

## **CUSTOMER COMPLAINTS PROCEDURE (HOW TO HANDLE)**

### **WHY DO WE NEED A COMPLAINTS PROCEDURE?**

Benefits to the individual:

It demonstrates our commitment to act upon, and listen to views; it ensures customers receive a fair, speedy, confidential and effective response.

Benefits to the Council:

It enables us to improve our customer care and service delivery arrangements and, when appropriate ensures remedial action is taken and reduces the number of recurring complaints.

### **THE TOWN COUNCIL'S CUSTOMER COMPLAINTS' PROCEDURE IS DESIGNED TO BE:**

***Accessible*** A well publicised procedure available on the website and in leaflet form

***Simple*** A few simple, easy to understand stages that can be initiated by telephone, personal visit, or in writing.

***Speedy*** Making sure tight deadlines are kept and people are kept informed.

***Fair and Confidential***

***Effective*** Addressing all the points at issue and providing appropriate remedies.

***Informative*** By monitoring the process, managers can ensure that we learn from our experiences.

Apply equally to the ***Godalming Joint Burial Committee***.

### **WHAT IS A COMPLAINT?**

A complaint can be any expression of dissatisfaction made by any individual.

However, for the purposes of the complaints system the Council's definition of a complaint is:-

An expression of dissatisfaction about the standard of the Town Council's service, actions or lack of action by staff, particularly where a problem has not been remedied to the satisfaction of the individual.

This procedure will not normally cover:

- requests for a service;
- requests for information or an explanation of Council policy or practice;
- complaints about Councillors;

- complaints made more than 12 months after the events complained about unless there are exceptional circumstances as to why the complaint could not have been brought within this time; and
- complaints made about a service provided by another local authority.

## **THE ROLE OF COUNCILLORS**

Complainants inevitably approach Councillors at different stages of the complaints process.

- a) As a rule Councillors should advise and encourage complainants to use the customer complaints procedure;
- b) Councillors should get directly involved only when the procedure appears not to be working satisfactorily.

In practice, if a Councillor wishes to log a complaint directly or to pursue the progress of a particular complaint, they should contact the Town Clerk – who will keep the Councillor informed.

The Town Clerk will report annually to Councillors on complaints received in the last year.

## **THE CUSTOMER COMPLAINTS PROCEDURE**

### **Stage 1**

#### *Receiving a complaint*

A complaint may be received in a number of ways and Town Council staff are encouraged to recognise any complaint whether made in writing (by letter or e-mail), by personal visit or by telephone call. All staff will give their name to complainants, for their future reference.

The complaint may be made by a third-party and while individuals should be encouraged to make their own complaint it is acknowledged that for many reasons some individuals find it difficult to do so. (For example the recently bereaved may prefer a funeral director to pursue a complaint on their behalf.) Therefore, the Town Council will deal with a third-party (except where data protection legislation prevents the sharing of personal data with a third party).

Any member of staff receiving a complaint shall try and find out the detail of the complaint – in particular the service or matter complained of, and any remedy sought. All such details will be passed on to the office responsible for the service complained of, and/or the Town Clerk as soon as possible.

#### *Recording Complaints*

All complaints must be logged in the complaints file; the file shall be maintained by the Support Services Executive and will be kept confidential.

#### *Who Should Deal with a Complaint?*

In the first instance the Officer responsible for providing the service/issue complained of should deal with a complaint; although, the complainant should be informed of their right to have the complaint dealt with by the Town Clerk should they wish.

#### *Acknowledging and Responding to a Complaint*

In all cases an acknowledgement should be sent within five working days from the day a complaint was received. (Note that this will normally be by letter but where a complaint has been received by e-mail then an e-mail acknowledgement is appropriate.)

In most cases it should be possible to answer the complaint within those five days (in which case the response will also serve as the acknowledgement), if not it must be answered within ten working days. If, in exceptional circumstances, it is not possible to answer a complaint within ten working days then a letter (or e-mail) must be sent on the tenth day keeping the complainant informed and setting out a timetable for response.

A response to a complaint should contain as full an explanation as possible – either of what went wrong (if something did) or why the complaint is held to be unjustified. The response should also inform the complainant of their right to appeal to the appropriate committee (Stage 2).

### *Remedies*

Where a complaint is found to be justified, consideration needs to be given to the appropriate remedy. The remedy should, as far as possible, put the complainant into the position they would have been in, had things not gone wrong.

The types of remedy to be considered should include:

1. Providing the service desired.
2. Change of procedures to prevent further occurrence of the problem and assuring the complainant to that effect.

Remedies 1 and 2 may be delivered by any member of the Town Council's staff. If the complaint is justified, or after due consideration and consultation, it is found to be justified, the staff member dealing with the complaint is authorised to provide a service if it is normally in their power to do so.

3. An apology by letter and/or a visit. (If the complainant has suffered, but not financially, a gesture of goodwill may be appropriate eg. A bunch of flowers).
4. Replacement of damaged items.
5. Reimbursement of expenses if the complainant has suffered specific financial losses.

Remedies 3, 4 or 5 may only be authorised by the Town Clerk (or in the Clerk's absence the Officer duly authorised by the Council to act as Proper Officer in the Town Clerk's absence) so as to ensure that the Council's approach to remedies is consistent, within the law, and fair to all involved. If any of remedies 3, 4 or 5 are used then the matter must be reported to the relevant committee at the earliest opportunity. The Council has no specific policy for financial compensation in recognition of time, trouble expended by the complainant, exceptional worry, distress or inconvenience caused, any such financial compensation is at the discretion of, and must be authorised by, the relevant Committee.

### *Monitoring and reviewing the procedure*

The Support Services Executive will monitor complaints received and log the date received, the date acknowledged and the date on which a response was made. The Town Clerk will report, in summary form, annually to the Policy & Management Committee and Joint Burial Committee, as appropriate, on complaints received in the past year. Significant complaints will be reported as they arise, particularly if the remedy requires the Committee's authorization.

## **Stage 2**

### *If the Complaint Cannot be Resolved by Officers*

If the appropriate Officer cannot resolve the complaint to the complainant's satisfaction, or if the complainant has a legitimate reason for not wishing Officers to deal with the complaint (for example if the complaint concerns the conduct of the Town Clerk) then the matter must pass to the Chair of the Policy & Management Committee or the Chair of the Joint Burial Committee.

The Chair of the Policy & Management Committee or the Chair of the Joint Burial Committee is responsible for determining whether the complaint needs to be dealt with by the full committee, by the Staffing Committee or by another means.

When a complaint passes to a Committee it should be dealt with, in confidential session (except that the complainant and a companion may be present), by the next meeting of that Committee. The complainant should be informed about the date of the meeting and asked if they wish to make representations in writing or in person.