

Responding to Customer Complaints, Comments and Compliments

Corporate Policy Document



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1. Introduction

Essex County Council (ECC) is committed to “Putting our customers first” by improving the quality of our services and our customers’ experience of them.

We welcome our customers’ views. Complaints, comments and compliments are important to us in providing insight into what we are doing well and where we may need to focus improvements. We record this feedback, regularly monitoring what our customers tell us, and using the information within our planning processes to help us shape services that support our customers. We also seek to manage and respond to customer feedback in a consistent and professional manner.

This document sets out how ECC manages and responds to complaints, comments and compliments.

2. Complaints, comments and compliments - definitions

2.1 Complaint

A **complaint** is a criticism or a direct expression of dissatisfaction. A complaint may be about the standard of service, actions or lack of actions by ECC, its staff or contractors, affecting an individual or group of customers.

Example:

I have reported to your highways department that road surfaces within the Basildon area have a number of pot holes which are likely to cause an accident. To date nothing has been done. Can I enquire why?

2.2 Comment

A **comment** can be described as a personal opinion or belief, feedback or remark expressed by a customer. Unless specifically requested, there is not an automatic assumption that ECC will reply to comments. However, where it is felt appropriate or where the customer indicates they expect a reply, this should be sent within 10 working days.

Example:

I am concerned at the proposed plans for installing an electronic system for borrowing books into Essex Libraries. Whilst this will no doubt speed the process for some, I wonder how those who do not cope with new systems will manage.

2.3 Compliment

A **compliment** is defined as a customer statement of positive recognition or praise for a service or individual.

Example:

I am writing to thank you for the excellent care provided to my mother following her fall last week. The speed of the response and exemplary care have been a great help during a very difficult and worrying time for our family.

3. Complaints process

The complaints process follows three key stages, the first of which is informal. The second and third stages are for complaints which are classed as formal. These stages require more senior management involvement in investigation and recording procedures.

In all circumstances when a customer complains, we will show genuine regret that they have felt it necessary to complain. We will be courteous, honest, helpful and open. Where necessary, we will provide support to our customers in helping them to make their complaint effectively. We will provide support to our staff to enable them to deal with complaints in a sensitive, professional and constructive manner.

Stage 1 - Informal

Most complaints can be resolved quickly and amicably by our front line staff. Wherever possible, we aim to resolve the complaint close to the original point of customer contact, usually, but not always, by the person or team already dealing with the customer. Where this is the case, the complaints are treated as informal and not recorded.

**Stage
1**

We aim to resolve the complaint close to the original point of customer contact, as quickly and amicably as possible.

If the complaint is resolved immediately no recording or response is required. This will be reviewed annually.

Stage 2 and 3 - Formal

Formal complaints will always be recorded by nominated complaints and compliments staff on the corporate complaints recording system.

A complaint will enter the formal stage if the complainant advises that they either:

- *are not satisfied with the result at the informal stage; or*
- *wish to make a formal complaint (they can do this without going through the informal stage).*

All complaints will be acknowledged within three working days from the date of receipt for letters and within 24 hours for all other forms of communication. At the point of acknowledgement, customers will be provided with a contact name and number, details of our procedure (timescales) and a complaint reference number.

Stage 2

The complaint will be investigated by a manager within the service.

Following the investigation a response will be sent to the customer in writing within 10 working days from the receipt of the formal complaint. (Unless the complaint is governed by statutory legislation, see page 8, and is of sufficient complexity to warrant an alternative timescale. In these circumstances, the customer will always be advised when they can expect a response.) In the response to the complaint the customer will also be advised of their right to appeal to Stage 3.

If the complainant advises that they are not satisfied with the result at Stage 2 the complaint will be escalated to Stage 3. At this stage the customer must submit the complaint in writing.

Stage 3

The complaint will be investigated by a senior manager (with delegated powers) or a head of service or director or our Information Appeals Panel if the complaint relates to Data Protection, Freedom of Information or other information legislation.

Following the investigation a response will be sent to the customer in writing within 20 working days from the receipt of the Stage 3 complaint. (Unless the complaint is governed by statutory legislation, see page 8, and is of sufficient complexity to warrant an alternative timescale. In these circumstances the customer will always be advised when they can expect a response). The customer will also be advised of their right to take the matter to the Local Government Ombudsman, or Information Commissioner (for complaints relating to the Data Protection Act, Freedom of Information Act or Environmental Information Regulations), or to the Office of Public Sector Information (for complaints relating to the Re-use of Public Sector Information Regulations), should they remain dissatisfied.

4. How we are organised

The Corporate Customer Service Development Team are responsible for oversight of ECC's Complaints, Comments and Compliments Policy, recording and reporting of customer feedback, and managing overall quality monitoring. The team also collate cross organisational reports for the Strategic Management Board.

Each directorate has nominated complaints and compliments staff who are responsible for managing the process within their area. This will include co-ordinating responses, ensuring appropriate recording and reporting systems, and preparing any necessary responses for Law and Administration on complaints that have been escalated beyond Stage 3 to the Local Government Ombudsman. In the Adults, Health & Community Wellbeing and Schools, Children & Families services the Complaints and Compliments Manager will also fulfil statutory responsibilities.

More detail on the roles and responsibilities of these staff is outlined at section 11.

4.1 Resolving complaints crossing more than one service provider or authority

- a Complaints requiring the co-operation of more than one directorate or authority to manage their resolution will be treated as one complaint.
- b The Complaints and Compliments Officers for the two or more directorates or authorities involved will agree who is responsible for monitoring and communicating a joined-up response to the customer covering all aspects of the complaint resolution and meeting the customer standards.
- c Where a third party supplies services on our behalf, the supplier will deal with complaints through its own complaints procedure. The supplier is required to ensure that the complaint is thoroughly investigated and a copy of the resolution or outcome of the complaint, together with any correspondence, is forwarded to the complainant and ECC. The supplier should also advise the complainant that, if they are not satisfied, they may also complain directly to ECC.
- d If a complaint relates to another authority or a public body, such as the NHS, the complaint will be recorded and forwarded on to the relevant contact and the customer informed of the action.

5. Reporting and acting on complaints, comments and compliments

Quarterly reports are made to the Strategic Management Board in order to inform the planning and delivery of new and existing services that support our customers.

These reports include quantitative data (volumes of new complaints, status of complaints at each stage, compliance with customer standards, etc.).

Qualitative feedback will also be gathered by the Corporate Customer Services Development Team via a rolling survey of closed complaints. Feedback from recent complainants on the speed and style of ECC's response will be gathered and reported.

The Complaints, Comments and Compliments Policy will be reviewed on an annual basis or when statutory requirements change to ensure its ongoing relevance.

6. Unreasonable and vexatious complaints

There may be circumstances when a complainant persists in pursuing a complaint (or series of complaints) when ECC has taken all reasonable actions in response, or where another recognised process should be (or has been) undertaken.

In such cases, Complaints and Compliments Officers will prepare a written briefing for the relevant director. This report will summarise the history of the complainant's contact with the Authority and will also make a recommendation for action by the director which may include:

- informing the complainant that no further action can be taken by the Authority in response to their complaints and advising them that only new or substantive issues will receive a further response;
- nominating a single point of contact for any future communication.

Violent or abusive behaviour towards our staff will not be tolerated. Please refer to the Authority's policies and reporting guides relating to health and safety and violence at work for more information.

7. Anonymous complaints and comments

Complaints and compliments staff will review anonymous complaints and comments. Where these relate to individuals or issues of significant service delivery, these staff will decide whether to log and investigate the complaint in line with the general policy.

Any complaint or comment that relates to vulnerable people or those who might be at risk will be investigated and acted upon immediately.

Please also refer to the Authority's whistle blowing policy.

8. Confidentiality

ECC will maintain the confidentiality of all personal customer information, and not disclose it outside ECC without the permission of the customer, unless legally obliged to do so.

9. Scope

This policy applies to all services within ECC.

It should also be noted that there are special circumstances where ECC has a duty to follow statutory regulations and these are listed below (please refer to the appropriate policy and guidance documents):

9.1 Children and Young People - The Children Act 1989 and 2004

A statutory duty falls under this Act requiring that we operate a three-stage procedure when dealing with representations from or on behalf of service users who are children or young people. This applies to complaints, comments and compliments about a wide but specific range of children's social care functions.

In addition, statutory processes are in place to deal with appeals for the following:

- school admissions;
- exclusions; and
- special educational needs.

Complaints relating to school admission appeals and exclusion appeals go direct to the Local Government Ombudsman, whilst complaints relating to special educational needs fall within the scope of this policy.

9.2 Social Care Services - Health and Social Care (Community Health and Standards) Act 2003

The Local Authority Social Services Complaints Regulations 2006. (Addendum to current Social Care Complaints Procedures for adults Dated 1999)

The above provide regulations about how local authorities consider and respond to complaints relating to the provision of adult social services functions.

10. Exceptions

The following exceptions apply to this policy:

- We are normally unable to investigate complaints relating to issues that are greater than 12 months old unless they concern the service areas listed in 9.1 and 9.2 above.
- This policy excludes complaints by our suppliers and partners regarding our business relationships or disputes with other public authorities and bodies, which are dealt with by other procedures.
- Staff complaints about their employment are covered by Human Resources grievance and whistle blowing policies.
- ECC has no legal right or duty to deal with concerns and complaints about schools. The first point of contact for such complaints should be the school concerned. However, where a customer requires more guidance, it will be provided by the Communications and Information Team of the Schools, Children & Families Directorate, which also provides guidance in response to written concerns and complaints about schools received by ECC.

11. Role Descriptions

The following section describes the tasks that Complaints and Compliments Managers and Officers need to undertake in order to undertake their roles effectively. These are not necessarily full time roles; rather the activities should be built into existing job descriptions as necessary.

11.1 Corporate Complaints and Compliments Manager

Tasks:

1. To oversee the Authority's complaints, comments and compliments management activity.
2. To ensure that all complaints, comments and compliments are appropriately recorded and responded to in line with the Authority's set procedure, and that trend and learning points from this are understood and acted on by the organisation.
3. To ensure that Local Government Ombudsman complaints are appropriately tracked and monitored within the agreed timescale.
4. To ensure that all standards relating to the Complaints, Comments and Compliments Policy are regularly monitored.
5. To provide advice and consultancy to directorates in relation to the Complaints, Comments and Compliments Policy.
6. To maintain the Complaints, Comments and Compliments Policy, ensuring its ongoing relevance, taking into account internal and external developments, such as local and national government initiatives and changing customer expectations.
7. System ownership of the complaints, comments and compliments corporate system including ensuring new users are added, leavers are deleted and the system is maintained as required.
8. Ensuring the provision of regular high quality reports to the Strategic Management Board as defined in the Complaints, Comments and Compliments Policy in order to drive improvements in customer services.
 - Proactively identifying themes, trends and issues, and action as appropriate.
 - Ensuring that customer intelligence is collected, collated and translated into meaningful information and reported appropriately within Essex County Council to foster and enable continuous improvement.
9. Providing consultancy to Directorate Complaints and Compliments Managers on difficult issues or escalated complaints.
10. Ensuring that up-to-date contact details of Essex County Council and partner organisation Complaints and Compliments Officers are maintained.

11. Working with partners, where appropriate, to ensure best practice and synergy.
12. Co-ordinating training and staff development activities for staff and Members.

11.2 Directorate Complaints and Compliments Manager

Tasks:

1. Ensuring the directorate's complaints, comments and compliments process meets the Authority's corporate requirements and any statutory requirements for that directorate.
2. Ensuring complaints, comments and compliments are logged in a timely manner.
3. Regular monitoring and taking action to ensure high quality response to complaints within the agreed timescales.
4. Providing regular and ad hoc reports to the Corporate Complaints and Compliments Manager.
5. Providing regular and ad hoc reports to management as required.
6. Dealing with complaints escalated by Complaints and Compliments Officers to management for a final response, including consultation with the Corporate Complaints and Compliments Manager.
7. Providing advice to Complaints and Compliments Officers on difficult issues or escalated complaints.
8. Local Government Ombudsman Complaints
9. Lead responsibility for preparing a response on behalf of the directorate and forwarding to Law and Administration.
10. Chasing responses to Local Government Ombudsman complaints within the directorate.
11. (Law and administration only) Responsible for recording, monitoring, tracking and signing off Local Government Ombudsman complaints across Essex County Council.

11.3 Service Area Complaints and Compliments Officer

Tasks:

1. Timely and effective day-to-day management of service area complaints, comments and compliments handling.
2. Ensuring that complaints, comments and compliments are managed in line with the Authority's policy, standards, any statutory requirements for that service and customer standards.
3. Ensuring that the customer is kept informed on how their complaint is being dealt with, who they can contact if they need to, when we will respond to their complaint, and what right of appeal they have.
4. Managing a case load of complaints, referring to the appropriate team/unit for comment and/or advice where appropriate.
5. Identifying issues and trends, and reporting these in a timely manner to the Directorate and Corporate Complaints and Compliments Managers.
6. Ensuring that issues and complex complaints are reported to the Directorate Complaints and Compliments Manager in a timely manner.
7. Logging all Stage 2 and 3 complaints and their outcome, comments and compliments on the Authority's corporate complaints system in a timely manner.
8. Identifying service activities that may impact on the stage of complaints, comments and compliments received by the Authority.