

# Corporate Complaints Procedure

## What is the Corporate Complaints Procedure?

The Corporate Complaints Procedure is a two-stage process intended for the investigation and resolution of complaints.

At both stages, acknowledgment should be issued within three working days of receiving the complaint.

Stage one is usually carried out by the manager responsible for the service being complained about. The target timescale for response at stage one is up to ten working days from the date of receipt of the complaint, with a maximum of twenty working days. If resolution is not achieved at stage one, the complainant may request consideration of the matter at stage two. If the matter has already been the subject of correspondence with a Director or Cabinet Member this will usually be considered to be the equivalent of stage one.

Stage two is a review for the Chief Executive, usually carried out by an officer independent of the service being complained about. If a review of a professional judgment is required, this may have to be carried out by a suitably qualified manager within the service. A report and recommendations are produced. These are shared with the relevant Executive Director or Director before being passed to the Chief Executive. The Chief Executive sends a formal response to the complainant. The target timescale for this stage is twenty working days.

If resolution is not achieved at stage two, the complainant has the right to ask the Local Government Ombudsman to investigate the Council's handling of the matter.

The Corporate Procedure will not be used for matters which should be dealt with using other procedures, such as; the statutory complaints procedures for Adult Social Care and for Children's Social Care; personnel procedures such as grievance or disciplinary procedures; appeals; or other alternative procedures. ALL complaints about staff conduct which do not appear to reach the threshold for disciplinary procedures will be dealt with under the Corporate Procedure.

Complaints can be made in person, by phone, email, letter, or online form. Visit our website for further details on how to [make a complaint](#).

The corporate complaints procedure is centrally managed by the Customer Relations Team (CRT). The CRT is responsible for recording the complaint, ensuring it is passed to the correct person to respond, and monitoring and recording the progress of the complaint. The CRT also advises customers and staff about the operation of the complaints procedures.

## **What is a complaint?**

The Council's definition of a complaint is:

***"A complaint is an expression of dissatisfaction, however made, about the standards of service, actions or lack of action by the County Council or its staff, affecting an individual customer or group of customers"***

However, in some circumstances, dissatisfaction will not be dealt with using the complaints procedure. These include:

### **Early resolution:**

The Council's preference is to resolve concerns quickly as soon as they are known about. Where resolution is achieved by the end of the next working day, the matter will not be recorded as a complaint.

### **Matters not previously notified:**

If the concern is about something the Council did not previously know about and which is not covered by statute or by published commitments such as the Customer Service Standards, it may be dealt with as a fault report or a service request if appropriate.

### **Matters more than one year old:**

Unless these matters concern delays by the Council, or where the complainant did not have proper opportunity to bring the complaint earlier

### **Matters considered by the Courts:**

Some issues can only be considered by the Courts; in which case the Council will not be able to consider them as a complaint.

### **Reviews of responses to Freedom of Information requests or Data Rights Requests:**

Complaints that requested information has not been supplied or other complaints of fault in the way these requests have been dealt with will be reviewed by a senior manager or a solicitor. The Council's final response will be issued within the appropriate timescale. If the customer remains dissatisfied, they will be referred to the Information Commissioner.

### **Complaints about breaches of Confidentiality (Data Breaches):**

Complaints about data breaches will be investigated by the Data Protection Team. The Council's final response will be issued within 20 days. If the customer remains dissatisfied, they will be referred to the Information Commissioner.

### **Claims for damages:**

These will be referred to the Council's Litigation and Insurance team.

### **Matters affecting all or most people in the area:**

For instance; allegations that the Council has wasted public money; or objections to a Council policy with which the objector does not agree, but which has been properly introduced and where the objector is unable to demonstrate a disproportionate effect on him/herself in comparison with most other people affected. Concerns of this type will usually be referred to the relevant Cabinet Member for their attention.

### **Complaints about the conduct of Elected Members (County Councillors):**

There is a separate procedure on how to [complain about a councillor's conduct](#).

### **Representations:**

Where a person is not eligible to make a complaint (for instance where they are deemed not to have 'sufficient interest' under the statutory social care procedures) but they are raising an issue which requires a response, this will be recorded as a representation. The timescales for responses to Representations will be the same as those for stage one complaints.

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