# Corporate Complaints Procedure

## Introduction

The Council is committed to providing the best possible service it can. If we fail to do this we want to know about it so that we can deal with the specific problem, take steps to avoid it happening again and so that we can improve our services.

We will try to resolve most complaints on an informal basis at the first point of contact but this procedure explains how you can take up matters formally through the Council's ***Corporate Complaints Procedure*** if you think the service you have received from the Council is unsatisfactory.

## What is a complaint?

For the purpose of this procedure, the Council accepts the Local Government Ombudsman's definition:-

*"An expression of dissatisfaction by one or more members of the public about the Council's action or lack of action or about the standard of service, whether the action was taken or the service provided by the Council itself or a person or body acting on behalf of the Council"*

## Is this the right procedure for my complaint?

The Corporate Complaints Procedure deals with all complaints where there is not a specific or legal procedure to deal with the matter.

By law, the Council has to consider complaints about the following matters under separate procedures set by the Government:

- Complaints about social care issues relating to *children*
- Complaints about social care issues relating to *adults*
- Complaints against County Councillors should be e-mailed to codeofconduct@lancashire.gov.uk

The Council also has specific procedures to deal with complaints about the following:

- *Street lighting*
- *Highway defects*
- *Footpath obstruction*
- *Public transport services*
- *Quality of goods you have purchased from a shop or trader (Trading Standards)*

We cannot deal with:

- complaints about schools – these should be referred direct to the school
- any matter on which you have commenced legal action against the Council
- complaints from County Council employees in respect of matters relating to their employment.

Complaints received anonymously will be recorded and considered where the County Secretary and Solicitor feels that is appropriate, but action may be limited if there is insufficient information available to ensure a full and fair investigation.

**Delays**

It becomes increasingly difficult to ensure a fair investigation after a period of time has lapsed since the original incident occurred. Complaints reported after 12 months of the matter arising will only be investigated if the County Secretary and Solicitor considers there are special circumstances.

**Outcomes**

The aims of the Corporate Complaints Procedure are

- to assist the Council in providing a customer focussed service
- to provide a fair, effective, transparent and structured means to investigate complaints or concerns about service delivery promptly and, where we are at fault, to put things right
- to make sure that complaints are dealt with consistently throughout the Council
- to encourage constructive feedback
- to help us improve our services and encourage best practice by all staff
- to increase customer satisfaction in Council services and in the way we handle their feedback

**How to make a complaint**

We have tried to make this procedure as accessible and straightforward as possible. Customers can contact us about their concerns in any of the following ways:

- in person at any of our offices
- by telephone (each of our Directorates has a complaints officer and contact details are set out at the end of this document)
- by letter (contact details are set out at the end of this document)
- by ***e-mail***
- by completing the on-line form on our website (***form***)

Our investigations into your complaint will be thorough and unbiased, will be completed within strict timescales unless agreed with you otherwise and your confidentiality will be respected as far as possible.

**The two stages of a complaint investigation**

Unless the complaint can be resolved to your satisfaction informally, the following process will be followed:

**Stage 1 - Investigation by the Service Directorate**

- The complaint will be formally acknowledged by the Directorate you are complaining about.

- It will be recorded on the Council's electronic complaints management system

- Someone other than the person complained about will carry out a full investigation of the complaint and, wherever possible, send you a comprehensive reply within 15 working days of when you made the complaint.

- In exceptional circumstances where the issues raised are more complex and will take more than 15 days to investigate, we will let you know why we need more time, provide you with a progress report within the initial 15 working day period and inform you of when it will be possible to let you have a full response.

**Stage 2 – Consideration by a panel of County Councillors**

Most complaints that proceed to the formal stage are resolved to the customer's satisfaction at Stage 1. However, if you are not happy with the response you receive, you have the right to ask for your complaint to be considered by the County Council's Corporate Complaints Committee. Details of how to proceed to Stage 2 will be included in the Stage 1 response. Under Stage 2:-

- arrangements will be made for the Committee to meet as soon as is practicable to consider your complaint. Unless there are exceptional circumstances (which will be discussed with you), this meeting will be held within 3 months of receipt of the request to proceed to Stage 2.

- you will be entitled to attend the Committee as will representatives of the Service Directorate(s) involved.

- if you do wish to attend the meeting, it shall, so far as possible, be held on a date convenient to you.

- if you do not wish to attend, the meeting will be held in your absence but the Directorate may be represented by a Head of Service not directly connected with the complaint in order to provide clarification or advice on technical issues relating to the complaint and/or on actions the Committee recommend should be taken in response to the complaint.

- a letter confirming the Committee's decision will be forwarded to you within 3 working days of the meeting. This letter shall constitute the Stage 2 response.

**What if you are still unhappy with the response you receive?**

We hope to sort out your complaint to your satisfaction. However, if you are still not happy after both stages of the procedure have been completed, you can ask the Local Government Ombudsman, an independent 'watchdog', to investigate your complaint. Details of how to do that will be included in the Stage 2 response but the Ombudsman's address is

Local Government Ombudsman,
PO Box 4771
Coventry
CV4 0EU

e-mail: advice@lgo.org.uk

In most cases, the Ombudsman will expect that you have given the Council the opportunity to resolve the complaint through its own procedures before she will investigate it.

**Management of unreasonable complaint behaviour**

There are a small number of complainants who pursue their complaints in ways that are unreasonable and /or who take up an unwarranted amount of Council resources.

In such circumstances, the Council may choose to apply its policy on the management of unreasonable complainant behaviour, which has been drawn up in line with guidance issued by the Local Government Ombudsman. Such action is very rare and not taken lightly and complainants will be informed before any restrictions are applied to them in order that they might moderate their behaviour.

**Management Information**

It is important to us to use the information that we receive from complaints to improve service delivery. Complaints are therefore monitored, the information is reported as below and best practice is disseminated throughout the Council by the following practices:

- Every formal complaint is logged
- Progress is monitored
- Annual reports are considered by senior officers and County Councillors and any recommendations disseminated across the Council

Complainants have the option to record information about gender, age, ethnicity and disability. This information is used to ensure that our complaints system is accessible to all groups of customers.

**Interpretation**

The County Secretary and Solicitor will determine any matters of interpretation in this procedure.

**Contact details for Complaints officers**

**OFFICE OF THE CHIEF EXECUTIVE**
(General issues)

PO Box 78, County Hall, Preston, PR1 8XJ 01772 533416

Website Address: www.lancashire.gov.uk/yourcomments

**RESOURCES DIRECTORATE**
(Finance and Property issues)

PO Box 26, County Hall, Preston, PR1 OLD 01772 533284

**ENVIRONMENT DIRECTORATE**
(Highways and Transportation, Planning and Waste Management issues)

PO Box 9, County Hall, Preston, PR1 OLD 01772 534114

**CHILDREN AND YOUNG PEOPLE**

PO Box 61, County Hall, Preston, PR1 0LD 01772 530671

**ADULT AND COMMUNITY**
(Libraries, Museums, Welfare Rights, Registration Service)

County Offices, East Cliff, Preston, PR1 3EA 01772 531553

Adult Social Care;

NEA 13870, PO Box 162, Preston, PR1 3ER 08450 530009

**Corporate Complaints Procedure: Formal Investigation**

Name ……

Address ……

Daytime telephone number …….

E-mail address …….

Are you happy for us to correspond with you by e-mail? Yes/No

County Council Directorate concerned (if you know) ……..

Reference on any previous correspondence ……

What do you think the Council did wrong?

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What do you think the Council should do to put things right?

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Lancashire County Council