NORTH EASTERN INSHORE FISHERIES & CONSERVATION AUTHORITY

FEEDBACK POLICY

April 2011

CONTENTS

	Page
Purpose of the Policy	**3**
Principles of the procedure	**3**
Exclusions	**3**
Complaints as part of the feedback process	**4**
General principles	**4**
The role of the Clerk	**5**
Vexatious complaints	**5**
Definition of vexatious complaints	**6**
Strategy for dealing with vexatious complaints	**7**
Dealing with verbal abuse	**7**

1. Purpose of the Policy

The purpose of the Feedback Procedure is to ensure that:

(a) The Customer has an easily accessible straightforward means of making formal representations to the Authority which offers prompt action and speedy resolution of complaints, takes note and where possible builds upon services and notes comments for future possible action.

(b) The Customer is confident that their feedback comment is being dealt with effectively and fairly, even if the outcome is not to their complete satisfaction.

(c) The Authority uses the feedback system positively and takes subsequent action to maintain and improve service quality and responsiveness.

2. Principles of the Procedure

A Feedback Procedure is a key element of the Authority's overall approach to customer care and customer service. By following the procedure we can help maintain and improve the level and quality of service the Authority provides to its customers and to the fishing industry generally.

(a) Feedback comments will be dealt with promptly, efficiently and courteously.

(b) The originator of the feedback comment and/or those acting on their behalf will be kept informed of the progress and outcome of the feedback comment.

(c) Feedback comments will be recorded when received and will be reported to the Authority annually with comments about action taken in response.

It is fully recognised that the achievement of quality in service provision requires a genuine partnership between the Authority as an employer, the Authority's employees, its direct stakeholders and members of the wider public. Where mistakes are made which give rise to a complaint, the Authority will work with individual employees to ensure that systems and procedures are reviewed and if necessary improved and that appropriate training is provided to achieve the necessary standards of service.

3. Exclusions

The following types of complaints will be excluded from this procedure.

(a) A decision of the Authority where regulatory powers are being exercised unless the complainant relates specifically to the way the matter has been administered.

(b) A matter which is or could reasonably be expected to be the subject of Court or tribunal proceedings or which is in the hands of the Authority's insurers.

(c) Complaints which constitute a disagreement with or refusal to accept a rule of law which the Authority is applying.

(d) Any incident which may give rise to a potentially disciplinary action against any employee.

(e) Vexatious complaints for which see paragraph 6.

4. Complaints as part of the Feedback Process

4.1 (a) A certain amount of judgement and discretion must be used in deciding whether to follow the formal feedback system or not. If in doubt the customer should be asked if they wish to make a formal complaint.

(b) All feedback comments must be recorded and follow a clearly defined course of action. It is important that officers dealing with feedback comments are aware of the procedure and keep confidentiality at all times.

4.2 General Principles

(a) The complaint originally submitted should be clear. If the complaint raises a number of issues, it should be established with the complainant from the outset what the substantive complaint is and whether other issues raised are so clearly related that it can be regarded as one complaint and dealt with as such. This is to prevent the introduction of new complaints part way through the investigation of the original complaint.

(b) If the issues raised in the complaint can be separated out into unrelated issues, they should be dealt with separately and each complaint taken through the Feedback Procedure.

(c) It is important to differentiate between complaints about individual officers or a group of officers of the Authority and complaints about the actions of such officers in following procedures/instructions. Quite often, complaints become personalised because the complainant blames the officer involved rather than recognising that the officer is acting within procedures on behalf of the Authority.

(d) It should be clarified with the complainant from the outset what remedy/action they are seeking from the Authority so that the investigation can be clearly focused. Always ask the question "What do you want the Authority to do about it?"

4.3 A formal complaint must be dealt with in the following manner:

(a) Details of the complaint and how the complaint has been made (i.e. in writing, electronically or verbally) must be passed in writing to the East Riding of Yorkshire Council Feedback Monitoring Officer (assigned to the Authority) and who will record the receipts of the comment on the Authority's Feedback system.

(b) Details of the complaint will be passed to the Chief Inshore Fisheries and Conservation (IFC) Officer by the Monitoring Officer, who will act as investigatory officer and investigate and deal with the complaint.

(c) A full response must be sent within 10 working days and a copy of the response passed to the Feedback Monitoring Officer in order that a record of the response may be entered onto the Feedback System for eventual report to Authority. If a complaint is particularly complicated then the complainant must be updated every 15 days.

(d) Customers who remain dissatisfied will be advised that they may contact the Clerk of the Authority within 6 weeks from the date of the letter giving them a full reply to their initial complaint.

5.0 The Role of the Clerk

(a) This stage will come into operation when the customer clearly indicates in accordance with 4.3(d) that they remain dissatisfied with the Authority's response.

(b) All formal complaints at this stage will be either addressed to or passed to the Clerk.

(c) The Clerk will ensure that such complaints are then processed in accordance with the Complaints Procedure and within the prescribed time scale.

(d) The Clerk will ensure that a response is prepared and a reply made in writing to the complainant within 10 working days. If a full reply is not possible within that specified period then the complainant will be informed when they can expect a response.

6. Vexatious Complaints

(a) Paragraphs 1 to 5 above deal with comments and complaints and what might be termed as normal complaint situations in which aggravated customers are seeking an honest answer or apology.

(b) It is however recognised that there remain those people who, despite the fullest possible investigation of their complaint, will simply not stop contacting the Authority and will never accept its response.

(c) Though few in number, such correspondents can cause significant difficulties for staff and waste a lot of time.

(d) In such cases it is essential for the Authority to take steps to bring the correspondence to a conclusion.

This part of the Policy Guide explains how that should be done and the safeguards which need to be put in place to ensure that new issues, which might arise in correspondence and be otherwise considered to be vexatious, are not overlooked.

6.1 Definition of "Vexatious Complaints"

Complaints which become vexatious fall into two main categories defined as:-

(a) People who persistently complain about a series of issues;

(b) People who persistently make the same complaint but do not accept the findings of any investigation into their complaint and/or are seeking an unrealistic outcome (e.g. dismissal of staff) and intend to persist unless such an outcome is achieved.

To category (b) can be added those people who make the same complaint from slightly different angles or via different routes (e.g. The Clerk, MPs, Members of the Authority, etc.) in the hope of generating a different response or putting additional pressure on the Authority. Such action can be taken consecutively or all at once.

Vexatious complaints are also likely to comprise some or all of the following elements:

- The complaint arises out of an historic decision which cannot be reversed/undone;
- The contact with the Authority is frequent and often lengthy and complicated;
- The complainant behaves aggressively and provocatively towards the Authority and individual members of staff;
- The complainant changes aspects of the complaint or the desired outcome (moving the goal posts) part way through the investigation and/or after Review and the Authority's formal response.

6.2 It is not felt possible to devise a single strategy for dealing with complainants in category (a) as each complaint submitted has to be looked at on its merits. That said, it is not necessary to undertake detailed and lengthy investigations into matters which could be regarded as trivial. This should be borne in mind when dealing with complainants in category (a) and the amount of time invested in the complaint should be only that which is clearly warranted.

6.3 The following strategies therefore relate primarily to vexatious complaints under category (b).

6.4 Strategy for Dealing with Vexatious Complaints

First 'come back' letter:

6.4.1 If, having reached the cut-off point (i.e. the Clerk's formal response), the complainant remains dissatisfied with the Authority's response, they should be asked to state the grounds for their dissatisfaction. The Authority may need to provide further explanation/answers at this point.

Second 'come back' letter:

6.4.2 If the complainant persists with the complaint, the Authority should respond indicating that the matter is now closed and that no further correspondence will be entered into unless the complainant is raising a fresh complaint which is not related to that which has been through the feedback procedure and which could not have been raised at the time of the original complaint.

6.4.3 It is essential, at this stage, that any further correspondence from the complainant is carefully checked in case an entirely new complaint is being raised. If new information is referred to, the Authority needs to consider whether the new information is likely to have made a difference to the outcome of the complaint investigation or the Authority's response.

7. Dealing with Verbal Abuse

7.1 Staff should not be expected to take verbal abuse from complainants over the telephone or face to face. If a complainant is abusive over the telephone, staff should advise the complainant that they would be happy to continue the conversation if the complainant will cease verbal abuse. If the complainant will not, staff should politely inform the complainant that they are not prepared to continue with the call and then hang up. Equally, if a complainant is abusive during an interview, staff should advise that the interview is being terminated.

7.2 If a complainant is persistently abusive on the telephone, staff should be instructed not to take the call and the complainant advised in writing that this instruction has been given and that all communication will in future be by letter addressed to the officer who is dealing with their complaint. The decision to follow this course of action should be taken at senior management level.

7.3 It would be advisable to keep written records of any of the above instances.

For Further information and or advice please contact:

Chief IFC Officer
North Eastern Inshore Fisheries & Conservation Authority
Town Hall
Quay Road
Bridlington
East Riding of Yorkshire
YO16 4LP

Tel: 01482 393515
Email: ne-ifca@eastriding.gov.uk