



WEST OXFORDSHIRE  
DISTRICT COUNCIL

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Name and date of Committee	<b>AUDIT AND GOVERNANCE COMMITTEE – 28 NOVEMBER 2024</b>
Subject	<b>NEW CUSTOMER COMPLAINTS POLICY AND PROCEDURE INC. REVISED STAFF PERSONAL SAFETY POLICY</b>
Wards affected	All
Accountable member	Cllr Andy Graham, Leader of the Council Email: <a href="mailto:andy.graham@westoxon.gov.uk">andy.graham@westoxon.gov.uk</a>
Accountable officer	Giles Hughes, CEO Email: <a href="mailto:giles.hughes@westoxon.gov.uk">giles.hughes@westoxon.gov.uk</a>
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Summary/Purpose	This report presents a new customer complaints policy and process which complies with the new Ombudsman Complaint Handling Code for Member authorisation, and a revised Staff Personal Safety Policy
Annexes	Annex A – Customer Complaints Policy and Procedure Annex B – Staff Personal Safety Policy Annex C – Equality Impact Report
Recommendation(s)	That the Audit and Governance Committee resolves to: <ol style="list-style-type: none"><li>1. Approve the implementation of the new Customer Complaints Policy and Procedure.</li><li>2. Note the revised Staff Personal Safety Policy.</li></ol>
Corporate priorities	All
Key Decision	No
Exempt	No
Consultees/ Consultation	NA

## **1. BACKGROUND**

- 1.1** In February 2024, following a consultation process, the Local Government and Social Care Ombudsman ('the Ombudsman') launched a new Complaint Handling Code ('the Code').
- 1.2** The purpose of the Code is to enable organisations to resolve complaints raised by individuals promptly, and to use the data and learning from complaints to drive service improvements. It will also help to create a positive complaint handling culture amongst staff and individuals.
- 1.3** Local councils are encouraged to adopt the Code as soon as they are able to do so. The Ombudsman intend to start considering the Code as part of their processes from April 2026 to give local councils the opportunity to adopt the Code successfully into working practices.
- 1.4** In addition, during the first two years the Ombudsman will be working with a number of pilot councils to understand the impact of the Code and provide further guidance to the sector.
- 1.5** This West Oxfordshire District Council new Complaints Policy and Procedure ('the Policy') has been written in conjunction with the new Code and will ensure that the Council is compliant with the Code ahead of April 2026. Also included is a revised Staff Personal Safety Policy which feeds into this Policy and is recommended by the Ombudsman.
- 1.6** The recommendation is to implement the new Policy from 1 April 2025.

## **2. OVERVIEW**

- 2.1** In February 2024, following a consultation process, the Ombudsman launched a new Complaint Handling Code and local councils were encouraged to adopt the Code as soon as they are able to do so. The Ombudsman intend to start considering the Code as part of their processes from April 2026 to give local councils the opportunity to adopt the Code successfully into working practices.
- 2.2** The council's current complaints process has three stages to its' internal complaints process as detailed below. Once this is exhausted, if the complainant remains unsatisfied with the response provided, it is at this point that they can refer their complaint to the Ombudsman.
  - Stage 1: Service Area Response
  - Stage 2: Independent Review
  - Stage 3: Appeal and final decision
  - Ombudsman
- 2.3** The new complaints Policy as set by the Ombudsman Code has a two-stage internal process:
  - Stage 1: Service Area Response
  - Stage 2: Appeal and final decision
  - Ombudsman

2.4 The other key changes which are being implemented through the Code which is attached at Annex A include:

- A clear definition of a complaint and the difference between a service request and a complaint  
A definition is found within the Policy
- Ensuring accessibility and awareness  
This is detailed within the new Policy in terms of how a complaint can be raised and how we will publish and communicate the Policy, Procedure and complaints performance
- Setting clear timescales for responses and extensions  
These are in line with our current response times and are detailed within the Policy.
- Example remedies  
A list of potential remedies has been included in the Policy.
- Improved performance reporting and self-assessment against the Code  
How complaints will now be reported is detailed in the Policy. An annual report will be tabled at the Audit and Governance Committee
- Scrutiny and oversight  
The code requires defined roles and responsibilities. These have been defined within the new policy as:

<b>Senior Complaint Executive</b>	Chief Executive Officer / Head of Paid Services
<b>Member responsible for complaints</b>	Chair of the Audit and Governance Committee
<b>Complaint Officer</b>	Business Manager, Governance, Risk and Business Continuity

2.5 Also included within this report is a revised Staff Personal Safety Policy which has been reviewed to ensure that there are tighter controls around how customers and properties are placed on a register, the removal from the register, evidence recording and access which is attached at Annex B.

2.6 A failure to comply with the Code may result in the Ombudsman making a finding of maladministration where local councils policies and procedures depart from the Code without sufficient explanation. The Ombudsman may also make a finding of maladministration where a local council, without good reason, does not meet the standards in the Code when responding to an individual complaint.

### **3. ALTERNATIVE OPTIONS**

- 3.1 For the reasons set out in paragraph 2.6 above it is not recommended that the current Complaints Policy is not updated and revised in line with the Ombudsman's Code.

### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications arising from this report.

### **5. LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from this report.

### **6. RISK ASSESSMENT**

- 6.1 If the Council does not adopt a new customer complaints policy in line with the Code it will have to provide a suitable explanation to the Ombudsman which may be deemed as maladministration.

### **7. EQUALITIES IMPACT**

- 7.1 An equalities impact assessment is included with this report and attached at Annex C.

### **8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 8.1 There are no climate or ecological emergency implications arising directly from this report.

### **9. BACKGROUND PAPERS**

None.