


Agenda Item No:	<b>8</b>	
Committee:	<b>Overview and Scrutiny</b>	
Date:	<b>7 September 2020</b>	
Report Title:	<b>Annual Ombudsman Letter and 3Cs process</b>	

## 1 Purpose / Summary

To update Members on the annual statistics in relation to the Local Government and Health and Social Care Ombudsman (LGO) and the Council's corporate '3Cs' procedure. This explains how we deal with the comments, compliments, correspondence and complaints we receive.

## 2 Key issues:

- On an annual basis the Ombudsman forwards to the Council a summary of complaints received from members of the public. This is also copied to the Chairman of Overview and Scrutiny.
- The LGO investigated 10 complaints relating to Fenland District Council during 2019/20. Anyone can refer a complaint to the LGO as long as they have been through the Council's 3C's process. No complaints were upheld. In 2018/19 we had 1 upheld decision.
- In 2019/20, 3Cs received 643 pieces of contact. 284 were complaints; a 28% decrease from 2018/19. 79 pieces of correspondence (45% less than in 2018/19) and 280 compliments (66% more than in 2018/19) were received. Overall, contact through 3Cs was down by 9% compared to the previous year.

## 3 Recommendations

- It is recommended that the Overview and Scrutiny Panel consider and note the statistics in relation to the Ombudsman and 3Cs process.

<b>Wards Affected</b>	All
<b>Forward Plan Reference</b>	n/a
<b>Portfolio Holder(s)</b>	Cllr Steve Tierney, Portfolio Holder for Transformation & Communications
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<b>Background Paper(s)</b>	LGO Annual Report 2017/18 <a href="https://www.lgo.org.uk/information-centre/reports/annual-review-reports/local-government-complaint-reviews">https://www.lgo.org.uk/information-centre/reports/annual-review-reports/local-government-complaint-reviews</a>

## An overview of the Council's 3Cs process

### 1. Our 3Cs process

1.1 Our corporate 3Cs procedure is the framework used for managing comments, compliments, correspondence and complaints across the Council. We aim to provide a fair, consistent and structured process to enable customers to give their views and receive an accurate response. The feedback we receive is used to monitor performance and improve our services.

- 1.2 Customers can contact the 3Cs team by:
- Completing an online or paper 3Cs form
  - Emailing [3cs@fenland.gov.uk](mailto:3cs@fenland.gov.uk)
  - Phoning our contact centre
  - Visiting a Fenland @ your service shop or Community Hub
  - Through their local councillor

1.3 The process for managing each type of contact is summarised in the table below:

Type of contact	Procedure
Comment	A comment is a brief statement of fact or a suggestion received by a customer. It is recorded under the 3Cs process and then passed to the relevant service area for consideration. If appropriate, the service area will contact the customer directly to discuss their comment further.
Compliment	A compliment is a positive comment about the service received. It may refer to an individual or a wider team. A compliment is recorded under the 3Cs process and is then passed to the relevant officer or team. We can use compliments from customers to improve what we do.
Correspondence	<p>Correspondence is two-way communication between a customer and the council. If its content forms a service request, it is referred directly to the appropriate service area for resolution outside of the 3Cs process.</p> <p>The majority of correspondence managed under the 3Cs system is from the MP's office and local councillors. Correspondence is acknowledged within five working days of receipt. It is passed to an appropriate officer who will respond within ten working days.</p>
Complaint	<p>A complaint is dissatisfaction with the service received from an individual, team or from the council as a whole. The complaints process can be up to three stages long.</p> <p><b>Stage 1</b></p> <ul style="list-style-type: none"><li>• Customer contacts 3Cs</li><li>• 3Cs sends an acknowledgement to the customer within 5 working days. This contains the name of the officer responding to their complaint and the deadline for response (10 working days from acknowledgement)</li><li>• Officer responds directly to customer. This is stored in the 3Cs system as a Stage 1 response</li></ul>

Type of contact	Procedure
	<p>If the customer is dissatisfied with the response, their complaint is escalated to Stage 2.</p> <p><b>Stage 2</b></p> <ul style="list-style-type: none"> <li>• Customer receives acknowledgement within 5 working days</li> <li>• Complaint passed to manager of the officer who provided a Stage 1 response. The deadline for response is 10 working days from acknowledgement</li> <li>• Officer responds directly to customer. This is stored in the 3Cs system as a Stage 2 response</li> </ul> <p>If the customer is dissatisfied with the response, their complaint is escalated to Stage 3. This is the final stage in the complaints process.</p> <p><b>Stage 3</b></p> <ul style="list-style-type: none"> <li>• Customer receives acknowledgment within 5 working days</li> <li>• Complaint passed to CMT lead for response. The deadline for response is 15 working days from acknowledgement</li> <li>• CMT lead responds directly to customer. They state that this is final response within our 3Cs process and give contact details for the LGO as a final course of redress. Their response is stored in the 3Cs system as a Stage 3 response.</li> </ul> <p>The next section explains the LGO process.</p>

- 1.4 Contact was split into three high level service areas:
- Communities, Environment, Leisure and Planning (CELP)
  - Growth and Infrastructure (GI)
  - Policy, Resources and Customer Services (PRCS)

Due to incorporating many frontline services, CELP has the largest volume of correspondence and complaints.

- 1.5 The table below provides a comparison of contact between 2018/19 and 2019/20:

	2019/20	2018/19	Variance
Compliments	280	169	+66%
Correspondence	79	143	-45%
Complaints	284	392	-28%
<b>TOTAL</b>	<b>643</b>	<b>704</b>	<b>-9%</b>

- 1.6 Members receive a quarterly performance report within the Portfolio Holder Briefing document. This provides a quarterly cumulative comparison of contact between the current and previous financial year.

- 1.7 A monthly report is produced to measure response times for correspondence and complaints. It also measures how many complaints are progressed past a Stage 1.
- 1.8 The Council produces an Annual Report after full complaints data is available for the previous financial year. This is available for the public to view on our website.

## 2. The Local Government Ombudsman (LGO)

- 2.1 Customers can contact the LGO if they have made a complaint and are dissatisfied with our response(s). The LGO will only investigate complaints that have fully completed our 3Cs procedure and relate to our services. They will *not* investigate if:
- The complainant has known about the issue for over 12 months but hasn't complained
  - The matter has not affected the complainant personally or caused them an injustice
  - The issue affects most people in the Fenland area
  - The complainant should have appealed or taken legal action (e.g a tribunal, appeal to the Planning Inspectorate)
  - The complaint is about personnel matters (e.g employment issues)
- 2.2 If a customer makes contact, the LGO Assessment team will then ask us to check if the customer has completed our 3Cs process. They will ask for copies of customer contact and our responses.
- 2.3 If the Assessment team decides further investigation is needed, the complaint information will be passed to a LGO investigator. They will ask further questions and may request further information.
- 2.4 Once the investigator thinks they have got enough information to make a fair decision, they will share a draft with the Council and the complainant. Both parties then have the opportunity to comment on this decision and share further relevant information.
- 2.5 Following this, a final decision will be made. Depending on complexity, this process usually takes about 26 weeks. There are 6 possible decision types:
- Uphold the complaint and give recommendation(s) about how the organisation should put it right
  - Uphold part of the complaint
  - Uphold the complaint but not make any recommendations as the organisation has already put things right
  - Uphold the complaint but not make any recommendations because the fault has not had a significant effect on the complainant
  - Not to uphold the complaint
  - The complaint cannot or will not be investigated
- 2.6 The LGO will write to the Council and customer to explain their decisions. If the Council is at fault, they may ask us to put things right (if we haven't already). This may involve:
- Apologising to the complainant
  - Providing a service to the complainant that they should have had

- Making a different decision (that it should have made before)
- Reconsidering a decision that wasn't made properly
- Improving our procedures so similar issues don't happen again
- Making a payment

2.7 The LGO does not have legal powers to force organisations to comply with their recommendations – however, most Council's do. Their decisions are available to publically view on their website. They release an Annual Report for each authority every year.

2.8 The LGO states that complaint volume figures should not be used in isolation to evaluate corporate health. High volumes of complaints can show that an organisation is open to learning. In contrast, low complaint volumes can show that an organisation is not receptive to user feedback. By monitoring trends and customer feedback, we are able to quickly change processes if they are not working as well as they should.

2.9 Between April 2019 and March 2020, the LGO received 10 complaints and made 6 decisions relating to services provided by Fenland District Council. The table below shows the complaints that the LGO made a decision on in 2019/20:

Service	Decision made	Decision	Remedy
Null	August 2019	Incomplete/Invalid	Null
Corporate & Other Services	April 2019	Referred back for local resolution	Null
Corporate & Other Services	July 2019	Referred back for local resolution	Null
Planning & Development	March 2020	Not Upheld	Null
Planning & Development	December 2019	Closed after initial enquiries	Null
Benefits & Tax	February 2020	Closed after initial enquiries	Null

2.10 Between April 2019 and March 2020 we had no LGO complaints upheld.