

**Corporate Complaints, Comments
and Compliments Policy
Revised December 2017**



**London Borough
of Hounslow**

Contents

1. Introduction	2
2. Aims of this policy	2
3. Scope of this policy	3
4. Definitions	4
5. The Complaints Procedure	5
6. Complaints that are outside the scope of this policy	6
7. Comments.....	9
8. Compliments	10
9. How to complain, make a comment or compliment	10
10. Ombudsman Resolution	11
11. Unreasonable & unreasonably persistent complaints policy.....	12
12. Complaints about Discrimination.....	12
13. Confidentiality	13
Appendix - Form A.....	14

1. Introduction

This policy sets out how we handle corporate complaints, comments and compliments from our customers.

We encourage local residents, local tenants, local businesses, visitors, community groups and any other group or individual that uses or is affected by our services to give us feedback. For the purpose of this policy we will refer to all groups as 'customers'.

We welcome feedback from our customers, as this gives us valuable information about what we are doing well, and those in which we need to improve. We aspire to provide an excellent quality of service to everyone.

Feedback in the form of complaints, comments and compliments gives us the opportunity to put things right if something has gone wrong, learn from our mistakes and also to identify areas where we are doing well.

We commit to do the following:

- Deal with all complaints fairly, thoroughly and in a timely manner.
- Review any comments and follow up with the appropriate service, who will take action where necessary.
- Refer all compliments to the relevant Heads of Service for appropriate recognition.

2. Aims of this policy

We pride ourselves in delivering good quality services for everyone, but sometimes things can go wrong. If they do, we need to know so we can put them right and learn from our mistakes.

We also like to know when we do something well, or how we can improve through comments and suggestions. All feedback is valuable as it helps us to improve customer satisfaction, improve our services and make sure we treat everyone fairly.

We aim to respond to customer feedback in a consistent and professional manner and use complaints, comments and compliments to continually improve our services.

This policy provides a framework to ensure that we treat customers fairly and consistently across the Council if they wish to complain, provide comments or compliment a service or member of staff.

The main aims of this policy are:

For complaints:

- Ensure that our customers know how to complain, how we will deal with their complaint and who will handle it on behalf of the Council.
- Provide customers with a fair and effective way to complain about our services.
- Ensure that we investigate complaints thoroughly so that we achieve a fair outcome.
- Give Managers the opportunity to take action on any feedback and make improvements in the way that we deliver services.
- Encourage all staff to improve customer service delivery and performance.
- Ensure that we monitor complaints and use that information to improve our services.
- Safeguard the integrity and good reputation of the Council.
- Improve public satisfaction and confidence in the way the Council handles complaints and provides its services.

For comments:

- Provide a mechanism for services to review any comments or concerns.
- Give customers the opportunity to voice their opinions about the Council and its services and know that those opinions will be heard.
- Review any comments raised about policy to ensure the policy is up to date and consistent with relevant legislation and standards.
- Ensure that customers can raise concerns in the knowledge that they are valued and that the Council will listen.
- Ensure that we take any comments about Council policies into consideration if and when we review the policy.

For compliments:

- All compliments will be reviewed by a Senior Officer of the relevant Service Area
- Ensures that all compliments and recognition will be delivered to the member of staff
- Allows Managers to build on areas of satisfaction to continually improve our services.

3. Scope of this policy

This Policy only applies to services that the Council currently provides. It applies to all Council employees and to employees and organisations who deliver services on behalf of the local authority.

A number of services are delivered by private suppliers or are undertaken by our partners. In the same way we encourage feedback about services delivered by the Council, we encourage feedback about a contractor or partner.

Customers should send any complaints, comments or compliments to the Customer Relations Team direct so that they can record and monitor them as appropriate.

We encourage customers to contact us directly however, we can also take feedback from third parties on behalf of someone else, such as friends or representatives, solicitors, advice agencies or advocacy workers.

To ensure that we comply with the requirements of the Data Protection Act, we must have the written and signed consent of the customer along with any necessary identification before we can respond (see Form A).

We do not deal with enquiries from Councillors and MPs under this Policy, but under a separate process. We will deal with all enquiries we receive from Councillors or MPs as enquiries, not as complaints under this Policy.

4. Definitions

The Council's definition of a complaint is an expression of dissatisfaction about:

- Failure to follow process
- Failure to follow the Council's own policy
- Significant or repeated failure to provide a service
- Failure to do what we said we would do
- Failure to respond

Not every expression of dissatisfaction will be a complaint. Some dissatisfaction about the Council's action will be treated as a request for us to do something, for example, a service request. We will deal with these as part of the Council's day to day business, rather than through our complaints process.

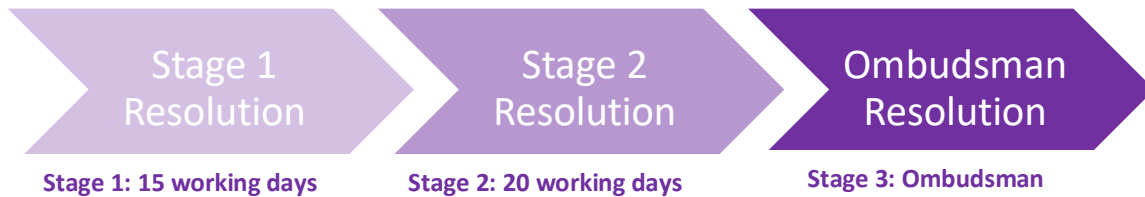
The most effective way to request a service or report something to the Council is through our standard customer contact channels. Some examples of these are:

- Missed bin collection
- Graffiti removal
- Broken street light
- Litter
- Fly tipping
- Potholes
- Abandoned cars
- Grass cutting

When the Customer Relations Team receives a communication from you, they will acknowledge it and let you know how they will deal with it. If the Customer Relations Team considers a communication is a service request, they will refer it to the appropriate service team to resolve.

5. The Complaints Procedure

The Council has a two-stage procedure that is designed to support the effective management of complaints.



5.1 Stage 1

On receipt of a complaint, the Customer Relations Team will refer it to the relevant service area for investigation and response within agreed timescales, which for Stage 1 complaints is 15 working days. If the complaint covers more than one service area, the Customer Relations Team will liaise with all service areas to ensure all issues are responded to within the agreed timescales.

If for any reason, it is likely to take longer than 15 working days to investigate and respond, the investigating Officer will notify you of the delay, commit to a timescale within which they will respond and keep you informed of any developments.

We aim to ensure customers are kept fully informed at all times but in the event of no contact from the service area, you should contact the Customer Relations Team who will look into your case and follow it up with the relevant Officer.

We will not escalate complaints to Stage 2 on the basis of a lack of response, but we will take appropriate action to ensure that the matter is escalated within the service team.

On completion of the investigation, the Head of Service will reach a conclusion, based on their findings, determine whether they have found fault, and notify you if the complaint is:

- Upheld
- Upheld in parts (partially upheld)
- Not upheld

When the outcome of a complaint is 'upheld' or 'partially upheld', we will ensure that the remedy is appropriate and proportionate.

The aim of the Stage 1 investigation is to provide you with a fair and satisfactory outcome. However, if you do not believe that your complaint was investigated properly or if the response was unclear, unhelpful or incomplete, you can request a further review of your complaint at Stage 2.

When making a Stage 2 complaint, we ask that you explain to us in what way you believe that your complaint was not addressed properly at Stage 1. In order for us to consider your complaint at Stage 2, you must submit your request within 28 calendar days of receiving the outcome to your Stage 1 complaint.

If we find that there are no grounds for a Stage 2, we will write to you to explain why.

5.2 Stage 2

The relevant service area will carry out a review of the complaint at Stage 2 of the process and the Director will send a response detailing the findings and the outcome within 20 working days.

The response will also provide details of how to request a further review if you remain dissatisfied with how the complaint has been handled.

The request for a further review will be handled by the Local Government Ombudsman or the Housing Ombudsman Service. (Please see point 9. Ombudsman Resolution - Local Government Ombudsman (LGO) and Housing Ombudsman Service (HOS) complaints on page 11 for more information)

6. Complaints that are outside the scope of this policy

There are some types of feedback that fall outside the scope of this Policy because there are other more suitable processes for dealing with them, such as statutory processes or appeals. These include:

- **Complaints about Social Care services** - the procedures and time-scales are different to other services. These are dealt with under The Children Act 1989 Representations Procedure (England) Regulations 2006; and the Local Authority Social Services and National Health Services Complaints (England) Regulations 2009.

More information can be found on the Council's website: https://www.hounslow.gov.uk/info/19999/your_council_and_elections/1402/complaints/9

- **Social care financial assessments** - these are dealt with by the Financial Assessment Review and Appeals Procedure <https://www.careplace.org.uk/Information/what-is-autonomy>
- **Statutory obligations** such as children and adults social care

- **Complaints about Schools** have their own complaints procedures and the Local Authority no longer has a role to play in investigating complaints.

All schools are required to provide their Complaints Policy on their website and provide a paper copy on request. Complaints about a school or a member of school staff should be made to the Head Teacher.

Where a resolution is not found at this stage the complaint should be referred to the governing body. Complaints about the Head Teacher should be made to the Chair of Governors. The contact details for schools in Hounslow can be found via the following link:

https://www.hounslow.gov.uk/directory/11/directory_of_schools_in_hounslow

- **School admissions issues** are dealt with by an Admission Appeal Panel
https://www.hounslow.gov.uk/info/20031/school_appeals/1082/how_to_appeal
- Issues about **Special Education Needs (SEN) provision** are dealt with by their own appeals process
https://fsd.hounslow.gov.uk/kb5/hounslow/fsd/advice.page?id=EP82DgGnt0Q&lcalofferchannel=2341_2&c=008752
- **Complaints about the conduct of Members (Councillors)** will be considered by the Council's Monitoring Officer under the arrangements in place for dealing with allegations that the Code of Conduct for Members has been breached, and may be referred to the Standards Committee.

A complaint about the conduct of a Member of the London Borough of Hounslow must be submitted in writing, via a letter or e-mail, to the Head of Governance and Monitoring Officer at the Civic Centre, or by e-mail to: members.casework@hounslow.gov.uk

- **Legal Proceedings / Ombudsman Ruling** - complaints about which the customer has started legal proceedings, is being or has previously been considered by a court or tribunal or it has been addressed by the Local Government or Housing Ombudsman ruling.
- **Complaints from suppliers or potential suppliers relating to the award of contracts** are dealt with under the procurement process. You can find more information on the Council's website at: www.hounslow.gov.uk/info/20070/business_and_licensing/1209/procurement.
- **Insurance** – insurance claims or complaints about how an insurance claim has been dealt with or about the outcome of an insurance claim. Decisions on the outcome of an insurance claim are made by the Council's insurer not the Council. Complaints on how a claim has been dealt with will be considered by our insurer.
- **Council tax banding decisions** – the Council has no influence over Council Tax banding. You can find more information at:

https://www.hounslow.gov.uk/info/20021/council_tax_bands_and_who_pays/39/council_tax_bands_and_valuation

- **Housing and council tax benefit** – If you are not satisfied with a decision regarding Housing benefit or Council Tax benefit, you should appeal to the HM Courts and Tribunals Service website at: <http://www.tribunals.gov.uk/> or you can send an email to sscsa-sutton@hmcts.gsi.gov.uk
- **Homelessness applications (Part VII)** - how the Council deals with homelessness applications, the suitability of interim or temporary accommodation and homelessness application decisions are dealt with in accordance with a statutory review and appeal process. You can find more on the website at: https://www.hounslow.gov.uk/info/20065/homelessness/1335/when_a_homelessness_decision_is_made
- **Outcomes of housing application assessments (Part VI)**, including priority band and medical decisions are dealt with by separate internal review processes. You can request a review of the assessment of your housing application by writing to Housing Client Services at the Civic Centre or by sending an e-mail to housingclientservices@hounslow.gov.uk.
- **Concerns about the Right to Buy process** – the Right to Buy scheme is governed by the Housing Act 1995, as amended, and the Council is required to comply with the process as set out in the legislation. You can find more information on the Council's website at: https://www.hounslow.gov.uk/info/20092/private_tenants/1340/affordable_home_ownership_options and on the Government website at: <http://www.legislation.gov.uk/ukpga/1985/68/part/V>
- **Disputes from Leaseholders about service charges** are dealt with by a process of dispute resolution by the Leasehold Services Team by e-mail to Leaseholdservices@hounslow.gov.uk, by post to the Civic Centre or by phone on 020 8583 3787.

If the dispute cannot be resolved by this process, you should approach the Leasehold Advisory Service: <http://www.lease-advice.org/advice-guide/service-charges-and-other-issues/>

- **Complaints about Registered Social Housing Providers (also known as 'Housing Associations')** - the Council does not have any jurisdiction over the day to day management of other social landlords. If you are dissatisfied with the service you are receiving from your social landlord, you should make a complaint to them. You can do this online by completing and submitting a complaint form on their website.

If after making a complaint you are not satisfied that your landlord has resolved the matter or dealt with your complaint appropriately, you should seek further advice from the Housing Ombudsman Service.

The Housing Ombudsman Service is set up by law to look at complaints about the housing organisations that are registered with them, and resolve disputes involving the tenants and leaseholders of social landlords. You can find more information on the Housing Ombudsman website at <http://www.housing-ombudsman.org.uk/>.

- **Complaints from landlords about dilapidations in Private Sector Leased properties.**
- **Refusals to disclose information under the Data Protection Act (DPA)**
- **Planning decisions and outcomes of planning enforcement actions** are dealt with under the Town and Country Planning appeals procedure: <http://www.planningportal.gov.uk/planning/appeals/planninginspectorate>
- **The Council's decision to take, or not to take, enforcement action or use powers to prosecute** - for example, noise nuisance, anti-social behaviour.
- **Outcome of all other enforcement action**, for example, Private Sector Housing Enforcement action, litter, noise, nuisance etc.
- **Penalty Charge Notices including moving traffic offences** - any matters relating to a penalty charge notice (PCN) are dealt with by a statutory appeals process. Please follow the web link below: https://www.hounslow.gov.uk/info/20081/parking_charges/1136/appeal_your_penalty_charge_notice_pcn
- **Complaints about policy and Council decisions** – these will be treated as a comment under section 7.
- **Complaints about staff conduct** will not be dealt with under the Council's Corporate Complaints Policy, but will be managed under the Council's management policies. Complaints about members of staff working for any of our partners or contractors will be dealt with by them under their management policies.

This list is a guide and is not exhaustive. There are other issues we cannot investigate because there is a more appropriate body to deal with it. In this case, we will advise you on the appropriate procedure.

Some issues which are covered by this policy follow different resolution processes. These are explained in the '**Comments**' section of this policy.

7. Comments

Some complaints are not about the Council's failure to meet its service standards, but are expressions of dissatisfaction with a specific policy or a general comment

about a Council service. We cannot pursue these through the complaints process but will deal with them as 'comments' to ensure that:

- The Policy is up-to-date and consistent with relevant legislation and standards
- The relevant service area is made aware of your comments

If relevant, the comments will be considered when the policy is reviewed.

8. Compliments

We welcome feedback about customer's good experiences of the Council, its staff and the services it provides, as this tells us what we are doing well and should continue to do. It also enables us to recognise individuals who have provided excellent customer service.

9. How to complain, make a comment or compliment

There are a number of ways that you can submit complaints, comments or compliments, including an online form on the Council's website, by e-mail and by phone. The contact details are as follows:

- Online: www.hounslow.gov.uk/complain
- E-mail: feedback@hounslow.gov.uk
- Phone: 020 8583 5211
- In writing to: Customer Relations Team
London Borough of Hounslow
Hounslow House
7 Bath Road
Hounslow TW3 3EB

Although we can take complaints by phone, we always encourage customers to submit their complaints in writing, so that we have all of the details of the complaint, in your own words, which will avoid any possibility of misinterpretation by the person receiving the complaint.

If you have difficulty in making a complaint, such as a disability, please let a member of the Customer Relations Team know and they will make arrangements to assist you or you can appoint a third party to complain on your behalf.

If you wish to make a complaint, you will need to do so within six months of the service failure occurring so that we can investigate it fully and fairly. We encourage customers to provide an explanation so that we have a clear record to assist with our enquiries. Customers will need to provide us as much information as possible, including:

- What went wrong
- What should have happened

- The impact on the customer and their family
- The outcome they are seeking

If there are exceptional circumstances that have prevented you from being able to complain sooner, such as an illness or change in personal circumstances, you can still submit the complaint but will need to explain the reason for the delay.

The Customer Relations Manager or relevant Director will then consider whether investigating the complaint at such a late stage is likely to achieve a satisfactory outcome for any party, or whether an alternative resolution might be more appropriate.

If the decision is that we should not investigate the complaint, we will inform you and provide an explanation. However, this would not prevent you from taking your complaint to the Local Government Ombudsman or the Housing Ombudsman.

10. Ombudsman Resolution - Local Government Ombudsman (LGO) and Housing Ombudsman Service (HOS) complaints

If, following an investigation of your complaint at Stage 2 of the Council's complaint process you remain dissatisfied, you have the right to refer your complaint to the LGO or the HOS.

The LGO is an independent organisation which investigates complaints about maladministration against councils. Further information can be found at the following link:

<http://www.lgo.org.uk/make-a-complaint>

The HOS is an independent organisation which investigates complaints relating to tenant and leaseholder matters and landlord functions. Further information can be found at the following link:

<http://www.housing-ombudsman.org.uk/>

Although you can take seek resolution from the LGO at any stage of a complaint, the Local Government Act 1974 requires that the Ombudsman allows the Council the opportunity to investigate a complaint through its own complaints policy before carrying out an independent investigation.

If you wish to seek resolution from the HOS, you can only do so after at least eight weeks after the Stage 2 outcome, unless your complaint is referred to the HOS by a 'designated person', either a Councillor or MP.

If the LGO or HOS does become involved, all further contact about the complaint will be through the Council's Customer Relations Team, who will co-ordinate the investigation and response to the LGO or HOS.

When we receive a complaint from the LGO or HOS, we will notify the relevant senior manager to ensure that they are aware of the issues and can take appropriate action to resolve them.

11. Unreasonable and unreasonably persistent complaints policy

In some cases, people pursue their complaints in a way which can either:

- Impede the investigation of the complaint. For example, if the customer sends multiple e-mails to different members of staff.
- Take a disproportionate amount of Council Officer time and resource to deal with them.
- The customer's behaviour becomes unreasonable.

We do not expect staff to tolerate unacceptable behaviour by customers. This may include behavior which is abusive, offensive or threatening, such as:

- Using abusive or foul language on the phone or face to face.
- Sending excessive and multiple e-mails about the same or related issues, or different issues without allowing time for the Council to investigate, or if the Council addressed the issue or issues fully and has responded appropriately.
- Leaving an excessive number of voicemails about the same issue or different issues.

We will take action to protect staff from such unreasonable behaviour. The Council has a policy that covers unreasonable or unreasonably persistent behaviour by customers and details can be found at the following link:

https://www.hounslow.gov.uk/download/downloads/id/715/unreasonable_and_persistent_complaints_behaviour.pdf

12. Complaints about Discrimination

The Council is committed to equal opportunities for everyone who uses or receives Council services, but if you believe that you have been discriminated against, you have the right to make a complaint.

Discrimination means treating you unfairly because of who you are. The Council is required by law, the Equality Act 2010, to treat everyone fairly and equally. This law protects you against discrimination on the basis of one of the following "protected characteristics":

- Age
- Disability
- Sexual orientation
- Gender reassignment
- Marriage and civil partnership

- Pregnancy and maternity
- Race
- Religion or belief
- Sex

Complaints about discrimination by the Council will be dealt with under this Policy by the relevant Head of Service, who may need to seek advice and guidance from the Head of Equalities.

If you have a complaint about discrimination by the Council, please contact the Customer Relations Team. If your complaint is about a third party such as a Council appointed provider of service, please use their complaints policy and complain directly to them in the first instance.

In order for us to deal with your complaint, you will need to provide details of your concern and the basis on which you believe that you have been discriminated against.

If you believe that you have been discriminated against by a member of staff, this may be dealt with by the relevant manager in line with the Council's management processes, with advice from the Head of Equalities.

13. Confidentiality

We will deal with all communication from customers in accordance with the requirements of the Data Protection Act 1998.

The identity of the person contacting us will be made known only to those who need to know in order for us to deal with the communication effectively, and will not be made public by the Council.

Authority to provide feedback and disclose Personal Information

I, authorise to provide feedback on my behalf to the London Borough of Hounslow and to request the following information and documentation they require from the London Borough of Hounslow:

Type of Information or documentation (please be as specific as possible)

.....
.....
.....
.....

Signature:

Date:

Name:

Address:

.....
.....
.....