



CUSTOMER FEEDBACK POLICY (COMPLIMENTS, COMMENTS AND COMPLAINTS)

**Temporary Policy in response to Covid-19
January 2021**

Introduction

We are facing unprecedented challenges during the coronavirus (COVID-19) pandemic. We would like to reassure you that we remain committed to delivering the best service we can. It is unlikely that we will be able to respond within our usual timescales as we prioritise our resources in dealing with the pandemic.

This policy is intended to be a guideline as to how we will manage your feedback during this time. It may change and evolve as Government and Ombudsman guidelines change.

Where possible please submit your enquiry or complaint online, by email or by telephone. Please also consider supplying us with an email address or telephone number, so that we can avoid further delays in responding to you.

We thank you for your patience at this time.

Who can make a complaint, comment or compliment?

Any individual or organisation that uses or receives a Council service can make a complaint if they are dissatisfied with the service. Complaints can also be made by a relative, a Member or MP, carer, friend or advocate on your behalf. We may have to seek your consent if someone raises a complaint on your behalf. This definition includes:

- statutory or non-statutory services provided to individual customers
- services provided to schools.
- services commissioned and delivered through other providers on behalf of the Council

The Customer Feedback Policy does not cover complaints from members of staff, trainees, apprentices or persons on work placements, involving working conditions, pay or other internal grievances.

How a complaint can be made

A complaint can be accepted in any form (including face to face, via social media or by phone). However, for the sake of clarity, any complaint and the steps taken to deal with it will be recorded in writing. We must take account of your individual circumstances and specific needs when communicating during the complaint process, bearing in mind such issues as disability and first language.

Stages of the complaints procedure

The KCC complaint process will in these times take the following steps;

Stage 1

We will acknowledge receipt of your complaint as soon as possible and let you know when you may expect a response.

We will be triaging complaints to ensure that those that raise the most urgent issues will be investigated as soon as possible. These will include cases where it is deemed that there is

significant impact on a customer or group of customers, where there is a legitimate safeguarding issue or an urgent timing issue. We will try to keep you updated with the progress of your complaint if we expect any further delays.

We will consider all complaints on their own merit. We will be guided by current Government guidance and emergency legislation.

We may pause the investigation of your complaint in the following cases;

- Where the complaint requires a site visit or a face to face meeting
- Where front line staff involved in the complaint are identified as Key Workers and are needed to ensure the urgent delivery of services.
- Where the issues raised are not deemed urgent or critical.

We will let you know what is happening to your complaint and why we have made the decision we have to either investigate or put your case on hold for the time being.

Stage Two

At this time we may suspend Stage two investigations (Corporate Director/Director response) where appropriate, if this is the case we will advise you at this point that you should raise your complaint with the Local Government and Social Care Ombudsman.

The timescale for a formal response is usually **20 working days** this may be extended, however we will keep you updated with the progress of your complaint and if we expect any delays. For more complex cases it will be a maximum of 65 working days.

Local Government and Social Care Ombudsman

If you remain dissatisfied with our response, you have the right to escalate your complaint to the Local Government & Social Care Ombudsman who will conduct an independent investigation on your behalf.

The contact details of the Local Government & Social Care Ombudsman are:

Website: www.lgo.org.uk

Phone: 0300 061 0614

Exceptions to the KCC complaints procedure

There are separate procedures for complaints relating to the following services. This is to take into account the statutory requirements Kent County Council is required to meet.

Adult Social Care

Stage 1

We will acknowledge your complaint to confirm we have received it and a member of the complaints team will contact you to discuss a plan of action to deal with your concerns. You can expect your complaint to be listened to, to be investigated fairly and responded to. We will triage complaints and be in touch to discuss timescales for responding as soon as we can.

Stage 2 - Local Government and Social Care Ombudsman

If you remain dissatisfied with our response, you have the right to escalate your complaint to the Local Government & Social Care Ombudsman who will conduct an independent investigation on your behalf.

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Children's Social Services

Stage 1

Complaints will continue to be accepted and triaged as with the procedure outlined in the KCC Complaints procedure.

Stage 2 – Investigation & Stage 3 – Review Panel

We are where possible carrying out Children Act Stage two investigations and Stage Three Reviews. However, these require significant investigation involvement from front line staff who are also currently needed to help those families and children most at risk and in need at this time.

Investigations and Reviews may be delayed or postponed, we will advise you as soon as possible if this is the case. All reviews will be held virtually.

Local Government Ombudsman

If you remain dissatisfied with our response, you have the right to escalate your complaint to the Local Government & Social Care Ombudsman who will conduct an independent investigation on your behalf.

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Nursery and school places for children of key workers

If you feel your child is eligible for a nursery or school place because you are a key worker, but have been denied, please contact us.

For nursery and childcare settings:

Email - kentcfis@theeducationpeople.org

Call: [03000 41 23 23](tel:03000412323)

Primary and secondary schools are now closed for the majority of pupils and will offer remote learning following Government guidance. Schools will remain open for face to face learning for vulnerable children and the children of critical keyworkers. All pupils who attend alternative provision schools are expected to attend from the week commencing 4 January.

If you have any queries or would like further support regarding admission to schools during this time please email: emergencyschoolplaces@kent.gov.uk

Complaints about Schools

If you are worried about your child's learning or welfare at school, speak to your child's class teacher or head of year first. If you are not satisfied with the teacher's response, arrange to speak to the head teacher. If this isn't practical, you can ask for a copy of the school's complaints procedure to help you decide whether you wish to make a formal complaint.

Local Authority Schools

The School Information Regulations (England) require local authority maintained schools to have a procedure published online for dealing with all complaints relating to their school and to any community facilities or services that the school provides. The procedure should be available to anybody who wishes to make a complaint against the school.

Each school can decide on how many stages the procedure will include, usually two or three.

If you remain dissatisfied after completing the school's complaints procedure, then you have a right to refer your complaint to the Secretary of State for Education.

Further information can be obtained by calling the National Helpline on 0370 000 2288 or going online at: www.education.gov.uk/help/contactus or by writing to:
Department for Education School Complaints Unit 2nd Floor, Piccadilly Gate Store Street
Manchester M1 2WD

Academy and Free Schools

The Education (Independent School Standards) Regulations 2010 require Academy and Free Schools to have a procedure for dealing with complaints from parents of pupils. The procedure must comply with part 7 of [The Education \(Independent Schools Standards\) Regulations 2014](#).

The ESFA (Education and Skills Funding Agency) handles complaints about Academies and Free Schools and if you remain dissatisfied following the Academy or Free School's complaints procedure you have a right to refer to the ESFA by going [online](#) or by post to: Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD.

Complaints relating to Schools Admissions or Home to School Transport

For up to date information on how to appeal for schools admissions and home to school transport please visit our [webpages](#).

Complain about the appeals process

You can complain about the way the appeal was carried out, but you cannot complain about the decision itself. To complain about the way in which the appeal was carried out you can refer your complaint to the [Local Government Ombudsman](#).

If you remain dissatisfied with our response, you have the right to escalate your complaint to the Local Government & Social Care Ombudsman who will conduct an independent investigation on your behalf.

The contact details of the Local Government & Social Care Ombudsman are:

Website: www.lgo.org.uk

Phone: 0300 061 0614

Complaints about a County Councillor

Our county councillors all adhere to the Kent Code of Conduct for Members.

Stage 1

Read:

- [our guide on how to make a complaint](#)
- [the Kent Code of Conduct for Members](#)

Complaints alleging that councillors have breached the code of conduct are reviewed by a Monitoring Officer and an Independent Person. They decide if any action should be taken and if the matter should be investigated and referred to a Hearing Panel.

They will not deal with complaints about things that are not covered by the Kent Code of Conduct for Members. Your complaint must state why you think the councillor has not followed the Kent Code of Conduct for Members.

Stage 2

To send your complaint:

- email democratic.services@kent.gov.uk

Complaints relating to the Fluency Duty (Part 7 of the Immigration Act 2016)

Customers wishing to make a complaint under the Fluency Duty Code of Conduct (Part 7 of the Immigration Act 2016) should do so under the normal KCC complaints procedure.

Public authorities are subject to the fluency duty in relation to all of their staff who work in customer-facing roles.

The fluency duty does not extend to workers employed directly by a private or voluntary sector provider of a public service.

For the purposes of the fluency duty, a legitimate complaint is one about the standard of spoken English of a public sector member of staff in a customer-facing role. It will be made by a member of the public or someone acting on his or her behalf complaining that the authority has not met the fluency duty.

A complaint about a member of staff's accent, dialect, manner or tone of communication, origin or nationality would not be considered a legitimate complaint about the fluency duty.

For more information on the Fluency Duty Code of Conduct please visit https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/573013/english_language_requirement_public_sector_workers_code_of_practice_2016.pdf

Confidentiality

Any complaint processed through the procedure will be dealt with in accordance with the requirements of the Data Protection Act (DPA) 2018, General Data Protection Regulations (GDPR) and Freedom of Information Act. A Privacy Notice is available which defines how information is collated and stored for the purposes of handling customer feedback.

Vexatious and Unreasonably Persistent Complainants

The Council is committed to dealing with all complaints equitably, comprehensively and in a timely manner. It does not normally limit the contact which complainants have with Council staff and offices. The Council does not expect staff to tolerate behaviour which is abusive, offensive or threatening and will take action to protect staff from such situations.

The County Council's guidance on handling unreasonably persistent and vexatious complainants is set out in separate guidelines.