

COMMENTS & COMPLAINTS PROCEDURE

AGENDA ITEM No. 22

MEETING: POLICY & RESOURCES COMMITTEE

DATE: 23 OCTOBER 2019

REPORT BY: MANAGEMENT TEAM

1.0 Purpose of the Report

1.1 The purpose of the report is to provide the Comments and Complaints Procedure for Members consideration and approval.

2.0 Background

2.1 The Review Sub-Committee considered this policy at the meeting held on 9 October 2019.

3.0 Current Situation

3.1 The changes to the Comments and Complaints policy are the inclusion of Private & Confidential as well as a Data Protection Statement on the actual complaint form.

3.2 GDPR requires that the Council undertake a Privacy Impact Assessment (PIA) to ensure that any personal data provided and then held by the Council is done so in a reasonable and secure manner.

4.0 Impact on Great Aycliffe Town Council.

4.1 Having up to date and robust policies and procedures assist the Town Council with its corporate responsibilities.

5.0 Policy Implications

5.1 Conforms to assisting the delivery of the following council aims.

Aim 1 "To provide good quality governance and management of the Council".

6.0 Staffing Implications

6.1 None.

7.0 Financial Implications

7.1 None.

8.0 Crime and Disorder Implications

8.1 None.

9.0 Equal Opportunities Implications

9.1 None

10.0 Environmental Implications

10.1 None.

11.0 Risk Assessment

11.1 It is not considered that the matters contained in this report pose a risk to health and safety of staff or to the financial or public standing of the Council to a degree that a risk assessment should be appended to this report.

12.0 General Data Protection Regulations (GDPR)

12.1 Is any personal or sensitive data required for this proposal which may have any implications for GDPR? **YES**

12.2 A Privacy Impact Assessment has been appended to this report which has considered the relevant impact on privacy matters and how these will be dealt with.

13.0 Recommendation

It is recommended that Members:-

13.1 consider the report and approve the Comments and Complaints Procedure.

Great Aycliffe Town Council



Comments & Complaints

Author of Policy:

Chrissy Walton Corporate & Policy Officer

Policy Effective from:

March 2008

Revision Dates:

April 2011

C. Walton, March 2012

C. Walton, March 2013

C. Walton, March 2014

Review Sub Com Oct 2016

Review Sub Com Sept 2019



COMMENTS & COMPLAINTS PROCEDURE

Introduction

Great Aycliffe Town Council wants to provide excellent quality services for the residents of Great Aycliffe. But things can sometimes go wrong. If they do, we need to know so we can put them right and learn from them.

The Town Council sees all customer comments and feedback as a good way of evaluating its services. Complaints and comments are an important part of this process and help us to learn and develop. The Town Council aims to use this information to help drive improvements forward.

Equalities

The Town Council aims to ensure that all written communication and forms are clear, concise, simple to understand, jargon-free and available in larger print if required.

Great Aycliffe Town Council is committed to the removal of all barriers preventing access to our services arising from - Age; Disability; Gender Reassignment; Marriage & Civil Partnership; Pregnancy & Maternity; Race; Religion & Belief; Sex or Sexual Orientation.

Our Promises to you

- You will receive a prompt, courteous and efficient service;
- You can expect a full and fair investigation of your comment or complaint;
- We will be happy to explain procedures to you if you are unsure about anything;
- Your confidentiality will be respected at all times;
- Your personal information will be kept in line with Data Protection;
- You will be kept informed of progress and the outcome of your complaint, as outlined below;
- We will make it easy for customers or those acting on their behalf to make a complaint or pass on comments about a service;
- We will try to resolve complaints, put things right where appropriate and take any action necessary to prevent recurrence as soon as practicable;
- We will monitor comments and complaints and provide feedback to Service Heads and Members so that trends are highlighted and can be taken into account when decisions are made.

What is a complaint?

A complaint is an expression of dissatisfaction with a response, a lack of response, the standard of service you have received or disrespect from a council employee that cannot be resolved through the normal day to day operational processes of the service involved.

A complaint can only relate to a service that the Council already provides. It can not relate to requests for new services or services provided by other local authorities. However, information provided may highlight gaps in service provision that may be relevant to future consideration and should be recorded and actioned as a comment.

The following list is a guide to the range of complaints which are covered by this Complaints Policy:

- Failure to provide a service or to achieve an acceptable standard.
- Issues regarding the attitude of staff and or their actions, or lack of actions.
- Dissatisfaction with the manner in which council policy and procedure has been carried out.
- Discrimination.

What is not a complaint?

The following are excluded from this Complaints Policy:

- A request for service
- A request for information or an explanation
- An insurance claim against the Council
- Criticism of Council policy
- A matter which is, or may be, the subject of court or tribunal proceedings

Compliments and Comments

Compliments - Thanking the Town Council for something done, or done particularly well.

Comments - We recognise that sometimes members of the public simply want to register a comment about a council service, and do not wish to pursue a complaint. In this case we will ensure a record of the comment is maintained and appropriate action is taken on the comment. Where compliments/comments are received by the Council an acknowledgement will be communicated within 3 working days. They will be forwarded to the appropriate Service Manager or Officer.

What do I do if I am unhappy with one of your services?

You can complete the complaints form on the following page. We will send you an acknowledgement and inform you who is dealing with your complaint within three working days of receiving your completed complaint form.

Alternatively you can make your complaint to the service manager in writing giving details regarding your complaint.

There are three stages to the Council's complaints procedure:

Stage One

Your complaint will be acknowledged within three working days of contacting us and forwarded to the service manager who will investigate your complaint and reply to you within ten working days.

If you are unhappy with the service manager's reply you can appeal to the Corporate & Policy Officer, or in her absence the Finance Manager, which leads to Stage Two.

You may choose to appeal because:

- you think a finding or penalty is unfair
- additional new evidence comes to light – hearsay or unsubstantiated cannot be accepted
- you think a procedure was not used correctly

Stage Two

We will let you know that we have received your appeal within three working days of you contacting us. The Corporate & Policy Officer, or in her absence the Finance Manager, will investigate and reply to you within fifteen working days.

Appeals will initially be heard by a Senior Officer, who will not have been involved with the complaint, who will determine if there is a **valid reason for appeal**.

If the Senior Officer determines there is **no valid reason for the appeal** there is no further right of appeal at this stage.

The initial appeal will be either upheld or dismissed.

You have a right of appeal, if you are still not satisfied with the outcome of the investigation. However, you may only appeal because:

- you think a finding or penalty is unfair
- additional new evidence comes to light – hearsay or unsubstantiated cannot be accepted
- you think a procedure was not used correctly

Appeal

You may appeal to the Council's General Appeals Sub-Committee, whose Members are drawn down from the Personnel Sub-Committee, who will consider the evidence, based on the criteria set out above, and provide a final response. This will be the final decision and the case will be closed. There is no further right of appeal.

How do we make sure everyone is treated fairly?

We recognise and value all of the people in Great Aycliffe and want to make sure that everyone can use the complaints system. We want to make sure we treat you fairly when making any complaint about us.

To help us treat you fairly we ask you to tell us your sex, age, ethnic origin and if you are disabled. If you are using the complaint form, these questions are included although not compulsory.

The information you give is confidential. We only use it to check that we treat all groups of people fairly and we do not discriminate against you.

If part of your complaint is about equal opportunities or discrimination, please tell us. We will make sure we look into that for you.

Vexatious/Repetitive Complaints

The Council may choose to give a decision on a complaint, without a formal investigation, where it considers the complaint to be deliberately vexatious or repetitive.

How can I complain?

You can complete the complaints form (see below) giving us full details of the service you are complaining about.

If you would like to talk to someone or send a written complaint by post and are unsure who to contact please telephone the Council Offices on 01325 300700 where someone will be able to assist you.

Please return completed forms to:- Great Aycliffe Town Council, FAO Senior Administration Officer, Council Offices, School Aycliffe Lane, Newton Aycliffe, Co. Durham DL5 6QF.

COMMENTS AND COMPLAINT FORM

PRIVATE & CONFIDENTIAL

YOUR CONTACT DETAILS:

NAME: _____

ADDRESS: _____

POSTCODE: _____ **TELEPHONE NO:** _____

E-MAIL ADDRESS: _____

ABOUT YOU (optional)									
	Male / Female			Do you have a disability?			YES / NO		
	<u>Age</u>								
	Under 12	<input type="checkbox"/>	20-29	<input type="checkbox"/>	40-49	<input type="checkbox"/>	Over 60	<input type="checkbox"/>	
	12-19	<input type="checkbox"/>	30-39	<input type="checkbox"/>	50-59	<input type="checkbox"/>			
	<u>What is your ethnic group ?</u>								
	Asian British	<input type="checkbox"/>	Mixed White and Asian	<input type="checkbox"/>					
	Asian Bangladeshi	<input type="checkbox"/>	Mixed White and Black	<input type="checkbox"/>					
	Asian Indian	<input type="checkbox"/>	Mixed Asian and Black	<input type="checkbox"/>					
	Asian Pakistani	<input type="checkbox"/>	Chinese	<input type="checkbox"/>					
	Black African	<input type="checkbox"/>	White Irish	<input type="checkbox"/>					
	Black British	<input type="checkbox"/>	White British	<input type="checkbox"/>					
	Black Caribbean	<input type="checkbox"/>	Other	<input type="checkbox"/>					

DETAILS OF YOUR COMMENT OR COMPLAINT				
<u>Which service are you contacting us about?</u>				
	Sports Complex	<input type="checkbox"/>	Open Spaces	<input type="checkbox"/>
	Golf	<input type="checkbox"/>	Sports	<input type="checkbox"/>
	Parks	<input type="checkbox"/>	Pre-Schools	<input type="checkbox"/>
	Cemeteries	<input type="checkbox"/>	Events	<input type="checkbox"/>
	Allotments	<input type="checkbox"/>	Other	<input type="checkbox"/>
<u>What is your comment or complaint?</u> Please provide details.				
<p>Data Protection</p> <p><i>The data collected on this form will only be used for administrative purposes. The data will not be disclosed to any other organisation. Both electronic and paper records will be deleted or shredded when no longer required. If you have any questions about the personal information that we hold about you or wish to exercise your relevant rights under the GDPR, please contact The Data Information Officer, at the Council Offices, School Aycliffe Lane, Newton Aycliffe, Co Durham, DL5 6QF, or by email at info@great-aycliffe.gov.uk. You can view our full privacy notice at www.great-aycliffe.gov.uk/council-democracy/data-protection.</i></p>				

**PRIVATE & CONFIDENTIAL
GREAT AYCLIFFE TOWN COUNCIL
APPEAL FORM**

**To: Town Clerk
Great Aycliffe Town Council
Council Offices
School Aycliffe Lane
Newton Aycliffe
Co Durham
DL5 6QF**

Name:

Address:

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RE: APPEAL AGAINST: (Please provide details below)

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Reason for the appeal: (please highlight reason and provide details below)

- The finding or penalty is unfair
- New evidence has come to light
- The procedure was not used correctly

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Signature:

Date: