

Corporate Customer Feedback Procedure

Compliments, Comments and Complaints

June 2019



...the historic capital of the Black Country



1. Introduction

Dudley Metropolitan Borough Council is committed to delivering excellent customer services. Listening to our customers and learning from their feedback enables the council to improve its services to meet the changing needs of its customers more effectively.

We want to make it as easy as possible for customers to let us know their views, good or bad, including how to make a formal complaint.

This policy sets out how customers can make a complaint about council services and how we will respond to and learn from complaints received.

2. Our Customers

This policy is applicable to any customer of the council, or any person or body acting on behalf of the council.

A customer of the council is anyone who:

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

3. Feedback

The council welcomes all feedback

- compliments
- comments
- complaints

Definition of a complaint

A complaint is a written or verbal expression of dissatisfaction about a council service that requires a response; whether that service is provided directly by the council or by a contractor/partner

A complaint may relate to

- failure to provide a service
- inadequate standard of service
- failure to comply to appropriate process
- failure to comply with council policy
- treatment by or attitude of a council employee, contractor/partner
- disagreement with a decision where the customer cannot use another alternative procedure (e.g. appeals process)

A complaint is **NOT**:

- an initial request for service or repair
- an initial report that an issue needs attention e.g; pot holes, overhanging branches, street lamps not working
- initial report of a missed refuse collection

Exclusions to the Corporate Feedback Policy

The council and its partners are involved in a broad range of activities. There are separate complaints processes for some specific service areas

These are:

- Adult Social Care and Children's Services
- Schools
- Data Protection/Freedom of Information/ Environmental Information Regulations
- Councillors

In addition, the Corporate Feedback Policy does not apply under certain circumstances or conditions including:

- employee complaints relating to employment issues or disciplinary and grievance process - which are dealt with by the council Human Resources policies and procedures
- council decisions where there is an existing appeals process, such as school admissions and planning applications
- matters that are already subject to legal proceedings
- complaints relating to on-going insurance claims against the council
- issues that have arisen and are being dealt with through the council's 'Whistleblowing' policy

4. Complaints Procedure

Customers may make a complaint about the council by on-line form, e-mail, letter, telephone or in person.

Informal Resolution

Wherever possible we aim to resolve complaints at the point of service delivery and as quickly as possible.

We encourage customers in the first instance to contact the service they wish to complain about as this provides an opportunity to resolve the matter without making a formal complaint.

Service

PEOPLE DIRECTORATE

Adult Social Care

Children's Services

Health & Wellbeing

- Environmental Services
 - Food/Safety Issues
 - Trading Standards
 - Pollution/Health&Safety/
Commercial Noise/Animal Welfare
- Libraries & Archives
- Public Health

e-mail contact

complaints.socialcare@dudley.gov.uk

complaints.socialcare@dudley.gov.uk

Food.DUE@dudley.gov.uk

Trading.standards@dudley.gov.uk

EHComplaints@dudley.gov.uk

Now externally managed by GLL Leisure
contact via www.better.org.uk/libraries

OPHCustomerFeed-back@dudley.gov.uk

CHIEF EXECUTIVES DIRECTORATE

Transformation and Performance

- Human Resources/Organisational
Development/ICT Services/
Welfare Reform
- Customer Services/Registrars/
Coroner Services

Transformation-Team@dudley.gov.uk

DudleyCouncilPlus@dudley.gov.uk

Finance and Legal

- Revenues and Benefits
- Law and Governance
- Financial Services

Complaints.CR@dudley.gov.uk

Admin.LDS@dudley.gov.uk

Corporate.finance@dudley.gov.uk

PLACE DIRECTORATE

Environmental Management

- Waste Care
- Street Care
- Highways
- Green Care

Env.CustomerFeedback@dudley.gov.uk

Housing

- Estates & Communities
- Housing Options & Support
- Housing Strategy
- Housing Assets & Development
- Housing Finance & Income

Hou.CustomerFeedback@dudley.gov.uk

- Regeneration
- Visitor, Economy & Cultural Services
- Planning & Development
- Sport & Leisure
- Corporate landlord Services

Formal Resolution - a 2-Stage Complaints Process

If it is not possible to resolve a customer's complaint informally, the complaint will be investigated through the council's formal procedure.

Stage 1

We will acknowledge all formal customer complaints within 5 working days. An appropriate manager will be assigned to investigate the complaint and provide the customer with a response within 20 working days. If the complaint is complex in nature and more time is required to investigate thoroughly, we will keep the customer informed until the matter is concluded.

Stage 2

If the customer is dissatisfied with the Stage 1 response, they may ask for the complaint to be reconsidered. In order to request a Stage 2 review of your complaint you must be able to show:

- The decision made has been based on a factual error
- There has been an oversight on a significant piece of evidence
- New evidence has been provided to support the original complaint, which was not included with the original submission

This must be requested within 20 working days of the date of the Stage 1 response

At Stage 2 a more senior officer will investigate the complaint. They will review the Stage 1 response, and provide a further response within 20 working days. If the complaint is complex and the senior officer requires more time to investigate the matter we will keep the customer informed until the matter is concluded.

How to appeal against the outcome of a complaint

Where a complaint has progressed through both stages of the council's formal complaints procedure and the customer is still not satisfied, they may appeal to The Local Government & Social Care Ombudsman or Housing Ombudsman. The Housing Ombudsman deals with complaints relating to the council's housing landlord function.

Anyone wishing to discuss their complaint with the Local Government and Social Care Ombudsman can contact them by telephone on **0300 061 0614** or the Housing Ombudsman on **0300 111 3000**.

5. Responding to Complaints

On receipt of a formal complaint we will:

- ensure that it is recorded on the council's complaints management system
- ensure that it is directed to the appropriate service officer for action

At each stage of the process we will respond to complaints or send a holding letter to the customer in line with the timescales indicated in the 2-stage procedure.

We will at all times deal with customer complaints courteously, openly and fairly.

When an investigation has been completed the investigating officer will decide whether the complaint is Upheld, Not Upheld or Partially Upheld.

Complaints - Upheld

Where we have made a mistake or failed to provide our agreed standard or quality of service we will acknowledge and apologise for this. We will also set out the actions we will take to put things right and improve our services. This could include:

- reinstating a service to a customer
- making changes to how we deliver our services
- reviewing and amending information about our services
- reviewing council policies and procedures
- providing staff training and guidance

Complaints - Not Upheld

Where we have investigated and do not uphold the complaint, we will:

- explain the reasons for our decision clearly
- provide any relevant evidence to support the decision
- inform customers how to progress their complaint if they remain dissatisfied

In some circumstances a Partially Upheld outcome may be decided - where the findings include elements that are Upheld and Not Upheld.

6. Persistent and Vexatious Complainants

We aim to respond to all complaints positively, and ensure that customers are satisfied with the way their complaint has been handled.

In a small number of cases customers may pursue a complaint in an unreasonable way which impacts on council resources and capacity to respond to the complaint effectively.

Ways in which a customer may be considered unreasonably persistent or vexatious in pursuing their complaint could include:

- repeatedly refusing to clearly specify the grounds of a complaint
- changing the basis of a complaint during the investigation process
- refusing to co-operate with the complaints investigation process
- refusing to accept investigation conclusions and decisions
- repeatedly making the same or similar complaint
- unreasonable, persistent contact with officers of the council

Continuing to respond to these complainants can take up a lot of time and reduce capacity to deal with other complaints effectively.

Where an officer considers that a complainant has become vexatious, the matter will be referred to a nominated officer who will seek appropriate advice and decide what action to take in dealing with the complainant's continued involvement with the council. If applicable, the nominated officer will inform the complainant that their behaviour has become vexatious and that the council will not enter into any further correspondence with them on the matter.

7. Learning from complaints

We welcome feedback from our customers including what we learn from compliments, comments and complaints to review and improve the quality of our services.

All formal customer complaints are recorded on the council's complaints management system. Data about complaints is collated and shared across the council to monitor our performance and review how we respond to customer feedback. This includes:

- how well we meet our target response times
- how effective we are at capturing complaints across the council
- how customers prefer to contact us

Customer complaints are regularly reviewed across the council to identify how we can improve our services. This includes:

- service managers making operational improvements in response to specific complaints
- regular reporting of upheld complaints at a corporate level to identify trends and issues that need to be addressed

The council will publish information about complaints - to inform customers about how we handle complaints and show how we make changes as a result of customer feedback.

8. Confidentiality

Any personal data provided to the council will be managed in line with the requirements of the Data Protection Act 1988. The council will use this information to respond to the customer and improve services.

Personal data will be kept anonymous in producing and sharing information about complaints with other services and partners.

9. Compliments

The council recognises and greatly values the importance of any positive feedback from our customers. Therefore, we want to hear from you whenever you feel the service you have received merits praise. Compliments will be passed to the service areas and staff members concerned and will form part of staff appraisals.

10. Comments

Comments and suggestions from customers are welcome and assist us in continually developing and improving our services.

Both compliments and comments can be submitted using the same methods as detailed for complaints.

If you require any assistance with regards to this document or would like to request an interpreter, large print or audio version, please contact the communications team on 01384 811561