

Title: Minor revisions to the complaints policy
 Lead Officer: Graham Leach, Head of Governance & Monitoring Officer,
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 Portfolio Holder: Councillor Davison
 Wards of the District directly affected: None

Approvals required	Date	Name
Portfolio Holder	7/10/2024	Ian Davison
Finance		
Legal Services		
Chief Executive	7/10/2024	Chris Elliott
Programme Director Climate Change	7/10/2024	Dave Barber
Head of Service(s)	7/10/2024	Graham Leach
Section 151 Officer	7/10/2024	Andrew Rollins
Monitoring Officer	7/10/2024	Graham Leach
Leadership Co-ordination Group	30/9/2024	
Final decision by this Committee or rec to another Cttee / Council?	No part recommendation to Council	
Contrary to Policy / Budget framework?	No	
Does this report contain exempt info/Confidential? If so, which paragraph(s)?	No	
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?	No	
Accessibility Checked?	Yes	

Summary

The report brings forward the revised complaints Policy for Warwick District Council.

Recommendations

- (1) That the Cabinet adopts the minor revisions to the Complaints Policy, including the addition of the Building Safety Risk Complaints Policy (Appendix 3 of the Complaints Policy) for Warwick District Council, as set out at Appendix A to the report, to come into force from 1 November 2024.
- (2) That the Cabinet adopts the Compensation Policy for Warwick District Council, as set out at Appendix B to the report, to come into force from 1 November 2024.
- (3) Cabinet notes the ongoing work on complaints development within the Council as set out in the report.
- (4) That Cabinet recommends to Council revised delegations to replace G(7) and CE(3) as follows:

Revised G(7) Delegated authority is given to the Head of Service, (for values over £5,000 the Head of Finance, Head of Governance & Monitoring Officer & Chief Executive, and over £10,000 also the Group Leaders) to authorise compensation payments arising as remedies for complaints at Stage 1. (Any compensation amounts of £5000 or above will be reported to Overview & Scrutiny Committee)

New Delegation: Delegated authority is given to the Head of Governance Services, in consultation with the relevant Head of Service (and for values over £5,000 the Head of Finance & Chief Executive and over £10,000 also the Group Leaders) to authorise compensation payments arising as remedies for complaints at Stage 2 or from the Ombudsmen. (Any compensation amounts of £5000 or above will be reported to Overview & Scrutiny Committee)

1 Reasons for the Recommendation

- 1.1 The Complaints policy was last updated in February 2024 and since then the handling of complaints has remained largely consistent even with the introduction of the Housing Ombudsman complaint handling code.
- 1.2 The Complaints considered by the Council are subject, ultimately, to consideration by one of two Ombudsmen and therefore the Council needs to have consideration of this when setting its policy.
- 1.3 A few minor changes have been made to the wording of the policy. This provides clarification and ensures the policy follows best practice and the Complaint Handling Codes of the Local Government & Social Care and Housing Ombudsmen.
- 1.4 The Pennington and HQN reports identified the requirement for a Building Safety Risk Complaints Policy – this has been developed in accordance with the requirements of the Building Safety Act 2022 to ensure compliance with the standards set by the Regulator.
- 1.5 The Warwick District Council Compensation Policy has been developed to satisfy the requirements of the Housing Ombudsman in respect of being able to provide evidence for compensation amounts awarded and to ensure consistency

is applied when compensation is considered as a necessary remedy to a complaint.

- 1.6 The Policy, Performance and Complaints manager is conducting a review of Complaint Handling Practices, working closely with colleagues in Housing Services. The need for investment in the Councils "corporate core" was identified in a Peer Review conducted in 2023. An updated version of the Complaints Policy was approved by Cabinet in February 2024 (in line with the Housing Ombudsmans Complaint Handling Code). The review is Council wide but has been adopted first by Housing Services and consists of the following aspects:
- 1.7 Creation of template documents and a "useful information" factsheet provided to all investigating officers.
- 1.8 All housing complaints are handled by the Customer Engagement Team.
- 1.9 The Policy, Performance & Complaints Manager has been updated as the point of contact for the Housing and Local Government & Social Care Ombudsmen.
- 1.10 Plans for promotion of the complaints policy and best practice through our ICT training system "MetaCompliance" and a newly created Intranet page.
- 1.11 Plans for complaint handling training briefings for all staff and elected members – the briefings will be added to an introductory course for all new starters as well.
- 1.12 Plans for all relevant Staff to complete Housing Ombudsman eLearning.
- 1.13 Plans to train officers in identifying complaints and Heads of Service delegating their authority to the trained officers.
- 1.14 A "complaint recommendations" SharePoint list has been created to record and track progress of Orders/Recommendations/Learning Points from WDC complaint reports and those completed by the Housing and Local Government & Social Care Ombudsmen – the list is being trialled throughout September and October.
- 1.15 All Stage 2 complaints will be undertaken by the Policy, Performance & Complaints Manager from 1 November 2024.
- 1.16 WDC has purchased a (Customer Relationship Management) CRM system, and the Policy, Performance & Complaints Manager will be working with colleagues to implement the complaints process in the CRM. This will bring about improvements in communication with residents and internal stakeholders, record keeping, access of data, monitoring & reporting and learning from actions in respect of complaints.
- 1.17 A creation of a compensation policy to be reviewed by Cabinet alongside minor changes to the complaints policy and addition of Building Safety Complaints appendix (in line with the Building Safety Act 2022).
- 1.18 The revised delegations provide improved clarity on the authority in place and assurance for Councillors on the process used which is the practice normally used at present. The current delegations are as follows:

G(7) All Heads of Service have authority to Authority to agree remedies for a complaint at Stage 1

CE(3) the Chief Executive has authority to agree (1) any proposed remedy at stage 2 includes compensation. This will be considered by the Chief Executive

as part of the investigator's report; and any proposed compensation following an investigation by the Local Government Ombudsman in consultation with the Head of Service

2 Alternative Options

- 2.1 The changes being brought forward are recognised as best practice and aim to address consistency of administration of complaints, the way progress of complaints is measured, how the Council acts on learning points from complaints and improve customer engagement. In time, the process will be implemented in the CRM.

3 Legal Implications

- 3.1 There are no specific legal implications of the report and the proposals comply with the relevant aspects of legislation.

4 Financial

- 4.1 There are no specific financial implications of the report.

5 Corporate Strategy

- 5.1 Warwick District Council has adopted a Corporate Strategy which sets three strategic aims for the organisation. The Policy indirectly contributes to all themes within the Corporate Strategy through ensuring good governance by bring forward learning and understanding of complaints. This should allow for issues to be resolved and processes revised to reduce the risk of a repeat.

6 Environmental/Climate Change Implications

- 6.1 There are no direct impact from the Policy on Climate Change.

7 Analysis of the effects on Equality

- 7.1 It is not considered that an equality impact assessment needs to be undertaken for these proposals.

8 Data Protection

- 8.1 There is no change in the handling of personal data as a result of these proposals.

9 Health and Wellbeing

- 9.1 There are no direct impacts on health and wellbeing as a result of these proposals.

10 Risk Assessment

- 10.1 The report presents no significant risks to the Council at this time.

Background papers: None

Supporting documents:

Housing Ombudsman Complaint Handling Code

Local Government & Social Care Ombudsman and Housing Ombudsman Complaint Handling Code

[Pennington and HQN Reports](#)

[Warwick District Council Complaints Policy \(Agreed February 2024\)](#)