



Forest of Dean
— DISTRICT COUNCIL —



Customer Feedback Policy

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18 November 2010	Version 2.0	Agreed Policy following Cabinet
December 2012	Version 3.0	First draft of reviewed policy
February 2013	Version 3.1	Changes following CLT
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Consultees

Internal	External
Corporate Leadership Team	
Group Managers	
Officers frequently handling complaints	
Leader and Efficient Council Portfolio Holder	
Members of Scrutiny and Value for Money Performance Group	

Distribution

Name	
Group Managers	
Team Leaders & Supervisors	
Placed on intranet	

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1. Introduction

The purpose of this policy is to improve our services by responding positively to all customer feedback, including complaints. In particular the policy is designed to resolve customer complaints at the first point of contact with the service.

The Council aims to provide efficient, cost effective, good quality services to its customers. Even so, on occasions, things can go wrong. We want to resolve all complaints quickly and effectively.

1.1 What is a complaint?

A complaint is an expression of dissatisfaction about a Council service that requires a response.

This could cover:

- a failure to provide information or give the correct information;
- an unsatisfactory level of service, including delays and non-delivery of service;
- a failure to follow the Council's agreed policies and procedures;
- the behaviour of staff or contractors employed by the Council including discrimination and/or harassment.

1.1.1 This document details the Council's policy on dealing with feedback received from our customers and is supported by a customer information leaflet.

1.1.2 We are always pleased to receive feedback about the services we provide. Feedback both positive and negative is an opportunity for us to recognise what we are doing well and to improve where we need to. Complaints are our opportunity to listen and understand. They allow us to explain what we can do to put things right, to negotiate a way forward, to demonstrate openness and honesty and, where appropriate, to say "sorry".

1.1.3 We also welcome helpful feedback from the Local Government Ombudsman. However, our objective is to identify our own failures and resolve them quickly and reasonably. A customer can complain directly to the Local Government Ombudsman at any time. However, the Ombudsman will usually only investigate a complaint after it has been through our own complaints procedure.

1.1.5 The aim of this policy is to provide a fair, consistent and structured procedure for our customers when they are dissatisfied with a service they have received. The service concerned will place emphasis on resolving complaints as quickly as possible.

1.1.6 This policy will apply both to services we provide and services where we still have a responsibility such as contracted out services.

1.2 What a customer can expect

1.2.1 Customers can expect to receive a consistently high quality service when they contact any member of staff with a complaint, and we will deal with all complaints promptly and with courtesy and efficiency.

1.2.2 When a customer wishes to complain about a Council service, they can expect:

- our staff to be trained to deal with complaints;
- their complaint to be resolved at first point of contact if possible;
- if not resolved at first point of contact a full written response within the timescales specified in this procedure or to be kept informed about the progress of their complaint with an explanation as to why the response has not been possible and when a response can be expected; and
- to progress to the next stage of the complaints process if they remain dissatisfied with the outcome and they have new evidence.

1.3 When dealing with complaints we will:

- treat all complaints seriously and confidentially;
- maintain a database of Service Reviews and Complaint Panels;
- learn lessons from complaints to continually develop and improve our services; and
- monitor and report our performance in dealing with, and resolution of complaints.

1.4 Compliments, comments and suggestions

1.4.1 If we have done something well we really appreciate customers taking the time to tell us. Everyone likes to know that their work is appreciated and it helps us to know what our customers think is important. Compliments are passed on to the person concerned and his/her manager.

1.4.2 Comments or suggestions are always welcome about how we could do better; we are always keen to hear customers' views. These are given to the manager(s) concerned to help them understand customers' needs when they are developing, reviewing, or planning future services.

1.4.3 Compliments and comments are collected via the customer feedback leaflet which is available from the council offices, leisure centres, and on our website at www.fdean.gov.uk. Compliments received by other means such as letter or emails are also recorded.

1.5 Accessibility

1.5.1 The Council is committed to equal opportunities and our aim is to make this procedure easy to use and accessible to all of our customers.

1.5.2 Staff will provide information on the complaints procedure for customers wishing to make a complaint and provide any assistance they may require, for example:

- Assisting with completion of a customer feedback form.
- Making appropriate arrangements for customers who may have specific requirements.

1.6 Confidentiality and Freedom of Information

All feedback received will be dealt with in accordance with the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000.

2. Complaints procedure and timescales

2.1 Informal - Point of Service (not formally recorded)

2.1.1 Many complaints can generally be dealt with quickly and satisfactorily by 'front-line' staff who provide the service. This is the first opportunity for a service to resolve a customer's dissatisfaction, and the majority of complaints will be resolved this way. The member of staff, who receives the complaint either by telephone, face-to-face contact, email, fax or letter should ensure that all reasonable steps are taken to resolve the complaint, without the complainant needing to do anything else.

2.1.2 If it is not possible to resolve the complaint informally then the complaint will be dealt with formally as a Service Review.

2.1.3 If the complaint is progressed to a Service Review, full details will be passed to the relevant Group Manager immediately so that he/she can consider the evidence and ensure that the complaint is recorded. He/she will acknowledge the complaint and provide the complainant with details of their local ward member.

2.2.1 Service Review (formally recorded)

2.2.1 This is where a Group Manager will look into a complaint that has not been resolved, ensure that it is recorded and send a full response to the complainant within 10 working days.

2.2.2 The complainant will be advised that should they remain dissatisfied with the outcome of the Service Review then they have 28 days from the date of the response in which to request their complaint progresses to the Complaints Panel.

2.3 Complaints Panel

2.3.1 The Monitoring Officer or nominated deputy will receive the request for a complaint to be considered by the Complaints Panel and will inform the complainant within five working days if a Panel will be held and the timescale involved. If a Panel is to be held the ward member(s) will be notified of a complaint in their ward. Panels should normally be held within 28 days of a request being submitted.

2.3.2 The Complaints Panel will comprise two Councillors (normally Political Group Leaders or their nominees) and either the Strategic Director or Head of Paid Service. The Monitoring Officer or nominated deputy will review the evidence and present the findings to the Panel to consider whether the Council has adequately dealt with the complaint. For a complaint to be dealt with by the Panel a Service Review must have been carried out first. At this stage the complainant and/or their ward member will be invited to address the Panel. After addressing the Panel the complainant and/or their ward member will be asked to leave before the Panel deliberates the complaint.

2.3.3 The Monitoring Officer or nominated deputy will respond to the complainant in writing within five working days of receiving the Panel's decision and the complainant will be informed of the outcome and advised that should they remain dissatisfied their right of further redress is via the Local Government Ombudsman.

2.4 Role of councillors

2.4.1 Members of the public who are dissatisfied with a council service may approach their ward member directly. If they still remain dissatisfied following their councillor's explanation of the situation then they should be signposted to our customer feedback process. Councillors may act as an advocate for the complainant where this is requested.

2.4.2 Ward members will be notified if a complaint from a resident in their ward reaches Complaints Panel stage. They will be invited to supply additional written information that might help the investigation in advance of the Panel meeting. At the complainant's request they can represent the complainant's views at the Complaints Panel and will be informed of the outcome of a Panel meeting.

2.5 Extending time limits

We aim to resolve all complaints within the timescales above; however, if a complaint is very complex, or translation/interpretation is required it may occasionally be necessary, **in exceptional circumstances**, to extend these time limits. If this is the case, we will write to the complainant and explain the reasons why additional time is necessary and set out a revised deadline.

3. The complaints process

3.1 Complaints

3.1.1 A complaint may be made:

- by telephone;
- by fax;
- by letter;
- by email;
- by face to face contact;
- on a customer feedback form; or
- via the Council's website, www.fdean.gov.uk.

3.1.2 The Council's customer feedback leaflet explains our procedure, and contains a feedback form for customers to complete and return. The leaflet is available from the Council Offices, Leisure Centres and the website.

3.1.3 No member of staff may investigate any complaint that directly relates to him or her as an individual.

3.1.4 Where an investigation finds that management action is required relating to a member of staff's behaviour or attitude, then the matter will be dealt with under existing Human Resources policies and procedures. The outcome of such an investigation will remain confidential to the Council.

3.1.5 The Group Managers will ensure that information about Service Reviews and Complaint Panels is recorded in Covalent (the Council's performance management software), including:

- complainant's surname
- subject of complaint
- postholder responsible for dealing with the case; and
- action taken, lessons learnt and any changes made as a result of the complaint

3.1.6 Where the complaint is about something outside our control we will advise, if we can, who to take the issue up with.

3.2 Complaints involving more than one service

3.2.1 A lead Group Manager will be appointed to co-ordinate this response and a single response will be sent to the complainant addressing all the points that have been raised.

3.2.2 Each service involved will be responsible for investigating the issues relating to their service, and providing information to the lead Group Manager within sufficient time to enable agreed timescales to be complied with.

3.3 Vexatious and persistent complainants

3.3.1 Many complainants are angry and aggrieved, sometimes with good cause. Most behave in legitimate ways. A very small minority make complaints that are vexatious, in that they persist unreasonably with their complaints, or make complaints in order to make life difficult for the Council rather than genuinely to resolve a grievance. This may involve making serial complaints about different matters, or continuing to raise the same or similar matters over and over again. It may seem that there are more vexatious complainants than there actually are because they can be difficult and time consuming to deal with, in reality there are very few.

3.3.2 It is important to distinguish between people who make a number of complaints because they really think things have gone badly wrong, and people who are simply being difficult. It is important to remember that complainants will often be frustrated and aggrieved and it is therefore important to consider the merits of the case rather than their attitude.

3.3.3 Even though someone has made vexatious complaints in the past, it cannot be assumed that the next complaint is also vexatious. Each complaint must be considered, and a decision made as to whether it is vexatious or genuine. Although time consuming you will need to read and evaluate each piece of correspondence.

3.3.4 A complainant may be considered to be vexatious and/or persistent where they:

- persist in pursuing a complaint where the complaints procedures have been fully and properly implemented and exhausted.
- change the emphasis of a complaint or continually raise additional issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response.

- are unwilling to accept documented evidence as being factual in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
 - do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns, and/or where the concerns identified are not within the remit of the Council to investigate.
 - focus on a trivial matter to the extent that this is out of proportion to its significance and continue to focus on this point.
 - adopt a regular 'scattergun' approach by pursuing a complaint through a variety of sources simultaneously e.g. MP, Councillor, Ombudsman etc.
 - make unreasonable demands on staff time with excessive telephone calls, e-mails or letters and expecting an immediate response.
- 3.3.5 The relevant Group Manager, Head of Paid Service or Strategic Director, in consultation with the Council's Monitoring Officer, will determine whether a complainant is vexatious. Once a complainant is considered to be vexatious a member of the legal team will write to them confirming the decision and asking them not to enter into any further correspondence regarding the matter. They will also record the details on a central register. If the complainant still continues to correspond without raising any significant new matters or presenting any new information then it should simply be filed with no acknowledgment sent.
- 3.3.6 A complaint to the Council does not have to be made in writing. However, if a complainant keeps telephoning either to discuss an existing complaint or to make a new complaint, and this is proving time consuming and disruptive, it may be reasonable to ask them to put their concerns in writing and to discontinue the call. If the problem persists, it may be reasonable to tell the complainant that the Council will, for a set period, not accept telephone calls and only deal with the complainant in writing.
- 3.3.7 If the complainant is told that the Council will only deal with his or her concerns in writing, a letter should be sent to the complainant to confirm this, the reasons for it and the length of the 'ban'. At the end of the period the matter should be reviewed, and the ban lifted if appropriate. There should never be a blanket ban for an unspecified period of time.
- 3.3.8 Vexatious complainants often contact many different people within the Council, and can try and take advantage of the differing responses they may receive. It is important to try and ensure that a vexatious complainant has one main contact within the Council.
- 3.3.6 The most difficult vexatious complaints to deal with are often complaints that are slightly different from the original complaint, but about the same broad area of activity. A decision will have to be made as to whether or not the matters are sufficiently different to justify being considered as a new complaint.

3.3.7 It is important not to spend large amounts of time on vexatious complainants, but skill will be needed to try and avoid inflaming an already difficult situation. It may sometimes be worth spending a bit of time defusing a situation, rather than taking a hard line and then spending even more time holding that line.

3.4 Anonymous complaints

3.4.1 Anonymous complaints are unlikely to be effectively dealt with under this procedure, as the Council needs to correspond with and in some cases meet with the complainant in order to address their concerns. Complainants will not be penalised in any way for making complaints.

3.4.2 Anonymous complaints will be held on file and investigated by the team involved in order to identify possible areas for service improvement. When taking details of a complaint, staff should always encourage customers to provide their identity in order for their complaint to be effectively dealt with. The Council cannot investigate complaints if there is insufficient detail to determine what the problem is.

3.5 Complaints by Councillors and Members of Parliament

The complaints procedure is intended for individual citizens to seek redress. Councillors and MPs may bring forward a formal complaint by acting as their constituent's advocate. In this case the complaint will be treated as a service review.

3.6 Complaints referred from the Local Government Ombudsman (LGO)

Occasionally complainants approach the Local Government Ombudsman direct about a Council matter. In these cases the LGO will often refer the matter back to the Council to deal with. In these cases the complaint will be treated as a service review.

3.7 Remedies

3.7.1 If, following investigation, a complaint is upheld, it is necessary to consider the appropriate remedy.

3.7.2 It is important that the remedy is made as quickly as possible after the conclusion of the investigation. The Investigating Officer should always consider practical action as a suitable remedy, for example:

- An apology
- Delivery of the service required
- A change of procedure to prevent a recurrence of the incident

3.7.3 If the complainant has suffered loss or distress, financial compensation may be appropriate. The Group Manager should decide the appropriate remedy, in consultation with the Monitoring Officer where necessary and applying the Local Government Ombudsman guidelines.

4. Scope of the complaints procedure

4.1 This procedure covers complaints relating to the majority of services provided by, or on behalf of the Council. However, there are a number of exceptions where different statutory or legal processes apply. These include:

- Complaints about matters for which the Council is not responsible.
- Complaints about service where an appeals procedure already exists such as:
 - Housing Benefit/Council Tax Benefit appeals.
 - Planning Appeals. If the Council refuses a planning application the applicant may appeal to the Secretary of State.
 - Job Applications. If a job applicant is unhappy with the way that their application has been dealt with.
 - Licensing issues are dealt with by the Licensing Sub-Committee.
 - Decisions about homelessness and suitability of accommodation.
 - Parking enforcement notices.
- Complaints that are being considered by the Local Government Ombudsman.
- Freedom of Information complaints that are being considered by the Information Commissioner.
- Allegations of personal misconduct by employees or Councillors. The Council's disciplinary procedures or Monitoring Officer will deal with such allegations respectively.
- Complaints made under the Whistleblower's Charter.
- Complaints made by staff under the Grievance Procedure.
- Comments and views about Council Policy that have been agreed democratically, in accordance with the Council's Constitution, cannot be treated as a complaint. Complainants may wish to give us their views as a comment or suggestion instead.
- Reporting everyday problems (such as missed bins, neighbour harassment, nuisance, noise, complaints about food etc.) should be dealt with under existing procedures directly by the appropriate team. The complaints procedure would only be utilised if the resident complained that the Council's response was inadequate.
- Complaints that are the subject of legal proceedings or are being referred to the Council's insurers.

4.2 A service in receipt of a complaint, which for any reason cannot be considered under the complaints procedure, will provide an explanation to the complainant and advise the appropriate route to follow.

5. Shared services

5.1 The Council has a number of shared service arrangements in place. If a complaint is received regarding the Revenues and Benefits Service then the Revenues and Benefits Manager, employed by Civica will deal with the informal point of service review. If the complaint is escalated to service review stage then the Group Manager for Customer Services will respond.

5.2 If a complaint is received regarding the Waste and Recycling Service then a member of the Environmental Contracts Team will deal with the informal, point of service review. If the complaint is then escalated to service review stage the Manager of the Joint Waste Service will respond.

- 5.3 If a complaint is received relating to a 2020 partnership shared service then an officer from within the shared service will deal with the informal point of service review. If the complaint is escalated to service review stage then the relevant shared service Group Manager will respond.

6. Monitoring and performance reporting

- 6.1 The Council is committed to continually improving the services we deliver to our customers. Information gained from customer feedback can be a valuable tool in identifying the needs of our customers and developing our services to meet those needs.
- 6.2 The Corporate Support Team has overall responsibility for monitoring and reporting performance in complaint handling and resolution.
- 6.3 The Corporate Support Team will collate and prepare reports on complaints received and their resolution on a quarterly basis. These reports will be considered by senior managers and elected members at appropriate meetings. The quarter 4 report will also incorporate the annual report from the Local Government Ombudsman.
- 6.4 Ad hoc reporting may also be carried out either at the request of a Council Committee or senior manager, or to highlight any areas of concern identified by the Corporate Support Team.

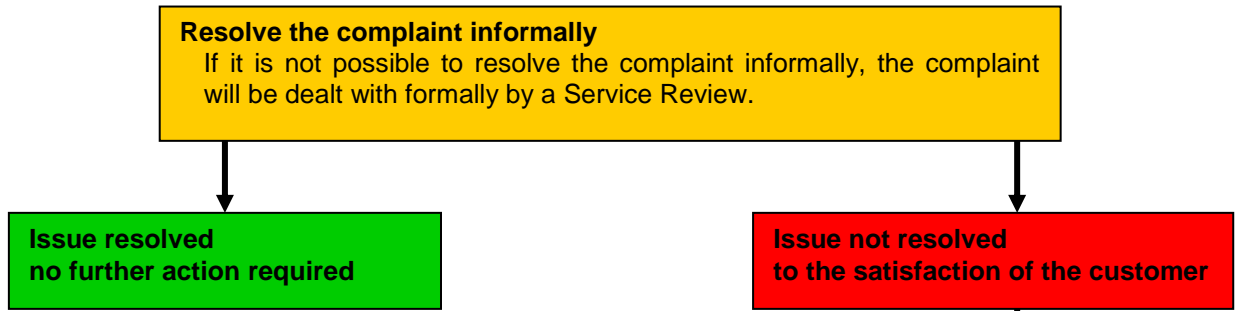
7. Review and evaluation

- 7.1 In order to ensure we continue to provide the best possible complaints handling and customer feedback service for our customers, this policy will be subject to formal review by the Corporate Support Team every three years.
- 7.2 Staff involved in complaints handling will also be consulted for their views and suggestions on how the procedure may be improved, and are encouraged to contact the Corporate Support Team for advice and support at any time.

Customer Feedback - Complaints Procedure Flow-Chart

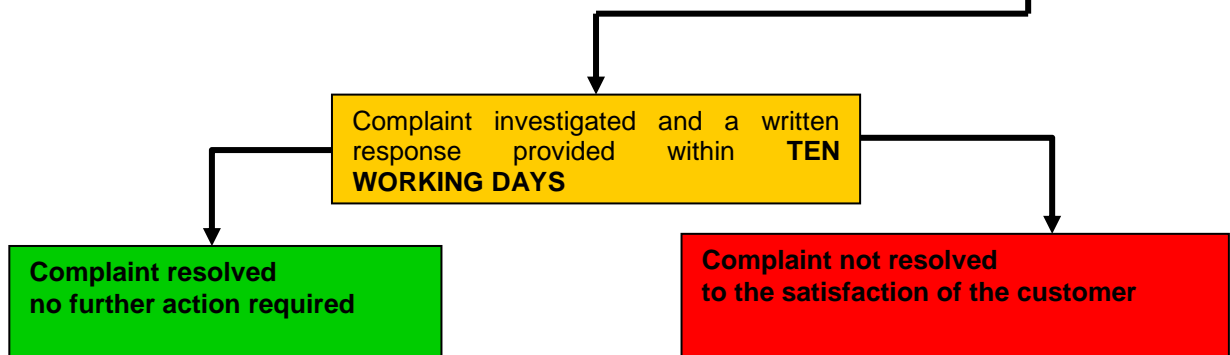
Point of Service - Informal

This is the first opportunity for a service to resolve a customer's dissatisfaction, and the majority of complaints will be resolved informally.



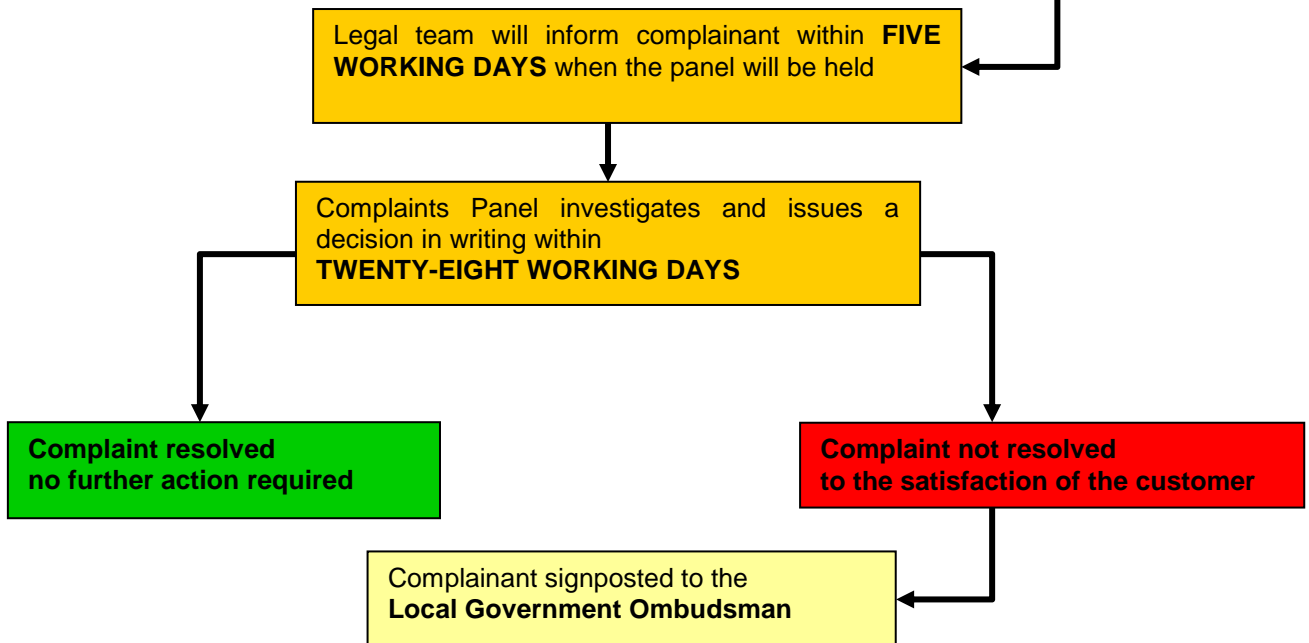
Service Review – Formal

This is where the Group Manager will look into a complaint that has not been resolved informally.



Complaints Panel

The Complaints Panel will review the complaint and response provided.



A customer can complain directly to the Local Government Ombudsman (LGO). The Ombudsman will usually investigate a complaint only after it has been through all of our complaints procedure. There are some exceptions to this rule, advice can be sought from the LGO Advice Team on 0300 061 0614.