

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 18 March 2024

Portfolio:	Policy and Resources
Subject:	Updated Complaints Policy
Report of:	Assistant Director (Democracy)
Corporate Priorities:	Responsive, Inclusive and Innovative Council

Purpose:

To agree an updated Council Complaints Policy that will ensure complaints are handled in line with the Housing Ombudsman's Complaint Handling Code and the latest Code from the Local Government and Social Care Ombudsman (LGSCO).

Executive summary:

The LGSCO and Housing Ombudsman ran a consultation exercise in Autumn 2023 that proposed a Joint Complaint Handling Code. The aim of their approach was to provide a 'gold standard' in complaints handling.

Following analysis of the feedback, it was announced on 8 February 2024 that both Ombudsmen would retain separate but aligned complaint codes. Housing providers would be expected to implement the Housing Ombudsman's Code from 1 April 2024 and, whilst no confirmed timeframe, the LGSCO will consider their code in Ombudsman complaints from April 2026.

This report seeks approval for an updated Complaints Policy that reflects the requirements of the two new Codes. This ensures that we are fully compliant with our obligations in the way we manage complaints received by the Council.

Recommendation/Recommended Option:

It is recommended that the Executive agrees the updated Council's Complaints Policy, as attached at Appendix C to this report.

Reason:

The updated Complaints Policy ensures that we meet our responsibilities in the way we manage complaints received against the Council.

Cost of proposals:

There is an additional resource requirement to manage the process needed to support the updated Council Complaint Policy. The cost of this has been met within the current establishment budget.

Appendices:

A: Housing Ombudsman Complaint Handling Code

B: LGSCO Complaint Handling Code

C: Fareham Borough Council Complaints Policy – April 2024

Background papers:**Reference papers:**

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Executive Briefing Paper

Date:	18 March 2024
Subject:	Updated Complaints Policy
Briefing by:	Assistant Director (Democracy)
Portfolio:	Policy and Resources

INTRODUCTION

1. This report presents an updated Council Complaints Handling Policy for approval. If approved it will ensure that we are compliant with our obligations in the way we manage complaints received by the Council.

BACKGROUND

2. Both the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman issue Codes on how they expect organisations to handle complaints they receive.
3. Both organisations ran a consultation exercise in Autumn 2023 that proposed the implementation of Joint Complaint Handling Code. The aim of their approach was to provide a 'gold standard' that would be applied across all Local Authority complaints handling.
4. Following analysis of feedback from Local Authorities and Housing Associations, it was announced on 8 February 2024 that both Ombudsmen would retain separate but closely aligned complaint codes. The Housing Ombudsman Code can be found in Appendix A and the LGSCO in Appendix B.
5. Housing providers are expected to implement the Housing Ombudsman's Code from 1 April 2024 and the LGSCO will consider their code in Ombudsman complaints from April 2026.
6. Although their individual codes contain minor variations they are very closely aligned and require the same two stage process, central recording and administration, response times and reporting requirements.
7. Authorities that do not adhere to the codes for individual complaints are at risk of being issued with a Complaint Handling Failure Order.

CHANGES TO THE POLICY

8. The following part of the report highlights the main changes made to Fareham's proposed Complaints Policy (Appendix C) to ensure adherence to the new Ombudsman Code:
9. *A definition of a complaint, as distinct to a service request:* A complaint is an expression of dissatisfaction by a customer, whereas a service request is a request to put something right eg a missed bin collection. This is an important distinction as service requests are not treated as complaints.
10. *A two stage Complaints process:* Fareham introduced a Stage '0' to our complaint's procedures in September 2022. This was done in part to reduce the number of what would now be defined as service requests being escalated to senior managers.
11. The proposed updated Council Policy contains just 2 complaint stages. Stage 1 will be investigated by a designated complaint handler within the relevant service. If the complainant is unhappy with their response, Stage 2 will begin. A more senior officer will investigate how the Stage 1 complaint was conducted to ensure it meets the requirements of our Complaints Policy. If the complainant is still unhappy, they can escalate the complaint to the relevant Ombudsman.
12. *Defined response timeframes:* Stage 1 complaints need to be acknowledged within 5 working days and responded to a further 10 working days later. Stage 2 complaints again need to be acknowledged after 5 working days but require a response after another 20 working days.
13. *Clear defined responsibilities and reporting requirements:* It is proposed that the Chairman of the Audit and Governance Committee is the designated Member Responsible for Complaints. They would receive an annual report outlining our complaint handling performance including any service improvements that they have prompted.
14. Complaints will also form part of the emerging Performance Measures approach as they can have an important role in driving continuous service improvement.

IMPLEMENTING THE NEW APPROACH

15. If approved, the new Policy will be administered and recorded centrally via the Information Governance Team from the 1 April. The resource cost for this will be met within existing establishment budgets.
16. Individual services have already been engaged with and guidance developed to help ensure a consistency of approach. Relevant officers will also receive complaint handling training.
17. In line with the Codes, the Council will be required to publish complaint handling statistics and the Council will also re-enhance its website to give more information to customers.

CONCLUSION

18. The Council's updated Complaints Policy will ensure that we meet our obligations outlined in the Housing and LGSCO's Complaints Handling Codes and help drive continuous service improvement.

Enquiries:

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