



Comhairle Contae Chill Dara
Kildare County Council

Kildare County Council's
Procedure for Management of Complaints
and Feedback
2022 - 2025

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1.0 Introduction

Kildare County Council is committed to providing the highest standard of customer service, to improving access to services, and to improving the quality of services. We accept, however, that things can sometimes go wrong, and we need to know when you are not happy with our service. We see complaints as an opportunity to improve.

Every customer has a right to complain regarding poor service or failures arising from administrative or operational action and to expect redress, where complaints are upheld.

In addition, if you are a customer with literacy challenges, please see Section 15 for help we can offer. Also, for concerns about Accessibility please see Section 13.

We are committed to dealing effectively with complaints in a consistent, equitable and transparent manner.

This procedure may also be used to make a comment or suggestion on council services. Our induction procedure includes awareness training for all staff in relation to our complaints procedure.

2.0 What is a complaint?

Complaints may arise as a result of actions, which it is claimed, do not accord with fair or sound administrative practice, and adversely affect the person, by whom, or on whose behalf, the complaint is made. A complaint may arise when you are not satisfied with the *actions* of, or the *service* provided by the Council. This can be in relation to the way the service is delivered or can relate to a failure to deliver the service to which you believe you are entitled.

Customers should note there is a difference between making a complaint and reporting a fault. For example, notifying the Council of a pothole is reporting a fault. This becomes a complaint if the action promised is not carried out. Complaints relate to a range of circumstances such as where:

- we do not deliver a service on time or fail to respond.
- we give the wrong information.
- you receive poor-quality service.
- you have a complaint about the conduct of a member of staff, or
- you have a complaint about our policy or procedure on a matter.

Complaints about alleged incidents of non-compliance in the areas of Planning, Waste, Anti-Social Behaviour or Building Control, must be made under relevant processes which can be found online: <https://kildarecoco.ie/AllServices/>

3.0 Scope of complaint procedure

This document sets out the process for making a complaint and the process for management of complaints. We welcome all constructive feedback as a meaningful way to improve our services to our customers, however, the principal function of the complaint's procedure is to address operational and service shortcomings.

Matters Excluded

This procedure does not cover areas where formal/statutory appeal procedures already exist, such as:

- Where there is a right of appeal or statutory complaint process, e.g. planning permission, Social Housing Allocation Scheme, Freedom of Information, GDPR, etc.

Customers may expect a response or decision regarding certain services, such as the above, that are subject to specific legislative timescales. Therefore, while a customer may wish to see a decision or action within their *desired* timeframe, they need to be aware that the Council may be operating within a statutory time frame / process that may differ from their expectations.

Customers are discouraged from using the complaints process for vexatious or incorrect purposes such as seeking to overcome outcomes arising from appeals processes, for example, in the areas of Planning, Housing Allocation or Assessment etc. Such complaints may be rejected as invalid under the complaint's procedure.

The complaints procedure also **does not cover** the following:

- reporting a fault for the first time.
- initial requests for service provision.
- information requests or an explanation of council policy or practice.
- disagreements with decisions taken or processes properly operated by officers of the Council, under delegated statutory processes.
- a matter that is or has been subject of proceedings before a court or tribunal.
- a matter that could prejudice an investigation by the Garda Síochána.

Time Limits and refusal to investigate

Customers are advised that, unless there are exceptional circumstances, a complaint should be brought within 12 months of experiencing or learning of the subject of the complaint.

Submission of complaints outside of this time frame may result in the Council's refusal to investigate. Complaints that are deemed to be trivial, vexatious, or previously resolved may also result in a refusal to investigate.

4.0 Who can complain, comment or compliment

Any person, group or organisation receiving or seeking to receive a service from the council has a right to complain or provide feedback. Customers can complain about any service we provide, our facilities and our staff, but only complaints made using the channels set out in this procedure will be accepted. A complaint made by anyone other than the aggrieved party will only be accepted when made by a third party on behalf of the complainant with their permission (for example in the case of a minor or someone suffering from an illness or incapacity). See Section 15, Advocacy. The response to the complaint will issue to the complainant and not to their representative unless explicit written consent is provided to authorise receipt of the response by party representing the person.

5.0 Anonymous Complaints

Anonymous complaints will be considered *only where there is sufficient information provided to enable the Council to investigate the case*. Where there is not sufficient information provided, the Council may decide to take no further action but will retain a record of the complaint for one year in case it becomes clear action is required later, for example where a pattern of activity supporting the anonymous complaints warrants re-investigation.

6.0 Procedure for making a Complaint or giving Feedback

We understand that it can be upsetting and distressing for someone to make a complaint and we aim to make it as easy as possible for our customers to approach us to make their complaint or provide feedback on the services we provide. There are several ways for you to contact us:

Email complaints@kildarecoco.ie or use [our portal](#) to submit your complaint or provide feedback.

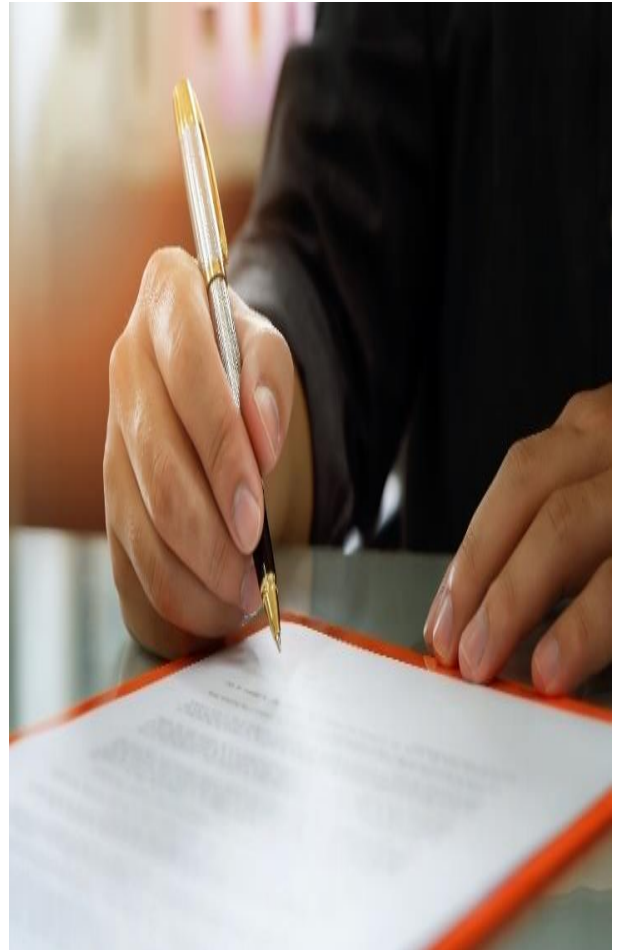
Post to Customer Service Officer, Corporate Services, Arás Chill Dara, Devoy Park, Naas, Co. Kildare W91 X77F.

In Person – staff at our Customer Service desk will provide you with a complaint form and can assist with completing the form if required.

By Phone – Customer Service staff can be contacted at 045 980 200. This is **not** a dedicated complaints line and customers may have to queue to access a staff member at peak times.

There may be instances where your complaint can be dealt with promptly and concluded over the phone, particularly if it's an initial complaint and you deal with the section who provided the service. Where your initial complaint cannot be dealt with promptly by the section who provided the service please put your complaint in writing, for the purpose of accuracy and clarity (especially if your complaint is about a staff member) and to enable the relevant section to carry out an investigation.

All Stage 2 Formal complaints are recorded by the Customer Service Officer who will issue you with an acknowledgement of your complaint and subsequently follow up with the relevant section to ensure that a response issues in the advised timeframe.



Stage 1 – Frontline resolution

We believe it is best to deal with complaints in the most direct way. The most efficient way is to email complaints@kildarecoco.ie.

The information submitted will be assessed to determine if it is a complaint (in line with the Complaint Procedure) or if it is a service or information request. Unless the matter raised can be resolved by our Customer Service Team, complaints will be referred directly to the section that you have dealt with, and a response will issue from that section. In most circumstances our staff do their best to settle your complaint quickly and informally without you needing to do anything else.

Where your initial complaint requires assessment and response from more than one Council Department, our Customer Service Team will create more than one customer complaint case for you, assigning each one to a relevant Department, and notifying you of the relevant reference number for your complaints.

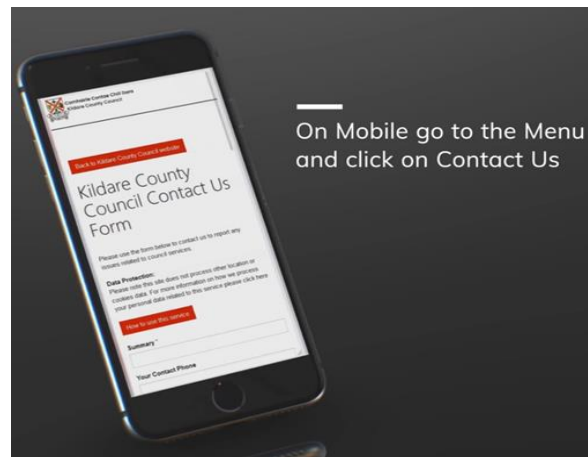
You can expect a response at this stage **within 10 working days**.

Stage 2 - Formal Complaint/Review

If you are unhappy with the outcome of stage 1 you can make a formal complaint for a review of the matter. Formal complaints must be in writing and can be made ideally by <https://kildarecoco.ie/forms/customerservice/> and emailing it to complaints@kildarecoco.ie or posting to Customer Service Officer, Corporate Services, Arás Chill Dara, Devoy Park, Naas, Co. Kildare W91 X77F.

We ask that a complaints form is completed as it provides guidance to assist you with the details that will help investigate your complaint. A letter from you detailing your complaint will be accepted but we may require follow up information to assist us in dealing with your complaint as efficiently and effectively as possible.

- The formal complaint process will require you to indicate:
- That you have made a Stage 1 complaint and provide any reply from the Council.
- Explain why you are still not satisfied and what you expect from a further review



Your complaint will now be managed by the Customer Services Team on your behalf in consultation with the relevant Department involved.

Our Customer Services Team will:

- contact you within 5 working days to let you know we have received your complaint;
- give you a reference number and name of the person/section investigating your complaint.
- investigate your complaint in consultation with the relevant Department;
- review the response proposed by the Department;

- ensure that the Section contact you within 25 working days with the outcome of your complaint;
- if your complaint will take longer to investigate, and we cannot send you a reply within 25 working days, we will write to you and let you know when you can expect to receive a reply.

Where the complaint relates to the conduct of a staff member while providing a service to you, the management of the complaint in these circumstances will be by a manager in that Section and not the staff member you engaged with.

This stage shall involve a full review of all relevant documents and facts relevant to your service interaction with us and, at this stage, we may need to engage with you in writing to ensure all relevant information is captured to facilitate an effective review of the management of your complaint at Frontline Resolution stage.

The nature and extent of investigation related to a complaint may vary depending on the seriousness of the matter at hand.

7.0 Recording, Monitoring and Reporting Complaints

A Complaints Register will be maintained by the Customer Service Officer. This Register will contain the following information:

- Date received.
- Name and address or email of complainant.
- Nature of complaint.
- Date acknowledged.
- Date finalised.
- If internal review requested.
- Outcomes
- Indication if case is referred to Ombudsman.
- Indication of outcome of Ombudsman's examination

Formal complaints will be managed by a specific Complaints Team within the Customer Services Team using the Council's Customer Relationship Management System.

This team will oversee Stage 2 and the adherence to timelines related to these stages. Ombudsman complaints will be managed independently of this team.

For more information on how we process your personal data related to this service please view

<https://kildarecoco.ie/YourCouncil/GovernanceandCompliance/PrivacyStatement/CustomerCarePrivacyStatement/>

A quarterly report regarding complaints made will be provided to Management Team to enable Senior Management to discern patterns or matters of concern that may require attention or reform of processes that give rise to repeated complaints.

The Council will also publish statistics related to complaints in its Annual Report.

8.0 Outcomes

Where a complaint is upheld - Redress

Customers are entitled to be treated properly, fairly, impartially, and promptly by Kildare County Council. If these standards are not maintained and it is our fault you are entitled to expect us to properly address your concerns. Redress may take the form of one or more of the following where the Council is found to have been at fault:

- Written apology and admission of fault.
- Sincere and meaningful apology for the actions the complainant had to take arising from the matter.
- Correction of error or decision (if within the authority of the Council).
- Written explanation of how the error occurred if complaint upheld.
- Written commitment of system or process changes/checks, service improvements the Council will introduce to prevent recurrence.
- Correction of misleading or incorrect records

Where possible, if an error occurred, the error will be corrected, or, subject to resources, the satisfactory service will be provided within an agreed time limit.

Where a complaint is not upheld

Where a complaint is not upheld you will receive a letter of explanation. You will be advised that if you are not happy with the outcome or conduct of the complaints process you have the right to contact the Office of the Ombudsman, depending on

whether your complaint is at stage 1 or stage 2. See Section 9 Office of the Ombudsman.

Complaints/Investigations regarding staff conduct

Complaints regarding staff behaviour when serving customers should be made in line with the Complaints Procedure. Customers should note that only complaints made using the channels set out in this document will be accepted and the Council strongly advises customers to refrain from the publication of staff names or other identifiable information related to their interaction with staff on any social media platform or other public forums.

Where a customer publishes staff names or other identifiable information on a social media platform or other public forum the staff members and/or the Council may exercise their right to appropriate remedy

To protect privacy rights, customers should note that where the Council determines that an investigation outside the Complaints Procedure, for example, regarding staff conduct, is required, the existence of such an investigation, its progression and outcomes are personal information and will not be communicated to the complainant.

9.0 Office of the Ombudsman

You can complain to the Office of the Ombudsman at any time.



However, the Ombudsman will usually refer a complaint back to the Council if it has not been through our complaint's procedure, in particular if the complaint has not been subject of a decision at Stage 2 Formal Complaint/Review. The best way to contact the Ombudsman is by:

- Clicking on the 'Make A Complaint' link at www.ombudsman.ie or
- Writing to: Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02W773 or
- Calling the Ombudsman on **01 639 5600** if you have any queries or if you need help making your complaint.

10.0 Unacceptable Customer Behaviour

10.1 Responsibilities of complainants

As a customer of Kildare County Council, you have every right to expect the best possible service. In times of trouble or distress, some people may act out of character. There may have been upsetting or distressing circumstances leading up to the complaint. We do not view behaviour as unacceptable just because someone is forceful or determined. We believe complainants have a right to be heard, understood, and respected.

However, we also consider that our staff and other customers have the same rights to be respected and heard.

We therefore ask you to be polite and courteous in your dealings with us.

We will not tolerate aggressive or abusive behaviour, unreasonable demands, or unreasonable persistence under this Complaints Procedure and our **Customer Code of Conduct** available at:

<https://kildarecoco.ie/YourCouncil/CustomerService/Customercharterandactionplan/>

Customers should be aware that how they behave and how often they contact us can adversely affect the ability of our staff to provide a quality service and that the Council has a general obligation to ensure it provides good quality of service *to all its customers*.

10.2 Dealing with unacceptable behaviour

If a complainant behaves in a way that is unacceptable, we do not expect staff or other customers to be exposed to, or to tolerate, this behaviour.

The council believes that it is important to make a distinction between people who make several complaints, because they genuinely believe things have gone wrong, and people who are being unreasonable.

Each complaint must be considered, and a decision made as to whether it is a case of unacceptable behaviour or is genuine.

If we consider your behaviour to be unacceptable, we will tell you why and ask you to change it. If it might be useful, we will consider changing how we engage or communicate with you, if this can help you avoid unacceptable behaviour in the future.

If the unacceptable behaviour continues, we will take action to put limits on your contact with our office. This decision will normally be taken, only after senior management has reviewed the situation.

Restrictions will be appropriate and in line with the nature of the behaviour.

The options we are mostly likely to consider are:

- Asking you to withdraw any communication containing foul or offensive language, apologise and submit your issue in a respectful tone
- Asking you to contact us by letter only
- Asking you to only contact a named staff member
- Asking you to call by telephone only on certain days and times
- Limiting your access to the office
- Asking you to enter an agreement about future conduct
- As a final option, terminating all contact with you if this behaviour shows no signs of stopping.

Where feasible, we will write to tell you why we believe your behaviour is unacceptable and what action we propose to take. If the behaviour is so extreme that it threatens the immediate safety and welfare of the council staff or others, we will consider other options.

These could include, reporting the matter to An Garda Síochána or instigating legal action. In such cases, depending on circumstances, we may not give you warning of that action. Full information on our Customer Code of Conduct is available on the council website at:

<https://kildarecoco.ie/YourCouncil/CustomerService/Customercharterandactionplan/>

11.0 Equality

Kildare County Council is subject to the Equal Status Acts (as amended) which aims to make sure that people are treated equally when they access our services. The Workplace Relations Commission manage complaints related to the Equal Status

Acts. If a customer feels they have been discriminated against under these Acts, they should follow the process as set out by the Commission on their website at https://www.workplacerelations.ie/en/what_you_should_know/equal-status-and-employment-equality/equal-status/

Complaint regarding services to children

Customers should also be aware that the Office of the Ombudsman for Children investigate complaints about services provided to children by public organisations. More information available online: www.oco.ie or by calling 1800 20 20 40.



12.0 Accessibility

The Council is required, under the Disability Act, 2005 to appoint an Inquiry Officer with responsibility to deal with complaints received in relation to Sections 25 to 29 of the Act.

Section 25 Access to Public Buildings

Section 26 Access to Services

Section 27 Accessibility of Services supplied to a public body

Section 28 Access to Information

Section 29 Access to Heritage Sites

The Inquiry Officer for complaints under the Disability Act is the Customer Services Manager who can be contacted at customerservice@kildarecoco.ie or 045 980 200.

An Inquiry Officer investigates such complaints and provides a written report to both the Council and the person making the complaint. Complaints under the Disability Act may be made using the process set out in Section 6 of this document.

Complaints may be made by the person themselves or, where applicable by a spouse, a parent or a relative of a person, a guardian of that person or a person acting in loco

parentis to that person, a legal representative of that person or a personal advocate assigned by Comhairle to represent that person.

If you wish to report a fault or issue, rather than make a complaint, regarding potential barriers to access, such as a road, path or parking defect you may wish to report this through [the Council's contact us Portal](#) which enables customers to pin-point the specific location of an issue on a map.

For general queries or further information, the Council's Accessibility Officer can be contacted at accessofficer@kildarecoco.ie or 045 980 200. More information on Kildare County Council and Access is also available on the council website at: <https://kildarecoco.ie/AllServices/DisabilityAccessForAll/>

13.0 Assisting non-English speakers and literacy.

If English is not your first language you may be more comfortable writing your complaint in your own language and the Council will do our best to translate and respond. While the Council has in-house foreign language speakers available, depending on the language in which the complaint is made, we may require additional time to process the complaint, if we need to use third parties to translate a complaint.

If you have literacy issues, we would be happy to write your complaint in consultation with you, read it to you and get your agreement on the wording of the complaint you wish to submit. Persons are entitled to use or nominate an advocate for them and where it is evident that consent has been given for this role, the Council will engage with an advocate on the customer's behalf.



14.0 Advocacy

All complainants have the right to appoint an advocate who, if a person is unable to make a complaint themselves, can assist them in making the complaint. The Citizen Information Board (Comhairle 2005) defines advocacy as a means of empowering people by supporting them to assert their views and claim their entitlements and where necessary, representing and negotiating on their behalf.

15.0 Communicating the Complaints Procedure

The Procedure for Management of Complaints and Feedback will be communicated and accessible to all the council's customers and staff and will be published as follows:

- ✓ on our website
- ✓ customer service points

Induction awareness training for staff regarding the Complaints Procedure will also be provided.

Appendix – Contact details and timeframes for complaint

Customer Contact Portal

www.kildarecoco.ie/YourCouncil/CustomerService/ContactUs/

Download/print a form and view our procedures

<https://kildarecoco.ie/YourCouncil/CustomerService/HandlingProcedureforComplaintsandComments/>

Email: complaints@kildarecoco.ie

Phone: 045 980 200

Address: Customer Service Officer, Corporate Services, Arás Chill Dara, Devoy Park, Naas, Co. Kildare W91 X77F.

Stage 1 – Frontline Resolution

Dealt with directly by section who delivered the service. Response generally issues **within 10 working days**.

Stage 2 – Formal Complaint/Review

Managed and recorded by the Customer Services Officer. **Acknowledgement** issues to the complainant from Customer Services **within 5 working days**.

Response issues to the complainant from the section who delivered the service **within 25 working days** (where it is envisaged that issuing a response will take longer, the complainant will be notified in writing). The Customer Services Officer works in consultation with the relevant section regarding the conduct of the Formal stage process.

Stage 3– Office of the Ombudsman

- Clicking on the 'Make A Complaint' link at www.ombudsman.ie
- Writing to: Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02W773
- Calling the Ombudsman on **01 639 5600** if you have any queries or if you need help making your complaint.

Other useful documents and links

[Customer Code of Conduct](#)

[Customer Charter and Customer Action Plan](#)

[Data Protection and Privacy Statement](#)