



**HOW TO HANDLE  
COMPLAINTS, COMMENTS AND  
COMPLIMENTS**

**WHAT SHOULD I DO?**

**A GUIDANCE MANUAL TO ALL STAFF**



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## INTRODUCTION

As an employee of Milton Keynes Council, one of the more difficult situations that you will have to deal with is the citizen who is unhappy with the service they have received from the Council.

**The Council is committed:**

- ◆ **to dealing with complaints and comments quickly, fairly and politely.**
- ◆ **to making good use of the information received in reviewing and improving our services.**

The Council's Corporate Complaints, Comments and Compliments Procedure is an integral part of the Quality Management Framework, working towards better quality services for all our users. Effective handling of complaints and comments should be considered in a positive light as a means of improving services to the user rather than simply responding to a "problem".

These guidelines contain practical advice and are designed to cover most of the situations that you might face in implementing the Council's policy and procedure when responding to complaints, comments and compliments.

However, these guidelines, cannot cover every eventuality and you are encouraged to seek early guidance from your Manager, your service's designated Customer Care Officer or the Directorate Customer Services Co-ordinator whenever you are unsure about how to deal with a complaints-related issue. **(See Appendix 4)**

The guidelines will be kept under constant review and if you have any comments or suggestions on how they can be improved, please pass them to your Directorate Customer Services Co-ordinator or contact the Complaints and Ombudsman Officer on 252752.

**There are separate procedures for Social Care Complaints investigated under:**

**Children Act 1989**

**NHS & Community Care Act 1990**

### **Providing a Better Service**

No matter how good a service we provide, it will always be possible to improve it. Complaints or comments will be made. Sometimes they will be justified and sometimes they will not. We should always be ready to listen to complaints, comments or compliments, to learn from them and to use this understanding to improve the way we do things.

If we listen to what users say to us, and make good use of that information, we'll be well on the way to improving our services.

The first step is to develop a positive attitude towards complaints. Nobody enjoys receiving complaints, but we should be grateful for them! We need to hear our users' complaints or comments because they provide us with invaluable feedback about what they want from us, and how they experience our services.

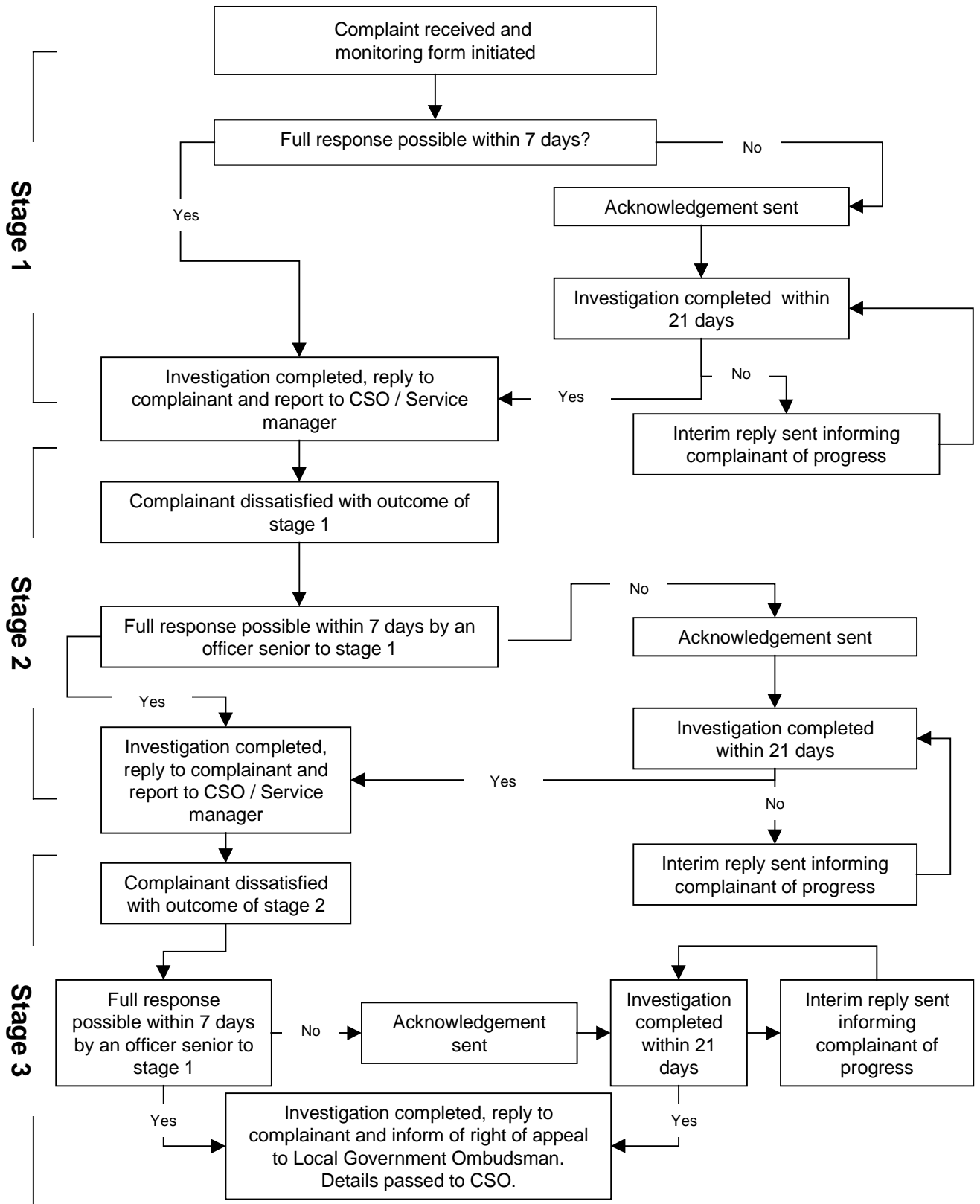
## **Getting Better through Complaints, Comments and Compliments**

- ◆ *Complaints are an opportunity for us to learn about problems and improve the services we provide.*
- ◆ *Complaints can show us gaps in our provision of services.*
- ◆ *If someone is dissatisfied, it's better that we know, and can do something about it.*
- ◆ *Handling complaints, comments and compliments well can improve our relations with the public.*
- ◆ *Complaints, comments and compliments help us to identify our department's strengths and weaknesses and to do something about them.*
- ◆ *Ignoring complaints or comments may lose us valuable support.*
- ◆ *Complaints show us that the service we provide is important to the public.*
- ◆ *Complaints are often based on miss-understandings - we think we have made ourselves clear to the public but we haven't.*

## **Helping People to Complain**

- ◆ *Everybody must have the chance to complain or comment, regardless of age, sex, race or disability.*
- ◆ *We need to let people know how they can complain.*
- ◆ *We need to cater for the needs of people with disabilities and those whose first language is not English.*
- ◆ *We need to be ready and able to deal with complaints and comments properly.*

# Summary of Complaints Procedure



## **PART 1**

### **POLICY, AIMS & STANDARDS**

#### **POLICY STATEMENT**

- ◆ Users of any service provided by or on behalf of Milton Keynes Council, or their carers or advocates should have access to a simple, well-publicised complaints procedure. The Corporate Complaints Procedure also identifies separate complaints procedures for Social Care. Complaints about Social Care Services are investigated under
  - a) Section 26 of Children Act 1989
  - b) The NHS & Community Care Act 1990 as amended by Care Standards Act 2000.
- ◆ Complaints will be responded to promptly, within defined time-scales, and will be properly investigated. Where the Council is at fault it will provide appropriate redress, including an apology.
- ◆ Complaints, comments and compliments are welcomed as a valuable source of information. They will be systematically monitored, and the lessons learned from them applied to improve and develop services. This procedure is therefore an integral part of the Council's Quality Management Framework.
- ◆ Complaints will be treated confidentially, while ensuring fairness to all concerned, and people will not be treated adversely as a result of making a complaint.
- ◆ The Council will operate the procedure in a manner consistent with the Council's equalities policy.

#### **AIMS FOR THE PROCEDURE**

- ◆ To present a clear and easily accessible procedure that encourages people to comment on Council services and to exercise their right to complain.
- ◆ To ensure a prompt, courteous and efficient response to complaints.
- ◆ To provide for a review of a complaint by someone independent of the service concerned.
- ◆ To support Council employees by providing a framework for dealing with complaints and comments.
- ◆ To enable the Council to learn from complaints, comments and compliments received and to use them as a positive tool for improving the quality of services provided.
- ◆ To reflect the latest guidance from Government and professional bodies and encourage best practice.

#### **STANDARDS FOR RESPONDING**

- ◆ Wherever possible, verbal complaints will be resolved to the complainant's satisfaction on the spot. Where this is not possible, the complaint will be acknowledged in writing within 7 days and a response given.
- ◆ All written complaints, comments or compliments will be acknowledged within 7 days. Wherever possible, a full response to complaints will be given within this timescale.

- ◆ Where an adequate response to a complaint is not possible on the spot or within 7 days, a full response will be given within 21 days.
- ◆ Where a full response is not possible within 21 or 28 days, an interim reply will be given informing the complainant of progress, naming the contact officer, telephone number and indicating the target date for a full reply.
- ◆ For complaints under Section 26 of the Children Act 1989 and NHS and Community Care Act 1990, the same acknowledgement target applies but a different target date for a full response of 28 days is allowed by law.
- ◆ These target times are in **calendar days** not working days.

## DEFINITION OF A COMPLAINT

As a guideline our general definition of a complaint is:

***“An expression of dissatisfaction about the standard of service, action or lack of action or decision taken by the Council, or the way in which the Council’s staff carry out their duties.”***

It is recognised that no definition can cover all possible cases and that complaints can range from major grievances to minor annoyances. In the final analysis, if it is the perception of the customer that he or she has a complaint then, whatever the Council’s definition, it is a complaint. **The general rule for staff should be “if in doubt, process it as a complaint”.**

All complaints have equal weight regardless of the form in which they are presented. Those presented verbally (by telephone or in person) are no less important than written complaints (by letter, fax, E-mail or the Council leaflet).

Anonymous complaints should be logged, and the complainant advised that we cannot respond fully under this procedure unless their name is given, but that the complaint will be investigated.

## WHO CAN USE THIS PROCEDURE?

- ◆ This procedure is open to everyone who lives in, works in or visits Milton Keynes and uses Council services and their carers or advocates - *irrespective of age, sex, race, or disability.*

## WHEN DOES THE PROCEDURE APPLY?

People can complain where the Council has:

- ◆ **Done something wrong.**
- ◆ **Done something it should not have done.**
- ◆ **Failed to do something it should have done.**
- ◆ **Behaved unfairly or discourteously.**
- ◆ **Not carried out a service to a recognised standard.**
- ◆ **It will apply where a request for a service or standard remedy has not been responded to within the Council’s stated time scales, or to an accepted standard.**

## WHEN DOES THE PROCEDURE NOT APPLY?

The Procedure will **not** apply where:

- ◆ Specialised processes operate for appeals against Planning decisions, Benefits, Schools exclusions, Schools admissions, Student awards and School Transport decisions.
- ◆ An initial complaint is a necessary part of a request for a service, e.g. to Environmental Health, or Trading Standards, or for clearance of obstacles or a Housing repair.
- ◆ A routine service failure occurs for which a standard remedy or any other similar process applies (**See Appendix 2**).
- ◆ A complaint is made to the Council's Homes Regulation and Commissioning Unit in respect of care provided in an independent care home subject to statutory registration procedures.
- ◆ In law, different arrangements exist for complaints about schools in relation to the curriculum. Complaints about schools curriculum issues will usually be received and responded to by the schools concerned under their procedures. Where such complaints are received elsewhere in the Council, staff should help by acknowledging them and passing them to the Customer Services Co-ordinator in Learning and Development.
- ◆ Separate statutory procedures exist for complaints under Section 26 of the Children Act and NHS and Community Care Act 1990.
- ◆ Separate procedures exist for staff grievances, disciplinary matters and "whistle blowing".

## CORPORATE COMPLAINTS PROCEDURE

**There are 3 stages in the procedure, allowing for the initial response by the service concerned, a second stage investigation by a more senior officer where required, and a review independent of the service at the third stage.**

### **Stage 1**

- (a) All new complaints, *whether received in person, by letter, telephone or other medium*, should be recorded and a complaints monitoring form initiated (**See Appendix 3**). Comments and compliments should also be recorded and acknowledged at this stage **on the same form**.
- (b) Wherever possible, complaints should be resolved on the spot or near to the point of service delivery as possible, to the satisfaction of the complainant by the staff or manager of the service concerned.
- (c) All written complaints should be acknowledged in writing within 7 days of receipt, **by the person receiving the complaint**, unless a full response is possible within this timescale. (**See Appendix 5 for standard acknowledgement letter**)
- (d) Where a full response is not possible within 7 days, an investigation should be completed by the service manager or Customer Care Officer and a full response given within 21 days of receipt of the complaint (**See Appendix 6 for standard response letter**).
- (e) Where an investigation is unlikely to be completed within 21 days then an interim reply should be issued informing the complainant of progress, naming the contact officer, telephone number and indicating the date of a final response. Any additional delays should similarly be notified to the complainant.



- (f) Upon completion, details of the full response to the complaint should be passed to the Customer Care Officer for inclusion in the monitoring report.
- (g) The reply letter should state the complainant's right to appeal under Stage 2 of the procedure or the right to approach a Member if they remain dissatisfied to monitor the progress of the complaint.

## **Stage 2**

- (h) Where a complainant is dissatisfied with the outcome of a complaint investigation then a second stage of investigation should be undertaken. This will be carried out by an officer senior to the Stage 1 investigator.
- (i) The time limits for this stage are the same as for Stage 1 and the complainant should be informed in writing of the outcome of the investigation.
- (j) The Head of Service should consider all draft responses at this stage.
- (k) The full reply letter should also state the complainant's right of appeal under Stage 3 of the Procedure , and the right to approach a Member if they remain dissatisfied to monitor the progress of the complaint.
- (l) Details of the response should be passed to the Customer Care Officer for inclusion in the monitoring report.

## **Stage 3**

- (m) Where a complainant remains dissatisfied with the response after a second investigation, a further investigation of the complaint should be carried out by a senior officer independent of the service or department to which the original complaint and subsequent appeal were addressed.
- (n) The same time scales will apply as for Stage 2 investigations and responses.
- (o) The Corporate Director will decide who should be asked to carry out the investigation, taking into account the degree of independence from the service required, and will make the appropriate arrangements. The Customer Care Officer will be responsible for liaising with the investigating officer and for providing the supporting documentation from the earlier investigations.
- (p) The investigating officer should:
  - (i) review the process followed in the earlier investigations and confirm that it conforms to the Council's procedures.
  - (ii) consider the content of the complaint and get the views of the complainant and the officers involved in the complaint.
  - (iii) draft a report setting out the evidence obtained and circulate this for comment to all those interviewed, including the complainant, unless there are special reasons not to do so.
  - (iv) consider comments and amend the report as necessary, adding conclusions and, if appropriate, a suggested remedy for the complainant.
  - (v) pass the report to the Corporate Director.
- (q) The reply letter should indicate clearly the complainant's right of appeal to the Local Government Ombudsman where he or she is not satisfied with this final response, and the possibility of contacting a Member of the Council.

- (r) Details of the response should be passed to the Customer Care Officer for inclusion in the monitoring report.

## **SPECIAL CASES**

In certain instances the general rule regarding the level at which complaints are handled will not apply. These cases will be as follows:

- ◆ If the complaint refers to the action or advice of the Customer Care Officer, it should be referred to the appropriate Head of Service who will act as the Customer Care Officer for such complaints.
- ◆ Any complaint against a Head of Service should be referred to the Corporate Director for action.
- ◆ A complaint against a Corporate Director should be referred to the Chief Executive.
- ◆ A complaint against the Chief Executive should be referred to the Chief Officer – Finance and Corporate Services to take action in consultation with all group leaders.

## **COMPLAINTS COVERING MORE THAN ONE SERVICE**

Where a complaint involves the functions of more than one service, then the relevant Customer Care Officers should liaise so that whenever possible a single co-ordinated response is sent to the complainant. In cases where there is uncertainty as to where the complaint belongs then the Information & Customer Liaison Manager will arbitrate. **The overriding principle is that the complainant should receive a co-ordinated reply without having to approach more than one department.**

## **THE ROLE OF MEMBERS**

It is inevitable that Members at some point will be approached by a complainant, and to ensure consistency of response the following action is recommended:

- ◆ For a new (i.e. Stage 1) complaint Members should advise complainants that a procedure exists and should encourage them to use it. They may wish to make a follow up check (e.g. with the relevant Customer Care Officer) to ensure that the complaint was responded to within the specified timescales.
- ◆ If a Member wishes to become more closely involved and log a complaint directly or progress a live complaint, then the initial approach should be to the manager responsible for the service area in question. The manager should ensure that the complaint is processed according to the procedure and keep the Member fully informed of the outcome.

## **PART 2**

### **GUIDANCE ON HANDLING COMPLAINTS**

#### **RECEIVING COMPLAINTS**

##### ***In Person***

**REMEMBER TO:**

- ◆ *Listen sympathetically and establish fully what the complaint is about.*
- ◆ *Restate the complaint to make sure there are no misunderstandings.*
- ◆ *If a mistake has been made, admit it quickly and with good grace. Apologise and put it right if you can.*
- ◆ *Ask the user what s/he would like done. Suggest alternatives if their preferred solution is not possible.*
- ◆ *If the complaint cannot be dealt with immediately, give your name and how you can be contacted if necessary.*
- ◆ *Advise the complainant that their complaint will be acknowledged within 7 calendar days and that the letter will state the name of the officer handling the complaint and how long it will take for a full investigation and response to be made (This should happen within the standard response target of 21 days).*
- ◆ *If you are not sure about what to do, seek advice.*
- ◆ *Complete the monitoring form and make sure that all the relevant documentation is kept together with the monitoring form and a copy of everything is sent to your Customer Care Officer.*

**By Telephone**

**REMEMBER TO:**

- ◆ *Identify yourself and the section in which you work.*
- ◆ *Listen sympathetically and establish fully what the complaint is about.*
- ◆ *Restate the complaint to make sure there are no misunderstandings.*
- ◆ *If a mistake has been made, admit it quickly and with good grace. Apologise and put it right if you can.*
- ◆ *Ask the user what s/he would like done. Suggest alternatives if their preferred solution is not possible.*
- ◆ *If the complaint cannot be dealt with immediately, give your name and how you can be contacted if necessary.*
- ◆ *Advise the complainant that their complaint will be acknowledged within 7 calendar days and that the letter will state the name of the officer handling the complaint and how long it will take for a full investigation and response to be made (This should happen within the standard response target of 21 days).*
- ◆ *If you are not sure about what to do, seek advice.*
- ◆ *Complete the monitoring form and make sure that all the relevant documentation is kept with the form and a copy of everything is sent to your Customer Care Officer .*

**In Writing - By Official Form, Letter, E-Mail or Fax**

**REMEMBER TO:**

- ◆ *Read the written correspondence, making sure that you are clear about the subject of the complaint.*
- ◆ *If you do not fully understand what the complainant wants, ring or write immediately, giving your name and contact number and giving them the opportunity to verify what they want.*
- ◆ *Investigate the complaint as soon as possible, and if it is possible to resolve the problem immediately, then try to do so.*
- ◆ *If the complaint cannot be dealt with immediately, acknowledge the complaint within 7 calendar days, giving the name of the contact officer investigating the complaint and how long it will take for a full investigation and response to be made (This should happen within the standard response target of 21 days).*
- ◆ *Complete the entry on the React System.*

## **HOW TO DEAL WITH AN ABUSIVE COMPLAINANT**

*It is important that you are aware that complainants will often approach you using an abusive or hostile manner. If something has gone wrong or not been done, then it is no surprise that a person is angry, and in some cases complainants appear only to be able to express their anger by being abusive.*

*Whilst it is appreciated that these situations are not easy to deal with, and indeed staff are not expected to deal with users who are being abusive, **by remaining calm, listening and empathising** it is often possible to diffuse the situation, and actually assist the complainant.*

*You may find that by following some of the suggestions listed below, you might be able to help:*

**KEEP CALM** - if you get angry, things will get worse.

**LISTEN TO WHAT IS BEING SAID** - even if the complainant is shouting you may get enough of an idea of what their problem is to try and help them.

**BE PATIENT** - it is no good becoming impatient with a complainant, they often need "to get it off their chest". Let them.

**EXPLAIN THAT YOU WANT TO HELP THEM** - explain that if they don't give you a chance to help them there is little that can be done.

**STAY SILENT** - if you have been unable to get a word in edgeways with the complainant, stay silent and listen. When they actually realise that you are not saying anything, they will often stop talking and give you a chance to speak.

*It will of course not always be possible to calm a person or to stop them from being abusive. If this is the case REMEMBER staff are not expected to deal with users who are subjecting them to verbal abuse and should, if this situation arises, advise the user that you are not prepared to deal with them unless they stop this behaviour. **If you are uncomfortable with the situation, call for a more Senior Officer or your Manager who will deal with the situation.***

## **HOW TO DEAL WITH A VEXATIOUS COMPLAINANT**

*A general definition of a vexatious complainant is as follows:*

**"A VEXATIOUS COMPLAINANT IS ONE WHO DOES NOT HAVE SUFFICIENT GROUNDS FOR ACTION AND SEEKS ONLY TO ANNOY".**

*As indicated in the section regarding abusive complainants, every effort should be made to try and find out what someone is complaining about. Only when we have done this will we be able to help them.*

*Having said this there will be occasions when complaints are made and no evidence exists to substantiate claims made or even justify further investigations.*

*Judgement may become more difficult when the complaint has a veneer of believability. In such circumstances, it is important to carry out an investigation even though doubt may exist in your mind.*

*A further problem may occur where a complaint has been investigated but found not to be justified, and the complainant then makes further complaints related to the same issue. If a complainant persistently engages in such accusations and previous investigations have found no cause to exist, then it may be reasonable to close the complaint.*

*In such cases you should consult with your senior manager and make him/her aware of your views. If there is agreement then the appropriate manager should write to the complainant making it clear that further investigations will not be undertaken.*

*The complaints process exists to provide an opportunity for those who are unhappy with Council services to express themselves and we should not seek to interfere in this opportunity.*

*Officer time is valuable however, and if it is taken up dealing with vexatious complainants then this may detract from the service offered to the rest of the public.*

*Whether a complaint fits into this category should be decided upon on an individual basis, and on the facts available at the time.*

***It is expected that only a very small percentage of complaints will be treated in this way.***

## **INVESTIGATING COMPLAINTS**

*Investigations of complaints should always be sufficiently thorough to establish the facts and make an informed response.*

### **REMEMBER TO:**

- ◆ *Aim to answer all the points of concern - it may help to highlight and number each point requiring a response.*
- ◆ *Contact the complainant if you require clarification on any detail of the complaint.*
- ◆ *Consider what the complainant wants as the end result of the complaint - if it isn't clear, ask them.*
- ◆ *Consider whether the complaint can be put right without further enquiries.*
- ◆ *Familiarise yourself as necessary with: legislation, policy, relevant standards and procedures.*
- ◆ *Get together all relevant documentation regarding the complaint.*
- ◆ *From what you know, establish a chronology of events (this is very useful and can highlight gaps in information and potential questions).*
- ◆ *As far as possible be impartial, avoiding any bias in favour of the complainant, a staff member or the organisation.*
- ◆ *Be thorough - this involves finding out the relevant facts, talking to people involved on both sides of the complaint and verifying explanations where possible. Try to ask open questions rather than just asking for comments.*
- ◆ *Aim to resolve apparent contradictions by seeking corroborating information.*
- ◆ *Tell people you contact of your target date and stress the importance of a quick response from them.*
- ◆ *Offer a meeting/home visit where appropriate - this can often be an effective means of resolving complaints, with the complainant pleased that the Authority is clearly taking their concern seriously, and willing to devote time to resolving it (this may not be relevant for every complaint).*
- ◆ *Check all continuing correspondence to ensure that it does not contain new issues which merit a response.*
- ◆ *Aim to reply to the complainant as quickly as possible and try to ensure that the reply is sent well before the deadline date if possible.*
- ◆ *Make a formal record of any interviews, or discussions and your final findings, conclusions and recommendations. Ensure copies are sent to the Customer Care Officer for inclusion on the React System.*

## ***INTERPRETATION SERVICE***

There is an emphasis in the procedures on making them accessible to people whose first language is not English. The Community Language Service (Saxon Court) provides translation and interpretation services for the Council, and can also provide advice on issues relating to languages, translation and interpretation. For more details contact the Project Development Co-ordinator, MK Community Language Services on 253486. A public leaflet has been produced in the following ethnic minority languages as listed below and copies of these will be available from Norma Evans, Information & Customer Liaison Manager on 252752 if you require a copy.

- Bengali
- Urdu
- Gujarati
- Punjabi
- Chinese
- Italian

Where an interpreter or translator is necessary in order for the person to record their complaint or comment, managers should liaise with Project Development Co-ordinator, MK Community Language Service on 253486 to make arrangements. **REMEMBER**, these complaints must be dealt with and responded to within the standard timescales set. There will be a cost for this service which will be charged to the individual service.



## GUIDANCE ON RESPONDING TO COMPLAINTS

### RESPONDING TO A COMPLAINT

*When responding to a complainant - think about the purpose of your letter - what information do you want to put across? - what information do you need to tell them?*

*Convey this information as simply as possible by following the points below:*

- ◆ **Beginning** - *clearly introduce the subject by reiterating the nature of the complaint, issues raised and any previous responses (where necessary referring to dates).*
- ◆ **Middle** - *state clearly but briefly any legislation, policy, procedures relevant to the complaint.*
- ◆ **End** - *make it clear what will happen. An apology should always be given for the inconvenience of having to complain, even if the complaint has not been upheld. The recommendations should be made clear, giving, where appropriate:*
  - ◆ *An explanation of why a decision was made or an action taken.*
  - ◆ *Confirmation of how we intend to put the problem right and when this can be expected.*
  - ◆ *An offer of compensation for expenses incurred or as a gesture of good will.*
  - ◆ *If a decision means taking no action, explain fully why.*

**All** correspondence should:

- ◆ *Use plain English.*
- ◆ *Be clear and concise, and answer the complaint fully.*
- ◆ *Use correct spelling, grammar and punctuation.*
- ◆ *Try not to use jargon or technical terms that the complainant may not understand or may find intimidating.*
- ◆ *Explain technical terms if you do have to use them.*
- ◆ *Use simple and short words, sentences and paragraphs. This helps with clarity.*
- ◆ *Be polite - empathise/sympathise for how the complainant feels even if you cannot uphold the complaint.*
- ◆ *Inform the complainant of the next stage of the procedure if they are still not satisfied, and that they have the right of appeal through the Local Government Ombudsman or through their local Councillor.*

### RECORDING YOUR ACTIONS

*It is important to keep a clear record of complaints in order that anyone looking at the complaint both internally and externally (e.g. Stages 2 & 3, or the Local Government Ombudsman), can see what action has been taken and why.*

*The record should contain correspondence sent to and received from the complainant, written notes of telephone and face to face conversations, and any other documents used in the course of investigating the complaint.*

*Notes should contain dates and (where appropriate) times of conversations and meeting(s). They should try, as accurately as possible, to reflect the nature of the conversation, and include information given by the complainant and any statements you make in reply.*

*All promises of action and agreements with the complainant should be recorded, along with dates and times.*

**MAKE SURE THAT YOU FORWARD A COPY OF ALL CORRESPONDENCE AND WRITTEN NOTES TO YOUR CUSTOMER CARE OFFICER FOR INCLUSION ON THE REACT SYSTEM.**

## **REDRESS**

People complain because they are unhappy with some aspect of the Council's services. If the investigation confirms that the Council is at fault, the response to the complainant should try to resolve the problem. If the complainant has suffered as a result of the Council's actions, resolving the problem will usually involve some form of redress. To be appropriate, the redress should:

- ◆ Leave the complainant as far as possible in the position s/he would have been in had the mistake not occurred.
- ◆ Have regard to the action sought by the complainant.
- ◆ Be related to the injustice suffered and compensate for it.
- ◆ Be legal, practical and within the Council's powers.
- ◆ Be clear and capable of being implemented quickly.
- ◆ Be fair to the complainant and to others, and not result in injustice for others.
- ◆ Be consistent with past remedies and existing Council practice.

**Providing redress is not doing a favour, it is recognising that the Council did not get it right the first time and correcting that mistake.**

For some complaints, appropriate redress could include financial or practical measures, e.g. a free swim or visit to a leisure centre or immediate correction of faulty workmanship, where this was the service complained about. In other cases, a personal interview or telephone call from the Head of Service or other senior manager may be all that the complainant requests.

**Redress should always be accompanied by an apology for any mistakes identified.**

## **LOCAL GOVERNMENT OMBUDSMAN**

*If the complainant is still not happy with how they have been dealt with through the procedure then after the completion of Stage 3 they have the right of appeal to the Local Government Ombudsman.*

*The Local Government Ombudsman is an independent and impartial organisation and its role is to investigate complaints of maladministration by Local Authorities.*

*It is the right of every user of the Council to take their complaint to the Local Government Ombudsman. However, users should be advised that the Ombudsman will **not** normally investigate a complaint until the complaint has gone through the Council's own internal complaints procedure.*

*Once the Ombudsman accepts the complaint it will be investigated. The investigation may be terminated at any point where it becomes clear that there is no maladministration or where the Council agrees to settle with the complainant. Where maladministration is found, the Ombudsman will issue a report and recommend the Council to make amends to the complainant. This may include the payment of compensation. The Local Government Ombudsman does not have the power to force the Authority to comply with the recommendations of the issued report, but he/she does require that the details of a case be published in the local press.*

*There are certain matters that the Local Government Ombudsman **cannot** investigate:*

- ◆ *Something the complainant knew about more than 12 months before writing to the Ombudsman or a Councillor, unless the Ombudsman thinks that it is reasonable to investigate despite the delay.*
- ◆ *Something that the complainant has already gone to a court about or appealed to a tribunal or a government minister. If the Ombudsman considers that the complainant could have gone to court or appealed the complaint would not normally be investigated.*
- ◆ *Something affecting all or most of the people living in a Council's area, such as a complaint about the Council wasting money*
- ◆ *Court proceedings.*
- ◆ *The internal management of schools and colleges.*
- ◆ *Personnel matters.*
- ◆ *Contracts for the supply of goods and services to the Council.*

*Referral of complaints to the Ombudsman is clearly a serious matter: the complainant is in effect expressing his/her dissatisfaction with the Authority's own complaints system and inviting the Ombudsman to criticise the Authority publicly. **Every effort should be made to resolve user's complaints locally and to satisfy the complainant.***

*However, if the complainant is still dissatisfied and wishes to go to the Ombudsman, every assistance should be given in supplying necessary contact details, or one of the Ombudsman's own leaflets.*

*The address for the Ombudsman covering this area is:*

*The Local Government Ombudsman*

*Millbank Tower*

*Millbank*

*London SW1P 4QP*

*Telephone: 020 7217 4620*

*E-mail: [London@lgo.org.uk](mailto:London@lgo.org.uk)*

*Leaflets are available from the Civic Offices, and all Ombudsman complaints are co-ordinated by Norma Evans, Information & Customer Liaison Manager, who is happy to provide advice.*

## **WHO IS RESPONSIBLE?**

### **MANAGEMENT AND STAFF RESPONSIBILITIES**

**Everyone** has a responsibility for listening to, recording and acting on complaints, comments and compliments in order to help improve Council services. Within that general responsibility, staff, their managers and people designated roles in relation to this procedure have specific responsibilities:

#### **All Staff**

- ◆ To read this procedure and guidance and be aware of how it operates.
- ◆ To try to resolve complaints as quickly and positively as possible.
- ◆ To make sure that the Customer Care Officer is given details of the complaint and action taken.
- ◆ To assist in the investigation of any complaint and help respond within the stated timescales.

#### **Investigating Officers**

- ◆ To read and comply with the guidance on investigating complaints.
- ◆ To investigate and respond within the stated timescales, and to keep the complainant informed of progress.
- ◆ To keep a record of your investigation, findings and recommendations.

#### **Managers**

In addition to the responsibilities of all staff, managers should:

- ◆ Ensure that their staff are familiar with the procedure and guidance, and know where a copy is kept.
- ◆ Encourage a positive attitude to complaints by their staff.
- ◆ Ensure that records are kept of action taken in response to complaints.
- ◆ Ensure that complaints are investigated and responded to within the stated timescales.
- ◆ Be pro-active in publicising quality improvements made in response to complaints.
- ◆ Be aware of who the designated Customer Care Officer is for their team.
- ◆ Be aware of the arrangements for an interpretation service to help people to complain or comment.
- ◆ Be aware of the volume and value of complaints and comments about their service, and to take appropriate action to improve services in response to them.
- ◆ Provide a commentary on Complaints monitoring reports to DMT's.

#### **Corporate Directors**

In addition to the responsibilities of managers, Corporate Directors should:

- ◆ Ensure that quarterly monitoring reports including both statistical and qualitative data are considered at their DMT's.
- ◆ Arrange for an investigation by a senior officer independent of the service involved for any third stage complaint.
- ◆ Consider the report of the independent investigator and decide on the appropriate response to the complainant and any further action.

## **Information & Customer Liaison Manager**

- ◆ To manage the Corporate Procedure and give advice and assistance to Directorates and customers
- ◆ To lead on the regular monitoring and review of the complaints procedure to ensure compliance.
- ◆ To keep in touch with best practice in complaints handling in order to develop the Council procedure and guidance.
- ◆ To ensure the availability of publicity information.
- ◆ To act as the Authority's principal point of contact for Local Government Ombudsman complaints

## **Complaints Champions (Heads of Service)**

- ◆ To ensure that complaints are resolved through the procedure quickly and effectively
- ◆ To check the quality of responses to customers and identify areas for improvements in dealing with individual complaints
- ◆ To implement feedback checks after complaints have been resolved
- ◆ To identify patterns and trends in complaints to assist their service to take correct action to improve services
- ◆ To ensure that front-line staff are trained and equipped to deal with complaints effectively and use them to initiate service improvements
- ◆ To advise Departmental Management Team on a regular basis of the lessons learned from complaints and areas for service improvements

## **Customer Care Officers**

- ◆ To receive contact from customers
- ◆ To log information on the React system
- ◆ To allocate complaints to an investigating officer
- ◆ To ensure that timescales for responses are met
- ◆ To obtain documentation on each complaint
- ◆ To ensure that resolution of complaint is entered on the Feedback Database
- ◆ To provide monitoring information to the Champion
- ◆ To meet with Champion and other Customer Care Officers to consider improvements

## **Complaints Manager**

- ◆ This post is based in the Regulation and Commissioning Unit, Neighbourhood Services Directorate.
- ◆ To manage and co-ordinate Social Care complaints made in relation to Neighbourhood Services Directorate and investigate complaints under NHS & Community Care Act 1990 and Learning & Development Directorate – Children’s Services complaints investigated under Section 26 of Children Act 1989 and other complaints involving children.



## ◆ MONITORING AND REPORTING

The following Complaints monitoring reports are produced:

### QUARTERLY

- ◆ Directorate Management Team Report
  - ◆ Division
  - ◆ Reference number
  - ◆ Officer dealing with complaint
  - ◆ Receipt date
  - ◆ Date of response
  - ◆ Number of days taken to respond
  - ◆ Stage and Type analysis
  - ◆ Comments from Heads of Service

This report is reviewed by Directorate Management Teams at the end of each quarter, comments recorded and passed to the Complaints and Ombudsman Officer.

## MONITORING INFORMATION

The Feedback database has the ability to produce management information and includes a section for the “Type” of complaint to help the Council identify and monitor any trends. The following provides a detailed description for each of these “Type(s)”:

<b>Service Failure</b>	a failure by the Council to provide a service in accordance with the standards or target times set for that service
<b>Contractor Related</b>	where a contractor is providing a service on behalf of the Council and it is not in accordance within the standards and targets contracted for
<b>Inappropriate Action</b>	where either the Council or a contractor has not followed the appropriate procedure for a service
<b>Inappropriate Procedure</b>	where a user is criticising the procedure in place
<b>Policy Disagreement</b>	where dissatisfaction results from a written Council Policy
<b>Service Cost</b>	where there is disagreement over the cost of a service charged to a user
<b>Staff Conduct</b>	when a complaint relates to the behaviour of an individual member of staff of the Council or a contractor working for the Council
<b>Premises Related</b>	the complaint relates to the physical environment of Council premises

**Other**

if not covered by the above, this allows for a brief but detailed summary to be provided

**A complaint may involve more than one of the above categories.**

**STANDARD REMEDIES**

Standard remedies for routine service failures currently exist in respect of:

**1. Household Waste**

Failure to collect household waste should be routinely remedied by making a special collection within 24 hours of notification.

**LIST OF DIRECTORATE CUSTOMER SERVICE CO-ORDINATORS AND CUSTOMER SERVICE OFFICERS**

**Corporate Responsibility - Norma Evans 2752**

**Learning and Development Directorate**

**Complaints Champion – Claire Hutley 3579**

Customer Care Officers:

Carroll Carter	Leisure Facilities	3524
Penny Holley	Grant Aid	3093
Jennie Edwards	Youth Service	3691
Sue Williams	Learning and Skills	4204
Teresa Carroll	Libraries	4068
Val Emsley	Cultural Planning	3286
Julie Godwin	Nurseries	3009
Christine Aronson	Educational Psychology Dept	367333
Heidi King	Inclusive Education	3622
Jenny Gurney	Pupil Support	3371
Marilyn Coveney	SEN	3103
Margaret Ball	School Effectiveness	3341
Lisa Pantlin	Education Planning and Information	3338
Beris Hemming	EMASS	270409

## **Neighbourhood Directorate**

**Complaints Champion – Revenues and Benefits : Amanda Holden 3261**

Customer Care Officers:

Elna Hughes 3496

Phil Nightingale 3740

Gry Sharp 3798

Lyn Chipperfield 3744

## **Resources Directorate**

**Complaints Champions – Legal & Property Services**

**Mark Jones** Legal Services 2962

**Peter Smettem** Property Services 2443

Customer Care Officers:

Sue Salmon Legal Services 2499

Vicki Burrows Property Services 2541

**Complaints Champion – Human Resources: Tim Howe 3844**

Customer Care Officer

**Mary Downes** HR 3642

**Complaints Champion – IT: Pete Bonham 2738**

Customer Care Officer

Hazel Lewis 4444

**Environment Directorate**

**Complaints Champion – Planning & Transport : David Hackforth 2250**

Customer Care Officer:

Fiona Kisch 2905

**Complaints Champion – Development & Design : Andrew Armes 2586**

Customer Care Officers:

Gillian Smith Development & Design 2569

Ian Dunmore Architecture MK 2007

**Complaints Champion - Technical Services : Graham Uppington**

Customer Care Officer

Rod Comitti 2854

**Complaints Champion – Environmental Services : Geoff Beck 2667**

Customer Care Officer

Jan Bettles-Hill 2239

**Complaints Champion – Business Support : Steve Readyhough 2192**

Customer Care Officer

Julie King 4223

**Neighbourhood Services**

**Complaints Champion – Social Care : Carol Noble 3697**

Customer Care Officer 3605

Director's Office

Elaine Dunlop

Claire Marshall

Valerie Dimmock



Housing Management

Linda Ellen,

Cathy Caves,

Sandra Rankin

Christine Harris

Sharron  
Comerford

Lee Mooney

Tim Bevan

Mary Baker

Lynn Moore,

Sally Broom,

Rosie Rockall,

Margaret Tuff

Millie Hopkins,

Sue Newport



Housing Repairs:

Steve O'Hare

Anne Welch

Jenny Antell,

**Chief Executive's Office**

**Complaints Champion – John Moffoot**

**2314**

Customer Care Officer:

2366

Eileen Seymour



**STANDARD ACKNOWLEDGEMENT LETTER**

**This acknowledgement letter should be used if a full response cannot be made within 7 calendar days.**

(Person's Full Name)

(Person's Full Address)

(put your name and extension number)

Reference (state complaint reference number)

Dear (Person Salutation)

Thank you for your letter/telephone call **(type whichever is appropriate)** received on **(insert date received by the Council)**. I am sorry that there seems to be a problem and would like to thank you for taking the trouble to tell us about it. I have passed this matter to **(Investigating Officer's name)**, in our \*\*\*\*\* department to investigate and he/she**(please delete as appropriate)** will be writing to you again by **(state date 21 days from date of receipt of complaint within the Council)**. We hope to be able to respond fully to your complaint by that date.

Please do not hesitate to contact **(Investigating Officer's name and telephone number)** if you have any further information which might help us to gain a deeper understanding of the problem, or if you do not hear by the date stated above.

Yours sincerely

**(name)**

**(Post Title and Directorate)**

cc: **(Investigating Officer)**  
**(Customer Care Officer, with the complaints form)**

**STANDARD RESPONSE LETTER**

**This letter should be used for a full response.**

(Person's Full Name)

(Person's Full Address)

(put your name and extension number)

Reference (state complaint reference number)

Dear (Person Salutation)

Further to our letter dated \_\_\_\_\_, I am writing to respond to your complaint of **(state date of initial letter or form)**. You stated that **(please summarise the complaint to illustrate that we have fully understood the complaint and what is needed to rectify)**.

***This part of the letter should describe in detail the investigation carried out and what action will result from it (please give timescales , where appropriate).***

I do hope that this satisfactorily addresses your concerns and apologise for any inconvenience you may have experienced. I would like to assure you that we are always pleased to listen to people who use our services and hope that you will feel able to inform us of any problems that you might experience with any aspect of the work of the Council.

I hope that you find this is a satisfactory response. However, if you are still unhappy you have the right to appeal under Stage 2/3 **(please delete appropriate)**, when a further independent investigation will be implemented. In addition, you also have the right to take this matter up with **(if this is a stage 3 please insert the following, the Local Government Ombudsman, details are available from the Civic Offices and)** your local Councillor. Names and contact details for your local Councillor are available by ringing Members Services on MK 252567.

Should you choose to appeal, please remember to quote your complaint reference number shown above.

Yours sincerely

**(Investigating Officers name)**  
**(Post Title and Directorate)**

cc: Customer Care Officer