



Complaints and Compliments Policy

March 2022

Basildon Borough Council

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Key Information	
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Governance	
The Policy applies to:	(List who is covered by this Strategy)
The Policy is available in the following locations:	Publications Scheme <input type="checkbox"/> Intranet / SharePoint <input type="checkbox"/> Council website / Service webpage <input type="checkbox"/>
This Policy has related documents:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Insert links to related documents i.e. Strategy, Action Plan, Procedure
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1. Introduction

Basildon Council recognises that complaints can play an important role in improving both the standards and quality of services provided to its customers. When Basildon Council receives a complaint, it is seen as a way of gaining important insight into how services are being delivered and received. By listening to our customers, we can look at actions that can be taken to improve services and our customer experience. Similarly, we welcome compliments from our customers too, as this helps us build a picture of where we are getting it right, which can be both rewarding for our staff and provides positive feedback on what works well for our customers.

This policy outlines Basildon Council's approach to managing and responding to the complaints and compliments it receives in relation to the services it delivers. It applies to all services that are provided directly by the Council and those for which the Council has responsibility but are delivered through external businesses and partners who are contracted and employed on behalf of the Council.

2. Policy Statement

Basildon Council is committed to listening to feedback from its customers – positive or negative - and learning from this feedback to continually improve our services to our customers. We will:

- Ensure it is easy for customers to share their thoughts and experiences with us
- Ensure feedback is dealt with efficiently, fairly and consistently¹
- Maintain an inclusive approach, respecting the diversity of our service users
- Be empathetic when listening to our customers
- Implement actions to improve services (where this is necessary) to help improve customer experience for future service users.
- This policy demonstrates commitment to the six Principles of good administrative practice set out by the Local Government and Ombudsman in May 2020.
- [Principles of Good Administrative Practice - Local Government and Social Care Ombudsman](#)
- [Guidance notes - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk)

3. Our approach to customer feedback

Feedback Definitions

The following definitions will be used in the management of customer feedback to ensure that customers' views are processed appropriately:

What went well?

Compliment

A compliment is defined as a proactive customer approach leading to a statement of positive recognition or praise for a service or individual. Compliments confirm a positive experience of services, employees and provide insight into what the Council is doing right and what is working well. All customer compliments will be logged on the corporate system.

What went wrong?

Complaint

A complaint is an expression of dissatisfaction about the standard of service, action or lack of action by the Council or its employees. This can be in connection with any services it has responsibility for, which affects either an individual customer or group of customers.

Complaint reason code

A complaint may arise as a result of many things relating to service functions this will be detailed within the complaints procedure.

Formal Complaint Process

The Council has a two stage formal complaint policy however, we will always try to resolve the matter informally in the first instance, where this is possible to do so and in agreement with the customer who is experiencing the issue.

Compensation

In order for compensation to be considered a formal complaint investigation is required. Basildon Council determine the levels of compensation by the particular facts of the case. For example the amount of time it has taken to resolve the case, the impact of the issue on the wellbeing or financial loss to the customer of the Council determined following our investigation.

A Quick Resolution

It is the aim of the Council to resolve issues as quickly as possible. To do this when the customer first contacts the Council, we offer a choice on the first step of taking forward the complaint:

The customer either:

- agrees to give the Council three working days to resolve the issue to their satisfaction, before progressing to a formal Stage One investigation if this cannot be achieved
- the issue is progressed immediately to a formal Stage One complaint, which as per the Council's policy will require a full investigation and a formal response

If the customer allows the Council an additional three working days to resolve the issue, an urgent enquiry will be raised to seek a quick resolution. If this is not possible the customer will be made aware as soon as possible. Their enquiry will then automatically be classified as a stage one complaint against the Council, and dealt with as a formal stage one complaint as per the Council's Complaints Procedure

If the enquiry can be fully resolved within three working days, meeting the customer's expectations, the Council will close the case, completing the urgent enquiry and informing the customer of the outcome by their preferred method of contact and recorded. There will be no need for a full investigation or a formal response from the Council.

Stage One - Initial Investigation

This is the first formal stage of the complaint process. The Council will acknowledge receipt of your complaint within two working days. Our acknowledgement can be made verbally, electronically or in writing. It will include:

- confirmation that your complaint has been received and if possible, the name and contact details of the investigating officer, however this may not be possible in all cases
- date or timeframe by which you can expect to receive a response

The Council will respond in full to you within fifteen working days of receipt of your complaint, wherever possible.

If the Council cannot respond in full within fifteen working days, the Council will provide you with a timeframe in which we are able to provide a full response and provide a reason for the delay.

Extension reason codes are detailed within the complaints procedure.

The investigating officer may need to ask you for further information to assist with their investigation.

Our formal response to your complaint can be provided by the customer's preferred method of contact either by letter, email, face to face or by telephone. Where a response is given by telephone or in person, all formal complaints will receive a formal written response as confirmation of our discussion.

As part of our formal response, we will provide an outcome, explaining if your complaint has been Upheld/Not Upheld or Partially Upheld. The outcome will determine if your complaint can be progressed to Stage Two of Council's Complaints Procedure and if appropriate provide details of how.

If the Council's outcome of the investigation is that the Customer's Complaint is upheld this represents the Council's final decision on the matter. As the Council has best met the needs of the Customer in regards its understanding of the issue and its available resources. This would also mean the customer has exhausted the Council's complaints procedure and would be required to then contact the relevant ombudsmen if they wished to appeal the outcome of their complaint.

Stage Two – Appeal

If the outcome of the Council's investigation at stage one of the Complaints procedure is that the complaint was either partially upheld or not upheld and the customer remains dissatisfied, they can ask for the complaint to be reviewed by a senior officer at the Council.

The customer has twenty-eight days from the date of response to the initial stage one complaint, to request for the complaint to be escalated to a stage two review. The twenty-eight days does not have an impact on the response time which will remain at fifteen working days for a stage one.

The customer will be required to set out what they feel was wrong with the outcome of the initial investigation undertaken at stage one, informing the Council why they remain dissatisfied and providing any additional information in relation to their complaint. If necessary, the investigating officer may contact the customer during the course of their appeal.

To assist with the appeal process you need to declare specifically what you want changed and why, providing any supporting evidence.

The Council will appoint an independent senior officer to review the complaint, this will not be the same officer that carried out the previous stage one investigation. The request for the initial outcome to be reviewed will be acknowledged within two working days on receipt of the instruction to escalate the complaint to stage two of the Council's complaints procedure.

In the review, the investigating officer will look at how the Council dealt with your complaint at stage one and will only consider information in relation to the original complaint. Our policy is to formally respond in full to you within fifteen working days of receipt of your request for the Council to review the outcome of your complaint, wherever possible.

If we cannot respond in full within fifteen working days, we will provide you with a timeframe in which we are able to provide a full response and provide a reason for the delay.

Extension reason codes are detailed within the complaints procedure.

Next steps

There is no further right of appeal to the council following completion of stage two of this policy and the Council's Complaints Procedure.

The complaint can however, be taken forward to the relevant Ombudsman if the customer remains dissatisfied. On informing you of the outcome of our investigation we will ensure we provide you with the contact details for the appropriate ombudsman's office in relation to the type of complaint you have made against the Council.

Details of how the Ombudsman can assist with your enquiry can be found below:

[Complaining to an ombudsman - Citizens Advice](#)

[Guidance notes - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk)

Additions to the policy

Changes to the Housing Ombudsman Scheme

Changes to the Housing Ombudsman Scheme took effect from 1 October 2022, including the removal of the 'democratic filter'. It means residents will no longer have to contact a designated person or wait eight weeks before referring the complaint to the Housing Ombudsman Service if they remain dissatisfied at the end of Basildon Council's complaint process.

As a result, the Scheme has also been updated to introduce a clear definition of a complaint and when it is duly made (paragraphs 34 and 35). [Guidance notes - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk)

- **Types of Complaint**

Anonymous Complaints

An anonymous complaint is defined as one where the Council does not hold any contact details for the complainant (name, telephone number, e-mail address, home address).

The Council does not accept anonymous complaints. Please see our Whistleblowing Policy for complaints of this nature, [Basildon Council - Whistleblowing Policy and Procedure - January 2019](#)

Complaints against members of staff

If you have an issue about a member of staff (this includes people who volunteer on our behalf), we will investigate and take appropriate action, in accordance with our policies.

- **Exclusions of the Policy**

Outside of the Council's Service Jurisdiction

The Council will only be able to receive and process feedback, complaints and compliments in relation to the services it provides, or Council services delivered by an alternative provider on behalf of the Council.

This policy cannot deal with any issues which fall under the jurisdiction of another body and where this is the case the customer should seek to raise the matter with the appropriate relevant body. The Council will inform the customer if an item of feedback does not relate to a Council service, and where possible inform the customer of the responsible body or entity to whom the feedback relates.

Complaints Regarding Government Legislation and associated Policies

The Council has a statutory duty to implement Government legislation and is therefore unable to progress complaints based upon the content or mandated delivery of such legislation or policies.

Complaints Regarding Agreed Council Policies

The Council has a range of adopted policies which prescribe and guide the business of the Council. The Council must ensure that all its policies comply with relevant legislation. Careful consideration is given to how policies impact on staff, service users, residents and groups with protected characteristics. Such policies are approved by Elected Members through the Council's decision making processes and officers are required to operate in accordance with these policies.

The Council will deal with complaints alleging that relevant council policy has not been complied with, or that alleges the policy does not comply with relevant legislation through its normal complaints procedure. In circumstances where it is alleged that actions have been taken in the absence of a policy or where an individual believes a Council policy should exist but is absent, these complaints will also be dealt with using the normal complaints procedure.

Where a complaint relates to how a person has been affected as a result of a Council policy, there is very limited scope to investigate that complaint, however feedback and comments on the impact of policies will be taken into account (as appropriate). Residents are also encouraged to provide feedback to their Ward Councillors (details of which can be found at www.basildon.gov.uk) who have options to make representations regarding the appropriateness of the policy through the decision making process.

Complaints regarding Settled or Ongoing Legal Cases or those with an Existing Right of Appeal

Complaints will not be dealt with if there is an existing right of appeal or an existing or settled legal case regarding the specific matter - for example, an appeal to a Council Tax Tribunal, an ongoing Housing Review decision, or referral to the Planning Inspectorate. In such instances the complainant will be written to advising of this and if appropriate, advice will be given on how to pursue an alternative appeal. For those complainants who are, or who have pursued legal action against the Council, the outcome of this will override any formal action that can be determined by investigation via the Council's Complaints Procedure.

Managing persistent or unreasonable complainants

[Basildon Council - Persistent and Unreasonable Complainant Procedure - July 2019](#)

The Council is committed to handling customer feedback fairly and impartially and to provide a high quality service to those who make them. As part of this service we would not normally limit the contact complainants have with us. The majority of individuals who contact the Council communicate in a polite and reasonable manner.

The persistent or unreasonable complainant procedure is aimed at how we manage the relatively few individuals whose actions we consider unreasonable. The Council may not progress complaints from customers managed under this process.

Aggressive/abusive behaviour – violence at work policy

Unreasonable behaviour is behaviour or language (whether verbal, i.e. face to face or by telephone, or written) that may cause staff to feel intimidated, threatened or abused. The Council recognises that customers may have reason to feel aggrieved, upset or distressed when they issue a complaint, however aggressive or abusive behaviour will not be tolerated and will be reported to the necessary body, which may result in prosecution.

4. Believe in Basildon Corporate Plan 2021 – 2024

The successful implementation of the Compliments and Complaints Policy will contribute to the delivery of the corporate plan, specifically demonstrating the Council's commitment to put our customers at the heart of what we do.

5. Corporate Knowledge

This Policy and the management of Complaints and Compliments will help to improve the services provided to the Borough.

Corporate Ambitions	Levels of Impact			
	High	Medium	Low	None
We want Basildon to be home to healthy and active local communities able to support themselves and each other.		X		
We want Basildon to offer a high quality of life for all residents through attractive, liveable, accessible and safe neighbourhoods and towns along with the provision of enduring facilities, green spaces and town centres that meet the needs of the community.		X		
We want Basildon to have a thriving, dynamic and diverse economy where all our communities benefit from increased opportunity and our workforce has the right skills for our local economy and beyond.		X		

6. Outcome and Priorities

This policy seeks to achieve the following Outcomes and Priorities

Outcome	Priority
Customer insight (gained from feedback, complaints and compliments) used to drive service improvements and efficiency	Lessons learnt shared within the organisation to drive service improvement to help improve the lives of its customers.
Simplify the process of making a complaint or compliment to the Council for the customer, why creating greater	Centralisation of the complaints management process to ensure a consistent approach across the organisation.

accountability introducing a single point of contact for the customer	
Customers empowered to use the complaints and compliments process to feedback on the Council's and its service delivery partners, performance. Why providing them with greater choices to better manage their expectations.	Complaints and compliments process promoted and accessible to all 24/7.
Improve the level of communication with our customers to better understand their needs and requirements.	To better meet the expectations of our customers and improve the customers experience.

7. Links to other Corporate Policies or Partner documents

- Corporate Plan
- Persistent and Unreasonable Behaviour
- Service Impact Assessment
- Complaints Procedure
- Customer Charter
- Whistleblowing Policy and Procedure

Monday to Friday
10am to 5pm



Basildon Council
BASILDON • BILLERICAY • WICKFORD

For translations, Large Print and Braille please call

Para obtener traducciones, por favor llame al número (Spanish)

অনুবাদের জন্য দয়া করে ফোন করুন (Bengali)

Aby uzyskać pisemne tłumaczenie proszę dzwonić pod numer (Polish)

如需翻译，请拨打 (Mandarin)

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若需翻譯，請致電 (Cantonese)

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برای ترجمه با این شماره تماس بگیرید (Farsi)

Pour obtenir une traduction, composez le (French)

پۆ ته‌رجومه ته‌له‌فۆن بکه بۆ ژماره‌ی (Kurdish)

للترجمة يرجى الاتصال (Arabic)

Per perkthim me shkrim ju lutem merni ne telefon (Albanian)

ભાષાંતર માટે કૃપા કરીને ફોન કરો (Gujarati)

ट्रांसलेशन के लिये कृपया कॉल करें: (Hindi)

Pentru traducere va rugam sunati (Romanian)

Untuk terjemahan harap hubungi (Indonesian)

Kwa tafsiri, tafadhali piga simu (Kiswahili)

ਅਨੁਵਾਦ ਵਾਸਤੇ ਕਿਰਪਾ ਕਰਕੇ ਕਾਲ ਕਰੋ (Punjabi)

Kana muchida kuturikirwa, tapota ridzai runhare kuna (Shona)

Pre preklad prosim volajte (Slovak)

Nếu quý vị cần dịch tài liệu, xin vui lòng gọi theo số (Vietnamese)

01268207955



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