

Customer Feedback Process

Compliments, Comments & Complaints

OCTOBER
2021



SOUTH
KESTEVEN
DISTRICT
COUNCIL

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Customer feedback procedure introduction

South Kesteven District Council is committed to delivering an excellent quality of service and we want to hear what you think of us - whether you were really pleased with your experience, felt we could have done better or simply want to share your thoughts. We want to learn from what our customers have to say and improve service delivery.



We listen and respond to our customers

Customer feedback means

- Comments - general feedback on the service provided
- Compliments - satisfaction with the service provided
- Complaints - dissatisfaction with the service provided

We aim to:

- Enable our customers to give us their feedback
- Ensure all feedback is responded to fully and efficiently within reasonable timescales
- Learn important lessons from all feedback given and share it with the organisation

Why we want your feedback?

All colleagues within South Kesteven District Council (SKDC) work in line with the Values and Behaviours of the organisation and when it comes to customer feedback, there is no exception. Your feedback is vital to the Council for improving service delivery.

- We know who our customers are, both external and internal
- We listen to our customers and make decisions based on their needs
- We put ourselves in our customers' shoes
- We do not pass the buck when something goes wrong
- We are honest when we get things wrong and learn from the feedback given

Accessibility

If you require assistance in completing the feedback form, please contact us via phone or call into your nearest customer service centre where SKDC staff will be happy to help you.

To ensure everyone has access to our information it is available in a range of different formats such as British Sign Language and Braille. Interpreter services are available and we can also offer officer assistance for those who may find it difficult to read or write.

What type of feedback you can give?

Tell us what you liked

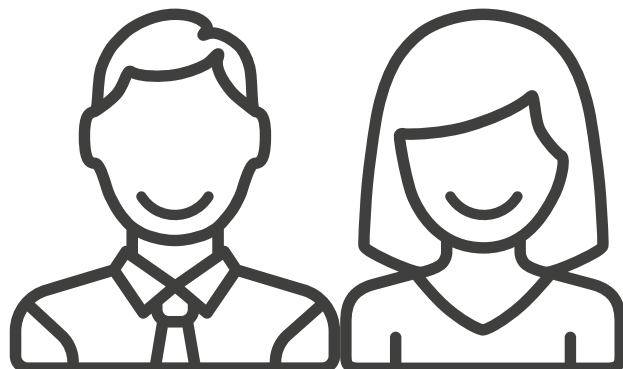
This could be about a person, a service, a single event or a chain of circumstances that made your experience a positive one.

Definition of compliment

- A polite expression of praise or admiration
- An act or circumstance that implies praise or respect

Definition of comment - *noun*

- A verbal or written remark expressing an opinion or reaction

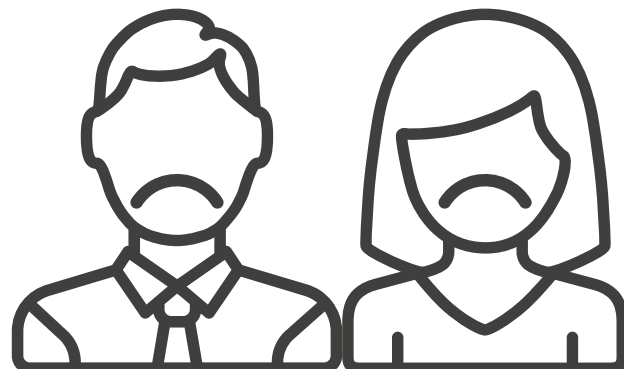


Tell us what you didn't like

Perhaps about a standard of service, a failure to meet your expectations, an action, lack of action or because you found it difficult to access our services, or Officer conduct. Anything which you feel is unacceptable.

Definition of complaint

- A statement that something is unsatisfactory or unacceptable



Confidentiality

All information will be collected and stored and managed in accordance with the General Data Protection Regulations and Data Protection Act 2018.

Details of a complaint will only be provided to employees of SKDC and appropriate representatives in order to provide a response to your feedback.

Is there anything that we won't include in this process?

An initial request for a service to be delivered is not a complaint. We are also unable to include matters that have an alternative statutory appeals process. For example:

- appeals about parking fines/penalty charge certificates
- appeals about homelessness decisions
- appeals about points allocation in an application for council housing
- appeals about planning applications/decisions
- planning consultation responses
- appeals about recharge fees for repairs
- appeals about fixed penalties
- matters subject to legal action
- political comments
- complaints from staff about personnel issues

This list is not exhaustive.

What will we do when we receive your feedback?

- acknowledge and respond to your feedback within the timeframes outlined in this procedure
- in our acknowledgement, tell you the name of the person or service that will deal with your feedback
- if the investigation results in complexities which mean we can't meet our own timescales we will keep you fully informed

- in our response tell you what we are able to do or not able to do and why
- admit when things go wrong
- learn from feedback, and share that learning across the organisation
- if this process does not cover your complaint (eg if there is a statutory right of appeal) we will advise you of the course of action you need to take

How you can provide feedback

We want to make the process as easy as possible. You can provide feedback by:



Filling in a feedback form online

<http://www.southkesteven.gov.uk/CustomerFeedback>



Email Customer Services

customerservices@southkesteven.gov.uk



Customer contact with SKDC service areas



Call our Customer Services team

on 01476 40 60 80



Fill in a feedback form

available from our customer service centres in Grantham and Bourne



Write to us at:

[Service name]
South Kesteven District Council
Council Offices
St Peters Hill
Grantham Lincs
NG31 6PZ

Compliments

Customers don't always have the time to let us know if they have been particularly pleased with our service so when they do we want to make sure we learn from what we did right and repeat the process!

We will ensure that positive feedback is shared with the service area and, if appropriate, the individual involved and acknowledge your compliment with a response within three working days.

Comments

These are important because it could help us shape the way services look or influence decisions we make in the future.

We can't guarantee that we can always make the suggested or requested changes but we will reply in full within 15 working days to explain why a decision or process exists in its current form, what we might do differently, or why we won't be able to change things in the future.

Complaints Process

Complaint handling procedure workflow (page 11)

The Council operates a two-stage complaints process, after which the complaint is closed. The complainant, if they wish, can then escalate the complaint to the Ombudsman for independent review.

STAGE 01

The Council will acknowledge a formal complaint within three working days and will tell you the name of the Officer who will be processing the complaint. This is likely to be a service manager for the service area the complaint relates to. You will be provided with a full response

within 10 working days or an explanation stating why the response will not be ready and when the response can be expected.

When the response at Stage 1 has been sent the complaint will be classified as pending for 30 days. If you have not requested the complaint to be reviewed at Stage 2 within the 30 days the complaint will be closed.

Request escalation to Stage 2

If you are not satisfied with the Stage 1 response, you may ask for the response to be reviewed at Stage 2. **Your request should include details of:**

- why you feel the response has not addressed your complaint
- what outcome you would want from the Stage 2 review

The Council will acknowledge your request for Stage 2 within three working days.

STAGE 02

Within 30 days of receiving your Stage 1 response, you requested a review of your complaint at Stage 2.

Stage 2 complaints are assigned to a senior manager who is not responsible for the service area the complaint relates to. The senior manager will review the previous decision and decide if it was fair and reasonable. The senior manager may contact you for further information.

The Stage 2 response will explain the outcome of the review and provide details of any actions that may be agreed. You will receive a response within 20 working days or an explanation stating why the response will not be ready and when the response can be expected but no more than a further 10 working days.

Stage 2 is the final stage in our complaints process and the response will explain the options if you are still not satisfied with the Council's response.

STAGE 03



Local Government Ombudsman

If you are still dissatisfied with the way your complaint has been processed, you have the right to ask the Local Government Ombudsman, an independent body, to investigate allegations of maladministration causing an injustice to anybody who has complained.

This means there has been a fault in the way the Council has or has not done something and it has created difficulties for you personally. The Ombudsman does not usually criticise the merits of a decision which has been properly taken

simply because someone may disagree with it. They will, however, look at the way the decision was made.

The Ombudsman will not usually consider a complaint until the Council has had a chance to resolve the matter through its own procedure.

The Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH
Tel: 0300 061 0614
Fax 024 7682 0001
Web www.lgo.org.uk

When we cannot deal with a complaint:

- More than three months have passed since the problem occurred
- The new complaint is a previously concluded complaint or you are wanting a previous complaint reconsidered
- If you do not escalate the complaint within 30 days

Closing a complaint

We will close a complaint:

- When Stage 1 investigation has been completed and you have not requested a review within 30 working days.
- When a Stage 2 response has been sent.
- When the complainant has told us they do not want to progress the complaint any further.
- When a resolution has been agreed between the complainant and the Council. If the Council fails to do as it said it would, the complaint can be reopened at the stage at which it was closed and continue as a complaint.
- If the matter is part of a legal ruling or in litigation.
- If we have explained there is nothing more we can do to resolve the matter.
- If the complainant acts in an unreasonable manner in their demands or refuses to cooperate in resolving the matter.

We will inform you of the complaint being closed and our reasons for this. The complaint may be reopened if there is sufficient reason, such as new information relating to the initial complaint.

Tenant complaints

The Council has a Housing Service complaints policy and procedure, this is made available to you on the SKDC website and copies will be placed in the customer services centres in

sheltered housing schemes. Information on how to complain will be part of the tenant handbook and will be featured in the tenant newsletter.

Under the Localism Act 2011, since April 2013 tenants have a right to access a designated person to assist in their complaints about housing being resolved at a more local level. This designated person could be an MP or a councillor.

In addition to this, housing complaints which are referred to the Ombudsman service will now go to the Ombudsman for Housing rather than, as previously, to the Local Government Ombudsman. This is intended to ensure that all tenants of councils and other social landlords are treated consistently.

Monitoring and learning from complaints

Complaints are important to the Council as they help identify where service improvements are required, which can impact and change how we deliver services. We will record and monitor all complaints. This information will be used to help and inform Council learning from complaints and improve service delivery.

The Council will report this information to:

- Relevant Council committees
- Corporate Management Team
- Statutory Officers (Senior Management Team)

Unreasonable persistent complaints

On rare occasions we may have to make a difficult decision about a complainant who we feel is being unfair or persistent in the manner or frequency of their contact.

The decision to do this will not be taken lightly and will be taken by a panel. The panel will include the Health and Safety Officer, a Director or Assistant Director and the Chairman of Scrutiny.

The options that will be considered on such occasions are likely to be:

- identifying a single point of contact within the organisation that a customer may contact in relation to their complaint(s)
- accepting contact through a particular channel (only by letter for example)

In some cases we may decide that the only option is to:

1. Refer the complaint to the Ombudsman before we have completed all the stages of our complaints process – this is the result of an agreement between SKDC and the complainant.
2. Advise the complainant that we cannot assist with the complaint any further and advise them that the next option available is to approach the Ombudsman. This may be necessary when SKDC and the complainant cannot agree on a way forward. In these cases, we will not contact the Ombudsman but will advise the complainant in writing that we will not be responding to the complaint any further.

In all cases of unreasonable or persistent complaints the Health and Safety Officer will arrange for the service area to write to the complainant to explain why we feel the complaint falls into this category and what action we are taking.

Complaints about SKDC Councillors

If you wish to complain about your local Councillor, contact:

SKDC Monitoring Officer at legal@southkesteven.gov.uk

Or by post:

Legal Services Team
South Kesteven District Council
Council Offices
St Peters Hill
Grantham Lincs
NG31 6PZ

Complaints and whistleblowing

If a complaint or allegation is made against a member of staff, elected Member, contractor or volunteer working on behalf of the Council which relates to the safeguarding of children and vulnerable adults the matter should be referred initially to the Council's Lead Safeguarding Officer.

The complaint/allegation will be investigated internally and, if necessary and appropriate, will be referred to the Police and the Local Authority Designated Officer (LADO) within Lincolnshire County Council as per the procedures set out in the Council's Safeguarding Policy.

If any complaint or allegation is substantiated and the person is dismissed, resigns or ceases to provide his/her services, or the Council ceases to use the person's services, the Service Manager for Human Resources will refer the allegation details directly to the Disclosure and Barring Service.

Whistleblowing is the raising of a concern, either within the workplace or externally, about a danger, risk, malpractice or wrongdoing which affects others.

It refers to a person who raises an honest and reasonable concern, in the public interest, about a possible fraud, crime, danger or other serious risk that could threaten colleagues, service users, customers, members of the public or the success and reputation of the organisation.

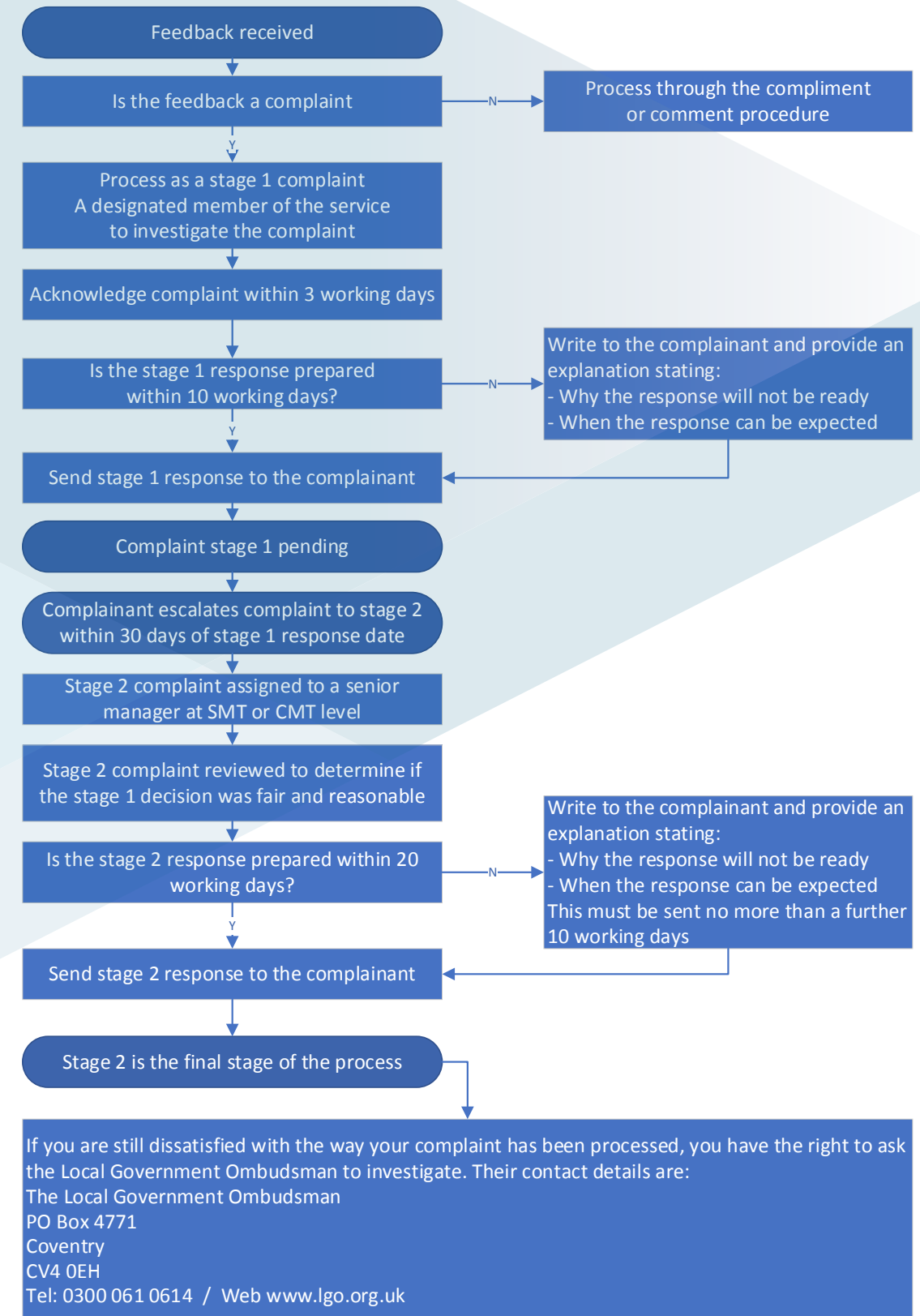
Go to:
<http://www.southkesteven.gov.uk/wrongdoing>

Anonymous complaints

Complaining anonymously is not encouraged. We will, however, do our best to investigate and deal with the complaint in the best way possible. We prefer to know who you are so that we can keep in touch with regarding any queries or the outcome of the complaint.



Complaint handling procedure



Appendix 1 - Management of vexatious, unreasonable and/or persistent behaviour

In some cases people may pursue their service requests or complaints in a way that is vexatious, unreasonable and/or persistent. Their behaviour in their contact with, and submission of information to, South Kesteven District Council, may be unacceptable.

The Council uses the Local Government Ombudsman's definition and the identified characteristics for unreasonable or unreasonably persistent complainants. "For us, unreasonable and unreasonably persistent complainants are those complainants who, because of the nature or frequency of their contacts with an organisation, hinder the organisation's consideration of their, or other people's, complaints."

It should be noted that raising a complaint about a Council service does not in itself constitute unreasonably persistent behaviour. The same applies to complainants who escalate through all stages of the relevant complaints procedure, or those who express criticism about the complaints process itself.

If the Council believes that the complainant has submitted false allegations, the Council will consider taking appropriate action against them. This is particularly so if the complainant's behaviour has caused distress to neighbours or others and has put an unnecessary burden on the Council's resources.

Examples of unreasonable and/or persistent behaviour

(this list is not exhaustive, nor does one single characteristic on its own imply that the complainant will be considered as being in this category)

- Refusing to specify the grounds of a complaint, despite offers of help
- Making allegations which are discovered to be untrue
- Complaining about someone in a vexatious way, which might mean repeatedly making allegations against them, particularly where other individuals do not find their behaviour distressing or upsetting
- Refusing to cooperate with the complaints or other investigation processes
- Refusing to accept that certain issues are not within the scope of the Council's jurisdiction or within the scope of the complaint or ASB procedures
- Unreasonably refusing to accept the Council's decision on the nature and extent of any enforcement action in a case
- Insisting on the complaint being dealt with in ways that are incompatible with the adopted procedures or with good practice
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced
- Changing the basis of the complaint as the investigation proceeds
- Denying or changing statements made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage
- Raising many detailed but unimportant questions, and insisting they are all answered

- Submitting falsified documents created by the complainant or others
- Adopting a scattergun approach: pursuing parallel complaints or allegations on the same issue with various members of staff and/or organisations
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous Council staff, or detailed letters every few days, and expecting immediate responses
- Submitting repeat complaints with minor additions/variations, which the complainant insists make them new complaints
- Refusing to accept the decision; repeatedly arguing points with no new evidence

Examples of abusive and/or vexatious complainants

The Council will take steps to protect its staff from members of the public who are behaving in a way that is considered abusive and/or vexatious. This may include physical, verbal or written abuse and could include the following (this list is not exhaustive):

- Speaking to the member of staff in a derogatory manner that causes offence
- Swearing, either verbally or in writing, despite being asked to refrain from using such language
- Using threatening language towards Council staff which provokes fear
- Repeatedly contacting a member of staff regarding the same matter that has already been addressed

Managing vexatious, unreasonable and/or persistent complainant behaviour

This appendix may be invoked if the Council considers that a complainant has behaved in a manner that is deemed vexatious, unreasonable and/or persistent (see above). In these circumstances the Council may take reasonable and proportionate action against a complainant.

Types of actions the Council may take:

- Where the complainant tries to reopen a complaint or service request that has been closed in line with the Council's complaint procedure, they will be informed in writing that the procedure has been exhausted and that the matter is closed
- Where a decision on the complaint has been made, the complainant should be informed that future correspondence will be read and placed on file, but not acknowledged, unless it contains important new information
- Limiting the complainant to one type of contact (e.g. telephone, letter, email, etc)
- Placing limits on the number and duration of contacts with staff per week or month
- Requiring contact to take place with a named member of staff and informing the complainant that if they do not keep to these arrangements, any further correspondence that does not highlight any significant new matters will not necessarily be acknowledged and responded to, but will be kept on file
- Offering a restricted time slot for necessary calls to specified dates and times
- Requiring any face to face contacts to take place in the presence of a witness and in a suitable location

- Banning a complainant from some or all of the authority's premises
- Other suitable options will be considered in the light of the customer's circumstances or additional needs
- Taking out an injunction against an individual under the Antisocial Behaviour Crime and Policing Act 2014
- Invoking the Community Protection Notice provisions of the same Act
- If the complainant is a tenant, beginning possession proceedings on the grounds of breach of tenancy and/or antisocial behaviour

Matters to take into account before taking action

Before taking a decision to invoke this policy consideration should be given to whether any further action is necessary, such as:

- Whether it is appropriate to convene a meeting with the complainant and a senior officer in order to seek a mutually agreeable resolution
- If it is known or suspected that the complainant requires support, then consider offering an independent advocate who may assist them with their communication with the Council
- Where more than one department is being contacted by the complainant, agree a cross-departmental approach and designate a lead officer to co-ordinate the Council's response

Staff must be satisfied before taking any action as defined by this policy that the complainant's individual circumstances have been taken into account, giving consideration to protected characteristics and equality and diversity.

Imposing restrictions

In the first instance the complaint handler, in consultation with the relevant Head of Service, will write to the complainant to explain why their behaviour is causing concern, and ask them to change their behaviour. The complaint handler will explain what actions the Council may take if the behaviour does not change.

If the complainant continues with the vexatious, unreasonable and/or persistent behaviour the complaint handler will consult with either the Chief Executive or Deputy Chief Executive of the Council about whether it is necessary to take appropriate action by invoking this policy.

When the decision has been taken to apply this policy to a complainant, the complaint handler will contact the complainant in writing to explain:

- Why this decision has been taken
- What action the Council will be taking
- The duration of that action
- The review process of this policy
- The right of the complainant to contact the Local Government Ombudsman about the fact that they have been treated as a vexatious, unreasonable and/or persistent complainant

Any restriction that is imposed on the complainant's contact with the Council will be appropriate and proportionate and the complainant will be advised of the period the restriction will be in place for.

It is recommended that in most cases restrictions will apply for between three and six months - in exceptional cases this may be extended. Restrictions will be reviewed on a quarterly basis.

If the complainant continues to behave in a way that is deemed vexatious, unreasonable and/or persistent then the complaint handler, in consultation with the Monitoring Officer, may decide to refuse all contact with the

complainant and cease any investigation into their complaint.

Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, the Council will consider other options, such as reporting the matter to the Police or taking legal action. In such cases, the Council may not give the complainant prior warning of that action.

New complaints from those who have been treated as being vexatious, unreasonable and/or persistent complainants

Any new complaints received from complainants who have come under this policy will be treated on their own merits. The Council does not support a blanket ban on genuine complaints simply because restrictions may be imposed upon that complainant.

Review

The Complaints Team will review any restrictions that are imposed upon the complainant after three months and at the end of every subsequent three months within the period during which the policy is to apply. Should a decision be taken to extend the period of restriction, the complainant will be informed in writing of how the Council plans to proceed and that the decision to restrict contact will be put in place for a further specified period. The outcome of any subsequent review will be communicated to the complainant, outlining whether the restrictions will continue to apply and, if so, why.

If at the end of the restricted period the complainant's behaviour is no longer deemed to be vexatious, unreasonable and/or persistent, the Council will confirm this in writing advising that the restrictions have been lifted.

Ceasing contact with a complainant

There may be occasions when the relationship between the Council and vexatious, unreasonable and/or persistent complainants breaks down completely. This may even be the case while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances, there may be little purpose in following all the stages of the complaints procedure.

When this occurs, the Council will advise the complainant that they may approach the Local Government Ombudsman or Housing Ombudsman who may be prepared to consider a complaint before the procedure has run its course.

Record keeping

The Council will keep a record of all complainants who have been treated as being vexatious, unreasonable and/or persistent in accordance with this policy. This will include details of why the policy was invoked, what restrictions were imposed and for what period of time.

Contact Details

Alternative formats are available on request:
audio, large print and Braille

South Kesteven District Council
01476 40 60 80

Out of hours 01476 590 044

✉ customerservices@southkesteven.gov.uk

🖱 www.southkesteven.gov.uk



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