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East Dunbartonshire Council

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East Dunbartonshire Council

An Employee's Guide to the Complaints Handling Procedure

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Employee's Guide to the Complaints Handling Procedure

Why do we have a complaints handling procedure?

East Dunbartonshire is committed to providing high quality services to our community. Occasionally things go wrong and when this happens it is important that we act quickly to resolve the situation. Complaints show us where we are not achieving what people expect of us, and where we are failing to meet our own standards. In other words, they give us a chance to improve our service. Listening to our customers helps us to:

- put things right
- learn from our mistakes, and
- improve our services.

Therefore, in line with other Scottish councils we have introduced a standardised complaints handling procedure. This leaflet gives you a guide to it.

What is a complaint?

A complaint is an expression of dissatisfaction about the council's action or lack of action, or about the standard of service provided by us or on our behalf. For example:

- delays in responding to enquiries and requests
- failure to provide a service
- failure to meet our service standards
- refusal to give advice or answer questions
- dissatisfaction with our policy
- treatment by, or attitude of, a member of staff or a contractor
- failure to follow the proper administrative process.

What is not a complaint?

The above definition is broad, however, not every concern raised with the council is a complaint. For example, a complaint is not:

- a first request for a service
- a request for information or an explanation of policy or practice
- a request under the Freedom of Information Act or Data Protection Act.

There are also some other matters we can't deal with under the complaints procedure. These include:

- where a statutory right of appeal exists (e.g. parking tickets or housing benefit)
- any service where you can use other methods to appeal (e.g. exclusions from school or pupil placements)

- insurance claims
- a complaint we have already investigated and given a final decision on
- complaints that are in court or have already been heard by a court or a tribunal
- complaints against councillors.

Who can complain?

Anyone can make a complaint in person at our Community Hub, by telephone, by e-mail or in writing.

Social work complaints

The procedure for social work complaints is slightly different from our general complaints procedure, as it currently follows specific legislation and guidance. This legislation and guidance is being reviewed by the Scottish Government. In due course, SPSO will inform us about any changes to the procedure.

In the meantime a complaint about Social Work Services should broadly follow the 2 stage procedure as detailed in this document. However, if the customer remains unsatisfied with the response from the Council, they can request that the matter be referred to an Independent Complaints Review Panel within 28 days of receiving the Council response. Complaints can only be referred to the Review Panel when all other avenues of redress have been explored by the Council.

If, following an investigation by the Independent Review Panel, the customer is still not satisfied with the response the customer can contact the Scottish Public Services Ombudsman (SPSO) who may decide to undertake a further investigation on their behalf. Complaints can only be referred to the SPSO after the Independent Complaints Review Panel has exhausted all investigations.

What should you do when someone complains?

You must try to resolve complaints on the spot to the customer's satisfaction if possible. Alternatively, if you need to take other action you should always try to resolve complaints as quickly as possible.

Our complaints procedure has two stages. We expect the majority of complaints will be resolved at Stage 1.

If the customer remains dissatisfied after Stage 1, they can request that we look at it again, at Stage 2. If the complaint is complex enough to require an investigation, we will put the complaint into Stage 2 straight away.

Stage 1 – Frontline Resolution

We aim to resolve complaints quickly and as close to the point of service delivery as possible, within five working days or less, unless there are exceptional circumstances. Generally these will be the more straightforward complaints that you can resolve on the spot with an apology and action to put the matter right, or take other action to resolve the complaint quickly.

You do not always need to respond to the customer in writing. You'll be able to resolve many complaints orally, face to face or by telephone, and this is all that is needed. However, sometimes you will have to provide the decision in writing. Generally you should do so if the customer asks for this or if you think it will help to confirm or clarify the facts or outcome of the complaint for the customer or the council.

You should always record on the Lagan CRM details of the complaint, the action taken and the final outcome. We can then use this information to improve services.

Stage 2 – Investigation

Complaints that reach this stage have not been resolved at Stage 1 or are so complex that they need more investigation before we can provide a decision.

When dealing with complaints at this stage you should:

- record the complaint at Stage 2
- acknowledge receipt of the complaint within three working days
- discuss the complaint with the customer to understand the reasons for it what outcome they want – sometimes this will involve managing the customer's expectations by explaining how we might be able to resolve the complaint
- provide a full response to the complaint as soon as possible but not later than 20 working days.

If our investigations will take longer than 20 working days to complete, you need to agree revised time limits with the customer and keep them updated on progress.

Be sure to record details of the action taken and the outcome in the CRM system, as this helps us improve our service standards.

What if the customer is still dissatisfied?

If we have fully investigated the complaint and the customer is still dissatisfied with our response or the way we have dealt with the complaint, they can ask the Scottish Public Services Ombudsman (SPSO) to consider it further. Please see the complaints handling procedure or the customer complaints leaflet for details of how

to direct customers to the SPSO or in the case of Social Work complaints to an Independent Review Panel.

Do and Don'ts when customers complain

Do:

- be aware of your responsibility to try to resolve the complaint or seek help to resolve it
- be aware of service procedures as this may help you to clarify matters for the customer
- say who you are
- ask for the customer's name, address and telephone number
- be sensitive - making a complaint can be stressful, so respond with courtesy, tact and empathy
- listen carefully to what the customer is saying without interrupting. This helps you to get the details right first time and shows that you are taking the matter seriously. Take notes and read them back to the customer to check that you understood the problem
- ask open-ended questions to get more detailed information, this sometimes helps you to find a solution that will satisfy the customer
- provide an apology and explanation if it is clear we have made a mistake
- make sure you agree a course of action that is satisfactory to the customer and to the service. If in doubt, discuss the matter with your line manager
- check that we did what we said we'd do, then follow up by contacting the customer to check that they agree it has been done
- explain the next stage of the procedure if the problem hasn't been resolved to the customer's satisfaction: This will be
 - an explanation of the Investigation stage, or
 - details of how the customer may ask the SPSO to consider their complaint
- record all details of the complaint in line with the correct procedures
- treat all information in confidence.

Don't

- refuse to accept there is a problem, if the customer thinks there is a problem, you must help
- be defensive or argue
- jump to conclusions. Wait until you have the whole story
- make promises you can't keep.

If you require further guidance on our Corporate Complaints Policy please refer to the complete version of the EDC Complaints Handling Procedure.

The Complaints Handling Procedure

