

# Corporate complaints policy

## February 2013

### Introduction

Norwich City Council is committed to ensuring that all services are tailored to meet the needs of everyone, taking account of age, gender, ethnicity, lifestyle or disability. All complaints received, by whichever means, within the Authority are taken seriously and must be recorded and investigated according to corporate procedure.

### General Principles

- Customers should always know how they can raise concerns or lodge a formal complaint. Complaint procedures should be easily accessible and well publicised.
- Procedures should be as speedy as possible.
- Staff should be aware of the Complaints Procedure and training made available where appropriate.
- Details of any complaint should be fully recorded and maintained and data used to inform service improvement.
- Complaints can be received verbally or in writing.
- Where a complaint is upheld then appropriate action will be taken.

### Definition

#### *What is a complaint?*

“A formal complaint is any expression of dissatisfaction received by the council about a service provided by the council, or someone acting on behalf of the council.”

A complaint is usually about something specific for which we are responsible, such as:

- The standard of service provided by the council.
- Failure by the council to respond to a request for a service.
- Failure by the council to provide an agreed service.
- That the council has exceeded its powers.
- That the attitude or conduct of an officer has been unacceptable.
- The council has not followed an agreed procedure.
- Maladministration by the council.

### *What is not a complaint?*

The complaints procedure does not cover:

- Requesting a service.
- Reporting a fault.
- Requesting information or explanation about a council policy or practice. This type of query should be captured in the comments process.
- Matters for which there is an existing right of appeal or legal remedy e.g. planning application appeals. These types of matters are dealt with according to the specific nature of the appeal.

The examples below are not dealt with under the complaints procedure, but have a specific appeals process and must be dealt with accordingly:

- parking ticket disputes
- planning application appeals
- housing benefit appeals.
- CBL appeals

Information relating to the process are shown at

<http://www.norwich.gov.uk/ContactUs/Pages/CommentsComplimentsAndComplaints.aspx>

We should not investigate complaints in the following circumstances unless there are exceptional reasons as to why the complaint could not be raised/corresponded to within the timeframes mentioned:

- The complaint has not been reported, but occurred more than 12 months previously.
- The complaint has been reported, but 12 months or more have passed since the date of last correspondence.

### **Service standards response times**

If a full response cannot be provided within 5 working days, an acknowledgement letter must be sent informing the complainant of the officer who is dealing with their complaint.

A full response must be provided within 15 working days from the receipt of the complaint.

### **Unreasonably persistent complainant and unreasonable complainant behaviour**

Unreasonably persistent complainants are people who, because of the frequency and/or nature of their contacts with us, hinder our consideration of other peoples' complaints.

If a complainant is deemed to be unreasonably persistent and he or she has been informed, all future correspondence will be read and placed on file, but not acknowledged.

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Details of this are found at

<http://www.norwich.gov.uk/ContactUs/Pages/CommentsComplimentsAndComplaints.aspx>.

### **Complaints about the conduct of members of the council (councillors)**

If you receive an allegation that a councillor has broken the authority's code of conduct, please provide the complainant with the following guidance:

[http://www.norwich.gov.uk/intranet\\_docs/A-Z/Councillors/Complaints\\_Procedure.doc](http://www.norwich.gov.uk/intranet_docs/A-Z/Councillors/Complaints_Procedure.doc)

### **Complaining on behalf of others**

Norwich City Council will ensure it complies with the Data Protection Act.

If a member of the public is complaining on behalf of someone else all correspondence relating to the complaint should be sent to the named complainant. Correspondence can only be sent to a named person other than the complainant if written evidence is provided stating that this should be the case (eg power of attorney).

### **Roles & responsibilities**

Norwich City Council, our partners and agencies working on our behalf, do not tolerate abusive and violent behaviour against our staff.

A member of the public cannot refuse to be dealt with by a member of staff on the grounds of their ethnicity, culture, faith, disability or sexuality.

### **Data Protection Act 1998**

Information we receive about complainants will be held on a computer or manual record, which members of the public have a right to see and check. Information may be shared with organisations we work with to provide services to the public. Information may also be used in connection with prevention and detection of fraud.

### **Freedom of Information Act 2000**

The culture of the council is one of openness to the public based on a presumption that information which the council holds should be made available to the public unless such information is covered by a statutory exemption.

For further information see:

[http://www.norwich.gov.uk/intranet\\_docs/A-Z/FOI/Publication\\_Scheme.pdf](http://www.norwich.gov.uk/intranet_docs/A-Z/FOI/Publication_Scheme.pdf)

## **Complaints process**

### **Stage 1**

- The complaint will be reviewed by the relevant head of service.
- If further information or clarification is needed to enable investigation of the complaint, we would contact the complainant for this information by either phone or face to face
- An investigation of the complaint will be carried out.
- A response will be sent within the complaints timeframe detailing the outcome of the investigation and including any actions required. This response will be sent in the manner preferred by the customer but, if verbal, this will be followed up with a written confirmation.
- Within this letter clear information is given relating to the actions open to the complainant if they disagree with the contents of the response.

### **Stage 2**

#### **Referral to a member of the corporate leadership team**

- If the issue cannot be resolved at Stage 1, the complainant must put the complaint in writing to corporate leadership team.
- The member of corporate leadership team will arrange for the complaint to be investigated by an officer not involved in the stage 1 complaint.
- The nominated officer will investigate the complaint and advise the member of CLT of the outcome.
- The response will be sent within the corporate timeframes.
- The decision letter will state the options left to the complainant to consult the local government ombudsman or, if it is a housing matter, the procedure regarding mediation, tenant panels and the housing ombudsman process.