

Surrey Heath Borough Council

Executive

20 June 2023

Complaints Policies

Portfolio Holder:	Cllr Leanne MacIntyre- Finance & Customer Service
Strategic Director/Head of Service	Bob Watson
Report Author:	Lynn Smith Customer Relations Manager
Key Decision:	No
Date Portfolio Holder signed off the report	21st April 2023
Wards Affected:	All

Summary and purpose

Organisations are judged on how well they respond and learn from managing customer expectations and managing dissatisfaction. Two policies exist that outline Surrey Heath Borough Council's approach to complaint management. The revisions that have taken place have updated the content in respect of changes to job titles and positions. In addition have streamlined and focussed our approach.

Recommendation

The Executive is advised to RESOLVE that:

- (i) The revised Complaints & Compliments policy, as set out at Annex A to this report, be agreed and that it take effect from 1st June 2023 and
- (ii) The revised Unreasonably, Persistent and Vexatious Communication & Complaints (UPVC) Policy & Procedure as set out at Annex B this report, be agreed and that it will take effect from 1st June 2023.

1. Background and Supporting Information

- 1.1 The first Complaints & Compliments policy was initiated in 2011. A revision was undertaken in 2017 and again in 2021. Following consultation with the then Executive Head of Corporate and current Head of Legal Services.
- 1.2 The current Vexatious & Persistent Complaints Policy & Procedure was last amended in 2019 following consultation with CMT and the Freedom of Information Officer of the time.

- 1.3 Following the restructure of the Senior Management Team in 2021, job titles have been updated within both policies.
- 1.4 The revision has given the opportunity to expand the information within the scope of the Complaints & Compliments policy. To bring greater clarity specifically in regard to Freedom of Information, Environmental Information Regulations and GDPR and Data Protection Act.
- 1.5 A 3 stage process has been retained within the revised Complaints & Compliments policy. However greater emphasis has been put onto the impartiality of the complaints review. By the introduction of 'another impartial Strategic Director/Corporate head of Service' undertaking any Stage 3 appeals. Ensuring a most senior officer, wholly unconnected with the service can undertake a fair review of both the issue and responses to date.
- 1.6 Complaints will continue to be utilised as an opportunity to learn and improve services and in this light will continue to be seen as a positive form of feedback. The ability for a complainant to escalate their concerns if they remain dissatisfied will remain. However, a greater emphasis within both policies will be to encourage the provision of new or not previously submitted information at the escalation stage.
- 1.7 Within the revised Unreasonably, Persistent and Vexatious Communication & Complaints (UPVC) Policy & Procedure. A key focus within the revisions undertaken has been to clarify and improve upon the definition of this type of complaint or complainant and the authority levels required to implement the policy.
- 1.8 A more proactive/preventative approach will be taken to address unreasonably, persistent and or vexatious behaviour, by offering complainants alternative options to find a resolution to their concerns, prior to implementing the policy. For example reminding them of their right to discuss the matter with their local councillor. As opposed to implementing the policy and offering the complainant the right of appeal.
- 1.9 Access restrictions will automatically be lifted at the end of the allotted time period, without notification to the complainant.
- 1.10 The revised policies were reviewed by the Joint Staff Consultative Group in March 2023 as part of a consultative process seeking feedback and support for the proposed changes. Feedback from the Consultative Group has been incorporated.

2. Reasons for Recommendation

- 2.1 The revised policies have been subject to a thorough review and are considered to provide a streamlined and more effective process that works for the customer and the Council alike.

3. Proposal and Alternative Options

- 3.1 It is proposed that the revised policies are adopted, with or without any further amendment considered appropriate.

4. Contribution to the Council's Five Year Strategy

- 4.1 The revision of the two policies align with Surrey Heath's aim to be an Effective and Responsive Council due to the positive impact on customer service that the improved policies provide.

5. Resource Implications

- 5.1 There are no negative implications on resource due to the revision of both policies. However, it is envisaged that a more streamlined approach will save time in the management of the process.

6. Section 151 Officer Comments:

- 6.1 There are no financial implications directly arising from this paper. Failure to adhere to the policies could have some financial implications for the Council if the LG&SCO rules against the Council and imposes a financial penalty.

7. Legal and Governance Issues

- 7.1 Approval of Council policies is an Executive function.

8. Monitoring Officer Comments:

- 8.1 No matters arising.

9. Other Considerations and Impacts

Environment and Climate Change

- 9.1 The revision of both the Complaints & Compliments and Vexatious Policies (UPVC) will ensure the robust and quality management of complaints across Surrey Heath Borough Council. There will be no negative impact upon the environment.

Equalities and Human Rights

- 9.2 The way in which complaints and vexatious or persistent complaints or complainants are managed, must have due regard for the Equalities Act 2010 and the Human Rights Act 1998. This would be remain unchanged with the revisions that have been made to both policies.

Risk Management

9.3 No matters arising.

Community Engagement

9.4 No matters arising

Annexes

Complaints & Compliments Policy

Unreasonably, Persistent and Vexatious Communication & Complaints (UPVC) Policy & Procedure.

Background Papers

Existing Vexatious & Persistent Complaints Policy

Vexatious & Persistent Complaints Policy comparison table

Existing Complaints & Compliments Policy

Complaints & Compliments comparison table.