

REPORT TO: POLICY & RESOURCES COMMITTEE ON 2 MARCH 2010

SUBJECT: COMPLAINTS POLICY

BY: CHIEF EXECUTIVE

1. REASON FOR REPORT

- 1.1 The Policy & Resources Committee is asked to approve the revised Complaints Policy.
- 1.2 This report is submitted to Committee in terms of the Council's Administrative Scheme relating to the monitoring of complaints received by the Council.

2. RECOMMENDATION

- 2.1 **The Policy & Resources Committee is asked to approve the revised Complaints Policy.**

3. BACKGROUND

- 3.1 The Complaints Policy has been revised to reflect best practice and recommended practices from the Commission of Local Government in Scotland (the Ombudsman).
- 3.2 This policy sets out our arrangements for complaint handling and reflects the Moray Council commitment to provide the public with an effective and transparent procedure for dealing with complaints. It recognises that the most successful organisations are those that have moved toward a culture that perceives complaints as an opportunity rather than a threat. The Council through this policy is demonstrating both fairness and openness in the way it deals with members of the public and that it is prepared to listen to its customers.
- 3.3 The aim of the policy is to improve customer relations by dealing fairly and openly with complaints from the public, put things right where they have gone wrong and where possible using outcomes to make improvements to services.
- 3.4 The Council has adopted the following definition used by the Commissioner of Local Government in Scotland (the Ombudsman):

“A complaint is an expression of dissatisfaction with the Council’s procedures, charges, employees, agents or quality of service.”

Complaints can be wide ranging but typically will fall into the following general categories: -

- Dissatisfaction with the service provided, including failure to achieve specific standards of service, where applicable.

- Delays in responding.
- Dissatisfaction with staff.

- 3.5 The Complaints procedure is a two-stage process and its objective is to provide comprehensive responses that address in a fair and impartial manner all of the issues raised by complainants. Responses should support the Council's commitment to diversity and transparency in its dealings with the public and where possible remedies should be clearly linked to service improvement.
- 3.6 Separate procedures exist for complaints about Statutory Social Work Services and Care Commission which involve additional statutory procedures.
- 3.7 Upon receipt of a complaint an acknowledgement will be sent within 2 working days. A full response will normally be sent within 20 working days and, if this cannot be achieved, an interim response will be sent stating the reason and offering a revised response date. Complaint details will be logged on the complaint database to enable the service to track progress and produce reports.
- 3.8 Targets for responses to complaints are set and agreed annually. For 2010/11 they are:
- 100% for acknowledgments
 - 85% for responses
- 3.9 Complaints data will be recorded on the Council complaint database. Directors will report stage one outcomes to Service Committees and the Chief Executive will report overall performance including stage two outcomes to the Policy and Resources Committee quarterly and annually to the Audit and Performance Committee.
- 3.10 A copy of the revised Complaints Policy is attached. **(Appendix 1)** The Policy is supported by the complaints procedural guidance notes for staff operating the policy.

4. **SUMMARY OF IMPLICATIONS**

(a) Single Outcome Agreement/Service Improvement Plan

The Complaints Policy supports national outcome 15 "Our public services are high quality, continually improving, efficient and responsive to local people's needs. In particular, it addressed the commitment to be accountable to the community.

(b) Policy and Legal

There is no legal requirement to develop a complaints policy however it does support the work of the Ombudsman whose service was

established by the Scottish Public Services Ombudsman Act 2002. The Act created a modern complaints service based on the devolution principles of power-sharing, accountability, access and participation, and equal opportunities.

The Complaints Policy also supports the customer care policy.

(c) Resources (Financial, Risks, Staffing and Property)

The resources required to deliver this policy are contained within existing staff complements and non-staff operating budgets

(d) Consultations

This Policy was produced following consultation with the Commissioner of Local Government in Scotland (the Ombudsman) and also draws on best practice drawn from other Local Authorities. It also includes revisions identified by the Complaint Working Group and has been Equality impact assessed.

5. CONCLUSION

- 5.1 The revised Complaints Policy reflects best practice and recommended practices from the Ombudsman. The Policy is a two-stage process and allows the council to improve customer relations by dealing fairly and openly with complaints from the public, put things right where they have gone wrong and where possible using outcomes to make improvements to services.**

Author of Report: Bridget Mustard
Background Papers: Complaints Policy
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