

Complaints Policy

Introduction

Our corporate values as a council are Fairness, Integrity, Respect, Service and Trust. As such we are focused on improving our services for customers.

We recognise that we will not always get it right, and that complaints are not only a way of customers telling us when they are dissatisfied, but also provide useful information that can help us to improve our services.

This policy sets out how we define complaints as a council, and how we will respond to them. It also includes detail on the monitoring and reporting of complaints and our complaints process.

Where the policy refers to customers this includes both residents and businesses.

What is a Complaint

We define a complaint as “an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the council (council includes staff and contractors) affecting a customer or group of customers.”

A complaint is not a request for service or an enquiry about a service. A request for service may be escalated to a complaint if the complainant considers that the council fails to meet our service standards after receiving the initial enquiry.

Complaints can be placed into one of the following three categories, complaints about our:

- Services
- Policies
- Staff (including contractors)

Certain complaints have their own appeal or complaints procedure, such as penalty charge notices and complaints against elected members. If the complaint falls under such a process the customer will be advised of this and told how it will be investigated.

How you can make a complaint

Complaints can be made to the Council in a number of ways, these include:

- Online
- By email or letter
- By telephone
- In person
- With the assistance of a councillor or a member of staff

How we will deal with your complaint

When dealing with a complaint we will:

- Seek to understand your needs and address your complaint
- Seek to use information from complaints for improvement
- Respond within the time frame agreed or inform you when this is not possible
- Respond in plain language
- Be accessible, allowing any customer to provide feedback by whatever means are appropriate for them
- Record the Complaint

The Council will log all complaints centrally, and the customer will be given a unique reference number when the complaint is recorded.

The Complaints Process

The Council has a two stage complaints process

Stage 1

Wherever possible we will try to resolve the matter that has been raised. After the customer has raised the complaint it will be passed to the relevant Head of Service to investigate and respond to. However, if the complaint is about a Head of Service or Director this will be dealt with by their direct line manager. Any complaint relating to the Chief Executive will be considered by the Monitoring Officer.

We aim to respond to all stage 1 complaints within ten working days. If we are unable to do this we will contact you to let you know the reasons why, and keep you informed of progress.

If the customer is not happy with the response received at stage 1 they have the right to take the complaint to stage 2 for further investigation.

Stage 2

A complaint can be taken to stage 2 using any of the means listed at the section titled “How you can make a complaint”. The customer will need to tell us why they are unhappy with the response received at stage 1.

The Chief Executive will be responsible for the carrying out of an independent investigation and dealing with all stage 2 complaints. Where the complaint relates to the Chief Executive this will be dealt with by the Independent Arbitrator. We aim to respond to all stage 2 complaints within 10 working days. If we are unable to do this we will contact you to let you know the reasons why, and keep you informed of progress.

Local Government Ombudsman

If after having followed our complaints process you are still unhappy, you can contact the Local Government Ombudsman, an independent service set up by the Government to investigate complaints about most council matters. Generally the Ombudsman will not investigate complaints until they have been through the Council’s complaints process first.

Monitoring and Reporting

Complaints will be monitored and reported on a quarterly basis to the Strategic Management Team. Reports will be produced by the Customer Service Manager and will include areas where the council has improved and or changed services as a result of complaints, as well as statistics on satisfaction with complaints, and the number of complaints received and resolved within the agreed timescales. An annual complaints report is provided to Cabinet and published on our website.

Unreasonably Persistent and Vexatious Contact

There are times when a complainant becomes unreasonably persistent or

vexatious. When this happens we will deal with the complainant following the procedure set out in the Unreasonable Persistent and Vexatious Contact Policy.

Privacy Statement

As data controller, Swale Borough Council ensures that processing of information is carried out in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation. Any personal information you provide will be used solely in connection to your complaint and only be shared where necessary in order for your request to be resolved or where there is a legal requirement to do so. The lawful basis which enables the Council to process your data for this purpose is public interest Article 6, paragraph (e) of the UK GDPR. The information will be stored and destroyed in line with the Council's Retention and Deletion Schedule. Please visit the Privacy pages for further information: <https://swale.gov.uk/footer/privacy>