

FINAL VERSION
FOR APPROVAL BY GOVERNANCE COMMITTEE



Southampton City Council

**CUSTOMER COMMENTS, COMPLIMENTS AND COMPLAINTS POLICY
Corporate and Social Care complaints**

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Draft

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Introduction

We acknowledge that - despite our best intentions - things may go wrong sometimes and when that happens, we want to put things right. We want people to be satisfied with our services, and we welcome comments, compliments and complaints as valuable opportunities to learn and to put things right, to better understand how we are viewed by service users, and to understand in how we may improve services.

Safeguarding vulnerable people is paramount. If a complaint ever involves someone being at immediate risk, we want customers to contact us via the quickest possible route in the first instance.

Aims

We aim to deliver a comments, compliments and complaints provision that:

- Is led and supported from the very top of the organisation
- Is easy for everyone to understand and use
- Consistently achieves service standards
- Responds to the needs of our customers
- Lets us learn from what customers tell us in order to improve
- Complies with relevant legislation and Council policy
- Focuses on fair, proportionate resolution at the earliest stage
- Works in an open-minded and impartial way.

We will not accept any form of abuse or discriminatory behaviour against our staff or our customers.

Comments and Compliments

We understand that customers may want to share their experiences of using our services, express a concern, or tell us about services which they would like to receive, without wishing to make a complaint. Sometimes, customers may want to tell us when we're doing something particularly well. Contributions of this nature are welcome. Whilst we always reply to complaints as a matter of course, we ask you to tell us if you require a reply to your comment or compliment.

Complaints service standards

- We will apply the Customer Charter to all our dealings with complaints
- We will protect personal information given to us in the course of a complaint
- We will observe specific response targets and keep the customer informed if we need more time to resolve the matter properly.
- Customers will be informed of their options to request escalation to the next stage of the complaints process - or to the appropriate Ombudsman - if dissatisfied with our response.
- Decisions will be properly and promptly implemented.

Definition of a Complaint

A complaint is “**Any expression of dissatisfaction with our services**”.

What the complaints scheme covers

The scheme will deal with any form of service dissatisfaction or maladministration. Examples from the Local Government Ombudsman's guidance could include

- Delay
- Incorrect action or failure to act
- Failure to follow procedures or the law
- Failure to provide information
- Inadequate record-keeping
- Failure to investigate
- Failure to reply
- Misleading or inaccurate statements
- Inadequate liaison
- Inadequate consultation
- Broken promises
- Behaviour of our staff
- Other issues causing unfairness

Where special arrangements apply

The complaints scheme is used when there has been some form of loss or damage and the customer believes it to be the council's fault. We don't treat "requests for service" as complaints. For example, if a customer reports a pothole, tells us that a streetlight isn't working, or tells us that their bin has not been collected, we will arrange for it to be dealt with without fuss - there is no need to use the complaints process unless there is evidence of multiple or systemic service failure.

Sometimes different procedures must be used, and we will connect the customer with the appropriate pathway for handling the matter being raised. Here are some examples;

- Complaints relating to the Council's Whistleblowing/Duty to Act or Health & Safety policies.
- Refusal of a planning application, or the failure to make a decision within the given period; the appropriate pathway is via the statutory appeals procedure.
- The conduct of Councillors; these are dealt with according to the Members' Code of Conduct
- Health and social care provisions for adults and children; these have a tailored complaints scheme in line with the statutory requirements
- Schools admissions or exclusion appeals
- Appeals about Special Educational Needs (SEN) provision
- Freedom of Information or Data Protection Act matters
- Any other matters for which an alternative statutory or Constitutional appeals mechanism exists (including parking fines, Universal Credit claims, Council Tax Support claims etc).

Exclusions

The complaints scheme will not handle matters where

- The customer is seeking compensation through the Council's insurers, or where the customer has started legal proceedings.
- The complaint is about services or arrangements which fall outside the control of the Council.

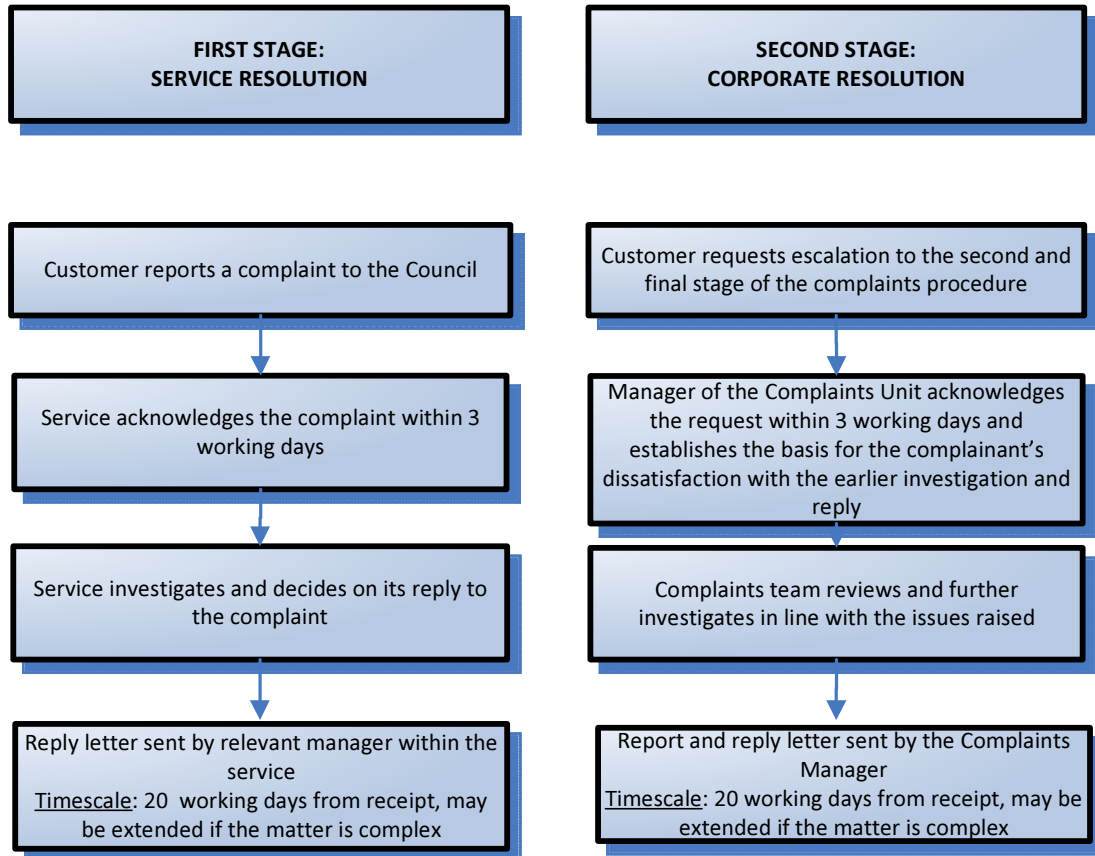
Who can Complain?

Any person or organisation receiving or seeking to receive a service from the Council or its contractors. Any person acting on behalf of an individual or group of individuals (this includes Members, MPs, Advice Agencies and other advocacy groups).

All anonymous complaints relating to vulnerable groups such as children, the elderly, people with mental health difficulties, will be acted upon immediately. The decision whether or not to investigate other anonymous complaints will be depend on the nature and seriousness of the allegation and whether there is enough information available to support investigation.

How the Corporate Complaints Procedure Works

Please note that different procedures apply for complaints about children’s social care, and health and adult social care. When you contact us with your complaint, we will explain which procedure applies .



Extra help for Council tenants: If dissatisfied with the Housing Service’s reply to complaints about HRA services, tenants have the option to ask for the local Tenants Panel to be involved. The Panel will examine the stage 1 complaint/ response letter and provide input to the Service.

Complainants may choose to request escalation to the relevant Ombudsman at the end of the complaints process, when both the service resolution and corporate resolution stages have been completed. Guidance is available from the complaints team.

Access and Equalities

Customers may make a comment, compliment or complaint in the way that best suits them. The following contact methods are offered;

- By telephone, including Minicom
- By e-mail
- By using the online forms found on the Council's website
- In person at Gateway
- By using the response form within a leaflet (where these are provided)
- Via an Advocate
- Via a Solicitor

Customer information can be made available in Braille, large print, audio- tape, audio CD or in another language, and we can arrange for a translator to help with meetings and telephone calls.

Protecting sensitive and personal information

Customers may be asked to give identifying details to help us keep their private and personal information secure.

Help from someone else to make a complaint

A complainant may wish to involve someone else to help and support them through the process of making a complaint. The choice is for the complainant to decide upon, but here are some options that may be considered:

- a friend
- relative
- neighbour
- Independent Advocacy Service

Satisfaction with the complaints process

All users of the complaints process will be encouraged to provide feedback on their experience of using the complaints process. This information is used to improve the provisions for handling complaints.

Complaints involving multiple agencies

Customers may wish to make a single complaint to the provider, the regulator and the commissioner of a service. The complaints manager will liaise with counterparts to provide a co-ordinated response.

Unreasonably Persistent and Vexatious Customer Behaviour

Our policy can be seen on our website at <http://www.southampton.gov.uk/customer-service/comments/process.aspx> or on request from the Customer Relations team.

Time limit for initiating a complaint

We will not investigate complaints relating to issues that are more than 12 months old unless there is a good reason for the delay.

Treatment of other/concurrent procedures

Occasionally, a complaint may require us to start another procedure - such as an internal disciplinary procedure. In the interests of fairness, it may not be possible to provide a response to the complaint until those proceedings are complete. Complainants will be kept advised of the progress of their complaint if this occurs.

Reporting and Feedback

An annual report is produced which includes consistent information about comments, compliments and complaints experience. The report is published on the council's website.

Resolution and remedies

Where a complaint is found to be at all justified, consideration is given to the question of an appropriate remedy. Any remedy should be proportionate and put the complainant back in the position they were in before the complained-about occurrence. Here are some examples of remedies which complainants might expect:

- apology
- explanation
- repairs carried out
- action taken that should have been taken before
- reconsideration of a decision that was not taken properly
- improved procedures
- re-run procedures
- re-calculation of any monetary amounts owing or owed.

Local Government Ombudsman and Housing Ombudsman

Complainants have the right to contact the relevant Ombudsman if they remain dissatisfied once the complaints procedure has been exhausted. We will provide the contact details with our reply. Further information can be found at: www.lgo.org.uk and www.housing-ombudsman.org.uk