

Head of Strategic Support

Corporate Complaints Policy and Procedures

May 2013

Final Report

(Version 3)

Contents page	Page Number
<u>1</u> <u>EXECUTIVE SUMMARY</u>	
<u>1.1</u> <u>Background</u>	1
<u>1.2</u> <u>Previous Audit Reports</u>	1
<u>1.3</u> <u>Overall Audit Opinion</u>	2
<u>1.4</u> <u>Summary of Main Findings</u>	2-6
1.4.1 To ensure that the Council has established a Corporate Complaints Policy and associated Procedures.	
1.4.2 To ensure that the Council has established a framework for monitoring and reporting on the level of complaints it receives, for checking that complaints are dealt with in accordance with the procedures, and remedial action is taken to prevent re-occurring complaints.	
<u>2</u> <u>DETAILED AUDIT FINDINGS</u>	7-35
<u>3</u> <u>ACTION PLAN</u>	36-40

1. Executive Summary

1.1 Background

- 1.1.1 The Audit Plan for 2012/13 included an allocation of time for the review of the Council's Corporate Complaints Policy and Procedure.
- 1.1.2 The Local Government Act 2000 introduced a requirement for councils to produce a Constitution which sets out how the Council operates, how decisions are made and the procedures which are to be followed to ensure that these decisions are efficient, transparent and accountable to local stakeholders.
- 1.1.3 The guidance covering what should be included in a Constitution states that it should be outward looking and seek to engage with the public wherever possible and should set out what citizens can expect from their Council and what rights they have. In line with this guidance, West Berkshire Council has produced a Constitution which sets out how members of the public can make a complaint:-
- a) to the Council itself under its Customer Comments and Complaints Procedure;
 - b) to the Local Government Ombudsman after using the Council's own Customer Comments and Complaints Procedure;
 - c) to the Standards Committee about any breach of the Members' Code of Conduct.
- 1.1.4 The Council has established a Corporate Complaints Policy and a Persistent Complainants Procedure. These apply to corporate complaints made to the Council whether written or verbal but excludes complaints regarding social care or complaints made to Schools. The scope of this audit covered the Corporate Complaints Policy, the Persistent Complainants Procedure and associated procedures but did not extend to the Code of Conduct for officers or members.

1.2 Previous Audit Reports

- 1.2.1 This is the first review that Internal Audit has carried out on this area.

1.3 Overall Audit Opinion

- 1.3.1 In our opinion the controls within the systems and procedures reviewed during this audit are **satisfactory**. We found that the Council has established a comprehensive Policy and associated Procedures for dealing with complaints received from members of the public. Our sample checks highlighted one area of concern, where one service was not correctly identifying/treating complaints as such when they were first raised by a member of the public, but as general correspondence. There were also varying degrees of compliance with the procedures for Stage 1 of the process. We consider that this highlights the need for a central logging/monitoring function for Stage 1 complaints. Also, the performance monitoring of complaints only covers Stage 2 responses dealt with in the required timeframe. We consider that this needs to be expanded to cover complaints received at all stages of the process, as well as providing an analysis of the volumes of complaints that progress to the next stage of the process, in order to provide some sort of measure as to the effectiveness of the whole process.

1.4 Summary of Main Findings

1.4.1 To ensure that the Council has established a Corporate Complaints Policy and associated Procedures

- a) The Council has established a Corporate Complaints Policy and associated procedures, in accordance with national guidance for local authorities. The policy clearly defines the Council's aims and objectives for dealing with complaints. The procedures provide comprehensive guidance for staff on the key stages of the process that should be followed, the timeframes for carrying out each of the stages, and the level of information that needs to be recorded on each of the responses. Standard templates have been designed as a prompt for this. There is also a separate Persistent Complainants Procedure providing guidance to staff on how to deal with such cases.
- b) The Corporate Complaints Policy specifies the frequency at which it is required to be reviewed. From a review of the published version of the Policy we noted that it was due to be reviewed in 2010. Therefore, there has been a delay in the Policy being reviewed. However, when commencing this audit, we were informed that a review was underway
- c) Copies of the Council's Complaints Policy and procedures are published on both the Council's external webpages as well as on the Intranet so both members of the public as well as staff can access the documents. They are also available in hardcopy from the reception area in the main Council buildings.
- d) As part of the Council's mandatory staff induction training, the Information Management Officer provides training covering the Council's Corporate Complaints Policy and procedures. She will also carry out training for a specific service if this is requested.

- e) The Council's Complaints Procedure, leaflets etc clearly explain what is classed as a complaint and how to make a complaint. There is also information covering the stages of the complaints process and how they are dealt with by the Council. The wording of the information covering where to send the initial complaint is not consistent/always clear in each of the documents.
- f) The Head of Strategic Support has overall responsibility for ensuring that complaints are managed appropriately in accordance with the agreed procedures. Heads of Service and designated complaints officers are responsible for the day to day management of complaints and the procedure contains a list of corporate complaints contacts.
- g) The Council's Corporate Complaints Procedure includes time frames for acknowledging, investigating and responding to complaints received by the Council at each stage of the process.
- h) The Corporate Complaints procedure does not guide service areas when deciding what information they should keep in their corporate complaints records for stage 1 complaints. The Corporate Complaints procedure does not give guidance around minimum levels of record keeping for stage 2 complaints but the complaints logging database does have required fields of information.
- i) The Complaints Policy and associated procedures clearly state what rights a complainant has if they are not satisfied with the response they receive from the Council at both Stage 1 and Sage 2 of the Council's Complaints Procedure. The Persistent Complainants Procedure clearly defines what is considered to be unreasonable behaviour with regards to complainants.
- j) A formal written record is advised within the procedure where complainants are abusive or threatening. The Complaints Procedure contains guidance as to the need to liaise with Legal Services in certain circumstances when dealing with a complaint. Also, the Persistent Complainants Procedure requires services to involve Legal Services where there may be legal or statutory issues when dealing with a complaint.

1.4.2 To ensure that the Council has established a framework for monitoring and reporting on the level of complaints it receives, for checking that complaints are dealt with in accordance with the procedures, and remedial action is taken to prevent re-occurring complaints.

- a) From our sample checks we found a diverse range of records being utilised to record/monitor the initial complaint received by a service (Stage 1). From our sample of 3 services we noted that in 2 cases their processes and records were found to be suitable and fit for purpose. However, in the case of the third service we found that they were treating the first stage of any correspondence received from a customer as general correspondence, and not as a Stage 1 complaint. A complaint was only classed as such if the customer wrote back after the first response stating their dissatisfaction. They are therefore not complying with the Complaints Procedure requirements for dealing with a Stage 1 complaint. Also, any complaints received by this service are not then being included in any calculations of Stage 1 complaints that the Council receives.
- b) We were informed that e-mails sent to the corporate complaints e-mail address may not necessarily be a complaint, but may be a grievance (as per the definition in the Complaints Procedure). We noted one occasion where there was an administrative error in that an item of correspondence sent to the central complaints e-mail address was not identified as a complaint .
- c) From our sample checks of Stage 1 responses we found that in the majority of cases the responses had been signed by a manager in the relevant service. However, we found that services are often not using the suggested formats or providing the information specified in the guidance as to how the complainant may progress the complaint to Stage 2 of the process.
- d) From our checks of a sample of Stage 2 responses recorded on the Complaints Database we found that the information recorded was comprehensive in the majority of cases. We found that all but one had been acknowledged within the correct time frame. There were 3 occasions where the main response had not been sent out within the required timeframe. The response letters answered the initial complaint in a clear, detailed and consistent manner.
- e) From our sample of 10 Stage 2 complaints we found that they had all been responded to broadly using the suggested letter formats, but with some variance on the opening paragraph. Each case had been appropriately signed by a manager within the service, and where applicable, each response had given information as to further action that the complainant could take if they were not happy with the response received from the Council.

- f) When Strategic Support become involved in dealing with a Stage 2 complaint they review the adequacy of the investigation/response that the relevant service provided for Stage 1. Strategic Support gave us an approximate guide of what they considered were the volumes of complaints dealt with at each stage of the process. As there is no central point/database to record all Stage 1 complaints, it is not possible to assess/analyse the volumes of these complaints either in total or by Service to ascertain if there is any cause/issue as to any changes/fluctuations in the numbers.
- g) To put the above into context, from review of the most recent report on the Ombudsman's website regarding the Council's approach to dealing with the complaints that had then been referred to the Ombudsman, we noted that the report did not highlight any issues of concern. However, we consider that there is a need to obtain and review data on each stage of the process, both in summary and at service level, to ascertain if there are areas that need to be improved that could reduce the number of complaints escalating further than they would need to.
- h) The decision to treat a complainant as persistent is made jointly between the managers in the service concerned, the Information Management Officer and The Scrutiny and Partnership Manager. Complaints received from a Persistent Complainant are not logged any differently to any other complaint ie: there is no official logging or listing of persistent complainants. There may be a note on the record that all correspondence should be channelled through a named officer, but there is no process for formally recording these on the complaints database, for providing management information on the number/types of issues that are being treated as being received from Persistent Complainants.
- i) The Council's KPI results only show the numbers of Stage 2 complaints that were / were not responded to with within the specified timeframe. They also show a comparison with the same information for the previous year, providing an analysis of whether there has been an increase or decrease. They do not record complaints dealt with for all stages of the process, nor provide an analysis of the volumes of complaints that progress to the next stage of the process in order to provide some sort of measure of customer satisfaction with the responses received by the Council.
- j) The Information Management Officer is the officer responsible for liaising with the Local Government Ombudsman. Complaints escalated to the Ombudsman are recorded and logged on the Complaints Database. When a complaint is escalated to the Ombudsman the Information Management Officer informs the relevant Head of Service and those managers within the relevant service area involved with the complaint. The service managers are also copied in on the final response, and the Ombudsman's Decision Notice.

- k) Strategic Support provide guidance on suggested settlements called "Corporate Complaints : Guidance on Compensation", which provides Council Officers guidance on the levels of compensation which might be appropriate for different levels of administrative fault. It provides Council officers with a framework to ensure compensation offered to complainants is consistent across all Council Service Areas. However there is no enforcement of these compensation levels, and it is down to the relevant service to decide if a compensation payment should be made and the value of the payment.
- l) In accordance with the Complaints Policy an officer/member working group has been set up to review/monitor complaints that have progressed to Stage 2 and the Ombudsman. Current membership of the working group consists of the Scrutiny and Partnership Manager, The Information Management Officer and two Members. The Group is required to meet every six months, but this timeframe has not been adhered to over the last couple of years, as only two meetings have taken place. We noted that there is no formal communication channel in place to share the results/outcome of the review with a wider audience than the working group.

1.5 We have included some items referred to as 'Points to Note' (PTN) in the detailed audit findings where:-

- a) the control(s) in place is satisfactory, however, during our sample checks we identified an occasion / couple of occasions where the control was not being complied with; and/or
- b) we wish to make an advisory point which does not relate to a control weakness.

In these circumstances we consider it sufficient to bring these points to your attention for information/future reference without making a recommendation.

2 Detailed Audit Findings

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
01 - To ensure that the Council has established a Corporate Complaints Policy and associated Procedures						
01.01	Complaints are not being logged/dealt with in a consistent and timely manner. The Council is open to criticism / legal action.	The Council has produced a Complaints Policy and associated Procedures in accordance with national guidance / legislation and best practice.	The Council has produced a Complaints Policy and associated Procedures in accordance with national guidance / legislation and best practice.	<p>1) Requirement to have a Complaints Policy</p> <p>a) The modular constitution for English local authorities published on the Communities for Local Government website states that Councils should set out a short and accessible description of their Constitution and method of governance.</p> <p>b) Article 3 deals with Citizens and the Council and states : Citizens have the right to complain to:-</p> <p>i) the Council itself under its complaints scheme; ii) the Ombudsman after using the Council's own complaints scheme;</p> <p>and requires that councils establish their own complaints policy / procedure.</p> <p>c) West Berkshire Council's constitution deals with citizens' rights in article 2 and uses the same wording suggested by the CLG, regarding the citizen's right to be able to make a complaint.</p> <p>2) Council Complaints Policy and Associated Procedures</p> <p>a) The Council has established three individual documents which record the framework and procedures it has set up for providing a channel for customers/citizens to be able to make a complaint.</p> <p>They are as follows:-</p> <p>i) Corporate Complaints Policy ii) Corporate Complaints Procedure iii) Persistent Complainants Procedure.</p> <p>3) Corporate Complaints Policy Content</p> <p>3.1) From a review of the Corporate Complaints Policy we noted that it covers the following key areas:-</p>	<p>The Council has established a Corporate Complaints Policy and associated procedures, in accordance with national guidance for local authorities.</p> <p>The policy clearly defines the Council's aims and objectives for dealing with complaints.</p> <p>The procedures provide comprehensive guidance for staff on the key stages of the process that should be followed, the timeframes for carrying out each of the stages, and the level of information that needs to be recorded on each of the responses. Standard templates have been designed as a prompt for this.</p> <p>There is also a separate procedure, the Persistent Complainants Procedure providing guidance to staff on how to deal with such complaints.</p>	

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>a) Section 1 sets out the purpose of the policy, which is to assist staff in understanding their responsibilities in respect of complaints from members of the public, organisations and other complainants regarding services provided or actions taken by the Council.</p> <p>b) Section 2 clearly identifies who the policy applies to.</p> <p>c) Section 3 states the key aims of the Council's policy, eg</p> <p>i) 3.2 - All complaints will be dealt with promptly, and within published timeframe.</p> <p>ii) 3.3 - All complaints shall be dealt with in confidence.</p> <p>iii) 3.7 - All enquirers shall be advised of their right to question the response received and request a formal review.</p> <p>iv) 3.8 - All enquirers shall be advised of their right, if they remain dissatisfied, to take any complaint to the Local Government Ombudsman once the Council process has been completed.</p> <p>v) 3.13 - All stage 2 complaints and the responses provided will be reviewed bi-annually by a small committee to monitor trends and responses.</p> <p>vi) 3.14 - A member or members of staff shall be assigned specific responsibility for the management and monitoring of complaints.</p> <p>4) Corporate Complaints Procedures Content</p> <p>4.1) From review of the content of the procedure document we noted it covers the following key content:-</p> <p>a) Section 1 - states that the purpose of the document is to set out detailed guidance notes for staff on the processes for dealing with comments grievances and complaints from the public , and explains the Council's regulatory obligations.</p> <p>b) Sections 2 and 3 cover the applicability of the procedures and the roles and responsibilities for ensuring that complaints are dealt with in accordance with the defined procedures. The Head of Strategic Support is the nominated officer with overall responsibility for the</p>		

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>complaints procedure and its application.</p> <p>c) Section 4 covers the regulatory requirements, with Paragraph 4.1 stating that an effective comments and complaints procedure is required to investigate any expressions of dissatisfaction which may have been voiced by residents or customers of the Council and resolve these at an early stage.</p> <p>d) Section 5 covers the definition of a complaint, making a clear distinction between a 'justified complaint' where the Council is at fault because it has failed to do something it should have, or done something it should not have done, and a 'grievance' where the customer is dissatisfied but the Council is not at fault because the agreed policy or procedure has been followed. There is also a section covering the process to follow where the complaint is regarding a service provided by one of the Council's contractors.</p> <p>e) Section 6 covers the stages of the procedures that staff are required to follow upon receipt of a complaint, how to respond to the complaint and the timeframes in which this needs to be carried. Standard templates have been prepared for the responses for each stage of the process.</p> <p>Paragraph 6.1 states that there are three stages to the Council's Complaints procedure, the initial or informal stage (stage 1), the review or formal stage (stage 2) and the independent review stage, or local Government Ombudsman (stage 3). There are timeframes specified for dealing with each stage of the process.</p> <p>f) Section 8 covers Persistent or Prolific Complainants. This gives an overview of the nature of complaints received from such complainants, and refers to the specific procedure that has been drawn up to cover such circumstances.</p>		

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
01.02	The Council does not have an up to date Complaints Policy and associated Procedures and therefore could be open to criticism/legal action.	The Council's corporate Complaints Policy and associated Procedures are reviewed on a regular basis to ensure that they reflect any changes in legislation/best practice.	The Council's Corporate Complaints Policy is required to be reviewed at least every two years.	<p>The Corporate Complaints Policy specifies it will be reviewed to respond to any changes and at least every two years.</p> <p>The version of the Complaints Policy published on the Council's website is dated 2008 and records the next revision date as being 2010.</p> <p>At the commencement of this audit we were informed that the Policy was in the process of being reviewed/updated.</p> <p>We noted that the two documents which cover the procedures to support the Policy, the Corporate Complaints Procedure and the Persistent Complainants Procedure do not specify when they should be revised. In practice, this would probably be at the time that any amendments are made to the Policy. However, to ensure that this does take place we suggest that the documents should specify a review timeframe.</p> <p>The Corporate Complaints Policy and associated procedures use version control. The policy available on the Website does not have the change history / version control panel completed, however, on the 'working version' that is currently being amended the box is completed.</p>	<p>The Corporate Complaints Policy specifies the frequency at which it is required to be reviewed.</p> <p>From a review of the published version of the Policy we noted that it was due to be reviewed in 2010.</p> <p>Therefore, there has been a delay in the Policy being reviewed. However, when commencing this audit, we were informed that a review was underway.</p> <p>The two documents which define the procedures to support the Policy do not specify a review date. In practice, these documents would likely be reviewed at the same time as the Policy, but to ensure that this is the case, we consider that they need to incorporate the same review timeframe as the Policy document.</p> <p>The Corporate Complaints Policy and associated procedures use version control so that the most up to date version can be clearly identified.</p>	Rec. 01
01.03	The Council does not have an up to date Complaints Policy and associated Procedures and therefore could be open to criticism / legal action.	There is an appointed person who has overall responsibility for ensuring that the Complaints Policy and Procedures are kept up to date.	The Policy and procedures state that the 'Head of Policy and Communication' has overall responsibility for ensuring that the Complaints Policy and Procedures are kept up to date and	<p>The overall responsibility for corporate complaints monitoring and management within the Council rests with the Head of Strategic Support (the Policy needs updating to reflect the change in title from the Head of Policy and Communication, he is also responsible for maintaining this Policy, for reviewing all other complaints standards and procedures, and for providing advice and guidance on their implementation.</p> <p>The Policy also states that Heads of Service are directly responsible for implementing the Policy and any sub policies and procedures within their service areas, and for the adherence of their staff and others.</p>	<p>The published version of the policy makes it clear that the Head of Policy and Communication (now the Head of Strategic Support) has overall responsibility for the maintenance and management of the Council's Corporate Complaints Policy and procedures.</p> <p>There is also a nominated member of staff responsible for the administration of the Policy and associated procedures, this is the Information Management Officer.</p>	

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
			there is a nominated person within the service responsible for the administration of the Policy and procedures.	<p>The Policy also mentions that each member of staff has individual responsibility to adhere to the Policy and any relevant Standards and/or procedures.</p> <p>The Information Management Officer is named as the member of staff responsible for the administration of the Policy and associated procedures. At the time of the audit we were informed that she was in the process of reviewing/revising the Policy and one of the amendments was to reflect the change in title of the responsible service/Head of Service.</p>	At the time of our review the Policy and procedures were being reviewed, one of the amendments being made was to reflect the change in name of the Head of Policy and Communication to the Head of Strategic Support.	
01.04	The public are not aware of how to make complaints to the Council / Adversely effecting Councils public image / open to criticism / legal action.	The existence of the Council's Corporate Complaints Policy is highlighted to members of the public using a variety of means at various locations	The existence of the Council's Corporate Complaints Policy is published on the Council's website, and hardcopies are available from the reception areas of the main Council buildings.	<p>Member of the public can access the Council's Complaints Policy and procedures on the Council's webpage. The externally published version of the procedure differs from the internal staff document in that it does not include the standard templates.</p> <p>There are hard copies available in the reception areas of the main Council offices at Market Street, West Street House and Turnhams Green.</p> <p>There are also further leaflets available to the public both on the Council's website and in the reception areas:-</p> <p>a) A guide to help you - make a comment, suggestion, complaint or compliment about West Berkshire Council.</p> <p>b) Compliment, comment, suggestion, complaint - submission leaflet.</p> <p>When trying to locate the Complaints Policy and procedures on the Council's webpage, we found they are not highlighted in their own, right, but they can be located by using either the A to Z search or the main search box.</p> <p>From the A to Z search, it takes the user to a page Called Comments, Complaints and Compliments and there are direct links from this page to the policy, the leaflet, and an online form. This overview page gives the contact details for the Scrutiny and Partnerships Manager.</p>	<p>Copies of the Council's Complaints Policy and procedures are available from the reception area in the main Council buildings.</p> <p>The public version of the Complaints Policy's / procedures are available on the Council's webpage via a search engine or A to Z search.</p> <p>The information is spread across two web pages, which provide two points of contact, the Scrutiny and Partnerships Manager and the Information Management Officer.</p>	Rec 02

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				This page then gives a further link to a sub-page "Making a comment , complaint or compliment" which provides a link to the procedures and gives the contact details of the Information Management Officer.		
01.05	A consistent approach is not being adopted when dealing with customer complaints. The Council could be open to criticism/legal action.	Council staff are made aware of the existence of the Council's Corporate Complaints Policy and associated Procedures, how to access them and the need to comply with them.	Council staff are made aware of the existence of the Council's Corporate Complaints Policy and associated Procedures, how to access them and the need to comply with them.	<p>1) Accessing Staff Guidance</p> <p>a) The Council's Corporate Complaints Policy and associated Procedures are available on the Intranet.</p> <p>b) In order to find the information on the Intranet, a search needs to be entered. If a general search for 'complaints' is carried out, this links to the external webpages for complaints, and therefore gives the external version of the procedures, rather than the one with the templates that staff need to refer to.</p> <p>c) If the search information entered is 'staff guidance on corporate complaints' this will take the staff member to a link on the Intranet specifically for staff and the page contains.</p> <p>2) Content of Staff Guidance on the Intranet</p> <p>a) Contact details for both the Information Management Officer and the Scrutiny and Partnerships Manager are specified.</p> <p>b) There are links to the procedures covering the handling complaints / persistent complaints. there is also a staff guidance leaflet and leaflets to give/send to members of the public.</p> <p>c) A link to the ombudsman's website.</p> <p>3) Provision of Training</p> <p>a) Strategic Support provide training on the Council's Corporate Complaints Policy and procedure, this is carried out as part of the mandatory induction training for all new staff. Adhoc training is also provided to specific services where a need is identified/a request is made to the Information Management Officer.</p>	<p>The Complaints Policy and associated procedures are published on the Council's Intranet so that staff can access them.</p> <p>We found that the search engine links a query on complaints to the external version of the procedures rather than the internal staff version. Therefore, staff who are not aware of there being two versions may refer to the less detailed version.</p> <p>As part of the Council's mandatory staff induction training, the Information Management Officer provides training covering the Council's Corporate Complaints Policy and procedures. She will also carry out training for a specific service if this is requested.</p>	<p>PTN</p> <p>We recommend that the Intranet link to the Complaints Policy and Procedure needs to be amended so that any internal searches by members of staff take them to the internal views of these documents.</p>

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
01.06	Council Officers are not aware of / know where to access the Councils corporate Complaints Policy and associated Procedures. A clear consistent approach is not being adopted to customer complaints.	Any changes to the Corporate Complaints Policy and Procedures are communicated to all staff prior to them coming into effect.	No Control in place.	<p>The Policy / procedures do not state how updates should be communicated to Council Officers.</p> <p>We were informed by the Information Management Officer and the Scrutiny and Partnerships Manager that they do not specifically inform officers when the Policy / procedures have been updated.</p> <p>However, the most up to date policy / procedures is always available on the Intranet.</p>	<p>Changes / amendments to the corporate complaints policy and associated procedures are not specifically communicated to members of staff.</p> <p>However, taking into account that the most up-to-date version is always published on the Intranet, and that there have been no revisions to the current version which was published in 2008, there has not been a need to highlight any specific changes to staff.</p> <p>We consider that there may be a need at the point that the current review of the Policy and Procedures is completed, depending on whether there are any significant changes to the content.</p>	<p>PTN</p> <p>If there are any significant changes required to the content of the Policy and Procedures as a result of the current review, the service needs to consider how these changes are going to be flagged up/highlighted to members of staff.</p>
01.07	A consistent approach is not being adopted when dealing with customer complaints. The Council could be open to criticism/legal action.	The Council's corporate Complaints Policy and associated Procedures contain clear definitions as to what is classed as a complaint against the Council, how to make a complaint, where to send it to and what will happen once it has been received.	The Council's corporate Complaints Policy, associated procedures, leaflets and forms contain clear definitions as to what is classed as a complaint against the Council, how to make a complaint, where to send it to and what will happen once it has been received.	<p>1) <u>Definition of a Complaint</u></p> <p>a) the Complaints Policy states the following:-</p> <p>'The Council defines a complaint as an expression of dissatisfaction about the Council or its services.' It then goes onto say that this means that if a member of staff is contacted by a member of the public in person, writing or by phone and is unhappy with the Council for whatever reason then this must be defined as a complaint.</p> <p>b) Additionally it says there are two different types of complaint:-</p> <p>ii) A justified complaint - where the council is at fault.</p> <p>ii) A grievance - where the customer is dissatisfied but the Council is not at fault.</p> <p>c) The Corporate Complaints procedure details all the stages of the process which includes how a complaint is to be made.</p>	<p>The Council's Complaints Procedure, leaflets etc clearly explain what is classed as a complaint and how to make a complaint. There is also information covering the stages of the complaints process and how they are dealt with by the Council.</p> <p>The wording of the information covering where to send the initial complaint is not consistent/always clear in each of the documents.</p>	Rec. 03

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>2) <u>How to make a Complaint</u></p> <p>a) The leaflet called “A Guide to Help you make a comment or complaint” clearly explains how to make a complaint in a straight forward understandable format. There is also a form available on the Council's website for members of the public to complete if they wish to make a comment/complaint.</p> <p>3) <u>Where to send a Complaint</u></p> <p>a) The “Guide to Help you” leaflet states that a complaint should be either sent to the relevant service or the Council's Complaints Officer (and provides an address and central e-mail address for the Council’s Complaints Officer (the Information Management Officer who acts as the Council’s Complaints Officer).</p> <p>b) The Compliment/Comment/Complaint Form states that a complaint should be sent to the relevant service, or, if there is any doubt about this, to send it to the Head of Policy and Communication.</p> <p>c) The Complaints Procedure does not specify where a complaint should be sent, but does state that it is down to the relevant service to respond to a complaint received at stage 1 of the process.</p> <p>4) <u>How a Complaint will be dealt with</u></p> <p>Both the procedure document and the information leaflets include information for customers as to how their complaint will be dealt with, what the stages of the process are if they are not happy with the outcome of responses they receive.</p>		

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
01.08	Complaints are not dealt with in a timely manner resulting in them being escalated unnecessarily and/or the Council being criticised.	The Complaints Policy and Procedures specify timeframes for acknowledging, investigating and responding to the complaint.	The Complaints Policy and Procedures specify timeframes for acknowledging, investigating and responding to the complaint.	The Complaints Procedure states that:- a) Stage 1 complaints should be acknowledged within 3 working days of receipt and a full written reply within 10 working days. b) Stage 2 complaints should be acknowledged within 3 working days of receipt and a full response within 20 working days.	The Council's Corporate Complaints Procedure includes timeframes for acknowledging, investigating and responding to complaints received by the Council, at each stage of the process.	
01.09	A consistent approach is not being adopted when dealing with customer complaints. The Council could be open to criticism/legal action.	The Council's Complaints Policy and associated Procedures clearly define roles and responsibilities for recording and dealing with complaints and the level of detail that is required to be recorded for each stage of the procedure.	The Council's Complaints Policy and associated Procedures clearly define roles and responsibilities for recording and dealing with complaints.	The Council's Corporate Complaints policy and procedures state that the overall responsibility for corporate complaints monitoring and ensuring that complaints are managed appropriately in accordance with the agreed procedures rest with the Head of Strategic Support. It also states that heads of service are responsible for implementing the policy and that Heads of Service and designated complaints officers are responsible for the day to day management of complaints. Appendix 1 of the procedure contains a list of contacts for each service area within the Council. There is no guidance in the procedure as to the level of record-keeping required for stage one complaints . We were also informed that no guidance is issued to individual service areas around the level of record keeping required. However the procedure does state that the complaints form is a useful template for the information generally required. For Stage 2 and complaints at the Ombudsman stage there is also no guidance in the procedure , but we were informed that the CDC complaints logging database does have required fields of information.	The Head of Strategic Support has overall responsibility for ensuring that complaints are managed appropriately in accordance with the agreed procedures. Heads of Service and designated complaints officers are responsible for the day to day management of complaints and the procedure contains a list of corporate complaints contacts. The Corporate Complaints procedure does not guide service areas when deciding what information they should keep in their corporate complaints records for Stage 1 complaints. The Corporate Complaints procedure does not give guidance around minimum levels of record keeping for Stage 2 complaints but the complaints logging database does have required fields of information.	Rec. 04

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
01.10	A consistent approach is not being adopted when dealing with customer complaints. The Council could be open to criticism/legal action.	The Complaints Policy/Procedure specifies the need for complaints to be raised initially with the Council to try and deal with before it is raised externally with the Local Government Ombudsman.	The Complaints Procedure makes it clear that the Council is the first port of call where a complainant wishes to make a complaint about the Council.	<p>The Council's Complaints Procedure document identifies three stages to the complaints procedure, and makes it clear that the first two stages are the Council's internal procedures for trying to resolve a complaint.</p> <p>The third stage of the process makes it clear that members of the public have the right to go to the Local Government Ombudsman if they are not satisfied with the response/outcome of the two responses received from the Council.</p> <p>Section 2.2.5 of the Council's Constitution makes it clear that citizens have the right to complain to the Council itself under its Customer Comments and Complaints Procedure, and the Local Government Ombudsman after using the Council's own Customer Comments and Complaints Procedure.</p>	<p>There is no specific reference in the Council's Complaints Policy/Procedures for complaints to be dealt with by the Council before it gets to the stage of being referred to the Ombudsman.</p> <p>The fact that there are two stages of the process that require the complainant to write to the Council in order for them to respond, requires the Council to be the first port of call for dealing/responding to a complaint.</p> <p>We found that the Council's Constitution makes it clear that customers have the right to take a complaint to the Local Government Ombudsman, after the Council's own Complaints Procedure has been followed.</p>	<p>PTN</p> <p>We suggest that the need for complaints to be dealt with within the Council before being referred by the complainant to the Ombudsman needs to be reflected in both the Complaints Policy and the associated procedures.</p>
01.11	Complaints are not dealt with in a timely manner which could result in them being escalated unnecessarily and/or the Council being criticised.	The Complaints Policy/Procedure makes it clear the rights of the complainant if they are not happy with the Council's response to their initial complaint.	The Complaints Policy and Procedures make it clear what rights the complainant has if they wish to progress it if they are not satisfied with the Council's response.	<p>1) <u>The Complaints Policy states that:-</u></p> <p>“All enquirers shall be advised of their right, if they remain dissatisfied, to take any complaint to the Local Government Ombudsman (LGO) once the Council process has been completed.”</p> <p>2) <u>The Complaints Procedure states:-</u></p> <p>a) Stage 1 Responses</p> <p>When sending out a final response to stage 1 complaints a standard wording advising them of their right to a stage 2 review and a copy of the Council's 'Your right to a review' leaflet must be included.</p> <p>b) Stage 2 Responses</p> <p>It must be made clear in the response that if the complainant remains dissatisfied they have the right to refer their complaint to the LGO for an independent review and that a leaflet on the role of the LGO, or a link to the LGO's website must be provided.</p>	The Complaints Policy and associated procedures clearly state what rights a complainant has if they are not happy with the response they receive from the Council at both Stage 1 and Stage 2 of the Council's Complaints Procedure.	

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
01.12	A consistent approach is not being adopted when dealing with customer complaints. The Council could be open to criticism/legal action.	Appropriate letter templates have been prepared for each stage of the Complaints Procedure and are readily available to all Council Officers.	Appropriate letter templates have been prepared for each stage of the Complaints Procedure and are readily available to all Council Officers who have Intranet access.	Appendix 2 of The Council's Complaints Procedure contains standard letter formats for responding to complaints at stages 1 and 2 of the procedure . They are readily available to council staff who have access to the Intranet.	The Complaints Procedure published on the Intranet includes standard letter templates to be used when responding to complaints at each stage of the procedure. From review of the content we found the detail recorded to be comprehensive.	
01.13	Communication between the Council and Local Government Ombudsman is compromised. This could result in reputational damage for the Council and/or the Council being open to criticism.	The Policy/Procedure clearly defines who is responsible for liaising with the Local Government Ombudsman when complaints have been referred to the last stage of the process (stage 3).	The Policy and Procedure define who is responsible for liaising with the Local Government Ombudsman when complaints have gone to Stage 3 of the procedure.	Paragraph 6.3.6 of the Complaints Procedure states that any queries regarding the role of the LGO should be referred to the Information Management Officer, who is responsible for direct liaison.	The Information Management Officer is responsible for direct liaison with the LGO regarding those complaints that have been referred as part of Stage 3 of the Council's procedure.	
01.14	A consistent approach is not being adopted when dealing with customer complaints. The Council could be open to criticism/legal	The Complaints Policy and associated Procedures clearly defines what is an unreasonable, unreasonably persistent or prolific	The Complaints Policy and associated Procedures clearly define what is unreasonable, unreasonably persistent or prolific	The Persistent Complainants Procedure clearly sets out what is considered to be unreasonable complainant behaviour and provided numerous examples where behaviour by a complainant could be deemed to be unreasonable. Section 5 deals with resolving unreasonable complainant behaviour and clearly guides services on how to manage this type of behaviour. Section 6.5 deals with record keeping but only advises a formal	The Persistent Complainants Procedure clearly defines what is considered to be unreasonable behaviour with regards to complainants. A formal written record is advised within the procedure where complainants are abusive or threatening.	

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
	action.	complainant, and how these should be recorded/dealt with.	complainant behaviour and how these should be recorded/dealt with.	written record where complainants are abusive or threatening.		
01.15	A consistent approach is not being adopted when dealing with customer complaints. The Council could be open to criticism/legal action.	The roles and responsibilities for recording and dealing with persistent complaints are clearly defined.	The roles and responsibilities at a senior level for recording and dealing with persistent complaints are defined.	<p>1) Roles and Responsibilities</p> <p>a) The Head of Strategic Support has overall responsibility for ensuring that unreasonable and unreasonably persistent complainants are managed appropriately in accordance with agreed standards.</p> <p>b) Heads of Service and designated complaints officers are responsible for the day to day management of complaints.</p> <p>2) Records of Persistent Complainants</p> <p>a) The Persistent Complainants Procedure specifies that a record must be maintained for each complaint where the complainant is threatening or abusive to staff. However, it does not provide guidance for staff regarding the level of records that need to be maintained.</p>	<p>The Head of Strategic Support has overall responsibility for the management of unreasonable and unreasonably persistent complainants in accordance with the defined procedure.</p> <p>Heads of Service and designated complaints officers are responsible for the day to day management of complaints within each of the services.</p> <p>The procedure requires a written record to be maintained where complainants are abusive or threaten staff, but it does not specify the level of information that needs to be recorded.</p>	Rec. 05
01.16	Council Officers may suffer from verbal/physical abuse from a complainant. This could result in the Council being open to criticism/claims for damages.	The Complaints Policy and associated Procedures include strategies to fulfil the Council's duty of care to staff when dealing with abusive and intimidating complainants.	The Persistent Complainants Procedure includes strategies to fulfil the Council's duty of care to staff when dealing with abusive and intimidating complainants.	<p>The Corporate Complaints Policy and procedure do not contain guidance on dealing with abusive and intimidating complainants.</p> <p>However the Persistent Complainants Procedure in section 6.7 deals with managing behavioural issues. It states that The Council has a duty of care to all staff to ensure they are safe from abuse and intimidation.</p> <p>This section contains detailed guidance to staff on dealing with complainants who use abusive language or provocative behaviour.</p> <p>Paragraph 6.7.4 also states if complainants behave in a particularly aggressive or confrontational manner the Council will consider implementation of their staff harassment procedures.</p>	<p>The Corporate Complaints Policy and procedure do not contain guidance on dealing with abusive and intimidating complainants.</p> <p>The Persistent Complainants Procedure deals with managing behavioural issues and does contain guidance on dealing with abusive and intimidating complainants.</p> <p>The guidance within the Persistent Complainants Procedure is comprehensive and reasonable.</p>	Rec. 06

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>The guidance within the Persistent Complainants Procedure is comprehensive appropriate and reasonable .</p> <p>However, the main Complaints procedure would also benefit from adding guidance on managing behavioural issues or a prompt to look at the persistent complaints policy for this guidance.</p>	<p>However, the main Complaints procedure would benefit from adding guidance on managing behavioural issues or a prompt to refer to the persistent complaints policy.</p>	
01.17	<p>A consistent approach is not being adopted when dealing with customer complaints. The Council could be open to criticism/legal action.</p>	<p>The Complaints Policy and associated Procedures include strategies for managing representatives of complainants if the complainant chooses to use a representative.</p>	<p>The Complaints Policy and associated Procedures includes some limited guidance for managing representatives of complainants if the complainant chooses to communicate via a representative.</p>	<p>The procedures do not contain guidance on dealing with representatives of complainants.</p> <p>The Persistent Complainants Procedure includes some reference to dealing with complainant representatives. Section 6.8 'Managing representation on behalf of others' gives guidance on dealing with representatives where a complainant is unwilling to have their complaint progressed by the third party representative, in which case the person making representation is barred from the process.</p> <p>It guides staff in making sure the client can still access the process and in advising about finding an advocate, and the need for record keeping in these circumstance.</p> <p>There is no specific guidance for dealing with lay or legal representatives, or for procedures around correspondence for either type of representative.</p>	<p>The Corporate Complaints Policy and procedure do not contain guidance on managing or dealing with representatives of complainants.</p> <p>The Persistent Complainants Procedure contains limited reference for dealing with representatives, but only where a complainant no longer wishes them to deal with the complaint on their behalf.</p>	Rec. 07
01.18	<p>Legal advice is not requested promptly which could result in a complaint not being dealt with appropriately which could result in the Council could be open to criticism/legal action.</p>	<p>The Complaints Policy and associated Procedures define when legal services should be involved in the management of a complaint.</p>	<p>No control in place for non persistent Complaints and the Persistent Complainants Procedure define when legal services should be involved in the management of persistent complaints.</p>	<p>We reviewed the content of the Complaints Procedure and Persistent Complainants Procedure to assess whether it made specific reference to the need to consult with the Council's Legal Section where there were causes of concern in dealing with a complaint.</p> <p>We noted that Paragraph 6.4.3 of the Complaints Procedure includes the following:-</p> <p>'Where there are legal issues involved, the matter should be referred to the Legal & Electoral Services Team. This will include, for example, cases where it is alleged that the Council or an officer has been negligent, or that the Council has broken the law, or is in breach of contract.'</p> <p>The Persistent Complainants Procedure includes reference to the</p>	<p>The Complaints Procedure contains guidance as to the need to liaise with Legal Services in certain circumstances when dealing with a complaint.</p> <p>Also, the Persistent Complainants Procedure requires services to involve Legal Services where there may be legal or statutory issues when dealing with a complaint.</p>	

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>need to consult with Legal Services. Section 6.9 Other Issues, Legal Responsibilities, states the following:-</p> <p>'If there are any legal or statutory issues the service must involve Legal Services to ensure that all duties and responsibilities have been fulfilled, and that all relevant decisions made are well founded and robust.'</p>		
<p>02 -To ensure that the Council has established a framework for monitoring and reporting on the level of complaints it receives, for checking that complaints are dealt with in accordance with the procedures, and remedial action is taken to prevent re-occurring complaints</p>						
02.01	<p>Complaints are not being logged in a comprehensive, consistent and timely manner within the various service areas receiving stage 1 complaints. The Council is open to criticism / legal action.</p>	<p>Service areas have set up comprehensive records to be able to log and monitor their responses to Stage 1 complaints</p>	<p>Services have determined their own processes/systems for recording and monitoring the complaints they receive at Stage 1 of the Council's Complaints Procedure.</p>	<p>1) <u>Approach to sample testing</u></p> <p>In order to review the processes set up within services for dealing with Stage 1 complaints we obtained a report from the central complaints database and chose a sample of 3 services to include in our review.</p> <p>These services were chosen as they had a higher volume of Stage 2 complaints listed than most other services.</p> <p>2) <u>Review of the Service records</u></p> <p>2.1) Acknowledgements</p> <p>a) The procedure requires a written confirmation to be issued to each complainant within 3 days of receipt of the complaint.</p> <p>b) We noted that 2 of our sample services did not issue an acknowledgement letter as standard practice. We were informed that they had concluded this is not necessary, as well as the fact it took additional time to do.</p> <p>For the remaining service, they do not treat the first stage of correspondence as a complaint, therefore they do not issue any acknowledgement letters as per the Complaints Procedure.</p> <p>2.2) Overall Standard of Record keeping</p> <p>a) One of the services recorded all complaints on its main service database. Another used a spreadsheet to log and monitor each complaint. The third did not have a dedicated database and recorded</p>	<p>From our sample checks we found a diverse range of records being utilised to record/monitor the initial complaint received by a service (Stage 1).</p> <p>From our sample of 3 services we noted that in 2 cases their processes and records were found to be suitable and fit for purpose.</p> <p>However, in the case of the third service we found that they were treating the first stage of any correspondence received from a customer as general correspondence, and not as a stage 1 complaint. A complaint was only classed as such if the customer wrote back after the first response stating their dissatisfaction.</p> <p>They are therefore not complying with the Complaints Procedure requirements for dealing with a Stage 1 complaint. Also, any complaints received by this service are not then being included in any calculations of Stage 1 complaints that the Council receives.</p> <p>We were informed that e-mails sent to the corporate complaints e-mail address may not necessarily be a complaint, but may be a</p>	<p>Recs. 08,09 and 10.</p>

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>all correspondence including complaints on a correspondence log. They were not making any distinction between a complaint and a general letter when logging the information.</p> <p>b) We reviewed the records to ascertain if it was possible from the information to be able to assess the level of complaints received. For 2 of the services this was found to be the case (8 and 19 respectively for the first six months of 2012). For the third service they did not know how many complaints they had received/needed to deal with as they could not be separately identified from their log of general correspondence.</p> <p>2.3) Content of the Service Records</p> <p>2.3.1) Revenues and Benefits</p> <p>a) The service utilised a spreadsheet, it contained the following information:-</p> <ul style="list-style-type: none"> i) unique reference number ii) date received iii) method used to make the complaint, iv) complaint category v) contact details vi) brief description vii) date of acknowledgement (not being used) viii) officer dealing with the complaint ix) date replied x) number of days between receipt of the complaint and the reply. <p>b) The administration staff within the service area monitor and chase responses to make sure complaints are answered within the specified time frame.</p> <p>c) From our sample checks of 5 complaints within this service we found that :-</p> <ul style="list-style-type: none"> i) In each case there was a brief description of the nature of the complaint. ii) 4 recorded full contact details for the complainant, the remaining 	<p>grievance (as per the definition in the Complaints Procedure). We noted one occasion where there was an administrative error, in that an item of correspondence sent to the central complaints e-mail address was not identified as a complaint</p>	

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>case only had the e-mail address recorded.</p> <p>iii) In each case the date of receipt of the complaint had been recorded.</p> <p>iv) An acknowledgement had not been sent out for any of the cases.</p> <p>v) All 5 had a full response or holding response sent out within the specified time frame. From review we considered each of these responses to be comprehensive and answered the complaint.</p> <p>2.3.2) Housing</p> <p>a) Stage 1 complaints are recorded on the Service's main database where all records for their customer/clients are recorded. Using the databases provides reporting capabilities for managers on the complaints being logged.</p> <p>b)The system allocates complaints to managers to deal with by putting them into 'workflow' and the system automatically allocates a date by which a response needs to be issued, which assists in monitoring response times. We were informed that Managers check their work flow on a regular basis.</p> <p>c) From our sample of 6 complaints recorded on the database we found the following:-</p> <p>i) 1 was not a complaint but the logging of customer behaviour.</p> <p>For the remaining 5 cases each had recorded the nature of the complaint.</p> <p>ii) Full contact details had been recorded in each case.</p> <p>iii) The date of receipt of the complaint had been recorded in each case.</p> <p>iv) An acknowledgement letter had been issued for 2 cases.</p> <p>v) 3 of the 5 had a full response sent out within the specified time frame. We were informed that for the remaining 2 cases the deadline had been missed due to problems with logging the information.</p>		

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>vi) 4 of the 5 received comprehensive responses, the remaining case was rather brief.</p> <p>2.3.3) Waste Services</p> <p>a) The service does not distinguish complaints received from general correspondence (Service requests) that require a response. A large number of the cases relate to where customers have been in contact with Customer Services with a query/an issue, this is then forwarded onto the service to deal with.</p> <p>b) Receipt of the general correspondence is logged onto a spreadsheet, and officers are allocated cases within postcode groups.</p> <p>c) Where the customer is not happy with the response they receive and contact the Council again, the service then treat this as a Stage 1 complaint, and these are allocated to a manager for them to deal with.</p> <p>The Stage 1 complaints are recorded on the same spreadsheet as general correspondence and not separately identified/monitored. When we discussed this with the officer responsible she then amended the list to highlight those cases where the customer had been in touch again and where the case was now being treated as a Stage 1 complaint.</p> <p>d) The spreadsheet records the following:-</p> <p>i) date the correspondence was received;</p> <p>ii) a target date for when a response needs to be issued.</p> <p>(This is 14 days from receipt so uses the 10 working days timeframe specified for Stage 1 responses).</p> <p>iii) Who is dealing with the query.</p> <p>iv) The date the response was issued</p> <p>v) The number of days between receiving the query to the number of days when the response was issued.</p> <p>There is a further column for the 'acknowledgement date', however</p>		

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>this column is not being used and was blank.</p> <p>e) In order to choose our sample we reviewed the nature of the issue/query recorded on the spreadsheet to try and identify those that may be a complaint rather than general correspondence.</p> <p>We chose 4 entries where we considered that they were a complaint rather than a 'business as usual' enquiry together with 2 entries that had been marked as a Stage 1 Complaint. From review we noted the following:-</p> <p>i) Comprehensive contact details had been recorded in each case, although 2 only had e-mail addresses rather than a full name.</p> <p>ii) The date of receipt of the query had been recorded in each case.</p> <p>iii) An acknowledgement letter had not been sent out for any of the cases, although in two cases the customer did receive an acknowledgement via Customer services, who had taken the initial enquiry/complaint.</p> <p>iv) In one case the response was only a holding response with no formal response recorded.</p> <p>In 1 case as it was treated as business as usual the response had been made by telephone so there was no record of what was said/how the issue was resolved.</p> <p>1 of 7 the correspondence log states a response date, however, the service enquiry form only documents a response from the 'crew' and no response to the complainant.</p> <p>3 of 7 had responses which were not within the correct time frame.</p> <p>Of the 7 responses we were only able to assess 2 which were comprehensive and satisfactory.</p> <p>Of the other 5 we could not assess for various reasons, ie: responded to directly by the contractor, treated as business as usual, responded by telephone and content not recorded or no response.</p>		

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>3) Corporate Complaints e-mail address</p> <p>a) Complainants can send their complaint direct to the Council's corporate e-mail address. Complaints sent in via this route would initially be assessed by the Information Management Officer to ascertain if they are a complaint, rather than a grievance (as per the definition in the Corporate Complaints Procedure), it would then be logged on the central complaints database before being forwarded to the relevant service to respond to under Stage 1 of the process.</p> <p>b) As part of our review we noted one case where there was an administrative error in an item of correspondence sent to the central complaints e-mail address not initially being identified as a complaint. This resulted in there being a delay in issuing the acknowledgement after it had been identified that it was actually a complaint, although the response was issued within the required timeframe.</p>		
02.02	Complaints are not being logged in a consistent and timely manner within each service. The Council is open to criticism / legal action.	Each service area has a nominated officer who is responsible for maintaining the complaints log and for ensuring that the timeframes for responding are adhered to.	Service areas were required to nominate a key person to be responsible for corporate complaints within their service.	<p>Appendix 1 of the staff version of the Corporate Complaints Procedure contains a listing of 'Corporate Complaints Contacts' for service areas across the Council.</p> <p>The version on the Intranet is not up to date as it does not reflect the current organisational structure/members of staff employed.</p> <p>From our sample checks of 3 service areas, we found that the contact name on the listing was not correct.</p>	<p>The staff version of the Corporate Complaints Procedure includes an appendix which contains a listing of Contacts for service areas across the Council.</p> <p>We noted that the current version is not up-to-date as it includes names of people no longer employed by the Council.</p>	<p>PTN</p> <p>As part of the review of the Complaints Procedure it should be ensured that the service contact list is also reviewed and updated.</p>
02.03	Complaints are not being responded to in a comprehensive, consistent and timely manner	Stage 1 letters are required to be signed by a manager who should check that the response is	Most Stage 1 letters produced by the services are required to be signed by a service manager.	<p>From our sample checks of 3 services, we checked to ensure that their responses issued at Stage 1 had been appropriately signed by a service manager in accordance with the requirements of the procedure.</p> <p>a) From our sample of cases (16 complaints) we found that in 13</p>	<p>From our sample checks of Stage 1 responses we found that in the majority of cases the responses had been signed by a manager in the relevant service.</p> <p>However, we found that services are often</p>	<p>Rec. 11</p>

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
	within the various service areas receiving stage 1 complaints . The Council is open to criticism / legal action	valid and the relevant templates have been used.		<p>cases they had been signed by a manager, the remaining 3 had been signed by another officer.</p> <p>b) 7 of the 16 had used the suggested letter formats.</p> <p>c) 8 of the 16 had included the information required to inform the complainant of how to progress the complaint to stage 2 if they were not happy with the response.</p> <p>4 of our sample of cases had not been treated as a complaint by the service concerned and had therefore not followed the required format/content of such responses.</p>	not using the suggested formats or providing the information specified in the guidance as to how the complainant may progress the complaint to stage 2 of the process.	
02.04	Complaints are not being logged in a comprehensive, consistent and timely manner. The Council is open to criticism / legal action	Strategic Support have a Complaints Database / files that they use to keep comprehensive records to be able to log and monitor their responses to Stage 2 complaints	Strategic Support use a specific database to record each complaint at Stage 2 as well as monitoring progress of complaints at this stage and those referred to the Ombudsman.	<p>We reviewed a sample of 10 Stage 2 complaints recorded on the Complaints Database administered by the Information Management Officer and noted the following:-</p> <p>a) In each case the details of the actual nature of the complaint had been fully recorded.</p> <p>b) In 8 cases full contact details of the complainant had been recorded, in the remaining two cases only e-mail address details had been recorded.</p> <p>We were informed by the Information Management Officer that the contact details recorded on the database are those supplied by the complainant, and if a complaint is received by e-mail, with only the e-mail address as the contact point, this is deemed satisfactory in order to be able to deal with the complaint/make a response.</p> <p>c) In each case an acknowledgement had been issued to the complainant, 9 of these had been issued within the 3 day timeframe.</p> <p>d) In 7 cases the full response had been sent out within the correct time frame. From the remaining 3 cases 1 had a holding response sent out within the correct timeframe, with a further one not having met the deadline by only 2 days.</p> <p>e) We assessed the 10 response letters and found that they all answered the initial complaint in a clear, detailed and consistent manner.</p>	<p>From our checks of a sample of Stage 2 responses recorded on the Complaints Database we found that the information recorded was comprehensive in the majority of cases.</p> <p>We found that all but one had been acknowledged within the correct time frame.</p> <p>There were 3 occasions where the main response had not been sent out within the required timeframe.</p> <p>The response letters answered the initial complaint in a clear, detailed and consistent manner.</p>	Rec. 12

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
02.05	Complaints are not being responded to in a comprehensive, consistent and timely manner. The Council is open to criticism / legal action	There is a review/prompting process in place to help to ensure that Stage 2 complaints are responded to within the documented timeframe.	There is a diary page within the Complaints Database, which when opened manually acts as prompting tool to track Stage 2 complaints and to ensure they are responded to within the required timeframe.	<p>The Complaints database (CDC Response) includes a diary page, which lists all current complaints, what the current status is for each complaint and actions required to be undertaken.</p> <p>The Information Management Officer informed us that she checks the diary on a regular basis, usually daily, and uses this as a prompt to make sure complaints are responded to within the specified timeframes, and to monitor cases that have been referred to the Ombudsman.</p> <p>The Information Management Officer also uses this system to prompt herself to remind service areas for actions required at Stage 1 (where she is made aware of them, as they need to be registered on the database).</p> <p>When entering actions onto the database it is not possible to close a complaint unless certain fields are filled in, therefore this also acts as a reminder to make sure all actions have been completed before the complaint is closed.</p> <p>We were informed that there are documented procedures from the software provider on the use of the system. There is also another member of staff who has been trained on the use of the system, is aware of the way the diary process works to ensure that deadlines are being adhered to.</p>	<p>The Complaints Database includes a diary page, which lists all ongoing complaints, their status to date and actions required to be carried out.</p> <p>The Information Management Officer checks the diary page regularly and uses it as a prompt to respond to complaints within the specified timeframe.</p>	
02.06	Complaints are not being responded to in a comprehensive, consistent and timely manner. The Council is open to criticism / legal action	Strategic Support has an officer who is responsible for making sure all Stage 2 complaints are responded to using the correct letter formats and leaflets.	The Information Management Officer is responsible for administering stage 2 responses and ensuring that they are dealt with in the required timeframes, with there being an	<p>From our sample of 10 stage 2 complaints we found the following:</p> <p>a) Each of the responses broadly used the required format for a Stage 2 response.</p> <p>b) All of our sample were appropriately signed by The Scrutiny and Partnerships Manager.</p> <p>c) 9 cases contained the required information for the complainant to escalate the complaint to the ombudsman if they are not happy with the response provided by the Council.</p> <p>We were informed that for the remaining case it was not relevant to</p>	<p>From our sample of 10 Stage 2 complaints we found that they had all been responded to broadly using the suggested letter formats, but with some variance on the opening paragraph.</p> <p>Each case had been appropriately signed by a manager within the service, and where applicable, each response had given information as to further action that the complainant could take if they were not</p>	

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
			overview of the wording of the response by the Scrutiny and Partnerships manager who signs each of the responses.	include the Ombudsman contact information as it had already been agreed to offer compensation and this had been discussed with the complainant over the telephone.	happy with the response received from the Council.	
02.07	Complaints are not being responded to in a comprehensive, consistent and timely manner. The Council is open to criticism / legal action	Where a stage 2 Complaint is received, Strategic Support obtain all of the supporting information relating to how Stage 1 was dealt with, and they carry out an assessment as to how effectively the initial complaint was dealt with by the Service.	When a Stage 2 complaint is received Strategic Support obtain all of the supporting information relating to the complaint and carry out a further investigation to ascertain if the correct decision was made when the complaint was investigated at Stage 1 of the procedure.	<p>1) The Information Management Officer informed us that when a complaint escalates to Stage 2 she always asks the originating service area for all details, documentation, correspondence etc for each complaint.</p> <p>2) As part of the audit we were wanting to assess/quantify the levels of complaints that escalate to the next stage of the process, both in total, and by service area. We consider that where services have a larger proportion of responses going to the next stage this could be an indicator of poor processes/responses for dealing with Stage 1 complaints where we could then focus our sample checks.</p> <p>However, as there is no central database of all complaints received at Stage 1 of the process (most of which are directed straight to the relevant service), we could not obtain an overall report to be able to carry out this analysis.</p> <p>3) As an alternative approach we obtained reports highlighting current Stage 2 complaints and those currently with the Ombudsman (both covering the period December 2011 to May 2012) .</p> <p>4) The Stage 2 report listed 31 current complaints, and the Ombudsman report listed 11 current complaints.</p> <p>We noted that 5 of the Stage 2 complaints also appeared on the report of referrals to the ombudsman for the same period, which is an escalation rate of 16%.</p> <p>5) We were informed that across the Council in a typical year there are approximately :-</p>	<p>When Strategic Support become involved in dealing with a Stage 2 complaint they review the adequacy of the investigation/response that the relevant service provided for Stage 1.</p> <p>Strategic Support gave us an approximate guide of what they considered were the volumes of complaints dealt with at each stage of the process.</p> <p>As there is no central point/database to record all Stage 1 complaints, it is not possible to assess/analyse the volumes of these complaints either in total or by Service to ascertain if there is any cause/issue as to any changes/fluctuations in the numbers.</p> <p>To put the above into context, from review of the most recent report on the Ombudsman's website regarding the Councils approach to dealing with the complaints that had been referred to him, there were no issues he was concerned about.</p> <p>However, we consider that there is a need to obtain and review data on each stage of the process, both in summary and at service level to ascertain if there are areas that need to be improved that could reduce the numbers of complaints escalating further than they need</p>	Links to Rec. 14

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>a) 200 Stage 1 complaints; b) 40 to 50 Stage 2 complaints; and c) 15 to 25 complaints referred to the Ombudsman.</p> <p>This equates to an approximate escalation rate of :- From Stage 1 to Stage 2: 20 - 25%. From Stage 2 to Ombudsman : 40 to 50%.</p> <p>Overall escalation of Stage 1 complaints reaching the Ombudsman is approximately 7-12%.</p> <p>However, as we have stated previously in this report, there is no overall record/volume recorded of Stage 1 complaints. Also, taking into account the fact that one of the services in our sample was not treating any correspondence they received as a complaint to start with, this leads us to the conclusion that the actual level of Stage 1 complaints may vary quite significantly from the number Strategic Support thought to be the average.</p> <p>We also noted that there is no analysis of volumes of complaints progressing to the next stage compared with acceptable targets to be able to identify/flag up if there are any particular issues in the way that the complaint procedure is being operated.</p> <p>6) In order to ascertain a perspective of the view of the Ombudsman of the Council's complaints procedure we obtained a copy of his most recent report on the Council regarding complaints. From review we noted the following:-</p> <p>a) His overall comment stated "I am pleased to say that I have no concerns about your authority's response times and there are no issues arising from the complaints that I want to bring to your attention."</p> <p>b) The report states that "The investigative team reviewed and made decisions on a total of 20 complaints, of those 20 :</p> <p>13 - Were not investigated.</p>	<p>to.</p>	

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>6 - Not enough evidence of fault.</p> <p>1 - No injustice, or minor injustice and other.</p> <p>There were no reports issued for specific complaints made.”</p>		
02.08	<p>Persistent and re-occurring complaints are not being dealt with effectively. Which could result in unnecessary staff resource being used to deal with such complaints and/or an escalation of the problem with the Council.</p>	<p>There is a named person / persons within the Strategic Support team who determine where a complaint is to be treated as a persistent complaint.</p>	<p>The Complaints Officer and The Scrutiny and Partnership Manager in Strategic Support together with the relevant service manager will discuss and agree where a complaint is to be treated as persistent.</p>	<p>The decision to treat a complainant as persistent is made jointly between the managers of the service concerned, the Information Management Officer and the Scrutiny and Partnership Manager.</p>	<p>The decision to treat a complainant as persistent is made jointly between the managers in the service concerned, the Information Management Officer and The Scrutiny and Partnership Manager.</p>	
02.09	<p>Persistent and re-occurring complaints are not being dealt with effectively. Which could result in unnecessary staff resource being use to deal with such complaints and/or an escalation of the problem with the Council.</p>	<p>There is a mechanism for logging persistent complaints within the Strategic Support Team, and for flagging these up with Senior Management.</p>	<p>No control in place.</p>	<p>Complaints received from Persistent Complainant are not logged any differently to any other complaint.</p> <p>They are recorded on the complaints database (CDC) the same way as other complaints and there is no marker/flag made on the system which denotes that the complaint has been identified as needing to be dealt with under the Persistent Complainants Procedure.</p> <p>We were informed that there may, however, be a note that all correspondence should be sent to one named officer, usually the Scrutiny and Partnership Manager.</p> <p>The Information Management Officer provided us with a list of approximately 16 individuals who have been identified as persistent over time, with 6 or 7 of these considered to be current.</p> <p>However, these cases were identified from memory and having been involved in dealing with the case, rather than there being any</p>	<p>Complaints received from Persistent Complaints are not logged any differently to any other complaint ie: there is no official logging or listing of persistent complaints.</p> <p>There may be a note on the record that all correspondence should be channelled through a named officer, but there is no process for formally recording these on the complaints database, for providing management information on the number/types of issues that are being raised by persistent complainants.</p>	<p>Rec. 13</p>

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>formal/specific method of such cases being logged and managed.</p> <p>Senior managers in the service areas are aware of the existence of persistent complaints in their service as they are involved in making the decision with Strategic Support.</p> <p>However, there are no formal reporting mechanisms in place to provide senior managers/members with an overview of the sort of issues being dealt with, the volume of cases and the outcomes.</p>		
02.10	The Councils published KPI's are inaccurate. Council's public image Adversely affected / open to criticism / legal action.	The Council has established KPI's in relation to the receipt of customer complaints, and each year the KPI's are reviewed and amended to provide an improvement target	The Council publishes one KPI in relation to the number of Stage 2 Complaints received each quarter compared with the same quarter for the previous year.	<p>The Council publishes one KPI in relation to corporate complaints, which is reported quarterly as part of the Performance reporting for the Resources Directorate.</p> <p>The KPI only records Stage 2 complaints responded to in that quarter that have been dealt with in the specified timeframe.</p> <p>There are no indicators covering the other stages of the complaints or to be able to assess the effectiveness of the Corporate Complaints system or otherwise, ie, to be able to highlight if there is an issue that is resulting in higher volumes of complaints escalating to the next level.</p>	<p>The Council publishes one KPI in relation to corporate complaints.</p> <p>This covers the number of Stage 2 complaints responded to within the published timescale.</p> <p>We do not consider that this provides sufficient information/analysis for managers to assess if complaints are being escalated due to not being dealt with effectively at the previous stage.</p>	Rec.14
02.11	The Councils published KPI's are inaccurate. Council's public image Adversely affected / open to criticism / legal action.	The KPI results are collated and reported upon to senior Officers and Members on a pre-defined basis.	The KPI results are published quarterly in the Resources Directorate's Yellow Book under Key strategic measures and activities 2011/12.	<p>The KPI results are published in the Resources Directorate 's quarterly performance indicator report (the Yellow Book).</p> <p>This information is reported to both Corporate board and Management Board.</p>	The KPI results are published in quarterly as part of the Council's performance management framework.	
02.12	The Councils published KPI's are inaccurate. Council's public image Adversely affected / open to criticism / legal action.	The KPI monitoring reports clearly show where there has been increases/decreases in the level of complaints received/dealt	The KPI monitoring report shows where there has been an increase/decrease in the level of complaints dealt with/not dealt with	<p>The Council's KPI results only show the numbers of Stage 2 complaints that were/were not dealt with within the specified timeframe.</p> <p>The KPI currently published for Stage 2 complaints shows last year's results so it is possible to see if the level of Stage 2 complaints dealt with within the specified timeframe has increased/decreased from the previous year.</p>	<p>The Council's KPI results only show the numbers of Stage 2 complaints that were/were not dealt with within the specified timeframe.</p> <p>They also show a comparison with the same information for the previous year, providing an analysis of whether there has been an</p>	

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
		within the specified timeframe/not dealt with in the specified timeframe/where the customer was not satisfied with the outcome.	within the specified timeframe for Stage 2 complaints.	However, they do not provide sufficient information to be able to assess the effectiveness of the process, whether there is an issue with complaints progressing unnecessarily to the next stage of the process as they are only covering stage 2 of the process.	increase or decrease. They do not record complaints received at all stages of the process, nor provide an analysis of the volumes of complaints that progress to the next stage of the process in order to provide some sort of measure of customer satisfaction with the responses received by the Council.	
02.13	There isn't a central communication point within the Council for dealing with the Ombudsman. The Council is open to criticism / legal action	There is a named person / persons within the Strategic Support team who liaises with the ombudsman	The Information Management Officer is the named person within the Strategic Support team who liaises with the Ombudsman	We were informed that the Information Management Officer (within Strategic Support) is responsible for liaising with the Local Government Ombudsman. This is specified in the Corporate Complaints Procedure so that all staff are aware of who the key contact is.	The Information Management Officer is the officer responsible for liaising with the Local Government Ombudsman.	
02.14	There are ineffective processes in place to keep track of complaints/issues that are being dealt with by the Ombudsman.. The Council is open to criticism / legal action	There is a mechanism for logging complaints referred to the ombudsman within the Strategic Support Team, and for flagging these up with Senior Management.	Complaints referred to the Ombudsman are logged on the Complaints Database by Strategic Support and are flagged with Heads of Service and Senior Management in the originating Service.	All complaints at Stage 2 and those which are referred to the Ombudsman are recorded on the Complaints Database. Stage 1 complaints may also be recorded if the Information Management Officer is made aware of them e.g. if it has been sent to the corporate Complaints e-mail address. After Stage 2 of the process is completed the entry for a complaint is closed if the complainant then decides to escalate the complaint to the Ombudsman the same entry within the database is re-opened and updated to reflect the change of status to being with the Ombudsman. For complaints escalated to the Ombudsman in addition to the details already recorded for Stage 1 and 2 of the process, the database records:-	Complaints escalated to the Ombudsman are recorded and logged on the Complaints Database. When a complaint is escalated to the Ombudsman the Information Management Officer informs the relevant Head of Service and those managers within the relevant service area involved with the complaint. The service managers are also copied in on the final response, and the Ombudsman's Decision Notice.	

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>a) Ombudsman start date; b) Ombudsman Decision date; c) the outcome.</p> <p>As with the previous stages of the process all correspondence relating to the complaint is stored within the service's shared drive / e-mail folders and /or attached to the Complaint Log within the Database.</p> <p>We obtained a report from the Complaints Database which showed complaints that were escalated to the Ombudsman between the period December 2011 and May 2012. This consisted of 11 cases. From review of the information recorded for each case we noted the following:-</p> <p>a) In each case the date the Ombudsman had been contacted had been recorded.</p> <p>b) There was a decision from the Ombudsman on the outcome of his/her review in each case where the complaint had been dealt with (9 cases).</p> <p>When Complaints are escalated to the Ombudsman Strategic Support inform the Head of Service and any managers involved with the complaint from the originating service area. Strategic Support also copy them in on the final response, and the Ombudsman's Decision Notice.</p>		
02.15	Complaints requiring financial settlement are not being compensated in a consistent manner. The Council is open to criticism / legal action	Strategic Support has provided guidance on what would be a reasonable value for settlements.	Strategic Support has provided guidance on cases where a settlement is to be made, the guidance covers the circumstances where a settlement may be appropriate together with reasonable values.	<p>Strategic Support provide guidance on suggested settlements entitled "Corporate Complaints : Guidance on Compensation". This is based on the guidance provided by the Ombudsman.</p> <p>It seeks to provide officers with corporate guidance on the levels of compensation which might be appropriate for different levels of administrative fault.</p> <p>There are 5 levels / categories :-</p> <p>1) Local settlement</p> <p>Represents a settlement paid to the complainant which solely</p>	<p>Strategic Support provide guidance on suggested settlements entitled "Corporate Complaints : Guidance on Compensation", which provides officers with guidance on the levels of compensation which might be appropriate for different levels of administrative fault.</p> <p>It provides officers with a framework to help ensure compensation offered to complainants is consistent across all Council Service Areas. However, there is no enforcement of</p>	

Internal Audit

Final Report

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
				<p>reflects an error in financial terms.</p> <p>2) Time and trouble Reflects the time the complainant has taken in bringing the complaint to the Council's notice and seeking a resolution.</p> <p>3) Minor administrative fault A decision of minor administrative fault identifies that the Council has found some error during its investigation.</p> <p>4) Major administrative fault A decision of major administrative fault identifies that the Council has found considerable error during its investigation</p> <p>5) Injustice A finding of injustice indicates that the Council has found major administrative fault during its investigation</p> <p>Each category is explained within the guidance and also provides either the range of suggested compensation i.e.: £50 to £200, or suggests how fair compensation can be worked out ie: actual costs plus an element of compensation for the complainant.</p> <p>The guidance is reasonable, clear and concise and if used provides members of staff with a framework to ensure compensation offered to complainants is consistent across all Council Services.</p> <p>However, there is no enforcement of these compensation levels, and the Complaints Officer informed us that sometimes services choose to pay higher amounts.</p> <p>Taking into account that it would be difficult to identify/trace all compensation payments, as there is not a specific expenditure code, we did not review/test any of the payments that have been made.</p>	<p>these compensation levels, and it is down to the relevant service to decide if a compensation payment should be made and the value of the payment.</p>	
02.16	Complaints requiring financial settlement are	The level of financial settlements are recorded and	Individual financial settlements are recorded on the complaints	Each complaint from Stage 2 onwards and some at stage 1 have a database record and any compensation / settlement made would be included in that record.	Individual complaints records on the complaints database include any settlements. Also, where the Information Management Officer is aware of the case, the settlement	

<u>Ref</u>	<u>Risks</u>	<u>Expected Controls</u>	<u>Actual Controls</u>	<u>Results</u>	<u>Conclusions</u>	<u>Recommendation ref.</u>
	not being compensated in a consistent manner. The Council is open to criticism / legal action	monitored and the information is used to determine if there are any particular issues/trend emerging that need remedial action.	database from stage 2 onwards but there are no overall records of settlements paid by the Council.	The Information Management Officer informed us that where she is involved in cases where a settlement is awarded/or where she is informed of such cases she will log the details on the CDC database..	details are also logged on the CDC system.	
02.17	Complaints are not being responded to in a comprehensive, consistent and timely manner. The Council is open to criticism / legal action	There is a working group set up containing both Council Officers and Members that meets regularly. To review all stage 2 and above complaints received since the last meeting	There is a working group set up containing both Council Officers and Members that is required to meet twice a year to review all stage 2 and above complaints received since the previous meeting.	<p>Point 3.12 of the Complaints Policy states that all Stage 2 complaints and the responses provided will be reviewed bi-annually by a small committee to monitor trends and responses.</p> <p>We were informed that the current working group was initially set up in 2008. The members of the group consists of the Scrutiny and Partnership Manager, the Information Management Officer and two Members (one from the leading party and one from the shadow party).</p> <p>The group should meet on a six monthly cycle, but in practice has not met that frequently. We were informed that the last two times the group met was in March 2011 and April 2012.</p> <p>The purpose of the group is to review the Council's handling of complaints particularly those at Stage 2 and those referred to the Ombudsman.</p> <p>The group reviews the complaints to see if there are any recurring issues, themes, issues that have arisen and resolutions that have been reached.</p> <p>Other than Strategic Support acting on any points made by the working group, there is no other audience to share the information regarding the outcome of the reviews undertaken by the group.</p>	<p>In accordance with the Complaints Policy an officer/member working group has been set up to review/monitor complaints that have progressed to Stage 2 and the Ombudsman.</p> <p>Current membership of the working group consists of the Scrutiny and Partnership Manager, The Information Management Officer and two Members.</p> <p>The group is required to meet every six months, but this timeframe has not been adhered to over the last couple of years, as only two meetings have taken place between in the last couple of years, in March 2011 and April 2012.</p> <p>We noted that there is no formal communication channels in place to share the results/outcome of the review with a wider audience than working group.</p>	Rec. 15

3 Action Plan

<u>No.</u>	<u>Recommendation</u>	<u>Weakness/ Significance</u>	<u>Agreed/ Not Agreed</u>	<u>Client Comments</u>	<u>Responsible Officer/ Timescale for Implementation</u>
01	We recommend that:- a) the current review of the content of the Corporate Complaints Policy should be completed as soon as practicable and the revised version published on the Council's website and Intranet. b) the procedures supporting the policy should be required to be reviewed at the same time as the Policy.	Minor / Advisory	Agreed		Scrutiny and Partnerships Manager/Information Management Officer Within 2 months
02	We recommend that consideration is given to including the links for making a Complaint or Compliment on the homepage of the Council's website.	Minor / Advisory	Agreed	We were informed that this will be investigated to see if it is possible to set up links on the homepage.	Scrutiny and Partnerships Manager/Information Management Officer Within 2 months
03	The review of the Corporate Complaints Policy and Procedure should encompass a review of the information contained in each published document/leaflet to ensure they are consistent and contain sufficient detail as to where a complaint should be sent at each stage of the process.	Minor / Advisory	Agreed		Scrutiny and Partnerships Manager/Information Management Officer Within 2 months
04	We recommend that the Corporate Complaints Procedure should be amended to include specific guidance on the level of information that needs to be recorded by each service in order to provide an effective monitoring tool.	Moderate / Necessary	Agreed	We were informed that it is intended to add checklists to the procedures which will provide this sort of guidance.	Scrutiny and Partnerships Manager/Information Management Officer Within 2 months
05	We recommend that the Persistent Complainants Procedure be amended to include specific guidance on the level of information that needs to be recorded and supporting information retained regarding any complaints that are deemed to constitute being a threat or abusive to staff.	Minor / Advisory	Agreed	It was agreed that a link will be included in the document to the Council's Protection of Staff Policy and the Procedure and Guidance for Managing Violence and Aggression against staff.	Scrutiny and Partnerships Manager/Information Management Officer Within 2 months

Internal Audit

Final Report

<u>No.</u>	<u>Recommendation</u>	<u>Weakness/ Significance</u>	<u>Agreed/ Not Agreed</u>	<u>Client Comments</u>	<u>Responsible Officer/ Timescale for Implementation</u>
06	We recommend that the Corporate Complaints Procedure be amended to include guidance for staff on how to deal with abusive/intimidating complainants, or for the document to provide a link to the relevant section in the Persistent Complainants Procedure.	Minor / Advisory	Agreed	As per the previous recommendation the document will provide a link to the Protection of Staff Policy and the Procedure and guidance for Managing Violence and Aggression against staff.	Scrutiny and Partnerships Manager/Information Management Officer Within 2 months
07	We recommend that the Complaints Procedure is revised to include specific guidance on dealing with representatives of complainants. The guidance should encompass the various forms of representation that may be used e.g., a lay person or legal advisor and the communication protocols that need to be adhered to.	Minor / Advisory	Agreed	When discussing the draft report we were informed that where the representative is a solicitor, Legal Services would be included in any correspondence. However, it was acknowledged that the procedures don't include this level of information.	Scrutiny and Partnerships Manager/Information Management Officer Within 2 months
08	We recommend that:- a) Consideration is given to centralising the administration/management of all Stage 1 complaints the Council receives. Having a central point as well as using the same database would help to ensure that they are appropriately identified, logged and responded to in accordance with the Council's procedure. If it not considered practicable and/or there is a resource issue preventing the centralisation of administering Stage 1 complaints, then we recommend the following:- b) There needs to be more detailed guidance/training for services regarding the identification of a complaint, providing acknowledgements in accordance with the procedure, and the level of detail that needs to be included in an effective Complaints Monitoring Log. c) Consideration is also given to providing all services with access to the complaints database to be able to log all Stage 1 complaints (bearing in mind any cost implications for additional licenses).	Significant / Necessary	Part a) Not Agreed Part b) To be considered upon completion of the additional piece of work Part c) Not Agreed	Corporate Board discussed point a) and agreed not to centralise the management of Stage 1 Complaints. The Chief Executive requested a further exercise be carried out to assess the level of compliance across other service areas. The outcome of this will be used to determine the best approach to ensuring that services are adhering to the correct process.	Head of Strategic Support in Consultation with the Scrutiny and Partnerships Manager Within 4 months

<u>No.</u>	<u>Recommendation</u>	<u>Weakness/ Significance</u>	<u>Agreed/ Not Agreed</u>	<u>Client Comments</u>	<u>Responsible Officer/ Timescale for Implementation</u>
09	We recommend that where there may be an element of doubt as to whether communication sent to the corporate 'Complaints' e-mail address is a complaint or not, or the approach to dealing with it could be open to interpretation, the Information Management Officer should obtain a second opinion as to her intended approach to dealing with the matter. We suggest that this should be from the Scrutiny and Partnerships Manager.	Minor/ Advisory	Agreed		Scrutiny and Partnerships Manager/Information Management Officer Within 2 months
10	We recommend that discussions are held with those services that use the Service Enquiry form with a view to amending the content to make it clearer whether the customer is making a service request (business as usual) or whether there is an actual complaint being made about service provision.	Minor / Advisory	Agreed		Scrutiny and Partnerships Manager to liaise with the relevant services to obtain agreement for the Service Enquiry form to be amended. Within 4 months
11	We recommend that services are reminded of the need to comply with the Complaints Policy regarding their Stage 1 responses:- a) They should always be signed by a manager within the relevant service (where an e-mail is used, this should be issued by a manager). b) the format/content of the Stage 1 responses should adhere to the requirements of the Complaints Procedure.	Moderate / Necessary	Agreed		Scrutiny and Partnerships Manager/Information Management Officer Within 2 months
12	We recommend that services are reminded of the need to ensure that response timeframes are adhered to wherever possible and where this is not the case, the reason for this should be recorded on the complaint record for future reference.	Minor / Advisory	Agreed		Scrutiny and Partnerships Manager/ Information Management Officer Within 2 months

Internal Audit

Final Report

<u>No.</u>	<u>Recommendation</u>	<u>Weakness/ Significance</u>	<u>Agreed/ Not Agreed</u>	<u>Client Comments</u>	<u>Responsible Officer/ Timescale for Implementation</u>
13	<p>We recommend that:-</p> <p>a) A system is established to identify those complainants which have been identified as needing to be treated under the Persistent Complainants Procedure.</p> <p>b) a formal reporting mechanism is established to provide senior managers and members with an overview of the sort of issues being dealt with as a persistent complaint, the volume of cases and the outcomes.</p>	Minor / Advisory	<p>a) Not Agreed</p> <p>b) Agreed</p>	<p>a) This point was not agreed, as there are only a small number of such cases and therefore they are manageable. Also, as the process is to log complaints this would require another record to be maintained to monitor Persistent Complainants.</p> <p>b) Agreed</p>	<p>Scrutiny and Partnerships Manager/ Information Management Officer</p> <p>Within 4 months</p>
14	<p>We recommend that consideration is given to :-</p> <p>a) Amending the KPIs in relation to Corporate Complaints to include the number of responses within timeframes for Stage 1 as well as Stage 2 complaints.</p> <p>b) An analysis of the number of Stage 1 complaints received by each service and whether there has been an increase/decrease compared with the previous period/averages. Any deviations should then be identified and investigated.</p> <p>c) Information on the percentage of complaints escalated to the next level compared with acceptable levels so that any deviations from the norm are identified and investigated.</p>	Moderate / Necessary	Agreed	<p>A discussion was held with the Chief Executive and the Scrutiny and Partnerships Manager regarding this point.</p> <p>It was agreed to review the KPIs covering complaints to assess what sort of information would be more useful to be able to monitor and assess the effectiveness of the process.</p>	<p>Head of Strategic Support/Scrutiny and Partnerships Manager</p> <p>Within 4 months</p>
15	<p>We recommend that:-</p> <p>a) the need for the Complaints Working Group to meet twice a year is reviewed, and if it is considered that this is no longer necessary the Policy needs to be amended accordingly. If it is decided to retain the twice yearly reviews, it should be ensured that these are undertaken.</p> <p>b) The Group should be provided with comprehensive information covering volumes of complaints received and dealt with at each stage of the process, and the outcome of the reviews undertaken by the Group should be reported formally to the Head of Strategic Support.</p>	Minor / Advisory	Agreed		<p>Head of Strategic Support/ Scrutiny and Partnerships Manager</p> <p>Within 4 months</p>

<u>No.</u>	<u>Recommendation</u>	<u>Weakness/ Significance</u>	<u>Agreed/ Not Agreed</u>	<u>Client Comments</u>	<u>Responsible Officer/ Timescale for Implementation</u>
	c) The Group should be provided with information on financial settlements made (volume and value) together with the background as to why it was deemed appropriate to make a settlement, to assess whether there are any issues/trends where remedial action is needed.				

	Category of weakness		Significance
Fundamental	May result in a complete breakdown of the service and or fraud or other irregularity	Mandatory	For statutory, council regulations or service instructions fundamental control weaknesses
Significant	May result in a breakdown in the service and or fraud or other irregularity	Necessary	For Significant or moderate control weaknesses
Moderate	May result in some impact on the service	Advisory	For minor control weaknesses or efficiency improvements
Minor	Limited impact on the service		