

## Blaby District Council **Policy**

### **Complaints, Comments and Compliments Policy**

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\*Approved by and 'approval date' are in relation to the most recent version.

\*Version number remains the same if no significant changes are made upon review.

### **Document Definition / Approval & Review**

#### **Definition**

Blaby District Council policies '**outline a set of rules or principles that govern how the council (or services within the council) will operate**'.

<b>Review History</b>			
Version*	Reviewed By (Job Title)	Review Completion Date	Brief Description of Changes (add 'no changes required' if applicable)
1.0	Information Governance Officer	16 October 2023	No changes required. Review overdue by 12 months.

Key published documents are approved for publication in line with the approval matrix illustrated in the Key Published Document Procedure.

Unless agreed by exception, key published documents must be reviewed at least **every 3 years** from the date of approval.

Significant updates/changes must also seek reapproval in line with the approval matrix.

## Scope

### Purpose of the Policy

The purpose of this policy is to provide a clear and transparent process for customers that wish to make a complaint against the Council. It also provides guidance to assist staff to understand their responsibilities in respect of complaints from members of the public, partners and the organisations and business that operates within Blaby district.

This policy applies to all employees working for the Council, including those working from home or at non-Council locations. It also applies to Elected Members, consultants, agency staff and contractors working for the Council while engaged on Council business.

This formal Policy is supported by a consistent approach to customer feedback (while the operational aspects will be delivered and guided through additional documents – these will all be available to customers and published on the Council website to better manage customers' expectations.)

## Terms & Definitions

Definition of any acronyms, jargon, or terms that might have multiple meanings.

Term	Definition
LGSCO	Local Government and Social Care Ombudsman
Vexatious	Causing or tending to cause annoyance, frustration or worry

## Policy Sections

### Section 1 Introduction & Definition of a Complaint

Putting the customer at the heart of everything we do is the way we work at Blaby District Council. As an organisation, the Council is committed to getting things right first time but recognises that sometimes things go wrong, and customers may not always be happy with the service they receive.

If this happens or customers feel Blaby's services are failing to meet their needs, then the Council wants to know to put things right.

The lessons learned from complaints, will be shared across the organisation, and embedded into operational practices and reflect the Council's passion to become a truly learning organisation. Comments and compliments will also be shared across the organisation.

We define a complaint as:

“an expression of dissatisfaction about a Council service, whether the service is provided directly by the Council or by a contractor/ partner, that requires a response.”

A complaint may relate to any of the following:

- Failure to provide a service
- Inadequate standard of service
- Dissatisfaction with local authority policy
- Treatment by or attitude of a member of staff
- Disagreement with a decision – where there is not another procedure for review
- The authority's failure to follow appropriate processes

### Section 2 What is not a Complaint

- A first request for a service or for information
- A request for compensation only
- Issues that are currently in court or have already been heard by a court of tribunal.
- Complaints that have a statutory appeals process (such as appeals against Council Tax) or where a customer is reporting a nuisance to be dealt with through the Enforcement Service will not be dealt with under this policy.
- Attempt to reopen a previously concluded complaint or want a complaint reconsidered where we have already given our final decision.
- Complaints against Elected Members will be dealt with through the Standards Committee

### Section 3 Who Can Make a Complaint and Anonymous Complaints

Anyone who uses or is affected by our service can complain. This includes, but is not limited to; residents, people who work in or visit the district, local businesses, and community groups.

The person affected may choose to ask someone else to complain on their behalf, such as relative, carer or friend.

Complaints can also be made through a Councillor, Member of Parliament, or another elected person. However, correspondence from these individuals will be dealt with in keeping with the procedures for handling MPs and Councillor's enquiries.

Where appropriate, the Council will seek consent from the service user for us to correspond with any third party

on their behalf. This ensures compliance with dataprotection requirements and that the service user's wishes are being fulfilled.

We value all complaints including those made anonymously.

Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. If we receive an anonymous complaint we will record the issues on our system as anonymous. This will help to ensure that the information we record is complete, allowing us to take corrective action where appropriate.

If an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to process it. This judgement will be made on a case-by-case basis.

## Section 4 How can Complaints be Made

The council encourages any customer who has a concern to speak to a member of staff at the point of service. However, where customers are unable to do so or wish to direct their concerns directly to the complaints team they may do so in the following ways:

- In person
- By telephone
- By email
- By letter
- Via the Council's online form

Although we accept complaints made by telephone, it's helpful for the Council to record them in writing so that we have a clear record of the complainant's views on what went wrong and what the Council should do to put things right. Our Information Governance Team will write this up and agree it over the phone with any service user wishing to make a complaint by telephone.

## Section 5 The Complaints Procedure

The Council should always seek to resolve complaints at the earliest opportunity. On some occasions where it appears the matter can be resolved within a matter of days, the Complaints team will try to resolve informally by asking the service area to clarify the situation. This does not preclude the complainant from making a complaint if this fails to resolve the matter.

### Stage 0 – Informal or Service Level Complaint

If we make a mistake or fail to give someone a service, our priority is to resolve the problem as soon as we become aware. We therefore expect customers to first approach the team responsible for the service delivery they are unhappy with so that the matter can be addressed.

Complaints of this nature sent to the Complaints team will be directed to the relevant department and an officer will respond directly to the customer. We aim to respond as soon as possible and within 10 working days of receipt.

In situations where the complainant remains dissatisfied with the outcome, the complainant has the right to escalate their complaint to stage 1. This must be done within three months of receiving the Stage 0 response.

The outcome of the informal investigation will be confirmed either over the telephone, face to face or in writing.

## Stage 1 – Formal Complaint

If a concern cannot be resolved to a customer's satisfaction at the point of service delivery, or if the customer wishes to make a complaint regardless, a formal complaint should be recorded.

If a complaint involves more than one service, a co-ordinated single response will be sent to the complainant, where possible

The council will nominate an appropriate officer to respond to the complaint at this stage; this appointment should consider the seriousness and the nature of the complaint. If the complaint involves the Team Manager, a more senior manager should respond. An officer, against whom a complaint is personally directed, should not respond to a complaint.

The Council aims to acknowledge complaints within **three** working days, and a full written reply should follow within **15 working days**, but this can be extended at the request of the department. The complaints team will keep the complainant updated throughout and as and when extensions need to be made.

The outcome of the investigation will be confirmed in writing clearly stating what decision has been reached. The Council's aim is to resolve as many complaints as possible at Stage 1. This requires responses to be honest and open, admitting fault when things have gone wrong and being flexible around how the response is delivered.

Where the complaint is upheld, the response will contain:

- a) an explanation of what happened and why things went wrong.
- b) an apology for service failures.
- c) details of the corrective action to be taken and appropriate redress
- d) the timescale within which the action will be taken.
- e) appropriate and clear instructions about anything the complainant needs to do.
- f) where appropriate, details of the actions to be taken to prevent a recurrence of the problem.

Where the complaint is not upheld the response will provide:

- a) background information relevant to the complaint.
- b) an explanation of the decision.

The response will also inform the complainant that if they remain unhappy with the outcome or the way the complaint has been handled, they have the right to request a review of their complaint under the final stage of the procedure. This must be done within three months of receiving the Stage 1 response.

## Stage 2 – Review

If a complainant remains dis-satisfied with the outcome at Stage 1 they should contact the Complaints team who will arrange for it to be reviewed by a senior officer who has had no prior involvement in the case.

As at a Stage 1, the Council aims to acknowledge a request for a review within **three** working days, and a full written reply should follow within **15 working days**, but this can be extended at the request of the department. The complaints team will keep the complainant updated throughout and as and when extensions need to be made.

The response will include details of how the complainant can contact the Local Government & Social Care Ombudsman should they remain unhappy with the decision.

## Stage 3 – LGSCO

If a customer is still not satisfied that we have resolved their complaint after proceeding through the complaints procedure, they can complain to the Local Government and Social Care Ombudsman (LGSCO). The LGSCO is an independent national service that investigates complaints of injustice arising from maladministration by the council.

In most cases, the Ombudsman will normally only consider complaints if the complainant has exhausted the two formal stages of the Council's complaints procedure. However, the Ombudsman has discretion to investigate a complaint prior to the Council conducting its own investigation. For example, where the Ombudsman deems the complainant to be vulnerable or the case raises an issue of general concern to the public.

You can write to the Local Government Ombudsman at:

Local Government Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

Telephone: 0300 061 0614

Fax: 024 7682 0001

Website: [www.lgo.org.uk/making-a-complaint](http://www.lgo.org.uk/making-a-complaint)

## Section 6 Joint Complaints

Complaints about the Lightbulb Service will be dealt with in accordance with the Joint County and District Council Complaints Handling Protocol.

## Section 7 Rights and Responsibilities

### Rights and Responsibilities

The responsibilities for the resolution of complaints are set out below for employees. The priority is the effective handling of complaints at, or close to, frontline staff or service manager. It is important therefore that all staff receive the necessary support and guidance to handle complaints.

**All staff** are responsible for the following:

- striving to resolve complaints at the point of service.
- referring the matter to an appropriate officer to action.
- understand the corporate complaints policy and procedures, and able to advise customers where necessary.
- ensuring that the agreed timescales are met, and procedures are followed.
- provide good customer service and to handle complaints with empathy and professionalism.

**Information Governance Team** are responsible for:

- ensuring all complaints are managed in accordance with the Council's complaints policy.
- coordinate and record all incoming complaints.
- managing the Council's responses to all complaints referred to them by the Ombudsman.

- ensuring data is kept in accordance with the appropriate requirements.
- promoting the complaints policy to customers and staff

**Group and Service Managers** are responsible for the following:

- ensuring all staff are aware of the policy and know what to do on receipt of a complaint.
- investigate and respond to relevant complaints upon receipt for the complaints team, or appoint an appropriate officer to do so on their behalf.
- provide the complaints team with a copy of the response and monitoring form on completion of a complaint.
- hold officers responsible and provide support for responding to complaints.

**Directors** are responsible for:

- endorsing the complaints policy and its requirements with all staff.
- hold group managers responsible for responses to complaints and implementing lessons learned.

## Section 8 Dealing with Persistent or Vexatious Complainants

On rare occasions the Council may receive complaints where the customer displays unreasonable behaviour or becomes unreasonably persistent in their demands for information or contact with the Council.

Complaints of this nature are dealt with under the Council's Vexatious and Unreasonable Persistent Behaviour Policy, see Appendix 1.

## Section 9 Lessons Learned

All lessons learned are recorded centrally within the complaints log and are regularly reviewed. We may use these lessons to make improvements to our services, inform decision-making processes or review policies & procedures.

## Section 10 Monitoring and Reporting

The monitoring and review of complaints give valuable information about customer perception and service performance and identify areas of organisational learning from complaints to drive service improvement.

Complaints statistics are reported annual to the Council's Scrutiny commission, who may make recommendations on what could be done better.

## Section 11 Data Protection and Retention of Complaints

All complaints will be handled in accordance with the requirements of the General Data Protection Regulation and the Data Protection Act 2018 The handling and storage of personal data will be handled and stored in accordance with the Council's Data Protection Policy.

## Section 12 Comments and Compliments

We also want to encourage customers to let us know when we have done something well or they have suggestions on how we can improve what we do.

### What is a Comment?

A comment is a general statement about policies, practices, or a service as a whole, which have an impact on everyone and not just one individual. A comment can be positive or negative in nature. Comments may question policies and practices, make suggestions for new services or for improving existing services.

### What is a Compliment?

A compliment is an expression of satisfaction, thanks, praise, or congratulations.

### Comments & Compliments Procedure

Comments and compliments will be gratefully acknowledged, where appropriate, and shared with the officers concerned. We will record all comments and compliments, and these will be included within the annual scrutiny complaints report.

Departments may also wish to record and report on comments and compliments within their departments to help improve the management of services.

## Section 13 Related Documents

Vexatious and Unreasonable Behaviour Policy.

## Section 14 Appendices

### Appendix 2 – Complaints Outside of this Policy

#### Summary table of exceptions to the Policy

There are several areas that fall outside of this Complaints Policy as they already have specific arrangements in place. Those areas are identified in the table below along with detail of how to proceed.



Area of Complaint	How to Complain
Councillors and Elected Members	<p>If you have a complaint about a District or a Parish Councillor your complaint must be that the member(s) have, or may have, breached the Code of Conduct.</p> <p>The Codes of Conduct are on the website of either the District or the particular Parish Council.</p> <p>You may also contact the Monitoring Officer if you require further information.</p> <p>For more information see:  <a href="https://www.blaby.gov.uk/contact-us/standards-feedback-and-complaints/complaints-about-councillors/">https://www.blaby.gov.uk/contact-us/standards-feedback-and-complaints/complaints-about-councillors/</a></p>
Data Breaches	<p>If you are concerned about a data breach or how your personal data has been handled then you should contact the Data Protection Officer on <a href="mailto:GDPR@blaby.gov.uk">GDPR@blaby.gov.uk</a></p> <p>For further information see:  <a href="https://www.blaby.gov.uk/your-council/data-security-and-access/">https://www.blaby.gov.uk/your-council/data-security-and-access/</a></p> <p>Or contact the Information Commissioners Office:  <a href="https://ico.org.uk/">https://ico.org.uk/</a></p>
Insurance Claims Against the Council	<p>Complaints in relation to the outcome of an insurance claim against the Council can be taken to the CAB (<a href="http://www.citizenadvice.org.uk">www.citizenadvice.org.uk</a>) for advice as to how to take further or to a private solicitor to make a claim at the Small Claims Courts.</p>
Freedom of Information (FOI) or Environmental Information Regulation (EIR) requests	<p>The FOI and EIR give individuals the right to access information held by the Council and the Council has a duty to respond in 20 working days.</p> <p>To find out what information is available on our website please refer:</p> <p>The Council's Publication Scheme:  <a href="https://www.blaby.gov.uk/media/3825/publication-scheme-2020.pdf">https://www.blaby.gov.uk/media/3825/publication-scheme-2020.pdf</a></p> <p>Open Data page: <a href="https://www.blaby.gov.uk/your-council/data-security-and-access/open-data/">https://www.blaby.gov.uk/your-council/data-security-and-access/open-data/</a></p> <p>If the information you require is not available through these means please send your request to <a href="mailto:FOI@blaby.gov.uk">FOI@blaby.gov.uk</a> or Information Governance Team, Council Offices, Desford Road, Narborough, Leicestershire, LE19 2EP</p>
Data Subject Access Requests	<p>The Data Protection Act 2018 and the General Data Protection Regulations regulates the processing of information, relating to individuals including the obtaining, holding, use or disclosure</p>

Area of Complaint	How to Complain
	<p>of such information.</p> <p>The Act provides individuals the right to access the personal information the Council holds about them. Further information, on individual rights can be found at: <a href="https://www.blaby.gov.uk/your-council/data-security-and-access/personal-information-and-your-rights/">https://www.blaby.gov.uk/your-council/data-security-and-access/personal-information-and-your-rights/</a></p> <p>If you wish to make a data subject request please send a request by email to: <a href="mailto:GDPR@blaby.gov.uk">GDPR@blaby.gov.uk</a> or by writing to: Information Governance Team, Council Offices, Desford Road, Narborough, Leicestershire, LE19 2EP</p>
Fraud	<p>Complaints relating to fraud will be dealt with under the Anti-Fraud and Corruption Policy, available on our website.</p> <p>Concerns can be sent to <a href="mailto:fraud@blaby.gov.uk">fraud@blaby.gov.uk</a></p> <p>Matters relating to Housing Benefit, please visit: <a href="http://www.gov.uk/national-benefit-fraud-hotline">www.gov.uk/national-benefit-fraud-hotline</a></p>
Services provided by Leicestershire County Council	<p>The following services are provided by Leicestershire County Council not Blaby District Council:</p> <ul style="list-style-type: none"> <li>• Highways, traffic and on-street parking</li> <li>• Schools and Education</li> <li>• Social Care, Adult's and Children's Social Services</li> <li>• Street Lighting</li> <li>• Maintenance of highway &amp; grass verges and footpaths</li> </ul> <p>You can visit the Leicestershire County Council Website to find out more about their complaints procedure and to make a complaint: <a href="https://www.leicestershire.gov.uk/about-the-council/contact-us/complaints-and-comments">https://www.leicestershire.gov.uk/about-the-council/contact-us/complaints-and-comments</a></p>
Services provided by Local Parish or Town Councils	<p>The following services are provided by the relevant parish or town council not Blaby District Council:</p> <ul style="list-style-type: none"> <li>• Allotments</li> <li>• Cemeteries</li> <li>• Community Halls</li> <li>• Local Recreation Areas</li> </ul> <p>Information on how to contact your Parish Council can be found on their website. A list of websites for the district is available here: <a href="https://www.leicestershireparishcouncils.org/blaby/">https://www.leicestershireparishcouncils.org/blaby/</a></p>
Public Sewers and Shared Drainage matters	<p>These issues are dealt with by Severn Trent Water. Visit their contact page at:</p>

Area of Complaint	How to Complain
	<a href="https://www.stwater.co.uk/help-and-contact/contact-us/">https://www.stwater.co.uk/help-and-contact/contact-us/</a>
Parking Appeals	<p>All PCN complaints, appeals and payments are dealt with by the Notice Processing Unit (NPU) based at County Hall, Glenfield, Leicester. All queries about being issued a PCN should be directed to the NPU by following The Appeals Procedure which can be found in the reverse of the PCN.</p> <p>Further information can be found on the parking matters website or using the following contact details:</p> <p>Telephone: 0116 305 7953  Email: <a href="mailto:parkingmatters@leics.gov.uk">parkingmatters@leics.gov.uk</a>  Post: LCC Notice Processing Centre, P O Box 9983, Leicester, LE3 7DD</p>
Council Tax Appeals	<p>Council Tax Appeals should be made in writing to the Council. For more information see: <a href="https://www.blaby.gov.uk/council-tax/your-council-tax/appeals/">https://www.blaby.gov.uk/council-tax/your-council-tax/appeals/</a></p>
Benefit Appeals	<p>Benefit Appeals should be made in writing to the Benefits team within one month of a decision. For more information see: <a href="https://www.blaby.gov.uk/benefits-and-support/benefits-payments-and-claims/appeals/">https://www.blaby.gov.uk/benefits-and-support/benefits-payments-and-claims/appeals/</a></p>
Planning Appeals	<p>Applicants can make an appeal against a planning application decision by contacting the planning inspectorate.</p> <p>See: <a href="https://acp.planninginspectorate.gov.uk/">https://acp.planninginspectorate.gov.uk/</a></p>
Issues that are the subject of civil proceedings, police investigation or disciplinary proceedings	<p>All legal options/investigation should be concluded before any investigation through the Corporate Complaints Procedure can be started.</p> <p>Complaints investigations will be suspended if legal action starts during the investigation process.</p>
Matters dealt with under the Council's employment procedures e.g. Complaints by staff or former staff	<p>Complaints in relation to employment procedures should be referred to HR by emailing: <a href="mailto:HR@blaby.gov.uk">HR@blaby.gov.uk</a></p>
Complaints about the Chief Executive or Directors	<p>Formal complaints about the Chief Executive will be referred to the council's Monitoring Officer for investigation.</p> <p>Formals complaints about Directors will be referred to the Chief Executive for investigation.</p>
Complaints about Social Housing	<p>Blaby District Council do not own any housing stock. For complaints about housing please contact the relevant housing association or landlord.</p>

Area of Complaint	How to Complain
The First Request for a Service	<p>Requests for the following will not be dealt with under the complaints procedure:</p> <ul style="list-style-type: none"> <li>• Abandoned vehicles  <a href="https://www.blaby.gov.uk/environmental-issue/waste-and-environment/abandoned-vehicles/">https://www.blaby.gov.uk/environmental-issue/waste-and-environment/abandoned-vehicles/</a></li> <li>• Bonfires</li> <li>• Noise problems</li> <li>• Flyposting</li> <li>• Graffiti</li> <li>• Litter Removal</li> <li>• Fly-tipping</li> <li>• Damaged Bus Shelters</li> <li>• Damaged Street Name Plate</li> </ul> <p><a href="https://www.blaby.gov.uk/environmental-issue/reporting/">https://www.blaby.gov.uk/environmental-issue/reporting/</a></p> <ul style="list-style-type: none"> <li>• Anti Social Behaviour  <a href="https://www.blaby.gov.uk/environmental-issue/vandalism-and-behaviour/anti-social-behaviour/">https://www.blaby.gov.uk/environmental-issue/vandalism-and-behaviour/anti-social-behaviour/</a></li> <li>• Missed Waste Collection  <a href="https://www.blaby.gov.uk/waste-and-recycling/household-waste/report-missed-collection/">https://www.blaby.gov.uk/waste-and-recycling/household-waste/report-missed-collection/</a></li> </ul>
Complaints about the Leisure Centres	<p>Enderby Leisure Centre and Huncote Leisure Centre are managed on our behalf by Sport and Leisure Management Ltd.</p> <p>Complaints should be sent directly to the Centres in the first instance.</p>