



Complaints Policy

What is a complaint?

We consider a complaint to be an expression of dissatisfaction by one or more members of the public about the local authority's action or lack of action, or the standard of service provided by or on behalf of the local authority.

Appendix 1 will show you some examples of the types of things you can complain about.

Who can complain?

Anyone who receives, requests or is affected by our services can make a complaint. Sometimes you may be unable or reluctant to make a complaint on your own. We will accept complaints brought by third parties as long as you have given your personal consent.

An MSP, MP or Councillor can make a complaint on your behalf. This will be dealt with as a proxy complaint in accordance with the Complaints Policy. All correspondence will be sent to you and a covering letter will be sent to your MP / MSP or Councillor who has complained on your behalf.

If you are under 16 and wish to complain, you may contact us yourself or if you would prefer, you can ask a trusted adult such as a parent, older brother or sister, or a guardian to contact us for you.

If you believe yourself to be a vulnerable adult, you may again contact us directly or if you would prefer, you can ask someone you trust to contact us on your behalf. Someone can be provided to assist you to make your complaint if you would prefer.

What can I complain about?

You can complain about things such as:

- failure to provide a service
- inadequate standard of service
- dissatisfaction with any of our policies
- treatment by or attitude of a member of staff
- disagreement with a decision where you cannot use another procedure (for example an appeal) to resolve the matter
- Our failure to follow the appropriate administrative process

Your complaint may involve more than one council service or be about someone working on our behalf. The above list does not cover everything.

What can't I complain about?

There are some things we can't deal with through our Complaints Policy. These include:

- a routine first-time request for a service
- a request for compensation only
- issues that are in court or have already been heard by a court or a tribunal
- disagreement with a decision where a statutory right of appeal exists, for example in relation to council tax or planning
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

How do I complain?

You can complain by email, in writing, in person at any of our public facing offices, or by phone.

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. They can then try to resolve any problems on the spot.

If you have a complaint which is about more than one service or you feel it is not appropriate for the service to deal with the complaint, you can contact our Corporate Complaints Officer.

When complaining, tell us:

- Your full name and address, including an e-mail address if possible
- 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?

You must make your complaint

- Within six months of the event you want to complain about

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the six month time limit should not apply to your complaint, please tell us why by contacting the department you wish to complain about at the following address

The Moray Council
High Street
Elgin
IV30 1BX

01343 543451

complaints@moray.gov.uk

What happens when I have complained?

Our complaints procedure provides two opportunities to resolve complaints internally:

Stage one – Frontline Resolution

We aim to resolve complaints quickly by those who provide the service. This could mean an apology and explanation if something has clearly gone wrong. In such circumstances, steps will be taken to prevent such a problem re-occurring.

We will give you our decision at stage one within five working days or less, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will automatically move it to the second stage which is an investigation. If we do this, we will write to you within three working days acknowledging your complaint.

Stage two – Investigation

Stage two deals with two types of complaint: those that have not been resolved at frontline resolution and those that are complex and require detailed investigation from the outset.

When using stage two:

- We will acknowledge receipt of your request for complaint investigation within **three working days**
- If you have had a response at frontline resolution and remain unhappy, we will discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for
- We will give you a full response to the complaint as soon as possible and within **20 working days**

If our investigation will take longer than 20 working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.

What happens if I'm still unhappy?

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

The SPSO cannot normally look at:

- A complaint that has not followed our Complaint Policy;
- 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
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS

By Post
Freepost
SPSO

Freephone: 0800 377 7330

Online contact: www.spsso.org.uk/complain/form

Website: www.spsso.org.uk

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

Getting help to make your complaint

Support and advocacy groups are available to support you in pursuing a complaint. You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance.

Scottish Independent Advocacy Alliance

Tel: 0131 260 5380

Website: www.slaa.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>

Or

Telephone: 0845 600 9527

Email: enquiries@careinspectorate.com

Complaints about social work services are handled differently. You can find out more about dealing with complaints relating to social work services on our website and a customer leaflet has also been produced to inform customers of the social work complaints policy. This can be found at www.moray.gov.uk/complaints

Quick guide to our complaints policy

Complaints policy

You can make your complaint by email, in writing, by phone, or in person at any of our offices.

We have a **two-stage complaints policy – Frontline Resolution and Investigation Stages**. We will always try to deal with your complaint quickly but if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.

Stage 1: Frontline Resolution

We will always try to resolve your complaint as soon as possible, within **five working days** if we can.

If you are unhappy with our frontline resolution response, you can ask us to consider your complaint as an investigation.

Stage 2: Investigation

We will consider investigating your complaint at this stage if you are unhappy with our response at Stage 1. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation.

We will acknowledge your request for investigation of your complaint within **three working days**. We will give you our decision as soon as possible but within **20 working days** *unless* there is clearly a good reason for needing more time.

The Scottish Public Services Ombudsman

If, after receiving our response at the Investigation Stage, you are still unhappy with our decision or the way we have handled your complaint, you can ask the SPSO to consider it.

We will tell you how to do this when we send you our investigation response.

Our Contact Details

Please contact us using any of the following details

The Moray Council
High Street
Elgin
IV30 1BX

01343 543451

complaints@moray.gov.uk

You can find more information about complaints in Moray

Online: www.moray.gov.uk/complaints

APPENDIX 1

The following are some suggested examples of what you can complain about. These are simply examples and are not an exhaustive list.

<ul style="list-style-type: none">➤ <u>Transportation</u><ul style="list-style-type: none">○ Car parks○ Public transport including dial M for Moray○ Road safety○ Disabled parking○ Harbours○ Road design, procedures and standards○ School travel➤ <u>Roads Maintenance</u><ul style="list-style-type: none">○ Winter maintenance○ Street lighting○ Roads maintenance○ Council vans and pool cars➤ <u>Consultancy</u><ul style="list-style-type: none">○ Flooding○ Bridges○ Road design, construction➤ <u>Environmental Protection</u><ul style="list-style-type: none">○ School meals○ Waste – household collections, recycling, disposal○ Lairs, grass, trees / bushes, use of land○ Public toilets➤ <u>Development Services</u><ul style="list-style-type: none">○ Planning applications, neighbour notifications○ Building Standards○ Environmental Health○ Trading standards○ Community Safety	<ul style="list-style-type: none">➤ <u>Corporate Services</u><ul style="list-style-type: none">○ Benefits○ Council Tax➤ <u>HR & ICT</u><ul style="list-style-type: none">○ Recruitment Process➤ <u>Customer Services</u><ul style="list-style-type: none">○ Front Offices○ Contact Centre➤ <u>Legal & Democratic Services</u><ul style="list-style-type: none">○ Committee Processes○ Licences, Permits○ Registrations of births, deaths and marriages➤ <u>Housing & Property</u><ul style="list-style-type: none">○ Allocations○ Repairs○ Maintenance○ Unauthorised Encampments○ Tradesmen○ Vans○ Neighbour disputes○ Temporary accommodation➤ <u>Lifelong Learning, Culture & Sport</u><ul style="list-style-type: none">○ Libraries○ Community Centres○ Leisure Centres○ Swimming Pools➤ <u>Schools & Curriculum Development</u><ul style="list-style-type: none">○ Nurseries○ Primary Schools○ Secondary Schools
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If you need information from the Moray Council in a different format, such as Braille, audio tape or large print, please contact:

如果閣下需要摩里議會用你認識的語言向你提供議會資訊的話，

請要求一位會說英語的朋友或親人與議會聯繫

Jeżeli chcieliby Państwo otrzymać informacje od samorządu rejonu Moray w swoim języku ojczystym, Państwa przyjaciel lub znajomy, który mówi dobrze po angielsku, może do nas

Se necessita de informação, do Concelho de Moray, traduzida para a sua língua, peça o favor a um amigo ou parente que fale Inglês para contactar através do:

Jeigu Jums reikalinga informacija iš Moray regiono Savivaldybės [*Moray Council*], kurią norėtumėte gauti savo gimtąja kalba, paprašykite angliškai kalbančių draugų arba giminaičių susisiekti su mumis

Чтобы получить информацию из Совета Морэй на Вашем языке, попросите, пожалуйста, Вашего друга или родственника, говорящих по английски, запросить ее

Si necesitas recibir información del Ayuntamiento de Moray en tu idioma. Por favor pide a un amigo o familiar que hable inglés que:



The Moray Council
High Street
Elgin
IV30 1BX



01343 543451



complaints@moray.gov.uk



18002 01343 563319