



Customer Complaints Policy & Process (2017)

This document sets out our approach to customer complaints as well as our customer service standards and processes for handling these instances of dissatisfaction.

The purpose of this policy is to ensure we provide excellent levels of service. We should be constantly striving to meet the rising expectations of our customers and visitors, and it is right to welcome feedback on where our services and facilities can be improved or where expectations have not been met.

Issues of concern to customers can usually be resolved by talking them through with one of our staff, either face-to-face or by telephone. However, we recognise that sometimes this may not be appropriate, or customers may feel their concerns have not been properly addressed after talking them through with us.

Status: Mandatory

Applicable date: 14 August 2017

Responsibility: All staff to be aware of the standard and process (Level 0).
Heads of Department & Waterway Managers (Level 1)
All senior managers, under guidance of the Customer Service Manager (Level 2)
Customer Service Manager to oversee corporate implementation of process and ensure overall compliance with the standard.

Policy review This policy & process will be reviewed every three years, with the first review by August 2020.

Authorised by: Ian Rogers, Customer Service and Operations Director

Date: 14 August 2017

Customer Service Standard

D) When you email or write to us, we will:

4. Answer any complaint within 15* working days after it has been acknowledged
5. If we can't achieve these timescales we will contact you to explain why and agree a fresh timescale with you.

* Working days do not include weekends or public holidays.

1. Customer Complaints Process

This process is designed to assist those responsible for handling and responding to customer complaints to achieve the Trust's standard. This process outlines what should happen upon receipt of a complaint.

The Trust's complaints process has three stages or 'levels'.

Level 0

Before the first and second levels of the Trust's complaint procedure, are 'Level 0' complaints (or 'grumbles'). These are instances where a customer will voice a level of dissatisfaction or annoyance to any Trust person and we are able to resolve the matter promptly and, usually, to the customer's satisfaction, without providing an inferior level of customer service. Any employee at the Trust may respond to and log Level 0 complaints.

Level 1

At the first level, the senior manager with direct responsibility for the subject area of the complaint will investigate the complaint and respond.

Level 2

If the customer remains unhappy with us after receiving the first level response they can request consideration at the second level, where another senior manager, without direct accountability, will consider the complaint and respond.

2. Complaint Definition

"A complaint is when a customer or member of the public expresses their dissatisfaction about a service or facility we provide which requires our response"

Examples of a complaint include when we:

- do something wrong or badly;
- Fail to do something we should do or do something we shouldn't do;
- are impolite or unhelpful (this includes Trust people and contractors);
- do not provide a service in time expected or specified;

Every day contact with our customers allows for a wide range of opportunities (face-to-face on the bankside, in person at local offices, on the telephone, by email, social media and by post) for them to provide us with feedback, comments, suggestions, criticisms and compliments.

It's often the case that a minor grumble can be resolved informally by listening to the customer, explaining our position and what we may be able to do to rectify the situation for them there and then. Under the Trust's complaints procedure these 'grumbles' would be recorded on CRM as Level 0 Complaints.

However, when these basic principles aren't followed what began as a minor grumble may become a complaint. Should we fail to meet the customer's expectations, we should welcome the details of the complaint (in writing or verbally) and seek to investigate and resolve the complaint in accordance with our complaints procedure. It is best to err on the side of caution when assessing both whether dissatisfaction is being expressed and a response is required.

A complaint will not be investigated under the following circumstances:

- Anonymous complaints;
- If it is about one of the Trust's policies, though the customer's feedback will be noted. For example; the Trust's license terms and conditions, licence enforcement policy or end of garden mooring policy.
- Complaints regarding legal issues or commercial disputes (see section 3.7 & 3.8 for exceptions to this)
- Complaints from the complainant that have already completed the Trust's complaints procedure and no new evidence which may affect the original outcome is presented by the complainant.

3. Handling a Complaint

3.1 Logging:

Logging a complaint as soon as it arrives at an office is a priority once it is received. This should be done by the local waterway or relevant department's administrator. Depending on the subject matter it will be necessary to direct it to an appropriate senior manager. Following this process will ensure that each complaint is handled by a responsible person with an ability to effect change if necessary. Guidance notes on how to log complaints can be found on [Gateway here](#).

3.2 Acknowledging:

While it is reasonable to allow a short period of time to elapse between receiving/logging a complaint and acknowledging in writing the receipt of the complaint, this should be no longer than five working days after the complaint was first received.

It is important to acknowledge the complaint in writing. By doing this, you will have an opportunity to immediately demonstrate our commitment to putting things right, and in doing so begin to rebuild the goodwill that may have been lost. The acknowledgement should include:

- Clarification of the exact substance of the complaint (i.e. what it is that will be investigated)
- The name and contact details of the investigating manager
- The date by which the complainant can expect to receive a response

3.3 Providing a Full Response:

Once the complaint has been understood and investigations completed, a full response should be prepared. While we have 15 working days in which to do this, we should aim to complete our investigation and respond as quickly as possible after the complaint has been acknowledged.

At the second level, senior managers are asked to consider cases where they have no direct responsibility or accountability for the subject of the complaint. This helps engender a sense of objectivity to our investigations. The investigating senior manager is appointed on a rota system basis, considering annual leave and existing work commitments.

A typical letter of response will usually contain the following elements:

1. An acknowledgement of the nature and substance of the complaint;
2. An expression of empathy with the complainant;
3. An explanation of why things went wrong and an apology;
4. A description of the action(s) we will take as a result, including expected time scales;
5. An acknowledgement that you consider the case closed, based on your response, but also freeing the customer to our published procedure should they remain dissatisfied;
6. Sign off by the senior manager.

It is always preferable for the designated senior manager to sign off and send the full response. This indicates to the complainant that the issues they've raised have been considered at the highest level within the area of responsibility. However, occasionally another senior manager may respond to ensure that there are no unnecessary delays (when the designated manager is on leave, for example).

3.4 Extensions to the 15-working day service level

Occasionally a senior manager may be unable to provide a full response within 15 working days if there is a valid reason, such as:

- Pre-existing annual leave was booked during the 15-working day service level
- External expert input is required and the full response is dependent of their timescales
- A date for a site visit or meeting with the complainant cannot be arranged early enough

In these exceptional instances, authorisation must be sought from either the Head of Community Engagement or the Customer Services & Operations Director as soon as possible. If approved, it is then reasonable to approach the complainant and inform them of the requirement for an extension to the 15-working day time limit, provided this is done with the first five working days of acknowledgement.

While the approach may be by telephone, to explain the difficulties and agree a revised deadline, it is very important to follow up the conversation in writing to avoid any future doubt about our intentions to fully respond once our investigations are complete. The reasons for the request should be clearly stated, as should the revised deadline for a full response.

3.5 Escalating complaints to the second level of the Complaints Procedure

However hard we try, there will inevitably be instances where the complainant's dissatisfaction remains following receipt of our first level response.

There are two ways by which a complaint will become the subject of a second level investigation:

- direct request by the complainant
- by exceeding the time limit at first stage (without an agreed time extension).

Complainants should escalate their complaint to the second level within twelve months of completing the first level.

3.6 The Trust's Subsidiaries, Associated Companies and Joint Ventures

If the complaint relates to one of the Trust's subsidiary companies, associated companies, joint ventures or other partner organisations, we may refer the complainant direct to that company or organisation, as it may have its own complaints procedure.

3.7 Receiving Complaints that do not Relate to the Trust

Where complaints are made that are not our responsibility – in the case of third parties such as other landowners, hire boat operators, other navigation authorities – it is important that these are dealt with promptly and courteously. Where a complaint has been misdirected the complainant should be notified by telephone or email. It's helpful to provide details such as contact name and address of where the complaint should be sent to, if possible.

3.8 Complaints that relate to commercial negotiations

By their very nature commercial negotiations can be polarised and disputes over what is fair and equitable arise. In these instances, there is a possibility that the party we are negotiating with may consider they have grounds for complaint against us because they disagree with our stance in the negotiations. If this is the sole reason why a complaint is being made it should be politely rejected, with an explanation of the commercial process involved.

However, the party may have grounds for a complaint if there has been unreasonable delay in progressing the negotiations on our part. This may be through un-returned telephone calls and unanswered written correspondence, provision of inaccurate information or failure to meet agreed time scales without adequate reasons why.

Complaints relating to commercial negotiations require an allegation of misconduct to be made. Where there is a genuine complaint to consider it is important to draw a clear distinction between the essence of the complaint and the ongoing commercial negotiations in the letter of acknowledgement.

Ultimately, common sense should be used in deciding whether there are grounds for a formal complaint to be considered or not, and advice sought from the customer service manager.

3.9 Complaints that relate to Legal proceedings

Where legal proceedings are underway, advice should be sought from the legal department.

As a rule of thumb, complaints relating to legal proceedings can only be accepted where there is an allegation of maladministration in providing information requested as a part of the legal proceedings.

3.10 Complaints that relate to policy

The Trust's policies are not an acceptable basis for a customer complaint. Customers are still able to provide feedback about our policies but this will not be treated in accordance with this complaints procedure. The only exception to this is if we have failed to follow our own policies.

3.11 Cost of putting things right

Occasionally the view of the individual investigating the second level complaint may be that there should be remedies made to put things right for the customer or that a gesture of goodwill is made; such as, for example, a concessionary licence, modest financial award or credit to the customer's account. Where this happens the cost of such a gesture will be borne by the department from which the complaint originates. For this reason, it is prudent to discuss such actions with the responsible manager prior to issuing your response.

3.12 Data Protection and document retention

Hard copy complaint documents should be securely disposed of once the complaint has been responded to and electronic versions have been uploaded to the complaint file. All records relating to a complaint will be deleted in line with the current complaints retention and deletion policy.

4. The Waterways Ombudsman

The customer may wish to refer their complaint to the Ombudsman if they remain unsatisfied after receiving a second level response. The Ombudsman is independent and impartial, does not make or influence the Trust's policy and can only investigate specific complaints which have recently completed the complaints procedure. Full details of the Waterways Ombudsman's remit can be found here: <http://waterways-ombudsman.org/>

4.1 What can be investigated?

Complaints from people who believe that they have suffered injustice because of maladministration or unfair treatment by Canal & River Trust. Maladministration includes:

- doing something the wrong way
- doing something that should not have been done
- failing to do something that should have been done

Disagreeing with a decision taken by the Canal & River Trust is not in itself evidence of maladministration, though failure to consider a decision properly can be.

The Ombudsman can consider most complaints which:

- are referred within twelve months of their completion of the Trust's complaints procedure; and
- concern things that came to the attention of the complainant no more than a year before the complaint was made to Canal & River Trust

5. Performance monitoring

The compliance monitoring checklist covering both the standard and the process is contained in appendix one within this policy. This checklist will be completed at no greater than 12 month intervals by department heads and waterway managers.

If you would like further information regarding our approach to complaints please visit our website <https://canalrivertrust.org.uk/contact-us>

Custodian:

Sarah Knight

Customer Service Manager

Appendix One

Customer Complaints Checklist

Location

Manager

Date of check

Compliance with:	Yes	No	N/A	Comment / evidence / actions
1 Do all staff in your area of responsibility understand the definition of a complaint and accurately identify when to apply this standard and process?				
2 Have all complaints been logged and forwarded to you for response been responded to within the specified timescales (agreed extensions are permissible)? (SM/Waterway Manager)				
3 Could all staff in your area of responsibility explain our standards and process verbally to a customer? (SM/Waterway Manager)				

RLM: Responsible line manager questions
SM: Senior manager questions
LM: Line Manager
SUP: Supervisory / first line manager questions