

# Appendix 1

## Complaints Policy

<b>Applicable To</b>	All Staff, Customers
<b>Effective Date</b>	May 2014
<b>Current Policy Date</b>	New Policy
<b>Next Review Date</b>	May 2017
<b>Review Cycle</b>	3 Years
<b>Policy Owner</b> Who is responsible? Name & Role	Wendy Jones Contact Centre & Customer Services Manager
<b>Accountable Person</b> Who is accountable? Name & Role	Martin Shields Corporate Director of Services & Neighbourhoods

### Policy Introduction:

This policy covers formal Complaints to Gloucester City Council. It sets out the different stages of the complaints process, required timescales and who should be involved in handling the complaint.

The purpose of the policy is to clarify how customers can make a complaint and defines the standards they can expect. The policy seeks to create a positive approach to complaints where they are valued as a means of continuously reviewing and improving the services we offer.

### What is a complaint?

A Complaint is *“An expression of dissatisfaction by a customer about the Council’s actions or lack of action and the standard of service received”*

This is where the responsibility for the action or the service provided rests with the Council or person or body acting on behalf of the Council.

The following are not covered by the Corporate Complaints policy as there are other separate points of resolution for them:

- An initial request for a service e.g. reporting non collection of waste, reporting graffiti or other street problems etc or initial reports of faults or defects unless they concern work that the council has carried out. We must have had the chance to provide the service or put something right which we can only do if we have received a request or been informed of a problem.
- A complaint against a Councillor where there is evidence that the Councillor has not followed the Council’s Code of Conduct (Part 5 of the Council Constitution). These complaints should be reported through to the Monitoring Officer for investigation and response.
- Where there is an appeals procedure within the Council or where there is a right of appeal to an independent tribunal. At Gloucester City Council this includes:
  - Benefit or Planning appeals
  - Penalty Charge Notice (PCN) appeals

## How can complaints be made?

The Council encourages customers who have concerns to first speak to a member of staff in the relevant service area. If the problem can be solved on the spot then there is no need for the issue to go through the formal complaints process. However, if the complaint cannot be dealt with immediately or the customer wishes to have a formal response, we must make it easy for them to do so. We accept complaints:

- Via our website
- By telephone
- On the Council's complaints form
- By email
- By letter
- In person
- By fax

## When can a complaint be made?

The Council will normally only accept complaints made within twelve months of the incident or circumstances that led to the complaint being made.

If a customer wishes to escalate a complaint to the next stage in the process, they should respond within one month of receipt of the Council's response outlining the reasons why they are not satisfied and what outcome they would like to see.

If there are exceptional circumstances provided by the complainant for the delay in submitting the complaint (e.g. illness, changes in personal circumstances etc), the relevant Director has discretion to consider accepting a late complaint providing the circumstances are evidenced.

## Anonymous Complaints

We will not accept anonymous complaints.

## Response timescales

Each Council service has a duty to deal with complaints. Complaints should be acknowledged verbally or in writing within 1 working day by the person receiving the complaint. The table below sets out agreed timescales and responsibility for each stage of a complaint:

Stage	Timescale	Response agreed by
Stage 1	10 working days	Service Manager (or designated representative)
Stage 2	10 working days	Senior Manager/Director
Local Government Ombudsman	25 calendar days (internal deadline)	Director

We will always try to keep to our published timescales for dealing with complaints but sometimes investigations take longer because the complaint is complex. In these cases it may be necessary to extend the timescales set out in this policy. If this is the case the complainant will be informed of the reasons why timescales cannot be met and also when they should receive a full response. Notification should be sent to the complainant at the first opportunity.

Where a complaint relates to an insurance claim, the insurance team will be notified immediately and the response dealt with through separate process.

## **Complaints made directly to the local government ombudsman**

Complaints should not, in most circumstances, be made direct to the Local Government Ombudsman (LGO). Those complaints made direct to the LGO are known as 'premature complaints' and customers who make them are likely to be asked by the Ombudsman to follow our complaints procedure first. In a few instances the LGO has indicated they will deal directly with cases they deem to be exceptionally serious or urgent. We will be informed of these immediately and such complaints should be dealt with as appropriate to the individual circumstances of the case.

## **Complaints against contractors or Partner organisations**

We review complaints against the Council's contractors and any organisation contracted to work for the Council. Complaints about the Council's contractors are handled under the Council's complaints procedure and can be made directly to the Council.

Complaints about funded voluntary and community organisations should be dealt with by the organisations unless the complaint concerns serious fraud, financial or governance malpractice.

Organisations funded by the council will be expected to have a complaints procedure in place that can be monitored by the council.

## **Confidentiality and Anonymity**

Services will treat all customer information as confidential. Names and addresses will not be published or disclosed outside of the Council without prior agreement.

## **Customer rights**

Customers have the right:

- To be treated with courtesy and respect at all times
- To have a friend or other representative help them with their complaint (a letter of authority may be required)
- To confidentiality (if an investigation cannot proceed without the complainant being identified, the complainant will be given the option whether or not to continue)
- To be kept informed of the progress of their complaint(s)
- To receive an apology if a complaint is upheld
- To be informed of action taken including any changes to Council policy or procedures arising from a complaint

## **Behaviour of complainants**

In a minority of cases, complainants pursue their cases in a way that can impede the investigation of their complaint or have significant resource implications for the Council. We do not expect Council staff to spend time dealing with unreasonable complainants, nor do we expect staff to tolerate threatening or abusive behaviour by complainants and we will take action to protect staff from such behaviour. The Council has a separate policy for dealing with 'unreasonable behaviour'.

## **Related Policies and Procedures:**

- Complaints Process (customer facing)
- Complaints form
- Complaints procedure (staff)
- Unreasonable Behaviour Policy

<b>Revision History</b>		
<b>Version</b>	<b>Made By</b>	<b>Effective Date</b>
1.0	Wendy Jones Customer Services Manager	
1.1		
1.2		