

Complaints, Compliments and Comments Policy

The Council is committed to continually improving the quality of, and access to, the services it provides. We take a positive approach to customer feedback and encourage customers to give us their views.

This policy covers all services delivered by the Council, or for which it has responsibility, it does not include services where there are separate complaints procedures, or routes of appeal, for example the conduct of elections, the conduct of Councillors or requests for information under the Freedom of Information Act, Environmental Information Regulations or Data Protection Act, appeals against planning decisions, or decisions on licence applications. Where there is a separate route of appeal this will be clearly set out in any decision notice. In addition, issues which are in court or have already been heard by a court or tribunal fall outside this policy.

A clear and accessible Complaints, Compliments and Comments process allows the Council to demonstrate its commitment to managing customer feedback effectively. **This policy has been developed taking into account the Local Government and Social Care Ombudsman's Complaint Handling Code.** [Complaint Handling Code \(lgo.org.uk\)](https://lgo.org.uk)

The purpose of this Policy is to ensure that:

- Providing feedback to the Council is made as easy as possible.
- Feedback is dealt with promptly and efficiently.
- There is effective communication between council staff and both the person making the complaint and any other partners involved in the complaint from an early stage.
- Every effort is made to resolve any complaints that are received at an early stage.
- The Council learns from all feedback received taking appropriate steps to improve service provision or celebrate good feedback.
- Staff are clear of their role within the process.
- Credibility and accountability are maintained through meaningful review and monitoring.

Definitions

For the purpose of this Policy “feedback” includes compliments, comments and complaints and the following definitions will be used.

Compliments

Compliments are specific expressions of satisfaction from customers concerning a function or a service provided by the Council. A simple thank you, usually at the end of a contact, would not normally be considered a compliment.

Comments

Comments are views or suggestions that customers may have about a service that is provided by the Council or an initial request for a service.

Complaints

Gedling Borough Council aims to follow the correct complaint handling procedure that allows customers to be heard and understood. There should be a clear understanding of what constitutes a service request and what constitutes a complaint.

~~There is often confusion about what constitutes a complaint, which leads to complaints mistakenly being labelled as requests for service.~~

~~A request for service is not a situation where the Customer is requesting an item or service that is missing/has been missed, this is a complaint. However, a complaint about a taxi driver or noisy neighbour would be treated as a request for service.~~

A request for service can be defined as

“a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision.”

It is a formal request made by the customer to obtain one of the services offered by the council. This provides the Council with an opportunity to resolve matters before they become a complaint. Service requests should be recorded, monitored and reviewed regularly.

Examples of a request for service might be a request to deliver a new bin, a request to investigate anti-social behaviour or a request for a litter bin to be emptied.

A complaint may be defined as:

“an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council, it's staff, or those acting on the council's behalf, affecting an individual or group of individuals.”

This will also include situations where customers state that the perceived failure has repeatedly occurred. A complaint may be raised when the individual expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing.

This may include complaints about:

- failure to provide a service, or **provide** inadequate standard of service

- how we met a customer's needs
- how we communicated with a customer
- how long we took to deal with a case
- treatment by or attitude of a member of staff
- failure to follow the appropriate administrative process.

The above definitions also extend to complaints in respect of partners or contractors providing services on behalf of the Council. In these cases, the contracting/managing department is responsible for ensuring that complaints are **handled in line with the council's complaints policy**. ~~investigated, resolved and responded to.~~

There is no difference between a formal and an informal complaint. Both are expressions of dissatisfaction that require attention as a complaint and provision of a response.

An individual should not have to use the word 'complaint' for it to be treated as such. Where there is any doubt whether the customer's feedback is a complaint, a comment or a request for service, it is to be treated as a complaint.

Exclusions

The Council will accept a complaint unless there is a valid reason not to do so. If the Council decides not to accept a complaint, it will provide an explanation and evidence its reasoning while considering each complaint on its own merits.

The Council will accept complaints received within 12 months of the issue occurring, or the complainant becoming aware of the issue. The Council may, apply discretion to accept complaints made outside this time limit where there are good reasons to do so.

The Council will not accept complaints which fall outside this policy for example where there is an alternative route to appeal or challenge or where the complaint relates to an ongoing consultation and is a response to that consultation. The Council also reserves the right to refuse to accept complaints in line with actions set out in the Unacceptable Customer Behaviour Policy.

Whistleblowing

A complaint of a serious nature which gives rise to concerns about fraud or corruption will be dealt with under the Council's Whistleblowing procedures.

English language requirement for Public Sector workers

The Council is under a duty to ensure that all staff in customer facing roles are fluent in spoken English to the extent necessary to enable them to perform their role effectively.

If a customer feels that a member of staff in a customer facing role has insufficient proficiency in spoken English for the performance of their role they can complain to the Council. This complaint will then be investigated, and a response provided in accordance with the Policy.

Please note that a complaint about a member of staff's accent, dialect, origin or nationality will not be considered a legitimate complaint.

How a customer may provide feedback

A customer may provide feedback either:

- by using the on-line complaints form on the Council's website
- by telephone
- in writing (by email or letter, or webchat)
- in person
- via a Councillor

We will ensure that complaints are handled by the relevant service area and respond to customers in writing, unless it is appropriate to respond via other channels of contact (for example the telephone or in person). If you wish to complain or discuss your complaint in person, you are entitled to have someone with you to support you.

Whilst customers may express views or opinions on social media any formal complaint should come directly to the Council in one of the formats listed above. If it appears a customer is trying to lodge a complaint through social media, they would be directed to the appropriate channels.

Customers are encouraged to put their complaints in writing to give as much information as possible to aid investigation. If they are making a verbal complaint, we will take down their details and confirm with them that they wish the complaint to be investigated and how to contact them with the outcome of the investigation.

If a customer wishes to make a complaint but requires support from a third party to do so a complaint can be brought by the third party provided appropriate consents are provided to share any personal data or information relating to the complaint with the third party.

The Council's Leisure Centres have 'comments books' available for customers in the reception areas. The Manager of the Leisure Centre reviews these each day and provides a response in the book, this can be checked by the customer who made the comment, and other customers which ensures there is comprehensive feedback.

The Council will ensure that reasonable adjustments are made under Equality Act 2010 to help customers access and use the Council's services. The Council will provide assistance to those who may struggle with providing feedback or require

information in another language or format. (Please see [Equality and Diversity - Gedling Borough Council](#))

Recording compliments, complaints and comments

The **Deputy Chief Executive** is responsible for the Council's compliments, complaints and comments system.

To ensure that there is consistency across the different Council departments, **managers** must designate appropriate staff to receive and deal with any feedback regarding their service areas. They must also ensure that relevant staff in their departments are aware of the importance of recognising what compliments and complaints are and are dealt with and recorded on the Council's compliments, complaints and comments system.

Complaints Handling training will be made available for officers on a regular basis.

All compliments and complaints must be recorded promptly in the Council's compliments, complaints and comments system and dealt with in the agreed timescales. This will allow the Council to:

- take into account customer feedback
- pass on compliments to relevant staff
- learn from mistakes
- identify improvements to service delivery
- identify training needs.

Where there is a complaint involving more than one department of the Council then the departments involved will identify a lead officer to investigate and deal with the complaint.

If a complaint involves more than one organisation, for example Nottinghamshire County Council, the dealing department should ensure that communication is made with the third party to ensure the Customer receives a proper response and to avoid customers being passed back and forth between organisations.

Where a complainant has directed their complaint to the Council, but we are not the appropriate responding body, we will provide the customer wherever possible with details of how to make their complaint to the correct organisation.

Guidance for managing compliments

All compliments should be acknowledged and, if relating to a specific individual or team, relevant staff informed that a compliment has been received.

Guidance for managing comments

All comments should be acknowledged, appropriate action taken and, where relevant, feedback given to the customer within 10 days of receipt.

Framework for managing complaints

The Council has a three stage complaint process for handling complaints.

Throughout the complaint process council officers will:

- a. clarify with the individual any aspects of the complaint they are unclear about;
- b. deal with complaints on their merits, act independently, and have an open mind;
- c. give the individual a fair chance to set out their position;
- d. take measures to address any actual or perceived conflict of interest; and
- e. consider all relevant information and evidence carefully.

Stage 1 - Service Department Complaint (Investigated at point of service delivery)

1. An acknowledgement should be sent within **5** working days of receipt of the complaint.
2. A full response should be sent within 10 working days of receipt of the complaint. If this is not possible because of the complexity of the complaint, or due to other exceptional circumstances, the customer will be advised that the investigation is continuing and given a reason for any delay and an indication of when the complaint will be completed. Regular contact should be maintained until the complaint is resolved. **Any extension should be no more than 10 working days, again if further time is required due to complexity of the complaint or other exceptional circumstances, the complainant must be advised of this, the reasons for delay and provided with updated timescales for full response.**
3. **Additional complaints raised by individuals during stage 1, will be incorporated into stage 1 response if they are related. After the stage 1 response has been provided, the new issues raised, if unrelated to the issues already being considered, or if they would unreasonably delay the response, will be logged as a new complaint.**
4. The customer will be advised in the Council's response of what they need to do to progress to stage 2 if they remain dissatisfied with the outcome of the complaint.

Stage 2 - Service Department Reviews

1. An acknowledgement should be sent within **5** working days of receipt of the request for a review.
2. **The relevant Assistant Director or Director** will ensure that an objective review is carried out for any stage 2 complaint that is received. As well as reviewing the original complaint and the Council's response under stage 1 of the complaints procedure it will also take in to account any further relevant information provided by the customer. **The person considering the complaint at stage 2 will be different from the person who considered the complaint at stage 1.**
3. A full response should be sent within **20** working days of the request for a review. If this is not possible, because of the complexity of the complaint, or due to other exceptional circumstances, the customer will be advised that the investigation is continuing, given reasons for any delays and given an indication of when it will be completed. Regular contact should be maintained until the complaint is resolved. **Any extension should not exceed 20 working days, again, if this is not possible due to complexity of the complaint or other exceptional circumstances the customer should be advised of the reasons for delay and provided with an updated timescale for a full response.**
4. The customer will be advised in the response that they may complain further to the Local Government and Social Care Ombudsman (or the Housing Ombudsman, if the complaint relates to social housing where the Council are the landlord) if they remain dissatisfied with the outcome and sent details of their procedure.

Stage 3 – Referral to the Local Government and Social Care Ombudsman

(Ombudsman) or the Housing Ombudsman

Any correspondence received from/sent to the Ombudsman will be handled by the **Assistant Director of Governance and Democracy** on behalf of the Council's Monitoring Officer. The actual referral will also be sent to the relevant Head of Service for their comments.

Feedback relating to staff behaviour

Notifying staff of compliments made about them can improve staff satisfaction, staff morale, customer service and performance. Where a complaint relates to a specific member of staff, the complaint will be investigated in an appropriate way, which may include consideration under the Council's Disciplinary Procedure.

Remedies **Putting Things Right**

Where a complaint investigation identifies that things have gone wrong **this will be acknowledged and an explanation as to the actions taken or to be taken will be included in the complaint response.** Appropriate remedies could include:

- An apology
- An explanation of what went wrong
- Actions to put things right
- **Taking action if there has been a delay**
- **Reconsidering or changing a decision**
- **Amending a record or correcting an addendum**
- **Changing policies, procedures or practices**
- Some form of compensation to the customer (in line with delegated powers)

The guiding principle must be that, where possible, the customer is put back in the position they would have been if things had not gone wrong.

The remedy offer should set out what will happen and by when and any remedy should be followed through to completion.

If a proposed remedy cannot be delivered, reasons for this should be given along with any alternative remedy and a reminder of the complainant's right to contact the Ombudsman.

Evaluating our response to customers

Customer Services may contact customers, following resolution, asking them to complete a satisfaction form. The aim of this is to provide information to help the Council determine:

- Whether the complaint procedure was accessible and easy to use.
- Levels of satisfaction with the way the complaint was handled and remedy offered

Monitoring

Managers should ensure that they monitor and review outcomes of all feedback that they receive within their departments to identify trends and to use them for discussion at team meetings, staff development and PDRs.

Each quarter, **the Assistant Director of Workforce of HR, Performance and Service Planning** will collate details relating to the number of compliments and complaints received by the Council for each Service area. These details will be entered onto the Council's Corporate Performance Management System. Following this the **Performance and Insight Manager** will prepare a report and analysis for consideration by Senior Leadership Team.

Details of complaints are reported to Senior Leadership team quarterly, Cabinet quarterly as part of performance monitoring and to Overview and Scrutiny Committee. An annual statistical complaints report including complaints determined by the Local Government and Social care Ombudsman is reported to Cabinet and Overview and Scrutiny Committee.

Any equality related complaints are categorised separately and are also considered by the Council's Equality Officer group and Strategic Equality and Diversity Group to ensure compliance with the Council's Public Sector Equality Duty and Equality, Diversity and Inclusion Policy.

Unreasonably persistent complainants

On occasions certain complaints can be difficult to resolve and can cause anxiety and distress to customers and employees. Whilst the aim of the council is always to try to find a way to resolve matters, there are occasions when customers become unreasonable or unreasonably persistent in their actions to obtain the outcome that they want.

There is a need to ensure that these complaints are dealt with fairly. However, there is also a need to ensure that Council resources are used effectively, and that other customers or employees do not suffer any detriment as a result of their behaviour. There is a separate policy the Unacceptable Customer Behaviour Policy which deals with any unreasonably persistent complainants.