

WELWYN HATFIELD BOROUGH COUNCIL
CABINET – 6 AUGUST 2024
REPORT OF THE EXECUTIVE DIRECTOR (FINANCE AND TRANSFORMATION)

UPDATE TO CUSTOMER SERVICE POLICIES

1 Executive Summary

- 1.1 Following the publication of the final Local Government and Social Care Ombudsman and Housing Ombudsman Complaint Handling Code, the council has undertaken a full review of the council's relevant Customer Service policies.
- 1.2 This report sets out the key updates needed to ensure the relevant policies are in line with the Ombudsmans' Complaint Handling Code.

2 Recommendation(s)

- 2.1 It is recommended that Cabinet agree to:
 - 2.1.1 The updates to the council's Complaints Policy.
 - 2.1.2 The updates to the council's Unreasonably Persistent and Abusive Behaviour Policy.
 - 2.1.3 The updates to the council's Compensation and Redress Scheme.
 - 2.1.4 The introduction of the council's Vulnerable Person and Reasonable Adjustment Policy.

3 Explanation

- 3.1 Following the publication of the final Local Government and Social Care Ombudsman and Housing Ombudsman Complaint Handling Code, the council has undertaken a full review of the council's relevant Customer Service policies.

Complaints Policy:

- 3.2 The council's complaints policy provides the framework for ensuring that complaints across the council are handled consistently, fairly and effectively. The key policy changes required are set out as follows:
 - 3.2.1 The time limit for making a complaint is to be increased from 6 months to 12 months.
 - 3.2.2 There is no longer a requirement to call and discuss draft complaint responses for housing complaints; although it is highlighted by the council that this should be considered as best practice for more complex complaints.

- 3.2.3 The Stage 2 response timeframe is to increase from 10 Working Days to 20 Workings, although a further investigation of the original complaint is now required instead of a review of the Stage 1 investigation.
- 3.2.4 Extensions up to 10 Working Days for Stage 1 complaints and 20 Working Days for Stage 2 complaints to be introduced in consultation with the customer.
- 3.2.5 The council is to ensure the relevant Ombudsman contact details are provided during each correspondence with the customer.

Compensation and Redress Policy:

- 3.3 The council's Compensation and Redress Policy sets out the circumstances under which the council will make compensation and/or redress payments to residents due to service failure, unreasonable inconvenience and/or distress caused.
- 3.4 In line with the Ombudsmans' approach to financial compensation, the policy is to be updated to provide a framework for providing redress payments for avoidable inconvenience, distress, detriment or any other unfair impact due to the service failure.

Unreasonably Persistent and Abusive Behaviour Policy

- 3.5 The Council's Unreasonably Persistent and Abusive Behaviour Policy provides a framework for dealing with excessive or abusive behaviour from customers. This policy has been reviewed as part of the wider review of all policies, with some minor wording updated.

Vulnerable Person and Reasonable Adjustment Policy

- 3.6 In line with Ombudsman guidance, it is recognised that it is good practice to have a policy in place to support vulnerable customers so they can access council services and the assistance they need.
- 3.7 This is a new policy which provides a definition of vulnerability and some examples of reasonable adjustments the council can make, as appropriate.

Implications

4 Legal Implication(s)

- 4.1 It is recognised that good complaints handling can reduce the risk of any legal action taken against the council.
- 4.2 It is now a requirement under the Social Housing Regulations and Consumer Act that the council reports complaint performance on an annual basis and works in line with the Housing Ombudsman's Complaints Handling Code.

5 Financial Implication(s)

- 5.1 There may be some negative financial impact through the additional redress and compensation payments; however, this may be offset by any reduction in payments ordered by the Ombudsman. This will continue to be reviewed.

6 Risk Management Implications

- 6.1 There is the continued risk of complaints being referred to and investigated by the Ombudsman.
- 6.2 Any severe maladministration findings by the Housing Ombudsman will be reported to the Social Housing Regulator.
- 6.3 Complaints handling is considered as key corporate risk and reviewed on a monthly basis.

7 Security and Terrorism Implication(s)

- 7.1 There are no security and terrorism implications associated with the recommendation.

8 Procurement Implication(s)

- 8.1 There are no procurement implications associated with the recommendation.

9 Climate Change Implication(s)

- 9.1 There are no climate change implications associated with the recommendation.

10 Human Resources Implication(s)

- 10.1 Training on the new policy updates will be provided for staff and updated complaints handling training will be arranged.

11 Health and Wellbeing Implication(s)

- 11.1 There are no health and wellbeing implications associated with the recommendation.

12 Communication and Engagement Implication(s)

- 12.1 The council's Cross Party Customer Service Board and Resident's Panel have been consulted on the updates.
- 12.2 The Ombudsman contact details will be promoted and shared with customers.
- 12.3 The policies will be published on the council's website.

13 Link to Corporate Priorities

- 13.1 The subject of this report is linked to the Council's Corporate Priority to 'run an effective council'.

14 Equality and Diversity

- 14.1 An EqIA has been completed for each policy and no negative impacts have been identified on any of the protected groups under Equalities legislation.

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Background papers to be listed (if applicable)

Appendices to be listed

Appendix 1: Complaints Policy

Appendix 2: Compensation and Redress Policy

Appendix 3: Unreasonable Persistent and Abusive Behaviour Policy

Appendix 4: Vulnerable Person and Reasonable Adjustments Policy