

April 2019

FEEDBACK, COMPLIMENTS & COMPLAINTS PROCEDURE

Buckinghamshire County Council



Introduction/Overview

Buckinghamshire County Council welcomes feedback from its customers. This document explains how we record and act upon this feedback, listening to the experiences of our customers - positive or negative - to make improvements in services.

This procedure deals with compliments, complaints and suggestions for improvement. It does not cover social care complaints for children's or adults services, because there are separate legal processes for dealing with those complaints.

Why does the council have this procedure?

We want to make sure that:

- We hear people's views and experiences of our services.
- We learn from complaints and use them to improve our services and ways of working.
- There are simple and effective ways for people to make a complaint.
- We deal with complaints fairly and consistently.
- People who send us a complaint get a full response within the agreed timescales (unless there is a valid reason as to why this is not possible).
- We encourage an open and transparent environment that people trust and engage with.

Our approach is built on six principles for successful complaint handling, as recommended by the Local Government & Social Care Ombudsman:

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|-----------------------|--|
| Accessibility | The complaints process will be well publicised and we will ensure that it is understood by both staff and customers. |
| Communication | There will be early and continuous contact with the person making the complaint. Appropriate communication will exist between council staff and customers and between council staff and partner organisations. |
| Fairness | The organisation will deal with complaints in an impartial, open and honest way and the response will be proportionate to the complaint made. |
| Timeliness | The organisation will aim to deal with complaints in a timely manner. It should take no longer than 12 weeks to resolve a complaint from receipt to resolution. |
| Credibility | We will manage the complaints system effectively ensuring that there is challenge in the system to allow for any necessary changes to be made. We will ensure that the complaints process has a high profile across the council. |
| Accountability | We will provide clear and open information. We will follow up on learning and actions to be taken as a result of complaints. |

How Will We Receive Complaints, Compliments or Feedback?

- Email: Complimentsandcomplaints@buckscc.gov.uk
- Online form: <https://www.buckscc.gov.uk/services/contact-and-complaints/compliments-complaints-and-suggestions/>
- Letter: Compliments & Complaints Team, Buckinghamshire County Council, County Hall, Aylesbury, Buckinghamshire, HP20 1UA
- Telephone: Compliments & Complaints Team 01296 387844

What is a complaint?

Any expression of dissatisfaction about a council service (whether that service is provided directly by the council or by a contractor or partner) that requires a response.¹

The council uses this definition from the Local Government & Social Care Ombudsman to assess complaints. There is a close link between service requests and complaints. We record first time contacts as service requests, rather than complaints, and encourage services to work with the customer to resolve the issue. This is sometimes called 'local resolution'. Where local resolution hasn't happened, invariably the customer will come back to us to make a complaint.

When assessing what is a complaint, we look at:

- the tone of the correspondence
- whether the customer has said they want to make a complaint
- what the issue is and
- what the customer would like to happen next.

This is not an exhaustive list and we do consider each issue individually.

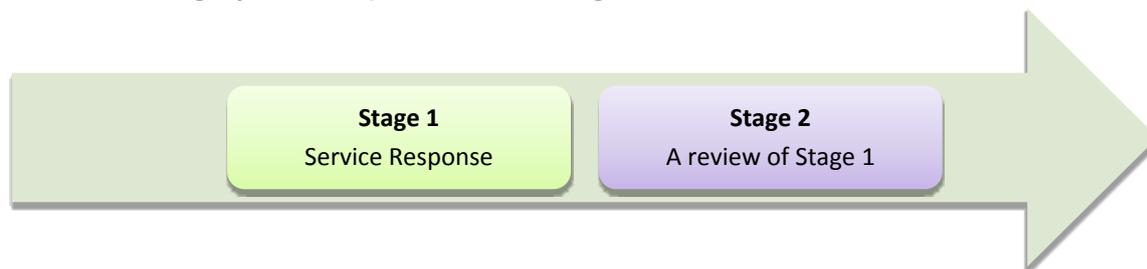
We accept complaints from anyone using a service from the council, or anyone acting on behalf of a person or organisation using a service from the council.

Corporate Complaints Procedure

This procedure covers all complaints except for children's and adult social care complaints. A complete list of exceptions can be found on appendix 1.

¹ From the Local Government & Social Care Ombudsman's *Guidance on Running a Complaints System*

We will manage your complaint in two stages:



Stage 1

- When a customer raises an issue, we will check to see whether we should treat it as a complaint under this procedure.
- We will acknowledge receipt of the complaint by email, post or phone within five working days.
- A senior officer from the service being complained about will oversee an investigation to try and resolve the issues.
- We will provide a written response within 20 working days, but wherever possible, we aim to respond within 10 working days. If we are not able to do this, we can extend the timescale and we will let the customer know.

Stage 2

- If the customer is not satisfied with the outcome at stage 1, they can ask for the Deputy Monitoring Officer to independently review their complaint.
- The customer should provide full details in writing of which parts of the complaint remain unresolved. In addition, a desired outcome should be given. Email: stage2@buckscc.gov.uk or write to: Stage 2 Complaints, Buckinghamshire County Council, County Hall, Aylesbury, Buckinghamshire, HP20 1UA
- Once we receive the request, the Deputy Monitoring Officer will consider whether a Stage 2 review is appropriate. We will write to the customer within 5 working days to tell them how we are going to proceed.
- If accepted, the Deputy Monitoring Officer will conduct a Stage 2 review independently from the service being complained about, and send the customer their response.
- We will aim to provide a written response within 20 working days. If we are not able to do this, we will let the customer know and give a new timescale.

We reserve the right to refuse a complaint at either stage 1 or stage 2 of the complaints procedure for example if there is any other process available to deal with the issue. If we do refuse a complaint, we will explain why and tell the person making the complaint where else they can take their complaint (e.g. to Local Government & Social Care Ombudsman).

The Local Government and Social Care Ombudsman

If the customer is not satisfied after receiving the Stage 2 response, they can refer their complaint to the Local Government and Social Care Ombudsman. To contact the ombudsman please see their website:

www.lgo.org.uk

Learning from Complaints

Our customers' opinions are really important to us. We are open to learning from complaints and using them to improve our services. We record compliments, complaints and concerns on our corporate complaints management system. We provide information about complaints to senior managers across the council. We also track the learning and changes made as a result of complaints.

Compliments, Comments and Feedback

As well as hearing about when things go wrong, the council would like to hear about times when things go well. If you feel that someone has gone the extra mile or that something has worked well for you, then please let us know. We also record compliments on our system and provide feedback to services.

We would also like to hear from customers about how we are doing and any suggestions for improvement. When we receive this feedback, we pass it on to the appropriate services for them to deal with or respond to as appropriate.

Vexatious and Persistent Complainants

Occasionally, service users act in an abusive, unreasonably persistent or vexatious manner. When this happens, we follow guidelines from our Vexatious and Persistent Complainants Policy.

<https://www.buckscc.gov.uk/media/4512637/vexatious-persistent-complainants-policy-2018-v1.pdf>

Review of the Procedure

The council's Monitoring Officer will review this Feedback and Complaints Procedure every year.

Appendix 1

Scope of the Feedback, Compliments & Complaints Procedure

This procedure covers all complaints except:

- Statutory complaints about Children's or Adults Social Care Services (there are separate processes to deal with these). For more information, or to make a complaint about Children's or Adults Social Care Services, please contact:
Email - Complimentsandcomplaints@buckscc.gov.uk
Telephone – 01296 387844
Address – Compliments & Complaints Team, County Hall, Walton Street, Aylesbury, HP20 1UA
- School complaints, unless the complaint is about the County Council's statutory education responsibilities. Customers should send complaints to the relevant school, as schools have their own complaints procedures.
- Where there is already an appeals process for decisions (e.g. planning applications, home to school transport, school admissions). We can only investigate the handling of the application under our complaints procedure, not the decision itself.
- Complaints about county councillors. The council's Monitoring Officer deals with these under a separate policy and procedure. Customers can contact the Monitoring Officer using an online form on our web site.
<https://www.buckscc.gov.uk/services/contact-and-complaints/complain-about-a-councillor/>
- All potential insurance claims. The council's insurance team deals with these.
<https://www.buckscc.gov.uk/services/transport-and-roads/report-a-highways-problem/claim-for-damage/>
- Potential data incidents or data breaches under the Data Protection Act 2018. These must be reported to the Council's Data Protection Officer as soon as possible so an investigation can be undertaken, and a referral made to the Office of the Information Commissioner if necessary. Email:
dataprotection@buckscc.gov.uk
- Where a customer is dissatisfied with the outcome or processing of a Freedom of Information or Environmental Information Request or a Subject Access Request. There is a separate process of internal review and then escalation to the Office of the Information Commissioner should the applicant remain dissatisfied.

- Complaints about Local Government Pensions. There is a separate procedure for these (please see our website for more information).
- Where any parallel legal processes have already started (or where it is considered appropriate for the complainant to start legal proceedings). Please note that if the complainant wishes to submit a further complaint after the conclusion of those legal proceedings, we are not able to consider any points which the court has (directly or indirectly) considered. In these circumstances we reserve the right to refuse to accept any/all aspects of the complaint, as appropriate.
- We will not process anonymous complaints. We log these instead as service requests, unless the complaint raises issues of wider concern to the council that can be dealt with without further input from the complainant.