



AUDIT AND GOVERNANCE COMMITTEE	AGENDA ITEM No: 11
DATE OF MEETING 26 MAY 2020	PUBLIC REPORT

COMPLAINTS PROCEDURES

1.0 PURPOSE

- 1.1. The Audit and Governance Committee is responsible for reviewing corporate governance arrangements.
- 1.2. This report asks the committee to comment on the proposed revisions to the corporate complaints procedures for the Combined Authority.

<u>DECISION REQUIRED</u>	
Lead Officer:	Robert Parkin, Chief Legal Officer and Monitoring Officer
<p>The Audit and Governance Committee is recommended to</p> <ol style="list-style-type: none">(a) Comment on and note the proposed revised complaints procedures for the Combined Authority as set out in Appendix 1.(b) Recommend to the Combined Authority Board that it approve and adopt the complaints procedures subject to any amendments made by the Committee.(c) Recommend to the Combined Authority Board that it notify the Local Government and Social Care Ombudsman of its decision to approve and adopt the complaints procedures.(d) To note that the Monitoring Officer has delegated authority to make any changes recommended by the Local Government and Social Care Ombudsmen or resulting out of the Audit and Governance Committee function to monitor the complaints procedures.	

2.0 BACKGROUND

- 2.1. The Audit and Governance Committee considered the Complaints Policy of the Combined Authority at its meeting on 17 December 2017 and recommended

that the Combined Authority Board approved and adopted the procedure; and notified the Local Government and Social Care Ombudsman of its decision to approved and adopt the procedure. The Combined Authority Board accepted these recommendations at its meeting on 31 January 2018.

- 2.2. An effective complaints procedure is one of the key elements of ensuring good customer care, quality assurance and a quest for excellence. The Local Government and Social Care Ombudsman has produced guidance to assist Combined Authorities to produce a complaints procedure which sets out the principles for creating a simple integrated complaints system.

The Ombudsman's guidance states with the creation or expansion of every combined authority, there is the opportunity, and the necessity, to create a simple, integrated complaints system that will be:

- better for the public
- better for local accountability and scrutiny, and
- better value for money

The guidance goes on to state the design of complaints systems and procedures is a matter for each authority but that their guidance sets out the key benchmarks authorities will want to use, to ensure their complaints procedures are simple, fair and encourage organisational improvement.

- 2.3. The attached draft revised complaints procedure has been produced in line with these principles.
- 2.4. Firstly, the procedure ensures the public are directed to the right organisation and uses the correct procedure. It is proposed that there is a two-stage process:
- (a) Informal resolution
 - (b) Formal complaints review
- 2.5. The procedure aims to resolve complaints as soon as possible after they are identified, and to enable the complainant to complain to the Local Government and Social Care Ombudsman without unnecessary delay if they feel the authority has not dealt with their complaint appropriately. An addition to the existing complaints policy is the inclusion in section 6 of dealing with vexatious and persistent complaints. This section also outlines complaints withdrawal and learning points for the Combined Authority.
- 2.6. Complaints will be used as a learning tool with regular summary reports being submitted to the combined authority management team. An annual report will be produced for scrutiny by the Audit and Governance Committee.

3.0 FINANCIAL IMPLICATIONS

There are no financial implications

4.0 LEGAL IMPLICATIONS

- 4.1. The Monitoring Officer has a statutory duty to report any findings of maladministration to the combined authority board. This means that the Monitoring Officer is primarily responsible for ensuring complaints are dealt with effectively as part of their role.
- 4.2. The Local Government and Social Care Ombudsman has previously written to the Monitoring Officer requesting details of the complaints procedure adopted by the Combined Authority. It is therefore a recommendation of this report that the Combined Authority Board notify the Ombudsman of any revisions to the Complaints Policy.

5.0 SIGNIFICANT IMPLICATIONS

- 5.1 None apart from those identified above.,

6.0 APPENDICES

- 6.1. Appendix 1 –Corporate Complaints Procedure

<u>Source Documents</u>	<u>Location</u>
Principles of complaint handling in combined authorities and devolved settings by Local Government and Social Care Ombudsman	http://www.lgo.org.uk/information-centre/reports/advice-and-guidance/guidance-notes/principles-combined-authorities