

North Lincolnshire Council

Customer Complaints & Contact Policy

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Document Purpose and Subject	Customer Complaints and Contact Policy
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1. Introduction and Policy Statement

North Lincolnshire Council is committed to delivering high standards of customer service to its residents. Listening to you and learning from your feedback enables us to improve our services and meet your needs more effectively.

The purpose of the Customer Complaints and Contact Policy is to provide a framework which helps us capture and learn from what we do well and resolve dissatisfaction about the council's actions, or standard or quality of service in order to continuously seek improvement.

Policy Statement

North Lincolnshire Council is open and progressive organisation, and as such welcomes your feedback. We want to make it as easy as possible for you to let us know your views, including telling us what works well and making a complaint if you are dissatisfied. We will treat all customers equally and aim to resolve complaints as quickly as possible in a fair and transparent way.

The aim of this policy is to provide a framework which helps resolve dissatisfaction at the earliest opportunity. It sets out how you can make a complaint or leave a comment, how we will deal with it and your rights of appeal.

Exclusions to the Policy

Complaints regarding the following are outside the scope of this policy:

- **Schools** – complaints about a school should be made to the Head Teacher of the school concerned. Complaints about Head Teachers should be made to the Chair of Governors of the school concerned.
- **Data Protection, Freedom of Information & Environmental Information Regulations** – [complaints in relation to data protection, Freedom of information and EIR requests](#) are covered by separate processes;
- **Councillors** – councillors work to a code of conduct; if you feel that a councillor is in breach of the code of conduct, there are separate arrangements for making a complaint. [Complaints about elected members](#).

Where customers are unhappy with a decision or outcome of a process, there may be a separate appeals procedure which will apply outside of this policy. This includes:

- Decisions in relation to Business Rates, Council Tax and Housing / Council Tax benefits. However, complaints about customer service issues, rather than the decision outcome, are included within the scope of this policy
- Planning application decisions and other regulatory functions

- School admissions decisions
- Matters that are already subject to legal proceedings
- Ongoing insurance claims
- Issues that have arisen and are being handled through the council's 'Whistleblowers' scheme
- Objections to car parking/other penalty notices
- Other formal appeals on specific decisions made by the council

Contact details for these appeal processes are set out in the 'Contact Us' section on page 10.

2. Definitions

Definition of a Customer

A customer of the council is any individual who accesses, uses or receives any council service, or is affected by any council policy or action.

Definition of a Contact

A contact is a communication with the council made in person, by telephone, digital format or via a third party.

Definition of a Complaint

A complaint is any expression of dissatisfaction about the council's actions, or standard and quality of service where a detrimental consequence has occurred – and which requires a response.

The response may be to put things right straightaway, or to investigate the matter further and find out what went wrong.

A complaint could include any of the following concerns:

- 'Service Delivery' - where there has been a failure to provide a service
- 'Service Quality' - where there are issues in the quality of the service delivered
- 'Information and Communication' - not being fully aware or kept informed
- 'Inclusion and Involvement' - not appropriately involved or included in decisions
- 'Policy' - when a policy is absent, ineffective, detrimental, or discriminatory

- 'Information Management and Information Governance' – where data protection and information governance requirements have not been met

A complaint **is not**:

- A first request for service – for example the reporting of routine matters such as fly tipping, dog fouling, noise nuisance
- A query about service provision
- A query about progress of a specific issue
- A general comment about a service
- A suggestion for service improvement or enhancement
- A disagreement about something which is set in legislation or national policy

3. Our Commitment to You

The council will adopt a restorative approach to addressing your complaint, wherever possible. This means that we will:

- have an open and respectful conversation with you where we listen carefully and seek to gain a clear understanding of what has happened
- seek to address the complaint at the earliest opportunity, avoiding the need for you to escalate your concerns, but understand that this is your right, if you are still dissatisfied
- explain to you what has happened and what we propose to do about it
- apologise when we have got something wrong and put it right
- work to our customer service standards

We will also:

- endeavor to acknowledge your complaint within 1 working day
- respond to your complaint in the timescales outlined at each stage
- contact you if the response is going to be longer than anticipated
- observe confidentiality and adhere to the General Data Protection Regulations
- pass any compliments or comments on to the individual, team or service concerned

In return, we ask you to:

- treat our staff with respect at all times
- be clear in telling us what you are complaining about
- provide us with all of the information that we have asked for

- tell us what you would like us to do to resolve your complaint and what your desired outcome is
- report complaints promptly as we will not normally investigate complaints about something which happened more than a year ago, unless there are exceptional circumstances

4. How to Submit a Complaint or Contact Us

You can contact us via our website by clicking the ‘Contact Us’ link on the home page of the council’s website. You can also write to us, email or telephone us. See the ‘Contact Us’ section on page 10, for ways to contact the council.

5. How We Will Deal with Your Complaint or Contact

Informal Resolution

Wherever possible we aim to resolve complaints at the point of service delivery and as quickly as possible.

We encourage you in the first instance to contact the service you wish to complain about. The service will do all it can to put things right and resolve the issue informally.

Formal Resolution

If it is not possible to resolve your complaint informally, the complaint will be investigated through the relevant formal procedure as set out below. Note that if your complaint concerns statutory Adults or Children’s services, special provisions apply in line with relevant legislation. This is why the response times are not the same for all types of complaint. These are detailed below.

We endeavour to acknowledge all complaints within 1 working day. We will then investigate your complaint in line with the following timescales (timescales relate to working days):

Stage 1

Stage 1	Statutory Complaints - Adult Services*	Statutory Complaints - Children’s Services*	Other Complaints
We will complete the Stage 1 investigation and provide you with a response within:	15 days (Or 20 days if it is complex)	10 days (Or 20 days if it is complex)	15 days (Or 20 days if it is complex)

You may ask for your complaint to be re-examined at Stage 2 of this process. You must request this within 20 days of the date of our response. However, in

circumstances where we consider that reasonable resolution has been reached and further investigation cannot add further to the findings and outcome, we may consider the matter concluded at Stage 1 and we will inform you of this decision.

However, if your complaint is about Adult Services, in line with legislation, Stage 1 is the final stage of the formal complaint process. You have the right to appeal to the Local Government and Social Care Ombudsman.

* The complaints process for Statutory Adults and Children's Social Care is prescribed by national guidance, therefore the timescales reflect the legal framework. Please be advised that some complaints regarding Adults and Children's Social Care may fall under our non-statutory complaints policy and not the statutory complaints policy. We will notify you of this during the complaints process as necessary.

Stage 2

Stage 2	Statutory Complaints About Adult Services*	Statutory Complaints About Children's Services*	Other Complaints
We will complete the Stage 2 investigation and provide you with a response within:	Not applicable – see above	25 days*	25 days

At Stage 2, a senior manager will be appointed to review whether the investigation was conducted properly. If your complaint is about Statutory Children's Services, this stage will be undertaken by an independent external investigator.

There is no further right of appeal to the council following completion of the investigation at Stage 2, except for complaints about statutory Children's Services which provide for a stage 3 process as explained below. However, you may appeal to the Local Government and Social Care Ombudsman if you remain dissatisfied.

Stage 3 – Panel Review (Statutory Children's Services only)

You may ask for a complaint about Statutory Children's Services to be reviewed by an independent panel if you remain dissatisfied. You must do this within 20 days of receiving the Stage 2 response. This is the final stage of the complaints process.

Panel review will be held within 30 working days of the agreed request being received. The aim of the panel hearing is to reach recommendations on remedy and resolution of the complaint by bringing together all attendees so that each party can hear what the other has to say.

How to Appeal Against the Outcome of a Complaint

Where a complaint has progressed to the end of the formal complaints procedure and you are still not satisfied, you may appeal to the Local Government and Social Care Ombudsman. The Ombudsman is the final stage for complaints.

The Ombudsman is an independent body that exists to review complaints made to local authorities where the matter has not been resolved to the complainant's satisfaction. They investigate complaints in a fair and independent way and do not take sides. This is a free service. See the 'Contact Us' section on page 10 for details.

6. Complaint Outcome Explanation

• Complaints – Upheld

Where we have made a mistake or failed to provide the expected standard or quality of service, we will acknowledge and apologise for this. We will also set out the actions we will take to put things right and improve our services. This could include:

- reinstating a service
- changing how we deliver our services
- reviewing and amending information about our services
- reviewing council policies or procedures
- providing appropriate staff training and guidance
- reimbursing you for any costs or inconvenience caused relevant to your circumstance

• Complaints – Not Upheld

Where we have investigated and do not uphold the complaint, we will:

- explain the reasons for our decision clearly
- provide any relevant evidence to support the decision
- inform you how to progress your complaint if you remain dissatisfied

• Complaints – Not Found

In a minority of cases, it may not be possible to establish any grounds for a complaint and therefore the complaint cannot be "upheld" or "not upheld". In these cases, we may conclude that the complaint is "not found".

7. Persistent and Unreasonable Contact

In a small number of cases some customers may contact the council in a persistent and/or unreasonable way. Due to the nature and frequency of their contact, this may impact significantly on the council's resources and hinder its capacity to respond effectively and quickly to the needs of other customers.

Ways in which we will consider a customer to be persistent and/or unreasonable in pursuing their contact with the council include (but is not limited to):

- refusing to clearly specify the grounds of a complaint to fully co-operate with the investigation process
- refusing to accept investigation conclusions and decisions
- repeatedly making the same or similar complaint or request, including submitting minor additions/variations and insisting that these make it a 'new' complaint or request
- refusing to accept that certain issues are not within the scope of the complaints policy
- raising many detailed but unimportant questions, and insisting they are all answered
- making frequent and excessive demands on the time and resources of staff with lengthy phone calls or numerous emails to council staff and expecting immediate responses
- persistently approaching the council through different routes about the same issue
- complaining about or challenging an issue based on a historic and irreversible decision or incident
- using other family members to attempt to re-open a complaint already closed
- unreasonable fixation on an individual employee/s
- using disrespectful, aggressive, threatening or intimidating behaviour or language towards employees
- demonstrating vexatiousness in the approach and issues raised
- showing a lack of respect for council employees, including posting comments on social media, filming or recording them, seeking to have them removed from their post
- posting comments on social media which identify and show a lack of respect for council employees

How We Will Respond to Persistent and Unreasonable Contact

Continuing to respond can take up a lot of time and reduce capacity to deal with other complaints effectively. We will therefore write to the customer to inform them that their contact has become persistent and/or unreasonable, and we will explain the reasons why. We will take any of the following actions as appropriate and set a review date:

- refuse to accept further contact or complaints about the same or similar matters
- advise the customer that we will no longer enter into any correspondence about such cases, unless new information becomes available
- require the customer to communicate only with one named member of staff (single point of contact)
- limit the customer to one method of contact (telephone, letter, email, etc)
- require any personal contacts to take place in the presence of a witness and in a suitable location
- place limits on the number and duration of contacts with staff
- limit or prevent access to premises owned or operated by North Lincolnshire Council

8. Violence and Aggression

Violence at work is defined by the Health and Safety Executive (HSE) as:

‘Any incident in which an employee is abused, threatened or assaulted in circumstances relating to their work’

The definition includes:

- verbal abuse or threats, including face to face, online or via the telephone where a verbal attack has been made; this includes any form of harassment or abuse based on the grounds of (a protected characteristic) gender, race, disability, religious belief, age, sexual orientation and trans-gender status
- intimidation (including stalking)
- physical attack whether visible injury occurs or not
- animal attack
- damage to property

Individuals are also protected from harassment based on a protected characteristic or on the perception of a protected characteristic.

Harassment, as defined in the Equality Act 2010, is unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating an

individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Unacceptable or Anti-Social Behaviour

The risk of employees encountering unacceptable behaviour will be taken seriously. The actions of customers and service users displaying unacceptable behaviour may cause distress to employees and others and have an effect on the council's delivery of services. Under these circumstances, we will seek to manage such behaviour to protect employees.

Equality and diversity considerations recognise that, in some circumstances customers or service users may have a disability which make it challenging for them to express themselves or communicate clearly and/or appropriately. Wherever possible, we will consider individual needs and circumstances before deciding how best to manage the situation.

Protecting Employees and Others

Following any incidents of violent, aggressive, abusive and/or unacceptable behaviour aimed towards council employees and/or other relevant persons such as other service/building users, a decision will be made to determine how best to manage that behaviour and reduce further risk.

Incidents will be reported on the NLC Accident and Incident Reporting system and may result in the incident being logged onto the council's 'Cautionary Contact' register with the details and a 'marker' against the individual's name and/or the address of the premises where the incident occurred.

Service delivery may be restricted or withdrawn for anyone posing an unacceptable level of risk. A formal, temporary 'ban' from NLC premises may be imposed.

9. Contact Us

- **On-Line:** On the council's website by clicking the 'Contact Us' link on the home page: <https://www.northlincs.gov.uk/>
- By email to customerservice@northlincs.gov.uk
- By telephoning 01724 297000
- In person by contacting one of our advisors at a North Lincolnshire Council office.
- In writing to the Customer Complaints Manager, Church Square House, 30-40 High Street, Scunthorpe, North Lincolnshire DN15 6NL

Service-Specific Processes

For service-specific appeals please log onto the council's website and click the 'Contact Us' link on the home page: <https://www.northlincs.gov.uk/> or by email customerservice@northlincs.gov.uk

Impartial information and advice relating to a child or young person who has Special Educational Needs or a Disability - SENDIASS (The Special Educational Needs and Disabilities Information, Advice and Support Service) offers impartial information and advice about matters relating to SEN or disabilities. They may be able to help you to understand your options and the complaint routes available to you. www.nlsendiass.org.uk

SEND Dispute Resolution and Mediation - please see the SEND Local Offer for more information if you disagree with decisions in relation to the EHC Needs Assessment and Review process -
SEND Local Offer | What to do if you don't agree with decisions about SEND Provision -
SEND Local Offer (northlincs.gov.uk)

Mediation is a type of disagreement resolution for decisions that can be appealed to the Special Educational Needs and Disability Tribunal. Independent mediation is provided in North Lincolnshire by
Community Accord Tel: 01274 223313
Email: info@communityaccord.com
Web: www.communityaccord.com

Complaints about Schools – contact the head teacher of the school concerned or [go on-line](#).

Complaints about Council Tax & Housing/Council Tax Benefits – Use our on-line complaints form, as above, or telephone 01724 297000 or e-mail customerservice@northlincs.gov.uk

Complaints relating to Data Protection / Freedom of Information / Environmental Information Regulations requests – [see details online](#).

Objections to car parking notices: [online](#).

General complaints relating to councillors – [Use our on-line councillor complaints form](#).

Local Government and Social Care Ombudsman

Telephone: 0300 061 0614 or on-line at: www.lgo.org.uk