



Comments, Compliments and Complaints Policy

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Document Control

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Version Reviewed	Date Reviewed	Reviewed By	Description of Revision
V6.1	Oct 2021	Customer Relations Officer	Minor change, Reference to Localism Act updated and CBC offices

Document Approval

Version	Approved By	Date
V6.2	Human Resources	Not applicable
	Monitoring Officer	
	Corporate Leadership Team	Not applicable
	Trade Union Consultation	Not applicable
	Executive	Not applicable
	Full Council	Not applicable

Document Distribution

This policy is to be available to all staff and elected members of Copeland Borough Council and placed on the Council's Intranet Site. A copy must also be provided to contractors and 3rd parties undertaking work on Copeland Borough Council premises.

Contributors

CBC	Customer Guide to Comments, Compliments and Complaints

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Purpose

This policy is in line with intention of the Council to be open and transparent in its actions and to provide a readily accessible procedure for customers to compliment, comment or complain about Council services.

It reflects the Council's commitment to ensure all departments deliver a consistent approach in responding to and learning from our customers in order to deliver excellent customer services.

Policy Benefits

Having a specific policy ensures that staff and elected members are aware of the importance of customer feedback and of the need to provide the best possible service to residents.

Introduction

Helping the Council to improve its services

Although the primary objective is to provide an effective means for customers to make comments, compliments and complaints and have them resolved, another very important objective is to improve services and service delivery. Therefore it is important that the outcomes of any investigation in which mistakes or problems are identified are reported to the relevant department so that appropriate action can be taken to avoid a recurrence. Equally, reports of good service and practices should also be shared.

To facilitate this, comments, compliments and complaints will be monitored and the Customer Relations and department Champions will meet regularly and reports will be made to the Corporate Leadership Team. This feedback is a significant element in the Council's quality assurance system and we will also regularly publish this information on the Intranet.

Scope

This policy and procedure applies to all Copeland Borough Council employees and to organisations who deliver services on behalf of the Council.

The procedure does not cover the following:-

- Initial requests for a service.
- Initial requests for information or explanation of Council policy or practice.
- Anonymous complaints, although we will record them for monitoring purposes.
- Matters in which the complainant has a statutory right of appeal, or other statutory redress.
- Complaints by Council employees or former employees about employment matters as separate grievance procedures exist for these purposes.
- Complaints about the conduct of councillors (See page 8 'Complaints about councillors')
- Complaints by councillors in their capacity as councillors rather than as service users.
- Allegations of financial impropriety or of criminal wrongdoing, which, if made, will always be referred to the Council's internal audit section, or the police, as appropriate.
- Repeated complaints where the original complaint had been investigated, considered and responded to appropriately at each stage of the procedure, and no new element to the complaint has been introduced.

Definitions

Comment

A comment is when a customer gives feedback about any Council service.

Compliment

A compliment is a polite expression of praise or admiration for any Council service

Complaint

The Local Government Ombudsman definition of a complaint is "A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of actions by the Council or its staff affecting an individual customer or group of customers".

Examples of complaints

- 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 law or the Council's own policies
- Giving incorrect or misleading information
- Bias or unfair discrimination
- Rude, unhelpful or inappropriate behaviour by staff

- Poor/ lack of communication
- Failing to meet published or advertised service standards
- Failing to meet our statutory obligations

Roles and Responsibilities

The Customer Relations Officer receives all complaints sent to the Council and, where possible, deals directly with the customer to resolve the matter. If the Customer Relations Officer cannot resolve the matter, they will forward it to the Service Manager, Director or Chief Executive, as appropriate, for action.

The Monitoring Officer deals with all complaints about elected members

Policy Details including Procedures

These procedures are also contained within the CBC Customer Guide to Comments, Compliments and Complaints.

COMMENTS

Details of the comment will be recorded and receipt acknowledged within 10 working days. An explanation will be sent to the customer of how their suggestion will be implemented or explain of why it is not possible.

The customer will be thanked for helping to improve Council services.

COMPLIMENTS

Details of the compliment will be logged within departments and receipt acknowledged within 10 working days.

Excellent service will be acknowledged with individual employees by the Head of Service or appropriate manager.

The customer will be thanked for taking the time to let the Council know that they appreciate the good service.

COMPLAINTS

Who can complain?

Anyone receiving or with a right to receive a service from the Council, including anyone acting for those unable to complain personally.

How to complain

Complaints can be made in person, telephone, letter, e-mail or via the Council's website. Complaints do not have to be made in writing.

How will the Council respond to a complaint?

The Council has a 3 Stage procedure that is designed to support the effective management and resolution of complaints.

Stage 1

All complaints received will be reviewed by the Customer Relations Officer who will try to resolve the matter to the complainant's satisfaction within 10 working days.

If the complainant is claiming financial loss, damage or injury, then the Customer Relations Officer must also send a copy of the complaint to the Finance Officer (Insurance) to determine if there should be an Insurance claim.

Stage 2

If it is not possible for the Customer Relations Officer to resolve the complaint, they will progress the complaint for further by the Service Manager.

The Manager will agree a response with the Customer Relations Officer for a final check before being sent to the complainant.

If the complaint is about a Service Manager or Director it will be passed directly to the Chief Executive.

If it is about the Chief Executive it will pass straight to the Elected Mayor.

The Service Manager will attempt to resolve the complaint within 15 working days.

If the complaint is resolved and the complainant is satisfied then the complaint can be closed.

All correspondence and supporting documentation will be recorded on Pentana [The Council's performance and risk management system] by the Customer Relations Officer.

Stage 3

If the complainant remains dissatisfied and makes further representation to the Council, the complaint will be forwarded to the Chief Executive or one of the Council's Directors for a final investigation. They must have had no personal contact with the complainant for the previous investigation and response.

Timescales

If an Officer is unable to conduct their investigation within the timescales allowed, they should contact the complainant with an interim response, informing them when a final response will be given and explaining the reason for the delay.

Local Government Ombudsman.

If the complainant is not satisfied with the final response from the Chief Executive they will be given information about their rights to complain to the Local Government Ombudsman (LGO). Complaints to the LGO may be made by telephone or via the website.

Contact details:

Tel 0300 061 0614

Website: www.lgo.org.uk

Complaints about Councillors

The conduct of Councillors is regulated by the Localism Act 2011. Complaints should be directed in writing, by letter or e-mail to:

The Monitoring Officer,
The Market Hall,
Market Place
Whitehaven, Cumbria.
CA28 7JG
E-mail codeofconductcomplaints@copeland.gov.uk

Remedial action where a complaint is upheld

Where a complaint is found to be justified the Council will, as far as possible, take remedial action to put the complainant in the position they would have been in if things had not gone wrong.

An apology will always be made. In some cases it may be possible to provide the complainant with the service which they are entitled to receive, but have not received and which resulted in the complaint. In others, a change in procedures to prevent future difficulties for the individual complainant, or for customers in general, may be the solution.

Guidance on Compensation

There may be some circumstances where the complainant has sustained financial loss, damage or injury and the Council may wish to consider the question of financial compensation.

Whether financial compensation should be paid and how much will depend on the circumstances. Where compensation is considered appropriate the following guidelines should be taken into account.

- (a) Where specific financial losses have been incurred and the Council has a legal liability to compensate this will be dealt with under Public Liability Insurance. If there is no legal liability to compensate the Council may wish to consider granting a nominal contribution towards the complainant's losses.
- (b) Where devaluation of property is alleged, any legal liability to compensate will be dealt with under Public Liability Insurance. If there is no legal liability to compensate the Council may wish to consider granting a nominal contribution towards any difference in value arising from the action complained of. An independent valuation (for example from the District Valuer) could be obtained as evidence of devaluation.
- (c) Where a complainant has had to spend an unreasonable or significant amount of time in pursuing the matter a payment in recognition of "time and trouble" may be appropriate.
- (d) If exceptional worry, distress or inconvenience has been caused by the events consideration could be given to a payment in recognition of those factors.

Delegated Authority to Grant Compensation

Service Managers have the authority to make discretionary compensation payments of up to £250, anything more must be awarded by the Directors. All compensation payments will be funded from the trading account of the business unit where the complaint originated.

Powers to Grant Compensation

Where a Council decides to pay compensation to a complainant following an adverse report by the Ombudsman, there is specific statutory authority to do so in Section 31(3) of The Local Government Act 1974. Section 31(3) was amended in 1989 to give specific statutory power.

Where a Council decides to pay compensation to a complainant following its own complaint procedure there is no specific statutory power to pay compensation. Powers which might be available are laid out in Sections 111 and 137 of The Local Government Act 1972.

Monitoring of Policy Adherence

The Monitoring Officer and Customer Relations Officer will ensure that this policy is applied in the processing of comments, compliments and complaints.

References

Local Government Act 1972

Local Government Act 1974

Localism Act 2011

CBC Customer Guide to Comments, Compliments and Complaints

CBC Customer Charter