

**CORPORATE PERFORMANCE  
MANAGEMENT, EFFICIENCY AND  
EFFECTIVENESS SCRUTINY  
COMMITTEE**

**TUESDAY 25<sup>TH</sup> FEBRUARY 2014**

**AT 6.00 pm  
IN COMMITTEE ROOM 3  
THE COUNCIL HOUSE  
DUDLEY**

If you (or anyone you know) is attending the meeting and requires assistance to access the venue and/or its facilities, could you please contact Democratic Services in advance and we will do our best to help you

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You can view information about Dudley MBC on  
[www.dudley.gov.uk](http://www.dudley.gov.uk)

## **IMPORTANT NOTICE**

### **COUNCIL MEETINGS**

Welcome to Dudley Council House

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There is to be no smoking on the premises in line with national legislation. It is an offence to smoke in or on these premises.

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Please turn off your mobile phones and mobile communication devices during the meeting.

Thank you for your co-operation.

Your ref:

Our ref:

Please ask for:  
Mr J. Jablonski

Telephone No.  
(01384) 815243

13th February, 2014

Dear Councillor

**Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee**  
**Tuesday, 25<sup>th</sup> February, 2014 – 6.00PM**

You are requested to attend a meeting of the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee to be held on Tuesday, 25<sup>th</sup> February, 2014 at 6.00pm in Committee Room 3 at the Council House, Dudley to consider the business set out in the agenda below.

The agenda and public reports are available on the Council's Website [www.dudley.gov.uk](http://www.dudley.gov.uk) and follow the links to 'Councillors in Dudley' and the Committee Management Information System.

Yours sincerely



Director of Corporate Resources

**AGENDA**

1. APOLOGIES FOR ABSENCE

To receive apologies for absence from the meeting.

2. APPOINTMENT OF SUBSTITUTE MEMBERS

To report the appointment of any substitute members serving for this meeting of the Committee.

3. DECLARATIONS OF INTEREST

To receive Declarations of Interest in accordance with the Members' Code of Conduct.

4. MINUTES

To approve as a correct record and sign the minutes of the meeting of the Committee held on 20<sup>th</sup> November, 2013

5. PUBLIC FORUM

To receive questions from members of the public

6. CUSTOMER FEEDBACK SCRUTINY REPORT (PAGES 1 -19)

To consider a report of the Chief Executive

7. QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT - TO FOLLOW

To consider a report of the Chief Executive

8. TO ANSWER QUESTIONS UNDER COUNCIL PROCEDURE 11.8 (IF ANY).

**To: All Members of the Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee:**

Councillors A Ahmed, Blood, Boleyn, Caunt, Harley, Marrey, Mottram, Russell, Sykes, and Wright with one Labour Group vacancy

**CORPORATE PERFORMANCE MANAGEMENT,  
EFFICIENCY AND EFFECTIVENESS SCRUTINY COMMITTEE**

Wednesday 20<sup>th</sup> November, 2013 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley

**PRESENT:-**

Councillor Blood (Chair)  
Councillor A Ahmed (Vice Chair)  
Councillors Boleyn, Caunt, Marrey, Mottram, Russell, Sykes, K Turner and  
Wright.

**Officers**

Assistant Director, Policy and Improvement (Lead Officer to the Committee),  
Principal Policy and Performance Management Officer (Chief Executive's  
Directorate) and the Democratic Services Manager (Directorate of Corporate  
Resources)

**Also in attendance**

For Minute No. 17 - Director of Corporate Resources and the Head of  
Accountancy (Directorate of Corporate Resources).

For Minute No. 18 - Representatives of the Transforming Organisation, Real  
Change (TORCh) Project Group, namely the Children's Services Finance  
Manager, Head of Communications and Public Affairs, Head of Strategic Asset  
Planning, Divisional Lead - Integrated Youth Support and the Design and  
Development Manager supported by the Admin Apprentice (Communications  
and Public Affairs)

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14      **DECLARATION OF INTERESTS**

No Member declared an interest in any matter to be considered at this meeting.

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15      **MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 5<sup>th</sup>  
September, 2013 be approved as a correct record and signed.

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16      **PUBLIC FORUM**

No matters were raised under this agenda item.

## REVENUE BUDGET STRATEGY

The Committee considered a joint report of the Chief Executive, Director of Corporate Resources and the Treasurer on the Revenue Budget Strategy for 2014/15 and the Medium Term Financial Strategy, with emphasis on proposals relating to the Committee's terms of reference.

In response to a query as to whether the Committee could raise wider issues identified in the budget, the Director of Corporate Resources indicated that one of the key principles of the revised scrutiny arrangements had been to align Scrutiny Committee terms of reference with the functions of the Council's Directorates. Whilst there was no intention to restrict debate, the terms of reference of this Committee primarily related to the Chief Executive's Directorate and the Directorate of Corporate Resources. This would be considered in the annual review of the Council's scrutiny arrangements.

Following an overview of the report, Members raised specific issues on the budget proposals as follows:

- The potential implications of future proposals concerning business rates, in particular the effect on the Council's budget deficit if business rates were not increased. The Committee noted ongoing discussions in the national context, however, it was acknowledged that any increase in business rates might not be sufficient to meet the anticipated deficit.
- Issues concerning the recurring overspend in relation to Looked After Children and proposals to address the potential impact in future years arising from levels of demand. The Committee noted that the Children's Services Directorate were developing plans to deal with the existing budget position and address the implications for future years. A view had been expressed that the level of expenditure reflected the true costs rather than overspending.
- Reference was made to issues associated with the zero based budget approach commenced by the Council in 2012.
- A written reply would be given in response to a question concerning the amount written off in bad debts by businesses since the start of the financial year and the action being taken to keep these debts to a minimum.
- A written reply would be given in response to a question concerning interest shown by any 'not for profit' organisations in New Bradley Hall and the anticipated funds that would be received for this asset.
- In connection with Children's Centres, a question was asked concerning the number and location of the Centres affected by the savings of £2.3m over two years. It was noted that these points were covered in the public consultation document, which had recently been published.

- Reference was made to the proposed restructuring of the Chief Executive's and Corporate Resources Directorates and the possibility of any suggested proposals being reported to this Scrutiny Committee. The Director of Corporate Resources indicated that the restructuring of the two Directorates should be viewed in the context of a wider corporate restructuring process to be undertaken in the forthcoming year.
- The Director of Corporate Resources and the Head of Accountancy responded to questions concerning the effect of the new pension scheme and the ongoing issues of Single Status and Equal Pay. Provision had been made in the budget for these items and it was acknowledged that Single Status/Equal Pay was a lengthy process involving a range of complex and ongoing issues.
- In relation to other identified staff savings in the Chief Executive's Directorate, the Lead Officer indicated that these would primarily be identified from policy, research and support functions.
- The Director of Corporate Resources responded to queries concerning the removal of risk management funding and proposals concerning conveyancing fees. It was considered that these items would have minimal implications in the overall budgetary context.

#### RESOLVED

That, subject to the issues identified above, the Revenue Budget Strategy proposals for 2014/15 and the Medium Term Financial Strategy be received and noted, taking account of the considerations set out in paragraph 41 of the report now submitted.

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#### APPRENTICESHIP AND WORK EXPERIENCE PROGRAMME FOR DUDLEY COUNCIL

The Committee considered a progress report from the Transforming Organisation, Real Change (TORCh) Project Group in respect of a review of the Apprenticeship and Work Experience Programme for Dudley MBC. The Committee viewed a video including information on the views and experiences of Apprentices working within various Council Directorates.

The Committee received a presentation from the Group on the proposed future vision and objectives; the national and local context; the advantages of adopting an excellent apprenticeship and work experience programme; the review methodology; issues connected with the existing internal arrangements; planned improvements, risks and constraints and the proposed next steps. It was noted that the Group had reported their progress to Corporate Board on 22<sup>nd</sup> October, 2013.

The Committee welcomed the report and congratulated the Group on the work undertaken to date. Reference was made to the need to challenge potentially negative perceptions of Apprenticeship programmes that had emerged in recent years.

The Group was considering improvements to internal processes to identify the number and location of the Apprentices employed by the Council and to track progress and outcomes. Although there was evidence of significant good practice across the Council, Directorates operated their own local processes. Members expressed the view that this should be co-ordinated on a corporate basis.

The Committee commented positively on the development of a prospectus to give information for parents and young people and the need to set internal targets for review. It was suggested that monitoring information be integrated into future quarterly performance management reporting arrangements to this Committee.

The Committee supported the re-introduction of a 'celebration of achievement' event for young people to ensure that participants felt valued, appreciated and supported by the Council. The Group also acknowledged the need for improvements to the induction process.

Reference was also made to ensuring that the Council, as a major employer, was setting standards, changing perceptions and receiving recognition in terms of the excellence of its Apprenticeship and Work Experience Programmes. In addition, the Council should continue to explore opportunities to work with partnerships and external organisations and consider sponsorship opportunities.

Comments were made on the ongoing work with schools, connections made with other employers and careers advice linked with the duties of the Council to track 16-18 year olds, improve their employability and signpost or offer other opportunities wherever possible.

The Committee noted the existing protocols within the Council to give priority to Looked after Children in terms of support and opportunities for Apprenticeship and Work Experience Placements.

**RESOLVED:**

- (1) That, subject to the comments outlined above, the project work and proposals recommended by the TORCh Project Group, as set out in the report and presentation to the Committee, be endorsed.
- (2) That monitoring information be integrated into the future quarterly performance management reports.
- (3) That a further report be submitted to a future meeting of the Committee.



A report of the Chief Executive was submitted on the second Quarterly Corporate Performance Management Report for 2013/14, relating to performance for the period 1<sup>st</sup> July to 30<sup>th</sup> September, 2013.

Following an overview of the content of the report by the Lead Officer, Members asked questions to which responses were given. Particular points raised were as follows:-

- Progress in relation to Stourbridge Credit Union presence in Stourbridge, including the establishment of a base in the library, investment in online resources and the marketing of services on a borough-wide basis.
- Further to Minute No. 11 of the meeting held on 5<sup>th</sup> September, 2013, reference was made to the financial situation concerning the Member's Dining Room/Coffee Lounge facility in the Council House. It was noted that the budget provided for a zero figure in relation to income against expenditure, however, it was suggested that the projected in-year deficit could now be in the region of £45,000. A written response would be provided as to which other budget heading was subsidising losses in relation to this function.
- In relation to Objective 5 (Ref: 6.6a), a query was raised on the progress of the actions listed under the section on making the best use of housing stock to provide and maintain 'affordable' housing for customers with housing need. The Lead Officer undertook to circulate information to Members on the outcomes of this activity and noted the points concerning the policy on fixed term tenancies.
- Reference was made to the regeneration activity in conjunction with New Heritage Regeneration and the Private Sector Partnership, the relationship to Stourbridge and Halesowen Area Action Plans and the need for further engagement to encourage and generate further job creation opportunities.
- The Committee expressed congratulations to all concerned relating to recent developments at the Red House Glass Cone.
- Reference was made to the Tourism Strategy Action Plan and the possibility of developing a Tourist Information Centre. The Lead Officer noted the comments made and reported on the existing provisions available at the Dudley Council Plus Offices.

RESOLVED

That the information contained in the Quarterly Performance Management Report, in respect of performance for the period 1<sup>st</sup> July to 30<sup>th</sup> September, 2013, be noted together with the comments made at this meeting and that the officers indicated undertake the actions referred to above.

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20 NEXT MEETING

Democratic Services would confirm the date of the next meeting in due course.

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The meeting ended at 9.00 p.m.

CHAIR

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**Corporate Performance Management Efficiency & Effectiveness Scrutiny Committee**

**Customer Feedback Scrutiny Report**

**Report of the Chief Executive**

**Purpose of Report**

1. As part of corporate review programme the Committee has been asked to review the arrangements for the operation of the corporate customer feedback arrangements, in particular the Complaints reporting procedures.

**Background**

2. Over the last 12 months a number of changes have been developed and so this an opportunity to look at;
  - The context provided by the Local Government Ombudsman framework
  - The assessment of the existing process for corporate customer feedback reporting.
  - The statutory complaints provisions relating to adults/children
  - The range of improvements currently being undertaken re: customer feedback reporting.

**Ombudsman Framework**

3. The Local Government Ombudsman has developed 6 key principles to assist in the design and operation of an effective Council complaints administration system. This has been used to help assess the current arrangements and focus upon the areas for future improvement.
4. The Ombudsman key principles are;
  - Accessibility
  - Communication
  - Timeliness
  - Fairness
  - Credibility
  - Accountability
5. The following table identifies the Ombudsman key principles and key features for effective complaints handling compared to Dudley MBC's current position and planned future improvements.

## Local Government Ombudsman: Guidance in Good practice

Key Principles	Key features	Current activity
Accessibility	<p>It is well publicised.</p> <p>It is easily accessed and understood, by staff and the public.</p>	<p>The existing council website provides information for the public on how to complain and service standards.</p> <p>There is a customer feedback leaflet that is available at Council receptions and is used extensively by local people to report complaints.</p> <p>Dudley Council plus staff attend community forum meetings and can assist in recording customer feedback and ensuring responses are given to individuals and groups</p>
Communication	<p>It includes early direct contact with the person making the complaint and continued contact through the complaints process.</p> <p>There is effective communication between council staff and between the council and its partners regarding complaints.</p> <p>There is effective communication where the complaint involves more than one body.</p> <p>There is effective recording and feedback loop so that improvements can be made.</p>	<p>The system provides for an acknowledgement to the complainant within 5 working days, and includes the information as to who is responding to the complaint.</p> <p>The complaint will be investigated and the outcome reported directly back to the complainant within 20 working days. Achievement in meeting the 20 days response time has been monitored half yearly however we are aware of data collection inconsistency with this response rate on a council wide basis.</p> <p>Recording of the complaints arrangements were undertaken within services which is where review and feedback were mainly undertaken. A report is made twice a year as part of the quarterly performance report on the aggregate numbers of complaints received</p>
Timeliness	<p>It takes no longer than 12 weeks from receipt to resolution.</p>	<p>The vast majority of complaints are responded to within the target time of 20 working days. It is only where complaints are of an exceptional complexity or nature that this target is exceeded.</p>
Fairness	<p>It is clear about roles and responsibilities</p>	<p>The corporate procedure sets out the roles for the reporting centres of Dudley Council Plus; the role of the investigation officer; the right of appeal and the role of the Chief Executive to oversee the whole process</p>
Credibility	<p>It is managed by someone who can take an overview and can implement changes in the complaints system.</p> <p>It includes a robust review by someone who has the independence and authority to ask questions, get at the facts and recommend changes in response to complaints.</p> <p>There is effective leadership that ensures that the complaints system and learning from it has a high profile across the Council.</p>	<p>The Chief Executive oversees the overall corporate process. Within each Directorate there is a nominated lead for administering and reviewing the corporate customer feedback system.</p> <p>There is a corporate group comprised of each directorate lead to ensure that corporate standards and compliance is reviewed and improvements identified.</p>

Continued Key Principles	Key features	Current activity
Accountability	<p>Information is provided in a clear and open way and is properly managed.</p> <p>There is follow-up to ensure any decisions are properly and promptly implemented.</p> <p>There is regular monitoring to ensure timescales and satisfaction levels are met</p> <p>There is periodic review of the process, to keep it up to date and keep the public informed.</p>	Each DMT receives a regular report on the effectiveness of the complaints arrangements, service standards and learning points.
<p><b>Planned improvements:</b></p> <p>Improved website to allow for online complaints to be reported automatically on the new corporate management system (M3). Planned for Spring 2014</p> <p>Revised hard copy leaflet to be produced in February 2014</p> <p>Final stage of the M3 project to embed the customer feedback monitoring and management across all service areas of the Council.</p> <p>This will provide a consistent approach and enhance performance recording.</p>		

## **Council arrangements for Corporate Complaints**

6. The Website and the Customer feedback leaflet provide the following information to the public as to how to complain.

“If you are not happy with a service then you have the right to complain and be listened to. We will do all we can to resolve your complaint promptly and effectively.

If you make a complaint, we will:

- listen to what you have to say
- respond to you promptly, ensuring you receive a response to the issues you raise
- Provide advice and information about how you can pursue your complaint further should you feel you need to do so.

## **Complaint stages**

7. It is important to us that we try to resolve matters with you straight away, so before making a formal complaint, try to talk the problem over with the person you are dealing with or ask to speak to the manager of the service.

### **Stage One**

8. If your complaint cannot be resolved informally you may wish to make a formal complaint. You can do this online, by telephone or in writing by completing the enclosed form. The directorate list on the back page of this leaflet provides the necessary contact details.

We will contact you within five working days to acknowledge receipt and within 20 working days with a full response.

If the complaint is complex and takes longer to investigate we will keep you informed. We will also tell you who to contact if your issue is not resolved.

### **Stage Two**

9. If you remain dissatisfied with the outcome of your complaint, you can take your complaint further by contacting the appropriate senior manager detailing why you remain dissatisfied. Details of who to contact will be provided in our response issued to you at stage one.

### **Stage Three**

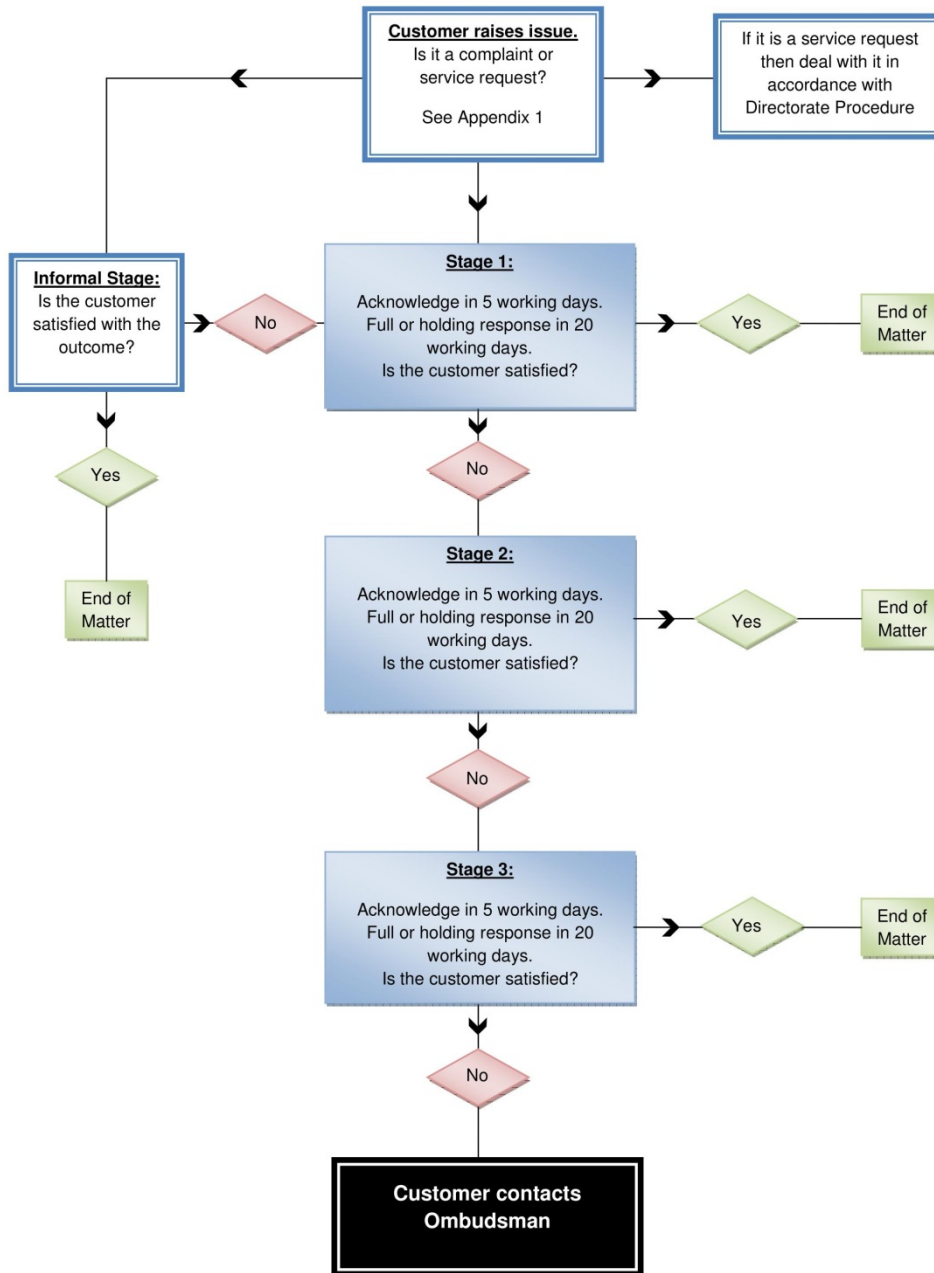
10. If your issue is not resolved following stage two, you can contact the council's chief executive in writing at the address given on the back page of this leaflet.

If you do not wish to complain yourself, with your permission someone else can do so on your behalf.

If you need help communicating with us, we can arrange this e.g. large print or Braille documentation, translation, text relay service, interpreting and sign language.”

**Complaints process**

11. The key stages in the Council corporate complaints process is outlined in the following flow chart.



**Statutory complaints for adults and children social care**

12. In addition to the Corporate Complaints arrangements, there are two separate, distinct Social Care Regulations – Statutory Procedures – firstly those applicable to Adult Social Care and secondly those that relate to Children Social Care complaints [Representations]. Complaints are defined as –

*“Adverse comments about Children Social Care Services directly provided; or provided on behalf of the Directorate of Children [Social Care] Services. It is an expression of dissatisfaction, however made, about the standards of service, action or lack of action, decisions taken, or the way in which Children Social Care Services or its employees do their job.”*

## **Recording and monitoring complaints**

13. All complaints regarding Adult or Children Social Care issues are sent to the specialist Quality & Complaints Team based in Directorate of Adult, Community and Housing Directorate who have responsibility for recording and monitoring all complaints to a conclusion. The Quality & Complaints Team will be tasked with monitoring & tracking the complaint to a conclusion.

## **Adults**

14. The Social Care procedure for Adult's complaints falls within 'The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. The procedure is designed to be compliant with the Health and Social Care (Community Health and Standards) Act 2003, the Care Standards Act 2000 and the Local Authority Social Services Act 1970. The Quality and Complaints Team has the responsibility for the day to day operation of the Representations Procedure on behalf of the Directorate of Adult Social Care Services. Follow the link to access the legislative background - [http://www.opsi.gov.uk/si/si2009/uksi\\_20090309\\_en\\_1](http://www.opsi.gov.uk/si/si2009/uksi_20090309_en_1)

## **Children**

15. The Social Care complaints procedure for Children falls within the Children Act 1989 Representations Procedure (England) Regulations 2006'. The Regulatory Guidance is issued as Section 7 Guidance. The Quality and Complaints Team has the responsibility for the day to day operation of the Representations Procedure on behalf of the Directorate of Children Services.  
The following link provides the legislative background:-  
[http:// www.dudley.gov.uk/health-social-care/children-and-family care complaints-and-compliments/](http://www.dudley.gov.uk/health-social-care/children-and-family-care/complaints-and-compliments/)

## **Information about reported complaints**

16. Information received from the Local Government Ombudsman – A key indicator of the effectiveness of the Council complaints arrangements is the report of the Local Government Ombudsman. A copy of the most recent letter received from the Ombudsman is attached. *(See appendix 1)*  
An extract from the letter is shown below:-

"I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2013. In 2012/13 we received 25 complaints about your local authority. This compares to the following average number (recognising considerable population variations between authorities of a similar type):

District/Borough Councils- 10 complaints  
Unitary Authorities- 36 complaints  
Metropolitan Councils- 49 complaints  
County Councils- 54 complaints  
London Boroughs- 79 complaints

None of the complaints made to the Ombudsman during the last year were upheld. In addition, the figure of 25 complaints received by the Ombudsman for 2012/13 compares with a total of 37 in 2011/12." *(See appendix 2)*



## **Information reported in the Corporate Performance reports**

17. The Council reports on complaint activity twice a year, in the following format. information outlined below:- *(see appendix 3 for 2012/13 report)*

<b>Directorate:</b>		<b>Contact:</b>	
Number of compliments received			
Number of complaints received			
Number of complaints resolved / responded to in 20 days			
Main area/ issues		Amendments made/ actions taken/ learning from feedback.	

## **Areas for improvement**

18. Following an internal audit of the Management of Complaints , a range of key points identified as where improvements could be targeted to improve the customer experience, the principal areas being;

- Although there is information on the intranet on Complaints e.g. "Brief Guide for Employees" and "Advice to Managers and Staff dealing with complaints" this information was not particularly easy to find.
- There is no mention of "Complaints" on the intranet "A to Z". Also there is a need to raise awareness of the complaints procedure and other key documents.
- Five Council websites were reviewed and it was found that they had a clear link to " Complaints" on their website. Dudley MBC's website encourages the complainant to raise their concern with the applicable directorate either by telephone, letter or email
- Unlike many other Council websites there is no clearly identifiable facility on Dudley's website to "report a problem/fault". If there was such a facility it should reduce the number of issues reported through the Customer Feedback procedure.
- Complaints are dealt with in a much decentralised way i.e. the service are fully responsible for responding to the complaint and maintaining the documentation and complaint's registers. This results in each service having their own unique system. On a quarterly basis the services provide figures and brief information to their directorate Customer Feedback Representative. Given that each service maintains their own information and only brief details are submitted to the Customer Feedback Representative, which subsequently gets collated into a quarterly report to Cabinet, it is very difficult for corporate learning to take place
- A report on customer feedback/complaints is included in the Council's quarterly performance report (every six months) that is submitted to Cabinet, however while the report provides details by directorate of the number of complaints received, whether they have been responded to within 20 days and brief details of what the complaints related to and what action has been taken as a result of the complaint, the report does not aid corporate learning and provides limited performance information.
- There was insufficient awareness of the corporate training requirements in the organisations although there was a good range of training provided around the statutory complaints procedures.
- The guidance documents relating to the handling of complaints do not deal with the payment of compensation, dealing with unreasonably persistent complainants and unreasonable complainant behaviour and anonymous complaints.

In addition, as part of the review, the range of standards, arrangements and public information of other authorities and other private sector organisations has been identified and is included as [Appendix 5](#) to help identify areas for improvement.

### **Developments which have taken place**

19. In response to the range of issues identified above the following areas of improvements have been identified and are being progressed:-

- **Implemented a Single Corporate Customer feedback system:** We are now in the process of rolling out the M3 system which was previously used in Directorate of Urban Environment across all directorates. All corporate complaints are now recorded in a consistent manner in all Directorates.  
In addition the statutory complaints for Adult and Children Social Care will also be captured on M3 with the end of the existing licence in October 2014. Over the last 6 months a programme of training for staff in all directorates has been undertaken to ensure there is awareness of the new system and how it operates.
- **Improve performance reporting:** A key factor behind adopting the new M3 complaints recording system is the ability to generate much more performance information about the nature of the complaints we receive. This will include:-
  - Why the complaint is received – for example the complaint may be due to Council policy, job performance, staff conduct or delays etc.
  - Whether the complaint was upheld – including the reason why the complaint was justified/unjustified
  - The action that was taken as a result – including reports on instance of compensation; staff training; policy change etc

As we have been rolling out the new system, we have started to develop the new reporting capabilities, and illustrations of the nature of the reports available will be shown at committee on a power point presentation. A summary overview is shown in [Appendix 4](#). The full implementation of the new system and the reporting features will be in place from April 2014.

- **Website redesign:** Feedback area of the website fully revised making it more visible and accessible for customers including the online form, further improvements to the online form are in progress integrating the online form directly to the M3 system.
- **The Internal guidance has been reviewed:** In addition to the information for managers, specific and revised guidance information on the complaints process has been prepared specifically for Councillors and about to be launched
- **Specific communication** actions have been taken to promote the Complaints policy throughout the organisation, for example via the intranet message of the day
- **The corporate Customer Feedback Steering group** has been reviewed and is driving forwards this improvement agenda and its agenda and minutes are publicised on idudley.
- **Community Forums:** One significant area of community feedback that has developed over the last 12 months has been the role of the Community Forums. If attendees at forum meetings wish to get a personal response to issues they raise which members or officers aren't able to address on the night, they are asked to complete a form with the details of the request and their contact information. A representative of Dudley Council Plus now attends to help with this process and to ensure that forms are filled in so that the request and contact details are clear. The form is then recorded by Dudley Council Plus within 48 hours, an acknowledgement sent to the customer and the issue forwarded to the relevant directorate contact to deal with and respond to the customer alongside feedback channelled through other routes.

- **Specialist training in the Management of Complaints**

20. Arising from the revised process and arrangements outlined above, it is proposed to review the range of specialist training and support undertaken within the organisation. This will consider working with the Local Government Ombudsman to help:
- Investigate a complaint and reach evidence based conclusions
  - Identify appropriate and proportionate remedies for injustice
  - Write a comprehensive decision letter
  - Identify how complaints can be used to drive service improvements
  - Accurately identify, define and summarise complaints
  - To provide a top class customer service to our Community

**Policy on compensation**

21. Where a third party (a resident, visitor, tenant etc) has suffered a loss (property or injury) for which they feel the Council is responsible, for example due to a pothole, then the Council (Risk Management Team) will deal with compensation under the auspices of civil law. This generally speaking will be based on that party proving the Council has been negligent (Tort) and that this negligence has led demonstrable loss. In simple terms the Council will only pay compensation if it is legally liable to do so.
22. Generally speaking all directorates (including schools) know to send 'claims' to the Risk Management team and they will deal with them accordingly. There may be isolated examples where departments offer 'good will' gestures but generally speaking Risk Management team do and would caution against ad hoc 'compensation' payments.

**Finance**

23. There are no direct financial implications in receiving this report.

**Law**

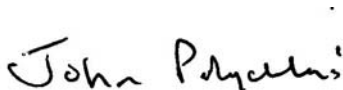
24. The Council may do anything which is incidental to conducive to or which facilitates the discharge of its functions under Section 111 of the Local Government Act, 1972.

**Equality Impact**

25. There are no special considerations to be made with regard to equality and diversity in noting and receiving this report.

**Recommendation**

26. It is recommended that: Committee receive this report.



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John Polychronakis  
Chief Executive

Contact Officer: Geoff Thomas  
Telephone: 01384 815270  
Email: geoff.thomas@dudley.gov.uk

## APPENDICES

### Appendix 1: Local Government Ombudsman Annual Letter

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# Local Government OMBUDSMAN

16 July 2013

*By email*

Mr John Polychronakis  
Chief Executive  
Dudley Metropolitan Borough Council

Dear Mr Polychronakis

#### **Annual Review Letter**

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2013. This year we have only presented the total number of complaints received and will not be providing the more detailed information that we have offered in previous years.

The reason for this is that we changed our business processes during the course of 2012/13 and therefore would not be able to provide you with a consistent set of data for the entire year.

In 2012/13 we received 25 complaints about your local authority. This compares to the following average number (recognising considerable population variations between authorities of a similar type):

District/Borough Councils- 10 complaints  
Unitary Authorities- 36 complaints  
Metropolitan Councils- 49 complaints  
County Councils- 54 complaints  
London Boroughs- 79 complaints

#### ***Future development of annual review letters***

We remain committed to sharing information about your council's performance and will be providing more detailed information in next year's letters. We want to ensure that the data we provide is relevant and help local authorities to continuously improve the way they handle complaints from the public and have today launched a consultation on the future format of our annual letters.

I encourage you to respond and highlight how you think our data can best support local accountability and service improvements. The consultation can be found by going to [www.surveymonkey.com/s/annualletters](http://www.surveymonkey.com/s/annualletters)

#### ***LGO governance arrangements***

As part of the work to prepare LGO for the challenges of the future we have refreshed our governance arrangements and have a new executive team structure made up of Heather Lees, the Commission Operating Officer, and our two Executive Directors Nigel Ellis and Michael King. The Executive team are responsible for the day to day management of LGO.

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Since November 2012 Anne Seex, my fellow Local Government Ombudsman, has been on sick leave. We have quickly adapted to working with a single Ombudsman and we have formally taken the view that this is the appropriate structure with which to operate in the future. Our sponsor department is conducting a review to enable us to develop our future governance arrangements. Our delegations have been amended so that investigators are able to make decisions on my behalf on all local authority and adult social care complaints in England.

### ***Publishing decisions***

Last year we wrote to explain that we would be publishing the final decision on all complaints on our website. We consider this to be an important step in increasing our transparency and accountability and we are the first public sector ombudsman to do this. Publication will apply to all complaints received after the 1 April 2013 with the first decisions appearing on our website over the coming weeks. I hope that your authority will also find this development to be useful and use the decisions on complaints about all local authorities as a tool to identify potential improvement to your own service.

### ***Assessment Code***


Earlier in the year we introduced an assessment code that helps us to determine the circumstances where we will investigate a complaint. We apply this code during our initial assessment of all new complaints. Details of the code can be found at:

[www.lgo.org.uk/making-a-complaint/how-we-will-deal-with-your-complaint/assessment-code](http://www.lgo.org.uk/making-a-complaint/how-we-will-deal-with-your-complaint/assessment-code)

### ***Annual Report and Accounts***

Today we have also published *Raising the Standards*, our Annual Report and Accounts for 2012/13. It details what we have done over the last 12 months to improve our own performance, to drive up standards in the complaints system and to improve the performance of public services. The report can be found on our website at [www.lgo.org.uk](http://www.lgo.org.uk)

Yours sincerely

A handwritten signature in black ink that reads "Jane Martin". The signature is written in a cursive style with a long horizontal flourish at the end.

Dr Jane Martin  
Local Government Ombudsman  
Chair, Commission for Local Administration in England

**Appendix 2: The Local Government Ombudsman record of complaints for Dudley MBC**

Authority Name	Total decisions	No power to investigate	No reason to use exceptional power to investigate	Investigation not justified & other	Not enough evidence of fault	No or minor injustice & other	Injustice remedied during enquires	Report
<b>Dudley MBC</b>								
<b>2012-13</b>	<b>25</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>2011-12</b>	<b>37</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>18</b>	<b>4</b>	<b>7</b>	<b>1</b>

## Appendix 3: 2012-13 Customer feedback performance report

### Corporate Customer Feedback:

Reporting Period 1<sup>st</sup> October 2012 to 31<sup>st</sup> March 2013

The Corporate Customer Feedback procedure has recently been reviewed, both in terms of the customer leaflet and the on-line information and contact form. Use the link below to view the updated procedure:

<http://www.dudley.gov.uk/contact-us/customer-feedback>

There follows a summary of each Directorate's customer feedback for the half year, including details of the number of complaints / compliments, specific issues arising and learning (for example procedures amended as a result of feedback).

**Definition of compliment:** A compliment is a remark expressing praise and admiration of good service delivery.

**Definition of complaint:** A complaint is all negative feedback expressed about Dudley MBC, about service, policy or action provided by the council itself or a person acting on behalf of the Council. A complaint is a written or oral expression of dissatisfaction or disquiet in relation to the Local Authority's exercise of its functions.

### Responding to complaints

Complaints received towards the end of the period and still being dealt with are not included in the reported total number of complaints resolved in 20 working days.

<b>Directorate: Chief Executive's</b>	<b>Contact: Barry Hutchinson</b>
<b>No. of compliments received: 0</b>	
<b>No. of complaints received: 0</b>	
<b>No. of complaints resolved / responded to in 20 days: 0</b>	

<b>Directorate: Corporate Resources</b>	<b>Contact: Menna Flavell</b>
<b>No. of compliments received: 97</b>	
<b>No. of complaints received: 44</b>	
<b>No. of complaints resolved / responded to in 20 days: 43</b>	
<b>Main area/issues:</b>	<b>Amendments made / actions taken / learning from feedback:</b>
<u>Customer Services</u> Main areas were those covered by Benefits (19), Revenues (13) and Dudley Council Plus (8). Relating to issues such as administrative errors, computer system problems, waiting times, staff attitude.	Less than half of the complaints received were upheld. In all cases where complaints were upheld, action was taken including raising specific issues with staff, providing training and changing working practices.

<b>Directorate: Adult, Community and Housing Services</b>		<b>Contact: Steve Rice</b>
<b>No. of compliments received: 135</b> (Adult Social Care); <b>50</b> (Housing)		
<b>No. of complaints received: 72</b> (Adult Social Care); <b>142</b> (Housing)		
<b>No. of complaints resolved / responded to in 20 days:</b> Adult Social Care – 37 within 10 -20 days. 64 within 10 – 25 working days		
<b>Main area/issues:</b>	<b>Amendments made / actions taken / learning from feedback:</b>	
<u>Adult Social Care</u> Inadequate service; staff behaviour; funding; process; delay; service not provided / withdrawn;poor/ inaccurate communication	Change of practice / worker; improve communication; monitoring; need for extra capacity / resources identified; reinforce existing procedures; review communication / publicity / policy	
<u>Housing</u> Repairs timetable and Estate Management	Complaints analysed at completion, amendments to policy and procedures made and implemented. Review of how lessons learned are recorded currently under review	

<b>Directorate: Children's Services</b>		<b>Contact: Matthew Smith(General) Steve Rice (Children's Social Care)</b>
<b>No. of compliments received: 78</b> (General); <b>20</b> (Children's Social Care)		
<b>No. of complaints received: 7</b> (General); <b>97</b> (Children's Social Care)		
<b>No. of complaints resolved / responded to in 20 days: 4</b> (General); <b>63</b> (Children's Social Care)		
<b>Main area/issues:</b>	<b>Amendments made / actions taken / learning from feedback:</b>	
General: Customer dissatisfaction with service provided	Change of practice	
<u>Children's Social Care</u> Delay; assessment disputes; respite provision; support	Change of practice; review of written agreements; improved communication / returning calls / increased scrutiny	

<b>Directorate: Urban Environment</b>		<b>Contact: Ajaib Paul</b>
<b>No. of compliments received: 6</b>		
<b>No. of complaints received: 145</b> (excluding 6 anonymous)		
<b>No. of complaints resolved / responded to in 20 days: 88</b>		
<b>Main area/issues:</b>	<b>Amendments made / actions taken / learning from feedback:</b>	
Various issues raised mainly relating to front line services including snow and ice on Leisure Centre car parks; temperature of the Leisure Pool; annual delivery of black sacks (Waste Care); height of new speed bump installed at entrance to the Household Waste Recycling Centre; Tree maintenance.	All issues logged and actioned as considered appropriate. Some acknowledgement letters and formal responses were not sent as direct action was taken to resolve the issues raised. Not all customers agree with the actions taken.	
A number of messages of thanks have been received by the Winter Gritting service during the quarter, acknowledging the hard work undertaken to keep the roads moving during another very cold winter.	We continue to investigate promptly & address issues.	



## **Appendix 4: Customer feedback data sets**

The customer feedback database requires all customer feedback to be categorised into 6 nature of complaint or compliment. The power point presentation accompanying this report provides a series of data sets for customer feedback and process handling as an example on the information we can extract from the new corporate customer feedback system.

Summary overview to include;

### **Corporate Customer feedback**

Number of complaints received for this period

Number of compliments received for this period

### **Customer feedback related to Adult and Children's Social Care**

Number of complaints received

Number of compliments received

Total number of Complaints received (including Social care):

Total number of Compliments received (including Social Care):

### **Process handling indicators**

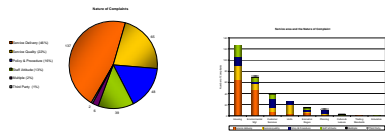
% acknowledged in 5 working days

% responded in 20 working days

% of complaints upheld

Followed by a series of charts for further analysis; including where necessary supporting commentary.

- Compliments & Complaints by the feedback category
- Complaints/ compliments by service provider and by feedback category
- Complaints/ compliments by all wards
- Complaints by customer method of Communication



Examples to be provided at Committee on a power point presentation.

## Appendix 5: Experience elsewhere

Name of Company	Process: Stage 1	Stage two
<b>British Gas</b>	Contact by email, phone or post	If unhappy with the decision contact the complaints team. If after 8 weeks contact the Ombudsman Services – energy
<b>Reports</b>	<a href="http://www.britishgas.co.uk/content/dam/british-gas/documents/we-are-listening.pdf">http://www.britishgas.co.uk/content/dam/british-gas/documents/we-are-listening.pdf</a> <a href="http://www.britishgas.co.uk/content/dam/british-gas/documents/annual-consumer-complaints-report-2012-13.pdf">http://www.britishgas.co.uk/content/dam/british-gas/documents/annual-consumer-complaints-report-2012-13.pdf</a>	

Name of Company	Process: Stage 1	Stage two
<b>Talk Talk Communications company</b>	Contact by email, phone or post	TRY to reply to complaints within 7 days. If not happy speak to a manager if not available a manager will try to contact you within 2 days. If still not happy with decision, forward the complaint to the CEO office. The CEO office will try to respond to the complaint within 5 days. If after 8 weeks contact the Ombudsman service – communications – Which will not accept the complaint if less than 8 weeks ago.
<b>Reports</b>	<a href="http://help2.talktalk.co.uk/manage-my-account/how-do-i-make-complaint">http://help2.talktalk.co.uk/manage-my-account/how-do-i-make-complaint</a>	

Name of Company	Process: Stage 1	Stage two
<b>South Staffs Water</b>	Information about how to complain	If the company fails to respond within 10 working days then they will issue a automatic payment of £30
<b>Reports</b>	<a href="http://www.south-staffs-water.co.uk/your_home/complaints.asp">http://www.south-staffs-water.co.uk/your_home/complaints.asp</a> <a href="http://www.south-staffs-water.co.uk/publications/your_home/complaints.pdf">http://www.south-staffs-water.co.uk/publications/your_home/complaints.pdf</a>	

Name of Company	Process
<b>Ryanair</b>	<p><b>Respond quickly to passenger complaints and provide prompt refunds</b></p> <ol style="list-style-type: none"> <li>1. Ryanair enables passengers to forward their claim/ complaints via web form, fax or post</li> <li>2. Under normal circumstances Ryanair will provide a substantive written response to complaints within 7 working days of receipt. We do not expect passengers to wait over 28 working days, as is the case with high fare airlines passenger service commitment.</li> <li>3. Where a passenger claims and is entitled to a refund, Ryanair will issue that refund within 7 working days of approval.</li> </ol>
<b>Reports</b>	<a href="http://www.ryanair.com/en/questions/contacting-customer-service">http://www.ryanair.com/en/questions/contacting-customer-service</a> <a href="http://www.ryanair.com/en/questions/ryanair-s-lowest-fares-and-passenger-service-charter">http://www.ryanair.com/en/questions/ryanair-s-lowest-fares-and-passenger-service-charter</a>

## Family Authorities

Name of Authority	Definition of complaint	Website
<b>Solihull</b>	<p>A complaint is when you tell us, either verbally or in writing, that you are dissatisfied with the service we have provided in relation to your request for information. For instance, you may feel we have failed to:</p> <ul style="list-style-type: none"> <li>• Respond to your request within statutory time scales.</li> <li>• Properly explain why we have refused your request.</li> <li>• Provide you with help.</li> <li>• Follow the Council's agreed procedure.</li> </ul>	<p><a href="http://www.solihull.gov.uk/democracy/councilservice.htm">http://www.solihull.gov.uk/democracy/councilservice.htm</a></p> <p>Obtained Complaints report  <a href="http://eservices.solihull.gov.uk/mginternet/CEListDocuments.aspx?Committeeld=141&amp;MeetingId=1823&amp;DF=06%2f08%2f2013&amp;Ver=2">http://eservices.solihull.gov.uk/mginternet/CEListDocuments.aspx?Committeeld=141&amp;MeetingId=1823&amp;DF=06%2f08%2f2013&amp;Ver=2</a></p>
<b>Process time</b>	<p>The complaint will be registered and forwarded to the relevant officer who will contact the customer to discuss the issue. ( no timeframes in force)</p> <p>Stage 1: Full response or holding response within 30 days</p> <p>Stage 2: 10 days If the complainant is still not happy with the result from stage 1</p> <p>(New policy introduced from June 2013)</p>	

Name of Authority	Definition of complaint	Website
<b>St Helen's</b>	<p>An expression of dissatisfaction from any recipient(s) of a council service, however made, about the standard of service received, action or lack of action Taken, or the behavior of any representative of the Council".</p>	<p><a href="http://www.sthelens.gov.uk/media/94737/st_helens_council_corporate_complaints_policy_2010.pdf">http://www.sthelens.gov.uk/media/94737/st_helens_council_corporate_complaints_policy_2010.pdf</a></p>
<b>Process time</b>	<p>A letter will be sent to the complainant, acknowledging receipt and informing them of who will be dealing with their complaint.</p> <p>Stage 1: Full response within 10 days if the customer is not happy with the result they have 28 days to ask the Council to progress to stage 2.</p> <p>Stage 2: A letter will be sent to the complainant, acknowledging receipt and the name of a senior officer, who will be dealing with their complaint, and will aim to resolve the problem in 15 days.</p>	

Name of Authority	Definition of complaint	Website
Bury	A complaint is a way of telling us that you are not happy with a particular service.	<a href="http://www.bury.gov.uk/index.aspx?articleid=4263">http://www.bury.gov.uk/index.aspx?articleid=4263</a>
Process time	Acknowledgement : 5 days Response: 20 days Next stage letter to Chief Executive: 20 days	

Name of Authority	Definition of complaint	Website
Trafford		<a href="http://www.trafford.gov.uk/about-your-council/complaints/complaint-stages.aspx">http://www.trafford.gov.uk/about-your-council/complaints/complaint-stages.aspx</a>
Process time	Acknowledgement : 3 days Response: 20 days Their aim is to solve the problem at the first point of contact. Stage 3: 6 weeks to review if unhappy with the outcome.	

Name of Authority	Definition of complaint	Website
Tameside	An expression of dissatisfaction about the council's action or lack of action or about the standard of a service, whether the action taken or the service was provided by the council itself or a body acting on behalf of the council.	<a href="http://www.tameside.gov.uk/complaints/policy#def">http://www.tameside.gov.uk/complaints/policy#def</a> <a href="http://www.tameside.gov.uk/servicecharter/complaints">http://www.tameside.gov.uk/servicecharter/complaints</a>
Process time	Acknowledgement : 5 days Response: 20 days Complaints Officer review 20 days	

Name of Authority	Definition of complaint	Website
Sandwell		<a href="http://www.sandwell.gov.uk/downloads/file/3742/comments_complaints_and_compliments_procedure">http://www.sandwell.gov.uk/downloads/file/3742/comments_complaints_and_compliments_procedure</a>
Process time	Acknowledgement : 10 to 20 days Response: 25 to 65 days Ensure the complaint is received by the relevant department within 24 hours.	

Name of Authority	Definition of complaint	Website
Knowsley		<a href="http://www.knowsley.gov.uk/get-in-touch/comments-and-complaints.aspx">http://www.knowsley.gov.uk/get-in-touch/comments-and-complaints.aspx</a>
Process time	Acknowledgement : 3 days Response: 10 days	

Name of Authority	Definition of complaint	Website
Walsall	If someone informs the council that something is not working or is a problem, for example, an overgrowing tree, it is a report and not a complaint. Should further communication then be required however, to say that the problem has not been dealt with then it becomes a complaint?	<a href="http://cms.walsall.gov.uk/complaints_compliments">http://cms.walsall.gov.uk/complaints_compliments</a>  <a href="http://cms.walsall.gov.uk/tell_us_report_2006-07_final-2.pdf">http://cms.walsall.gov.uk/tell_us_report_2006-07_final-2.pdf</a>  <a href="http://cms.walsall.gov.uk/tell_us_leaflet-4.pdf">http://cms.walsall.gov.uk/tell_us_leaflet-4.pdf</a>
Process time	Acknowledgement : 5 days Response: 15 days	

Name of Authority	Definition of complaint	Website
Wolverhampton	A complaint is an expression of dissatisfaction about the council's action or lack of action or about the standard of a service, whether the action was taken or service provided by the council itself or a person or body acting on behalf of the council.	<a href="http://www.wolverhampton.gov.uk/CHttpHandler.ashx?id=1757&amp;p=0">http://www.wolverhampton.gov.uk/CHttpHandler.ashx?id=1757&amp;p=0</a>
Process time	Acknowledgement : 4 days Response: 21 days Stage 2: 28 days, If dissatisfied with Stage 1 outcome, stage 2 will be investigated within 28 days.	

Name of Authority	Definition of complaint	Website
Manchester		<a href="http://www.manchester.gov.uk/info/200025/complaints_comments_and_questions/67/comments_compliments_and_complaints/3">http://www.manchester.gov.uk/info/200025/complaints_comments_and_questions/67/comments_compliments_and_complaints/3</a>  <a href="http://www.manchester.gov.uk/info/200025/complaints/4218/complaintsperformance_statistics">http://www.manchester.gov.uk/info/200025/complaints/4218/complaintsperformance_statistics</a>
Process time	Acknowledgement : 3 days by telephone Response: 10 days Stage 2: 28 days, If still unhappy the complaint will be reviewed by the Complaints Officer.	