

Terms of Reference

Head of Strategic Support

Corporate Complaints Policy and Procedures

April 2012

1. Introduction

- 1.1 The Audit Plan for 2012/13 includes an allocation of time for the review of the Council's Corporate Complaints Policy and Procedure.
- 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.
- 1.3 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. .
- 1.4 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) the Council itself under its Customer Comments and Complaints Procedure;
 - b) the Local Government Ombudsman after using the Council's own
 - c) Customer Comments and Complaints Procedure;
The Standards Committee about any breach of the Members' Code of Conduct.
- 1.4 The Council has established a Corporate Complaints Policy and a Persistent Complaints 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 will cover the Corporate Complaints Policy, the Persistent Complaints Procedure and associated procedures but will not extend to the Code of Conduct for officers or members.

2. Objectives

The following audit objectives have been identified for the review.

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

This will involve reviewing the policy and procedures that have been put in place to ensure that they comply with requirements specified in national guidance/legislation. We will check that there is clear guidance on how to make a complaint, what will happen to the complaint (who will respond/timeframe) and how to progress the complaint if they are not happy with the response. We will check to ensure that roles and responsibilities in the process are clearly defined. Also, that the Policy and Procedures are readily available to both members of staff as well as the public, and members of staff are aware of the Policy and procedures.

- 2.2 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.

We will ascertain/assess the effectiveness of the procedures that have been put in place to ensure that complaints are being logged promptly and accurately and that response timeframes are being effectively monitored. Also, that unresolved issues or re-occurring complaints are flagged up to senior managers promptly for them to investigate and where appropriate take remedial action. We will also evaluate the processes for collating, reporting and monitoring of complaints received across the Council.

3. Approach to the work

We will adopt the following approach to the audit:-

- 3.1 To discuss with relevant service managers and staff what systems and procedures are in operation in relation to the identified objectives.
- 3.2 To review the systems and procedures in place to ensure that they are well controlled, meet the defined objectives timely, effectively and economically.
- 3.3 To obtain relevant documentation, and test on a sample basis that the controls set up are working as expected.

4. Reporting

- 4.1 Initially, the draft report will be issued as a 'rough draft' in order for the relevant service manager to check for factual accuracy prior to the formal draft being issued. The formal draft report will be issued to the Head of Service, unless there are any fundamental weaknesses identified, in which case the relevant Corporate Director and the Head of Finance will also be issued a copy prior to the Final Report being issued.
- 4.2 It is intended to have a rough draft report prepared by the end of July 2012. Please note, that one of the major factors in our achievement of this timeframe is the provision of timely information required for the audit.

A meeting will be arranged to discuss the draft report prior to a final version being issued.

- 4.3 For your information, where an audit report identifies a weakness we are required to provide a copy of the report/follow-up review to the Portfolio Member for Finance and the Portfolio Member for the relevant service area.