

By: Peter Gilroy – Chief Executive  
To: Corporate Policy Overview Committee –  
26 September 2008  
Subject: CHIEF EXECUTIVES DEPARTMENT ANNUAL COMPLAINTS,  
COMMENTS AND ENQUIRES REPORT  
Classification: Unrestricted

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Summary: This report provides Members with information about the operation of the Chief Executives Department complaints and representations procedure between 1 April 2007 and 31 March 2008.

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## **1. INTRODUCTION**

- 1.1 The report contains information on complaints, comments and enquires received and dealt with by the Chief Executives Department during 2007/08. The report has been compiled by the Performance Management Group and is based on the information provided by departments. Departments have their own arrangements for reporting trends to the appropriate management team.
- 1.2 The report outlines the number of complaints received by departments, complaint trends, the source of complaints and the performance on handling complaints. Information, where available, is also provided on improvements taking place as a result of complaints.

## **2. What is a complaint?**

- 2.1. A complaint is an expression of dissatisfaction, whether justified or not and however made, about the standard of or the delivery of service, the actions or lack of action by the Council or its staff which affects an individual service user or group of users. This is consistent with the definitions used by other local authorities.

## **3. Who can make a complaint**

- 3.1 Any individual or organisation who uses or receives a Council Service can make a complaint if they are dissatisfied with the service. This definition includes:-
  - Statutory or non statutory services provided to individual customers
  - Services provided on a commercial basis (eg Home to School transport)
  - Services provided to schools

- 3.2 The Complaints Procedure does not cover complaints from members of staff, trainees, apprentices or persons on work placements, involving working conditions, pay or other internal grievances.

#### **4. Stages of the complaints procedure**

- 4.1 The first step in the complaints procedure is a stage 1: Local Resolution. This is where an attempt to resolve the complaint at a local level is made.
- 4.2 If the customer remains dissatisfied then they can ask for their complaint to be considered at stage 2. The complaint is directed to the Managing Director/Director/Head of Service. The customer themselves would usually make the decision on whether they want their complaint to be investigated at stage 2 and (this option is openly published) they are made aware of this option in a variety of ways.
- 4.3 The third stage is for the customer to take the complaint to the Local Government Ombudsman.

#### **5. The Number of Complaints and Compliments Received**

- 5.1 In 2007/08, 44 complaints were received compared with 42 for 2006/07. The number of complaints, comments and enquires needs to be seen in the context of the number of people accessing services and the number of complaints, the number for the Chief Executives Department therefore, is relatively small compared to the number of people accessing the services.
- 5.2 A cautious approach is needed to the analysis of complaints as an increase or decrease in the number of complaints can not be assumed to reflect a change in the standard of service provided. An increase might indicate that the organisation is more receptive to complaints and may reflect how well informed people are about the complaints procedures. There is a correlation between articles in the media and press and the number of complaints, comments and enquiries.
- 5.3 The emphasis in the complaints procedure is to try to resolve complaints at a local level. If the complaint is not resolved at Stage One (problem solving) or if it is particularly serious, then the complaint can progress to Stage Two (Formal Complaint),

#### **6. Learning Lessons/Practice Improvements**

- 6.1 Customers have the right to complain. However, there are not always wider lessons from complaints. Some complaints often involve one off administration or human errors. However, services are encouraged to understand and apply the lessons from complaints in terms of service or procedural improvements where clear trends emerge from individual complaints. There have been no policy changes as a result of these complaints.

## 7. Complaint Handling Performance

### 7.1 Number of Complaints at Stage 2

| Business Units                        | How complaint was received |          |          |           |
|---------------------------------------|----------------------------|----------|----------|-----------|
|                                       | Total                      | e-mail   | phone    | letter    |
| Business Solutions & Policy           | 1                          |          |          | 1         |
| Commercial Services                   | 16                         | 2        |          | 14        |
| Corporate Finance                     | 16                         |          |          | 16        |
| Legal & Governance                    | 5                          |          |          | 5         |
| Personnel                             | 4                          | 3        | 1        |           |
| Property Group                        | 1                          |          |          | 1         |
| Strategic Development & Public Access | 1                          |          |          | 1         |
| <b>TOTAL</b>                          | <b>44</b>                  | <b>5</b> | <b>1</b> | <b>38</b> |

| Complaints acknowledged within 3 working days  |    | Actual | %           |
|--|----|--------|-------------|
| Business Solutions & Policy                    | 1  | 1      | 100         |
| Commercial Services                            | 16 | 16     | 100         |
| Corporate Finance                              | 16 | 16     | 100         |
| Legal & Governance                             | 5  | 5      | 100         |
| Personnel                                      | 4  | 4      | 100         |
| Property Group                                 | 1  | 1      | 100         |
| Strategic Development & Public Access          | 1  | 1      | 100         |
|  |    |        | <b>100%</b> |
| Responses to complaints within 10 working days |    | Actual | %           |
| Business Solutions & Policy                    | 1  | 1      | 100         |
| Commercial Services                            | 16 | 16     | 100         |
| Corporate Finance                              | 16 | 15     | 94          |
| Legal & Governance                             | 5  | 4      | 80          |
| Personnel                                      | 4  | 4      | 100         |
| Property Group*                                | 1  | 0      |             |
| Strategic Development & Public Access          | 1  | 1      | 100         |
|  |    |        |             |

### 7.2 Business Solutions and Policy

There has been a complaint regarding information on a consultation with the public.

### 7.3 Commercial Services

The majority of complaints received are from parents who are not satisfied regarding the mode of transport to school provided for their child.

There have also been a number of complaints in the press by the private sector regarding Commercial Services activity, which have resulted in an on-going dialogue with the Federation of Small Businesses'.

#### 7.4 Corporate Finance

Within Corporate Finance there were 12 complaints that our insurers had declined legal liability for paying out on claims for compensation made against the Council and 4 connected to council tax. These related to comments about: multiple council tax leaflets; compensation for a faulty street light; pensioner complaining about overpaid officials; and local facilities - tax paid compared to services personally received.

Finance have also dealt with over 100 enquires about council tax or county spending. The majority of these complaints are received by e-mail. Following articles in the press a number of enquires have been received regarding the Chief Executive's salary and the non-disclosure of senior staff salaries. The majority of these queries have been generated by the Taxpayers' Alliance publicity.

#### 7.5 Legal & Governance

Complaints to Legal and Governance are mainly to do with delays in responding to correspondence.

#### 7.6 Personnel

Between April 1st 2007 - March 31st 2008 a total of 1765 posts were advertised and over 24,000 application forms from candidates from candidates. During this period 4 complaints were received regarding issues such as no response from application process, feedback after the interview and information on KCC website.

#### 7.7 Property Group

A complaint was received by a householder concerning building work being carried out a nearby school. \*This was an on-going complaint during the time work was carried out. In total, we sent 7 letters and made approximately 12 telephone calls to answer this complaint.

#### 7.8 Strategic Development and Public Access

KCC Gateways are managed by Strategic Development and Public Access department. Complaints about the Gateways service are dealt with by the relevant business service using the Gateway and will not be reported here. As from April 2008 complaints received about the Contact Centre and public access will be reported within the Chief Executives Department complaints report.

### **8. Valuing Diversity**

- 8.1 The Council provides complaint leaflets for adults, children and those with learning difficulties. We continued to advertise and promote access into the scheme for people with disabilities.

8.2 Monitoring information is used to inform practice, however due to the relatively low number of complaints received and the current low response rate to our equality and diversity monitoring forms it has not been feasible to make judgments and set specific objectives or actions from the feedback received.

## **9. Vexatious and Repetitious Complainants**

9.1 The Council can review a complaint and give a decision without formal Investigation where it considers it to be deliberately repetitious or vexatious.

9.2 The number of such complaints is increasing to such an extent nationally that the Local Government Ombudsman published last Autumn a Guidance Note on 'Unreasonable and persistent complainants'.

## **10. Compensation**

10.1 No compensation has been paid to complainants within the Chief Executives Department during 2007/2008 under the complaint procedure.

## **11. Corporate Assessment - Comprehensive Performance Assessment**

11.1 The Corporate Assessment highlighted a number of areas for improvement in the way the Council handles complaints:

'The Council's use of and response to complaints as a resource to drive improved services is being further developed, but currently - although statutory requirements are met - directorates have inconsistent approaches, and mechanisms for monitoring and using complaints are underdeveloped. This inconsistency is reinforced by the mixed quality and availability of service standards'.

11.2 Public satisfaction with complaints-handling is in the worst 25 per cent compared with other councils'.

11.3 These areas are being addressed by the County Complaints group. All Directorates now produce an annual complaints report covering the following areas:

- Number of complaints
- How we received them; phone, letter, e-mail
- % answered within our standards
- % why complaints are being received
- What we have learnt and what we have changed and improved
- Equality and diversity information

and will ensure consistent practice across all Directorates in monitoring and responding to complaints from the public and regarding use of complaints to drive service improvements

- 11.4 The Corporate complaint leaflet and the website are also being updated to improve information to the public.
- 11.5 Progress will be monitored via the Performance Improvement Plan which is item on the agenda B3 at today's meeting.

## **12. Compliments**

- 12.1 From April 2008 we will also be monitoring the number of compliments received by the departments. This information is not currently collected.

Janice Hill  
Performance Manager  
Performance Management Group  
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