

Maidstone Borough Council

Complaints Policy

1. Introduction

1.1. One of our key corporate values as a council is superb customer service; as such we are focused on improving our services for customers. We recognise that we will not always get it right and complaints are not only a way of customers telling us when they are dissatisfied but also provide useful information that can help us to improve our services. This policy sets out how we define complaints as a council and how we will respond to them. It also includes detail on the monitoring and reporting of complaints and our complaints process. Where the policy refers to customers this includes both residents and businesses.

2. What is a Complaint

- 2.1. We define a complaint as “a formal expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the council (council includes staff and contractors) affecting a customer or group of customers.”
- 2.2. A complaint is not a request for service or an enquiry about a service. A request for service may become a complaint if the council fails to meet our service standards after receiving the initial enquiry. In some areas such as parking tickets we have a separate appeals process. If your complaint falls under this process you will be advised of this and told how it will be investigated.
- 2.3. Complaints can be placed into one of the following four categories, complaints about our:
- 1) Services
 - 2) Policies
 - 3) Administration; and
 - 4) Staff (including contractors)

3. How you can make a complaint

3.1. Complaints can be made to the Council:

- In person
- By telephone or fax
- By letter or email
- Online
- Through a councillor
- Through a representative
- With the assistance of a member of staff

4. How we will deal with your complaint

4.1. Recording the Complaint

The council will log all complaints centrally and you will be given a unique reference number when the complaint is recorded.

4.2. The Complaints Process

The Council has a two stage complaints process

Stage 1

Wherever possible we will try and resolve your complaint. After you have raised the complaint it will be passed to the relevant Head of Service to respond to, if the complaint is about a Head of Service this will be dealt with by their direct line manager. All stage 1 complaints will be responded to within 10 working days. If we are unable to do this we will contact you to let you know the reasons why and keep you informed of progress. If you are not happy with the response received at stage 1 you have the right to take the complaint to stage 2 for further investigation.

Stage 2

The Head of Legal Services will be responsible for carrying out an investigation and dealing with all stage 2 complaints. All stage 2 complaints will be responded to within 20 working days. If we are unable to do this we will contact you to let you know the reasons why and keep you informed of progress. You can request a complaint be taken to stage 2 using any of the means listed at section 3.1. You do not have to submit your request in writing, but you do need to tell us why you are unhappy with the response received at stage 1.

Local Government Ombudsman

If after having followed our complaints process you are still unhappy you can contact the Local Government Ombudsman, an independent service set up by the Government to investigate complaints about most council matters. The Ombudsman will not investigate most complaints until they have been through the Council's complaints process.

4.4. When dealing with a complaint we will:

- Seek to understand your needs and address your complaint
- Seek to use information from complaints for improvement
- Respond within the time frame agreed or inform you when this is not possible
- Respond in plain English
- Be accessible, allowing any customer to provide feedback by whatever means are appropriate for them

5. Remedies for Justified Complaints

- 5.1. We recognise that from time to time things will go wrong. When a complaint is justified an apology will normally be appropriate but the Council recognises that where a complainant has suffered loss or injustice, other remedial action may also need to be considered. Our policy on remedies for justified complaints sets out how we will remedy justified complaints.

6. Monitoring and Reporting

- 6.1. Complaints will be monitored and reported on a quarterly basis to the Standards Committee and Corporate Services Overview and Scrutiny Committee; the reports will be available on the council's website. Reports will be produced by the Change and Scrutiny team and will include areas where the council has improved and or changed services as a result of complaints as well as statistics on satisfaction with complaints and the number of complaints received and resolved within the agreed timescales.

7. Complaints from Councillors and MPs

- 7.1. When we receive a complaint from an MP or Councillor on behalf of a customer this will be logged onto our complaints system in accordance with the procedures set out at in section 4. If the complaint has already been logged, the MP or Councillor will be sent a copy of the response to the complaint and it will not be logged again.

8. Unreasonable and Unreasonably Persistent Complainants

- 8.1. The Local Government Ombudsman uses the following definition:

“unreasonable and unreasonably persistent complainants are those complainants who, because of the nature or frequency of their contacts with an organisation, hinder the organisation's consideration of their, or other people's, complaints.”

- 8.2. In cases where a complainant's behaviour is deemed to be unreasonable; for example the complaint being pursued has no reasonable basis, or the council has already taken appropriate action in response to the complaint but the complainant persists, we will request that the complainant follow the steps in the complaints procedure. Once they have been through the complaints procedure unless they raise new information, correspondence will be put on file but no longer be responded to. A guidance note for dealing with unreasonable and unreasonable persistent complainants is available.

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