



Compliments, Comments and Complaints Procedure

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Equality Impact Assessment: (EIA)	Date undertaken:	14 December 2012	
	Issues (if any):	None	

1. How to Tell Us What You Think of Us!

We at Hart District Council hope that you will be happy with all the services you receive from us. We aim to provide our services in a helpful and approachable way, being responsive to your needs and taking ownership of the solutions.

We are committed to providing our customers with a professional, personal and friendly service. We want to deliver the best possible service to all our residents and visitors and so we have published [customer service standards](#) being available on line, on request and in our receptions. Most of the time we get it right and we'd love to hear from you when we do.

2. Compliments – Please Tell Us When We Get it Right

Please contact the relevant Head of Service or Service Manager and let them know the positive news so that we can see what we do well and repeat the good experience for our other customers. Alternatively you can complete the form at the end of this leaflet and return it to the Council Offices at the address on the back. The form is also available on line at: www.hart.gov.uk

3. Comments – How to Tell Us Your Views or Suggestions

When you contact the Council, sometimes you may feel you have some views on how we delivered that service or suggestions on the way we can improve the way we do things.

You may not want to make a complaint, as there may not have been any problem – but want to help us improve our understanding of our customers, their expectations and how they access our services.

Please tell us by contacting the relevant Head of Service or Service Manager, or by completing the form at the end of this leaflet and return it to the Council Offices at the address on the back. The form is also available on line at: www.hart.gov.uk

4. Council Policies

There are times when you may not agree with a council policy. If you want to get a policy changed, the best thing to do is write or email:

- the relevant officer in the Council. If in doubt, write to the Chief Executive who will direct your letter to the appropriate officer.
- your local councillor – you can find their names at: www.hart.gov.uk/councillors.
- the lead cabinet member with responsibility for the area of the policy - you can find the details at: www.hart.gov.uk/councillors.

It will help them if you explain why you think the policy is wrong or unfair and what you think needs to be done to change it.

If you think we have not followed a policy properly, then contact the team who made the decision and ask them to look at their decision again. If you are still not happy, then you can make a formal complaint.

5. Complaints - How to Complain to the Council

We are only human; occasionally we do get it wrong.

If this happens or you feel that our services are generally not up to scratch then let us know - we will do all we can to investigate and solve problems as quickly as possible. The best thing to do is to either phone or email the team to see if you can get things sorted. Hopefully, this means we can get things put right quickly and without fuss.

But there are times when you may still want to put in a formal complaint. The guidance below spells out how you can do this.

6. What is a Complaint?

We think a complaint is “*any expression of dissatisfaction, about the standard of service, actions or lack of action, by the council, its staff or its partners and contractors, which affects an individual customer*”.

You don't need to make a formal complaint if you want to report:

- a missed bin collection
- graffiti or litter
- abandoned cars
- the need for grass cutting

You can simply call us, email us or report it through our website and we will do our best to investigate and get it sorted. If we still haven't got it right then we need to know.

7. There will be Times When We Can't or Will Not Deal With Your Complaint

There are a number of reasons why we might not deal with your complaint. We will not normally look at a complaint if:

- you have left it more than 3 months since knowing about the problem.
- you are not personally affected – for example the issue affects most people in the area but not you personally.
- you have not been caused an injustice.
- you have the right of formal appeal or can take legal action and we think it is reasonable for you to do so. This might be to:
 - a tribunal (such as the Housing Benefit Appeals Service)
 - a government minister (such as a planning appeal)
 - Penalty Charge Notice (PCN) appeals
 - the courts
- it is about personnel matters (such as your employment or disciplinary issues).
- if you're concerned about your council tax banding, as this is dealt with by the District Valuation Agency.

Our complaints procedure cannot overturn a planning decision. We also will not normally consider a complaint about an application until a decision has been made. This is because even if we have done something wrong, we do not know until that point whether the fault will affect the outcome.

However, if you believe that we did something wrong in the way we went about deciding the application, and that it caused you problems, then you can complain to us.

As with all complaints, your complaint will not be upheld, if we had followed the proper procedures (including considering objections for matters relating to planning), relevant legislation and guidance but came to a decision that you disagree with.

If you are not sure who to contact, you don't need to worry as we'll let you know who to contact and how.

8. How Can Complaints Be Made?

We encourage anyone who has a complaint to first speak to a member of staff in the respective service. If the problem can be solved on the spot then there is no need for the issue to go through the formal complaints process.

However if the complaint cannot be dealt with immediately or you wish to have a formal response, there are a number of ways you can complain to us:

- On the council's comments form (attached below)
- In person at the council office
- By letter¹, telephone or fax to the relevant department
- By email
- Via your local councillor
- Via your representative who has permission to act on your behalf.

9. Things To Include In Your Complaint

Make sure you give us as much information as possible. Tell us what you think we have done and also explain clearly what outcome you want to achieve in your complaint. But be realistic: your aims need to be fair and proportionate to the problems you have had.

10. When Can You Make A Complaint?

It is far easier to find out what happened and put things right if a complaint is received as soon as something has gone wrong. As time passes it becomes more difficult to investigate events fully and fairly, and for this reason we will normally only accept complaints made within three months of when things went wrong. If you do not contact us within that time, we will normally take no action on your complaint. But we will consider any exceptional reasons for not meeting this time limit.

11. Confidentiality

¹ We can take your complaint by telephone, although it is helpful to have it in writing so that we have a clear record of what went wrong. However if you want to make a complaint verbally over the telephone or in person, staff will do their best to record your complaint.

We won't normally tell anyone you have complained and where possible will keep your details confidential. In some cases, for example where the complaint alleges criminal behaviour, we may however need to pass those details on to someone else, such as the police.

12. So Here Is What To Do When You Are NOT Happy With Our Service

STEP ONE

Initially, you should raise concerns with the member of staff or service that you are dealing with, so that they may seek to resolve matters direct. We aim to resolve everything at this stage.

STEP TWO

If you are still unhappy your complaint will be considered by a senior member of staff. This is known as Step 2. To ensure there is no misunderstanding, it should normally be made, in writing, to:

- E-mail complaints@hart.gov.uk
- The relevant Head of Service or Service Manager concerned.

You should do this within 28 days of receipt of the Step 1 response and our target is to provide a full response within 10 working days. Please ensure that you tell us you have already spoken to an officer about this.

13. Still Not Satisfied?

STEP THREE

The Council's Heads of Service or Service Managers have the authority to make judgements on your complaints and come to decisions. However, if you disagree with the decision and explain why, the Chief Executive may agree to review whether the decision was reasonable. You should do this within 28 days of receipt of the Step 2 response. To escalate to Step 3 please email: chiefexecutive@hart.gov.uk

This is the final stage of the Council's internal complaints procedure. You will need to explain why the initial responses have not resolved your complaint, what actions you now require to have it resolved, and what outcome you would like to see. We aim to respond to Step 3 complaints within a further 20 working days.

Please note, the review is neutral. It will consider your comments and those of the staff involved. It will not normally be a reinvestigation of the whole complaint, rather it will seek to establish whether the response by the Head of Service or Service Manager at Step 2, was reasonable.

After you have received our decision on your complaint we will not carry out a further review of the same matter, unless you raise new issues that we consider significant. We will not continue correspondence on complaints already dealt with at Step 3.

If more than 28 days goes by between the above Steps without us hearing from you, we will assume the matter has been dealt with satisfactorily and the complaint will be closed.

14. What If You Are Still Not Happy?

If you are still not satisfied with the answers and you feel that there has been maladministration by the Council, you should contact the Local Government Ombudsman. Maladministration is not defined but can include:

- delay
- incorrect action or failure to take any action
- failure to follow procedures or the law
- failure to provide information
- inadequate record-keeping
- failure to investigate
- failure to reply
- misleading or inaccurate statements
- inadequate liaison
- inadequate consultation
- broken promises

The Ombudsman does not usually review a decision which has been properly taken simply because someone disagrees with it but the Ombudsman will look at the way the decision was made. The Ombudsman will also not normally consider a complaint that has not been through the Council's procedure. Leaflets outlining the Ombudsman Procedure can be downloaded at <http://www.lgo.org.uk/making-a-complaint/>

15. Anonymous Complaints, Whistle Blowing and Fraud

We don't encourage anonymous complaints but we will do our best to investigate any that we do get. We won't normally tell anyone you have complained and where possible will keep your details confidential. If we know who you are and keep in touch with you, it will help us investigate things better and more quickly.

If you believe a member of staff or someone who works for the council has been involved in fraud or corruption, you can speak to someone in our audit team to report a fraud or let the police know.

16. Equal Opportunities

We are committed to providing services for all our customers. We will do our best to provide access to information and services in a way which suits your needs. For disabled people or people with additional needs, we will try to provide extra help such as:

- Providing a British Sign Language (BSL)/English interpreter if necessary.
- Making this document available in other appropriate formats (i.e. Braille, audio or large print).
- Offering an interpreter service for anyone who needs it.
- Offering officer assistance for those who have difficulties with reading/writing.

We would like to find out if we are giving as good a service as we can to ALL complainants. To help us do this, please complete the form on the reverse of the Comments form. This information will not affect the way in which your complaint is handled.

17. Dealing with Persistent, Vexatious and Unreasonable Customer Behaviour

Criticism and complaints against the Council are a welcome and legitimate part of the relationship between the Council and its local community. They are a valuable source of feedback on the operations of the Council and assist in improving service quality. Most complainants pursue their complaints in a reasonable and acceptable manner. A very small minority, however:

- persist unreasonably with their complaints (persistent complainants)
- or make complaints in order to make life difficult for the Council rather than to genuinely resolve a grievance (vexatious complainants)
- or are abusive, offensive or threatening (unreasonable complainants)

In these instances, the Council reserves the right to deal with such complaints as part of its published policy for dealing with persistent, vexatious and unreasonable customer behaviour.



Please tick one of these three boxes to tell us the nature of your comments

Comment	<input type="checkbox"/>	Complaint	<input type="checkbox"/>	Compliment	<input type="checkbox"/>
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Name			
Address			
E-mail			
Home Tel No.		Work Tel No.	
Mobile No.		Date:	

COMMENTS MADE

Subject	

ACTION REQUIRED / TAKEN

Signed		Date	
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Monitoring our Equal Opportunities Policy

NOTE: Ethnic Groups are not about nationality, place of birth or citizenship. They are about colour and cultural background. We ask for this information so we can check that everyone is treated fairly and equally. Please tick the appropriate box:

How would you describe your ethnic group?

White

White British	<input type="checkbox"/>
White Irish	<input type="checkbox"/>
White Traveller (including Gypsy, Roma or Irish traveller)	<input type="checkbox"/>
Other White background	<input type="checkbox"/>

Mixed or Multiple Ethnic Groups

White and Asian	<input type="checkbox"/>
White and Black African	<input type="checkbox"/>
White and Black Caribbean	<input type="checkbox"/>
Other Mixed background	<input type="checkbox"/>

I would rather not answer	<input type="checkbox"/>
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If other please specify

Asian or Asian British

Nepalese	<input type="checkbox"/>
Bangladeshi	<input type="checkbox"/>
Indian	<input type="checkbox"/>
Pakistani	<input type="checkbox"/>
Chinese	<input type="checkbox"/>
Other Asian background	<input type="checkbox"/>

Black or Black British

African	<input type="checkbox"/>
Caribbean	<input type="checkbox"/>
Other Black background	<input type="checkbox"/>

Do you consider yourself to have a disability as defined by the Disability Discrimination Act 1995 (2005)? A person has a disability for the purposes of this Act if s/he has a physical or mental impairment, which has a substantial and long-term adverse effect on her/his ability to carry out day-to-day activities.

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
Don't know	<input type="checkbox"/>
I would rather not answer	<input type="checkbox"/>

What is your gender?

Male	<input type="checkbox"/>
Female	<input type="checkbox"/>
I would rather not answer	<input type="checkbox"/>

In which age category are you?

Under 18	<input type="checkbox"/>
18-24	<input type="checkbox"/>
25-34	<input type="checkbox"/>
35-44	<input type="checkbox"/>
45-54	<input type="checkbox"/>
55-64	<input type="checkbox"/>
65-74	<input type="checkbox"/>
75+	<input type="checkbox"/>
I would rather not answer	<input type="checkbox"/>

Service Units

Please phone 01252 622122 and ask for one of the following Services:

Chief Executive

For: Step 3 Complaints (which should be made in writing), Committee and Members' Services

The Client Team

For: Finance, Payroll, IT, Revenues and Benefits, Council Tax, Customer Service, Performance Management, Press and Publicity

Head of Housing

For: Housing Associations, Affordable Housing, Private Sector Housing, Homelessness, Gypsies & Travellers

Head of Environmental and Technical Services

For: Refuse and Recycling, Traffic Management, Land Drainage, Car Parking, Emergency Planning, CCTV, Street Cleaning, Asset Management, Bus Shelters, Grounds Maintenance, Countryside Management, Landscape, and Protected Trees

Head of Regulatory Services

For: Environmental Health, Dog Warden, Pest Control, Health and Safety, Licensing, Planning Development Management including Planning Enforcement, Building Control, and Conservation

Environmental Health Manager

For: Environmental Health, Dog Warden, Pest Control, Health and Safety, Licensing

Community Safety Manager

For: Community Safety, CCTV

Elections and Information Manager

For: Electoral Services

Planning Policy Manager

For: Planning Policy

Sports & Leisure Manager

For: Leisure Centres

Land Charges Delivery Manager - Five Council Partnership (Tel: 01235 422582)

For: Local Land Charges

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Harlington Way
Fleet
Hants
GU51 4AE

Email: complaints@hart.gov.uk
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