Appendix 2

**Complaints Policy**

**1. Introduction**

Nottingham City Council aims to deliver high quality services making Nottingham a Great City to live in and ensuring that citizens are at the heart of everything we do.

One way of doing this is by listening to feedback from people using our services and making sure that when things go wrong or go right, we learn from the experience, put things right when we get it wrong and make improvements. As a Council, we aim to handle comments, complaints and compliments in a fair and consistent way, maintaining openness and transparency.

Citizens should be able to raise their complaints in any way and with any member of staff. All staff should be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the organisation.

**2. How can you contact us about your experience?**

There are several ways in which you can share comments, compliments, and complaints with us:

**Online**

The easiest way to contact us is via the Nottingham City Council website www.nottinghamcity.gov.uk/HYS

You can create an online ‘My Account’ on the Nottingham City Council website, this can be used to make a complaint, comment, or compliment.

**By telephone**

You can contact the Have Your Say team on 0115 915 5555 or by Textphone or Mincom by dialling 18001 0115 915 5555

**Writing to us**

You can write to us by post to Have Your Say, Nottingham City Council Loxley House Station Street Nottingham NG2 3NG.

**In person at any council reception**

You can speak to any member of staff at any council reception to share your experience.

**3. Making a comment about a service**

You can make a comment about a service via any of the communication channels detailed above; all comments are logged and passed on to the service.

You can make a comment anonymously, but by not providing contact details the service will be unable to provide a response. The comment will be logged as ‘anonymous’ but will still be included in our reporting.

**4. What constitutes a complaint?**

Our complaint policy defines a complaint as:

‘An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the council, its own staff, or those acting on its behalf, affecting an individual or group of individuals.’

We do not consider service requests as complaints, for example a request that NCC provides or improves a service, fixes a problem (such as a pothole or a missed bin) or reconsiders a decision. However, you can make a complaint if you are unhappy with the response you have received following a service request.

We will always consider any complaints raised unless there is a valid reason not to do so. If the council decides not to accept your complaint, we will provide a reason.

It is far easier to find out what happened and put things right if a complaint is received close to the time the dissatisfaction with the service occurred. As time passes it becomes more difficult to investigate events fully and fairly. We will accept complaints that are made within 12 months of the issue occurring, or the time you/ an individual becoming aware of the issue. The Council may consider complaints made outside this time limit where there are good reasons to do so.

If the Council decides not to accept your complaint, we will tell you the reasons why. You have the right to take that decision to the Ombudsman, details of which can be found in this policy.

You may ask for someone to help or represent you with a complaint, however we will need your consent to respond to your complaint with anyone that acts on your behalf.

When responding to your complaint we will:

* Seek to clarify with you or your representative any aspects of the complaint we are unclear about.
* Deal with complaints on their merits, act independently, and have an open mind.
* Give you or your representative a fair chance to set out the reasons for your complaint.
* Take measures to address any actual or perceived conflict of interest; and
* Consider all relevant information and evidence carefully.

If you need help making a complaint, we will do our best to support you. We will keep a record of these adjustments and review them when appropriate.

**5. Initial complaints (known as Stage 1)**

When you make a complaint, we will acknowledge this within 5 working days of receiving it and provide you with a reference number.

We will aim to provide a full response to your complaint within 10 working days after the complaint has been acknowledged.

Where we are not able to provide a response to your complaint in the timescales set out in the policy, we will tell you the reason for the delay and when you can expect a response. We will also provide you with details of the relevant Ombudsman.

Our response will tell you how we have or will respond to your complaint. If we cannot take the full actions required within our response, any actions will be tracked and acted upon promptly.

We will address all points raised in your complaint, inform you of any actions or improvements to take place and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.

We will be clear on which aspects of your complaint we are responsible for and which area we are not, providing a clear response.

When responding to your complaint, we will provide details of how you can escalate the matter to Stage 2 if you are not satisfied with the response.

Where additional complaints are raised during Stage 1, we will, where possible incorporate these into our stage 1 response (if they are related, and the Stage 1 response has not been provided).

Where the Stage 1 response has been provided, and the new issues are unrelated to the issues already being considered or it would unreasonably delay our response, the new issues will be logged as a new complaint.

**6. Stage 2 complaints**

If all or part of your complaint is not resolved to your satisfaction at stage 1, you can ask us to review our response. This is known as Stage 2 and will be our final response to your complaint.

We will acknowledge and log any stage 2 complaints within **five working days of the request being received**.

We will set out our understanding of any outstanding issues and the outcomes you are seeking. If any aspect of the complaint is unclear, we will contact you for clarification.

The person considering the complaint at Stage 2 will not be the same person that considered your complaint at stage 1.

We will provide a final response to the Stage 2 **within 20 working days** of the complaint being acknowledged.

If we are not able to meet this time limit due to the complexity of your complaint, we will inform you of the expected timescale for response. Any extension should be no more than 20 working days and will be clearly explained to you along with details of the relevant Ombudsman.

We will provide you a written response that includes:

* The complaint stage.
* Our understanding of the complaint.
* Our decision on the complaint.
* The reasons for any decisions we have made.
* Details of any remedy offered to put things right.
* Details of any outstanding actions; and
* details of how to escalate the matter to the Ombudsman if you are still dissatisfied with our response.

**7. Putting things right**

Where something has gone wrong, we will acknowledge this and set out the actions we have already taken, or intends to take, to put things right. These can include:

* Apologising.
* Acknowledging where things have gone wrong.
* Providing an explanation, assistance or reasons.
* Taking action if there has been delay.
* Reconsidering or changing a decision.
* Amending a record or adding a correction or addendum.
* Changing policies, procedures or practices.

Any remedy offered should reflect the impact on you, the individual as a result of any fault identified.

The remedy offer will clearly set out what will happen and by when, in agreement with the you where appropriate.

If a proposed remedy cannot be delivered, you will be informed of the reasons for this, provided with details of any alternative remedy.

**8. The Local Government and Social Care Ombudsman**

If after receiving your Review response (Stage 2) you remain dissatisfied with the way your complaint was investigated or the outcome, you can contact the Local Government and Social Care Ombudsman (LGSCO) and ask for them to carry out an additional review.

You should contact the Ombudsman directly to request this, the Ombudsman will only normally accept a complaint if all stages of the Council Complaints Procedure have been completed.

The Ombudsman can be contacted by writing to Local Government Ombudsman, PO Box 4771

Coventry, CV4 0EH or by telephone 0300 061 061. More information can also be found at [www.lgo.org.uk](http://www.lgo.org.uk)

**9. Complaint not covered by this policy**

There are some complaint areas, which cannot be investigated under this policy because they are covered by another process including:

Appeals against refusal of planning permission or against conditions placed on a grant of planning permission

* A complaint challenging a benefit or council tax decision
* A complaint about social care services (children and adults)
* A school admission or exclusion appeal
* A complaint about a school
* A complaint about the refusal of disabled badges for parking exemption
* An appeal against the issue of a penalty charge notice by the parking enforcement team and the recovery process which follows
* Appeals regarding Resident Permits/Dispensation Access Permits
* Dispute a penalty charge notice for Bus Lane Contravention
* A complaint about Nottingham City Transport (NCT)
* A complaint about the trams - Nottingham Express Transit (NET)
* Dispute a fixed penalty for environmental crimes (including dog-fouling)
* Any appeal against the exercise of a police power
* A complaint about Anti-Social Behaviour
* A complaint about Nottingham City Homes
* A complaint about the independent Rent Officer
* A complaint issue that has already been investigated and responded to by a Councillor
* A complaint about a Councillor
* A complaint from a City Council employee about an employment matter

For information about how to make a complaint about these services, please visit www.nottinghamcity.gov.uk/complaints

This complaints policy draws on the Local Government and Social Care Ombudsman Complaint Handling Code published in February 2024.

We will publish this policy on our website alongside the Local Government and Social Care Ombudsman Complaint Handling Code at <https://www.nottinghamcity.gov.uk/complaints>.

NCC will produce an annual complaints performance and service improvement report to be reported through the organisation’s governance arrangements. This will be published on our website with the response to the report from the relevant governance arrangements.