



Hartlepool
Borough Council

PUBLIC HEALTH SERVICES FEEDBACK AND COMPLAINTS POLICY

1. Introduction

Hartlepool Borough Council aims to offer high quality Public Health Services commissioned from the public health ring fenced grant that meet the needs of local people. To support this aim the Council welcomes all customer feedback.

This Public Health Services Feedback and Complaints Policy sets out how feedback and complaints can be made. It outlines the support that is available when you need to make a complaint.

This policy sets out how we will deal with your complaints in line with The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012. We want to resolve your complaint. We hope to put you back in the position you would have been in before making a complaint.

The Council has a 'Responsible Person' who makes sure we follow the rules for handling complaints. They also make sure any needed action happens after a complaint has been looked into. This role is usually carried out by the Chief Executive.

The Complaints Officer is the 'Complaints Manager' under the Regulations. They make sure complaints are handled properly under the Regulations.

2. Complaint Process – trying to resolve the issues quickly

Effective complaint handling enables individuals to be heard and understood. The starting point for this is a service request. In most cases the Council should be able to put things right through normal service delivery processes and respond to expressions of dissatisfaction at the earliest opportunity. Early resolution through a service request is an opportunity for the Council to put things right quickly before it becomes a complaint.

A service request is defined as:

“a request that the Council provides or improves a service, fixes a problem or reconsiders a decision”.



Service requests are not complaints but may contain expressions or dissatisfaction. The Council should have the opportunity to deal with a service request, within a reasonable timescale, before it becomes a complaint. A complaint may be raised if you are unhappy with the response to your service request, even if the handling of the service request remains ongoing. We will not stop our efforts to address the service request if a complaint is made.

3. What is a complaint?

Hartlepool Borough Council defines a complaint as:

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

This policy deals with complaints about **public health service functions** provided by Hartlepool Borough Council or by other organisations working on our behalf.

4. How to make a complaint

If you need to make a complaint we will take your concerns seriously. We will treat you fairly and with respect. You can be confident that you will not receive a poorer service as a result. If we uphold your complaint, you can expect an apology and for us to put things right quickly. We will use the information we gather on complaints to help us improve the services we provide.

You can make a complaint in person, in writing or over the phone. You can speak to any member of staff. All complaints, however received, will be sent on to the complaints team for processing.

A complaint form is available on our website.



The contact details for the complaints team are:

Email: CAS.complaints@hartlepool.gov.uk
 Phone number: 01429 284020 (office hours only)
 Address: Public Health Services Complaints
 Hartlepool Borough Council
 Civic Centre
 Victoria Road
 Hartlepool
 TS24 8AY

The team can provide information about the complaint's policy in other formats and help sign post the complaint to advocacy services and interpreters.

The team records and acknowledges all public health services complaints made to the Council. They will keep track of the progress of all complaints. The team uses the information it collects about complaints to identify any trends that may help improve services. The team produces an annual report on complaints received under this policy.

5. Who can complain?

A complaint can be made by anyone who receives or has received services from us or someone who delivers services on our behalf. It could also be made by anyone who is affected, or likely to be affected, by our actions, decisions or lack of actions. This policy does not cover complaints from service providers.

A complaint can be made by someone acting on behalf of a person who has died; is a child; is unable to make the complaint themselves because of physical incapacity; or a lack of capacity within the meaning of the Mental Capacity Act 2005; or has requested the representative to act on their behalf.

If a complaint is being made on behalf of someone else, they will be asked to provide written signed consent from that person to act upon their behalf.

If you are making a complaint on behalf of someone who is deemed not to have capacity as defined by the Mental Capacity Act the complaint will only be considered if you have Lasting Power of Attorney (LPA) for Health and Welfare or are acting in that person's best interest.



If we do not accept your complaint to the Council, you can go to the Local Government and Social Care Ombudsman for a review.

6. The Complaints Process

If you make your complaint to the Council and it relates to our actions we will acknowledge your complaint within **three working days**.

If we accept your complaint we will appoint someone to investigate. This person will be known as the 'Investigating Officer'. The Investigating Officer will contact you about your concerns and what you would like to happen in response to your complaint. Regulations say that we have 6 months from the date of receiving the complaint to respond however, timescales will be decided on a case-by-case basis. If we won't be able to complete your complaint in 6 months we will tell you why as soon as possible.

The investigating officer will keep in touch during the process. They may share their draft findings with you for your comments. The Investigating Officer will write a report for the Responsible Person detailing their findings and what they think needs to happen. It will include recommendations to help resolve the matter and any ideas as to how to improve the service. It is the Responsible Person (or person acting on their behalf) who will decide what action to take, if any, following your complaint.

We will then write to you telling you how we considered your complaint, the findings and any actions needed to fix the matter and improve the service. We will also provide details of your right to refer the matter to Local Government and Social Care Ombudsman should you remain dissatisfied.

7. Complaints about public health services provided for us by someone else

You can complain directly to a service provider however if it is not resolved to your satisfaction, you can contact the Council about your complaint.

If you are unable to complain directly to the service provider, then you can make a complaint directly to the Council.



If you make your complaint to both the Council and the service provider, we will decide who is the most appropriate to respond. We will write and tell you who is investigating your complaint and the next steps.

8. Putting things right

When you make a complaint, we will ask what you would like us to do to put things right. We will consider your views, but it may now always be possible to give you exactly what you want. If this happens, we will discuss the options with you and agree a way forward.

If we uphold or partly uphold your complaint you can expect an apology and for us to put things right quickly. We may also propose a number of other actions. The aim of these actions is to put you back in the position you were in before the problem occurred. We may also make amends for any loss you may have suffered as a result. Although we will consider each complaint on its merits, we will try to make sure we offer similar remedies for similar situations. Remedies may include reviewing and improving services to stop it happening again.

9. What if you are not happy with the outcome?

If you are not happy with the outcome you can go to the Local Government and Social Care Ombudsman. We will provide you with their contact details in our final response to your complaint.

You can refer your complaint to the Local Government and Social Care Ombudsman at any time. However, the Ombudsman is unlikely to consider your complaint unless we have investigated it fully under this Policy.

10. Exclusions and complaints not covered by this policy

There may be several reasons why the Council cannot accept your complaint, however each complaint will be considered on its own merit and will not take a blanket approach to excluding complaints. If the Council decides not to accept your complaint, we will clearly explain, in writing, the reasons why and tell you of your other possible options. We will also inform you of your right to take our decision to the Local Government and Social Care Ombudsman.



Possible reason for exclusion:

- **Service request**

Service requests will not be dealt with under this procedure. If received, service requests will be directed to the relevant service area for consideration.

- **Concluded complaints or complaints older than 12 months**

Complaints which have already been fully investigated by the Council, and the Local Government and Social Care Ombudsman will not be dealt with under this procedure. Complaints made 12 months or more after the date of the issue or the date of the complainant becoming aware of the issue will not usually be investigated. In some circumstances this time limit may be extended.

- **Decision on Council Policy**

Complaints about the council's policies and about decisions made by elected members at council meetings do not fall within the remit of this procedure. However, complaints are sometime made to officers about decisions made by the council and its decision-making bodies. These complaints will be recorded and forwarded to the relevant policy committee chair and the complainant informed that this has been done. A substantive response should then be made to the complainant by the relevant policy committee chair.

- **Data Breaches and FOI's/SAR**

Complaints regarding Data Protection will be dealt with under the Council's [Access to Information](#) page on our website. If you are unhappy with the response to your FOI/SAR, you can request an internal review and escalate to the [Information Commissioner's Office](#) (ICO) if you remain unhappy.

- **Complaints outside this policy**

A complaint that is about a service or services outside the scope of this policy. These complaints will be referred for consideration under the relevant policy as appropriate.



- **Legal proceedings**

If legal action is being taken either by yourself or by the Council, the Council may not deal with your complaint if it is considered that to do so would prejudice the conduct of those proceedings. There may also be circumstances where a complaint may need to be put on hold until after the legal proceedings have taken place. In either case, you will be informed of the Council's decision in writing.

- **Employee conduct or behaviour**

Complaints about members of staff either in isolation or as a wider complaint can be submitted by emailing: cas.complaints@hartlepool.gov.uk. These will be investigated however, depending on the nature of the complaint about the member of staff, it may not be possible to share with you the full details of the investigation and outcome.

11. Accessibility and additional languages

The Council wants all its customers to feel that they are able to send their feedback and/or complaints for consideration. If you have any additional needs not covered in this policy, please contact cas.complaints@hartlepool.gov.uk

12. Expectation of complainant behaviour

The Council appreciates that complaints are sensitive in nature and that complainants may feel passionate about their concerns. Council Officers should, at all times, treat you with respect as an individual, listen to your concerns, providing you with the information as necessary.

The Council also expects complainants to behave in a respectful manner throughout the process. This involves not using unacceptable language, derogatory terms, being personal in nature or threatening, either verbally or in your correspondence to the Council. If complainants decide not to behave in a respectful manner, the Council will take appropriate action to support and protect its staff. We reserve the right to cancel any complaint that contains excessive foul and abusive language. The Council will consider the guidance and good practice advice provided by the Local Government and Social Care Ombudsman in dealing with these matters.



The Council has a [Managing Unreasonable Customer Behaviour Policy](#) that outlines the expectations of customers behaviour and what may be put in place to assist and protect all parties.

13. Privacy Information and Data Protection

All personal information collected is for the purpose of responding to customer feedback and complaints. It will only be shared with relevant service areas of the Council or third parties where necessary and where the law enables the Council to do so, for example, MPs or Councillors, or the Local Government and Social Care Ombudsman if they are investigating your complaint. For more information about how the Council processes your personal information visit [Access to Information](#).

We aim to collect data on the protected characteristics of complainants, but this will not be made available except for statistical analysis. You do not have to provide this information for your complaint to be considered. However, by analysing this data, we assess whether our complaint systems are equitable and fair and whether it disproportionately affects different groups. This analysis will inform the preparation of our Annual Complaints Report.

14. Confidentiality

The Council considers the importance of confidentiality when handling customer feedback and complaints. However, to enable a complaint investigation to be undertaken, personal information will be shared with the investigating officer and on occasions other officers where necessary. Personal information will not be shared with anyone unnecessarily and will be handled in line with data protection legislation.

If information is given to the Council in confidence, the information will not be disclosed without consent, unless the Council has a legitimate or legal reason to do so for example a safeguarding concern regarding a child or young person.



15. Further Information

This policy links to a number of existing policies. To be fully understood in its wider organisational context it should be read in conjunction with the:

- Customer Feedback and Complaints Policy;
- Adult Social Care Complaints Policy;
- Children's Social Care Complaints Policy;
- Housing Complaints Policy;
- Managing Unreasonable Customer Behaviour Policy;
- Freedom of Information and Environmental Information Request Procedure; and
- Subject Access Request Procedure

Implementation 1 August 2026

