

# **COMPLAINTS POLICY**



**Approved 17 November 2009**

The Council endeavours to deliver its services without the need for complaints to be submitted. However, in the event that a complaint is made, the Council needs to be in a position to respond appropriately. This policy aims to provide a clear, accessible and flexible process that forms part of service provision and does not overwhelm individuals, departments or other Council processes.

In addition, the Council's approach to handling complaints is key to upholding its established values of honesty, and openness and transparency, and fairness and equity. The Council also sees complaints as a valuable source of information which assists us in addressing issues and understanding how performance can be improved.

The overriding aim of this Policy is that the Council will aim to resolve, including implementing remedies, any issue raised within 12 weeks of its receipt and is based on the Local Government Ombudsman (LGO) guidance on running a complaints system published in 2009.

There are some complaints which the Council has determined as priority cases and these will be investigated and reported within 5 working days, these are:

- Homelessness either currently or imminently;
- Children and young people up to 21 or 25 if disabled; or
- Where the particular circumstances identify vulnerability and/or the need for urgency.

With regard to the third bullet point this priority will be determined by the Head of Service in consultation with the Senior Committee Services Officer, as appropriate.

The Council also recognises the importance of recording all feedback, both positive and negative, including comments and compliments and to use these as a source for improvement. The processes for these will be produced in due course.

### **What is a Complaint?**

An expression of dissatisfaction about an aspect of the Council, be it a service provided, the officer delivering the service, a policy of the Council, allegations of discrimination, or breaches of data protection or freedom of information. This also includes the work of contractors or partners delivering a service on behalf of the Council.

The Council will always aim to resolve a complaint at the first point of contact and if this is not possible follow the Guide to registering a complaint as detailed at Appendix A.

When a complaint is made regarding a local or national policy that the Council is responsible for implementing, the Council will respond accordingly under this policy. However, even if the Council agrees that the local or national policy should be amended the Council may not be in a position to amend the local or national policy. In this instance, at the conclusion of the investigation, the report will be submitted to the appropriate party responsible for the Policy, highlighting the Council's concerns for their consideration at a time when the Policy is reviewed and where appropriate advising that the Policy should be reviewed as soon as possible.

If a complaint is likely to lead to an insurance claim, the Head of Service should notify the Insurance Officer. If the Insurance Officer receives any insurance claims that they feel should be investigated as a corporate complaint they will contact either the Head of Service or the Senior Committee Services Officer and discuss the matter with them to see if it should be investigated as a complaint.

### **Exclusions from the complaints process**

All complaints that cannot be resolved at the first point of contact will be recorded using the process specified at Appendix A.

A complaint will not be accepted if:

- (a) there is a statutory recourse for the matter e.g. the right to appeal a Licensing Panel decision to magistrates; or
- (b) this is the first time the Council became aware of the matter with regard to the provision of service e.g. my bin has not been emptied

Normally the Council will not consider anonymous complaints because there is a need to meet with the complainant. Councillors or other third parties could act as intermediaries to protect the identity of the complainant but this may not always be possible. Any complaints made in confidence will be treated as such, this may not always be possible depending on the complaint. If it is not possible to investigate the complaint in confidence, the reason for this will be explained in writing to the complainant and they will be given the option of withdrawing the complaint.

### **Policy for Handling 'Unreasonable complainant behaviour' and 'Unreasonably persistent complainants'**

Generally, dealing with a complaint is a straightforward process but in a minority of cases people pursue their complaints in a way which can either impede the investigation or can have significant resource issues for authorities. These actions can occur either while the complaint is being investigated, or once an authority has concluded the complaint investigation.

For this reason the Council uses the terms 'unreasonable complainant behaviour' and 'unreasonably persistent complainants'. The definition for these is set out below:

"Unreasonable and unreasonably persistent complainants are those complainants who, because of the frequency or nature of their contacts with an authority, hinder the authority's consideration of their, or other people's, complaints."

The Council has an established practice on this and it is set out at Appendix B to this document.

### **Complaints about Members of Staff**

All complaints, as defined by this Policy, about members of staff will be logged as a Corporate Complaint to ensure that there is a central record.

If a complaint is received about a member of staff from a member of the public, the relevant Head of Service (or nominated Officer) will take the responsibility for accepting and investigating the complaint made.

From the information available, they will decide and inform both the complainant and the member of staff which of the following options will be taken:-

- a) The matter will be considered as both a corporate complaint and under the Disciplinary Procedure as it covers both service and human resource issues. (If this is the case both investigations will be undertaken by the same person.);
- b) The matter will be considered for investigation under the Council's Disciplinary Procedure as it relates to a member of staff;
- c) The matter will only be considered under the Council's Complaints Procedure because it relates to the service provided, not a member of staff; and
- d) If the matter is considered to fall within the Policy for Handling 'Unreasonable complainant behaviour' and 'Unreasonably persistent complainants' as set out at Appendix B – no further action will be taken.

If the complainant is unhappy with the outcome of either stages a), c) and d) they can ask for a review of the decision, as set out in the Complaints Policy. Decisions regarding disciplinary matters cannot be appealed by the complainant.

The "Guidelines for Managers and Employees on disciplinary matters" should be adhered to as closely as possible during the investigation. The member of staff about whom the complaint has been made will be entitled to the level of support offered under the disciplinary procedures.

Complainants may not receive detailed information about the investigation and outcome of any disciplinary enquiry, since the Council has a duty to protect the privacy of its staff. Complainants can be dissatisfied if a complaint is solely considered through the disciplinary procedure and they may only be given very limited or no information on the investigation and outcome. The Council will, therefore, when possible, endeavour to provide details without breaching confidentiality.

It should be noted that any information relating to a particular member of staff and any disciplinary investigation could not be made available to the complainant under either the Data Protection Act or the Freedom of Information Act. In addition under the disciplinary procedure, in the balance of natural justice the officer about whom the complaint has been made may wish to ask questions of the complainant either in writing or at a disciplinary hearing.

### **Complaints about Councillors**

Any complaint regarding a councillor must be submitted in writing on the correct referral form, available from the Monitoring Officer for the Council or the Council's website and sent to:

The Standards Committee  
c/o The Monitoring Officer  
Warwick District Council  
Riverside House  
Milverton Hill  
Royal Leamington Spa  
CV32 5HZ

## **Complaint process**

The Council will endeavour to resolve all complaints at the first point of contact following the diagram at Appendix A.

The Council will encourage all complaints to be made in writing (e.g. letter, email, fax or complaint form (in paper or electronically) to the Head of Service. Assistance will be provided by the Council to those people who are unable to do this.

A standard complaint form (similar to that used by the LGO) will be available at all front line offices and via the website. A form is attached as Appendix C.

The complaint will be logged on the Council's Corporate Complaints System. This can be carried out by whomever the Head of Service wishes to appoint to this role.

A complaint will be acknowledged in writing within 3 working days, from receipt of the complaint, by the Head of Service or a nominated officer. The letter will also include details of what the complaint is understood to be, providing the complainant with the opportunity to confirm this.

All complaints will be considered at stage 1 before progressing to stage 2, unless the Chief Executive feels that there is substantial reason for it to be passed straight to stage 2. If this is the case the complainant will be informed of this and the reasons for this.

### *Stage 1*

This will be an investigation undertaken by an officer (either the by either the Head of Service or a nominated officer) within the service area the complaint was made about. A report will be produced at the conclusion of the investigation. This report will be considered by, and signed off by, the Head of Service.

The investigation into the complaint will be carried out using a standard methodology and reporting structure as set out at Appendix D.

A written answer will be sent to the complainant within 20 working days, of receipt of the complaint, stating:

- (a) the investigation is complete, including a copy of the investigation report and details of how they can progress to stage 2 if they are dissatisfied with the outcome of the investigation at stage 1; or
- (b) the investigation has not been completed, the reasons for this and when it is expected to be completed.

(It should be noted that ideally the complainant should be kept up to date on the progress of the investigation and particularly any delays in this process, well before the 20 working days deadline.)

If the complainant is unhappy with the outcome of the stage 1 investigation they must write to the Chief Executive within 20 working days of the date of the Stage 1 report requesting it be investigated at stage 2 and the reason(s) for their request. The Chief Executive will then refer the complaint to be considered at stage 2. In some cases the Chief Executive may decide to refer the matter to the LGO, if he feels that the Council has nothing further to add on the matter, or if it cannot be investigated by another department as they are reliant on legal advice which has already been provided. However, this would be the exception rather than the norm.

A copy of all stage 1 reports and any correspondence will be emailed to the Senior Committee Services Officer for central storage and to record outcomes and time spent investigating each complaint.

At the conclusion of a complaint investigation, a questionnaire will be sent, with the report, to the complainant requesting their comments on the process followed by the investigating officer. The results of this questionnaire will be used to record satisfaction with the complaints process which is one of the Council's Performance Indicators. The results will be reported as part of the Council's Performance Indicator Report to the Executive.

### *Stage 2*

This will be an investigation by an officer from outside the service area against whom the complaint has been made. This will normally be an officer of the Council who has undertaken the relevant training.

The investigation into the complaint will be carried out using a standard methodology and reported using the standard template attached at Appendix E.

The Senior Committee Services Officer will monitor stage 2 investigations and will contact the investigating officer at 7 working days and 15 working days into their investigation to ensure it is progressing with a view to completion within 20 working days. If the investigation is not going to be completed on time the Chief Executive will be informed of this, along with the reasons why and who will take appropriate action to aid the completion of the investigation.

The investigating officer will record the number of hours taken to investigate a complaint and report this to the Head of Service and the Senior Committee Services Officer. This will enable the Council to monitor the level of officer time spent on investigating complaints.

The investigation of complaints at stage 2 will be rotated between service areas as follows:

- Development Services
- Finance
- Environmental Services
- Neighbourhood Services
- Chief Executive's Office
- Housing & Property Services
- Cultural Services
- Community Protection
- Customer & Information Services

(If the complaint to be investigated is in respect of the service area due next to investigate a stage 2 complaint, it will be passed to the next service area on the list.)

At the conclusion of a stage 2 investigation, the complainant will be informed of how to progress the complaint to the LGO if they are dissatisfied with the outcome.

As with stage 1, at the conclusion of a complaint investigation, a questionnaire will be sent to the complainant requesting their comments on the process followed by the investigating officer. The results of this questionnaire will be used to record satisfaction with the complaints process which is one of the Council's Performance

Indicators. The results will be reported as part of the Council's Performance Indicator Report to the Executive.

### **Remedies**

The overriding principle when determining a remedy will be, where possible, to try and put the person complaining back to the position they would have been in if there had not been a mistake or error by the Council.

When deciding upon a remedy for a complaint, the investigating officer will refer to the Local Government Ombudsman remedies guide.

<http://www.lgo.org.uk/guidance.htm>

Any remedy for a complaint must be in line with the above guidance and agreed by the relevant Head of Service. If any proposed remedy at stage 1 includes compensation this must be authorised by the Head of Service in consultation with the Chief Executive. If any proposed remedy at stage 2 includes compensation this will be considered by the Chief Executive as part of the investigator's report. Any proposed compensation following an investigation by the Local Government Ombudsman must be authorised by the Chief Executive on the advice of the Senior Committee Services Officer and in consultation with the Head of Service.

### **Corporate Ownership**

All Councillors will be made aware of the complaints process and its values. They will, as they feel is appropriate, help the people they represent to bring forward complaints and liaise between themselves and officers. Councillors may also bring forward complaints on behalf of residents who wish to stay anonymous.

All staff will be made aware of how to log a complaint and the importance of recognising a complaint, which will be monitored with ongoing training.

The Senior Committee Services Officer will be responsible for administering the complaints process for the Council and reporting statistical information from it to relevant parties. The Senior Committee Services Officer will also be responsible for liaising with the LGO with regard to complaints submitted to them about Warwick District Council.

At stage 1 the appropriate Head of Service will take responsibility for accepting and investigating the complaints made about their service area or staff within it. The Head of Service will be responsible for signing off any complaint investigation about their service area at stage 1 and ensuring all completed complaints (both stage 1 and 2) are subsequently reviewed by the service area management team and that the outcomes are formally recorded and implemented.

The Chief Executive will be responsible for authorising the investigation of a complaint at stage 2 as well as signing off all stage 2 investigatory reports.

The Senior Management Team (SMT) will take responsibility for ensuring any remedial action required by the relevant service area is completed.

The Standards Committee will receive a report every six months detailing the complaints received by the Council and the outcomes for the relevant services areas. If any governance issues arise they will be reported to the Executive for action and the Standards Committee will monitor the progress.

An item will be included on all team meeting agendas to discuss complaints received by departments, what action needs to be taken to ensure that these are not repeated and to raise any issues surrounding training in handling complaints.

### **Complaint Monitoring**

Monitoring will be embedded within the system to ensure that complaints are investigated within the stipulated timescales and allocated against the correct service area and correct team within the service area.

Quarterly reports will be submitted to SMT on complaints which have been received and completed, including details of the outcomes. Where any remedial action is proposed, this will remain with SMT for monitoring until the appropriate Head of Service has reported that the outcome is discharged. This would also apply to complaints made to the LGO. An example of the report is attached at Appendix F.

Half yearly reports will be submitted to the Standards Committee outlining complaints made against the Council at Stage 2 and to the LGO. In addition where a remedy is equal to or greater than £2,500 a report will be submitted to the Standards Committee as soon as is practicable outlining the complaint and remedial action taken within the service area.

The Chief Executive and Deputy Chief Executives will be responsible for ensuring any completed actions are signed off by the relevant officer within their Directorate and reporting these to the Senior Committee Services Officer.

Basic data on the number of complaints received by this authority, the LGO and those found to be justified will be published on the Council's website.

Data on complaints regarding discrimination on the grounds of race, gender, disability or any other form of discrimination are recorded and reported as part of the Council's performance monitoring.

Complaints regarding discrimination on the grounds of race will be recorded and reported in accordance with the Warwickshire protocol for reporting racist incidents.

### **Data retention**

Information relating to corporate complaints will be retained for five years, after the date of the conclusion of the investigation. This includes all paperwork and electronic records.

Information on complaints made to the LGO will be retained for five years, except reports and annual reports issued about this authority by the LGO, which will be retained and made publicly available via the Council's website.

### **Training**

All officers who undertake complaint investigations will have undertaken a training course, which will be provided corporately.

The complaints process will be explained as part of the Corporate Induction. A guide will be supplied for all staff to ensure they understand the complaints process and how to handle complaints.



All staff will be briefed that it is not acceptable to refer complainants straight to the LGO and that all complaints should be passed through the Council's complaints process, in the first instance.

### **Accessibility**

The Council's Complaints Policy will be available in full from the Council's website and main reception at Riverside House. A summarised version will be available from all Warwick District Council facilities along with the complaints form and other relevant information.

### **Complaints received regarding one or more public body.**

If the Council receives a complaint which covers one or more public bodies (including itself), the officer responsible for that complaint will liaise with representatives from other public bodies so that a point of contact is provided for the complainant and only one response is made.

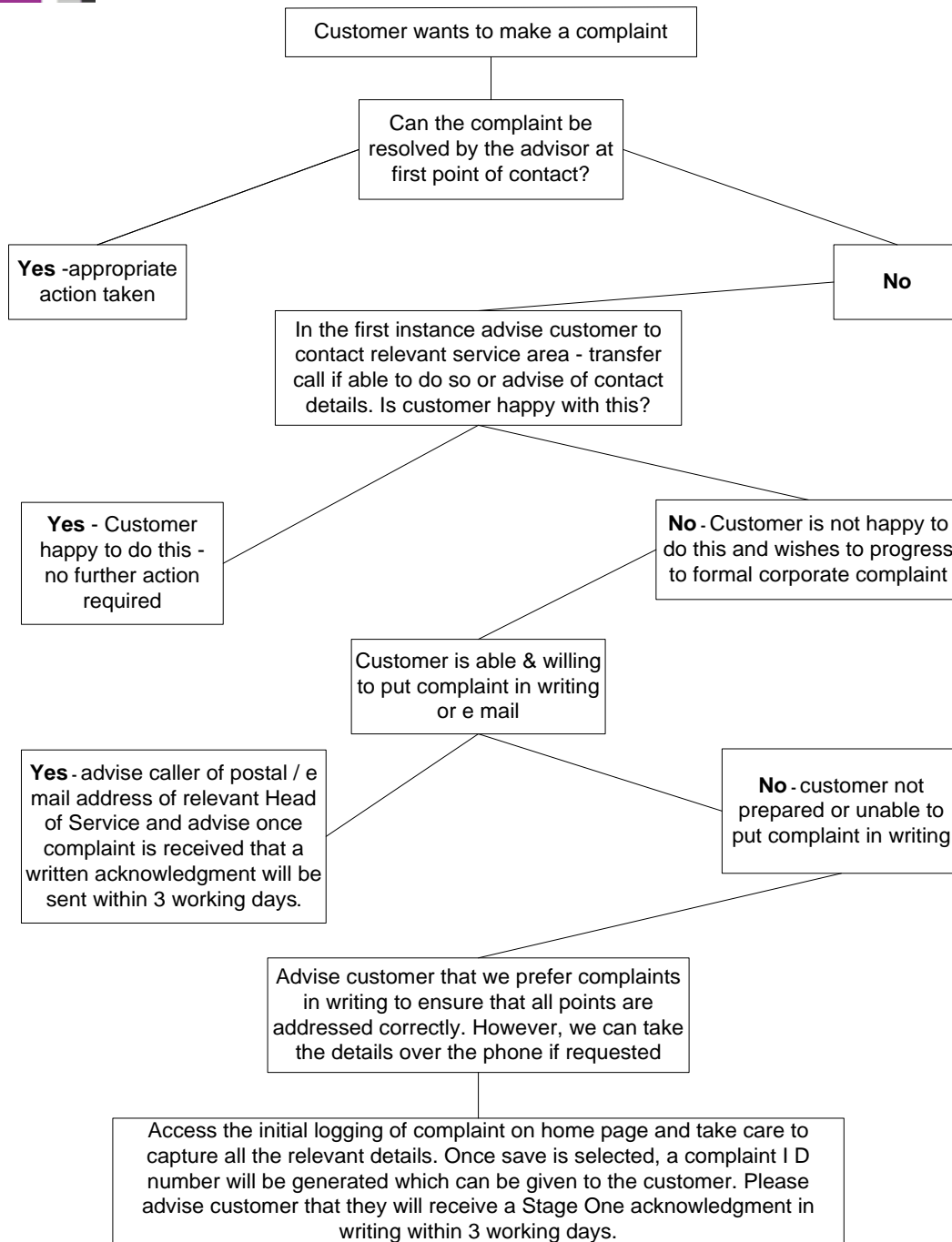
### **Data Protection & Freedom of Information Complaints**

When complaints are received regarding a breach of either the Data Protection Act or Freedom of Information Act, these will be considered by the relevant Head of Service in consultation with the Council's lead officer for these areas who is the Head of Members' Services and Monitoring officer



## WDC Guide To Registering a Corporate Complaint

06/11/2009



Please remember that officers should always endeavour to resolve complaints at the lowest practical level and at First Point of Contact by taking the relevant action or passing it to the relevant person, but as this is not always possible the attached procedure will ensure that we have a consistent approach to handling formal complaints.

## **Policy for Handling 'unreasonable complainant behaviour' and 'unreasonably persistent complainants'**

Generally, dealing with a complaint is a straightforward process, but in a minority of cases people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for authorities. These actions can occur either while their complaint is being investigated, or once an authority has concluded the complaint investigation.

We use the terms 'unreasonable complainant behaviour' and 'unreasonably persistent complainants'.

For us, unreasonable complainant behaviour and unreasonably persistent complainants are those complainants who, because of the frequency or nature of their contacts with an authority, hinder the authority's consideration of their, or other people's, complaints.

### **Actions and behaviours of unreasonable and unreasonably persistent complainants**

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants which authorities often find problematic. It is by no means an exhaustive list and local factors will vary, but they are examples that the Council consider relevant:

- Refusing to specify the grounds of a complaint, despite offers of assistance with this from the authority's staff.
- Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making what appear to be groundless complaints about the staff dealing with the complaints, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed but unimportant questions and insisting they are all fully answered.
- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved.
- Adopting a 'scattergun' approach: pursuing a complaint or complaints with the authority and, at the same time, with a Member of Parliament/a councillor/the authority's independent auditor/the Standards Board/local police/solicitors/the Ombudsman.
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into, by, for example, excessive telephoning or sending emails to numerous council staff, writing lengthy complex letters every few days and expecting immediate responses.
- Submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which the

complainant insists make these 'new' complaints which should be put through the full complaints procedure.

- Refusing to accept the decision – repeatedly arguing the point and complaining about the decision.
- complaints that are instituted, without sufficient grounds, which intend to cause annoyance or embarrassment
- complaints that are not serious or sensible in content, attitude or behaviour, and unworthy of serious sensible treatment.
- complaint that has been previously considered and responded to through its complaints process and found not to be justified, unless sufficient new evidence can be provided.
- Combinations of some or all of these.

### **Who decides?**

If a complaint is considered by the Head of Services to be either unreasonable complainant behaviour and/or unreasonably persistent, they will consult with the Chief Executive on what action should be taken.

### **How is a decision taken?**

The Chief Executive and Head of Service will consider the aspects of the complaints in relation to the Policy. If it is considered there are aspects which fall within this Policy, they will consider what action should be taken.

If it is considered there are no aspects that fall within this policy no action will be taken and the complaints will progress through the normal channels.

### **What decisions can be taken**

The following decision can be taken:

Refuse to investigate the complaint;

Refuse to investigate the complaint until complainant provides further information;

Explain that the Council's Corporate Complaints Policy has to be followed and nominate a single point of contact within the Council for the complainant;

How long any restrictions should apply to the complainant;

To accept the complaint;

Refer complainant to the Citizen's Advice Bureau for assistance in formulating their complaint;

Refuse to respond to further questions on a complaint already considered and refer the complainant to the LGO;

How restrictions can be lifted, when they will be reviewed and by whom.

### **Who is informed?**

Any decision to take action under the policy will be communicated in writing to the complainant.

In addition to the complainant, the Deputy Chief Executive, Senior Committee Services Officer, relevant Heads of Service and officers within their department, Ward Councillor(s), Portfolio Holder(s) and Group Leaders will be informed of the decision.

Only these people (detailed above), representatives on behalf of the complainants (once written consent is received) and the LGO will be entitled to receive the detailed information.

**How can a decision be appealed ?**

As the Chief Executive has taken the decision, if the complainant is unhappy with the decision they would need to submit their complaint along with their objection to the decision of the Chief Executive for the Council not to investigate their complaint to the LGO.

**Record**

A record of all the decisions taken under this policy will be retained and reported annually to the Council's Standards Committee. This will be a summarised report which does not name individuals.

The details and reasoning behind any sanctions will be retained for five years after any sanctions have been lifted.

## Complaint Form

Name:

Address:

Email address:

Day time contact telephone number:

Note: Please include a telephone number where we can contact you between 9.00 a.m. and 5.00 p.m. and advise us if it is your home or work, or the number of a neighbour or friend. If you do not have a daytime contact number, please put down a number with an answer phone where we can leave a message during the day.

1. What do you think the Council did wrong?  
(Please continue on a separate sheet of paper if necessary)
  
2. How has this affected you?  
(Please continue on a separate sheet of paper if necessary)
  
3. What do you think the Council should have done differently?  
(Please continue on a separate sheet of paper if necessary)
  
4. Do you fall into any of the following categories  
(a) Homelessness either currently or imminently Yes/No  
(b) Children and young people up to 21 or 25 if disabled Yes/No

It will help us deal quickly with your complaint if you send us copies of any letters or documents about it. Please say if you would like them returned when we have finished looking at your case:

Yes/No

Your signature:

(To be signed by the person making the complaint)

Date:

Whilst this section is not compulsory the aim of this data is to monitor for trends within ethnicity, age, sex and disability to be aware of any trends in complaints that the Council should be addressing.

<b>TO WHICH OF THESE GROUPS DO YOU CONSIDER YOU BELONG?</b>		(Tick one)
<b>WHITE</b> - British, Irish, and any other white background.		<input type="checkbox"/>
<b>MIXED</b> - White/Black Caribbean, White/Black African, White/Asian, any other mixed background.		<input type="checkbox"/>
<b>ASIAN OR ASIAN BRITISH</b> - Indian, Pakistani, Bangladeshi, any other Asian background.		<input type="checkbox"/>
<b>BLACK OR BLACK BRITISH</b> - Caribbean, African, any other black background.		<input type="checkbox"/>
<b>CHINESE</b>		<input type="checkbox"/>
<b>OTHER</b>		<input type="checkbox"/>

<b>DO YOU CONSIDER YOURSELF TO HAVE A DISABILITY?</b>		(Tick one)
<b>YES</b>		<input type="checkbox"/>
<b>NO</b>		<input type="checkbox"/>

<b>TO WHICH OF THESE GROUPS DO YOU CONSIDER YOU BELONG?</b>		(Tick one)
<b>UP TO 21</b>		<input type="checkbox"/>
<b>22 TO 29</b>		<input type="checkbox"/>
<b>30 TO 39</b>		<input type="checkbox"/>
<b>40 TO 49</b>		<input type="checkbox"/>
<b>50 TO 64</b>		<input type="checkbox"/>
<b>65 TO 80</b>		<input type="checkbox"/>
<b>OVER 80</b>		<input type="checkbox"/>

## Warwick District Council Stage 1 Complaint Report

<b>Complaint Number:</b>	
<b>Investigating Officer and Contact Details:</b>	
<b>Complainant Contact Details:</b>	
<b>Start Date:</b>	
<b>Completion Date:</b>	
<b>Hours taken to complete the Investigation:</b>	

### **Complaint**

Define the complaint wording which, when it is a complex case, should be agreed with the complainant.

### **How was the complainant affected?**

This should be taken from the complainant, either copied from the complaint form or asked for in first correspondence.

### **Proposed remedy by complainant**

Include details of any proposed remedy sought by the complainant.

The complainant may not propose a remedy in the first instance and indeed in some cases there may not be feasible remedies available. However the investigating officer should try to draw a proposed remedy from the complainant to assist during the investigation.

### **Investigation**

The investigation should be undertaken with an open mind and every possibility should be given for the complainant to put their case across. Ideally this should be through a face to face meeting or, if the complainant prefers, by telephone conversation.

The complaint should be checked against relevant procedures and policies to ensure that the correct procedure has been followed and that correspondence hasn't been missed.

Potential remedies should be discussed and evaluated within this section.

### **Conclusion**

This should detail the conclusions to the investigation which should be referred back to paragraphs within the investigation section and state if the complaint was justified or not.

### **Remedy for the complainant**

This should detail any proposed remedy for the complaint if it is felt appropriate and cross referenced with the LGO remedies guide.

### **Proposed actions for Service(s) and Learning Points (if appropriate)**

This should detail any actions or learning points the reporting officer feels the service area should implement to ensure that a similar complaint does not arise in future.





## CORPORATE COMPLAINTS PROCEDURE

Warwick District Council is keen to receive feedback about its complaints procedure. It would be appreciated, therefore, if you could spare a few minutes to complete the following survey.

Please respond to the following questions by indicating Yes or No.

### (A) Acknowledgement of complaint

- |     |   |          |
|-----|---|----------|
| (1) | When you submitted your complaint did you receive a written acknowledgement?              | Yes / No |
|     | If so,  |          |
| (2) | Were you provided with a Corporate Complaint number?                                      | Yes / No |
| (3) | Were the details of your complaint confirmed?   | Yes / No |
| (4) | Were you provided with the name of the officer who would be investigating your complaint? | Yes / No |
| (5) | Did you receive a copy of the Council's Corporate Complaint Procedure?                    | Yes / No |
| (6) | Were you provided with the date by which you would be sent a response to your complaint?  | Yes / No |

### (B) Investigation

- |     |  |          |
|-----|--|----------|
| (1) | During the investigation were you given the opportunity to provide an input?   | Yes / No |
| (2) | Was the response sent to you by the date specified?                            | Yes / No |
| (3) | If the response was late, were you informed of any delay in the investigation? | Yes / No |
|     | If so,   |          |
|     | (i) Were you given an explanation of the reasons for the delay?                | Yes / No |
|     | (ii) Were you provided with a clear revised deadline?                          | Yes / No |

### (C) Conclusion of the investigation

- |     |  |          |
|-----|--|----------|
| (1) | If you were dissatisfied with the outcome of the investigation, were you informed of how you could progress the complaint to the next stage (Stage 2 of the Complaints Procedure or Local Government Ombudsman)? | Yes / No |
| (2) | Without taking into consideration the actual outcome of the investigation, were you satisfied with the <u>process</u> followed during the investigation of your complaint?                                       | Yes / No |

**(D) Any other comments**

*Please use the space below to provide further comments about the complaints process:*

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**(E) Personal details (optional)**

Your name: .....

Your address: .....

.....

.....

Telephone number: .....

E-mail address: .....

Corporate Complaint Number (if known): .....

Thank you for your valuable assistance in completing this survey. It would be appreciated if you could now return it in the enclosed pre-paid envelope to Members' Services, Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa CV32 5HZ. Thank you.

## Warwick District Council Stage 2 Complaint Report

<b>Complaint Number</b>	
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### **Complaint**

This should be as per that established during the stage 1 investigation.

### **How was the complainant affected?**

This should be taken from the stage 1 investigation and confirmed with the complainant during the investigation.

### **Proposed remedy by complainant**

This should be taken from the stage 1 report.

The complainant may not propose a remedy in the first instance and indeed in some cases there may not be feasible remedies available. However the investigating officer should try to draw a proposed remedy from the complainant to assist during the investigation.

### **Summary of Stage 1 investigation**

Include details of any investigation undertaken at stage 1 including details of the conclusions from the investigation.

### **Investigation**

Include details of the investigation of the complaint at stage 2.

The investigation should be undertaken with an open mind and every possibility should be given for the complainant to put their case across. Ideally this should be through a face to face meeting or, if the complainant prefers, by telephone conversation.

The complaint should be checked against relevant procedures and policies to ensure that the correct procedure has been followed and that correspondence hasn't been missed.

Consideration should be given to the paperwork from the earlier stages of investigation to ensure there were no fundamental errors within this. Meetings should be held with the service area the complaint is against to discuss the complaint and to allow the Service Area to put its case across.

Potential remedies should be discussed and evaluated within this section.

### **Conclusion**

This should detail the conclusions to the investigation which should be referred back to paragraphs within the investigation section and state if the complaint was justified or not.

### **Remedy for the complainant**

This should detail any proposed remedy for the complaint if it is felt appropriate and cross referenced with the LGO guide.

### **Proposed actions for Service(s) and Learning Points (if appropriate)**

This should detail any actions or learning points the reporting officer feels the service area should implement to ensure that a similar complaint does not arise in future.



## CORPORATE COMPLAINTS PROCEDURE

Warwick District Council is keen to receive feedback about its complaints procedure. It would be appreciated, therefore, if you could spare a few minutes to complete the following survey.

Please respond to the following questions by indicating Yes or No.

### (A) Acknowledgement of complaint

- |     |   |          |
|-----|---|----------|
| (1) | When you submitted your complaint did you receive a written acknowledgement?              | Yes / No |
|     | If so,  |          |
| (2) | Were you provided with a Corporate Complaint number?                                      | Yes / No |
| (3) | Were the details of your complaint confirmed?   | Yes / No |
| (4) | Were you provided with the name of the officer who would be investigating your complaint? | Yes / No |
| (5) | Did you receive a copy of the Council's Corporate Complaint Procedure?                    | Yes / No |
| (6) | Were you provided with the date by which you would be sent a response to your complaint?  | Yes / No |

### (B) Investigation

- |     |   |          |
|-----|---|----------|
| (1) | During the investigation were you given the opportunity to provide an input?  | Yes / No |
| (2) | Was the response sent to you by the date specified?                           | Yes / No |
| (3) | If the response was late were you informed of any delay in the investigation? | Yes / No |
|     | If so,  |          |
|     | (i) Were you given an explanation of the reasons for the delay?               | Yes / No |
|     | (ii) Were you provided with a clear revised deadline?                         | Yes / No |

### (C) Conclusion of the investigation

- |     |  |          |
|-----|--|----------|
| (1) | If you were dissatisfied with the outcome of the investigation, were you informed of how you could progress the complaint to the next stage (Stage 2 of the Complaints Procedure or Local Government Ombudsman)? | Yes / No |
| (2) | Without taking into consideration the actual outcome of the investigation, were you satisfied with the <u>process</u> followed during the investigation of your complaint?                                       | Yes / No |

**(D) Any other comments**

*Please use the space below to provide further comments about the complaints process:*

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**(E) Personal details (optional)**

Your name: .....

Your address: .....

.....

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Telephone number: .....

E-mail address: .....

Corporate Complaint Number (if known): .....

Thank you for your valuable assistance in completing this survey. It would be appreciated if you could now return it in the enclosed pre-paid envelope to Members' Services, Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa CV32 5HZ. Thank you.

## Stage 2 continued

***These details are not to be sent to the complainant and are for internal use only***

<b>Complaint Number:</b>	
<b>Investigating Officer and Contact Details:</b>	
<b>Complainant Contact Details:</b>	
<b>Start Date:</b>	
<b>Target Completion Date:</b>	
<b>Completion date</b>	
<b>Completed report discussed with affected service areas on:</b>	
<b>Report agreed by Legal and Finance (if appropriate):</b>	
<b>Hours taken to investigate the complaint:</b>	

