

Introduction

Oxfordshire County Council wants to hear from you if you have a complaint about our services. The council values complaints as an opportunity to improve the way we serve the people of Oxfordshire. This policy explains:

- what we mean by a complaint
- how you can make a complaint
- how we will deal with it
- what you can do if you remain unhappy with our response.

What is a complaint?

Oxfordshire County Council considers a complaint to mean:

An expression of dissatisfaction: about the standard of service, actions or lack of action, by the council, its staff, contractors or volunteers that requires a response.

For example, this could include complaints involving:

- allegations of delay
- unreasonable behaviour by an individual
- poor quality services.

What is not a complaint under this policy?

People contact the council for a number of reasons. However, some things are best dealt with outside this complaints policy and there may be cases where other, more specific ways of resolving your concerns are appropriate. Annex A below lists some of these alternative procedures.

In general, the following issues will be treated as part of the council's normal business rather than as complaints:

- Queries.
- Comments.
- Initial requests for services.
- Initial reporting of faults (e.g. potholes or broken street lights, etc.)
- Concerns about council policies.

How can you make a complaint?

We want to make it easy for you to complain to us. You can make your complaints using whichever of the following methods is most convenient to you:

- In person at our offices.

- By phone – 01865 323589.
- By email – complaints@oxfordshire.gov.uk
- Online – www.oxfordshire.gov.uk/complaints
- By post – writing to: Complaints Team, FREEPOST RTLL-ECKS-GLUA Oxford OX1 1YA.

Anyone who receives or is seeking to receive a service from Oxfordshire County Council can make a complaint. This includes anyone acting for someone else, and with their permission, such as friends, family members or representatives. (On occasion, we may need to see specific documentary evidence or identity documents, to demonstrate that a person is acting on behalf of someone else.)

How will we deal with your complaint?

The council recognises that every complaint is different and we want to investigate your concerns appropriately and we will do so proportionately having regard to the Council's resources. The following stages will normally be followed:

Initial Review

On receiving your complaint we will acknowledge it in writing within five working days and say how we propose to resolve it. After investigating your complaint we will normally give you a response within 10 working days of our acknowledgement.

Further Review

If you are not satisfied with the outcome after the Initial Review, you should let us know why within 28 days. As with the Initial Review we will acknowledge your concerns within five working days. We will then make a further investigation and reply, normally within 20 working days of our acknowledgement. If we don't hear from you within 28 days, we'll consider your complaint closed.

If the council receives multiple complaints about the same issue, then in the interests of efficiency, we might consider them as if they are a single complaint. Also, in the interests of public efficiency, the council reserves the right not to pursue a complaint if it is frivolously made or deliberately repetitious.

It is anticipated most complaints will be satisfactorily resolved through this two-stage process. However, should you remain dissatisfied with the council's final response to your complaint you have the right to refer your complaint and our response to the Local Government Ombudsman: P O Box 4771, Coventry, CV4 0EH; www.lgo.org.uk/making-a-complaint; telephone: 0300 061 0614/0845 602 1983.

Treating you fairly

The council welcomes complaints from all sections of the community. Assistance can be given to those who are not comfortable with written or spoken English and complaints can be made in a person's own language, if preferred. Contact us if you'd like help with this.

The council will remain open to exploring the possibility of mediation if it could usefully help resolve a complaint.

Anonymous complaints can be acted upon at the discretion of the council. The council reserves the right to regulate any ongoing contact with the Council in the case of unreasonably persistent complainants.

When making a complaint, the council is committed to treating you with respect and courtesy at all times. We will deal with complaints fairly and impartially. The council expects its staff to be treated with similar respect.

Redress

We aim to remedy personal injustice if a complaint reveals that there has been fault by the Council. Annex B sets out our approach to achieving a remedy.

Policy Review

The council's Monitoring Officer will review this policy regularly to ensure it continues to meet the requirements of the council and remains compliant with the law.

Responsible Officer: Monitoring Officer

Date: January 2020

Review Date: January 2021

Annex A

Complaints that cannot be considered within the Corporate Complaints Policy
The following list includes some of the issues that cannot be dealt with under this policy. Where possible, mention is made of the appropriate process to follow:

- A complaint where the complainant or the council has started legal proceedings or has taken court action, but not cases where a complainant has simply threatened to start legal proceedings against the council.
- A complaint that is to be dealt with or has already been dealt with by a court, tribunal or other statutory body.
- A staff complaint about a personnel matter, including appointments, dismissals, pay, pensions and discipline (but not from staff as service users).
- A complaint about council policy. These matters are primarily for the council's Cabinet or Cabinet Portfolio Holder as a matter of democratic responsibility.
- A complaint which comes under the statutory adult or children's social care complaint procedures.
- A complaint about the issue of a penalty charge notice by the parking control service (except administrative issues) and the recovery process thereafter.
- Complaints about schools should be made to the school concerned and dealt with under the individual school's complaints policy.
- A complaint about the conduct of a councillor is the responsibility of the Standards Committee of the County Council. The complaint could be reported initially to the Monitoring Officer for advice on how to address the issue.
- A claim for compensation for highway defects where there is a remedy in law.
- An allegation of criminal or unlawful conduct, fraud or corruption should be made to the Monitoring Officer or Chief Finance Officer.
- A complaint about the Local Government Pension Scheme which should be sent to the: Head of Finance, Oxfordshire County Council, County Hall, Oxford OX1 1TH.
- Complaints by school staff or governors about the local education authority should be raised through the appropriate internal channels.

If we cannot review a complaint under this policy, we will explain to you why we cannot do so and inform you of an alternative means of appeal, if appropriate.

Statutory Complaints – Adult and Children's Social Care

There are separate statutory complaints procedures for service users, or their representatives, wishing to complain about adult or children's social care. Visit: www.oxfordshire.gov.uk/complaints or phone 01865 323589 for adult social care or 01865 810563 for children's social care.

Complaints about councillors should be addressed to:

The Monitoring Officer: email standards.monitoringofficer@oxfordshire.gov.uk or telephone 07776 997946.

Annex B

Our Approach to Remedies

We aim to remedy personal injustice wherever our investigation of your complaint reveals that there has been fault by us. There must of course be a clear link between any fault we find and the personal injustice to you. We will look carefully into the root causes of problems and will consider improvements to systems where they haven't worked properly, so that others don't suffer from the same problems in future.

We will always have regard to the best practice guidance from the Local Government and Social Care Ombudsman, available on their website (www.lgo.org.uk) and called "Guidance on good practice: Remedies".

We will consider:

- What outcome do you want to achieve through your complaint?
- What has gone wrong?
- What is the personal injustice?
- Can action be taken to put you back in the position you would have been in if nothing had gone wrong?
- Did your actions or those of a third party lessen the injustice?
- Has there been any financial loss?
- Overall, is the remedy proportionate, appropriate and reasonable?

All complaints – and any potential remedy – are considered individually, based on the facts of each case. Remedies might, though, include:

- Apology
- Review of policy and procedures
- Other actions to prevent repetition and to put you back in the position you should have been
- Considering whether you have experienced a financial loss