

POLICY, FINANCE AND ADMINISTRATION COMMITTEE

7 DECEMBER 2011

REPORT OF HEAD OF COMMUNICATIONS

CORPORATE COMPENSATION POLICY

1.0 PURPOSE OF REPORT

- 1.1 To consider and approve a Corporate Compensation Policy for the Council.

2.0 RECOMMENDATIONS

It is recommended

- 2.1 **that the Corporate Compensation Policy as attached at appendix 1 be approved.**
- 2.2 **a report be made to this Committee annually at the first meeting following the close of the financial year setting out the use of the policy.**

3.0 KEY ISSUES

- 3.1 On occasions, the Council receives complaints from customers and the public which show mistakes have been made by Council staff or errors in operation of Council practice or policy. These matters are pursued through the Council's complaints policy and are led by the Corporate Complaints Officer who is the Customer Services Manager. However, frequently complaints are made to the Chief Executive who will take these forward working with the Corporate Complaints Officers.
- 3.2 When a mistake or error has been identified officers consider whether compensation would be an appropriate method of redress. Good practice indicates following the Ombudsman's guidance upon compensation and redress and this is used by the Corporate Complaints Officer and the Chief Executive as appropriate. Delegated authority rests with the Solicitor to the Council or the Head of Central Services as appropriate with respect to the area of complaint. Authority is sought from these officers to offer compensation as appropriate.
- 3.3 The Ombudsman has indicated that it is appropriate for Councils to have the Corporate Compensation policy to ensure a framework exists against which complaints can be considered and there is a consistency in approach.
- 3.4 The Council's proposed Corporate Compensation policy which has been drafted using current good practice, is attached at appendix 1 for Members' consideration and approval.
- 3.5 The policy sets out a framework and authorisation for settlement of these matters together with a principle of ensuring that non monetary compensation is always considered.

4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 This would be a new policy of the Council and would sit alongside its Corporate Complaints policy. The use of the policy would be monitored on a quarterly basis by Management Team with an annual report to this Committee.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 The policy would not cover areas of activity where there is current guidance as to how to deal with errors, mistakes or omissions such as an underpayment of benefit but would deal with any suggestions of maladministration or mistakes in application of Council practices and procedures.
- 5.2 It is not only a more appropriate response to a customer to quickly deal with the complaint when the Council, following investigation, can see it has made a mistake or error than to continue using valuable resources to defend an inaccurate position. This is both inefficient and ineffective use of resources even though a financial payment may be made in compensation.

6.0 LEGAL IMPLICATIONS/POWERS

- 6.1 Consultation with the Solicitor to the Council will take place in appropriate cases.
- 6.2 The report writer must determine whether there are any legal implications and consult the Head of Legal if appropriate
- 6.3 Allow sufficient time for this consultation to ensure that proper legal research can be carried out, particularly where there are legal complexities

7.0 COMMUNITY SAFETY

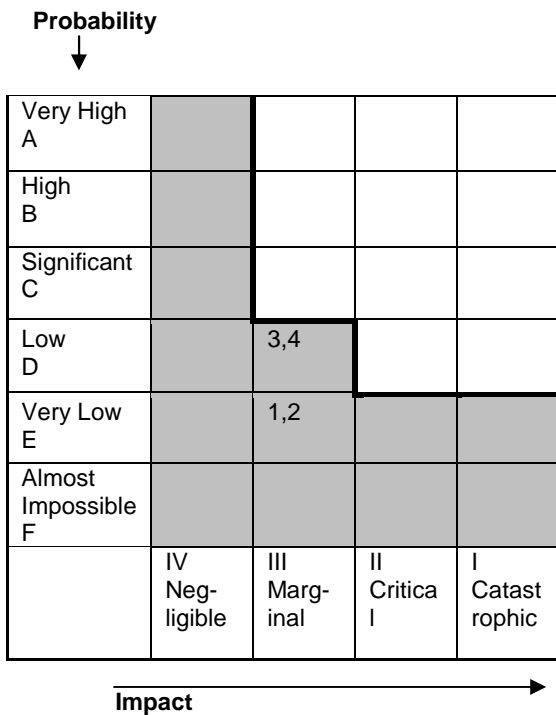
- 7.1 There are no specific implications arising from this report.

8.0 EQUALITIES

- 8.1 An Equalities Impact Assessment has been carried out and is attached to this report.

9.0 RISKS

9.1



Risk No.	Description
1	Too high compensation could be set for the type of complaint
2	Too low compensation could be set for the type of complaint
3	Delay in acquiring permission for compensation could result in further claims for compensation
4	Staff act outside the policy

10.0 CLIMATE CHANGE

10.1 There are no specific implications arising from this report.

11.0 CONSULTATION

11.1 The proposed policy has been developed from examination of existing policies and good practice particularly from the Ombudsman's office. Internal consultation has been carried out.

12.0 WARDS AFFECTED

12.1 All

Contact Officer Angela Tebutt, Head of Communications
Date: 29 November 2011

Appendices : Appendix 1 – Draft Corporate Compensation Policy

Background Papers: Corporate Complaints Officer file – relevant papers and development of Corporate Compensation policy

Reference : X : Cttees, Council & Sub-Cttees/PFA/2011-12/050711/AT -Corporate Compensation Policy