

# **Customer Feedback Complaints Policy**

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# Feedback and Complaints Policy

Folkestone & Hythe District Council is committed to delivering high levels of customer service to all our customers. We seek feedback from customers in a variety of ways, ranging from consultations, surveys and understanding their experiences.

We value and welcome customer feedback. It enables us to co-design our services with our customers, helping ensure we meet and exceed our customers' expectations. It enables us to identify what we do well and where we could make improvements.

Compliments for outstanding service enable us to give credit to the staff involved, and share their good practice across the Council, so other customers benefit from the same excellent service.

Sometimes we recognise the Council gets it wrong and a customer will make a complaint. We will always thoroughly investigate any we receive and see what lessons we can learn to serve you better.

We will make the complaints process as simple and straightforward as possible, publicise this policy externally via our website and provide a copy to customers on request. Complaints will be received via a variety of channels, including telephone, in person and by email and written correspondence.

This policy sets out our approach for dealing with customer feedback and formal complaints about the services that we, or our contractors, provide. If you wish to ask questions or comment on anything relating to the policy, you should contact the relevant Cabinet Member, or your ward councillor.

## Customer Feedback

Customer feedback is any comment you wish to make based on your experience of using Council services. Customer feedback enables the Council to understand what works well and should therefore be repeated in the delivery of other similar types of services, as well as to identify improvements we need to make to the delivery of our services. By gathering Customer feedback, we meet our ambition to refine our services to meet and exceed our customers' expectations.

All customer feedback is reported to the Council's Senior Management and Members for review, as well as to the Service areas themselves.

How do you pass feedback on?

Customer Feedback may be given in a number of ways, including:

- Our online feedback form
- Email [complaints@folkestone-hythe.gov.uk](mailto:complaints@folkestone-hythe.gov.uk)

- Telephone - 01303 853000
- In writing – Folkestone & Hythe District Council, Civic Centre, Castle Hill Avenue, Folkestone, Kent CT20 2QY
- Directly to the staff to which it relates

Feedback can be given directly to the staff to which it relates, but it may not then be shared more widely to enable other teams to learn the same lessons. Feedback may also be made anonymously, but we would not be able to contact you:

- To clarify any points you have made,
- To thank you for suggesting changes to our procedures,
- To let you know directly what we've changed as a result of your comments

Any feedback received by us will be acknowledged within 5 working days from the date of receipt (unless anonymous) and each piece of feedback will be allocated a unique reference.

## What is a Complaint?

Sometimes you might be dissatisfied with the service you have received from the Council, in which case you may feel the need to make a formal complaint.

The council defines a complaint as 'an expression of dissatisfaction about a Council service (whether that service is provided directly by the Council or by a contractor or partner) that requires a response'.

A complaint is not a request for service or an enquiry about a service.

A request for service may become a complaint if the Council fails to meet our service standards after receiving the initial enquiry.

The Council has a duty to ensure everyone has the right to be treated fairly when using our services. A complaint can also be made on the grounds that a Council service or policy has discriminated against those with protected characteristics as defined in the Equality Act 2010.

Please note that the Council also has policies in place that address unreasonable complainant behaviour and persistent complainants. In exceptional circumstances complaints may be handled under these policies.

## How Can You Make a Complaint?

For a complaint to be treated under this policy, it will need to be made in one of the following ways:

- Our online feedback form
- Email [complaints@folkestone-hythe.gov.uk](mailto:complaints@folkestone-hythe.gov.uk)
- Telephone: 01303 853000
- In writing: Folkestone & Hythe District Council, Civic Centre, Castle Hill Avenue, Folkestone, Kent CT20 2QY

- Through a representative (in writing or by email)

The investigating officer will carry out a thorough investigation and will provide a response within 20 working days (10 working days for complaints regarding the housing service) from the date of receipt of the complaint.

If you are making a complaint please provide as much information as possible. This enables the investigating officer to fully address the issue being raised.

## **Who Can Make a Complaint?**

Complaints, compliments and comments can be raised by users of our services, carers and/or others acting on behalf of a current or potential user of any of the services normally provided by the Council.

We will accept complaints from residents groups, for example Tenants and Residents Associations who demonstrate that they have a reasonable authority to act on behalf of customers.

We will accept complaints from representatives of individual customers, such as family members, carers and advocates and operate within the Data Protection Regulations. We will consider each case on its own merit but our general approach is to work with representatives where we have:

Express written authority from the customer to deal with their representative about the specific issue or complaint

Express oral permission from the customer to deal with their representative

There is strong evidence that the customer is not able to complain unaided or cannot give consent and therefore it is in the customer's best interest for the Council to liaise with the representative.

### **Can you make an Anonymous complaint?**

We will not normally investigate anonymous complaints but may do so depending on the circumstances. In exercising this discretion the factors we would take into account, include:

- The seriousness of the issue raised
- The credibility of the concern and the likelihood of confirming the allegation from attributable sources.

# Complaints Resolution

## Initial Service Resolution

Any issues or complaints relating to Health & Safety concerns will be prioritized so that these issues can be addressed quickly and effectively. They will be acknowledged within 24 hours and an appropriate response provided within 3 working days.

We will aim to resolve complaints on the spot by discussing the issue with the customer to understand the problem and how they would like it to be resolved. We will let the customer know what we are doing about it and give them a realistic timescale for resolving the problem.

If the issue raised at the initial service resolution stage is serious, demonstrates that the Council has failed to meet service standards and is likely to warrant detailed investigation and response to the customer, then it will be escalated as a formal complaint.

We will contact the customer within 5 working days of their initial contact to confirm if the problem has been resolved and agree what steps are being taken if the issues remain unresolved.

We will keep records to demonstrate that the initial service resolution has been resolved to the complainant's satisfaction.

If the customer informs us that they are dissatisfied with our response, then the issue will be escalated as a formal complaint.

## Formal Complaints – Stage 1

We will acknowledge your complaint within 5 working days from the date of receipt (unless anonymous). The acknowledgement will either be by email or by letter. A unique reference number will be allocated to the complaint.

After you have raised your complaint it will be logged centrally and a unique reference number will be allocated to it. The complaint will be sent to the complaints investigator or the specialist of the relevant service area to investigate and compose a response within 20 working days (or 10 working days for complaints in respect of the housing service) of the date of acknowledgement of the complaint. If it is not going to be possible to do this we will contact you to let you know the reason why and keep you informed of progress.

The Council aims to resolve any complaint at Stage 1. If you believe that the response you received at Stage 1 has not fully and satisfactorily addressed your complaint, you may take the complaint to Stage 2 for further investigation. You will need to tell us specifically where you believe we let you down in our Stage 1 investigation before we can consider your complaint at Stage 2.

## Formal Complaints – Stage 2

We will acknowledge your Stage 2 complaint within 5 working days from the date of receipt. The acknowledgement will either be by email or by letter. All Stage 2 complaints will be logged under the unique reference number that was allocated from your Stage 1 complaint. At Stage 2 the investigating officer is generally the senior officer of the service area to which the complaint relates. The complaint will be investigated and a response sent within 20 working days from the date which the complaint was acknowledged. If it is not going to be possible to do this we will contact you to let you know the reason why and keep you informed of progress.

There may be the need to agree to extend the timescales where people are unavailable owing to sickness absence, annual leave, etc., or where we are waiting for an advocate or other specialist to be appointed. If this is the case we will provide you with a written explanation and a new date.

Where the complaint relates solely to the attitude or behaviour of a member of staff it may be dealt with under the council's employment procedures. The responding officer or investigating officer will consider with the member of staff's line manager whether the attitude or behaviour reveals a possible breach of the council's Human Resources policies. If it does, our normal disciplinary policies will apply.

### **Withdrawing complaints**

If a complainant or their representative withdraws a complaint, we will confirm this in writing. Any outstanding issues to be investigated or addressed will be followed in accordance with internal management processes and not under the complaints process.

### **What happens when we get it wrong?**

When a complaint is found to be justified the Council will:

- Apologise to you
- Explain what has been or will be done to put the mistake right
- Explain how the error occurred and what has been done to prevent it happening again

In some cases, the most appropriate remedy to a complaint is for us to apologise to you for getting it wrong. In other cases, it will be appropriate for us to put right something that we did wrong, or do something that we failed to do.

We will offer whatever redress we believe to be right for the circumstances that will best serve the interests of our customer and uphold the principles of good customer service. For example, practical action will be considered as part or all of a remedy where a complaint is about failure to take some specific action such as carrying out repairs to a tenant's house. Consideration will also be given to any practical action suggested by you.

There will be circumstances where we are unable to put our customer back into the position they would previously have been in because of the amount of time lapsed or because of other events which may have occurred. In such circumstances, we may

consider restorative or financial compensation. When considering any redress we will be fair, consistent and mindful of public money.

### **Local Government Ombudsman**

If after having followed our complaints process you are still unhappy with the response you have received, you can contact the Local Government Ombudsman, an independent service set up by the Government to investigate complaints about most council matters. Please note that complaints in relation to the housing service must be referred to the Housing Ombudsman who covers all housing management complaints against any social landlord.

Please note: It is unlikely that the ombudsman will investigate a complaint against the council unless the complaint has been through the council's complaints process.

## **Audit of Complaints Process**

The administration of feedback and complaints is audited annually with a full audit report every four years. The audits are independently undertaken by East Kent Audit Partnership who examine and evaluate the procedures and controls in place to ensure best practice is met.

## **Complaints Not Covered by this Policy**

The following issues cannot be considered under this policy

- Complaints against the Electoral Registration Officer or Returning Officer
- Complaints relating to Electoral registration
- Complaints against Councillors
- Complaints which should instead follow a statutory appeal or tribunal process such as complaints regarding a planning decision or a parking penalty charge notice
- Complaints against issues or service which are outside of our control or where the actions are by a third party over whom the Council has no control
- Matters relating to Insurance claims or legal proceedings
- The complaint has not been raised within 12 months of the date on which the issue or matter occurred, unless there has been a compelling and justifiable case
- The complaint has been considered already
- The complaint is being pursued in an unreasonable manner
- Appeals or disputes regarding decisions made under other FHDC policies, procedures or processes
- Complaints about contractors, where they have not had the opportunity to address the complaint in the first instance (if you are unhappy with the complaint response you have received from contractors then you can complain to us directly)



These types of complaints fall outside of the council's complaints procedure because:

- There are other processes more suitable for dealing with them such as statutory appeal or tribunal process
- They are outside of our control
- There are separate legal or regulatory requirements covering these services
- The council does not wish to prejudice any legal proceedings