



Compliments, Comments and Complaints: Policy & Procedure

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1. Introduction

- 1.1 Our aim and commitment is always to provide high quality services that meet the needs of our residents. That's why we want to make it as easy as possible for people to let us know what they think.
- 1.2 Through listening and learning we seek to improve the quality of the services and encourage good practice by our staff.
 - 1.2.1 **Compliments –**
 - 1.2.2 This may be something we've done well or when someone liked a service delivered by us or one of our partners.
 - 1.2.3 **Comments –**
 - 1.2.4 This may be a suggestion or view on how we might improve our services or a request for information or guidance.
 - 1.2.5 **Complaints -**
 - 1.2.6 We recognise that sometimes things go wrong; a complaint is an expression of dissatisfaction or concern. Full details of what can be dealt with as a complaint can be found below.

2. Getting in Touch

- 2.1 The easiest way for people to get in touch is through our online form:

****Complete the easy to use form online at**
<http://www.dacorum.gov.uk/home/do-it-online/make-a-complaint>******

- 2.2 If people can't go online, they can also telephone us (01442 228000).
- 2.3 If people can't go online or telephone, they can come into the Customer Service Centre or write to us:
 - 2.3.1 *Compliments, feedback and complaints, Dacorum Borough Council, Civic Centre, Hemel Hempstead, Hertfordshire, HP1 1HH*

3. Our Approach to Complaints (Policy)

Defining Complaints...

- 3.1 A complaint occurs when someone is unhappy with the standard of service or with something that the council or someone working on behalf of the council may or may not have done.
- 3.2 Examples of complaints...
- *we have done something we should not have done*
 - *we have failed to do something we should have done*
 - *our service has not been delivered to the expected quality, frequency or cost*
 - *an employee of the council (or any of our contractors or agents) has behaved inappropriately*
- 3.3 Complaints can be made in relation to any services or actions by us, or by anyone working on behalf of us. That includes third party contractors or other organisations employed by us.

Circumstances in which this complaints process does not apply...

- 3.4 There are a number of circumstances in which it is usually not appropriate or possible to accept a complaint using this process:
- *A complaint is received more than **90 calendar days after the complainant is aware of the issue or incident (s) specified in the complaint**. This is because it is very difficult to effectively investigate after a long period of time. If a complaint is received after this time we would not accept it unless there are exceptional mitigating circumstances.*
 - *Someone is **requesting a service** or **reporting a service problem for the first time**.*
 - *Someone has an **issue with their Councillor**. You can find more information about how to contact them on their web pages (<http://www.dacorum.gov.uk/consultation-feedback/complaints-about-councillors>).*
 - *Someone is asking us to deal with a **complaint about another resident or organisation**. This includes neighbour noise, fly tipping, or environmental health (<http://www.dacorum.gov.uk/home/environment-street-care>).*

- Someone has a **complaint about benefit appeals decisions or planning enforcement decisions**. This complaint can be better dealt with using other rules (<http://www.dacorum.gov.uk/home/benefits/housing-council-tax-benefits/appeal-against-a-benefits-decision> or <http://www.dacorum.gov.uk/home/planning-development/planning-enforcement>).
- Someone has a **complaint about a service provided by someone else**, for example Hertfordshire County Council (<http://www.hertsdirect.org/>). The complaint should be made to that organisation.
- Someone **disagrees with local or national policy**. We can record this but it's not a complaint.

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4. Managing the Complaints (Process)

Introduction...

- 4.1 Our complaints process has two clear stages, each of which is designed to provide a robust, thorough and independent response to the issues raised.
- 4.2 If a complaint is not made through our online form, we may take up to 5 working days extra to investigate and respond.

Stage 1 - (Initial Investigation)...

- The complaint will be logged and the complainant will receive an acknowledgement within **5 working days**.
- An investigation will be carried out by the Group Manager for the service area against which the complaint has been made. The complainant will receive a formal response within **15 working days**¹.
- However the time period can be extended if the case is complex or it requires more investigation. In these circumstances we will write to the complainant to explain the delay and provide a new date for receipt of our response.
- If the complaint includes or involves the Group Manager, then another Group Manager will be nominated to sign-off the complaint. If a complaint involves a serious risk, either for the resident or the organisation, we may ask an Assistant Director to investigate, however this decision is at our discretion.
- Details of complaints will be recorded on our complaints management system and regular monitoring and scrutiny of complaints performance will be undertaken by senior management and Councillors.
- If a complainant is dissatisfied with the process or outcome they can request a review by contacting us within **28 calendar days from receipt of our response**.

¹ This is the expected time for a complaint reported online. If it is reported in a different way we can take up to 20 days.

Stage 2 - (Independent Review)...

- To progress to Stage 2 the complainant must demonstrate why the process or outcome was unfair or incorrect.
- If the complainant is not able to demonstrate why the process or outcome was unfair or incorrect, we can take the decision to not progress the case to Stage 2. In these circumstances we will consider the case closed and the Assistant Director will write to the complainant explaining our decision.
- If the complainant is dissatisfied with our decision to close the case, they can contact the Local Government Ombudsman's office.
- If the complaint is accepted, an independent review will be carried out by an Assistant Director (or Monitoring Officer where appropriate) from a different service area to the one associated with the complaint. The complainant will receive a formal response within **20 working days**, at which point we will consider the case closed.
- However the time period can be extended if the case is complex or it requires more investigation. In these circumstances we will write to the complainant to explain the delay and provide a new date for receipt of our response.

If they are still unhappy...

- 4.3 If the complainant is still dissatisfied after the Independent Review (Stage 2) decision they can contact the Local Government Ombudsman's office.
- 4.4 The Ombudsmen will not normally consider a complaint until it has already been through both stages of our internal complaints process or if we consider the case closed after Stage 1. The Ombudsman will also accept complaints for up to 12 months.
- 4.5 More information about the Ombudsman can be found at www.lgo.org.uk or you can contact;

Receiving the same complaint from a resident and an MP, Councillor or other agency...

- 4.6 Dealing with the same complaint from different people is time consuming, costly and it can mean that it takes longer to investigate and respond to the issues raised.
- 4.7 That is why we will only deal with one point of contact for each complaint.
- 4.8 ****Please Note** - If we receive a duplicate complaint from a resident and an MP, Councillor or other agency, will we write back to the MP, Councillor or other agency to inform them that we are already dealing with this complaint and that we will only be responding directly to the resident.
- 4.9 However we will copy the MP, Councillor or other agency into any correspondence sent to the resident.
- 4.10 If the resident informs us that they would like the matter to be dealt with by an MP, Councillor or other agency, we will close down the original resident complaint.

5. Dealing with Inappropriate or Unreasonable Behaviour (Process)

Introduction...

- 5.1 While we are committed to ensuring the best possible resolution to any complaint, the nature of some complaints or the manner in which they are pursued can make it difficult to respond in a fair and timely manner.
- 5.2 It can also impact negatively on the experience of other residents as well as the staff themselves.

5.3 Some examples of unreasonable or inappropriate behaviour are:

- *The person repeatedly makes the same complaint with minor differences and does not accept the outcome.*
- *The person changes aspects of the complaint or continues to add to the complaint, hindering the investigation.*
- *The person regularly breaks appointments or will not allow appointments with staff which would progress the complaints process.*
- *The person makes repeated contact with staff in different departments through different routes, letters, faxes, phone calls, MP, councillor and media enquiries.*
- *Contact is frequent, lengthy, complicated and stressful for staff and repeats the same themes.*
- *The person will not allow the complaint to progress to the next stage, but continues to express dissatisfaction.*
- *The person is abusive, makes inappropriate or personal comments, makes threats, or uses aggressive behaviour including shouting or swearing (either on email or verbally).*

Possible responses to unreasonable behaviour...

5.4 If a complainant behaves in an unreasonable or inappropriate manner, we will ask them to stop immediately. We will also look at what support can be put in place.

5.5 However...if they do not stop the behaviour there are a number of steps we can take:

- *We can warn the complainant that, if the behaviour continues, we will take action to restrict their contact with the Council including:*
 - *requiring the complainant to enter into an agreement about future behaviour before their case proceeds;*
 - *blocking an email address*
 - *requiring contact to take place with one named officer;*
 - *limiting contacts to one form only (for example, a maximum of one letter a week);*
 - *restricting telephone calls to specified days and/or specified times*
 - *refusing to discuss the complaint in the future*
- *If the behaviour is threatening we may consider involving the Police or taking legal action ourselves without prior warning to the complainant.*
- *If the behaviour falls within the scope of our Zero Tolerance Policy it could result in the complainant being registered on our Cautionary Database.*
- *A decision to restrict contact with the Council will be reviewed automatically after six months. There is no further right of appeal under the policy. Complainants are advised to contact the Local Government Ombudsman if they remain unhappy with the decision to restrict contact.*

6. Monitoring, Training and Data Protection

Monitoring...

- 6.1 The council will monitor the effectiveness of this policy and procedures by collating and analysing details of complaints to identify areas for improvement and learning.
- 6.2 We will produce regular monitoring reports for scrutiny and assessment by Councillors and senior staff.

Training...

- 6.3 All staff receive specialist training and support to ensure that they are able to respond to complaints in way that is considerate, understanding and deals with the issues raised.

Data protection...

- 6.4 When you make a complaint, we will log information about your complaint and your name and contact details. Information will only be collected and stored for the purposes of dealing with your complaint and improving our services. Your complaint and details will be treated confidentially.