

Woking Borough Council

Complaints Procedure

Shaping the *future* of our borough



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
- 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

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.
- 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 contact 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.

Woking Borough Council

Housing Complaints Procedure

Appendix 1

Housing Complaint Procedure

The Council's Housing Complaints Procedure outlines how residents can make a complaint about the housing services we provide.

The Council is a member of the Housing Ombudsman Scheme. The Housing Ombudsman published its [Complaint Handling Code in July 2020](#). Since then, the Complaint Handling Code has been updated in [2022](#) and 2024. [The Complaint Handling Code 2024](#) became statutory in April 2024, requiring compliance to meet the Regulator of Social Housing Consumer Standards.

As a registered provider of social housing, the Council must assess its performance against the Housing Ombudsman Complaint Handling Code each year. This is carried out in May and is published on the [Regulator of Social Housing website](#) each year.

The Housing Complaints Procedure may be updated in response to a self-assessment, changes to the Complaint Handling Code and/or a determination from the Housing Ombudsman.

This Housing Complaints Procedure sits alongside the Council's Complaints Procedure. You will be alerted if the Housing Complaints Procedure and timescales are relevant for your complaint.

What is a housing complaint?

A housing complaint is 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 a resident or group of residents.

A resident does not have to use the word 'complaint' for it to be treated as such. It is important that residents raise complaints as soon as they identify them, within 12 months of the issue occurring or the resident becoming aware of the issue.

What is not a housing complaint?

A housing complaint is not:

- A query.

- A service request:
 - A service request is a request from a resident to Woking Borough Council Housing Service requiring action to be taken to put something right. Service requests are not complaints but are recorded and monitored.
 - A service request can become a complaint if the resident expresses dissatisfaction with the response or handling of their service request.

- A survey response:
 - If dissatisfaction is raised, the respondent will be contacted to be made aware of how they can pursue a complaint, if they wish to.

- Anti-social behaviour report.

- Matters that have previously been considered under the Housing Complaints Procedure.

- Legal proceedings have started:
 - This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.

- A complaint that is undergoing an internal appeal process.

- The issue giving rise to the complaint occurred over 12 months ago.

Each complaint will be considered on its own merit with discretion applied where there is good reason to do so. If the Council is unable to process a complaint because it meets the criteria above, it will provide reasoning of this to the resident and/or their representative setting out the reasons why the matter is not suitable for the housing complaints process and the right to take that decision to the Ombudsman.

Who can make a housing complaint?

Any resident, tenant or user of housing services provided by the Council can make a complaint. A group of residents or tenants are also able to make a complaint.

A resident can also ask someone else to represent them through the housing complaint process. Representatives can be another resident, family member, friend, designated person, or support agency. Consent will be sought from the resident to confirm personal information can be provided to the representative during the housing complaint process.

Under the Localism Act 2011, a resident or tenant can refer their concerns to a designated person. This can be a local councillor or a Member of Parliament (MP). The Housing Complaint team will review the concerns and advise if this is a complaint or a councillor/MP enquiry.

Representatives are subject to the same process and timescales set out within this procedure including the [Unreasonable Complaints Procedure](#).

How do you make a housing complaint?

You can contact the Housing Complaints team and make a housing complaint by:

- [Completing our online eform](#)
- Emailing us at housingcomplaints@woking.gov.uk
- Calling us on 0300 373 0373 (Option 4)
- Writing to us at:

Complaints
Woking Borough Council
Civic Offices
Gloucester Square
Woking
Surrey
GU21 6YL

- Contacting any member of our Housing team member who will pass the details of the complaint to the Housing Complaints team.

The Housing Complaints Team are also able to organise a face-to-face meeting at the civic office. This is subject to availability of space.

Stage 1 complaint

Stage 1 is the first process in the Housing Complaint Procedure and includes:

- Acknowledgement of the complaint within five working days. The team may need to contact the resident during this time to gather more information about the complaint.
- The designated manager has 10 working days to investigate and respond to the complaint. The designated manager may contact the resident in this time before providing a written response.

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- Target date extensions will be communicated with the resident if the investigations are continuing. We aim for delays to be a maximum of 10 additional working days, although on some occasions, delays over this may be advised.
 - The resident has 20 working days to request escalation to stage 2. This is discretionary and will be applied fairly and appropriately. Escalations may be refused where there is valid reason to do so.
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A stage 1 response will be issued to the resident when the response is finalised. This may mean that some actions are outstanding and require further updates to the resident. The response will address all points raised in the complaint definition and provide reasoning for decisions.

Where a resident raises additional concerns during the investigation, these will be incorporated into the stage 1 response if they are related to the active complaint. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues will be logged and acknowledged as a new complaint.

If the resident is not satisfied with their stage 1 response, they can request escalation to stage 2. The timescales to escalate are discretionary and will be applied fairly and appropriately. Escalation may be refused where there is a valid reason to do so.

Stage 2 complaint

Stage 2 is the second and final process in the Housing Complaints Procedure. It includes:

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- Acknowledgement of the complaint at stage 2 within five working days.
 - The designated manager has 20 working days to investigate and respond to the complaint.
 - Target date extensions will be communicated with the resident if the investigations are continuing. We aim for delays to be a maximum of 20 additional working days, although on some occasions, delays over this may be advised.
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A stage 2 response will be issued to the resident when the response is finalised. This may mean that some actions are outstanding and require further updates to the resident.

The stage 2 investigation is carried out by a different designated manager to whom investigated at stage 1. This is because this stage reviews the stage 1 response, initial complaint and involves all relevant staff. This response is the final response and concludes the Council's Housing Complaints Procedure.

Escalation to the Housing Ombudsman

The resident and/or their representative can contact the Housing Ombudsman for advice at any point during the complaint process. The resident will be advised of this during the housing complaints process and provided with the contact details of the Housing Ombudsman:

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- Phone: 0300 111 3000
 - Email at info@housing-ombudsman.org.uk
 - Address: Housing Ombudsman Service, PO Box 152, Liverpool, L33 7WQ
 - Website: housing-ombudsman.org.uk
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Residents are recommended to contact the Housing Ombudsman if they are dissatisfied with a target date extension or delay to a response. Residents are also recommended to escalate their complaint to the Housing Ombudsman if they remain dissatisfied after the issuing of their stage 2 complaint response.

Other procedures

Reasonable Adjustments

Under the Equality Act 2010, the Council provides reasonable adjustments under the Housing Complaints Procedure and is detailed within the Council's [Unreasonable Complaints Procedure](#).

The landlord will keep a record of reasonable adjustments agreed and record disabilities that the resident has disclosed. Reasonable adjustments will be kept under active review. Acknowledgement templates remind residents of reasonable adjustments within the Housing Complaint Procedure and provides information for residents to contact the Housing Complaints team.

Unreasonable Complaints Procedure

The Council's has an [Unreasonable Complaints Procedure](#). Unacceptable behaviour is covered within this and impacts residents and their representatives. Where the procedure is required during the housing complaints process, the Housing Complaints team will manage and evidence reasons for restrictions with an aim to support the resident. Restrictions will be proportionate and be kept under regular review.

Housing Complaint Compensation

In line with the Housing Ombudsman guidance, the Council is able to provide monetary redress where service failures or loss is evidenced during the Housing Complaint Procedure.

Compensation is a payment, either obligatory or discretionary, of a sum of money in recognition of the following:

- Delays
- Impact (for example inconvenience, distress)
- Incurred costs
- Loss of value (valuables that have been damaged that are not insured)

Compensation should be appropriate and proportionate and is not automatic when the Housing Service makes a mistake. When compensation or a goodwill payment is offered, the Housing Complaints team.