ST HELENS
BOROUGH COUNCIL

Corporate Complaints, Compliments and Feedback Policy

Contents

1. Introduction

1.1 St Helens Council is committed to putting customers first and providing high quality services. It welcomes feedback in the form of complaints and compliments to ensure it can continue to improve.

1.2 The Local Government and Social Care Ombudsman (LGSCO) has issued the Complaint Handling Code as advice and guidance for all local councils in England under section 23(12A) of the Local Government Act 1974.

1.3 The Code sets out a process for organisations to assist in responding to complaints effectively and fairly. This policy reflects requirements outlined within the Code where there are no statutory complaint handling processes in place.

1.4 The Council will ensure officers take ownership of complaints and respond transparently to our customer's needs and expectations. It will respond to complaints promptly and effectively, resolving complaints quickly wherever possible. Information received from complaints will be used to drive improvement.

1.5 This Policy sets out how the Council processes feedback from customers whether it is a complaint, a compliment or feedback. Feedback from our customers is invaluable as it gives the opportunity to put things right if there have been mistakes and just as importantly, helps to improve services.

2. Principles of good practice

2.1 Customers can expect all complaints, compliments and feedback to be dealt with promptly, efficiently and with courtesy, and can expect to receive a consistently high-quality service when they contact any member of our staff.

2.2 St Helens Council will:

- Ensure that all enquiries are process fairly and confidently.
- Maintain a record of all feedback, compliments received in accordance with the requirements of the Data Protection Act 2018.
- Resolve customer enquiries at the first point of contact where we can or direct you to the right place if we can't.
- Respond to enquiries within the timescales specified in this policy either verbally or in writing.
- Provide clear information about our services in the appropriate formats.

2.3 These principles will be used to guide the handling of complaints, compliments and feedback.

3. Feedback

3.1 The council welcomes feedback from customers on the services it provides. Customer experience of services and suggestions for improvement are important for the council to continue to offer high quality services that customers need.

3.2 The Council collects customer satisfaction and effort scores from customers when they have completed an online form. These scores are shared with services and are used to enhance customer experience.

3.3 Customers can also submit feedback to services using the online General Enquiry form.

4. Compliments

4.1 Customers may want to compliment the council by letting us know when they are happy with the service, they have received.

4.2 It is important that staff record compliments so we can report on the good news received from our customers. Compliments are recorded on the Councils Customer Records Management system.

4.3 Compliments will be acknowledged within 5 working days and the details of the compliment forwarded to the relevant service manager.

5. Complaints

5.1 Customers can expect all complaints to be dealt with promptly, efficiently and with courtesy, and can expect to receive a consistently high-quality service when they contact any member of our staff.

5.2 The Council will:

- Ensure all staff are trained and supported to recognise a complaint and to assist customers in using the procedure effectively.
- Maintain a record of all complaints received in accordance with the requirements of the Data Protection Act 2018.
- Resolve customer enquiries at the first point of contact where we can or direct you to the right place if we can't.
- Keep the customer informed of progress at every stage of the investigation of their complaint where necessary.
- Respond to enquiries within the timescales specified in this policy either verbally or in writing.
- Provide clear information about our services in the appropriate formats.
- Take appropriate action to resolve the complaint when necessary.

- Inform the Customer of their right to further redress, for example progressing to the next stage of the Complaints Procedure or contacting the Local Government and Social Care Ombudsman.
- Monitor and evaluate complaints so we can continually improve our services.
- Monitor and report our performance in complaint handling.

How to Complain

5.3 A Customer can use any of the following ways to make a complaint:

- Email: Email the Contact Centre or directly to the Complaints Team at: corporatecomplaints@sthelens.gov.uk
- Council website: Complaints, compliments and feedback - St Helens Borough Council
- By post using the following address:

  Information Governance, Compliance and Complaints Team
  St Helens Borough Council
  PO Box 512
  St Helens
  WA10 9EX
- In person: Customer Hub at St Helens Town Hall, Victoria Square, St Helens, WA10 1HP.
- Phone: Through the St Helens Council Contact Centre on 01744 676789.

Where necessary, reasonable adjustments will be considered in order to assist, please see Section 26 of this policy.

What is a complaint?

5.4 The Council has adopted the following definitions from the Local Government and Social Care 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."

5.5 A service request is defined as:

"A Service requests is a request for the Council to provide or improve a service, fix a problem or reconsider a decision."

5.6 Service requests are not complaints but may contain expressions of dissatisfaction. This provides the Council with an opportunity to resolve

matters to an individual's satisfaction before they become a complaint. A service request is not considered a complaint and is typically handled by the relevant service department to act rather than going through a formal complaint process. Examples of service requests include requesting a pothole repair, asking for information about a permit, or seeking clarification on a Council policy.

5.7 St Helens Borough Council will ensure that there is a mechanism in place to record, monitor and review regularly service requests. and will be processed in accordance with the requirements of the General Data Protection Regulations, the Data Protection Act, and associated Council Policies.

What can be complained about?

5.8 The Complaints Policy covers the following areas:

- Failure to provide a service.
- Quality of the service.
- Standards of buildings or facilities.
- Staff behaviour.
- Poor communication.
- Service policy.
- Discrimination/Hate incident.
- Treated unfairly/disrespectfully.

5.9 This policy applies to all complaints/expressions of dissatisfaction that are received within 12 months of the issue occurring, or the individual becoming aware of the issue. It relates to the provision of any service provided by, or on behalf of, the Council.

Exclusions

5.10 The council does not take a blanket approach to excluding complaints; each will be considered on an individual basis. For example, there may be circumstances when the council may consider complaints older than 12 months, or those that may have ordinarily be excluded due to an alternative appeals process (such as those outlined in Appendix 1). These will be recorded as a complaint and administered under this policy.

5.11 Certain complaints are covered under separate legislation or council policies and should be dealt with in accordance to those processes.

5.12 This policy does not include any procedures covered by the right of appeal, for example:

- Council tax reductions scheme and housing benefit decisions.
- Council tax banding.
- Parking and enforcement fines.

- Planning decisions.
- Blue badges.
- Licensing.
- School admissions, exclusions, or transport.
- Tribunals and Judicial Reviews.
- If any other procedures or rights of appeal can help resolve your concerns, we will information and advice to help you. See **Appendix 1** for more details.
- Complaints where the Council has already started legal proceedings or there is a right of redress in law and where it is reasonable to have expected the complainant to have pursued that course of action.
- Complaints about action taken in relation to employment matters such as appointments, pay or dismissals.
- Complaints already under consideration by the Local Government Ombudsman.

Freedom of Information and Subject Access Requests

5.13 All requests to review or complain about the information supplied in relation to a Freedom of Information and Subject Access Request are exempt from this policy. Further information around Data Protection and Freedom of Information can be found on our website at https://www.sthelens.gov.uk/1895. Complaints of this nature should be directed to the Information Commissioner's Office.

Allegations of criminal behaviour or fraud

5.14 We are committed to combating fraud and corruption by employees or members of the council who abuse their position of trust. Such allegations are unlikely to be handled under this policy. The matter may need to be directed to the police or considered under other Council policies.

Complaints about schools, academies, and colleges

5.15 Complaints about schools, academies and colleges are not considered by the Council. Each school, academy, and college has its own complaints process.

5.16 Complaints about a school, academy or college or a staff member of the school, academy or college should be directed to the Head Teacher or Chair of Governors.

Complaints about elected members

5.17 If you wish to complain about the conduct of a member of St Helens Borough Council or any Parish Councillor in St Helens, you will need to submit your complaint in writing to:

Monitoring Officer
St Helens Borough Council
Town Hall
Victoria Square

St Helens
WA10 1HP

Email: monitoringofficer@sthelens.gov.uk

Further information, including the Council's Procedure for Dealing with Complaints Alleging a Breach of the Code, is available on the Council's website.

Complaints made on someone else's behalf

5.18 Individuals can identify a suitable representative to deal with their complaint on their behalf and to be represented or accompanied by them at any meeting within the organisation. Where a complaint is made on an individual's behalf, the council will request consent from the original complainant to confirm that they are aware that the complaint is being made.

Anonymous Complaints

5.19 We will still consider and record anonymous complaints, but they will not be responded too. Where possible we will provide them to the service for consideration.

5.20 If a customer wishes to remain anonymous to the service being complained about, the complaint will be responded to, and the name withheld from the service.

Complaints about third party providers

5.21 More of our services are now being delivered by other organisations. However, the Council remains responsible for the actions of its partners or contracted service providers when they are carrying our services on our behalf. In such instances, complaints should be directed to the Council as already detailed in this policy. However, should the matter be about a service delivered by the third party, but not a service provided on behalf of the Council, the customer will be requested to contact the relevant provider directly.

Social Media Complaints

5.22 When a complaint is received on the Councils official social media account(s), complainants will be asked to make contact by one of the methods stated above, so we can ensure that we have full details of their dissatisfaction with our services.

Complaints and Enquiries from an MP or Councillor

5.23 This Complaints Policy is intended for individual customers to seek a resolution to an issue. A Member of Parliament (MP) or Councillor can make a formal complaint on behalf of a constituent.

5.24 Complaints made via a MP or Councillor will be processed through the Complaints Process.

5.25 Enquiries or service requests from a MP or Councillor will be handled outside of the Complaints Process.

5.26 Where a complaint is made by an MP or Councillor on a constituent's behalf, consent will be requested from the constituent to share personal information in line with data protection guidelines.

Timescales

5.27 Timescales for complaints are as follows:

	Acknowledge	Respond	Extension
Stage One	5 working days of receipt	10 working days of acknowledgement	10 working days
Stage Two	5 working days of receipt	20 working days of acknowledgement	20 working days

What we expect from our customers

5.28 We have a zero-tolerance policy regarding aggressive or abusive behaviour or language towards council officers, in any medium, and will terminate dialogue whether electronic, in phone calls or interviews where this behaviour is displayed. We will ensure compliance with the Equality Act 2010 and consider the individual circumstances before excluding any complaints.

Publication

5.29 The Corporate Complaints, Compliments and Feedback Policy will be published on the council website. This will include signposting as to how to make a complaint. The council will publish information about how to complaint to the Local Government Ombudsman within complaint responses and on the council website. The policy will include information about the Complaints Handling Code.

Support, Monitoring, Evaluation and Review

5.30 This policy is coordinated by the Information, Governance, Compliance and Complaints Team within the Policy Change and Reform Department who provide guidance and support to staff on best practice in handling complaints. The team also monitor and report on the Council's performance in complaints handling and resolution, supporting our services in identifying areas for service improvement, and learning, along with assisting in planning to reduce repeat complaints.

6. Complaints Procedure

6.1 The council's corporate complaint procedure is a two-stage process. When a complaint is received, the council has discretion over the stage at which the complaint is investigated.

6.2 In some instances, it may be necessary for the Council to refer the matter directly to the Local Government and Social Care Ombudsman prior to investigation by the council.

Receiving a complaint

6.3 Services will do their best to try to resolve concerns at the first point of contact, however if that is not possible, we will log the issue as a complaint at Stage 1 and allocate to an appropriate officer to respond.

6.4 All complaints will be logged on the Customer Record Management system for all stages to ensure their progress through the procedure is monitored. This also enables regular reporting.

6.5 The Complaints Team will acknowledge the complaint within **5 working days of the complaint being received.**

6.6 The council will be clear which aspects of the complaint we are, and are not, responsible for and clarify any areas where this is not clear.

Stage 1

6.7 A Stage 1 complaint will be investigated by the Service Manager of the service which has caused the complainant to raise concerns.

6.8 A response will be provided to a complainant when the answer to the complaint is known, not when outstanding actions are required to address the issue are completed. Outstanding actions are monitored and actioned promptly, with appropriate updates provided to the complainant by the relevant service area.

6.9 The amount of time given for responding to a Stage 1 complaint is **within 10 working days of the complaint being acknowledged.**

6.10 If our investigation into the complaint is going to take longer than the allocated 10 working days from the compliant being acknowledged, an extension to this timescale may be applied. An extension should be no more than **10 working days,** and the reasons will be clearly explained to the complainant in writing. Details of the Local Government Ombudsman will be supplied.

6.11 The council will endeavour to address all points raised in the complaint and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.

6.12 If a complainant is dissatisfied with all or part of the complaint response given at Stage 1, then they can inform the council's Complaints Team.

Request for Stage 2

6.13 If all or part of a complaint is not resolved to a complainant's satisfaction at Stage 1, it can be progressed to Stage 2 of the Corporate Complaints procedure. Stage 2 is the council's final response.

6.14 Requests to escalate a complaint to Stage 2 should be submitted to the Council's Complaints Team within **20 working days** of receiving the Stage 1 response. This timeframe helps ensure that relevant information remains accessible, and any concerns raised are still current, supporting an effective and timely review process. Requests made outside of the suggested timescales will still be considered at the council's discretion, on a case-by-case basis.

6.14 Complainants are not obligated to provide reasons for requesting Stage 2, however any information included in the request can help the council better understand the ongoing concerns and support a more informed Stage 2 response. The council may prompt further information to provide clarity on the points of complaint to be agreed.

6.15 A request for Stage 2 may be made in any of the methods outlined under **'How to Complain'**, quoting the original reference number.

Stage 2 - Review

6.16 Requests for Stage 2 will be acknowledged and logged at within **5 working days** of the request being received. Within the acknowledgement, the council will set out their understanding of any outstanding issues and the outcomes the complainant is seeking. If any aspect of the complaint is unclear, the complainant will be asked for clarification.

6.16 The Council's complaints team will allocate the Stage 2 response to a Head of Service or above. This person will not be the same person that considered the complaint at Stage 1.

6.17 The Stage 2 will be a review of the Stage 1 and will consider only those issues raised. It will not be a re-investigation or consider fresh issues.

6.17 The Council will issue a final response **within 20 working days** of the complaint being acknowledged.

6.18 In some cases, a complaint response may take longer than the allocated 20 working days and an extension to this timescale will be applied. An extension should be no more than **20 working days without good reason** and the reasons will be clearly explained and provided to a complainant in writing.

6.19 Once a complaint has been through all stages of the Council's complaints process, a complainant can ask the Local Government and Social Care Ombudsman to consider the complaint.

6.20 The Ombudsman has issued a Complaint Handling Code which sets out advice and guidance for councils on how to handle complaints. Find out more information about this on the Ombudsman's website (Complaint Handling Code - Local Government and Social Care Ombudsman).

6.21 The Ombudsman investigates complaints in a fair and independent way - it does not take sides. It is a free service.

Local Government Ombudsman

6.19 At any time during an investigation by the Council, a complainant can refer their complaint to the Local Government and Social Care Ombudsman.

6.20 However, the Ombudsman will normally give the council the opportunity to resolve the complaint via their internal procedure first unless the nature of the complaint is felt to warrant immediate intervention.

6.21 Contact details for the Local Government Ombudsman are as follows:

Website: **https://www.lgo.org.uk/how-to-complain**

Telephone: 0300 061 0614

Postal Address: Local Government and Social Care Ombudsman, PO Box 4771, Coventry, CV4 0EH.

6.22 Complaints referred by the Ombudsman are addressed to the Chief Executive and forwarded to the Ombudsman Link Officer to liaise with services and monitor accordingly.

7. Reasonable Adjustments

7.1 The Council is committed to taking action to ensure that the way we work does not place people with disabilities at a disadvantage. It is important to remove the barriers some customers may have when making complaints.

7.2 The Council has a legal duty to consider making reasonable adjustments if we find that there are barriers to people with disabilities in the way we do things. If those adjustments are reasonable, they must be made.

7.3 The duty is 'anticipatory.' This means that the Council cannot wait until a person with a disability wants to use the service. We must think in advance, and on an ongoing basis, about what people with a range of impairments, such as people who have a visual or hearing impairment, a mobility impairment, or a learning disability, might reasonably need.

7.4 The Equality Act 2010 requires us to provide reasonable adjustments for people who are “disabled”. Under the Act this means they have a “physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities.”

7.5 The duty is to make “reasonable adjustments” if the way that we carry out our functions places a disabled person at a “substantial disadvantage” compared to someone who does not have a disability.

7.6 We will do our best to accommodate requests even if you do not have a disability as defined by the Equality Act 2010.

7.7 Reasonable adjustments are not defined by the Act, but there is a Code of Practice which gives guidance as to the kind of adjustments that could be made. Making a reasonable adjustment means making a change to our usual practices to avoid or correct a disadvantage to a person who has a disability in accessing our service.

7.8 Depending on your needs, this could include:

- Providing documents or correspondence in larger print, or with a specific colour contrast (which may help people with conditions such as dyslexia).
- Giving you more time than would usually be allowed to provide further information or comments on your complaint.
- Using the telephone rather than written communication (e.g., if you have a visual disability).
- Translating documents or correspondence into Braille.
- Communicating with you through your representative or advocate.

7.9 **Asking for reasonable adjustments**

When you first contact us, we will ask you if you have a disability and whether you might need an adjustment to help you use our service, but you can also ask for a Reasonable Adjustment at any time during our consideration of your complaint. We will also suggest new or additional adjustments if we feel it might help you continue to make the best use of our service.

7.10 Our response to requests - Before agreeing an adjustment, we will consider:

- What the disadvantage would be if the adjustment were not made.
- Whether the adjustment will be effective in reducing the disadvantage.
- How practical it is to make it.
- Whether it would disrupt our other activities unreasonably.
- The cost and availability of resources, including external help and finance.

7.11 We will try to agree a reasonable adjustment with a minimum of delay, but in some cases, we may need to consider the request in more detail.

7.12 There may be circumstances where we decide not to meet the request. The law says that an adjustment only has to be made if it is “reasonable.” We need to take account of the cost or resource implications of making the adjustment, whether the request itself is reasonable and whether there is a less expensive way of meeting the request. Where it is difficult to provide the adjustment or meeting it would interfere with our ability to meet our legal obligations, we may decide it is not “reasonable.”

7.13 We will look at each request individually and will aim to agree any adjustments with you to avoid us making incorrect assumptions about your needs. Where we do not agree an adjustment, we will explain why. When we agree a reasonable adjustment, we will let you know in writing.

8. Persistent or Vexatious Complaints

8.1 Dealing with a complaint ought to be a straightforward process, but in 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 the council. This can happen either while their complaint is being investigated, or once the council has finished dealing with the complaint. In order to address the problem, the council has introduced a Managing Vexatious and Unreasonable Communications Policy.

Version Control

Date	Version	Comments
09.06.2020	1.0	
08.07.2020	1.1	Monitoring Officer details changed.
	1.2	Author details changed.
20.01.2025	1.3	Complete Review

Appendix 1 – Appeals Processes

SERVICE	TYPES OF APPEAL
Blue Badges	Blue Badge award decisions
Contaminated Land	Remediation notices
Council Tax	Council tax banding
Environmental Health	Council tax reduction scheme decisions
	Noise abatement notices
Fostering	Fostering panel decisions
Freedom of Information	Freedom of Information Internal Review
Highways	Street Works Licence
Housing Benefit	Housing benefit award panel decisions
Licensing	House to house collections licence
	Permit for road and street activities
	Premises licence
	Taxi licences
Parking	Penalty Charge Notices (PCN)
Planning	Planning application decisions
	Planning Notices Served
Private Housing	Private landlords – remedial work notices
Private Housing Schools	House of multiple occupation licenses
	School place allocation
Schools	School exclusions
Special Educational Needs and Disability	School transport
	Education, health and care plan decisions
Supporting People	Home support subsidy applications
Under One Roof	Appealing against decisions on eligibility and exclusions