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# Using and Processing Feedback

A POLICY FOR DEALING WITH PUBLIC FEEDBACK TO THE COUNCIL INCLUDING COMPLAINTS

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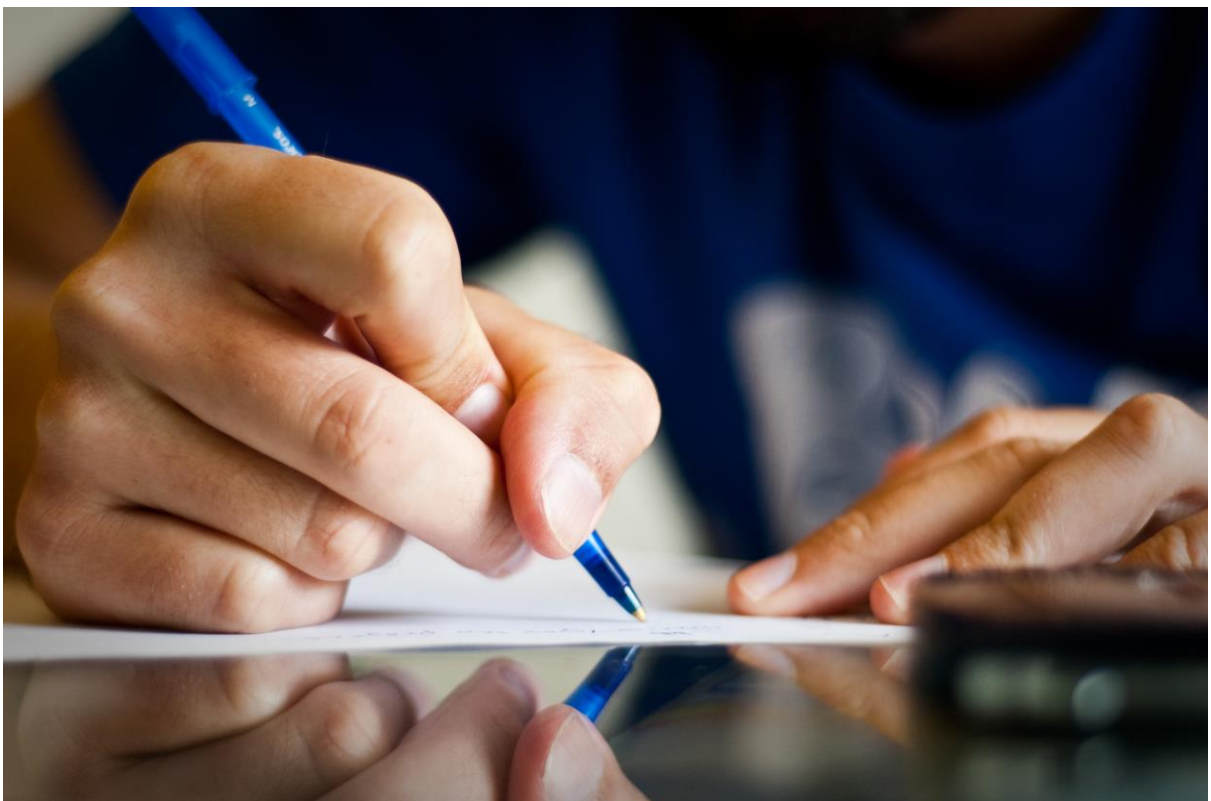


Council of the ISLES OF SCILLY

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## 1. INTRODUCTION

The Council of the Isles of Scilly strives to deliver high quality, value for money services. In order to do this we need to know what members of the wider community think of the services provide so that they can be continually reviewed and improved.

This guide is designed to build upon and replace the currently existing Corporate Compliments, Comments and Complaints Policy. It will define different forms of feedback and commentary the public submit, and assess how different forms of feedback should be handled. The aim should be to create clear minimum service standards that can be monitored and reported.

The Council should seek to utilize customer feedback. This means better recording of feedback across departments, as well as stricter more efficient processes for dealing with feedback. It is important that our response to displeased feedback is proportional, we must apply recourse and time to complaints which warrant investigation, whilst at the same time we should not over react to complaints that could be solved quickly, easily and to the satisfaction of the customer.

All feedback should be monitored, and recorded centrally so we can monitor areas of service and get a clear overview of how the public view the Council.

## 2. DEFINITIONS

For the purpose of this procedure we can assess numerous types of feedback. Feedback that is included in this policy are:

- Compliments
- Comments & Suggestions
- Requests for Service
- Further Requests for Service
- Policy Complaints
- Process and Service Complaints – Stage 1
- Process and Service Complaints – Stage 2

There are some types of communication that are defined in this policy, but not covered by it. These are:

- Feedback about 'third party' services not provided by the Council
- Feedback about a tourism business on the islands unrelated to the Council
- Feedback about Children's Services including Children's Social Care
- Feedback about an elected member of the Council
- Feedback where there is a right of appeal process
- Feedback about the Five Islands School
- Feedback made by staff of the Council about their employer

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### COMPLIMENTS

A compliment is praise from a customer about any aspect of a service delivered by the Council of the Isles of Scilly or any third party acting on their behalf.

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## COMMENTS & SUGGESTIONS

A comment or suggestion is a constructive criticism, suggestion or concern about a service offered by the Council or someone operating on their behalf.

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## REQUESTS FOR SERVICE

A request for service is a request for an action to be carried out by the Council. This can either be a service that is only carried out upon request/observation (eg Fixing a park bench) or a regular request that has failed (eg Failure to collect rubbish).

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## FURTHER REQUEST FOR SERVICE

A further request is separate from a first request if the action has not been completed within a reasonable time frame. When an initial request for service is received a date for completion of the service should be set, any requests for the same service after this date should be labeled as further requests for service. Further request for services should also cover a second repeat failing of a regular Council service (eg second failure to collect the same person's rubbish)

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## POLICY COMPLAINTS

A complaint about a policy or decision of the Council (eg rate of Council tax) where there is no objection over the procedures followed.

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## PROCESS OR SERVICE COMPLAINTS – STAGE 1

The first investigated complaints stage. Where a customer makes an expression of dissatisfaction, however made, about a service provided by the Council, a member of staff or someone working on behalf of the Council. The complainant should feel that correct procedure has not been followed, they have been mistreated, the Council's action was unjust, or the Council has repeatedly failed to provide the expected service.

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## PROCESS OR SERVICE COMPLAINTS – STAGE 2

Where a complaint that has been submitted as a Process or Service Complaints – Stage 1 and the complainant is dissatisfied by the conclusion, they can resubmit the complaint at Stage 2.

Definitions and procedures relevant to this policy, but not covered by it.

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## FEEDBACK ABOUT 'THIRD PARTY' SERVICES NOT PROVIDED BY THE COUNCIL.

These should be made to the third party concerned unless there are statutory responsibilities involved.

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## FEEDBACK ABOUT A TOURISM BUSINESS ON THE ISLANDS UNRELATED TO THE COUNCIL

These should be redirected to the Tourism department and dealt with under the Tourism Complaints Procedure.

#### FEEDBACK ABOUT CHILDREN'S SERVICES INCLUDING CHILDREN'S SOCIAL CARE

These should be submitted under the Children's Services Complaints Procedure.

#### FEEDBACK ABOUT THE CONDUCT OF AN ELECTED MEMBER OF COUNCIL

Councillors follow a Code of Conduct and comments relating to this should be dealt with by the Council's Standards Committee

#### FEEDBACK WHERE THERE IS A RIGHT OF APPEAL PROCESS OR LEGAL REMEDY

In processes where a decision of the Council can be appealed, applicants should be directed to follow this process to its conclusion.

#### FEEDBACK ABOUT THE FIVE ISLANDS' SCHOOL

These would normally be dealt with under the Five Islands' School complaints procedure, or by the School's Governing Body.

#### FEEDBACK MADE BY STAFF OF THE COUNCIL

Complaints about the Council, its staff, or members made by staff of the Council should be handled under the Council's grievance policy.

### 3. WHO CAN COMPLAIN?

- Any person or organisation receiving or seeking to receive a service from the Council of the Isles of Scilly.
- Any person acting on behalf of an individual or group of individuals including Councillors, MPs, Advice Agencies or other advocacy groups.

### 4. PROMOTING EQUALITY OF ACCESS

The Council of the Isles of Scilly is committed to ensuring that all customers/service users are given full and equal access to *the Using and Processing Feedback Policy* as well as the public guide *Providing Feedback*. Where appropriate this policy and other related materials can be made available in alternative formats.

Where people are unsure how to go about making a complaint, or how best to put their case or they have difficulty with written or spoken English the Community Relations Officer is available to provide assistance and support as required. Anonymous complaints will not be accepted. Compliments as well as Comments and Suggestions can be submitted anonymously.

*Using and Processing Feedback Policy* will be available on request. The public guide *Providing Feedback* will be displayed in the One Stop Shop and other Council offices. It will be publicised to customer service users through council publications and on the Council's website [www.scilly.gov.uk](http://www.scilly.gov.uk).

## 5. HOW CUSTOMERS CAN SUBMIT THEIR VIEWS

Customers/service users can provide feedback in person, by telephone or in writing (by letter, fax or e-mail). Feedback does not need to be provided directly to the actual service which is the subject of the feedback and any member of staff or member can accept feedback.

Any feedback received should be forwarded as soon as possible to a relevant officer mentioned in sections 6-8 of this policy. Feedback in writing can be made using the Feedback Form, by letter, fax or e-mail direct to the Council.

Where people are seeking the correct officer to approach with feedback, they should be directed to the Community Relations Officer who can assist them with their enquiry.

## 6. PROCESSES

### 6.1 COMPLIMENTS

Upon receipt compliments should be forwarded to an officer concerned in that area or the Community Relations Officer.

The compliment should be recorded on a central feedback system.

Either a relevant officer or the Community Relations Officer should then write to the customer to thank them for their feedback.

Where relevant, an individual concerned, a lead member or HR should be informed. This should be at the discretion of the head of department.

### 6.2 COMMENTS & SUGGESTIONS

Comments upon receipt should be sent to the Community Relations Officer. Comments will then be recorded in the central system.

Copies of suggestions and comments will then be sent to lead members and relevant officers. A selection of suggestions, filtered for repetition and relevancy, will be presented to management team regularly.

If the customer has requested feedback, or it is deemed relevant, feedback shall be provided. However comments should not always and do not require a response.

### 6.3 REQUEST FOR SERVICE

The request should be sent to the relevant department. The request should be logged in a central system. The department should then make contact with the customer to arrange for the service to take place if necessary. As part of this contact they should lay out a timeframe for when the service is likely to be completed.

### 6.4 FURTHER REQUEST FOR SERVICE

The request should be sent to the relevant department. The request should be logged in a central system. The department should then make contact with the customer and arrange for the service to be carried out. With further requests for service the customer must be informed of their right to issue a complaint if they desire. A sample line might include:

“If you are still unhappy with the situation you can submit a formal complaint to the Council. This can be done by contacting the Community Relations Officer by phone, letter, email or by appointment.”

### 6.5 POLICY COMPLAINT

The complaint should be sent to the lead member. The lead member should inform the Community Relations Officer so the complaint can be logged in the central system. They should then speak to any relevant officers for further information and reply to the customer accordingly. The customer must be informed of their right to a formal complaint if they are unhappy with the response. An example line would be:

“If you feel you are unhappy with the way this policy has been implemented or you feel the Council has behaved inappropriately you can make a complaint to the Council. This can be done by contacting the Community Relations Officer by phone, letter, email or by appointment.”

## 7. PROCESS OF SERVICE COMPLAINTS (STAGE 1)

### 7.1 TIMEFRAMES AND COMMUNICATION

Upon receipt, all complaints should be sent to the Community Relations Officer. The Community Relations Officer should send a holding letter acknowledging the receipt of the complaint. This must be sent within **3 working days**.

As part of the holding letter (or where necessary **within 1 week** of the original receipt in a separate letter) the Community Relations Officer should write to the complainant and inform them of the following:

- The investigating officer
- The definition of the complaint
- The complainant's right to have the definition of the complaint reviewed
- A brief outline of the areas to be investigated
- An outline of the time-scales and conditions under which these timescales can be reviewed

- How they can contact the Community Relations Officer during the complaint investigation
- How they will be informed of the decision reached
- Informed of their rights to view the complaint file
- How they can appeal the decision reached through stage 2

**Within 15 working days** of the definition of the complaint being sent, the Community Relations Officer or investigating officer, must write to the complainant with the decision reached. This letter must cover:

- Who this investigating officer was
- The definition of the complaint
- The areas investigated
- A brief outline of the processes undertaken
- A decision on the outcome of the complaint, with the decisions explained
- Informed of their rights to view the complaint file
- How they can appeal the decision through stage 2

The 15 day deadline can be extended on the condition that the complainant is written to inform them of the delay, and the cause of the delay is explained. Any delays should be kept to a minimum.

## 7.2 RESPONSIBILITIES AND PROCESSES

The Community Relations Officer should name an investigating officer who will look into the complaint. The investigating officer can be a senior officer within the relevant department area, but should not be directly involved in the substance of the complaint.

The investigating officer and the Community Relations Officer should set out the areas to be investigated.

All officers and members are obliged to assist with the investigation where they are asked to. Documents, emails etc should be provided on request unless there are serious data protection issues.

The conclusion of the investigation is to be reached by the investigating officer.

The final conclusion letter can be written by the investigating officer or the Community Relations Officer.

A file containing all evidence collated during the investigation must be kept. Barring data protection issues this should be available to the complainant.

The Community Relations Officer can at their discretion, with permission with their line manager, move a complaint submitted under Process and Services Complaint – Stage 1 to another feedback category if it is deemed relevant. If this is done, the Community Relations Officer must write to the complainant explaining the following:

- The process under which the complaint will now be investigated
- The reasons for this decision.
- How they can appeal this decision.

The complainant can appeal a reclassification with the Community Relations Officer. If their appeal is

rejected and they are still dissatisfied, they should complain directly to the Local Government Ombudsman.

The Community Relations Officer can attempt to solve complaints informally (without a nominated officer and full investigation) if they wish. If this is to be done, the complainant must be informed that:

- A decision has been taken to treat the complaint informally
- What this means and how it is different to a formal investigation
- The reasons behind this decision
- That the complainant can appeal this decision.

In these circumstances the complainant has the right to decide if their complaint should be investigated formally or not. This decision does not rest with the Community Relations Officer or any other officer or member.

The complainant has the right to add to, edit, or withdraw their complaint at any time.

## 8. PROCESS AND SERVICE COMPLAINTS – STAGE 2

If the complainant is dissatisfied with the conclusion reached in stage 1, they can request their complaint be investigated under stage 2.

### 8.1 TIMEFRAMES AND COMMUNICATIONS

All complaints submitted under stage 2 should be directed to the Chief Executive. The Chief Executive will then liaise with the Community Relations Officer to investigate the complaint. The Chief Executive can nominate another officer to investigate the complaint, providing they are a senior officer and not involved in the department in question.

Upon receipt of the complaint the Chief Executive, or someone acting on their behalf, should send a holding letter acknowledging the receipt of the complaint. This must be sent within **3 working days**.

As part of the holding letter (or where necessary **within 1 week** of the original receipt in a separate letter) the Chief Executive or someone acting on their behalf should write to the complainant and inform them of the following:

- Who is reviewing the complaint
- The definition of the complaint, stressing any changes or additions to the original
- Explain why the complainant was dissatisfied with the conclusion at stage 1
- The complainant's right to have the definition of the complaint reviewed
- A brief outline of the areas to be investigated
- An outline of the time-scales and conditions under which these timescales can be reviewed
- How they can contact the Council during the complaint investigation
- How they will be informed of the decision reached
- Informed of their rights to view the complaint file
- Their right to appeal to the Local Government Ombudsman

**Within 20 working days** of the definition of the complaint being sent, the Chief Executive, or someone acting on his behalf, must write to the complainant with the decision reached. This letter must cover:



- Who investigated the complaint
- The definition of the complaint, stressing any changes or additions to the original
- Explain why the complainant was dissatisfied with the conclusion at stage 1
- The areas investigated
- A brief outline of the processes undertaken
- A decision on the outcome of the complaint, with the decision explained
- Informed of their rights to view the complaint file
- How they can appeal the decision to the Local Government Ombudsman.

The 20 day deadline can be extended on the condition that the complainant is written to inform them of the delay, and the cause of the delay is explained. Any delays should be kept to a minimum.

## 8.2 PROCESSES AND RESPONSIBILITIES

The chief executive has the right to nominate someone on their behalf to investigate the complaint. However the person cannot be involved in the department area under scrutiny. The final decision letter must be written by or on behalf of the Chief Executive.

Stage 2 complaints cannot be transferred to other procedures, and the issue should be fully investigated unless withdrawn by the complainant. The Chief Executive or someone nominated on their behalf can suggest to the complainant that they contact the Local Government Ombudsman and avoid stage 2 if they think this is suitable.

All Stage 2 complaints should normally go through Stage 1 before going to stage 2.

The complainant has the right to add to, edit, or withdraw their complaint at any time.

## 9. COMPLAINTS ABOUT THE COMPLAINTS PROCEDURE

If a complaint is made against the Community Relations Officer about an issue unrelated to a complaint they are currently handling, then the complaint should be processed as normal, however the Community Relations Officer's line manager should take on the responsibilities of the Community Relations Officer.

If the complaint is made against the Community Relations Officer or investigating officer with regards to how the complaint process is being administered, the Chief Executive (or someone nominated on his behalf) should review the situation and decide if the complaint is founded.

If the complaint is founded then a new investigating officer and/or someone to take on the role of the Community Relations Officer must be found.

If the complaint is unfounded a letter must be written by the Chief Executive or on his behalf explaining the decision reached and the reasons for it. The complaint should then continue as it had previously, and the complainant should be advised to contact the Local Government Ombudsman if they are unhappy with this decision.