

# IPSWICH BOROUGH COUNCIL'S COMPLAINTS POLICY



**March 2021**

## **Introduction**

Ipswich Borough Council is committed to providing the highest levels of customer service. Any person, group or organisation receiving or seeking to receive a service from the council is entitled to complain, comment or compliment about acts or failures arising from administrative or operational action and know that our procedures are easily accessible and well publicised. This policy sets out how complaints, comments or compliments can be made about council services.

## **Who can complain, comment or compliment?**

Any person, group or organisation receiving or seeking to receive a service from the council or its contractors has the right to complain, comment or compliment. A complaint made by anyone other than the aggrieved party will only be accepted when it is made by a third party on behalf of the complainant and with their permission. This may arise for example in the case of a minor, someone suffering from illness or incapacity. Customers can complain, comment or compliment about any of our services, facilities, venues and staff. Including, all departments and employees, agency staff, contractors and consultants who work for the council.

## **Definitions - complaint, comment and compliment**

A complaint is defined as:

*'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group.'*

The Council is keen to resolve disputes at the earliest possible opportunity and encourages customers to firstly approach the relevant service area as we may be able to resolve the issue without it becoming a formal complaint.

However, if the customer remains dissatisfied or makes it clear that they wish to complain, then the matter will be logged as a complaint. Where a customer does not explicitly use the word complaint, this should not necessarily prevent the Council from identifying it as such.

A complaint can relate to, but is not limited to:

- Failure by the Council to provide an agreed service
- Failure by the Council to respond to a request for a service
- The attitude or conduct of an employee or Councillor
- Failure to follow an agreed procedure

The following are not considered complaints and are not covered by this policy:

- Requests for a service, change or improvement
- Requests for information or an explanation of Council policy or practice
- Investigating a decision where there is a formal right of appeal (such as a planning decision, a parking penalty charge notice or benefit decision).

A complaint is different from a whistleblowing concern, where an individual raises information as a witness about danger, wrongdoing or illegality that affects others. Where this is the case the matter should be raised under the council's Whistleblowing Policy.

A comment is a suggestion or idea about how a function or service provided by the council could be improved.

A compliment is an expression of satisfaction concerning a function or service provided by the council.

### **How to make a complaint, comment or compliment**

These can be made:

- Online: [www.ipswich.gov.uk/contactus](http://www.ipswich.gov.uk/contactus)
- In writing: Customer Services, Ipswich Borough Council, Grafton House, 15-17 Russell Road, Ipswich, Suffolk, IP1 2DE
- In person: Talking to a member of staff at any of our council venues
- By phone: Telephone our Customer Services team on 01473 432000

Social media should not be used to make a complaint.

If a customer makes contact to complain in person, or by phone, they will be directed to complete the complaints online form or to send the complaint in writing. This is to ensure that there is a full audit trail of information captured to allow the Council to follow the complaints procedure, fully investigate and to provide a full response.

### **How complaints will be handled**

Complaints will be handled in accordance with the Council's Complaints Policy and Complaints Procedure which are published on the website.

The Council has nominated Complaint Champions in each service area who are responsible for complaint handling. Complaint Champions will

- Act sensitively and fairly
- Be trained to receive complaints and deal with upset and distressed Customers
- Have access to staff at all levels to facilitate quick resolution of complaints
- Have the authority and autonomy to act to resolve disputes quickly and fairly

### **Where a complaint is upheld**

There will be a written apology and explanation. Where possible the error will be corrected, or the satisfactory service will be provided as a matter of urgency.

Where something has gone wrong the Council will acknowledge this and set out the actions it has already taken, or intends to take, to put things right. Examples of where action to put things right may be required are:

- There was an unreasonable delay
- Inaccurate or inadequate advice, explanation or information was provided to the Customer
- The Council's policy or procedure was not followed correctly without good reason
- There was unprofessional behaviour by staff

Any remedy offered will reflect the extent of any and all service failures, and the level of detriment caused to the Customer as a result. These shall include:

- Acknowledging where things have gone wrong
- Providing an explanation, assistance or reasons
- Apologising
- Taking action if there has been a delay
- Reconsidering or changing a decision
- Amending a record
- Providing a financial remedy
- Changing policies, procedures or practices

Factors that will be considered in formulating a remedy can include, but are not limited to the:

- Length of time a situation has been ongoing
- Frequency with which something has occurred
- Severity of any service failure or omission
- Number of different failures
- Cumulative impact on the Customer
- A Customer's particular circumstances or vulnerabilities

### **Where a complaint is not upheld**

Where a complaint is not upheld there will be a letter of explanation setting out the reasons for rejecting the complaint. The complainant will be advised that if they are unhappy they have the right to contact the relevant Ombudsman.

### **Local Government & Social Care Ombudsman**

The Local Government & Social Care Ombudsman looks at complaints about Councils and some other authorities and organisations. It is a free service. Their job is to investigate complaints in a fair and independent way. Contact details for the Ombudsman that deals with Ipswich Borough Council are:

- By phone: 0300 061 0314
- In writing: PO Box 4771, Coventry CV4 0EH
- Online: [www.lgo.org.uk](http://www.lgo.org.uk)

### **Housing Ombudsman**

The Housing Ombudsman looks at complaints involving the tenants and leaseholders of social housing landlords and other housing organisations registered with them. The service is free, independent and impartial. Contact details are:

- By phone: 0300 111 3000
- In writing: Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ
- Online: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

### **Managing unacceptable behaviour**

As part of the Council's commitment to engage with the community and our customers the Council does not normally limit the amount of contact any customer may have with the Council through its councillors or its employees. However, a very small minority of customers' own conduct can cause problems in certain circumstances, which can impact upon the provision of service to others or upon employees and councillors. For example, some customers make complaints vexatiously or persist unreasonably with their complaints or issues or make unwarranted or unsubstantiated complaints or demands rather than genuinely seeking to resolve a grievance or other issues.

The Council recognises that it is important to distinguish between people who make a number of complaints because they genuinely believe things have gone wrong on more than one occasion, and people who are simply being vexatious. The Council acknowledges that complainants will often be frustrated and aggrieved if they have received a poor-quality service or where things have simply gone wrong, and as a consequence it is important that the Council recognises that the merits of their case should be considered, rather than just their attitude or behaviour.

Any restrictions placed on a Customer's contact due to unacceptable behaviour will be appropriate to their needs and demonstrate regard for the provisions of the Equality Act 2010.

## **Equality and diversity**

The Council values diversity and is committed to promoting equality of opportunity to ensure all residents are treated fairly.

The Council's Equality & Diversity Policy sets out our approach to promoting and upholding the principles of equality, diversity, fairness and inclusion.

The Council is committed to promoting equality by ensuring equal access to our complaints procedure, including making reasonable adjustments to allow for flexibility in the procedure to accommodate an individual's need. For example:

- If a Customer requires assistance to take forward their complaint, they can appoint a representative to deal with their complaint on their behalf (verification will be sought before the complaint is investigated)
- Any individual representing or assisting a Customer with a complaint can accompany them at any meeting with the Council if a meeting is required to consider the complaint
- If a Customer requires assistance with their complaint but don't have anyone to help them, they can let the Council know and the Council will assist with trying to find them an advocate.
- If the above options are unsuitable in meeting the Customers' needs and they still require assistance with logging their complaint, they can let the Council know by contacting Customer Services on 01473 432000.

## **Processing of Personal Data**

By submitting a complaint, the Customer is consenting to the Council processing and storing their data in accordance with the General Data Protection Regulations. The Council will retain their information for three years and may pass their details to other departments within the Council in order to investigate the complaint. We will not share a Customer's data with any third parties unless permitted to do so by law such as the Ombudsman.

For further information about how we use personal data, including someone's rights as a data subject, please see our privacy statement on the Council website. Our Data Protection Officer can be contacted at [data.protection@ipswich.gov.uk](mailto:data.protection@ipswich.gov.uk).

## **Communicating the policy**

The complaints, comments and compliments policy will be clearly communicated and accessible. The policy will be published on our website and copies available at our venues.