

Gloucestershire County Council

Customer Complaints Policy April 1st 2013

Our key aims are to:

- Act quickly and efficiently to put things right if something goes wrong.
- Learn from customer complaints in order to improve our services and focus on the needs of our customers.

1. Our complaints policy

We will try to resolve things that go wrong as soon as possible, and to give customers an outcome that they are satisfied with. We aim to achieve this wherever possible without the need for a formal complaint. So, as a first step, the customer should talk to a member of staff at the point of service delivery to try to reach an agreement informally.

Where we are unable to resolve problems informally, we will make it easy for the customer to make their complaint. We want them to be confident that it will be looked into properly. We will treat complaints positively and consistently, and aim to leave customers feeling satisfied about their experience of our dealing with their complaint. We will record all relevant details of the customer and of their complaint so that we can deal with it efficiently, and learn from customer complaints more generally. We will keep customers informed about who is dealing with their complaint and how.

When we decide that the matter raised by the customer is not a complaint as we define it, or that it is outside the scope of this policy, we will advise the customer on the best alternative way to take the matter forward.

2. Scope of this policy

What is a complaint?

A complaint is when a customer of a council service is unhappy with the way they have been treated, and believe that the council (including a contractor or other body providing services on behalf of the council) has done something wrong. They expect the council to look into the matter and respond to them. The customer may just feel dissatisfied, or they may also feel that they have suffered delay, inconvenience, loss or expense.

A complaint may be about

- the standard of a service or information provided,
- the timeliness of a service (delay, or not provided),
- the way a decision has been made, or
- the way a person has been treated, for instance if they feel they have been treated unfairly or discourteously.

What is not a complaint?

There are some things that we will not treat as a complaint because there are other more appropriate ways to deal with them, but we aim to do so in line with our commitment to providing good customer service. These would include:

- A first request for service or information, because we should be given the chance to respond to the request.
- A difference of opinion, including policy disagreements. People may sometimes disagree with a council policy, or with a decision we have made, but unless this has been done wrongly then it is not a customer complaint.
- A difference of legal interpretation or matters subject to legal action, because these can only be resolved through the legal system.
- Matters where there are established review or appeal processes, because that is what they are there for.
- Matters relating to the internal management of schools and colleges, because these are the responsibility of the governing body and Head/Principal.
- Matters relating to the employment of council staff, because employees have other ways to raise these.
- Anonymous complaints. These will be referred to the Complaints Manager to decide whether to investigate or take other action.
- Insurance claims relating to alleged injury or damage. These will be referred to the council's Insurance Manager.

Which complaints are outside the scope of this policy?

There are other ways that we must use for dealing with some particular types of complaints, and again we aim to do so in line with our commitment to providing good customer service:

- Complaints about adults' and children's social care. These are covered by separate statutory requirements, further information can be found on our website at [Comment, compliment or complaint](#).
- Complaints about Freedom of Information, Data Protection, and Environmental Information Regulations legislation. These are covered by our Information Compliance complaints procedure, which can be found on our website at [Information Compliance](#). In some cases, where a complaints relating to these pieces of legislation form a small part of a wider complaint, the complaint will be dealt with in full under the corporate or social care complaints process.
- Complaints by organisations with whom we have a commercial agreement to provide goods or services. These are covered under the relevant contract or service level agreement.
- Complaints about the conduct of County Councillors. These are covered by the Code of Conduct for Councillors, which can be found on our website at [Complaints about Councillors](#).
- Complaints about Directors, these should be sent to the Chief Executive for investigations.

3. How will we deal with a complaint?

When the council has done something wrong we will apologise and try to put things right. We will also consider if and how we can improve things so that similar problems do not happen again. Putting things right will depend on the nature of what went wrong, and what effect this had on the customer, and may include:

- Providing the service to the correct standard.
- Reconsidering a decision that was not made in the proper way.
- Asking our contractor or partner to put the matter right.

Where the customer has suffered loss or expense, we will consider reimbursing them.

Informal local resolution

We will try to resolve things that go wrong as soon as possible, and to give customers an outcome that they are satisfied with. We aim to achieve this wherever possible without the need for a formal complaint. So, as a first step, the customer should talk to a member of staff at the point of service delivery as soon as possible to try to reach an agreement informally. When a concern is reported to a member of staff, they will ask for a clear explanation of it in order to understand the issue and what the customer believes would be a successful resolution of it. If it is a simple non-serious concern we will try and resolve it immediately, or as quickly as possible, and to say sorry where necessary.

If we believe that the matter is not a complaint as we define it, or is covered by a different complaints policy (see above), we will say so and advise the customer how best to take it forward.

Stage 1: Formal complaint – team manager resolution

If the complaint cannot be resolved quickly at the point of contact with the customer, it will be treated as a formal complaint.

The member of staff receiving the complaint will ask the customer to provide all the relevant information about them and their complaint, so that we can deal with it quickly and efficiently. This information will be recorded in line with our data protection policy. The complaint will be passed to a team manager to be dealt with.

Within two working days of the council receiving the complaint we will send an acknowledgement to the customer. This will give the name and contact details of the local manager dealing with the complaint, and the date by which the customer can expect a response. The team manager will look into the complaint, come to a decision on it and, where appropriate, consider what we can do to put things right.

We aim to resolve formal complaints and send a response to the customer within ten working days of receipt. If there is a good reason why this is not going to be possible we will inform the customer and agree a longer timescale.

To make a formal complaint please use this [link](#).

Stage 2: Formal complaint – senior manager resolution

If the customer is not satisfied with the response they receive at Stage 1, they should contact the council's Complaints Manager as soon as possible and ask for the complaint to be looked at again. We aim to decide this within ten working days of receiving the request. Before we agree to do this, we will expect the customer to give clear reasons why this should be done – not just that they do not like the outcome.

Where we agree to refer a complaint to Stage 2, it will be reviewed and if necessary investigated by a senior manager who has not previously been involved in the complaint. Within two working days of our agreeing to review it, we will send an acknowledgement to the customer. This will give the name and contact details of the senior manager dealing with the complaint, and the date by which the customer can expect a response. The senior manager will review and investigate the complaint, come to a decision on it and, where appropriate, consider what we can do to put things right. The senior manager may identify an independent person to review and investigate the complaint on their behalf, if this is considered necessary.

We aim to resolve a complaint at Stage 2 within 25 working days of our agreeing to review it. If there is a good reason why this is not going to be possible we will contact the customer to inform them and agree a longer timescale.

Vexatious complaints

We will try to resolve things that go wrong as soon as possible, and to give customers an outcome that they are satisfied with. However, if a customer behaves in an unacceptable manner, or is unreasonably persistent, we may decide to restrict the ways that they can deal with us, or refuse to consider further complaints about the same matter. For example, if a customer makes multiple complaints about the same matter, or if their complaint has been considered and found to be unjustified but they are not prepared to accept this conclusion. In such circumstances, the Complaints Manager can decide that the complaints are vexatious and unduly time-consuming. We may then decide to restrict access, giving the customer a single named point of contact with the council, or refuse to consider any further complaints about the same matter unless any significant new information is provided. We will inform the customer about this, explaining why the decision has been taken, what restrictions will be applied, and for how long.

Local Government Ombudsman

If we fail to satisfy someone who has made a complaint, after a stage 2 investigation, then we will advise the complainant of their right to take the matter to the Local Government Ombudsman. Local Government Ombudsman Advice Team can be contacted on 0300 061 0614 or 0845 602 1983. <http://www.lgo.org.uk/>

Contacts

If you would like further information about any of these matters please contact:

Customer Services Team
Gloucestershire County Council
Shire Hall
Westgate Street
Gloucester
GL1 2TG
Email: customerservices@gloucestershire.gov.uk