

Boston Borough Council

Customer Feedback Policy



Contents

1. Introduction
 2. The Policy – purpose and definition
 3. Complaints - Policy definition
 4. Exclusions to this Policy
 5. How we Review and Respond to Complaints
 6. Role of the Local Government Ombudsman
 7. Complaints under the Fluency Duty
 8. What is excluded from this Policy
 9. Anonymous complaints
 10. Confidentiality
 11. Compliments Procedure
 12. Appendices A, B & C – templates and Appendix D – protected characteristics
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1. Introduction

Boston Borough Council values our customers and their feedback. This Corporate Customer Feedback Policy describes how the Council expects to manage and respond to customer feedback, whether suggestions, compliments, or complaints. It is designed to reflect best practice both for the customer and the Council.

2. The Policy – purpose and definition

The main purpose of the customer feedback policy is to enable any matters raised by customers to be received and resolved quickly and where possible, at the initial point of contact.

Customer feedback may include:

- General feedback and suggestions for improvement
- Reports about service failure
- Compliments about good service
- Complaints

Customer feedback is actively encouraged, tracked, monitored and used positively to make service improvements and changes where appropriate. For example, early diagnosis of customer problems with a new business process or a number of repeat requests may decrease the number of complaints if improvements are made and issues resolved at the first point of contact. Feedback is discussed quarterly by service managers to share good practice and lessons learned. It is also reported quarterly to Corporate Management Team (CMT) and Cabinet.

We work hard to avoid and minimise complaints but where they do occur this policy defines how they will be fairly and courteously treated. We aim to treat complainants

in an equal and fair way by applying this policy consistently and by having regard to the protected characteristics under the Equality Act 2010 (see Appendix B)

This policy:

- Confirms how to give feedback or make a complaint.
- Highlights any exceptions to the standard customer feedback procedure, for example where specific issues are treated by a defined complaints procedure.
- Defines the standard of service, including response times, to expect when making a complaint.
- Recognises the importance of customer feedback in providing insight to Council services and performance.
- Set out how the Council monitors customer feedback and uses information to improve services and identify training needs.

There are specific policies which deal with vexatious, abusive or persistent customers and with social media.

3. Complaints - Policy definition

A complaint is defined in line with the definition used by the Local Government Ombudsman (LGO) and the British Standards Institute (BSI) as follows:

“An expression of dissatisfaction with the standard of service provided by the Council or with something the Council or a member of its workforce may or may not have done”

A complaint may be about lack of response, delays, ongoing service problems or the behaviour of Council employees.

This includes the Council:

- Doing something wrong
- Doing something it should not have done
- Failing to do something it should have done
- Behaving unfairly, discourteously or in a discriminatory manner
- Not carrying out a service to an agreed standard
- Not responding to a request for a service within its stated timescale

4. How feedback can be made

It is important to us that giving us feedback is a simple process that is clear and easily understood by our customers. Feedback will be accepted in the following formats:

By email:	feedback@boston.gov.uk
In writing:	Customer Services Manager, Boston Borough Council , Municipal Buildings, West Street , Boston , Lincolnshire, PE21 8QR
In person:	Please speak to a customer services advisor at the above address
By telephone:	01205 314200

5. How we Review and Respond to Complaints

First Contact

We will endeavour to resolve a complaint straight away. At first contact a complaint will be allocated to the relevant team who will endeavour to resolve any issues or requests informally through direct customer contact. The outcome should be logged with the Feedback team so that lessons can be learned and shared.

Our policy is to have our Services always respond to customer complaints directly and have the opportunity to explain or put things right if there has been a mistake. We aim to resolve matters with a single and accurate response but, if this is not possible or if the customer remains dissatisfied, we encourage continued dialogue and personal or written contact between customer and Service until the issue is satisfactorily closed.

If the matter cannot be resolved at first contact by an Officer of the Team concerned, the customers will be advised to make a formal complaint. This should be made in written form where possible, either on a Complaints Form (which will be supplied on request and is available online at www.boston.gov.uk/feedback) or by letter or email.

The Council has a distinct two stage approach with a third level of escalation to the Local Government Ombudsman (LGO) that incorporates and reflects local government good practice:

- Stage 1: Response to the complaint by the relevant Council Service Team.
- Stage 2: Review by a manager/senior officer not previously involved.
- Stage 3: Local Government Ombudsman independent review.

Stage 1

We aim to fully respond to a complaint within 20 working days from receipt of the complaint to the final response (or 30 working days for complex cases).

Feedback will log the initial complaint and refer this to the relevant Service Manager to deal with. Their job is to undertake an investigation/full review to ask questions, get facts and recommend any changes to our policies, procedures, actions or behaviour.

Once an investigation has been concluded, a full response will be given to the customer via Feedback detailing the findings of the investigation and any remedy if appropriate.

*In all cases **Appendix A** should be completed to show how you have investigated the complaint and **Appendix B** as a response to the customer. Both should be sent to feedback to forward to the customer, thus ensuring a consistent corporate approach to all replies. **Appendix C** is to be used when you are unable to complete your complaint within the 20 days window and require further time.*

If a customer is not satisfied with the outcome of the Stage 1 process, they may where appropriate, request a Stage 2 Review.

Stage 2

Stage 2 provides the opportunity of another Service manager investigating the complaint by undertaking an independent review to consider whether all matters raised in the original complaint have been comprehensively and accurately addressed.

If however we feel that the Service has fully sought to resolve the issue and a Stage 2 Review is unlikely to change the position, we may advise the complainant that they would be better served referring their complaint direct to the Local Government Ombudsman (LGO).

Vexatious, abusive or persistent complaints

A small minority of complainants make complaints that are vexatious, abusive or unreasonably persistent in order to make life difficult for the Council or individuals, rather than genuinely to resolve a grievance.

Examples may include:

- Making excessive demands on the time and resources of staff whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous Council staff and Members, writing lengthy complex letters every few days and expecting immediate responses;
- Being abusive to staff in writing and verbally, including the use of social media and harassment of staff;
- Refusing to accept the decision, ie repeatedly arguing the point and complaining about the decision, despite having been advised to refer it on to the Local Government Ombudsman for an independent view.

When a complainant has been deemed vexatious, abusive or unreasonably persistent, the relevant Head of Service will decide on what action to take, following advice from the Corporate Director (Monitoring Officer) and will advise the customer accordingly.

Any restrictions will be appropriate and proportionate to the nature of the customer's contacts with the Council at that time and will be reviewed at least annually.

Full details are set out in the vexatious, abusive or persistent customer policy.

6. Role of the Local Government Ombudsman (LGO)

The Local Government Ombudsman (LGO) looks at complaints about Councils. It is a free service. Their job is to investigate complaints in a fair and independent way - they do not take sides.

If there is a problem with a Council Service, customers should first complain to the Council itself so that there is an opportunity to sort out the problem before the LGO can consider it. Customers must usually complete both Council complaint stages 1 and 2 before the LGO will look at a complaint.

If a case is accepted by the LGO it will be allocated to one of their investigators for them to consider an independent review.

The LGO Advice Team

- **Telephone:** 0300 061 0614
- **Website:** www.lgo.org.uk
- **Fax:** 024 7682 0001
- **Text:** 'call back' to 0762 481 1595
- **Write to:** Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH

7. Complaints under the Fluency Duty

Since November 2016, Public Authorities in England and Wales have a duty to ensure that staff employed in customer facing roles have sufficient proficiency in spoken English for the performance of their role

Customers can make a complaint if they feel that a public authority has failed in this duty. The complaint may be made by a member of the public or someone acting on his/her behalf

A complaint about a public sector member of staff's accent, dialect, manner or tone of communication, origin or nationality will not be considered a legitimate complaint about the fluency duty

Public authorities are not obliged under the Code of Practice to respond to complaints that are vexatious, oppressive, threatening or abusive. Therefore complaints which are without foundation and/or intended to result in harsh or wrongful treatment of the person subject to the complaint should not be taken forward. However legitimate complaints must be taken seriously.

On receipt of a legitimate complaint we must assess its merits against the necessary standard of spoken English fluency required for the role in question. This should be undertaken through an objective assessment against clear criteria set out in the person specification or the level of fluency descriptors relevant to the job description of the role in question.

If the complaint is upheld we must consider what steps can be taken to meet the fluency duty. This may include training, retraining, redeployment or dismissal

Members of staff who are subject to a complaint under this Code of Practice should be notified and kept fully informed at each stage of the complaints process.

Complaints must be dealt with efficiently and brought to a timely conclusion

We have a duty of care towards our employees and should consider their wellbeing, being mindful of the impact complaints may have. Staff should be provided with appropriate support to protect them against vexatious complaints and ensure that they are not subject to unnecessary fluency testing.

8. What is excluded from this Policy

There are certain types of complaints are not dealt with under the complaints and compliments policy, these include:-

- Requests for a service or provision of information.
- Complaints which are essentially criticisms of or disagreement with approved Council Policy or decisions properly taken.
- Any matter where a right of objection or appeal exists, (such as a grant or refusal of planning permission), unless the complaint relates specifically to the way the matter has been administered.
- Complaints which could reasonably be the subject of court or tribunal proceedings or which need to be referred to the Council's insurers. (For example, action for compensation or personal injury).
- Any matter which falls within the remit of the Council's disciplinary procedure.
- Complaints about the conduct of a Councillor.
- An appeal made under the Freedom of Information Act 2000, or Data Protection 1998.
- An appeal made under the Environmental Information Regulations.

9. Anonymous complaints

Anonymous complaints will be investigated as far as possible and a record of the complaint kept in the council's log. They will be included in the quarterly reporting.

10. Confidentiality

Complaints made to the council will be treated in confidence. Customers who make their complaints public in the media may forfeit their right to anonymity.

11. Compliments Procedure

Comments on methods of improving service delivery or compliments regarding the quality of service provided are always welcome. Please feel free to share your views with our staff/managers in person, by phone, by completing a 'Compliments/Suggestion' form. You may also complete the online 'Feedback' form if you prefer: www.boston.gov.uk/feedback

Compliments and suggestions will be recorded and fed back to the relevant Service/staff and included in the quarterly reporting.

Complaints Action Form Sheet

Appendix A

Complaints Ref No:

Date received at BBC:

Investigating officer:

Date received:

Use this form to document steps you have taken to investigate a complaint. Include details of who you spoke to when, information obtained, any legislation, policy etc.

Please attach copies of all correspondence.

Date	Investigation Details
	<p style="text-align: right;">(please use separate sheet if necessary)</p>

Full answer required by:

Date sent:

Final Action Taken: (please advise if this has been referred for compensation in any way)

Full answer sent to complainant by:

Date sent:

Was the complaint justified?

Suggested actions / lessons learnt:

Signed

Date

Points to remember

If this complaint is not for your department to handle, please send back to the Feedback@boston.gov.uk as soon as possible explaining why it is not your responsibility, so it can be dealt with correctly.

Keep To The Deadlines. The complainant will expect a response within 20 working days. If we don't keep to this deadline, it can make the problem even worse.

In the majority of cases you should contact the complainant to confirm the facts in person. This also makes it clear that we take complaints seriously and may help to reduce any animosity.

Please ensure you keep full notes of investigation completed and attach copies of any correspondence so that if the complainant takes the matter to the Local Government Ombudsman, we can evidence our reasoning. Evidence should be lodged with the Feedback team.

Actions / Lesson learnt – These are important. If we don't learn from our mistakes we will never improve. A brief update on this complaint and lesson learnt will be circulated to Elected Members and Senior Officers on a quarterly basis. Ensure that you document any actions taken and inform feedback@boston.gov.uk

Using the corporate letterhead template

Your Ref: Tel: 01205 314200

Our Ref: Fax: 01205 364604

Date E-mail:

Name and Address

Dear

Re: Complaint

Thank you for your complaint that you have made to the council on **date** as follows:

Summary of complaint

Hints & Tips:

- *Separate the different elements of the complaint by bullet points to ensure all points are investigated and referred to in this letter.*

I am sorry that you have had cause to make a complaint to us. This matter has been passed to me to investigate.

As part of my investigation, I have:-

Outline any actions you have taken (suggested lines of enquiry suggested below):-

- *Discussion with the complainant*
- *Read the records that exist*
- *Interviewed officers of this department*
- *Contacted another organisation (say which)*
- *Examined the council's policies and procedures*
- *Researched the relevant legal background*
- *Information that you have obtained – what and from whom (take care with confidentiality)*

Having done this, I have come to the conclusion that your complaint is enter justified/not justified/partly justified. I will explain now why I have reached this conclusion and what action we are proposing to take.

Enter the reasons for your decision
(Example below to help you)

Problems in your flat

You complain that the council failed to take action to help you with the problems you were having in the privately rented flat you and your children lived in until very recently. You say you made complaints about the condition of the flat, particularly:-

- i. that state of the wiring, gas fitting and plumbing*
- ii. infestation of mice and cockroaches*
- iii. extensive damp*

Having looked at these issues I have found, regrettably, that what you say is correct. Between 12th April and 10 June, when you wrote the letter that started this investigation, there were at least 14 contacts with the council which in different ways raised concerns about your housing situation. Most of these contacts were made by you but your mother, social worker and health visitor also contacted us on your behalf. It appears that no real action was taken as a result of these contacts.

I am particularly concerned that we did not act on:

- a. your reports on the 3 and 4 May that water was dripping on the electric wiring in the flat*
- b. Etc, etc*

Action

Enter in here what will happen next- when, how, who etc

To try and put things right for you we will:-

Hints & Tips:

- List any action points
- Use timescales to advise when action was taken or when it is going to be taken.

Consider if any of the next 3 paragraphs are relevant and include if appropriate

Please accept my sincere apologies for any inconvenience caused to you. Boston Borough Council takes all complaints very seriously and we use this as a learning and development opportunity to improve our procedures and staff development.

If appropriate, apologise for any lost opportunities, time and trouble, discrimination, labelling, prolonged exposure to a situation.

Although, my investigation did not highlight any wrong doing on the Council's part, I am sorry that you had cause to make a complaint. I hope you find that my investigation has assured you thatenter in here what you see fit.

What happens now?

In complex cases, it may be worth giving a provisional conclusion, and giving the complainant 7 days to contact if they wish to add any further information or disagree.

If you are satisfied with the action that we are now proposing to take in response to your complaint, you do not need to contact us. If you are not satisfied, you can come back to us for further clarification or you can refer your complaint to the Local Government Ombudsman who is independent and investigates complaints against local councils.

The Local Government Ombudsman can be contacted at:

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Telephone: 0300 061 0614
Email: www.lgo.org.uk/contactus

Yours [faithfully/sincerely]

[Name]
[Title]

Using the corporate letterhead template

[Date]	Tel:	01205 314200
[Name]	E-mail:	feedback@boston.gov.uk
[Address]	Your	[reference]
	Ref:	
	Our Ref:	[reference]

Dear []

COMPLAINT

Thank you for your complaint received on [DATE] and for taking the time to speak with me on [ENTER DAY/DATE WHEN YOU SPOKE TO COMPLAINANT].

I would like to summarise my understanding of your complaint as follows: -

[ENTER YOUR UNDERSTANDING OF WHAT THE CUSTOMER IS COMPLAINING ABOUT].

I have based my investigation on these facts, however, if you disagree with any of my comments, please do let me know and I will be happy to review my investigation.

You should receive a full response to your complaint on or before [DATE], however in the meantime please do not hesitate to contact me if I can be of any further assistance.

Yours sincerely

Name
Title
Department

THE PROTECTED CHARACTERISTICS UNDER THE EQUALITY ACT 2010

Age

Age includes treating someone less favourably for reasons relating to their age (whether young or old).

Disability

A person has a disability if they has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Race

Race refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins.

Gender Reassignment

The process of transitioning from one gender to another. Gender Identity refers the way an individual identifies with their own gender, e.g. as being either a man or a woman, or in some cases being neither, which can be different from biological sex.

Marriage and Civil Partnership

Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and Maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. Protection against maternity discrimination is for 26 weeks after giving birth. This includes treating a woman unfavourably because she is breastfeeding.

Religion and Belief

Religion has the meaning usually given to it but belief includes religious convictions and beliefs including philosophical belief and lack of belief. Generally, a belief should affect your life choices or the way you live, for it to be included in the definition.

Sex (Gender)

A man or a woman. Treating a man or woman less favourably for reasons relating to their sex.

Sexual Orientation

A person's sexual attraction towards their own sex, the opposite sex or more than one sex.