



CITY OF
YORK
COUNCIL

Draft
Corporate Customer
Feedback
Policy and Procedures

CORPORATE CUSTOMER FEEDBACK POLICY AND PROCEDURE**INDEX**

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Part 1 - Policy

1. General Principles

City of York Council is committed to excellent customer service and to securing customer satisfaction in the way it responds to complaints and feedback from any of its service users. The Council will ensure it delivers a better service to its customers by monitoring and measuring complaints, feedback, suggestions and comments. It will follow a standard procedure to achieve greater consistency in how it deals with complaints and feedback.

City of York Council will collect information on complaints and feedback so that it knows which areas of service customers are most satisfied /dissatisfied with. This enables a closer look at whether to change aspects of the service and/or offer training and support to staff dealing with complaints about particular issues.

City Of York Council will demonstrate that it listens to its customers' views and feeds them into service development. Gathering information on complaints and checking responses to them is one way we will do this.

City Of York Council wishes to be responsive to complaints made by members of the public; it views complaints as a valuable form of feedback. Therefore, a formal Corporate Customer Feedback Policy and Procedure will ensure that a complaint is fully investigated in a systematic and comprehensive manner.

Complainants should be advised about this. Fundamentally, all complaints will be dealt with in accordance with this policy.

City Of York Council will ensure that its feedback and complaints system:

- is easily accessible and understandable;
- is acknowledged and published as a model for developing good practice;
- ensures a thorough and fair investigation within set time-scales;
- provides an effective response and appropriate redress;
- is confidential;
- provides feedback to management so that areas of dissatisfaction can be improved;
- keeps complainants informed of progress;
- is fully understood by all staff.

2. Making a Complaint

In order to be as flexible as possible and subject to the Council's procedures for dealing with unreasonably persistent complaints, the Council is prepared to accept a complaint from a member of public or anyone acting on behalf of a customer with the proper authority and consent, in the following formats

- in person at any Council office.
- by telephone.
- by letter.
- by email
- through a City Of York councillor.
- through our website. www.york.gov.uk

A complaint is

Any expression of dissatisfaction, however made, from a member of the public about the level or nature of a council service or policy, or the way in which the council's staff carry out their duties

A complaint is not

A request for a service that is made for the first time. For example, if a customer complains that a streetlight is not working we will treat it as a service request that we aim to fulfil by repairing it within the service level agreement. If we then fail to repair it, and the customer is still unhappy, it should then be defined and treated as a complaint

This policy does not relate to those services where there is a statutory or other legislative requirement e.g.

- Adult Social Services
- Children's Social Care Services
- School Admissions
- Planning Objections
- Revenues and Benefits
- Freedom of Information requests

However this policy and procedures will also be used if we receive a complaint regarding one of our contractors or a partner organisation, which delivers services on our behalf.

3. Feedback e.g. Suggestions, Compliments and Comments

The Council recognises that it is important to ensure feedback is also recognised and used to inform service design/delivery and reviews. It is equally important to feed back feedback regarding the service to relevant service managers and to ensure this feedback is passed on to staff.

In order to assist this process, the Council has developed the same method as for dealing with complaints, to collect, record and pass on feedback on a regular basis to the management team, staff and councillors. This will help to ensure the good work of staff is recognised and praised accordingly.

Part 2 - The Procedures

4. Dealing with Complaints

It is important that members of the public are aware that the procedure only relates to genuine complaints. Equally it is not a system for appealing against a decision of the Council, providing these decisions are correctly arrived at.

The procedure is specifically designed to check that, in relation to a genuine complaint, everything that should have been done has been done and that the Council's procedures and policies have been upheld.

The identity of the person making a complaint should be made known only to those who need to consider the complaint, it should not be revealed to any other person or made public by the Council. Care should be taken to maintain confidentiality where particular circumstances demand (for example, information about third parties). It may not be possible to preserve confidentiality in some circumstances, for example where relevant legislation applies or allegations are made which involve the conduct of third parties.

Each directorate has a *Directorate Feedback Co-ordinator (DFC)* who is the channel for their directorate's feedback from customers and a key contact for them. They will receive comments, compliments, complaints and suggestions through a number of channels and need to be informed of any you get. The York Customer Centre (YCC) will be a major channel as staff there receive 'phone calls, emails and forms completed on the web for all types of feedback. They will determine which directorate it relates to and quickly transfer all the details with a unique reference number to the right customer feedback co-ordinator.

The DFC is the communications, monitoring and reporting hub for the directorate's customer feedback. They will:

- ensure the right person in the right service gets the feedback
- monitor anything that needs a response to time or quality standards
- have their name and contact details on all responses to complaints so the customer can come back to a single point of contact for further action should they need to
- produce the customer feedback analysis and reports for their DMT, Annual Report to Scrutiny and / or Audit and Governance Committees
- respond to complaints on behalf of chief officers when required
- be the contact point for letters or investigations passed to the directorate from our Local Government Ombudsman (LGO) Link Officer – this is our Head of Civic, Democratic and Legal Services.

'Front-line' staff that provide the service can generally deal with many complaints quickly and satisfactorily. The member of staff who receives the complaint either by telephone, face to face, by letter or email or through the website should ensure that all steps are taken to resolve the complaint at the first point of contact

However if the complainant is not happy with the outcome at that point, it needs to be escalated into a Stage 1 complaint.

Stage 1

At this stage the line manager of the service will deal with a complaint and the complainant should be advised of the outcome within 10 working days and what they can do if they remain dissatisfied at the end of Stage 1

Stage 2

At the second stage, complaints are best set out in writing (letter, fax or email or on a feedback / complaint form. Assistance will be given upon request if the complainant is unable to complete the form). At this second stage the senior manager /head of the service to which the complaint relates will reconsider the complaint and will inform the complainant of the outcome within 20 working days. Again, complainants should be told what they could do if they remain dissatisfied at the end of stage 2.

Stage 3

At the third stage, the complaint is considered by the Director of the service or a member of staff independent of the service acting on the Director's behalf. At this stage the complainant can expect a full response within 20 working days or advised of any delay and when they can expect a full response. The complainant should also be made aware that if they are still dissatisfied with the outcome they might take their complaint to the LGO, who will carry out an independent investigation of the complaint.

At the end of all stages you need to complete the *Action Plan Following Feedback* form in order to learn from customer complaints.

5. Corporate Complaints Monitoring

The Head of Civic, Democratic and Legal Services will corporately monitor complaints through the Directorate Feedback Co-ordinators

It is important that complaints monitoring is effective. Consequently, a comprehensive monitoring system has been put in place.

- Upon receipt of the complaint at stage 2 or in the event the complainant has bypassed stage 1, the DFC will acknowledge the complaint within 5 working days. This will then be sent to the relevant senior manager of the service, who is required to action the complaint. A date is given for the final response, which will be 20 working days from the date of receipt of the complaint. If, for some exceptional reason, the 20 working day deadline cannot be met, a holding response will be sent to the complainant stating a revised date when a response can be sent and giving an explanation as to the cause of the delay. The acknowledgement letter will indicate who is dealing with the complaint and the date by which a response can be expected.

- Once a complaint has been resolved or closed, then a Customer Satisfaction/ Experience and Equalities and Diversities Monitoring Form will be sent to the complainant with a pre-paid envelope for their return. Information contained within the responses will be collated to feed back to DMTs, Annual Report to Scrutiny and / or Audit and Governance Committees; the Equalities Leadership Group and other relevant groups, where lessons learnt from complaints will be considered/shared.
- A Customer Satisfaction Local Performance Indicator as part of our renewed Customer First Measures and Targets will be adopted for the forthcoming and subsequent years.
- In addition to the leaflet entitled “*Let us know*” guidance notes will also be produced for the information of staff, to ensure a consistent corporate approach across the Authority. In addition, the details of the Council’s procedures will be contained on the Council’s website.
- The Council will respond to complaints in a positive manner and where it is clear that it has been at fault and caused injustice, appropriate compensation will be authorised by the Chief Executive consistent with the principles adopted by the LGO, even if the complaint has not been referred to the Ombudsman.
- Where a complaint has been referred to the LGO, the Council will always use its best endeavours to meet the deadline set for responses and will maintain a positive, professional working relationship with the LGO Office.

6. Dealing with Unreasonably Persistent Complainants Procedure

This procedure should be initiated only after a discussion with relevant officers has confirmed that all other avenues have been explored and procedures exhausted. The Head of Service for which the complaint has been received, will initiate a discussion or meeting with the Director, directorate feedback co-ordinator and Head of Legal Services to consider the matter. There is a need to carry out an assessment process balancing the rights of the individual, the statutory requirements regarding the service and the Council’s responsibilities towards its staff.

Options for dealing with unreasonably persistent complainants

Where complainants have been identified as unreasonably persistent, in accordance with the criteria above, the Head of Service will implement such action and will notify complainants, in writing, of the reasons why they have been classified as such and the action to be taken. This notification may be copied for the information of others involved, eg Advocate, Councillor or Member of Parliament. A record must be kept for future reference of the reasons why a complainant has been classified as unreasonably persistent.

The meeting called by the Head of Service will also consist of:

- Trying to resolve matters before invoking this policy. This might be accomplished by drawing up a signed agreement with the complainant, which sets out a code of behaviour for the parties involved if the Council is to continue processing the complaint. If these terms are contravened, consideration would then be given to implementing other action.
- Declining contact with the complainant either in person, by telephone, by fax, by letter or any combination of these, provided that one form of contact is maintained.
- Notifying the complainant in writing that the Council has responded fully to the points raised and has tried to resolve the complaint, but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainants should also be notified that the correspondence is at an end and that further letters received will not be acknowledged nor answered on the matter.
- Informing the complainant that in extreme circumstances the matter will be referred to the Council's solicitors and/or the Police.
- Temporarily suspending all contact with the complainant or investigation of a complaint whilst seeking legal advice.
- Seeking advice at any time from the Health and Safety Officer and/or the Head of Legal Services.

These measures should be limited in order from the least serious to the most.

Withdrawing unreasonably persistent complainant status

From time to time each directorate feedback co-ordinator will review the list of unreasonably persistent complainants and, where possible and reasonable, withdraw this status, subject to discussion with the relevant Head of Service.

7. Ombudsman Complaint Procedure

The Local Government Ombudsmen (LGO) is an independent, impartial and free service, which investigates complaints about councils and certain other bodies. They investigate complaints about most council matters including housing, planning, education and social services and about how the council has done something. But they cannot question what a council has done simply because someone does not agree with it.

This is the procedure that the Ombudsman adheres to:

- On receipt of a complaint to the Ombudsman, a letter will be sent to the Authority advising us of the complaint with a 28-day response target.
- If no response is provided to the Ombudsman within this target, they will contact the our Link Officer (who is our Head of Legal) who will then contact the relevant Head of Service for a progress report on the complaint.

- If there is still no response at this stage it will be filed for a further 14 days.
- If the Ombudsman has still not received a response after 14 days, a letter will be written to the Chief Executive. This will advise the Chief Executive that the Head of Service and Case Officer for the complaint will be required to report with all files relevant to the case for an interview at the Ombudsman's offices in York.

From 1st April 2008, there are new contact details for contacting the LGO to make a complaint or for advice on making a complaint. The Advice Team is available Monday to Friday from 8.30am to 5.00pm

Tel: 0845 602 1983 or 024 7682 1960 (calls may be recorded for training and quality purposes)

Fax: 024 7682 0001

Text: "Call Back" to 0762 480 4323

Send to: The Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

8. Making a complaint about the conduct of a councillor

From 8 May 2008 the responsibility for considering complaints that a councillor may have breached the Code of Conduct moved to the standards committees of local authorities.

The Code of Conduct sets out the rules governing the behaviour of councillors in local authorities across the country and is included in Part 5 of the Council's Constitution.

What this means

After 8 May 2008, complaints about the conduct of a City of York Councillor or a councillor from one of our parish councils, must be submitted in writing to:

Chair of the Assessment Sub-Committee,
The Standards Committee, C/O the Monitoring Officer
City of York Council,
Guildhall,
York YO1 9QN.

Fax: 01904 551047

Email: Quentin.baker@york.gov.uk

How to get a complaints form

You can download or print off a Making a complaint about the conduct of a councillor form by following the links below:

[Printable form \(new window PDF 54KB\)](#) for completion by hand that can be submitted by fax or post on completion.

[Electronic form \(new window Word 117KB\)](#) that can be submitted by email, fax or post on completion.

Follow this link for [help with opening and downloading Word and PDF files.](#)

Complaint forms are also available at the Council's main reception desk.

What happens next?

The assessment sub-committee can only deal with complaints about the behaviour of a councillor. It will not deal with complaints about things that are not covered by the Code of Conduct. Any complaints must be clear as to why the complainant thinks that a councillor has not followed the Code of Conduct.

We aim to make an initial assessment of the complaint within 20 working days of receipt. If the decision is to take no further action, complainants will have the right to ask for that initial decision to be reviewed.

For further information, or to discuss these changes, please contact the Council's Monitoring Officer, Quentin Baker, on 01904 551004 or email to Quentin.baker@york.gov.uk

9. Performance Measures

The Council will monitor the effectiveness of this policy and procedures by collating all relevant information and statistics and will use these when it undertakes reviews of this policy and service delivery.

The Council will hold information on its Customer Relationship Management (CRM) system where available – in service areas where CRM is not available, a system will be introduced which is consistent with CRM and across the council.

This will comprise:

- the number of complaints received,
- how quickly they were dealt with and
- whether they were resolved to the satisfaction of the complainant.
- equalities and diversities monitoring data

It will use the information to:

- Identify areas of dissatisfaction with services;
- Highlight areas for service improvement;
- Monitor the success of service improvements based on the number of complaints subsequently received;

- Produce a quarterly and annual statistical report.
- Support the Council's Equalities Strategy, Engagement Strategy and Customer Services Strategy

This information will be reported to the Scrutiny and Audit and Governance Committees, Annual Report, etc.

The following performance information will also be collected:

- Number of complaints received
- Number of Ombudsman maladministration cases (Annually).

Targets	Year 1	Year 2	Year 3
Complaints dealt with within target time	85%	90%	95%
Complainants found the complaint process easy to understand	85%	90%	95%
Written correspondence (letter, fax or e-mail) responded to within 20 days	85%	90%	95%
Number of Ombudsman maladministration claims	0	0	0

10. Quality Monitoring

When a response is required from the relevant Head of Service to an Ombudsman complaint, through our Link Officer, which is the Head of Civic, Democratic and Legal Services, the following quality monitoring will take place.

- A copy of the reply will be sent to the LGO Link Officer and DFC prior to sending to the complainant.
- The LGO Link Officer and/or the DFC will quality check the complaint to ensure that all points raised by the Ombudsman have been covered and then send the response out to the complainant.
- In the instance that not all points are covered they will be returned to the relevant Head of Service advising that more information is needed.

One of the ways to judge whether our feedback system works is to conduct customer satisfaction studies. To do this we will send out *Customer Satisfaction surveys* when responding to a customer with the outcome of their complaint and/or to closed complaints

chosen at random from their service area. This will also include an Equalities and Diversities Monitoring questionnaire. (For more information on this please see City Of York Council's Equalities Strategy).

11. Guidance Notes

Good investigative practice

The majority of complaints are likely to be capable of being dealt with speedily and simply. Where, however, a more substantial inquiry is required, the following guidance may be helpful for investigating officers.

Check if there are any previous complaints from this person. Contact the complainant to arrange a meeting (or time for a telephone conversation) and:

- clarify the complaint;
- set out in writing for the complainant your understanding of the complaint;
- clarify the outcome sought;
- check whether the complainant needs support of any kind, or has poor sight or hearing, or a language difficulty, and check what help the complainant needs so as to be able to understand the discussion properly;
- check that the complainant has a copy of the Council's complaints leaflet.

Dealing with unreasonably persistent complaints

Unreasonably persistent complainants can cause undue stress for staff and place a strain on the Council's time and resources. All staff should try to respond with patience and sympathy to the needs of all complainants but there are times when there is nothing further which can be reasonably done to assist them or to rectify a real or perceived problem.

In determining arrangements for handling such complaints, staff are presented with two key considerations:

- Ensure that the complaints procedure has been **correctly implemented so far as possible and that no material element of a complaint is overlooked or inadequately addressed** and to appreciate that even unreasonably persistent complainants may have aspects which contain some substance. The need to ensure an equitable approach is crucial.
- Identify the stage at which a complaint has become unreasonably persistent. Implementation of this policy would only occur in **exceptional circumstances**.

It is emphasised that this procedure should only be used as a last resort and after all reasonable measures have been taken to try to resolve complaints following the general procedure, or another avenue, such as the Local Government Ombudsman.

Judgement and discretion must be used in applying the criteria to identify potential habitual or vexatious complainants and in deciding action to be taken in specific cases. The procedure should only be implemented following careful consideration by, and with the authorisation of, the relevant Head of Service and after liaising with the DFC.

Definition of unreasonably persistent complainants

Complainants (and/or anyone acting on their behalf) may be deemed to be unreasonably persistent complainants where previous or current contact with them shows that they meet **two or more** of the following criteria:

Where complainants:

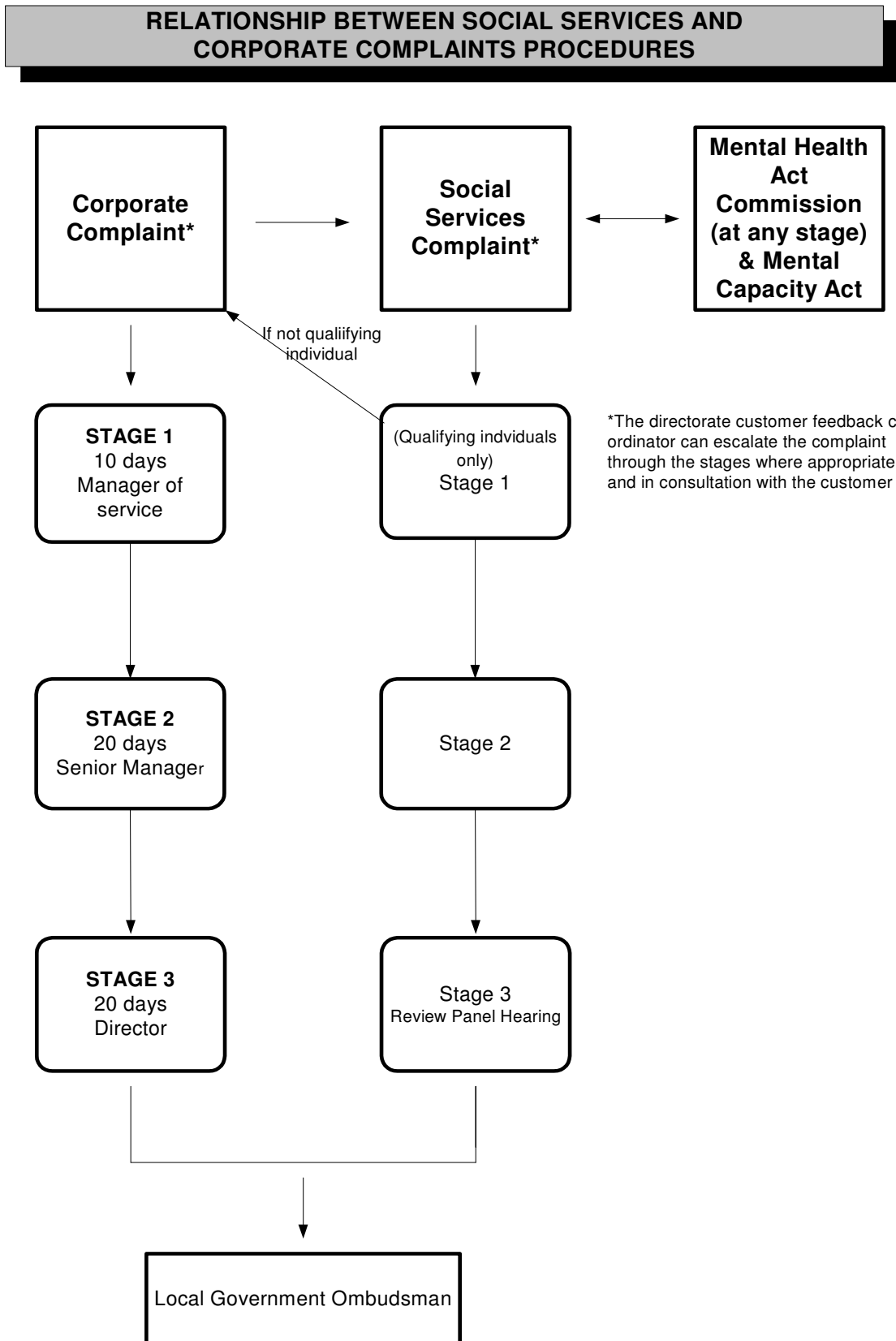
- **Persist in pursuing a complaint** where the complaints procedures have been fully and properly implemented and exhausted.
- **Change the emphasis** of a complaint or **continually raise additional issues or seek to prolong contact by continually raising further concerns or questions** upon receipt of a response whilst the complaint is being addressed. (Care must be taken not to discard new issues, which are significantly different from the original complaint. These might need to be addressed as separate complaints).
- **Are unwilling to accept documented evidence** as being factual in spite of correspondence specifically answering their questions or **do not accept that facts can sometimes be difficult to verify** when a long period of time has elapsed.
- **Do not clearly identify the precise issues** which they wish to be investigated, despite reasonable efforts to help them specify their concerns, **and/or where the concerns identified are not within the remit** of the Council to investigate.
- **Focus on a trivial matter** to the extent that this is out of proportion to its significance and continue to focus on this point. (It is recognised that determining what is a 'trivial' matter can be subjective and careful judgement must be used in applying this criteria).
- **Have threatened or used actual physical violence** towards staff at any time – this may in itself cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter, only be pursued through written communication. All such incidents should be documented.
- Have **harassed** or been personally **abusive or verbally aggressive** on more than one occasion towards staff dealing with their complaint. (Staff must recognise that complainants may sometimes act out of character at times of stress, anxiety, or distress and should make reasonable allowances for this. They should document all incidents of harassment. You may need to consult other Council policies and where there have been threats, violence and/or harassment.) E.g.
 - Staff Warning Register
 - Whistle blowing
 - Staff Conduct
 - Disciplinary and Grievance
- Have, in the course of addressing a complaint, had an **excessive number of contacts** with the Council placing unreasonable demands on staff. (A contact is defined as those methods of communication set out in section 2. Discretion must be used in determining the precise number of "excessive contacts" applicable under

this section, using judgement based on the specific circumstances of each individual case).

- Are known to have **recorded** meetings or face-to-face/telephone **conversations without** the prior knowledge and consent of other parties involved.
- **Display unreasonable demands or expectations and fail to accept that these may be unreasonable** (e.g. insist on responses to complaints or enquiries being provided more urgently than is reasonable or normal recognised practice).

Appendix 1

Example of the relationship between our corporate policy and a statutory/legal requirement



Appendix 2

CITY OF YORK COUNCIL Monitoring the Customer Feedback Procedure
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1. How did you find out how to make a comment or complaint?

- | | |
|--|---|
| Member of council staff <input type="checkbox"/> | Professional not employed by the council eg doctor <input type="checkbox"/> |
| Leaflet <input type="checkbox"/> | Council's website <input type="checkbox"/> |
| Friend / relative <input type="checkbox"/> | Advocate <input type="checkbox"/> |
| Other _____ | |

2. How easy was it to make the comment or complaint?

Very easy Fairly easy Neither / nor Fairly difficult Very difficult

3. Was your complaint answered by the date you were given?

Yes **Go to Q5** No **Continue**

4. If your complaint was not answered in time, were you happy with the way staff kept you up to date with what was happening?

Yes No

5. Were you given a contact name and telephone number in case you had any further queries?

Yes No

6. Were staff helpful?

Yes No

7. If you needed support to help you make your comment or complaint, did we arrange this for you?

Yes No **Not applicable**

If you have any further comments please send on a separate sheet

Thank you for taking the time to complete this questionnaire.

On the back of this questionnaire there is an Equalities Monitoring form which helps us to check that everyone is getting the same standard of service.

EQUALITIES AND DIVERSITY FORM

Filling in this form is **anonymous and optional**. City of York Council and its partners need to know that services we provide reach all the people in our area. The information you provide will be used to help us and our partners make sure that we provide appropriate services for everyone, irrespective of individual differences like age, gender, disability, race, religion and belief, and sexual orientation. Our partners include the NHS, the community and voluntary sector and the emergency services. It is our policy and also a Government requirement to ask these questions so that we can improve life in the city for all.

Gender : <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Transgender			
Age Group			
<input type="checkbox"/> under 16	<input type="checkbox"/> 16-19	<input type="checkbox"/> 20-24	<input type="checkbox"/> 25-29
<input type="checkbox"/> 30-44	<input type="checkbox"/> 45-59	<input type="checkbox"/> 60-64	<input type="checkbox"/> 65-74
<input type="checkbox"/> 75-84	<input type="checkbox"/> 85-89	<input type="checkbox"/> 90& over	
Ethnic Origin (please indicate by a tick in the appropriate box)			
White	Mixed	Black or Black British	
<input type="checkbox"/> British	<input type="checkbox"/> White and Black Caribbean	<input type="checkbox"/> Caribbean	
<input type="checkbox"/> Irish	<input type="checkbox"/> White and Black African	<input type="checkbox"/> African	
<input type="checkbox"/> Any other White background	<input type="checkbox"/> White and Asian	<input type="checkbox"/> Any other Black background	
	<input type="checkbox"/> Any other mixed background		
Asian or Asian British	Other Ethnic groups		
<input type="checkbox"/> Indian	<input type="checkbox"/> Chinese		
<input type="checkbox"/> Pakistani	<input type="checkbox"/> Any other ethnic group	<input type="checkbox"/> I do not wish to disclose my ethnic group	
<input type="checkbox"/> Bangladeshi			
<input type="checkbox"/> Any other Asian background			
Are you a disabled person?			
<input type="checkbox"/> I do not wish to disclose whether or not I have a disability			
<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Sexual orientation			
<input type="checkbox"/>	I do not wish to disclose my sexual orientation		
<input type="checkbox"/>	Lesbian		
<input type="checkbox"/>	Gay		
<input type="checkbox"/>	Bisexual		
<input type="checkbox"/>	Heterosexual		
Religious Belief If you are comfortable giving us this information it will help us check everyone is getting the same standard of service:			
<input type="checkbox"/>	I do not wish to disclose my religion/belief		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Atheism	Buddhism	Christianity	Hinduism
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Islam	Judaism	Sikhism	Other

Action Plan following feedback

Reference Number:

Name of responding manager:

What stage was the complaint at (if appropriate):

Brief description of feedback/ complaint:

Was the complaint: (This relates to whether you agreed, partly agreed, or disagreed with what the customer said had happened or not happened. The complaint will only be not pursued if the customer decided they no longer had a complaint before any work you completed). Please indicate by highlighting in bold if emailing or circling if posting.

Upheld

Partly Upheld

Not Upheld

Not Pursued

What lessons have been learnt through this feedback:

What action will be taken as a result of this feedback:

By when:

By Who:

Date action completed: