

## WRS Board:

15<sup>th</sup> February 2018

### Review of WRS Service Complaints

<b>Recommendation</b>	That the Board notes the report
<b>Background</b>	<p>Every quarter Worcestershire Regulatory Services (WRS) reports on the number of compliments and complaints that are received to the Board. Since the formation of the current Board, there have always been a far higher number of compliments than complaints received, however, for all complaints the WRS Manager for that Service area reviews the complaint and provides a response to the complainant. Following a small number of high profile, from the individual partner perspective, complaints and confusion over whether it was the Partner Authority or WRS procedure that was followed, a review of the complaints procedure and the complaints themselves was requested by the Chair of the Board. This report outlines that review.</p>
<b>Report</b>	<p><b><u>Service Complaint Process:</u></b></p> <p>WRS is hosted by Bromsgrove District Council but provides services on behalf of six Worcestershire District Councils as Partner Authorities; up to seven other Local Authorities as formal contracts or informal arrangements; and at least five other organisations as formal contracts or informal arrangements. WRS can not possibly operate under 18 different complaints procedures however those used by the Local Authorities are broadly similar.</p> <p>The WRS Complaints procedure was initially developed in 2011 to compliment those of the partner authorities and provide a robust process for contractual obligations. The most recent review of the process was December 2017. It continues to provide a simple, generic, three-stage process for responding to a complaint. The three stages are outlined below but it is recognised that this approach may not be appropriate for every complaint received.</p> <p>Stage 1: Quick resolution – allowing the complainant to liaise directly with the Officer dealing with their service request and their Senior Practitioner, with the aim of resolving any misunderstanding and accommodating any specific requests if possible.</p>

Stage 2: A Full investigation – undertaken by the Team Manager and reviewed by the Head of Service.

Stage 3: Referral to the nominated Officer of the appropriate Council for review generally into the final stage of the individual partner council so, beyond this, the complainant will have exhausted the local authority process and may raise the matter with the Local Government Ombudsman.

The complaints process is published on the WRS website:

<http://www.worcsregservices.gov.uk/media/2045060/1a-WRS-Complaints-Compliments-and-Suggestions.pdf>

### **Number of Service Complaints**

The following table provides the number of service complaints received and for perspective purposes the number of compliments.

Year	Number of service complaints received	Number of service compliments received
2015-16	33	105
2016-17	23	92
2017-18	27* (*Estimate based on 16 received for first 7 months)	130* (*Estimate based on 27 received for first 7 months)

The following review includes all 72 service complaints received across the three financial years from April 2015 to October 2017 inclusive. It was considered appropriate due to the relatively low number of complaints each year it would not provide sufficient information to review as individual years.

Please note all service complaints were resolved or processed using the complaints procedure referred to above with some resolutions put in place at that time. The following provides a strategic review to identify areas of concern.

### **Overview: The reason for the Service Complaints**

The chart shown as Appendix 1 provides the breakdown in the service complaints by the reason for the complaint. Generic headings have been used where common threads could be used to group complaints together. Where the complaint raised numerous issues, the main or most significant reason has been used to classify that complaint. The number of complaints received for each 'reason' is shown after the category title. The review has deliberately avoided grouping complaints by team or work area unless it is relevant.

Three reasons received significant numbers of complaints (9 or 10 each) which are shown orange on the table. These are:

- The Quality of Service received by the service requester (10 complaints);
- The service requester was unhappy with the process or methodology used by WRS (10 complaints); and
- The owner of a stray dog was dissatisfied that they were not able to collect their dog at the weekend/bank holiday (9 complaints)

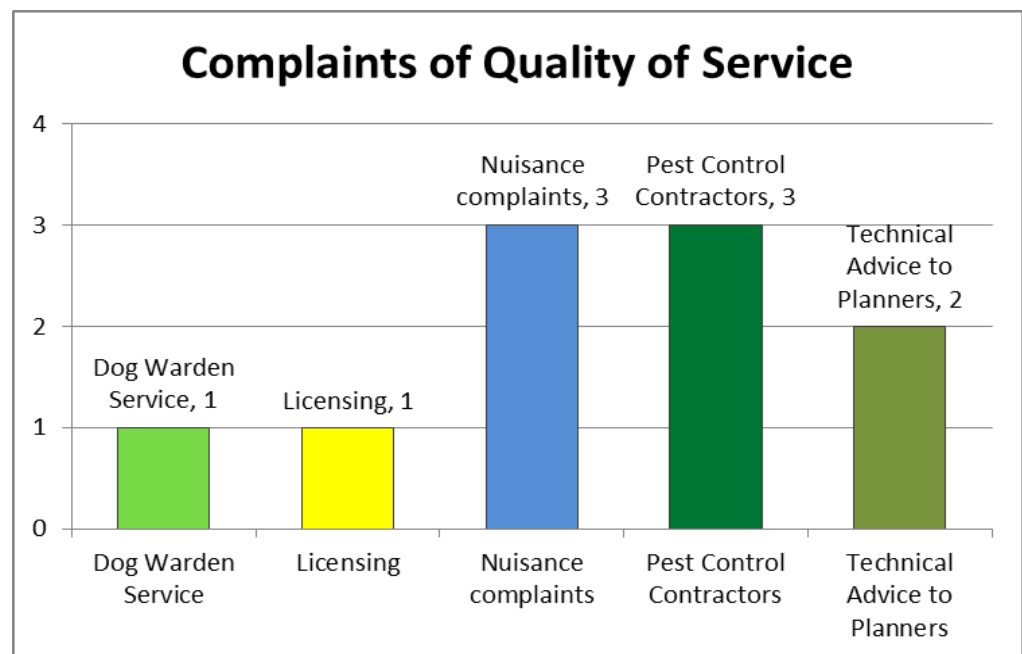
Taking the three 'reasons' with greatest numbers of complaints listed above, they were considered further.

### **Review 1: The Quality of Service**

The following table provides a breakdown of the complaints where the quality of the service that they received was the primary concern.

You will note that with low numbers of complaints it is difficult to identify a significant issue. With only one complaint concerning the quality of service for Dog Warden Service and Licensing they were not considered any further in this review.

The **Pest Control** service is delivered by six contractors who provide subsidised treatment to residents subject to qualifying benefits or residency in four of the six Districts. The qualifying criteria are different in all four districts providing the service and where clients are not eligible for subsidised treatment, they can pay the contractor privately. It seems clear that it is this variety of different Partner Authority arrangements which led to the majority of these complaints as the contractors found it difficult to remember what rules applied where. To resolve this, WRS issued reminders to all contractors on the differences at the time of the complaints. It is worth noting all three complaints were pre 2016/17 so there has been no reoccurrence since the advice was provided, despite significant increases in the eligibility variance since then.



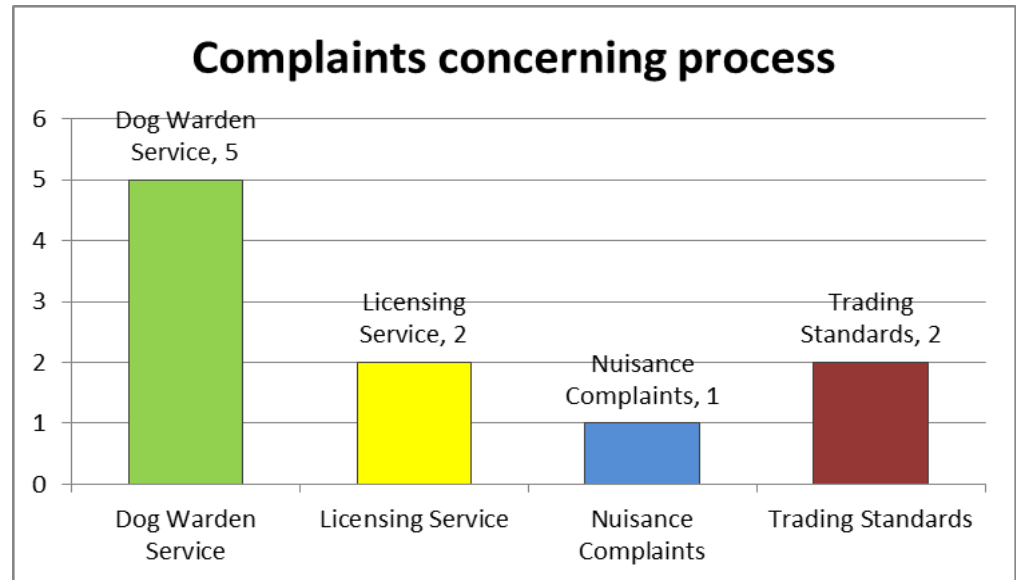
For Nuisance the most frequent issue has been complainants being unhappy that officers have not identified a statutory nuisance. Members will recall at the last Board meeting that officers presented a report outlining the complexities and difficulties associated with the legislation. As was said last time, public expectation often exceeds what is deliverable within the legal framework. One element of complaint beyond this that has been raised relates to officers not keeping complainants sufficiently informed of progress. Officers have been reminded to make arrangements for communicating with complainants and to agree a frequency of contact with them to deal with this issue.

The two complaints concerning the **Technical Advice** to Planning Officers were for different reasons. The first that they did not agree with the technical advice although in

reviewing the complaint, the advice was considered sound and the Planning Officer had no objection. The second complaint was concerning the form and clarity of the advice. To resolve these issues, informal training was provided and a clarifying replacement advice statement was issued at the time of the complaint.

### **Review 2: The WRS process followed**

The following table provides a breakdown of the complaints where the service requester was unhappy with the process followed by WRS.



Again the subject areas with 1 or 2 complaints will not be considered further during this review. It is worth noting Trading Standards are included here as they were part of WRS during part of the review period prior to transfer back to Worcestershire County Council.

There appears to be no significant common theme in relation to the **Dog Warden Service** process complaints. Getting your dog back when it has been found straying is a highly emotional process with some service requesters expecting a comparable service to that when the Police find a lost child. There are a number of elements of the process that faced criticism so it is worth explaining the rationale of these here for the members information

For health and safety reasons stray dogs are taken to a safe location (normally the kennels or vets) to scan the dog. The risk of aggressive individuals, unsafe situations with unfamiliar dogs in other peoples' property or on the roadside is not acceptable. When a dog comes into the Dog Warden's possession we have a duty of care to both the animal and its owner to protect their property from harm. Even with the right handling equipment, the risk of a dog escaping at the roadside and being involved in a road traffic accident is not an acceptable risk.

Due to the costs in operating and providing a Dog Warden Service and the Statutory Fine levied by central Government, it is not feasible to provide a dog taxi service and return dogs to their owners free of charge if microchipped. Such a practice would also not promote good dog ownership and reduce stray dog numbers. Members should recall from our regular Activity Data Report that the rigorous approach followed by WRS over the years has created a downward pressure on numbers of strays in the County.

Process complained of	Rationale
Policy of not releasing stray dog back to the owner until outstanding fees are paid	Experience shows once a dog is returned to an owner the fees to cover the cost of the service and Statutory Fine are rarely paid. [Exception - where a medical need is proven a return before payment is permitted]
Dog Warden refusing to attend uncontained stray	Dog Wardens will attend and patrol an area to find a reported stray if available or in the area but they will not prioritise attendance or attend out of hours unless the dog is contained. In most cases because the dog wardens cover the whole of Worcestershire and north Gloucestershire by the time they have got to a location the dog has often disappeared.
Dogs taken to kennels to be scanned for microchip rather than dropping it home	For health and safety reasons stray dogs are taken to a safe location (normally the kennels or vets) to scan the dog. The risk of aggressive individuals, unsafe situations with unfamiliar dogs in other peoples property or on the roadside is not acceptable. Due to the costs in operating and providing a Dog Warden Service and the Statutory Fine levied by Central Government it is not feasible to provide a dog taxi service and return dogs to their owners free of charge if microchipped. Such a practice would also not promote good dog ownership and reduce stray dog numbers.

### **Review 3: Inability for owners to collect their dog at the weekend**

With nine complaints concerning this specific subject it is clearly an issue of annoyance to dog owners. WRS provides an out-of-hours collection service (using a contractor) to collect stray dogs but none of the partner authorities have ever had a full dog warden service out of hours.

The service package available to clients, out-of-hours is different depending on which District the dog was found straying in, which can also lead to further annoyance. Below is a comparison of the service provided by the authorities which WRS provides the Dog Warden Service for:

Authority	Can dogs be reunited with their owners over bank holiday weekends?	Comment
Bromsgrove District Council	Yes	
Cheltenham Borough Council	No	
Gloucester City Council	No	
Malvern Hills District Council	Yes	If dog found as a stray before 4.30pm on any day it may be collected out of hours, otherwise dog goes to kennel where

		weekend collection not possible.
Redditch Borough Council	No	
Tewkesbury Borough Council	No	
Worcester City Council	No	
Wychavon District Council	No	
Wyre Forest District Council	Yes	

The issue is dictated by the kenneling contractors. Of the three contracted kennels, two open at weekends and provide payment facilities. The third kenneling contractor, who is also the one working with WRS for the Gloucestershire authorities and some other non-stray contracts, due to capacity and location, does not provide payment facilities and is not willing to undertake the 'administrative element' of matching up dogs with owners at the weekend.

Contractually we are not tied to which kennel receives which dogs (for Partner Authorities) although there are significant capacity issues at the one used for Malvern Hills dogs and there are logistical issues with the location of the kennels used for Wyre Forest & Bromsgrove Dogs. It is worth noting one complaint raised the distance to the kennels as an issue. As the Out of Hours stray dog collection contractor is the third kenneling contractor there would be additional costs in terms of transportation if dogs were being taken to the other kennels rather than their own.

The third kenneling contractor has been willing to consider the situation and from experience has generally been open to working with WRS to improve the service in many ways. It is partly due to their willingness to take dogs from multiple geographical areas and for various different contracts that makes the process of taking payment and facilitating the return of dogs to owners out of hours complex and not viable for the company. Dissatisfied dog owners are a significant concern for this contractor as they also have other private business dependent on their company's reputation so with the current arrangement of WRS facilitating the return, dog owners do not associate them with 'the Council'.

The following practical issues remain outstanding:

- Reputational risk to third kenneling contractor in dealing with dog owners;
- Complexity of different procedures for 9 Authorities
- Complexity of different charges for 9 Authorities
- Confusion between contact numbers for out of hours contractor and kenneling contractor (both services provided by the same contractor company but one number would need to be public and the other kept for contract and collection work);
- Significance of administrative work required to verify owner, chase up conflicting information and deal with issues.
- Staffing resource issue;
- Staff safety issue;
- No electronic payment facility

Currently there is no viable option to amend the current arrangements either by working with the third kenneling contractor or using alternative kennels. The only option left would be to consider providing an out of hours (primarily weekend and bank holiday) resource to undertake the administrative role in facilitating the reunification of an owner

with their dog, calculate outstanding fees, take payment and advise of kennel location. There is no guarantee that the above solutions would resolve the complaints, as it doesn't resolve the inability to reclaim dogs in the evenings.

### **Review 3: Possible solutions with estimated costs**

Such a role would be at scale 4 and provided as a rota between existing Duty Officer staff, as an 'on-call' standby payment or as a new post. The estimated costs in providing each are given below:

Option	Service provision option	Estimated cost
A	Existing Duty Officers to provide cover as Standby payment with additional payment per call.	£21,427*
B	New part-time post at Scale 4 employed to cover weekends and bank holidays.	£12,811

\*based on average of 8.5 calls per weekend.

In exploring either of the above options, there would be some financial benefit with potential removal of dog warden out of hours call out payment (£500/annum) and reduced resource required on Monday mornings in dealing with the backlog of dog related activity from weekend.

However, for a small team of 4FTE covering all of the first contacts for WRS across the full range of service areas, it would be very difficult to cover within existing resources. With Option A, there would be some loss of the current 4 FTE capacity to weekend work, potentially leaving the team short of resource at the peak times for other demand, on Mondays and Tuesdays in particular. Morale and staff retention could potentially become an issue for the team who are considered a linchpin to the operation of WRS' operating model to 'resolve at first point of contact' for the majority of our work. This represents a significant risk of disrupting the wider service.

### **Review 3: Conclusion**

Based on the last three years, the maximum level of success would be preventing 7 complaints (2 of the 9 complaints concerned inability to collect dog on Friday evening which would not be resolved by these options). Partner Authorities may consider the benefit from providing such a service does not outweigh the cost in delivery or potential service disruption.

### **Contact Points**

Mark Cox, Technical Services Manager  
01562 738023  
[mark.cox@worcsregservices.gov.uk](mailto:mark.cox@worcsregservices.gov.uk)

**Appendix 1: Chart showing the main reason for the service complaint**

