

Stoke-on-Trent City Council Corporate Complaints, Comments and Compliments Policy 2024

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Introduction

Stoke-on-Trent City Council welcomes feedback from residents, service users and their families. Your feedback can help us to inform, review and improve the services that we provide or commission. We ensure that all of our staff receive training to receive and record feedback so that residents can tell us about their experiences at any time.

The Council aims to provide services to a high standard; however, we accept that we don't always get it right and there may be occasions where you feel dissatisfied with the service that you have received. We want to hear about your bad experiences so that we can learn from any mistakes and put them right as quickly as possible. We can also use this feedback to improve services for other residents, services and their families.

There may also be occasions where you feel that you have received an exceptional level of service. We also want you to tell us about these experiences, so that we can continue to deliver our high standards.

We will:

- Deal with all feedback quickly and efficiently.
- Put things right where we are at fault.
- Treat all feedback confidentially and fairly.
- Use your feedback to improve services wherever possible.

Contacting Stoke-on-Trent City Council

We take our duties under the Equality Act 2010 very seriously and anticipate the need to make reasonable adjustments to help vulnerable residents to access the complaints process via a different channel. We will keep a record of any reasonable adjustments that have been agreed, as well as a record of any disabilities or vulnerabilities that you disclose. We will review these adjustments regularly to ensure that they continue to meet your needs.

There could be times when you may need to have a representative deal with the complaint on your behalf, or be represented or accompanied at meetings. We will ask you for written consent to the complaint being managed or supported by a representative.

All feedback received via Stoke-on-Trent City Council social media channels will be monitored and you will either be directed to the appropriate service, or be contacted for permission to log complaint issues formally.

On occasion we may ask you to provide feedback on services through the use of surveys. Expressions of dissatisfaction expressed through surveys of this kind will not automatically be considered as a complaint, although, if it is possible, we may contact you to offer the opportunity to raise a complaint.

We want to make sure that all residents, service users and their families know how to provide us with feedback, particularly when things go wrong. This Policy will therefore be made available via our website and we will promote opportunities for feedback regularly through our correspondence with residents and our social media channels.

Definitions of Feedback

What is a complaint?

A complaint is an expression of dissatisfaction however made, about the standard of service, actions, or lack of action by Stoke-on-Trent City Council, its own staff, those acting on its behalf, affecting an individual resident or group of residents.

A complaint that is submitted via a third party or representative will still be handled in line with this policy

An expression of concern will not automatically enter the complaints process. We will assess the nature of the concerns raised and will allocate the complaint, comment or service request in accordance with eligibility. Where an expression of concern is made we may ask you if you want to submit a formal complaint.

What is a comment?

A comment is an expression or reaction to a standard of service or action by Stoke-on-Trent City Council, its own staff, those acting on its behalf, affecting an individual resident or group of residents.

What is a compliment?

An expression of praise for a standard of service or action by Stoke-on-Trent City Council, its own staff or those acting on its behalf.

What is a service request?

A service request is a request from a resident to Stoke-on-Trent City Council requiring action to be taken. Service requests should be submitted via the Stoke-on-Trent City Council website. Requests for service that have been incorrectly submitted as complaints will be redirected to either the website or the relevant team to action, this may delay requests being actioned promptly. Service requests can later be escalated as a complaint if residents are dissatisfied with the response to the service request, and even if the handling of the service request remains ongoing.

How to complain, make a comment or leave a compliment.

The easiest way to leave feedback is by completing our online Customer Feedback Form: [Feedback/Information Request Form | Stoke-on-Trent](#), or alternatively by phone: 01782 234234, or via any member of staff.

Excluded complaints

The following are covered by different procedures so we may not accept these types of complaints:

- Complaints where you have known about the incident being complained about for more than 12 months. In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.
- From organisations that we fund about their funding or related issues.
- From Employees about issues relating to their employment.
- From Councillors, unless they are complaining as ordinary members of the public or as an 'advocate', (representing the interests of someone else).
- Where legal limits are in place, for example:
 - Refusing planning permission
 - School admission or exclusion appeals
 - Cases where legal action is already started
 - Cases covered by our insurance procedures
- Where a complaint has already been dealt with in another way – for example, by the courts or Local Government Ombudsman; or where there is right of appeal or tribunal.
- Where a complaint is being investigated under statutory procedures for Social Care complaints, e.g. Adult and Children's Social Care have a separate procedure.
- About parking and traffic offences.
- About refusing disabled badges for parking exemption.
- Schools have a separate complaint procedure and complaints should be sent to the Head Teacher or schools governing body.
- Conduct of Councillors and other elected members are dealt with through the Standards Committee.
- Community Centres are run by a separate management committee and complaints should be sent to them direct.
- Service Requests.
- A matter that has previously been considered under the complaints policy.

Each complaint will be considered on its own merit prior to being excluded.

If for any reason we are not able to accept your complaint we will provide a full written explanation of the reasons why. You can still contact the Ombudsman even if your complaint has not been accepted and the refusal letter will provide the relevant contact details.

Stages of a complaint

Stage 1

Your complaint will be acknowledged in writing within 5 working days of the complaint being received. Within the acknowledgement we will set out our understanding of the complaint. We will also provide details of any reasonable adjustments we will make as a result of disabilities or vulnerabilities you have told us about. If any aspect of the complaint does not fall under the remit of Stoke-on-Trent City Council we will tell you in the acknowledgement. If any aspect of the complaint is unclear we may wish to call you for clarification, however, a written summary of the conversation will be provided. We may contact you prior to acknowledging your complaint if there are any issues which need clarification.

Where you raise additional complaints during the investigation, these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as a new complaint.

The complaint handler will:

- Deal with complaints on their merits
- Act independently and have an open mind
- Take measures to address any actual or perceived conflict of interest
- Consider all information and evidence carefully
- Keep the complaint confidential as far as possible, with information only disclosed if necessary to properly investigate the matter

We aim to formally respond to you within 10 working days. If the complaint is more complex, we may take longer to respond, but we will agree a suitable extension timescale with you and keep you informed at suitable intervals.

Where agreement over an extension period cannot be reached we will provide you with the relevant Ombudsman's contact details so that you can challenge the proposed timeliness of the response.

Where the complaint involves a recurring issue, we may consider any older reports as part of the background to the complaint to help to resolve the issue.

Each time we contact you with regards to your complaint we will provide contact details of the relevant Ombudsman.

The complaint response will be sent once the answer to the complaint is known, not when the outstanding actions required to address the issue, are completed. Outstanding actions will be tracked and actioned as quickly as possible and we will provide you with regular updates.

The stage 1 response will be in writing, cover all elements of the complaint and will be in clear, plain language confirming:

- 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
- Details of how to escalate the matter to stage 2 if you are not satisfied with the response.

Stage 2

A complaint can only be escalated to stage 2 once it has completed stage 1 of the complaints process. The stage 2 review will be conducted by an independent officer from our Feedback Team, together with a Senior Manager not involved in the stage 1 complaint investigation.

Stage 2 complaints need to be requested within 10 working days of receiving the stage 1 complaint response. Please contact us by email requesting that the complaint is escalated, and where possible, outlining the reasons why you are still dissatisfied and what you feel can be done to resolve the matter to your satisfaction.

Your complaint will be assessed, and we will contact you within 5 working days of the complaint being received to advise you on whether your complaint will be escalated to a stage 2. In confirming your complaint has been escalated we will also set out our understanding of the complaint and the issues to be resolved, highlighting any areas that the local authority is not responsible for. We may contact you before confirming your complaint has been escalated if we need further clarification on any issue.

We will consider each complaint on its own merits and we will not unreasonably refuse to escalate complaints. There may be exceptional instances where we refuse to escalate to a stage 2, for example if a further investigation would be unlikely to lead to any worthwhile outcome. Where a refusal is deemed appropriate, a full explanation will be provided.

We will provide a response within 20 working days. If the complaint is more complex, we may take longer to respond, but, we should agree a suitable extension timescale with you and keep you informed at suitable intervals. We will provide you with clear reasons why the extension is required.

Where agreement over an extension period cannot be reached we will provide you with the relevant Ombudsman's contact details so that you can challenge the proposed timeliness of the response.

Where the complaint involves a recurring issue, we should consider any older reports as part of the background to the complaint to help to resolve the issue.

The stage 2 response will be in writing, cover all elements of the complaint and will confirm in clear, plain language:

- 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 Ombudsman Service if the individual remains dissatisfied.

Stage 2 is the final response from the City Council regarding the complaint and we will consider the case closed at this stage. You are able to escalate your complaint to the relevant Ombudsman if you remain dissatisfied with the outcome.

Remedies

Where a complaint investigation identifies that things have gone wrong, we will work with you to put things right and to recognise the impact on you as a result of what went wrong. The general principle is that, as far as possible, you should be put back into the position you would have been in if things had not gone wrong.

Remedies include:

- An apology
- An explanation of what went wrong
- Delivery of a service
- Action to put things right
- A review of decisions made
- Amendments to policy, procedures or processes
- Financial compensation – this is in exceptional cases. The Council will follow the Local Government Ombudsman's guidance on good practice when determining the appropriateness and level of any financial compensation

When offering you a remedy we will provide details of the next steps, including timescales where appropriate. A remedy may be offered at any point in the complaints process.

Our aim is to resolve your complaint as quickly as possible and we may therefore offer a remedy at any point in the process.

Housing Ombudsman Service

Complaints about the relationship of the council as landlord with its tenants and leaseholders need to be made to the Housing Ombudsman Service and NOT the Local Government and Social Care Ombudsman. The Housing Ombudsman Service actively supports residents and can be contacted at any time whilst going through the complaints process for advice and help to find a resolution.

Housing Ombudsman Service contact details:

Website: <https://www.housing-ombudsman.org.uk>, Telephone: 0300 111 3000

Local Government and Social Care Ombudsman

If you have been through stages 1 and 2 and are still not satisfied, you can contact the Local Government and Social Care Ombudsman to review your complaint. The Local Government and Social Care Ombudsman actively supports residents and can be contacted at any time whilst going through the complaints process for advice and help to find a resolution.

Local Government and Social Care Ombudsman contact details:

Website: www.lgo.org.uk, Telephone: 03000 610614

Unacceptable Behaviour and Complex Customers and Cases

The Council acknowledges that certain complaints can be difficult to resolve and can cause anxiety and distress to complainants, employees, and Councillors. In most cases when dealing with customers it is a straightforward process, however a small minority of cases are complex, or people persist unreasonably with their cause or complaint.

Any restrictions placed on a resident's contact due to unacceptable behaviour will be appropriate to their needs and will demonstrate regard for the provisions of the Equality Act 2010.

The following policy will be used as a last resort after all reasonable measures have been taken to try and resolve issues for customers using normal channels:

https://www.stoke.gov.uk/download/downloads/id/530/unreasonably-persistent_complainants_policy_statement.pdf

Monitoring and Reporting

Systems have been established to ensure that complaints information is recorded consistently across the different Council Directorates and services.

We will retain all correspondence in relation to complaints, including letters, emails and records of telephone conversations in line with our GDPR requirements.

Complaints monitoring and reporting are incorporated within the performance management framework so that managers and Councillors can learn from complaints and services can be improved. We will report on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.

A report reviewing the issues raised through complaints for Stoke-on-Trent City Council will be produced annually. This report includes the Local Government and Social Care Ombudsman Annual Letter, and the Housing Ombudsman Complaint Handling Code Self- Assessment which provides statistics on complaints received and decisions made, together with general feedback on performance.