



Calderdale Council
Corporate Complaints Procedure
Customer Guidance

1. Introduction

Calderdale Council welcome feedback from customers on how we are doing. Feedback can be a compliment, a suggestion or a complaint. All feedback helps us to improve the services we offer to you.

We are committed to treating all our customers with fairness and respect and promoting equality of opportunity and equal access to our services. We want to ensure that all members of the diverse community that we serve are able to access our Complaints Procedure and we will undertake monitoring to ensure that this is the case.

2. How to Complain

Before you make a formal complaint, we would encourage you to contact the service involved and give them an opportunity to put things right for you. If you are not happy with their response then you can make a formal complaint.

Your complaint can be made online at:

<http://www.calderdale.gov.uk/v2/council/consultation-and-feedback/compliments-and-complaints> or by email, in writing or by telephone to the service concerned.

You can do this yourself or you can ask someone to do it for you. This might be a friend, relative, neighbour or local Councillor.

You can contact any member of staff if you need help to do this or you can contact the Complaints Team directly on 01422 288001

Making a complaint will not stop you getting the services you need.

3. What will we deal with under this process

Complaints about most Council services which relate to:

- A failure to provide a service
- A failure to provide a service at the level or standard you would reasonably expect
- The unhelpful attitude of a Council employee
- A failure to follow the policies and procedures of the Council
- A failure to consider all relevant information in coming to a decision
- A failure to inform people of their rights
- A failure to provide information or the right information in a timely manner

4. What we will not deal with under this process

- Complaints relating to schools or Children's Social Care – see section 7 for details of how to do this.
- Complaints about elected Members or services commissioned on behalf of the Council – see section 7.

- Matters where there is a right of appeal, for example, where there is an appeal process within the Council or to an independent tribunal, or a legal remedy.
- Requests for services or reporting a problem or defect: for example, reporting a faulty street light. Such requests will be passed to the relevant service for action
- Requests for information regarding, or explanations of, Council policy or practice.
- Requests that fall under the Data Protection Act, Freedom of Information Act, Environmental Information Regulations or which are covered by any other legislation.
- A complaint relating to a claim under public liability insurance.
- It has been withdrawn by you, unless we decide that there is merit in pursuing the complaint, e.g., to identify any lessons learnt
- It repeats or is substantially the same as a complaint made by the same individual that has previously been considered through the complaints procedure
- It is being or has previously been investigated by the Local Government Ombudsman
- It is unclear
- It has formally been considered vexatious or unreasonably persistent.
- The subject of complaint relates to events more than one year before the date that we receive the complaint (except in certain circumstances)
- Consideration of the complaint would prejudice any pending or ongoing legal proceedings or investigation

If we will not deal with a complaint, we will write to you to explain why not.

5. What we will do about your complaint

You will receive an acknowledgement of your complaint, by email if we have your email address or by post.

A manager will look at:

- Why you are unhappy
- What has gone wrong
- What can be done to put things right.

When the manager has looked into your complaint they will contact you, again via email if we have your address, or by post, within 10 working days with details of the outcome of their investigation.

If we cannot provide a full response within 10 working days the manager will contact you directly and agree with you a timescale for when a response will be provided.

If you are not happy with how your complaint has been looked into you can ask the Local Government Ombudsman for advice.

6. The Local Government Ombudsman (LGO)

The Local Government Ombudsman will usually only look at your complaint if the Council have had an opportunity to resolve it and you remain dissatisfied.

The Ombudsman is independent of the Council. If the Ombudsman decides to investigate your complaint they will:

- Not take sides
- Not charge you for their service
- Give a copy of your complaint to the Council but keep your information private.

The Ombudsman will investigate to find out whether the Council has done things wrong that directly affect you. If they find the Council has got it wrong they will tell us, and ask us to find a way to put it right.

7. Complaints dealt with in other ways

Complaints about Children's Social Care services will be dealt with under the relevant Statutory Complaints Procedure. To make a complaint you must contact the Complaints Team on 01422 392279 who will explain the process to you.

Complaints about schools should be made to the head teacher at the school. If you are unhappy with the way the head teacher deals with your complaint, you can contact the School Governors. The School should tell you how to contact them.

Complaints about Councillors who may have breached the Code of Conduct must be submitted directly to the Head of Democratic and Partnership Services, lan.hughes@calderdale.gov.uk or to Northgate House, Halifax, HX1 1UN

Representations about Member decisions or policies may be made but these will not be dealt with through this procedure. If someone raises a concern about a Member decision or policy the Councillors who made the decision will be informed. Where appropriate, customers will receive feedback on their representations.

Where a service is delivered through a partnership with another organisation the complaint should be directed, in the first instance, to the organisation who delivered the service.

Where the delivery of a service is commissioned from another organisation the complaint should be addressed to the provider in the first instance. Where customers remain dissatisfied with the response, they are entitled to escalate it to the Council department responsible for commissioning the service being complained about.

Head of Customer Services