

CORPORATE COMPLAINTS POLICY

The council aims to:

- act quickly and efficiently to put things right if something goes wrong
- learn from customer complaints in order to improve our services and focus on the needs of our customers

A complaint is when a customer of a council service is unhappy with the way they have been treated and believes that the council (including a contractor or other body providing a service on our behalf) have done something wrong. When this happens, we will try to resolve things as soon as possible and aim to give customers an outcome with which they are satisfied. We aim to achieve this, wherever possible, without the need for a formal complaint. As a first step then, the customer should talk to a member of staff at the point of service delivery to try to reach an agreement informally.

Where we are unable to resolve problems informally, we will make it easy for the customer to make their complaint. We take complaints seriously, and want customers to be confident that their complaint will be looked into properly. We will treat complaints positively and consistently and aim to leave customers feeling satisfied about their experience and how we dealt with their complaint. We will record all relevant details of the customer and their complaint so we can deal with it efficiently, and learn and improve services from customer complaints more generally (see appendix). We will keep customers informed about who is dealing with their complaint and how it is being managed.

When we decide that the matter raised by the customer is not a complaint, as we define it, or that it is outside the scope of this policy / something we cannot investigate, we will advise the customer on the best alternative way to take the matter forward (see appendix).

When we have done something wrong, we will apologise and try to put things right. We will also consider if and how we can improve things, so similar problems do not happen again. Putting things right will depend on the nature of what went wrong and what effect this had on the customer.

How we will deal with a complaint

Stage 1 Complaint

If the complaint cannot be resolved informally with the customer, it will be treated as a formal complaint.

The member of staff receiving the complaint will ask the customer to provide all the relevant information about them and their complaint, so we can deal with it quickly and efficiently. This information will be recorded in line with the General Data Protection Regulations (GDPR). The complaint will be passed to a relevant team manager to be dealt with.

Within two working days of the council receiving the complaint, we will send an acknowledgement to the customer. This will give the name and contact details of the relevant team manager dealing with the complaint and the date by which the customer can expect a response. The team manager will look into the complaint, come to a decision on it and, where appropriate, consider what we can do to put things right.

We aim to resolve formal complaints and send a response to the customer within 20 working days of complaint receipt. If there is a good reason why this is not going to be possible, we will make the customer aware.

Stage 2

If the customer remains unhappy with their complaint response at Stage 1, they can request escalation to Stage 2 within 20 working days of receiving the response. Customers will need to include reasons why they are dissatisfied with the Stage 1 response and what they would like us to do to resolve the complaint. Once their request for a Stage 2 investigation has been received, the Complaints Manager will consider the request and aim to send their decision within 10 working days.

If the request to progress your complaint to Stage 2 is accepted, a senior manager who has not previously been involved with the complaint will be asked to reinvestigate the matter, or may identify an independent person to review and investigate the complaint on their behalf, if this is considered necessary. They will aim to respond within 25 working days or keep the customer informed if their investigation will take longer to complete.

This is the final stage of the Corporate Complaints Procedure.

Local Government and Social Care Ombudsman (LG&SCO)

Once the complaints procedure has been exhausted, if the customer remains unhappy, they do have the right to contact the Local Government and Social Care Ombudsman (LG&SCO). The Ombudsman offers a free service, looking at complaints about councils, and can both offer advice and '*investigate complaints in a fair and independent way*' (though they will typically expect complainants to have completed the complaints process before they investigate matters themselves). Their contact details are :

Postal address : The Local Government & Social Care Ombudsman, PO Box 4771, Coventry, CV4 0EH

Tel : 03000 610614

Complaints form : <https://www.lgo.org.uk/complaint-form>

How the customer can be supported in making a complaint

When making a complaint, the customer may want advice and support from an advocate. This can be a person of your choosing. The council cannot be held liable for any costs associated with this support.

Anonymous complaints

Anonymous comments or complaints will be shared with the relevant service area, where this can be identified, and they will decide with the Complaints Manager if any further action should be taken.

Complaints made on behalf of someone else

If a complaint is made on behalf of another person, it will be acknowledged in the usual way. The council will need to satisfy itself, however, that the third party has permission and / or sufficient basis in law to complain on the other person's behalf. The potential disclosure of personal information by the council will also need to be considered, and we may contact the other person to discuss these matters.

Complaints made by MPs or councillors on behalf of their constituents

MPs or councillors sometimes contact the council on behalf of constituents. Some are complaints, some are enquiries, requests for service, or reports of problems, and will be treated as such. If the contact is deemed to be a complaint, an acknowledgement will be sent to the MP or councillor if the necessary permission has been given. The council will then correspond with the MP or councillor and provide them with the response.

General Data Protection Regulations

The Council's Complaints Team has responsibilities under the General Data Protection Regulations (GDPR). We collect and hold personal data, as we have a legal obligation to handle complaints about the services the council provides, and our responsibilities are set out in our [Privacy Notice](#).

We keep information so we can arrange for action to be taken in response to complaints or concerns and provide a response. We will share personal information with the service area concerned. Personal information

will be stored electronically along with the details of the complaint. To maintain the security and protection of information these electronic complaints files are accessible only by members of the Complaints Team. Information will be retained according to the relevant record retention schedules available [here](#).

Appendix

What is not a complaint?

There are some things that we will not treat as a complaint because there are other more appropriate ways to deal with them, but we aim to do so in line with our commitment to providing good customer service. These would include:

- A first request for service or information, because we should be given the chance to respond to the request.
- A difference of opinion, including policy disagreements. People may sometimes disagree with a council policy, or with a decision we have made, but unless this has been done wrongly then it is not a customer complaint.
- A difference of legal interpretation or matters subject to legal action, because these can only be resolved through the legal system.
- Matters where there are established review or appeal processes, because that is what they are there for.
- Matters relating to the internal management of schools and colleges, because these are the responsibility of the Governing Body and Head / Principal.
- Matters relating to the employment of council staff, because employees have other ways to raise these.
- Insurance claims relating to alleged injury or damage. These will be referred to the council's Insurance Manager.

What is outside the scope of this policy?

Some complaints need to be handled outside of the policy though, again, we aim to do so in line with our commitment to providing good customer service :

- **Complaints about adults' and children's social care.** These are covered by separate statutory requirements. Further information can be found on our website at [Complaints and Feedback](#)
- **Complaints about Coroners.** If you wish to complain about a coroner's decision or the outcome of an inquest, you will need to make an application to the High Court for a judicial review. Further information on this procedure can be found at the following link: [Coroners' decisions and the outcome of inquests](#). This should be done as soon as possible, and within 3 months of the investigation ending.
- **Complaints about the conduct of County Councillors.** These are covered by the Code of Conduct for Councillors, which can be found on our website at [Complaints about Councillors](#)
- **Complaints about a Director or Chief Fire Officer.** Complaints should be sent to the Chief Executive for investigations
- **Complaints about Freedom of Information, Data Protection, and Environmental Information Regulations legislation.** These are covered by our Information Compliance complaints procedure, which can be found on our website at [Information Compliance](#). In some cases, where a complaint relating to these pieces of legislation forms a small part of a wider complaint, the complaint will be dealt with in full under the Corporate or Social Care complaints process
- **Complaints by organisations with whom we have a commercial agreement to provide goods or services.** These are covered under the relevant contract or service level agreement

- **One year time limit.** We will not normally consider complaints made more than one year after the alleged injustice became known to you. This is because such complaints are often too difficult to investigate in a full and fair manner. Such a decision will, however, be made on a case-by-case basis

Other matters the County Council cannot investigate

Borough / City / District councils

Certain complaints fall under the remit of Borough, City and District councils. Examples of these include complaints related to Council Tax, social housing, dog fouling, fly-tipping, noise, antisocial behaviour, parks & open spaces, pest control, street cleaning (waste and dry leaves), and waste collection (bins and recycling boxes). You can find your local borough / city / district council here : <https://www.gov.uk/find-local-council>.

Parked vehicles – no parking restrictions

Reports of parked vehicles which are causing an obstruction or which are causing a hazard to other road users / pedestrians should be directed to the police. They can be contacted on the non emergency number 101 or by email at 101@gloucestershire.police.uk.

Parked vehicles – parking restrictions

Reports of parked vehicles which are in contravention of parking restrictions (i.e. parking on a double or single yellow line, or parking for longer than is permitted in a limited waiting area) should be directed to the council's Parking Team. This is not an emergency service, however, and a civil enforcement officer will not necessarily be available to attend the site.

Penalty Charge Notices

We cannot deal with complaints regarding Penalty Charge Notices (PCNs) under this policy. This is because we cannot respond to issues where there are review or appeal processes already in place. The established legal procedure for contesting parking fines is set out on the back of each PCN, and on our website at the following link : [PCN appeals](#)

Outcomes of Compensation Claims

We cannot deal with complaints regarding outcomes of compensation claims, as these are subject to legal matters and must be challenged via the court process.

How we will improve services as a result of complaints

Complaints provide us with important feedback about our services; it is important to us that we learn from them.

As well as trying to resolve your particular complaint, we will aim to :

- identify patterns in the complaints we receive, and investigate potential causes
- determine the root cause of individual complaints
- pinpoint where improvements are necessary, and initiate changes
- appoint a staff member or team as 'owner' of the issue, with responsibility for ensuring that changes happen
- follow up on agreed changes to ensure that action is taken within an agreed timescale
- record the details of any corrective action taken
- ensure that the complaint has, indeed, been resolved and put measures in place to reduce the risk of issues reoccurring
- continue, where appropriate, to monitor performance in the relevant service area