

Tendring
District Council



COMPLAINTS PROCEDURE

October 2015

Issued by

Management and Member's Support
Town Hall, Station Road,
Clacton-on-Sea, Essex CO15 1SE

TENDRING DISTRICT COUNCIL

GUIDE TO THE COUNCIL'S COMPLAINTS PROCEDURE

Tendring District Council seeks to provide quality, cost-effective services to the people of Tendring and welcomes feedback and suggestions from service users. We are constantly working to improve the services we provide and, if you believe you have not received a proper level of service, please tell us about it. Your complaints provide us with information not only about where things may be going wrong, but also about what you think of us. They are a useful way for us to monitor and improve the efficiency and effectiveness of all our services.

The purpose of this guide is to tell you:

1. How to complain to the Council;
2. How we will deal with your complaint; and
3. What to do if you remain dissatisfied.

This guide is available on request in large print or audio versions and in different languages.

1. HOW TO COMPLAIN

How do I make a complaint?

If you feel the Council has done something wrong or badly, or failed to do something, the first thing you should do is contact the officer you have been dealing with. You should ask them to put things right for you or explain the reasons for the Council's failure to do what you expected. If you remain dissatisfied, you may wish to make a formal complaint by completing the attached Complaints Form and send it to the relevant Department.

To help us deal with your complaint effectively, you will need to tell us:

- What the problem is and how it has occurred
- How it has affected you
- What you consider we should do now to put the matter right

We can assist you if you have a disability which prevents you from making your complaint in writing and we can also help if English is not your first language. If you need any support in completing the complaints form, please let us know as soon as possible.

What can I complain about?

A complaint must be about something specific, for example:

- the standard of service provided by the Council
- failure by the Council to provide an agreed service
- failure by the Council to respond to a request for a 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 (ie delay, bias or confusion)

What can I not complain about?

This procedure does not cover:

- requests for a service;
- requests for information or an explanation of Council policy or practice;
- matters for which there is an existing right of appeal (either within the Council itself or to an independent tribunal) or legal remedy;
- complaints made more than 6 months after the events complained about.

Complaints brought after this 6 month time limit will not be considered unless there are exceptional circumstances why the

complaint was not brought within the time limit. Whether there are exceptional circumstances will be determined by the Council's Monitoring Officer.

Complaints about Councillors must be brought under the separate "Complaints about Councillors" procedure available from the Council's website www.tendringdc.gov.uk or the reception area of any Council offices.

If you are not sure which department deals with your particular complaint, please contact Management and Members' Support (details below).

Management and Members' Support
Town Hall
Station Road
CLACTON-ON-SEA
Essex CO15 1SE
Telephone: 01255 686520
E-mail: kneath@tendringdc.gov.uk

2. HOW WILL YOU DEAL WITH MY COMPLAINT?

Complaints vary widely in nature and complexity and in dealing with any complaints made in accordance with the Complaints Procedure, we will seek to apply three basic principles:

1. To investigate a complaint as quickly and fairly as possible.
2. To provide you with a substantive response which outlines the findings of the enquiries (or investigation where appropriate) and, wherever possible, resolves the matter to your reasonable satisfaction.
3. To keep the stages of the Complaints Procedure, as set out below, separate from each other

What are the stages of the Complaints Procedure?

You should first contact the officer you have been dealing with and explain the issue to them. The officer you talk to may be able to help you there and then, or at least indicate if the matter can be resolved.

Stage 1 - Formal Written Complaint

If you are not satisfied with the response you have received, you should complete **ALL** the questions on the Complaints Form and send this to the relevant Department. Your complaint will be acknowledged within 3 working days of receipt and you will be provided with a substantive response within 15 working days of receipt. The matter will be looked into by a manager within the department other than whoever you have already been dealing with. If longer is needed to complete the investigation, you will be informed of this in writing and provided you with reasons. Where appropriate, the Council may ask a manager in another Department to investigate a particular complaint.

Stage 2 - Review by the Chief Executive or someone appointed to act on his behalf

If you are not satisfied with the outcome of Stage 2, you can write to the Chief Executive and ask him to review your complaint.

Ian Davidson
Chief Executive
Town Hall
Station Road
CLACTON-ON-SEA
Essex CO15 1SE
E-mail: idaavidson@tendringdc.gov.uk

You should do this within 28 days of the date of the response provided under Stage 2. The Chief Executive will acknowledge your complaint within 3 working days of receipt and will provide you with a substantive response within 20 working days of

receipt. The Chief Executive may ask another officer to undertake the review on his behalf and, if your complaint relates to the Chief Executive, the Monitoring Officer or another Corporate Director will review the complaint.

3. WHAT IF I AM STILL NOT SATISFIED?

After stage 2 has been completed, if you are still not satisfied, you have the right to refer your complaint to the Local Government Ombudsman. This is an independent person who looks into complaints of maladministration (bad practice) against local authorities. The Ombudsman will usually want to know if your complaint can be resolved locally, so you should follow the steps in the Complaints Procedure first. The Ombudsman who deals with Tendring District Council can be contacted at:-

Local Government Ombudsman
PO Box 4771
Coventry CV4 0EH
Tel 0300 061 0614
Website www.lgo.org.uk

A booklet explaining how to refer matters to the Ombudsman is available from Council offices.

COMPLAINTS ABOUT THE COUNCIL AS SOCIAL LANDLORD

Complaints from council tenants about the Council in its capacity as a social landlord (such as the landlord of a council house or flat) are subject to a different statutory regime after stage 2 has been completed. In those cases, if you are still not satisfied, you can complain to a “designated person” (within the meaning of the Localism Act 2011). The designated person can be a Member of Parliament, a TDC Councillor or panel of tenants. It is their role to help resolve the complaint, refer it to the Housing Ombudsman or they can decline to do either of these things.

A complainant can only approach the Housing Ombudsman direct if more than 8 weeks have passed since stage 2 of TDC's internal complaints procedure was completed. For further details, please contact TDC's Customer and Support Manager on 01255 686490.

The Local Government Ombudsman has no jurisdiction to deal with social tenant housing complaints.

Housing Ombudsman Service, 81 Aldwych, London WC2B 4HN, tel 0300 111 3000, e-mail and website address infor@housing-ombudsman.org.uk

COMPLAINTS FORM

Name:

Address:

.....

Post Code:Email Address

Telephone (day):Telephone (eve):

What do you consider the Council has done wrong or failed to do?

.....

.....

.....

.....

How has the problem affected you?

.....

.....

.....

.....

What should the Council do to put things right?

.....

.....

.....

Who have you spoken to about this and when? Please quote any reference numbers

.....

Signed: Dated :

(To be signed by the person making the complaint)

Please send the completed form to the relevant Department

<u>Department</u>	<u>Address and Telephone</u>
<p>Life Opportunities Responsibility for Housing Services, Gypsy/Travellers, Careline, CCTV, Building Services, Tourism and Leisure, Facilities Management and Telephony, Emergency Planning and Business Continuity, Council Tax and Business Rates, administration of Housing Benefits, Customer Services. Pollution and Environmental Control, Port Health Licensing, Waste Collection and Recycling, Street Sweeping, Dog/Pest Control, Coast Maintenance, Highways/Transport, Engineering Services, Coastal Projects, Surface Water Drainage, Food Safety, Health and Safety and Licensing</p>	<p>Town Hall, Station Road, Clacton on Sea, Essex CO15 1SE Tel: 01255 68651 Lcustomersupport@tendringdc.gov.uk</p>
<p>Planning Responsibility for Development Management, the Local Plan and Planning Policy, Heritage and Conservation, Enforcement, S106 Agreements, Land Charges, Planning Administration and Building Control</p>	<p>Council Offices, Thorpe Road, Weeley, Essex CO16 9AJ Tel: 01255 686596 planning.complaints@tendringdc.gov.uk</p>
<p>Corporate Services Financial Services, Corporate Asset Management, Corporate IT, Legal Services, Human Resources, Community Safety, Council, Cabinet and Committee Services, Elections and Electoral Registration, Corporate Business, Project and Performance Management, Public Relations, Website, Public Conveniences, Grounds Maintenance, Public Open Space and Play Areas, Crematorium, Cemeteries, Off Street Car Parking, Abandoned Vehicles, Seafront Management and Fleet Management,</p>	<p>Town Hall, Station Road, Clacton on Sea, Essex CO15 1SE Tel: 01255 686315 kwilkins@tendringdc.gov.uk</p>
<p>Chief Executive and Management and Member Support Regeneration, community support, Chairman, Member support, Chief Executive's Office</p>	<p>Town Hall, Station Road, Clacton on Sea, Essex CO15 1SE Tel: 01255 686520 kneath@tendringdc.gov.uk</p>