



Feedback & Complaints Policy

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Introduction

Arun District Council is committed to providing consistent, efficient, and fair standards of services to its customers. We welcome both positive and negative feedback to help us improve our standards and the quality of service provided.

When we receive feedback or a complaint, we see this as a way of getting an important insight into how services are being delivered.

We recognise that sometimes things go wrong. When this happens, we will:

- Apologise
- Take action to put things right as quickly as possible
- Use your feedback to change and improve the way we deliver our services

The **purpose of this policy** is to ensure that there is a consistent and fair approach to responding to complaints which aims to resolve the issues at the earliest opportunity.

Aim of policy

We recognise the need to provide an efficient professional public service which is responsive to your views and needs. The **aim** of this policy is to demonstrate the Council's commitment to delivery of a transparent, clear to understand approach in the management of feedback and complaints based on being fair, putting things right and learning from outcomes.

When dealing with feedback and complaints, it is our **aim** to work with you so we understand what your issues are and what you would like to happen to resolve it. We are committed to treating all customers fairly and will make sure that individual needs are taken into account when applying this policy and that any reasonable adjustments are made in line with the Equality Act 2010.

Making a complaint

All customer complaints and compliments will be treated equally regardless of the method they are submitted, and customers do not have to use the word complaint for it to be treated as such.

If you need any support or assistance in making a complaint then please let us know so that we can ensure any reasonable adjustments are made in line with the Equality Act 2010 and our Equality Policy.

How to raise a complaint

- Website Submit an [online form](#)'
- Email infomanagement@arun.gov.uk
- Letter (please write to Information Management Team, Arun District Council, Maltravers Road, Littlehampton, West Sussex, BN17 5LF
- Telephone 01903 737500
- In person at Civic Centre or Bognor Town Hall via appointment

Any complaints made via our social media sites will be dealt with in line with this complaint policy, to protect confidentiality and privacy we will reply and ask you to message us directly with further details so that we can log your complaint.

A complaint submitted via a third party or representative will be handled in line with this complaints policy.

What is feedback?

Feedback is information about your reaction or opinion as a result of actions or behaviour undertaken by the Council. It can be either positive or negative and used as a basis for service improvement. All feedback is recorded and a copy is sent to the relevant service manager to review and feed into their work plans accordingly.

What is a complaint?

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group.

A service request is a request from a customer requiring action to be taken to put something right. A complaint will be raised when a customer raises dissatisfaction with the response to their service request.

There are some issues which we cannot deal with under this policy which are detailed at Appendix 1. If a formal appeal process exists then this will be used to address your concerns for example, planning applications, via homeless legislation.

If we decide not to accept a complaint, an explanation will be provided setting out the reason why the matter will not be dealt with under the complaints policy and will inform you of what to do next.

If you are unhappy with this decision, you have the right to take your complaint to the relevant ombudsman.

Housing complaints – Housing Ombudsman

Other complaints – Local Government and Social Care Ombudsman

How you can help us

We understand that it is frustrating when we do not meet your expectations. We will do everything we can to resolve your complaint. In return we ask that you: -

- Treat our staff with respect
- Do not use abusive language or behaviour when communicating with us
- Engage with all reasonable requests made in an effort to resolve your concerns

How your complaint is managed

Stage 1 complaint

Your complaint will be handled by a nominated person within the relevant service relating to your complaint. This individual will.

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

Your complaint will be acknowledged within 5 working days of receipt.

The acknowledgement will set out the following.

- The name and contact details of the complaint handler
- Our understanding of the complaint and the outcomes the customer is seeking
- A date or timeframe by which you can expect to receive a response

If any aspect of the complaint is unclear ~~you the customer~~ will be asked for clarification and the clarified complaint is agreed between you and the Council. ~~full definition agreed between both parties.~~

Our aim is to provide you with a full response within 10 working days from the date the complaint was received. (please note that Planning complaints have a response period of 25 working days). If this is not possible, we will contact you and let you know why we are not able to do this and when we will provide a response. This will not exceed a further 10 working days without good reason.

Examples of a 'good reason' could include but are not limited to

- A delay by a third party, over which we have no control, in providing information
- Requiring further time to undertake interviews and/or
- Needing longer to acquire all the information required from multiple sources to enable us to properly investigate a long-standing complex case

The complaint response will be sent to ~~you the customer~~ when the answer to the complaint is known. It will not ~~must not~~ be delayed until any outstanding actions are completed. Outstanding actions will ~~should~~ be tracked, and updates provided to you. ~~the customer~~

Where ~~you a customer~~ raises additional complaints during the investigation, these be incorporated into the Stage 1 response if they are relevant, and the stage 1 response has not been issued. Where the Stage 1 response has been issued, or it would unreasonably delay the response, the complaint will ~~should~~ be logged as a new complaint.

Stage 2 complaint

If you are dissatisfied with the stage ~~one~~1 response, or you feel that stage 1 has been unreasonable delayed, you can ask for your complaint to be escalated to Stage 2. When requesting for your complaint to be escalated ~~we will require~~ you should to set out your reasons why you are unhappy with our response and the outcome you are seeking. ~~The reason should fit into the following categories:~~

~~The complaint was not fully investigated or investigated at all
We did not follow our own policies and procedures or
One of the agreed points was not addresses.~~

Stage 2 complaints will be handled by a Senior Officer not previously involved in the Stage 1 complaint.

You will have 28 days from the date of the stage ~~one~~1 response to request a review. If you do not let us know within this timeframe, then we will not normally re-open your complaint unless there are exceptional circumstances.

The reasons why we may not escalate a complaint to Stage 2 are the same reasons stated in Appendix 1.

The complaint will be acknowledged within two working days.

The acknowledgement will set out the following.

- The name and contact details of the complaint handler
- Our understanding of the complaint and the outcomes you are seeking~~the customer is seeking~~
- A date or timeframe by which you can expect to receive a response

If any aspect of the complaint is unclear you~~the customer~~ will be asked for clarification and the clarified complaint~~full definition~~ agreed between you and the Council~~both parties~~.

Our aim is to respond in full to you within 25 working days of receipt of your request for review (20 days for Landlord/Tenant complaints). If this is not possible, we will contact you and let you know why we are not able to do this and when we will provide a response. This will not exceed a further 10 working days without good reason.

If the issue your complaint is about is subject to the attention of any formal Council meetings, then your response may be delayed enabling the relevant debate/decision-making process to be achieved. You will be kept advised of when you should expect a response

All complaints relating to Landlord/Tenants~~social landlord~~ services will have regard to~~follow~~ the Housing Ombudsman Complaint Handling Code.

All complaints relating to Corporate matters will have regard to~~follow~~ the advice of the Local Government & Social Care Ombudsman.

Closing the complaint

If after sending a response and attempting to make contact with ~~you the customer~~ to discuss it, there is no further contact from ~~you the customer~~ within 20 working days, the complaint will be ~~deemed to be satisfactorily~~ closed.

Next steps

There is no further right of appeal to the council following completion of a review at stage ~~two~~ 2 of this policy unless your complaint is related to Landlord/Tenant social housing services.

~~For Landlord/Tenant social housing complaints you can approach the Housing Ombudsman. The Housing Ombudsman will investigate complaints about housing management, repairs, leaseholder complaints, transfers, and mutual exchanges. If you go directly to the Housing Ombudsman, complaints will only be considered eight weeks after the date that your stage two complaint was closed. Housing Ombudsman – www.housing-ombudsman.org.uk Tel 0300 111 3000~~

~~If this is the case, you are entitled to request that the matter be escalated to a Designated Person for review.~~

~~The Designated Person will be your Ward Councillor or local MP, they can choose to contact us about the complaint, or they may instead refer your case straight to the Housing Ombudsman.~~

Within our final response, we will inform you of your right to take your complaint further if you remain dissatisfied. This will be to either the Local Government and Social Care Ombudsman or the Housing Ombudsman as appropriate

Local Government and Social Care Ombudsman - www.lgo.org.uk Tel 0300 061 0614

Housing Ombudsman – www.housing-ombudsman.org.uk Tel 0300 111 3000

~~For Landlord/Tenant complaints you can approach the Housing Ombudsman. The Housing Ombudsman will investigate complaints about housing management, repairs, leaseholder complaints, transfers, and mutual exchanges. If you go directly to the Housing Ombudsman, complaints will only be considered eight weeks after the date that your stage two complaint was closed. Housing Ombudsman – www.housing-ombudsman.org.uk Tel 0300 111 3000~~

Additional Information

Complaints of discrimination and harassment These issues will be dealt with sensitively, considering the nature of the issues raised when appointing an investigator.

In cases of harassment, we will consider the characteristics of the investigating officer, and if appropriate, discuss this with you before appointing an investigator. We will use appropriate information to assess overall levels of discrimination and harassment amongst different groups and will feed into the appropriate corporate policy review mechanisms to improve policy and practice

Complaints received via third party

When we receive a complaint from you via an elected member, advocate, or other third party we will handle this in line with this complaint policy and direct our response to you and the third party unless you instruct us otherwise.

Complaints received by the Chief Executive

Complaints received by the council's Chief Executive will be passed to Information Management who will ensure that you are responded to in line with this policy. Service request will be directed to the relevant service

Complaints relating to more than one council service

Where a complaint includes issues for more than one part of the council, we will aim to provide you with a single response whenever possible

Complaints against members of staff

If you have an issue about a member of staff, we will investigate and take appropriate action in accordance with our internal procedures.

Anonymous complaints

Anonymous complaints about the service will be investigated as far as possible, and a record of the complaint kept for three years. Anonymous complaints about an individual will not be investigated.

Dealing with complainant's unreasonable behaviour

There are a small number of customers whose behaviour we feel is unreasonable in pursuing the resolution of their complaint. An Unreasonable Behaviour Policy exists to deal with these instances and explains our approach.

Continuous learning and development

We recognise the valuable feedback that a complaint can provide, and we have mechanisms in place to ensure that we capture this when we conclude a complaint.

Performance statistics and complaint outcomes will be shared with our Corporate Management Team on a quarterly basis to promote continuous development and service improvements, and to identify and issues or trends arising from complaint handling.

For ~~Landlord & Tenant~~ Social Housing complaints

The resident, and if applicable any staff member who is the subject of the complaint, must also be given a fair chance to:

- set out their position
- comment on any adverse findings before a final decision is made

We will report back on learning and improvement from complaints via our annual report.

Learning from complaints is shared in our resident newsletter Arun at Home and with staff.

Anonymised case studies may additionally be shared with Your Voice (resident engagement group)

After a complaint has closed ~~you the customer~~ will be contacted and asked via a survey if they were satisfied with the handling of their complaints

We will complete a self-assessment against the Housing Ombudsman's complaint handling code each year by 1 May 2022 and following any significant restructure or change in procedures. The outcome of the assessment will be reported to the relevant committee and will be published on our website and included in our annual report.

Policy Review

This policy was adopted by the Audit & Governance and will be reviewed after one year by the Group Head of Law & Governance.

Equality and diversity

Equality and diversity is important to us and we are committed to making sure that people are treated fairly and with dignity. Our aim is to remove unnecessary barriers for everyone who works for us or uses our services. All staff receive equality and diversity training as part of their role.

Policy Review

This policy was adopted by the Audit & Governance Committee and will be reviewed ~~after one year~~annually by the Group Head of Law & Governance.

Related documents

- Unreasonable behaviour policy
- Compensation policy (housing)

Appendix 1

What we cannot deal with under this policy

Requests for service or information

As an example, if you request a repair to a council property or witness fly-tipping – these are alerting us to work that needs to be done. These requests may however become a complaint if we do not deal with them appropriately.

Appeals procedures

If an appeals procedure applies to your complaint, we will refer you to this and notify you of our actions at the outset.

Appeals procedures must be completed before we can investigate any other issues you raise with us. If this is the case, we will let you know.

The following are examples of complaints where there is an appeals process and so we will not deal with them under this policy: -

- Issuing of penalty charges – e.g. parking tickets and the recovery process
- A decision on a planning application
- Housing allocation scheme (Housing Register)
- An eviction decision
- Review of homelessness decision
- Entitlement to housing benefit
- A decision about council tax support
- An enforcement notice
- A decision to refuse to issue a licence

Current enforcement action in place

Where a live enforcement case is ongoing and under investigation, the enforcement case must be brought to conclusion before any complaint can be submitted.

Complaints regarding issues that occurred over 12 months ago

We would not normally investigate complaints about something that happened more than 12 months from the date of your complaint~~a year ago~~, unless in the Council's opinion there are exceptional circumstances.

Complaints about Councillors

To make a complaint about a Councillor, please refer to our [website](#) for further advice.

~~Dissatisfaction with decisions of Complaints against~~ the Monitoring Officer, Data Protection Officer, or Section 151 Officer

Any concerns relating to the decisions by the Monitoring Officer, as such, Data Protection Officer, as such, Section 151 Officer, as such, or Head of Paid Services, as such are excluded from this complaints process. ~~above roles are not appropriate to manage through the Complaints process and will be managed on an individual basis.~~

Allegations of fraud, theft or corruption by a member of our staff

We are committed to being open and accountable for our staff. Please refer to our [website](#) for further advice.

Where legal proceedings are involved

When a legal challenge is being made regarding whether a decision, action or lack of action is lawful. This is a separate process to the Ombudsman so will not be considered under the complaint policy.

Employment issues

Complaints made by our employees concerning their employment with us, or from job applicants who wish to complain about our recruitment and selection process will be dealt with by the relevant recruiting manager or HR as applicable. ~~Policies that may be applicable here are Dignity at Work and Grievance.~~

Complaints about Freedom of Information (FOI) requests (Internal Review)

These complaints will be handled by the Information Governance Manager. In cases where we decided not to provide the information to you, the Manager must consider advice from the information management service. The Manager will notify you of the outcome of our investigation within 20 working days of receipt of your complaint.

If we cannot respond in full within this timeframe, we will advise you why we need more time. Under legislation, we must ensure that we respond fully to you within 40 working days from receipt of your complaint.

There is no further right of appeal to the council following this investigation. Within our response we will inform you of your right to take your complaint further if you remain dissatisfied. Our response will contain the contact details for the Information Commissioner www.ico.gov.uk.

Complaints about Environmental Information Regulations (EIR) requests (Internal Review).

Under the EIR 2004, you can ask us to reconsider an information request. You can make representations to us in writing about this no later than 40 working days after the date you think we have failed to comply with the EIR.

These complaints will be handled by the Information Governance Manager. We have to consider your representations and any supporting evidence produced by you and decide if we have complied with the EIR requirements.

The Manager must consider advice from the information management service. The Manager will notify you of the outcome of our investigation as soon as possible, and no later than 40 working days after receipt of your complaint.

There is no further right of appeal to the council following this investigation. Within our response we will inform you of your right to take your complaint further if you remain dissatisfied. Our response will contain the contact details for the Information Commissioner, as above.

Complaints about Data Protection (GDPR and DPA 2018)

In relation to individual rights' requests under the GDPR the council has 1 month in which to respond although this can be extended by a further 2 months if the request is complex or we have received a number of requests from the requester. Whilst there is no statutory requirement to investigate complaints about how the council has responded to such a request, we are committed to trying to resolve all such complaints. Any such complaints will be handed by a senior officer and advice must be sought from the information management service.

There is no further right of appeal to the council following this investigation. You are entitled to complain to the Information Commissioner if you consider that there has been an infringement of data protection legislation.