



CUSTOMER CARE COMPLIMENT, COMMENTS AND COMPLAINTS POLICY

Introduction and Aims

- 1 Eastleigh Borough Council is committed to ensuring equality of opportunity and access to its services and aims to provide the best service we can.
- 2 This policy and our procedures aim to ensure fair, proportionate resolution at the earliest stage, be easy to use, be understandable and easily followed. They are designed to be used when customers want to let us know when we are doing well, to make a suggestion or comment or raise a formal complaint where they feel there has been some form of persistent service failure which they believe is the Council's fault.
- 3 We aim to provide the best possible service and feedback from customers helps us to learn and improve. We appreciate customer comments, compliments and complaints regarding our services and staff and we will use the information gained to improve the quality of service we provide.
- 4 We recognise that sometimes things can go wrong and if they do, we would like to know so that we can try to put them right. We will deal with all complaints fairly and impartially.
- 5 We aim to provide high quality services at all times. Feedback from our customers is important in helping us maintain and, if needed, improve the standards of services we provide. We welcome customers comments on their experiences, telling us where we have done well or making suggestions about the services they would like to receive.

Definition of a Complaint

- 6 A complaint is: *'an expression of dissatisfaction about a Council service (whether that service is provided directly by the Council or by a contractor or partner) that requires a response.'*
- 7 You can make a complaint if you're not satisfied with our service or:
 - You feel you have not been treated with courtesy or fairness
 - You are unhappy about the standard of service you have received
 - You feel we have failed to provide a service to which you are entitled
 - You are unhappy about the action taken by us.

What this Policy does Cover

- 8 This policy and our procedures will cover any form of service dissatisfaction or maladministration if you consider we have failed:
- To provide information/correct information
 - To follow procedures
 - In our standard of work
 - To deliver without unnecessary or unreasonable delays
 - To adhere to our rules and regulations
 - To treat you fairly and promptly
 - In the behaviour of our staff
 - In other matters, such as equality issues causing unfairness, barriers or accessibility to services

What this Policy does not Cover

- 9 The following concerns/issues cannot be dealt with under our complaints procedure:
- Anonymous complaints
 - Matters for making a claim against, or seeking compensation from the Council
 - Matters that fall outside of the control of the Council
 - Complaints where the subject matter has previously been investigated under this policy or previous policy prior to this one
 - Any matter being investigated or having been investigated by the Local Government Ombudsman
 - Where a court has made, is making or about to make a determination on the specifics of a complaint
 - Matters that are subject to litigation and/or have already been before a court/tribunal
 - Matters for which statutory appeal bodies or tribunals have been established – e.g. parking fines, licencing, housing benefit and council tax.
 - If you have received a penalty Charge Notice (PCN)
 - Drain and flooding issues
 - Reports of traffic lights, congestion and road/potholes and highway maintenance
 - Website issues
 - Whistleblowing
- 10 There are some situations where a more appropriate procedure must be used instead of our complaints procedure. Some examples of these are:
- Cases where the Council has taken a decision in a proper manner, or for an explanation of a decision
 - Issues with waste collections and missed bins (please wait until the next working day to report a missed bin)
 - Comments on planning applications
 - To report a noise nuisance
 - Grass cutting/hedge maintenance/leaf clearance concerns (link to appropriate page/contact)
 - For Universal Credit advice
 - Setting up a Direct Debit for Council Tax payments
 - Non-payment of Council Tax
 - Dissatisfaction with politically determined policy such as charges applied to

services or our waste and recycling policy – please contact your local Councillor to raise your concerns.

- Complaints relating to the conduct of Borough, Parish or Town Councillors – these follow the Members’ Code of Conduct [Breach of the Code of Conduct](#) form. FOI/EIR Requests
- Data Protection concerns
- Safeguarding procedures

Anonymous Complaints

- 11 We are unable to deal with anonymous complaints, however complaints relating to vulnerable groups such as children, the elderly and people with learning disabilities or mental ill health will be considered and investigated if there are safeguarding issues.

Who can complain?

- Residents
- Anyone visiting or working in the Borough
- Anyone acting on behalf of an individual or group of individuals, provide they have written consent to do so, including MPs, Councillors, Advice Agencies and other advocacy groups

Making a Complaint

- 12 Our procedure has two Levels.

- **Level One** – Level One will be investigated by the Service Manager or staff member from the area responsible for the service that was provided and they will respond directly to the person who raised the complaint.
- **Level Two** – We will endeavour to resolve your complaint at Level One, however if you remain dissatisfied with the response received at Level One or the resolution proposed you may request that your complaint is escalated to Level Two. Complaints escalated to this level will be reviewed by an independent Senior Manager.

- 13 We will investigate all complaints robustly and consider our findings properly.

If you are not satisfied with our explanation or suggested resolution, you may contact the [Local Government & Social Care Ombudsman](#), (LGO). The Ombudsman will usually expect you to have taken your complaint through both levels of our procedure before you contact them, however, in accordance with the LGO guidance, for complaints that do not fall under a statutory process, we may inform you at Level One of this procedure if we feel we have reached our final decision, in which case we will direct you to the Local Government & Social Care Ombudsman in our response to you.

Timescales

- 14 A complaint made under this policy must be raised within **6 months** of the issue or incident for which you feel dissatisfied having occurred. Complaints received

that are older than 6 months will need to be accompanied with an explanation regarding why it was not possible for the complaint to be raised within this timescale and any decision whether to investigate this will be at the Council's discretion.

- 15 We will aim to acknowledge a complaint **within 3 working days** of receiving it.
- 16 We will aim to respond to complaints **within 15 working days** after acknowledgement; a total of **18 working days from the date received**.
- 17 Some issues may take longer to investigate. If this is the case, we will keep you informed of any delays that may occur and may require an extension of timescale.
- 18 Some complaints may require another procedure to be started or be part of a process that has already started, and it may not be possible to provide a full response until that process has been concluded. If this is the case, we will advise you of this and keep you informed where we can of the outcome.

Completed Complaints

- 19 Where the complaint has gone through the Councils corporate complaints procedure and is closed, we will not enter into further correspondence about the complaint, and any further correspondence on the same subject will be read and placed on file but will receive no acknowledgement or response.

Equalities

- 20 We are committed to positively promoting equality of opportunity and have due regard to our duties under the Equality Act 2010. We seek to do this via our Equalities Policy and Action Plan.
- 21 You can make a comment, compliment or complaint:
 - On-line via your MyEastleigh account
 - By Email (customerservicecentre.gov.uk)
 - By letter
 - By telephone
 - In person
- 22 If you wish to have a representative acting on your behalf, we will need confirmation from you that you are happy for us to contact and liaise with them directly to ensure we are acting in your best interests.

Putting things right

23 We will endeavour to deal with any concerns fairly, fully and in a timely manner. We will look to acknowledge our mistakes and apologise for them where we are at fault, and we will explain why things went wrong and what we will do to prevent the same issue recurring in future.

24 Examples of ways in which we can resolve an issue are:

- Apologise
- Take the action that should have been taken before you had cause to complain
- Reconsider a decision that was not taken properly (excluding matters being considered under a process other than this one)
- Improve our procedures to prevent recurrence
- Re-pay money owed if applicable

25 In a small number of cases customers sometimes pursue their cases in a way that can impede the investigation of their complaint and their behaviour can become unacceptable, for example, abusive, offensive or threatening. This behaviour inhibits our staffs' ability to do their work and provide services to others. In these cases, we may decide to take action to restrict the contact that person has with the Council. Any such action will be taken in compliance with the Council's Unreasonably Persistent Complainants and Unreasonable Complainants Behaviour Policy.

Retention of Documents

26 We keep all information confidential, particularly names and addresses that can identify a complainant, site or complaint. However, we may be obliged to disclose some information under certain statutory provisions. Please view our [Privacy Policy](#) for more information.