

# Complaints Policy

## Introduction

## APPENDIX A

We always try our best, but sometimes things can go wrong. We're often able to resolve problems if you get in touch but if you're still unhappy then we want to hear from you.

If we made a mistake then we'll apologise and usually do one or more of the following:

- Let you know what we're going to do put things right, and when that should happen
- Explain why things didn't go right
- Tell you about something we'll do differently from now – thanks to you letting us know

## Who can complain

You can make a complaint to us if you've been affected yourself, or if someone has asked you to complain on their behalf – for example you may be helping a relative. In some cases we may ask for proof that the affected person is happy for you to be working on their behalf.

If you need someone to help you make your complaint then the following people may be able to assist:

- Customer Services
- Your local councillor – you can find their details on our website
- Your MP

If you do report a complaint through your councillor or MP then we will include them in correspondence to you. In some situations we may discuss your complaint directly with them too.

If a complaint is made anonymously we may not be able to act on it.

## A few things to know before you complain

Complaints are an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident, group of residents, or other user of our services.

Your complaint needs to be made within 6 months of the problem, and preferably as soon as you can, unless there are reasonable grounds for the delay

This means we will consider most complaints if we've not done what we should have, but there are some other reasons we may pass your complaint elsewhere within the council or externally. These include:

- If there's a more appropriate appeals body, process or policy. For example:
  - The Planning Inspectorate should review most complaints about planning permission
  - Safeguarding concerns will be dealt with through our Safeguarding policy
  - Complaints about a councillor's conduct are dealt with through a separate procedure we can advise you of
  - We have a dedicated process for missed bin collections so that we re-visit you more quickly and easily than having to go through the complaints process
- If your complaint is about a policy or decision that's been made through one of our democratic processes by councillors. As these have been democratically agreed we can't change them through the complaints process. However, we may pass your views to the staff and/or councillors involved to help guide their thinking. You may also want to discuss your thoughts directly with your local councillor
- If your complaint is an allegation of a fraud, corruption or another crime. In this case it will be passed through our Whistle Blowing procedures or directly to the police if appropriate.
- If you consider that you have been injured or your property has been damaged as a result of our negligence or by one of our employees acting negligently or in breach of any statutory duty, you may have the right to make an insurance claim against us. However, it is recommended that you first contact your own insurers to obtain their advice and to see what assistance they can provide you with
- If legal proceeding(s) about the matter are underway
- If your complaint isn't about something we've done wrong, but a request for us to do or investigate something. For example a complaint about food hygiene in a restaurant or a concern about anti-social behaviour. In these cases we will let you know the best way to make your request.

## How to make a complaint

To investigate properly we need the facts written down. You can also provide us with photos if that helps. The quickest way to do that is online on our website.

If you're struggling to go online you can come in to Customer Services and we'll help you use one of our computers. You can also call us, but there might be a wait and it can take a while as we'll need to check we've got your complaint correctly recorded.

If we spot you saying something that looks like a complaint elsewhere, such as on our social media pages, or face to face to a member of our staff, then we will point in you in the right direction to make a complaint.

## What we do with your complaint

The Council operates a 2-stage complaints procedure, and if you remain dissatisfied you can refer the issue to the Ombudsman.

To help clarify or resolve your complaint, we may want to talk to you over the phone or in person. If we're able to resolve your complaint over the phone, we will still send you a written response to summarise what was agreed.

Complex complaints and ones that involve more than one service usually take us longer to investigate. We may also need to speak to particular members of staff. If we can't respond to you within the timeline set out below, we will contact you to let you know.

### **Stage 1 – Formal response by the Service Manager**

The complaint will be acknowledged within 5 working days of receipt, and a written response provided within the following 10 working days.

Your complaint will be investigated by the most appropriate service manager, usually with support from their team.

### **Stage 2 – Review by Senior Manager**

If you are dissatisfied with our stage 1 response then you can ask us to review it by getting in contact within 15 working days.

The complaint will be acknowledged within 5 working days of receipt, and a written response provided within the following 20 working days.

The review will be carried out by the appropriate senior manager, sometimes with support from our Customer Services team.

If at either stage we need more time to respond to you, we will let you know and explain why. If an extension of more than 10 working days is needed we will contact you to agree this, explaining why we think this is the best course of action.

We also take a positive approach to learning from complaints. We encourage our services to learn from things that have gone wrong so we can make them better in the future. In some cases we may publish online learning online so we can show to you how we listen.

The council's Senior Leadership Team will be responsible for ensuring their services are effectively and fairly operating the complaints process, and are incorporating lessons learnt from complaints.

## Complaints about discrimination or staff behaviour

If your complaint alleges some form of discrimination we will investigate this. It is against the law to discriminate against anyone because of:

- age
- gender reassignment
- being married or in a civil partnership
- being [pregnant](#) or on maternity leave
- [disability](#)
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation

Complaints about discrimination or staff behaviour may take longer than normal for us to investigate as we need to make sure we get as much evidence as possible. The complaint may also be investigated by our HR service or a different independent manager, instead of the responsible service manager.

## Equality, Diversity and Inclusion

We're committed to listening to the voices of the communities we serve. This is underpinned by our Equality, Diversity and Inclusion Policy and Strategy.

You may find it easiest to access our complaints service through our website, or on the telephone or face to face through Customer Services.

As a council we will make reasonable adjustments to make sure that anyone who wishes to access our complaints service can. If you need help with translation or a different kind of assistance please contact Customer Services, who will be happy to help find a solution.

## Appeal to Ombudsman

If you still remain dissatisfied with the council's decision you may appeal to the relevant ombudsman. There are two different ombudsmen covering different aspects of what we do.

### **Local Government & Social Care Ombudsman:**

The LGSCO can investigate all complaints apart from those about council housing, such as: waste and recycling, council tax, Environmental Health, homelessness and housing options services including our council housing allocations policy.

[LGO website](#)

Tel: 0300 061 0614

Postal Address:

PO Box 4771

Coventry

CV4 0EH

### **Housing Ombudsman:**

The HO can investigate complaints about council housing such as repairs, leasehold services, and lettings. Note that they do not consider complaints about council housing allocations policy, homeless and housing options services.

Find information about the [Housing Ombudsman Complaint Handling Code](#) and the [Housing Ombudsman Scheme](#).

[Housing Ombudsman website](#)

Email: [Housing Ombudsman](#)

Tel: 0300 111 3000

Postal Address:

PO Box 152

Liverpool

L33 7WQ