



St. Helens  
Council

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# Corporate Complaints Policy

## Version Control

Date	Version	Comments
January 2010	1.0	First finalised version
November 2015	1.1	Policy subject to a full review

# St. Helens Council

## Corporate Complaints Policy and Procedure

### 1. Introduction

The Council's overall aim is to *'make St.Helens a modern, distinctive, economically prosperous and vibrant Borough'* and we constantly work to satisfy the needs of our customers.

We realise however that sometimes things can go wrong and people are not always happy with our services.

Complaints are extremely valuable because they give us the opportunity to put things right if there have been mistakes and, just as importantly, to improve our services, to make sure these same mistakes are not repeated in the future.

This document sets out the Council's key commitments in relation to the handling and monitoring of Corporate Complaints.

### 2. Why does the Council need a Complaints Policy?

St Helens Council is committed to putting its residents and customers first and providing high quality services. To this end we want to make sure that all complaints are handled in a fair, well structured and consistent manner. Complaints provide useful information for the improvement and development of services to meet the needs of our customers.

The effective and efficient handling and promotion of the complaints process demonstrates the Council's commitment to listening to customers, learning from their feedback and improving services in response to it.

### 3. What is a complaint?

"An expression of dissatisfaction from any recipient(s) of a council service, however made, about the standard of service received, action or lack of action taken, or the behaviour of any representative of the Council".

**For example: -**

- we do not deliver a service on time;
- we give incorrect information;
- we wrongly or inconsistently apply Council policies;
- we failed to consult properly with, or listen to people on issues that affect them;
- that you received a poor quality or inappropriate service; or
- you are unhappy with the actions or conduct of a member of staff.

The examples above are not exhaustive.

### 4. How can you complain?

A complainant can use any of the following ways to make a complaint:

- in person;
- by telephone or fax;
- by letter or e-mail;
- through our website our Council app
- through a Councillor;

- through a representative, e.g. a friend, an advocate or lawyer;
- with the assistance of a member of staff.

## 5. What is covered by the complaints policy?

This policy applies to **all expressions of dissatisfaction** that are received within 12 months of a service being provided and relate to the provision of **any service** provided by, or on behalf of, the Council.

All complaints will be handled in accordance with this policy. Certain complaints are also covered under separate legislation or Council procedures and will be dealt with accordingly. The corporate complaints procedure complements established arrangements for dealing with specific complaints relating to for example:

- Complaints under the Children’s Act.
- Complaints under the Community Care Act.
- Consumer complaints to Trading Standards.
- Complaints about Schools.
- Complaints about action taken in relation to personnel matters such as appointments, pay or dismissals

## 6. Our Promise

In dealing with you complaint we promise to be: -

- **Accessible.** Enabling any customer to provide feedback to the Council regardless of how, where or when they wish to do so.
- **Accountable.** Recognising our responsibility to respond to customer concerns in a timely and effective way and to be open about the action we have taken.
- **Customer-focused.** Listening to the views of our customers and responding appropriately to them.
- **Inclusive.** Recognising the diversity of our community and promoting the complaints procedure to hard to reach groups.

## 7. Handling of a Complaint

The Deputy Chief has overall responsibility for coordinating and managing this Policy and Procedure to ensure a consistent approach across all Services of the Council.

Each complaint, at any stage, will be: -

- i. **Acknowledged** – Customer will receive information in writing that: -
  - we have received their complaint.
  - which officer is dealing with it and the complaint reference number.
  - how long we think it will take to resolve the problem.
- ii. **Investigated** - by an officer at the appropriate level for the level of the complaint.
- iii. **Keep you informed** about the progress of our investigation of the complaint and if for any reason a full response to your complaint maybe delayed.

- iv. **Resolved** - We aim to resolve Corporate Complaints, where possible and appropriate, in ten working days.

Each complaint will be logged into our corporate customer record management system and checked for duplication. If it is found that the complaint is already being investigated the customer will be sent a letter of acknowledgement confirming that the matter is already being looked into and by whom. Repetitive complaints on the same issue, when there has been no change in circumstances from the original response, will not be re-investigated and may be subject to our Vexatious Complaints Policy.

If the customer is not happy with **the way** in which the complaint has been handled or a decision reached, then the complaint will be progressed to level 2 or 3. A response will be sent to the customer confirming this, and providing details of the Local Government Ombudsman should they wish to take the matter further.

## **8. Procedure**

The Council will exercise its discretion about the stage at which it starts to consider a complaint. For example, very serious complaints might go straight to Stage 3 and complex ones might start at Stage 2. In certain circumstances, complaints might move straight from Stage 1 to Stage 3.

Alternatively if another Head of Service from a different discipline were to carry out the Stage 2 investigation, their perspective applied to the issue might help to secure a positive outcome. Any views about this from the complainant will always be taken into account.

All complaints must be logged on the corporate customer record management system for all stages and their progress through the procedure is monitored. This also enables them to be reported to Departmental Managers and Councillors.

<p><b>Stage 1: Problem Solving</b></p>	<ol style="list-style-type: none"> <li>1. The complaint will be forwarded to the Service Manager for the service to investigate.</li> <li>2. A letter or email will be sent out to the customer explaining: - <ul style="list-style-type: none"> <li>• who is handling their complaint and</li> <li>• how long we think it will take to resolve it.</li> </ul> <p>We aim to resolve most complaints, were possible, in about 10 working days.</p> </li> <li>3. Once an investigation has been completed a letter or email will be sent to the customer informing them of the outcome.</li> <li>4. If the customer is not happy with our response, they have 28 days to ask us to progress the complaint to Stage 2.</li> </ol>
<p><b>Stage 2: Formal Investigation by the Strategic Director</b></p>	<ol style="list-style-type: none"> <li>1. The complaint will be forwarded to the Strategic Director for the service to investigate.</li> <li>2. A letter will be sent out to the customer explaining: - <ul style="list-style-type: none"> <li>• who is handling their complaint and</li> <li>• how long we think it will take to resolve it.</li> </ul> <p>We aim to resolve most complaints, were possible, in about 15 working days.</p> </li> <li>3. If more information is needed by the Strategic Director about the complaint then an interview with the customer may be requested.</li> <li>4. The Strategic Director will respond within 15 days, where possible, to the customer to inform them of the outcome of their investigation. If for any reason this will take longer then the customer will be kept up to date with any progress and given a reason as to why the response is delayed.</li> <li>5. If the customer is not happy with our response, they have 28 days to ask us to progress the complaint to Stage 3.</li> </ol>

<p><b>Stage 3: Investigation by Chief Executive</b></p>	<ol style="list-style-type: none"> <li>1. The Chief Executive will review the details of the complaint and either carry out an investigation, or nominate an Investigating Officer at Strategic Director level.</li> <li>2. If more information is needed by the Chief Executive or delegated Strategic Director about the complaint then an interview with the customer may be requested.</li> <li>3. The Chief Executive will respond within 15 days, where possible, to the customer to inform them of the outcome of their investigation. If for any reason this will take longer then the customer will be kept up to date with any progress and given a reason as to why the response is delayed.</li> <li>4. Responses to Level 3 complaints will include details of how to refer the findings to the Local Government Ombudsman should the customer remain dissatisfied.</li> </ol>
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## 9. Local Government Ombudsman

This is an independent service set up by the Government to investigate complaints about most Council matters.

At any time during the course of an investigation by the Council, a complainant can refer their complaint to the Local Ombudsman. However, the Ombudsman will normally give the Council the opportunity to resolve the complaint via their internal procedure first unless the nature of the complaint is felt to warrant immediate intervention.

The Ombudsman office for complaints about St Helens Council is as follows:

Local Government Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

Tel: 0300 061 0614  
Fax: 024 7682 0001

Complaints referred by the Ombudsman are addressed to the Chief Executive and forwarded to the Democratic Services Section where they will be logged onto the contact system, and linked to the original complaint record.

## 10. Persistent or Vexatious Complaints

Dealing with a complaint ought to be a straightforward process, but in a minority of cases, people pursue their complaints in a way, which can either impede the investigation of their complaint or can have significant resource issues for the council. This can happen either while their complaint is being investigated, or once the council has finished dealing with the complaint. In order to address the problem, the council has introduced a [Vexatious Complaints Policy](#)

## **11. Monitoring and Reporting**

All complaints will be logged onto the Corporate Contact System and this information analysed by the Customer Intelligence and Consultation Officer and Service Managers.

A detailed quarterly statement will be prepared for inclusion in the Customer Communication Report highlighting recent trends, complaints upheld, and any service improvements that have been made, or are required, in response to customer feedback.

## **12. Accessibility of the Policy**

The complaints policy and advice leaflet will be available: -

- On the Council's Website [www.sthelens.gov.uk/complaints](http://www.sthelens.gov.uk/complaints)
- At all Council reception points, and
- From all libraries.

All documents will be available in other languages and formats.

The information provided on the corporate complaint form will be analysed by age, gender, race and disability to enable any possible discrimination or barriers to accessing Council services to be identified and addressed.

An on-line complaints form will be available via the Council website.

All staff will be trained and supported to recognise a complaint and to assist customers in using the procedure effectively, and a guidebook will be available.

## **12. Confidentiality**

Any complaint processed through the procedure will be dealt with in accordance with the requirements of the Data Protection Act 1998 and Freedom of Information Act

## **13. Glossary of Terms**

- Corporate Contact System: The Council's networked database used for logging and monitoring customer contact.
- Representative of the Council: Any employee, elected Member, or contractor working on behalf of St.Helens Council.

Figure 1 – Complaints Process Diagram

