

## Notice of KEY Executive Decision (Special Urgency)

<b>Subject Heading:</b>	Changes to the Council's Complaint Policy and Procedure as a result of the Covid 19 Crisis
<b>Cabinet Member:</b>	Councillor Damian White Leader of the Council
<b>SLT Lead:</b>	Andrew Blake-Herbert Chief Executive
<b>Report Author and contact details:</b>	Carol Ager Senior Complaint and Investigation Manager <a href="mailto:Carol.ager@havering.gov.uk">Carol.ager@havering.gov.uk</a> Extn 4389
<b>Policy context:</b>	To temporary reduce the level of response the Council provides to complaints from residents and customers.
<b>Financial summary:</b>	No financial implications of the decision
<b>Reason decision is Key</b>	The decision has been determined as a Key Decision as it will have a significant effect on two or more Wards
<b>Date notice given of intended decision:</b>	<b><i>This is a decision pursuant to para 11 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, made under "special urgency" with the</i></b>

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	<b><i>consent of the Chair of the Overview and Scrutiny Board.</i></b>
<b>Relevant OSC:</b>	<b><i>State the OSC (or OSCs) that will be responsible for reviewing the decision if called-in or once implemented</i></b>
<b>Is it an urgent decision?</b>	Yes
<b>Is this decision exempt from being called-in?</b>	Yes, due to Special Urgency

### **The subject matter of this report deals with the following Council Objectives**

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

1. Following the announcement by Central Government of a country-wide lockdown effective 5<sup>th</sup> November 2020, due to increasing cases of the Covid-19 virus in the UK, it is proposed to reduce the service covered by the Council's Corporate Complaint Policy and Procedure.
2. In March 2020, the Local Government and Social Care Ombudsman (LGSCO) temporarily suspended their central telephone line and online complaint submission form. The service was reinstated on a reduced basis throughout the period of lockdown.
3. The Council, similarly, took the decision to suspend the Council's Corporate Complaint Policy and Procedure, with full reinstatement three months later in June 2020.
4. The Council is reviewing resources needed to support the Covid-19 team, with the expectation that many staff will be redeployed from Business Support teams to supplement the Covid-19 team.
5. Most complaint officers work within Business Support Units; it will not be practicable for staff to cover their day to day roles as well as provide additional support to the Covid-19 team.
6. It is accepted, the LGSCO has not yet announced any form of suspension of their complaint service. Responses to both the LGSCO and Housing Ombudsman enquiries are to continue to be provided within timescales requested, wherever possible.
7. It is therefore proposed, with effect from 9<sup>th</sup> November 2020, and for the duration of a full nationwide lockdown, a reduced service be provided to customers wishing to make a complaint about Council Services, with the purpose of:
  - Re-deploying complaints officers into essential service areas, where needed.
  - Maintaining essential services to vulnerable residents.
  - Ensuring on-going complaints are dealt with by a reduced workforce.
  - Managing customer expectations relating to any complaints made during the period of lockdown.

As a result, the following changes to the corporate complaints service are to be made:

#### **7.1 Complaints web pages and online forms**

- 7.2 A message to be added to the Complaint web pages advising customers that the Council has re-deployed staff from complaint teams into essential services, due to the Covid-19 pandemic.

- 7.3 The message to clearly advise the Council will not be in a position to meet its published timescales but complaints will be dealt with in date of receipt order.

#### **7.4 Email Complaints**

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7.5 A return message to be added to all generic complaint team inboxes to the effect the Council has re-deployed many of its complaints officers into essential services, due to the Covid-19 pandemic, and as a result published complaint timescales will not be met. This is to include [Complaints@havering.gov.uk](mailto:Complaints@havering.gov.uk); [CEO\\_Complaints@havering.gov.uk](mailto:CEO_Complaints@havering.gov.uk); [Housing\\_complaints@havering.gov.uk](mailto:Housing_complaints@havering.gov.uk); [EnvironmentServices@havering.gov.uk](mailto:EnvironmentServices@havering.gov.uk); [CommunitySafety@havering.gov.uk](mailto:CommunitySafety@havering.gov.uk) ; [ASBHavering@havering.gov.uk](mailto:ASBHavering@havering.gov.uk)

7.6 Staff handling complaints will still be responsible for checking incoming emails and dealing with any emergency needs by ensuring they are passed onto the relevant teams.

7.7 Staff and Councillors dealing with complaints from their own 'named' email accounts to use the following guidance wording:

*Thank you for contacting the Council with your concerns. The Council currently has a reduced Complaints Service due to the re-deployment of staff into essential areas. As a result, it is unlikely your complaint will be dealt with within published timescales.*

*Please be assured this decision has not been taken lightly but you will understand the need for resources to be re-directed to front line services during the Covid-19 (Coronavirus) pandemic.*

*We will try to complete any existing complaints as soon as possible, and any new complaints received during this period of lockdown, will be dealt with in order of date of receipt.*

*Urgent matters can still be reported via the Council's Contact Centre on 01708 434343.*

*We apologise for this and appreciate your understanding at this unprecedented time.*

### **7.8 Contact Centre Complaints team**

7.9 The Complaints team in the Contact Centre to advise customers of the potential delays in response times. Staff handling telephone calls will still be responsible for determining the nature of the call and if the customer is calling about emergency situation, directing to the appropriate service.

### **8. Statutory Complaints**

Statutory complaints to be reviewed on a regular basis, and following any guidance from LGSCO, will follow the same procedure as set out above for Corporate complaints.

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### **AUTHORITY UNDER WHICH DECISION IS MADE**

Part 3, section 2.2 of the Constitution, specifically:

Resource management

(c) To exercise the Council's functions relating to the use of the Council's resources and, where these are not non-executive functions, human resources. Such functions include:

- (i) corporate human resources policies and procedures
- (ii) e-government and customer access
- (iii) responsibility for the Council's health and safety policies as an employer
- (iv) Council's Employment Relations framework
- (v) overall responsibility for properties held for investment purposes
- (vi) corporate purchasing policies and procedures
- (vii) corporate communication strategies
- (viii) overall responsibility for the management and maintenance of the Council's office accommodation and corporate assets
- (ix) emergency planning and civil defence.

### **STATEMENT OF THE REASONS FOR THE DECISION**

This decision is required under "Special Urgency" to allow the Council to plan and undertake effective strategies for working and service delivery during the current Covid-19 outbreak.

The Council will be re-deploying staff from Business Support Units into the Covid-19 team, to provide essential support. Teams will be unable to provide a full complaint service with reduced staff numbers.

This decision has been taken as a result of the government decision to impose a nationwide lockdown with effect from 9<sup>th</sup> November 2020.

The decision is temporary but will continue for the duration of the lockdown.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

#### **To continue with current processes and procedures**

This option was rejected because;

- staff shortages could mean customers do not receive a response to their complaints, either in a timely manner or at all, which could ultimately result in further complaints, putting additional burden on stretched services;

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- information gathering could be problematic with reduced services.

**PRE-DECISION CONSULTATION**

The Leader of the Council has been consulted on these service changes prior to the decision.

**NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Carol Ager

Designation: Senior Complaint and Investigation Manager

Signature:

Date: 4<sup>th</sup> November 2020

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

Due to the current circumstances the Council finds itself in due to CV19, it is accepted that it will not be complying with adopted policy. This is potentially challengeable, any delay in responding to complaints contrary to the adopted policy is capable of being explained.

### **FINANCIAL IMPLICATIONS AND RISKS**

This report is requesting a variation to the Council's Complaint Policy and Procedure, following due to Covid-19 (Coronavirus).

There are no direct financial implications involved resulting from this decision.

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

Given the Coronavirus outbreak, the paramount consideration of the Council is the health and wellbeing of Members and officers.

There are no Human Resources implications involved resulting from this decision.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

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An EqHIA (Equality and Health Impact Assessment) is usually carried out when a current or planned service/policy/activity is likely to affect staff, service users, or other residents. It is acknowledged that due to the urgency of the threat posed by the coronavirus, it will not be possible to carry out an EqHIA in advance of the curtailment of the complaints service, however, managers will undertake the required EqHIAs at the earliest opportunity.

The Council seeks to ensure equality, inclusion, and dignity for all, in all situations. Contact with the Council can still be made via email and telephone on 01708 434343.

There are no equalities and social inclusion implications involved resulting from this decision.

### **HEALTH AND WELLBEING IMPLICATIONS AND RISKS**

The purpose of this decision is to strengthen the Council's response to the pandemic, and to protect public and staff from the impact of Covid-19.

Contact can still be made in emergency situations through the Council's Contact Centre on 01708 434343.

### **BACKGROUND PAPERS**

None



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### **Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

#### **Decision**

Proposal agreed

*Delete as applicable*

Proposal NOT agreed because

#### **Details of decision maker**

Signed

Name: Andrew Blake-Herbert

Title: Chief Executive

Date: 4<sup>th</sup> November 2020

#### **Lodging this notice**

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Committee Officer in Democratic Services, in the Town Hall.

#### **For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_