



Executive
16 February 2012

**Report from the Director of
Strategy, Partnerships and
Improvement**

Wards Affected: ALL

Introduction of a Two stage corporate complaints policy

1.0 Summary

- 1.1 Brent has had a three stage complaints policy in place for over 10 years. Since the policy was first introduced the Council's overall management of complaints has improved to the extent that we are now in a good position to introduce a streamlined two stage complaints policy that will be less time consuming and have other tangible benefits for customers and the Council. This report explains why officers consider that it is now time to update the complaints policy, what the new policy comprises of and the steps that have been taken to ensure a smooth transition.
- 1.2 It should be noted that the proposed change only affects corporate complaints. The policies governing social care complaints relating to Children & Families and Community Care will not change because they are governed by national legislation. Corporate complaints concern everything that is not social care related and on average represent over 90% of the complaints the Council receives.

2.0 Recommendations

- 2.1 That members of the Executive agree to the introduction of a two stage complaints policy for Council complaints with effect from April 2012 .

3.0 Reasons for the proposal to introduce a streamlined corporate Complaints process

- 3.1 The three stage policy was introduced in 1999 at a time when the Council was poor at managing and resolving complaints. The policy was adopted in recognition of the fact that a significant number of complaints were not being resolved by the department concerned even after a second stage review and therefore a third stage was required in order to ensure that as many complaints as possible were resolved within the Council thereby reducing the likelihood of adverse findings in the event that the complaint ended up with the Local Government Ombudsman. The three stage approach reflected best practice prevalent at the time and was broadly endorsed by the Ombudsman.

- 3.2 The situation now is very different to that which prevailed when the policy was first adopted. 2010/11 saw our best ever complaint figures so far as Ombudsman decisions are concerned.
- 3.3 In addition there was a 30% reduction in overall complaint volumes compared to 09/10. Complaints escalated to Stages 2 and 3 reduced by 28% and 42% respectively. More recent analysis covering the period April to September 2011 confirms that the trend in the reduction in escalated complaints has continued. Just over 10% of complaints now escalate beyond the first stage.
- 3.4 The table below illustrates the points made above by comparing complaint volumes between April and September 2011 and the corresponding period in 2010.

	Stage 1	Stage 1	Stage 2	Stage 2	Stage 3	Stage 3
Year	2010	2011	2010	2011	2010	2011
Adult Social Care	9	30	1	1	1	0
Regen & Major Projects	31	17	10	7	3	3
BHP	392	295	107	42	30	9
Children & Families	67	92	1	8	3	1
E&NS	202	195	23	21	8	8
F&CS	174	112	28	9	3	11
Housing	126	118	23	14	17	5
CSC	14	21	0	0	0	0
Totals	1015	880	193	102	65	37

* CSC – Customer Service Centre - complaints in connection with the One Stop Shop/Contact Centre are included under this heading

- 3.5 The reduction in escalated complaints is due to a number of factors including : an improvement in the overall quality of investigations, and a positive attitude within departments that places an emphasis on seeking to resolve complaints at the earliest opportunity wherever possible.
- 3.6 The fact that 90% of complaints are now successfully resolved at the first stage means that there is no longer a need to retain two additional complaint review stages. Streamlining the procedure by removing one of the stages will reduce the time it takes a complaint to go through the entire complaints process by 15 working days, make it more cost effective in terms of less officer time having to be devoted to the process and will generally help make the process less bureaucratic and easier for the customer to understand.
- 3.7 **Overview of the two stage policy**
- 3.8 Emphasis on resolving the complaint at the earliest opportunity

The revised policy recognises that there is the potential to resolve many complaints at the first point of contact. Such an approach supports the strategic aims of the future customer services project concerning increasing the percentage of enquiries/complaints resolved without referral to the back office.

In addition to being more convenient to the customer, the early resolution of a complaint avoids the need for a potentially costly investigation and reduces the likelihood of having to award compensation because of delays in remedying the problem.

The Corporate Complaints Manager has carried out extensive training with the Brent Customer Services staff aimed at enhancing their complaint resolution Skills. Further work will be carried out later on this year.

3.9 One Departmental stage described as 'Local Resolution'

Under the existing policy stages 1 & 2 are dealt with by the department with investigation deadlines of 15 and 20 working days respectively. Under the revised policy there will be one departmental stage known as *local resolution*. The associated deadline will be 20 working days. This time scale will allow the department sufficient scope to undertake a thorough investigation which should lead to the correct decision being arrived at which in turn should mean that very few complaints escalate.

3.10 Customer's right to request an escalation of their complaint

Where the customer remains dissatisfied they will be entitled to ask for their complaint to be escalated to the final stage – however they will be expected to explain why a final review should be carried out. In other words they will need to say why they consider the outcome of the earlier investigation to be incorrect. Each escalation request will be reviewed by the Corporate Complaints Manager who will determine on behalf of the Chief Executive whether a further investigation is warranted.

3.11 Stage 2 - Final Review by the Chief Executive

Where a complaint is accepted for a final review the investigation will be managed by the Corporate Complaints Manager on behalf of the Chief Executive. For the sake of fairness and transparency it is seen as important that the review stage is carried out independently of the department concerned. The investigation timescale will be 30 working days which is the same as the existing Stage 3. Following the completion of the final review the complainant will be advised of their right to refer the matter to the Local Government Ombudsman if they were to remain dissatisfied.

3.12 Complaints about Council contractors

Contractors will be expected to investigate and respond to complaints that relate to the services they provide. Complaints dealt with by contractors will not be treated as local resolution cases for the purposes of the complaints policy. The customer will be able to request a local resolution investigation from the department concerned if they remain dissatisfied.

3.13 Corporate Investigation Standards

The quality of the local resolution investigation will have a major influence on the volume of final review requests. As outlined above departments are now able to resolve around 90% of complaints at the initial investigation stage. To help maintain and indeed improve existing outcomes, corporate investigation standards will be introduced to ensure that all investigations are conducted competently and professionally. The relevant service head will be accountable for the outcome of the investigation and each complaint will be subject to an investigation plan which will serve as a blueprint for how the investigation is to be conducted.

3.14 Service Improvement Action Plans

Service improvement plans will be associated with the corporate investigation

standards and are designed to ensure that any improvements or follow up action arising from an investigation is properly recorded and completed. They will also place the Council in a stronger position to share good practice across the organisation.

3.15 Preparing for the introduction of the policy

The Corporate Complaints Manager held a series of consultation briefings with service heads and other stake holders across the Council. These sessions proved useful in raising awareness of the revised policy and gave stakeholders the opportunity to contribute to the development of the corporate investigation standards. Customer consultation has been progressed through the on-line consultation tracker. No reservations have been raised by customers. In addition the local government ombudsman has also been informed of our plans and raised no concerns.

- 3.16 The complaints investigation guidance for staff has been revised and in addition to the complaint training sessions run throughout the year a series of workshops focusing on the corporate investigation standards will be held in March for staff across the Council most likely to be involved in complaint investigations.

4.0 Financial Implications

- 4.1 The amalgamation of stages 1 and 2 should result in a reduction in the amount of time that departmental managers devote to complaints. At the present time however it is not possible to relate this to an actual financial saving.

5.0 Legal Implications

- 5.1 There are no legal implications arising from this report.

6.0 Diversity Implications

- 6.1 The Council's complaints procedure covers all areas of the Council's service delivery and is available to everyone who lives in, works in or visits the Borough and all service users. As part of the wider management information collated on complaints we do attempt to collect equalities data to ensure fairness in the process and to monitor under representation. An equalities impact assessment has recently been completed which identified no potentially adverse implications associated with the move to two stages for any group.

7.0 Staffing Implications

- 7.1 There are none at present but complaints handling arrangements will be reviewed prior to the end of 2012/13 in preparation for the move to the Civic Centre.

Appendices

Appendix 1 – Updated complaints policy

Contact Officers

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