

NORTH HERTFORDSHIRE
DISTRICT COUNCIL



North Hertfordshire District Council Comments, Compliments and Complaints Policy and Procedure

March 2015 DRAFT

1. Introduction

- 1.1 At North Hertfordshire District Council (NHDC) we endeavour to provide high quality services to our customers, however, we recognise that on occasion, despite our best efforts things can go wrong. By welcoming feedback through our Comments, Compliments and Complaints (3Cs) procedures we can try to remedy situations that have gone wrong and continue to improve our services as well as learn from examples of positive feedback about things that have been done well.
- 1.2 To enable us to effectively capture, monitor and act on feedback we have a 3Cs system which adheres to the stringent standards set by the British Standards Institute in their Complaints Management System Standard ISO 10002/2004.
- 1.3 All Council employees receive training on the 3Cs process and have access to a range of information and guidance to support effective handling of 3Cs. Whilst we welcome feedback on all aspects of 3Cs this policy and procedure is mainly focussed on complaint handling and shall apply to complaint handling for all services within NHDC unless it is overridden by legislative requirements.

2. Comments and Compliments

- 2.1 Comments and compliments are welcomed so that we can learn from examples of where things have worked well and to recognise when Council staff and contractors provide exceptional levels of service.
- 2.2 Additionally comments, which may be identifying opportunities to make changes to services or processes, can help us understand our customers views on matters and provide valuable customer insight into our services.
- 2.3 All customer feedback whether it is a comment, compliment or complaint is recorded on a central database (CRM system) and passed on to the relevant service manager for review and to deal with as appropriate.
- 2.4 Data relating to comments, compliments and complaints will be reported at high level without disclosing any personal details to senior management and Councillors. All data held within the CRM system will be kept in accordance with our data retention schedules.

3. Complaints

3.1 What is a complaint?

- 3.2 A complaint can sometimes be difficult to determine as a guide we define a complaint as being an expression of dissatisfaction with the quality of service provided by the Council. A complaint would usually fall under one of the following categories:

1. We have failed to do something we should have
2. We have done something badly or in the wrong way
3. A customer feels they have been treated unfairly or discourteously

3.3 Occasionally something may be originally received as a complaint when it needs to be dealt with in a different way. In these cases the appropriate reporting process will be followed, some examples are included below:

3.4 Examples of what is not covered by our Complaints Policy

- Disagreement with a policy decision; we will still welcome this feedback but will record it as a comment and it will be dealt with outside of the complaints policy. You can also discuss this with your local Councillor.
- A missed bin would be processed as a request for service by our contractor. However repeated (justified) missed bins or failure to deal with an issue correctly could lead to a complaint.
- Challenging a Penalty Charge Notice (PCN), a procedure for challenging a PCN along with an external appeals process is already in place.
- A Highways fault report (i.e. a faulty street light) would need to follow the Highways fault reporting process managed by Hertfordshire County Council.
- A complaint relating to another organisation, we are not able to consider these within our policy; however we will signpost customers to contact organisations directly.

4. How to make a complaint

- 4.1 A complaint can be made in writing (letter, 3Cs form, email or via the website) or by telephone or in person. We encourage complaints to be made in writing wherever possible so we can ensure we have a clear understanding of the complaint; however we may contact you to discuss and clarify details of the complaint if we feel that will assist with the investigation process.
- 4.2 We can provide information on how to complain in different languages and formats and can provide assistance to people who find writing difficult.
- 4.3 To ensure that we can capture all of the relevant and correct information we will not accept anonymous complaints. We also do not accept complaints from third parties except in circumstances where the customer has a disability and / or a representative acting on their behalf. For this reason, letters in the paper and comments on social media will not be passed through the complaints procedure; however we may try to contact you to follow up on your comments.
- 4.4 We will not usually consider complaints regarding matters that are over 12 months old unless there is a compelling reason to do so.

4.5 Our complaints process is set out below

We will always seek to resolve a complaint or an issue as quickly as possible. Sometimes issues are raised as complaints in the hope of getting an immediate response, however if we know we will be able to resolve an issue quickly for you then we may deal with it outside of the complaints policy, so we can provide an earlier resolution.

Stage 1

- Once a formal complaint is received it will be recorded on our CRM system and an acknowledgment with a reference number will be sent to you within two working days.
- Details of your complaint will be sent to an appropriate officer to investigate. If your complaint is about an individual they would not be the investigating officer.
- We may need to contact you to discuss the complaint or obtain further information to ensure that we fully understand the complaint and can investigate it thoroughly.
- We aim to respond to 80% of complaints within 10 working days. This takes into account the fact that some complaints can be very complex and take longer to complete.
- If we are not able to fully respond to your complaint within 10 days then we will contact you to provide you with an update and advise when we expect to provide a full response.
- If you are dissatisfied with the Stage 1 response, you may have the right to escalate the complaint to Stage 2 of the process. We will review complaints under Stage 2 of the process only if one or more of the following circumstances is applicable:
 1. You believe the complaint has not been fully understood or investigated thoroughly due to a misunderstanding of the original complaint.
 2. That all points raised in the complaint have not been fully responded to.
 3. You have not had a response to the Stage 1 complaint within the prescribed timescales and have not had an indication as to when a response can be expected.

To request a review under Stage 2 you should contact the Customer Service Centre within 14 days of our response to you, advising why you are dissatisfied with the complaint outcome. A complaint can only be escalated to Stage 2 if it has been through Stage 1 of the process. Details of how to request this will also be included in your Stage 1 outcome letter.

If your complaint does not meet the criteria to escalate to a Stage 2 but you are dissatisfied with our response then you may wish to refer your complaint to the Local Government Ombudsman, details can be found in section 5 of this document.

4.6 Stage 2

- If your complaint is escalated to Stage 2, an acknowledgment with a reference number will be sent to you within two working days.
- Your complaint will be reviewed by a Senior Manager who will not have been involved in the complaint at Stage 1.
- We may need to contact you to discuss the complaint or obtain further information to ensure that we fully understand the complaint and can investigate it thoroughly.
- We aim to investigate and respond to you fully about your complaint within 10 working days. If this is not possible we will contact you to provide you with an update and advise when we expect to provide a full response.
- If you are still dissatisfied with our response once your complaint has been through our process, then you may wish to refer your complaint to the Local Government Ombudsman.

5. The Local Government Ombudsman

- 5.1 The Local Government Ombudsman can investigate complaints about the council, however in most cases before they will investigate a complaint, the council must have had the chance to put things right first.

The Ombudsman will not usually consider complaints that are over 12 months old unless there is a compelling reason to do so.

The Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH
www.lgo.org.uk
Telephone: 0300 061 0614

6. Unreasonable Complainant Policy

- 6.1 We have a duty to make sure that public money is spent wisely and achieves value for complainants and the wider public. In a very small number of cases despite exhausting our complaints policy and possibly that of the LGO, a complainant may continue to pursue a complaint unreasonably.

- 6.2 While we do not normally limit the contact complainants have with us, in some cases it is necessary to do so because the nature or frequency of a complainant's contact hinders our ability to consider theirs, and other peoples complaints. We refer to these as serial, persistent or vexatious complainants.
- 6.3 We have a clear policy in place which sets out how staff should deal with unreasonable complainant behaviour. This includes that contact could be limited, restricted or in some cases stopped altogether.

Further information on the Policy can be found on our website

7. Complaints about Councillors

- 7.1 A complaint about a Councillor should be directed to the Monitoring Officer at North Hertfordshire District Council, this can be done in the following ways;

- Completing our online form [Making a Complaint Against a Councillor Form](#)
- By telephone 01462 474315
- By email: monitoring.officer@north-herts.gov.uk
- In writing: The Monitoring Officer, Council Offices, Gernon Road, Letchworth Garden City SG6 3JF

7.2 Complaints made to Councillors

Councillors cannot make formal complaints on behalf of constituents as this would be considered a third party complaint as covered in section 4, however they are able to provide guidance on how a complaint can be made to the Council through the established 3Cs process.

Councillors can refer matters on behalf of a constituent to officers of the Council to be looked into; however, it can only be treated as a formal complaint once the Council has discussed the matter with the constituent directly and agreed the formal route with them.

Councillors can also discuss matters of policy with constituents however policy matters are not usually covered by the complaints policy because policy decisions have been made through a democratic process.

7.3 Letters in the paper and social media comments

We will not usually handle letters in the paper and Social Media comments through our complaints process; however we may try to contact you directly to follow up on your comments.

7.4 Community Trigger

The introduction of a Community Trigger on 20 October 2014 means that if a resident, or group of residents, are experiencing anti social behaviour (ASB), and feel that appropriate action is not being taken, they have the right to request a review of their case. The case review is called the 'community trigger'.

Any victim of ASB or someone acting on their behalf such as a carer, family member, MP or local councillor in North Hertfordshire can use the community trigger to request a review of their case, providing they meet the trigger threshold:

- Three reports from an individual about separate incidents in six months or;
- Three individuals have separately reported similar incidents in six months.

The Community Trigger is separate from the Complaints Policy; further details including the process for activating the Community Trigger can be found on our website.