

# Woking Borough Council

## Complaints Procedure

Shaping the *future* of our borough



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## Complaints Procedure

The Council strives to provide high quality services to the best of our ability to all our residents and customers. We recognise that we do not always get it right and meet the standards that we set ourselves.

This is the Council’s formal complaints procedure which outlines how you can tell us if you think something has gone wrong with any of the services or facilities that we provide and look at how we can improve.

Your complaints are important as they help us identify where things have not gone as well as we would want them to. We monitor and record all formal complaints received and an annual report is made to our Overview and Scrutiny Committee to assist us in identifying patterns, enable us to learn from what you tell us and share best practice.

All complaints are dealt with fairly, impartially and in strict confidence in accordance with the [General Data Protection Regulations \(GDPR\)](#) and we will not deal with you any less favourably because you have made a complaint. You can also have access to information we hold about you by making a ‘subject access request’ under the [Data Protection Act 2018](#).

### What is a complaint?

The Council has adopted the following definition of a complaint as defined by the Housing Ombudsman Service: ‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council, its own staff, or those acting on its behalf, affecting and individual resident or group of residents’.

## What is not a complaint?

A complaint is not:

- A request for service, for example, request for a repair or removal of fly-tipping.
- A request for information.
- An explanation of Council policy, for example, the level of Council Tax.
- An issue regarding anti-social behaviour.
- A liability or personal injury claim.
- A matter already being dealt with by the ombudsman.

## Why we have a formal complaints procedure?

Having a formal process in place enables us to discover whether anything has gone wrong and if so to say sorry if we have made a mistake, put it right and learn from it. We aim to:

- Listen and ensure we have fully understood your complaint.
- Tell you what will happen next and keep you updated and informed throughout the process.
- Take ownership of the issues you have raised with us ensuring the complaint is dealt with quickly.
- Make it easy for you to contact us throughout the complaints process.
- Take any learning from your complaint to help improve services in future.

## Who can complain?

Any resident, tenant or user of services provided by the Council. Alternatively, you may represent an organisation or be an advocate for a service user affected by the way our services have been provided.

## Time limit

We expect complaints to be made in a timely manner and will not, except in exceptional circumstances, consider complaints in respect of a matter that is **more than 12 months old**.

## Complaints about councillors

This document concentrates on complaints about the service provided by the Council. If you have a complaint about one of your local Councillors, it will be dealt with under a [separate procedure by the Council's Monitoring Officer](#).

## How to make a complaint

We would like to think that in the majority of cases complaints can be resolved by speaking to the member of staff who dealt with you in the first place. We would encourage you to do this as it might put matters right quickly.

An example might be a recall for a council house repair. Rather than using the formal complaints process, an approach to the appropriate team should be able to resolve the matter without delay.

If such an approach does not resolve your complaint, or if you are unhappy with our response, then you can complain formally using our two stage complaints procedure.

You can make a complaint by:

- [Completing our online eform](#)
- Emailing us at: [complaints@woking.gov.uk](mailto:complaints@woking.gov.uk)
- Writing to us at: Complaints, Woking Borough Council, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL

If you need help with making a complaint, please contact us and we will try to provide the help that you need.

Phone: 01483 755 855

Email: [customers@woking.gov.uk](mailto:customers@woking.gov.uk)

We will record any formal complaint received in our central register. We will accept a complaint unless there is a valid reason not to do so.

## Stage 1 complaint

Your complaint will be handled by a manager in the appropriate section. We will acknowledge and log your complaint within five working days of receipt and will provide you with a full response within 20 working days of it being logged using the same method that you used to contact us.

Occasionally a complaint might be more complex and require further investigation which may make our 20-day response target difficult to meet. In such cases, we will let you know what is happening and advise you when we hope to respond.

We will apologise if we have made a mistake and advise you when and what we will do to correct our mistake in the full response. We will also keep you updated when any agreed actions have been completed.

## Stage 2 appeal

To be considered for an appeal, you need to have submitted a stage 1 complaint and received our response. You then have 28 days to submit a stage 2 appeal. The review will be undertaken by a member of our Corporate Leadership Team.

A stage 2 appeal must meet at least one of the following criteria:

- We made our decision based on inaccurate facts that could change our decision.
- You have new and relevant information that was not previously available and which might change our decision.
- We overlooked or misunderstood parts of your complaint or did not take account of relevant information which could change our decision.

## What happens after I make an appeal?

For stage 2 appeals we will aim to:

- Acknowledge and log the appeal request within five working days of receipt.

For stage 2 appeals we will aim to:

- Fully investigate and respond to the accepted appeal within 20 working days of it being logged.
- Where it is not possible to respond within the 20-day period, due to the complexity of a complaint or due to the absence of a key officer or another specific reason, we will contact you to let you know when you can expect a reply.
- You will always be notified of any changes to the standard response target.

## Complaints about housing services

The Housing Ombudsman published its [Complaint Handling Code in July 2020](#). The code outlines what you can and should expect from us as your council. A key part of the code is for us as your landlord to annually self-assess our performance against the code. We assess our complaint procedure in May each year.

If you are a tenant or leaseholder of the Council and your complaint concerns a property, we will aim to provide you with a full response at stage 1 within 10 working days of your complaint being logged.

## What you can do if you are not satisfied with the handling of your complaint

You are free at any time during the complaints procedure to contact your local councillor. Whilst he or she will not deal directly with a complaint about the way the Council provides a service, your councillor can talk to you about your complaint and help you make contact with officers.

You can [find your local councillor on the Council's website](#), from our staff at the Civic Offices or from local libraries.

If you remain dissatisfied, having completed our formal complaints procedure, you can complain to the Local Government and Social Care Ombudsman (LGSCO) if you believe we have not handled matters properly. [Full information can be found on the LGSCO website](#).

Alternatively, you can contact their advice team on 0300 061 0614.

The Housing Ombudsman Service (HOS) will look at housing related complaints. [Full details about the process can be found on the HOS website](#).

Alternatively, you can contact the HOS on 0300 111 3000.

In certain cases, the Council reserves the right to consider complaints as unreasonable and decline to respond to further approaches. The decision to classify a complainant as unreasonable will be taken by the Monitoring Officer in accordance with the Council's [Unreasonable Behaviour Protocol](#).

The Council will not accept as a complaint matters in respect of which legal proceedings have started or those which have previously been dealt with under the Complaints Procedure.