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**Mid Ulster District Council**

Complaints Handling Procedures

midulstercouncil.org/complaints

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**A Quick Guide to our Complaints Procedure**

**Complaints Procedure**

You can make your complaint in person, by phone, by email, in writing or online.

We have a 2 stage complaints procedure. We will always try to deal with your complaint quickly. But if it is clear that the matter will need in-depth investigation, we will talk to you about this, agree a way forward and keep you updated on our progress.

**Stage 1: Frontline Response**

We will always try to respond to your complaint quickly, within **5 working days** if we can. If you are dissatisfied with our response, you can ask us to consider your complaint at Stage 2.

**Stage 2: Investigation**

We will look at your complaint at this stage if you are dissatisfied with our response at Stage 1. We also look at some complaints at this stage, if following discussion and agreement with you, it is clear that an in-depth investigation is needed.

We will acknowledge your complaint within **3 working days.** We will confirm the issues of complaint to be investigated and what you want to achieve.

We will investigate the complaint and give you our decision as soon as possible. This will be after no more than **20 working days** unlessthere is clearly a good reason for needing more time.

**Northern Ireland Public Services Ombudsman**

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask NIPSO to consider it.  NIPSO will assess whether there is evidence of service failure or maladministration not identified by us which requires further investigation. NIPSO will signpost you to alternative independent reviewers and provide contact details (where relevant).

**Mid Ulster District Council is committed to providing a high standard of customer service to all its Citizens.**

We value complaints and use information from them to help us improve our services. We want you to help develop and improve the services you receive from Mid Ulster District Council.

There may be times when you feel the service has fallen below the standard expected and you are dissatisfied with our services.  This booklet details our complaints procedure, how we will deal with your complaint and what you can expect from us.

**Complaint Principles**

In conjunction with the Complaints Handling Procedures, the Council is committed to the following principles for effective complaints handling:

* Our complaints procedure will be customer-focussed, clear, accessible and simple.
* Our complaint handling will be fair and impartial.
* Our complaints handling will be timely, sensitive, effective and consistent.
* We will be accountable, acknowledge and apologise for our mistakes and put things right wherever possible.
* We will strive to use complaints as an opportunity to deliver continuous improvement in the design and delivery of our services.

**What is a Complaint?**

In line with the Northern Ireland Public Services Ombudsman, a complaint can be defined as:

 *‘An expression of dissatisfaction by one or more members of the public about the Council’s action or lack of action, or about the standard of service provided by or on behalf of the Council’.*

**Who Can Make a Complaint?**

It is expected that anyone who receives, requests or is directly affected by our services, or a service contracted or commissioned by us, can make a complaint.

This includes the representative of someone who is dissatisfied with our service (for example, a relative, friend, advocate or adviser). In instances where you may be making a complaint on behalf of someone else we will require confirmation of their consent.

Council acknowledges that a complainant may be unable or reluctant to make a complaint on their own, if for example it’s from a minor or a person suffering from an illness or other incapacity, the Council will accept it on their behalf on the basis that consent from same has been received.

An employee may also use the complaints process to make a complaint about services or actions of the Council which they experience as a customer.

**Anonymous Complaints**

The Council will not normally investigate anonymous complaints.  However, the Council recognises that its complaints procedure must be sufficiently flexible to allow anonymous complaints to be investigated in exceptional circumstances where the complaint identifies systemic issues of concern, there is sufficient evidence to enable further inquiries and it is appropriate to do so.

**What Can I Complain About?**

The complaint should relate to something for which the Council has responsibility:

* Failure or refusal to provide a service
* Inadequate quality or standard of service, or an unreasonable delay in providing a service
* Dissatisfaction with one of our policies or its impact on the individual
* Failure to properly apply law, procedure or guidance when delivering services
* Failure to follow the appropriate administrative process
* Conduct, treatment by or attitude of a member of staff or contractor (except where there are arrangements in place for the contractor to handle the complaint themselves)
* A concern about the actions or service of an organisation who is delivering services on behalf of the organisation
* Disagreement with a decision (except where there is a statutory procedure for challenging that decision, or an established appeals process)
* Dissatisfaction with how an element of a decision was administered

**What Can I NOT Complain About?**

There are certain matters outside the scope of the complaints handling procedures where they are governed by other legislative processes or have distinct or separate mechanisms to handle complaints:

* A routine first-time request for a service or reporting of a fault
* A request for compensation only
* Issues that are in court or have already been heard by a court or a tribunal and where that process has been dealt with the issues raised in the complaint and the court or tribunal has the ability to provide the appropriate remedy in relation to the matters raised in the complaint
* Disagreement with a decision where there is a statutory procedure for challenging that decision (such as Freedom of Information requests), or an established appeals process followed (such as Planning)
* A request for information under the Data Protection or Freedom of Information (Northern Ireland) Acts and requests for reviews of decisions under these statutory regimes
* A grievance by a staff member or a grievance relating to employment or staff recruitment
* A concern raised internally by a member of staff which was not about a service they received (such as a whistleblowing concern)

**Is There a Time Limit to Making a Complaint?**

The Council will permit complaints to be raised up to 6 months after the events occurred or the complainant becoming aware of the issue.

In exceptional circumstances, the Council may exercise discretion in accepting a complaint outside these timeframes. This may involve us making contact with the complainant to ascertain why their complaint should be accepted outside the 6 month timeframe to inform our decision on this.

**How Do I Make a Complaint?**

Issues are often easier to resolve if made directly to the service concerned when they arise, or as soon after as possible.

Complaints can be made on-line, by email, in person, by telephone and by post.

Via our website: midulstercouncil.org/complaints

By email: customerservices@midulstercouncil.org

In person at any of our Civic Offices:

* Cookstown Council Offices, Burn Road, Cookstown BT80 8DT
* Dungannon Council Offices, Circular Road, Dungannon BT71 6DT
* Magherafelt Council Offices, Ballyronan Road, Magherafelt BT45 6EN

By telephone: 03000 132 132

In writing to any of the offices detailed above

When making a complaint, please tell us:

* Your full name and contact details
* Details about the complaint
* What has gone wrong; and
* What outcome you are seeking

**The Council has a two-stage complaint procedure**

The Council will aim to resolve complaints informally at the point of service through prompt and direct engagement with the complainant and with the involvement of the level of management required.

**What Happens When I Make a Complaint?**

The Council manages your personal data in accordance with its duties and responsibilities under the Data Protection Act 2018 and the UK General Data Protection Regulation (GDPR).

Further details can be found in our Privacy Policy. <https://www.midulstercouncil.org/privacy>

The Council will always tell you who is dealing with your complaint and provide their contact details.

**STAGE 1 - Frontline Response**

We aim to respond to complaints quickly (where possible when you first tell us about the issue). This could mean an on-the-spot apology and explanation if something has clearly gone wrong or immediate action to resolve the problem.

* Council will respond within 5 working days from date of receipt of the complaint, unless there are exceptional circumstances
* Council will investigate and outline the outcome/agreed actions taken to resolve the complaint.
* If you are dissatisfied with the outcome of Stage 1, the complaint can be escalated to Stage 2

You must ask us to consider your complaint at Stage 2, outlining what you expect from a further review:

* Within 6 months of the event you want to complain about; or
* Within 30 days of receiving your Stage 1 response from us (whichever is latest)

**STAGE 2 – Investigation**

Stage 2 is appropriate where:

* The complainant is dissatisfied with the frontline (Stage 1) response or want their complaint investigated
* The complaint is complex and cannot be resolved within the Stage 1 timeframes
* The complaint relates to serious, high risk or high profile issues

An investigation aims to explore the complaint in more depth and establish all the relevant facts.

* Council will acknowledge the complaint within three working days from date of receipt of the complaint
* We will confirm our understanding of the complaint and the outcome you are looking for
* We will try to resolve the complaint where possible
* Council will provide a full written response to the complainant no later than 20 working days from date of receipt of the complaint unless an extension to the timeframe is required
* Council will confirm the outcome/actions taken to resolve the complaint

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

**What If I Am Still Dissatisfied?**

After we have provided you with our final decision, if you are still dissatisfied with our decision or the way in which we dealt with your complaint, you can ask The Northern Ireland Public Services Ombudsman (NIPSO) to look at it.

NIPSO is the final stage for complaints about the majority of public services in Northern Ireland. This includes complaints about us. NIPSO is an independent organisation that investigates complaints. The service provided by NIPSO is free. It is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

If you remain dissatisfied when you have a final response from us, you can ask NIPSO to look at your complaint. NIPSO generally expect complaints to be brought to it:

* Within 6 months since you received correspondence from us informing you that the complaints handling procedure is complete and of your right to refer your complaint to NIPSO.

NIPSO will generally ask you to provide details of your complaint and a copy of our final response to your complaint. You can do this online at www.nipso.org.uk or call them on Freephone 0800 34 34 24.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on **getting help to make a complaint** below.

**NIPSO’s contact details are:**

The Northern Ireland Public Services Ombudsman

33 Wellington Place

Belfast

BT1 6HN

Tel Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Web: www.nipso.org.uk

If you would like to visit in person, you must make an appointment first.

The freepost address is:

FREEPOST NIPSO

If NIPSO cannot investigate your complaint and your complaint requires an alternative route for independent review, NIPSO will advise you and provide you with the relevant contact details.

**Getting Help to Make A Complaint**

We are committed to making our service easy to use for all members of the community. In line with our statutory equality duties, we will always ensure that reasonable adjustments are made to help you access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, please tell us in person, contact us 03000 132 132 or email us at customerservices@midulstercouncil.org.

We understand that you may be unable or reluctant to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative or advocate, if you have given them your written consent to complain on your behalf.

Elected representatives of Mid Ulster District Council when acting on behalf of a complainant must adhere to the Northern Ireland Local Government Code of Conduct for Councillors (the Code). This code sets out the principles and rules that a Council must observe. Anyone who believes that a Councillor has breached the Code submit a complaint with the Northern Ireland Local Government Commissioner for Standards who has the power to investigate. This code can be found at:

[NI Local Government Code Of Conduct For Councillors | Department for Communities (communities-ni.gov.uk)](https://www.communities-ni.gov.uk/publications/ni-local-government-code-conduct-councillors)

You can find out about support agencies and advocates in your area by contacting:

### **Mid Ulster Advice Services (MIDAS)**

MIDAS is an integrated local advice service delivered across Mid Ulster to those in need. It is free, confidential, independent and provided by qualified, experienced and empathetic advisors.

**Dungannon:** 028 8775 0211
**Cookstown:** 028 8676 1875
**Magherafelt:** 028 7963 3079

**Advice NI**

**T: 0800 915 4604**advice@adviceni.net

**Our Contact Details**

You can contact us by:

Email customerservices@midulstercouncil.org

Telephone 03000 132 132

We can also provide our Complaints Handling Procedure in other languages and formats (such as large print, audio and Braille)