

ansa

**Compliments,
Suggestions and
Complaints Policy**

Corporate Compliments, Suggestions and Complaints Policy

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1. Introduction

This document details Ansa's policy on dealing with complaints, compliments and suggestions received from our customers. The policy is supported by good practice guidance for employees and publicity materials for customers.

Ansa is committed to providing consistently high quality services, but we do acknowledge that occasionally things do go wrong. We welcome feedback from our customers, and we recognise that complaints, compliments and suggestions are a valuable source of information to help us:

- Improve the standard of services we deliver
- Put things right when they have gone wrong Learn from our mistakes

The aim of this policy is to provide a fair, consistent and structured process for our customers if they are dissatisfied with a service they have received. Emphasis will be placed on resolving complaints as quickly as possible by the service concerned. We will ensure our employees are equipped to deal with complaints efficiently and effectively, and lessons learnt from complaint investigations will be used to directly inform service improvements.

The following definition of a complaint is provided by the local government Ombudsman:

A complaint is an expression of dissatisfaction about Ansa's action or lack of action or about the standard of a service, whether the action was taken or the service provided by Ansa itself or a person or body acting on behalf of Ansa.

Where customers report information to us so that we can take further action, but they do not wish to follow the complaint procedure or they wish to remain anonymous, we will log this information as a suggestion. Where customers report good news to us and thank our employees, we will log this information as compliments.

2. How to complain

A customer can make a complaint in a number of ways.

Visit our website www.cheshireeast.gov.uk/customerfeedback Call us on 0300 123 5038 Email us at letusknow@cheshireeast.gov.uk Complete this 'Let Us Know' form. Write to us at: Let Us Know, Customer Relations Team, Cheshire East Council, Westfields, Middlewich Road, Sandbach, CW11 1HZ Call and see us at any of our Customer Service Centres Fax us on 01625 504191

3. What a customer can expect

Customers can expect all complaints, compliments and suggestions to be dealt with promptly, with courtesy and efficiency, and can expect to receive a consistently high quality service when they contact any member of employees. We will:

- Treat all complaints, compliments and suggestions seriously and confidentially;
- Act impartially, objectively and professionally;
- Maintain a record of all complaints, compliments and suggestions received in accordance with the requirements of the data protection act 1998;
- Aim to resolve the problems brought to our attention promptly, and wherever possible, at a local level keep the customer informed about the progress of the investigation into their complaint;
- Offer customers mediation services if this is appropriate during the investigation of a complaint;
- Provide a full written response within the timescales specified in this policy;
- Take appropriate action to resolve the complaint;
- Inform the customer of their right of further redress, i.e. progressing to the next stage of the complaints procedure, or contacting the local government Ombudsman;
- Record, monitor and evaluate complaints so that we can continually improve and develop our service as well as identifying training and development needs for our employees;
- Ask the customer for feedback on the way in which their complaint was dealt with and use this information to make improvements; and Monitor and report our performance in complaint handling against agreed targets.

4. Accessibility

Ansa is committed to equal opportunities and our aim is to make our complaints, compliments and suggestions policy easy to use and accessible to all of our customers. It will be widely publicised, available in a variety of formats on request and customer leaflets containing a feedback form will be available in all Council public points of access.

Employees will provide information on the complaints procedure for customers wishing to make a complaint and provide any assistance they may require, for example:

Assisting with completion of a customer feedback form; Making appropriate arrangements for customers who may have specific requirements, e.g. British sign language interpreter, wheelchair access, etc; Arranging for the services of an interpreter where appropriate.

5. Compliments and Suggestions

All employees should remember to record compliments so we can report on the good news received from our customers. Details on all customer compliments should be recorded on the complaints database. If a member of employees does not have access to the complaints database, they should forward the details of the

compliment to the Complaints Coordinator for their service. An acknowledgement letter thanking the customer for their compliment should be sent within 3 working days.

A suggestion or comment can be received in the same way as a complaint. It is information that the customer wishes supply, but where they do not wish to be involved in the action that might then be taken. This may also cover complaints that are anonymous. It is important that we record all suggestions and comments on the complaints database so that we can analyse trends and learn as an organisation. An acknowledgement letter thanking the customer for their suggestion or comment should be sent within 3 working days. Where appropriate, the customer should be informed of the outcome of any further investigations before the case is closed.

This is a summary of the timescales that should be followed for this procedure

Compliments

The compliment will be acknowledged within 3 working days.

Suggestion

The suggestion will be acknowledged within 3 working days.

6. Policy Complaints

Complaints that disagree with or express dissatisfaction at a policy are 'Policy Complaints'. The customer will consider that they are complaining and will expect a response. The complaint will be acknowledged by the service that is responsible for the policy causing the customer dissatisfaction. 'Policy Complaints' will be monitored as a means of measuring the impact of changes in policy.

Policy Complaints

The policy complaint will be acknowledged within 10 working days.

7. Complaints

The complaints procedure consists of a two stage process.

7.1 Stage 1 (Local review)

This is the first opportunity to resolve a customer's dissatisfaction, and the majority of complaints will be resolved at this stage. The complaint will be investigated by the department or service that has caused the customer dissatisfaction allowing the service concerned the opportunity to resolve the issue quickly. If the complaint includes or involves the **Business Manager**, then the complaint will automatically be escalated to stage 2.

Any employee can receive a customer complaint and should attempt to resolve the issue. If it is not possible to resolve a complaint immediately, the complainant will be informed of the complaints procedure and the timescale involved. Any employee receiving a complaint should forward it to the **Complaints Coordinator for the service**. The **Complaints Coordinator** appoints an Investigating Officer (which can be them).

The Complaints Coordinator will acknowledge the complaint and inform the complainant that an investigation of their complaint will be undertaken, the name of the officer (the Investigating Officer) within the service that is undertaking that review, and the timescale involved. At this stage, the Complaints Coordinator should agree a complaint statement with the customer to ensure the customer's complaint is properly understood. This may require a telephone conversation with the customer. The Complaints Coordinator will log the complaint onto the complaints database. If the complaint was resolved at first point of contact, the complaint must still be logged as "resolved at first point of contact", and it is good practice to follow this up with a written confirmation.

The Investigating Officer will carry out the initial investigation into the complaint, seeking to establish all the facts surrounding the complaint and responding to the customer with their findings within 10 working days of the initial customer contact. The Investigating Officer should adopt an independent and open minded approach using factual information to offer an "outcome" at the end of the investigation, rather than an opinion. It is not appropriate for any employee named in a complaint to be the Investigating Officer, but they should be informed and given an opportunity to comment.

Following this stage of the procedure, a complainant has a maximum of 28 working days from the date of the final response to appeal against the outcome and request that their complaint be progressed to the next stage. Complaints will be closed after this time if there is no response from the customer within this timescale.

7.2 Stage 2 (Independent review)

The appeal stage of the process is an independent review carried out by an officer who is independent to the department or service that is being complained about, and typically a more senior manager (next level up), who will either support the original investigation findings or propose a different solution to the customer.

The Complaints Coordinator will acknowledge the appeal and inform the complainant that an independent investigation of their complaint will be undertaken, the name of the officer (Independent Investigating Officer) that is undertaking that review, and the timescale involved. However, prior to the complaint automatically being considered at stage 2 it will be reviewed as to the appropriateness of it proceeding. For example, where a response to a complaint is based upon legislation (and therefore, could not be changed by Ansa) it would not be appropriate for this issue to proceed and the customer will be informed as such.

If an appeal is considered appropriate, then a summary is recorded on the complaints database and the details of the original complaint and appeal are passed to the Independent Investigating Officer.

An impartial, independent investigation will be carried out by the Independent Investigating Officer, working initially with the original Investigating Officer to complete an early assessment of the quality of the initial investigation before deciding whether further investigation work is required. At the end of the review (within 20 working days of the receipt of the appeal) the Independent Investigating Officer should inform the complainant in writing of the outcome and any further action to be taken. If the appeal investigation draws a different conclusion to the initial investigation, this should be communicated to the employees involved, before the response is issued to the customer. If the customer feels that this process fails to draw the complaint to a satisfactory conclusion they may be able to take their case to the **Ombudsman**.

7.3 Timescales

This is a summary of the timescales that should be followed for complaints:

Stage 1

The complaint will be acknowledged within 3 working days, with a full response within 10 working days.

Stage 2

The complaint will be acknowledged within 3 working days, with a full response within 20 working days.

We aim to complete all complaints within the timescales above; however, if a complaint is very complex it may occasionally be necessary to extend the time limit. If this is the case we will keep the complainant informed of progress with the investigation, the reasons for the delay and inform them of the new deadline.

7.4 Roles & responsibilities

Role Definition

Receiving Officer

The individual member of employees who takes or receives the initial details from the customer.

Complaints Coordinator

This person receives the details of complaints for their service, records the details on the system, appoints an Investigating officer and ensures that a full response is provided to the customer within the timescale.

Investigating Officer

This role is given by the Complaints Coordinator to carry out the initial investigation into the complaint and draft a response to the customer.

Independent Investigating Officer

A case is escalated to this person by the Complaints Coordinator when an appeal is received to review the case and complete further investigation if required. This officer is typically a more senior manager (next level) than the initial Investigating Officer and must have had no prior involvement in the case.

7.5 Remedies

If something has gone wrong and the complainant has suffered as a result, Ansa needs to consider the action to be taken. The general principle should be that the complainant should, so far as possible, be put in the position he or she would have been in had things not gone wrong wherever reasonably practicable. The investigation should have established with the complainant what they consider to be a reasonable and fair outcome of the complaint.

The following is a list of possible responses or remedies which could be considered in response to a complaint. The response or remedy may be just one, or a combination of these actions. The response or remedy chosen should be proportionate and appropriate to the failure in service. Many complainants simply want the recognition that something has gone wrong and an apology for it. Section 2 of the Compensation Act 2006 makes it clear that an apology in itself does not amount to an admission of negligence or breach of statutory duty.

Expression of regret
Apology
Explanation
Provision of service desired by complainant
Change of procedures to prevent future difficulties of a similar kind, either for the complainant or others
Financial compensation, if the complainant has incurred loss or suffering

In the majority of cases, remedies other than financial compensation will satisfy the complainant. Financial compensation is a final option and will apply only in cases where the loss or suffering is considered to warrant such a payment and can be reasonably evidenced. The **Head of Service**, and finance and legal advice must be consulted if it is intended to offer such compensation.

8. Partnerships

More **Council services are now being delivered by other bodies on behalf of Ansa.** With cross-cutting complaints that relate to Ansa and one or more of its partners or contracted service providers then all parties should treat the complaint in accordance with their complaints procedure but must appoint a lead partner to coordinate decisions and responses to the complainant.

9. Exclusions

Although this policy covers complaints relating to the majority of services provided by, or on behalf of, Ansa it does not cover the following situations which are covered by other policies and procedures. The Complaints Coordinator should consider these exclusions before initiating the Corporate Complaints procedure.

A complaint where the customer **or Council has started** legal proceedings or there is a right of redress in law and where it is reasonable to have expected the complainant to have pursued that course of action

Complaints about the conduct of a Councillor are dealt with by the Standards Committee. If the complainant is not satisfied with the outcome they can then complain to Standards for England which is an independent, national body and which has an overview of how local authorities promote and improve the ethical behaviour of their members Complaints covered by statutory appeals processes, e.g. appeals against the refusal of planning permission Complaints about social care services which are dealt with under a separate statutory process Complaints about personnel matters, including the recruitment process, disciplinary and grievances issues Complaints made by employees under the whistle-blowing policy School complaints which are dealt with by schools. A complaint which the complainant knew of more than 12 months before he or she officially complained or contacted Ansa Complaints regarding insurance claims. Allegations of criminal behaviour or financial impropriety. In these situations, it is appropriate to hold the internal investigation of any aspect of the complaint relating to the allegation of criminal behaviour or financial impropriety pending the outcome of the police investigation. A crime number should be requested from the complainant and it is their responsibility to inform us when the police investigation is complete so that the internal investigation can recommence. MP's letters Freedom of information and the Handling of Data Protection requests

A service in receipt of a complaint which for any reason cannot be considered under this policy will provide an explanation to the complainant and advice on the appropriate route to follow.

10. Unreasonable and unreasonably persistent complainants

All complaints will be processed in accordance with this policy. However, during the investigation of the complaint, or once Ansa has concluded the complaint investigation, employees may have contact with unreasonably persistent complainants and unreasonable complainant behaviour. We have a separate policy to suggest ways of responding to these situations called 'Guidelines for dealing with unreasonable and unreasonably persistent complainants'. It is attached at the end of this policy as appendix A.

11. Employees training and support

The Customer Relations team coordinate this policy across Ansa and provide guidance and support for employees on use of the policy and dealing with complaints. An ongoing programme of employees training is provided by the Customer Relations team to ensure all employees are equipped with the necessary skills to deal with complaints effectively. This policy and a good practice guide for employees on dealing with complaints will also be available on Ansa's Intranet.

12. Monitoring and performance reporting

The Customer Relations team has responsibility for monitoring and reporting performance in complaints handling and resolution. The quality of the investigations carried out and the action plans developed will be monitored and improved by random sample checking of investigations.

13. Review and evaluation

In order to ensure we continue to provide the best possible complaints handling service for our customers, this policy will be subject to the ongoing evaluation and review by the Customer Relations team.

Complainants will be contacted following completion of the investigation into their complaint to encourage them to provide feedback on ease of use of the complaints procedure and their satisfaction with the way in which their complaint was dealt with. The results will provide valuable information to ensure we continue to improve our services and identify areas for improvement.

Appendix A – Guidelines for dealing with unreasonable and unreasonably persistent complainants

This policy provides guidance on how Ansa will decide which complainants will be considered unreasonable and unreasonably persistent complainants, and what actions Ansa could take in these circumstances.

Definition of unreasonable and unreasonably persistent complainants

The Local Government Ombudsman defines unreasonable and unreasonably persistent complainants as those complainants who, because of the frequency or nature of their contacts with an authority, hinder the authority's consideration of their or other people's complaints.

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants.

Refusing to specify the grounds of a complaint, despite offers of assistance with this from Ansa's employees. Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved. Refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope. Having insufficient or no grounds for their complaint and making the complaint only to annoy (or for reasons that he or she does not admit or make obvious) Refusing to accept that the complaint is not within the remit of Ansa, and they have no power to influence or change (examples could be a complaint about a private car park) Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice. Making what appear to be groundless complaints about the employees dealing with the complaints, and seeking to have them replaced. Changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage. Introducing trivial or irrelevant new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed but unimportant questions and insisting they are all fully answered. Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved. Adopting a 'scattergun' approach: pursuing a complaint or complaints with Ansa and, at the same time, with a Member of Parliament / a councillor / the authority's independent auditor / the Standards Board / local police / solicitors / the Ombudsman. Making unnecessarily excessive demands on the time and resources of employees whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous employees, writing lengthy complex letters every few days and expecting immediate responses. Submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which

the complainant insists make these 'new' complaints which should be put through the full complaints procedure. Refusing to accept the decision – repeatedly arguing the point and complaining about the decision. Combinations of some or all of these.

Employees should be trained to respond with patience and sympathy to the needs of all complainants but there are times when there is nothing further which can reasonably be done to assist complainants or to rectify a real or perceived problem. Implementation of this guidance would therefore only occur in exceptional circumstances.

Before taking the decision to designate the complainant as unreasonable or unreasonably persistent, Ansa should be satisfied that:

The complaint is being or has been investigated properly; Any decision reached on it is the right one; Communications with the complainant have been adequate; And the complainant is not now providing any significant new information that might affect Ansa's view on the complaint.

If Ansa is satisfied on the above points, we should consider whether further action is necessary prior to taking the decision to designate the complainant as unreasonable or unreasonably persistent; for example:

If no meeting has taken place between the complainant and an officer or officers, and provided that Ansa knows nothing about the complainant which would make this inadvisable, Ansa will consider offering the complainant a meeting with an appropriate officer. Sometimes such meetings can dispel misunderstandings and move matters towards a resolution. If more than one department is being contacted by an unreasonably persistent complainant, consider setting up a strategy meeting to agree a cross-departmental approach; and designating a key officer to co-ordinate Ansa's response. If the complainant has special needs, an advocate might be helpful to both parties, and consider offering to help the complainant find an independent one. Before applying any restrictions give the complainant a warning that if his/her actions continue Ansa may decide to treat him/her as an unreasonably persistent complainant, and explain why.

The decision to designate the complainant as unreasonable or unreasonably persistent should be made in consultation with the Customer Services Manager and the legal department.

Options for action

Any action that is taken in relation to an unreasonable or unreasonably persistent complainant should be appropriate and proportionate to the nature and frequency of the complainant's contacts with Ansa at that time. The actions that Ansa could consider are:

Placing time limits on telephone conversations and personal contacts. Restricting the number of telephone calls that will be taken (for example, one call on one specified morning/afternoon of any week) Limiting the complainant to one medium of contact (telephone, letter, email etc.) and/or requiring the complainant to communicate only with one named member of employees. Requiring any personal contacts to take place in the presence of a witness. Restricting any personal contacts to designated Council premises. Refusing to register and process further complaints about the same matter. Where a decision on the complaint has been made, providing the complainant with acknowledgements only of letters, faxes or emails, or ultimately informing the complainant that future correspondence will be read and placed on the file but not acknowledged. A designated officer should be identified who will read future correspondence to pick up any significant new information.

Any actions, particularly in restricting the complainants contact with Ansa, must take account of the complainant's individual circumstances.

When the decision has been taken to designate a complainant as unreasonable or unreasonably persistent, Ansa will contact the complainant in writing to explain:

Why Ansa has taken the decision; What action Ansa is taking and what it means for his or her contacts with Ansa; How long any restrictions will last; and What the complainant can do to have the decision reviewed.

A copy of this policy should be enclosed with the letter to the complainant. This notification may be copied for the information of others already involved in the complaint, e.g. other departments, councillors, members of parliament. A record of the decision and action taken will be recorded by the Customer Relations team, who will ensure that the status is reviewed in a timely manner.

Where unreasonable and unreasonably persistent complainants make complaints about new issues these should be treated on their merits, and decisions will need to be taken on whether any restrictions which have been applied before are still appropriate and necessary.

Where a complainant continues to behave in a way which is unacceptable, Ansa may decide to refuse all contact with the complainant and stop any investigation into his or her complaint. Where the behaviour is so extreme that it threatens the immediate safety and welfare of employees, Ansa will consider other options, for example reporting the matter to the police or taking legal action. In such cases, Ansa may not give the complainant prior warning of that action.

In some cases, relations between Councils and unreasonable or unreasonably persistent complainants break down badly while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances, there is often little purpose in following all the stages of the complaints procedure and where this occurs the Ombudsmen may be prepared to

consider a complaint before the procedure has run its course. Decisions to refer such cases to the Ombudsmen should be confirmed in writing by the Chief Executive.

Review of status

Once a complainant has been designated as unreasonable or unreasonably persistent, their status should be reviewed at regular intervals, e.g. 6 months. The review will be carried out by the Customer Services Manager. The complainant will be informed of the outcome of this review in writing and, if restrictions are to continue to be applied, when these will next be reviewed. If the restrictions are cancelled, urgent consideration should be given to re-introducing the restrictions if the behaviour which led to the original decision re-commences.

Appendix B – Guidelines for effective handling of complaints

Top tips for all employees Receive complaints, comments and compliments from anyone, made in whatever way. Complaints do not need to be in writing. Make sure you notify the Complaints coordinator as soon as you have received the details of a complaint, comment or compliment. Take responsibility for any role you are given within the process and carry out the actions required in line with this procedure. Make the Complaints coordinator and Investigating Officer aware of relevant information received during an investigation. Respond to requests from those investigating a complaint as soon as possible so that as a Council we can deliver the best possible response within the shortest timescales. Ensure that your responsibilities are handed over in the event of extended absences, such as holidays

Top tips for Complaints Coordinators Consider the complaint against the exclusions outlined in the Corporate Complaints Policy to check that the complaint is managed in the appropriate way With cross-cutting complaints across a number of services or partners, ensure everyone is clear on their roles and responsibilities, and that one overall Complaints Coordinator is appointed to coordinate decisions and responses to the complainant Consider if getting independent employees to help with the investigation would help resolve the complaint. For example where the customer makes frequent complaints a different person handling the complaint may show the customer we offer an unbiased approach. Take ownership of performance against timescales for the complaint. Don't wait until the last day to check progress with the Investigating Officer. Agree check-in points and reassign Investigating Officers during the investigation if required. In situations where the complainant also contacts their MP which results in an MP's letter, it is appropriate to join up the investigation to ensure a coordinated response to both the complainant and their MP.

Top tips for Investigating Officers Engage the customer – remember a complaint is usually made out of a sense of injustice. Make early direct contact with the complainant as a means of clarifying the complaint and the desired outcome. It is good practice to write to the customer with a statement of the complaint(s) that you are investigating to confirm your understanding of the complaint. It also helps to understand what would be a proportionate response. Contact with the complainant should continue throughout the process and responses should be tailored to the individual; some will like formal written contact while others will prefer telephone or email. Use the timescales to thoroughly investigate the claims and don't leave it until the last minute. Don't just send the response letter out at the end of the permitted timescale.

Be creative during your investigation! For example, seek independent advice, bring a new member of employees in, go to no cost consultants, get a second opinion if there is a question over technical advice, or use mediation services.

Top tips for the Independent Investigating Officer Avoid issuing blame wherever possible, but where poor performance or mistakes have been identified then this must be made clear with the recommended action to rectify the situation. Be prepared to advise the customer if the response of the initial Investigating Officer is to be supported and as such the appeal is not successful.