonstration of learning published in annual reports, including a requirement for landlords to self-assess against the code.

4.17 As well as setting out expectations for Boards, Elected Members, senior leaders and frontline staff, the Code will help residents in knowing what to expect from their landlord when they make a complaint and how to progress their complaint.

4.18 Chesterfield Borough Council's recommended revised complaints procedure, as set out in Appendix 1, meets all the all the requirements of the Housing Ombudsman's new complaints code.

5.0 Alternative options

5.1 Officers have considered retaining the existing three stage complaints procedures, but this is not recommended as this is no longer deemed to be an exemplar process and unnecessarily elongates the time in which complaints are dealt with.

6.0 Implications for consideration – Financial and value for money

6.1 The role of the complaints officer will be incorporated into the Customer Services function. It is not expected that additional resources will be required to complete this function.

6.2 There are no additional costs associated with ICT system development. The Council's digital platform will be utilised and licensing for this system is already factored into the wider ICT budget.

7.0 Implications for consideration – Legal

7.1 Utilising the Council's digital platform will enable the Council to demonstrate compliance with information security regulations.

7.2 The Council's revised complaints framework meets the mandatory regulations of the Housing Ombudsman and Local Government and Social Care Ombudsman.

8.0 Implications for consideration – Human resources

8.1 It is proposed that the Customer Services function takes on responsibility for the co-ordination of complaints, and the learning from customer activity which will be undertaken. Role profiles will be updated to accommodate this change.

8.2 The Customer Services function will work hand in hand with the Housing Strategy and Engagement function and Legal function to co-ordinate activity and ensure that compliance with the relevant Ombudsman requirements is achieved.

9.0 Implications for consideration – Council plan

9.1 Implementing a new complaints policy, and associated processes, further strengthens our pledge to 'Provide value for money services' by:

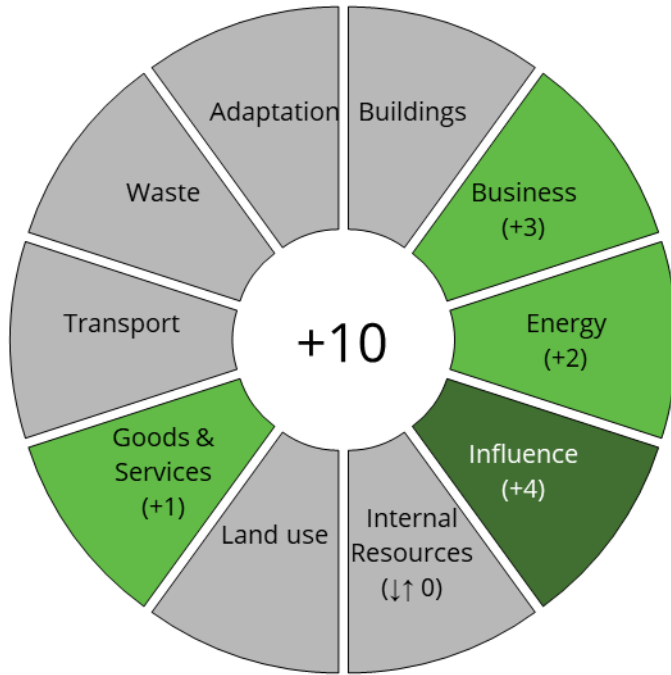
- Maintaining and improving, customer satisfaction ratings by using data to continuously improve services.
- Using technology, intelligence, and customer feedback to have better conversations and engagement with our customers.
- Designing services that are available online with an improved customer service offer, whilst also providing access channels for people who cannot access online services

10.0 Implications for consideration – Climate change

10.1 This project supports the CBC climate change agenda in the following ways:

- A reputable, global supplier is being used to deliver the digital platform. Salesforce is Net Zero, delivers a carbon neutral cloud, achieved 100% renewable energy for their operations, and is a founding partner of 1t.org which aims to conserve, restore and grow 1 trillion trees by 2030.
- The complaints reporting process enables residents to use online services, reducing the need to travel to Council buildings.
- The process which has been developed enables hybrid working of employees.

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Chesterfield Borough Council has committed to being a carbon neutral organisation by 2030 (7 years and 7 months)

11.0 Implications for consideration – Equality and diversity

11.1 There are no adverse impacts to equality and diversity by this change in procedure.

12.0 Implications for consideration – Risk management

12.1 The following table illustrates the main risks associated with this change.

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Insufficient resource is allocated to managing the complaints handling process.	Medium	Medium	Complaints volumes have been monitored over a 12-month period, to determine the level of resources required. Creation of roles which capture the function of 'complaints officer' will ensure that appropriate capacity is created.	Medium	Low

<p>Robust procedures for 'lessons learned' and continuous improvement are not implemented successfully. This could lead to reputational damage and regulatory challenge.</p>	<p>Medium</p>	<p>Medium</p>	<p>Customer services officers will be responsible for producing regular trend reports and sharing with service directors to ensure 'lessons learnt exercises are undertaken.</p> <p>Using data to improve service delivery is reflected in the Service Director Job descriptions.</p> <p>Housing have added a Housing strategy and engagement team within their new structure to manage customer engagement and learning from customer activity to ensure that regulator requirements are supported and demonstrable.</p>	<p>Medium</p>	<p>Low</p>
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Decision information

Key decision number	1115
Wards affected	All wards

Document information

Report author	
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Background documents	
These are unpublished works which have been relied on to a material extent when the report was prepared.	
<i>This must be made available to the public for up to 4 years.</i>	
Appendices to the report	
Appendix 1	Complaints Procedure