

Revised Complaints Policy	15th November 2016
To: Corporate Policy and Resources Committee	
For Decision	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Innovation and Transformation
Outcome	Embrace new technologies and processes where they can bring about better experiences for citizens
Lead Officer	Director of Performance
Cost: (If applicable)	N/A

1.0 Revised Complaints Policy

- 1.1 The Shadow Council adopted a Complaints Policy and Procedures in October 2014. The policy outlines the Council's commitment to fully and effectively respond to any complaints relating to failures in its services or the actions of its workforce. The procedures for dealing with complaints outlines the standards expected of staff and defines a 3 stage process for the handling of complaints.
- 1.2 The policy has been reviewed and revised by Council's Senior Management Team. As a result of this review amendments and additions have been made to the policy.
- 1.3 The amendments to the policy will ensure that all Council departments deal with complaints in accordance with consistent timescales for reply and in line with a policy that encourages transparency and a sincere desire to rectify any deficiencies in our service.
- 1.4 Appendix 1 contains a copy of the revised draft policy for Committee's consideration.
- 1.5 The main amendments and additions to the policy are set out below.

Item	Amendment/Addition
Name – Complaints Policy and Procedures	Amended - Comments, Compliments and Complaints Policy
Section 5.7	Addition – explains what the Council’s complaints procedure does not cover
Section 6	Addition – recording comments and compliments
Handling complaints the 3 stage process	Timescales revised
Appendix 2	Addition – policy on handling vexatious complaints and complainants

2.0 Recommendation

It is recommended that the revisions to the draft Comments, Compliments Policy and Procedures as set out in Appendix 1 are considered by Committee.

**COMMENTS, COMPLIMENTS AND
COMPLAINTS
POLICY
AND PROCEDURES**

Policy Number	CCG/1/14
Version Number	1-01.1
Author	Elizabeth Beattie Director of Performance

Date of Screening of Policy EQIA Recommended?	21 August 2014 TBC NO
Date Adopted by Council	23 October 2014 TBC
Date Policy Revised	October 2016

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COMMENTS, COMPLIMENTS AND COMPLAINTS **POLICY** **AND PROCEDURES**

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1. INTRODUCTION

Causeway Coast and Glens Council is committed to delivering the highest quality public services to the residents of, and visitors to, this area. As part of our policy of continuous improvement the Council welcomes all comments, both positive and negative, on the services and facilities that it offers.

Any feedback on our services and facilities is most welcome. Causeway Coast and Glens Council recognises, however, that there will be occasions when its services and actions do not meet the reasonable expectations of the public. To maintain the highest level of service the Council needs to know when things go wrong or if we are not meeting the needs of the public. In line with the Council's desire to be able to respond to customer demands the following policy and procedure establishes how the Council will effectively receive, deal with and assess complaints.

The purpose of this policy is to:

- Clarify how the public may submit any complaints, comments and compliments on Council services or facilities and outline the procedure for dealing with complaints;
- Define the standards the public can expect from officers when they make a complaint;
- Recognise the importance of comments, compliments and complaints in providing feedback about Council services and performance;
- Set out how the Council will consistently monitor comments, compliments and complaints and use that information to review services and identify training needs.

2. POLICY STATEMENT

Causeway Coast and Glens Council is committed to delivering the highest quality public services and will, as far as possible, fully and effectively respond to any comments or complaints received from the public relating to its services or the actions of its workforce. The procedures contained in this policy and procedure document will assist the Council in recording, assessing and responding to any complaints as diligently as possible.

Signed: _____ Date: _____

Mayor
Causeway Coast and Glens Borough Council

Signed: _____ Date: _____

Chief Executive,
Causeway Coast and Glens Borough Council

3. DEFINITIONS

Please find below an explanation of what certain terms mean in the context of the policy:

“A Comment”

For the purpose of this policy and procedure “a comment” is defined as:

“An expression of opinion, either positive or negative, relating to the services and/or facilities provided by the Council.”

“A Compliment”

For the purpose of this policy and procedure “a compliment” is an expression of satisfaction about a service or function provided by the Council.

“A Complaint”

For the purpose of this policy and procedure “a complaint” is defined as:

“An expression of dissatisfaction with the standard of service provided by the Council, or with something the Council or a member of its workforce may or may not have done.”

Complaints under this policy may, for example, include issues relating to:

- Delays in delivering services
- Failure to follow agreed policies and procedures
- Inadequate or unsatisfactory services
- Rudeness or inappropriate or offensive behaviour
- Unfair discrimination or unequal treatment.

4. ACCOUNTABILITY AND RESPONSIBILITIES

The implementation and effectiveness of the policy will be overseen by the Chief Executive of the Council or by officers so designated by him.

5. PROCEDURE FOR DEALING WITH COMPLAINTS

5.1 **Purpose of the Procedure**

The purpose of this procedure is to ensure that:

- As many complaints as possible are resolved at the initial point of contact without the need for the customer to pursue the matter further;
- Any faults on Council's behalf are acknowledged and an apology is offered;
- The customer is given a clear and relevant explanation where this is requested;
- Acknowledged deficiencies in the Council's services are identified and remedied as quickly as possible;
- Effective action is taken to avoid similar complaints in future;
- Best practice in dealing with complaints is shared across the Council.

5.2 Who Can Make a Complaint?

The Council encourages local residents, local businesses, visitors, community groups and any other group or individual that uses or is affected by our services to give us feedback.

~~Complaints about the Council can be received from any person or organisation receiving, or seeking to receive, a service from the Council.~~

5.3 How Can Complaints Be Received?

Complaints ~~may can~~ be made in person, by phone, by e-mail, in writing, via social media, or any other form of contact, or in languages other than English. If a complainant has any difficulties in making a complaint at any stage of the procedure, they can request assistance or submit their complaint in an alternative form.

5.4 Standards Expected of Staff

The minimum standards expected of staff ~~in dealing with complaints~~ are as follows:

- Complaints made verbally (in person or by phone) must be formally recorded on Council's Comments, Compliments, Complaints Form with all relevant details included in this record of the complaint, ie nature of the complaint, dates, times, contact details for complainant, who dealt with the complaint, etc.
- Complaints received in writing from the complainant either in the form of a letter, e-mail or on the official complaints form must be date stamped on receipt and acknowledged.
- It is not absolutely necessary for the complainant to have completed the Council's official complaint form although they should be made aware of this method of making a complaint.

- Each Service section will have a nominated officer who will be responsible for ensuring complaints are logged and tracked and outcomes recorded.

5.5 Handling Complaints – The Three Stage Process

In most cases service delivery problems reported by the public can be resolved satisfactorily by the member of staff they first contact without any need for further action. If the customer is not satisfied, however, with the response given at this informal stage, they are entitled to ask for their complaint to be dealt with formally under the Council's Complaints Procedure which has three formal escalating stages.

Details of the three formal stages are included in **Appendix 1**.

5.6 The complaints procedure does not cover:

- A request for service
- Reporting a fault
- Requests for service provision
- Complaints about something that happened more than 12 months ago, unless it concerns delays by the Council.
- Where there is a statutory process such as an appeal or tribunal
- Employees' human resources matters which may be subject to other council policies.
- Access to information requests

5.7 Vexatious complaints and complainants

The Council has taken account of the NI Local Government Ombudsman's guidance that 'there may be a small number of people who act in a vexatious manner or in bad faith'. The policy on dealing with persistent and vexatious complaints and complainants is included at Appendix 2.

6. RECEIVING COMMENTS AND COMPLIMENTS

6.1 How can comments and compliments be received?

The Council welcomes comments and suggestions from its customers. These can play an important part in improving service delivery. Comments and compliments may be made in person, by phone, email in writing, on social media or any other form of contact and in any language other than English.

Comments and suggestions will be acknowledged and recorded by the nominated officer in each department.

If a response is required the officer responsible will respond no later than 20 working days from receipt advising of the action taken to implement the

suggestion or give reasons why it cannot be. The response can be in writing, by phone or in person or in another format if the customer agrees.

Comments and suggestions might include:

- Comments on the services provided i.e. not a complaint
- Comments on how a service could be improved
- Suggestions for new or changes to existing services
- Comments on procedures or service levels

6.2 Compliments

Compliments from customers can play an important part in staff morale and can be used to gauge customer satisfaction. Compliments received will be recorded by the nominated officer in each department. Staff members who are named in compliments will receive notice of the compliment.

7. 5-6 Monitoring Complaints RECORDING FEEDBACK AND MONITORING

Periodic statistical reports on the number, type and resolution of complaints and any associated trends will be provided to the Chief Executive and Senior Management Team.

An annual report on complaints, including any comments and compliments will be produced for consideration by the Council.

As well as reporting on the number, type and resolution of complaints, the report may also:

- identify improvements to service delivery introduced in response to complaints;
- recommend action to minimise or avoid similar complaints in future;
- recommend procedural improvements for handling and resolving complaints;
- identify training and information needs.

8. EVALUATION AND REVIEW OF THE POLICY

This Comments, Compliments and Complaints Policy and Procedure will be reviewed on an annual basis by the Chief Executive and Senior Management Team and, as part of this review, an evaluation will be conducted on the effectiveness of the policy and procedures in relation to receiving, handling, assessing and resolving complaints received by the Council.

79. SECTION 75 EQUALITY AND GOOD RELATIONS

Causeway Coast and Glens Council is fully committed to meeting its obligations in relation to Equality and Good Relations under Section 75 of the Northern Ireland Act. In this regard this policy will be screened using Section 75 guidelines and will be subject to an Equality Impact Assessment if found necessary as a result of the screening process.

810. CONTACT DETAILS

Any issues or queries relating to this policy should be addressed to:

Moira Quinn
Director of Performance
Causeway Coast and Glens Borough Council
66 Portstewart Road
Coleraine
BT52 1EY

Tel: 028 7034 7034
E-Mail: moira.quinn@causewaycoastandglens.gov.uk

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HANDLING COMPLAINTS – THE THREE STAGE PROCESS

Stage One

~~The complainant contacts the Council and is referred to the nominated officer in each department dealing with the subject of the complaint. "When a complaint is made this will be dealt with by the relevant officer within the section the complaint relates to.~~

- The name and nature of the complaint are recorded by the section and the complaint is dealt with by the relevant officer in the section.
- Complaints about a member of staff must go directly to the appropriate Service Manager or Director and not to the person about whom the complaint has been made. Complaints about a Director must be made directly to the Chief Executive.
- ~~If the complaint is not settled immediately, the complainant will receive a reply within **three working days**.~~
If the complaint is not settled immediately, the complainant will receive an acknowledgement within **five working days** and a reply no later than **twenty working days**.
- If this is not possible we will contact you explaining why there is a delay and telling you when you will receive a full response.

Stage Two

- If the complainant is not satisfied with the response they have received they can refer the matter to the relevant ~~Director~~ member of the Senior Management Team for investigation ~~(if appropriate)~~.
- They should be asked to put their complaint in writing, including as much detail as possible or they can complete the official complaint form.
- If the complaint cannot be dealt with immediately, an acknowledgement of receipt of the complaint should be sent to the complainant within ~~three~~ three-five working days in an appropriate medium and language.
- Where the complaint relates to a specific Director, the Chief Executive will allocate another Director to investigate the complaint.

- Where a complaint relates to a number of different Departments or Directorates, it should be responded to by the Director where the bulk of the complaint rests. This Director must also take responsibility for co-ordinating a response within the specified time period.
- A reply to the complainant in relation to their complaint should be furnished within ~~ten working days~~ **no later than twenty working days.**
- In the response the complainant must be told how they may pursue their complaint further, ie to the next stage.
- In exceptional circumstances the time period for the investigation and furnishing of a reply can be extended but the complainant must be kept informed of when a likely response can be expected.
- All reasonable steps must be taken to ensure that information about complaints remains confidential.

Stage Three

- If the complainant is dissatisfied with the response they have received in Stage Two then the complainant has the right to ask the Chief Executive of Council to review the matter.
- The Chief Executive will acknowledge receipt of the complaint within ~~three working days~~ **five working days**
- In his absence the Chief Executive may authorise another senior officer to undertake his role.
- The Chief Executive (or nominated Director) will carry out a review of the matter and will reply to the complainant ~~within twenty one working days~~ **no later than twenty working days.**
- In the event that we are unable to meet these timescales we will tell you about any delay and give you a new date for when you should receive a response.
- The aim of the review is to ensure that all matters raised in the original complaint have been comprehensively and accurately addressed and, if not, to ensure that this now happens.
- In the response the complainant must be told how they may pursue their complaint further, ie to the next stage.

If the complainant is still not satisfied with the Council's response, they must be advised that they have the right to refer their complaint to:

The Northern Ireland Ombudsman and Commissioner for Complaints
Freepost BEL 1478
Belfast
BT1 6BY

Tel: (028) 90233821
Text Phone: 028 90897789
E-Mail: ombudsman@ni-ombudsman.org.uk

OR

By calling between the hours 9.30 am and 4.30 pm at the address below:

The Ombudsman
33 Wellington Place
Belfast
BT1 6HN

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APPENDIX 2

Policy on handling vexatious complaints and complainants

1. Introduction

- 1.1 A small number of customers make complaints in a persistent or vexatious way which can take up a considerable amount of time and resources or impede the investigation into their complaint. The aim of this policy is to identify situations where the customer making the complaint could be considered vexatious or persistent and how to deal with such situations.
- 1.2 It is important to distinguish between people who make a lot of complaints, because they genuinely think something has gone wrong, and those who are simply being difficult. Reasonable allowances should be made in all cases for people acting out of distress or anxiety.
- 1.3 Staff are not expected to tolerate unacceptable behaviour by customers. Unacceptable behaviour includes behaviour which is abusive, offensive or threatening and may include; using abusive or foul language in person or on the telephone, sending multiple emails or leaving multiple voicemails.
- 1.4 This policy has been drafted taking into account the NI Ombudsman's Framework for Effective Complaint Handling; Responsibilities of Complainants. Consideration should also be given to the complainant's other contact

2. Persistent and vexatious complaint policy

- 2.1 A vexatious complainant is someone who contentiously raises a complaint, without grounds, in order to cause annoyance or disruption.
- 2.2 A persistent complainant is someone who contacts the Council and raises the same complaint or similar complaint many times. Many times is defined as 'more than three separate occasions.
- 2.3 The types of complaint and customer behaviour that this policy covers are listed below. This list is not exhaustive nor does one single type of complaint or behaviour imply that the person will be considered as being a vexatious complainant or a persistent complainer.
 - Refusing to specify the grounds of a complaint.
 - Insufficient grounds or no grounds for their complaint.
 - Refusing to accept that the issues are not within the remit of Council's Comments, Compliments and Complaints Procedure.
 - Insisting on the complaint being dealt with in ways which are incompatible with the procedure.
 - Making groundless complaints about the staff dealing with the complaint.

- Making an unreasonable number of contacts with staff.
- Changing the basis of the complaint as the investigation continues.
- Introducing irrelevant new information during the investigation into the complaint.
- Electronically recording meetings and conversations with the prior knowledge and consent of staff dealing with the complaint.
- Multiple lines of enquiry made regarding the same issue, for instance, pursuing the same complaint with and MLA, MP, Elected Members or other bodies and statutory agencies.
- Submitting repeat complaints after the complaints process has been exhausted.
- Refusing to accept the outcome of the complaints procedure, repeatedly arguing the point.
- Harassing or verbally abusing members of staff dealing with the complaint.
- Making persistent and unreasonable demands of staff or the complaints process.

2.4 If staff believe that any of the behaviours above are displayed for a reason related to a disability or because the complainant's first language is not English then steps should be taken to address these issues.

2.5 Based on the behaviour and actions of a complainant staff may consider the following restrictive actions while dealing with the complaint:

- Requesting contact from the customer in a particular form only.
- Requesting that the customer uses an advocate to interact with Council staff.
- Placing restrictions on who the customer can contact within Council and requiring the customer to have contact with a named member of staff only.
- Requiring any face-to-face contact to take place in the presence of a witness.
- Letting the complainant know that any further contact will not be acknowledged or replied to on the specific topic of the complaint.

2.6 In some circumstances the Council may decide that it is appropriate to severely reduce or completely stop responding to a particular customer.

2.7 The decision to restrict or stop a customer's access to the Council's offices and officers can only be taken by the appropriate member of the Senior Management Team.

2.8 The Manager of the service area affected will contact the relevant Director to discuss why the complainant's behaviour is causing concern, giving clear documented evidence to support this.

2.9 The Director will send a letter to the customer outlining the discussion which has taken place with the Manager and enclosing a copy of this policy. The letter will explain the action the Council may take if the behaviour does not change.

2.10 If the behaviour continues the Director will make a decision on the action to take. A letter will then be sent to the customer outlining the decision. The letter will include:

- Why we have taken the decision we have.
- What specific action we are taking.
- The duration of that action.
- The date of the three month review.
- The customer's right to appeal.
- The right of the customer to contact the NI Local Government Ombudsman.

2.11 The decision made and letters sent will be logged on the Council's complaints system.

2.12 All customers have the right of appeal. Appeals will be heard by the Chief Executive or a Director who has not already been involved.

2.13 All decisions will be reviewed after three months.

3. Procedure

