

CUSTOMER SERVICE AND TRANSFORMATION SCRUTINY COMMITTEE

Monday 25th June 2018 at 10.00 am in the Council Chamber, The Arc,
Clowne

Item No.		Page No.(s)
	<u>PART A – FORMAL</u>	
	<u>PART 1 OPEN ITEMS</u>	
1.	<u>Apologies for Absence</u>	
2.	<u>Urgent Items of Business</u>	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.	
3.	<u>Declarations of Interest</u>	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes of a Customer Service and Transformation Scrutiny Committee meeting held on 29th May 2018.	3 to 5
5.	List of Key Decisions & Items to be Considered in Private. <i>(Members should contact the officer whose name appears on the List of Key Decisions for any further information).</i>	6 to 12
6.	Review of the Compliments, Comments and Complaints Policy.	13 to 36
7.	Review of the Strategic Alliance - Executive Response.	37 to 45
8.	Scrutiny Committee Work Programme 2018/19.	46 to 54
	<u>PART B – INFORMAL</u>	
	The formal meeting of the Customer Service and Transformation Scrutiny Committee ends at this point. Members will meet informally as a working party to carry out their review work. This meeting is closed to the public, so members of the public should leave at this point.	
9.	Review Work.	
10.	Training Session.	

CUSTOMER SERVICE AND TRANSFORMATION SCRUTINY COMMITTEE

Minutes of a meeting of the Customer Service and Transformation Scrutiny Committee of the Bolsover District Council held in the Council Chamber, the Arc, Clowne, on Tuesday 29th May 2018 at 1000 hours.

PRESENT:-

Members:-

Councillor R.J. Bowler in the Chair

Councillors Mrs P.M. Bowmer, P. Cooper, M.G. Crane, R.A. Heffer, J.E. Smith, E. Stevenson and R. Turner.

Officers:- J. Wilson (Scrutiny and Elections Officer) and A. Bluff (Governance Officer).

0025. APOLOGIES

An apology for absence was received on behalf of Councillor A. Joesbury.

0026. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0027. DECLARATIONS OF INTEREST

There were no declarations of interest made.

0028. MINUTES – 30th APRIL 2018

Moved by Councillor R.A. Heffer and seconded by Councillor R. Turner

RESOLVED that the Minutes of a meeting of a Customer Service and Transformation Scrutiny Committee held on 30th April 2018 be approved as a correct record.

0029. LIST OF KEY DECISIONS AND ITEMS TO BE CONSIDERED IN PRIVATE

Moved by Councillor R.A. Heffer and seconded by Councillor R. Turner

RESOLVED that the List of Key Decisions and Items to be considered in private document be noted.

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0030. REVIEW OF DISABILITY ADAPTATIONS TO COUNCIL PROPERTIES – EXECUTIVE RESPONSE

Member's considered the response of the Executive in relation to the Committee's 'Review of Disability Adaptations to Council Properties'.

The aim of the Scrutiny review was to assess whether the process of providing disabled adaptations to Council properties worked efficiently to provide disabled residents with what they needed and also value for money.

The Scrutiny Committee had concluded that a reasonable course of action was to continue to monitor the Council's performance on carrying out 300 disability adaptations to Council houses each year.

The report acknowledged Executive's response to the review recommendations and advised Committee to commence a period of post-scrutiny monitoring to ensure effective implementation of the approved recommendations.

Moved by Councillor R.J. Bowler and seconded by Councillor J.E. Smith

RESOLVED that (1) the Executive's response to the review of disability adaptations to Council properties be noted,

(2) the report and findings of the review be made public in accordance with Part 4.5.17(3) of the Constitution,

(3) Officers monitor progress on the recommendations and a report be presented to Committee in twelve months from the date of this meeting highlighting exceptions to delivery.

(Scrutiny and Elections Officer)

0031. SCRUTINY COMMITTEE WORK PROGRAMME 2018/19

Committee considered a report which informed Members of the Committee's meeting programme for 2018/19 and planned agenda items. A list of topics discussed at the annual Scrutiny Conference held in April 2018 was also attached to the report for further consideration by Members.

Out of the long list of topics presented in Appendix 2 to the report, Members discussed the topics they felt were a higher priority.

An additional piece of work had come forward since the Scrutiny Conference was held and this was in relation to an operational review of Standards Committees at national level. Bolsover's Standards Committee had carried out their own internal review process but felt that it would be beneficial to have Scrutiny carry out an overview on how they operated. Members agreed that a mini review be carried out in relation to this.

Review of the Criteria for the Creation of New Shared Services

It was noted that this topic had not scored highly at Conference. In addition, concerns had been raised whether this topic could deliver outcomes with enough impact when compared

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to the some of the other topics, as a large number of areas already operated shared arrangements.

A Member raised concern that the Council used to have its own Building Control Service and this was now a private service situated in Matlock. The Scrutiny and Elections Officer advised the Member that while this was outside the scope of the proposed topic, this was now a countywide service of which all Derbyshire authorities paid into and she would pursue an officer response as to how this service was monitored for the Council and report back to Committee.

Review of Delivery of Environmental Health (including Licensing)

It was noted that this had scored highly at Conference. Members felt that in the first instance they needed to consider the service level agreement that the Council had agreed in June 2012, with North East Derbyshire District Council for the Joint Environmental Health Service, which may need review to ensure it remained fit for purpose for the Council and its residents before a full review could be carried out.

Members also agreed that a meeting with North East Derbyshire District Councillors take place as part of the review to gain their perspective on the service level agreement and how the service operates.

Review of Re-letting of Council Properties from Void

It was noted that this had scored highly at Conference. Members commented that a review had taken place in relation to the Contact Centres and use of the kiosks approximately four years ago. The Scrutiny & Elections Officer agreed to check through past paperwork to review any findings and recommendations that may have related to this issue.

Members felt that this topic did not require a review but agreed that an email be sent from Committee to the Cabinet Member and ICT Manager asking them to progress a review of the situation and then attend a future meeting of the Committee to provide an update on the ICT performance of the automated cash service machines.

Moved by Councillor R.A. Heffer and seconded by Councillor R. Turner

RESOLVED that (1) the report and the work programme 2018/19 be noted,

(2) the Committee's topic for Review for 2018/19, be the Delivery of Environmental Health Service (including Licensing),

(3) a piece of work in relation to a review of Standard Committee be included in the work programme 2018/19.

(4) the Committee request the Cabinet Members for ICT, Customer Services and Housing, alongside the ICT Manager, review the existing process in relation to kiosk payments and report to a future meeting.

(Scrutiny and Elections Officer)

The formal meeting concluded at 1045 hours and Members then met as a working party to continue their review work. The working party concluded at 1110 hours.



The Arc
High Street
Clowne
Derbyshire
S43 4JY

Key Decisions & Items to be Considered in Private

To be made under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Published on: 15th June 2018

INTRODUCTION

The list attached sets out decisions that are termed as “Key Decisions” at least 28 calendar days before they are due to be taken by the Executive or an officer under delegated powers.

Preparation of the list helps Executive to programme its work. The purpose of the list is to give notice and provide an opportunity for consultation on the issues to be discussed. The list is updated each month with the period of the list being rolled forward by one month and republished. The list is available for public inspection at The Arc, High Street, Clowne, S43 4JY. Copies of the list can be obtained from Sarah Sternberg, Assistant Director – Governance, Solicitor to the Council & Monitoring Officer at this address or by email to sarah.sternberg@bolsover.gov.uk. The list can also be accessed from the Council’s website at www.bolsover.gov.uk.

The Executive is allowed to make urgent decisions which do not appear in the list, however, a notice will be published at The Arc and on the Council’s website explaining the reasons for the urgent decisions. Please note that the decision dates are indicative and are subject to change.

The names of Executive members are as follows:

Councillor A.M. Syrett - Leader
Councillor M. Dooley
Councillor S.W. Fritchley
Councillor H.J. Gilmour
Councillor D. McGregor – Deputy Leader
Councillor B.R. Murray-Carr
Councillor M.J. Ritchie
Councillor B. Watson

The Executive agenda and reports are available for inspection by the public five clear days prior to the meeting of the Executive. The papers can be seen at The Arc at the above address. The papers are also available on the Council's website referred to above. Background papers are listed on each report submitted to the Executive and members of the public are entitled to see these documents unless they contain exempt or confidential information. The report also contains the name and telephone number of a contact officer.

Meetings of the Executive are open to the public and usually take place in the Council Chamber at The Arc. Occasionally there are items included on the agenda which are exempt and for those items the public will be asked to leave the meeting. This list shows where this is intended in Part 2 and the reason why the reports are exempt or confidential. Members of the public may make representations to the Assistant Director – Governance, Solicitor to the Council & Monitoring Officer about any particular item being considered in exempt.

The list does not detail all decisions which have to be taken by the Executive, only "Key Decisions. In these Rules a "Key Decision" means an Executive decision, which is likely:

(1) **REVENUE**

- (a) Results in the Council making Revenue Savings of £75,000 or more; or
- (b) Results in the Council incurring Revenue Expenditure of £75,000 or more

(2) **CAPITAL**

- (a) Results in the Council making Capital Income of £150,000 or more; or
- (b) Results in the Council incurring Capital Expenditure of £150,000 or more

(3) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District.

In determining the meaning of "significant" the Council must have regard to any guidance for the time being issued by the Secretary of State. The Council has decided that revenue income or expenditure of £75,000 or more and capital income or expenditure of £150,000 or more is significant.

The remaining dates for meetings of Executive in 2017/18 are as follows:

2018 - 21st May

The dates for meetings of Executive for 2018/19 are as follows:

2018 – 18th June
16th July
10th September
8th October
5th November
3rd December

2019 - 7th January
18th February
4th March
1st April

The Council hereby gives notice of its intention to make the following Key Decisions and/or decisions to be considered in private:

Matter in respect of which a decision will be taken	Decision Maker	Date of Decision	Documents to be considered	Contact Officer	Is this decision a Key Decision?	Is this key decision to be heard in public or private session
Medium Term Financial Plan	Executive	July 2018	Report of Councillor A Syrett - Leader of the Council, Portfolio Holder for Strategic Planning and Regeneration	Joint Head of Finance and Resources	Yes – involves revenue income or expenditure of £75,000 or more and/or capital income or expenditure of £150,000 or more.	Exempt – Paragraph 3
Medium Term Financial Plan	Executive	16 th June 2018	Report of Councillor A Syrett - Leader of the Council, Portfolio Holder for Strategic Planning and Regeneration	Joint Head of Finance and Resources	Yes – involves revenue income or expenditure of £75,000 or more and/or capital income or expenditure of £150,000 or more.	Open
Fleet Vehicle Replacements	Executive	16 th July 2018	Report of Councillor B.R. Murray-Carr – Portfolio Holder for Community Safety and Street Services	Joint Head of Streetscene	Yes – involves revenue income or expenditure of £75,000 or more and/or capital income or expenditure of £150,000 or more.	Open

Matter in respect of which a decision will be taken	Decision Maker	Date of Decision	Documents to be considered	Contact Officer	Is this decision a Key Decision?	Is this key decision to be heard in public or private session
Appointment of lead consultant – Safe & Warm	Executive	16 th July 2018	A report of Cllr H Gilmour – Portfolio Holder for Housing and Community Safety	Joint Head of Service – Housing & Community Safety	Yes – involves revenue income or expenditure of £75,000 or more and/or capital income or expenditure of £150,000 or more.	Open
Alder House, Shirebrook	Executive	16 th July 2018	A report of Cllr H Gilmour – Portfolio Holder for Housing and Community Safety	Joint Strategic Director - Place	No	Exempt – Paragraph 3
Capital Investment in Joint Venture	Executive	16 th July 2018	Report of Councillor J. Ritchie – Portfolio Holder for Property and Commercial Services	Joint Head of Property and Commercial Services	Yes	Exempt – Paragraph 3

SCHEDULE

SCHEDULE 12A

ACCESS TO INFORMATION: EXEMPT INFORMATION

PART 1

DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) To make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Bolsover District Council

Customer Service & Transformation Scrutiny Committee (BDC)

25th June 2018

Review of the Compliments, Comments and Complaints Policy

Report of the Customer Standards and Complaints Officer

This report is public

Purpose of the Report

- To approve the revised Joint Compliments, Comments and Complaints Policy.
- To meet legal requirements and national guidance.

1 Report Details

Over three years ago, the decision was made to develop a joint Compliments, Comments and Complaints Policy to enable Officers working across both Councils to be able to do so within one set of standards and criteria. This also ensured a consistent approach for customers of both Councils. As a consequence the Joint Compliments, Comments and Complaints (CCC) Policy (and supporting) procedure is now embedded at each authority.

Both Councils have the Customer Service Excellence accreditation. The robust management of complaints corporately forms part of this accreditation. The Joint CCC Policy (and supporting procedure) have been reviewed and amended to reflect updated reporting practices. The procedure includes a formalised procedure for M.P. correspondence.

In order to be confident our practices are appropriate to the needs of our customers and are still fit for purpose, we have consulted with Officers at both Councils, with the Citizen's Panel, with customers during National Customer Service Week, run website surveys and consulted with equality consultation groups at both Councils.

Internal officers who deal with complaints at both Councils report that the system is working well. No major changes were requested.

Citizen's Panel surveys run at both Councils indicated 10 working days was a reasonable time to respond to a formal complaint -151 people at NEDDC and 245 at BDC. During 2016/17 NEDDC responded to 74% of all formal complaints (both complex and straightforward) within 10 working days. At BDC the average time for straightforward (direct from department) complaint responses was 9 working days, however a significant number of those took more than 10 working days to respond to (44%).

As the in-house compliments, comments and complaints system will need to be further developed to accommodate a new timescale, and there is currently a six month waiting

period for development work, both Councils would be unable to adopt a new timescale without this developmental work.

As such it is proposed that the 15 working day response time for all Formal Investigation complaints is retained for a further year and that monitoring continues from April 1st 2018 at both Councils to establish if a 10 working day target for straightforward Formal Investigation complaints (stage 2) is achievable. It is also recommended that the 15 working day timescale for complex Formal Investigation complaints (those crosscutting departments or presenting reputational damage) is retained to allow sufficient time for a full and thorough investigation. It is noted that the Local Government and Social Care Ombudsman recognises that 20 working days is a reasonable timescale to respond to complex matters.

Please note: If it is decided to proceed to a 10 working day response time for straightforward Formal Investigation complaints (stage 2), a new target will then need to be set for performance monitoring purposes.

The joint procedure has been amended to support this policy.

The adoption of the reviewed Joint Compliments, Comments and Complaints Policy and Procedure will rescind the existing Joint Compliments, Comments and Complaints Policy and Procedure at both Councils.

2 Conclusions and Reasons for Recommendation

The policy meets amended external drivers and compliance requirements.

Support will be given to officers dealing with compliments, comments and complaints and training is delivered more widely to all new appointees to both Councils within the mandatory Customer Services training.

Publicity will be carried out at both Councils to raise awareness that the Policy has been reviewed.

3 Consultation and Equality Impact

The policy was initially developed by a number of officers in the Customer Service Department to ensure that it is fit for purpose. Consultation with some key officers has also fed into the review of the policy. Consultation has also taken place with officers and members on Improvement Group (both Councils).

An Equality Impact Assessment on the policy is not necessary as it is legislation and national guidance led. However the policy recognises equality requirements and an Equality Impact Assessment has been carried out on the supporting procedure to ensure that there are no barriers to the service and support is given to those customers who require it. Bolsover District Council's Equality Panel has been consulted with and they are happy that there are no adverse impacts to any protected group.

4 Alternative Options and Reasons for Rejection

In reviewing the policy, consideration has been given to how best the required actions can be achieved within existing resources.

5 Implications

5.1 Finance and Risk Implications

Both Councils are at risk of recommendations or decisions by the Local Government & Social Care Ombudsman and the Housing Ombudsman if complaints are not handled well.

In cases of maladministration, financial penalties can be imposed by the Local Government Ombudsman, the Housing Ombudsman.

In the case of complaints about Freedom of Information, Data Protection and Environmental Information requests, the Information Commissioner's Office can issue decision notices and impose significant fines.

5.2 Legal Implications including Data Protection

The policy allows compliance with the Local Government Act 1974 and guidance set out by the Local Government & Social Care Ombudsman and the Housing Ombudsman. It is also in line with the requirements of the Data Protection Act 1998, Freedom of Information Act 2000, Environmental Information Regulations 2004 and General Data Protection Regulation (2018).

5.3 Human Resources Implications

Once approved, the joint policy and supporting procedure will be made available on the intranet to raise awareness across both Councils. Support (to manage the minor changes) will be provided to managers and those departmental contacts dealing with compliments, comments and complaints.

6 Recommendations

- To continue to monitor the timescale for straightforward complaints to see if it can be reduced from 15 working days to 10 working days.
- That Scrutiny Committee refers the revised Joint Compliments, Comments and Complaints Policy to Executive (BDC)/ Cabinet (NEDDC) for adoption.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No

District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	Corporate Plan Aims: <ul style="list-style-type: none"> • Providing Our Customers with Excellent Service • Transforming Our Organisation

8 Document Information

Appendix No	Title
1.	Compliments, Comments and Complaints Policy
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Customer Standards and Complaints Officer (BDC)	2353

Report Reference –

Compliments, Comments and Complaints Policy

September 2018

CONTROL SHEET FOR Compliments, Comments and Complaints Policy

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Compliments, Comments and Complaints Policy
Current status – i.e. first draft, version 2 or final version	Final
Policy author	Customer Standards and Complaints Officer (BDC)
Location of policy – i.e. L-drive, shared drive	Internet and Intranet
Member route for approval	Executive (BDC)/ Cabinet (NEDDC)
Cabinet Member (if applicable)	Portfolio Holder for Neighbourhood Services (BDC)/ Cabinet Member for Customer Services (NEDDC)
Equality Impact Assessment approval date	To be carried out on the procedure, the policy has been reviewed to comply with legislation
Partnership involvement (if applicable)	
Final policy approval route i.e. Executive/ Council /Planning Committee	Scrutiny/ Executive (BDC)/ Cabinet (NEDDC)
Date policy approved	
Date policy due for review (maximum three years)	September 2021
Date policy forwarded to include on Intranet and Internet if applicable to the public	

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1. Introduction

1.1 This policy reflects both Councils' commitment to valuing compliments, comments and complaints. It seeks to resolve customer dissatisfaction as close as possible to the point of service delivery and to conduct thorough, impartial and fair investigation of customer complaints so that, where appropriate, we can make evidence-based decisions on the facts of the case.

1.2 This policy is intended to represent a practical means by which the Councils can demonstrate its determination to manage the compliments, comments and complaints process effectively for the benefit of the customer and both Bolsover District Council (BDC) and North East Derbyshire District Council (NEDDC), hereafter referred to as 'the Councils'.

1.3 The joint policy is to enable Officers working across both Councils to be able to do so within one set of standards and criteria, which will ensure a consistent approach for customers of the Councils, in line with the principles of the Strategic Alliance which aims to share expertise and deliver savings.

1.4 It is important that the policy is 'owned' by Elected Members as their role as leaders in the community brings them into frequent contact with residents who make compliments, comments and complaints to the Councils.

1.5 The policy determines a standardised and centralised approach to handling complaints which aims to help us 'get it right first time'. It demonstrates a clear escalation process and ensures that complaints are investigated by Officers other than those involved in the original complaint, avoiding any conflicts of interest. We want quicker, simpler and more streamlined compliments, comments and complaints handling process with local, early resolution by capable, well-trained Officers, which is managed by the Department responsible for managing complaints.

1.6 This policy sets out the framework for handling compliments, comments and complaints that:

- Sets out a definition for compliments, comments and complaints that can be clearly communicated to both customers and employees.
- Establishes clear minimum service standards that are capable of being monitored and reported.
- Is responsive to the needs of our customers.
- Is transparent and easy to understand for both employees and customers.
- Reflects best practice.
- Helps the Councils to learn from customer feedback to improve services.

It does not include the operational aspects for handling compliments, comments and complaints, this will be covered in the supporting procedure.

2. Scope

2.1 This policy applies to all Council employees.

2.2 The policy applies to all customers of the Councils, with the exception of:

Derbyshire Building Control Partnership (both Councils), covering Derbyshire.
Audit (both Councils) and Chesterfield Borough Council.
Rykneld Housing (North East Derbyshire District Council).

These organisations operate their own complaints policies and procedures.

Organisations contracted to provide any services, for example waste services, debt collection services, emergency repairs services etc., on behalf of the Councils will be required to comply with this policy. This includes recording and responding to complaints, providing Council Officers with information as requested and providing assistance in connection with further investigations as appropriate. It will be the responsibility of each Manager to ensure that this is agreed as part of contractual arrangements and included in the contract.

Certain types of complaints fall outside the scope of this policy, these are listed under section 4.8.

3. Principles of the Policy

Definitions

3.1 For the purpose of this policy the following definitions will be used:

A compliment is an expression of satisfaction concerning a function or service provided by the Council.
A comment is a suggestion or idea about how a function or service provided by the Council could be improved.
A complaint is any expression of dissatisfaction, by one or more members of the public about the organisation's action or lack of action, or about the standard of service provided by or on behalf of the organisation, that needs a response.

3.2 Anyone who receives, requests or is affected by our services can make a compliment, comment or complaint. If a customer is unable or reluctant to make a complaint on their own, we will accept complaints brought by third parties as long as the customer has given their express personal consent.

3.3 The Councils' approach to receiving compliments, comments and complaints is designed to be as inclusive as possible. Although the policy has been developed to meet our statutory requirements, an Equality Impact Assessment has been carried out on the procedure, to ensure there are no barriers for anyone making a compliment, comment or complaint because of race, colour, ethnicity or national origins, religion and belief, gender, sexual orientation or marital status and disability or age. Customers who do not have English as a first language may need help with interpretation and translation services, and other customers may have specific needs that we will seek to address to ensure easy access to the procedure. We will make reasonable adjustments to our service and provide appropriate support to those customers who require it, including providing a response to customers in the format they require, for instance, large print, audio recordings etc.

3.4 Complaints give us valuable information we can use to improve customer satisfaction. Our complaints handling procedure will enable us to address a customer's dissatisfaction and may also prevent the same problems that led to the complaint from happening again. For our staff, compliments, comments and complaints provide a first-hand account of the customer's views and experience, and can highlight concerns we may otherwise miss. Handled well, complaints can give our customers a form of redress when things go wrong, and can also help us continuously improve our services.

3.5 Front line employees play a crucial role in resolving complaints early and creates better customer relations. Sorting them out as close to the point of service delivery as possible means we can deal with them locally and quickly, so they are less likely to escalate to the next stage of the procedure. Complaints that we do not resolve swiftly can greatly add to our workload.

3.6 The procedure supporting this policy will ensure that the Councils are able to gain meaningful information from the analysis of issues raised through compliments, comments and complaints. Information for monitoring purposes will be monitored and reported to the appropriate Officer and Elected Member groups and customers on a regular basis.

3.7 The effectiveness of the policy and its application will be reviewed through internal and external satisfaction surveys and reported to the appropriate Officer and Elected Member groups. Liaison with other local authorities and the Ombudsman Services will help ensure that current best practice continues to be reflected within the policy and supporting procedures.

4. Statement

FRAMEWORK FOR MANAGING COMPLIMENTS, COMMENTS AND COMPLAINTS

A form has been developed to capture compliments, comments and complaints, although they can also be submitted by other means.

COMPLIMENTS

A compliment is an expression of satisfaction concerning a function or service provided by the Council.

In addition to the form, customers may also make their compliment verbally or in writing by letter, e-mail or social media.

4.1 A central record of written compliments will be maintained by the Officer responsible for the management of complaints for monitoring purposes.

4.2 Whilst pleasing to receive, compliments will not receive an acknowledgement in writing. An electronic copy of the compliment will be forwarded by the Officer responsible for the management of complaints to the relevant departmental contact for their information and use, for example, team meetings, appraisals, service planning.

4.3 Information on written compliments will be reported on a regular basis for monitoring and review purposes.

The compliments handling process

Compliment	
Description	Satisfaction concerning a function or service provided by the Council verbally or in writing
Who by	A customer to any member of staff or Elected Member
Action	To be passed to the Officer responsible for the management of complaints for administration, monitoring and reporting purposes

COMMENTS

A comment is a suggestion or idea about how a function or service provided by the Council could be improved.

In addition to the form, customers may also make their comment in writing, by letter, e-mail or social media.

4.4 A central record of written comments will be maintained by the Officer responsible for the management of complaints for monitoring purposes.

4.5 An electronic copy of the comment will be forwarded by the Officer responsible for the management of complaints to the relevant departmental contact for their information and use, for example, team meetings, appraisals, service planning.

4.6 All written comments will receive a written acknowledgement within three working days thanking the customer and advising that their suggestion has been forwarded to the relevant department for their information and consideration. The department may choose to contact the customer further with feedback, if appropriate.

4.7 Information on written comments will be reported on a regular basis for monitoring and review purposes.

The comments handling process

Comment	
Description	A suggestion or idea about how a function or service provided by the Council could be improved
Who by	A customer to any member of staff
Action	To be passed to the Officer responsible for the management of complaints for administration, monitoring and reporting purposes

COMPLAINTS

A complaint is any expression of dissatisfaction, by one or more members of the public about the organisation's action or lack of action, or about the standard of service provided by or on behalf of the organisation, that needs a response.

In addition to the form, customers may make their complaint in writing, by letter or email. Customers wishing to make a complaint via social media, e.g. Facebook, Twitter, Web Chat etc., will be signposted to the electronic complaint form, as most complaints received via social media are unstructured and contain too little detail to enable them to be processed fully.

A complaint may relate to:

- Failure to provide a service
- Inadequate standard of service
- Treatment by or attitude of a member of staff
- Disagreement with the way a decision has been administered, though not the decision itself, where the customer cannot use another procedure (for example an appeal) to resolve the matter
- The organisation's failure to follow the appropriate administrative process.

4.8 Certain types of complaint fall outside of the scope of this policy and need to be dealt with through other mechanisms, these include:

(1) Grievances by existing, or former, employees about their employment. These need to be referred to the Human Resources Department to consider under their policies and procedures.

(2) Issues for which statutory appeal bodies or tribunals have been established, for example, The Appeals Service (for Benefit appeals), The Planning Inspectorate (for Planning appeals).

(3) Complaints which amount to a disagreement with the Council about its decision rather than the way the decision has been administered (e.g. the level of the Council Tax, allocating council properties in accordance with its policy).

(4) Complaints regarding a decision made by the Council when exercising its regulatory powers (e.g. licensing, serving notices) or undertaking its statutory duties (e.g. making a decision on a homelessness claim) unless the complaint relates to the way the matter has been administered.

(5) Matters, which are or could reasonably be expected to be the subject of court or tribunal proceedings.

(6) Complaints which amount to a disagreement with or refusal to accept a rule of law which the Council is applying.

(7) Complaints about Elected Member's conduct. These are handled by the Monitoring Officer.

(8) Complaints which amount to a request for service e.g. noise nuisance, flytipping Head of Service unless it relates to how the Council is administering the request for service.

(9) Complaints which constitute an allegation of fraud and/or corruption will need to be dealt with under the Whistle Blowers Policy, these are handled by the Monitoring Officer.

(10) Complaints which constitute a hate incident will need to be dealt with under the procedures covering the reporting of hate incidents, please refer to the Council's Hate Crime and Incident Reporting and Guidance.

(11) Complaints naming officers need to be assessed by the Officer responsible for the management of complaints for action and may be directed to the Human Resources Department to consider whether they need to be dealt with under their procedures or dealt with within the complaints procedure.

(12) Dissatisfaction with the organisation's policy. Although both Councils recognise that service users make complaints that are disagreements with local or national policies, these will be dealt with as 'comments'.

(13) Complaints which have been investigated and been through the complaints system fully.

(14) Complaints which are being or have been dealt with by the Local Government & Social Care Ombudsman or Housing Ombudsman.

(15) Complaints which amount to a petition. Whilst both Councils welcome petitions, these are handled by the Council's Governance Section under the Councils' Petition Schemes.

(16) Complaints about the conduct of an election, which is the responsibility of the Returning Officer, rather than an administrative function of the Council. District Council electoral registration will fall within scope of the policy. Complaints about these need to be assessed by the officer responsible for the management of complaints and the Monitoring Officer for the relevant action.

(17) Compensation claims. These are handled by the Council's Finance Department and the Council's Insurers, however complaints about how the claim has been handled by staff will fall within the scope of the policy.

4.9 The Council will adopt a three stage complaint process as follows:

Informal – Frontline Resolution within 3 working days
Formal – Investigation within 15 working days
Internal Review – Investigation within 20 working days

Complaints about responses to Freedom of Information requests will be reviewed in line with the Internal Review (Stage three of the complaint process) - **20 working days**.

4.10 The process, managed centrally from the investigation stage onwards by the Department responsible for managing complaints, will provide a clear complaints system for both customers and employees. As well as providing clarity, it will ensure that all written complaints are handled by one department ensuring a consistent approach to

customer service and efficient working practices through the removal of duplication e.g. customer sending in multiple letters regarding the same complaint and/or customer receiving more than one letter from the Council as their complaint related to more than one department.

The complaints handling process

The process aims to provide a quick, simple and streamlined process for resolving complaints early and locally by capable, well-trained staff. It provides three opportunities to resolve complaints internally:

- **frontline resolution**, and
- **investigation – formal investigation and internal review.**

Stage	Stage one Frontline Resolution	Stage two Formal Investigation	Stage three Internal Review	Ombudsman Investigation
	Internal			External
Description	For straightforward issues that are easily resolved, requiring little or no investigation	Written complaint - for issues that have not been resolved at stage one or are complex	Written complaint - for issues that have not been resolved at stage two and require an internal review or for the internal review of Freedom of Information (FOI) responses	Written complaint to Ombudsman - for issues that remain unresolved by the Council
Who by	Any member of staff, Contact Centre or referral to the appropriate point for frontline resolution	By Departmental Managers (using the response template provided and a copy to the Officer responsible for managing complaints to enable random quality checking) or by the Officer responsible for the management of complaints in complex or crosscutting cases*.	By the Officer responsible for managing complaints/ Head of Service and reviewed by a Director or the Chief Executive Officer in complex or crosscutting cases*. FOI internal reviews will be reviewed by the Head of Service or representative responsible for this function	By the Officer responsible for the management of complaints on behalf of the Chief Executive Officer
Action	'On the spot' apology, explanation or other action to resolve the complaint quickly within 3 working days	A written response to be sent to the complainant addressing all the issues within the complaint within 15 working days	A written response** to be sent to the complainant addressing all the issues within the complaint within 20 working days	A written response to be sent to the Ombudsman addressing all the issues within the complaint within the Ombudsman's statutory timescale

* In complex or contentious cases, i.e. those which cut across departments, present reputational implications or are high risk, these will be centrally managed and responded to by the Officer responsible for the management of complaints and dealt with by the Chief Executive Officer at the Internal Review stage.

** Please note it is **mandatory** for responses to refer customers to the Local Government & Social Care Ombudsman/ Housing Ombudsman's Service for those wishing to escalate their complaint.

Remedies for a complaint

4.11 There are two important reasons for having an effective complaints system – to provide a remedy and to improve services.

It is important to ascertain early on in the complaints process what outcome the customer is looking for i.e. what would be a suitable remedy. Whilst the proposed remedy may not always be reasonable and/or achievable it ensures that the Council knows early on what would be a satisfactory outcome for the customer. (This is included in the compliments, comments and complaints form).

Remedies can include:

- An apology which would normally be appropriate and adequate, but not in all circumstances. Other remedies will be considered where appropriate in addition to an apology.
- An explanation as to why a situation arose and to help the customer understand.
- An assurance that the same thing will not happen again (and monitored to make sure that it does not).
- Action that can be taken to put things right and where appropriate a change of procedure will be implemented to prevent further difficulties of a similar kind either for the individual customer or for customers generally.
- Financial compensation should always be an option, even though it may only be relevant in a few cases. Financial compensation should not be seen as an alternative to putting things right.

The guiding principle must be that as far as possible the customer is put in the position that he/she would have been in had things not gone wrong.

Customers need to know what remedies to a complaint are available and this is covered generally in publicity material for the compliments, comments and complaints system.

Where a complaint is found to be justified after investigation, at any stage, the process which has caused the complaint needs to be reviewed by the relevant officer.

For Frontline Resolution complaints (stage one) the above remedies except financial compensation could be used singularly or in combination depending on the complaint. It is important that employees handling informal complaints are aware of which remedies to offer and when.

For Formal Investigation complaints (stage two) a consideration of appropriate remedies will be requested from the relevant departmental contact as part of the complaint investigation process.

For Internal Review complaints (stage three) a consideration of appropriate remedies will be undertaken by the Head of Service responsible for Customer Service, or their

representative, with the relevant Head of Service, or equivalent, with a recommendation to the Chief Executive Officer, or Strategic Director, for approval.

Section 92 of the Local Government Act 2000 confirms that councils are empowered to remedy injustice arising from maladministration where the complaint is made only to the Council and not to the Local Government & Social Care Ombudsman.

In cases where the Council's own investigations find maladministration and injustice, this will be reported in the annual report to Executive (BDC) or Cabinet (NEDDC) and in cases where the Council's own investigations recommend a compensation payment as a remedy to a complaint then a report recommending this action will need to be taken to Executive (BDC) or Cabinet (NEDDC). Any financial recommendations requiring a decision will be made by the Chief Executive Officer following consultation with the Leader and Deputy Leader up to a maximum of £5,000 per recommendation. A report for information will be presented in the annual report to Executive (BDC) or Cabinet (NEDDC). For amounts in excess of £5,000 a decision will be required by Executive (BDC) or Cabinet (NEDDC).

The Role of the Ombudsman

4.12 The Local Government & Social Care Ombudsman (LG & SCO) was created by Part III of the Local Government Act 1974 to provide independent, impartial and prompt investigation and resolution of complaints of injustice caused through maladministration. Both Councils are within the jurisdiction of the Commission for Local Administration, which is also known as the Local Government & Social Care Ombudsman.

4.13 Additionally, Bolsover District Council is within the jurisdiction of the Housing Ombudsman (HO), which was set up by law on 1st April 2013 and which covers all housing associations and local authorities. The Housing Ombudsman considers complaints about leasehold services, moving to a property (transfer applications that are outside Housing Act 1996 Part 6), rent and service charges, occupancy rights, tenant behaviour and estate management.

4.14 In most cases, before the LG & SCO will investigate a complaint, the Council will be given an opportunity to respond to the complaint in accordance with its procedures. In the case of the HO, they will only investigate a complaint after 8 weeks has elapsed from the end of the Council's procedure, in order to allow a 'designated person' to try to bring about a resolution. Any 'premature' complaints received from either Ombudsman will be handled by the Officer responsible for the management of complaints and will commence the process at the formal investigation stage (stage two).

4.15 Customers choosing to make a complaint to either Ombudsman, after going through the Council's complaint process, will be investigated as an 'ordinary' complaint. A copy of the complaint will also be sent to the Monitoring Officer. All correspondence to and from the LG & SCO or HO will be handled by the Council's Link Officer on behalf of the Chief Executive Officer.

4.16 The Ombudsman will notify the Council in writing of its findings when it has concluded its investigation. Any financial recommendations requiring a decision will be made by the Chief Executive Officer under delegated powers following consultation with the Leader and Deputy Leader up to a maximum of £5,000 per recommendation. A report for information will be presented to Executive (BDC) or Cabinet (NEDDC) annually. For amounts in excess of £5,000 a decision will be required by Executive (BDC) or Cabinet (NEDDC).

4.17 Where the Ombudsman records a decision of maladministration and/or injustice then the necessary arrangements will be made in accordance with the Ombudsman's instructions.

4.18 The Monitoring Officer has a duty to make a statutory report to Executive (BDC) or Cabinet (NEDDC) annually in respect of maladministration where the Ombudsman has investigated and found maladministration and injustice on the part of the authority.

4.19 The definition of 'maladministration' is very wide and can include:

- Delay
- Incorrect action or failure to take any action
- Failure to follow procedures or the law
- Failure to provide information
- Inadequate record-keeping
- Failure to investigate
- Failure to reply
- Misleading or inaccurate statements
- Inadequate liaison
- Inadequate consultation
- Broken promises

4.20 There is no fixed definition of injustice but it can include:

- Hurt feelings, distress, worry, or inconvenience
- Loss of right or amenity
- Not receiving a service
- Financial loss or unnecessary expense
- Time and trouble in pursuing a justified complaint

4.21 In cases of maladministration the Council should try to identify all those affected and offer a suitable remedy. There may be a few cases where identifying others who may have suffered would be such an enormous task that it would affect the Council's day-to-day operation or the Council's ability to put right a failure that was the main cause of the maladministration. In these cases it would be better to improve the service and to stop the maladministration happening again.

4.22 The Council should always consider whether maladministration or failing to meet a standard has caused worry and distress to the service user and whether this needs to be taken into account when deciding on the right remedy. The Council should also provide a remedy if the complaint has been handled in a way that is itself maladministration.

4.23 Supporting procedures will explain fully the operational matters concerning complaints from the Ombudsman.

The Regulators Code and complaints about local authority regulatory services

The new Regulators Code came into force on 6th April 2014. Local authorities and fire authorities are under a statutory duty to have regard to the Code in developing the principles and policies which guide their regulatory activities.

The Regulators' Code aims to improve the way regulation is delivered at the front line. It sets out a clear framework for transparent and accountable regulatory delivery and establishes clear principles for how local authorities should interact with those they are regulating. The Code is underpinned by the statutory principles of good regulation, which provide that regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent and should be targeted only at cases in which action is needed.

The Better Regulation Delivery Office (BRDO) and Local Government & Social Care Ombudsman are encouraging those delivering local regulatory services and managing corporate complaints to co-operate in ensuring their processes are transparent and easier for businesses.

Guidelines in the Regulators' Code state that:

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow
- Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
- Regulators should base their regulatory activities on risk
- Regulators should share information about compliance and risk
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
- Regulators should ensure that their approach to their regulatory activities is transparent

Anonymous Complaints

4.24 Some customers may elect to remain anonymous when reporting complaints. For verbal complaint reporting (Frontline Resolution – Stage one) the employee dealing with the telephone call or face-to-face contact needs to explain the restrictions this may cause in trying to resolve the matter as we will be unable to provide feedback, provide a service or request further information at a later date.

4.25 Anonymous complaints received in writing (Formal Investigation - Stage two) will be managed centrally by the Customer Standards and Complaints Officer (BDC)/ Customer Service Co-ordinator (NEDDC) and sent to the Departmental contact to administer.

Learning from Feedback and Training for Employees

4.26 It is important that customers and other stakeholders are aware of the compliments, comments and complaints process and how to use it. Senior management will review the information gathered from complaints regularly and consider whether our services could be improved or internal policies and procedures updated.

We will:

- Use complaints data to identify the root cause of complaints
- Take action to reduce the risk of recurrence
- Record the details of corrective action in the complaints file, and
- Review complaints performance reports to improve service delivery.

Where we have identified the need for service improvement:

- The action needed to improve services must be authorised
- An officer should be designated the 'owner' of the issue, with responsibility for ensuring the action is taken
- A target date will be set for the action to be taken
- The designated individual must follow up to ensure that the action is taken within the agreed timescale
- Performance in the service area should be monitored to ensure that the issue has been resolved
- We will ensure that staff learn from complaints.

4.27 Publicity and complaints performance information

- Poster for display in Council buildings
- Compliments, comments and complaints forms
- Council's publication
- Information on the Council's website
- Information in service booklets.

We will also report on our performance in handling complaints regularly and publish this information on the Council's website.

4.28 It is also essential that the Council knows whether the compliments, comments and complaints system, especially the complaints element, is working. The Officer responsible for the management of complaints will undertake customer satisfaction surveys to establish the level of satisfaction.

It is also important that employees receive training regarding the procedure and ongoing training and development is available. Some people will need more support and employees will need to offer assistance in accordance with the Customer Service – Code of Practice and Standards.

Maintaining confidentiality is important in complaints handling. It includes maintaining the customer's confidentiality and explaining to them the importance of confidentiality generally. We must always bear in mind Data Protection legislation/ General Data Protection Regulations, as well as internal policies on confidentiality and the use of customers' information.

Habitual or Vexatious Complainants

4.29 For the purpose of this policy the following definition will be used:

The repeated and/or obsessive pursuit of

- Unreasonable complaints and/or unrealistic outcomes
- Reasonable complaints in an unreasonable manner.

Where complaints have been identified as habitual or vexatious in accordance with the criteria below, the Head of Service responsible for complaints management or their representative, following discussions with relevant Head of Service, will take a report to the Strategic Alliance Management Team (SAMT) to seek agreement to treat the complainant as a habitual or vexatious complainant and for an appropriate course of action to be taken for an appropriate length of time, usually twelve months but this is not prescriptive, before being reviewed. Operational aspects for handling habitual or vexatious complainants will be covered in the supporting procedures.

Where individuals, or individuals acting on behalf of another individual or group, are submitting multiple or lengthy requests for information or complaints in relation to the same subject matter to the Council or across both Councils, the Head of Service of Customer Service and Improvement or representative will have the option to take a report to SAMT using the evidence collated from all the individuals involved, in order to prevent duplicating or prolonging the evidence gathering process.

The Head of Service responsible for complaints management or their representative will notify complainants, in writing, of the reasons why their complaint has been treated as habitual or vexatious and the action that will be taken.

Senior Managers will need to inform and seek advice from the Officer responsible for the management of complaints regarding potential habitual or vexatious complaints, which have not progressed on to the formal stage (stage two) of the complaints process and as such fall outside the control of, and therefore knowledge of, the Department responsible for managing complaints.

Once a complainant has been determined to be habitual or vexatious, their status will be kept under review and monitored by the Head of Service responsible for complaints management or their representative, with reports being taken to SAMT as required. If a complainant subsequently demonstrates a more reasonable approach then their status will be reviewed.

Our experience has shown that the behaviour of some customers considered vexatious can fluctuate greatly. Following any SAMT decision that has determined a customer as habitual or vexatious SAMT may confer delegated powers to the Head of Service responsible for complaints management or their representative, in cases to amend the conditions in the interest of the service where prompt action may be required at short notice. In such cases the Head of Service responsible for complaints management or their representative will put monitoring measures in place and make a decision in line with this policy.

Once the 'appropriate length of time' has expired, normal contact with the customer can be resumed. However, should the customer revert to their previous behaviour, the Council reserves the right to determine their behaviour as vexatious again without the need for further monitoring or submission of a report to SAMT.

Criteria for Determining Habitual or Vexatious Complainants

Complainants or anyone deemed to be acting on their behalf may be considered to be vexatious or persistent if one or more of the following applies where previous or current contact with them shows that they meet two or more of the following criteria:

Where complainants are:

- Refusing to specify the grounds of a complaint, despite offers of assistance.
- Refusing to co-operate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements made at an earlier stage.
- Introducing trivial or irrelevant new information at a late stage.
- Raising numerous, detailed but unimportant questions; insisting that they are answered.
- Acting individually or on behalf of a group, submitting numerous or lengthy requests for information or complaints in relation to the same subject or where the Council has received similar complaints or requests for information from the complainant themselves previously on the same issue.
- Covertly recording meetings and conversations.
- Submitting falsified documents from themselves or others.

- Adopting a 'scatter gun' approach, pursuing parallel complaints on the same issue with a variety of other organisations.
- Making excessive demands on the time and resources of staff with lengthy telephone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations that the complainant insists make these 'new' complaints.
- Refusing to accept the decision, repeatedly arguing points with no new evidence.
- Harassing verbally or otherwise seeking to intimidate employees dealing with their complaint, including the use of foul, abusive or racist language, which will be reported to the appropriate authority.
- Threatening or using physical violence towards employees. The Employee Protection Policy (available on the Councils' Intranet) provides guidance and procedures on how to report such incidents.
- Insisting on pursuing unjustified complaints and/or unrealistic outcomes to legitimate complaints or taking actions that are out of proportion to the nature of the complaint, even when the complaints procedure has been exhausted.
- Demonstrating behaviour which has a significant and disproportionate adverse effect on the Councils resources.

The Habitual/ Vexatious complaints handling process

Options for Dealing with Habitual or Vexatious Complainants

The options below can be used singularly or in combination depending on the circumstances of the case and whether the complaint process is ongoing or completed.

1. A letter to the complainant setting out responsibilities for the parties involved if the Council is to continue processing the complaint. If terms are contravened, consideration will then be given to implementing other action as indicated below.
2. Decline contact with the complainant, either in person, by telephone, by fax, by letter, by e-mail or any combination of these, provided that one form of contact is maintained. This may also mean that only one named officer will be nominated to maintain contact (and a named deputy in their absence). The complainant will be notified of this person.
3. Notify the complainant, in writing, that the Council has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a habitual or vexatious complainant and as such the Council does not intend to engage in further correspondence dealing with the complaint.
4. Inform the complainant that in extreme circumstances the Council **will** seek legal advice on habitual or vexatious complaints and this may lead to legal action being taken against the complainant as the Council has a duty to protect both the Council's reputation and its' employees.
5. Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual and/or vexatious, while seeking advice or guidance from its solicitor or other relevant agencies, such as the Local Government & Social Care Ombudsman or External Auditor.
6. In cases of threats of verbal or physical abuse, always recommend the complainant is added to the Employee Protection Register.

Habitual/ Vexatious complaint	
Description	Multiple complaints or requests for information about the same* issue (s) which have previously been investigated or answered fully
Who by	A customer to any member of staff
Action	To be passed to the Officer responsible for the management of complaints for administration, monitoring and reporting purposes

***Please note:** Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints.

5. Responsibility for Implementation

The Head of Service responsible for complaints management

The Head of Service responsible for complaints management will oversee the implementation of this policy on behalf of the Chief Executive Officer who has overall responsibility for the policy. The Head of Service responsible for complaints management, with support from Customer Standards and Complaints Officer (BDC)/ Customer Service Co-ordinator (NEDDC) is responsible for establishing systems and procedures that support the implementation of this policy and for managing the compliments, comments and complaints system.

The Head of Service responsible for complaints management will in some cases, where it is considered by SAMT be given delegated powers to amend conditions associated with 'vexatiousness' if it is in the interest of the service and where prompt action may be required at short notice.

The Chief Executive Officer and Directors/ Heads of Service:

Responsible for reviewing Internal Review complaints, they should be satisfied that the investigation is complete and the response addresses all aspects of the complaint.

The Monitoring Officer

The Monitoring Officer has a duty to make a statutory report periodically, at least once a year, to Executive (BDC) or Cabinet (NEDDC) in respect of maladministration where the Local Government & Social Care Ombudsman has investigated and found maladministration and injustice on the part of the authority.

Senior Managers and Departmental Complaints Contacts:

Involved in the operational investigation and management of complaints handling. As senior officers they may be responsible for preparing and signing decision letters or submitting information to the Officer responsible for the management of complaints in complex or crosscutting cases), so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint.

Complaints Investigator:

The complaints investigator is responsible and accountable for the management of the investigation. This may be the Officer responsible for the management of complaints or someone in the service delivery team, and will be involved in the investigation and in co-ordinating all aspects of the response to the customer. This will include preparing a comprehensive written report, including details of any procedural changes in service delivery that could result in wider opportunities for learning across the organisation.

All staff:

A compliment, comment or complaint may be made to any member of staff within the organisation. All staff must be aware of the Compliments, Comments and Complaints Policy and procedure and how to handle complaints at the frontline stage. They should also be aware of who they should refer a complaint to, in case they are not able to personally handle the matter.

The Officer responsible for the management of complaints/ Local Government & Social Care Ombudsman/ Housing Ombudsman Link Officer:

The Officer responsible for the management of complaints is also the Council's Link Officer for the Ombudsman. The Link Officer's role will include providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on our behalf in response to investigations, and confirming and verifying that recommendations have been implemented. Please note: the responsibility for the Housing Ombudsman Link Officer role for NEDDC is with Rykneld Housing.



We speak your language

Polish

Mówimy Twoim językiem

French

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Spanish

Hablamos su idioma

Slovak

Rozprávame Vaším jazykom

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Bolsover District Council

Customer Service & Transformation Scrutiny Committee

25th June 2018

<p>Review of The Strategic Alliance – Executive Response</p>

Report of the Chair of Customer Service & Transformation Scrutiny Committee

This report is public

Purpose of the Report

- To present Executive's Response to the Review of The Strategic Alliance to Customer Service & Transformation Scrutiny Committee.

1 Report Details

- 1.1 The Customer Service and Transformation Scrutiny Committee agreed to undertake a review of The Strategic Alliance as part of the 2017/18 work plan following consideration of a range of topics suggested at the Annual Scrutiny Conference.
- 1.2 An Interim Report was approved by the Scrutiny Committee in April 2018 and submitted to Executive in May 2018. The Committee concluded that due to the complexity of the topic reviewed, an Interim Report which further refined the scope and pinpointed more specific areas for review was the best course of action.
- 1.3 This report acknowledges their response to the Review recommendations and advises Committee to commence a period of Post-Scrutiny Monitoring to ensure effective implementation of the approved recommendations.

2 Conclusions and Reasons for Recommendation

- 2.1 Following presentation of the review to Executive, Members agreed all the recommendations proposed as part of the Interim Report.
- 2.2 Members are required to make their report and findings public, in accordance with Part 4.5.17(3) of the Constitution.
- 2.3 Committee is required to monitor implementation of their recommendations in accordance with Part 3.6(2) of the Constitution.

3 Consultation and Equality Impact

- 3.1 All Scrutiny Committees are committed to equality and diversity in undertaking their statutory responsibilities and ensure equalities are considered as part of all

Reviews. The selection criteria when submitting a topic, specifically asks members to identify where the topic suggested affects particular population groups or geographies.

3.2 The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.

3.3 As part of the review process there has been a survey of BDC Members to ascertain their views on a range of aspects of the current Alliance arrangements.

4 Alternative Options and Reasons for Rejection

4.1 Committee is required to monitor implementation of their recommendations in accordance with Part 3.6(2) of the Constitution and as such the report cannot be rejected.

5 Implications

5.1 Finance and Risk Implications

5.1.1 None from this report.

5.2 Legal Implications including Data Protection

5.2.1 In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in s.21 of the Local Government Act 2000 and subsequent legislation which added to/amended these powers e.g. the Local Government and Public Involvement in Health Act 2007.

5.3 Human Resources Implications

5.3.1 None directly from this report.

5.3.2 Recommendation CS&TSc2017/18 2.1 suggests a review topic in relation to the Pay Agreements of the two Authorities within the Alliance. If this topic is taken forward for further review, the subsequent report will acknowledge all relevant HR implications.

6 Recommendations

6.1 That Members note Executive's Response to the Review of The Strategic Alliance.

6.2 That Members make its report and findings public, in accordance with Part 4.5.17(3) of the Constitution.

6.3 That Members and Officers monitor progress on the recommendations and report in twelve months' time highlighting exceptions to delivery.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Affected</p>	All
<p>Links to Corporate Plan priorities or Policy Framework</p>	<p>Aim: Transforming Our Organisation</p> <p>Priority: Maximising opportunities with North East Derbyshire District Council through the Strategic Alliance</p>

8 Document Information

Appendix No	Title				
1.	Review of The Strategic Alliance – Action Plan				
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p> <p>All documents related to the Review of The Strategic Alliance.</p> <p>Please contact Scrutiny & Elections Officer where further information is required.</p>					
<table border="1"> <thead> <tr> <th>Report Author</th> <th>Contact Number</th> </tr> </thead> <tbody> <tr> <td>Joanne Wilson, Scrutiny & Elections Officer</td> <td>2385</td> </tr> </tbody> </table>		Report Author	Contact Number	Joanne Wilson, Scrutiny & Elections Officer	2385
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Joanne Wilson, Scrutiny & Elections Officer	2385				

EXECUTIVE RESPONSE TO RECOMMENDATIONS OF SCRUTINY REVIEW

Title of Review:	Review of The Strategic Alliance – Interim Report		
Timescale of Review:	October 2017 – April 2018	Post-Monitoring Period:	12 months commencing June 2018. Interim report due January 2019.
Date agreed by Scrutiny:	April 2018	Date agreed by Executive:	May 2018

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
CS&TSc17/18 2.1	<p>That the Customer Service and Transformation Scrutiny Committee consider the following areas of the Strategic Alliance for review:-</p> <ul style="list-style-type: none"> • Delivery of the Environmental Health and Licensing Service. • The Differences between the Pay Agreements in the 2 Councils in the Strategic Alliance and JE and the Impact this has on forming joint services. • The Criteria for the Creation of new Shared Services. 	<p>That the Scrutiny Conference be made aware of the proposals and further assess the suitability of the proposed topics.</p> <p>That the Committee take forward at least one of the suggestions as an in-depth review.</p>	<p>Submission to Conference – April 2018</p> <p>Consideration by Committee – May 2018</p>	Scrutiny & Elections Officer	Officer and Member time	<p>All proposed review scopes will be submitted to the Scrutiny Conference 2018 for consideration by Members. The final decisions will be taken by committee at the start of the municipal year following AGM.</p>	<p>Recommendation agreed.</p> <p>There was clear support for a review focussed on Environmental Health & Licensing, with clarity around access to the service raised as a key issue.</p> <p>There was also clear support for a focus on Pay Agreements and JE but the complexities of such a task were noted and that it would not be a straight forward topic to review.</p> <p>Members felt that the Criteria for Shared Services could not move forward without clarity over pay and JE first, and should</p>

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
							therefore be given less priority.
CS&TSc17/18 2.2	That the Customer Service and Transformation Scrutiny Committee defer consideration of the emerging Transformation Programme whilst receiving regular updates from the Joint Strategic Director - People, on progress.	Further consideration of the emerging programme is built in to the 2018/19 work plan, with the option to progress to a review if required.	May 2018 onwards	Joint Strategic Director – People	Officer time	A presentation is planned to Council on the 25 th April 2018, in addition to follow up meetings with Cabinet planned to further prioritise the programme for 2018/19 and 2019/20. This will then be brought to Scrutiny for further discussion.	Recommendation agreed.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
CS&TSc17/18 2.3	That the terms of reference for the Strategic Alliance Joint Committee are submitted to the Strategic Alliance Joint Committee for urgent review and then reviewed on an annual basis to ensure the Committee's remit remains fit for purpose in monitoring and developing the work of the Alliance.	<p>That the Governance structure remains fit for purpose with sufficient monitoring structures of the Alliance arrangements in place and appropriate processes in place for taking forward new aspects of the Alliance.</p> <p>That the powers and scope of the Committee remain adequate to support the delivery of the Strategic Transformation Programme.</p>	May 2018 and annually thereafter as part of the Constitution refresh process	Joint Head of Corporate Governance and Monitoring Officer	Officer time Printing/publishing costs	This will be formally referred to the SAJC by the lead officers and the future governance needs of the SAJC discussed.	Recommendation agreed.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
CS&TSc17/18 2.4	A programme of Member's Briefings covering the Strategic Alliance, our shared services and the achievements to date, either written and/or group presentation, is developed for the 2018/19 municipal year, with a commitment to evaluate the programme following the 2019 elections.	Greater clarification on the work of the Alliance, in particular the delivery of, and improvements to, shared services.	Commence June 2018 onwards	Joint Strategic Director – People	Officer time Printing	A programme will be developed for delivery in 2018/19 and beyond, in conjunction with SAMT and the Chair of the Scrutiny Committee.	Recommendation agreed.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
CS&TSc17/18 2.5	An increased level of publicity as to the effectiveness of the arrangement is achieved via regular press releases; articles on both authority websites and use of the staff weekly briefings.	<p>Greater clarification on the work of the Alliance, in particular the delivery of, and improvements to, shared services.</p> <p>Residents are well-informed as to the work of the Alliance and it's achievements</p>	Commence June 2018 onwards	Communications, Marketing and Design Manager	Officer time Printing/ publicity costs	Subject to agreement by SAMT, a more structured approach to communications would be welcome. This could include a standard item on SAMT to ensure a more co-ordinated approach to communications/marketing from the outset of all new schemes. The new Extranet should provide a clear mechanism for improved information sharing, and a review of how the Strategic Alliance is featured on each Council website could also be delivered. We would also consider a review of the branding for the Strategic Alliance to make it more modern and fresh and ensure it is used consistently whenever we are talking about the Alliance.	Recommendation agreed, as the portfolios have been revised for 2018/19 this will fall under the remit of the Cabinet Member for Town Centre Renewal, Media & Marketing which includes Public Relations & Communications. Members were keen that any publicity ensured BDC's identity was clear and that both Authorities were referenced in their own right.

Bolsover District Council

Customer Service & Transformation Scrutiny Committee

25th June 2018

Scrutiny Committee Work Programme 2018/19

Report of the Scrutiny & Elections Officer

This report is public

Purpose of the Report

- To provide members of the Scrutiny Committee with an overview of the meeting programme of the Committee for 2018/19.

1 Report Details

- 1.1 The main purpose of the report is to inform members of the meeting programme for the year 2018/19 and planned agenda items (Appendix 1).
- 1.2 This programme may be subject to change should additional reports/presentations be required, or if items need to be re-arranged for alternative dates.
- 1.3 Attached at Appendix 2 is the draft scope for the Review of Delivery of Environmental Health & Licensing for approval.
- 1.4 Review Scopes will be agreed within Informal Session in advance of the designated meeting for Member approval to ensure that there is sufficient time to gather the information required by Members and to enable forward planning of questions.
- 1.5 Members may raise queries about the programme at the meeting or at any time with the Scrutiny & Elections Officer should they have any queries regarding future meetings.

2 Conclusions and Reasons for Recommendation

- 2.1 This report sets the formal Committee Work Programme for 2018/19 and the issues identified for review.
- 2.2 The Scrutiny Programme enables challenge to service delivery both internally and externally across all the Corporate Plan Ambitions.
- 2.3 Part 3.6(2) of the Council's Constitution requires each Scrutiny Committee to set an annual work plan.

- 2.4 Committee is required to formally approve review scopes in advance of commencing a review.

3 Consultation and Equality Impact

- 3.1 All Scrutiny Committees are committed to equality and diversity in undertaking their statutory responsibilities and ensure equalities are considered as part of all Reviews. The selection criteria when submitting a topic, specifically asks members to identify where the topic suggested affects particular population groups or geographies.
- 3.2 The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.
- 3.3 As part of the scoping of Reviews, consideration is given to any consultation that could support the evidence gathering process.

4 Alternative Options and Reasons for Rejection

- 4.1 There is no option to reject the report as Part 3.6(2) of the Council's Constitution requires each Scrutiny Committee to set an annual work plan.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 None from this report.

5.2 Legal Implications including Data Protection

- 5.2.1 In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in s.21 of the Local Government Act 2000 and subsequent legislation which added/amended these powers e.g. the Local Government and Public Involvement in Health Act 2007.

5.3 Human Resources Implications

- 5.3.1 None from this report.

6 Recommendations

- 6.1 That Members note this report and the Programme attached at Appendix 1. All Members are advised to contact the Scrutiny & Elections Officer should they have any queries regarding future meetings.
- 6.2 That Members review the draft scope attached at Appendix 2, and approve the document, with amends if required, so the Review can commence.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p><i>BDC: Revenue - £75,000 <input type="checkbox"/></i> <i>Capital - £150,000 <input type="checkbox"/></i></p> <p><i>NEDDC: Revenue - £100,000 <input type="checkbox"/></i> <i>Capital - £250,000 <input type="checkbox"/></i></p> <p><input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Affected</p>	All
<p>Links to Corporate Plan priorities or Policy Framework</p>	All

8 Document Information

Appendix No	Title
1.	Work Programme 2018/19
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p> <p>Previous versions of the Committee Work Programme.</p>	
Report Author	Contact Number
Joanne Wilson, Scrutiny & Elections Officer	2385

Report Reference –

BOLSOVER DISTRICT COUNCIL

SCRUTINY PROJECT MANAGEMENT – REVIEW SCOPE

NAME OF COMMITTEE:	Customer Service & Transformation
SUBJECT TO BE REVIEWED:	Review of Delivery of Environmental Health & Licensing
REASON(S) FOR THE REVIEW:	<p>As part of the evidence gathering process for the Review of The Strategic Alliance, Members reviewed the existing staffing structures across the three directorates which identified both shared and BDC only posts, alongside the employing authority. This sought to address the following issues identified in the scope:</p> <ul style="list-style-type: none"> • Which services are combined? • Who is based where? <p>Members are uncertain as to what the arrangements are in place in relation to some shared services employees in terms of who employs, where they are based and how they can be contacted.</p>
IDENTIFY APPROPRIATE CORPORATE PLAN AIMS, PRIORITIES AND TARGETS:	<p>CORPORATE PLAN AIM – Transforming Our Organisation</p> <p>PRIORITY – Maximising opportunities with North East Derbyshire District Council through the Strategic Alliance</p>
DIRECTORATE/SERVICES INVOLVED:	Place – Housing and Community Safety (Environmental Health & Licensing)
AIMS AND OBJECTIVES OF REVIEW:	<p>Aim: The aims of the review are:</p> <ul style="list-style-type: none"> • To establish how the service operates across the 2 Councils in relation to members accessing the service. • To identify the advantages of the arrangement. • To identify the disadvantages of the arrangement. • To make recommendations as to improvements in the service which will improve the service received by Members of Bolsover District Council. <p>Objectives:</p> <ul style="list-style-type: none"> • Review of existing Service Level Agreement • Assess current protocol for Member communication/interaction • Review equality of access to the service from both Districts – location of offices/rotation of staff at offices. • Assessing the advantages/ efficiency of the current arrangement and ensuring Members are better informed as to how the service is delivered within the District. • Provide clarity over existing arrangements and determine whether any changes are required to this element of the

	Strategic Alliance going forward.
KEY ISSUES:	<p>As part of the 2017/18 Review of The Strategic Alliance, Members noted that as one of the only hosted, shared services, Members are concerned that BDC colleagues feel alienated from the service and feel discouraged from using the service as those providing the service are not BDC employees.</p> <p>Members are also keen to establish how NEDDC Members view the service and whether the shared service is delivering as they expect.</p>
METHOD(S) OF REVIEW:	<ul style="list-style-type: none"> • Assessment of customer service requests/complaints • Analysis of Citizen Panel survey results • Potential for additional residents' or Member surveys if felt beneficial • Document Reviews – SLA; current communication/engagement protocols
IMPLICATIONS: (legislative, regulatory, etc)	The shared service delivers Statutory functions. The review will establish whether the Service Level Agreement is still fit for purpose to effectively comply and deliver the requirements of Environmental Protection Act 1990 and Environment Act 1995.
DOCUMENTARY EVIDENCE: (Internal/External)	<p>Service Level Agreement (2012)</p> <p>Assessment of customer service requests/complaints</p> <p>Analysis of Citizen Panel survey results</p>
STAKEHOLDERS:	<p>RELEVANT PORTFOLIO HOLDER MUST BE INVOLVED IN THE REVIEW</p> <p>Portfolio Holder – Housing and Community Safety Joint Strategic Director – Place Head of Housing & Community Safety Environmental Health Manager Environmental Health Manager BDC Members NEDDC Members</p>
CONSULTATION/ RESEARCH:	<p>BDC Member Survey</p> <p>NEDDC Member Survey</p>
SITE VISITS:	<p>Possible attendance at NEDDC Licensing</p> <p>Joint meeting with NEDDC Members – potentially at Mill Lane site</p> <p>Visit to Mill Lane (Licensing application process)</p>

TIMESCALE	ESTIMATED	REVISED	ACTUAL
Commencement	July 2018		
Interim Report/ Recommendations	November 2018		
Finish	January 2018		
Report	February 2018		

SCRUTINY REVIEW OUTCOMES

CONCLUSIONS:	
RECOMMENDATIONS:	
DRAFT REPORT SENT TO DIRECTOR & ANY RELEVANT OFFICERS FOR COMMENT:	
DRAFT REPORT CONSIDERED BY PORTFOLIO HOLDER:	
SIGNED OFF BY COMMITTEE/CHAIR:	
REVIEW OF PROCESS/COMMENTS:	
EXECUTIVE CONSIDERED:	
OUTCOME:	
FOLLOW UP:	
DATE:	