

**Name of meeting: Corporate Governance & Audit Committee**

**Date: 15th September 2017**

**Title of report: Corporate Customer Standards Annual Report 2016-17**

**Purpose of report; To update Corporate Governance & Audit Committee on complaints performance and the Local Government Ombudsman letter to councils.**

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports)</a> ?	Not applicable
The Decision - Is it eligible for "call in" by Scrutiny?	Not applicable
Date signed off by Director & name Is it also signed off by the Service Director for Finance, IT & Transactional Services?  Is it also signed off by the Service Director for Legal Governance and Monitoring?	Not applicable
Cabinet member portfolio	Not applicable

**Electoral wards affected: All**

**Ward councillors consulted: Not applicable**

**Public**

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## **1. Summary**

- 1.1 The numbers of complaints received by the Ombudsman on behalf of Kirklees Council residents are below what might be anticipated
- 1.2 The numbers of third stage complaints received by the council are broadly consistent with numbers received over the past 6 years.
- 1.3 Kirklees Council received no formal Ombudsman Reports during 2016-17.
- 1.4 A slight revision of the Whistleblowing Procedure is required to reflect learning from an investigation undertaken in 2016-17.
- 1.5 Advice from the Committee in relation to the regularity of reporting of upheld complaints identified by the Ombudsman is required.
- 1.6 A review of the unreasonably persistent complainant procedure is taking place, with the policy being widened into an unacceptable behaviour policy.

## **2. Information required to take a decision**

### **2.1 To discuss and approve the amendments to the Whistleblowing Policy**

- 2.1.1 Learning from a Whistleblowing complaint identified that the Whistleblower wanted matters dealing with in a particular way. This ultimately led to delay and risked an unsatisfactory outcome.
- 2.1.2 It is proposed that the whistleblowing procedure is altered slightly to reflect that while officers will discuss and seek to agree how we intend to progress matters, there may be occasions where we feel we have a responsibility to progress matters in a particular way, and the ultimate decision to progress or investigate matters is for the council.
- 2.1.3 Minor changes to Job Titles will also be amended at the same time.

### **2.2 To discuss and approve amendments to the reporting mechanism for upheld Ombudsman complaints**

- 2.2.1 The council has an obligation to let elected members know about cases where the Ombudsman has determined fault and maladministration.
- 2.2.2 Currently outcomes are considered on a case by case basis and other upheld investigations are reported as part of the Corporate Customer Standards Annual Report
- 2.2.3 The ombudsman suggests that an annual report is suitable for a “smaller council”
- 2.2.4 Consideration needs to be taken over whether these cases should be reported more regularly (6 monthly as the Monitoring Officer suggests?)

### **3. Implications for the Council**

- 3.1 Early Intervention and Prevention (EIP) -None directly
- 3.2 Economic Resilience (ER) -None directly
- 3.3 Improving Outcomes for Children -None directly
- 3.4 Reducing demand of services – none directly although good and timely complaint handling can reduce demand on officer time and double handling

### **4. Consultees and their opinions**

- 4.1 Not applicable.

### **5. Next steps**

- 5.1

### **6. Officer recommendations and reasons**

- To consider the report and note its contents.
- To discuss and approve the amendments to the Whistleblowing Policy
- To discuss and approve amendments to the reporting mechanism for upheld Ombudsman complaints.

### **7. Cabinet portfolio holder recommendation**

Not applicable.

### **8. Contact officer**

Chris Read Corporate Customer Standards Officer 01484 221000

### **9. Background Papers and History of Decisions**

None

### **10. Director responsible**

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