

# Individual Executive Member Decision

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<b>Title of Report:</b>	<b>Corporate Complaints Policy Revision</b>
<b>Report to be considered by:</b>	Individual Executive Member Decision
<b>Date on which Decision is to be taken:</b>	9 <sup>th</sup> May 2013
<b>Forward Plan Ref:</b>	ID2643

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**Purpose of Report:** To present the revised Corporate Complaints Policy for consideration by the Executive Member for Council Strategy & Performance, Housing, ICT, Corporate Support, Legal.

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**Recommended Action:** That the Executive Member for Council Strategy & Performance, Housing, ICT, Corporate Support, Legal approves the revised Corporate Complaints Policy.

**Reason for decision to be taken:** The Policy is subject to regular review, and has been revised to take account of procedural changes

**Other options considered:** N/A

**Key background documentation:** Corporate Complaints Procedure; Persistent & Prolific Complaints Procedure

Portfolio Member Details	
<b>Name &amp; Telephone No.:</b>	Councillor Roger Croft - Tel (01635) 868638
<b>E-mail Address:</b>	rcroft@westberks.gov.uk

Contact Officer Details	
<b>Name:</b>	Sue Broughton
<b>Job Title:</b>	Information Management Officer
<b>Tel. No.:</b>	01635 519747
<b>E-mail Address:</b>	scbroughton@westberks.gov.uk

## Implications

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<b>Policy:</b>	There is a Constitutional requirement for a Corporate Complaints Policy
<b>Financial:</b>	None
<b>Personnel:</b>	None
<b>Legal/Procurement:</b>	None
<b>Environmental:</b>	None
<b>Property:</b>	None
<b>Risk Management:</b>	Adverse risk if the Council does not have a Corporate Complaints Policy and Procedure
<b>Equalities Impact Assessment:</b>	Attached

## Consultation Responses

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### Members:

<b>Leader of Council:</b>	Councillor Gordon Lundie
<b>Overview &amp; Scrutiny Management Commission Chairman:</b>	Councillor Brian Bedwell
<b>Ward Members:</b>	N/a
<b>Opposition Spokesperson:</b>	Councillor Tony Vickers
<b>Local Stakeholders:</b>	Hilary Cole; Tony Vickers
<b>Officers Consulted:</b>	Andy Day; David Lowe; Heads of Service; Directors
<b>Trade Union:</b>	Rosemary Culmer

<b>Is this item subject to call-in?</b>	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input type="checkbox"/>	

## Supporting Information

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### 1. Background

- 1.1 The Local Government Act 2000 introduced a requirement for councils to produce a Constitution which sets out how the Council operates, how decisions are made and the procedures which are to be followed to ensure that these decisions are efficient, transparent and accountable to local stakeholders.
- 1.2 West Berkshire Council has produced a Constitution which sets out (Part 13:3) how members of the public can make a complaint:-
  - a) to the Council itself under its Customer Comments and Complaints Procedure;
  - b) to the Local Government Ombudsman after using the Council's own Customer Comments and Complaints Procedure;
  - c) to the Standards Committee about any breach of the Members' Code of Conduct.
- 1.3 A Complaints Policy is not a mandatory or statutory requirement, but is a best practice provision. The current Complaints Policy was written in 2008, since that date there have been procedural changes, and the Policy is overdue for review and revision.
- 1.4 A recent Audit of the Corporate Complaints Process by the Internal Audit Service identified that the Procedure and Policy were overdue for revision.

### 2. Corporate Complaints Policy

- 2.1 The Policy sets out the stated requirements for complaints handling also detailed in the Constitution. Its purpose is to assist staff in understanding their responsibilities in respect of complaints from members of the public, organisations and other complainants regarding services provided by or actions taken by the Council. It is also intended to explain to the wider public the way in which complaints will be handled within the Council. It is a public document

### 3. Equalities Impact Assessment Outcomes

- 3.1 The Policy makes specific provision for advice and assistance to be provided to those identified as vulnerable groups who may experience difficulties raising a complaint. This is detailed in the attached Stage One review. There is no requirement for a Stage Two review.

### 4. Conclusion

- 4.1 The Corporate Complaints Policy has been revised in accordance with best practice, Local Government Ombudsman recommendations and the recommendations of the Corporate Complaints Audit.

### 5. Recommendations

- 5.1 That the Executive Member for Council Strategy & Performance, Housing, ICT, Corporate Support, Legal approves the revised Corporate Complaints Policy.

## **Appendices**

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Appendix A – Equality Impact Assessment – Stage 1

Appendix B – Corporate Complaints Policy (revised)

# APPENDIX A

## Equality Impact Assessment – Stage One

<b>Name of item being assessed:</b>	Corporate Complaints Policy
<b>Version and release date of item (if applicable):</b>	Version 4 February 2013
<b>Owner of item being assessed:</b>	Sue Broughton
<b>Name of assessor:</b>	Sue Broughton
<b>Date of assessment:</b>	14 <sup>th</sup> February 2013

<b>1. What are the main aims of the item?</b>
To ensure the fair, consistent and equitable handling of corporate complaints

<b>2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this.</b> (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this.</b>
Age	The Policy makes provision for those with vulnerabilities to access the complaints process	S 3.1.3 Advice and assistance shall be offered to help any enquirer frame their complaint. Complaints may be accepted verbally or resolved verbally where a written complaint or written response cannot be provided, for whatever reason.
Disability	The Policy makes provision for those with vulnerabilities to access the complaints process	S 3.1.3 Advice and assistance shall be offered to help any enquirer frame their complaint. Complaints may be accepted verbally or resolved verbally where a written complaint or written response cannot be provided, for whatever reason.
Race	The Policy makes provision for those with language barriers to access the complaints process	S 3.1.3 Advice and assistance shall be offered to help any enquirer frame their complaint. Complaints may be accepted verbally or resolved verbally where a written complaint or written response cannot be provided, for whatever reason.

Other aspects	N/A	
<b>Further comments relating to the item:</b>		

<b>3. Result</b> (please tick by double-clicking on relevant box and click on 'checked')	
<input type="checkbox"/>	<b>High Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	<b>Medium Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/>	<b>Low Relevance</b> - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/>	<b>No Relevance</b> - This <b>does not</b> need to undergo a Stage 2 Equality Impact Assessment

**For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.**

<b>4. Identify next steps as appropriate:</b>	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	Stage Two not required

**Name:** Sue Broughton

**Date:** 14<sup>th</sup> February