



East
Northamptonshire
Council

Customer Feedback and Complaints Policy



Welcome to



East
Northamptonshire
Council

Using feedback to improve services

If you would like to receive this publication in an alternative format (large print, tape format or other languages) please contact us on 01832 742000.

Document Version Control

Author (Post holder title)	Executive Director
Type of document	Policy
Version Number	V3.0
Document File Name	Complaints Policy
Issue date	
Approval date and by who (SMT / committee)	
Document held by (name/section)	
For internal publication only or external also?	Internal and external * delete as appropriate
Document stored on Council website or Eunice?	ENC HUB and website *
Next review date	

Change History

Issue	Date	Comments
Internal Complaints Process	June –Oct 14	Reconfigured as policy document to be supported by separate staff procedure following discussion at CMT and review of complaints leaflet
Draft 0.1	November 14	Comments – development group Jenny Walker Julia Smith Louise Spolton Sharon Prior David Bennett
Draft 0.2	November 14	Comments from Middle Managers & CMT
Draft 0.3	February 15	Draft for P&R Committee
Version 2	June 2017	Reviewed document approved by P&R chair and vice chair
Version 3	August 2020	Reviewed document approved by P & R chair and vice chair

NB: Draft versions 0.1 - final published versions 1.0

Consultees

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)

Distribution List

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)

Links to other documents

Document	Link
Regulators compliance code 2013	https://www.gov.uk/government/publications/regulators-code
Potentially Violent Persons Policy	
Constitution	http://www.east-northamptonshire.gov.uk/site/scripts/documents_info.php?documentID=1194

Contents

	Page
1.0 Introduction	5
2.0 Scope – What does this policy cover?	5
3.0 Policy outcome	6
4.0 How you will be treated	6
5.0 What we need from you	6
6.0 Complaints policy	6
7.0 Responding to a complaint	7
8.0 Review of complaint outcome	7
9.0 Complaint Outcomes	8
10.0 Persistent, Vexatious and Inappropriate Complainants	8
11.0 What we expect from you	9
12.0 Types of action we can take	10
13.0 Making you aware	11
14.0 Challenging the decision	11
15.0 The role of ward councilors	11
16.0 Positive feedback and constructive criticism	11
17.0 Feedback and Monitoring	11

1.0 Introduction

- 1.1 We aim to provide high quality services that meet our customers' needs. It is therefore important to listen to our customers to help us improve our services. This feedback and complaints policy covers how we will process, respond to, and act on what customers tell us about our services.
- 1.2 In drafting this policy we have taken into account the requirements of the Regulators Code 2013. We have also considered best practice identified in reports by the House of Commons Public Administration Select Committee and the Local Government Ombudsman.
- 1.3 We want customers to tell us if:
- they are very satisfied with the service they have received so that the member(s) of staff concerned and their managers can be told;
 - they have a suggestion on how we might improve services;
 - they are dissatisfied with a council service or
 - we have fallen short of the standards we set ourselves in dealing with their complaint.
- 1.4 The Local Government Ombudsman noted that for complaints to make a difference "the public must first be able to access the complaints system". This policy is available on our website and a leaflet is available in our customer service centres.

2.0 Scope – What does this policy cover?

- 2.1 This policy explains what customers can expect from us and in turn what we expect of our customers. It explains what a complaint is and how we will resolve it.
- 2.2 The following will not be treated as complaints under this policy:
- Complaints about residents, businesses or groups within the district which the council is being asked to investigate under its regulation or enforcement powers.
 - Complaints about the determination of a planning application by a delegated Planning Officer or the Development Control Committee for which there is a right of appeal to the Planning Inspector.
 - Complaints in relation to Assets of Community Value.
 - Complaints about councillors behaviour or actions for which there is a separate procedure (See Part 9 of the Constitution)
 - Complaints in relation to the Data Protection Act and Freedom of Information (please www.east-northamptonshire.gov.uk/foi)
 - Complaints about the Chief Executive which should be referred to the Monitoring Officer.

3.0 Policy outcome

3.1 The outcomes to be delivered by this policy are:

Policy outcome	Links to corporate outcomes (delete as appropriate)
<ul style="list-style-type: none">This policy will help high quality service delivery that is customer focused through monitoring, listening to, and acting on feedback received about our services.	<ul style="list-style-type: none">High quality service delivery - Customer-focussed services

4.0 How you will be treated

4.1 In dealing with the council we will:

- be polite and respectful in all of our dealings with you
- respond to you via the communication channel that you specify, whenever we can (in person, the telephone, by email or letter)
- deal with your enquiry or request in a timely manner
- listen to your point of view
- provide you with accurate information that you can rely on, to the best of our abilities

5.0 What we need from you

5.1 To make sure we can investigate your complaint in an efficient and timely manner we need to ensure we have the following information:

- Your name and address – we cannot investigate anonymous complaints
- The subject and detail of your complaint - what is it you are not happy with and why
- Who you have been dealing with – you may have discussed this matter with several different service areas, it is helpful if we know this so that a full overview investigation with all relevant service areas can be undertaken

6.0 Complaints policy

6.1 Our definition of a complaint is:

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

Examples of this include:

- where a customer feels they have not been treated fairly or politely;
- where we haven’t done something a customer feels we should have done or
- where a customer is not satisfied with the service they have received.

6.2 We receive complaints through a variety of channels:

- Letter
- Email
- Telephone
- Face to face
- Social media

All of the above are acceptable ways of making a complaint, however we reserve the right to request complaints to be put in writing where they are considered to be complex and/or involving more than one department.

The most efficient way to make a complaint or submit a compliment or other feedback is to email customerfeedback@east-northamptonshire.gov.uk, or fill out the '[feedback form](#)' on the council's website.

7.0 Responding to a complaint (Stage 1)

- 7.1 *If the complaint is about a decision an officer has made*, the complaint should be directed to that officer so that they can explain their decision, answer any questions and take any necessary action. However sometimes the officer may feel it more appropriate for the complaint to be dealt with by their line manager.
- 7.2 *If the complaint is about an officer's attitude or behaviour*, then the complaint will be directed to the officer's line manager for a response. The line manager will also consider any complaints about a decision made by that officer. The line manager will liaise with the HR team as to whether the complaint is potentially sufficiently serious to possibly warrant use of the disciplinary process.
- 7.3 Responses, acknowledgements and clarifications will usually be sent by e-mail unless the complainant does not provide an e-mail address.
- 7.4 The target time for a final Stage 1 response is 10 working days. If the complaint is particularly complex and requires longer to investigate then the customer will be advised, within 5 working days, of when a response will be received and why it will be outside our usual Stage 1 response target time.
- 7.5 The response to a Stage 1 complaint will include information on how the customer can request a review of the response.

8.0 Review of complaint outcome (Stage 2)

- 8.1 If the customer is not satisfied with the outcome of Stage 1, they can request a review of their complaint. The request for a review should be referred to the relevant head of service unless the complaint is about the head of service or they responded to the Stage 1 complaint. In these cases, the request for a review should be referred to their line manager (either the Executive Director or the Chief Executive).
- 8.2 The target time for a review response is 10 working days from receipt of a request for a review. If the complaint is particularly complex and requires longer to investigate then the customer will be advised when a response will be received by and why it will be outside our usual review response target time.
- 8.3 The response to a Stage 2 complaint will include information on how the customer can refer a complaint to the Local Government Ombudsman if they remain unhappy with the council's approach.

8.4 The role of the Local Government Ombudsman is to investigate complaints referred to them and provide remedy and redress when they decide that a council has not made decisions properly or a failure of service provision has occurred. The LGO normally expect complaints to have been dealt with in accordance with this policy before they start an investigation.

9.0 Complaint outcomes

9.1 Consideration of a complaint may reveal the relevant matter has been handled correctly by the council. In these cases consideration may be given to providing additional explanation of the process that has been followed if this will assist the complainant's understanding. However, in a few cases, the above actions will not be sufficient to the complainant and therefore a complaint to the Local Government Ombudsman remains the final stage in the process. The Local Government Ombudsman will determine whether the council has been at fault and may specify a remedy and/or compensation to be paid.

9.2 The council aims to complete even complex complaints within 12 weeks of initial receipt in line with the Local Government Ombudsman's Guidance.

9.3 All complaints will be recorded and monitored as part of the council's complaints recording system.

9.4 If consideration of the complaint reveals that the council has been at fault, generally complainants simply want recognition that something has gone wrong. Acknowledgement of the fault, together with an apology from the council (not an individual officer) and review of processes to ensure the fault doesn't happen again will usually be sufficient. (Section 2 of the Compensation Act 2006 makes it clear that an apology in itself does not amount to an admission of negligence or breach of statutory duty).

9.5 However, in a few cases, the above actions will not be sufficient and some form of alternative remedy may be required to redress the fault. In these cases, consideration will be given to the Local Government Ombudsman's guidance on remedies for complaints.

10.0 Persistent, vexatious and inappropriate complainants

10.1 In a minority of cases, people pursue their complaints in a way that is unreasonable, either because they behave unacceptably or are unreasonably persistent in their contact or submission of information. This can hinder the council's consideration of their, or other people's, complaints. Examples may include the following activities but this is not intended to be an exhaustive list:

- Changing the basis of the complaint as the investigation proceeds.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same or related issues with various parts of the council or with different organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and/or expecting immediate responses.
- Submitting repeat complaints with minor additions/variations and the complainant insists that these are considered as 'new' complaints.

- Refusing to accept the decision; repeatedly arguing points with no new evidence.

10.2 In such cases the council will take action that is proportionate to the nature or frequency of the complainant's approach. The following actions may be considered, taking the complainant's behaviour and circumstances into account:

- Placing limits on the number and duration of contacts with staff per week or month.
- Offering a restricted time slot for necessary calls.
- Limiting the complainant to one medium of contact (e.g. telephone, letter, email etc.)
- Requiring the complainant to communicate only with one named member of staff.
- Requiring any personal contacts to take place in the presence of a witness and in a suitable location.
- Refusing to register and process further complaints about the same matter.

10.3 Where a decision on the complaint has been made the following options may be considered:

- Informing the complainant that future correspondence will be read and placed on the file but not acknowledged, unless it contains material new information. (A designated officer will be identified to receive and read future correspondence.)
- Ending all communication with the complainant on the issue and, where appropriate, referring the complainant to the Ombudsman

10.4 Decisions to limit access in any of the ways described above will be made by the Executive Director or Chief Executive. In most cases the customer will be warned by the decision maker in writing of the possible consequences of their actions in line with this policy. However in some circumstances, action will be taken without prior warning but the complainant will still be notified in writing and advised of the reasons for our decisions.

10.5 All restrictions on access should include a specific review date, usually within 2 years. Limits should be lifted and relationships returned to normal unless there are good reasons to extend them. The outcome of the review will be communicated to the complainant. If limits are to continue the reasons will also be communicated to the complainant along with the next review date.

11.0 What we expect from you

11.1 Our staff will always do their best to help customers and in return we expect you to behave appropriately and treat our staff and any contractor operating on behalf of the council with courtesy, consideration and respect as they carry out their work.

11.2 If you do not act appropriately it will make it difficult for us to deal with your complaint or query effectively.

Examples of inappropriate complainant actions or behaviour include but are not limited to the following:

- any form of physical violence towards our workers, including deliberate damage to property/vehicles or the use of animals to attack
- verbal abuse
- threatening emails
- excessive volume of emails without permitting time for a response
- inappropriate comments made on social media
- negative references to individuals via social media
- inappropriate banter, including innuendo
- swearing and inappropriate language
- malicious allegations
- derogatory racial, sexual, ageist or homophobic remarks or comments relating to a disability, perceived gender, religion or belief or any other protected characteristic as defined in the Equality Act 2010.

11.3 Included within the scope of unreasonable behaviour is customer contact which because of its frequency, persistence, repetition, duration or content unreasonably hinders our ability to provide a service/deliver our work effectively. Where necessary and appropriate, referrals may be made to the Police due to the nature or substance of the behaviour by the complainant.

12.0 Types of action we can take

12.1 In the event of inappropriate behaviour or actions we may need to limit your contact with us. We consider any decision to restrict contact with us very carefully and any action we take must be proportionate.

12.2 Prior to any action being considered, you will always be advised that your conduct was of concern. This will give you the opportunity to respond and change what was considered inappropriate. If the action/behaviour continues, the following measures may be taken:

- telephone calls limited to specific named council officers
- telephone calls limited to days and/or times
- blocking individual access to our social media channels and/or removing posting rights
- contact limited to writing only
- asking you to enter into a written agreement about the nature and/or content of your future contact
- asking you to contact us through a third party of your choosing
- all future communication on the issue ceases - any further correspondence on issues that have already been addressed, or that do not set out any new evidence issues, would be filed without response. Where contact is made by telephone, you would be informed that the call would be terminated
- other action that could be taken includes reporting any threatening or abusive comments to the police
- disengagement

13.0 Making you aware

13.1 We will always write to you setting out:

- why your behaviour is considered inappropriate
- what action is being imposed
- if there is any particular time limit to our restrictions
- how you can challenge the decision

This is in accordance with our internal policy for protecting staff from people or places where unacceptable behaviour has occurred.

14.0 Challenging the decision

14.1 You are able to challenge any decision we make to limit your contact by contacting the relevant Head of Service. The Head of Service will consider your appeal and make a final decision. No further appeal against the decision will be accepted.

15.0 The role of ward councillors

15.1 Ward councillors have an important role in helping customers understand the council's policies and procedures and to help customer's articulate complaints. Complaints received via ward councillors will be directed to the relevant head of service for a response in the first instance. The Executive Director or Chief Executive will conduct any Stage 2 request for a review of that complaint.

16.0 Positive feedback and constructive criticism

16.1 Compliments and positive feedback is collected by a range of methods, including the customer feedback form, customer telephone calls or emails. All compliments are shared with the officer/s and other members of the service team.

17.0 Feedback and monitoring

17.1 We recognise that individual complaints often provide very specific information that can be used to improve parts of a service whilst overall monitoring of complaint activity can stimulate wider discussions of the customer focus of the council.

17.2 We will review our performance on handling complaints on a quarterly basis at both service and corporate management team level. We will also consider:

- any emerging patterns of complaints (by theme or service area) and
- how complaints and feedback have been used to improve services.

17.3 In addition, the Local Government Ombudsman's annual report covering complaints about this council referred to them will be reported to the Governance and Audit Committee for their consideration.