

Consultation Questions For Local Councils Please provide your response through the link we have sent direct to all local councils. This will allow us to analyse responses more effectively. Each council should only provide a single corporate response. We have provided a list of questions below to help local councils to prepare their responses.

**Questions: 1. The joint Code aims to provide a national standard for councils to work to, helping to clarify requirements, simplifying internal processes, and giving assurances to the public and local Members about how complaints must be handled. Does it achieve this? Yes/No (opportunity for comments)**

Yes

The Code provides a clear basis upon which Local Authorities should design their corporate complaints procedure. The draft Code does not however represent a simplification of the council's current internal complaint management system as it builds in significant extra steps.

**2. The joint Code sets out clear expectations for the level of staffing, oversight and governance for councils to have a good complaint handling service. Do you agree? Yes/No (opportunity for comments)**

Yes

There are clear expectations set out as to the role of the Complaints team and the extent to which they should respond and monitor cases. In the context of a Council, it is not clear what is intended by 'Governing Body'. This should be clarified to make it clear whether this is intended to apply to the Executive of the council .

**3. The joint Code encourages councils to have a learning culture and improve their complaint handling service. Will it support your council to achieve this? Yes/No (opportunity for comments)**

No

It is expected that the Code will significantly increase the volume of complaints on the basis that any expression of dissatisfaction would be classed as a complaint. It is arguable whether treating all expressions of dissatisfaction ( bearing in mind some will be trivial and /or vexatious) will improve complaint handling overall. It may even be counterproductive diverting resources from complaints where improvements can be made.

**4. We believe the joint Code provides a clear definition of what constitutes a complaint and what should be classed as an upheld complaint. Do you agree? Yes/No (opportunity for comments)**

Partly

Whilst it is positive that the Code sets out the requirement to differentiate between Service Requests and Complaints, Leicestershire County Council has concerns around the practical implication of this.

The Code suggests that if a complainant indicates a level of dis-satisfaction with something that would currently be considered as a Service Request then the Council is obliged to escalate this to a

complaint. This will likely result in significantly higher complaint volumes particularly regarding non-statutory services and where often timescales for resolution can be long.

The Council believes the definitions of what constitutes an Upheld Complaint is clear

**5. The Code encourages organisations to resolve complaints satisfactorily at an early stage and before they come to an Ombudsman. Do you agree? Yes/No (opportunity for comments)**

Partly

It is a concern that the tight timescales at Stage 1 may impact on the quality and robustness of responses. It may be an unintended consequence that the need to comply with timescales becomes the key driver rather than allowing Councils sufficient time to respond in detail and avoid escalation to the Ombudsman.

**6. We will provide further guidance on how the Code should be used by councils. What guidance would you find useful when implementing the Code within your council? (free text option)**

A list of agreed exclusions.

Definition of regular reporting to the new member for complaints. It is suggested that quarterly would be appropriate.

Templates for investigation reports and outcome letters.

**7. Do you have any other comments you would like to make about the LGSCO's intention to introduce this statutory Code, including the decision do this jointly with the Housing Ombudsman? (free text option)**

The Code in principle is welcomed but it would be remiss not to note concerns around placing increased duties on faster responses to complaints against the backdrop of significant financial pressures affecting Local Authorities. There will be significant additional costs incurred in ensuring adherence to the Code of Practice and no additional funding for this.