



# Complaints Policy



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1	November 2015	all	all	2	General update
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## 1. Introduction

This policy is aimed at helping Island Roads staff deal with complaints in ways which are demonstrably consistent and fair and comply with legislation and best practice. It is an important and visible sign that Island Roads listens to and values customer feedback and uses learning outcomes from complaints to help improve services.

## 2. Definition of a complaint?

A complaint is a formal expression of dissatisfaction with our services, for example if we have done something wrong, failed to do something we should have, done something we shouldn't have, or provided a poor standard of service.

It is also not a report of a defect on the network that needs attention example; a report of speeding traffic; this would be dealt with as an enquiry.

If your complaint is about the conduct of a member of staff, rather than the delivery of a service, these are dealt with through our internal disciplinary policy and procedure. The line manager, or another senior officer, will investigate any complaint about a member of staff. We take complaints against staff very seriously, but it will not usually be possible to keep you informed of the detailed progress of an investigation or to advise you of the specific outcome of any disciplinary action taken. We will advise you, however, what action has been taken to resolve your complaint.

## 3. Aims and Objectives

**The aims and objectives of this policy are to:**

- Improve the quality of the services we provide
- Improve our relations with customers
- Encourage best practice by our staff who will be aware of the day-to-day concerns of our customers
- Operate within the statutory, regulatory and legal framework
- Value diversity recognising and valuing all and ensuring that everyone can use the complaints policy
- Encourage customers to tell us when they are not happy with our services
- Use learning outcomes from any complaints made by users to improve our services
- Ensure customers have their views heard; receive a good quality service that includes prompt action when our performance is below standard

**Our complaint's procedure will:**

- Be easy to access - when things do go wrong, we will put things right quickly, informally where appropriate and without fuss
- Make it clear to customers what they should expect, a time limit for replying to their complaint and any right of appeal
- Ensure we communicate effectively and efficiently with our customers at all stages
- Ensure we monitor complaints, identify and apply learning from complaints

**4. Who can complain?**

Anyone can complain if they believe Island Roads has:

- Done something wrong
- Failed to do something it should have done
- Done something it should not have done
- Provided a poor standard of service

Examples include:

- Not responded to an enquiry in a reasonable timescale
- Not completed something we agreed to do
- Staff behaviour

Complaints which are unclear or very general may be difficult to investigate and we may ask that more information be provided by the complainant to help us understand how we might best respond.

An advocate can put in a complaint on behalf of a complainant. This covers relatives, carers, elected members or organisations such as the Citizen Advice Bureau.

The actions of any company contracted or commissioned to provide services on behalf of Island Roads shall be treated as actions of or on behalf of Island Roads. This means that when a complaint arises, we will make sure that it is investigated rigorously, fairly and independently, taking into account all evidence available.

## 5. Undertaking to complainants

We undertake that complainants will:

- Not suffer any penalty or discrimination as a result of making a complaint
- Have their complaint taken seriously, investigated and get a reasoned reply and for us to have tried to understand things from their point of view
- Receive a courteous and honest response
- Can expect us to try to understand things from their point of view
- Be easily able to access the complaints procedure

## 6. How the Complainant Can Assist

For us to give proper consideration to a complaint and to be clear about appropriate resolutions, we will ask complainants to:

- Tell us clearly what has gone wrong with as much factual information as possible
- Give us the information we ask for
- Tell us what they would like us to consider doing to put things right
- Make any additional or specific needs known to us as soon as they can
- Remain calm and treat our staff in a courteous way
- We may have to contact you for additional information

## 7. Unreasonable Complainant Behaviours

Whilst we aim to resolve customer complaints satisfactorily, there are occasions when actions or behaviours become unacceptable due to the nature or frequency of their contacts. This includes constant repetition of a query when a reasonable answer has already been provided.

## 8. The Complaints Process

### The Complaints Process will:

Provide customers with a fair process to address expressions of dissatisfaction promptly, efficiently, courteously and systematically.

Be used as a positive method of monitoring performance and improving our services.

Complaints can be made by telephone (822440), by email [info@islandroads.com](mailto:info@islandroads.com) , via our website [www.islandroads.com](http://www.islandroads.com) or in person at St Christopher House, 42 Daish way, Newport, Isle of Wight.

Please tell us clearly what has gone wrong, with as much factual information as possible.

Complaints that are unclear or very general may be difficult to investigate and we may require more information to investigate further.

Please give us any information we ask for and tell us what you would like us to consider doing to put matters right.

Please remain calm and treat our staff in a courteous way and remember that we are trying to help.

The Island Roads Service Director will be made aware immediately (at stage 1 or 2) of any complaint which is complex, controversial or that may lead to reputational damage and has the potential for negative publicity or public perception and that may affect its service provision.

We will keep the complainant informed about the progress of the investigation and the outcome, unless agreed otherwise by the complainant.

When replying to a complaint, we will inform the complainant of any right of further redress such as Stage 2

When appealing against a previous decision, we may seek further clarification from the complainant as to the perceived failings and the desired outcome(s).

When a complainant presents the same issues repeatedly (exactly or with minor differences) that have previously been investigated and responded to by Island Roads, we will end all communication with the complainant on the issue.

### Complaints against members of staff:

If a complaint is about the conduct of a member of staff, rather than their delivery of a service, these are normally dealt with under our code of conduct for staff or through our internal disciplinary policy and procedure. The line manager or another senior officer will investigate any complaint about a member of staff, and it may be necessary for them to contact the complainant for further information regarding the matter.



The complainant will be advised at the time they make the complaint, which elements of their complaint can be dealt with under the complaints process set out above and which will be dealt with under Island Roads internal management process.

We take complaints against staff very seriously, but it will not be possible to keep the complainant informed of the detailed progress of an investigation or to advise them of the specific outcome of any disciplinary action taken.

Fluency Duty and Complaints:

The national standard for communicating in English is “The ability to converse at ease with customers and provide advice in accurate spoken English”. If a member of the public has been unable to understand information provided verbally to them by a member of Island Roads staff, they have a right to complain about this. Certain exclusions apply, and a complaint will not be investigated if the member of staff has:

- A disability that affects somebody’s speech
- A regional or international accent

## 9. Process, Escalation and Review

### 9.1. Stage One - Service Response

9.1.1 Where a complaint has been made about an aspect of Island Roads service, this will be responded to in full by a Nominated Complaints Officer (NCO) within five (5) Business Days of receipt.

The **NCO** will be responsible for:

- Making sure that the relevant service manager receives a copy of the complaint immediately on receipt for stage 1 response
- Referring any complaint which is complex, controversial or may have an impact on reputation to the Customer Services Manager/Contract Performance Manager.
- ensuring that a written acknowledgement is sent to the complainant within 3 working days.
- monitoring the progress of a complaint to ensure the complainant receives a reply within 5 working days, starting from the first working day following the receipt of the complaint
- regularly monitoring of complaints and reporting a summary to the senior management team for the purposes of identifying learning outcomes.
- keeping all information relating to complaints in their area in an orderly form to ensure any evidence required is readily accessible and clear

9.1.2 Matters that are complex, controversial or may have an impact on reputation will be brought to the attention of the Customer Services Manager/Contract

Performance Manager.

- 9.1.3 Where a complaint has been made which is of a politically sensitive nature, this will be copied to the Isle of Wight Council Contract Management Team (CMT) for review and action.

## **9.2. Stage Two**

Where a complainant has contacted Island Roads to advise that they are not happy with the initial response which they have received, the complaint will be immediately (within normal business hours or a reasonable timescale where the complaint is received out of hours) escalated to the Customer Services Manager for further action and advice, and copied to the Contract Performance Manager. A response, under, stage 2 of the Complaints Policy will be issued by either the Customer Services Manager or the Contract Performance Manager, as appropriate, within twenty (20) Business Days. If the complainant is still unsatisfied with the response information will be provided on escalating their issue to the LGSCO

## **10. Learning from Complaints**

Island Roads is committed to learning from complaints raised in order to re-assess and review how our services are provided and as part of our commitment to continuing improvement and modernisation of services.

## **11. Extending time limits**

If a complaint is complex it may be necessary to extend the time limit, subject to the agreement of the complainant, in order to facilitate a thorough investigation. We undertake to keep the complainant informed of progress and the new deadline(s) in such cases.

## **12. Persistent or abusive complainants.**

Complaints that are persistent or abusive, in that they persist unreasonably with their complaint, or make complaints in a manner which is deemed unacceptable; for example, use of abusive language, making serial complaints about different matters or continuing to raise the same or similar matters over and over again. This can hinder Island Roads consideration of individual's complaints and the ability of our staff to provide a quality service to customers as a whole.

## **13. Confidentiality & Information Management**

Any complaint processed through the procedure will be dealt with in accordance with the requirements of the General Data Protection Regulation (GDPR) and Data Protection Act 2018, Freedom of Information Act 2000 and Human Rights Act 1998.

## 14. Remedies

When we make a mistake, Island Roads will act to put things right in one or more of the following ways:

- A written apology
- An explanation
- Review or change our policy or practice

Where a complaint is upheld, we will tell the complainant what we will do to remedy what has gone wrong or to reduce the likelihood of the error being repeated. In some cases, this will be within our control, in others it will not be within our control and we will advise the complainant accordingly. We will also advise what steps may be available if the complainant remains dissatisfied with our response or the proposed remedy.

## 15. Review

The Customer Service Manager will be responsible for reporting on and reviewing the performance and impact of this Complaints Policy on a regular basis.

This will be recorded and reported on Monthly in the Monthly Service Report and all complaints will be reviewed to ensure that all learning outcomes are captured addressed for future planning.

## 16. Councillor and Members of Parliament

The complaints policy is intended for individual citizens to seek redress. Councillors and MPs may make representations on behalf of their constituents or may take the role of advocate on behalf of the constituent wishing to make a formal complaint. The councillor or MP will confirm that they are acting on behalf of their constituent. Where a complaint is received from the MP and has already been dealt with through the complaint's procedure then only a copy of the final response needs to be sent on to the MP.