

**Pendle Borough Council**

**Compliments and Complaints Policy 2025**

## Introduction

### **Policy Objectives**

Our Compliments and Complaint Handling Policy supports the delivery of our corporate priorities by:

- Developing a Council that is as effective and efficient as it can be
- Listening to people and driving a customer-focused ethos
- Embedding service improvement in our daily work

We recognise the benefits of an effective compliments and complaints handling policy and process as described by the Local Government and Social Care Ombudsman:

- Good complaint handling promotes a positive relationship between an organisation and service users.
- Complaints allow an issue to be resolved before it becomes worse. Those issues not resolved promptly can take significant resource and time to remedy.
- Involvement in complaint resolution develops staff ownership, decision-making and engagement.
- Complaints provide senior staff with essential insight into day-to-day operations, allowing them to assess effectiveness and drive a positive complaint handling culture.
- Data collected about complaints can be analysed and used to inform key business decisions to drive improvement in service provision.

### **Policy Aims**

Our Compliments and Complaints Handling Policy helps to deliver our Customer Contact Strategy and it also helps us to deliver and improve on our service standards (see Appendix 1).

### **Scope**

This Policy is available to every resident of Pendle; anyone working in Pendle and anyone visiting Pendle who accesses or uses services provided by Pendle Borough Council including those delivered by Lliberata and other contractors and agents.

The Council welcomes and learns from compliments on its service as well as complaints.

## **What is Excluded from the Policy**

On practice there is sometimes confusion about what constitutes a complaint and it is important to recognise the difference between a complaint and a service request.

A service request can be defined as a request that we provide or improves a service, fixes a problem or reconsiders a decision.

If a service request is made, this provides the Council with an opportunity to resolve matters to the individual's satisfaction before it becomes a complaint.

Service requests will be dealt with by the best placed service area as a new report and are not covered by this Policy.

This Policy focuses on complaints; however, it includes compliments whilst not referencing them directly.

We define a **complaint** 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.

We define a **compliment** as an expression of praise, commendation, or admiration about the standard of service, action taken by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of individuals

## **Roles and Responsibilities**

The Head of Legal and Democratic Services has overall responsibility for complaint handling.

A Complaint Handling Lead will be appointed as required to ensure compliance with this Policy and the Ombudsman's Code.

Each service area within the Council and Liberata has appointed a Complaint Coordinator to ensure compliance and that learning is shared within and between their teams. The Complaint Coordinator will gather complaints for their Service Area and produce a quarterly return that analyses the data.

Receiving, responding to and learning from complaints is the responsibility of every employee of the Council, Liberata when delivering services for the Council and the Council's other contractors and agents.

## **How to Make a Complaint**

Our website sets out how our Compliments and Complaints Handling Policy works, the difference between a service complaint and a service request and how to use an online form to make a complaint.

A Complaints Process Map can be found at the end of this policy  
We appreciate not everyone will want to use an online form or will want to make their complaint through a third party. Service complaints can be made:

- By telephone to our Contact Centre (01282 661661) or direct to a member of staff.
- By email to a member of staff
- By letter to Pendle Brough Council, Nelson Town Hall, Market Street, Nelson, BB9 7LG
- At No 1 Market Street, Nelson Town Hall or Fleet Street Depot, Nelson
- To an elected Member of the Council

Complaints made direct to staff will be handled at the appropriate stage in the complaints process described below.

Complaints made via the MP or to an elected Member of the Council should be directed to the dedicated email [membercomplaints@pendle.gov.uk](mailto:membercomplaints@pendle.gov.uk).

All service complaints will be recorded on a shared system.

### Complaints via Social Media

Expressions of dissatisfaction made on Council social media sites such as Facebook will not be treated as formal complaints

### **Stage 1 Complaint**

The person responding to the complaint will:

- clarify with the individual any aspects of the complaint they are unclear about
- deal with complaints on their merits, act independently, and have an open mind.
- give the individual a fair chance to set out their position.
- take measures to address any actual or perceived conflict of interest; and
- consider all relevant information and evidence carefully.
- work with a third-party representative of the complainant if requested.

We will acknowledge Stage 1 complaints within 5 working days.

The complaint will be investigated by the Service Lead responsible for delivering the service complained about so that the matter can be put right quickly and effectively.

We will provide a full response to Stage 1 complaints within 10 working days from receiving the complaint.

Where an extension of time is needed it will be no more than 10 working days and a full reason and expected timescale will be provided to the complainant.

If an extension is needed, we will provide details of how to contact the Local Government and Social Care Ombudsman.

Once a response is given, we will continue to monitor the complaint to ensure any outstanding actions are completed and the complainant is kept updated.

When the full response is made, we will provide details of how to make a Stage 2 complaint.

## **Stage 2 Complaint**

Stage 2 complaints are made when all or part of the complaint is not resolved satisfactorily at Stage 1.

We will acknowledge Stage 2 complaints within 5 working days.

Stage 2 complaints will be investigated by a director or other Senior Officer responsible for the service area complained about but has had no involvement in the matter up to that point.

We will provide a full response to Stage 2 complaints within 20 working days.

Where an extension of time is needed it will be no more than 20 working days and a full reason and expected timescale will be provided.

If an extension is needed, we will provide details of how to contact the Local Government and Social Care Ombudsman.

Our Stage 2 response will be in writing and include:

- the complaint stage.
- the organisation's understanding of the complaint.
- the decision on the complaint.
- the reasons for any decisions made.
- 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 Local Government and Social Care Ombudsman if the individual remains dissatisfied.

Once a response is given, we will continue to monitor the complaint to ensure any outstanding actions are completed and the complainant is kept updated.

Stage 2 is the Council's final response to the complaint.

## **Local Government and Social Care Ombudsman**

Where an individual is not satisfied with the outcome of a Stage 2 complaint a self-referral can be made to the Ombudsman.

Any communication between the Ombudsman and the Council will be managed by the Compliant Handling Lead.

## **Putting things right**

At both stages we will act and respond in the most appropriate way recognising the impact on the individual. This may be:

- an apology,
- a full explanation about what happened, acknowledging when something has gone wrong, or we did not get it right.
- taking action if there has been a delay.
- reconsidering or changing a decision
- amending or correcting a record
- providing a financial remedy
- changing policies, procedures or practices

## **Vexatious Complaints**

A vexatious complaint is a complaint that is persistently unreasonable, repetitive, or intended to cause disruption. These will be managed outside of the standard complaints policy to ensure that council time and resources are used appropriately.

Please see Appendix 2 for the management of Vexatious Complaints

## **Performance and Monitoring**

All service complaints are recorded in a central point which enables performance information to be extracted.

Quarterly performance information will be produced and shared through our Performance Clinics. The current complaint handling Key Performance Indicator is the percentage of formal complaints handled within timescales.

We will carry out an annual self-assessment against the Local Government and Social Care Ombudsman's Code of Guidance and review this Policy as needed.

Complaint handling is subject to internal audit.

Learning and improvement from Stage 1 complaints will be shared within and across service areas through the Performance Clinics.

In addition to the above learning and improvement from Stage 2 complaints and Ombudsman's findings will be shared with Corporate Management Team and disseminated through service area team meetings.

### **Linked Policies**

- Equal Opportunities Policy
- Data Protection Policy
- Customer Contact Strategy
- Hate Crime Policy
- Promoting Welfare and Safeguarding Adults Policy
- Family Support and Safeguarding Children Policy

### **Legislation and Regulation**

- Data Protection Act 2018
- Equality Act 2010
- Local Government and Social Care Ombudsman Complaint Handling Code

## **Appendix 1**

### Pendle Borough Council's Customer Service Standards

We will:

- make access to our services as easy as possible for you with the emphasis on 24/7 online access but retaining choices including email, telephone and where necessary in person visits.
- be polite and respectful at all times.
- listen carefully to what you have to say.
- provide clear and understandable information and advice avoiding jargon.
- maintain your confidentiality and protect any data you give us.
- not make promises we cannot keep.

If you visit our website:

- we will aim to make it available 24 hours a day, 7 days a week, 365 days a year.
- we will keep service disruptions for essential maintenance to a minimum.
- we will provide access to information about all our services.
- we will aim to deliver as many of our services online as possible.

If you visit our offices:

- and have made an appointment, you should not have to wait more than 5 minutes to be seen.
- we will try to deal with your request or query without passing you on to someone else: if this is not possible, we will explain why and make an appointment for you if necessary.

If you telephone:

- we will answer calls greeting you politely and clearly – sometimes this may be by answerphone.
- if we have to transfer you, we will tell you the name of the person or service you are being transferred to
- if you leave a message, we aim to get back to you within 2 working days.



If you write, e-mail:

- we aim to reply fully to letters within 10 working days. If we cannot do this, we will let you know within 2 working days when we will be able to reply.
- we aim to respond fully to e-mails within 10 working days. We aim to acknowledge your e-mail within 2 working days.
- our response will always include the name of the person dealing with the enquiry and details of how you can contact them.
- we will respond to Freedom of Information requests within 20 working days.
- we will respond to Subject Data Access requests within 40 calendar days.
- if you ask for a leaflet or publication or an application form, we will provide you with the link to it on our website.

If we visit your home or business:

- all our staff and contractors working for us will always carry an identity badge which they will offer to show you.
- we will make an appointment with you, if appropriate
- and we have to cancel an appointment we will try to let you know at least 24 hours in advance.
- and you are not present when we call, we will leave a card.

You can help us by:

- giving us all the information we need to help you.
  - letting us know in advance if you have any special or individual needs such as an interpreter.
  - telling us how we can improve our services.
  - asking us to explain what you are not sure of
- treating our staff with courtesy

## **Appendix 2**

### **Management of Vexatious Complaints**

A vexatious complaint is a complaint that is persistently unreasonable, repetitive, or intended to cause disruption. These will be managed outside of the standard complaints policy to ensure that council time and resources are used appropriately

Examples of vexatious Complaints can include:

- Repeatedly pursuing the same issue after it has been fully addresses.
- Refusing to cooperate with the complaints process.
- Making excessive or irrelevant demands for information.
- Changing the basis of the complaint during the investigation.
- Contacting multiple departments or officials simultaneously.
- Recording conversations without consent.
- Submitting repeat complaints with minor variations.

### **Council's Approach**

Pendle Council is committed to fair and consistent complaints handling. However, when a complainants behaviour becomes unreasonable, the Council may:

- Limit contact to one communication channel or officer.
- Set time limits for interactions.
- Require meetings to be witnessed.
- Refuse to process further complaints on the same issue.
- In extreme cases, involve the police or take legal action.

### **Before Taking Action**

The Council will ensure:

- The complaint has been properly investigated.
- Communications have been adequate.
- No new significant information is being provided.
- The complainant's personal circumstances are considered.

The complainant will be warned before any restrictions are applied.

### **Implementation and Review**

- Decisions are made by senior officers.
- A register of restricted complainants will be maintained.

- Cases are reviewed every 6 months.
- New complaints from the same individual will be assessed on their own merits.

### **Referral to the Ombudsman**

If relations break down, the Council may refer the case to the Local Government Ombudsman, even if the internal complaints process is not complete.

# COMPLAINTS PROCESS MAP

## Complaints Process Map

