

CUMBRIA COUNTY COUNCIL **COMPLIMENTS, COMMENTS AND COMPLAINTS POLICY**

1 Introduction

Cumbria County Council is committed to providing high-quality services. Feedback is essential to this and we welcome all comments, compliments and complaints. These help us review and develop our services and help us achieve the highest possible standards and provide excellent services to everyone.

We accept that sometimes things go wrong and that managing complaints well is central to improving both our services and our reputation. How we deal with complaints and learn from them says a lot about our organisation.

The efficient handling of complaints with timely reporting and feedback to Members and those involved in setting policies and strategies is crucial and involves everyone within the organisation.

In order for this policy to achieve the desired outcome of supporting improvements to service it will be well communicated internally to employees ensuring everyone is aware of how to deal with complaints and externally to customers raising awareness of the policy and how to use it.

2 Compliments and Comments

Compliments and comments will be dealt with consistently across all directorates. Upon receipt, all compliments and comments will be copied to the relevant Director, who will personally write to the member of staff concerned, as well as writing personally to the person who made the compliment or comment.

All comments and compliments will also be fed back to each directorate through Departmental Management Teams.

3 Definition of a Complaint

A complaint is an expression of dissatisfaction, however made, about the standards of service, actions or lack of action by the County Council or their staff, affecting an individual customer or group of customers, whether the action was taken or the service provided by the council itself or a person or body acting on the council's behalf. A complaint is not a request for service e.g. to fix a pothole.

4 What is covered by this policy?

- When we fail to provide a service at the level or to the standard laid down by Council policy.
- Whenever we delay unreasonably in answering a query or responding to a request for service.
- Whenever we fail to follow Council policies or procedures.
- Whenever we fail, in coming to a decision, to take account of relevant matters.
- When we fail to tell people of their rights.
- When an employee or someone acting on behalf of the Council are unhelpful or insensitive to a customer.
- When an employee or someone acting on behalf of the Council show malice, offensiveness, bias or unfair discrimination.

Complaints against contractors employed by the Council will be treated as complaints against the service area employing the contractors.

5 What is not covered by this policy?

- Any request for a service e.g. reporting a fault with a street light or pothole in the road, request for Home Care services.
- Any request for information or for an explanation of Council policy e.g. expressions of disagreement with a decision of the Council, rather than the way in which the decision has been arrived at or carried out.
- Any matter for which there is a right of appeal or legal remedy e.g. a matter which is, or could reasonably be expected to be, the subject of court or tribunal proceedings or review by a minister.
- A request which is covered by legislation e.g. Freedom of Information or Data Protection, unless there is a complaint about how a request under such legislation has been dealt with.
- Complaints about the conduct of Councillors. These should always be referred to the Monitoring Officer.
- Complaints about schools or school staff should be made to the Head Teacher or the Chair of the schools governing body.

Social Services are by law required to have a separate complaints procedure for service users or their representatives. It is expected that most complaints relating to Social Services will be covered by the Social Services statutory procedure rather than this policy.

There are formal procedures, and in some cases appeals arrangements, for dealing with certain education issues. These include school admissions, the provision of the national curriculum including religious education and collective worship, exclusions, special educational needs assessments and child protection issues.

6 Who can make a complaint?

- Any person or organisation receiving, or seeking to receive, a service from the Council or someone acting on behalf of the Council.
- Someone acting on behalf of a person or organisation receiving, or seeking to receive, a service from the Council or someone acting on behalf of the Council e.g. next of kin, Members or MPs.

7 How to make a complaint

A complaint form has been designed to help people to submit a complaint. They can also be submitted by letter, telephone, email, in person, via the website, on audiotape, in Braille or in another language.

8 Courtesy

The Council welcomes feedback and will investigate all complaints in a civil and polite manner. Whilst it is recognised that a complainant will have issues of genuine concern, it is expected that all representatives of the Council will be treated in a civil and polite manner.

9 How to deal with complaints

9.1 Informal stage

Most 'complaints' are likely to be received by front line staff either in person or by telephone. If an error or lapse in service delivery has occurred, it should be possible to

resolve the matter quickly and decisively by relevant personnel within the directorate or department concerned.

If the issue cannot be resolved informally then the complainant must be advised to make a formal complaint.

9.2 Stage 1 (Response within 10 working days)

Wherever possible a complaints form should be completed, this can be done either by the complainant themselves, someone acting on their behalf or by an officer of the Council or someone acting on behalf of the Council. If a form is completed on behalf of the complainant, extreme care must be taken to ensure the form is completed correctly using only words used by the complainant.

- Form received by Customer Services –

Details of complaint recorded, date received, name, nature of complaint, directorate or department, person passed to for action, date passed on.

Compliant form passed to relevant Directorate or Department for action.

- Form received within Directorate or Department –

Details sent to Customer services to be recorded, date received, name, nature of complaint, directorate or department, person dealing with complaint.

Complaint form passed to relevant person for action.

- A response must be sent to the complainant within 10 working days. If the issue will not be resolved within 10 working days then an acknowledgment must be sent indicating how long it is likely to take to investigate and resolve the issue.
- Customer Services must be kept informed of the date and nature of any communication with the complainant, and advised of when a complaint is resolved.

9.3 Stage 2 (Response within further 10 working days)

If the complainant is still not satisfied the reasons must be stated and the complaint passed to a Chief Officer or Director within the relevant Directorate or Department.

If the complaint is not resolved within 10 working days of receipt by the Directorate or Department, the complainant must be informed of who is dealing with the complaint and action being taken.

Customer Service must be kept informed of who is dealing with the complaint and action being taken.

9.4 Stage 3 (response with further 10 working days)

If the complainant is still not satisfied the reasons must be stated and the complaint passed to the Chief Executive.

If the complaint is not resolved within 10 working days of receipt by the Chief Executive, the complainant must be informed of who is dealing with the complaint and action being taken.

Customer Services must be kept informed.

Finally if the complainant is still not satisfied they should be advised of their right to complain to the Local Government Ombudsman.

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10 Administrative Procedures

Customer Services are responsible for:

- Maintaining records about all complaints.
- Monitoring responses to all complaints.
- Producing reports detailing number, nature and status of complaints for Directorates and Departments, Chief Officers and Members.
- Providing a central point of contact for all complaint related issues.

Directorates and Departments will identify a Complaints Liaison Officer who will be responsible for:

- Ensuring that information about the complaints policy is prominently displayed at all points of access and on all notice boards.

- Ensure that all employees are aware of the procedure for dealing with complaints.
- Ensure that procedures are in place for reporting and monitoring of complaints.
- Act as liaison between Customer Services and directorate or department in relation to all matters concerning complaints.