

Derbyshire County Council

Corporate Complaints Procedure

Version	Author	Date	Comments
1.0	Matthew Walters	11/06/2019	

Introduction

Complaints are important to ensure individual issues are identified and addressed. They support the continued improvement of services, enable individuals to provide feedback, and give a general indication on the quality of services.

A complaint will always follow on from an initial contact or attempt to access a service and is defined as:

“An expression of dissatisfaction from a service user about a specific Council service that has been already provided, that isn’t resolved at the first point of contact.

In general complaints will usually relate to one of the following:

- Problems accessing services
- Failure to provide responses or information within agreed timescales
- Behaviour or attitude of a member of staff
- Disagreement with a decision
- Disagreement with how a policy has been applied
- Failure to provide services within agreed timescales
- Standard or quality of the service provided
- Incorrect use or storage of data

The Council provides a range of options to request services and report issues such as road repairs, faulty streetlights, school places, finding care homes and requesting library books. These are not therefore initially considered as complaints.

General dissatisfaction about the Council’s performance or levels of services available will be noted and a response provided. However these are not covered by the specific requirements of this procedure.

Making a Complaint

A complaint can be made by any means. To help the Council deal effectively with the complaint it can be helpful if this is made in writing by email, letter or completing a Customer Care form. All staff have a responsibility to encourage, facilitate and record complaints.

A specific expression of dissatisfaction as defined above does not have to specify that it is a complaint and all instances will be recorded and covered by this procedure.

When making or recording complaints it is helpful to specify all of the issues requiring a response and provide specific details such as relevant dates,

locations and services. Contact details help if additional information is required and enable a response to be provided. However anonymous feedback is still considered and processed in line with this procedure. Any information provided will always be treated in accordance with our privacy notice.

Where services are provided by a partner or third party on behalf of the Council complaints may be made to either party. Arrangements will be put in place to establish how a complaint is made, the responsibilities for dealing with the issue and how all parties are kept informed of progress and the outcome. Arrangements will be in line with this procedure and the Council has responsibility for ensuring any complaints are correctly processed.

Dealing with Complaints

Complainants will be listened to and reassured that their issue is being taken seriously. Appropriate action should be taken to try and resolve any issues and misunderstanding speedily and effectively or to investigate the circumstances in more detail. This will usually involve the complaint being:

- Dealt with at the time by the officer receiving the complaint with no need for additional response.
- Passed to the appropriate line manager or service manager for consideration and response
- Passed to a senior manager or the departmental complaint officer for consideration and response

Where the complaint is not resolved at the time or within 3 working days of receipt an acknowledgment will be sent including the expected date for the response.

A full response should be made at the earliest possible time and in general this should not exceed the standard target of 28 calendar days.

To ensure all of the relevant facts are available and enable a full investigation to be carried out the target date can be extended. The complainant will be informed of any extension as soon as possible and provided with a new target date for the full response.

In exceptional circumstances, where the complaint is of a complex nature or there are ongoing internal procedures, it may be identified that a final response is not possible within 90 calendar days. In this case the complainant should be informed at the earliest possible point, provided with an interim response and a timescale for the remaining actions.

Where the complainant details are not available to provide a response or they have stated they do not require a response the complaint will be closed and recorded as appropriate.

Complaints made via a third party such as an elected member or MP will be subject to the same process and timescales. A summary response will be provided to the elected member or MP in accordance with the privacy notice and any consent to share information.

To manage this process each Department has a senior manager nominated as the Complaint Officer who will ensure appropriate actions are being taken, coordinate responses where multiple services are involved and may take the lead in investigating specific complaints. Where the response fails to resolve or conclude a complaint it shall be reviewed by the Complaint Officer or an appropriate senior manager.

This corporate procedure sets out the minimum standards expected for the processing, recording and monitoring of complaints. However there are some areas where alternative procedures are in place to meet statutory requirements or specific circumstances. Further details of these are available on the derbyshire.gov.uk website:

- [Complaints about Adult Social Care](#)
- [Complaints about Children's Services](#)
- [Complaints about Councillors](#)
- [Complaints about schools](#)
- Issues relating to [Subject Access Requests](#) or [Freedom of Information](#)
- [Unreasonably persistent complaints or unreasonable complainant behaviour](#)

If a complainant remains dissatisfied they are able to refer the complaint to the Local Government and Social Care Ombudsman.

Full details and an online form are available on the website www.lgo.org.uk or alternatively by phone on 0300 061 06143.