

BASSETLAW DISTRICT COUNCIL

Corporate Complaints Policy and Procedure





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1. Introduction

Bassetlaw District Council aims to provide the best possible quality services its resources will allow. If you are dissatisfied with the way in which a service has been provided to you by the Council (*or by contractors providing a public service to you on behalf of Bassetlaw District Council*) we want to know about it. This can include the way you have been treated or if you have experienced unreasonable delays. We will look into why the issue has happened; provide an explanation and an apology (where it is appropriate to do so) with a view of improving our services to you where relevant. We will aim to resolve the situation quickly and proportionately.

The definition of a complaint is:

‘An expression of dissatisfaction about a council service (whether that service is provided by the council or by a contractor or partner) that requires a response’.

Organisations contracted to provide services on behalf of the Council will be required to comply with this policy. This includes recording and responding to complaints, providing Council officers with information as requested and providing assistance in connection with further investigations as appropriate. It will be the responsibility of each Head of Service/Service Manager to ensure that this is agreed as part of contractual arrangements and included in the contract.

2. What is the Procedure?

The Council operates a 3 stage process which allows escalation between each stage should complainants remain dissatisfied as follows:

Stage 1

The complaint will be acknowledged within 5 working days.

A reply will be provided by the relevant Head of Service or Service Manager within 15 working days of receipt of the complaint. The reply will conclude by offering stage 2 of the

Complaints Procedure for those that remain dissatisfied with the reply they have received under stage 1 of the process.

Stage 2

The acknowledgement to the request for the stage 2 review will be provided within 5 working days.

For those complainants who are dissatisfied with the stage 1 complaint response they received, a stage 2 review by the Council's Chief Executive will take place with a response being provided within 15 working days of the request being received. The reply will conclude by offering the contact details of the Local Government Ombudsman for those complainants that remain dissatisfied with the stage 2 review process.

Stage 3

For those complainants that remain dissatisfied following the stage 2 review by the Chief Executive, complainants may exercise their right to seek further advice from the Local Government Ombudsman (LGO). It should be noted that the LGO will not normally look into a complaint unless the Local Authority has first had a chance to address the matter within the Council's own complaints procedure. The LGO can be contacted by: www.lgo.org.uk by tel: 0300 061 0614 or by post: The Local Government Ombudsman, PO Box 4771 COVENTRY CV4 0EH.

3. How do I make a complaint?

As part of the drive towards the Digital agenda, the Council has embarked on a 'Digital First' Programme which enables greater accessibility for customers to report complaints quickly and easily. This can be done on-line via the Council's website at: www.bassetlaw.gov.uk

The on-line process allows customers to choose whether they wish to receive a reply to their complaint by e-mail or by post ensuring that customers' preferred options for communicating are taken on board.

To facilitate as many customers as possible to access our services through digital channels, those requiring help with the digital process can contact the Council's Customer Services team by e-mail at: www.customer.services@bassetlaw.gov.uk by telephone: 01909 533533 or in person at the Council Offices.

For those customers who do not have access to digital technology at home or at work, in order to ensure they are not disadvantaged, we can provide help through our Outreach Programme, please ask the Council's Customer Services for more information about this.

You can also send your complaint in writing either by e-mail to: customer.services@bassetlaw.gov.uk or by post to Bassetlaw District Council, Queen's Buildings, Potter Street, Worksop S80 2AH.

'My Account' is Bassetlaw District Council's App that can be downloaded to help with all your service requirements and queries including complaints. Please contact Customer Services if you would like more information or help with this.

4. Help is available

Some complainants may require help in preparing their complaint and the Council may be able to help you to do this where appropriate to do so. Please contact the Council's Customer Services team for further information. Alternatively, complainants may prefer a family member, friend or other responsible person to act on their behalf. We would ask that written consent is provided in cases such as these. The Citizen's Advice Bureau is also available to provide free independent advice should this be required.

Equality Statement: Bassetlaw District Council values and respects the diversity of all people living and working in Bassetlaw and is committed to equality of opportunity in service delivery. We will not treat you any differently because of your gender, race, disability, religion or belief, sexuality or age.

We recognise our responsibilities to provide equal opportunities for all our customers, we will:

- Ensure all areas of our One Stop Shops are accessible by all customers including wheelchair users and customers with prams or buggies
- Provide access to interpretation services, if needed
- Provide facilities for customers with sight or hearing difficulties

5. Types of Complaints

It is recognised that certain types of complaints fall outside the scope of this policy and should therefore be dealt with through other mechanisms, these are:

5.1 Grievances received from existing, or former, employees about their employment. These need to be referred to Human Resources and considered under their policies and procedures.

5.2 Issues for which statutory appeal bodies or tribunals have been established, for example, The Appeals Service (for Benefit appeals), The Planning Inspectorate (for planning appeals).

5.3 Complaints which amount to a disagreement with the Council about its decision rather than the way the decision has been administered (e.g. the level of the Council Tax).

5.4 Complaints regarding a decision made by the Council when exercising its regulatory powers (e.g. licensing, serving notices) or undertaking its statutory duties (e.g. making a decision on a homelessness claim or a planning application decision) unless the complaint relates to the way the matter has been administered.

5.5 Matters, which are or could reasonably be expected to be the subject of court or tribunal proceedings. Complaints which amount to a disagreement with or refusal to accept a rule of law which the Council is applying.

5.6 Complaints about Elected Members' conduct or decisions/outcomes relating to code of conduct complaints are dealt with by the Council's Monitoring Officer through the Code of Conduct complaints procedure.

5.7 Complaints which amount to a request for service e.g. noise nuisance unless it relates to the way in which the Council is administering the request for service.

5.8 Complaints which constitute an allegation of fraud and/or corruption will need to be dealt with under the provisions made by the Whistle Blowing Policy

5.9 Complaints which constitute a racist incident will need to be dealt with under the procedures covering the reporting of racial incidents.

5.10 Complaints which constitute an allegation relating to a safeguarding matter shall be dealt with under the Council's Safeguarding Policy.

5.11 Complaints naming individual officers need to be reviewed by an appropriate line manager. Whilst the officer concerned will need to provide information, it is not appropriate for the individual to sign off the service response. Where, as part of the review of a customer complaint, it becomes apparent that an employee's standard of performance or conduct fails to meet the Council's expectations, the matter should be referred to the relevant Head of Service/Service Manager/Director to enable an Investigating Officer to be appointed in accordance with the Council's Disciplinary Procedure. If the poor standard of performance or conduct relates to a Head of Service, the matter should be referred to the relevant Director.

6. Anonymous complaints

Some customers may elect to remain anonymous when reporting complaints. For verbal complaint reporting, the employee dealing with the telephone call or face-to-face contact needs to explain, whilst respecting the customer's decision to remain anonymous, the restrictions this may cause us in trying to resolve the matter, for example, unable to provide feedback or request further information at a later date, which is often critical for progressing some complaints.

It will be for the responsibility of each Head of Service to decide how far investigations can proceed into complaints received anonymously. This will be dependent on the nature of the complaint, any legislative requirements to investigate and any other information that the service has to hand or is aware of.

It needs to be borne in mind that individuals may have valid reasons for choosing to remain anonymous, for example, fear of reprisal. Conversely, some individuals may have less honourable reasons for choosing to remain anonymous, for example, to cause problems or difficulty for someone. It is therefore important that each anonymous complaint is given due consideration with the onus on making investigations, even if limited, unless there are good grounds not to.

7. Policy statement – Unacceptable Customer Behaviour

The Council has standards in place in order to maintain a high quality of customer care at all times.

We expect every customer to receive excellent customer service and a key promise in our Customer Standards is that we will be helpful to customers, serving them at all times with dignity, courtesy and respect, and responding to their individual needs.

At the same time we expect our employees to be treated with respect and courtesy. Whilst we understand that people sometimes act out of character in times of anxiety or distress and can become angry and/or frustrated, we will not accept behaviour from customers that is threatening, abusive or unreasonably persistent.

What is Unacceptable Behaviour?

Aggressive or Abusive behaviour which could include:

Threatening or abusive language

Derogatory, offensive or rude comments which humiliate, intimidate, frighten or demean employees or other customers

Unsubstantiated allegations

Violence or threats of violence

Unreasonable demands which could include:

Requests for excessive amounts of information

Setting unreasonable timescales

Continual insistence on seeing a particular employee

Continual contact

Changing the substance of a complaint or introducing unrelated concerns

Unreasonable persistence which could include:

Refusal to accept a decision

Refusal to accept explanations of what a service area can and cannot do

8. Dealing with Persistent or Vexatious Complainants

The following options can be used singularly or as a combination depending on the circumstances of the case and whether the complaint process is ongoing or concluded.

8.1 A letter to the complainant setting out responsibilities for the parties involved if the Council is to continue processing the complaint. If terms are contravened, consideration will then be given to implementing other action as indicated below.

8.2 Decline contact with the complainant, either in person, by telephone, by fax, by letter, by e-mail or any combination of these, provided that one form of contact is maintained.

This may also mean that only one named officer will be nominated to maintain contact (with a named deputy in their absence). The complainant will be notified of this person.

8.3 Notify the complainant, in writing, that the Council has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a persistent or vexatious complainant and as such the Council does not intend to engage in further correspondence dealing with the complaint.

8.4 Inform the complainant that in extreme circumstances the Council will seek legal advice on persistent or vexatious complaints.

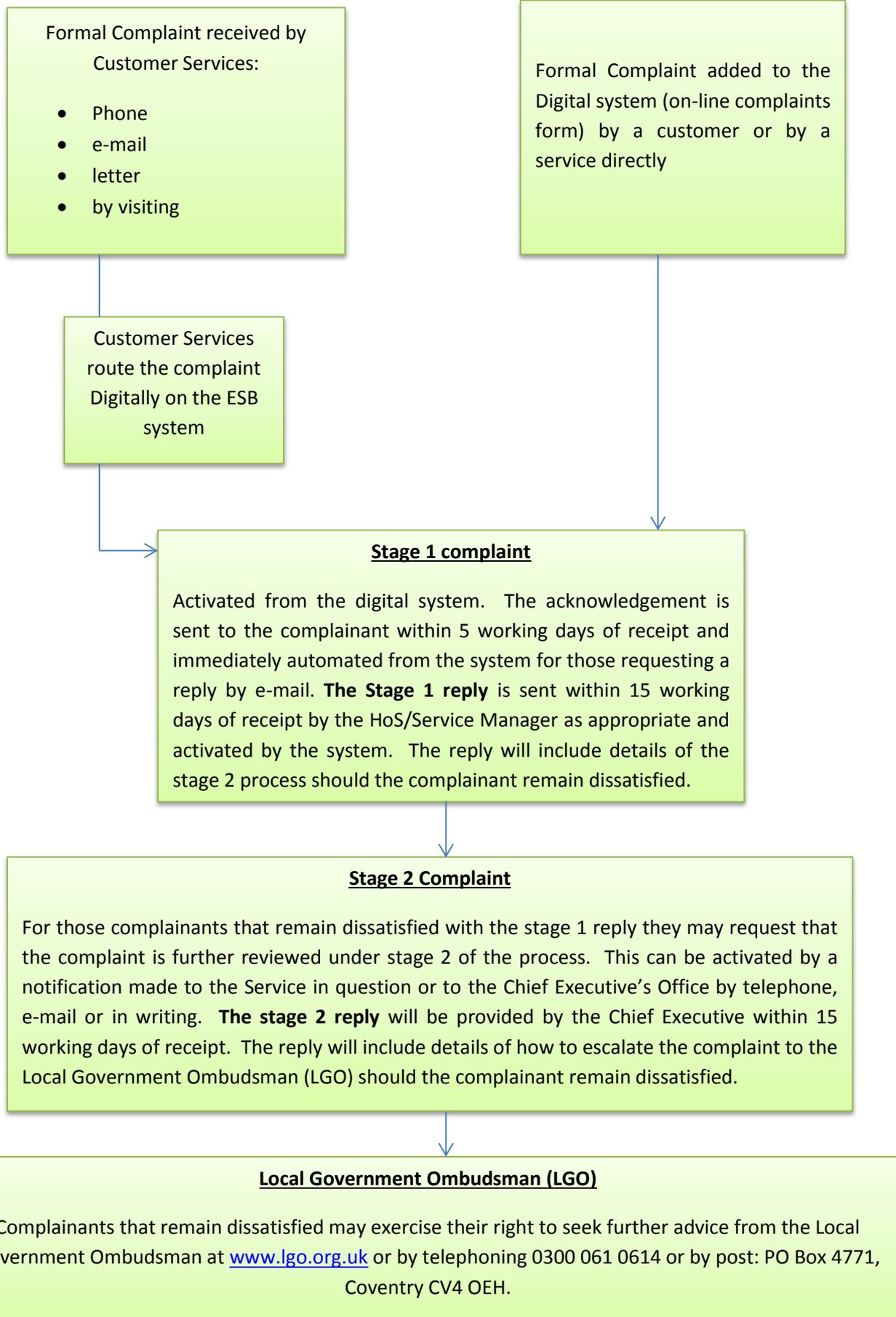
8.5 Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered persistent and/or vexatious, while seeking advice or guidance from its solicitor or other relevant agencies, such as the Local Government Ombudsman.

9. Remedies to complaints and Local Government Ombudsman Guidance

The Council will aim to put things right if they go wrong and look to implement service improvements where appropriate to do so.

The Council will be guided by the case studies, best practice principles and guidance of the Local Government Ombudsman in order to provide the best possible quality services to you.

Flow Chart for effective Formal Complaint Handling



Useful contacts

Bassetlaw District Council

Web-site: www.bassetlaw.gov.uk

E-mail: customer.services@bassetlaw.gov.uk

Customer Services: Tel: 01909 533 533

Address:

Bassetlaw District Council
Queen's Buildings
Potter Street
Worksop
S80 2AH

Office of the Chief Executive Tel: 01909 533266

Local Government Ombudsman:

Website: www.lgo.org.uk

Tel: 0300061 0614

Address:

PO Box 4771
Coventry
CV4 OEH