

Cherwell District Council

Portfolio Holder for Corporate Services

Date of Report: 24/08/2023

Approval of The Customer Complaints Procedure and The Unacceptable and Unreasonable Behaviour Procedure

Report of Assistant Director Customer Focus

This report is public.

Purpose of report

To update the Portfolio Holder on the review and update to The Customer Complaints Procedure and The Unacceptable and Unreasonable Behaviour Procedure and to recommend approval of the attached procedure documents.

1.0 Recommendations

The Portfolio Holder is recommended:

- 1.1 To approve the reviewed and updated Customer Complaints Procedure at Appendix 1.
- 1.2 To approve the reviewed and updated Unacceptable and Unreasonable Behaviour Procedure at Appendix 2.
- 1.3 To delegate authority to the Assistant Director of Customer Focus to make minor administrative changes to the procedures, if required, as a result of implementation.

2.0 Introduction

- 2.1 The administration of Customer complaints currently sits with the performance and insight team.
- 2.2 Complaints are received either online using a self-service form or via the customer service centre (CSC) over the phone.
- 2.3 If made by phone, the concern can be “triaged” and responded to by CSC where it is a BAU service request or submit a form on the customers behalf.

2.4 If made using the form, performance and insight triage and either send to the service area for response or send it to the CSC to action if it is a BAU service request.

3.0 Report Details

3.1 To cut out the additional steps, it is planned that the administration of complaints will move to the CSC to ensure a more consistent approach.

3.2 Prior to transfer to the CSC and as neither policy has had a significant refresh for a few years it was decided to review the policies to ensure they are fit for purpose, aiming to:

- improve customer experience by resolving their concern to their satisfaction as quickly as possible,
- simplify the documents and process for both customers and officers – by reducing jargon and using plain English,
- incorporate Local Government & Social Care Ombudsman (LGO) guidance,
- make the best use of limited resources available; and
- ensure continuous improvement in services.

3.3 Key proposed changes of the Customer Complaints Procedure (Previously known as the Complaints Policy and Procedure)

CURRENT POLICY	REFRESHED POLICY and how we intend officers to use it
Complaint submission within 12 months of incident	<p>Complaint submission within 3 months of the issue arising.</p> <p>This has been clarified as the LGO period is within 12 months of incident. Our current timelines do not allow the customer sufficient time to complete our process and still meet the LGO deadline.</p>
Service request or informal resolution is briefly mentioned but not explained.	<p>This is now Stage 1: Informal complaint and given more emphasise as the policy recognises that most complaints can be resolved informally either by CSC or the office/service area concerned. In basic terms:</p> <ul style="list-style-type: none"> • correct the matter, • apologise for it: and • prevent it from happening again. <p>defending ourselves with jargon or legislative laden explanations of why we made the error, just infuriates people and more often than not results in a formal complaint which delays the resolution for the customer.</p> <p>The policy now explains the benefits for both the customer and the organisation of resolving it informally or “at first point of contact”.</p>

<p>Stage 1 complaint – investigated and responded to by the service area</p>	<p>This is now Stage 2: Formal complaint, the service area will investigate and respond to the complaint as they currently do, however:</p> <ul style="list-style-type: none"> • Where the error is ours, the response should lead with an apology and focus on the details of how we will resolve the matter and prevent it happening again. The explanation of how we made the error should be brief. Only if the customer has specifically asked for a detailed explanation should this be the focus of the response. • Where the complaint is not upheld, we should be clear and concise about why that is the case. • An explanation of how the responding officer has reached their conclusion will be captured
<p>Stage 2 complaint – investigated and responded to a second time by a member of ELT</p>	<p>This is now Stage 3: Complaint Review, this is a subtle change in language. The current terminology suggests that the customer can have a second complaint investigation when it should only be used if the complaint response was incorrect or lacking.</p> <p>When escalating to Stage 3: Complaint Review, the customer will need to specify what they feel was incorrectly addressed or not covered by the Stage 2: Formal complaint response.</p>
<p>LGO Stage</p>	<p>This has not changed, but the policy has been updated to include the updated LGO wording for closing our letters.</p>

3.4 Key proposed changes of the Unacceptable and unreasonable behaviour procedure (previously known as the Unreasonably Persistent and/or Vexatious Contact Policy).

CURRENT POLICY	REFRESHED POLICY and how we intend officers to use it
<p>Specifies and treats contacts and complainants differently</p>	<p>It doesn't matter how the customer is interacting with us, unacceptable and unreasonable behaviour needs to be treated as such.</p> <p>This simplifies the process for both customer and officer.</p>
<p>Language is complicated and not easily understood by all.</p> <p>Limited explanation of how we will manage such behaviour</p>	<ul style="list-style-type: none"> • Simplifies the language. • Removes jargon. • Clearly outlines the types of behaviours that are unacceptable and unreasonable. • clearly outlines how we will manage these behaviours.

3.5 **Next steps**

- If approved the self-service form will be redesigned to ensure ease of use and the website pages and internal intranet pages will be updated to reflect the changes.
- Internal process notes will be developed to ensure operational management and monitoring.
- Internal process notes will be developed to include how and when the clients of concern register will be used.
- Communications to make managers aware of the changes will be rolled out.
- Managers training and briefing will be provided to ensure a consistent approach in complaints investigation and response.
- Final transfer of complaints management into the Customer Service Centre
- Analysis and reporting of performance will continue to be provided by performance and insight in liaison with Customer Service Centre.

4.0 **Conclusion and Reasons for Recommendations**

4.1 In conclusion, it is recommended that the reviewed and updated procedures are approved for implementation to simplify the procedures for both the customer to use and the officer to administer.

5.0 **Consultation**

5.1 Both the Corporate Leadership Team (CLT) and Extended Leadership team (ELT) have been consulted on the reviewed and updated procedure documents.

5.2 Both groups were in support of the proposed revisions.

6.0 **Alternative Options and Reasons for Rejection**

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Maintain the existing procedures.

This is not advised as the customer complaints procedure no longer follows best practice guidance issued by the LGO. The existing procedures are complicated for customers to use and difficult for officers to administer.

7.0 Implications

Financial and Resource Implications – Mandatory paragraph

- 7.1 Simplifying the procedures and following best practice reduces the resource requirements: the majority of customer complaints can be resolved and corrected at first point of contact, rather than the need for a formal complaint investigation and response. This is better for the customer and less resource intensive for the council.

Customers who behave in an unreasonable or unacceptable way are very resource intensive, the more structured and co-ordinated approach to managing these customers means that services can focus on delivering services and responding to the customer query more efficiently.

Comments checked by:

Michael Furness, Assistant Director of Finance, 01295 221845,
michael.furness@cherwell-dc.gov.uk

Legal Implications – Mandatory paragraph

- 7.2 There are no legal implications associated with this report. The procedures do not substitute other statutory appeals processes.

Comments checked by:

Shahin Ismail, Legal Services Manager, shahin.ismail@cherwell-dc.gov.uk

Risk Implications - Mandatory paragraph

- 7.3 Having regard to the LGO guidance reduces the risk of failing to follow appropriate administrative procedures.

Comments checked by:

Celia Prado-Teeling, Performance and Risk Team Leader, 01295 221556,
celia.prado-teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 7.4 These procedures are consistent with our commitment to Equalities, Inclusion and Diversity as stated in our Equality and Inclusion Framework.

Comments checked by:

Celia Prado-Teeling, Performance and Risk Team Leader, 01295 221556,
celia.prado-teeling@cherwell-dc.gov.uk

Sustainability Implications

7.5 There are no sustainability implications associated with this report.

Comments checked by:

Jo Miskin, Climate Change Manager, 01295 221748,
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8.0 Decision Information

Key Decision N/A

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

All

Links to Corporate Plan and Policy Framework

Business Plan – Delivery themes

- Customers
- Continuous improvement

Lead Councillor

Councillor Sandy Dallimore, Portfolio Holder for Corporate Services

9.0 Document Information

Appendix number and title

- Appendix 1: The Customer Complaints Procedure and
- Appendix 2: The Unacceptable and Unreasonable Behaviour Procedure

Background papers

None

Report Author and contact details

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