



**Stockton-on-Tees**  
BOROUGH COUNCIL

# **Procedures for Handling and Monitoring Commendations, Comments and Complaints**

**Putting Our Customers First**  
**A Corporate Approach**



The Government Standard

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# **Procedures for Handling and Monitoring Commendations, Comments & Complaints**

## **Introduction**

The aim of this document is to provide a consistent, corporate system for handling commendations, comments and complaints. This system applies to internal back office and support services in the same way as external frontline services.

## **Aim**

The aims of these procedures are to:

- Recognise good service provision through the recording of commendations and compliments,
- Improve the services we provide to customers by responding positively to comments and complaints and, where appropriate, making changes to the way in which we deliver services,
- Promote a consistent approach in terms of both quality and timeliness of service,
- Make it as easy as possible for staff and customers to have their say and help put things right when things go wrong.

## Section 1 – Definitions and General Procedures

### Definitions

#### Commendations

**Definition of a Commendation** – A significant expression of satisfaction with an individual or team for a job well done. The standard of service provided would not necessarily be an expected part of the individual or teams normal duties and responsibilities. Ultimately this would be an example of an individual or team going the extra mile, providing a service over and above what they are required to.

#### Compliments

**Definition of a Compliment** – An expression of thanks or appreciation with an individual or team for a job well done. The standard of service provided would, however much appreciated, be an expected part of the individual or teams normal duties and responsibilities.

#### Comments

**Definition of a Comment** - A remark, however made, about the standard of service, action or lack of action by the Council, its staff, or contractors or agents providing services on behalf of the Council affecting an individual customer or group of customers.

#### Complaints

**Definition of a Complaint** – A complaint is an expression of dissatisfaction, however made, about the standard of service, action or lack of action by the Council, its staff, or contractors or agents providing services on behalf of the Council affecting an individual customer or group of customers.

This does not include complaints about a third person i.e. a complaint received about a noisy neighbour or where a customer is reporting a situation that requires attention e.g. a street light not working. These are requests for service and only become complaints if the customer is dissatisfied with our response to the request for service.

## **General Procedures**

### **Complaints**

#### **Stage 1 - The Response**

1. Forward the complaint to the appropriate officer.
2. The officer handling the complaint will forward an acknowledgement to the complainant if a full reply cannot be given quickly or if received by email.
3. It is expected that a full response will be sent to the complainant within 10 working days. If this is not possible the complainant should be informed of the date by which a full response will be sent to them. A paragraph should be included in the final response advising the complainant of any further action they can take should they not be satisfied with the response.
4. Details of the complaint, the response time and the action taken to resolve the complaint should be passed to the complaints officer.  
  
If no response is received from that officer the complaints officer will issue a reminder to him/her after 7 working days.
5. If there has been no response in 10 working days the complaints officer will contact the line manager. The line manager will ensure the complainant is informed of the new timescale for reply.
6. The complaints officer will send out regular reports to managers showing the complaints outstanding.

## **A complainant is not satisfied with the response or the way a complaint has been handled**

Where a complainant is not satisfied with the way their complaint has been handled, or with the outcome, they can make their views known and have them considered by a senior officer.

The officer will review how the complaint has been handled and/or the determination made, and advise the complainant of the outcome within 20 working days. Included in the body of the letter should be a paragraph advising the complainant of what action, if any, they can take if they are still not satisfied with the outcome following a review.

### **Complaints**

#### **Stage 2 - A Review**

1. Forward the request for review to the appropriate Manager/Head of Service.
2. The Manager/Head of Service will
  - Write to the complainant to acknowledge receipt of the review request.
  - Review the response to the complaint.
  - Write to the complainant within 20 working days advising them of the outcome of the review. A paragraph should be included in this letter advising the person of any further action they can take if they are not satisfied with the response following the review.

If it is not possible to review the complaint in that time then the complainant should be advised of this and informed of when a response will be sent to them.

- Advise the complaints officer of the result of the review and the length of time taken to respond.

## **The complainant is not satisfied with the outcome of the review**

Where a complainant remains dissatisfied with the outcome of a review and wishes to appeal, a Senior Manager/Head of Service will determine if the complaint should be referred to:-

1. A statutory appeal body, eg the Planning Inspectorate, the Information Commissioner, Education Exclusions/Admissions Panel, Social Services Complaints and Review Panel, Housing Benefits/Council Tax Appeal Panel, the Courts Services, or
2. The Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH
3. The Council's Appeals and Complaints Committee

To provide consistency in referrals, the Senior Manager/Head of Service will consult with the Head of Legal Services on the appropriate appeal process prior to the complainant being contacted further.

A referral to the Council's Appeals and Complaints Committee should not be made in cases where the Council has no discretion in the matter or where referral to another body eg Local Government Ombudsman is considered to be more appropriate.

Complainants should only be advised to contact the Local Government Ombudsman where the Council's internal procedures have been exhausted and where a statutory appeal process is not available.

## **Complaints Stage 3 - Appeals**

1. Record receipt of the appeal and send details to the CCCO and to the appropriate Senior Manager/Head of Service.
2. A Senior Manager/Head of Service reviews the grounds for an appeal and, after consultation with the Head of Legal Services, informs the Complainant of the appropriate appeal procedure or Local Government Ombudsman's details.
3. Where appropriate, the Senior Manager/Head of Service will refer the details to Democratic Services and request that a meeting of the Appeals & Complaints Committee is arranged. Whenever possible, an appeal hearing should take place within 20 working days of the Senior Manager/Head of Service informing the Complainant of the referral to the Appeals and Complaints Committee.

### **Dealing with complaints and comments that involve more than one service**

Where correspondence is received that involves a number of services the aim is to ensure the complainant receives just one response. Where however it is evident that it is going to take one service much longer to respond than the rest, then separate responses may be appropriate.

### **Complaints about more than one service**

1. If the correspondence involves more than one service but all services are in the same Service Group, forward the details to the manager to whom the greater proportion of the correspondence relates.
2. If the issue involves services in more than one Service Group, forward the details to the manager to whom the greater proportion of the correspondence refers. Managers have been advised that they will be responsible for forwarding details to other managers and collating the response, (with the exception of Health and Social Care where a separate statutory complaints procedure applies).
3. Where it is evident that collating a joint response is going to result in a poorer service being provided to the complainant, the manager may decide that separate responses are appropriate.
4. For monitoring purposes, depending on the nature of the issue and the way in which it is presented, it may be appropriate to record more than one commendation, comment or complaint. The details should be referred to the most appropriate complaints officer.

## **Section 2 - Monitoring Arrangements**

The aim of improving the monitoring arrangements is to provide Heads of Service, Corporate Directors and Elected Members with comprehensive management information that is consistent across services.

Support services will be expected to report commendations, comments and complaints in the same way as external facing services. All commendations, comments and complaints should be considered by all Service Management Teams at quarterly intervals.

### **Monitoring Reports**

Each Service Group has appointed their Commendations, Comments, Complaints Officer (CCCO) to provide management information. It is their responsibility to ensure that the necessary information is reported on a quarterly basis and used for monitoring purposes. The information that is reported includes the main areas of complaint, outcome, resolutions and learning opportunity and diversity.

### **Satisfaction with Complaints Handling – Complaints Feedback Procedure**

It is important that we seek the views of customers on how they feel their complaint was dealt with. This will enable us to identify how well the complaints procedure is working, and whether it is meeting the needs of those customers who access it.

The purpose of the feedback procedure is to encourage customers to give their views on the complaints processes as opposed to the actual outcome. The survey form and accompanying letter have been written in such a way that makes this distinction clear to participants although it is acknowledged that customers may still concentrate on the outcome.

The role of the complaints officer in administering the complaint feedback procedure is three-fold:

- To ensure a complaint feedback form is sent to the complainant, together with diversity monitoring form, within 2 weeks of the complaint being responded to.
- To identify any issues from survey forms which need to be raised at management level.
- To analyse and report on outcomes of complaint monitoring through complaints officer group meetings as well as the performance reporting process within each service group.

A copy of the feedback survey and covering letter is attached at **Appendix 2**.

### **Handling the feedback surveys**

In order to provide a truly reflective picture of what the customer thinks of the complaints system, it is important that the vast majority of complainants are given the opportunity to take part.

It may also be appropriate to periodically let individual services know that the complaints feedback process is being undertaken as this may encourage them to ensure that all aspects of the procedure are being applied.

The responsibility for ensuring that forms are sent to complainants will rest with each complaints officer. It is suggested that survey forms are sent within 2 weeks of the complaints being investigated and fully responded to, although a final decision on when to send forms should be taken by each complaints officer.

### **Exceptions**

A complaints officer can exclude certain individuals from the process where it is considered that the participation of that individual will cause unnecessary distress, would potentially result in a further complaint or where it would be detrimental to the relationship between the Council and that individual.

For audit purposes, where a complainant is excluded from a survey set, the complaints officer should keep a record of the reasons for the exclusion.

## **Dealing with completed feedback surveys**

The complaints officer will analyse and interpret the information on the form to identify if any further action is required. If information needs to be passed onto other officers, a record should be kept of this interaction. If appropriate, a response detailing the action taken should be sent to the complainant.

If the complainant makes a comment relating to the complaint or is unhappy with the outcome of the complaint, this should be referred to the appropriate service area for consideration. The complaints officer may also want to check that the service has provided the complainant with the relevant information relating to the appeal process to ensure that the principles of the complaints procedure have been applied.

## **Monitoring Feedback**

A record of outcomes from the complaint survey forms should be maintained by each complaints officer to indicate the level of satisfaction with the complaints process. Any potential problems or improvements to the complaints procedure can be brought to the next meeting of the complaints officer group or, if of an urgent nature, can be raised directly with the Customer Services Manager.

## **Evaluation**

The complaints officer group will continually review and update the complaint feedback form/process as required depending on changes to roles and services in the future. It is suggested that the process be reviewed on an annual basis.

## **Monitoring Diversity**

A requirement of Councils Customer First Programme and the Local Government Equality Standard is that services are able to identify complaints received from all different sections of the community including customers of a different age, gender, race, faith, sexual orientation and those who have a disability.

The complaints monitoring form is attached at **Appendix 3**. It is incorporated within all of the Council's Commendations, Comments & Complaints documentation.

For additional guidance about why we should monitor diversity contact the Customer First Team

## **Section 3 - Special Procedures**

### **Persistent Complainants**

Persistent complainants, although their numbers are usually proportionately small their capacity to absorb the Council's resources can be extensive. The Council therefore requires an efficient way of dealing with persistent complainants to ensure that they are treated fairly and consistently. This guidance is intended to outline what actions can be taken.

#### **Who are 'Persistent Complainants'?**

Also referred to as vexatious, habitual or serial complainants, persistent complainants may make a number of separate complaints over a period of time, or they may contact several officers with the Council about what is essentially one complaint. The one factor they all have in common is that the services they contact often see them, for one reason or another, as problematic. The difficulty may lie in the fact that the complainant is intent on pursuing a complaint that, in the Council's opinion, has no merit; or it may be the manner and frequency of the complainant's contact with staff about a complaint, which causes problems.

Raising legitimate queries or criticisms of a complaints procedure as it progresses (for example if agreed timetables are not met) should not in itself lead to someone being regarded as a "persistent" complainant. Nor should the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it.

#### **What is regarded as persistent?**

The following are the kinds of behaviours and actions, which most commonly lead to complainants being described as 'persistent' or 'vexatious'. In most cases more than one of these would have to apply before a complainant would be regarded as persistent or vexatious.

- Refusing to accept agreed timescales and targets for dealing with a complaint.
- Repeatedly refusing to specify clearly the grounds of a complaint, despite offers of assistance with this from the Council's staff.
- Refusal to co-operate with the complaints investigation process or with attempts to resolve a complaint by one to one discussions without any justifiable reason.
- Refusal to accept that issues are not within the remit of a complaints procedure despite evidence having been provided about the procedure's scope.
- Insistence on the complaint being dealt with in ways, which are incompatible with the adopted complaints procedure.
- Making what appear to be groundless complaints about the staff dealing with the complaint, and seeking to have them replaced with someone more senior or with a person the complainant names.
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into.
- Changing the basis of the complaint as the investigation process goes on and/or denying statements he/she made at an earlier stage.
- Raising, at a late stage in the process, significant new information which was in the complainant's possession when he or she first submitted a complaint – the "trump card up the sleeve".
- Introducing trivial or irrelevant new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed but unimportant questions and insisting they are answered fully.

- Lodging numbers of complaints in batches over a period of time, resulting in related complaints being at different stages of a complaints procedure.
- Pressing for further investigation or resolution of matters that have already been addressed through all stages of the complaints process.
- Persistence in sending letters emails or faxes which demand responses, or making telephone calls or seeking interviews with staff, long after the Council has closed the investigation into a complaint and all rights of review and appeal have been exhausted.
- Demanding outcomes, which the complaint procedure cannot in itself provide (e.g. the overturning of court decisions, dismissal or criminal prosecution of staff, or actions which would be illegal or infringe the rights of others).
- Adopting a “scattergun” approach: pursuing a complaint or complaints with different officers in the Council and, at the same time, Elected Members within the Council and other agencies/the Council’s independent auditor/the Standards Board/local police/solicitors/the ombudsman.
- Submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations that the complainant insists make these “new” complaints which should then be put through the full complaints procedure.
- Using the vehicle of valid new complaints to resurrect issues, which were included in previous complaints.
- Visiting the office on a frequent basis, causing a disturbance or causing nuisance and annoyance to other customers.
- Making defamatory, threatening or personal comments about people.

### **Dealing with Persistent Complainants**

The decision to determine a complainant as persistent should rest with a Head of Service, or designated responsible officer, who should seek advice from Legal Services.

In determining whether a complainant is persistent the Head of Service or designated responsible officer should have before them, in date order, all evidence of contact made. This should include:-

- All written correspondence to and from the complainant, i.e. e mail, letter and fax,
- Records of all telephone conversations that have taken place; the date they were made, who was involved and details of the dialogue,
- Records of all face-to-face contact that has taken place and the day it took place. To ensure that events are not misrepresented a witness should be present at these meetings; and a note taken of the discussion, which is sent to the complainant.

### **Ensuring that the complainant is treated fairly**

Some complainants have serious difficulties in engaging with formal complaints processes or with the staff operating them because of their health. The system used for dealing with persistent complainants should not disadvantage people affected by severe mental distress or learning difficulties or other disabilities of mind and/or body. Nor should they discriminate against any groups or individuals on the basis of their age, gender, religion, race, ethnic origin or sexual orientation. Services should ensure that complainants who are viewed as problematic are treated as individuals and not unjustly or unfairly.

Persistent complainants can have justified complaints. No complaints process is perfect, and it is possible that some of the persistent complainant’s concerns might have been overlooked or not considered fully in the past. The more matters a complainant raises the more likely that is to happen. New events may give rise to

legitimate grounds for complaint from people whose previous complaints have not been substantiated. Whatever an individual's history of making complaints may be, if something has actually gone wrong and a complainant has suffered in some way as a result, that history should not mean that he or she is denied a remedy. It is therefore essential to ensure a complainant is dealt with justly.

Before designating someone as a persistent complainant, the Head of Service or designated responsible Officer will write to the complainant to explain that their actions and behaviour are having an adverse effect on the Council's resources, services and/or staff. The proposed course of action for the future will be explained and the complainant will be invited to comment before such action is taken.

#### **Courses of action available having determined that a complainant is persistent:-**

- Don't seek to deny a complainant access to the Council's complaints procedures on a permanent/indefinite basis.
- Don't refuse to process any new complaints he or she makes unless you are satisfied that putting such complaints through the complaints procedure is not appropriate/not warranted and you are confident you can justify this view.
- Treat any new complaint that the complainant makes on its merits; don't assume that, because the Complainant had made unfounded complaints in the past, any future complaints will also have no foundation.
- Leave the complainant with at least one channel of communication with the Council, even if the use of it is to be controlled.
- Where the decision is taken not to respond further to a complaint then a letter to this effect should be issued giving an explanation of why. The reasons for this could include:-
  - "the complaint you have raised has already been addressed and there is nothing further to add,"
  - "the issue you have raised falls outside the jurisdiction of the Council and therefore, it is inappropriate to comment."

However the following courses of action are available:-

- Restrict the number of telephone calls that will be taken (for example one call on one specified morning/afternoon of any week).
- Limit the complainant to one medium of contact (telephone, letter, e-mail).
- Require the complainant to communicate only with one named designated member of staff from the relevant service group. (Ensure that systems take account of that person's absence from work e.g. annual leave).
- Provide the complainant with acknowledgements only of further letters, faxes, or e-mails received after a particular point i.e do not respond to complaints that have been answered previously.

Whenever one or more of the above courses of action is taken, a review period must be applied. For example, when requiring a complainant to communicate through one designated officer, the complainant must be informed that the decision will be reviewed in either 3, 6 or 12 months time, or whatever timescale is deemed appropriate.

## **Monitoring Persistent Complainants**

As part of the monitoring procedure for complaints details of the numbers of complaints considered to be persistent, will be recorded. Heads of Service should inform the complaints officer when this decision is made.

The complaints officer will include the number of persistent complainants in their quarterly returns to managers however the details will not be included as part of this.

## **Anonymous Complaints**

**Definition of Anonymous** - Under the Council's complaints, compliments, comments and commendations procedure an anonymous complaint is defined as one where we do not hold any contact details for the complainant (i.e. we do not hold any of the following: name, telephone number, postal address, email address, twitter, blog or facebook contact details.)

If an anonymous complaint is received it should be recorded and a decision made as to whether an investigation is required, although because of its anonymous nature it is recognised that a conclusion for all stages of the complaints procedure may not be possible. If a decision is taken that an investigation is not required then the reasons for this should be recorded.

Anonymous complaints can still provide us with useful information which may help improve future service delivery. Everyone has a right to complain; and as a result, anonymous complaints should be investigated to the best of our ability.

## **Dealing with anonymous emails**

If a complaint is received anonymously via email it should where possible, be treated and responded to in the same manner as any other. If a valid email address is provided the complaint should not be classed as anonymous purely because no postal address has been supplied.

It is important at all times to remember the definition of a complaint.

## **Whistleblowing (Confidential Reporting Policy)**

Some complaints may be made under the Public Interest Disclosure Act, commonly known as whistleblowing. This Act only applies to employees. Complaints can range from allegations of fraud and corruption to harassment and bullying in the workplace. The underlying aim of the legislation is to enable an employee to make a complaint in confidence. Therefore where an employee indicates that they do not want their identity disclosing, this request for confidentiality must be respected.

The Council has introduced appropriate confidential reporting policies and guidance documents to staff at all levels to deal with these situations. These documents are:

- Employee Guide to Responding to Fraud and Corruption.
- Management Guide to Responding to Fraud and Corruption.
- Corporate Anti-Fraud and Corruption Strategy.
- The Fraud Investigation Plan.
- Confidential Reporting Policy and Procedures

A copy of the *Employee Guide to Responding to Fraud and Corruption* is available to all staff and members of the public at all main reception areas and the libraries. From the above you can see these complaints are dealt with by separate procedures. If you want to make or have received a complaint of this nature, you are advised to read the appropriate guidance notes before taking the matter any further.

## **Offensive Incident Procedures**

An Offensive Incident is any incident that you or any other person feels to be the result of hate or prejudice, based on the gender, race, faith, disability, age or sexual orientation.

The reporting of offensive incidents can be made in numerous ways, including:-

- Online report form and procedures available via the Council's internet and intranet pages.
- The freephone report number - Tel 0800 0322570 - manned by staff in the Security Centre Control Room from 5 pm - 9 am Monday to Friday and on weekends. During normal office hours, the Anti Social Behaviour Team will take reports and arrange the necessary investigation/referral within 1 working day.

## **Complaints Against Elected Members**

Where a complaint is received about an Elected Member, it may be appropriate for these to be referred to the Borough Council's Standards Committee. The Director of Law and Democracy, who is the Council's Monitoring Officer, will provide advice on issues concerning Members' conduct and should be contacted when any such complaint is received.

## **Complaints To The Local Ombudsman**

The Ombudsman investigates complaints involving maladministration. The Ombudsman is independent and would generally expect complainants to have made use of the Councils complaints system before being approached and becoming involved. The six most common causes of maladministration are:-

- unreasonable delay in taking appropriate action
- taking incorrect action
- failure to provide adequate information, explanation or advice to customers
- failure to compile and maintain adequate records
- failure to take appropriate action
- failure to take relevant or taking irrelevant considerations into account in making a decision.

**Contact details of the Ombudsman are as follows:**

### **In Writing**

PO Box 4771  
Coventry  
CV4 0EH

### **Email**

[advice@lgo.org.uk](mailto:advice@lgo.org.uk)

### **Telephone**

08456021983 or 0300 0610614

### **Text**

0762 4804323

### **Website**

[www.lgo.org.uk](http://www.lgo.org.uk)

## **Dealing with Ombudsman complaints**

Complaints received from the Ombudsman are to be forwarded by the Chief Executive or any other Officers who receive them direct from the Ombudsman to the Director of Law and Democracy ("DOLD"). DOLD will then forward a copy of the complaint to the appropriate Officer or Officers (which will be or will include the relevant Complaints Officer) and will either:-

- (i) ask the relevant service to provide comments and any documents on the complaint to him within 14 calendar days to enable him to arrange for a response to be prepared, or, where considered appropriate,
- (ii) ask the relevant service to draft a response and to forward the draft response to him within 21 calendar days for comment. Once it is approved the service will be asked to forward it direct to the Ombudsman.

In most cases a full response to the Ombudsman is required within 28 calendar days.

Where Services forward a response direct to the Ombudsman, further comments and correspondence which they receive direct from the Ombudsman should be copied to DOLD, who may wish to advise or arrange for advice to be provided on any further response.

Depending on the nature of the complaint, the complaints officer will take on the monitoring role regarding the handling of the complaint and liaison between DOLD and the Service that the complaint relates to. The complaints officer will make a record of the complaint including:-

- Date that the complaint was referred by DOLD
- Details as to the nature of the complaint
- The Service's Investigating Officer

- Date that the complaint was emailed through to the Investigating Officer
- Date that a response from the Service was received
- Date the response was sent to DOLD
- Date that the response was sent to the Ombudsman

The complaints officer will notify the appropriate Head of Service on receipt of a complaint. It is expected that in most cases, a response from the Officer will be possible within the required timescale. However, where this is not possible the Ombudsman should be contacted and advised accordingly and an extended timescale agreed.

The Director of Law and Democracy is responsible for monitoring the Council's performance in responding to Ombudsman's complaints and will keep a central record of complaints received by the Council from the Ombudsman.

### **Insurance Claims**

Complaints involving personal injury and/or loss or damage to property will be handled by the Council's Corporate Risk and Insurance Team and should be sent direct to them for a response under the claims handling procedures.

### **Access To Information**

The Freedom of Information Act 2000 employs two main mechanisms for placing information in the public domain: -

- The Council's Publication Scheme
- Responding to a request to be informed in writing whether or not the Council holds certain information and, if so, to provide access to that information, subject to certain exemptions.

Complaints received about how a request for information made under the Freedom of Information Act has been handled should be dealt with in the same way as other complaints with details forwarded to the appropriate officer and complaints officer. A response should be forwarded within 10 working days unless the issue is particularly difficult and time consuming. In these circumstances, the complainant should be advised of this and the date when a response will be forwarded, (this extended period should not exceed 20 working days from receipt of the complaint).

The Complainant should also be advised that the matter could be referred to the Information Commissioner.

## **Section 4 - Contact and Confidentiality**

### **Responsible Officers**

The Investigating Officer is the Officer who responded to the complaint.

The Designated Officer is the Officer who is appointed as a single point of contact in respect of dealing with persistent complainants.

Commendations, Comments and Complaints Officer (CCCO) – Every Service Group has a minimum of one officer appointed to fulfil this role. It is their responsibility to ensure that the necessary information is reported and used for monitoring purposes.

These officers are:-

- Children, Education and Social Care – Rob Papworth
- Council Tax & Business Rates – Dawn Blackett
- Customer Services – Michael Evans
- Democratic Services - Chris Johnson
- Development & Neighbourhood Services – Becky Nelson
- Housing Benefits Service - Vicky Sykes
- Legal Services – Susan Ranson
- Resources – John Bourner
- Tees Active – Julie Knowles

### **Other Languages Or Forms Of Communication**

When investigating a complaint we must consider alternative communication needs, e.g. correspondence in other formats and languages or a translator if the complainant has a first language that is not English.

The Council, through the Diversity Team, operates an Interpretation, Translation and Transcription Service.

For a copy of the Council's commendations, comments and complaints procedure in any other format or language contact the Customer First Team.

### **Confidentiality**

Staff must not disclose information given to them in confidence by anyone, without the consent of a person authorised to give it, or unless required by law to do so, and must not prevent another person from gaining access to information to which that person is entitled by law. It is therefore essential that all complaints we receive are kept confidential and that Data Protection and Freedom of Information principles are applied. If in doubt staff should seek advice, guidance from their line Manager or their Freedom of Information Officer.

## Appendix 1

### THE ROLE OF THE APPEAL AND COMPLAINTS COMMITTEE

#### Guidance for Participants

1. The purpose of the Appeals and Complaints Committee is to consider and determine complaints against any decision made by, or on behalf of the Council, the Cabinet, a Committee or an Officer. However, the Committee is unable to consider cases where the Council has no discretion in the matter, or where there is a statutory appeals process, or where a referral to the Ombudsman's service is more appropriate.
2. The role of the Appeals and Complaints Committee is NOT to re-interview the people involved or to re-investigate the complaint.
3. The Appeals and Complaints Committee can make decisions in respect of the complaint, and may also make recommendations to the relevant service.
4. In order to fulfil its role, it is important that the meeting of the Appeals and Complaints Committee is conducted in as informal an atmosphere as possible. It must not seem to be like a court hearing or tribunal. It should not use legal or other jargon. Committee Members should not take sides or make presumptions about 'guilt or innocence'.
5. Everyone present should have an opportunity to give information and ask questions about the information being presented by others, without it seeming like giving evidence or being cross-examined.
6. Only information relevant to the complaint should be asked for and given. The facts of the case should be clarified, and any apparent gaps filled in.
7. Complainants should feel that the meeting is fair and impartial. The manner in which the meeting is conducted is crucial to this view.
8. If the Complainant has any special requirements, for example where their first language is not English or where they have mobility or communications difficulties, the meeting should be arranged in a venue, and with any additional provision, that is appropriate for them.
9. When a Senior Manager or Head of Service decides that a complaint should be considered by Appeals and Complaints Committee, they should notify the CCCO and send the details to the Democratic Services Unit, who will make the arrangements for the Committee.
10. The Appeals and Complaints Committee currently comprises 7 Elected Members.
11. The Democratic Services Unit will send written information about the Appeal to the Members of the Committee, the Complainant, the Investigating Officer(s) and any other person invited, this may include the appropriate CCCO who may need to be present to give information about procedure. This information will be sent out well in advance of the meeting.
12. The Chairperson should ensure that the Committee Members introduce themselves, and should explain to the participants the purpose of the Committee and how it will conduct business. Other people present should be asked to introduce themselves and explain the reason why they are there.
13. The Chairperson will explain the basis of the appeal, so that everyone is clear about the nature of the complaint that is being reviewed.
14. It is the responsibility of the Chairperson to ensure that each party to the appeal is able to fully present their case and that Members can ask whatever questions they feel are relevant in order to reach a judgement.

15. Where other people have been invited to be present because they possess professional or technical expertise that may be relevant to the complaint, they will be offered an opportunity to comment on what has been said.
16. Once the Committee Members feel that they have gathered sufficient information from the participants to reach a decision, and the Complainant (or their representative) feels that they have fully presented all the information they want the Committee to consider, the Chair will ask the participants to leave. The Committee will then consider the matter privately. N.B. Officers from Legal and Democratic Services may be asked to remain in the room with the Committee to provide a written record of the decision, but will take no part in the decision making on the complaint.
17. The Committee will decide at the meeting what their findings are in relation to the complaint and what recommendations, if any, they will make to the service. A written record of the decision will be sent to the Complainant within 5 working days of the meeting.

## Appendix 2

My Ref:  
Your Ref:  
Please ask  
Tel:  
Email:

*Today's Date*

Dear

### **COMPLAINTS FEEDBACK**

Stockton Borough Council takes all complaints which it receives very seriously as this enables us to identify areas where we are perhaps not performing as well as we would like, or where it may be that we are not meeting the needs of our residents and other customers.

As you have recently made a complaint, I would appreciate it if you could spare a few minutes to give us your views on the way in which your complaint was handled. It is important that we seek the views from those who use our complaints system as we need to ensure that it does work and that any potential improvements can be identified.

Your feedback should relate to the way in which your complaint was handled, in terms of timescales, being kept informed, quality of information and conduct etc. as opposed to the actual service that you have complained about.

Any comment that you make will be treated in the strictest confidence and will only be used for improving the complaints system and for no other purpose. In accordance with the Data Protection Act, the information that you provide will not be shared with any other organisations and will be removed from our records as soon as we have evaluated your feedback.

For your convenience, I have attached a pre-paid envelope to allow you to return your survey form free of charge. There is no need to include this covering letter or include your name and address with the form.

Yours sincerely

*Name*  
Commendations, Comments and Complaints Officer  
*Service Grouping*

*Please enter name and address here*

**CUSTOMER COMPLAINT FEEDBACK SURVEY**

	Strongly agree	Agree	Neither	Disagree	Strongly disagree
I found it easy to make my complaint?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If you used a complaints leaflet, did you find it easy to read?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I knew who was dealing with my complaint?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I received a full explanation detailing the outcome of my complaint?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I received a response within the timescale that was initially promised?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I was treated fairly and courteously whilst the complaint was being investigated?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I was informed of what options were available to me if I was not satisfied with the outcome of my complaint, or the way in which it was handled?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Overall, I was satisfied with the way my complaint was handled?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you have chosen 'Disagree' or 'Strongly Disagree' to any of the questions above, please tell us where the Service was poor, as this will allow us to improve our complaints procedure. Alternatively, even if you were satisfied with the way in which your complaint was handled, can you think of any improvements we could make?

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Please continue on the reverse if required and return in the attached pre-paid envelope.  
 If you would like a response to any of the comments you have made please include your contact details in the box below.

## Appendix 3

### Diversity Monitoring Form

Stockton-on-Tees Borough Council is committed to making sure everyone has equal access to its services. We would like to ask you some questions to help us make sure that this happens. Answering the questions is voluntary and if there are any questions you are uncomfortable answering, please tell us that you prefer not to say.

#### How old are you?

- Under 18       18-24       25-34       35-44       45-54  
 55-64       65-74       75-84       85-94       95+       Prefer not to say

#### Are you?

- Male       Female       Prefer not to say

#### Do you have a disability or long term health problem?

- No       Hearing impairment  
 Visual impairment       Physical disability  
 Learning disability       Mental illness  
 Long term illness       Other long term health problem  
 Prefer not to say

#### Would you describe yourself as?

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> White: British                      | <input type="checkbox"/> White: Irish                    | <input type="checkbox"/> White: Other                      |
| <input type="checkbox"/> Mixed: White and Black Caribbean    | <input type="checkbox"/> Mixed: White and Black African  | <input type="checkbox"/> Mixed: White and Asian            |
| <input type="checkbox"/> Mixed: Other                        | <input type="checkbox"/> Asian or Asian British: Indian  | <input type="checkbox"/> Asian or Asian British: Pakistani |
| <input type="checkbox"/> Asian or Asian British: Bangladeshi | <input type="checkbox"/> Asian or Asian British: other   | <input type="checkbox"/>                                   |
| <input type="checkbox"/> Black or Black British: Caribbean   | <input type="checkbox"/> Black or Black British: African | <input type="checkbox"/> Chinese                           |
| <input type="checkbox"/> Other ethnic background             | <input type="checkbox"/> Prefer not to say               |  |

#### What is your faith?

- Christian       Buddhist       Hindu  
 Jewish       Muslim       Sikh  
 Any other religion       None       Prefer not to say

#### What is your sexuality?

- Bisexual       Gay/Lesbian       Heterosexual/Straight  
 Prefer not to say

Thanks very much for taking the time to complete these questions. The information you provide will help us to monitor whether we are providing fair and effective services for all of our residents and will help to change policy and practice where needed.

Stockton on Tees Borough Council is the data controller for the purposes of the Data Protection Act of 1998. Please note that you are entitled to obtain details of data, the purposes for which it is held and a description of those to whom it may be disclosed, by contacting 01642 527313 or visit [www.stockton.gov.uk/dataprotection](http://www.stockton.gov.uk/dataprotection)