

Corporate Complaints Procedure

Introduction

The Council is committed to providing the best possible service it can. If we fail to do this, we want to know about it so that we can deal with the specific problem and take steps to avoid it happening again so that we can improve our services.

We will try to resolve most complaints on an informal basis at the first point of contact but this procedure explains how you can take up matters formally through the Council's **Corporate Complaints Procedure** if you think the service you have received from the Council is unsatisfactory.

What is a complaint?

For the purpose of this procedure, the Council accepts the definition by the Local Government and Social Care Ombudsman:

“An expression of dissatisfaction by one or more members of the public about the Council’s action or lack of action or about the standard of service, whether the action was taken or the service provided by the Council itself or a person or body acting on behalf of the Council”.

The Council's complaints procedure is not intended to be used to obtain compensation payments. The Council may however offer a payment if the complainant is out of pocket as a result of an upheld complaint and, if a complaint is upheld by the Council, it will consider making a "time and trouble" payment, in line with Ombudsman recommendations.

Is this the right procedure for my complaint?

The Corporate Complaints Procedure deals with all complaints where there is not a separate specific or legal procedure to deal with the matter.

By law, the Council has to consider complaints about the following matters under separate procedures set by the Government:

- Complaints about social care issues relating to children
- Complaints about social care issues relating to adults
- Complaints against County Councillors should be e-mailed to codeofconduct@lancashire.gov.uk

The Council also has specific procedures to deal with complaints about the following:

- Street lighting

**(Approved and last updated by the Urgency Committee, 4 June 2019
Owner – Angela Esslinger, Legal & Democratic Services)**



- Highway defects
- Public rights of way obstructions, defects and certain legal orders
- Public transport services
- Quality of goods you have purchased from a shop or trader (Trading Standards)

We cannot deal with:

- Complaints about schools – these should be referred directly to the school
- Any matter on which you have commenced legal action against the Council which also includes abandoned matters.
- Complaints from County Council employees (or ex-employees) and their representatives in respect of matters relating to their employment or pension
- Complaints about issues covered by a separate appeals procedure, for example Penalty Charge Notices (PCNs).
- Complaints about data protection or other information governance issues which are within the remit of the Information Commissioner

Complaints received anonymously will be recorded and considered where the Complaints Manager feels that this is appropriate, but action may be limited if there is insufficient information available to enable a full investigation to take place.

Delays

It becomes increasingly difficult to ensure a fair investigation after a period of time has elapsed since the original incident occurred. Complaints will therefore not be investigated after a period of 12 months has elapsed from the incident which gives rise to the complaint or after the person becomes aware of the matter which gives rise to the complaint.

Outcomes

The aims of the Corporate Complaints Procedure are:

- to assist the Council in providing a customer focussed service
- to provide a fair, effective, transparent and structured means to investigate complaints or concerns about service delivery promptly and, where we are at fault, to put things right
- to make sure that complaints are dealt with consistently throughout the Council to encourage constructive feedback
- to help us improve our services and encourage best practice by all staff
- to increase customer satisfaction in Council services and in the way we handle feedback

**(Approved and last updated by the Urgency Committee, 4 June 2019
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How to make a complaint

We have tried to make this procedure as accessible and straightforward as possible. Customers can contact us about their concerns in many different ways.

- in person at any of our offices
- by telephone through our Customer Access Centre: 0300 1236720
- by email sent to: complaintsandfeedback@lancashire.gov.uk
- by completing the [on-line form](#) on the LCC website
- by letter to:

Complaints and Appeals Team
Lancashire County Council
Christ Church Precinct
County Hall
Preston PR1 8XJ

Please ensure that any communication contains:

- Your full name
- Your postal address
- The date (where possible) and details of the complaint
- The service concerned where possible

A template for reporting your complaint can be found at the end of this document.

Our investigations into your complaint will be thorough and unbiased, will be completed within strict timescales unless otherwise agreed with you and your confidentiality will be respected as far as possible.

What is a complaint?

The Complaints and Appeals Manager is responsible for all council complaints and will decide what issue to treat as a corporate complaint and at what level. The appropriate Head of Service or Director for the service to which the complaint relates, will act as the Council Designated Complaints Officer for the complaint, dependant on the severity of the complaint.

The first reports of any defect / incident / fault will always be considered as "business as usual". Requests for service, including complaints about defects in infrastructure for which the Council has responsibility, are also regarded as a routine and are therefore not regarded as complaints. These should be reported via the '[Love Clean Streets](#)' app or through the customer access centre. If such requests are received within the Complaints Team, the customer will be responded to promptly and within 3 working days, providing contact details of the Council team responsible for the service delivery.

**(Approved and last updated by the Urgency Committee, 4 June 2019
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The Complaints Team will consider all expressions of dissatisfaction to decide on the appropriate action to take in each case. Issues will be promptly acknowledged and responded to within 20 working days and if it is believed that fault lies with the Council, these will be progressed to 'informal complaints' (and a reference number will be provided). This means that even if an email or letter states 'formal complaint', it does not necessarily mean that the Council will treat the issue in this way.

Unless the expression of dissatisfaction can be resolved to your satisfaction informally, the following process will be followed:

Stage 1 - Investigation

- The complaint will be formally acknowledged by the Council within 3 working days.
- It will be recorded on the Council's electronic complaints management system.
- The appropriate manager for the service / staff member to which the complaint relates will investigate and respond to the complaint.
- In exceptional circumstances, where the issues raised are more complex and will take more than 20 days to investigate, we will let you know why we need more time, provide you with a progress report within the initial 20 working day period, and inform you of when we believe it will be possible to let you have a full response.

We hope that the Stage 1 response to your complaint will resolve your matter to your complete satisfaction. However if you still remain dissatisfied with your response, you may ask for your complaint to be escalated to Stage 2 in the process.

Stage 2 – Consideration by Head of Service

- The appropriate Head of Service or Director of the service to which the complaint relates, will act as the Council Designated Complaints Officer for the complaint
- A senior manager who has not previously been involved with your complaint will examine the reasons for your continued dissatisfaction and carry out a full review and if necessary, further investigate your complaint. You will be sent a comprehensive reply within 20 working days of when you escalated your complaint to Stage 2.
- In exceptional circumstances, where the issues raised are more complex and will take more than 20 days to investigate, we will let you know why we need more time, provide you with an update within the initial 20 working day period, and inform you of when we believe it will be possible to let you have a full response.

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What if you are still unhappy with the response you receive?

We hope to resolve your complaint to your satisfaction. However, if you are still not happy after both stages of the procedure have been completed, you can ask the Local Government and Social Care Ombudsman, an independent 'watchdog', to investigate your complaint. Details of how to do that will be included in your Stage 2 response. The Ombudsman's contact details are as follows:

Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH
Telephone: 0300 061 0614

e-mail: advice@lgo.org.uk

The Ombudsman will expect you to have given the Council the opportunity to resolve your complaint through its own procedures before it will investigate.

Management Information

Lancashire County Council uses complaints and customer feedback to improve services and ensure that lessons are learnt. Complaints are therefore monitored and reported on monthly, quarterly and annually, so that best practice is disseminated throughout the Council.

We ensure that:

- Every complaint is logged
- Progress is monitored
- An annual report on Corporate Complaints is produced for review by senior managers every financial year
- The Corporate Complaints Annual Report is considered by County Councillors, so that any actions and recommendations are endorsed and communicated across the Council.

Complainants have the option to record information about gender, age, ethnicity and disability. This information is used to ensure that our complaints process is accessible to all groups of customers.

Management of unreasonable complainant behaviour

There are a small number of complainants who pursue their complaints in ways that are unreasonable and /or who take up an unwarranted amount of Council resources.

In such circumstances, the Council may choose to apply its policy on the management of unreasonable complainant behaviour, which has been drawn up in

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line with guidance issued by the Local Government and Social Care Ombudsman. Such action is very rare and not taken lightly and complainants will be informed before any restrictions are applied to them in order that they might moderate their behaviour.

Interpretation

The Complaints and Appeals Manager for the Council will determine any issue relating to the interpretation of any provision in this procedure



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Date of Completion

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