

GMCA Standards Committee

Date: 15 December 2023
Subject: Review of the GMCA Complaints Procedure
Report of: Gillian Duckworth, GMCA Monitoring Officer

PURPOSE OF REPORT:

To report on the latest review of the GMCA Complaints Procedure and suggested amendments.

RECOMMENDATIONS:

The GMCA Standards Committee is requested to note the review of the GMCA Complaints Procedure and request that officers make the suggested amendments as outlined.

CONTACT OFFICERS:

Melinda Edwards, Deputy Monitoring Officer, GMCA

Nicola Ward, Statutory Scrutiny Officer, GMCA

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1. INTRODUCTION

- 1.1 In line with guidance¹ produced by the Local Government & Social Care Ombudsman on effective complaint handling, a review of the GMCA Complaints Procedure has been undertaken with GMCA colleagues from Governance & Scrutiny and Legal Services.
- 1.2 This report outlines the suggested amendments to ensure that our practices are simple, accessible, and as effective as possible. The complete reviewed complaints procedure is appended for reference.

2. SUGGESTED AMENDMENTS

Simplified and accessible

- 2.1 Although this is a GMCA complaint procedure, it is important that it makes reference to how complaints are dealt with by our delivery organisations, such as those in relation to transport and waste management. The previous iteration of the procedure listed numerous complaints mechanisms for each structure which was felt to be unnecessarily complex for those using the procedure, so we have amalgamated this list into key points of contact for transport, fire, waste and police & crime complaints.
- 2.2 We have removed the requirement for any request for a complaint review to be put in writing as this may be an inaccessible mechanism for complainants.
- 2.3 We have also ensured that the procedure itself is fully accessible so that there are no formatting or document layout barriers for readers.

Two stage complaint process

- 2.4 In support of our accessible approach, we have suggested a two-stage complaint process that begins with a formal complaint and ends in a complaint review. This has

¹ <https://www.lgo.org.uk/assets/attach/5908/Good-complaint-handling-spaced-out-short-page-F-13.5.22.pdf>

removed the need for an informal complaint (previously stage one complaint) as quite often these are dealt with by a department as ordinary business, i.e. enquiry, comment, suggestion and classification as a complaint would not change the approach to a response.

2.5 The suggested stage one is for formal complaints, which is applied when someone is not satisfied by the response given by a GMCA department and they wish to escalate it further. At this stage a manager within the department being complained about will provide a full response, noting that they are closest to the issues raised.

2.6 If the complainant wishes to escalate their complaint to stage two, a review can be requested. Previously the procedure specified that this had to be completed by the Monitoring Officer, however it is suggested that a review could be undertaken by any member of the Chief Executives Management Team to reduce any delay in sign off.

Response timeframes

2.7 In line with our response timeframe for requests under Freedom of Information and formal complaints, it is suggested that the timeframe for responding to review requests (stage 2) should be amended from 25 to 20 working days.

Seeking consent for sharing of personal information

2.8 If the complaint relates to another organisation (outside of the GMCA or TfGM), consent to share any personal data would still be required.

Complaint exclusions

2.9 Having sought best practice from other Local Authority and Combined Authority Complaints Procedures we have also included reference to areas which are excluded from the procedure, including data protection or code of conduct complaints. However, we have also referenced that any such complaints would be directed to the appropriate point of entry.

3. NEXT STEPS

- 3.1 All of the relevant and useful elements of the previous procedure remain in the updated version, including reference as to how we will deal with complaints and how to escalate a complaint once a complainant has been through our procedure and still remains dissatisfied.
- 3.2 With the Committee's feedback and comments, we will ensure that these changes are now made on the GMCA website and update the GMCA Constitution accordingly.

Appendix 1 – Draft reviewed GMCA Complaints Procedure 2023