



Corporate Complaints Policy





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1. Introduction

- 1.1. Selby District Council is committed to customer service. We believe that the needs of our customers are our top priority and we are committed to putting our customers first by improving the quality of our services and our customers' experience of them.
- 1.2. As part of our drive for better services, we value the part corporate complaints play in helping us to make improvements to our services.
- 1.3. This policy sets out what we define as a "corporate complaint", how you can make a complaint and how we will manage and respond to complaints.

2. What is a corporate complaint?

- 2.1. Our definition of a corporate complaint is:

"An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council itself or a body acting on behalf of the Council, affecting individual customers or groups of customers."

- 2.2. We will normally only accept complaints about issues within the last 12 months, although exceptional circumstances will be considered.
- 2.3. The Council has developed an approach for dealing with incidents of reported **harassment** or **discrimination**. These issues will be dealt with sensitively, taking into account the nature of issues raised when appointing an investigator.
- 2.4. **Please note:** Most of the contact we have with members of the public are **enquiries rather than complaints**. You can report a whole host of issues directly to a service area via the [Report it](#) page on the [Tell us](#) section of our website without using our corporate complaints process. This is often the **quickest way** to get your issue resolved. These include the following:

- Abandoned vehicles
- Dead animal removal
- Graffiti
- Noise pollution
- Planning enforcement complaints
- Reporting a dog fouling incident
- Reporting a missed bin collection
- Reporting a housing repair
- Reporting anti-social behaviour
- Reporting benefit fraud
- Reporting fly-tipping or fly-posting

You can also report the abovementioned issues by contacting our Customer Contact Centre on 01757 705101 (open Monday – Friday).

3. What is not a corporate complaint?

3.1. Our corporate complaints procedure **does not cover the following**:

- Requests for a service
- Requests for information
- Requests for an explanation of a decision made in line with Council Policy
- Provision of information about an issue or problem
- Investigating matters of employee discipline
- Complaints where legal action is intended or underway; complaints will be suspended if legal action starts during the complaint investigation
- Insurance claims
- Requests for information under the Freedom of Information Act 2000, Data Protection Act 1998, or Environmental Information Regulations 2005
- Any complaint where an **appeals process already exists**

3.2. In accordance with section 3.1 above, there are separate arrangements for dealing with complaints about:

- [Council Tax and valuation band appeals](#)
- [Councillors](#)
- [Appealing Housing Benefit and/or Council Tax support](#)
- [Parking Tickets](#)
- [Refusal of Planning Permission](#)

These **fall outside the scope** of this policy. Our Customer Contact Centre can also provide details and assistance with these types of complaints. You can contact them on 01757 705101 (open Monday – Friday).

4. How do I make a complaint?

4.1. If you are not happy with a service you have received from us or the way you have been treated, we want you to tell us so that we can where possible find a satisfactory resolution.

4.2. There are a number of ways you can make a complaint to us:

- By phoning our Customer Contact Centre on 01757 705101 (open Monday – Friday). For full opening hours, please visit our [website](#)
- Online by completing the Council's form, available [here](#)
- Email us at complaints@selby.gov.uk
- By letter to Complaints Department, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT
- Through a Selby District Councillor, details available [here](#)
- Ask a friend, a relative, advocate or anyone to contact us on your behalf

- 4.3. Make sure you give us as much information as possible. Let us know what you think has gone wrong and how you think we can correct it.

5. How will we deal with your complaint?

- 5.1. Our complaints process takes a two stage approach, **as set out by the flowchart in Appendix 1.**
- 5.2. At **Stage 1**, upon receipt of your complaint, a frontline member of staff will look at whether it can be resolved for you quickly without the need for an investigation. If we cannot resolve your complaint at the first point of contact we will pass it to the relevant service area where it will be investigated by the lead officer for that service. At this investigative stage, we will acknowledge your complaint in writing within 5 working days and inform you of the outcome within 20 working days. If you are not happy with the outcome of your complaint, you can escalate it to **Stage 2.**
- 5.3. Please note that you will have 28 working days from the date we responded with the outcome of your complaint to escalate it to **Stage 2**, although exceptional circumstances will be considered.
- 5.4. **Stage 2** complaints must be set out in writing (letter, email or on a [Complaint Form](#)). A Head of Service will consider whether the complaint has been dealt with correctly at Stage 1, looking at details of the case, the procedure followed and the decision made. We will acknowledge your complaint in writing within 5 working days and inform you of the outcome within 20 working days. If you are still dissatisfied with the outcome you can refer your complaint to the Local Government Ombudsman (**see section 6 below for further details**).
- 5.5. Please note that all acknowledgement and response times stated **begin from the first working day after receipt of the complaint.**
- 5.6. Our acknowledgement letter will indicate who is dealing with the complaint and the date by which you can expect a response.
- 5.7. Should it be required, the investigating officer may contact you for further information to assist with their investigation. If, for some exceptional reason, we cannot meet the 20 working day deadline for responding to your complaint, we will send a holding response to you. This will state who is dealing with the complaint, a revised date when a response can be sent and give an explanation as to the cause of the delay.
- 5.8. The identity of the person making a complaint will only be made known to those who need to consider the complaint. It will not be revealed to any other person or made public by the Council. We will take care to maintain confidentiality where particular circumstances demand (for example, information about third parties). **Please note:** In some circumstances it may not be possible to preserve confidentiality, for example where relevant legislation applies or allegations are made which involve the conduct of third parties.

6. What if I'm unhappy about the Council's response to my complaint?

- 6.1. If after the Stage 2 review you are still not satisfied with our response, you can make a complaint to the [Local Government Ombudsman](#). This is an independent body which investigates complaints about councils. If your complaint is about the Council as a landlord, you can contact the [Housing Ombudsman](#).
- 6.2. We will tell you which ombudsman you should contact when we reply to your complaint.

7. Dealing with repeated and/or vexatious complaints

- 7.1. We are committed to dealing with complaints fairly and impartially, and to providing a high quality service to those who make them. However, there are occasions when contact from a complainant becomes too frequent or complex that it hinders our consideration of their complaints, or those made by other people. We refer to such complaints as either **repeated** or **vexatious**, and in some cases we may take action to limit the contact the complainant has with us. Appendix 2 defines what we class as a repeated or vexatious complaint, and the action we will take.

8. Social Media

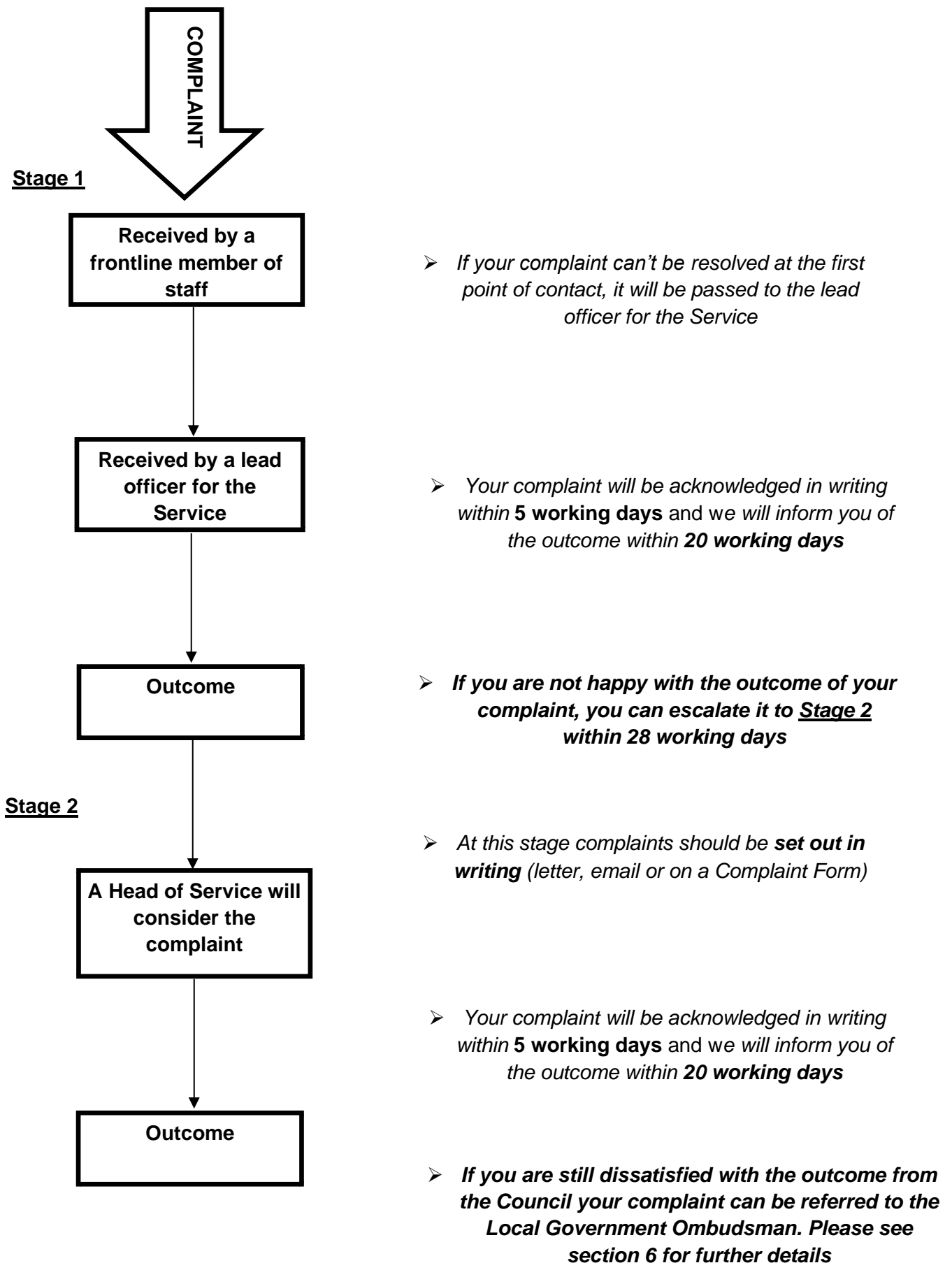
- 8.1 Social media is now a very popular means of communication that allows people greater freedom in how they express themselves both socially and for business purposes. For many it is now their preferred way of finding out what is going on or contacting organisations like the Council. The majority of people who use social media do so responsibly, courteously and respectfully. However, on occasions a problem can arise with a small minority.
- 8.2 We know there will be times when people may be unhappy with what the Council does (or does not do) or the decisions it takes and that individuals may feel aggrieved, upset or distressed. However, it is not considered acceptable when these feelings become abusive or aggressive or are directed towards individual employees or councillors. While we wish to encourage public debate and have no intention of stifling discussion about us as an organisation, we do draw the line at posts or messages on social media sites that target named members of staff with direct, unacceptable criticism that constitutes harassment; abuse; bullying; and/or defamation.
- 8.3 The Council's social media accounts, along with other groups and posts (where possible), are monitored regularly. The name and handle of any accounts posting

content considered unacceptable will be recorded with the date, the social media post, and why it is unacceptable. If the posts are considered unacceptable, a written warning will be issued to the author in private via a direct message (if possible). The warning will link to this policy and remind the individual of acceptable behaviour. It will be a standard message. Either the inappropriate material will be removed from the Council's social media profile(s), or the author/group admin will be asked to delete it. If the unacceptable behaviour continues, or posts are not removed within 48-hours when the author has been requested to move them, the Council will consider further restrictions on the way the individual can communicate with the Council, in accordance with this policy.

9. Review and monitoring

- 9.1 This policy will be habitually reviewed to ensure that it follows best practice and current Local Government Ombudsman guidance.
- 9.2 We will publish our performance on dealing with complaints every quarter as part of the Corporate Performance Report. To help us to deliver great value, we will measure performance against the following KPIs:
 - Total number of complaints received
 - % of complaints responded to in the required timescale
 - % of complaints upheld
- 9.3 We will publish an annual complaints report. The report will include how we have done in responding to complaints and how we have used complaints to inform service improvement.
- 9.4. We will also publish the Local Government Ombudsman's annual review letter which contains an annual summary of statistics on the complaints made to the Local Government Ombudsman about Selby District Council. This letter is available to view on our [website](#) and we will also keep a copy at our Customer Contact Centre to view on request.

Appendix 1: Our corporate complaints process



Appendix 2: Repeated and/or vexatious complaints

1. There are occasions when contact from a complainant becomes too frequent or complex that it hinders our consideration of their complaints, or those made by other people. We refer to such complaints as either **repeated** or **vexatious**.

2. Each case will be considered separately, however, we define the following behaviour as being a repeated or vexatious complaint:

- Repeatedly contacting or insisting on speaking to a particular officer or Member who is not directly involved in the case
- Refusing to specify the grounds of a complaint, despite our offer of help
- Refusing to cooperate with our complaints investigation process
- Refusing to accept that certain issues are not within the scope of our Corporate Complaints Policy
- Insisting on the complaint being dealt with in ways which are incompatible with our Corporate Complaints process
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced
- Changing the basis of the complaint as the investigation proceeds
- Denying or changing statements that the complainant made at an earlier stage
- Introducing trivial or irrelevant new information at a later stage
- Raising many detailed but unimportant questions, and insisting they are all answered
- Submitting falsified documents from themselves or others
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses
- Submitting repeat complaints with minor additions/variations the complainant insists makes these 'new' complaints
- Refusing to accept the decision or explanation; repeatedly arguing points with no new evidence

3. Action the Council may take

3.1 Initial warning

An initial warning letter will be issued where the circumstances identify it is appropriate to do so. For example purposes only, an initial warning may be issued for the following types of incident:

- Personal remarks
- Derogatory comments
- Sustained swearing and/or shouting
- Inability to accept a decision or an explanation, and repeated requests for a review
- Multiple requests for progress updates in an unacceptable time period

Initial warnings will be held in place for a period of twelve months from the date of issue of the initial warning letter. At this point, the case is reviewed and if there have

been no further incidences of unacceptable behaviour, the initial warning is deleted from the customer record.

3.2 Final warning

Where a customer has received an initial warning in the previous twelve months and a subsequent incident occurs, a final warning may be issued. Depending on the severity of an incident, it may be appropriate to move directly to a final warning rather than an initial warning. Some examples of circumstances where a final warning may be issued in place of an initial warning are listed below:

- Threats of physical violence
- Intimidating behaviour

Final warnings are held in place for a period of twelve months from the date of issue of the final warning letter, however further incidents of unacceptable behaviour in this period may result in specific restrictions being put in place as set out below. If there is no recurrence of the unacceptable behaviour within the twelve month period from the date of issue of the final warning letter, the final warning will be deleted from the customer record.

3.3 Restriction

If there is a further incident or incidents of unacceptable behaviour, or the severity of an incident suggests a restriction is appropriate, customer contact with the Council may be limited and one or more of the following actions may be taken:

Before a complainant is classed as repeated or vexatious, a Director (or other duly authorised officer) may call a meeting with the complainant to try to resolve matters.

- Placing limits on the number and duration of contacts with staff per week or month
- Offering a restricted time slot for necessary calls
- Limiting the complainant to one medium of contact (telephone, letter, email etc.)
- Requiring the complainant to communicate only with one named member of staff
- Requiring any personal contacts to take place in the presence of a witness and in a suitable location
- Refusing to register and process further complaints about the same matter
- Restricting or banning access to some/all Council premises
- Informing the complainant that in extreme circumstances the matter will be referred to the Council's Solicitor and/or the Police
- Temporarily suspend all contact with the complainant or investigation of a complaint whilst seeking legal advice.

4. In accordance with Stage 2 of our Corporate Complaints procedure, where a decision on the complaint has been made future correspondence will be read and placed on file but not acknowledged, unless it contains material new information. We will designate responsibility to an Officer to read future correspondence.

5. It is rare for complainants to be identified as repeated or vexatious and this policy will only be implemented following careful consideration by, and with the authorisation of, a Director

(or other duly authorised officer). In such occurrences a Director (or other duly authorised officer) will write to the complainant to explain:

- Why the decision has been taken
- The action to be taken
- How long any limits will last, and
- What the complainant can do to have the decision reviewed

A record will be kept for future reference of the reasons why a complainant has been classed as repeated or vexatious.

6. Where we have identified a complainant as repeated or vexatious and have imposed a restriction on access, we will specify a review date. We will inform the complainant the outcome of this review. If limits are to continue, we will explain our reasons and state when the limits will be next reviewed.

7. If a complainant is unhappy with the Council's implementation of this policy they can refer matter to the Local Government Ombudsman.