



## **Corporate Complaints Policy**

## **CONTROL SHEET FOR Corporate Complaints Policy**

<b>Policy Details</b>	<b>Comments / Confirmation (To be updated as the document progresses)</b>
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## 1.0 Introduction

At Melton Borough Council we want to put the customer at the heart of everything we do. We aim to give the best customer service possible. We strive to get it right first time but occasionally things don't go as planned. We are committed to dealing effectively with any concerns or complaints you may have about our service and aim to clarify any issues you are not sure about and if possible, put right any mistakes we may have made. We also aim to learn from our mistakes and use the information we gain to improve our services so that as a customer you have confidence that the same problem won't occur again.

### **This policy explains:**

- What we mean by a complaint
- How you can make a complaint
- How we will deal with the complaint
- What you can do if you remain unhappy with our response

## 2.0 Our Objectives

A complaint is a simple means for our customers to voice their concerns about our services. We will ensure all complaints are dealt with in a fair, consistent and thorough manner and, where complaints are found to be justified, to remedy the situation and, as far as practicable, resolve the issue to the satisfaction of the complainant.

## 3.0 What is a Complaint?

### **3.1 Melton Borough Council considers a complaint to mean:**

'An expression of dissatisfaction about a Council service or the way it was delivered which requires a response.'

For example, this could include complaints involving:

- Poor quality services
- Unreasonable behavior by an Officer(s)
- Unreasonable delay
- An informal response failed to resolve an issue.
- Correct processes not followed

### **3.2 What is not a complaint under this policy:**

- Decisions made, or actions taken that have followed due process, are legal but that you disagree with
- Initial requests for a service (link to [contactus@melton.gov.uk](mailto:contactus@melton.gov.uk))

- Freedom of Information (FOI) and Data Protection requests (links to web pages)
- Complaints about a third party (such as neighbour disputes)
- The correct application of the law or a Council Policy, or to matters for which there is a right to appeal. Sometimes you may have a statutory right of appeal against a decision that has been made for example :
  - Issues for which statutory appeal bodies or tribunals have been established, for example, The Appeals Service (for Benefit appeals), The Planning Inspectorate (for Planning appeals).
- Complaints which amount to a disagreement with the Council about its decision rather than the way the decision has been administered (e.g. the level of the Council Tax, allocating council properties in accordance with its policy).
- Complaints regarding a decision made by the Council when exercising its regulatory powers (e.g. licensing, serving notices) or undertaking its statutory duties (e.g. making a decision on a homelessness claim) unless the complaint relates to the way the matter has been administered.
- Matters, which are or could reasonably be expected to be the subject of court or tribunal proceedings.
- Complaints which amount to a disagreement with or refusal to accept a rule of law which the Council is applying.
- Complaints about Elected Member's conduct. These are handled by the Monitoring Officer through a **separate process**.
- Complaints which constitute an allegation of fraud and/or corruption will need to be dealt with under the **Whistle Blowers Policy**, and are handled by the Monitoring Officer.
- Complaints which amount to a petition. Whilst the Council welcomes petitions, these are handled by the Council's Democratic Services team under the Councils' **Petition Schemes**.
- Complaints about the conduct of an election, which is the responsibility of the Returning Officer, rather than an administrative function of the Council. District Council electoral registration will fall within scope of the policy.
- Compensation claims. These are handled by the Council's Corporate Services Team and the Council's Insurers, however complaints about how the claim has been handled by staff will fall within the scope of the policy
- Grievances by existing, or former, employees about their employment. These need to be referred to the Human Resources Department to consider under their policies and procedures

## 4.0 Making a formal complaint

### 4.1 How to make a formal complaint

Our preferred ways of receiving a complaint are:

1. You can use the online form on the website [www.melton.gov.uk/complaint](http://www.melton.gov.uk/complaint)
2. You can tell the person you are dealing with you wish to make a formal complaint and they will take all the relevant details
3. You can get in touch via our contact centre by calling 01664 502502

You can also email us ([complaints@melton.gov.uk](mailto:complaints@melton.gov.uk)), or write to us at Parkside, Burton Street, Melton Mowbray, LE13 1GH, however letters and emails may not ensure we get the right information first time, which may result in a delay in responding to your complaint.

Copies of this policy are available in large print and other languages or formats if requested.

## **4.2 How we deal with formal complaints**

4.3 We will formally acknowledge your complaint within 1 working day and let you know how we intend to deal with it. We will ask you how you would like us to communicate with you and establish whether you have any particular requirements – for example, if you have a disability or require information in an alternative format.

4.4 Normally, we will only be able to look at your concerns if you tell us about them within six months of the issue or incident you are concerned about taking place. This is because it is better to look into your concerns while the issues are still fresh in everyone's mind. We may exceptionally be able to look at concerns which are brought to our attention later than this. However, you will have to give us strong reasons why you have not been able to bring it to our attention earlier and we will need to have sufficient information about the issue to allow us to consider it properly.

## **4.5 Complaints involving other agencies / contractors**

4.6 Some Council services are provided by external contractors or partner agencies, some of which are delivered from our main offices, Parkside. Complaints regarding services delivered by our contractors should, in the first instance be directed to the contractor/partner, but they are expected to conform to the Council's standards for dealing with a complaint.

## **5.0 Our principles of complaint handling**

5.1 Anyone who wishes to make a complaint should know that:

- The complaints procedure is available to any customer, or their representative acting with their permission and on their behalf, who wishes to make a complaint.
- All services are responsible for dealing with their concerns about their service and will take the opportunity when they first become aware of an issue to put it right as quickly as possible, however, this does not affect the customer's ability to make a formal complaint.
- You will be given a nominated and named officer who will be responsible for investigating the complaint and responding within the set time scales.
- You will be informed of the outcome of the complaint and the right to progress your complaint to the next stage if you remain dissatisfied.

- You will be asked what you would like the outcome of your complaint to be so we are clear from the start what your expectations are.
- You will be told when to expect a response. Any delays or alterations to these timescales will be communicated to you at the earliest opportunity

## 6.0 Complaints Procedure Overview

6.1 Complaints can be considered at a number of different stages; generally starting at an informal stage (Immediate Resolution) followed by two formal stages (Stages 1 and 2). The key difference between an informal complaint and a formal complaint is that the 'Early Resolution' stage offers front line staff the opportunity to take immediate action to put things right for the customer thus resolving the situation decisively and without the need for further investigation. The determination as to whether this is an acceptable outcome will be made by the customer. If immediate action is not possible or appropriate, or the customer would like to complain formally then it should be progressed to a formal stage. Any formal complaint will be directed to the appropriate officer as determined by the complaints stage or by the severity of the complaint.

6.2 Should a customer remain dissatisfied after the Council's internal process has been completed, they will be directed to the Local Government and Social Care Ombudsman or the Housing Services Ombudsman in the respect of Landlord Services.

### 6.3 Stage and expected response timescales

Stage	Aim	Response within
<b>Early Resolution</b>	Opportunity for front line staff to take immediate action that negates the need for the customer to progress the issue to a formal complaint, subject to the agreement of the complainant	Immediate
<b>Stage 1 Investigation and Response</b>	An appropriate Officer to investigate the Customer's complaint, ensuring the customer's voice is heard and a high quality response is provided. Guidance may be provided by a more senior officer if required	15 working days

<b>Stage 2 Request for review of stage 1</b>	<p>If the customer remains dissatisfied after a Stage 1 response it will be escalated to Stage 2 for an internal review.</p> <p>The complaint will be reviewed by an appropriate senior officer</p> <p>The response will be approved and signed by the relevant Director or Assistant Director.</p>	15 working days
<b>Ombudsman Investigation - External</b>	<p>If the customer remains dissatisfied after a Stage 2 response they can submit a written complaint to the ombudsman</p>	

6.4 The default position will be that a stage 1 complaint will be allocated to an appropriate Officer with responsibility for the service, with a Stage 2 complaint then allocated to the relevant service manager. The service manager response will be approved and signed by the relevant Director or Assistant Director.

6.5 However, based on the severity, longevity and complexity of the complaint, there may be a requirement for an issue to be escalated immediately to a more senior manager or to someone who is independent of the service. The policy is sufficiently flexible to ensure complaints are addressed at the appropriate level whilst maintaining a two stage response.. For any complaint where escalation is necessary, we will:

- let you know why we think it may take longer to investigate
- tell you how long we expect it to take
- let you know where we have reached with the investigation, and
- give you regular updates, including telling you whether any developments might change our original estimate.

## 7.0 Outcome

7.1 If we formally investigate your complaint, we will let you know what we have found in keeping with your preferred form of communication. We will explain how and why we came to our conclusions.. If we find there is a fault in our systems or the way we do things, we will tell you what it is and how we plan to change things to stop it happening again. If we got it wrong, we will apologise. Where issues have been raised regarding the conduct of officers we will tell you if we think we have got it wrong but matters relating to any potential disciplinary action will not be divulged as these need to remain confidential. Within the response to your complaint, we will advise you how you can escalate your complaint should you remain dissatisfied.

- 7.2 If your complaint leads to us reviewing our practices, we may contact you as part of this process to gain deeper understanding of your experience with us and gain your feedback on any suggested improvements.

## 8.0 Ombudsman

- 8.1 If we do not succeed in resolving your complaint at stage 2, you may complain to the Local Government Ombudsman. The Ombudsman is independent of all government bodies and can look into your complaint. The Ombudsman expects you to bring your concerns to our attention first and to give us a chance to put things right.

- 8.2 More information about complaining to the Ombudsman is on their website [www.lgo.org.uk](http://www.lgo.org.uk)

## 9.0 Unreasonably Persistent or Vexatious Customers

- 9.1 The purpose of our complaints procedure is to find out what went wrong and try to put things right for the future. As part of this service the Council does not normally limit the contact that customers have with its staff.

- 9.2 The Unreasonably Persistent or Vexatious Customer Policy identifies situations where a customer, either individually or as part of a group, or a group of customers, might be considered to be 'unreasonably persistent or vexatious' and proportionate ways of responding to these situations.