

# Complaints, comments and compliments

Policy

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## Complaints, Comments and Compliments Policy

### **Introduction**

Belfast City Council is committed to providing the highest levels of customer service. It is equally committed to improving access to services and the quality of those services. Customers should always know how they can make a complaint and that our procedures are easily accessible and well publicised. This policy sets out how customers can make a complaint, comment or compliment about council services.

Every citizen is entitled to complain of acts or failures arising from administrative or operational action and expect redress. And, that all council staff and contractors are aware and knowledgeable of the policy and processes in place for customers to make complaints, comments and compliments. Equally, our Elected Members, in their role as leaders in the community, brings them into frequent contact with residents who have complaints, comments and compliments to make about the council. Their ownership and knowledge of the policy will enhance this community leadership role.

### **Who can complain, comment or compliment?**

Any person, group or organisation receiving or seeking to receive a service from the council or its contractors has the right to complain, comment or compliment. (*A separate policy exists for council employees*). A complaint made by anyone other than the aggrieved party will only be accepted when it is made by a third party on behalf of the complainant and with their permission. This may arise for example in the case of a minor, someone suffering from illness or incapacity. Customers can complain, comment or compliment about any of our services, facilities, venues and staff. Including, all departments and employees, agency staff, contractors and consultants who work for the council.

### **Principles**

- Inclusive, that any person, group or organisation receiving or seeking to receive a service from the council has the right to complain, comment or compliment.
- An accessible and consistently recorded and monitored procedure for customers to raise any complaints, comments or compliments regarding the council's services.
- To have one point of contact for customers making a complaint, comment or compliment
- Develop a culture of learning, both from mistakes and feedback, to improve services.
- Well trained and knowledgeable staff to ensure effective complaints handling.
- We wish to ensure access for all and will provide for additional requirements such as alternative formats on request for complainants with a disability or alternative language access for those complainants for whom English is not their first language.

### **Definitions -Complaint, Comment and Compliment**

A **complaint** is any oral or written expression of dissatisfaction by any person, however made, about the service, actions or inactions of the council or its officers which requires a response. (Northern Ireland Ombudsman definition). A complaint is usually about something specific for which we are responsible, such as:

- The standard of service provided by the council
- Failure by the council to respond to a request for a service
- Failure by the council to provide an agreed service
- That the council has exceeded its powers
- That the attitude or conduct of an officer has been unacceptable
- The council has not followed an agreed procedure
- Maladministration by the council

A **comment** is a suggestion or idea about how a function or service provided by the council could be improved.

A **compliment** is an expression of satisfaction concerning a function or service provided by the council.

A complaint is different from a whistleblowing concern, where an individual raises information as a witness about *danger, wrongdoing or illegality* that affects others. Where this is the case the matter should be raised under the council's Whistleblowing Policy. It covers concerns that fall outside the scope of the complaints procedure.

A complaint also differs from a grievance, which is a personal complaint regarding an employee's own employment situation. The council's Grievance Procedure for Staff is the appropriate procedure for dealing with complaints where the complainant has a personal interest.

### ***How to complain, comment or compliment***

#### ***In Person***

Talk to a member of staff at any of our council venues

#### ***By letter***

Write to Corporate Complaints Officer  
Belfast City Council  
Freepost  
BT1 5BR

#### ***By Complaints, Comments and Compliments Form***

Fill in a complaints, comments and compliments form, available at all council venues

#### ***By email***

Email [complaints@belfastcity.gov.uk](mailto:complaints@belfastcity.gov.uk)

#### ***Online***

Go to [www.belfastcity.gov.uk/complaints](http://www.belfastcity.gov.uk/complaints)

Fill in our online complaints, comments and compliments form  
Or download a form in pdf format

#### ***By phone (9-5, Monday to Friday)***

Phone 028 9032 0202 and ask to speak to the relevant service or department  
Phone our Corporate Complaints Officer on 028 9027 0270  
Text phone 028 9027 0405

### ***How we handle your complaint***

#### ***Stage 1***

The people who can best deal with a complaint are those that provide the service. In the first instance, you are advised to contact the service's Complaints Officer or complete and return a complaints, comments and compliments form. In most circumstances mistakes or misunderstandings can be resolved quickly and informally at this stage.

We respond at this stage within 5 working days. If longer is needed we will write and explain why and advise a new date.

## **Stage 2**

If you are unhappy with the outcome of Stage 1 you can take the matter further by writing to the Freepost address or contact the relevant service Complaints Officer who will ensure your complaint is fully investigated by the head of service or senior manager. You will be asked to detail clearly why you are still not satisfied and what you expect from a further review.

We respond at this stage within 10 working days. If longer is needed we will write and explain why and advise a new date.

## **Stage 3**

If you are unhappy with the Stage 2 investigation you can then contact the director of the department responsible for the service who will carry out a full review of your complaint within 10 working days. If longer is needed we will write and explain why and advise a new date. The council's chief executive will review all papers before a final decision is made and communicated to you. You will be asked when making a Stage 3 complaint to explain why you are still not satisfied and what you expect from a further review.

Write to the Director  
C/O the Corporate Complaints Office  
Belfast City Hall  
Freepost  
BT1 5BR

## ***Where a complaint is upheld***

You will receive a written apology and explanation. Where possible the error will be corrected or the satisfactory service will be provided as a matter of urgency. When correcting the error is not possible or where you can prove that inconvenience or unsatisfactory service has caused you personal hardship or financial loss, the council will consider compensation based on the merits of the case.

## **Redress and compensation**

In the majority of cases when a service is missed or poorly delivered it will be rectified within agreed time limits, most likely set out within the departments' customer charter. In other cases compensation should be commensurate with the complaint. Including,

- Apology
- Explanation
- Correction
- Undertaking service improvement
- Change in policy or procedure
- In-kind compensation such as, tickets to another event,
- Financial compensation if it is appropriate and adheres to the council's procedures.

## ***Where a complaint is not upheld***

Where a complaint is not upheld you will receive a letter of explanation from the appropriate department setting out our reasons for rejecting your complaint. You will be advised that if you are unhappy at any stage of the complaints process you have the right to contact the Northern Ireland Public Services Ombudsman.

## ***Northern Ireland Public Services Ombudsman***

You can complain to the Ombudsman at any time. However, the Ombudsman will usually refer a complaint back to the council if it has not been through our complaints procedure. NIPSO may not investigate your complaint if the incident you want to complain about took place more than 6 months ago.

The Northern Ireland Public Services Ombudsman can be contacted at:  
Progressive House  
33 Wellington Place  
Belfast BT1 6HN

- Telephone: 02890 233821
- Text Phone: 02890 897789
- Freephone: 0800 34 34 24
- Email: [nipso@nipso.org.uk](mailto:nipso@nipso.org.uk)
- Freepost: Freepost NIPSO

***The complaints procedure does not cover***

- A request for service
- Reporting a fault
- Requests for service provision such as a new leisure centre
- Information requests or an explanation of council policy or practice
- Disagreements with decisions properly made by councillors or officers under scheme of delegation
- Matters for which there is a right of appeal/tribunal and or a legal remedy
- Matters regarding human resources which may become subject to consideration under other council policies and procedures- however complaints about staff attitude and behaviour are dealt with initially under the complaints procedure.

***Complaints -special cases***

The complaints policy is principally to address operational and service shortcomings. It does not cover legal and other statutory regulations and obligations.

***Anonymous complaints***

We treat all complaints in the strictest confidence and it is your right to complain. In most cases the best way for you to raise a complaint is to do so openly. Openness makes it easier for the council to address the issue, work out how to investigate the matter, understand the reasons for the complaint and get more information. This policy encourages you to put your name to your complaint.

We recognise that there may be circumstances when you would prefer to remain anonymous. If this is the case, please explain why you would prefer to remain anonymous. The council will make every effort to preserve your anonymity if you so wish. It must be appreciated however that the investigation process may reveal the source of the information and a statement from you may be required as part of the evidence.

If no contact name or address is provided, it will not be possible to get back to you with an outcome.

The council will exercise discretion in deciding whether or not to investigate anonymous allegations. The factors to be taken into account will include:

- the seriousness of the issue(s) raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources
- whether the allegations have been investigated before

### ***Vexatious complaints***

A very small number of customers may make complaints that are vexatious, meaning they persist unreasonably with their complaints, or make complaints in order to make life difficult for the council rather than resolving a grievance. For example, this may involve making serial complaints about different matters, or again and again raising the same or similar matters. The frequency of contact with the council can hamper the consideration of their complaints and the ability of officers to provide a quality service.

The council believes that it is important to make a distinction between people who make a number of complaints, because they genuinely believe things have gone wrong, and people who are simply being difficult. Each complaint must be considered, and a decision made as to whether it is vexatious or genuine.

### **Responsibilities of complainants**

As a customer of Belfast City Council you have every right to expect the best possible services. And, when we fall short, you have the right to complain. When you do so we ask you to follow these guiding principles.

- Provide adequate details of your complaint
- Set out clearly the cause for dissatisfaction
- Provide accurate details and supporting correspondence or other relevant supporting evidence
- If there has been a delay in submitting your complaint explain the cause of that delay
- Explain what you believe to be a satisfactory outcome
- Treat our staff with good manners, politeness and civility at all times
- Accept that we will act fairly and promptly in dealing with your complaint
- Be reasonable and open minded and listen to reasonable explanations
- Be realistic it may not always be possible to achieve the outcome you look for.

### ***Equality and Good Relations***

Belfast City Council is committed to ensuring that all services promote equality of opportunity and good relations. All complaints, comments and compliments received, by whatever means are taken seriously and will be recorded and acted upon according to the corporate complaints procedure.

### **General Data Protection Regulations**

Belfast City Council is the Data Controller under the General Data Protection Regulation (GDPR) for the personal data it gathers for the purposes of complaints, comments and compliments.

You are providing your personal data to the Council whose lawful basis for processing is to manage your complaint, comment or compliment. The Council is a public service provider under the Northern Ireland Ombudsman's Jurisdiction (Public Services Ombudsman Act (Northern Ireland) 2016 (the 2016 Act), and responds to customers' feedback in seeking continuous service improvement. Your feedback is important to us. We use this information, whether positive or negative to monitor and improve our service for the benefit of all our customers.

The personal data may be shared internally within the Council with staff who are involved in providing this service and where necessary, between internal departments with the purpose of supporting an effective delivery of service.

It may also be shared with the Northern Ireland Public Services Ombudsman if you decide to escalate your complaint to the Ombudsman's office for further investigation.

Your personal data will not be shared or disclosed to any other organisation without your consent, unless the law permits or places an obligation on the BCC to do so.

The personal data is held and stored by the Council in a safe and secure manner and in compliance with Data Protection legislation and in line with the Council's Records Retention and Disposal Schedule.

If you have any queries regarding the processing of your personal data, please contact [complaints@belfastcity.gov.uk](mailto:complaints@belfastcity.gov.uk)

If you wish to contact the Council's Data Protection Officer, please write to Belfast City Council, City Hall Belfast, BT1 5GS or send an email to [records@belfastcity.gov.uk](mailto:records@belfastcity.gov.uk)

### ***Freedom of Information Act***

Belfast City Council (BCC) is committed to implementing the provisions of the Freedom of Information Act 2000 (FOIA). The Act requires (1) the Council to make information routinely available through a publication scheme and (2) to respond to written request for information. It gives the public a right of access to information, unless it is subject to an exemption to disclosure. As a transparent and accountable public authority, the Council is committed to openness.

### ***Communicating the policy***

The complaints, comments and compliments policy will be clearly communicated and accessible to all of the council's customers and stakeholders. The policy will be published on our website and mobile enabled website. Leaflets will be available at council facilities, offices and venues. In addition, copies or information about the procedure will be made available in alternative formats when requested including Braille, text phone, other languages and interpretation services such as Big Word. It will be made clear in all communications who the complainant can complain to and who will be responsible, at each stage