



# COMPLAINTS AND COMPLIMENTS POLICY



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## Document history

Date	Version	Author	Changes made
01/02/2023	1.0	Lynn Smith	Policy updated/refreshed upon introduction of new Portfolio Holder and Strategic Director.

## Approvals

Name	Role/Title	Date
Bob Watson	Strategic Director of Finance & Customer Service	01/02/2023
	CMT	07/02/2023 25/04/2023
	Joint Staff Consultative Group	March 2023
	Executive	May 2023



## 1) Introduction

The purpose of the Complaints and Compliments Policy is to provide an authority wide framework which helps us capture and learn from what we do well and resolve dissatisfaction about a service, officer, contractor, policy or procedure.

## 2) Scope

This policy applies to all members of staff , (including fixed term, agency staff and volunteers or work experience students), partners and contractors.

This policy does not apply to the merits and judgment of any decision on a planning or licensing application.

Complaints received in reference to Information Rights under the Freedom of Information Act 2000 (FOI) and Environmental Information Regulations 2004 (EIR) will be managed by Information Governance under the FOI complaints process which can be found at <https://www.surreyheath.gov.uk/council/information-governance/freedom-information/foi-complaints-process>

Complaints received in reference to Individuals Rights to personal data held and processed by the Council under the UK GDPR and Data Protection Act 2018 will be managed by Information Governance, under the Councils Individual Rights Procedures which can be found at <https://www.surreyheath.gov.uk/council/information-governance/data-protection>

Information Commissioners Officer (ICO) - If you are not satisfied with the outcome of the Councils handling of your complaint in reference to FOI, EIR or UK GDPR requests, you can apply to the regulatory body, the ICO, for a decision at [www.ico.org.uk](http://www.ico.org.uk)



Local Government and Social Care (LGSCO) Ombudsman - If your complaint is in relation to Council Services or Adult Social Care. Once you have completed all stages of the Councils complaints process, as detailed in this policy, if you are not satisfied with the Councils response you can make a complaint to the LGSCO for an independent investigation at [www.lgo.org.uk](http://www.lgo.org.uk)

Certain decisions about homeless applications (The Housing Act 1996, Part VII, as amended) and housing register applications (The Housing Act 1996, Part VI, as amended) have legal provisions for an internal review when a resident is unhappy with the initial decision made. In such cases the resident will be advised of their right to review, how to request one and what external support there is for them to challenge the decision. Where an applicant is dissatisfied with a review decision in respect of a homelessness application there is a further right to appeal to the County Court on a point of law. Again, applicants will be advised of this right when issued with the decision.

If a complaint relates to a service that has been provided by a third party. The complaints arrangements of that organisation will take precedence.

### **3) Policy Statement**

Surrey Heath Borough Council is committed to consistent, fair and confidential complaint handling and to resolving complaints in an as timely way as possible. We aim to make it simple and unbureaucratic for people to make a complaint if they are dissatisfied and we will treat all customers making a complaint fairly and equally.

### **4) Principle and Aims**



A priority within the Council's Five Year Strategy, is to strive to become an Effective and Responsive Council, with customer service at the heart of everything we do. Maintaining an open and transparent approach. The aim of the complaints and compliments system is to provide a framework which helps resolve dissatisfaction about a service or lack of service. In addition, to provide an opportunity to learn from the process and recognise what we do well.

## 5) Definition of a Complaint

A complaint is an expression of dissatisfaction (whether justified or not) by one or more members of the public about the Council's action or lack of action or about the standard of a service. This applies whether the action was taken or the service was provided by the Council itself or a person or body acting on behalf of the Council.

## 6) Stages

The complaints system is split into stages;

- Stage 1 Review (Informal complaint) - Management response required.
- Stage 2 Senior Review (Formal complaint - undertaken by a Senior Manager.
- Stage 3 Independent Review/Appeal, undertaken by Corporate Management.

It excludes requests for a service or for an explanation of a decision.

**To ensure the Council's policies are as accessible as possible to all. A complaint can be made in any of the following ways:**



- In person
- By phone
- In writing
- By email [contactcentre@surreyheath.gov.uk](mailto:contactcentre@surreyheath.gov.uk)
- By social media
- By using our online feedback form (Hard copy also available)

## 7) Stage 1 - Informal Complaints

An informal complaint is an initial approach to the Council outlining dissatisfaction with some aspect of the Council's service or actions that can be resolved informally and quickly during the normal course of business. It is expected that the majority of complaints will be dealt with satisfactorily at this informal stage but complainants will be told how to pursue matters further if they remain dissatisfied. Whereas any officer can investigate an informal complaint, it is expected that any response will be agreed and signed off at Team leader or Service Manager level (member of the wider management team (WMT))

## 8) Stage 2 - Formal Complaints

**The formal complaints procedure applies:**

- where a complainant remains dissatisfied with the outcome of an informal complaint, or
- where the complainant alleges improper conduct or maladministration, or
- where the matter is complex or serious enough to be handled by a senior member of staff.





Where the stage 2 complaint has been raised as an appeal/request for review against a stage 1 response. The request should be in writing and specify the reason/grounds for the request.

Where possible, new or additional information, not contained within the initial complaint must be submitted. Ideally, a stage 2 complaint should not be raised just because the complainant does not agree with the decision, but should be because they feel that all the evidence was not presented (and should supply this) or that key facts were not considered (and these should be stated). Or that the responding officer at stage one, has made a material error and this should be highlighted.

**Formal complaints must be made by:**

- the complainant, or
- someone acting on the complainant's behalf, or
- a member of staff, where the person with a complaint needs help.

All formal complaints will be investigated by a senior member of staff generally the relevant Strategic Director/Corporate Head of Service (i.e. a member of the Council's Senior Management) with overall responsibility for the Service concerned.

Should this be inappropriate because, due to operational reasons, the senior management officer for the service has already been involved in the complaint, then the matter will be referred to another Strategic Director/Corporate head of Service. The complainant will be kept informed of progress in dealing with the stage 2 review.



## 9) Stage 3 Appeals

Complainants dissatisfied with the response to their Stage 2 complaint may appeal by requesting the matter be reviewed by a Strategic Director/Corporate Head of Service independent of the service concerned. In exceptional circumstances the Stage 3 process may be dealt with by the Chief Executive.

Where necessary or appropriate, complaints can immediately be escalated to stage 2 or 3 if deemed necessary by the Complaints Team in consultation with the relevant Strategic Director.

Appeals should be in writing and specify the reasons/grounds of appeal.

Where a complaint relates to more than one Service, the response will be coordinated in consultation with the Customer Relations Manager. The Customer Relations manager should clarify the nature of a multiple complaint and if further clarity is needed, contact the complainant to ascertain the nature of each complaint. The complaint will then be sent in its individual components to the relevant service. Coordination will be retained by the Customer Relations Manager.

The senior management officer will provide a written decision, together with the reasons for the decision and any follow-up action required.

A complaint record will be kept of **all** formal complaints, clearly summarising:

- what the complainant feels went wrong
- what, in the complainant's view, should be done to put things right
- the action taken, and
- the complainants response (if any).





Each complaint will receive a unique reference number and will be held on a Complaints Register within the Customer Service team.

## 10) Summary Timetable for Response

Stage	Responsible Officer	Service Standard for Response. Applicable All Stages
<b>Stage 1</b>	Team leader or Service Manager (WMT)	Full response to be made <b>within ten working days.</b>  If this is not possible then holding response to be made by the investigating officer to complainant and complaints admin within each ten-day period until fully resolved.
<b>Stage 2</b>	Strategic Director/Corporate Head of Service. A member of the Council's Senior Management Team (CMT) with overall responsibility for the Service	
<b>Stage 3</b>	Strategic Director/Corporate Head of Service. Independent of the service concerned. In exceptional circumstances the Chief Executive.	

## 11) Local Government Ombudsman

Complainants, who are still dissatisfied with the way the Council has dealt with their complaint after going through all 3 of the internal stages, can elect to take



the matter to the Local Government and Social Care Ombudsman (LG&SCO) who is independent of the Council. Their address is:

**Local Government and Social Care Ombudsman**

**PO Box 4771**

**Coventry**

**CV4 0EH**

**Phone: 03000 610614**

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

## **12) Confidentiality**

The identity of the person making a complaint shall be made known only to those who need to consider/administer the complaint (including third parties where allegations involving them are made by the complainant) and shall not be made public.

## **13) Rights of Appeal**

At the conclusion of each stage of a complaint, complainants shall be told how they can pursue the complaint to the next stage of the process up to an independent review at Stage 3 or external review to the Ombudsman.

## **14) Putting Things Right**

The purpose of the complaints system is to put things right if they have gone wrong. More importantly to learn from any mistakes made and continue to strive to improve service provision going forward.

Where the investigating officer feels that they do not have the authority to agree a particular remedy, the matter should be referred to the appropriate senior officer.



## 15) Complaints Not Upheld

The Council recognise that most complaints come from people who have a genuine sense of grievance and any communication setting out the reasons for not upholding a complaint shall give a clear, full and sympathetic explanation.

## 16) Responsibility for the System

The Performance and Finance Scrutiny Committee will receive an annual report that analyses all complaints received by number, subject, outcome and also identify any lessons learned. The Committee also receive and consider the annual report from the Local Government Ombudsman. The Committee will make recommendations as necessary to the Executive.

## 17) Compliments

**Compliments enable us to:**

- Recognise that our service is being provided to the customers' satisfaction
- Provide positive feedback to our staff
- Influence our organizational and service development
- Learn and grow from the results of the compliments and complaints process

## 18) Recording compliments

Any verbal or written compliments will be recorded at the time the compliment is given, or as soon as possible afterwards. If appropriate the member of staff, line manager and Strategic Director will be made aware that a compliment has been received.

The customer will be notified of any action(s) taken/recommendations made in response to the compliment.

