

Customer Complaints and Compliments Procedure

September 2021



NORTH
NORFOLK
DISTRICT
COUNCIL

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Introduction

The procedure sets out how customers can send a compliment or make a complaint about Council services, and how we will respond to and learn from any complaints received.

The authority wants to make it as easy as possible for customers to send in their complaints or compliments which can be made through any of our contact channels:

- In person
- Telephone
- Email
- Website
- Letter
- Social media

Compliments, complaints and suggestions can be received by a variety of people:

- Customer Services Team
- Service area team members
- Chief Executive
- Directors and Assistant Directors
- Corporate PA team
- Councillors (personally or on behalf of residents/constituents)

All compliments and complaints, however received, must be logged onto the Corporate Customer Contact database. The **Corporate Complaints and Compliments Co-ordinator** will ensure that the customer is sent an acknowledgement and will monitor and review the progress of the contact to ensure compliance with the procedure.

Having a corporate repository for all customer contacts for compliments and complaints will ensure the consistency of the standard of replies to customers and will enable analysis of trends and reporting across the Council.

Our customers

This procedure applies to any customer of the Council who:

- accesses, uses or receives any Council service
- is affected by any Council procedure or action
- contacts the Council to seek or report information

Compliments

Definition of a compliment:

- A compliment is an expression of praise for an action completed or a standard of service delivered. This includes compliments to the Council by a customer relating to the quality of service provided by individual staff members or service teams.
- Once the compliment is logged on the corporate customer contact database, a thank you letter will be sent to the customer and a copy will be passed through to the appropriate Assistant Director for the member of staff or service area receiving the compliment.
- The Assistant Directors will notify the member of staff or team members in person either by letter or email to thank them for the excellent service delivered.

Complaints Procedure

North Norfolk District Council is committed to resolving complaints fairly, quickly and, where possible, informally. We will do this by listening to customers and clearly outlining our decisions.

North Norfolk District Council (hereafter called the Council) is committed to delivering excellent customer service. Listening to our customers and learning from customer feedback enables the Council to improve its services, meet the needs of customers more effectively and recognises the importance of customer feedback.

The Council will ensure officers take ownership of complaints and respond positively to our customers' needs and expectations and work with customers to resolve their issues.

The Council will respond to complaints promptly and efficiently, within the timeframes outlined in the procedure, ensuring that complaints are resolved quickly and will use the information received from complainants to drive improvements. For the purpose of this document, the term complainant refers to any person making a complaint, for example, a resident or service user.

1. What is a complaint?

The Council has adopted the following definition from the Local Government and Social Care Ombudsman:

“A complaint or concern is an expression of dissatisfaction about an act, omission or decision of the Council (whether that is provided directly by the council or by a contractor or partner) either verbal or in writing, and whether justified or not, which requires a response”.

Complaints about Council services are processed in accordance with the requirements of the General Data Protection Regulations, the Data Protection Act and associated council policies.

Examples of complaints are:

- a delay in taking action without good reason
- a failure to provide a service
- mistakes in the way a decision has been taken
- not following the Council's own policies
- giving incorrect or misleading information
- bias or unfair discrimination
- rude, unhelpful or inappropriate behaviour by staff
- poor communication
- the conduct of staff when delivering the service

2. Who can make a complaint?

A complaint may be made by:

- A person, business or organisation who have been affected by the Council's service
- An individual or organisation acting on behalf of someone (written consent is required)

3. How to make a complaint

If you wish to discuss an issue, please speak to an officer in the Service Area concerned in the first instance. The Council will always try to resolve matters informally to prevent them from escalating into formal complaints.

We want to make it as easy as possible for customers to let have their complaints and they can be made through any of our contact channels. If you wish to make a complaint, the quickest and easiest way is to complete the [online contact form](#).

This will generate a receipt and unique reference number which will assist the customer and the Council in keeping track of the complaint. There are other avenues available please contact the Complaints Co-ordinator for details.

4. Initial Stage

The Council takes complaints seriously and places a strong emphasis on contacting the customer at the early stage of receiving a complaint. At this stage, whenever possible, we will contact you by telephone, or in writing, to discuss the issue and look to resolve the matter for you quickly and efficiently, without the need for escalation to the formal complaints process.

Matters reported to the Council such as reporting fly tipping or dog-fouling etc, are classed as a service request and will not be considered as a complaint unless these issues have been reported previously with no resolution. The Council will aim to deal with such issues informally and within five working days.

When a matter remains unresolved or is particularly complex and needs further investigation, we will register the matter as a formal complaint. Your complaint will be

passed to the relevant Service Area for an officer to consider and respond to.

5. How the Council will deal with your complaint – Formal Stage

The Corporate Complaints process consists of two stages:

Stage One

At Stage One, the investigation involves the complaint being considered by the Assistant Director from the service area the complaint is regarding.

In cases where the complaint concerns more than one Council service, the Council will ensure that the response is co-ordinated, and a collective response will be provided to all issues raised.

The Council will acknowledge receipt of a complaint within **3 working days**. The acknowledgement will provide the timeframe for the full response.

We will respond to a Stage One complaint within **15 working days** and the Council's aim is to resolve complaints during this timeframe.

If the officer who will respond is out of the office for a period of time, an extension of time will be required of a further 15 days.

Stage Two

If the complainant is dissatisfied with the outcome of the Stage One response, they can request to escalate their complaint to Stage Two, which is the final stage of the Council's internal complaints process.

The complainant must specify the reasons for wanting to proceed to Stage Two, simply stating that they are unhappy with the response received or exercising the right to escalate to the next stage, are not justifiable reasons to initiate a Stage Two investigation.

A Stage Two request must be made within one calendar month of the date of the Stage One response. The complainant is required to explain why they remain dissatisfied and, where appropriate, provide clear reasons for escalation. Following receipt of a Stage Two complaint, within three days of receipt, the Complaints Co-ordinator will determine whether the complaint will be considered as a Stage Two and will appoint a Director from another service area to investigate and review the complaint.

If it is clear to the Complaints Co-ordinator that insufficient reasons have been provided to escalate the complaint and there is nothing further the Council can do, we will write to you and provide you with details to contact the Local Government Ombudsman.

Following the acceptance of a Stage Two complaint, the Director will conduct the investigation and review the case, including all the previous documentation.

The timeframe to respond to a Stage Two complaint is **15 working days** from the date of receipt.

6. Accessibility

In the event you wish to make a complaint, it is useful to put the details of your complaint in writing. If you do not feel comfortable doing this or experience difficulty, you can:

- appoint an advocate to act on your behalf
- ask your local Councillor to act on your behalf
- ask a friend, carer or family member to help you
- ask an organisation such as the Citizens Advice Bureau or Age Concern to assist

The Council does not require consent of an individual to disclose their personal information to a Councillor. It is considered that the individual has provided implied consent to the processing of their personal data that is reasonably necessary to pursue the complaint. We will require written consent from any other third party to act on behalf of an individual.

7. Complaints that cannot be considered under this procedure

There are certain types of issues and complaints that fall outside this procedure. This list is a general guide but not exhaustive and includes matters such as:

- a request for a service or issues that can be resolved informally
- objections about a provision for which there is an alternative process - such as appeals, reviews or tribunal processes
- a complaint where the complainant has started legal proceedings in respect of the matter being complained about
- a complaint that is already subject to a court or tribunal ruling
- allegations of internal or external fraud or corruption - these would be more appropriate being dealt with by the Council's [Whistle Blowing Procedure](#)
- a complaint about a Councillor - these should be made to the Council's Monitoring Officer who will consider the complaint
- a complaint by a member of staff about a personnel matter, including appointments, terms and conditions of employment (or disciplinary issues)
- a complaint about a Council Policy - such as the Council's implementation of a government policy as these are often open to interpretation, for example Planning decisions
- insurance claims
- a complaint which the complainant has known about for more than twelve months before registering it
- a complaint that has been previously investigated, responded to and concluded

There are also other items not covered by the Corporate Complaints Procedure:

- a claimant complaining about their benefit award - this should be classed as a benefit appeal
- appealing a car parking fine - there is a defined process for this
- outcome of a planning application - this would be a planning appeal
- complaint about the Council Tax banding - this should be directed to the Valuation Office Agency

When the Council cannot consider a complaint under this procedure, you will be advised and provided with any alternative options that may be available.

8. Complaints and Enquiries from an MP or Councillor

The Complaints Procedure is intended for individual citizens to seek resolution to an issue. A Member of Parliament (MP) or Councillor can make a formal complaint or enquiry on behalf of a constituent.

However, when a constituent has requested an MP take up a matter on their behalf, these will not be registered as a corporate complaint, but as an MP enquiry. A response will be sent to the MP directly within **15 working days**. Confirmation of the customer's permission to disclose information to the MP will be required.

9. Timescales for making a complaint

Complaints must be made no later than **6 months** after the date on which the matter occurred. If there are good reasons for not having made the complaint within the above timeframe and, if it is still possible for the Council to investigate the complaint effectively and fairly, we may consider the complaint.

10. Outcome of Complaint

A complaint may be upheld, partially upheld or not upheld. This means that the complaint may be completely justified, partially justified or not justified at all. Any response to a complaint will determine and outline whether a complaint was justified or not, with clear reasons why.

Where complaints are upheld or partially upheld, the remedy needs to be appropriate to the complaint, taking into account the customer's desired outcome. The Local Government and Social Care Ombudsman offers this general principle for guidance:

"Where we find that an injustice has been caused by maladministration, we seek a remedy that would, so far as possible, put the complainant back into the position he or she would have been in but for the fault".

11. Local Government and Social Care Ombudsman and the Housing Ombudsman Service

If the complainant remains dissatisfied with the response following the Stage Two response, they can escalate their complaint to the Local Government and Social Care Ombudsman Service or the Housing Ombudsman Service. These services are external to the Council. Contact details for the appropriate body will be provided in the Councils Stage Two response.

The Ombudsman's service is the final stage for complaints about the Council and their investigations are independent to the Council. The Ombudsman service will assess the complaint and advise the Council if they decide to initiate an investigation.

The Ombudsman will normally only consider complaints once complainants have

exhausted the Council's complaints process.

If the Local Government and Social Care Ombudsman (LGSCO) or the Housing Ombudsman Service (HOS) become involved, all contact is made directly to them. The Council must submit a response to the LGSCO or HOS within **20 working days** of receipt.

12. Links to other policies and procedures

12.1 Complaints about the conduct of Councillors

The Council's Standards Committee is responsible for considering complaints where a Member may have breached the [Councillors Code of Conduct](#). If you think a Councillor has broken their Code of Conduct, you can report them to us on the [complaint form](#).

12.2 Complaints by persistent or vexatious customers

We aim to respond to all complaints positively and ensure that customers are satisfied with the way their complaint has been handled. Very occasionally, a complainant will persist in communicating about a matter after they have received a full response to their complaint. This impacts on Council resources and continuing to respond to these complainants takes up considerable time and reduces the capacity to deal with other complaints effectively.

The Council has adopted an [Unreasonably Persistent Complainants and Unacceptable Customer Behaviour Policy](#) which should be followed if an officer considers that a complainant's actions or behaviour is unacceptable or unreasonable.

13. Social Media Complaints

Some customers may raise issues or complaints via the Council's social media outlets such as Facebook or Twitter. These are usually service requests and straightforward to resolve. Customers will be requested to complete a complaint form to enable the Council to consider the complaint under the Customer Complaints Procedure.

14. Learning Performance, Monitoring and Transparency

The Council will capture the following information, where possible, on our complaint management system:

- date of receipt
- name, address and contact details of the customer
- a copy of the acknowledgement and all other documents
- notes of any contact with the customer
- details of the resolution
- closing date

This data will be used to produce management information to monitor service performance, highlight areas of service failure and inform service improvement. Service managers will regularly review the complaints they are receiving to identify how to improve

our services. This includes:

- Service Managers making operational improvements in response to specific complaints
- regular review of upheld complaints at directorate and corporate performance reviews to identify issues that need addressing
- development of action plans to improve services, based on specific issues or trends in complaints

The Council will publish information about complaints to inform customers about how we handle complaints and show how changes are made as a result of customer feedback.

An annual report of complaints highlighting any trends, or areas of concern will be produced annually for the Overview and Scrutiny Committee.

15. Relevant Legislation

There are key areas of legislation that the Council must follow in the course of handling customer complaints.

16. General Data Protection Regulations

The General Data Protection Regulations provides protection for personal information and customer's ability to access the information held about them. The general principles are that information:

- held will be processed fairly, lawfully and in a transparent manner
- is collected for specific, explicit and legitimate purposes
- is adequate, relevant and limited to what is necessary
- held is accurate and where necessary, kept up to date
- is retained for only as long as necessary
- is processed securely, protected against unlawful or unauthorised process and again accident, loss, destruction or damage

17. Freedom of Information

The Freedom of Information Act 2000 gives people the right to access information held by public authorities. The Act ensures that, subject to certain limited exemptions, anyone can receive information that they request from a public authority. The Council is committed to the principles of openness, transparency and accountability in its activities and supports the right of any person to seek information under the Act.