

Policy for Corporate Complaints

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1. Introduction

The council aim to provide exceptional services to our customers and deliver those services right on the first time. It is not always possible to deliver the services without on occasion things going wrong due to this we recognise and understand the importance of feedback.

The Council aim to respond to complaints promptly and efficiently, resolving complaints quickly whenever it is possible. We will then use your comments to drive service improvements.

For the purpose of this document, the term complainant refers to any person making a complaint, for example, a resident or a service user.

2. What is a complaint

The Council takes complaints seriously and has adopted the following definition:

“An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents”.

Any person receiving a service from the Council can make a complaint if they feel that there has been a failure in the service they have received. Your communication is not required to have the word complaint contained in order for the Local Authority to accept it as such.

Should you require support from a third party in order to support you via the process we will engage with them directly upon receipt of consent.

The Council will always accept a complaint unless there is a valid reason not to do so, these reasons can be found at Section 5 of this policy. This list is not exhaustive and in any case where we decision is reached to not progress a complaint this information will be shared with you.

3. Service Request

There is a clear definition between a complaint and a service request. A complaint relates to an ongoing issue for which there has been no resolve forthcoming. A service request is where you have noted an issue for the first time and this requires intervention from the Local Authority. An example of this would be the need for a repair in the property, this should be reported initially via the website via the contact centre as this allows us to take action.

We have on our website several issues which can be reported to the Local Authority in order to ensure action is taken where appropriate. All the reports which are made are attributable to the correct team and recorded in a manner in which we can evidence if work has been completed.

Should after the initial report is made and action is not taken if sufficient evidence this can then be raised as a complaint which we will investigate. Making a complaint will not stop any work which is ongoing to resolve the issue.

4. Complaint Stages

Stage 1 Complaint

Complainants can use a number of methods to contact the Local Authority to register a complaint we will acknowledge all complaints made within 5 working days. Within the acknowledgement we will ensure that you are provided a date for response.

Should the complaint be unclear we will write to you asking for clarification on any point to ensure that the response which is provided to you address all points of concern.

We aim for a response to be sent to you within 10 working days, should there be any delays on this you will be informed in writing.

If you are submitting a complaint on behalf of another person you will need to provide signed written consent from the person you are representing before we can take your complaint.

Review

Once you have received your answer, at stage 1, if you are still not satisfied, you may ask for a review.

You must ask for a review no later than 28 days from our initial stage 1 reply.

Within five days we will send you an acknowledgement and the date by which you should receive a formal reply, which should be within 30 working days. If we cannot meet this target you will be sent a progress report.

There are some circumstances in which the Council will decide it not appropriate to review the complaint further and in these circumstances you will receive a response providing you reasons as to why this is the case. Examples of where we would not escalate a complaint are contained in Section 5 complaints that cannot be considered under this policy.

Ombudsman

If you are still not satisfied with the response which has been provided you can approach the Local Government and Social Care Ombudsman or the Housing Ombudsman Service.

5. How to make a complaint

We encourage our residents to use our online forms to submit their complaint which will allow for evidence to be uploaded to support your case. The form can be found at the following link

[Submit a Complaint](#)

Should for any reason residents are unable to use digital services complaints can be directed to the Council via;

Post Barking Town Hall 1 Town Square Barking Essex IG11 7LU

Email complaints@lbbd.gov.uk

Telephone 0208 215 3000

6. Complaints that cannot be considered under this policy

- requests for a service (e.g. reporting a faulty street light)
- complaints relating to established council policy or the council's implementation of government policy
- matters for which there is a right of appeal (either within the council or via an employment tribunal), or a legal remedy (e.g. a penalty charge notice, parking ticket, school admissions, housing benefits, and planning applications);
- insurance claims
- requests for the council to engage with a third party over a problem which the council may have some control/regulating function
- ombudsman complaints (except for those which the ombudsman asks the council to deal with through its complaints procedure)
- complaints that have been allocated or investigated as members or MP's casework
- complaints from former and existing staff about human resources issues, including appointments, dismissals, pay, pensions and discipline
- commercial or contractual matters, for example contracts for the supply of goods and services to the council
- freedom of information, and data protection subject access requests, or complaints about the decision, the information provided or how a request was handled
- complaints about restrictive contact arrangements, such as but not limited to, single point of contact arrangements and bans
- Legal proceedings have started. This can be defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at Court.
- Matters over 12 months old
- Matters that have previously been considered under the complaints policy

Should the Local Authority be unable to deal with your complaint for any of the reasons either listed above or for another reason this will be communicated to you in writing. The Local Authority will give you advice as to the next steps you can pursue such as following legislative pathways for Penalty Charge Notices. Should you disagree with the decision of the Local Authority to not take your complaint via our formal process you are able to take the matter to either the Local Government and Social Care Ombudsman or the Housing Ombudsman. The Local Authority will identify and communicate to you the relevant Ombudsman to approach relating to your complaint.

7. Complaints and Enquires from an MP or Councillor

The complaints policy is intended for individual residents to seek resolution to an issue. A Member of Parliament or Councillor cannot make a formal complaint on behalf of a constituent.

The Council has a separate process for residents who decide to escalate their issues via a Member of Parliament or Councillor.

8. Timescales for making a complaint

Complaints must be made no later than six months after the date on which the matter occurred.

If there are good reasons for not having made the complaint within the above time frame and, if it is still possible for the Council to investigate the complaint effectively and fairly, we may decide to still consider the complaint.

9. Complaint Handling

It is important that the Local Authority ensure that all investigations are undertaken in an appropriate and impartial manner giving residents the knowledge that all complaints are taken seriously and are used to practice continuous improvement.

To ensure that we follow this there is a team of individuals known as Complaints Officers who remain responsible for the complaints handling process from the start of the complaint until completion.

All complaints officers have the necessary training in order to undertake their roles to the required level and this is repeated on an annual basis to ensure adherence to all procedures. Complaint officers are reminded of the importance of impartiality when considering complaints and should any known conflict of interest arise will ensure that they do not engage with this particular case. Notification of conflict is provided to the manager and the officer will be unable to access the case details this is monitored by a full audit trail.

10. Putting things right

The objective of redress is to rectify any mistakes or problems at the earliest opportunity. The Council will acknowledge faults when they occur and take responsibility for putting things right and avoiding a reoccurrence.

Following an investigation into a complaint, if it is recognised that the service did not meet the required standards, the Council will:

- apologise where appropriate
- rectify the mistake or problem within an agreed time frame and provide you with the service you should have received
- make a decision that should have been made earlier
- review practice, policy or procedure as appropriate

11. Data Rights

In the process of handling a complaint the council will be required to collect personal data and in some circumstances, this would fall under the category of sensitive personal data. It is necessary to collect, store and use this data to administer the process and to investigate all complaints made.

Confidentiality of this information is maintained by storing on a system which is purpose built for complaints with limited users being allowed access. This system also maintains the function to fully audit any access to the system.

The Council will keep information relating to complaints for a period of 7 years following the complaint being finalised. All information which is passed the retention period is securely destroyed.

12. Equality and Diversity

As a Council, it is crucial for us to uphold and adhere to the provisions outlined in the Equality Act 2010. This means that we must be prepared to make necessary adjustments to our regular policies, procedures or processes in order to accommodate the unique needs of individuals.

Should the Council either be informed or identify a need which would highlight the requirement for us to consider adaptation of our normal processes all requests will be considered on a case by case basis with the intention to ensure all individuals have the same rights of access to the complaints system, have their voice heard and for our communication to be in a style which meets their needs.

All complaints staff are trained in equalities and diversity and this training is monitored via internal processes.