

Whole Authority Complaints Policy / Procedure



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1. Introduction

1.1 We want to ensure that you are satisfied with our services. We have a policy for managing your complaints if you are not happy with our services. We will seek speedy resolutions and provide mediation between customers and staff. We will listen to and respond to feedback from customers and act to implement improvements to our service. We embrace the Local Government & Social Care Ombudsman (LGSCO)'s principles for effective complaint handling, including consideration of some of their best practice Code that was introduced in February 2024:

- Accessibility – the policy is well publicised, easily accessed and understood
- Communication – effective, timely communication between all parties
- Timeliness – We aspire to provide resolution within 10 working days, but it can take up to 20 working days if a complex matter.
- Fairness – dealt with in a proportionate, open-minded and impartial way considering the Ombudsman's best practice Code
- Credibility – effective leadership to ensure complaints and learning has a high profile
- Accountability – managed in a proper and open way

1.2 We will always try to resolve things that go wrong quickly, and to give customers the best possible outcome. We aim to achieve this on an informal basis. So, as a first step, the customers should talk to staff at the point of service delivery to try to reach an informal agreement. We can also try to resolve any concerns informally but, failing this, we can provide advice on how to make a formal complaint. We will seek to achieve this through the following key aims and objectives:

- Creating a culture of learning and improvement;
- Providing customers lots of ways to give feedback;
- Leadership in sharing lessons across the council;
- Reach the optimum resolution or outcome;
- Resolve the problem quickly if possible;
- Observe the best practice guidance of the Ombudsman's Code and not obstruct the complainant from contacting them.

2. Scope of this Policy

2.1 Effective complaint handling enables individuals to be heard and understood. The starting point for this is a shared understanding of what constitutes a service request and what constitutes a complaint. In most cases organisations should be able to put things right through normal service delivery processes.

2.2 The Ombudsman's Code provides a clear definition separating a service request from a formal complaint. We have adopted this as part of Dorset Council's Complaints Policy.

2.3 A **service request** may be defined as: ***“a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision”***. This provides



organisations with opportunities to resolve matters to an individual's satisfaction before they become a complaint.

2.4 A complaint may be 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 of individuals”***. An individual should not have to use the word ‘complaint’ for it to be treated as such. A complaint that is submitted via a third party or representative should still be handled in line with the organisation's complaints policy.

2.5 **What issues are outside the scope of this policy?** We will usually consider complaints under this policy, however there are some exceptions to this policy which include:

- Complaints about [adult's](#) and [children's](#) social care (which are managed via the [Adults Social Care](#) and [Childrens Social Care](#) policies).
- Claims for financial compensation and insurance claims
- A routine first-time request for a service
- Complaints about the conduct of Councillors
- Complaints about schools or academies
- Complaints where there is a statutory right of appeal such as Special Educational Needs (SEN), School Admissions, entitlement to School Transport, Council Tax, Non – Domestic Rates, Blue Badges, Housing Benefit, Planning
- Housing Benefit (including discretionary housing payment decision), housing allocations or homeless applications
- Matters subject to any arbitration process
- Staff disciplinary matters and grievances
- Legal matters or issues that have already been heard by a court/tribunal
- Police matters
- Safeguarding matters
- Freedom of Information matters
- Claims relating to inaccurate personal information
- Policy decisions made by the Council's Executive
- Penalty Charge Notices (PCN's)
- An attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
- complaints about services that are not the responsibility of Dorset Council
- Matters that are over 12 months old unless there are exceptional circumstances

3. How will we deal with a complaint?

3.1 Upon receipt of your complaint we will investigate the issues in order to fully understand and attempt to resolve matters where possible. If the council has done something wrong, we will apologise and try to put things right. We will also consider if, and how, we can improve things to ensure that similar problems do not happen again through proactively learning from complaints. For example, we could provide an explanation or information, review a policy or procedure, provide training and guidance for employees.



3.2 If you should need help in making your complaint, please see www.dorsetcouncil.gov.uk or contact your local council office who will be able to advise you.

3.3 We will try to resolve things that go wrong quickly, and to give customers the best possible outcome. We aim to achieve this without the need for a formal complaint if it is deemed to be a service request. We refer to this as “**informal local resolution**”.

3.4 If your concerns cannot be immediately resolved or they are not considered a service request, we will register them within the complaints procedure as a **formal complaint**. Complainants will be asked to provide all the relevant information about them and their complaint, so it can be dealt with. All information received by email, letter, telephone or online form will be recorded in line with our data protection policy. Within the first 3 working days of the council receiving the complaint we will send an acknowledgement to the customer. The team manager will investigate your complaint. We will aim to respond to all formal complaints within 10 working days of the submission date, in-keeping with the Ombudsman’s best practice code. However, complainants should be aware that it can take up to 20 working days and we will provide the Ombudsman’s details in our acknowledgements in case investigations exceed these timescales.

3.5 As part of our investigations we may need to clarify any aspects of the complaint we are unclear about, and aim to:

- deal with complaints on their merits,
- act independently, and have an open mind
- give the individual a fair chance to set out their position;
- take measures to address any actual or perceived conflict of interest; and
- consider all relevant information and evidence carefully.

3.6 Complaints should be made within 12 months of the incident that is subject to the complaint. The consideration of whether to consider a complaint outside of this 12 month window will be at the discretion of the Council, where there are reasonable grounds for a delay.

4. What if I remain dissatisfied with the outcome of the complaint?

4.1 We try to resolve most complaints internally, but if you are still unhappy you can refer your complaint to the Local Government Ombudsman (LGSCO), who will carry out an independent review. The LGSCO will not normally accept a complaint which has not been considered under the council’s internal process first.

4.2 Dorset Council take complaints very seriously and believe that the investigations and responses should be robust and fit for purpose without the need for further attempts at it, or second chances to get it right. We recognise and respect the Ombudsman’s code of best practice, and the advice that local authorities should have a 2nd stage. However, Dorset Council have decided against the second stage for the reasons noted above, and the reiteration of a final position as a superfluous step does not help resolve the complaint and can cause further delay and dissatisfaction. Instead if complainants are unhappy with the outcome of their complaint (which the Ombudsman would refer to



as a Stage 1), they may then take the complaint and response to the Ombudsman without a second stage. Dorset Council's Complaints process remains a single stage process as agreed in Scrutiny Committee July 2021.

- 4.3 In-keeping with the LGSCO's code, you may also approach them if you have not had a response within 20 working days:

Local Government and Social Care Ombudsman PO Box 4771

Coventry

CV4 0EH

Advice line: 0300 061 0614 or 0845 602 1983

www.lgo.org.uk/making-a-complaint

5. Unreasonable Behaviours

- 5.1 We will try to resolve things that go wrong as soon as possible, and to give customers an outcome that they are satisfied with. However, if a customer behaves in an unacceptable manner, or is unreasonably persistent, we may decide to restrict the ways that they can deal with us or refuse to consider further complaints about the same matter. For example, if a customer makes multiple complaints about the same matter, or if their complaint has been considered and found to be unjustified but they are not prepared to accept this conclusion.
- 5.2 In such circumstances, the council will consider evidence available including how we have responded to the complaint and if necessary, can decide that the complaints are vexatious and unduly time-consuming. We may then decide to restrict access, giving the customer a single named point of contact with the council, or refuse to consider any further complaints about the same matter, unless any significant new information is provided.
- 5.3 We will inform the customer about this, explaining why the decision has been taken, what restrictions will be applied, for how long, and how the complainant may appeal against such a decision in accordance with the Council's [Managing Customer Behaviour Protocol](#).

6. Compliments and feedback

- 6.1 We value our staff and it is important to us that they know when they have done a good job or exceeded expectations. Once received, they are recorded and then fed back to the relevant team member. We also like to receive feedback on our services which is helpful in making improvements and amendments as necessary. As a learning organisation we welcome all feedback.

7. Further Information



7.1 If you would like further information, please contact:

Complaints Team

Dorset Council County Hall Dorchester DT1 1XJ

Tel: 01305 221061

Email: complaints@dorsetcouncil.gov.uk

Webpages www.dorsetcouncil.gov.uk

Policy Owner: Tony Bygrave, Complaints Manager

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