

# Customer Feedback and Complaints Handling Policy

**Cabinet**

**Date: 4<sup>th</sup> December 2019**

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Author: Cabinet Member for Corporate Services and Operational Excellence  
Head of Customer Services, Registrars and Bereavements

Wards: All Wards

Parishes Affected: All Parish Areas

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## **1. Purpose and Reasons**

- 1.1 This report sets out alterations to the Council's current Corporate Customer Feedback Policy following a recent review.
- 1.2 The Corporate Customer Feedback Policy was previously reviewed in February 2015 and therefore required reviewing following the outcome to the Annual LGO Report 2018-19.
- 1.3 This report relates to the Swindon Programme, which "sets out how the Council will meet this financial challenge through transforming the way we work and making our services, systems and processes more efficient for customers and staff".
- 1.4 As set out in Article 13 of the Constitution, securing good decisions and the effective delivery of services without generating complaints ensures the Council's compliance with the requirements of its decision making principles. High quality corporate functions, including how complaints are handled, are an essential component of successful delivery of the Council's Vision, Priorities, and Pledges.

## **2. Recommendations**

### Cabinet is recommended to:

- 2.1 Agree to rename the policy, the Customer Feedback and Complaints Handling Policy.
- 2.2 Agree that the purpose of the Customer Feedback and Complaints Handling Policy is to provide customers with clear guidance about how to achieve a prompt resolution to complaints in a fair and consistent fashion.
- 2.3 Authorise the adoption of the reviewed and updated Customer Feedback and Complaints Handling Policy as the Council's method for handling all relevant complaints to ensure that, where possible, complaints are resolved internally before such matters are referred to the Local Government Ombudsman (LGO).
- 2.4 Authorise the adoption of a new Customer Behavioural Policy to replace the Council's current Persistent and Vexatious Customer section within the current Corporate Customer Feedback Policy.

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Further information on the subject of this report can be obtained from Amalia Morris, [amorris@swindon.gov.uk](mailto:amorris@swindon.gov.uk).

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- 2.5 Authorise the introduction of the above proposals as of 1<sup>st</sup> January 2020.

## 3. Detail

### Corporate Customer Feedback Policy

- 3.1 The Council's Corporate Feedback Policy was last reviewed in February 2015 and was due to be reviewed following the outcome to the Annual LGO report 2018-19, where the Local Government Ombudsman noted that the Council needed to review its complaint procedures.
- 3.2 In June 2019, officers within Customer Services initiated a review of the Council's current Corporate Customer Feedback Policy.
- 3.3 Research was undertaken into other Councils' complaint policies and Local Government Ombudsman guidance was reviewed. These findings have been compared to the Council's current Corporate Customer Feedback Policy and are presented in the Corporate Customer Feedback Review (see Appendix 1).

### General Complaint Review Working Group

- 3.4 Since June 2019, the Customer Services Department have held fortnightly working group meetings in order to review the Corporate Customer Feedback Policy. The group currently consists of a number of Leadership Support Officers and Officers from different service areas (including Education, Highways & Transport, Council Tax & Benefits and Central Admin).
- 3.5 A number of improvements regarding the current complaints procedures and the configuration of the case management system have been identified during the forum meetings.
- 3.6 The working group agreed and helped to produce an updated service area list, feedback contact list, complaint response templates, a proposed Customer Feedback and Complaints Handling Policy, a new Customer Behavioural Policy and a new Complaint Process (see attached Appendices 2&3).

### Key Changes to the Policy

- 3.7 The policy will be renamed the Customer Feedback and Complaints Handling Policy
- 3.8 Following review of best practice and advice from the Local Government Ombudsman Guidance, the reviewed policy will include two stages. The first will be a stage one response from the appropriate service manager, and the second will be a stage two review and response by a Director or delegated Head of Service.

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- 3.9 The current policy includes a third stage that requires the Chief Executive to review a stage two complaint and respond, before it can be escalated to the Local Government Ombudsman. This stage can add up to 25 working days to the time taken to handle a complaint and very rarely leads to any change in the result for the complainant. As such, and following a review of best practice, this stage has been removed.
- 3.10 If a customer has decided not to escalate a complaint within 25 workings days of receiving a response then the complaint will be considered closed.
- 3.11 The Vexatious and Persistent Complainers section of the policy has been removed from the Customer Feedback and Complaints Handling Policy. A new Customer Behaviour Policy has been created, which has built upon the previously adopted procedures and provided more detail about the protocol to be followed by officers and Members (see Appendix 3).

## Changes to Department Specific Policies

### Housing Complaints Procedure

- 3.12 Officers from Customer Services and Housing, and members of the Housing Scrutiny Tenants Panel have met to review the Council's current Complaint Policy. All agreed that the current policy could be developed and that the current Housing Complaint Procedure should be amended from a four-stage process to three stages (see section 2 in Appendix 2).

### Adults, Children's and Special Educational Needs Complaints Procedures

- 3.13 Officers from Customer Services and Adults and Children's Services agreed that each department's complaint processes could be developed and agreed to a two-stage process (see section 3 & 4 in Appendix 2).
- 3.14 For Adult Social Care complaints, the timescale at stage 1 has been changed from 25 working days to 10 working days. An extension of 10 working days will be available in complex cases.

### Other Policy Changes

- 3.15 The new policy has been re-drafted and re-worded to make it easier for customers to read and understand (see appendix 2).
- 3.16 To allow the Customer Feedback and Complaints Handling Policy to be accessible to all, as per the Local Government Ombudsman Guidance, a new Easy Read leaflet will be produced to assist customers who may have learning difficulties.

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## 4. Alternative Options

- 4.1 The alternative option would involve the Council not agreeing to the above improvements following this review and for the Council to continue to use its current Corporate Customer Feedback Policy. Therefore, should this be the case, the Council could continue to receive an increase in complaints from customers and the Local Government Ombudsman.

## 5. Implications, Diversity Impact Assessment and Risk Management

### Financial and Procurement Implications

- 5.1 There are no direct financial implications within this report.

### Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention Rights.

### All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

#### Staff Implications

- 5.3 This report has implications on staff. Should a new Customer Feedback and Complaints Handling Policy be introduced, staff across the Council will require training and guides on the new complaints procedures. However, this has already been discussed with the Learning and Development Department to identify the best methods to provide this training.

#### Health & Social Implications

- 5.4 Measures have been taken prior to this report to ensure that the new Customer Feedback and Complaints Handling Policy is more accessible to all customers, including more vulnerable communities and groups who experience inequalities.

#### Crime and Disorder

- 5.5 This report includes the proposal for a new Customer Behavioural Policy that will strive to ensure both staff and public safety, should any customers become violent, abusive or behave inappropriately. Therefore, this policy will allow staff, managers and security to take the necessary measures and steps to reduce risk of violence, criminal damage and/or anti-social behaviour.

#### Other Implications

- 5.6 There are no other implications within this report.

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## Diversity Impact Assessment

- 5.7 A Diversity Impact Assessment has been completed and no adverse impacts issues were identified on the basis of age, disability, sex, gender and race. For further information, a copy of the DIA can be obtained from Rob Brown via email [rbrown2@swindon.gov.uk](mailto:rbrown2@swindon.gov.uk).

## Risk Management

- 5.1 Poor performance and maladministration pose a reputational risk to the Council. This is mitigated by the overall performance of the Council and the systems it operates for responding to complaints and ombudsman investigations.

## **6. Consultees**

- 6.1 The Corporate Director of Finance and Assets (Section 151 Officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.
- 6.2 Corporate Directors, Directors or Heads of Service, other officers and relevant partners have been consulted on the purpose, content, and recommendations of the report. The Cabinet Member responsible has also been consulted.

## **7. Background Papers**

- 7.1 None

## **8. Appendices**

- 8.1 Appendix 1 – Complaint Policy Research
- 8.2 Appendix 2 – Proposed Customer Feedback and Complaints Handling Policy
- 8.3 Appendix 3 – Proposed Customer Behavioural Policy

## **9. Key Decision/Decision in Cabinet Work Programme and Forward Plan**

- 9.1 This is not a Key Decision and is included in the Cabinet Work Programme and Forward Plan for December 2020.