

Complaints and compliments policy

How we deal with your feedback

[Introduction 3](#_Toc115354262)

[Definitions 4](#_Toc115354263)

[Complaints 4](#_Toc115354264)

[Compliments 5](#_Toc115354265)

[Who can complain? 5](#_Toc115354266)

[Anonymous complaints 5](#_Toc115354267)

[How can I complain? 6](#_Toc115354268)

[Help with making your complaint 6](#_Toc115354269)

[Equality Statement: 7](#_Toc115354270)

[How we will deal with your complaint and what you can do if you are unhappy with our response 7](#_Toc115354271)

[What happens when I have complained or submitted a compliment? 7](#_Toc115354272)

[Compliments 7](#_Toc115354273)

[Complaints 7](#_Toc115354274)

[Stage 1 – Formal response from a manager in the relevant service area (investigated at point of service delivery) 8](#_Toc115354275)

[Stage 2 – Review and response from the relevant Director 8](#_Toc115354276)

[Referral to the Ombudsman 9](#_Toc115354277)

[Unreasonable or unreasonably persistent complainants 10](#_Toc115354278)

[Putting things right 11](#_Toc115354279)

[Data Protection 11](#_Toc115354280)

[How we use your feedback to improve our services 11](#_Toc115354281)

[Monitoring feedback/satisfaction 11](#_Toc115354282)

[Learning from complaints 12](#_Toc115354283)

[Contacts 12](#_Toc115354284)

## Introduction

Ashfield District Council is committed to continually improving the quality of, and access to, the services it provides. If we have failed to provide a service or you are dissatisfied with the way in which a service has been provided by the Council (or by contractors providing a service on behalf of the Council), we want to know about it.

This policy covers all services delivered by the Council, or for which it has responsibility, it does not include services where there are separate complaints procedures, separate processes or routes to resolution, for example:

* The conduct of elections
* Complaints about Elected Members conduct or behaviour
* Requests for information under the Freedom of Information Act, Environmental Information Regulations or Data Protection Act
* Matters which have already been considered under the complaints policy
* Issues which are subject to legal proceedings, in court or have already been heard by a court or tribunal fall outside this policy
* Where either the Council’s, yours or a third party’s insurer is determining liability
* The issue giving rise to the complaint occurred over six months ago in respect of Housing complaints and twelve months in all other cases, except where there are health and safety issues or safeguarding concerns.
* If the complaint is simply asking for a service, such as reporting a repair or anti-social behaviour
* Any issue which is agreed Council Policy, where the policy has been followed.
* Issues you have asked the local MP or Councillor to investigate which are to be determined or responded to.

If your complaint is not dealt with under this policy for any reason, you will be informed how it is being dealt with instead and the reasons for this.

The purpose of this Policy is to ensure that:

* Providing feedback to the Council is made as easy as possible.
* Feedback is dealt with promptly and efficiently.
* There is effective communication between council staff and both the person making the complaint and any other partners involved in the complaint from an early stage.
* Every effort is made to resolve any complaints that are received at an early stage.
* The Council learns from all feedback received taking appropriate steps to improve service provision or celebrate good feedback.
* There is clarity on the roles of staff with the process.
* Credibility and accountability are maintained through meaningful review and monitoring.

This policy explains:

* The definition of a complaint and compliment
* Who can make a complaint or compliment
* How you can make a complaint or compliment
* How we will deal with your complaint or compliment
* What you can do if you are unhappy with our response
* How we use your feedback to improve our services

## Definitions

For the purposes of this Policy the following definitions will be used:

### Complaints

Complaints are defined as any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.

There is often confusion about what constitutes a complaint, which leads to complaints mistakenly being labelled as requests for service. Where there is any doubt whether the customer’s feedback is a complaint or a request for service, it is to be treated as a complaint. An initial request for a repair or service would not normally be considered a complaint, however examples of complaints might include:

* failure to provide a service, or inadequate standard of service
* how we met a customer’s needs
* how we communicated with a customer
* how long we took to deal with a case, enquiry or request
* treatment by or attitude/behaviour of a member of staff
* failure to follow the appropriate administrative process or procedure
* our standards of service

The above definitions also extend to complaints in respect of partners or contractors providing services on behalf of the Council. It is also important to note that where you wish to complain about the work or approach of a contractor working on behalf of the Council then you will be directed to that company’s own complaints and liabilities process. In such instances the Council will work as an advocate on your behalf.

There is no difference between a formal and an informal complaint. Both are expressions of dissatisfaction that require attention as a complaint and a response.

### Compliments

Compliments are specific expressions of satisfaction from customers concerning a function or a service provided by the Council. A simple thank you, usually at the end of a contact, would not be considered a compliment.

## Who can complain?

Any customer of the Council who is dissatisfied with the standard of a service, actions or lack of action by the Council, its own staff or those acting on its behalf. A customer may be a tenant or leaseholder, a resident in the district or a user of a specific Council service.

We understand that you may be unable or reluctant to make a complaint yourself. We can take complaints from a friend, relative or an advocate. If you ask someone to make a complaint on your behalf, we will ask you formally authorise it for the security of your personal information.

If you are a tenant and are complaining about a Housing issue, further information that may assist you can be found at [https://www.ashfield.gov.uk/housing/housing-complaints/.](https://www.ashfield.gov.uk/housing/housing-complaints/)

## Anonymous complaints

If you complain to us but can’t give us your name and address, we will not be able to deal with your complaint under the complaint’s procedure. However, we will ensure any concerns raised are investigated and steps are taken to deal with the issue, if necessary.

## How can I complain?

You can make a complaint by:

* Completing our online form on our website at https://www.ashfield.gov.uk/your-council/contact-us/complaints-and-compliments/comments-and-complaints-form/
* Emailing us at info@ashfield.gov.uk
* Telephoning us on 01623 450000
* Writing to us at:

Ashfield District Council
Urban Road
Kirkby in Ashfield
Nottinghamshire
NG17 8DA

* Via social media at
	+ facebook.com/ADCAshfield
	+ Twitter - @ADCAshfield
* In person at our Council Offices at

Urban Road
Kirkby in Ashfield
Nottinghamshire
NG17 8DA

If you do feel that it is necessary to make a complaint about our services, it is extremely helpful if you can explain what you are concerned about and how you would like it resolved, as this may mean we can rectify the issue for you in a much quicker timescale and to your satisfaction.

## Help with making your complaint

You may require help in preparing your complaint and the Council may be able to assist you to do this, where appropriate to do so. Please contact us on 01623 450000 or at info@ashfield.gov.uk for more information.

###

### Equality Statement:

Ashfield District Council is committed to equality of opportunity in service delivery. We will not treat you any differently because of your gender, race, disability, religion or belief, sexuality or age.

We are committed to making reasonable adjustments to accommodate a person’s needs in in line with the Council’s Reasonable Adjustments Scheme, which can be found at <https://www.ashfield.gov.uk/your-council/strategies-plans-policies/policies/equalities/> and in accordance with the Equality Act 2010.

## How we will deal with your complaint and what you can do if you are unhappy with our response

### What happens when I have complained or submitted a compliment?

### Compliments

All compliments should be acknowledged and, if relating to a specific individual or team, we will inform relevant staff that a compliment has been received.

### Complaints

If the complaint is not clear when we receive it, we will contact you for further details.

If your complaint covers multiple Council services a lead department will be nominated to cover the whole of your complaint in one response, liaising with the other service areas to collate the response.

If, for any reason, your complaint is not investigated through the complaints policy and process, we will let you know why the matter is not suitable for the complaints process and how it is being dealt with instead.

Our aim is to assist you with resolving any issues raised as quickly as possible. This may involve us contacting you upon receipt of your complaint, so we can make provision for actions to take place, which may result in the outcome you are hoping for from your complaint being achieved, without the complaint investigation process taking place. Any such actions will only be undertaken by mutual agreement and will not prevent you from accessing the complaint process. However, if you decide that following the early intervention your dissatisfaction has been resolved you can choose to withdraw your complaint.

Please be advised that if you notify us of additional areas of dissatisfaction, during the investigation of your initial complaint, we will endeavour to address all points in the stage 1 response, if this will not unreasonably delay us responding to you. If this is not possible, the additional matters raised will be logged and handled as a new stage 1 complaint, and will be investigated and responded to, as below.

The Council has a two-stage complaint process:

For the purposes of calculating the timescales set out below, day 1 is the first full working day following receipt of the complaint.

### Stage 1 – Formal response from a manager in the relevant service area (investigated at point of service delivery)

We will:

* Acknowledge your complaint within five working days
* If further information is needed, we will endeavour to contact to you to get a full understanding of the complaint and how it can be rectified
* Give a full response to your complaint within 10 working days. Where this is not possible, we will contact you explaining the reasons for this and agree a date with you when you can expect a full response, however, this date will not exceed a further 10 days without good reason.
* Provide you with the details on what you need to do to progress to stage 2 if you remain dissatisfied with the outcome of the complaint.

### Stage 2 – Review and response from the relevant Director

If you remain dissatisfied after a stage 1 response, you can escalate the complaint to stage two for an internal review. Complaints can be escalated to stage two of the process at any point, until the date the issue giving rise to the complaint occurred six months ago in respect of Housing related complaints and twelve months for all other complaints, except where the stage 1 response has been issued to you within 28 days of the of the anniversary of the issue arising, in which case the stage 2 escalation request needs to be made within 28 days of the issuing of the stage 1 complaint. Exceptions will also apply where there are health and safety issues or safeguarding concerns. You will need to explain the reasons why you are dissatisfied. When escalating to stage two it is helpful to outline why you are dissatisfied with the solution or response provided at stage one as this will allow the Director to look at alternative solutions you would like to see, alongside reviewing the original complaint or issue.

We will:

* Acknowledge your complaint within five working days.
* Give a full response to your complaint within 20 working days. Where this is not possible, we will contact you explaining the reasons for this and agree a date with you for when you can expect a full response, however, this date will not exceed a further 10 days without good reason.
* Provide you with details on how to complain to the relevant Ombudsman if you remain dissatisfied.

### Referral to the Ombudsman

If you are not satisfied with how we have handled your complaint following receiving your stage 2 response, then you may wish to complain directly to the relevant Ombudsman.

Both the Housing Ombudsman Service and the Local Government and Social Care Ombudsman are independent of all government bodies and can look into your complaint. They will usually only consider investigating a complaint after it has been through our complaints procedure as they expect you to bring your concerns to our attention first and give us a chance to put things right, but you can contact them at any time to seek advice on the complaint process or if you are unhappy with how we are handling your complaint. Their details are:

#### Housing Ombudsman Service

Telephone: 0300 111 3000

Email: info@housingombudsman.org.uk

Postal address:

Housing Ombudsman
PO Box 152
Liverpool
L33 7WQ.

More information can be found on their website at [www.housing-ombudsman.org.uk](https://www.housing-ombudsman.org.uk/) or at [www.ashfield.gov.uk/housing/housing-complaints/](https://www.ashfield.gov.uk/housing/housing-complaints/).

#### Local Government and Social Care Ombudsman

Telephone: 0300 061 0614

Postal address:

Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH.

More information can be found on their website at [www.lgo.org.uk](https://www.lgo.org.uk/).

##

## Unreasonable or unreasonably persistent complainants

On occasions, certain complaints can be difficult to resolve and can cause anxiety and distress to customers and employees. Whilst the aim of the Council is always to try to find a way to resolve matters, there are occasions when customers become unreasonable or unreasonably persistent in their actions to obtain the outcome that they want.

There is a need to ensure that these complaints are dealt with fairly. However, there is also a need to ensure that Council resources are used effectively and that other customers or employees do not suffer any detriment as a result of their behaviour. There is a separate policy to deal with any unreasonably persistent complainants which can be found at <https://www.ashfield.gov.uk/your-council/contact-us/complaints-and-compliments/unreasonable-or-unreasonably-persistent-complaints-policy/>.

Examples of behaviour that could fall under this policy include:

* Repeated or excessive complaints which are disproportionate to the problem
* Submitting repeat complaints after complaints processes have been completed or repeatedly raising issues which have occurred outside of the timeframes for complaints
* Attempting to use the complaints procedure to pursue a personal vendetta against a member or officer of the Council.
* Refusing to co-operate with the complaints investigation process while still wishing the complaint to be resolved.
* Insisting on the complaint being dealt with in ways, which are incompatible with the adopted complaints procedure or with good practice

Examples of actions that could be taken may include:

* Placing limits on the number and duration of contacts with employees per week or month
* Offering a restricted time slot for necessary calls
* Limiting the customer to one medium of contact (telephone, letter, email etc.)
* Requiring the customer to communicate with one named employee

These examples are not exhaustive and, for more detail and further examples, please see the Unreasonable and Unreasonably Persistent Complaints policy. The policy also explains how decisions will be made and monitored.

We will not tolerate abusive and threatening behaviour in the reporting or investigating of complaints. If this occurs the case will be passed to a senior officer to investigate. Once a way forward has been determined a warning letter is sent out to the customer which explains our position in relation to the contact we have received. This letter will set out a guide for the individual to follow when contacting us and explains the potential consequences if the guide is not followed.

## Putting things right

We are committed to using the complaints process as a learning experience and, where appropriate, will put things right. This can be done in a variety of ways including an apology, an explanation, preventative action, payments for loss or damage, or, in exceptional circumstances, compensation. Where appropriate, we will seek to make amendments to policies or procedures or to the way a service is provided and will do so in a timely manner.

If something has gone wrong through this process, we will acknowledge this and set out the actions that we have already taken or intend to take to put things right.

Any remedy offered will reflect the extent of any and all service failures, and the level of detriment it has caused as a result.

## Data Protection

Any information you give us is covered by the Data Protection guidelines (Data Protection Act 2018 and General Data Protection Regulations). This means that we will:

* Keep personal information secure.
* Keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter.
* Not share it with other organisations without your permission, unless the law says we must.

We will keep effective records of all complaint investigations and outcome to inform service improvements.

Details of what you can expect when the council collects personal information, when and why it is collected, how it is used, conditions under which it may be disclosed, how we keep it secure and what rights you have in relation to the data we hold about you can be found in our privacy notice, which can be accessed at <https://www.ashfield.gov.uk/your-council/legal-information-public-data/privacy-notice/>.

## How we use your feedback to improve our services

### Monitoring feedback/satisfaction

We are committed to improving service delivery through the complaints reporting and feedback process. If you make a complaint, you will be encouraged to provide feedback by completing a satisfaction survey on how your complaint was handled and your satisfaction with the outcome. These learning outcomes will be used to help us to improve services.

In addition, the Council’s complaints and compliments performance feedback is reported to senior management on a quarterly basis, and also to Councillors.

In respect of Housing complaints, performance is also reported to tenant groups on a quarterly basis and in a report to tenants on an annual basis.

Service Managers should ensure that they monitor and review outcomes of all feedback that they receive within their departments to identify trends and to use them for discussion at team meetings and staff Performance Development Reviews.

## Learning from complaints

We understand the importance of complaints in providing valuable feedback on the quality of services we provide to residents. Investigating officers are encouraged to identify and implement any learning outcomes from complaints, to ensure that we provide the best service possible to our customers.

## Contacts

The Service Manager – Customer Services is responsible for co-ordinating the recording of complaints relating to all Council Services, with the exception of complaints from our tenants or leaseholders, made in respect of Housing, ensuring compliance with relevant timescales and they can be contacted as follows:

Ashfield District Council
Customer Services
Council Offices
Urban Road
Kirkby in Ashfield
Nottinghamshire
NG17 8DA

Telephone: 01623 450000 option 6

Email: info@ashfield.gov.uk

The Consumer Standards Lead Officer is the designated Housing Complaints Officer and is responsible for co-ordinating the recording of complaints from our tenants and leaseholders in respect of Housing, ensuring compliance with relevant timescales/complaint handling code and they can be contacted as follows:

Ashfield District Council
Housing and Asset Directorates
Council Offices
Urban Road
Kirkby in Ashfield
Nottinghamshire
NG17 8DA

Telephone: 01623 450000 option 1, then 3

Email: housingcomplaints@ashfield.gov.uk

Managers within each service area are responsible for co-ordinating the resolution and responses in respect of complaints, working with their teams to do this before sharing the information with the relevant contact.