

Corporate Complaints Policy

For Governance and Law

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London Borough of Waltham Forest Complaints Policy

Introduction

Waltham Forest Council recognises the importance of being accountable for the services it provides and of putting things right and saying sorry when they go wrong. The council welcomes feedback from its customers and will use it to improve its services. The purpose of this policy is to provide a framework for dealing with customers' views in the form of compliments, comments and complaints. It explains the council's processes and obligations to its customers and outlines the role of the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman.

Our Aims

As a council, we strive to provide high-quality services to all our customers, but occasionally things go wrong. Comments and Complaints help us to put things right and make sure the same mistake does not happen again. Our corporate complaints policy aims to ensure that:

- Our procedures are simple, our customers know where and how to complain and have easy access to our complaints system.
- Our customers receive an acknowledgment and information on the progress of their complaint.
- Everyone in the council or working on its behalf understands the complaints procedure well.
- Those responding to complaints have the authority and expertise to get at the facts and recommend remedies.
- Problems are resolved as soon as possible after they are identified.
- We work together with our partners to provide a single, coordinated response.
- Our customers receive a timely appropriate response with prompt and adequate action when we have failed to provide a satisfactory service.
- Complaints will take no longer than 12 weeks from start to finish.
- Our customers are signposted without delay to any alternative statutory appeals or complaints processes that are more appropriate.
- The LGSCO and Housing Ombudsman are clearly signposted at the end of the process.
- We learn from the complaints we receive and share what we learn with the public.

1. How We Handle Complaints

1.1 Definitions of a complaint, a comment, and a compliment

- A compliment is a customer statement of positive recognition or praise for a service or individual. Where appropriate, officers may acknowledge compliments.
- A comment is a personal opinion or belief, feedback, or remark expressed by a customer. Where the customer indicates they expect a reply, or where it is otherwise thought appropriate to do so, this should be dealt with as general correspondence.
- A complaint is an expression of dissatisfaction about a council service (whether that service is provided directly by the council or by a contractor or partner) that requires a response.

2. Scope of the complaints policy

There are a number of types of complaints that are not covered by this procedure, many of which relate to separate legal appeal processes. The excluded complaints are as follows:

- A request for a service i.e. collect a missed bin, clearing a fly-tip, or removing graffiti. This is treated as a service request to the operational service. It becomes a complaint when there is a repeat problem.
- Complaints about Penalty Charge Notices (PCNs) or Fixed Penalty Charges (FPNs). These are dealt with by an independent appeal process.
- School admissions issues. These are dealt with by the Schools Admission Appeal Panel.
- Appeals relating to Special Education Needs (SEN) provision. These are addressed by the council's SEN appeals process.
- Complaints about schools. These are dealt with by the school directly with escalation to the Department for Education if the complainant is not satisfied with the response.
- Complaints from contractors or potential contractors relating to the award of contracts. These are dealt with under the council's procurement process.
- Complaints about a planning decision. These are dealt with under the national planning appeals process.
- Complaints where the customer has started legal proceedings or has previously taken the matter to court or tribunal. These are subject to relevant legal appeal processes.
- From members of staff (or potential members of staff) about personnel matters. These are dealt with through the council's grievance procedure.
- Housing and council tax benefit decisions or appeals. These are dealt with by the Benefit Appeals Tribunal.
- Appeals relating to social care financial assessments. These are dealt with by the Financial Assessment Review and Appeals Procedure.
- Appeals relating to homelessness applications. These are dealt with through the homeless appeal procedure.
- Complaints over 12 months old since a complainant became aware of the issue. These are out of the time limit for consideration.
- Complaints that are submitted anonymously. These are not normally investigated. See Section 5.

- Complaints about damages to property or person. These are dealt with by the Risk and Insurance team.
- Complaints about schools. These are dealt with by the school directly with escalation to the Department for Education if the complainant is not satisfied with the response.
- Children's and Adults Social Care complaints. These are dealt with under separate statutory procedures. This list is not exhaustive and there may be other matters we cannot investigate because there is an appropriate body to deal with it. Where this is the case, we will advise the complainant on how to access that process.
- Stage 2 complaints are for cases where you have already received a response to your Stage 1 complaint, but you are still unhappy with the way it was handled or resolved. To make a Stage 2 complaint, you need to explain clearly why you think the Stage 1 investigation was inadequate or unfair, and what outcome you are seeking. This will help us to review your complaint more effectively and in line with the Ombudsman's principles.

2.1 Complaints about policies

Some complaints concern a decision made by the council when exercising its regulatory powers (e.g. licensing, serving notices) or undertaking its statutory duties (e.g. making a decision on a homelessness claim or a planning application decision). Some are expressions of dissatisfaction with a council policy or the legislation the council must follow in carrying out its duties. These complaints are normally dealt with as policy complaints unless the complaint relates to the way the matter has been administered. Such complaints will be treated as Stage one complaints as regards the level of officer conducting the response and the response timescale. A response will be sent explaining that the complaint made relates to a policy area or legislation, and that it cannot be pursued further through the complaints system. Customers may appeal against the decision to classify their complaint as a policy issue rather than a performance complaint, and this right should be made clear in the Stage one reply above. Any such appeal should be treated as a Stage two complaint.

Making a complaint

Customers can make a complaint in any way they choose, including:

- **Online**
The quickest way to submit a complaint is through our [online complaints form](#).
- **By Phone**
Call our Customer Resolution Centre at 020 8496 3000. Our advisors are available to help you.
- **In Person**
Visit your local library where staff can assist you in submitting your complaint.

- **In Writing**

Send your complaint to:
The Complaints Team
Town Hall Complex
Forest Road
Walthamstow
E17 4JF

Review

At any time, the specific agreements to the Corporate Complaints Policy may be reviewed by management, or at your request.

This policy is the responsibility of Finance & Governance Management Board and will be subject to annual review.

Mark Hynes
Corporate Director of Governance and Law
Resources Directorate

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