



# **High Peak Borough Council and Staffordshire Moorlands District Council Joint Complaints, Compliments and Comments procedure and policy**

Reviewed April 2024

## **Introduction and Our Principles:**

This Policy explains our approach to dealing with complaints and that we deal with them in a fair, unbiased, consistent and structured way.

All feedback is important to us. Complaints , Comments and Compliments. We strive to put things right where we have gone wrong, so that we can learn and improve our services and stop them from happening again.

The policy aims to give you a clear understanding of our feedback process.

The following principles will inform the way in which the council engage with our customers and respond to both positive and negative customer feedback about service delivery.

We will ensure that it is easy for our customers to make their views known.

## **On receipt of a complaint:**

We need to be clear whether we have received a complaint, rather than a request for service or a request for an explanation of a decision.

We use the following definitions, from the Ombudsman to decide if a complaint has been made:

### **Local Government ombudsman -**

‘A complaint may be defined as an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of individuals.’

### **Housing Ombudsman -**

‘A complaint is an expression of dissatisfaction, however made, about the standard of service actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.’

This includes:

- failure to respond to a routine service request
- inadequate or unsatisfactory service
- failure to follow policies, standards or procedures
- undue delay in taking action
- inaccurate or misleading information
- disrespectful or unhelpful staff

### **Exceptions:**

Although most complaints will fall into this definition there are some cases that won't be dealt with through our complaints process:

- Complaints that a councilor has broken the code of conduct are assessed by the monitoring Officer
- Freedom of Information(FOI), Environmental Information and Subject Access Requests(SAR) and complaints about responses have their own council review system and right of appeal to the Information Commissioner
- Any complaints arising out of actions or omissions which occurred more than 12 months previously

### **Exceptions for High Peak Borough Council Tenants**

- Complaints that a councillor has broken the code of conduct are assessed by the monitoring Officer
- Freedom of Information(FOI), Environmental Information and Subject Access Requests(SAR) and complaints about responses have their own council review system and right of appeal to the Information Commissioner
- Any complaints arising out of actions or omissions which occurred more than 12 months and in some cases 6 months previously. HPBC as landlord will exercise discretion when considering whether to exclude a complaint on this basis and advise the tenant accordingly
- The complaint made to the landlord is the same matter which is or has been subject to legal proceedings.
- Where the same issue has previously exhausted the landlord's internal complaints process

### **Appeal against our decision to exclude**

You have the right to take this decision to the ombudsman who will review the exclusion.

### **When classified as a complaint:**

- We will engage with our customers and seek to fully understand the cause of the complaint;
- If the complainant has a representative we will check that they have the complainants consent to act on their behalf, and satisfy ourselves that they are acting in the complainants best interests.
- We will ensure that staff are empowered to respond and deal with complaints;
- We will seek to reach a speedy and equitable resolution of all complaints;
- We will learn from complaints, and apply what we learn to ensure that the problem that caused the complaint is not repeated.

- We will take measures to address any actual or perceived conflict of interest and information and any evidence carefully.

### **Corporate Complaints Procedure:**

Where applicable we will resolve the issue informally by raising a request for service or discussing with the service area involved .The customer will receive a response within 10 working days advising of the action taken .

If the complaint is to follow the formal complaints process then the following will apply

#### **Stage 1**

All complaints will be acknowledged within three days of receipt and be Responded to within 10 working days.

If the complaint requires additional time for investigation, the customer will be contacted and a full explanation given for the delay along with a date a full response will be provided

#### **Stage 2**

Where a customer is dissatisfied with the decision at stage 1 of the complaint they will have the option to escalate to the Executive Director responsible for the Service area. All complaints at this stage 2 will be acknowledged within three working days and responded to within 20 working days.

If the complaint requires additional time for investigation, the customer will be contacted and a full explanation given for the delay along with a date a full response will be provided

### **Ombudsman:**

Where a customer is dissatisfied with the decision at stage 2 they have the option to refer to the Ombudsman

The Local Government Ombudsman is an independent body who investigates complaints about councils and some other organisations providing local public services [www.lgo.org.uk](http://www.lgo.org.uk)

The Housing Ombudsman Service is set up by law to look at complaints about the housing organisations that are registered with them.[www.housingombudsman.org.uk](http://www.housingombudsman.org.uk)

## **Housing Self-assessment code**

If you would like to view the self-assessment code please see the link on our website.

[www.highpeak.gov.uk](http://www.highpeak.gov.uk)

## **Unreasonably persistent complainants and unreasonable complainant behaviour:**

The majority of complaints made to the council will be dealt with in a timely and effective manner through the appropriate application of the complaints procedures. In a minority of cases however the way in which complainants pursue their complaint can impede investigations, the council has adopted the Local Government Ombudsman guidance in relation to unreasonable and unreasonably persistent complaints.

Link to guidance on managing unreasonable complainant behaviour

<https://www.lgo.org.uk/information-centre/reports/advice-and-guidance/guidance-notes/guidance-on-managing-unreasonable-complainant-behaviour>

## **Compliments**

On receipt of a compliment:

- We will acknowledge receipt, where this is appropriate or required;
- We will ensure that it is shared with the relevant individual or team;
- We will learn from the good practice and apply the learning across both Councils.

## **Comments**

On receipt of comments or suggestions:

- We will acknowledge receipt, where this is appropriate or required;
- We welcome your suggestions on how we can improve our services.

## **Service Requests**

On receipt of a request for service:

- We will Acknowledge receipt, Where this is appropriate or required;
- We will ensure that it is shared with the relevant individual or team;
- We will ensure if required a response is made.

If you would like to leave feedback this can be done in the following ways -

- Complete the online feedback form [www.highpeak.gov.uk](http://www.highpeak.gov.uk)  
[www.staffsmoorlands.gov.uk](http://www.staffsmoorlands.gov.uk)

- email - [complaints@highpeak.gov.uk](mailto:complaints@highpeak.gov.uk) [complaints@staffs Moorlands.gov.uk](mailto:complaints@staffs Moorlands.gov.uk)
- Telephone HPBC 0345 129 7777 SMDC 0345 605 3010
- In Person - High Peak Borough Council Buxton Town Hall, Market Place, Buxton, SK17 6EL
- In Person - Staffs Moorlands District Council Moorlands House, Stockwell Street, Leek, ST13 6HQ
- By Post PO BOX 136 Buxton SK17 1AQ