

**Dumfries and Galloway Council's
Complaints Procedure**

Implemented: 1 April 2013

Dumfries and Galloway Council is committed to providing high-quality customer services.

We value complaints and use information from them to help us improve our services.

If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.

What is a complaint?

A complaint is an expression of dissatisfaction about the council's action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?

- delays or failures in responding to enquiries and requests
- failure to provide a service
- failure to meet our service standards
- refusal to give advice or answer questions
- our failure to follow Council policy. Complaints about the policies themselves should be directed to the complainant's local Councillor rather than the complaints procedure as these are committee decisions.
- treatment by, or attitude of, a member of staff or a contractor
- failure to follow the proper administrative process.

Your complaint may involve more than one council service or be about someone working on our behalf.

The above definition is broad, however, not every concern raised with the council is a complaint. For example, a complaint is not:

- a first request for a service for example a first-time request for a road repair, request for gritting or action on anti social behaviour. These requests should be directed to the relevant service.
- a request for information or an explanation of policy or practice
- a request under the Freedom of Information Act or Data Protection Act.

What cant I complain about?

There are also some other matters we can't deal with under the complaints procedure. These include:

- where a statutory right of appeal exists (e.g. parking tickets or housing benefit)
- any service where you can use other methods to appeal for example:
 - If you are dissatisfied with the level of priority you have been given when applying for a house, you have the right to appeal against the decision.
 - If your planning application is refused, you will have a right to request either an appeal to Scottish Ministers or a review by the planning authority's Local Review Body. Which one depends on the circumstances of the application and the timescale for appeal or review will normally be explained in correspondence and the decision notice from the planning authority.
 - If you believe your house is incorrectly valued for council tax, you can appeal to the Assessor.
- insurance claims or claims for compensation
- a complaint we have already investigated and given a final decision on
- complaints that are in court or have already been heard by a court or a tribunal
- complaints against Councillors.

Who can complain?

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our service. Please also read the section on 'Getting help to make your complaint'.

How do I complain?

Anyone can make a complaint including the representative of someone who is dissatisfied with our service.

Complaints can be made to any member of Council staff, we also have arrangements in place designed specifically for gathering complaints including:

- Complaints leaflets – available in our customer facing areas and by post on request.
- Web form – available at www.dumgal.gov.uk/complaints
- Email – to complaints@dumgal.gov.uk
- The Information Management and Complaints Unit who can be contacted by telephone via 030 33 33 3000.

It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve any problems on the spot.

When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter.

How long do I have to make a complaint?

Normally, you must make your complaint within six months of:

- the event you want to complain about, or
- finding out that you have a reason to complain, but no longer than 12 months after the event itself.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

The Information Management and Complaints Unit who can be contacted by telephone via 030 33 33 3000.

What happens when I have complained?

We will always tell you who is dealing with your complaint.

Our complaints procedure has two stages:

Stage 1 – Frontline Resolution

We will try to resolve complaints on the spot to the customer's satisfaction if possible. Alternatively, if we need to take other action we will always try to assist in resolving the complaint as quickly as possible. We will give you our

decision at Stage 1 in five working days or less, unless there are exceptional circumstances.

Our complaints procedure has two stages (unless it is about Social Work Services and is made by one of their service users). We aim to resolve the majority of complaints at Stage 1.

If you remain dissatisfied after Stage 1, you can request that we look at it again, at Stage 2. If the complaint is complex enough to require an investigation, we will put the complaint into Stage 2 straight away.

Stage 2 – Investigation

Complaints that reach this stage have not been resolved at Stage 1 or are so complex that they need more investigation before we can provide a decision.

When dealing with complaints at this stage we will:

- record the complaint on our database, Respond, as a Stage 2 complaint
- acknowledge receipt of the complaint within three working days advising the complainant who will investigate their complaint and within what timescale.
- Where necessary, discuss the complaint further with the customer to understand the reasons for it what outcome they want – sometimes this will involve managing the customer's expectations by explaining how we might be able to resolve the complaint
- provide a full response to the complaint along with a copy of our investigation report as soon as possible but not later than 20 working days.

If our investigations will take longer than 20 working days to complete, we need to agree revised time limits with you and keep you updated on progress.

Social Work Complaints

If the complaint is about Social Work Services and the service the you receive from them, there is an additional stage in the complaints procedure which you are legally entitled to. This third stage, for Social Work service users, involves an independent 'Complaints Review Panel' reviewing the points of complaint that have not been fully upheld.

Further details on this stage are available in the full Complaints Handling Procedure.

What if I'm still dissatisfied?

After we have fully investigated, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO **cannot** normally look at:

- a complaint that has not completed our complaints procedure (so please make sure it has done so before contacting the SPSO)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

You can contact the SPSO:

In Person:

SPSO

4 Melville Street

Edinburgh

EH3 7NS

By Post

SPSO

Freepost EH641

Edinburgh

EH3 0BR

Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

Mobile site: <http://m.spsso.org.uk>

Care complaints

If your complaint relates to a care service we provide, you can choose whether to complain to us or the Care Inspectorate. You can find out more about their complaints procedure, or make a complaint, by contacting them.

The Care Inspectorate has several offices around Scotland. Please refer to: <http://www.scswis.com/> (Online complaints form)

Or

Telephone 0845 600 9527

Fax 01382 207 289

Email enquiries@careinspectorate.com

Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance.

Scottish Independent Advocacy Alliance

Tel: 0131 260 5380 Fax: 0131 260 5381 Website: www.siaa.org.uk

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help customers access and use our services. If you have trouble putting your complaint in writing please, or want this information in another language or format, such as large font, or Braille, tell us in person, contact us on 030 33 33 3000 or email us at complaints@dumgal.gov.uk.

Our contact details

Please contact us by the following means:

Information Management and Complaints Unit

Tel: 030 33 33 3000

Email: complaints@dumgal.gov.uk

Web: www.dumgal.gov.uk/complaints

We can also give you this leaflet in other languages and formats (such as large print, audio and Braille).

Quick guide to our complaints procedure

