



West Lindsey District Council Customer Feedback Policy

**Your feedback matters.
If you've got something to say we
want to hear it!**

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Introduction

West Lindsey District Council are committed to delivering an excellent service, we want every Customer to have the best experience possible.

We will listen to our Customers and want to know what you think about us. If you feel you have been provided with an excellent service we want to know, equally if you are dissatisfied with a service you have received we would like to hear about it. We are also interested in any comments you have about our services, as these will help us to learn and shape the services we provide in the future.

West Lindsey District Council welcomes, captures, investigates, responds and learns from Customer feedback so that it will help improve future Council services.

Scope (What is covered by this policy?)

This policy is designed to cover compliments, comments and complaints received through any channel that a Customer wishes to use, with regards to Council services.

Complaints covered under this policy:

- If you consider we have made a mistake in the way we provided a service
- If you consider there has been a significant delay in providing a service
- If you consider we have failed to deliver a service; this could include the quality or standard of service received
- If you consider our processes or policies have not been followed
- If you consider we have not met our legal, statutory or regulatory requirements
- If you consider we have not delivered a commitment or promise made
- If you consider our staff have not been helpful or have not conducted themselves correctly

Complaints not covered by this policy:

- **Initial requests for a service to be delivered:** If we do not deliver the service requested in an appropriate manner then a complaint may be submitted.
- **Complaints about Councillors:** Information on how to make a complaint about a Councillor can be found on our website via the following link:

<https://www.west-lindsey.gov.uk/my-council/my-councillors/complain-about-a-councillor/>

- **Requests for Information (Freedom of Information and Subject Access Requests):** These requests need to be made directly to the Councils Freedom of Information Team, this can be done via this link on the West Lindsey District Council website: <https://www.west-lindsey.gov.uk/my-council/how-the-council-works/information-and-information-governance/freedom-of-information/>

Via email to FOI@west-lindsey.gov.uk or by calling the Council on 01427 676676.

Dissatisfaction with the response to these requests should be directed to the Information Commissioners Office.

- **Any matter where there is an alternative statutory process or Council appeals process:** Please note where you have been served with a formal notice, fixed penalty or summons by the Council, which has a formal right of appeal under the specific legislation we will not consider any complaints in relation to this. If you disagree with the notice, summons or fixed penalty, you must appeal via the process set out within the legislation relating to it. The route of appeal is normally outlined in the documentation that you will have been served with. The Local Government Ombudsman would also expect any appeals or complaints related to the above to be raised in this way also.

This complaints process will not investigate the reasons why a formal notice, fixed penalty or summons has been served as this can be dealt with via the formal appeals process under that legislation. Any complaint regarding the behaviour or conduct of an officer who has been involved with serving a formal notice, fixed penalty or summons will be investigated but the formal notice, fixed penalty or summons action will not be put on hold whilst that investigation is carried out.

- **Complaints made more than one year after the customer became aware of the issue:** - this is because complaints of this nature can be difficult to investigate fully or fairly.
- **Complaints made one year after a decision was made:** this is because complaints of this nature can be difficult to investigate fully or fairly.
- **Complaints regarding the qualifications of our staff:** All Council staff are employed based on their suitability and relevant qualifications for the role. This policy does not cover complaints that question whether or not a particular staff member is qualified to fulfil their role. This type of complaint will not be accepted under this policy. Please note that this does not apply to complaints where you feel that staff have not acted appropriately.
- **Complaints about data protection:** Any concerns about how the Council has processed personal data should initially be raised with the service responsible for the data to enable any issues to be resolved. Should there remain concerns on how the Council handles data the customer should contact the Data Protection Officer for advice and guidance.
Email: dpo@west-lindsey.gov.uk
- **Complaints that have already exhausted our process:** If the complaint has previously been investigated and received a final written decision or the complaint has already been referred to the Local Government and Social Care Ombudsman (LGSCO) it will not be considered again.

Definitions

Compliment – A compliment is a polite expression of praise or admiration for a service received. A compliment could be about a person, a team, a service, a single event or a chain of circumstances that made your experience a positive one.

Comment – A comment is a verbal or written remark expressing an opinion or reaction about a standard of service, policy or decision made by West Lindsey District Council. Maybe you have a suggestion about something we could do differently.

Complaint – A complaint is any expression of dissatisfaction or concern about the way in which a service is provided or the standard of that service or lack of action on the part of the Council or its employees. A complaint could be about a standard of service, a failure to meet your expectations or an action or lack of action or because you found it difficult to access our services – anything which you feel is unacceptable.

How to submit your Feedback

Ideally all complaints should be submitted in writing where possible, we want to make it as easy as possible for you to submit your feedback to us, you can do this by:

- Completing a feedback form online here: <https://www.west-lindsey.gov.uk/feedback>
- Emailing the Customer Experience Team on experience@west-lindsey.gov.uk
- Write us a letter and send it to:

The Customer Experience Officer
West Lindsey District Council
The Guildhall
Marshalls Yard
Gainsborough
Lincolnshire
DN21 2NA

- Calling our Customer Service Team on 01427 676676.

What will happen when you submit a Compliment

Customers don't always have the time to let us know if they have been particularly pleased with our service so when they do we want to make sure we learn from what we did right and do it more! We will ensure that the positive feedback is shared with the service and if appropriate the individual involved and acknowledge your compliment with a response within 7 days.

What will happen when you submit a Comment

Comments are important because they could help us shape the way services look or influence decisions we make in the future.

We can't guarantee that we can always make the suggested or requested changes but we will reply to you within 14 days to acknowledge your comment and if applicable respond to the comment you have made.

Please Note – we are only able to respond to you as above if you submit your contact details with your feedback, a name and email address are always helpful so we can get back to you as quickly as possible.

What will happen when you submit a Complaint

The Council operates a one stage complaints process which is dealt with by an independent officer, the Customer Experience Officer.

When you submit your complaint you will receive an acknowledgement letter or email to confirm receipt and to advise you of the next steps and time scales for further contact and response.

When submitting a complaint the customer should provide as much detail as possible, this should include:

- Details of the service or officer that you have been dealing with/making contact with
- An explanation of what has happened or what you feel has gone wrong
- Information on when it happened (or should have happened)
- Details of the complaint, why and how you feel we could have done things differently
- What you think we should do to put things right – what is the desired outcome
(Please note your desired outcome will be considered but we are only able to work within our legal powers and statutory duties, we are not able to guarantee that we can always make the changes you request or expect)
- Your preferred method of contact and your contact details – complaint responses will be sent by email if an email address is provided. To receive a written response an email address or residential address is required.

All complaints received will be considered on their individual merits and after initial considerations a decision will be made on whether the complaints policy should be implemented. This decision will be made by the Customer Experience Officer in consultation with a Service Manager from the relevant department and if required, the Councils Senior Management Team or Legal Services. If it is decided that the complaints policy is not the most appropriate way for your concerns to be dealt with you will be advised of the reasons why.

If full information as listed above is not provided then the complaint investigation will not commence until the Customer Experience Officer has all of the details required, this could extend the response time beyond 21 days.

When your complaint has been received the Customer Experience Officer may need to make contact with you to discuss your concerns. At this stage any further information to aid the investigation of your complaint will be requested.

You will normally receive a response to your complaint within 21 days. However, if your complaint is very complex and requires detailed investigation you will be contacted to advise you of this and will be informed of the expected response date.

Anonymous complaints

Anonymous complaints will be recorded and considered by the Customer Experience Officer in conjunction with the appropriate Service Manager to decide whether the matters raised require further investigation.

Who will deal with your Complaint

Your complaint will be investigated by an independent officer, the Customer Experience Officer, in conjunction with the Manager for the service concerned. If appropriate members of the Council's Senior Management Team and legal services will be consulted.

The Customer Experience Officer is an independent officer, although they are employed by the Council they have no allegiance to any of the services provided by the Council.

Quality Assurance Board

The Quality Monitoring Board which consists of the Customer Experience Officer, the Chief Executive or nominated delegate, the Assistant Director of Operational and Commercial Services and the Customer Strategy and Services Manager meets as and when required to discuss upheld complaints and any reoccurring issues. The purpose of the Quality Assurance Board is to:

- Discuss the details of complaint investigations and findings.
- Agree on responses for more serious complaints and those where the Council is found to be at fault.
- Ensure quality and consistency in complaint investigation and responses.
- Agree on suitable and fair remedies for complaints that are upheld where required.

Complaints – Upheld

Where we have made a mistake or failed to provide the expected standard or quality of service, we will acknowledge and apologise for this. We will also set out the actions we will take to put things right and improve our services. This could include:

- Reinstating a service to a Customer.
- Changing how we deliver our services.
- Reviewing and amending information about our services.
- Reviewing Council policies or procedures.
- Providing appropriate staff training and guidance.

Complaints – Not Upheld

Where we have investigated and do not uphold the complaint, we will:

- Explain the reasons for our decision clearly.
- Provide any relevant evidence to support the decision.
- Inform Customers how to progress their complaint if they remain dissatisfied.

If you are not satisfied with the response to your complaint:

Local Government and Social Care Ombudsman

If you have been through our complaints procedure and are still unhappy, you can ask the Local Government and Social Care Ombudsman to review your complaint.

The Ombudsman investigates complaints in a fair and independent way - it does not take sides. It is a free service.

The Ombudsman expects you to have given us chance to deal with your complaint, before you contact them. If you have not heard from us within a reasonable time, it may decide to look into your complaint anyway. This is usually up to 12 working weeks but can be longer for more complex complaints.

About the Ombudsman

The Local Government and Social Care Ombudsman is the final stage for complaints about councils and some other organisations providing local public services.

There are some matters the Ombudsman cannot or will not investigate. In these cases it will explain clearly the reason for its decision. More details can be found on their website.

Contact

Website: www.lgo.org.uk Telephone: 0300 061 0614

Opening hours

Monday to Friday: 10am to 4pm (except public holidays)

Learning from Customer Feedback

We collect and review feedback from our Customers, and use this information to drive service improvement, the learning from complaints will be monitored by the Quality Assurance Board.

All formal Customer complaints are recorded on the Council's tracking system. Data about complaints is collated and shared across the Council to identify performance trends and review how we handle and respond to Customer feedback. This includes:

- How well we meet our target response times.
- How effective we are in capturing complaints across the Council.
- How Customers prefer to contact us.

Customer complaints are regularly reviewed across the Council to identify how we can improve our services. This includes:

- Service Managers making operational improvements in response to specific complaints.
- Identifying elements of a complaint which may be present in the delivery other services; and ensuring that the actions are applied across the Council.
- Regular review of upheld complaints at directorate and corporate performance reviews to identify issues that need addressing.
- Development of action plans to improve services, based on specific issues or trends in complaints.

The Council will publish information about complaints – to inform Customers about how we handle complaints and show how we make changes as a result of Customer feedback via a web page on our website and an annual report to Councilor's.

Responsibilities of the Council in relation Customer Feedback

- To acknowledge and respond to feedback within the defined timescales.
- To advise the Customer of the expected date for a full response to any complaint made.
- If the complaint is complex and cannot be responded to within the defined timescales, the Customer will be kept fully informed.
- When responding, the Council will advise the Customer what it is able to do, or is not able to do as a result of the feedback.
- Admit when a mistake has been made and apologise.

- Learn from feedback and share that learning across the Council.
- If this policy does not cover the Customers complaint, the Council will **explain the reasons why** and advise what to do next.
- Co-operate with the Local Government Ombudsman if the Customer decides to take their complaint further.

Responsibilities of Customers complaining to the Council

- Provide as much detail as possible to enable the Council to conduct a full investigation.
- Allow the Council to conduct the investigation and respond within the defined timescales.
- If further contact is made regarding the complaint, ensure reference numbers are provided.
- Follow our process and move on to the Ombudsman if they remain unhappy.
- Not be aggressive or abusive to Council officers.

Confidentiality and Data Protection

Any personal data provided to the Council will be managed in line with the requirements of the General Data Protection Regulations. The Council will use this information to respond to the Customer and improve services.

Personal data will be kept anonymous in producing and sharing information about complaints with other services and partners. Personal information will be shared with the internal Quality Assurance Board when complaints are being assessed. More information on the West Lindsey District Council Privacy Notice can be found here <https://www.west-lindsey.gov.uk/privacy/> . Any data we keep will be retained for 3 years in line with the Council's Retention and Disposal Schedule.

If you would like more information on Data Protection please contact the West Lindsey District Council Data Protection Officer on DPO@west-lindsey.gov.uk

If you are unhappy with our handling of personal data you have a right to complain to the Information Commissioner's Office (ICO). Their contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Complaints under the Fluency Duty

Since November 2016, Public Authorities in England and Wales have a duty to ensure that staff employed in customer facing roles have sufficient proficiency in spoken English for the performance of their role.

Customers can make a complaint if they feel that a public authority has failed in this duty. The complaint may be made by a member of the public or someone acting on their behalf.

A complaint about a public sector member of staff's accent, dialect, manner or tone of communication, origin or nationality will not be considered a legitimate complaint about the fluency duty.

Public authorities are not obliged under the Code of Practice to respond to complaints that are vexatious, oppressive, threatening or abusive. Therefore complaints which are without foundation and/or intended to result in harsh or wrongful treatment of the person subject to the complaint should not be taken forward. However legitimate complaints must be taken seriously.

On receipt of a legitimate complaint we must assess its merits against the necessary standard of spoken English fluency required for the role in question. This should be undertaken through an objective assessment against clear criteria set out in the person specification or the level of fluency descriptors relevant to the job description of the role in question.

If the complaint is upheld we must consider what steps can be taken to meet the fluency duty. This may include training, retraining, redeployment or dismissal.

Members of staff who are subject to a complaint under this Code of Practice should be notified and kept fully informed at each stage of the complaints process.

Complaints must be dealt with efficiently and brought to a timely conclusion.

We have a duty of care towards our employees and should consider their wellbeing, being mindful of the impact complaints may have. Staff should be provided with appropriate support to protect them against vexatious complaints and ensure that they are not subject to unnecessary fluency testing.

Complaints, Whistleblowing and Safeguarding

If a complaint or allegation is made against a member of staff, elected Member or volunteer working on behalf of the Council which relates to the safeguarding of children the matter should be referred initially to the Council's Lead Safeguarding Officer. The complaint/allegation will be investigated by the appropriate authority – Children's Social Care (Social Services) and/or the Police. The complaint or allegation may also be referred to the Local Authority Designated Officer (LADO) within the Lincolnshire Safeguarding Children Board as per the procedures set out in the Council's Safeguarding Children Policy.

If any complaint or allegation is substantiated and the person is dismissed, resigns or ceases to provide his/her services or the Council ceases to use the person's services the Team Manager for People & Organisational Development will refer the allegation details directly to the Disclosure and Barring Service.

Unreasonable complainant behaviour and unreasonably persistent complainants (vexatious complaints)

Generally, dealing with a complaint is a straightforward process but in a minority of cases people pursue their complaints in a way which can either impede the investigation or have significant resource issues for the Council. These actions can occur while the complaint is being investigated, or once the investigation into the complaint has concluded. For this reason the Council uses the terms 'unreasonable complainant behaviour' and 'unreasonably persistent complaints'.

If we feel that you are being unreasonable or persistent the Quality Monitoring Board will assess the situation to ensure that any customer who we deem to be a 'persistent or vexatious complainant' is dealt with appropriately, whilst ensuring that other customers or Council staff are not adversely affected. (It is acknowledged that sometimes inappropriate behaviour is triggered by wider mental health issues, where we identify such matters we will raise them in accordance with our internal safeguarding processes).

The definition for these is set out below:

"Unreasonable and unreasonably persistent complainants are those complainants who, because of the frequency or nature of their contacts with the authority, hinder their, or other people's, complaints."

A complaint or complainant could be considered to be unreasonable or vexatious when:

- The complainant persists in pursuing their complaint after the Complaints Policy has been fully implemented and exhausted
- The complainant submits repeated or an unacceptable high number of abusive communications in connection with the same complaint or with minor additions, amendments or variations
- The complainant, whilst addressing a registered complaint has made excessive demands on the resources and time of staff. This could include a number of contacts by telephone, letter, in person or via e-mail or the use of a 'scatter gun' approach by pursuing complaints with several members of the organisation
- The complainant refuses to accept the decision made on a complaint, and repeatedly argues points that have already been either considered or investigated and responded to with no new evidence being provided

- The complainant refuses to co-operate with the formal complaints process and any requests made resulting in lengthy delays in the investigation process
- The complainant changes the basis of the complaint as the investigation proceeds and/or makes unjustified complaints about staff members who are dealing with the complaint
- The complainant has been personally abusive or verbally aggressive or has harassed the Council on repeated occasions despite documented evidence of this being described to the complainant as unacceptable
- The complainant publishes statements or derogatory information about the Council or the services it provides, including individual staff members
- The complainant is known to have recorded telephone conversations, face to face discussions or meetings without the prior knowledge and consent of other parties involved

If the Council considers that a complainant meets the above criteria the following procedure will be implemented:

- The customer will be informed in writing the reasons why we feel their behaviours or actions are unacceptable
- The customer will be given the opportunity to change their behaviours within a reasonable timescale prior to any further action being taken
- If the unacceptable behaviour persists the Customer Experience Officer will gather evidence and the matter will be discussed by the Quality Monitoring Board. The Quality Monitoring Board will review the gathered evidence and make a decision regarding any potential restrictions that will be applied to the customer.

The Quality Monitoring Board can apply restrictions to the ways a customer that is displaying unacceptable behaviour or is acting in a vexatious manner can access Council services which may include one or more of the following:

- Future contact with the Council could be restricted to written correspondence only
- Future contact with the Council could be limited to a single point of contact
- The Council will not respond to any further contact, unless there are genuine service request needs (e.g. missed bins, payment of council tax, etc)
- The customers right to enter the Guildhall will be restricted or removed
- Legal action may be taken including injunctions or court orders (the Council reserves the right to involve the police at any time during our process if felt appropriate)

Details of the restrictions that have been implemented will be shared with relevant staff. This information will also be registered on the customer's record whilst the restrictions remain in place.

There is no right of appeal to West Lindsey District Council regarding the implementation of this section of the policy. However, the customer would be directed to the Local Government and Social Care Ombudsman (LGSCO) if they disagreed with the application of any such restrictions.

Complaining about a Councillor

This policy does not cover complaints made about Councillors.

The Localism Act 2011 introduced a new regime for standards and dealing with complaints against members. Every local authority is required to adopt a Code of Conduct that sets out rules governing the behaviour of its Councillor's. All elected, co-opted and independent members of local authorities, including parish councils are covered by the Code of Conduct.

Information on how to make a complaint about a Councillor can be found on our website via the following link:

<https://www.west-lindsey.gov.uk/my-council/my-councillors/complain-about-a-councillor/>

Complaints about Councillors breaching the Code of Conduct are dealt with by the Monitoring Officer who can be contacted at: The Monitoring Officer, West Lindsey District Council, The Guildhall, Marshalls Yard, Gainsborough, Lincolnshire, DN21 2NA or by email MonitoringOfficer@west-lindsey.gov.uk

**If you would like a copy of this document in large print, audio, Braille or in another language:
Please telephone 01427 676676 or email
customer.services@west-lindsey.gov.uk**

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További információ gyűrű 01427 676676

Lai iegūtu vairāk informācijas gredzenu 01427 676676

Norėdami gauti daugiau informacijos žiedo 01427 676676

Aby uzyskać więcej informacji na ring 01427 676676

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