

Leeds City Council

**Compliments and Complaints
Policy**

November 2019

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1. Introduction

Leeds City Council is committed to providing the highest standards of services to its customers. Our customer care standards are included at Appendix 1 and these drive our behaviours.

Complaints play a role in maintaining and improving standards and the quality of service provided. When we receive a complaint, we see this as a way of getting an important insight into how services are being delivered. By listening to you we can look at actions that can be taken to improve services and help your experience.

This policy details the way in which complaints will be managed, investigated and acted upon.

2. The aim of the compliments and complaints policy

We recognise the need to provide a first class public service, which is responsive to your views and this is reflected in our core values of:

- Working as a team for Leeds
- Being open, honest and trusted
- Working with communities
- Treating people fairly
- Spending money wisely

We are committed to making it easier for you to provide feedback to us, and use your feedback to improve our services. Through the Compliments and Complaints Policy, we will try to resolve your complaints speedily, effectively and fairly.

When dealing with complaints, it is our aim to work with you so we understand what your issues are and what you would like to happen to resolve it.

The tone of our contact will be open, responsive and avoid jargon. Our written correspondence will use plain English, and will be backed up with agreed positive action to resolve your complaint.

We are committed to treating all customers fairly and we take equality and diversity into account in a positive way. We will make sure that individual needs are taken into account when applying this policy and that any reasonable adjustments are made as required.

All customer feedback will be treated equally whether it is by:

email: complaints@leeds.gov.uk or compliments@leeds.gov.uk

or feedback@leeds.gov.uk

Through our **website:** www.leeds.gov.uk/complaints

By **telephone:**

Tel: 0113 222 4405.

By **letter**, please write to us at:

Freepost RLZR-ELTX-RUEH
Leeds City Council
PO Box 657
Leeds LS1 9BS

Face to face through our One Stop Centres. A list of these can be found here:

<https://www.leeds.gov.uk/residents/neighbourhoods-and-community/onestop-centres>

Through **social media**:

Facebook <https://www.facebook.com/Leedscouncil/>

Twitter @LeedsCC_Help

or any other form of communication.

To ensure that our policy remains relevant it is reviewed every 2 years.

3. What is a compliment?

A compliment is an expression of satisfaction about the standard of service we provide. We are always glad to hear from people who are satisfied with the services we offer. All compliments are recorded, and a copy is sent to the relevant service manager to provide feedback to the member of staff or service.

4. What is a complaint?

A complaint is an expression of dissatisfaction about the standard of service we provide. Our staff are able to resolve most issues of dissatisfaction as part of their job, without the need for you to make a complaint. However, there may be cases that require further investigation and the involvement of other officers to find out what went wrong. We will deal with these as complaints.

5. What we cannot deal with under this policy

Not all complaints are be dealt with under this policy. (**See Appendix 2**)

If a formal appeal process exists then this will be used to address your concerns. Appeals processes exist for a number of areas including school admissions, benefit claims and planning applications. To ensure you are using the correct route for the issues you are raising, please see Appendix 2 for guidance on what we cannot deal with.

6. Stages of the policy

Leeds City Council has a two stage policy.

Upon receipt of the complaint, our service will look at the issues contained within the complaint. We will look at whether we need to start a full investigation or if we could resolve the issue for you quickly. If we think we can do so, we may contact you to discuss this with you with the hope of resolving your issue.

If we cannot, your complaint will be dealt with in the following way:

Initial investigation (stage one)

This is the first formal stage and we will acknowledge receipt of your complaint within three working days. Our acknowledgement can be made verbally or in writing and will include:

- Confirmation that your complaint has been received and if possible, the name and contact details of the investigating officer, however this may not be possible in all cases.
- A date or timeframe by which you can expect to receive a response.

Our policy is to respond in full to you within 15 working days of receipt of your complaint, wherever possible.

If we cannot respond in full within 15 working days, we will provide you with regular updates at least every two weeks. These will detail the reason for the delay and when you can expect to receive a response.

The investigating officer may need to ask you for further information to assist with their investigation.

Our response can be provided by letter, email, face to face or by telephone. Where a response is given by telephone or in person, we will offer to provide written confirmation of our discussion.

As part of our response, we will also advise you how you can take your complaint to a further stage should you wish to do so.

Review (stage two)

If you remain dissatisfied following our initial investigation, you can ask for your complaint to be looked at again by a senior officer.

You will normally have 28 days from the date we responded to your initial complaint to review your complaint, unless there are exceptional circumstances.

At this stage, we will ask you to tell us what was wrong with the investigation at stage one and let us know why you are still dissatisfied.

We will appoint a senior officer to review your complaint. In exceptional circumstances, the investigating officer may be from another service if we feel this is required. The complaint will be acknowledged within three working days as at the initial stage.

In the review, we will look at how we dealt with your original complaint and we will also respond to any further related issues that you have raised with us (although not new complaints). Our policy is to respond in full to you within 15 working days of receipt of your complaint, wherever possible. If we cannot respond in full within 15 working days, we will provide you with regular updates at least every two weeks. These will detail the reason for the delay and when you can expect to receive a response.

7. Next steps

There is no further right of appeal to the council following completion of a review at stage two of this policy.

Within our final response, we will inform you of your right to take your complaint further if you remain dissatisfied. There are 2 ombudsman's offices: Local Government and Social Care Ombudsman and the Housing Ombudsman. Our response will contain the contact details for the appropriate ombudsman's office.

Local Government and Social Care Ombudsman

PO Box 4771
Coventry
CV4 0EH
www.lgo.org.uk

Tel : 0300 061 0614

For complaints about housing, you have the option to take your complaint to a designated person. The designated person will seek to resolve your complaint or they may decide to refer it to the ombudsman. Currently this could be either any councillor within Leeds or any MP in England.

Leeds councillors www.leeds.gov.uk/councillors

Labour	0113 3788018
Conservative	0113 3788557
Liberal Democrats	0113 378 8581
Green Party	0113 378 8266
Morley Borough Independents	0113 378 8519
Garforth & Swillington Independents	0113 378 0900
MPs in England	www.parliament.uk

If you do not wish to take your complaint to a designated person, you can approach the housing ombudsman. The housing ombudsman will investigate complaints about housing management, repairs, leaseholder complaints, transfers and mutual exchanges. If you go directly to the housing ombudsman, complaints will only be considered eight weeks after the date that your stage two complaint was closed.

Housing Ombudsman Service

81 Aldwych
London
WC2B 4HN

Email: www.housing-ombudsman.org.uk
Tel: 0300 111 3000
Email: info@housing-ombudsman.org.uk

8. Types of complaint

Complaints of discrimination and harassment

The council has developed an approach for dealing with incidents of reported harassment or discrimination.

These issues will be dealt with sensitively, taking into account the nature of the issues raised when appointing an investigator. In cases of harassment we will consider the characteristics of the investigating officer, and if appropriate, discuss this with you before appointing an investigator. We will use appropriate information to assess overall levels of discrimination and harassment amongst different groups and will feed into appropriate corporate policy review mechanisms to improve policy and practice.

Complaints received via elected members for the council or parliament

When we receive a complaint from you via an elected member we will direct our response to you.

Complaints received by the Chief Executive

Complaints received by the council's chief executive will be passed to customer relations who will ensure that you are responded to.

Complaints relating to more than one council service

Where a complaint includes issues for more than one part of the council, the investigation will be led by the person who has responsibility for the major part of the complaint. We will aim to provide you with a single response whenever possible.

Complaints against members of staff

If you have an issue about a member of staff (this includes people who volunteer on our behalf), we will investigate and take appropriate action, in accordance with our policies.

Anonymous complaints

Anonymous complaints will be investigated as far as possible, and a record of the complaint kept.

9. Dealing with unreasonable complainant's behaviour

There are a small number of customers whose behaviour we feel is unreasonable in pursuing the resolution of their complaint. A separate policy exists to deal with these instances and explains our approach. **A copy of this is at Appendix 3**

10. Review

This corporate compliments and complaints policy will be reviewed in November 2021 by the Director of Communities and Environment.

Customer Care Standards

When you use our services we will listen to you to make sure you get the service you want/need, if we can.

Accessible



You can get in touch digitally, by phone or by coming into our buildings. Let us know how you want us to contact you.

Clear timescales



If we need to get back to you, we will let you know when this will be.

Approachable

We will treat you with dignity and respect, listen to you, and take your concerns seriously.



Informed



We will help you to understand what is happening, the best route for you to follow, and if there are any changes to timescales.

Clear communication

We will use plain language and we will check you understand what is happening.



Knowledgeable

We will know and understand our own processes and procedures so that you get the right service and we can help to resolve your queries/concerns.



How do we know we are getting it right?

Everything we do is underpinned by our values:

- Being open, honest and trusted;
- Treating people fairly;
- Spending money wisely;
- Working as a team for Leeds;
- Working with Communities

We will measure timescales, and use customer surveys and feedback to share and learn from your experience of using our services.



What we cannot deal with under this policy

Requests for service or information

As an example, if you request a repair to a council property or let us know that a street light is not working – these are alerting us to work that needs to be done. These requests may however become a complaint if we do not deal with them appropriately.

Appeals procedures

If an appeals procedure applies to your complaint, we will refer you to this, and notify you of our actions at the outset.

Appeals procedures must be completed before we can investigate any other issues you raise with us. If this is the case, we will let you know.

The following are examples of complaints where there is an appeals process and so we will not deal with them under this policy:

- Issuing of penalty charges – e.g. parking tickets and the recovery process.
- A decision on a planning application.
- A community care charge assessment.
- A re-housing decision.
- An eviction decision.
- An offer of council accommodation.
- Entitlement to housing benefit or universal credit.
- A decision to exclude a child from a school.
- The amount of special education provision for a child.
- Pensions matters.
- Appeal against the outcome of an assessment under the Department for Transport 'Eligible subject to further assessment' criteria regarding the issue of a blue badge.
- A decision about council tax support.
- A ban from or restriction on entering council premises.
- A decision about a school a child should attend. Following the outcome of a school appeal complaint by an appeals panel, complaints about the process should be sent directly to the Local Government and Social Care Ombudsman. The ombudsman is independent of Leeds City Council and has the authority to investigate these types of complaints on your behalf. They can be contacted as follows:

Local Government and Social Care Ombudsman

PO Box 4771
Coventry
CV4 0EH

Email: www.lgo.org.uk Tel: 0300 061 0614

Existing right of objection

This is where there is a more appropriate individual or organisation to deal with your complaint such as a tribunal, ombudsman or court.

Complaints regarding issues that occurred over 12 months ago

We would not normally investigate complaints about something that happened more than a year ago, unless there are exceptional circumstances.

Complaints about councillors or MPs

Councillors - please contact:

Governance Services Unit

Leeds City Council
1st Floor West,
Civic Hall
Leeds
LS1 1UR

Email: councillorconduct@leeds.gov.uk

MPs – please contact:

Office of the Parliamentary Commissioner for Standards

House of Commons
London SW1A 0AA

Email: standardscommissioner@parliament.uk Tel: 020 7219 1883

Allegations of fraud, theft or corruption by a member of our staff

We are committed to being open and accountable for our staff. If you have serious concerns about our staff, please come forward and let us know. All concerns will be treated in the strictest of confidence. Please write to:

Internal Audit,

Leeds City Council
3rd Floor West,
Civic Hall,
Leeds LS1 1GF

Email: concerns@leeds.gov.uk Tel: 0113 3788008.

Complaints about your child's education

Please contact your child's school direct. You may also contact the Schools Complaint Unit at the Department of Education for advice online at: www.education.gov.uk/help/contactus.

Complaints about an academy should be addressed directly to the academy or you can contact the Education and Skills Funding Agency for advice at: <https://www.education.gov.uk/help/contactus/dfes>

Where legal proceedings are involved

When a legal challenge is being made regarding whether a decision, action (or lack of action) is lawful. This is a separate process to the ombudsman so will not be considered under the complaint policy.

Employment Issues

Complaints made by our employees concerning their employment with us, or from job applicants who wish to complain about our recruitment and selection process, will be dealt with by the relevant recruiting manager.

Complaints about social care services

There are two acts of parliament that require local authority social care services to have a procedure for considering representations (including complaints) by an individual or anyone acting on their behalf in relation to the discharge of, or any failure to discharge, any of their social services functions.

The two acts are:-

- The Children Act 1989 Representations Procedure (England) Regulations 2006; and
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

Complaints about either adult or children's social care issues are dealt with under separate statutory timescales and are outside of this policy.

For complaints regarding children's services, email: complaints.children@leeds.gov.uk or telephone 0113 378 5111 or write to:

Customer Relations

PO Box 837
Leeds
LS1 9PZ

For complaints regarding adult social care services email complaints.socs@leeds.gov.uk; or telephone 0113 2224405; or write to:

The Complaints Manager

Leeds City Council
Adults and Health Complaints
P.O. Box 848
Leeds
LS1 9PQ

Complaints about Freedom of Information (FOI) requests

These complaints will be handled by a senior officer under the same process as a stage two complaint. In cases where we decided not to provide the information to you, the officer must consider advice from the information management and governance service. The officer will notify you of the outcome of our investigation within 20 working days of receipt of your complaint.

If we cannot respond in full within this timeframe, we will advise you why we need more time. Under legislation, we must ensure that we respond fully to you within 40 working days from receipt of your complaint.

There is no further right of appeal to the council following this investigation. Within our response we will inform you of your right to take your complaint further if you remain dissatisfied. Our response will contain the contact details for the Information Commissioner <http://www.ico.gov.uk> . You have a further right of appeal to the First Tier Tribunal (Information Rights).

Complaints about Environmental Information Regulations (EIR) requests

Under the Environmental Information Regulations 2004, you can ask us to reconsider an information request. You can make representations to us in writing about this no later than 40 working days after the date you think we have failed to comply with the EIR.

These complaints will be handled by a senior officer under the same process as a stage two complaint. We have to consider your representations and any supporting evidence produced by you, and decide if we have complied with the EIR requirements.

The officer must consider advice from the information management and governance service. The officer will notify you of the outcome of our investigation as soon as possible, and no later than 40 working days after receipt of your complaint.

There is no further right of appeal to the council following this investigation. Within our response we will inform you of your right to take your complaint further if you remain dissatisfied. Our response will contain the contact details for the Information Commissioner, detailed above. You have a further right of appeal to the First Tier Tribunal (Information Rights).

Complaints about Data Protection (GDPR and DPA 2018)

In relation to individual rights' requests under the GDPR the council has 1 month in which to respond although this can be extended by a further 2 months if the request is complex or we have received a number of requests from the requester. Whilst there is no statutory requirement to investigate complaints about how the council has responded to a request, we are committed to trying to resolve all such complaints. Any such complaints will be handled by a senior officer as a stage two complaint and advice must be sought from the council's information management and governance service. There is no further right of appeal to the council following this investigation. You are entitled to complain to the Information Commissioner if you consider that there has been an infringement of data protection legislation.

All other data protection complaints about how the council has processed personal data, or special category data, will be handled in accordance with the council's two stage policy and advice must be sought from the council's information management and governance service.

There is no further right of appeal to the council following this investigation. You are entitled to complain to the Information Commissioner if you consider that there has been an infringement of data protection legislation. Further details can be found on the Information Commissioner's website.

Policy to deal with unreasonable complainants' behaviour

We treat all complaints seriously and we are committed to resolving complaints fairly. In most cases we are able to work with complainants restoratively to find a mutually acceptable resolution. However, where communication with a complainant becomes a problem, we may need to take appropriate action.

This policy sets out how we will deal with cases where the actions of individuals become unacceptable because we deem them to involve the abuse of staff or of the complaint process.

The Local Government and Social Care Ombudsman defines unreasonable behaviour as: *'Complainants who, because of the nature or frequency of their contact with an organisation, hinder the organisation's consideration of their or other people's complaints'*.

If we believe your behaviour in pursuit of your complaint is unreasonable, we will inform you why we believe this to be the case and the problems it is causing. We will also set out what we propose for communication with you going forward.

Examples of unreasonable behaviour include:

- aggressive or abusive language
- making excessive demands for information, documents or requesting actions outside the complaint procedure
- refusing to co-operate with the procedure
- sending large volumes of correspondence or an excessive number of contacts.

How we will inform you

We will write to you and inform you why we find your behaviour to be unreasonable, and we may set out new arrangements for any contact you make with us. These may include restrictions to the number of times you can contact us within a given time period, who you can contact and the language you can use.

If you do not agree with our arrangements for contact, we will listen to your objections but we may still impose the conditions. However, we will set a review period for the arrangements and this will be no longer than six months. We will let you know in writing, the date the arrangements will be reviewed when we set out our arrangements for contact.

Once we have set out our new arrangements for contact, if you do not comply with them and we feel that your behaviour continues to be unreasonable, we may decide not to respond to your contacts. If we decide this, we will let you know.

If you still disagree with our arrangements you can ask the Local Government Ombudsman and Social Care Ombudsman to consider whether our decision is reasonable.

You can contact the Local Government and Social Care Ombudsman at:

Local Government and Social Care Ombudsman

PO Box 4771

Coventry

CV4 0EH

www.lgo.org.uk Tel : 0300 061 0614

Review

This policy will be reviewed in November 2021 by the Director of Communities and Environment.