

Complaint Handling Procedure



Inverclyde Council Complaint Handling Procedure

Foreword from Aubrey Fawcett, Chief Executive of Inverclyde Council

We are committed to making sure that as a modern and efficient organisation, we are responsive to our resident's needs.

As part of this commitment we have put in place a quick and effective method of resolving customer complaints.

We have nothing to fear from complaints, they are an opportunity to improve our service by identifying problems and potential problems and finding clear resolutions or they give us an opportunity to clear up a misunderstanding.

A clear and simple complaints handling procedure helps each of us to learn and improve the level and quality of services we provide.

The key changes are that we...

...have streamlined our complaints process shifting from a three to a two stage process

...will continue to seek to resolve more customer complaints as close as possible to the point of service delivery and

...will conduct thorough, impartial and fair investigations of customer complaints within the agreed timescales.

...use complaints as a performance indicator and strive to learn and improve our services.

This document explains in detail our revised procedure for complaints handling in Inverclyde Council.

Aubrey Fawcett
Chief Executive

Version control of complaint handling procedure	Date of Change	File name
1) Creation of the complaint handling procedure from the signed off version approved at Policy & Resources Committee 2) Standard letters created for each scenario that the complaint would go through 3) Change to the SPSO freepost address in the letters & procedure document	18/10/2016	Complaint Procedure CEO Foreword v.1
Annual review of procedure and letter suite. 1. Letter suite <ul style="list-style-type: none"> Annual review of the letter suite. Changes made to instructions for staff using the templates. Introduced new templates. Amended reference to senior management to "Corporate Management Team". 2. Complaint Handling Procedure <ul style="list-style-type: none"> Add section Governance section that includes roles and responsibilities, reporting requirements and learning approach. Aligned to the Model CHP. Minor amendments made to small section so procedure to enhance. Added Appendices to enhance overall procedure. 	28/09/2017	Complaint Procedure & Letter Suite v.2
SPSO address change amended in the letter	11/12/2018	Complaint Procedure & Letter Suite v2/1

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What is a complaint?

Inverclyde Council's definition of a complaint is:

'An expression of dissatisfaction by one or more members of the public about the council's action or lack of action, or about the standard of service provided by or on behalf of the council.'

A complaint may relate to, but is not restricted to this list:

- failure to provide a service
- inadequate standard of service
- dissatisfaction with council policy
- treatment by or attitude of a member of staff
- disagreement with a decision where the customer cannot use another procedure (for example an appeal) to resolve the matter
- the council's failure to follow the appropriate administrative process.

Appendix 1 provides a range of examples of complaints we may receive, and how these may be handled

A complaint is **not**:

- a routine first-time request for a service
- a request for compensation only
- issues that are in court or have already been heard by a court or a tribunal
- disagreement with a decision where a statutory right of appeal exists, for example in relation to council tax or planning
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.
- An issue which occurred over six months ago from the date of the complaint.

You must not treat these issues as complaints, and should instead direct customers to use the appropriate procedures.

Appendix 2 gives examples of more complex complaints, some of which are not appropriate for this complaint handling procedure.

Handling anonymous complaints

We value all complaints. This means we treat all complaints including anonymous complaints seriously and will take action to consider them further, wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further. Any decision not to pursue an anonymous complaint must be authorised by a senior manager.

If an anonymous complaint makes serious allegations, we will refer it to an appropriate senior officer immediately. If we pursue an anonymous complaint further,

we will record the issues as an anonymous complaint on the complaints system. This will help to ensure the completeness of the complaints data we record and allow us to take corrective action where appropriate.

Social Care complaints

The procedure for social care complaints is the same as our council procedure. Customers should contact Inverclyde Health and Social Care Partnership (HSCP) on the contact details below.

Complaint Officer
Quality & Development Service
Hector McNeil House
7-8 Clyde Square
Greenock
Inverclyde PA15 1NB

Telephone 01475 715280
Email: pccsp.swork@inverclyde.gov.uk

Registered Care Service

Anyone receiving a registered care services has the right to complain either direct to the Care Inspectorate or to Inverclyde Health and Social Care Partnership (HSCP).

Customers may also receive care or support from other agencies under a contract with Inverclyde Council. They may direct complaints about these services either to us (just like complaints about any council service) or directly to the Care Inspectorate.

The Care Inspectorate's contact details can be found on their website:

<http://www.scswis.com/>

Or:

telephone 0845 600 9527

fax 01382 207 289

complete an online complaints form at <http://www.scswis.com>, or

email enquiries@careinspectorate.com

Supporting the customer

All members of the community have the right to equal access to our complaints handling procedure. These may be physical, sensory, communication or language barriers, but can also include their anxieties and concerns. Customer may need independent support to overcome these barriers in assessing the complaints procedure.

Customers who do not have English as a first language, including British Sign Language users, may need help with interpretation and translation service. Other customers may need some other forms of communication support, including documents written in accessible language such as easy read format. Some may need support workers or advocates to help them understand their rights, and help them to communicate their complaints

We must always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our service to help the customer where appropriate.

Wherever possible we will identify what additional needs a customer may have and help them find appropriate support or refer them to the local independent advocacy organisation to help them pursuing a complaint. Several support and advocacy groups are available to support customers in pursuing a complaint and customers should be signposted to these as appropriate.

Local Advocacy

Circles Network
Advocacy Service Inverclyde
21 Grey Place
Greenock
PA15 1YF
Tel: 01475 730797
Fax: 01475 727407
Info.inverclyde@circlesnetwork.org.uk

Managing unacceptable behaviour

People may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the customer acting in an unacceptable way. Customers who have a history of challenging or inappropriate behaviour, or have difficulty expressing themselves, may still have a legitimate grievance.

A customer's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them.

However, we also recognise that the actions of customers who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable behaviour such as unreasonable persistence, threats or offensive behaviour from customers.

Where we decide to restrict access to a customer under the terms of an unacceptable actions policy, we have a procedure in place to communicate that decision, notify the customer of a right of appeal, and review any decision to restrict contact with us. This will allow the customer to demonstrate a more reasonable approach later.

Time limit for making complaints

This complaints handling procedure sets a time limit of six months from when the customer first knew of the problem, within which time they may ask us to consider the complaint, unless there are special circumstances for considering complaints beyond this time.

We will apply this time limit with discretion. In decision making we will take account of the Scottish Public Services Ombudsman Act 2002 (Section 10(1)), which sets out the time limit within which a member of the public can normally ask the SPSO to consider complaints.

The limit is one year from when the person first knew of the problem they are complaining about, unless there are special circumstances for considering complaints beyond this time.

If it is clear that a decision not to investigate a customer's complaint will lead to a request for external review of the matter, we may decide that this satisfies the special circumstances criteria. This will enable us to consider the complaint and try to resolve it.

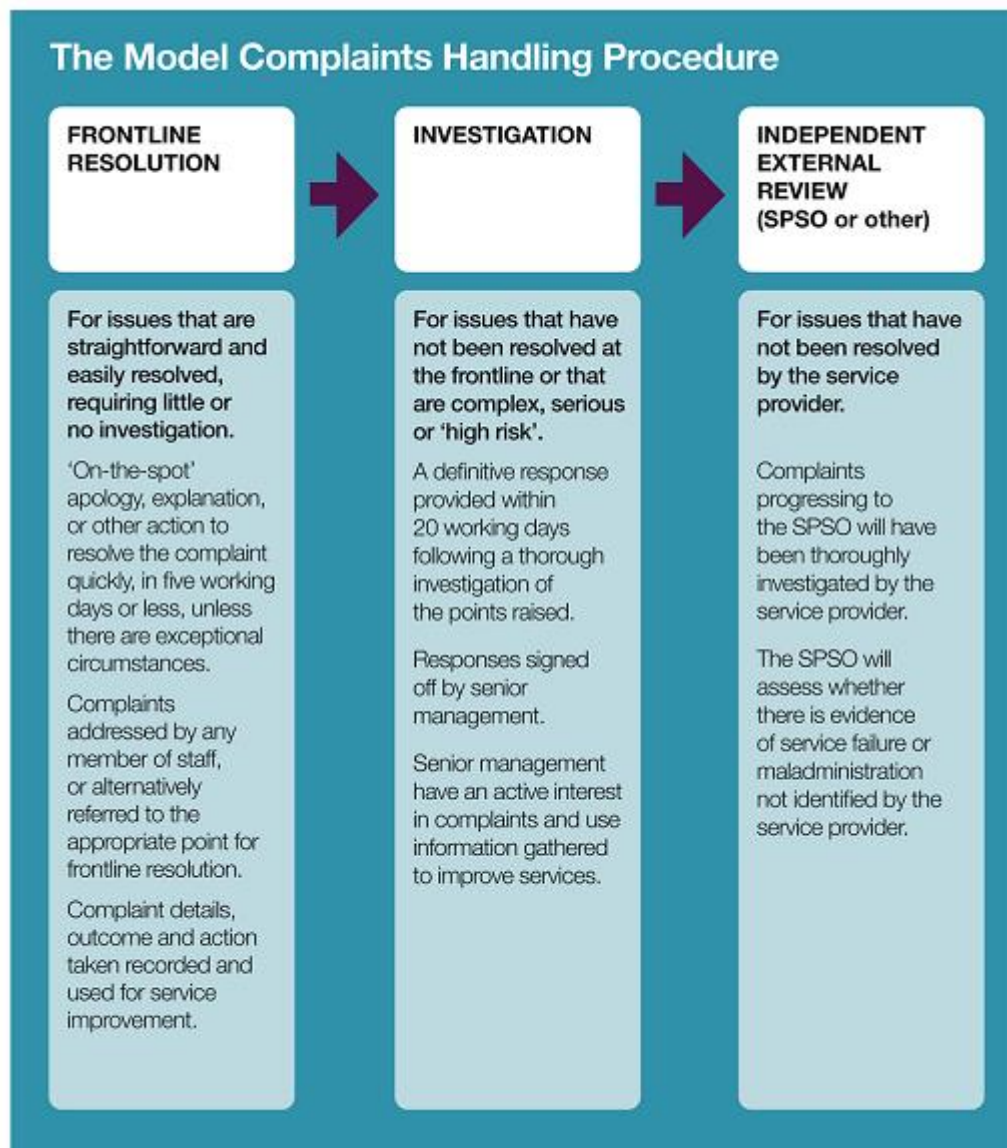
Appendix 3 provides further information on timelines.

The complaints handling process

Our complaints handling procedure aims to provide a quick, simple and streamlined process for resolving complaints early and locally by skilled, knowledgeable and well-trained staff.

Our complaints process provides two opportunities to resolve complaints internally:

- **frontline resolution**, and
- **investigation**.



For clarity, the term 'frontline resolution' refers to the first stage of the complaints process. It does not reflect any job description within [*the local authority*] but means seeking to resolve complaints at the initial point of contact where possible.

Stage one: frontline resolution

The main principle is to seek early resolution, resolving complaints at the earliest opportunity and as close to the event which led to the complaint as possible. This may mean a face-to-face discussion with the customer, or asking an appropriate member of staff to deal directly with the complaint.

Appendix 1 gives examples of types of complaint at the first point of contact with the customer, either by the member of staff receiving the complaint or identified staff.

In practice, frontline resolution means resolving the complaint at the first point of contact with the customer, either by the member of staff receiving the complaint or other identified staff.

In either case, you may settle the complaint by providing an on-the-spot apology where appropriate, or explaining why the issue occurred and, where possible, what will be done to stop this happening again. You may also explain that, as an organisation that values complaints, we may use the information given when we review service standards in the future.

A customer can make a complaint in writing, in person, by telephone, by email or online including through social media channels, or by having someone complain on their behalf. You must always consider frontline resolution, regardless of how you have received the customer's complaint.

What to do when you receive a complaint

1 On receiving a complaint, you must first decide whether the issue can be defined as a complaint. The customer may express dissatisfaction about more than one issue. This may mean you treat one element as a complaint, while directing the customer to pursue another element through an alternative route. (see Appendix 1)

2 If you have received and identified a complaint, record the details on our complaints system.

3 Next, decide whether or not the complaint is suitable for frontline resolution. Some complaints will need to be fully investigated before you can give the customer a suitable response. You must escalate these complaints immediately to the investigation stage and to your Head of Service.

4 Where you think frontline resolution is appropriate, you must consider four key questions:

- What exactly is the customer's complaint (or complaints)?
- What does the customer want to achieve by complaining?
- Can I achieve this, or explain why not?
- If I cannot resolve this, who can help with frontline resolution?

What exactly is the customer's complaint (or complaints)?

It is important to be clear about exactly what the customer is complaining about. You may need to ask the customer for more information and probe further to get a full picture.

What does the customer want to achieve by complaining?

At the outset, clarify the outcome the customer wants. Of course, the customer may not be clear about this, and you may need to probe further to find out what they expect, and whether they can be satisfied.

Can I achieve this, or explain why not?

If you can achieve the expected outcome by providing an on-the-spot apology or explain why you cannot achieve it, you should do so. If you consider an apology is appropriate, you may wish to follow the SPSO's guidance on the subject:

SPSO guidance on apology

The customer may expect more than we can provide. If so, you must tell them as soon as possible.

You are likely to have to convey the decision face to face or on the telephone. If you do so face to face, by telephone or by email, you are not required to write to the customer as well, although you may choose to do so. It is important, however, to keep a full and accurate record of the decision reached and passed to the customer.

If I can't resolve this, who can help with frontline resolution?

If you cannot deal with the complaint because, for example, you are unfamiliar with the issues or area of service involved, pass details of the complaint to someone who can attempt to resolve it and clearly record the action.

Timelines

Frontline resolution must be completed within **five working days**, although in practice we would often expect to resolve the complaint much sooner and ideally right away for most complaints.

You may need to get more information from other services to resolve the complaint at this stage. However, it is important to respond to the customer within five working days, either resolving the matter or explaining that their complaint is to be investigated.

Extension to the timeline

In exceptional circumstances, where there are clear and justifiable reasons for doing so, you may agree an extension of no more than five working days with the customer and approved by a senior manager. This must only happen when an extension will make it more likely that the complaint will be resolved at the frontline resolution stage.

When you ask for an extension, you must get authorisation from the appropriate senior manager, who will decide whether you need an extension to effectively resolve the complaint. Examples of when this may be appropriate include staff or contractors being temporarily unavailable. If, however, the issues are so complex that they cannot be resolved in five days, it may be more appropriate to escalate the complaint straight to the investigation stage. You must tell the customer about the reasons for the delay, and when they can expect your response.

If the customer does not agree to an extension but it is unavoidable and reasonable, a senior manager must decide on the extension. You must then tell the customer about the delay and explain the reason for the decision to grant the extension.

It is important that such extensions DO NOT become the norm. The timeline at the frontline resolution stage should be extended only rarely. All attempts to resolve the complaint at this stage must take no longer than **ten working days** from the date you receive the complaint.

The proportion of complaints that exceed the five-day limit will be evident from reported statistics. These statistics must go to our corporate management team (CMT) quarterly.

Appendix 3 provides further guidance on timescales

Closing the complaint at the frontline resolution stage

When you have informed the customer of the outcome, you are not obliged to write to the customer, although you may choose to do so. You must ensure that our response to the complaint addresses all areas that we are responsible for and explains the reasons for our decision. It is also important to keep a full and accurate record of the decision reached and given to the customer. The complaint must then be closed and the complaints system on LAGAN updated accordingly.

Your service may prefer that a written response is issued to the customer irrespective of the complaint being dealt with under stage one frontline resolution which is acceptable.

When to escalate to the investigation stage

A complaint must be escalated to the investigation stage when:

- frontline resolution was tried but the customer remains dissatisfied and requests an investigation into the complaint. This may be immediately on communicating the decision at the frontline stage
- the customer refuses to take part in the frontline resolution process
- the issues raised are complex and require detailed investigation
- the complaint relates to serious, high-risk or high-profile issues.

When a previously closed complaint is escalated from the frontline resolution stage, the complaint should be reopened on the complaints system. Take particular care to

identify complaints that might be considered serious, high risk or high profile, as these may require particular action or raise critical issues that need senior management's direct input.

Potential high-risk or high-profile complaints could include:

- involve a death or terminal illness
- involve serious service failure, for example major delays in providing, or repeated failures to provide, a service
- generate significant and on-going press interest
- pose a serious risk to local authority operations
- present issues of a highly sensitive nature

Stage two: investigation

Not all complaints are suitable for frontline resolution and not all complaints will be satisfactorily resolved at that stage.

Complaints handled at the investigation stage of the complaints handling procedure are typically complex or require a detailed examination before we can state our position. These complaints may already have been considered at the frontline resolution stage, or they may have been identified from the start as needing immediate investigation or it may have been requested by the customer.

An investigation aims to establish all the facts relevant to the points made in the complaint and to give the customer a full, objective and proportionate response that represents our final position.

What to do when you receive a complaint for investigation

It is important to be clear from the start of the investigation stage exactly what you are investigating, and to ensure that both the customer and the service understand the investigation's scope.

It may be helpful to discuss and confirm these points with the customer at the outset, to establish why they are dissatisfied and whether the outcome they are looking for sounds realistic. In discussing the complaint with the customer, consider three key questions:

1. What specifically is the customer's complaint or complaints?
2. What does the customer want to achieve by complaining?
3. Are the customer's expectations realistic and achievable?

It may be that the customer expects more than we can provide. If so, you must make this clear to the customer as soon as possible.

Where possible you should also clarify what additional information you will need to investigate the complaint. The customer may need to provide more evidence to help us reach a decision.

Details of the complaint must be recorded on the LAGAN system for recording complaints. The details must be updated when the investigation ends.

Timelines

Complaints at the investigation stage should be dealt with within these timescales:

- complaints must be acknowledged within **three working days**
- you should provide a full response to the complaint as soon as possible but not later than **20 working days** from the time you received the complaint for investigation.

Extension to the timeline

Not all investigations will be able to meet this deadline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the 20-day limit. However, these would be the exception and you must always try to deliver a final response to a complaint within 20 working days.

If there are clear and justifiable reasons for extending the timescale, senior management will set time limits on any extended investigation, as long as the customer agrees. You must keep the customer updated on the reason for the delay and give them a revised timescale for completion. If the customer does not agree to an extension but it is unavoidable and reasonable, then senior management must consider and confirm the extension. The reasons for an extension might include the following:

- Essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff, customers or others but they cannot help because of long-term sickness or leave.
- You cannot obtain further essential information within set timescales.
- Operations are disrupted by unforeseen or unavoidable operational circumstances, for example industrial action or severe weather conditions.
- The customer has agreed to mediation as a potential route for resolution.

These are only a few examples, and you must judge the matter in relation to each complaint. However, an extension would be the exception and you must always try to deliver a final response to the complaint within 20 working days.

All of this information must be recorded on LAGAN.

As with complaints considered at the frontline stage, the proportion of complaints that exceed the 20-day limit will be evident from reported statistics. These statistics must go to our corporate management team (CMT) on a quarterly basis.

Appendix 3 provides further information on timelines

Mediation

Some complex complaints, or complaints where customers and other interested parties have become entrenched in their position, may require a different approach to resolving the complaint. Where appropriate, you may consider using services such as mediation or conciliation using suitably trained and qualified mediators to try to resolve the matter and to reduce the risk of the complaint escalating further.

Mediation may help both parties to understand what has caused the complaint, and so is more likely to lead to mutually satisfactory solutions. If you and the customer agree to mediation, revised timescales will need to be agreed.

Closing the complaint at the investigation stage

You must let the customer know the outcome of the investigation, in writing or by their preferred method of contact.

This response must include the decision on whether the complaint was 'upheld', 'not upheld' or 'partially upheld'.

Our response to the complaint must address all areas that we are responsible for and explain the reasons for our decision. You must record the decision, and details of how it was communicated to the customer, on the Council's LAGAN/KANA system for recording complaints. You must also make clear to the customer:

- their right to ask SPSO to consider the complaint
- the time limit for doing so, and
- how to contact the SPSO.

Independent external review

Once the investigation stage has been completed, the customer has the right to approach the SPSO if they remain dissatisfied.

The SPSO considers complaints from people who remain dissatisfied at the conclusion of our complaints procedure. They look at issues such as service failures and maladministration (administrative fault), as well as the way we have handled the complaint.

The text below should be used on your communication with customers when informing them of the outcome of the investigation stage.

The SPSO also provides a leaflet, **The Ombudsman and your organisation**, which you may find helpful in deciding how and when to refer someone to the SPSO.

Information about the SPSO

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. This includes complaints about Scottish councils. If you remain dissatisfied with a council after its complaints process, you can ask the SPSO to look at your complaint. The SPSO cannot normally look at complaints:

- where you have not gone all the way through the council's complaints handling procedure
- more than 12 months after you became aware of the matter you want to complain about, or
- that have been or are being considered in court.

The SPSO's contact details are:

In Person

In writing:

SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS

Freepost SPSO

Freephone: 0800 3777330

Online Contact: www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

Mobile site: <http://m.spsso.org.uk>

Governance of complaint handling procedure

Roles and Responsibilities

Overall responsibility and accountability for the management of complaints lies with local authority's Chief Executive and senior management. Our final position on the complaint must be signed off by an appropriate senior officer and we will confirm that this is our final response. This ensures that our senior management own and are accountable for the decision. It also reassures the customer that their concerns have been taken seriously.

Chief Executive: The Chief Executive provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective complaints handling procedure, with a robust investigation process that demonstrates how we learn from the complaints we receive. The Chief Executive may take a personal interest in all or some of the complaints, or may delegate responsibility for the complaint handling procedure to

senior staff. Regular management reports assure the Chief Executive of the quality of complaints performance.

Directors: The Directors are responsible for:

- managing complaints concerning their directorate and the way we learn from them
- overseeing the implementation of actions required as a result of complaints
- investigating complaints

However, directors may decide to delegate some elements of complaint handling (such as investigations and drafting response letters) to other staff. Where this happens, directors should retain ownership and accountability for the management and reporting of complaints. They may also be responsible for preparing and signing decision letters to customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint.

Heads of service and service managers with complaint oversight responsibility: responsible for the operational investigation, oversight and management of complaints handling including following up on complaints approaching timescales. As senior officers they may be responsible for preparing some response letters to complaints, oversight and signing decision letters to customers ensuring the right outcome achieved in stage two complaint letters, so they should be satisfied that the investigation is complete and their response address all aspects of the complaint. Ensure actions are managed effectively for any practice or policy issues emerging as a potential service improvement.

Complaint officer (Corporate Communications): is responsible for providing strategic direction for complaints handling to ensure a responsive, efficient and improved complaints handling service which meets the appropriate regulatory standards. Lead on the strategic development and promotion of the CHP and feedback process by monitoring performance and providing recommendations on improvement to senior management through quarterly updates to the corporate management team (CMT) and annual reports to the council's policy and resources committee.

Identify and record where service improvements can be made. Act as the 'investigating officer' for complex or multi-service complaints, for complaints on behalf of the Chief Executive and as the council's link to independently reviewed complaints by the Scottish Public Services Ombudsman (SPSO) with a clear view to improving learning across the Council. In their liaison role with the SPSO they will collate and provide complaint information in an orderly, structured way within the requested timescales, providing comments on factual accuracy on our behalf in response to the SPSO reports, and confirming and verifying that recommendations have been implemented

Staff investigating complaints: are responsible and accountable for the management of the investigation. They will be based in service area and will be required to take ownership of individual cases resolving them at the earliest possible stage in the complaint handling procedure. This may include gathering and

examining the events relating to the complaint, preparing a comprehensive written report, including details of procedural changes in service delivery that could result in wider opportunities for learning across the local authority and preparing the response letter outlining the decision. They will provide sufficient information to the staff undertaking administration duties for complaints to update the complaint fully in the complaint recording system though the council's customer relationship management software kana/lagan including the outcome of the complaint investigation.

Staff undertaking administration duties for complaints: are responsible and accountable for administration duties associated with the receipt of a complaint including processing and updating the complaint detail into the complaint management system accurately, acknowledgement of the complaint timely and ensuring timeline are achieved by highlighting them to the person investigating the complaint. Proactively works with their colleagues to ensure the complaint record are accurately updated fully in the complaint recording system though the council's customer relationship management software kana/lagan.

All local authority staff: A complaint may be made to any staff member in the local authority, so all staff must be aware of the complaint handling procedure and how to handle and record complaint at frontline stage. They should also be aware of whom to refer a complaint to in the case they are not able to deal with it personally. For staff whose role involves handling customer contacts on a regular basis as a major part of their role, this will include taking and resolving complaints at first point of contact and recording the details onto the complaint recording system though the council's customer relationship management software kana/lagan. For those staff who may handle complaints infrequently, this will mean directing customers on how to complain by providing details of the website link www.inverclyde.gov.uk/complaint and/or customer service centre.

Complaints about senior staff

Complaints about senior staff can be difficult to handle, as there may be a conflict of interest for the staff investigating the complaint. When serious complaints are raised against senior staff, it is particularly important that the investigation is conducted by an individual who is independent of the situation. We must ensure we have strong governance arrangements in place that set out clear procedures for handling such complaints.

Recording, reporting, learning from and publicising complaints

Complaints provide valuable customer feedback. One of the aims of the CHP is to identify opportunities to improve services across Inverclyde Council. We must record all complaints in a systematic way so that we can use the complaints data for analysis and management reporting. By recording and using complaints information in this way, we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.

Recording complaints

To collect suitable data it is essential to record all complaints in line with SPSO minimum requirements, as follows:

- the customer's name and address
- the date the complaint was received
- the nature of the complaint
- how the complaint was received
- the service the complaint refers to
- the date the complaint was closed at the frontline resolution stage (where appropriate)
- the date the complaint was escalated to the investigation stage (where appropriate)
- action taken at the investigation stage (where appropriate)
- the date the complaint was closed at the investigation stage (where appropriate)
- the outcome of the complaint at each stage, and
- the underlying cause of the complaint and any remedial action taken.

We have structured systems for recording complaints, their outcomes and any resulting action. These provide a detailed record of services that have failed to satisfy customers.

Reporting of complaints

Details of complaints are analysed for trend information to ensure we identify service failures and take appropriate action. Regularly reporting the analysis of complaints information helps to inform management of where services need to improve.

We publicise on a quarterly basis complaints outcomes, trends and actions taken as a response. This demonstrates transparency in our complaint handling, shows that we value complaints and evidences service improvements and learning resulting from the complaints we receive. We must also use case studies and examples to demonstrate how complaints have helped improve services.

The Inverclyde Council information will be reported quarterly to our corporate management team with each Service receiving regular reviews of their complaints register.

Learning from complaints

At the earliest opportunity after the closure of the complaint, the complaint handler should always make sure that the customer and staff of the department involved understand the findings of the investigation and any recommendations made.

Corporate management team will review the information gathered from complaints regularly and consider whether our services could be improved or internal policies and procedures updated.

As a minimum, we must:

- use complaints data to identify the root cause of complaints
- take action to reduce the risk of recurrence where possible
- record the details of corrective action in the complaints file, and
- Systematically review complaints performance reports to improve service delivery.

Where we have identified the need for service improvement:

- the action needed to improve services must be authorised
- an officer (or team) should be designated the 'owner' of the issue, with responsibility for ensuring the action is taken
- a target date must be set for the action to be completed
- the designated individual must follow up to ensure that the action is taken within the agreed timescale
- where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved
- we must ensure that Inverclyde Council staff learn from complaints.

Publicising complaints performance information

We also report on our performance in handling complaints annually in line with SPSO requirements. This includes performance statistics showing the volumes and types of complaint and key performance details, for example on the time taken and the stage at which complaints were resolved.

Maintaining confidentiality

Confidentiality is important in complaints handling. This includes maintaining the customer's confidentiality and explaining to them the importance of confidentiality generally. We must always bear in mind legal requirements, for example data protection legislation, as well as internal policies on confidentiality and the use of customer information.

Appendix 1- Frontline resolution complaints

The following tables give examples of complaints that may be considered at the frontline stage, and suggest possible actions to achieve resolution.

Complaint	Possible actions to achieve resolution
The customer complains that her council tax direct debit has been set up wrongly.	<ul style="list-style-type: none"> Apologise to the customer and resolve the issue by properly updating the direct debit details.
The customer has provided evidence to verify his claim for benefits, but the benefits service has not updated his case records with this Information.	<ul style="list-style-type: none"> Apologise to the customer. Update the customer's benefit record to Record receipt of evidence. Check that the benefit award is corrected from the appropriate date.
The customer complains that a workman did not attend to carry out a housing repair as we had agreed.	<ul style="list-style-type: none"> Speak to the workman, the service or the service manager to explain the customer's complaint and to agree how to resolve the issue, for example by arranging a new Time and date to do the repair. Explain the reasons for the failed appointment and apologise to the customer.
The customer complains that the quality of a repair done by us or our contractor is not Satisfactory.	<ul style="list-style-type: none"> Ask the service department to examine the repair to assess whether or not it is acceptable. If appropriate, agree that the service department should do more work to resolve the matter. Explain and apologise to the customer. Obtain a report from the service or contractor to confirm that the repair is now complete. Feedback the lessons learned from the complaint into a service improvement plan.
The customer complains that a road is not on our winter gritting route so has not been gritted.	<ul style="list-style-type: none"> Find out which roads are on our agreed gritting routes, and explain this route to the customer Use the customer's concerns to inform our future approach to gritting roads.

<p>The customer complains that the refuse collector woke her up at 7am this morning by making excessive noise</p>	<ul style="list-style-type: none"> • Explain our policy on refuse collection, in particular the approach to starting times. • Tell the customer that you will pass on details of the complaint to the service to highlight the noise issue and ask the service to do what they can to control noise. • Apologise to the customer for the inconvenience
Complaint	Possible actions to achieve resolution
<p>The customer expresses dissatisfaction in line with the definition of a complaint, but says she does not want to complain – just wants to tell Us about the matter.</p>	<ul style="list-style-type: none"> • Tell the customer that we value complaints because they help to improve services. Encourage them to submit the complaint. • In terms of improving service delivery and learning from mistakes, it is important that customer feedback, such as this, is recorded, evaluated and acted upon. Therefore, if the customer still insists that they do not want to complain, record the matter as an anonymous complaint. This will avoid breaching the complaints handling procedure. • Reassure the customer that they will not be contacted again about the matter.

Appendix 2 - What is not a complaint?

A concern may not necessarily be a complaint. For example, a customer might make a routine first request for a service. This is not a complaint, but this may escalate into a complaint if it is not handled effectively and the customer has to keep on asking for the service.

A customer may also be concerned about various local authority decisions. These decisions may have their own specific review/appeal procedures and where appropriate, customers must be directed to the relevant procedure. The following paragraphs provide examples of the types of issues or concerns that must not be handled through the complaint handling procedure.

Here are some examples of the types of concerns which shouldn't be handled through the complaints handling procedure because they should be dealt with through an appeal or other procedure.

Example 1: Planning - customers may express dissatisfaction following the refusal of planning or related permissions. Planning applicants have the right to appeal to Scottish Ministers. Appeals are usually decided by a Reporter from the Directorate of Planning and Environmental Appeals.

Example 2: Benefits - a customer may be unhappy with the decision about their housing benefit or council tax. The customer may ask for the decision to be reviewed by the council. If they remain dissatisfied at the outcome of the review they may also appeal against the council's decision to an independent appeal tribunal.

Example 3: Claims for compensation - a customer may seek compensation for issues such as personal injury or damage to property. Claims for compensation only are not complaints. Where a customer wishes to complain about the matter leading to their request for compensation (for example workers working on our behalf damaging their property i.e. car) that may be considered as a complaint, while the request for compensation is considered separately.

Example 4: Licence decisions - the council issues a variety of public entertainment, HMO, liquor and taxi licences. These have their own legal appeal route.

Example 5: School exclusions and placing requests - appeals against decisions made about a pupil's exclusion from school or a refusal of a placing request are made by Committee. Once the Committee has ruled, the customer cannot then use the complaints process to continue their case.

Example 6 School examination results - schools have devolved authority to offer examinations on behalf of the awarding body. In most cases this will be the SQA. If a customer is unhappy with the result of an examination, the school should refer this to the awarding body.

Remember that although there may be an alternative form of redress for the customer as detailed above, you must consider carefully whether or not a customer's representations should be managed within the complaint handling procedure. Dissatisfaction with certain local authority decisions may simply require an explanation and directing to the correct route for resolution.

If, however a customer says they are dissatisfied with the administrative process we have followed in reaching a decision, you may consider that dissatisfaction through the complaint handling procedure. An example may be a complaint from a customer who is dissatisfied with a decision and alleges that we failed to follow or apply the appropriate guidance in reaching that decision.

Appendix 3 Timelines

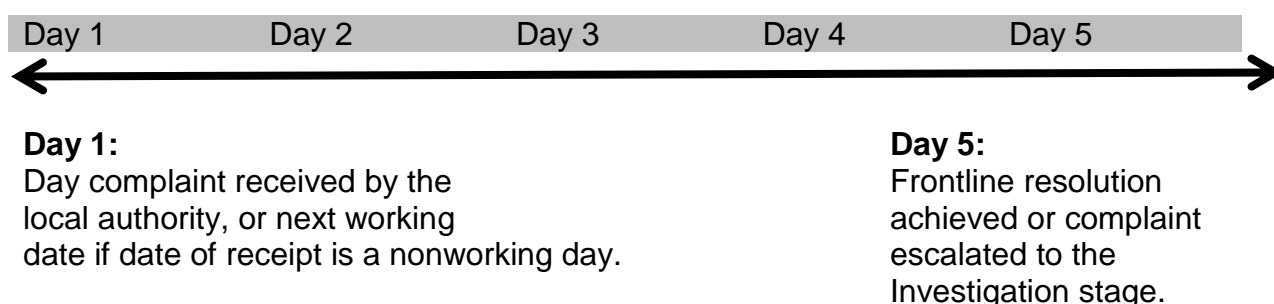
General

References to timelines throughout the complaints handling procedure relate to working days.

When measuring performance against the required timelines, we do not count non-working days, for example weekends, public holidays and days of industrial action where our service has been interrupted.

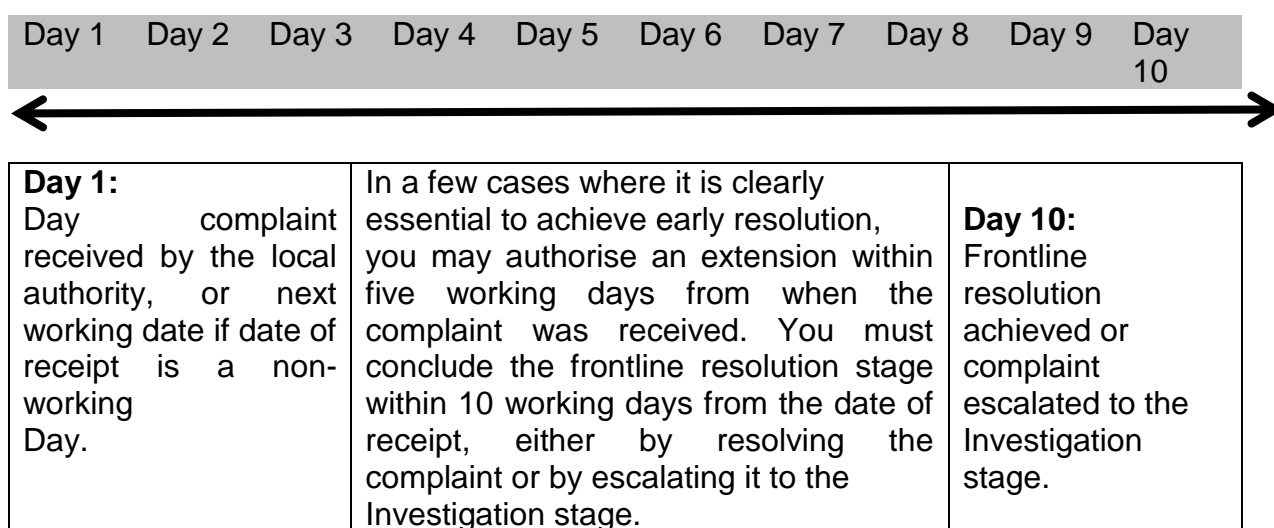
Timelines at frontline resolution

You must aim to achieve frontline resolution within five working days. The day you receive the complaint is day 1. Where you receive it on a non-working day, for example at the weekend or on a public holiday, day 1 will be the next working day.



Extension to the five-day timeline

If you have extended the timeline at the frontline resolution stage in line with the procedure, the revised timetable for the response must take no longer than 10 working days from the date of receiving the complaint.



Transferring cases from frontline resolution to investigation

If it is clear that frontline resolution has not resolved the matter, and the customer wants to escalate the complaint to the investigation stage; the case must be passed for investigation without delay. In practice this will mean on the same day that the customer is told this will happen.

Timelines at investigation

You may consider a complaint at the investigation stage either:

- after attempted frontline resolution, or
- immediately on receipt if you believe the matter to be sufficiently complex, serious or appropriate to merit a full investigation from the outset.

Acknowledgement

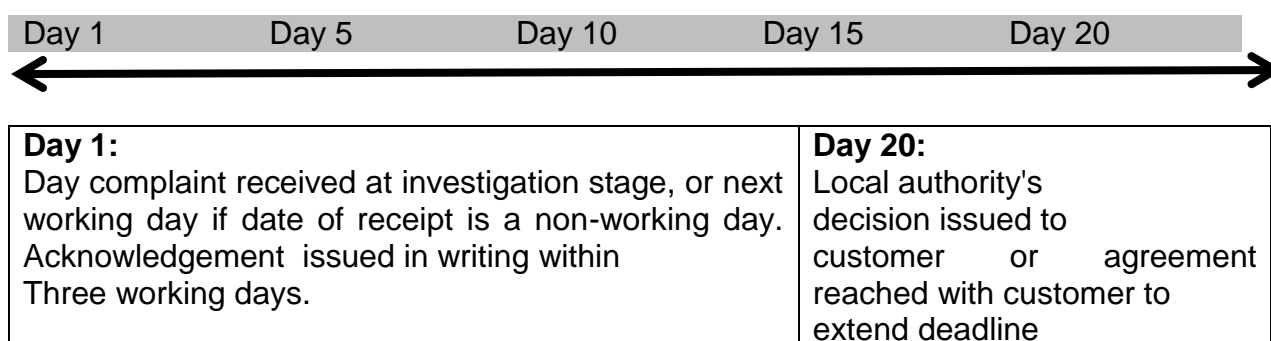
All complaints considered at the investigation stage must be acknowledged in writing within **three working days** of receipt. The date of receipt is:

- the day the case is transferred from the frontline stage to the investigation stage, where it is clear that the case requires investigation, or
- the day the customer asks for an investigation after a decision at the frontline resolution stage. You should note that a customer may not ask for an investigation immediately
- After attempts at frontline resolution, or
- the date you receive the complaint, if you think it sufficiently complex, serious or appropriate to merit a full investigation from the outset.

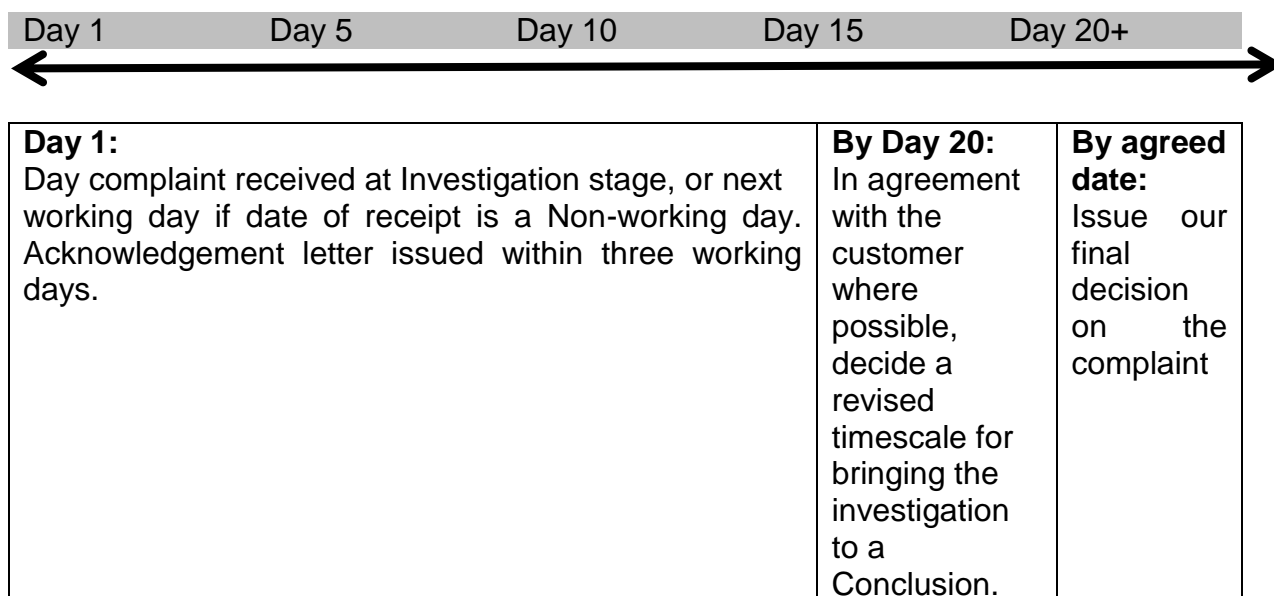
Investigation

You should respond in full to the complaint within **20 working days** of receiving it at the investigation stage.

The 20-working day limit allows time for a thorough, proportionate and consistent investigation to arrive at a decision that is objective, evidence-based and fair. This means you have 20 working days to investigate the complaint, regardless of any time taken to consider it at the frontline resolution stage.

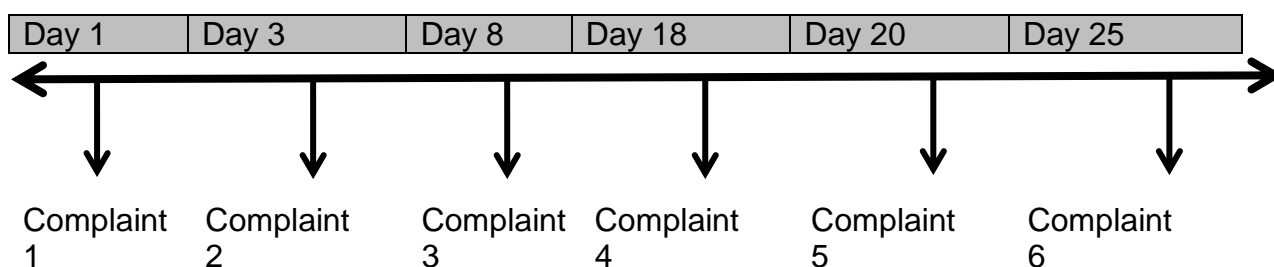


Exceptionally you may need longer than the 20-day limit for a full response. If so, you must explain the reasons to the customer, and agree with them a revised timescale.



Timeline examples

The following illustration provides examples of the point at which we conclude our consideration of a complaint. It is intended to show the different stages and times at which a complaint may be resolved.



The circumstances of each complaint are explained below:

Complaint 1

Complaint 1 is a straightforward issue that may be resolved by an on-the-spot explanation and where appropriate, an apology. Such a complaint can be resolved on day 1.

Complaint 2

Complaint 2 is also a straightforward matter requiring little or no investigation. In this example, resolution is reached at day three of the frontline resolution stage.

Complaint 3

Complaint 3 refers to a complaint that we considered appropriate for frontline resolution. We did not resolve it in the required timeline of five working days. However, we authorised an extension on a clear and demonstrable expectation that the complaint would be satisfactorily resolved within a further five days. We resolved the complaint at the frontline resolution stage in a total of eight days.

Complaint 4

Complaint 4 was suitably complex or serious enough to pass to the investigation stage from the outset. We did not try frontline resolution; rather we investigated the case immediately. We issued a final decision to the customer within the 20-day limit.

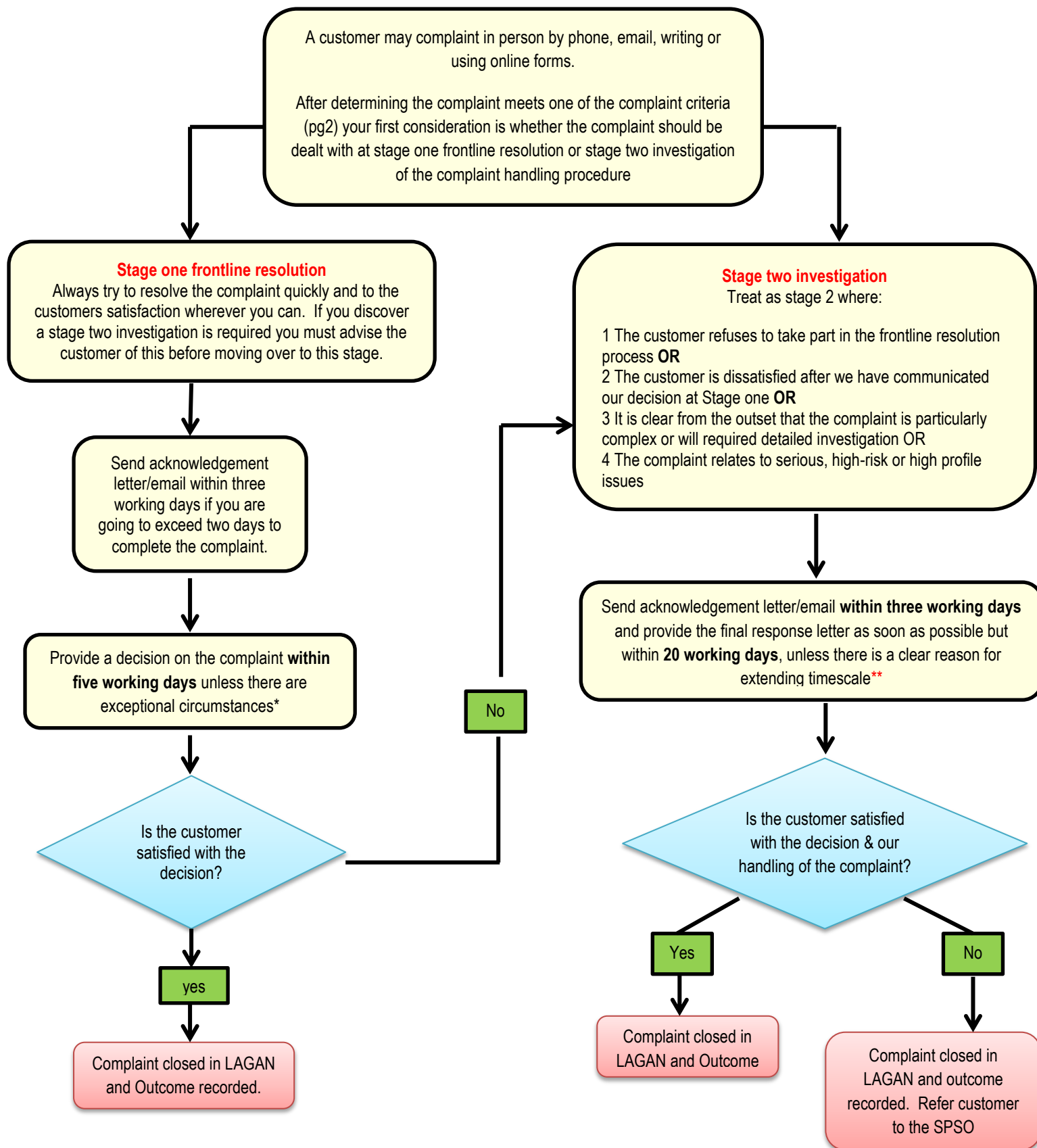
Complaint 5

We considered complaint 5 at the frontline resolution stage, where an extension of five days was authorised. At the end of the frontline stage the customer was still dissatisfied. At their request, we conducted an investigation and issued our final response within 20 working days. Although the end-to-end timeline was 30 working days we still met the combined time targets for frontline resolution and investigation.

Complaint 6

Complaint 6 was considered at both the frontline resolution stage and the investigation stage. We did not complete the investigation within the 20-day limit, so we agreed a revised timescale with the customer for concluding the investigation beyond the 20-day limit.

Appendix 4 – The complaint handling procedure



***Stage 1** complaints can be extended an additional 5 working days and this must be approved and agreed with the Head of Service/Director. The customer must be informed of the extension

** **Stage 2** complaints can be extended to any future date provide the date has been approved and agreed by the Head of Service/Director **and the customer**