

Customer Feedback Policy

This Corporate Policy is prepared and managed by One West on behalf of Bath & North East Somerset Council.

This Policy may be revised from time to time to reflect changes in legislation, good customer practice and operational requirements.

For any enquiries about this policy, please contact:

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One West offers specialist professional services primarily across the South West of England. We work with government bodies, schools, academy trusts, charities and care providers.

Version date: Spring 2026

Customer Feedback Policy

Introduction

At Bath & North East Somerset we value our customers and their feedback. This Corporate Customer Feedback Policy describes how the Council expects to manage and respond to customer feedback, whether suggestions, compliments, or complaints. It is designed to reflect best practice both for the customer and the Council and we have aligned our corporate complaints procedure with the [Complaints Handling Code](#) set out by the Local Government & Social Care Ombudsman (LGSCO) on their website.

We publish this Policy and other information about Customer Feedback and complaints on the [‘Have your Say’ pages of the council website](#).

The Policy – purpose and definition

The main purpose of the customer feedback policy is to enable any matters raised by customers to be received and resolved quickly at the initial point of contact.

Customer feedback may include:

- General feedback and suggestions for improvement
- Reports about service failure
- Compliments about good service
- Complaints

Customer feedback is actively encouraged, tracked, monitored and used positively to make service improvements and changes where appropriate. For example, early diagnosis of customer problems with a new business process or a number of repeat requests may decrease the number of complaints if improvements are made and issues resolved at the first point of contact.

We work hard to avoid and minimise complaints but where they do occur this policy defines how they will be fairly and courteously treated.

This policy:

- Confirms how to give feedback or make a complaint.
- Highlights any exceptions to the standard customer feedback procedure, for example where specific issues are treated by an alternative procedure.
- Defines the standard of service, including response times, to expect when making a complaint.
- Recognises the importance of customer feedback in providing insight to Council services and performance.
- Set out how the Council monitors customer feedback and uses information to improve services and identify training needs.

Service Request or Complaint?

Effective complaint handling enables individuals to be heard and understood. The starting point for this is a shared understanding of what constitutes a service request and what constitutes a complaint. In most cases council service teams should be able to put things right through normal service request and delivery processes.

A service request may be defined as:

‘a request that the council provides or improves a service, fixes a problem or reconsiders a decision.’

This provides council service teams with opportunities to resolve matters to an individual’s satisfaction before they become a complaint.

We define a complaint in line with the LGSCO Complaint Handling Code:

“an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of individuals”

We recognise the difference between a service request and a complaint. Service requests are not complaints but may contain expressions of dissatisfaction. Council service teams should have the opportunity to deal with a service request before a complaint is made. A complaint may be raised when a customer expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. A service team should not stop its efforts to address the service request if the customer complains.

Is it a Corporate Complaint?

Whilst the corporate complaint procedure set out in this Customer Feedback policy deals with many complaints we receive, the council has other separate specialist procedures for certain types of specific complaint.

If a complaint is outside the scope of the corporate procedure we will give advice on how a customer may more appropriately pursue the issue – see Appendix 1 for guidance on how to make other complaints not dealt with by the Council’s main Customer Feedback process.

Please note: A complainant cannot demand that the corporate procedure is used. Each complaint will be considered on its own merits but discretion about how to deal with a complaint lies with the Council. In certain circumstances the Council may decide that alternative means of dealing with complaints would be more appropriate and this may include the consideration of offering or agreeing to mediation. The Corporate Customer Feedback & Standards Manager (responsible for the Corporate Feedback Policy) will decide this in consultation with the relevant Service Manager or Customer Feedback Officer. In such cases the complainant will be informed of the alternative approach and why the Council has chosen to adopt it.

Time limit

We will accept complaints referred to us within 12 months of the issue occurring, or the individual becoming aware of the issue. We only consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.

Accessibility

The Council is committed to making it easy for our customers to give feedback or complain. We do this by:

- Ensuring this policy is straight forward and easy to understand. It will be well publicised and easily accessible to everyone.
- Providing different channels through which you can give feedback or make a complaint. Please see 'How to contact us to give Feedback' on Page 5
- Ensuring we take account of your needs and any reasonable adjustments required.
- Ensuring all staff are aware of the Customer Feedback and Complaints Procedure and will pass details of your feedback to the appropriate person in the Council
- Enabling a complainant to nominate a suitable representative to deal with their complaint on their behalf and be represented or accompanied to any meeting with the service about their complaint.

How to contact us to give Feedback

Who can make a Complaint, Suggestion or Compliment?

Any member of the public or their nominated representative, businesses, public and voluntary bodies may give us feedback and make a complaint, suggestion or compliment.

Steps to making a complaint

If you can, speak to the member of staff involved directly, or their manager, giving the opportunity for the complaint to be resolved straight away.

If you do not know who to speak to, please contact Council Connect on 01225 39 40 41.

Any complaint can also be made or handed in to any of the Council's employees or councillors and at any of the Council's offices.

You can contact us and log your feedback:

- online via our website, using our '[Have your Say](https://www.bathnes.gov.uk/have-your-say)' forms: <https://www.bathnes.gov.uk/have-your-say>
- in person at our One Stop Shops in Bath, Keynsham & Midsomer Norton
- by phone: 01225 39 40 41
- by e-mail: councilconnect@bathnes.gov.uk
- by post: Council Connect, Bath & North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG

We will request the following information:

- Your name and where and how you can be contacted. You do not have to provide this to submit a complaint; however we may not be able to investigate or reply to your complaint fully if you do not provide your name and a contact email address or telephone number.
- If you need any assistance in making the complaint, see below 'Assistance in giving feedback'.
- The details of your complaint or feedback.
- What you want the Council to do about it.

Steps to make a compliment or suggestion

Comments on methods of improving service delivery or compliments regarding the quality of service provided are always welcome. Please feel free to share your views with our staff/managers. You may also complete the online Compliments or Suggestions forms if you prefer: <https://www.bathnes.gov.uk/have-your-say>

Compliments and suggestions will be recorded and fed back to the relevant Service/staff.

Assistance in giving feedback

If you need assistance in giving any form of feedback whether it be a complaint, compliment or suggestion, the Council will provide this as promptly as possible. Some assistance, such as translation services, can involve a delay. You will be told when the assistance can be provided and kept informed of what is happening. Officers dealing with a complaint will ensure that any required assistance is made available and is planned for throughout the procedure.

How we Review and Respond to Complaints

The Council has a distinct two stage approach with a third level of escalation to the Local Government & Social Care Ombudsman (LGSCO) that incorporates and reflects good practice set out in the LGSCO Complaint Handling Code:

- Stage 1 response to the complaint by the relevant Council Service Team
- Stage 2 review by the Council's One West Customer Feedback team
- Local Government & Social Care Ombudsman external independent review

Stage 1

Whenever we receive a complaint, we will initially ensure that it is directed to the appropriate Service team responsible for the issues raised.

Our policy is for our service teams to always respond to customer complaints directly and have the first opportunity to explain or put things right if there has been a mistake. We aim to resolve matters at Stage 1 with a single and accurate response, whether informally through direct customer contact or more formally through an investigation and written response. If this is not possible or if the customer remains dissatisfied, we encourage further dialogue and personal or written contact between customer and service to confirm a final service position.

The officer responding to the complaint should:

- clarify with the individual any aspects of the complaint they are unclear about;
- deal with complaints on their merits, act independently, and have an open mind;
- give the individual a fair chance to set out their position;
- take measures to address any actual or perceived conflict of interest;
- consider all relevant information and evidence carefully;
- state clearly whether the complaint is upheld or not and the reasons why

We expect service teams to make all reasonable efforts to resolve their customer complaints fully at Stage 1, which may include making a clarification response. Customers should not have to escalate a complaint to get an appropriate remedy or explanation from the service. If a customer is not satisfied with the outcome of the Stage 1 process, they may request a Stage 2 Review.

Where a service is provided by a third party (e.g. a contractor or commissioned service), the responsible Council service team should ensure clear arrangements for complaint handling are included in the contract or agreement under which the service is provided. These arrangements must be in line with this policy, and the expectation is that a complaint response provided by the third party will form the Stage 1 response on behalf of the commissioning service under this policy. The complainant should not be required to go through the complaints procedure for both organisations.

Stage 2

Stage 2 provides the opportunity for the One West Customer Feedback Team to independently consider whether all matters raised in an original complaint have been comprehensively and accurately addressed. Through consideration of Stage 1

communications between the complainant and the service concerned, the Stage 2 Review will determine:

- if your complaint may still reasonably be resolved by any further explanation from the service on their final position. Stage 2 may make recommendations to the service on how the complaint may be resolved or the service position explained, or;
- if a full independent Stage 2 investigation is appropriate, or;
- whether you would be better served by referring your complaint direct to the Local Government and Social Care Ombudsman (LGSCO), for example if the Service has fully and reasonably sought to resolve the issue and a Stage 2 review is unlikely to change the position, such that effectively the Council complaints process has been fully exhausted and any further review by the Council would cause unnecessary delay.

Key to this decision being made will be a review of complaint communications to understand the outcome or remedy that the complainant seeks, whether that has been met, and the best way that may be achieved to resolve matters, if possible.

Role of the Local Government and Social Care Ombudsman

The Local Government and Social Care Ombudsman (LGSCO) looks at complaints about Councils. It is a free service. Their job is to investigate complaints in a fair and independent way - they do not take sides.

If there is a problem with a Council Service, customers should first complain to the Council itself so that there is an opportunity to sort out the problem before the LGSCO can consider it. Customers must usually complete both Council complaint stages 1 and 2 before the LGSCO will look at a complaint.

The Ombudsman decides whether it can and should investigate complaints. For example, the Ombudsman may decide not to investigate your complaint if you have not been significantly personally affected by the issue you are raising. You can find out more information about what complaints the [Ombudsman may consider on its website](#).

If you wish to raise your complaint with the Ombudsman you can find out more information about how to do so below:

Website: <https://www.lgo.org.uk/how-to-complain>

Telephone: 0300 061 0614

Putting Things Right

Where something has gone wrong we will acknowledge this and set out the actions our responsible service team has 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;
- Re-providing a service for free;
- Providing a financial remedy;
- Changing policies, procedures or practices.

Any remedy offered should reflect the impact on the individual because of any fault identified.

The remedy offer should clearly set out what will happen and by when, in agreement with the customer where appropriate. Any remedy proposed should be followed through to completion

If a proposed remedy cannot be delivered, the individual should be informed of the reasons for this, provided with details of any alternative remedy and reminded of their right to complain to the Ombudsman.

The council will take account of the good practice guides issued by the LGSCO when deciding on appropriate remedies.

Classification of Customer Complaints

We record information on all the complaints we receive, segregated by service team, and we classify the outcomes we achieve to one of the following categories. Teams are encouraged to monitor their outcomes via quarterly performance reports, to understand and seek improvements to our services.

Reasons for Customer Complaints - 6x Categories

1. Discrimination or Harassment
2. Conduct / Attitude of Staff
3. Disagree with Policy or Procedure
4. Policy or Procedure not followed
5. Dissatisfied with the level of service provided
6. Inaccurate, misleading or insufficient information

3x Outcome Resolutions

Our policy in replying to complaints is to resolve them to one of the following three outcomes and advise the customer accordingly:

Outcome category	Communication with customer will:
1. Complaint upheld	Recognise the fault and say complaint is upheld, stating reasons why. Consider the impact of the fault and offer appropriate remedy. Make an apology.
2. Complaint not upheld	Give an explanation about why the Council operates/performs as it does and say why complaint cannot be upheld.
3. Complaint partially upheld (only for multi-element complaints*)	Recognise the fault and say what part(s) of the complaint is upheld, stating reasons why. Consider the impact of the fault and offer appropriate remedy. Make an apology. Say what part(s) of the complaint is not upheld and explain why the Council operates/performs as it does (as 2 above)

*Sometimes a complaint may contain several parts or elements and so our communication will seek to resolve and determine the outcomes of each. This can mean that one element of a complaint might be upheld whilst another is not.

Our Response Standards

What you can expect of us

- We aim to deal with feedback and complaints quickly, effectively and in a fair and honest way
- All valid feedback and complaints will be recorded on receipt and a unique case number allocated
- Timescales for acknowledgement and response run from date of receipt to the date of issuing a reply/decision
- Response standards for stage 1 and 2 complaints are set out below.
- If we need to inform a customer about an extension to these timescales they should be provided with the details of the relevant Ombudsman

Stage 1 complaints

Service teams should have processes in place to consider which complaints can be responded to as early as possible, and which require further consideration. Teams should consider factors such as the complexity of the complaint and whether the customer is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the individual.

- Complaints should be acknowledged, and logged at stage 1 of the complaints procedure **within 5 working days of the complaint being received**
- Service teams should provide a full response to stage 1 complaints **within 10 working days** of the complaint being acknowledged
- Effectively therefore, a complaint response may take **up to 15 working days**
- Service teams should decide whether an extension to this timescale is needed when considering the complexity of a complaint and then inform the customer of the expected timescale for response. Any **extension or additional clarification response should be no more than 10 working days** without good reason, and the reason(s) should be clearly explained to the customer.

Stage 2 complaints

- Stage 2 requests will be assessed to validate whether they should progress to stage 2 or remain with the original service team for a stage 1 clarification response.
- Accepted stage 2 requests should be acknowledged and logged at stage 2 of the complaints procedure **within 5 working days of the escalation request being received**. Within the acknowledgement, we aim to set out our understanding of any outstanding issues and the outcomes the customer is seeking. If any aspect of the complaint is unclear, the customer may be asked for clarification.
- Accepted stage 2 reviews are **scheduled in order of receipt to take place over a period of 10 working days**. This allows us time to gather and review the Stage 1 complaint correspondence and come to a view on the best way forward. When

scheduling a stage 2 review we will inform the customer and service of the expected timescale for response.

- We aim to issue a final stage 2 response **within 20 working days** of the complaint being acknowledged.
- Effectively therefore, a complaint response may take **up to 25 working days**
- Sometimes we may decide an extension to this timescale is needed when considering the complexity of the complaint, other customer demands, or our available resources. **Any extension should be no more than 20 working days** without good reason, and the reason(s) should be clearly explained to the customer.

Stage 2 is the Council's final response. Customers will be advised at the end of our response how they may pursue their complaint further with the LGSCO if they should remain dissatisfied.

And what we expect of you

When we write to you in response to your complaint, we will explain what you can do if you are still dissatisfied.

Stage 1:

When we write to you with our response to your complaint, we will give you the option to come back to us if you think we have not fully resolved your issue. You need to tell us what you remain unhappy about and give our service teams a final opportunity to resolve anything, if possible.

Requesting a Stage 2 Review:

If you continue to be dissatisfied with the response from the Service at Stage 1, you need to tell us the reasons why and what outcome or remedy you were expecting, in writing, so that we can properly consider whether escalation to a Stage 2 Review is appropriate.

How we measure response times

For clarification on how we measure our response times, we consider that:

- For customer communications received by the Council, the day of receipt by the Council is day 0 and the next whole working day is day 1.

Who will respond to your feedback?

Our roles & responsibilities

Services

Council service teams have nominated *Customer Feedback Officers* (CFOs) responsible for:

- Ensuring that all customer feedback and complaints received directly by the Service are logged and processed in accordance with this policy and using the Council's Customer Feedback system.
- Liaison with relevant service colleagues and managers to ensure an appropriate review of the matter is made and responses are properly considered and sent.
- Tracking progress at each stage.
- Informing customers of any delays to making a response, and the reasons why.
- Ensuring awareness about timescales for responses within their service teams.
- Communicating and recording outcomes.
- Performance reporting and trend analysis to support service improvements.

In addition, Service based Customer Feedback Officers may sometimes be called upon to support or undertake independent consideration of Stage 2 complaints about another Service area.

Customer Services Team

Our *Customer Services Officers* will usually be the first point of contact for customers; either in person at our One Stop Shops and Libraries or on the phone to our Contact Centre. They will:

- Ensure that all relevant details about a customer and their feedback or complaint are captured on the council's Customer Feedback system.
- Ensure customer feedback is correctly directed to the appropriate Service area for response, liaising with Customer Feedback Officers in Services if required to ensure that complaints are routed to the right teams for review and reply.

One West Customer Feedback Team

The *One West Customer Feedback team* is responsible for:

- Assessing requests for Stage 2 Reviews.
- Allocating or undertaking Stage 2 Reviews and investigations and advising customers and services of the outcomes.
- Liaison with the Local Government and Social Care Ombudsman over any external referrals or investigations.
- Giving guidance on the investigation of individual complaints and ensuring cross-service complaints investigations are being coordinated by one of the Services involved.
- Undertaking customer satisfaction surveys about the outcomes of the complaint process for customers whose complaint is upheld.
- Training Service based CFOs
- Performance reporting customer feedback case data

Record Retention

Schedule for Customer Feedback Correspondence

A full record will be kept of customer feedback and complaint cases, and the outcomes at each stage. This will include the original complaint and the date received, all correspondence with the customer, correspondence with other parties, and any relevant supporting documentation such as reports. Records will be retained for the periods of time shown in the table below.

Level of feedback	Retained for	Rational
Enquiries resolved at Stage 1	Current year + 2 years	Aligns with existing corporate Retention Policy for general correspondence
Enquiries reaching Stage 2	Current year + 6 years	Supports 1980 Statute of Limitations Act
Enquiries referred to the Local Government Ombudsman	10 years after case closes	Corporate decision

Unreasonable Behaviour and Vexatious Complaints

The Council recognises the need to respond to appropriately presented complaints. We are committed to dealing with all complaints fairly and impartially, and to making our service as accessible as possible.

Due to the nature or frequency of their contact with the Council, a few complainants behave unreasonably and hinder the consideration of their own, or other complainants', cases and the general work of the Council.

The Customer Feedback Policy provides a definition of when a customer's behaviour may be considered unreasonable or vexatious.

The Council's approach in this area is to align with the published guidance on unreasonable behaviour from the Local Government & Social Care Ombudsman, as the external body where customers may ultimately take escalated complaints for review.

Single incidents may be unacceptable, but more often the difficulty is caused by unreasonably persistent behaviour that is time consuming to manage and/or interferes with proper consideration and conclusion of the complaint.

Behaviour may be considered unreasonable or vexatious when a customer is:

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various council departments.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence
- Harassing or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the customer or complaint. Staff will document all instances of harassment, abuse, or verbally aggressive behaviour.

- Threatening or has used physical violence towards staff at any time – this will, in itself, cause personal contact with the complainant and/or their representatives to be discontinued and the contact will, thereafter, only be continued through written communication. All such incidences will be documented.
- Recording meetings or face to face/telephone conversations without the prior knowledge and consent of other parties involved.

Procedure for dealing with unreasonable or vexatious behaviour

If the Council's appropriate Service Manager in conjunction with the One West Customer Feedback Manager considers that a person has habitually, persistently and without reasonable grounds, behaved unreasonably or vexatiously in accordance with the policy criteria, the matter will be referred to the Monitoring Officer.

The Monitoring Officer will investigate the referral, and if the Monitoring Officer considers that reasonable grounds for the referral exist, they will arrange for the customer's behaviour to be investigated in accordance with the procedure detailed below. In exceptional circumstances, immediate action may be taken without following the procedure.

The Monitoring Officer will write to the customer informing them that their behaviour is being investigated in accordance with this policy.

Following the investigation, the Monitoring Officer will write to the person concerned informing them of the outcome. If the customer's behaviour is considered unreasonable or vexatious, the Council will

- Identify the Council's concerns regarding the behaviour and/or number and/or nature of the complaints they have been making,
- That consideration is being given to restricting the customers contact with the Council or use of the Council's complaints procedure, and/or other alternative courses that the council could follow, e.g. allowing the complainant to contact only one nominated officer in the future; and
- Giving them the opportunity to make representations in writing.

If, having considered any representations received, the Monitoring Officer is satisfied that unreasonable or vexatious behaviour has been substantiated, they will inform the person of this, and that any or some of the following actions may be applied:

- Their use of the Council's complaints system will be limited to a single point of contact,
- Such contact shall be restricted to letter only,
- The Council will not respond to any further contact,
- Their license to enter Council premises will be restricted or removed.

The Monitoring Officer will inform the person of when this decision will be reviewed and of their right to complain to the LGSCO.

Any restrictions placed on an individual's contact due to unacceptable behaviour will be proportionate and demonstrate regard for the provisions of the Equality Act 2010.

Feedback on this Policy

The Council welcomes any feedback that you may have on the use of this policy. Please send your comments for the attention of the Customer Feedback & Standards Manager, One West, Bath & North East Somerset Council, The Guildhall, High Street, Bath, BA1 5AW, or hand them in to any of the Council's employees or councilors at any of the Council's offices.

Appendix 1

Complaints not dealt with by the Council's main Customer Feedback Procedure

Some complaints are dealt with under separate procedures, some of which are laid down by statute. Others are serious enough to require special consideration. Sometimes the Council receives complaints about matters over which it has no control. When your complaint is received you will be informed if it is to be handled under a different procedure or if it needs to be redirected to a different service or agency.

This policy is not intended to include appeals against, or objections to, decisions of the Council which should generally be pursued by way of the appropriate statutory or other appeals procedure. In these cases, advice will be given on how an appeal may be made and about any timescales which apply.

Examples of the most raised matters that are not within the remit of the Council's Corporate Complaints Procedure:

Complaints dealt with under other procedures:

- **Complaints about Adult Social Care and Learning Disability Services.** If you are unhappy with any aspect of our Adult Social Care or Learning Disability Services or those we arrange on your behalf, you can make a complaint which will be considered under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

The complaints procedure is a two stage process:

- A response from the service team or service provider
- Referral to the Local Government and Social Care Ombudsman

More information about the procedure and how to complain can be found at:
<https://www.bathnes.gov.uk/make-complaint-about-adult-social-care>

To make your complaint you can contact the Complaints and Data Protection Team:

- online via our website, using our feedback forms: www.bathnes.gov.uk/feedback
 - in person at our One Stop Shops in Bath, Keynsham & Midsomer Norton
 - by phone: 01225 477752
 - by e-mail: complaints_cypandadults@bathnes.gov.uk
 - by post: Complaints and Data Protection, Lewis House, Manvers Street, Bath BA1 JG
- **Complaints relating to Children's Social Care Services.** Complaints about children's social care services (including services for children in need; looked after children; special guardianship support and post-adoption support) are dealt with under a separate complaints procedure which is set out in regulations and statutory guidance.
<https://www.bathnes.gov.uk/make-complaint-about-childrens-services>

Children and young people who are eligible to make a complaint under this procedure can have support from an advocate. Information about this is available at <https://www.offtherecord-banes.co.uk/advocacy>

Complaints about all other aspects of Children's Services are considered under the Council's Customer Feedback Procedure unless there is a formal right of appeal such as the Special Education Needs (SEN) and Disability Tribunal. The Complaints and Data Protection Team Manager will assess each complaint and identify the correct procedure to be used.

You can contact the Complaints and Data Protection Team:

- online via our website, using our feedback forms: www.bathnes.gov.uk/feedback
 - in person at our One Stop Shops in Bath, Keynsham & Midsomer Norton
 - by phone: 01225 477752
 - by e-mail: complaints_cypandadults@bathnes.gov.uk
 - by post: Complaints and Data Protection, Lewis House, Manvers Street, Bath BA1 JG
- **Complaints about individual schools and academies** (including those about the National Curriculum). Each school operates under a system of local management and has its own complaints procedure. A copy of the Complaints Procedure should be made available by the school. Complaints are normally directed to the Head Teacher of the school or the Chair of Governors at the school address. Where the school is unable to satisfy the complaint, the complaint should be referred to the Secretary of State for Education or Ofsted <https://www.gov.uk/complain-about-school>
 - **Appropriate complaints related to the 'HM Government Code of practice on the English language requirement for public sector workers (the fluency duty)'** will be considered under the Council's Customer Feedback Policy. The fluency duty defines a legitimate complaint as "one about the standard of spoken English of a 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". However, the duty also excludes that "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." Public authorities are not obliged by the fluency duty to respond to complaints that are vexatious, oppressive, threatening, abusive, without foundation and/or which are intended to result in harsh or wrongful treatment of the person who is the subject of the complaint. In these circumstances a complaint will not be taken forward by the authority.
 - **Complaints or Disagreements about Pension Benefits** (only for decisions made under Pension Regulations). These should be directed to either B&NES (HR), as your employer, or Avon Pension Fund, whoever made the initial decision where the disagreement occurs.
 - **Complaints about parking tickets/penalty charge notices.** As the issue of a penalty charge notice is a legal matter, it has to be dealt with formally in writing. Write to **Parking Services**, Bath & North East Somerset Council, P.O. Box 5197, Bath BA1 0UF. Or challenge the notice online at <https://parking.bathnes.gov.uk/pages/home.aspx>
 - **Matters where there is a formal right of appeal external to the Council or other legal remedy** (such as with the refusal of planning permission or matters of contract). In these

circumstances the complainant will be advised to follow the prescribed legal procedure and, where possible, how to do so.

- **Disagreements with properly made Council, Executive and Committee decisions**, including Council policies, budget decisions etc. The complainant will be advised to pursue these with their local Councillor, make representation to the relevant Executive Member or ask to speak at the relevant Committee, as appropriate.
- **Complaints about the conduct of Councillors or the way in which complaints about their conduct are investigated.** These fall within the remit of the Standards Committee of the Council. The Committee's web page contains details of the Code of Conduct and how complaints about possible breaches of the Code are dealt with. The web page may be accessed at <https://www.bathnes.gov.uk/make-complaint-about-councillor>
- **Complaints about Freedom of Information requests.** Complaints in relation to responses provided in accordance with the Freedom of Information Act/Environmental Information Regulations are managed within the Councils Internal Review complaints process. If an applicant is unhappy with the service received or the response to their information request, they are entitled to request that an Internal Review be carried out. A request for a review should be made in writing within 20 working days of the date of the original response. Details of the Internal Review process and how to submit a complaint will be included in each FOIA response. We attempt, where possible, to provide a response with the outcome of the internal review within 20 working days of receipt of the request. If an applicant is unhappy with the outcome of the internal review, they have the right to appeal directly to the Information Commissioner for a Decision. For further details relating to the process, please see: <https://www.bathnes.gov.uk/submit-freedom-information-foi-request> and <https://www.bathnes.gov.uk/environmental-information-regulations-eir>
- **Complaints about Subject Access Requests made under the Data Protection Act 2018.** These will be treated to the Information Governance team's own Internal Review process and escalated as appropriate to the Information Commissioner.
- **Complaints about staff disciplinary or grievance procedures** will be treated to internal procedures advised by the HR team.