



## ***Technology and Information Services***

### **COMMENTS, COMPLIMENTS & COMPLAINTS POLICY & PROCEDURES**

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## Document Location

This document is held by Tamworth Borough Council, and the document owner is Assistant Director - People

Printed documents may be obsolete an electronic copy will be available on Tamworth Borough Councils Intranet. Please check for current version before using.

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June 2023	010102	Minor changes following feedback from Housing Ombudsman
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## Key Signatories

### Approvals Creation and Major Change

Name	Title	Approved
Anica Goodwin	Executive Director Organisation	
TULG	Trade Union Liaison Group	
CMT	Corporate Management Team	
CAB	Cabinet	August 2024
Heads Of Service	Advisory Body	
DPO / Monitoring Officer	Advisory Body	
Housing and Homelessness Advisory Board	Advisory Body for any Landlord amendments	
Tenant Consultative Group (CFG)	Advisory Body for any Landlord amendments	May 2024

### Approvals Minor Change and Scheduled Review

Name	Title	Approved
Nicola Hesketh	Information Governance Manager (DPO / Monitoring Officer)	
CMT	Corporate Management Team	

Housing and Homelessness Advisory Board	Advisory Body for any Landlord amendments	
Tenant Consultative Group (CFG)	Advisory Body for any Landlord amendments	

### Approval Path

#### Major Change

Nicola Hesketh  
 Zoe Wolicki  
 Heads of Service  
 CMT  
 Cabinet

#### Action

Submission  
 Sponsor  
 Consultative Group  
 Corporate Approval  
 Approval

### Document Review Plans

This document is subject to a scheduled 3 yearly review, or sooner where legislation or contract changes prewise.

Updates shall be made in accordance with business requirements, and changes will be with agreement with the document owner.

### Distribution

The document will be distributed through Astute as a **MANDATORY** policy where applicable and will also be available on the Intranet and Internet.

### Security Classification

This document is classified as OFFICIAL

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# Policy

## Introduction

The Council's Comments, Compliments & Complaints policy provides a framework that enables customers to give feedback about the Council's services and to ensure consistency and fairness when acting upon this feedback.

As a Council and landlord, we want to offer a service that is right first time – every time. Occasionally though we accept that things do not go as we would like.

We recognise the importance of complaints and welcome them as a valuable form of feedback about our services

This feedback can help us to:

- improve our performance
- improve our business processes
- re-design our services
- enhance our reputation
- train and develop our employees
- share good practice
- demonstrate service excellence
- support diversity and inclusion

Customer feedback supports development of the customer experience in the Council's desire to improve service, satisfaction, and to ensure the Council is utilising the feedback provided by customers when planning, designing services and improving services.

Accountability and transparency are integral to positive complaint handling culture and this policy is published on the council website at: [Comments, Compliments & Complaints](#).

We will also publish future complaints performance and service reports on there.

## Scope

This policy:

- Applies to all Council employees, elected members and employees of organisations who deliver services on our behalf.
- Applies to anyone affected by our services.
- Covers all complaints, compliments and comments received about a service, including landlord services.
- States that compliments and comments can be made at any time.

- States that complaints can be made about a service within 12 months of the issue or incident occurring.

### **Our Objective**

This policy will seek to deliver the following results:

- Resolve a complaint at the earliest opportunity
- Provide a resolution in accordance with timescales stated
- Increase customer satisfaction
- Learn from mistakes
- Identify and implement service improvements

### **Compliments and Comments**

The council encourages its customers to let it know when it has done something well or they have a suggestion on how it can improve what it does.

A comment is a suggestion or observation about services, policies, practices as a whole, which impact on everyone and not just one individual. A comment can be positive or negative in nature.

A compliment is an expression of satisfaction, thanks, praise, or congratulations.

Compliments and comments are essential to appreciate where a team or an officer is demonstrating services that are meeting or exceeding customer expectations.

All compliments and comments are recorded, and a copy is sent to the relevant service manager to for review and action where applicable.

Compliments and Comments can be made at: [Comments, Compliments and Complaints | Tamworth Borough Council](#)

### **Service Requests**

A service request is defined as a request from a resident to the organisation and or the landlord requiring action to be taken to put something right.

These initial requests for service, or action to be taken to put something right, may include expressions of dissatisfaction, but on not considered complaints under this policy. It is reasonable for the council to have an opportunity to respond to a service request for any issues reported first time.

## **Complaints**

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

All complaints will be treated seriously, and a response given in accordance with the timescales set out in this policy.

You do not have to use the word complaint for it to be treated as one. If you express any dissatisfaction to us, we will give you the choice to make a complaint

## **Who can complain?**

Anyone who receives or is seeking to receive a service from the Council, including landlord services, or anyone they have chosen to act on their behalf can make a complaint subject to the requirements of this policy.

## **Complaints made on behalf of someone else.**

Complainants may choose to ask someone else to deal with the complaint on their behalf, such as relative, carer or friend. Complaints can also be made through a Councillor, Members of parliament or another elected person. Correspondence from these individuals will be dealt with in the same way as if it were received from the complainant themselves.

Where appropriate, the council will seek consent from the complainant to correspond with a third party on their behalf. This ensures compliance with data protection requirements and reassurance that the complainant wishes are being fulfilled.

## **Anonymous Complaints**

The council values all complaints, including those made anonymously. Generally, anonymous complaints will be recorded as service enquires, unless the complaint raises issues of wider concern to the council that can be dealt with without further input from the complainant.

Anonymous complaints will be referred to the relevant service area who will take appropriate action based on their judgement of the information received. No reply can be made.

## **Complaint Examples**

If a matter has already been reported to the Council and the work has not been completed, or it has taken longer than we said it would take - this is a complaint. In addition, the following may also be considered as complaints:

- When we have not provided a service to the standard stated, including repairs.
- Not answering a customer's question or delivered a service.
- Our policies and procedures have not been adhered to.
- Discrimination or harassment on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- Delays in taking in action without a good reason.
- Giving incorrect or misleading information.

The above list does not cover everything but gives an indication of the type of things that complaints may be about.

## **Complaints Generally Excluded**

There may be times when the Council cannot investigate a complaint, this is usually because there are other separate independent appeal processes or procedures that should be followed.

This below list is not exhaustive and there may be other matters we cannot investigate, for example there is an appropriate body to deal with it. Where this is the case, we will advise you how to progress the enquiry.

Examples of excluded complaints include:

## **Service Requests and Surveys**

A service request is when a customer and/or tenant asks us to take action to put something right, for example to carry out a repair. This would not be classed as a complaint, but these requests are still recorded, monitored, and reviewed regularly.

If you then express dissatisfaction with our response to your service request, this would be classed as a complaint even if we are still handling your request.

Where we ask residents to complete surveys – for example, after major maintenance or improvement works have been carried out. Any dissatisfaction expressed through these surveys would not be defined as a complaint although we will make you aware of how you can pursue a complaint if you want to.

## **Time Limits**

It is far easier to find out what happened and to put things right if complaints are received at the time of the incident. As time passes it becomes more difficult to investigate events fairly and fully – people's memories fade or staff who were closely



involved may have left the Council. For these reasons, the Council will normally only accept complaints made within 12 months of the issue occurring or the customer becoming aware of the issue, unless they are excluded on other grounds.

However, if the complaint relates to safeguarding, health and safety issues or there are exceptional circumstances provided by the complainant for the delay in submitting the complaint, the Council may make a discretionary decision to accept complaints made outside of this time limit.

### **Reporting a Street Issue**

If you have noticed a problem with issues such as litter, fly tipping, graffiti, dog fouling, fly posting, or a grounds maintenance, these can be reported using our [online street issues form](#). These requests will not be managed through this complaints policy.

### **Housing repairs**

If you wish to report a repair or you would like an update to an ongoing housing repair, the most effective way to obtain this is by contacting the repairs team on 0800 183 0044 / [repairs@tamworth.gov.uk](mailto:repairs@tamworth.gov.uk)

Further information is available at: [Housing Repairs](#)

Complaints received about housing repairs, where the target date has not expired, or an update to a repair is being requested, will not be considered under the complaints policy. These will be treated as service requests and passed to Housing Repairs for review and action where applicable.

### **Environmental Health**

Some services deal with matters that the customer might consider to be a complaint, but which are routine everyday business for their department. Examples may include complaints about noisy neighbours, barking dogs, dirty restaurants, or food poisoning. These will be treated as service requests and passed to the relevant service area for review and action where applicable.

However, if a customer wishes to complain about how their initial or follow up service request was dealt with or not dealt with, then this would fall under the complaint's procedure.

Complaints about licenses, permits, approvals, consents, permissions or registrations or any related enforcement actions are dealt with under other procedures and there will be appeal mechanisms in place detailed with any correspondence you have received.

Further information can be found at: [Environment | Tamworth Borough Council](#)

### **Complaints about a planning application decision**

Complaints about planning application decisions are dealt with under the national appeals process. Further details can be found at: [Appeals - Appeals - Planning Portal](#)

Whilst the complaints policy will not be used to address complaints about the outcome of a planning decision, it can be used to investigate complaints about the procedures

and processes used to arrive at a decision

### **Housing Benefit and Council Tax Reduction – decisions or appeals**

Dealt with by the Benefit Appeals Tribunal. Further details can be found at:  
[Appeal a benefit decision: Overview - GOV.UK \(www.gov.uk\)](#)

Dealt with by the Valuation Tribunal. Further details can be found at:  
[Council tax reduction appeal - Valuation Tribunal Service](#)

### **Council Tax**

The Valuation office deal with queries where the taxpayer believes they are in an incorrect council tax band [Challenge your Council Tax band: Overview - GOV.UK \(www.gov.uk\)](#)

If a taxpayer believes that the liability is incorrect, or a discount / exemption is incorrect then they can appeal to the Valuation Tribunal, but they must have appealed to the council 1<sup>st</sup>.

[Appeal a Council Tax bill or fine: Appeal a bill - GOV.UK \(www.gov.uk\)](#)

### **Business Rates**

the Valuation Office deal with queries if the ratepayer believes the rateable value of his property is incorrect.

[Business rates: How your rates are calculated - GOV.UK \(www.gov.uk\)](#)

If the ratepayer wishes to dispute the non-award of a discount etc or anything that would affect the liability then this would go to the Valuation Tribunal, again after an appeal has been made to the council.

[Home - Valuation Tribunal Service](#)

### **Appeals relating to homelessness applications**

Dealt with through the homeless appeal procedure. Details of how to request a review are provided on decision letters.

### **Complaints about staffing appointments, dismissals, pay and other Human Resource policy and procedures**

This will be dealt with by the appeal process within the relevant policy.

### **Complaints made by members of staff against other members of staff**

These are dealt with under other internal policies including the Grievance Policy, Conduct and Capability Policy, Whistle Blowing policy, Anti-Harassment and Anti Bullying Policy, Code of Conduct Policy.

### **Complaints about Penalty Charge Notices (PCNs) or Fixed Penalty Charges (FPNs)**

Challenges and representations against the validity of a Penalty Charge Notice (PCN) are dealt with under a statutory appeals process. This process is designated by the Traffic Management Act 2004 and designed to safeguard the interest of the appellant. Details on how to challenge a PCN is contained within the notice.

You can visit our website [Tamworth Borough Council - Parking](#) where you will find

useful information regarding the PCN and how to submit a challenge.

Fixed penalties received as part of a legitimate enforcement action (e.g., environmental crime or ASB) will have full details about the legislative appeals process.

If you wish to complain about our enforcement practices or the behaviour of a member of staff, we may be able to consider this under this policy.

### **Freedom of Information (FOI), Environmental Information Regulations (EIR), Data Protection**

Complaints in connection with the Data Protection Act, for example a Subject Access request, accidental disclosure of information, or regarding Freedom of Information (FOI), Environmental Information Regulations (EIR) will not be dealt with under this policy.

There is a separate review, appeal, and complaint route, which leads to the Information Commissioner. Further information can be found using the links below:

FOI/EIR – [Freedom of Information | Tamworth Borough Council](#)

SAR - [Data Protection Act | Tamworth Borough Council](#)

### **Complaints against Elected Member conduct**

These are covered under a separate code of conduct - [Governance and Anti-Fraud | Tamworth Borough Council](#)

### **ASB**

The latest information and advice on anti-social behaviour and how Tamworth Borough Council can help (including a copy of the Council's Anti-Social Behaviour Policy) can be found on the Council's website at: [ASB](#). Whilst the complaints policy would not be used to address reports of ASB, it can be used if the complaint is that the ASB policy or process was not followed once the ASB was reported.

### **Community Safety – Community Trigger requests**

ASB Case Review investigations under the ASB, Crime and Policing Act 2014 will be investigated as per legal guidance by all partners and can be requested through Staffordshire Police website: <https://www.staffordshire.police.uk/advice/advice-and-information/asb/sf/asb-case-review/>.

Considerations which fallout outside of the agreed ASB review action plan and form part of specific complaint about Tamworth Borough Council process or action will be dealt with under this policy

## **Unacceptable behaviour by complainants**

It is understood that people may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming into the Council.

As a council we do not view behaviour as unacceptable just because a claimant is forceful or determined, however the actions of complainants who are angry, demanding, or persistent may result in unreasonable demands on the Council and unacceptable behaviour towards the Council's staff.

In such exceptional circumstances, the Council has a right to specify how the individual complaint will be handled and how future contact from the complainant will be permitted. A separate [Managing Unreasonable Behaviour Policy](#) sets out the procedures for handling such complaints. If the Council has cause to invoke this policy details will be sent to the individual concerned.

## **Monitoring and Performance**

### **Performance Standards**

Tamworth Borough Council will monitor performance to identify under performance and trends and address any issues.

To support this, we will

- work to resolve expressions of dissatisfaction when they are first raised, before they become a complaint,
- record and acknowledge all comments and compliments, and complaints.
- seek the views and feedback from customers who have been through this policy & procedure.
- Provide a Stage 1 acknowledgement within 5 working days.
- Provide a response to Stage 1 complaints within 10 working days.
- Provide a Stage 2 acknowledgement within 5 working days.
- Provide a response to all Stage 2 complaints within 20 working days.
- Respond to enquiries without using jargon and using Plain English, however, sometimes we may need to quote law or legislation.
- Ensure that customers feel that their complaints are being treated seriously, even if the outcome does not meet their expectations because at times we are restricted by law and legislation.
- Be fair and put things right when we can.
- Inform customers how to take their complaint further if they are still not satisfied with the resolution offered.
- Listen to what customers tell us. If we make changes because of feedback, we will publish this with our performance reports.
- Ensure customers will not be treated adversely because of making a complaint.
- Ensure confidentiality with the information provided.

## **Reporting on complaint outcomes and seeking continuous improvement**

Management information reports are available for service managers and CMT so that they can monitor the performance of their services in relation to complaints.

Examples of reports include:

- Number of stage 1 complaints received.
- Number of stage 2 complaints received.
- % of complaints upheld/partially upheld.
- % of complaints responded to within published timescales (stages 1 and 2)
- Number of compliments and complaints received.
- Number of complaints received by the Housing Ombudsman Service and or the Local Government Ombudsman Service.

A quarterly complaints report will be presented to Cabinet via the quarterly performance report which will also incorporate:

- Complaints received, broken down to each service area.
- The Councils LGSCO annual letter.
- Housing Ombudsman decisions.
- Any learning identified and actions taken.

An annual complaints performance report and service improvement report will be presented to Cabinet to meet the requirements of the Housing Ombudsman.

The annual report will include:

- An annual self-assessment against the Housing Ombudsman Complaints handling code to ensure the council (including landlord services) complaints policy meets their requirements
- A qualitative and quantitative analysis of our complaint's performance including a summary of the types of complaints we have refused to accept;
- Any findings of non-compliance with the Code;
- Details of service improvements made as a result of the learning from complaints;
- Any annual report about our performance from the Ombudsman; and
- Any other relevant reports or publications

The annual report will be reported to the Council's Cabinet by no later than the end of June each year. It will also be published on our website, together with any comments made by our Cabinet.

## **Continuous learning and improvement**

As well as responding to individual complaints, we look at the number and type of complaints we receive to see if there are any common themes or trends. This can help us to identify issues and make changes to the way we do things so that the same thing does not happen again. We will publish details about the lessons we have learnt, and any changes made.

The Leader of the Council and the Portfolio Holder responsible for Housing are our Members Responsible for Complaints (MRC) and will receive regular information about the complaints we receive and how we have handled these.

The Members Responsible for Complaints will also support and encourage a positive complaint handling culture which reflects the need for all relevant staff to:

- Have a collaborative and co-operative approach towards handling complaints, working with colleagues and across departments
- Take collective responsibility for any shortfalls identified through complaints rather than blaming others, and
- Act within professional standard for engaging with complaints.

## Comments, Compliments & Complaints Procedure

### How to provide feedback or make a complaint

The Council encourages customers who have a concern to first contact a member of staff in the relevant service area who should try to resolve it. However, if a service user remains unhappy and wants to make a complaint or provide feedback, they can do so in several ways.

The Council's preferred method for receiving feedback or complaints is via the My Tamworth Portal or web form on the Councils website. This will normally ensure that the enquiry is adequately captured, and an acknowledgement sent.

To provide **feedback**, customers can –

- Visit our website at [Comments, Compliments and Complaints | Tamworth Borough Council](#)
- Visit our website at [Contact Us](#)
- Telephone 01827 709709.
- Email: [enquiries@tamworth.gov.uk](mailto:enquiries@tamworth.gov.uk)
- Write to us at Marmion House, Lichfield Street, Tamworth, Staffordshire, B79 7BZ or
- Ask any member of staff to assist.

To make a **complaint** via the Comments. Compliments & Complaints process, customers can –

- complete an [the online form](#), alternatively
- Telephone 01827 709709
- Email [complaints@tamworth.gov.uk](mailto:complaints@tamworth.gov.uk)
- Write to us at Marmion House, Lichfield Street, Tamworth, Staffordshire, B79 7BZ.
- Ask any member of staff to assist.

Complaints received via social media channels (e.g., Twitter, Facebook) will be forwarded to the Information Governance Team and handled in keeping with this policy

The Council will not provide complainant specific responses via social media sites.

### **Customer Contact**

Where a complainant advises an officer (either in person, by telephone or in writing) that they wish to make a complaint but are unable to use the Councils preferred method then that officer will capture the complaint on the web form on the complainant's behalf.

### **Receipt outside of this policy**

Complaints received by the service area directly, either by post, telephone or by email, will be passed to the Information Governance Team without delay so that the complaint may be recorded on the corporate complaints system and allocated appropriately.

### **Service Requests**

Where a complaint form is submitted, and the Council considers the details fits the criteria of a service request (generally an issue that requires action that has not previously been reported to a service) then the enquiry will be recorded as such . The requester will be informed of the decision and the case passed to the relevant service for action through their normal processes.

### **Reasonable adjustments**

Should you require any assistance, or should you require Tamworth Borough Council to make adjustments to accommodate your needs to support you in making your complaint the Council will make any reasonable adjustment in accordance with the Reasonable Adjustments Guidance.

### **Stage One**

The Information Governance team (IGT) will co-ordinate all Stage 1 complaints and **within 5 working days of receipt of the complaint:**

- Review, acknowledge, define, and log the complaint
- If the communication received is considered a service request, the IGT will:
  - record the details.
  - advise the customer that their communication is considered a service request and
  - pass it to the relevant service area for action through their normal processes.
  - Monitor the request through to completion.

If the communication received is considered a complaint, the IGT will:

- Pass to the designated officer where:
- All the issues raised in the complaint will be addressed and, where considered possible, the designated officer may resolve the complaint by phone or in person promptly in line with policy and the complaint handling codes, which **must** be followed up in writing, provided to the Information Governance team for recording and issuing to the contact.
- The IGT will write to the complainant with the following information :
  - the complaint stage
  - summary of complaint
  - summary of conversation with the designated officer
  - the decision on the complaint with reasons for that decision
  - the details of any remedy offered to put things right (EG: an apology)
  - details of any outstanding actions (EG: re-arrangement of appointment)

If it is not possible to deal with the issue raised promptly as they require further investigation, (EG – input required by a contractor) then the designated officer will:

- Consider and address all the issues raised in the complaint and, if necessary, gather further information
- Prepare and provide a detailed draft response for the Information Governance team to review & issue to the customer setting out and explaining the findings of their investigations.
- The written response **must** include:
  - the complaint stage
  - the complaint definition
  - the decision on the complaint
  - the reasons for any decisions made
  - findings on each aspect of the complaint, (e.g. upheld, not upheld, partially upheld or no conclusion)
  - the details of any remedy offered to put things right
  - details of any outstanding actions; and
  - details of how to escalate the matter to stage two if the resident is not satisfied with the answer

Where extension of time is required to enable the Council/and or landlord to fully respond to a complaint, the designated officer **must**, without due delay:

- decide whether an extension to the timescale is needed, taking into consideration the complexity of the complaint



- notify the IGT the reasons for the delay in responding to the complaint within 10 working days

The Information Governance team will communicate this with the complainant, including Ombudsman contact details.

The Information Governance team will, within **10 working days** (subject to any extension)

- Provide the full response, including details on how the complainant can escalate their complaint.

## **Stage Two**

If a complainant is dissatisfied with the Stage 1 response received, they can request that it is escalated to Stage 2 unless it is a complaint which is excluded as detailed in this policy.

Stage two complaints must be made by the customer **within one calendar month** from the date of the formal Stage 1 response unless there is a compelling reason that the request for escalation to stage 2 could not be provided in this time frame.

The escalation to stage 2 should relate to the same issues, if it relates to additional issues these will be dealt with as a new enquiry under this policy.

The Information Governance team will co-ordinate all Stage 2 complaints and **within 5 working days of receipt of the complaint:**

- Review, acknowledge, define, and log the complaint.
- If the communication received is considered an escalation to the stage 1 complaint, the IGT will:
  - - Pass to the appropriate Service lead for review and response.

### **The appropriate Service Lead will:**

- Prepare and provide a detailed draft response for the Information Governance team to review & issue to the customer setting out and explaining the findings of their investigations.
- The written response **must** include:
  - the complaint stage
  - the complaint definition
  - the decision on the complaint
  - the reasons for any decisions made
  - findings on each aspect of the complaint, (e.g. upheld, not upheld, partially upheld or no conclusion)

- the details of any remedy offered to put things right
- details of any outstanding actions; and
- details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.

Where extension of time is required to enable the Council/and or landlord to fully respond to a complaint, the service lead **must** without due delay:

- decide whether an extension to the timescale is needed, taking into consideration the complexity of the complaint
- notify the IGT the reasons for the delay in responding to the complaint within 20 working days

The Information Governance team will communicate this with the complainant, including Ombudsman contact details.

The Information Governance team will, within **20 working days** (subject to any extension)

- Provide the full response, including details on how the complainant can escalate their complain

If the complaint doesn't meet the requirements for escalation, the IGT will advise the contact of the decision and the right to refer their complaint to the Ombudsman.

### **Escalation**

We acknowledge that there may be certain circumstances when, despite having been through the complaints process a customer remains dissatisfied. In these instances, the customer can contact the relevant Ombudsman who will investigate a complaint against the Council.

The Ombudsmen are independent, impartial and a free service, they can be contacted at:

#### **[The Local Government and Social Care Ombudsman](#)**

**Complaint form:** [How to register a complaint - Local Government and Social Care Ombudsman](#)

**Telephone:** 0300 061 0614

The telephone line is open:

Mondays 10am to 1pm

Tuesdays 10am till 1pm

Wednesdays 1pm till 4pm  
Thursdays 10am till 1pm  
Fridays 10am till 1pm

**Write to:**

Local Government and Social Care Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

**Housing Ombudsman Service** (For complaints against Tamworth Borough Council  
Landlord Services)

**Complaint form:** [online complaint form](#)

**Email:** [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

**Phone:** 0300 111 3000 (Phonelines are open Monday to Friday 9am to 5pm)

**(Lines will be closed for staff training every Thursday from 3.30pm to 5pm.)**

**Write to:**

Housing Ombudsman Service  
PO Box 1484  
Unit D  
Preston  
PR2 0ET

**Putting things right**

When something has gone wrong, the Council will acknowledge this and set out the actions it has already taken (or which will be taken) to put things right. These can include:

- Acknowledging where things have gone wrong
- Providing an explanation, assistance, or reasons
- Taking action if there has been delay
- Reconsidering or changing a decision
- Amending a record or adding a correction or addendum
- Providing a financial remedy
- Changing policies, procedures, or practices

The Council will take into account the guidance issued by the relevant Ombudsman when deciding on appropriate remedies.

If a complaint is upheld you can expect an apology and for us to put things right quickly. We may also propose one or more of the above actions. Where reasonably possible the aim of these actions is to return the complainant to the position they would have been had the service failure not occurred. Although we will consider

each complaint on its merits we will try to ensure we offer similar remedies for similar situations.

Where a complainant owes money to the Council, for example for rent or Council Tax arrears, any financial remedy will in most cases be offset against the debt. It will not be offset if there is a legitimate dispute about the debt (for example, there is a benefit claim pending), or if the financial remedy is for a specific purpose (for example, to decorate after repairs), or if it is to replace damaged possessions.

Matters relating to Officer conduct will not be shared with the complainant; these will be dealt with internally under the Council's HR disciplinary policies, where appropriate.

### **Satisfaction surveys**

Once we have dealt with your complaint, we may send you a survey or contact you to find out how satisfied you were with the way we handled your complaint. We would appreciate you taking the time to fill this in or talk to us as this information will help us improve the way we handle complaints.

### **Data Protection**

We collect, hold and process information in accordance with the requirements of the UK General Data Protection Regulation and the Data Protection Act 2018. We will ensure the Data Protection principles are adhered to and all personal information provided as part of a complaint will be kept in line with our retention policy and only shared with other Council departments or contractors where it is necessary to do so. More information about how the council handles your data and your rights under the data protection legislation can be found at: [Data Protection Act | Tamworth Borough Council](#)

### **Consultation**

Consultation on this policy has taken place with CMT, Cabinet, Tenant Consultative Group

### **Roles & responsibilities:**

#### **Corporate Management Team (CMT) will:**

- ensure the policy is adhered to.
- review complaints performance and lessons learned on a quarterly basis.
- approve compensatory payments where necessary.

#### **Heads of Service & Service Leads will:**

- manage delivery of the policy within their service area.
- designate an officer to review and respond to Stage 1 complaints via the Information Governance team.
- provide Stage 2 responses to the customer via the Information Governance team.
- ensure the policy is applied when dealing with complaints.

- demonstrate learning from feedback and action plans.
- include the policy principles in any contracted or commissioned services.

**Designated Officers responding to Stage 1 complaints will:**

- investigate Stage 1 complaints.
- provide Stage 1 responses to the customer via the Information Governance team.
- ensure the policy is applied when dealing with complaints, including adherence with response timescales.
- Complete action plans where appropriate (EG: lessons learnt / actions arising from a complaint)

**Designated Officers responding to Stage 2 complaints will:**

- investigate Stage 2 complaints.
- provide Stage 2 responses to the customer via the Information Governance team.
- ensure the policy is applied when dealing with complaints, including adherence with response timescales.
- Complete action plans where appropriate (EG: lessons learnt / actions arising from a complaint)

**The Information Governance Team will:**

- monitor the progress of Stage 1 and Stage 2 complaints.
- develop the policy, procedure and promote the scheme.
- ensure that the policy is being adhered to
- oversee responses issued at all stages of the process.
- co-ordinate a single response to complaints if it involves more than one service area.
- ensure that officers/services who receive compliments are made aware of the feedback received.
- provide feedback, analysis, and performance information to Service Managers and Corporate Management Team.
- support the procedure whereby a complaint has been made to the relevant Ombudsman.
- ensure all Elected Members and MP complaints follow the procedure of the Comments, Compliments and Complaints Policy
- ensure that complaints about contractors are passed directly to the relevant Service Manager for review and response and that contractors adhere to the policy and process.

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