

**THE COUNCIL'S COMPLAINTS PROCESS**

**1. INTRODUCTION**

1.1 The way an organisation deals with complaints and suggestions critically affects relations with customers. The process needs to be managed so that the Council is caring, focused on its public, and a learning organisation determined to deliver quality services.

1.2 The Complaints process has been extended to include the "Oldham Listening" initiative. This provides for general advice to customers on how they can communicate with the Council and includes a response form with a central freepost address.

**2 SCOPE AND PURPOSE OF THE POLICY**

2.1 This policy, covers complaints written compliments and suggestions. The way the Council handles complaints, in particular, and compliments and suggestions is critical to its public image. The Council need to be able, not only to respond appropriately to a justified complaint with a timely apology, but to learn from mistakes. The Council should demonstrate that it values and utilizes suggestions. Information from complaints/compliments/suggestions handling therefore needs to inform service and policy development. Complaints handling is also a Best Value performance indicator.

2.2 This policy sets down the desired standards and practices for handling complaints compliments and suggestions and is intended as a corporate minimum. All departments must achieve at least this standard. Some departments may strive to exceed it or some sections may be required to do so to meet contractual obligations.

2.3 The underlying principle is that customers and service users have a right to complain if they are dissatisfied with any aspect of service or policy. The policy is therefore devised to facilitate that right, and to demonstrate that the Council respond to and learn from complaints where they are justified; that it appreciates written compliments and carefully considers written suggestions.

2.4 The Corporate Complaints, Compliments and Suggestions Procedure will be the Council's mandatory route for complaints handling where other statutory procedures do not exist. Customers and service users will have a right, however, to complain directly to a Chief Officer, the Chief Executive, a Councillor or Member of Parliament. Members of the public also have a right to take complaints directly to the Local Government Ombudsman. The Ombudsman regularly refers complaints back to a local authority if it has not first been

internally investigated. These options are explained in the Council's revised complaints/ compliments! suggestions publicity leaflet.

- 2.5 The co-existence of the Customer Response Form system arising from the "Oldham Listening" initiative and a staged complaints procedure means that there are two formal routes by which customers can communicate with us. The Customer Response Form will be used at the first stage of the procedure. People do not have to use the Customer Response Form or the Complaints leaflet. They can complain in person, by telephone, by letter, by e-mail or via the Contact Form which is available on-line on the Council's website. Whatever means is used to register the complaint customers will be asked to state clearly:-

- o what the Council has done wrong
- o what the Council should do to put it right

### **3. OTHER COMPLAINTS PROCEDURES**

- 3.1 Other complaints procedures will continue to operate for particular situations. These are outlined below.

#### **Social Services Complaints**

- 3.2 Complaints or representations relating to the Social Services Department are subject to the Department's Complaints and Representations Procedure as a requirement of the N.H.S. Community Care Act 1990 and Children Act 1989.

#### **Education Function Complaints**

- 3.3 The Education service within the Education and Cultural Services Department has established procedures, both formal and informal, for dealing with issues relating to schools, special needs, governors etc. These will continue to be the accepted means of dealing with problems that might arise in these areas. Many involve the statutory rights of parents. The Corporate Complaints, Compliments and Suggestions Procedure will be applicable to all the activities in the Education and Cultural Services Department where other procedures do not exist.

### **4 CORPORATE COMPLAINTS, COMPLIMENTS AND SUGGESTIONS – DEFINITIONS AND DISTINCTIONS**

#### **Complaints, Compliments and Suggestions**

- 4.1 The Local Government Ombudsman has defined a complaint as: "any expression of dissatisfaction by a Council service user, however it is made" and this is satisfactory for our purposes. We are defining a compliment as any written expression of pleasure about a Council service. Whilst we will always be pleased to receive written compliments, we must not, under any circumstances solicit

these. A suggestion is defined as a service user's written idea, sent directly to us, for making any change to a Council service, facility or policy.

### **Complaints as opposed to Service Requests**

- 4.2 A further communication we need to define and distinguish is a service request. For many of our services (for example, reporting faulty street lamps or unemptied wheeled bins) we rely partly on customers to tell us when something is wrong. These initial "requests for service" will not normally be treated as complaints - unless of course they cannot be promptly put right to the customer's satisfaction. It is likely that Customer Response Forms will often contain service requests. We may also receive requests for information and these do not need to be treated as complaints unless we have previously failed to respond.

## **5 COMPLAINTS, COMPLIMENTS AND SUGGESTIONS INVOLVING MORE THAN ONE DEPARTMENT**

- 5.1 Generally, complaints/compliments/suggestions involving more than one department should be dealt with by the department with the greatest involvement in each case. That department should coordinate (and agree) a response on behalf of the departments concerned. The correspondent should be informed if the matter has been referred to another department. An exception to this would be where Social Services have a minor involvement in a complaint matter, but where the complainant has the statutory right to pursue the complaint through the Social Services procedure, i.e. to a panel hearing at the third stage.

## **6 MISDIRECTED COMPLAINTS, COMPLIMENTS AND SUGGESTIONS**

- 6.1 If a phoned complaint/compliment/suggestion, is received by the wrong department, staff should identify the correct department, inform the caller and transfer the call. If a member of the public makes a personal visit to the wrong department every effort should be made to avoid the customer having to go from one location to another.
- 6.2 If a written complaint is misdirected, the receiving department should acknowledge the complaint, inform the complainant which department is responsible and pass the complaint immediately to the correct department.

## **7 COMPLAINTS OF A SERIOUS NATURE**

- 7.1 Complaints of a serious nature may need to be handled differently from normal complaints. If it is thought that a complaint may be considered to be serious it should be referred immediately to the Chief Officer or Departmental Complaints Officer for advice. Examples of what constitutes a serious complaint will be provided in staff guidance and training.

## **8. COMPLAINTS WITH ALLEGATIONS OF RACIAL DISCRIMINATION**

If front line staff either suspect, or are certain, that a complaint has arisen due to an allegation of racial discrimination, the complaint should immediately be referred to the Departmental Complaints Officer. Complaints Officers will need a general understanding of the legal framework for dealing with complaints of racial discrimination.

## **9. COMPLAINTS WITH ALLEGATION OF DISCRIMINATION ON THE GROUNDS OF GENDER OR DISABILITY**

Complaints which are based on an allegation of discrimination on the grounds of gender or disability are similarly covered by statute and should be referred to the Departmental Complaints Officer.

## **10. COMPLAINTS FROM MEMBERS OF PARLIAMENT**

- 10.1 The Chief Executive should be sent copies of all complaints made by Members of Parliament immediately upon receipt. If an MP is, however, requesting information this does not necessarily have to be copied to the Chief Executive. This would be at the discretion of the Chief Officer.

## **11. ANONYMOUS COMPLAINTS**

- 11.1 Complaints and comments made anonymously are unlikely to be effectively dealt with by the procedure beyond the informal stage since the Council will need to be able to correspond with and if appropriate, meet the complainant. It is therefore important that every attempt be made to encourage all complainants to provide their identity so that a complaint can be processed. An assurance that the complaint will be treated as confidentially as possible may help. An exception to this may be when there is an allegation of abuse and early insistence on identity jeopardises the chance of pursuing information. Abuse cases are often anonymous at the initial stages.

## **12. UNJUSTIFIED COMPLAINTS AND STAFF SUPPORT**

- 12.1 The main purpose of the procedure is to identify problems and put them right in a positive and constructive manner. Detailed investigations into causes may sometimes cause stress and anxiety for members of staff. This needs to be recognised and handled sensitively. In particular, where a complaint is found to be unjustified the department concerned should ensure that appropriate support is provided for staff affected.

### **13. VEXATIOUS COMPLAINTS**

13.1 Vexatious complaints have the potential to consume scarce resources and cause stress for staff involved whilst achieving no benefits for customers and service users. Complaints which are thought to be vexatious should be initially investigated to determine that this is the case. The departmental complaints officer should be involved in the decision. Vexatious complaints should not be entered into the procedure. The receipt and rejection of a vexatious complaint (including the reason(s) for the rejection) should however be recorded by the Departmental Complaints Officers.

A complainant may be deemed to be acting vexatiously if, for example:

- he/she persistently makes the same complaint, despite it having been fully investigated under the procedure, or is seeking an unrealistic outcome and intends to persist until the outcome is achieved;
- she/he complains about an historical complaint that cannot be undone or remedied;
- he/she behaves aggressively or provocatively towards a department or individual members of staff, or
- she/he repeatedly changes aspects of the complaint or the desired outcome part way through an investigation, or after a formal response has been sent.

### **14. COMMUNICATION DIFFICULTIES**

14.1 Complainants who appear to be having difficulty in expressing their complaint should be invited to bring along a friend or relative to assist. The assistance of a Council translator should be offered if appropriate. If we receive correspondence in Bangla, Urdu or Gujerati they can be translated by translation staff employed by Oldham. However some delay may be incurred due to the heavy workload of the translation service. Translations from any other languages have to be sent out to commercial service providers and this will also create a delay.

14.2 If staff identify the need for specialist assistance to a complainant having a sensory impairment, they should notify their Complaints Officer so that arrangements can be made through the Sensory Disability Service within the Social Services Department.

## 15. THE STAGES OF THE CORPORATE COMPLAINTS COMPLIMENTS AND SUGGESTIONS PROCEDURE

### 15.1 Compliments and Suggestions

15.1.1 All departments should adopt a single stage procedure for handling compliments and suggestions. Written compliments and suggestions should be passed to the departmental Complaints Officer who will have responsibility for keeping a record of these and acknowledging them within 5 working day. Written compliments should be shared with the staff involved in delivering the service. The departmental Complaints Officer should ensure that suggestions are evaluated by the departmental management team.

### 15.2 Responsibilities

15.2.1 The ~~Assistant Chief Executive~~ Director of –Legal and Democratic Services, will act on behalf of the Chief Executive in respect complaints handling and may delegate to an appropriate senior postholder within his/her Division. Each department must have a nominated Complaint Officer who should normally be a third tier officer. This person is acting for the Chief Officer in respect of complaints handling and will need a suitably experienced and positioned officer to deputise for them in their absence. The Departmental Complaints Officer should also be the Departmental Customer Response Officer.

15.2.2 The ~~Chief Executive's Executive Support Council Corporate Complaints~~ Officer ~~will allocate may elect to personally investigate~~ Stage 3 complaints ~~to a senior Officer in a different Directorate to that of the Complaint, or may, with the agreement of respective Chief Officers, nominate investigating officers with suitable knowledge and experience. Similarly, i~~ Investigation of stage two complaints, can be carried out by Departmental Complaints Officers or they may elect to nominate, with the support of their Chief Officer, suitable investigating officers.

15.2.3 The ~~Chief Executive's Executive Support Officer Council Corporate Complaints Officer~~ and Departmental Complaints Officers will be responsible for maintaining adequate records and ensuring that timescales are met for each stage of the procedure, irrespective of whether investigating officers are involved. Departmental Complaints Officers must also ensure the adequate records are being kept of Stage 1 complaints.

15.2.4 The table below illustrates the officer structure for dealing with complaints and who is responsible at each stage.

POST/ROLE	STAGE 1	STAGE 2	STAGE 3
Front line staff	Y		
Supervisors	Y		
Managers	Y		
Chief Officers		Y	
Departmental Complaints Officers		Y	
Departmental Investigating Officers		Y	
<u>Council Complaints Chief Executive's Executive Support Officer</u>			Y
Investigating Officers			Y
Chief Executive			Y

15.2.5 The following approach is an important aspect of the application of the procedure. It is essential that the timescales given in the stages set out below are not normally exceeded. However, the emphasis should always be on sorting out problems and responding as soon as possible, rather than working to be just within time limits.

## 16. THE LINK BETWEEN OLDHAM LISTENING RESPONSES AND THE STAGED CORPORATE PROCEDURE

The Customer Response Forms (CRFs) stimulated by the Oldham Listening initiative will be received at a central freepost address in the Council. On the day they are received they will be centrally registered and delivered to the nominated officers (Departmental Customer Response Officer - DCRO) in each of the departments. The DCROs will be responsible for ensuring that a response is sent to the customer normally within 15 working days. The DCRO will decide whether the CRF is a service request or a complaint and treat it accordingly. If a service request is received on a CRF the Oldham Listening initiative requires that, in addition to providing the service requested, a response will be made to the customer. The CRF are used as the First Stage of the formal complaints procedure.

## 17. COMPLAINTS CONCERNING REQUESTS MADE UNDER THE FREEDOM OF INFORMATION ACT 2000

17.1 Complaints made concerning:-

- Issues of timeliness
- Application for exemptions
- Application of public interest test

- Failure to give advice and assistance
- Inappropriate disclosure of personal information (as defined by the Data Protection Act 1998)
- Non-disclosure of information in accordance with the Council's Publication Scheme

17.2 These complaints will go direct to Stage 3 of the Corporate Complaints Procedure. They will then be investigated under paragraph 21.10 on page 9 of Appendix 2 to the Council's Constitution. (See Annexe 5).

## **18. STAGE ONE OF THE CORPORATE COMPLAINTS PROCEDURE**

18.1 Most matters that trouble Council service users can be dealt with by front line staff, perhaps assisted by a supervisor. Informal resolution of complaints in the above manner is the most desirable outcome, and is an important way of winning public approval. It is therefore important that front line staff and their supervisors try to remedy complaints at the informal stage and some guidelines and suggestions on suitable remedies are given at Annexe 1.

18.2 All written complaints (whether received as a letter or by E-mail) should be responded to in writing. This may be in addition to speaking to the complainant in person or by phone. If a complaint is received by a Chief Officer this may also be successfully resolved at the informal stage by the Chief Officer taking direct action or by delegating.

18.3 Staff should endeavour to resolve complaints at stage 1 (the informal stage) of the procedure as quickly as possible and normally within 15 working days. If it is not possible to resolve the complaint within this time, a letter should be sent within 15 working days of receipt of the complaint. The letter should apologise for the delay; explain what action is being taken, by whom, and state when a full reply is likely to be sent.

18.4 In the letter the complainant must be given the choice of allowing the investigation to continue informally under Stage one, or to formally register the complaint under stage two of the procedure.

18.5 Stage One complaints should be recorded by front line staff and be available for periodic scrutiny and analysis. Items of information to be recorded for Stage One complaints are listed in Annexe 2.

## **19. STAGE TWO OF THE CORPORATE COMPLAINTS PROCEDURE**

- 19.1 This stage of the procedure can be arrived at by three possible routes:
- the time limit for stage one has been exceeded and the complainant wishes to take the complaint to the next stage;
  - the complainant wishes to formally register the complaint, thus omitting the informal stage, possibly because they have strong feelings or serious concerns about the matter about which they are complaining;
  - staff involved in an initial assessment of a complaint consider that it should be handled formally from the outset, or the complainant remains dissatisfied.
- 19.2 Formal (i.e. Stage 2) complaints do not necessarily have to be put in writing by the complainant. Staff have a responsibility for facilitating the making of a complaint if the complainant is not comfortable with putting a matter in writing. Neither is it necessary that a complaint is received on an official form to be processed under the procedure. Complainants may choose to use phone, fax, letter, E-mail or any future technology which enables communication. The medium used to communicate the complaint should neither advantage or disadvantage the complainant.
- 19.3 When a complaint enters the second stage of the procedure (by any of the routes outlined above) staff dealing with the complaint should take the following action:
- inform the service user or representative of the existence of a complaints procedure;
  - assist the complainant to put his/her complaint in writing. This may involve giving information or completing the complaint registration form for the complainant, ensuring that what is written conveys what he/she intended, and is clear and unambiguous as possible;
  - ensure that the complainant's desired outcome(s) is stated clearly; and
  - immediately refer the complaint to the department's Complaints Officer
- 19.4 The items to be included in a complaint registration form or on a file are given at Annexe 2.
- 19.5 The Complaints Officer should ensure that complaints are correctly registered, and that adequate detail has been provided so that an effective investigation can be expedited.
- 19.6 An acknowledgement of formal complaint receipt should be sent to the complainant within 5 working days of registration.

- 19.7 A Complaints Officer may personally investigate a stage two complaint, or nominate an Investigating Officer with appropriate knowledge and experience in the field of the complaint.
- 19.8 The officer nominated to investigate the complaint must not have been involved in the matter about which the complaint has arisen or have line responsibility for the service. It is essential that impartiality is seen to be maintained. An officer from another department should be involved if this is the only way to achieve impartiality.
- 19.9 Complaints Officers have the following responsibilities irrespective of whether an Investigating Officer is nominated:
- keeping the Chief Officer informed on progress and outcome;
  - co-ordinating and chairing any meetings held;
  - recording meetings and action taken (or ensuring that records are kept);
  - co-ordinating responses to the complaint;
  - taking an objective view of the complaint;
  - ensuring that progress is made on resolving individual complaints and that actions are monitored;
  - recommending appropriate action; and
  - monitoring complaints across the department and reporting to the Council Corporate Complaints Officer.
- 19.10 A full response to a Stage 2 complaint should be made as soon as possible and normally within 20 working days. This limit can only be extended within Stage two if the complainant is given the reasons for the extension and agrees that it is reasonable. An interim report should be offered if practicable.
- 19.11 A complainant should be informed in writing at the end of Stage 2 that if they are dissatisfied they have a right to proceed to Stage 3.

## **20. PROBLEM SOLVING MEETINGS**

- 20.1 In some cases it will be appropriate to respond to a complaint as part of stage 2 of the procedure by holding a problem solving meeting involving the complainant. In other cases a home visit or site meeting may be necessary. The selection of approach is at the discretion of the Departmental Complaints Officer. The Departmental Complaints Officer should be satisfied that all the necessary fact-finding and any practicable action towards a resolution is completed before a meeting involving the complainant is arranged. Pre-meeting work may be undertaken by the Departmental Complaints Officer or the investigating officer.

- 20.2 The Departmental Complaints Officer will be responsible for organising and chairing a problem solving meeting, should one be necessary, at a time and venue suitable to all concerned. The normal format of a problem solving meeting is given at Annexe 3.
- 20.3 If a problem solving meeting is necessary it should take place as soon as possible. If this cannot be achieved within 20 working days of the complaint being registered, a letter should be sent, within the above period, apologising for the delay and explaining what actions are being taken and by whom. The letter should state when Council Officers will be in a position to hold a meeting.
- 20.4 If a problem solving meeting is unable to arrive at a remedy which satisfies the complainant, the Complaints Officer should explain stage 3 of the Complaints Procedure.
- 20.5 The Complaints Officer should send a record of the outcome of the problem solving meeting to the complainant and to the relevant Chief Officer within 5 working days after the meeting.
- 20.6 If a complainant declines an invitation to participate in a problem solving meeting, the procedure for a written response should be followed.

## **21. STAGE THREE OF THE CORPORATE COMPLAINTS PROCEDURE - APPEAL TO THE CHIEF EXECUTIVE**

- 21.1 Complaints which have not been remedied satisfactorily at Stage 2 should be passed from the Departmental Complaints Officer to the Council Corporate Complaints Officer in the Chief Executive's Department. Copies of all information relating to the complaint should be sent to the Council Corporate Complaints Officer if the complaint reaches Stage 3.
- 21.2 Complaints registered at Stage 3 should be acknowledged within 5 working days.
- 21.3 As with earlier stages, the Council Corporate Complaints Officer should endeavour to give a full response as soon as possible and usually within 20 working days of the start of Stage 3. If this is not possible, an interim response should be sent to the complainant. The letter should; apologise for the delay, explain what action is being taken, and by whom; and state when a full response will be given.
- 21.4 The Council Corporate Complaints Officer will deal with Stage 3 of the procedure either directly or by nominating an investigating officer. See 21.10 below for complaints regarding requests made under the Freedom of Information Act 2000.

- 21.5 If the complaint is against the Chief Executive's Department and it reaches Stage 3, the complaint should be referred to a Director of another department. That Director may personally process the appeal or delegate to an investigating officer in his/her Department.
- 21.6 The Council Corporate Complaints Officer may, in the course of considering the appeal, seek further information or clarification from any staff concerned in the matter. It may also be necessary for the Council Corporate Complaints Officer or investigating officer to contact the complainant.
- 21.7 At the discretion of the Chief Executive (or a Director of a Department, if the complaint has been referred to him/her), the subject may be referred to the Council as appropriate.
- 21.8 Records of any meetings, telephone conversations or correspondence should be made by the Council Corporate Complaints Officer or investigating officer. It is the responsibility of the Council Corporate Complaints Officer to ensure that suitable records are made.
- 21.9 The outcome of the appeal stage should be notified to the complainant in writing. If the complainant is not satisfied with the outcome of the appeal, he/she should be given details of the Local Government Ombudsman procedure. The Council Corporate Complaints Officer must keep Chief Officers informed of progress and outcomes at Stage 3.
- 21.10 A complaint made by someone requesting information under the Freedom of Information Act 2000 which has been refused will be referred to the Director of Legal and Democratic Services Corporate Complaints Officer (or such Senior Officer appointed by the Assistant Chief Executive (Legal and Democratic Services)) who will review the decision, seeking advice as appropriate from a member of the Legal Team, the Council's Information Manager (provided that Officer has not been involved in the original decision regarding the non-disclosure of information) and the AGMA Freedom of Information Co-ordinator. If the requester is not satisfied with the outcome of the review at the third and final stage, the Corporate Complaints Director of Legal and Democratic Services Officer will advise them that they can pursue this complaint to the Information Commissioner.
- Where a decision has been made by the Director of Legal and Democratic Services (Monitoring Officer) not to disclose information under the provisions of Section 36 The Freedom of Information Act 2000 (Prejudice to the Proper Conduct of Public Affairs), the requester should be informed that their complaint will not be considered under the Corporate Complaints Procedure and that they should appeal directly to the Information Commissioner.

## 22. RECORD KEEPING, MONITORING AND REPORTING FOR COMPLAINTS

### Stage 1

- 22.1 Front line staff, their supervisors, and managers are responsible for keeping adequate records of Stage 1 complaints. The information to be recorded for Stage 1 ~~11~~ complaints is given at Annexe 2.
- 22.2 The Departmental Complaints Officers should ensure that adequate records are being kept for Stage 1 complaints, and should collate quarterly summary reports. These should be sent to the ~~Council Complaints~~ Chief Executive's Executive Support Officer within 4 weeks of each quarter end. The requirements for Stage 1 complaints reports are set out at Annexe 4.

### Stage 2

- 22.3 The Departmental Complaints Officer is responsible for ensuring that adequate records are kept of Stage 2 complaints, and for producing quarterly summary reports on complaints handling in their department. The requirements for these are illustrated at Appendices 2 and 4.

### Stage 3

- 22.4 The ~~Chief Executive's Executive Support Council Corporate Complaints~~ Officer should ensure that adequate records are kept for Stage 3 complaints. Quarterly summary reports should be produced by the Council Corporate Complaints Officer. The requirements for these are illustrated at Appendices 2 and 4. Annual Reporting to Council on Complaints Handling
- 22.5 The ~~Chief Executive's Executive Support Council Corporate Complaints~~ Officer should compile an annual report to the Cabinet. The report should incorporate collected statistics on the organisation's performance on complaint handling and on any significant trends in the subjects about which service users are complaining.

## **REMEDIES - GUIDELINES AND SUGGESTIONS**

### **SAYING WE ARE SORRY**

Often, all that is needed is an apology, given in the right manner. A timely and genuine apology may win more support for us than the original misdemeanour or failure lost, most people accept that occasionally mistakes will be made. What often annoys them is the failure of large organisations to acknowledge that something has gone wrong, or to treat people as individuals.

A written complaint, even at the informal stage, should get a written response which may include an apology.

On occasions it may also be appropriate to send a written apology in response to a verbal complaint, since it indicates that we have taken the complaint seriously and made some effort, if we do this the letter must not look like a standard letter that has been sent as a matter of course.

If we are able, we should give an assurance that the situation which gave rise to the complaint will not be repeated. If we have changed a system or procedure as a result of the complaint, it may be appropriate to let the complainant know of the action taken.

### **TIMELINESS**

The most important aspect of a remedy is the speed at which it is made. The right remedy, but too late after the event, will be wasted - bad news travels fast!

### **HAVING THE AUTHORITY**

Departmental managements must ensure that all staff are clear about what authority they have to make redress.

### **REIMBURSEMENT OF MINOR EXPENSES OR SMALL SUMS**

In order to complain, or as a result of a Council error, members of the public may have incurred minor expenses, such as postage or public transport fares. Consideration should be given to reimbursement of such expenses. In other situations it may be appropriate to return a customer's payment for a service or facility about which they have complained.

### **LARGER CASH PAYMENTS**

In exceptional circumstances and with the agreement of a Chief Officer it may be appropriate to remedy a situation by paying a cash sum.

## IS IT POSSIBLE TO PUT THINGS RIGHT?

It may be possible to change practices, systems or procedures to prevent a recurrence of an error. Without going into complexities we should tell the complainant what we are doing. A demonstration that something has happened as a result of his/her complaint may win support.

## MAKING THE MOST OF WHAT THE COMPLAINANT TELLS US

One of the main purposes of the complaints procedure is that we can learn from service users and adjust service delivery to meet their needs. The complainant may suggest a remedy which he/she would consider suitable. What the complainant wants may sometimes be unrealistic, but his/her expectations should be explored and considered.

## INVOLVING THE RISK MANAGER

If the circumstances of a complaint could give rise to a claim for damages for personal injury or for (other than minor) financial loss, the Risk Manager in the Chief Executive's Department should be contacted to discuss the response.

**THE ITEMS OF INFORMATION TO BE COLLECTED FOR EACH COMPLAINT AT EACH STAGE OF THE PROCEDURE**

Stage 1

1. Department
2. Section/site
3. Date of complaint receipt
4. Identity of staff member taking complaint
5. Method of receipt - letter, fax, E-mail, telephone, personal contact, website.
6. Complainant details - name, address, other useful contact details and ethnic origin.
7. Brief description of complaint and what redress the customer expects.
8. Date of our response
9. Brief description of response and identity of respondent
10. Indication of customer satisfaction - yes no/no/no indication given.
11. An indication if the complaint proceeded to Stage 2
12. A classification of the complaint by cause - (Departments to establish complaint categories)

Stage2

1. Department
2. Section/site
3. Date of registration whether by escalation from Stage 1 or direct entry to stage 2
4. Identity of staff member taking complaint
5. Method of receipt - letter, fax, E-mail, telephone, personal contact, website.
6. Complainant details - name, address, other useful contact details and ethnic origin.
7. Details of the complainant's representative if one is involved
8. Date of acknowledgement
9. Identity of the investigating officer if other than the Departmental Complaints Officer
10. Notes of all investigative and problem -solving action
11. Date of our response
12. Full description of response
13. Indication of customer satisfaction - yes no/no/no indication given.
14. An indication if the complaint proceeded to Stage 3
15. A classification of the complaint by cause - (Departments to establish complaint categories)

### Stage 3

1. Department
2. Section/site
3. Date of registration whether by escalation from Stage 2 or direct entry to stage 3
4. Identity of staff member taking complaint
5. Method of receipt - letter, fax, E-mail, telephone, personal contact, website.
6. Complainant details - name, address, other useful contact details and ethnic origin.
7. Details of the complainant's representative if one is involved
8. Date of acknowledgement
9. Identity of the investigating officer ~~if other than the Council Complaints Officer~~ |
10. Notes of all Investigative and problem -solving action
11. Date of our response
12. Full description of response
13. Indication of customer satisfaction - yes no/no/no indication given.
14. A classification of the complaint by cause - (Departments to establish complaint categories)

## **ANNEXE 3**

### **PROBLEM SOLVING MEETINGS**

1. A full problem solving meeting would normally take the following format:
  - introductions;
  - explaining the complaints procedure for the benefit of the complainant;
  - attempting to arrive at a shared understanding of the current situation or of that situation which gave rise to the complaint registration;
  - establishing the complainant's expectations;
  - establishing any resource or statutory constraints which have a bearing on the matter of the complaint;
  - discussing options for complaint remedy; and
  - selecting an acceptable option for complaint remedy if possible.
  
2. At the end of the meeting the Complaints Officer should sum up the meeting and thank the complainant for their assistance.

**INFORMATION REQUIREMENTS FOR QUARTERLY SUMMARY REPORTS**

**STAGE 1**

Quarter end date  
Total number of complaints received  
Number of complaints responded to in up to 5 working days  
Number of complaints responded to between 6 and 10 working days  
Number of complaints responded to between 11 and 15 working days  
Number of complaints responded to in over 15 working days  
Number of complaints resolved at Stage 1  
Number of complaints taken on to Stage 2

Complaint classification by cause for complaint:  
(subject to modification after the scheme has been introduced)  
(Numbers of each per quarter balancing to total number received)  
Complainant classification by ethnic origin and complaint outcome  
Out of time service delivery  
Service quality (other than time)  
Inappropriate staff conduct  
Unfavourable decision  
Unfair treatment - other than discrimination  
Discrimination - race  
Discrimination - gender  
Discrimination - disability  
Council policy  
Other

**STAGE 2**

Quarter end date  
Total number of complaints received  
Number of acknowledgements sent within 5 working days  
Number of acknowledgements sent after 5 working days  
Number of complaints not acknowledged  
Number of complaints responded to in up to 5 working days  
Number of complaints responded to between 6 and 10 working days  
Number of complaints responded to between 11 and 15 working days  
Number of complaints responded to between 16 and 20 working days  
Number of complaints responded to in over 20 working days  
Number of complaints resolved at Stage 2  
Number of complaints taken on to Stage 3

Classification of complaints by cause as for Stage 1  
Complainant classification by ethnic origin and complaint outcome

### **STAGE 3**

Quarter end date

Total number of complaints received

Number of acknowledgements sent within 5 working days

Number of acknowledgements sent after 5 working days

Number of complaints not acknowledged

Number of complaints responded to in up to 5 working days

Number of complaints responded to between 6 and 10 working days

Number of complaints responded to between 11 and 15 working days

Number of complaints responded to between 16 and 20 working days

Number of complaints responded to in over 20 working days

Number of complaints resolved at Stage 3

Classification of complaints by cause as for Stages 1 & 2 Complainant classification by ethnic origin and complaint outcome.

**FLOWCHART FOR FOI COMPLAINT REGARDING FOI REQUEST**



