



CHESTERFIELD
BOROUGH COUNCIL

Complaints Policy

June 2024

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We want everyone to be able to understand us.

We want everyone to be able to access our materials and services.

We aim to provide what you need to enable you to be involved in our activities – by attending meetings, reading our leaflets, talking and writing to us.

On request we will provide free:

- Language interpreters, includes British sign language
- Translations of written materials into other languages
- Materials in braille, large print, coloured paper, easy read and audio

Our aim

Chesterfield Borough Council puts customer needs at the very heart of the way we develop and deliver our services. We strive to keep our customers happy, but we realise that sometimes things don't go well.

Telling us when you are unhappy is important, as it means we have an opportunity to put things right for you and potentially improve the service we offer to others in future.

This document sets out how you can let us know you are unhappy and explains what we'll do once we hear from you.

When to make a complaint

It can often be confusing to know whether you should request a service from the Council or whether you should make a complaint, as many of our services are initiated when people are unhappy.

What is a service request

The Council will treat an initial request from a customer to put something right as a service request. Removing fly tipping, requesting a housing repair or arranging for collection of a missed bin are examples of service requests.

What is a complaint

If a customer becomes unhappy with how the Council has responded to the service request, and this requires further investigation, it will be treated as a complaint.

The formal definition of a complaint is guided by the Housing Ombudsman and Local Government and Social Care Ombudsman and is *'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents'*.

Reasonable adjustments

Anyone is welcome to make a complaint and the Council is committed to treating everyone fairly. If you need assistance to make a complaint, please let the Council know. We will make reasonable adjustments where required and comply with the Equality Act 2010. There is no prescribed list of reasonable adjustments; this will depend on an individual's needs but may include, for example, the provision of information in alternative formats (e.g. large print), the use of a language service, or communication through a representative.

How to contact us to make a complaint



You can call us on 01246 345345.

You can also contact us using one of the ways shown below. Please ensure you give us your name and a daytime telephone number so we can talk to you if we need to.



You can complete a complaints form on our website @ www.chesterfield.gov.uk/my-chesterfield



You can write to us: Customer Feedback, Town Hall, Rose Hill, Chesterfield, S40 1LP



You can visit us in person at our Customer Service Centre. Opening times can be found on our website.



You can ask someone else to complain on your behalf. If you ask a third party to help you, we will need your permission to speak to them about your complaint. Any costs will need to be paid for by you unless we have agreed to make a reasonable adjustment under the Equality Act 2010.



You can use the council's social media channels such as Twitter or Facebook. Complaints should be submitted via private message and will be dealt with off-line to ensure your privacy.

Investigating your complaint.

We will do everything we can to resolve your concern promptly and fairly. If we can do this when you first contact us, we will do so. If this is not possible, we will ask one of our Complaints Officers to investigate your concerns. This is known as Stage 1 of our complaints process.

Stage one – investigation and resolution



We will acknowledge your complaint within five working days, either by telephone or in writing. We will set out our understanding about your complaint and the outcomes you are seeking to resolve it. If we are unsure what you want us to do to resolve your complaint we will ask you to confirm this. We will also let you know if we believe the outcomes you are expecting are unreasonable or unrealistic.



Our Complaints Officer will decide who should carry out the investigation of your complaint. Our Complaints Officer or the investigator may need to contact you for further information to help us complete the investigation.



We aim to respond to your complaint within ten working days of acknowledging it. If the complaint can't be completed within this time, then we will let you know and explain the reasons why. If it is likely to take longer than twenty working days to resolve your complaint, we will provide you with the Ombudsman's contact details so you can challenge our plan and the timescales for resolution if you wish.



You will receive a full written response from the person investigating your complaint, unless you tell us otherwise. The response we give will make it clear if the complaint is upheld or not and how we intend to put matters right.

If you are not happy with the outcome of the first stage investigation, you can request a review of this decision. This is known as Stage 2 of our complaints process. This review should be requested within twenty working days of the stage one response being issued

Stage two – escalation



One of our Complaints Officers will contact you to understand why you feel your complaint has not been investigated fully at stage 1, why you remain dissatisfied and how you think we can put things right. We will identify any possible gaps in the investigation process at Stage 1 and will decide whether the complaint should be escalated to Stage 2. We will tell

you what will happen next and explain our reasons. We will provide you with Ombudsman contact details if we decline to escalate the complaint.



If a review is undertaken, it will be completed by a Complaints Officer or manager within the Customer Services or Housing Strategy and Engagement function. This person will have had no prior involvement in the complaint.



Your complaint will usually be dealt with within twenty working days from receiving it. If it is not possible to complete the review within this timescale we will let you know, and explain the reasons why. If it is likely to take longer than a further twenty working days to complete the review, we will provide you with the Ombudsman's contact details so you can challenge our plan and timescales for resolution if you wish.



We will write to you to tell you the outcome of the review at Stage 2 of the complaints policy, including whether your complaint has been upheld and the reasons why. We will also tell you how we intend to put things right and whether there are any outstanding actions.

Referral to the Ombudsman

Our final letter will provide information on how to get in touch with the Ombudsman if you remain unhappy with the way we have dealt with your complaint.

If your complaint relates to the Council's actions as a housing landlord, you can call the Housing Ombudsman on 0300 111 3000 or visit www.housing-ombudsman.org.uk to find out more information on the service.

Residents have the right to access the Housing Ombudsman complaints service for advice and support at any time whilst we are investigating their complaint and not just at the point they have exhausted the complaints process.

Please note the Housing Ombudsman only deals with enquiries relating to the council being a housing landlord. It does not review complaints around homelessness, the housing waiting list or Careline services. Complaints relating to these services are dealt with by the Local Government and Social Care Ombudsman.

For all other issues, you have the right to complain to the Local Government and Social Care Ombudsman. You can call 0300 061 0614 or visit www.lgo.org.uk for more information on this service.

Complaint Management

The council has two lead officers with accountability for complaint handling including assessing any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision. In addition these also two Cabinet Members with lead responsibility for complaints (Member Responsible for Complaints). These are –

Complaints covered by the Housing Ombudsman

- Service Director - Housing
- Cabinet Member for Housing

Complaints covered by the Local Government and Social Care Ombudsman

- Service Director - Digital, HR and Customer Services
- Cabinet Member for Customers and Business Transformation

Exclusions from the complaints policy

We will not treat certain issues as complaints and where this is the case we will tell you. You have the right to refer this to the Ombudsman for review.

The following are examples of exclusions from our complaints policy and from escalation to stage 2

- Any issue where legal procedures have already started
- Any issue which has previously been fully investigated at Stage 1 and Stage 2 of the complaints procedure
- Criminal activity will be referred to the police
- Complaints that a Councillor has broken their Code of Conduct has a separate procedure - <https://www.chesterfield.gov.uk/your-council/the-council/your-councillors/members-code-of-conduct.aspx>
- Any complaints arising out of actions or omissions which occurred more than 12 months previously will be considered but may be declined.

Learning from complaints

We will use complaints data to identify the root cause of complaints, identify trends and take action to reduce the risk of recurrence of errors, so we can provide better services for our customers.

We will monitor our performance when dealing with complaints and will publish this annually on our website at www.chesterfield.gov.uk/complaints.

Management of unreasonable complaints or customers

The council aims to deal with complaints and customers in a way which is fair and impartial. On occasion customers may behave unreasonably or make unreasonable complaints.

Our policy on the management of unreasonable complaints sets out how we deal with this. It can be found at www.chesterfield.gov.uk/complaints

Publicising the policy

The Council will publicise its complaints policy through the website and newsletters and will provide a copy of the complaints policy when requested.

Information about the Housing Ombudsman and the Complaint Handling Code will also be publicised on our website.

The Regulators' Code

The Regulators' Code is a framework which sets out how regulatory bodies (such as the council) should engage with those who they regulate.

This policy has been developed in accordance with the principles set out in the Regulators' Code. For more information see www.gov.uk/government/publications/regulators-code