

PERFORMANCE PORTFOLIO DECISION SCHEDULE



Wednesday 15 June 2011

at 3.00 pm

in Committee Room C, Civic Centre, Hartlepool

Councillor J Brash, Cabinet Member responsible for Performance will consider the following items.

1. KEY DECISIONS

No items

2. OTHER ITEMS REQUIRING DECISION

- 2.1 Qualification Based Training Application – *Director of Child and Adult Services*
- 2.2 Corporate Complaints Procedure – *Assistant Chief Executive*

3. ITEMS FOR INFORMATION

- 3.1 Corporate Complaints 2010/11 – *Assistant Chief Executive*
- 3.2 Chief Executive's Departmental Plan 2010/11 – 4th Quarter Monitoring Report – *Chief Finance Officer and Chief Solicitor*

PERFORMANCE PORTFOLIO

Report to Portfolio Holder

15 June 2011



Report of: Director of Child and Adult Services

Subject: QUALIFICATION BASED TRAINING APPLICATION

SUMMARY

1. PURPOSE OF REPORT

1.1 To seek approval from the Portfolio Holder for an application for post entry qualification support from the Child and Adult Services Department.

2. SUMMARY OF CONTENTS

2.1 This report provides details of the corporate policy on post entry training and details of the request.

3. RELEVANCE TO PORTFOLIO MEMBER

3.1 The Portfolio Holder is responsible for Workforce Development activity.

4. TYPE OF DECISION

4.1 Non-key.

5. DECISION MAKING ROUTE

5.1 Portfolio meeting only.

6. DECISION(S) REQUIRED

6.1 Portfolio Holders approval is required for the qualification which is being requested.

Course requested – To complete DBA in Management.

4. CONTACT OFFICER

Margaret Hunt, Child and Adult Services Department, Community Services, Hartlepool Borough Council.

01429 523928

margaret.hunt@hartlepool.gov.uk

Report of: Director of Child and Adult Services

Subject: QUALIFICATION BASED TRAINING

1. PURPOSE OF REPORT

1.1 To seek approval from the Portfolio Holder for an application for qualification based training support from the Child and Adult Services Department.

2. BACKGROUND

2.1 For a number of years, the council has had in place a qualification based policy and procedure which is applied if an employee requests and is granted approval to undertake a recognised qualification outside of the normal corporate training programmes.

2.2 The process has a number of stages. Any learning and development required that has been identified as part of the appraisal process has to be sourced externally if it cannot be provided as part of the corporate workforce development provision.

2.3 The Qualification Based Training Guide 2007, which was approved by the Portfolio Holder in 2007, includes a section on decision making. The guide states that power to approve support for qualification based training rests with the relevant Chief Officer. Variations from this scheme must be agreed jointly by the Workforce Development Manager and relevant Chief Officer. They can also jointly modify the support available in individual cases where there are special circumstances.

Special executive approval is necessary only if:

- The Workforce Development Manager/Chief officer cannot agree.
- The course is in some way unusual or outside the normal scope of the scheme.
- The cost of the programme is unusually high.
- The study method is open learning.
- The course leads to qualification at Masters level or above.

2.4 In this case, the application relates to a qualification at Doctorate Level.

3. APPLICATION DETAILS

3.1 Caroline O'Neill

Course Requested - DBA

Cost – Approximately £1,790 per annum for 3 years. Funding will be shared between the departmental training budget and from funding the postholder has brought in by working with Darlington Borough Council on a range of projects there.

Duration – 3 years from September, 2011 to July, 2014.

3.2 Departmental Support

Caroline O'Neill works as Assistant Director Performance and Achievement and wishes to study for a DBA. This was agreed last year through appraisal with the Director of Child and Adult Services and discussed at the time with the Portfolio Holder for Children's Services although the course itself does not commence until this September. This was highlighted through appraisal and reflects the change of the postholder's role due to Business Transformation, which now requires a significant strategic input in relation to service prioritisation, transformation and redesign. It will also help with the national and local strategic context in relation to the future of the responsibilities of the LEA in relation to education services which includes the creation of Academies/free schools, SEN changes, schools admissions and ongoing policy shifts in this area. The course will help the post to be a more effective leader and manager of staff and resources.

4. RECOMMENDATIONS

4.1 That the Portfolio Holder approves the application for post-entry training.

5. REASONS FOR RECOMMENDATIONS

5.1 Reasons are:

- Departmental training budgets can accommodate the costs.
- The qualification requested directly support the job role of the applicant.
- Hartlepool Borough Council will directly benefit from the postholders undertaking the course.

6. CONTACT OFFICER

Margaret Hunt, Child and Adult Services Department, Community Services, Hartlepool Borough Council.

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margaret.hunt@hartlepool.gov.uk

PERFORMANCE PORTFOLIO

Report to Portfolio Holder
15 June 2011



Report of: Assistant Chief Executive

Subject: CORPORATE COMPLAINTS PROCEDURE

SUMMARY

1. PURPOSE OF REPORT

The purpose of the report is to seek Portfolio approval of the revised corporate complaints procedure.

2. SUMMARY OF CONTENTS

The corporate complaints procedure was last revised in 2008. The Council has undergone a number of changes since then and the procedure no longer reflects how the Council operates. It is regarded as good practice to review the procedure on a regular basis.

The procedure operates effectively so there is no need for major changes.

The Coalition Agreement "Our Programme for Government" included the commitment to "abolish the Standards Board regime". It is intended to effect the abolition of the Standards Board regime through the Localism Bill. It is anticipated that the Bill will receive Royal Assent late-2011. The section of the procedure dealing with member complaints is affected by this legislation and therefore the procedure will need to be reviewed and amended when the legislation is enacted.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder is responsible for the operation of the Council's corporate complaints procedure.

4. TYPE OF DECISION

Non-key.

5. DECISION MAKING ROUTE

Portfolio Holder only.

6. DECISION(S) REQUIRED

Subject to any amendments the Portfolio Holder wishes to make, the Performance Portfolio Hlder is requested to approve the corporate complaints procedure for adoption across the Council.

Report of: Assistant Chief Executive

Subject: CORPORATE COMPLAINTS PROCEDURE

1. PURPOSE OF REPORT

1.1 To purpose of the report is to seek Portfolio approval of the revised corporate complaints procedure (see **Appendix A**).

2. BACKGROUND

2.1 The Council has a responsibility to put in place arrangements for dealing with complaints. The Council achieves this through the operation of the corporate complaints procedure. Social care complaints for both children and adults are dealt with under separate procedures. These follow statutory regulations and are maintained and run by the Child and Adult Services Department.

3. MAIN CHANGES TO THE PROCEDURE

3.1 The table below summarises the main changes to the policy

Procedure paragraph	Proposed change
2.1	<p>The definition of a complaint has been amended to remain consistent with the Local Government Ombudsman’s definition. This reflects that increasingly public services may be provided in conjunction with contractors or partners. This is reflected in other parts of the procedure. For example paragraph 3.9; this requires officers dealing with complaints involving contractors or partners to provide a coordinated response.</p> <p>New definition: “A complaint is an expression of dissatisfaction about a council service (whether that service is provided directly by the council or by a contractor or partner) that requires a response.”</p> <p>Old definition: “A complaint is an expression of dissatisfaction, however made, about the standards of service, actions or lack of action by the Council or their staff affecting an individual customer or group of customers.”</p>

Procedure paragraph	Proposed change
Para 2.4	The procedure now says a response “should” be made rather than “may”.
2.5-2.9	The Coalition Agreement “Our Programme for Government” included the commitment to “abolish the Standards Board regime”. It is intended to effect the abolition of the Standards Board regime through the Localism Bill. It is anticipated that the Bill will receive Royal Assent late-2011. This section of the complaints procedure is affected by that legislation and will be reviewed and amended when the legislation is enacted. A note is added to procedure to indicate the need for further review.
Para 2.14	<p>At present a report summarising corporate complaints is presented to the Portfolio holder every quarter. It is proposed to replace this with an annual report. An annual report is consistent with member reporting on social care complaints. Child and Adult Services Department report annually to Portfolio holders on social care complaints for children, adult social care and other services. This is a statutory requirement.</p> <p>In addition the Performance Portfolio holder also receives an annual report about complaints that have been dealt with by the Local Government Ombudsman.</p> <p>Information will continue to be provided quarterly to the Chief Executive (see Appendix B for monitoring form). This information will now also be reported to Corporate Management Team Support Group quarterly to ensure senior management receive regular reports on complaints. This is regarded as good practice. Key performance indicators (number of complaints received and number of complaints upheld) will be reported quarterly within the Chief Executive’s Department Plan quarterly monitoring report.</p>
Para 3.13	<p>If a complainant is not satisfied with the outcome of the investigation of their complaint, they have the right to request an appeal within 15 working days of the response to the complaint being sent out. It is proposed that the complainant is informed of the outcome within 15 working days of the Council receiving the request for an appeal.</p> <p>The current procedure is that the chief officer/director has</p>

Procedure paragraph	Proposed change
	10 working days to arrange the review and a further 5 working days to inform the complainant of the outcome. The proposal is to combine the two stages and retain the overall 15 working day limit. This offers more flexibility and has been requested by departments.
Appendix 2 2.2	The advice to investigators to make contact with the complainant at the start of the investigation process has been strengthened in line with good practice advice.

3.2 When the revised procedure is agreed the relevant changes will be made to public information such as the website and leaflet.

4. RECOMMENDATIONS

4.1 Subject to any amendments the Portfolio Holder wishes to make, the Performance Portfolio Holder is requested to approve the corporate complaints procedure for adoption across the Council.

HARTLEPOOL BOROUGH COUNCIL COMPLAINTS & COMMENTS PROCEDURE MAY 2011

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1. THE STRUCTURE OF THE COMPLAINTS SYSTEM

THE GENERAL STRUCTURE OF THE SYSTEM FOR DEALING WITH COMPLAINTS

1.1 The general structure of the system for dealing with complaints is as follows:

- All departments use the corporate complaints and comments procedure for all complaints by service users excepting complaints about social care. An overview of the corporate complaints procedure is set out on the next page with signposting to relevant sections of the procedure;
- Social care complaints for both children and adults are dealt with under separate procedures. These follow statutory guidelines and are maintained and run by the Child and Adult Services Department ¹;
- The Chief Executive's Department (Corporate Strategy Section) is responsible for co-ordinating and monitoring the authority's corporate complaints procedure and reports the authority's overall performance on complaints to elected members.

1.2 The corporate complaints procedures and principles which apply to all departments are set out in Section 2 below.

¹ Information about the social care complaints procedures is available on the Council's website or from the Complaints Officer in the Child and Adult Services Department.

OVERVIEW OF CORPORATE COMPLAINTS PROCEDURE AND TIMETABLE

WHAT	WHO	WHEN/WITHIN
1. Informal complaint – initial contact		
Sorting out problem without a formal investigation - see 2.1, 3.1	Dept resp. for service	No time limit but ASAP
2. Formal complaint - complainant not satisfied with attempt to sort out problem		
Acknowledge complaint in writing – see 3.7	Dept resp. for service	5 working days of receipt of complaint by HBC
Complete investigation and report outcome to complainant in writing - see 3.7	Dept resp. for service	15 working days of receipt of complaint by HBC
3. Review by Portfolio Holder (PfH) - complainant not satisfied with outcome of investigation		
Request for review by PfH – see 3.13	Complainant	15 working days of receipt of outcome letter
Review of complaint and inform complainant of outcome of review – see 3.13	PfH for service area. Arranged by dept resp. for service	15 working days of receipt of request
4. Appeal Panel Hearing -		
<i>PfH decides that complaint should be heard by panel</i>		
Request for appeal panel hearing – see 3.13 and Appendix 4	Complainant	15 working days of receipt of offer of panel hearing
Notify complainant of panel hearing date	Dem Services	10 working days of receipt of request for hearing
Hold panel hearing – See Appendix 5	Dem Services	No set deadline but ASAP
Inform of outcome of hearing	Dem Services	5 working days of panel hearing

See Appendix 8 for letter templates

2. PROCEDURES & DEFINITIONS

DEFINITION OF A COMPLAINT

- 2.1 This authority's definition of a complaint is that used by the Local Government Ombudsman:

"A complaint is an expression of dissatisfaction about a council service (whether that service is provided directly by the council or by a contractor or partner) that requires a response."

An initial attempt should always be made to settle a complaint straightaway without recourse to the formal complaints system by arranging for something to be done such as responding to requests for service, e.g. repairing a street light which needs attention, responding to a first complaint about a barking dog or providing information and explanation of council policy or practice.

EXCLUSIONS FROM THE PROCEDURE

- 2.2 There are various circumstances in which it would not be appropriate to use a general complaints procedure, since specific arrangements already exist to deal with the matter in question. The exclusions are listed below. It will not always be immediately obvious that a complaint falls into one of these categories, but as soon as it becomes so, the complainant should be informed and advised about how to proceed.
- Matters for which there is a right of appeal - an appeal within the council or to an independent tribunal - or where there is a legal remedy, e.g. appeal against a decision on eligibility for housing benefit or an equal opportunities appeal against a decision not to employ a job applicant;
 - Matters which are likely to be the subject of civil proceedings, a police investigation or disciplinary proceedings, e.g. a compensation claim against the council, accusations of financial impropriety or criminal behaviour.
 - Complaints by staff or former staff regarding a matter arising out of their employment.
- 2.3 If the complaint does not fall within the remit of the Complaints and Comments Procedure, complainants should, where possible, be advised where to direct their complaints (e.g. district auditor, the police, the Ombudsman, appeal to a tribunal etc.)

COMPLAINTS ABOUT COUNCIL APPROVED POLICY AND PRACTICE

- 2.4 Complaints about the council's policies and about decisions made by elected members do not fall within the remit of a complaints procedure that is related to

services administered by officers of the council. However complaints are sometimes made to officers about decisions made by the council and its decision making bodies. These should be recorded and forwarded to the relevant portfolio holder or committee chair and the complainant informed that this has been done. A substantive response should be made the complainant by the relevant portfolio holder or committee chair.

COMPLAINTS ABOUT ELECTED MEMBERS, INCLUDING THE MAYOR

Note: The Coalition Agreement *Our Programme for Government* included the commitment to “abolish the Standards Board regime”. It is intended to effect the abolition of the Standards Board regime through the Localism Bill. It is anticipated that the Bill will receive Royal Assent late-2011. This section of the complaints procedure is affected by that legislation and will reviewed and amended when the legislation is enacted.

a) Complaints of breach of the Code of Conduct

2.5 Anyone who considers that a Member of the Council may have breached the Code of Conduct may make a complaint through the Standards Committee. In turn, the Standards Committee are required to establish sub-committees to carry out the separate functions involved in the handling of such cases, as follows;

(i) The initial assessment of the complaint.

(ii) Any request from a complainant to review a decision to take no action in relation to a complaint.

(iii) Any subsequent hearing of the Standards Committee to determine whether a member has breached the code and, where appropriate, to impose a sanction on that Member.

2.6 A complaint should initially be directed to the Chair of the Assessments Sub-Committee who will determine whether or not to refer the matter for investigation or whether other action (for example, training, conciliation, instituting changes to procedures) should be taken or that no action should be taken. The aim is to complete the initial review within an average of 20 working days.

2.7 Where it is determined that no action should be taken, then a complainant has a right to request a review of that decision. It should be noted that the Standards Committee can only deal with complaints about the behaviour of a Member in relation to the Code of Conduct. A complainant has a right to request a review within 30 days from the date of the decision. As indicated above, a differently constituted sub-committee to that involved in the original decision will undertake a review and the sub-committee must carry out its review within a maximum of three months of receiving the request. It will then be for the Review Sub-Committee to determine whether the complaint should be referred to the Council’s Monitoring Officer (Chief Solicitor) for the purposes of investigation or should be referred to the Standards Board for England.

b) Complaints other than of breach of the Code of Conduct

2.8 All other complaints about elected members will be dealt with, initially, by the Chief Executive who will decide whether or not they should be pursued and by whom. If pursued:

- complaints involving accusations of impropriety will be dealt with through existing mechanisms set up to specifically deal with such matters, such as the Council's Standards Committee or, where appropriate, the Police;
- complaints about the behaviour of elected members, e.g. failure to provide promised assistance, offensive behaviour etc., will generally be referred either to the political party organisations, where applicable, or, at the Chief Executive's discretion, to the Standards Committee.

c) Where it is uncertain whether a complaint is within a) or b)

2.9 Where there is any doubt whether a complaint is intended to be a complaint of breach of the Code of Conduct or a complaint which may be dealt with by other means, the Monitoring Officer will make a decision (after communicating with the complainant) to determine whether or not the complaint should be referred to the Standards Committee under a) or referred to the Chief Executive under b).

N.B. The Code of Conduct for Councillors and Co-opted Members is published in the Council's Constitution, Part 5 – Codes and Protocols. This is available on the Council's website, the Intranet or, if a paper copy is required, from the Democratic Services Team, Corporate Strategy Division, Chief Executive's Department.

COMPLAINTS ABOUT THE CHIEF EXECUTIVE OR DEPARTMENTAL DIRECTORS

2.10 Formal complaints about the Chief Executive:

- will be referred to the council's Monitoring Officer, the Chief Solicitor, for investigation;

2.11 Formal complaints about departmental directors:

- will be referred directly to the Chief Executive for investigation.

COMPLAINTS MADE DIRECTLY TO THE CHIEF EXECUTIVE

2.12 Initial complaints made by members of the public directly to the Chief Executive will be forwarded to the appropriate department/division's nominated officer to be investigated according to the corporate complaints procedure.

2.13 If a complainant has already complained to a department and feels that they have not received a satisfactory response, the case will be referred to the director of the department/head of service to double check that the complaints procedure has been properly and fully administered and that, if appropriate, the complainant has been offered the opportunity to appeal to elected members. If this is the case, the

complainant will be informed of their right to complain to the Local Government Ombudsman.

MONITORING AND REPORTING OF COMPLAINTS PERFORMANCE

2.14 All departments will report quarterly to the Chief Executive on the complaints received in the previous 3 months. The reports will include:

- the number and type of complaints received;
- the outcome of the complaints;
- the number settled within departmental deadlines;
- reasons for going over deadlines;
- actions arising/lessons learnt.

An annual report will be made to elected members on complaints performance. An annual, publicly available report is required to comply with national guidelines on good practice and will be subject to audit.

COMMON COMPLAINTS & COMMENTS FORM

2.15 A common complaints and comments leaflet and form should be made available to members of the public which is equally applicable in all circumstances/for all departments. This is intended as a mechanism for getting complaints and comments into the system easily and, therefore complements rather than replaces other departmental paperwork. A common equality form should also be used. (See Appendix 1 for copies of leaflet and forms) The leaflet and forms should be available, on request, in alternative formats, e.g. community languages, Braille, large print etc. Copies can be obtained from the Corporate Complaints Officer.

CORPORATE COMPLAINTS OFFICER

2.16 The Corporate Complaints Officer will:

- co-ordinate and monitor the authority's complaints procedures to ensure that all members of the public who wish to complain receive a similar, high level of service;
- re-direct to relevant departments any complaints received centrally;
- collect and collate quarterly returns from departments;
- report complaints performance to elected members;
- support and advise departments involved in complaints appeal hearings;
- co-ordinate the authority's responses to complaints being investigated by the Local Government Ombudsman;
- monitor complainants' satisfaction with how their complaints are dealt with; and

- collection of diversity monitoring data

3. DEALING WITH COMPLAINTS COMPLIMENTS & COMMENTS

COMPLAINTS

- 3.1 An initial attempt should always be made to settle the complaint straightaway without recourse to the formal complaints system, e.g. by arranging for something to be done. The majority of complaints should be resolved in this way. Direct contact with the complainant, by phone or in person, is recommended to clarify whether the issue is a complaint, what outcome the person desires and whether this can be achieved.
- 3.2 Officers should be aware of, and sensitive to, the special needs of people with disabilities, people whose first language is not English and people with literacy problems and be equipped to deal with these service users. Consideration should be given to putting people in touch with a suitable agency (e.g. CAB or an advocacy service) which can help them during the complaints process. Information on translation and interpretation services available to council officers is available on the Intranet under “Diversity”.
- 3.3 The complaints procedure should be publicised and readily available to members of the public. Efforts should be made to ensure that all those who might wish to complain are given the opportunity, and where necessary, assistance to complain. Leaflets/forms and posters should be placed in all reception areas/service points. Workers in regular contact with the public away from service points should be supplied with leaflets/forms and, if necessary, information on how to help people make a complaint.

FORMAL COMPLAINTS

- 3.5 If a complaint cannot be resolved informally, all complainants should be given the opportunity to make a formal complaint and must be informed of the complaints procedure. The complaints leaflet has a brief outline of the complaints procedure. A complaint becomes a formal complaint when the person remains dissatisfied with the service they have received and wish to take their complaint further.
- 3.6 Formal complaints can be made initially in writing, by email, on-line form or phone, in person or through a third party, e.g. a relative, friend or councillor. (NB Third party complaints can only be accepted if the complainant has consented to the complaint being made on their behalf) A complaint does **not** have to be made on an official complaint form by the complainant to be treated as a formal complaint. However, a formal complaint should be recorded in the department’s complaints system on a standard complaints form. Some departments may, for operational purposes, also wish to keep a record of complaints that are settled without a formal complaint being lodged (as discussed at 3.1), but these should be recorded separately.

TIMESCALES

- 3.7 All complaints should be responded to within 15 working days. Complainants must be informed, in writing, within 5 working days of making their complaint, as to who will be dealing with the complaint and when they can expect to get an answer. If the deadline is not going to be met, complainants must be informed of the reasons for the delay and given a new deadline. A copy of the complaints leaflet should accompany this letter.
- 3.8 All complainants who register a formal complaint should receive a copy of the Diversity Monitoring Form (See Appendix 2) and a pre-paid envelope for its return. It is recommended that this accompany the written acknowledgement of the complaint. To enable the forms to be used for monitoring purposes, departments should ensure that the unique complaint serial number is on the form before it is sent out.

COMPLAINTS OFFICERS

- 3.9 All departments/divisions should nominate a senior officer who is responsible for co-ordinating the handling of complaints and ensuring that the Council's procedure is properly followed. Whilst it need not be the responsibility of the nominated officer to undertake all complaints investigations, it is recommended that this officer reviews all responses to formal complaints before they are sent to the complainant. The officer investigating the complaint should not have been directly involved in the action or decision being complained of. (See Appendix 3 for Guidance on Good Investigative Practice). Where complaints involve both the Council and another body, for example an organisation commissioned to provide services on behalf of the Council, care should be taken to ensure that the complainant receives a full, co-ordinated response to their complaint and is not passed between organisations.
- 3.10 The nominated officer will be responsible for making a quarterly complaints report to the Chief Executive who will make an annual report to elected members.

CONFIDENTIALITY

- 3.11 The identity of the person making a complaint should be made known only to those who need to consider the complaint and should not be revealed to any other person or made public by the Council. It may not be possible to preserve confidentiality in some circumstance, e.g. where relevant legislation applies or allegations are made which involve the conduct of third parties. Complainants should be advised about this, if it becomes necessary.

SUPPORT FOR STAFF

- 3.12 Employees who are the subject of a complaint should be informed that the complaint has been made, how the complaint will be investigated and what the outcome of any investigation is. If an investigative interview is necessary, the employee should, where possible, be given 2 days notice of the interview and they should be offered the option of being accompanied by a colleague or union representative. Support from the Employee Wellbeing Team may be appropriate.

APPEALS

- 3.13 If a complainant is not satisfied with the outcome of the investigation of their complaint, they have the right to request an appeal within 15 working days of the response to the complaint being sent out. Requests for an appeal should be referred to the appropriate portfolio holder, who will review the documentation and decide whether or not an appeal should be heard by the General Purposes (Appeals) Committee (See Appendix 4 for Appeal Review by Elected Members). The complainant will be informed of the outcome within 15 working days of the Council receiving the request for an appeal. The Committee is chaired by the Vice Chair of the Council who will hear appeals with four other members selected from a rota of all members. Appeals Committee members will receive a briefing on procedures prior to involvement in any appeals hearing. (See Appendix 5 for Complaints Appeal Hearing Procedure)

N.B. The arrangements for appeals will necessarily vary from service to service, e.g. in the case of Complaint Review Panels in children's social care, these are required by law to have an independent chair and 2 independent panellists and are subject to statutory timescales."

AT THE END OF A COMPLAINT

- 3.14 When a complaint has been investigated, all complainants should be informed of their right to complain to the Local Government Ombudsman (LGO) for an independent investigation of their complaint and should be given information on how to do this. The complainant has the right to complain to the LGO at any stage in the complaints procedure. However, in most cases, the Ombudsman's office requires that a complaint goes through all the Council's procedure before the LGO will investigate. The LGO will generally refer complaints back to the Council for investigation through its own procedure. Complainants who wish to go straight to the LGO may need to be informed of the LGO's policy.
- 3.15 Where a complaint has been upheld, the Council should always offer some type of remedy for it. This may range from an apology and a promise to avoid similar problems in the future to, in a very small number of cases, financial compensation. (See Appendix 6 for Remedies for Complaints)
- 3.16 The authority aims to learn from complaints and complaints officers are asked to report on lessons learnt from complaints and action taken to prevent a recurrence of the problem.

COMPLAINTS OUTSIDE THE PROCEDURE

- 3.17 In cases where the departmental complaints procedure is not appropriate, e.g. where case law absolves local authorities of responsibility, where the complainant has recourse through the civil courts, or where the matter is likely to be the subject of a police investigation, the complaints procedure should not be set in action. Complainants should be informed of the legal situation and told that the complaints procedure cannot be used in their case. Where appropriate, they should be informed of the correct way to appeal/take their case further.

- 3.18 Complaints should be made within 12 months of the original problem occurring. In certain circumstances this time limit may be extended, e.g. the complainant did not find out that the Council was responsible for creating a particular problem until after the 12 months time limit.

PERSISTENT AND UNREASONABLE COMPLAINTS AND COMPLAINANTS

- 3.19 In general, dealing with a complaint is a straightforward process but in a minority of cases people pursue their complaints in a way that can impede the investigation of their complaint or can have significant resource implications for the authority. A policy has been formulated to deal with the very small number of complainants whose frequency of contact with the authority, insoluble and persistent complaints, or unacceptable behaviour makes it necessary for special measures to be taken. (See Appendix 7)
- 3.20 Before implementing any of the provisions in this policy, officers must consider whether the Council's procedures have been followed correctly, whether full and reasonable responses have already been given and whether the complainant is now inappropriately persistent or behaving unreasonably.

COMMENTS & COMPLIMENTS

- 3.19 Comments and compliments should be dealt with promptly. Appropriate responses to suggestions and comments should be made by departments. Compliments should be gratefully acknowledged, where appropriate, and shared with the officers concerned. Departments may wish to record and report on comments and compliments within their departments to help improve the management of services.

APPENDIX 1 LEAFLET AND FORM

PDF TO BE ADDED WHEN PROCEDURE FINALISED

HARTLEPOOL
BOROUGH COUNCIL**APPENDIX 2 DIVERSITY MONITORING OF THE COMPLAINTS PROCEDURE**

We want to find out if we are giving as good a service as we can do to all complainants. To help us do this, please fill in this form and send it to us. **The information you give us will not affect the way in which your complaint is handled.** This information will only be used to make sure that the complaints procedure is working properly.

PLEASE TICK THE BOXES THAT APPLY TO YOU

1. Which of the following best describes you?

WHITE

- British
- Irish
- other white background

**BLACK OR BLACK
BRITISH**

- Caribbean
- African
- other black background

MIXED

- white and black Caribbean
- white and black African
- white and Asian
- other mixed background

**ASIAN OR ASIAN
BRITISH**

- Indian
- Pakistani
- Bangladeshi
- other Asian background

CHINESEOther ethnic group

2. Sex

Male Female

3. Do you consider yourself to have a disability?

Yes No

4. How old are you?

- Under 16 years 16 to 25 years 26 to 35 years
- 36 to 45 years 46 to 55 years 56 to 65 years
- 66 years and over

When you have filled in this form, please return it in the freepost envelope provided to: Corporate Strategy Chief Executive's Department, Hartlepool Borough Council, Civic Centre, Hartlepool TS24 8AY.

APPENDIX 3 GUIDELINES FOR GOOD INVESTIGATIVE PRACTICE

1. Introduction

- 1.1 The majority of complaints are likely to be dealt with speedily and simply. For cases where a more substantial inquiry is required, these notes are intended as guidance for investigating officers.

2. The Complaint

- 2.1 Check if there are any previous complaints from this person.
- 2.2 Make sure that you have a clear account of the complaint. It is strongly recommended that the investigator has a meeting or telephone conversation with the complainant to clarify the complaint, what outcome the person desires and whether this can be achieved. (See Section 4 on Interviews for guidance on preparing for and carrying out interviews)
- 2.3 Set out in writing your understanding of the complaint and, if necessary, provide a copy for the complainant. This may be necessary in cases where, for example, the complainant has registered their complaint in person or over the phone and gives the complainant an opportunity to amend your description of the complaint if they wish
- 2.4 Clarify the outcome sought by the complainant.
- 2.5 Check whether the complainant needs support of any kind, or has poor sight or hearing, or a language difficulty, and check what help the complainant needs so as to be able to understand the discussion properly.
- 2.6 Make sure that the complainant is informed about the investigation procedure and if necessary, provide them with a copy of the complaints leaflet.

3. The Investigation

- 3.1 Brief yourself on the relevant legal, policy and administrative background to the complaint.
- 3.2 Assess whether the complaints procedure is the most appropriate way of handling this complaint. Consider possible alternative procedures, for example:
- an appeal to a tribunal;
 - a complaint to the Standards Board for England
 - legal action; or
 - police involvement.

Discuss the alternatives with the complainant as appropriate. As consideration of the complaint proceeds, the question of whether the complaints procedure is the appropriate mechanism should be reviewed as necessary. Consult with the Chief Solicitor and/or the Corporate Complaints Officer if you are in any doubt.

- 3.3 Consider whether the complaint could be resolved without further investigation.
- 3.4 If the complaint is about a proposed action of the council, consider whether the action should be deferred while the complaint is investigated.
- 3.5 Obtain all relevant documents (ensuring that you see the originals or scanned originals, not copies). These may include files, logbooks and time sheets. Get copies of all the documents you need. Complaints files should be securely stored and should not be kept longer than is necessary.
- 3.6 If appropriate, consider whether it would be worthwhile making an unannounced visit to the establishment complained about to check normal practices.
- 3.7 Establish the relevant sequence of events from the files and also the names of the officers/members most directly involved in the matters complained of. Decide which, if any, of these people you need to interview.

4. Interviews

- 4.1 Prepare the line of questioning for each person to be interviewed:
 - use open, not leading, questions;
 - do not express opinions in words or in your body language; and
 - ask single, not multiple, questions.
- 4.2 Arrange the order of interviews so that, where you need to establish what procedure are normally followed, you do this first with more senior officers and end with the officers most directly involved in the matters complained of.
- 4.3 Inform all those to be interviewed that they can be accompanied by a friend or union representative, provided the friend is not the supervisor of the interviewee. Explain the complaint clearly to them.
- 4.4 Consider whether you need a witness to an interview that may be particularly difficult.
- 4.5 Interviews should be conducted in an informal and relaxed manner, but persist with your questions, if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.

- 4.6 Try to separate hearsay evidence from fact by asking interviewees how they know a particular fact.
- 4.7 Deal with conflicts of evidence by seeking corroborative evidence. If this is not available, then as an exceptional measure, consideration can be given to organising a meeting between the conflicting witnesses.
- 4.8 At the end of the interview, summarise the main points covered and ask if the interviewee has anything to add.
- 4.9 Make a formal record of the interview from your written notes as soon as possible after the interview, while your memory is still fresh. Never leave it longer than the next day.

5. Reporting on the Investigation

- 5.1 Complainants should be informed in the initial, written acknowledgement of their complaint when they should expect to hear the outcome of the investigation. If this original deadline is not going to be met, complainants should be kept informed of the progress of their complaint. They should be informed of the reason for the delay and given a revised date for the completion of the investigation.
- 5.2 Write a report/response letter setting out the evidence obtained, adding your conclusions as to whether it was upheld in part or not upheld. Where appropriate, suggest a remedy (See Appendix 4). Circulate the report to all those interviewed and to the complainant. Offer the complainant the opportunity to have their complaint reviewed by elected members, if they are dissatisfied with the outcome, and remind them that they may complain to the Local Government Ombudsman at any time if they wish.
- 5.3 Where an investigation has been particularly complex, e.g. where a number of people have been interviewed, you may wish to consider writing a draft report setting out the evidence obtained. This could be circulated for checking of factual accuracy to all those interviewed, including the complainant, unless there are special reasons not to do so. This can help ensure that your account of events and understanding of the case is as accurate as possible.
- 5.4 Having considered any comments received, the report would be amended as necessary, adding conclusions and, if appropriate, a suggested remedy for the complainant. The report should consider any lessons to be learnt from the complaint and what changes should be made or considered to procedures, systems etc. This final report would then be sent out to all those interviewed. Offer the complainant the opportunity to have their complaint reviewed by elected members, if they are dissatisfied with the outcome, and remind them that they may complain to the Local Government Ombudsman if they wish.

APPENDIX 4 HARTLEPOOL BOROUGH COUNCIL COMPLAINTS PROCEDURE - APPEAL REVIEW BY ELECTED MEMBERS

1. When is a complaint reviewed by elected members?

If the person complaining is not satisfied with the outcome of the investigation of their complaint, they have the right to appeal. When they receive the letter from the authority informing them of the outcome of the investigation, they are told of their right to have their complaint reviewed by a senior elected member and asked to inform the department concerned within 15 working days if they wish a review to be done.

2. How is the review done?

The chief officer/director is informed of the request for a review and will arrange for it to take place as soon as possible. The complainant will be informed of the outcome of the review within 15 working days of the portfolio holder reviewing the information.

Complaints reviews will usually be the duty of the relevant portfolio holder. The portfolio holder will review the documentation and decide whether or not the appeal should be heard by the General Purposes (Appeals) Committee.

Documentation should include the original complaint, any subsequent correspondence from the complainant, the authority's written response to the complainant and a short covering report by the divisional complaints officer/chief officer. The director or chief officer concerned may wish to brief the portfolio holder, e.g. to provide information on the service being complained about.

The portfolio holder will determine whether or not the complaint has been dealt with properly and fairly, in accordance with the complaints procedure and the authority's policies. He/she may decide that a complaints appeal should be heard by the General Purposes (Appeals) Committee. Alternatively he/she may decide that it would serve no useful purpose to hold a meeting of the committee as the complaint has been fully and properly dealt with.

3. Why would members recommend that an appeal be heard by the General Purposes (Appeals) Committee?

Portfolio holders may consider that a committee hearing should be held if, on the basis of the information they have reviewed, there is a possibility that:

- the decision reached by the complaints investigation was not consistent with the circumstances of the case;

- the complainant has been treated unfairly or differently in similar circumstances to someone else;
- the authority has failed to put right, or acknowledge that it has made a mistake;
- the remedy offered to the complainant is not appropriate.

The types of cases that would not be considered by the committee include

- which deal with matters where no case can be made that would cause members to make an exception to normal practice;
- where a person is complaining about a policy or decision of the council or central government, e.g. the rules for entitlement to council tax benefit;
- where new information has emerged cases will normally be referred back to the department to see whether the original decision needs to be changed.

5. What happens next?

If the portfolio holder decides that a committee hearing would be appropriate, the department will contact the complainant offering them the opportunity to put their complaint before the committee. They have 15 working days to let the authority know whether or not they wish their complaint to be considered by the committee. If the complainant wants a hearing, the Democratic Services Team will arrange for a committee meeting to be held. The Democratic Services Team will notify the complainant of the date of the committee meeting within 10 working days of them registering their desire to appeal. They will send them information on the procedure for appeals hearings and copies of the complaint information that the committee members will receive, and will request the complainant to nominate any people, e.g. council staff or other witnesses, whom they feel could give useful information to the committee on the matter being complained about.

6. Who will make a decision about the appeal?

The committee which makes the decision about the appeal will be made up of the Vice-chair of the Council and 4 other members selected from a rota. The meeting will be serviced by a member of the Democratic Services team. The department/section complained against will be represented by a senior officer who will put the department's case and the complainant is given the opportunity to put their case and ask questions of people, such as council staff or other witnesses, who have been asked to attend by the committee.

APPENDIX 5 HARTLEPOOL BOROUGH COUNCIL COMPLAINTS PROCEDURE - COMPLAINTS APPEAL HEARING PROCEDURE

1. Who will be at the hearing?

- There will be a committee of five councillors who will decide whether or not the complaint has been properly dealt with;
- The person making the complaint. The complainant may be accompanied by a representative or supporter. As the complaints hearing is not a legal hearing, representation by a solicitor is not appropriate;
- A senior officer from the department or section being complained about;
- Any members of the Council's staff or other witnesses who can give information on the matter complained about. They may be called by the senior officer or required to attend by the Committee;
- A Democratic Services officer will take notes of the meeting.
- In complex cases, an independent officer from the Chief Executive's Department may be asked to attend as an advisor to the panel.

2. Opening the hearing

The Chair of the committee will introduce all the people present and explain why each person is there. He/she will make sure that the complainant understands the procedure to be followed. (The complainant will already have received a copy of the procedure in advance of the meeting)

3. Listening to the complainant

- a. The person complaining, or their representative, will present their case. This will usually be a summary of why they originally complained and the reasons why they are dissatisfied with the way the complaint has been handled.
- b. The person complaining, or their representative, can question any relevant witnesses and/or give evidence in support of their case.
- c. The members of the committee may ask questions.
- d. The officer representing the department/section complained about may ask questions.

The person with the complaint may ask further questions of any witnesses, but only to clear up any points raised in earlier questioning.

4. Listening to the department

- a. The senior officer will present the department's case, outlining how the department dealt with the case;
- b. Any relevant witnesses can be called.
- c. The members of the committee may ask questions.
- d. The person making the complaint, or their representative, can question the senior officer or any of the witnesses.

The senior officer may ask further questions of any witnesses, but only to clear up any points raised in earlier questioning.

5. Summing up

The person complaining, or their representative, and the senior council officer have an opportunity to sum up the information that they have given to the committee, if they wish.

6. Closing the hearing

The hearing meeting will be closed by the Chairman of the committee, who will explain that the committee will consider all the information they have been given and will inform the complainant of their decision and the reasons for it within 5 working days. The council department involved will also be informed of the decision.

The complainant, the senior council officer and all witnesses will then leave the hearing. The committee members, attended by the Democratic Services Officer and the independent officer, if present, will then consider the case and reach a decision.

7. Reporting the decision of the committee

Within 5 working days of the hearing, Democratic Services Team will notify the complainant, the council department involved and the Corporate Complaints Officer, in writing, of the committee's decision and the reasons for that decision. The complainant will be informed of their right to complain to the Local Government Ombudsman if they are still dissatisfied with the way they have been dealt with.

APPENDIX 6 REMEDIES FOR COMPLAINTS

1. Introduction

- 1.1 Where a complaint is upheld, the Council should always offer some type of remedy for it. An apology will normally be appropriate and other action may also be justified.
- 1.2 If the council is found to have been at fault, it will be necessary to consider whether it caused injustice to the complainant and, if so, what the injustice was.

2. Types of Action for Consideration

- 2.1 The general aim of a remedy is that, as far as possible, complainants should be put in the position they would have been in if things had not gone wrong. The remedy needs to be appropriate and proportionate to the injustice suffered by the complainant.
- 2.2 Possible remedies include:
 - an apology;
 - an clear explanation of what happened and why it happened;
 - an assurance that it will not happen again and that the situation will be monitored to ensure this;
 - action that can be taken to put things right, e.g. back dating of benefit claim or providing the service required by the complainant;
 - action that can be taken to mitigate the injustice if it cannot be put right, e.g. providing specialist equipment or additional tuition for a child whose education has been adversely affected by maladministration in assessing for special educational need; and
 - financial compensation, where appropriate.

3. Financial Compensation

- 3.1 Financial remedies may be appropriate in a very small proportion of cases, such as where the complainant's legal rights have been infringed. If a person has been put to unnecessary expense as a result of the council's actions, the Council may wish to recompense them. Each case will need to be judged on its merits.
- 3.2 Cases where significant compensation is being requested or considered and those where compensation is being considered for distress or worry caused by the Council, will be decided on by the chief officer or director concerned, in consultation with the Corporate Complaints Officer, the Chief Solicitor and, where appropriate, elected members.

- 3.3 The General Purposes Committee has been delegated the powers to determine payments or other benefits to individuals under Section 92 of the Local Government Act 2000.
- 3.4 Chief Officers have been delegated the power to determine payments or other benefits to individuals, in consultation with the Monitoring Officer, under Section 92 of the Local Government Act 2000, to a maximum of £1,000.

4. Reviews

- 4.1 If a complaint is upheld, the council should, as a matter of routine, consider whether there is a need for a change in procedures or whether there are some lessons to be learnt which may have wider application.

5. Timescales

- 5.1 The department(s) dealing with the complaint should specify, and adhere to, a timescale within which the remedy will be implemented.

N.B Further advice on remedies and information on how they are dealt with by the Local Government Ombudsman is available in “Remedies – Guidance on Good Practice 6”, Commission for Local Administration, February 2005 (LGO 307 (02.05)). Website: www.lgo.org.uk

APPENDIX 7 UNREASONABLY PERSISTENT COMPLAINANTS & UNREASONABLE COMPLAINANT BEHAVIOUR POLICY

1. Introduction

- 1.1 In general, dealing with a complaint is a straightforward process, but in a minority of cases people pursue their complaints in a way that can impede the investigation of their complaint or can have significant resource implications for the authority. This policy has been formulated to deal with the very small number of complainants whose frequency of contact with the authority, insoluble and persistent complaints, or unacceptable behaviour makes it necessary for special measures to be taken.
- 1.2 Before implementing any of the provisions in this policy, officers must consider whether the Council's procedures have been followed correctly, whether full and reasonable responses have already been given and whether the complainant is now inappropriately persistent or behaving unreasonably.

2. Unreasonably persistent complainants and/or unreasonable complainant behaviour

- 2.1 The following list, whilst not exhaustive, outlines some of the actions and behaviours of unreasonable and unreasonably persistent complainants.
- Having insufficient or no grounds for their complaint and making the complaint only to annoy or inconvenience the Council;
 - Refusing to specify the complaint, despite offers of assistance with this from the Council's staff;
 - Refusing to co-operate with the complaints investigation process whilst still wishing their complaint to be resolved;
 - Refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope;
 - Insisting on the complaint being dealt with in ways which are incompatible with the complaints procedure or good practice (e.g. insisting that there is no written record made of the complaint);
 - Making what appear to be groundless complaints about the staff dealing with the complaints, and seeking to have them dismissed or replaced;
 - Changing the basis of the complaint as the investigation proceeds and/or denying statements made at an earlier stage;
 - Introducing new information not related or substantive to the original complaint but which the complainant expects to be taken into account and commented on, or raising large numbers of detailed but unimportant questions and insisting they are fully answered;

- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved;
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into by, for example, excessive telephoning or sending emails to numerous council staff, writing lengthy, complex letters every few days and expecting immediate responses;
- Submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which the complainant insists make these “new” complaints which should be put through the complaints procedure.
- Adopting a “scattergun” approach - pursuing a complaint or complaints with different parts of the authority at the same time and/or with a Member of Parliament/a councillor/the authority’s independent auditor/the Standards Board/local police/a solicitor/the Ombudsman;
- Refusing to accept a complaints decision – repeatedly arguing the point and complaining about the decision.
- Behaving in an abusive, offensive or threatening manner towards Council employees or their families (See para 2.2);
- Combinations of some or all of these

2.2 Abusive, offensive or threatening conduct may need to be dealt with through the Employee Protection Register Policy and Procedures. The authority has a duty to provide a safe working environment and system of work for its employees. This policy puts into place a register of people and addresses which constitute a potential threat to the safety of staff when they come into direct face to face contact.

3. Being reasonable

- 3.1 It is reasonable for complainants to raise legitimate queries or criticisms of a complaints procedure as it progresses. For example, if agreed timescales are not met and a complainant expresses dissatisfaction, this should not, in itself, lead to someone being regarded as unreasonable or unreasonably persistent.
- 3.2 Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it, e.g. by requesting a member review and/or taking it to the Ombudsman, should not necessarily cause the complainant to be labelled as unreasonable or unreasonably persistent.
- 3.3 The Council should offer appropriate support to all complainants and be aware of and sensitive to any special needs of the complainant. Consideration should be given to putting people in touch with a suitable agency (e.g. CAB or an advocacy service) which can help them during the complaints process. There may also be a need for support through the translation of documents into appropriate languages or formats and interpretation services for meetings etc. (See the Corporate Complaints Procedure, para 3.3)

4. Deciding to take action

- 4.1 The decision to classify a complainant as unreasonably persistent or as behaving unreasonably should be made by the director of the service concerned, in consultation with the Corporate Complaints Officer and the Chief Solicitor. In the case of dispute about the classification of a complainant, the matter will be referred to the Performance Portfolio Holder for a final decision.
- 4.2 A written record should be kept of why the complainant is believed to be unreasonable; what information has been considered; and how decisions have been made. The Council must be able to demonstrate that it has acted in a fair and objective way.
- 4.3 If more than one department is being contacted by the complainant, perhaps with different complaints, the Council must consider setting up a joint meeting to agree a cross-departmental approach and nominating a key officer to co-ordinate the Council's response.

Initial notification

- 4.4 When unreasonably persistent or unreasonable behaviour has been identified, the unacceptable behaviour should be explained to the complainant, usually by letter, and the complainant will be asked to modify their behaviour. An explanation of the action the Council is likely to take if the behaviour is not modified should also be given.

5. Options for restricting a complainant's contact with the Council.

- 5.1 If the complainant does not modify their behaviour, the options which the Council may consider are:
- a. Refusing to accept a complaint or to amend the terms of a complaint;
 - b. Requesting contact to be in a particular format (e.g. letters only);
 - c. Requiring contact to take place with one named member of staff only;
 - d. Restricting telephone calls to specified/times/days/duration;
 - e. Requiring any personal contact to take place in the presence of an appropriate witness;
 - f. Letting the complainant know that the Council will not reply or acknowledge any further contact from him or her on the specific topic of that complaint;
 - g. Restricting access to one or more Council premises. (N.B. Care must be taken not to interfere with a complainant's statutory rights, e.g. to attend Council meetings or view papers, when making such a restriction.)
- 5.2 These options are not exhaustive and other factors individual to the case or service may be relevant in deciding on an appropriate course of action. For

example, any arrangements for restricting a complainant's contacts must take into account the complainant's circumstances such as age, disability, literacy level, race etc.

- 5.3 If none of the options listed at 5.1 offer the protection that staff are entitled to, other options may be available, such as issuing an injunction against a complainant or involving the police. These will be considered on a case by case basis, in consultation with the Chief Solicitor.

6. After a decision to restrict contact has been made

- 6.1 When a decision has been made as to the appropriate restrictions to be used, the departmental director, in consultation with the Chief Solicitor and Corporate Complaints Officer, will write to the complainant explaining the Council's decision and what restrictions are being made and, if appropriate, for how long. A client's special needs, e.g. literacy problems or language difficulties, may make a face to face meeting appropriate to give this information to the complainant.
- 6.2 If the complainant feels that the authority is acting improperly or unfairly in making the restrictions, they have the option of complaining to the Local Government Ombudsman. They should be informed of this option in the letter laying out the restrictions.
- 6.3 A copy of the decision letter and a note on the decision should be sent to the Corporate Complaints Officer, all departmental complaints co-ordinators and departmental directors.
- 6.4 The Performance Portfolio Holder will be informed of any decisions to restrict contact.
- 6.5 Appropriate managers and staff, e.g. those likely to be involved in implementing the restrictions should be notified of the decision.

7. Reviewing decisions

- 7.1 All restrictions will be subject to review, at least once every 12 months. Departments may wish to review within a shorter time period, to take account changes in circumstances and/or behaviour.
- 7.2 Reviews will be undertaken by the department concerned, in consultation with the Corporate Complaints Officer and the Chief Solicitor. Complainants should be notified that a review has taken place and of its outcome.
- 7.3 The outcomes of all reviews should be sent to the Corporate Complaints Officer, all departmental complaints co-ordinators and departmental directors.

Agreed by: Performance Portfolio Holder, add date

APPENDIX 8 LETTER TEMPLATES

These letters are provided as guidance only, as examples of how complaints correspondence can be handled.

- a. Acknowledgement of a complaint
- b. Response to a complaint/report of a complaint investigation
- c. Response to a complaint excluded from the complaints procedure

ACKNOWLEDGEMENT LETTER – Suggested format

Dear ...*name of complainant*...

FORMAL COMPLAINT ABOUT*type of complaint*.....

Thank you for your letter/phone call/visit/e-mail of (*date*) to explain your complaint about*subject of complaint*.....

(I enclose a note of the information you provided/copy of a complaints form which sets out your complaint. Could you please read through it and let me know if there are any mistakes or anything missed out. If you wish it to be changed, can you please contact me as soon as possible to let me know.)

Your complaint will be investigated by*name of officer*..... of this department. We will be in touch with you within 15 working days, that is by ...*date*... , to let you know the outcome of the investigation. If the investigation is going to take longer to complete we will be in touch and let you know when you can expect to hear from us.

I would be very grateful if you would complete and return the enclosed monitoring form in the pre-paid envelope provided. This helps us to ensure that we are providing a good service to all complainants. This information will not be used in the investigation of your complaint and will not affect the way your complaint is handled.

I also enclose a copy of the complaints leaflet which explains how the Council's complaints procedure works.

Yours sincerely

Enc.

* *When a complaint has been registered by phone or visit, complainants should be provided with a written account of their complaint, to ensure their agreement of what the complaint covers and what is to be investigated. This can be in the form of a completed complaints form or a note which covers the same topics.*

OUTCOME OF INVESTIGATION – Suggested format

Dear ...*name of complainant*... ,

FORMAL COMPLAINT ABOUT*description of complaint*.....

As promised in our letter of ...*date*..., I am writing to let you know the outcome of our investigation of your complaint.

Your complaint to the Council is that..... *brief summary of complaint*

Your complaint has been investigated and the findings are set out below.

.....*A brief report of your investigation covering each element of the complaint in turn. This may include, for example, a summary of information collected/ a copy of the report by the investigating officer/a sequence of events/ reasons for Council decisions or actions/ factors taken into consideration when make judgement on the complaint/ etc., as appropriate.*

I trust that I have covered all the points raised in your formal complaint. Please contact me if you feel this is not the case. Having reviewed this case, I therefore conclude that your complaint is *upheld/partly upheld/not upheld*.

(If “upheld” or “partly upheld”, a remedy of some sort should be offered. This can be an apology, a promise to ensure that it doesn’t happen again, arranging for a service to be provided, etc, etc. See Appendix 5 of Corporate Complaints Procedure.)

I hope these comments indicate clearly the Council’s position in response to your complaint. If you wish to take this matter further with the Council, you have the right to appeal against the outcome. Any appeal would be referred to the Council’s ...*relevant PfH*.... Portfolio Holder (a member of the Council’s Cabinet) who would review the documentation and decide whether or not the appeal should be heard by the General Purposes Committee. I enclose a leaflet explaining the complaints procedure and the next stage of the process, should you wish to pursue it. If you wish your complaint to be reviewed by the Portfolio Holder, please let me know within 15 working days, that is by ...*date*.....

The leaflet also explains how to complain to the Local Government Ombudsman who can make an independent investigation of your complaint, if you remain unhappy with the way we have dealt with it.

Yours sincerely

Enc.

FORMAL COMPLAINTS MONITORING - 2011/12 – Quarter 1 – 1st April to 30th June 2011

DEPARTMENT/DIVISION:

COMPLAINTS CO-ORDINATOR:

SECTION 1 COMPLAINTS RECEIVED THIS QUARTER

1a. Total number of formal complaints received this quarter	1b. No. forwarded for investigation	1c. No. outside remit of corp./ social care complaints procedures	1d. No. others not counted in 1b or 1c

SECTION 2 OUTCOMES OF COMPLAINTS DETERMINED THIS QUARTER

2a. Total number of formal complaints with outcome determined	2b. Response times		2c. Outcome		
	No. responded to within deadline (15 working days for corporate/ 20 working days for social care)	No. responded to outside of deadline (more than 15 working days for corporate/more than 20 working days for social care) *	No. of complaints not upheld	No. of complaints partly upheld **	No. of complaints upheld **

*** IF ANY OF THESE COMPLAINTS WERE RESPONDED TO OUTSIDE OF DEADLINE PLEASE COMPLETE DETAILS BELOW***

3a. Brief details of type of complaint	3b. Why complaint was outside of deadline	3c. Action taken to ensure deadlines met

**** IF ANY OF THESE COMPLAINTS WERE UPHELD IN PART OR IN FULL, PLEASE COMPLETE DETAILS BELOW****

4a. Brief details of type of complaint	4b. Remedy offered to complainant	4c. Action taken to prevent problem recurring

Please return the completed form to Lisa Anderson, Corporate Strategy Section, Chief Executive's Department, and Level 3, Civic Centre by <DATE>. E-mail: lisa.anderson@hartlepool.gov.uk. See notes below for guidance or call on (52)3041.

NOTES

SECTION 1

Include all corporate / social care complaints received in the quarter.

SECTION 2 - 2a.

Include:	Do not include:
<ul style="list-style-type: none"> Corporate complaints which have been fully investigated by the authority and where the corporate complaints procedure has come to an end in this quarter. It can end after the investigation, after review by the Portfolio Holder or after an appeal hearing, depending on how far the complainant wants to take it. (NB If, having been through the HBC complaints procedure, a complainant takes their complaint to the Local Government Ombudsman you should still treat the complaint as closed. The HBC procedure has ended in this quarter and the complaint should be included in the return). Social care complaints where Stage 1 of the procedure has been completed. 	<ul style="list-style-type: none"> Complaints which are still under investigation under the authority's complaints procedure. Complaints which are awaiting member review or an appeal hearing. Complaints currently being investigated by the Local Government Ombudsman which have already been reported on in a previous quarter's return.

2b. Response times

- Corporate complaints should receive a substantive response within 15 working days.
- Social care complaints should be responded to within a maximum of 20 working days at Stage 1.

3. WHEN THE COMPLAINT HAS BEEN RESPONDED TO OUTSIDE OF DEADLINE

3a. Type of complaint	3b. Reasons why complaint was responded to outside of deadline could include:	3c. Actions to prevent complaints being responded to outside of deadlines in the future might be:
Please give brief details as to the type of complaint, e.g. failure to collect recycle box, error in benefit payment, etc.	<ul style="list-style-type: none"> Investigating officer on leave Complaint did not reach department on time Complaint was too complicated to investigate within deadline 	<ul style="list-style-type: none"> Briefing staff/improving communications Training staff on procedures Reviewing / changing procedures Etc, depending on what is appropriate

4. WHEN THE COMPLAINT WAS UPHELD IN PART OR IN FULL

4a. Type of complaint	4b. Remedies could include:	4c. Actions to prevent recurrence might be:
Please give brief details as to the type of complaint, e.g. failure to collect recycle box, error in benefit payment, etc.	<ul style="list-style-type: none"> A written apology An explanation of how the problem happened Assurance that the problem will not recur Action taken to put the problem right, e.g. provision of a service, payment of benefits owing; Financial compensation Etc, depending on what is appropriate 	<ul style="list-style-type: none"> Briefing staff/improving communications Reviewing / changing procedures Reviewing / changing services Etc, depending on what is appropriate

PERFORMANCE PORTFOLIO
Report to Portfolio Holder
15th June 2011



Report of: Assistant Chief Executive

Subject: CORPORATE COMPLAINTS 2010/11

SUMMARY

1. PURPOSE OF REPORT

1.1 To report to the Portfolio Holder on complaints performance for 2010/11.

2. SUMMARY OF CONTENTS

2.1 The report covers performance information on formal complaints for 2010/11. The numbers of formal complaints are at a similar level to previous years. Departments continue to work on remedying complaints and learning from these contacts with service users.

3. RELEVANCE TO PORTFOLIO MEMBER

3.1 The Portfolio Member has responsibility for performance issues.

4. TYPE OF DECISION

4.1 Non-key.

5. DECISION MAKING ROUTE

5.1 Portfolio Holder meeting on 15th June 2011.

6. DECISION REQUIRED

6.1 That the report be noted.

Report of: Assistant Chief Executive

Subject: CORPORATE COMPLAINTS 2010/11

1. PURPOSE OF REPORT

1.1 To inform the Portfolio Holder of complaints performance in 2010/11.

2. FORMAL COMPLAINTS INFORMATION – 2010/11

Corporate complaints

2.1 In 2010/11, a total of 35 corporate complaints were recorded by departments. This is similar to the number of corporate complaints recorded in 2009/10 (40). Table 2.1 shows the number of corporate complaints investigated by departments.

Table 2.1 Number of Corporate Complaints by Department

Department	Number of Complaints
Chief Executive's Department	5
Child and Adults Services	13
Regeneration and Neighbourhoods	17
Total	35

2.2 The departments and sections that have high levels of contact with the public tend to receive higher numbers of complaints. (See **Appendix A** for figures for 2010/11, 2009/10, and 2008/09).

2.3 Complaint levels in most departments have stayed at broadly similar levels to 2009/10. However, there has been an increase in the number of social care complaints from 26 in 2009/10 to 39 in 2010/11.

Social care complaints

2.4 The social care complaints dealt with by the Child and Adult Services Department follow statutory procedures which differ from the corporate procedure in terms of time scales and investigative process. However, for the sake of completeness, basic statistics on numbers of complaints concluded are included in this report to give the Portfolio Holder an overall picture of complaint levels across the authority.

2.5 In previous years the way in which social care complaints and corporate complaints were monitored and recorded differed, due in part to the more complex nature of social care complaints. However, this meant that the figures being reported for social care complaints could not be compared to those being reported for corporate complaints, and resulted in an identified need to ensure that there was consistency and an agreed change in the recording of these complaints. This

change has been implemented to ensure a broadly comparable basis for compilation of statistics from this point.

- 2.6 The monitoring and reporting arrangements were therefore aligned for 2010/11 but this means that, for social care complaints only, caution should be applied when comparing the 2010/11 figures with previous years. Previous years figures are still shown in Appendix A for completeness and an ongoing assessment of trends will be possible from this report.
- 2.7 In 2010/11 a total of 39 social care complaints were made to the Council, which is higher than figures in 2009/10 (26 complaints). However, as previously mentioned this increase does not necessarily reflect an actual increase in the number of social care complaints, but is a result of the alignment of recording mechanisms implemented in 2010/11.

Meeting targets

- 2.8 The corporate complaints procedure has a deadline of 15 days for reporting back to a complainant with a written response to their complaint, after a thorough investigation. For social care complaints, deadlines vary depending on the level of the complaint. For Child Social Care complaints, officers have an initial 20 days to try to resolve a formal complaint at stage 1; and if the complainant is not happy the complaint is moved to a 'stage 2' investigation which is more formalised, and the investigating officer has an additional 45 days to investigate the complaint. For Adult Social Care complaints, there are no statutory deadlines in which to investigate the complaint. The investigating officer agrees an appropriate timescale with the complainant, which is allowed to be flexible. Therefore, there is scope for extending the social care deadlines should this become necessary. Prompt investigation is always a priority for all types of complaints, but in some cases the complexity of a complaint and/or the number of people to be contacted during the investigation can mean that the process can be a lengthy one.

Outcomes of complaints investigations

- 2.9 When a complaint investigation has been completed, a judgement is made by the investigating officer as to whether the authority has been at fault and hence the complaint is upheld, either fully or in part. In 2010/11, 46% of corporate complaints were either fully or partly upheld, which is an increase from the 2009/10 level of 25%, but is similar to 2008/09 levels.

Remedies for complainants

- 2.10 When reporting complaints performance, departments are asked to provide information on what remedies have been offered to people whose complaints have been upheld either in part or in full. In all cases where the complaint was upheld fully or in part, remedies were offered to complainants. The remedies vary depending on the circumstances of the complaint. In some cases the problem that had caused the complaint can be quickly resolved, e.g. the processing of a delayed claim. However resolution is not always possible, but other remedies are available. A written apology is usually given and, where appropriate, an explanation of how the problem arose and how it will be avoided in future. If a complainant has been disadvantaged or lost out in some way, efforts are made to

place them in the position they would have been in, had the problem not arisen, for example, the refunding of fees for a service that could not be used.

Learning from complaints

2.11 Departments are also asked to outline what has been done to prevent recurrence of the complaints which have been upheld. Wherever possible, actions have been taken to avoid further complaints. Actions taken include:

- A system was implemented for all members of the Social Care Duty Team to provide the same response if they are unable to accept a referral from a third party including a mechanism to ensure that people are not being left at risk in the community.
- Supervising Social Workers ensure that appropriate standards of hygiene are maintained by foster carers for all ages of children placed with them and particular attention is to be paid to equipment used for babies in placement.
- Parents will be informed appropriately and timely in relation to the Department's plan for their child.
- Children's Social Care staff will be reminded of the Council's policy in respect of ID badges.
- Adult Social care staff are to make referrals to the User Property and Finance Team on the same day as a placement to avoid any delay in the person being aware of the charges they are going to be expected to pay.
- A care home agency is to review their procedures for recording the holding of keys, and are to remind staff about the importance of ensuring keys are made available to staff. This care home has also appointed more supervisory staff as a result of this complaint.
- The Child and Adult Services Department have implemented operational procedures to include a 'double check' measure to ensure that adult social care patients are informed if their transport provision, for example, to day centres, is cancelled.
- Regeneration and Neighbourhood Services amended systems to ensure reasonable response times to service requests.
- Regeneration and Neighbourhood Services issued reminders to staff to ensure procedures are followed, for example informing customer if the service is delayed or cannot be delivered.
- Customer and Workforce Services introduced weekly testing of the BSL Signvideo equipment is undertaken to ensure it is operational and training was provided to all front facing staff within the Civic Centre.

2.12 Overall, departments are keen to learn from complaints and are taking steps to prevent their recurrence. It is inevitable that some service areas are always more likely to attract complaints than others. However, in general, if a complaint has been received about a particular service, it is dealt with and the service amended. It is rare to see the same types of complaints recurring regularly.

Summary

2.13 The overall picture from the complaints monitoring information for 2010/11 is:

- The number of corporate complaints received is at similar levels to previous years;

- There has been an increase in the number of social care complaints recorded;
- There has been an increase in the proportion of corporate complaints investigated within the target deadlines;
- There has been a reduction in the proportion of social care complaints investigated within the target deadlines;
- Departments continue to work on remedying complaints and learning from these contacts with service users.

3. COMPLAINTS REFERRED TO THE LOCAL GOVERNMENT OMBUDSMAN

3.1 All councils receive an annual letter/review from the Local Government Ombudsman which details: the complaints received by the Ombudsman and the outcome of investigations in the previous year; comments on the Council's complaints performance; and comments on liaison arrangements with the Council. This letter is due to arrive in late June and will be reported to the next meeting of the Performance Portfolio Holder.

4. RECOMMENDATIONS

4.1 That the report be noted.

BACKGROUND PAPERS

- Corporate Complaints - April 2009 to March 2010 - Report to the Performance Portfolio Holder, 18th May 2010.
- Hartlepool Borough Council Corporate Complaints Procedure 2008.

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APPENDIX A - COMPLAINTS MONITORING – 2008/09 to 2010/11

	Total no. of complaints			Reported on within target deadline			Reported on outside target of deadline			Not upheld			Partly upheld/partly not upheld			Upheld		
	2010 /11	2009 /10	2008 /09	2010 /11	2009 /10	2008 /09	2010 /11	2009 /10	2008 /09	2010 /11	2009 /10	2008 /09	2010 /11	2009 /10	2008 /09	2010 /11	2009 /10	2008 /09
CHIEF EXECUTIVES' DEPT																		
Corporate Strategy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Corporate Finance	0	7	4	0	7	4	0	0	0	0	6	3	0	0	0	0	1	1
Customer Workforce Services	5	0	5	5	0	3	0	0	2	4	0	3	0	0	0	1	0	2
Legal	0	3	1	0	2	1	0	1	0	0	1	0	0	2	0	0	0	1
TOTALS FOR CHIEF EXEC'S	5	10	10	5	9	8	0	1	2	4	7	6	0	2	0	1	1	4
CHILD & ADULT SERVICES																		
Corporate complaints	13	10	12	10	7	8	3	3	4	8	7	9	1	3	2	4	0	1
Social care complaints	39	26*	20*	32	24*	14*	7	2*	6*	12	8*	7*	19	15*	12*	8	3*	1*
TOTALS FOR C&AS	52	36	32	42	31	22	10	5	10	20	15	16	20	18	14	12	3	2
REGENERATION & NEIGHBOURHOODS SERVICES	17	20	46**	13	13	39	4	7	7	7	16	20	6	3	22	4	1	4

SUMMARY STATISTICS	Total no. of complaints			Reported on within target deadline			Reported on outside target deadline			Not upheld			Partly upheld/partly not upheld			Upheld		
	2010 /11	2009 /10	2008 /09	2010 /11	2009 /10	2008 /09	2010 /11	2009 /10	2008 /09	2010 /11	2009 /10	2008 /09	2010 /11	2009 /10	2008 /09	2010 /11	2009 /10	2008 /09
Total dealt with under corporate complaints procedure	35	40	68	28	29	55	7	11	13	19	30	35	7	8	24	9	2	9
				80%	73%	81%	20%	28%	19%	54%	75%	52%	20%	20%	35%	26%	5%	13%
Total dealt with under social care complaints procedures	39	26*	20*	32	24*	14*	7	2*	6*	12	8*	7*	19	15*	12*	8	3*	1*
				82%	92%	70%	18%	8%	30%	31%	31%	35%	49%	58%	60%	21%	12%	5%
Overall Total	74	66	88	60	53	69	14	13	19	31	38	42	26	23	36	17	5	10
				81%	80%	78%	19%	20%	22%	42%	58%	48%	35%	35%	41%	23%	8%	11%

* In 2010/11, the reporting mechanisms for all social care complaints changed to ensure that social care complaints were reported in the same way as corporate complaints. Caution should therefore be exercised when comparing the 2010/11 figure with previous years (Social Care Complaints only).

** The large number of corporate complaints received by the Regeneration and Neighbourhoods Services department in 2008/09 was largely due to a group of complaints made about the Falcon Road closure plans.

PERFORMANCE PORTFOLIO
Report to Portfolio Holder
15 June 2011



Report of: Assistant Chief Executive and Chief Customer and Workforce Services Officer

Subject: CHIEF EXECUTIVE'S DEPARTMENTAL PLAN 2010/11 – 4th QUARTER MONITORING REPORT

SUMMARY

1. PURPOSE OF REPORT

To inform the Portfolio Holder of the achievements made against the Chief Executive's Departmental Plan for 2010/11 for the period ending 31 March 2011.

2. SUMMARY OF CONTENTS

The progress made against the actions contained in the Chief Executive's Departmental Plan 2010/11 that are the responsibility of the Corporate Strategy Division and the Customer and Workforce Services Division.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Member has responsibility for those service areas covered by this report.

4. TYPE OF DECISION

Non-key

5. DECISION MAKING ROUTE

Portfolio Holder meeting 15 June 2011.

6. DECISION(S) REQUIRED

Achievement on actions and indicators be noted.

Report of: Assistant Chief Executive and Chief Customer and Workforce Services Officer

Subject: CHIEF EXECUTIVE'S DEPARTMENTAL PLAN 2010/11 – 4th QUARTER MONITORING REPORT

PURPOSE OF REPORT

1. To inform the Portfolio Holder of the progress made against the key actions identified in the Chief Executive's Departmental Plan 2010/11 for the period up to 31 March 2011.

BACKGROUND






2. The 2010/11 Chief Executive's Departmental Plan was agreed by Cabinet at the meeting on 10 May 2010.
3. The Chief Executive's Departmental Plan 2010/11 sets out the key tasks and issues within an Action Plan to show what is to be achieved by the department in the coming year. It provides a framework for managing the competing priorities, communicating the purpose and challenges facing the department and monitoring progress against overall Council aims.
4. The Council's Performance Management System (Covalent) is used to collect and analyse performance against the actions and targets detailed in the Corporate Plan, the three Departmental Plans, the Local Area Agreement Delivery and Improvement Plan as well as Service and Operational Plans. The system is also used to monitor Risk Management across the council within the Performance Management Framework. The information in the system was used to prepare this report.
5. This report includes information relating to the Corporate Strategy Division and the Customer and Workforce Services Division only. Information relating to the Finance Division and Legal Services Division is to be reported separately to the Finance and Procurement Portfolio Meeting on 14 June 2011.

FOURTH QUARTER PERFORMANCE

6. This section looks in detail at how the Corporate Strategy Division and the Customer and Workforce Services Division have performed in relation to the key actions and performance indicators that were included in the Chief Executive's Departmental Plan 2010/11. On a quarterly basis officers from across the department are asked, via

Covalent, to provide an update on progress against every action contained in the Departmental Plan and, where appropriate, every Performance Indicator (PI).

7. Officers are asked to provide a short commentary explaining progress made to date, and asked to identify the expected outcome of each action/PI set out in the Departmental Plan. The following traffic lights are used within Covalent: -

	Target achieved
	On track to achieve target
	Progress acceptable
	Intervention Required
	Target not achieved

8. At this stage we would expect the majority of actions and PIs to be assessed as “Target achieved” or “Target not achieved”. Where action deadlines were set later than April, for example municipal year deadlines, there may still be some actions that are yet to be completed. Similarly some PIs may not have outturn information for the full year, so officers have continued to make a judgement on whether the full year target will be achieved.

OVERVIEW OF PERFORMANCE

9. Within the Chief Executive’s Department there were a total of 75 actions and 35 Key Performance Indicators (KPIs) identified in the 2010/11 Departmental Plan. These include 22 actions and 2 KPIs that are the responsibility of the Legal Services and Finance Divisions and are not included in this report.

Of the remaining 53 actions and 33 KPIs, 35 actions and 27 indicators are the responsibility of the Corporate Strategy Division, and the remaining 18 actions and 6 KPIs are the responsibility of the Customer and Workforce Services Division.

However of these 33 KPIs only 13 can be monitored on a quarterly basis, with a further 6 being annual indicators where the outturn is known. These 19 indicators have been included in this report. The other 14 indicators are also reported on an annual basis, but outturns are not yet known, so have not been included in this analysis, but will be included in a more detailed Year End Performance Report that will be reported to Cabinet later in the year. Tables 1 and 2, below, summarise officers views on progress made to 31 March 2011: -

Table 1 – Progress made on Actions included in 2010/11 CED Departmental Plan











		Corporate Strategy	Customer & Workforce Services	Total
	Target achieved	31	15	46
	On track to achieve target	4	0	4
	Progress acceptable	0	1	1
	Intervention Required	0	0	0
	Target not achieved	0	2	2
	Total	35	18	53

Table 2 – Progress made on KPIs included in 2010/11 CED Departmental Plan

		Corporate Strategy	Customer & Workforce Services	Total
	Target achieved	8	5	13
	On track to achieve target	0	0	0
	Progress acceptable	2	0	2
	Intervention Required	0	0	0
	Target not achieved	4	0	4
	Total	14	5	19

10. A total of 50 actions (94.3%) have been reported as having been completed or being on track to be achieved by their due date, and one further indicator having been assessed as having made acceptable progress.
11. The remaining 2 actions (3.8%) have not been completed and assessed as 'Target not achieved'. Both actions are included in more detail in the Customer and Workforce Services Division section below.
12. Thirteen of the nineteen Key Performance Indicators (KPIs), or 68.4%, have also been reported as having achieved target. A further 2 indicators (10.5%) have narrowly missed their target and been assessed as having made 'Acceptable Progress'.
13. However, the remaining 4 indicators (21.1%) have not achieved their target and further details of these are included in the Corporate Strategy section below.

Corporate Strategy Division

14. The plan contained 35 actions that were the responsibility of the Corporate Strategy Division. All actions have been assessed as already being completed or being on track to achieve target.
15. The Corporate Strategy Division monitors 8 Key Performance Indicators on a quarterly basis, and a further 6 indicators can also be

assessed as final outturn figures are known. 8 of the 14 indicators (57.1%) have achieved their year end target, and a further 2 (14.3%) have narrowly missed their target, and been assessed as having made 'Acceptable Progress'.

16. However, the remaining 4 indicators (28.6%) have not achieved their target and further details of these are shown in table 3, below: -

Table 3: Corporate Strategy – Key PIs where target not achieved

Indicator		Target 10/11	2010/11 Outturn	Comment
MORI P06a	Percentage of adults who feel they can affect decisions that affect their own area	30%	26%	2010 Results show 26%. A 3% increase on 2008 but still below target of 30%.
MORI P06b	Percentage of adults who feel they can affect decisions that affect their own area (NRA Narrowing the gap)	27%	24%	2010 results show 24%. This is a 3% increase on 2008 but remains 3% below target figure
LAA SC P001a	Percentage of CN Theme Partnership Representatives & LSP Representatives attending Partnership Meetings	75%	64%	The additional support given to Theme Partnership Representatives and using substitutes ensured better attendance at Partnership meetings
LAA SC P001b	Percentage Resident Representatives attending pre agenda meetings	80%	60%	Feedback from scrutiny and items for discussion were agenda items. Improved attendance due to targeted capacity building

Note: All survey outturn figures are subject to 95% confidence intervals.

17. In the period up to and including 31 March 2011 the Corporate Strategy Division: -

- Reviewed Service Planning Arrangements have been for 2011/12
- Produced the Local Area Agreement Delivery and Improvement Plan
- Updated the Council's Performance Management Framework, Risk Management Strategy and Data Quality Policy
- Provided risk management training for officers
- The 'Get Involved' web pages have been reviewed and updated.

Customer and Workforce Services Division

18. The Departmental Plan contained 18 actions that were the responsibility of the Customer and Workforce Services Division. For the period ending 31 March 2011 a total of 15 actions (83.3%) were assessed as being completed and 1 of the remaining actions has been assessed as having made acceptable progress.
19. The remaining 2 actions, or 11.1%, have not been completed and assessed as 'Target not achieved'. These actions are shown in table 4, below: -

Ref	Action	Date to be Completed	Comment
Outcome: Improve Elected Member and Workforce arrangements			
CEDOD058	Develop the People Framework	31/03/11	Postponed until resources identified
Outcome: Freedom from discrimination and harassment			
CEDSC009	Implement the Corporate Equality Plan	31/03/11	Actions not completed have been reviewed to consider whether they are relevant to new Equality Act

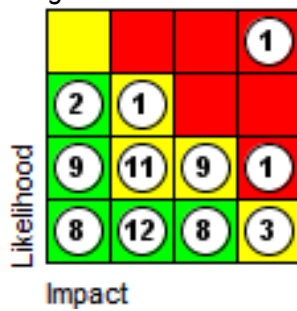
20. The Customer and Workforce Services Division monitors 5 Key Performance Indicators on a quarterly basis, all of which have achieved their year end target.
21. In the period up to and including 31 March 2011 the Customer and Workforce Services Division: -
- Transferred additional services to Hartlepool Connect – Revenues & Benefits Counter Team, Scanning Team and Parking Services
 - Developed Corporate Customer Service Training.
 - Facilitated themed workshops around Financial Inclusion at the Child Poverty Conference in October.
 - Continue to plan and deliver Money Matters roadshows
 - Was recredited with Customer Service Excellence.
 - Successfully delivered the Money Skills Programme at the Hartlepool College of Further Education in January 2011
 - Supported the implementation of the staffing implications of the 2011/12 budget

Risk Monitoring

22. It is the policy of Hartlepool Council to take an active and pragmatic approach to the management of risks that could prevent the achievement of corporate and departmental objectives. On a quarterly basis each division assesses the risk identified within the Chief Executive's Risk Register. The Council's approach acknowledges that the purpose is not to remove all risks (this is neither possible nor, in many cases, desirable), rather it is to ensure that potential 'losses' are prevented or minimised and that 'rewards' are maximised.

- 23. This summary is reported to the Portfolio Holder within the quarterly monitoring report to provide an overview of risks being addressed by the Chief Executive’s Department, as a whole. The Council’s risk registers are currently being reviewed and it is not possible at this time to split the analysis by Division.
- 24. The diagram below shows the distribution of risks in the whole Chief Executive’s Departmental Risk Register according to their risk rating. Detail of the rating system is in Appendix A. There are a total of 65 risks. Only 2 of the risks are highlighted as a ‘RED’ risk, although it is possible to identify that neither of these risks are the responsibility of the Corporate Strategy Division or Customer and Workforce Services Division. A further 24 risks are on an ‘AMBER’ status with the remaining 39 being at a low level ‘GREEN’ status.

Diagram 1 – Chief Executive Departmental Risk Register Heat Map



RECOMMENDATIONS

- 25. Portfolio Holder is asked to note progress on key actions and KPIs and current rating of risks.

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APPENDIX A

**HARTLEPOOL BC
RISK ASSESSMENT MATRIX AND VALUE GUIDES**

		IMPACT			
		1 Low	2 Medium	3 High	4 Extreme
LIKELIHOOD	4	AMBER 4	RED 8	RED 12	RED 16
	3	GREEN 3	AMBER 6	RED 9	RED 12
2	GREEN 2	AMBER 4	AMBER 6	RED 8	
1	GREEN 1	GREEN 2	GREEN 3	AMBER 4	

Use the following suggested value guides to help rate the level of the **controlled risk**.

IMPACT

Extreme Total service disruption / very significant financial impact / Government intervention / sustained adverse national media coverage / multiple fatalities.

High Significant service disruption/ significant financial impact / significant adverse Government, Audit Commission etc report / adverse national media coverage / fatalities or serious disabling injuries.

Medium Service disruption / noticeable financial impact / service user complaints or adverse local media coverage / major injuries

Low Minor service disruption / low level financial loss / isolated complaints / minor injuries

LIKELIHOOD

Expectation of occurrence *within the next 12 months* -

- **Almost certain**
- **Likely**
- **Possible**
- **Unlikely**