



Complaints and Customer Feedback Policy

Policy and Procedures

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CUSTOMER COMPLAINTS AND FEEDBACK POLICY AND PROCEDURE**INDEX**

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Part 1 - Policy

1. General Principles

City of York Council is committed to excellent customer service and to securing customer satisfaction in the way it responds to complaints and feedback from any of its service users. The Council will ensure it delivers a better service to its customers by monitoring and measuring complaints, concerns, compliments and comments. It will follow a standard procedure to achieve greater consistency in how it deals with complaints and feedback.

City of York Council will collect information on complaints and feedback so that it knows which areas of service customers are most satisfied /dissatisfied with. This enables a closer look at whether to change aspects of the service and/or offer training and support for staff to improve services as well as ensure that staff dealing with complaints are appropriately trained and supported.

City Of York Council will demonstrate that it listens to its customers' views and feeds them into service development. Gathering information on complaints and checking responses to them is one way we will do this.

City Of York Council wishes to be responsive to complaints made by members of the public; it views complaints as a valuable form of feedback. Therefore, a formal Customer Complaints and Feedback Policy and Procedure will ensure that a complaint is fully investigated in a systematic and comprehensive manner and will ensure that it is able to mirror the lessons about good practice in complaints handling by learnt from statutory complaints procedures by being linked closely with them.

Fundamentally, all complaints will be dealt with in accordance with this policy and complainants should be advised about this.

City Of York Council will ensure that its feedback and complaints system:

- is easily accessible and understandable via one central function;
- is acknowledged and published as a model for developing good practice;
- ensures a thorough and fair investigation within set time-scales;
- provides an effective response and appropriate redress;
- is independent from service provision; provides feedback to management so that areas of dissatisfaction can be improved;
- keeps complainants informed of progress;

- is fully understood by all staff.

2. Making a Complaint

In order to be as flexible as possible and subject to the Council's procedures for dealing with unreasonably persistent complaints, the Council will accept a complaint from a member of public or anyone acting on behalf of a customer with the proper authority and consent, in the following formats

- in person at any Council office
- by telephone
- by letter
- by email
- through our website. www.york.gov.uk

A complaint is:

Any expression of dissatisfaction, however made, from a member of the public about the level or nature of a council service or policy, or the way in which the council's staff carry out their duties

A complaint is not:

A request for a service that is made for the first time. For example, if a customer complains that a streetlight is not working we will treat it as a service request that we aim to fulfil by repairing it within the service level agreement. If we then fail to repair it, and the customer is still unhappy, it should then be defined and treated as a complaint

This policy relates to the delivery of council services except where there is a statutory or other legislative requirement, or where there is another procedure for expressing dissatisfaction e.g. Appeals. It does not relate to issues such as staff conduct or concerns about a vulnerable individual's safety, as these will be directed through to the appropriate procedures. However a complaint can be made that another procedure or process has not been followed appropriately.

This policy and procedures will also be used if we receive a complaint regarding one of our contractors or a partner organisation, which delivers services on our behalf.

3. Feedback e.g. Complaints, concerns, compliments and comments

The council recognises that it is important to ensure feedback is also recognised and used to inform service design/delivery and reviews. It is equally important to give feedback regarding the service to the relevant areas.

In order to assist this process, the council has developed the same method as for dealing with complaints, to collect, record and pass on feedback on a regular basis to the management team, staff and councillors. This will help to ensure the good work of staff is recognised and praised accordingly.

Part 2 - The Procedures

4. Dealing with Complaints

The procedure is specifically designed to check that, everything that should have been done has been done and that the council's procedures and policies have been followed.

The identity of the person making a complaint should be made known only to those who need to consider the complaint; it should not be revealed to any other person or made public by the Council. Care should be taken to maintain confidentiality where particular circumstances demand (for example, information about third parties). It may not be possible to preserve confidentiality in some circumstances, for example where relevant legislation applies or allegations are made which involve the conduct of third parties.

The Customer Feedback Team (CFT) will control and monitor all complaints, concerns, compliments and comments across the council. They will work with the Directorates to ensure all complaints are dealt with and response timescales are met.

The CFT staff will record the details of the complaint. Customer services staff will have the ability to transfer a call to the CFT, who will be specially trained in dealing with complaints. Training for the different stages of complaint handling and investigation will be provided to the CFT and made available to Councillors.

The CFT is the communications, monitoring and reporting hub for the whole council. They will:

- assess and advice on the appropriate route to progress the complaint or feedback which includes the most appropriate stage or referral to the ombudsman
- investigate and respond to complaints on behalf of Directors/Chief Executive at stage three of the procedure
- ensure the right person receives the feedback
- monitor anything that needs a response to time or quality standards
- have their name and contact details on all responses to complaints so the customer can come back to a single point of contact for further action should they need to

- produce the customer feedback analysis and reports for DMT's, Annual Report to Scrutiny and Audit and Governance Committees
- be the contact point for letters or investigations passed to the directorate from the Ombudsman services Link Officer

Dissatisfaction Prior To a complaint

There will be occasions when a customer is dissatisfied with a service provision and will contact the council to make them aware of this. When this is the first time the council has been made aware of the problem, 'Front-line' staff who provide the service can generally deal with this quickly and satisfactorily. The member of staff should ensure that all steps are taken to resolve the person's concerns and record this on the appropriate file.

If the complainant is not happy with the outcome at that point, it needs to be escalated into the complaints procedure.

Complaint Stages

Stage 1 – Line Manager Involvement - 5 Day response

At this stage the complaint will be logged on the system as a stage one complaint by the CFT staff. CFT will then acknowledge the complaint in writing to the customer and allocate to the appropriate line manager for action.

A response will be sent to the complainant by their preferred contact method within 5 working days, timescale commences the day after receipt, stating the findings and outcome

The CFT will then send a follow up letter using the customers preferred contact method to the complainant advising how they can progress the complaint if they remain dissatisfied and will request that the customer completes a satisfaction questionnaire regarding the complaints process. They will then log the outcome of the complaint on the record and close the complaint at that stage.

The CFT will then send an action plan template for completion by the responding manager and when received will log this on the complaints file. They will then send reminders for updates on completed actions and will again log this on the file.

Stage 2 – Head of service / Assistant Director - 15 Day Response

At this stage the complaint will have been progressed by the CFT or started at this stage if decided by the CFT. The appropriate senior manager will be assigned to the complaint by the CFT.

If the complaint is being progressed from Stage 1, the complainant will not have to set out their complaint again, but will only need to state what they remain unhappy or dissatisfied with following their Stage 1 response.

A response will be sent to the complainant by their preferred contact method (backed up in writing) within 15 working days, timescale will commence from the day after receipt. Acknowledgement, response, follow ups and action plan will be given as in stage 1.

Stage 3 –Chief Executive / Director of service – delegated to CFT – 20 Day Response

At this stage the complaint will have been progressed by the CFT or started at this stage if decided by the CFT.

The CFT have the delegated responsibility for investigating and responding to complaints at this stage, on behalf of the Director or chief executive so that the response is independent from service provision. The CFT will liaise with senior managers in preparing and finalising their response.

A response will be sent to the complainant by their preferred contact method within 20 working days, timescale will commence from the day after receipt and confirmed in writing. Acknowledgement, response and action plans will be given as in stage 1 and 2.

The complainant should also be made aware that if they are still dissatisfied with the outcome they can take their complaint to the appropriate Ombudsman who may carry out an independent investigation of the complaint. Ombudsman contact details will be given to the complainant.

5. Corporate Complaints Monitoring

The Assistant Director in Customer and Business Support Services will corporately monitor complaints through the Customer Feedback Team.

- The details of the council's procedures and contact details will be contained on the council's website.
- The council will respond to complaints in a positive manner and where it is clear that it has been at fault and caused injustice, appropriate remedy will be authorised by the CFT manager within principles set out in the Ombudsman's remedies guidance and in consultation with senior managers, even if the complaint has not been referred to the Ombudsman.
- Where a complaint has been referred to the Ombudsman, the council will always use its best endeavours to meet the deadline set for responses and will maintain a positive, professional working relationship with the Ombudsman.

6. Dealing with Unreasonable and Unacceptable Behaviour

The council is committed to considering all complaints and learning lessons to improve services. It recognises that in doing this, it will on occasions come into contact with people who may be both angry and distressed and who may have difficulties with communication, disabilities or illnesses which make their contact with the council at these times persistent, strained or even hostile.

It is important at these times to consider the reasons for this behaviour and to ensure that support is available to both the complainant and staff to enable the complaint to be heard and dealt with in a fair and equitable manner.

Some examples of unreasonable and unacceptable 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 at staff.

Where unreasonable or unacceptable types of behaviour are present, the complaint manager will attempt to identify reasons for this and strategies to resolve any difficulties by talking to the complainant and members of staff and may choose to hold a planning meeting or complete a risk assessment.

If appropriate and not already in place, the possibility of an advocate or other support will be considered to enable the person to express and pursue their complaint and understand what action is being taken.

Where further support is not appropriate or is unsuccessful the complaint manager will write to the complainant explaining what behaviour they are using which is unreasonable or unacceptable. They will also advise them of

strategies to reduce the unreasonable or unacceptable behaviour so that the complaint can be pursued and services can continue.

This may involve:

- Identifying a key person, or team that the complainant should restrict their contact to.
- Agreeing times and frequency of contact.
- Requesting they provide clarification of the complaint and their desired outcomes.
- Reminding them that staff cannot enter into discussions about outcomes which have already been reached unless they allow this to be moved to the next stage.
- Requesting that they do not use inappropriate or abusive comments, shout or swear at staff, make threats, or use aggressive behaviour.

Where appropriate the person will be advised that if the unreasonable or unacceptable behaviour continues, it may become necessary for staff to discontinue the investigation of the complaint and discontinue their contact with the person.

If it becomes necessary to discontinue the investigation of a complaint and discontinue contact, this decision will be made in consultation with senior managers and a review of this must be held at least annually. The complaint manager will write again to the person to advise them, this action will be taken, explaining the reasons for this and where appropriate, when it will be reviewed. The person will also be advised of their right to contact the Ombudsman and that any new complaints will be investigated through the normal procedure.

The person where appropriate will also be reminded of how they can contact the department providing services to them, to discuss any day to day issues which arise and how to request new services if this becomes necessary.

This information will be circulated to relevant staff and managers.

Where threats or aggressive behaviour is likely to put staff at serious risk, contact will be withdrawn immediately without notification. A risk assessment will be completed with senior managers and this will identify if contact can continue and how this should be done. In these cases the option of contacting the Police and or taking legal action should always be considered.

7. Making a complaint about the conduct of a councillor

From 8 May 2008 the responsibility for considering complaints that a councillor may have breached the Code of Conduct moved to the standards committees of local authorities.

The Code of Conduct sets out the rules governing the behaviour of councillors in local authorities across the country and is included in Part 5 of the Council's Constitution.

What this means

Complaints about the conduct of a City of York Councillor or a Councillor from one of our parish councils must be submitted in writing to:

The Monitoring Officer
City of York Council
West Offices
Station Rise
York
YO1 6GA

Link to website to submit complaints online:

https://www.york.gov.uk/info/20003/your_council/1522/councillor_conduct

What happens next?

The assessment sub-committee can only deal with complaints about the behaviour of a councillor. It will not deal with complaints about things that are not covered by the Code of Conduct. Any complaints must be clear as to why the complainant thinks that a councillor has not followed the Code of Conduct.

The assessment sub-committee aims to make an initial assessment of the complaint within 20 working days of receipt. If the decision is to take no further action, complainants will have the right to ask for that initial decision to be reviewed.

8. Performance Measures

The council will monitor the effectiveness of this policy and procedures by collating all relevant information and statistics and will use these when it undertakes reviews of this policy and service delivery.

This will comprise:

- The total number of complaints received
- how quickly they were dealt with
- whether they were resolved to the satisfaction of the complainant.
- equalities and diversities monitoring data (customer profiling)
- complaints received per directorate and department Lessons learnt and action taken to improve services

It will use the information to:

- Identify areas of dissatisfaction with services;
- Highlight areas for service improvement;
- Monitor the success of service improvements based on the number of complaints subsequently received;
- Produce a quarterly and annual statistical report.
- Support the Council's Fairness and inclusion strategy, Engagement Strategy and Customer Strategy
- Support corporate strategy and effective organisation theme

This information will be reported to the Scrutiny and Audit and Governance Committees, Annual Report, etc.

The following performance information will also be collected:

- Number of Councillor and MP enquiries received.
- Number of access to records and Fol/EIRs received.
- Number of concerns, comments and compliments received and outcomes.
- Number of complaints received.
- Number of complaints at stage 1,2,3.
- Number of Ombudsman cases and their outcome (Annually).
- Quality monitoring through customer satisfaction with the process/procedure (not the outcome) levels

9. Quality Monitoring

Quality Monitoring will be conducted throughout the procedures by the CFT using results from the action plans put in place, at each of the complaint stages as well as customer satisfaction results

