

Slough Borough Council Corporate Complaints procedure

Contents

1. Introduction	3
2. Aims and Objectives	3
3. Complaints	3
4. Corporate complaints procedure	6
5. Resolving a complaint	9
6. Unacceptable behaviour by complainants	10
7. Performance and monitoring	10

1. Introduction

Slough Borough Council welcomes customer feedback about its services and staff, and we have a process for service users to express their views and opinions. The procedure below explains how you can make a complaint regarding the quality of our services, what standards you can expect when you do so, and what you can do if you are still dissatisfied.

The Council is committed to providing the highest standard of service to all its customers. Our aim is to get things right first time. However, if you are not entirely satisfied with any aspect of our service, please tell us and we will do our best to resolve the matter as quickly as possible.

We will investigate your complaint, give you an explanation and make every effort to resolve the matter to your satisfaction. If we have made a mistake, or the problem has been caused by us, we will apologise.

We will ensure that everyone is treated fairly and consistently in expressing their views and opinions, and we take into account equality and diversity issues.

2. Aims and Objectives

The Council will deal with complaints impartially, objectively and professionally. All feedback should be dealt with in a fair, confidential, consistent, effective and timely manner.

The objectives of the complaints process are to:

- provide an accessible means for all service users, or their advocates, to complain if they
- are dissatisfied, or to offer compliments and suggestions if they choose;
- provide a fair and consistent process for resolving complaints;
- establish timescales for complaint resolution;
- facilitate the use of complaint information as a means of monitoring performance and improving services;
- ensure complainants and members of staff have the same rights to be treated with courtesy and respect;
- ensure that plain English is used when answering customer complaints

3. Complaints

3.1 Defining a complaint

Our definition of a complaint is an expression of dissatisfaction about a council service that requires a response. A complaint can relate to the standard of, or service received, the way a decision has been made, actions or lack of actions by the council, its staff or its partners and contractors.

3.2 Support and advocacy

Many people feel daunted at the prospect of making a complaint. They may be unsure about how to go about it, or how best to put their case. The council has a positive approach to complaints and will encourage people to seek the support of friends or other advocates such as Citizens Advice Bureau. The council will also give assistance to those who have difficulty with written or spoken English and those who are disabled. The council will, where appropriate, accept complaints from advocates or third parties, provided that the person affected has given their written consent.

3.3 Anonymous Complaints

In normal circumstances the council is unlikely to be able to effectively deal with an anonymous complaint under the corporate complaints procedure, as the council needs to correspond with and in some cases meet with the complainant in order to address their concerns. Therefore a judgement will need to be made on a case-by-case basis whether to look into the substance of a complaint made anonymously.

3.4 How can complaints be made?

The council encourages any customer who has a concern to first speak to a member of staff in the relevant service area. If there has been a problem the member of staff should try to resolve it. However, if a service user is not happy and wants to make a complaint, we need to make it easy for them to do so.

We accept complaints:

- online via [the council's corporate complaints form](#)
- by letter; Corporate complaints team, 25 Windsor Road, Slough, SL1 2EL
- by email; complaints@slough.gov.uk
- by telephone; 01753 475111

Although we accept complaints made by telephone it's helpful to have them in writing, so that we have a clear record of the complainant's views on what went wrong and what the Council should do to put things right. If a complainant wishes to make a complaint by telephone, they must not be prevented from doing so.

3.5 Complaints that fall outside of the Council's complaint process

Certain types of complaint will not be dealt with through the Council's complaints procedure because there are other processes more suitable for dealing with them, or because they are outside the Council's control. This includes, not exclusively:

- First time requests for services such as reporting faults (e.g. a faulty street light)
- Services for which there are alternative statutory appeal or tribunal processes, including: Parking appeals, Special Educational Needs

Tribunals, Housing Benefit appeals, Appeals against the refusal of planning permission, Appeals against statutory Notices, School admission or exclusion appeals

- A complaint that has already been considered by the Council and completed both stages of the corporate complaints procedure.
- Complaints from staff about personnel matters, including appointments, dismissals, pay, pensions and disciplinary action.
- Complaints about a registered housing provider
- Complaints against an elected Councillor
- Requests for information (these are dealt with under separate procedures: the Freedom of Information Act – and Subject Access Requests)
- Complaints about the merits of an insurance claim, or matters that would be more appropriately considered by an insurer.
- Matters of law or policy.
- Complaints where the customer or the Council has started (not threatened) legal proceedings.
- Complaints under statutory obligations
- Complaints that have already been decided by a court or independent tribunal.
- Complaints that are simply criticisms or disagreement with Council policy or decisions.
- Schools (including academies) and colleges.
- Complaints that are submitted anonymously (although we may still investigate the issue)
- where the Council has no power or duty to provide service

If there is any doubt about whether the complaint should be accepted, the customer should be advised to submit the complaint to the Council for consideration. If the Council receives a complaint and decides not to accept it on the above grounds, the customer should be told why and, where possible, an alternative route should be suggested.

3.6 Time Limits

We will not normally consider a complaint that is made more than 6 months after the individual first became aware of the issue they want to complain about, as it is far easier to find out what happened and to put things right if complaints are received at the time.

However, if there are exceptional circumstances (illness, changes in personal circumstances) provided by the complainant for the delay in submitting the complaint, the Council may make a discretionary decision to consider the complaint providing the circumstances are evidenced.

If the Council receives a complaint and decides to not to accept it on the above grounds the customer should be told why.

3.7 Service Requests

A service request should not be logged as a complaint. For example, if a customer contacts to complain that their refuse bin has not been collected and

this has not been reported previously, it should be logged and responded as a service request. If a customer contacts to complain that a previously reported missed refuse bin collection has not been completed or not completed satisfactorily, this will be recorded as a complaint.

4. Corporate complaints procedure

The Council should seek to resolve complaints at the earliest opportunity. Where possible, prior to implementing the formal two-stage process outlined below, every attempt should be made to deal with complaints quickly and informally, at the point of service delivery.

Some complaints received by the Council have to be dealt with under a statutory process and will not follow the steps set out below; these complaints normally concern the delivery of adult or children social care services.

4.1 Stage 1

If a concern cannot be resolved to a customer's satisfaction at the point of service delivery, or if the customer wishes to make a complaint, a formal complaint must be recorded – unless an exemption, as set out in Section 3.5 is applicable.

The Council will nominate an appropriate officer to respond to the complaint at this stage.

If the complaint concerns the service manager, a more senior manager should respond. An officer, against whom a complaint is personally directed, should not respond to a complaint.

Complaints should be acknowledged within two working days, and a full written reply sent within fifteen working days. Some Council services are provided by external contractors. In those cases the contractor may be required to reply to a complaint at Stage 1 but they are expected to conform to the Council's standards for dealing with complaints. The Council's aim is to resolve as many complaints as possible to the customer's satisfaction at this stage. This means that responses must be open and honest, admitting fault when things have gone wrong and setting out a package of measures to put things right, including the payment of compensation, which does not necessarily mean an acceptance of liability.

4.2 Stage 2

If the customer is dissatisfied with the outcome of the Stage 1 investigation, at their request, the Council will arrange for the complaint to be reviewed by a more senior manager. In most cases this will be the service Director or a designated officer. The request should be acknowledged within two working days, and a full written reply sent within twenty working days.

4.3 Acknowledging Complaints

We will acknowledge receipt of a complaint in writing or by telephone within two working days. Our acknowledgement will include who is to investigate the complaint, the subject of the complaint and the reply timing.

4.4 Right to escalation

The full response to the complainant at all stages should include information on the right to escalate the complaint. The complainant should be advised that if they remain unsatisfied they will have to:

- a) Submit a written response to the Council providing details of why they remain dissatisfied; and
- b) Submit the request for an escalation within one calendar month from the date of the full response letter.

If a complainant continues to express their dissatisfaction, but does not provide specific reasons as to why they are not satisfied by the Council’s response, in some circumstances the complaint will not be escalated to the next stage, but instead be responded to as an ongoing matter. This process is used to ensure that complaints are only escalated when necessary and not just because a complainant continues to express their dissatisfaction.

4.5 The Local Government & Social Care Ombudsman

The Local Government Ombudsman and the Housing Ombudsman (‘The Ombudsman’) considers complaints about public bodies including local authorities. The Ombudsman investigates complaints about: poor service; failure to provide a service and administrative failure.

In most cases, the Ombudsman will normally only consider complaints if the issues concerned have exhausted the two stages of the Council’s own complaints procedure. However, the Ombudsman has discretion to investigate a complaint prior to the Council conducting its own investigation. Such cases normally involve a complainant the Ombudsman considers vulnerable.

The Complaints Lead oversees all matters relating to the Ombudsman on behalf of the Council.

4.6 Timescales

Complaint Stage	Non-Housing Complaints (Corporate)	Housing Complaints
Acknowledgement	2 working days	2 working days
Stage 1	15 working days	10 working days
Stage 2	20 working days	20 working days
Ombudsman	Complainant can refer to the Local Government and Social Care Ombudsman	Complainant can refer to the Housing Ombudsman

The timescales start as from the date the complaint is received by the Council, not within the department against which the complaint is made.

4.7 Extending Response timescales

We should always try to keep to our published timescales for dealing with complaints. Sometimes investigations take longer, perhaps because we need to get information translated, or the complaint is unusually complex. In these instances, it may be necessary to extend the timescales set out in this process. If this is the case, the complainant must be informed of the reason why timescales cannot be met and also informed when they should receive a full response.

4.8 Complaints about more than one service

In the event that a complaint involves more than one service, a co-ordinated single response will be sent to the customer if matters cannot be separated. The customer should be informed of what arrangement has been agreed in the acknowledgement of their complaint.

4.9 Complaints involving other agencies or contractors

The Council works with outside organisations that may have different complaint policies and procedures to ours. As a result we should endeavour to have simple systems in place for handling complaints under our arrangements with other agencies or contractors. Wherever attempts to resolve matters between our customers and other agencies or contractors have failed, the Council will consider such complaints under our corporate complaints process.

4.10 Enquiries by members of parliament and Councillors

Members of the Council and Members of Parliament make enquiries of the council about a range of matters raised with them by constituents. The general purpose of these enquiries is to obtain information in order to respond to a constituent. If the constituent wishes to make a complaint about the delivery of a service, the Councillor or MP can refer the matter to be dealt with under the corporate complaints procedure. This will avoid the Member or MP acting as an intermediary and enables them to represent their constituent if they feel this is appropriate. If the matter is not within the remit of this process and there is a statutory or other appeal process available, the Member or MP will be advised to ensure that the constituent does not miss the opportunity of exercising a statutory right by using an inappropriate complaint channel.

The Council aims to respond to Members' and MPs' enquiries within 10 working days of receipt. Where the matter is deemed urgent, the response time will be reduced as appropriate. Complaints about the conduct of Councillors are outside the scope of this procedure and are dealt with by the Standards Committee of the Council. Anyone can complain about a Councillor breaching any part of the Code of Conduct for Councillors. A copy of the Standards Committee's guidance on how to make a complaint and complaint form are available on the Council's website.

5. Resolving a complaint

5.1 Responsibilities

The responsibilities for the resolution of complaints are set out below for employees. The priority is the effective handling of complaints at, or as close to, frontline staff or by a local manager. It is important all staff receive the necessary support and guidance to handle complaints.

All staff are responsible for the following:

- at the pre formal stage, striving to resolve complaints and if this is not possible,
- referring the matter to an appropriate officer to action
- having an understanding of stages of the complaints process and procedures
- ensuring that the agreed timescales are met and procedures are followed
- consider learning from investigating a complaint

5.2 Putting things right

There are a number of actions we can take to put things right.

- Apologise for any inconvenience caused.
- Provide the service: Where we have failed to provide a service that we agree the customer is entitled to, we should ensure that the service is provided in line with an agreed timetable, explaining any delay.
- Backdate the service: Where we have not provided a service that we should have, it may be appropriate to backdate the service to when it should have been provided in the first instance. For example backdating an application to the original claim date.
- Implement any learning identified.

5.2 How do we learn from complaints?

We will always look to identify learning and service improvements from complaints. Where a complaint highlights the need for changes in working practices, systems, staff training, or procedures we will ensure that this is raised with the service area concerned. The service area should implement any changes necessary to ensure the services we provide continue to meet our customer's needs.

5.3 Equality & Diversity

We will take into account customers' communication needs and preferences. We will offer support or tailor our approach accordingly and make any reasonable adjustments necessary to the operation of this process to ensure that it is open and accessible to all. This can include:

- Advice, advocacy or representation
- Translation and interpretation, including sign language, Braille and large print
- Accessible meeting locations

6. Unacceptable behaviour by complainants

6.1 Unreasonable customer behaviour

Slough Borough Council is committed to dealing with all complaints fairly and impartially and to providing a high-quality service to those who complain. Access to this service and to council offices and employees is not normally limited. However, there are a small number of complainants who, because of the frequency of their contact with the council, hinder consideration of their own complaints.

In most cases, complaints can be dealt with quickly and efficiently. However, the behaviour of a minority of customers can make investigating and resolving a complaint difficult. These customers can also take up a lot of officer time so there is less time to help others.

In a very small number of cases, a complainant's behaviour may become unacceptable. The council has a duty to protect its staff from behaviour which is abusive, offensive and threatening, and in these cases, will consider the matter under the procedure on unacceptable behaviour.

Features of a persistent complainant may include:

- Continuously shouting to a member of staff, swearing, threats, and name-calling.
- Obsessive, harassing, or prolific behaviour
- Making the same complaint repeatedly or with minor differences but never accepting the outcome
- Seeking an unrealistic outcome and persisting until it is reached
- Someone with a history of making other unreasonably persistent complaints.

When the relationship has become unworkable, the Complaints Lead together with the relevant department head of service will consider the Management of Unreasonable Complainant Behaviour Policy – check the [Management of unreasonable customer behaviour](#).

7. Performance and monitoring

The council is committed to continually improving the services we deliver to our customers. Information gained from complaints can be a valuable tool in identifying the needs of our customers and developing our services to meet those needs.

The Complaints management have the overall responsibility for monitoring and reporting performance in complaints handling and resolution by collating such statistical information and reporting it to the Council's corporate improvement boards and the Chief Executive and Corporate Directors on a quarterly basis.

The complaints system contains a reporting facility that enables data to be analysed to identify any trends in specific service or complaint subject.