

# Corporate Complaints Procedure

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## Introduction

Armagh City, Banbridge & Craigavon Borough Council is committed to providing excellent services to everyone we engage with. This is reflected in the Council's Customer Care Strategy and Corporate Complaints Policy.

However, there may be times when our customers or users feel that our service has fallen below the standard they expect. If this is the case, we want to know about it so that we can look into why the issue has arisen and do our best to resolve it quickly and proportionately. This procedure is in place to ensure that all corporate complaints are handled fairly and consistently, and to ensure that information obtained as a result of complaints is used to help us improve service delivery and customer satisfaction.

## Is there a time limit for making a corporate complaint?

We will do all we can to look into your corporate complaint. However, it can be difficult to look into matters which may have happened some time ago. In general, we expect you to make any corporate complaint as soon as possible after the matter arises and no later than three months afterwards.

**If the issue is more than three months old** unfortunately it may not be investigated unless there is a good reason for the delay e.g. where the customer/service user has been unable to make their corporate complaint earlier due to incapacity.

## What is a corporate complaint?

A corporate complaint is any verbal or written expression of dissatisfaction by any person, however made, about the service, actions or inactions of the Council or its officers which requires a response (Northern Ireland Public Services Ombudsman (NIPSO) definition). The corporate complaint must relate to something for which the Council has responsibility.

It may relate to one or more of the following:

- Poor quality of service;
- Refusal to provide a service;
- Delay in providing a service;
- A member of staff's behaviour;
- Unfair treatment under a Council policy;

## Is this the correct procedure?

There may be times when a customer wants to complain about the Council, but in some cases their complaint does not fall within the scope of this corporate complaints procedure.

Firstly, we will determine the correct procedure for the issue to ensure that it is dealt with properly/effectively.

Please refer to Appendix 1 which contains information on the types of complaints that are not within the scope of this procedure and which are not therefore deemed as corporate complaints but may be dealt with in a different way or under a different Council procedure.

## How to make a corporate complaint?

We would request that a customer/service user who has a corporate complaint firstly speaks to a member of staff in the relevant department/service/facility/venue as it may be possible to resolve it promptly and informally.

You can also make a corporate complaint using any of the following options:

- **Complete a corporate complaints form:** available online at: [www.armaghbanbridgecraigavon.gov.uk/complaints](http://www.armaghbanbridgecraigavon.gov.uk/complaints) or at any of our Council offices/facilities/venues.
- **Email:** [complaints@armaghbanbridgecraigavon.gov.uk](mailto:complaints@armaghbanbridgecraigavon.gov.uk)
- **By telephone:** 0300 0300 900 (and asking for the relevant department)
- **In person:** at any of the Council offices/facilities/venues.
- **By letter:**  
Customer Relations  
Armagh City, Banbridge & Craigavon Borough Council  
Old Armagh City Hospital  
39 Abbey Street  
ARMAGH  
BT61 7DY
- **By Textphone:** 028 3832 9757

### **Use of social media**

Customers/service users may use the Council's Facebook or Twitter accounts to make contact in relation to queries about Council services or to inform us initially about a complaint they have. If they wish to take the matter further, then they are requested to use one of the other methods listed above.

### **What information should be provided?**

We want to resolve complaints as quickly as possible, so customers are asked to provide:

- Their name, telephone number, correspondence address/email address and how they would like to be contacted;
- Full details of the complaint and any relevant documents;
- What they consider we could do to make things right.

### **Who can make a complaint?**

The complainant must be our customer, i.e. the person who directly had the experience with the Council. If they need help to make their complaint, they must give signed authority/written permission for another person to act on their behalf in relation to their complaint. If they are unable to sign due to capability reasons, they will most likely already have a legal appointee who can act on their behalf; we will require evidence of this.

There may be other situations when it is not possible to obtain written consent such as:

- Where the individual is a child and not of sufficient age or understanding to make a complaint on their own behalf.
- Where the individual is incapable and has no legal appointee.
- Where the subject of the complaint is deceased.

Such cases will be considered on an individual basis.

### **Anonymous corporate complaints**

We do not encourage anyone to make anonymous corporate complaints as we cannot acknowledge or reply to any unnamed individual or verify the details of the matter raised. However, the relevant department will investigate each corporate complaint and deal with any relevant service improvement issues identified as time and resources allow.

## What happens when we receive your corporate complaint?

### INFORMAL RESOLUTION

Where possible, we will do our best to deal with the issue informally when it is first brought to our attention and ensure a prompt resolution were possible.

We will check to ensure that the correct department and procedure is being used to deal with your query. If it needs to be dealt with in a different way because it is not deemed to be a corporate complaint, then we will let you know as soon as possible.

In relation to corporate complaints, if customers/service users are not satisfied with the outcome they can request that their corporate complaint be progressed to be dealt with under Stage 1 of the Corporate Complaints Procedure as set out below.

***NB: Complainants who wish to have their corporate complaint progressed to Stage 1 are asked to put their complaint in writing if not already made in a written format e.g. on our corporate complaints form, by email or letter.***

### FORMAL RESOLUTION

Corporate complaints which have not been resolved informally to the satisfaction of the complainant when first brought to the attention of the relevant department/service area will be dealt with by the following stages:

***Please note all corporate complaints seeking or warranting a formal resolution, no matter who they are initially sent to within Council, will be dealt with by using these stages. However, there may be times when, due to the nature of the corporate complaint, it is escalated to a higher stage.***

#### Stage 1

- If you are dissatisfied with our initial response, please let us know why in writing/by email and your complaint will be investigated by a relevant officer in the department/service area/facility/venue you are complaining about; **(as soon as possible and preferably within 3 months of the initial complaint arising)**
- We will record your complaint and send you a Stage 1 acknowledgement along with a reference number within 3 working days\*;
- You should then receive a response within 15 working days\* from the date of acknowledgement by the department/service area/facility/venue you are complaining about;
- After you receive our response at this stage, if you are not satisfied, **you have a maximum of 28 working days\* to request that your corporate complaint be progressed to Stage 2.**

#### Stage 2

- If you are dissatisfied with our response at Stage 1, please let us know why in writing/by email and your complaint will be dealt with by a Manager in the department/service area you are complaining about;
- You should receive a Stage 2 acknowledgement within 3 working days\* and a response within 15 working days\* from the date of acknowledgement by the Manager dealing with the Stage 2 complaint;

- After you receive our response at this stage, if you are still not satisfied, **you have a maximum of 28 working days\* to request that your complaint be progressed to Stage 3.**

### **Stage 3**

- If you are dissatisfied with our response at Stage 2, please let us know why in writing/by email and your complaint will be reviewed by a Strategic Director or other senior officer nominated by a Strategic Director. A Strategic Director or the Chief Executive will review relevant papers before the response is issued to you;
- You should receive a Stage 3 acknowledgement within 3 working days\* and a final response within 20 working days\* from the date of acknowledgement by the person dealing with the Stage 3 complaint.
- At this stage, along with the final response we will also issue you with a written notice. The notice will state:
  - that our internal corporate complaints procedure has been concluded;
  - that you may now refer the matter to the Northern Ireland Public Services Ombudsman (NIPSO) if you remain dissatisfied with our response;
  - the time limit for making such a referral; and
  - information on how to contact the NIPSO.

As stated above, after the Stage 3 process has been concluded, if you are still dissatisfied, you may refer your complaint to the Northern Ireland Public Services Ombudsman (NIPSO). You must make your complaint within 6 months of exhausting our corporate complaints procedure to:

Northern Ireland Public Services Ombudsman  
 Progressive House  
 33 Wellington Place  
 BELFAST  
 BT1 6HN

**Website:** [www.nipso.org.uk](http://www.nipso.org.uk) | **Email:** [nipso@nipso.org.uk](mailto:nipso@nipso.org.uk)

**Tel:** 028 9023 3821 or **Freephone:** 0800 34 34 24 or **Text phone:** 028 9089 7789

***\*Working days are Monday-Friday (excluding public holidays). Day 1 begins when the complaint has been acknowledged as received by the Council. We hope to deal with all complaints within these timeframes. However, where there is going to be a delay we will notify the complainant, explaining why and where possible identify a new response time.***

### **Obsessive, vexatious or abusive complainants**

In a minority of cases, some people pursue corporate complaints in a way that can impede the investigation or have significant resource issues for the Council. There will be occasions where a complainant will persist in their cause, often following multiple routes (corporate complaint, Freedom of Information request/Subject Access request, Data Breach, correspondence to the Chief Executive, Elected Member or MLA, or on social media). We do not expect Council staff to spend time dealing with unjustified, obsessive, vexatious or abusive complainants. If this is the case, we may appoint a single point of contact, the purpose of this is to negate the need to send emails to multiple people and to keep the flow of communication more appropriate for everyone involved.

Once a formal complaint investigation has commenced, if the complainant continues to send excessive additional correspondence or excessively frequent emails/telephone calls whilst the investigation is underway, they should be advised that they are causing us difficulty because of the volume and frequency of their communications and that any information until the investigation has been concluded will be placed in the complaint file but will not be responded to on an individual basis and will be considered as appropriate and reasonable if material to the original corporate complaint.

We may refer to the Unreasonable Customer Behaviour Policy if we believe that a complainant has become obsessive/vexatious or abusive and take further action to deal with this behaviour.

We expect complainants to treat our staff with respect and courtesy. Whilst we understand that at times people act out of character in times of anxiety or distress we do not accept behaviour from customers that is unreasonably persistent, abusive or threatening.

### **How we use information obtained from corporate complaints**

We use customer feedback and information obtained as a result of corporate complaints so that we can monitor the types of issues that arise. This information helps us to improve service delivery and customer satisfaction. It is expected that over time the Council will publish statistical data to help improve transparency, accountability and efficiency. In line with Data Protection legislation, the details you provide to us as a result of making a complaint will not be disclosed to a third party. However, we may disclose such information to the Northern Ireland Public Services Ombudsman.

### **Putting things right**

When a complaint is upheld we will put things right by acknowledging our mistakes and apologising for them, explaining why things went wrong and what will/can be done to prevent the same mistake happening again.

### **Confidentiality**

All complaints will be dealt with in accordance with the requirements of the Data Protection and Freedom of Information legislation.

### **Retention of Corporate Complaint Documentation**

Retention of complaint documentation will be in adherence with the Council's records retention and disposal schedule.

***This corporate complaints procedure is available in alternative formats upon request by contacting:***

Performance & Audit Department: Customer Relations

Armagh City, Banbridge & Craigavon Borough Council

Old Armagh City Hospital

39 Abbey Street

ARMAGH

BT61 7DY

Tel: 0300 0300 900 or 028 3752 9669

Or by email: [complaints@armaghibanbridgecraigavon.gov.uk](mailto:complaints@armaghibanbridgecraigavon.gov.uk)

## Appendix 1

**The following are not deemed to be corporate complaints and may be dealt with in a different way or under a different Council procedure.**

### **A Request for Service or Assistance:**

The relevant Council department/service area will deal with service requests e.g. missed bins, dog control matters, requests for building control inspections etc. as normal departmental business. These should be directed to the relevant department/service area. The Council website has information on specific Council services: [www.armaghbanbridgecraigavon.gov.uk/a-to-z-index](http://www.armaghbanbridgecraigavon.gov.uk/a-to-z-index) or customers/service users may make an enquiry by email: [info@armaghbanbridgecraigavon.gov.uk](mailto:info@armaghbanbridgecraigavon.gov.uk)

If we fail to deal with a request for service, the customer may wish to raise their concerns with the relevant department/service area to make a corporate complaint at that point.

### **Freedom of Information Request (FOI)**

A Freedom of Information request should be directed by email to:

[FOI@armaghbanbridgecraigavon.gov.uk](mailto:FOI@armaghbanbridgecraigavon.gov.uk)

Or by letter to:

Freedom of Information Requests  
Information Governance  
Armagh City, Banbridge & Craigavon Borough Council  
Old Armagh City Hospital  
39 Abbey Street  
ARMAGH  
BT61 7DY

If you are not content with the outcome of the FOI request, then there is an internal review process which is not dealt with as a corporate complaint; a request for an internal review must be submitted within two months of the response date to the above email address or postal address.

### **Environmental Information Regulations Request (EIR)**

An Environmental Information Regulations request should be directed by email to:

[FOI@armaghbanbridgecraigavon.gov.uk](mailto:FOI@armaghbanbridgecraigavon.gov.uk)

Or by letter to:

Freedom of Information Requests  
Information Governance  
Armagh City, Banbridge & Craigavon Borough Council  
Old Armagh City Hospital  
39 Abbey Street  
ARMAGH  
BT61 7DY

Or by telephone: 0300 0300 900 or 028 3752 9600

If you are not content with the outcome of the EIR request, then there is an internal review process which is not dealt with as a corporate complaint; a request for an internal review must be submitted within two months of the response date to the above email address or postal address.



### **Subject Access Request (SAR)**

A Subject Access Request should be directed by email to: the [FOI@armaghbanbridgecraigavon.gov.uk](mailto:FOI@armaghbanbridgecraigavon.gov.uk)

Or by letter to:

Data Protection Officer  
Information Governance  
Armagh City, Banbridge & Craigavon Borough Council  
Old Armagh City Hospital  
39 Abbey Street  
ARMAGH  
BT61 7DY

If you are not content with the outcome of the SAR, you have the right to apply directly to the Information Commissioner's Office who will undertake an independent review. Contact may be made as follows:

By email to: [ni@ico.org.uk](mailto:ni@ico.org.uk)

Or by letter to:

The Information Commissioner's Office – Northern Ireland  
3rd Floor, 14 Cromac Place  
Belfast  
BT7 2JB

### **Complaint Concerning a Data Breach**

A complaint concerning a data breach should be directed by email to: [dataprotection@armaghbanbridgecraigavon.gov.uk](mailto:dataprotection@armaghbanbridgecraigavon.gov.uk)

Or by letter to:

Data Protection Officer  
Information Governance  
Armagh City, Banbridge & Craigavon Borough Council  
Old Armagh City Hospital  
39 Abbey Street  
ARMAGH  
BT61 7DY

Or by Telephone: 0300 0300 900 or 028 3752 9600

If you are not content with the outcome of the data breach complaint you have the right to apply directly to the Information Commissioner's Office who will undertake an independent review. Contact may be made as follows:

By email to: [ni@ico.org.uk](mailto:ni@ico.org.uk)

Or by letter to:

The Information Commissioner's Office – Northern Ireland  
3rd Floor,  
14 Cromac Place  
Belfast  
BT7 2JB

### **Complaints Concerning On-going Statutory Council work and or investigations.**

Council departments are involved with statutory/formal investigations sometimes involving complex technical and professional judgement issues for the staff involved. If a customer has a corporate complaint in relation to how an on-going statutory work/investigations are being conducted by Council, then that will be dealt with as a corporate complaint in the normal way

commencing with informal resolution. However, if part or all of the complaint received relates to the technical complexities or professional judgements still unresolved/inconclusive at the time of the corporate complaint being made then in most cases those will be dealt with as part of the ongoing statutory work/investigation and will not be dealt with as part of the corporate complaint. However, each corporate complaint is dealt with on its own merits and there may be times when the relevant Department believes that the technical/other matters raised should be dealt with as part of the corporate complaint process.

### **Grievances**

Grievances can only be made by existing or former employees and are dealt with by contacting the Human Resources and Organisational Development Department.

### **Safeguarding**

The policy and procedure for dealing with complaints related to the protection of children and venerable adults are available on the Council website;  
[www.armaghbanbridgecraigavon.gov.uk/wpfd\\_file/safeguarding-policy](http://www.armaghbanbridgecraigavon.gov.uk/wpfd_file/safeguarding-policy)

### **Complaints under Section 75 of the Northern Ireland Act 1998**

If you wish to make a complaint that the Council has failed to comply with its approved equality scheme you can do so by contacting the Policy & Diversity Officer by email to:  
[mary.hanna@armaghbanbridgecraigavon.gov.uk](mailto:mary.hanna@armaghbanbridgecraigavon.gov.uk)

Or by letter to:

Policy & Diversity Officer  
Armagh City, Banbridge and Craigavon Borough Council  
Armagh Office  
The Palace Demesne  
Armagh City  
BT60 4EL  
Or by Telephone: 0300 0300 900 or 028 3752 9600

### **Other Complaints which are not within the scope of this procedure**

Complaints which amount to a disagreement with Council when undertaking our statutory duties and exercising our regulatory powers, unless the complaint refers to the way the matter was administered, do not fall within the scope of this procedure.

There may be internal Council appeal processes available to deal with certain decisions taken when undertaking our statutory duties and exercising our regulatory powers such as an appeal in respect of a food hygiene rating or for which statutory appeals bodies or tribunals have been established e.g. Planning Appeals Commission. More information may be obtained by contacting the relevant Council department.

### **Complaints about Elected Members**

This procedure does not apply to complaints about Elected Members. The Northern Ireland Local Government Code of Conduct for Councillors (the Code) sets out principles and rules of conduct which Councillors must observe. If you have evidence that a Councillor or former Councillor, may have breached the Code, you can complain to the Northern Ireland Local Government Commissioner for Standards (the Commissioner). The Commissioner is independent of government and the council, and this service is free to complainants. You can obtain a complaint form, further information about making a complaint, and a copy of the Code from the Commissioner's website: <https://nipso.org.uk/>