

## Customer Feedback Policy

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# Customer Feedback Policy

## Introduction

This Corporate Customer Feedback Policy document describes how the Council expects to manage and respond to customer feedback, whether suggestions, compliments, or complaints. It is designed to reflect best practice both for the customer and the Council.

## The Policy – purpose and definition

The main purpose of the customer feedback policy is to enable any matters raised by customers to be received and resolved at the initial point of contact.

Customer feedback may include:

- general feedback and suggestions for improvement
- reports about service failure
- compliments about good service
- complaints

Customer feedback will be actively encouraged, tracked, monitored and used positively to make service improvements where appropriate. For example, early diagnosis of a customer's issue within a new business process or a number of repeat requests may well decrease the number of formal complaints if improvements are made and issues resolved at the first point of contact.

Complaints can be the most contentious customer feedback to handle so the policy concentrates on how these should be treated.

This policy will:

- Clarify how you may make a complaint
- Highlight any exceptions to the standard complaints procedure
- Define the standard of service you can expect when you make a complaint
- Recognise the importance of complaints in providing feedback about Council services and performance
- Set out how the Council will monitor complaints, and use that information to improve services and identify training needs

For the purposes of this policy, 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”***

This definition is in line with those of the Local Government Ombudsman and the British Standards Institute.

In simple terms a complaint may be about lack of response, delays, ongoing service problems and/or the behavior of Council employees.

This includes the Council:

- Doing something wrong
- Doing something it should not have done
- Failing to do something it should have done
- Behaving unfairly, discourteously or in a discriminatory manner
- Not carrying out a service to an agreed standard
- Not responding to a request for a service within its stated timescale

### **Exclusions to this Policy**

This definition does not include appeals against, or objections to, decisions of the Council which should generally be pursued by way of the appropriate statutory or other appeals procedure. In these cases, advice will be given on how an appeal may be made and about any timescales which apply.

Some complaints are dealt with under separate procedures, some of which are laid down by statute. Others are serious enough to require special consideration. Also, the Council receives complaints about matters over which it has no control. When your complaint is received you will be informed if it is to be handled under a different procedure or if it needs to be redirected to a different service or agency.

See Appendix 1 for guidance on how to make other complaints not dealt with by the Council's main customer feedback process.

**Please note:** A complainant cannot demand that this procedure is used. The discretion about how to deal with a complaint lies with the Council. In certain circumstances the Council may decide that alternative means of dealing with complaints would be more appropriate and this will include the consideration of offering or agreeing to mediation. The Corporate Customer Services Review Officer (responsible for the Corporate Feedback Policy) , will decide this in consultation with the relevant Divisional Director. In such cases the complainant will be informed of the alternative approach and why the Council has chosen to adopt it.

## Our Standards - What to expect

### How we Review and Respond to Complaints

The Council has a distinct two stage approach with a third level of escalation to the Local Government Ombudsman (LGO) that incorporates and reflects best local government practice:

- Stage One review and response to the complaint by the relevant council service team
- Stage Two investigation by the Council
- Local Government Ombudsman independent review

#### Stage One

Whenever we receive a complaint, we will initially ensure that it is directed to the appropriate service team that is responsible for the issues raised. Stage One involves the service themselves investigating the complaint, whether informally or more formally through an investigation. Our policy is to have our Services always respond to customer complaints directly and have the opportunity to explain or put things right if there has been a mistake. We aim to resolve matters with a single and accurate response but, if this is not possible or if you are dissatisfied, we encourage continued dialogue and feedback between customer and Service until the issue is satisfactorily closed.

If you are not satisfied with the outcome of the Stage One process you may request a Stage Two review.

#### Stage Two

Stage Two provides the opportunity of another Service investigating the complaint by undertaking an independent review. However, before a Stage Two review is agreed, a Corporate Customer Services Review Officer will review the Stage One investigation to consider whether all matters raised in the original complaint have been comprehensively and accurately addressed, and if not, may refer it back to the Service to ensure this now happens. After consultation, both with the complainant and the service concerned, the Customer Services Review Officer will determine:

- if the complaint can be resolved by further Stage 1 consideration by the Service, or;
- if a Stage 2 investigation is appropriate, or;
- whether the complainant would be better served by referring their complaint direct to the Local Government Ombudsman (LGO), for example if the Service has fully sought to resolve the issue and a Stage Two review is unlikely to change the position, such that effectively the Council complaints process has been fully exhausted and any further review by the Council would cause unnecessary delay.

Key to this decision being made will be dialogue with the customer to understand the outcome that the complainant seeks and the best way that can be achieved, if at all possible.

#### Local Government Ombudsman

The Local Government Ombudsman (LGO) looks at complaints about Councils. It is a free service. Their job is to investigate complaints in a fair and independent way - they do not take sides.

If you have a problem with a Council service, you should first complain to the Council itself so that we have a chance to sort out the problem before the LGO can consider it. You will usually need to complete both Council complaint stages before the LGO will look at your complaint.

If your case is accepted by the LGO it will be allocated to one of their investigators for them to consider an independent review.

For LGO advice:

- Telephone: 0300 061 0614
- Website: [www.lgo.org.uk](http://www.lgo.org.uk)
- Email: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)
- Fax: 024 7682 0001
- Text: 'call back' to 0762 480 4299
- Write to: Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH

### Classification of Customer Complaints

We classify all the complaints we receive and all the outcomes we achieve to one of the following categories and use these to monitor and report on our performance, in order to understand and seek improvements to our services:

#### 6x Customer Complaint Categories

1. Discrimination or Harassment
2. Conduct / Attitude of Staff
3. Disagree with Policy or Procedure
4. Policy or Procedure not followed
5. Dissatisfied with the level of service provided
6. Inaccurate, misleading or insufficient information

#### 4x Outcome Resolutions

Our policy in replying to complaints is to resolve them to one the following four outcomes and advise the customer accordingly:

Outcome category	Final Communication with customer will:
1. Complaint upheld	Give an apology
2. Complaint not upheld	Give an explanation about why the Council operates/performs as it does
3. Complaint partially upheld	Give an apology where due and explain any other aspects about why the Council operates/performs as it does
4. Complaint outside of Customer Feedback process	Give advice on how the Customer may more appropriately pursue the issue – see Appendix 1

## Our Response Standards

- We aim to deal with complaints quickly, effectively and in a fair and honest way
- Each complaint will be recorded on receipt
- Each complaint will be acknowledged in an appropriate format (email, phone or letter) and language; within 5 working days of receipt
- Response standards will be set and customers will be told what they can expect to happen and when

### What you can expect of us:

#### *Stage One:*

A full response will be provided within 15 working days from receipt of the complaint or any feedback including compliments and suggestions.

#### *Stage Two:*

We will review and respond to a request for a stage Two Review within 10 working days of receipt.

If we agree to a Stage Two review, the review will be undertaken and a full response provided within 30 working days of it being initiated.

Customers will be kept informed of progress in dealing with their complaints and, if they cannot be resolved within the agreed time scales, we will inform you of the reason for delay and give you a target date for our final response.

Customers will be told at the end of each stage how they may pursue their complaint further if they should be dissatisfied with our response.

### And what we expect of you:

When we write to you in response to your complaint we will explain what you can do if you are still dissatisfied and the timeframe you need to act in.

We have set timescales to keep your complaint open or otherwise close it on our systems.

#### *Stage One:*

When we write to you with our response to your complaint, we will give you the option to come back to us if you think we have not fully resolved your issue. If we haven't heard from you again after 20 working days from the date of our reply we will assume the issue is resolved to your satisfaction and we will close your complaint on our system.

#### *Requesting a Stage Two Review:*

If you continue to be dissatisfied with the response from the service at Stage 1, you need to tell us the reasons why, preferably in writing, so that we can properly consider whether escalation to a Stage 2 Review is appropriate.

### How we measure response times:

For clarification on how we measure our response times, we consider that:

- For customer communications received by the Council, the day of receipt by the Council is day 0 and the next whole working day is day 1.

- When the Council replies to customers, the date of the communication is day 0 and the next whole working day is day 1.

## How to contact us to give Feedback

### Who can make a Complaint, Suggestion or Compliment?

Any member of the public or their representative, businesses, public and voluntary bodies may give us feedback and make a complaint, comment or compliment.

### Steps to making a complaint

If you can, speak to the member of staff involved directly, or their manager, giving the opportunity for the complaint to be resolved straight away.

If you do not know who to speak to, contact Council Connect on 01225 394041.

Any complaint can also be made or handed in to any of the Council's employees or Councillors and at any of the Council's offices.

You can contact us:

- online via our website: <http://www.bathnes.gov.uk/feedback>
- in person at Council Connect offices in Bath, Keynsham & Midsomer Norton
- by phone (01225 394041)
- by e-mail: [councilconnect@bathnes.gov.uk](mailto:councilconnect@bathnes.gov.uk)
- by post: Council Connect, Lewis House, 3-4 Manvers Street, Bath, BA1 1QJ

We will request the following information:

- Your name and where and how you can be contacted. You do not have to provide this in order to submit a complaint; however we may not be able to investigate your complaint fully if you do not provide your name and a contact email address or telephone number.
- If you need any assistance in making the complaint, see below 'Assistance in making complaints'.
- The details of your complaint.
- What you want the Council to do about it.
- It would be very helpful to also receive information about you to monitor the Council's equalities policies, including gender, age, ethnic origin and disability status. This information is optional.

### Steps to make a compliment or suggestion

Comments on methods of improving service delivery or compliments regarding the quality of service provided are always welcome. Please feel free to share your views with our staff/managers in person, by phone, by completing a 'Compliments/ suggestion' form. You may also complete the online 'Feedback' form if you prefer:

<http://www.bathnes.gov.uk/feedback>

Compliments and suggestions will be recorded and fed back to the relevant service/staff.

### Assistance in giving feedback

If you need assistance in giving any form of feedback whether it be a complaint, compliment or suggestion, the Council will provide this as promptly as possible. Some assistance, such as translation services, can involve a delay. You will be told when the assistance can be provided and kept informed of what is happening. Officers dealing with a complaint will ensure that any required assistance is made available and is planned for throughout the procedure.



## Who will respond to your feedback?

### Our roles & responsibilities

#### Services

Each council service has a nominated *Customer Feedback Officer* (CFO) who is responsible for:

- Ensuring that all customer feedback and complaints received directly by the service are logged using the Council's Customer Relationship Management (CRM) system
- Liaison with appropriate service colleagues and managers to ensure an appropriate review of the complaint is made and responses are properly considered
- Tracking progress at each stage
- Informing customers of any delays to making a response, and the reasons why
- Ensuring responses are issued within timescales,
- Recording outcomes.

In addition, Service based Customer Feedback Officers may sometimes be called upon to undertake independent Stage Two Reviews of complaints about another Service area.

#### Corporate Customer Services Team

Our *Customer Services Advisors* will usually be the first point of contact for customers; either in person at our One Stop Shops, or on the phone to our Contact Centre. They will:

- Ensure that all relevant details about a customer and their feedback or complaint are captured on the council's CRM system
- Liaise with Customer Feedback Officers in Services to ensure that complaints are routed to the right teams for review and reply

*Review Officers* based in Customer Services are responsible for:

- Ensuring customer feedback is correctly directed to the appropriate CFO in a service area for response
- Considering requests for Stage Two Reviews
- Allocating or undertaking Stage Two Reviews
- Liaison with the Local Government Ombudsman over any referrals or reviews
- Giving guidance on the investigation of individual complaints, and ensuring cross-service complaints investigations are being co-ordinated by one of the Services involved.
- Undertaking random customer satisfaction surveys, by all access channels, relating to the corporate customer feedback process.

## Vexatious complaints

The Council's policy in respect of vexatious complaints is set out below.

### What is a vexatious complaint?

Where complainants:

- Persist in pursuing a complaint where the Council's Complaints Procedure has been fully and properly implemented and exhausted.
- Persistently change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed. (Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints.)
- Have, in the course of addressing a registered complaint, had an excessive number of contacts with the Council, placing unreasonable demands on staff. For the purposes of determining an excessive number, a contact may be in person, by telephone, letter, e-mail or fax. Discretion will be used in determining the precise number of excessive contacts applicable under this section, using judgment based on the specific circumstances of each individual case.
- Having been asked to identify outstanding areas of the complaint, repeat complaints that have already had a full response
- Automatically responds to any communication received from the council
- Have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. Staff will document all instances of harassment, abusive or verbally aggressive behavior.
- Have threatened or used physical violence towards staff at any time – this will, in itself, cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter, only be continued through written communication. All such incidences will be documented.
- Are known to have recorded meetings or face to face/telephone conversations without the prior knowledge and consent of other parties involved

## Feedback on this Policy

The Council welcomes any feedback that you may have on the use of this policy. Please send your comments for the attention of the Customer Services Manager, Lewis House, 3-4 Manvers Street, Bath, BA1 1QJ or hand in to any of the Council's employees or Councillors at any of the Council's offices.

# Appendix 1

## Complaints not dealt with by the Council's main Customer Feedback Procedure

Examples of the most commonly raised matters that are not within the remit of the Council's Corporate Complaints Procedure:

### Complaints dealt with under other procedures:

- **Complaints about Adult Social Care Services.** The main provider of adult social care services is Sirona Care and Health, a community interest company. Other independent organisations such as residential care homes, nursing homes and domiciliary care agencies also provide services on behalf of the Council. Complaints about services that are provided by one of these organisations should be directed to the service provider in the first instance. The Council deals with complaints about:
  - charges for services including the assessment of an individual's ability to pay for services.
  - safety and safeguarding
  - some aspects of mental health services.

The Council will respond to these complaints under a separate statutory procedure. The Council can also respond to complaints about the quality of services provided by independent organisations including Sirona Care and Health which are funded by the Council and where the service provider has not been able to resolve the complaint. The Council can be asked to consider a complaint earlier where someone is in a particularly vulnerable situation.

- **Complaints relating to Children's Services**, for which there are separate statutory complaints procedures and rights of appeal. Complaints about services for children and young people should be directed to the Complaints Procedure Manager, Children's Services, PO Box 3343, Bath BA1 2ZH. Tel: 01225 477931. Email: [childrenservices\\_complaints@bathnes.gov.uk](mailto:childrenservices_complaints@bathnes.gov.uk)

The Complaints Procedure Manager will identify the appropriate procedure to be used to respond to the complaint.

- **Complaints about individual schools and academies** (including those about the National Curriculum). Each school operates under a system of local management and has its own Complaints Procedure. A copy of the Complaints Procedure should be made available by the school. Complaints are normally directed to the Head Teacher of the school or the Chair of Governors at the school address. Where the school is unable to satisfy the complaint the complaint should be referred to the Secretary of State for Education or Ofsted.
- **Complaints or Disagreements about Pension Benefits** (only for decisions made under Pension Regulations). These should be directed to either B&NES (HR), as your employer, or Avon Pension Fund, whoever made the initial decision where the disagreement occurs.

- **Complaints about parking tickets/penalty charge notices.** As the issue of a penalty charge notice is a legal matter, it has to be dealt with formally in writing. Write to Parking Services, PO Box 122, Bristol BS31 9AE. [Parking@bathnes.gov.uk](mailto:Parking@bathnes.gov.uk)
- **Matters where there is a formal right of appeal external to the Council or other legal remedy** (such as with the refusal of planning permission or matters of contract). In these circumstances the complainant will be advised to follow the prescribed legal procedure and, where possible, how to do so.
- **Disagreements with properly made Council, Executive and Committee decisions,** including Council policies, budget decisions etc. The complainant will be advised to pursue these with their local Councillor, make representation to the relevant Executive Member or ask to speak at the relevant Committee, as appropriate.
- **Complaints about the conduct of Councillors or the way in which complaints about their conduct are investigated.** These fall within the remit of the Standards Committee of the Council. The Committee's web page contains details of the Code of Conduct and how complaints about possible breaches of the Code are dealt with. The web page may be accessed at <http://www.bathnes.gov.uk/services/your-council-and-democracy/complaints/complaints-about-councillors>