



CITY OF
Lincoln
COUNCIL

Corporate Customer Complaints Policy

Document Control

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V1.0	Joanne Crookes	New	New policy in line with the Housing Ombudsman Service Complaint Handling Code.
V1.1	Joanne Crookes	V1.0	Amendment to postal address for the Housing Ombudsman Service (page 11)

Document Approvals

This document requires the following approvals:

Sponsor Approval	Name	Date
Executive		
CMT		
SIRO		

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CUSTOMER COMPLAINTS POLICY

1. Introduction

1.1 We welcome complaints and feedback from any of our customers as a way of helping us to:

- Understand the needs and expectations of our customers.
- Provide services that are easy for people to use.
- Ensure that we are continually improving how we work.
- Ensure that when we get things wrong, we quickly put them right and provide appropriate redress if applicable.

1.2 This Policy sets out how customers can make a complaint and how we will deal with their concerns. It also sets out how we will ensure that we are continually learning from the feedback that we get.

2. Our Guiding Principles

2.1 We will welcome complaints from customers however they decide to make their complaint.

2.2 We will deal with complaints in accordance with our agreed response times as follows:

- We will acknowledge complaints within 5 working days.
- For level 1 complaints we will respond within 10 working days of the date of acknowledgement.
- For level 2 complaints, where the customer remains dissatisfied and has asked for a review of the level 1 response, we will respond within 20 working days of the acknowledgement of the escalation request.

2.3 When investigating a complaint, we will keep the customer informed if there are any issues delaying our progress. We will always explain if there is any delay in our response causing it to fall outside of our target times.

2.4 We will ensure that our response covers all elements of the complaint raised

2.5 We will explain whether we have upheld the complaint or not and the reasons for our decision.

2.6 If we uphold a complaint, we will apologise for any mistakes that we have made, and we will work to put things right as soon as possible.

2.7 We will use complaints information to ensure that we are doing everything we can to prevent similar occurrences in the future.

3 Definition of a Complaint

3.1 In order for our complaint handling to be effective customers should understand our definition of a complaint. A complaint is:

“An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by us, our staff, or those acting on our behalf, affecting a customer or group of customers.”

- 3.2 A customer does not have to use the word ‘complaint’ for us to treat it as one. Whenever a customer expresses dissatisfaction, we will give them the choice to make a complaint.
- 3.3 Where a third party or representative submits a complaint on behalf of a customer, it will be handled in line with this complaints policy.
- 3.4 There is a distinct difference between a service request and a complaint. A service request is a contact from a customer that brings a matter to the council's attention for the first time, and requests a service offered by the council, for example, reporting a missed bin or telling us about noise nuisance.
- 3.5 Service requests should be made on our contact us page or by calling our Customer Service team. If a service request is raised via the complaints system, it will be passed to the correct service to deal with as any other enquiry to that service would be.
- 3.6 A customer may make a complaint during an ongoing service request. Receipt of a complaint will not stop our efforts to address the service request.
- 3.7 We will not treat an expression of dissatisfaction with services made through a survey as a complaint. However, where we ask for wider feedback about services, we will also provide details of how residents can complain.

4 Our Complaints Handling Process

- 4.1 The Portfolio Holder for Customer Experience and Review is also the Member Responsible for Complaints (MRC) and guides the Council to support a positive complaint handling culture.
- 4.2 The lead officer, or Corporate Complaints Monitoring Officer responsible for overseeing, monitoring, and reporting on complaints is the Customer Services Manager.
- 4.3 Each Directorate has a Complaints Monitoring Officer who reports to their Departmental Management Team and provides information on complaints performance to the Customer Service Manager.
- 4.4 We refer all complaints, no matter how we receive them, to the Directorate Complaints Monitoring Officer. This is to ensure that we record and respond to every complaint and report on our overall performance. The Directorate Complaints Monitoring Officer will acknowledge the complaint within 5 working days and assign it to an appropriate person to investigate it. At this point, the target response time begins.
- 4.5 The Directorate Complaints Monitoring Officers are responsible for allocating complaints to the most suitable person to undertake the investigation and conclusion of each complaint. These officers have senior management support

to hold staff to account to ensure that we respond to complaints within the target times, that we keep the customer informed if there is any justified delay, and that the investigating officer completes and returns the complaint outcome report.

4.6 Before considering a complaint, we will make every effort to ensure that we have a clear understanding and record of what the customer feels is wrong and what in the customer's view the Council should do to put it right.

4.7 The internal complaints procedure has two levels, the response times are set out in section 2.2:

Level One: The first indication of dissatisfaction requiring a response by a line manager or suitable member of staff.

Level Two: An escalated complaint, where the customer is not satisfied by the level one response. This requires a different person to consider the validity of the level one response and to either uphold it or change the outcome.

4.8 Where residents raise additional complaints or issues during the investigation, if they are related and the stage 1 response has not been issued, we will incorporate them into the stage 1 response. Where we have issued the stage 1 response, or if the new issues are unrelated to the issues we are already investigating or it would unreasonably delay the response, we will log the new issues as a new and separate complaint.

4.9 The responsibilities of staff investigating complaints are as follows:

- Fully investigate the circumstances of the complaint.
- Speak to all relevant parties and establish the facts.
- Decide whether to uphold the complaint or not.
- Consider whether any redress is appropriate.
- Ensure that we cover all aspects of the complaint in our response.
- Respond to the complainant within the agreed timescales. Where this is not possible, we will inform the customer. In most cases any extension should not be for more than a further 10 days. At this point we will also give the customer the contact details for the relevant Ombudsman service.
- Provide a response to the complainant when the answer to the complaint is known. We will not wait until we have completed the outstanding actions required to address the issue. Instead, we will track the actions and ensure that we complete them promptly, providing appropriate updates to the resident.
- Seek to prevent a recurrence or future problems, particularly where we have been at fault.
- Ensure that the response clearly sets out the next step for the customer if they do not accept the decision.

4.10 The complaint response must confirm to the resident, in writing, using clear, plain language the following information:

- the complaint stage.
- the complaint definition.
- the decision on the complaint.
- the reasons for any decisions made.

- the details of any remedy offered to put things right.
- details of any outstanding actions; and
- details of how to escalate the matter to the next stage if the individual is not satisfied with the response.

5 Complaints under the fluency duty

- 5.1 Complaints under the Fluency Duty Code of Conduct, (Part 7 of the Immigration Act 2016) are dealt with using our standard complaints procedure.
- 5.2 All public authorities are subject to the fluency duty. For the purposes of the fluency duty, a legitimate complaint is one about the standard of spoken English of a public sector member of staff in a customer-facing role.
- 5.3 We will not consider any complaint about a member of staff's accent, dialect, manner or tone of communication, origin, or nationality as a legitimate complaint under the fluency duty.

6 Excluded Complaints

- 6.1 While we will consider each complaint received on its own merits, there are circumstances where we might refuse to investigate a complaint made to us.
- 6.2 We will not accept a complaint about an issue or incident which occurred over 12 months prior to receipt of the complaint unless there are compelling reasons why we should.
- 6.3 Sometimes we cannot investigate a complaint if legal proceedings have started. For clarity, the term legal proceedings means that details of the claim, such as the Claim Form and Particulars of Claim, have been filed at court. The customer taking legal advice or instructing a solicitor will not preclude our investigation.
- 6.4 We will not usually re-investigate matters that we have previously considered under the complaints policy. Where we have already investigated a complaint and provided a level 1 and a level 2 response, we will not re-investigate the complaint unless the complainant presents material new evidence.
- 6.5 When we decide not to accept a complaint, we will provide an explanation to the customer setting out the reasons why the matter is not suitable for the complaints process and informing them of their right to refer our decision to the Ombudsman.

7. Accessibility and Awareness

- 7.1 We encourage customers to complete our on-line complaints form so that we can easily and efficiently track their complaint and monitor the speed of the response. However, customers may choose to make their complaint however they can. This includes:
- verbally by calling our Customer Service Team.
 - informing any council employee that they want to complain. All of our staff will be aware of the complaints process and be able to pass details of the complaint to the appropriate person.

- writing us a letter.
- getting a representative to make a complaint on their behalf.

Where possible we will register the complaint by completing the on-line form as this allows for accurate tracking of the complaint progress through our investigation.

- 7.2 We will ensure that customers wishing to complain are aware of the availability of interpretation in their first language as well as large print and braille.
- 7.3 This policy is available to any customer on request and is downloadable from our website.
- 7.4 Our website also has contact details for the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS). Their respective complaint handling codes are available via links on our website.

8 Dealing with Unacceptable Complainant Behaviour

- 8.1 Most complainants can raise their concerns in a polite manner. On occasion customers will be abusive in their approach or will be unacceptably persistent. We have a policy in place for managing unacceptable behaviour from customers and/or their representatives.
- 8.2 Where we follow this policy and put restrictions in place, we will clearly set out our reasons for doing this. The restrictions will be proportionate, and we will keep them under regular review. We will inform any customer subject to restrictions and will give them a copy of the Unreasonable Complainant Behaviour Policy

9 Putting Things Right

- 9.1 Where something has gone wrong in our processes or the way we have delivered a service we will do what we can to put things right.
- 9.2 Where we could have done things better, we will:
- Apologise
 - Acknowledge where we went wrong.
 - Provide an explanation or reasons.
 - Act to rectify a situation if there has been delay.
 - Reconsider our decision and change it if appropriate.
 - Amend records or add a correction or addendum if appropriate.
 - Provide a financial remedy if appropriate.
 - Review and, if appropriate, change policies, procedures, or practices.
- 9.3 We will decide on the appropriate remedy that we will offer by following the guidance on remedies issued by the Ombudsman services
- 9.4 If we offer a financial remedy, it will reflect the impact on the customer as a result of any fault identified.

9.5 We will agree any remedial action we have identified with the customer where appropriate. We will clearly set out what will happen and by when and ensure that we follow any action plan through to completion.

10 Learning and Service Improvement

10.1 We view complaints as an opportunity to improve what we do. We use all complaints as a source of information and feedback which helps us to identify issues and introduce positive changes in service delivery.

10.2 We will look beyond the circumstances of the individual complaint and consider whether we can make general service improvements as a result of the learning.

10.3 We will be accountable to our customers and will report back on wider learning and improvements from complaints to stakeholders. This will include our Tenant Panel, staff, and relevant committees.

10.4 Our Complaint Monitoring Officer will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision. We will raise these issues at directorate management meetings.

10.5 The Member Responsible for Complaints (MRC) leads our responsibility to support a positive complaint handling culture. The MRC will be responsible for ensuring the Executive receives regular information on complaints that provides insight on our complaint handling performance.

10.6 The MRC and the Performance Scrutiny Committee will receive:

- Quarterly updates on the volume, categories, and outcomes of complaints.
- Quarterly complaint handling performance i.e. keeping to timescales.
- Updates regarding issues and trends identified from complaint handling.
- Quarterly updates on the outcomes of the Ombudsman's investigations and progress made in complying with Ombudsman Recommendations and any orders related to severe maladministration findings.

10.7 We will present an annual complaints performance and service improvement report to Audit Committee.

11 Compliance against the Ombudsmen's Complaint Handling Codes

11.1 We will publish the annual complaints performance and service improvement report on our website.

11.2 The reports made available to council and to the public will include the following:

- An annual self-assessment against the Housing Ombudsman Complaint Handling Code.
- An analysis of our complaint handling performance. To include:
 - a summary of any complaints we refused to accept.
 - any findings of non-compliance by the Ombudsman.
 - a summary of the service improvements made as a result of the learning from complaints.
 - any annual report about performance from the Ombudsman; and

- any other relevant reports or publications produced by the Ombudsman in relation to our work.

11.3 Alongside the annual self-assessment summary, we will also publish on the website, the member response to it.

11.4 If the council undertakes a significant restructure, merger or change in procedures, we will also conduct a new Housing Ombudsman Service compliance self-assessment.

12 Our Commitment

12.1 All of our employees and contractors will be aware of our commitment to resolve and learn from complaints

12.2 We will have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments.

12.3 All staff will take collective responsibility for any shortfalls identified through complaints with zero tolerance for blaming others.

12.4 We commit to act within the professional standards for engaging with complaints as set by any relevant professional body where they apply to our services.

12.5 This policy will be reviewed annually on receipt of the Ombudsman annual letters or in response to any changes made to either of the relevant Ombudsman's Complaint Handling codes

APPENDIX 1

Contact Details for the Ombudsman Services:

1. Local Government and Social Care Ombudsman.

The LGSCO prefers to receive complaints via their online form.

<http://www.LGO.org.uk/making-a-complaint/>

The service can also be contacted by telephone or post:

Call: 0300 061 0614 (Monday to Friday 10:00 to 16:00)

Local Government and Social Care Ombudsman,
PO Box 4771,
Coventry,
CV4 0EH

2. The Housing Ombudsman Service. (For complaints from our tenants about our landlord services)

info@housing-ombudsman.org.uk

Housing Ombudsman Service
PO Box 1484
Unit D
Preston
PR2 0ET

0300 111 3000 (Monday to Friday)

APPENDIX 2

1. List of Complaints Monitoring Officers

Overall Monitoring and Corporate Complaints:

Joanne Crookes, Customer Services Manager

jo.crookes@lincoln.gov.uk

01522 873407

Member Responsible for Complaints (MRC)

The Portfolio Holder for Customer Service and Review

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