



Complaints

Bristol City Council

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Policy overview

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1. Introduction

The Council is committed to providing high quality services. Feedback from citizens is welcomed as a way of demonstrating that the Council is open to challenge, ready to respond and willing to learn and improve. There is no charge for using the Council's complaints procedures.

This document sets out the policy, dealing with feedback about all Council services. There are five distinct procedures for dealing with complaints, four of which are statutorily required:

- Social care services provided to children and young people (statutory)
- Social care services provided to adults (statutory)
- Public health services (statutory)
- Landlord Services
- All other Council services (non-statutory)

For statutory procedures, the Council is required to designate a person who is responsible for ensuring the Council complies with the statutory complaints procedures. In the Children Act 1989 this person is called a Complaints Manager. In Bristol City Council, the person authorised to carry out this role under the regulations is called the Customer Relations Manager. Some of the required functions are further delegated to members of the Customer Relations Team. Throughout this document, these functions are referred to as being carried out by the Customer Relations Team.

The Council believe that their relationship with citizens as individuals is important and will normally expect them to try to resolve complaints through this Policy before instructing lawyers to intervene on their behalf.

2. Legal, regulatory and policy framework

The procedures will comply with and operate within the provisions of all relevant legislation, Council policies and procedures, as updated from time to time.

2.1 Statutory complaints about children's services

The Children Act 1989 <http://www.legislation.gov.uk/ukpga/1989/41/contents> as amended by the Adoption and Children Act 2002 <http://www.legislation.gov.uk/ukpga/2002/38/contents> imposes a duty on every local authority to establish a procedure for considering any representations, including complaints, made by children, young people, parents, foster carers and other adults about the discharge by the local authority of any of their functions in relation to a child. The Children Act 1989 Representations Procedure Regulations 2006 <http://www.legislation.gov.uk/uksi/2006/1738/part/1/made> set out how the procedure should work. These regulations should be read in conjunction with "Getting the best from complaints" <https://www.gov.uk/government/publications/childrens-social-care-getting-the-best-from-complaints>.

2.2 Statutory complaints about adult services

The Council has a duty to handle complaints under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

<http://www.legislation.gov.uk/uksi/2009/309/contents/made?view=plain>

and The Local Authority Social Services and National Health Service Complaints (England) (Amendment) Regulations 2009

<http://www.legislation.gov.uk/uksi/2009/309/contents/made?view=plain> relating to its social services functions or any function carried out by the Council under arrangements made between it and an NHS body under Section 75 of the National Health Service Act 2006 <http://www.legislation.gov.uk/ukpga/2006/41/section/75>. This should be read in conjunction with “Listening, Responding, Improving: a guide to better customer care”

http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/publicationsandstatistics/publications/publicationspolicyandguidance/dh_095408..

2.3 Statutory complaints about Public Health services

The Council has a duty to handle complaints under the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 <http://www.legislation.gov.uk/uksi/2012/3094/regulation/7/made> relating to its public health responsibilities.

2.4 Complaints about Social Housing

The Council owns and manages Housing Stock and is therefore a member of the Housing Ombudsman scheme. In accordance with its obligations under this scheme, complaints about the Council’s functions as a landlord are required to meet the conditions of the Housing Ombudsman’s Complaint Handling Code:

<https://www.housing-ombudsman.org.uk/wp-content/uploads/2022/03/Complaint-Handling-Code-Published-March-2022-1-1.pdf>¹

¹ There are some differences between the Code and this Policy, which should allow the Council to investigate properly complaints about housing conditions/disrepair and to conserve housing revenue for the better performance of the Council’s duty when providing social housing. See appendix 1 for standard process.

2.5 Other Non-Statutory Complaints

Complaints not covered by the requirements of 2.1 – 2.4 above will be dealt with in accordance to the Local Government and Social Care Ombudsman’s Complaint Handling Code [Complaint Handling Code \(lgo.org.uk\)](http://lgo.org.uk)

3. Definitions

A complaint is:

‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of individuals.’²

A comment is:

‘a suggestion or observation about services provided.’

A compliment is:

‘a positive remark about a service or an individual.’

A service Request is:

‘a report of an issue that may require action from the Council that has not previously been reported to the relevant service’.

² In a housing context, those individuals complaining must be a resident or group of residents. A report by a tenant that a workman or contractor did not attend for an appointment will not generally be taken as a complaint justifying the opening of a formal investigation under this procedure, if it requires only that the appointment is re-booked.

4. Timescales

Statutory Complaints should be dealt with within the timescales set out in legislation unless there are exceptional circumstances.

Housing and non-statutory complaints will be addressed within the Housing Ombudsman's Complaint Handling Code or the Local Government and Social Care Ombudsman Complaint Handling Code whichever is shorter. Complaints about housing conditions/disrepair are likely to require significant investigation and may take longer than the timescales provided for in the Code (See appendix 1 for current timescales).

5. What may be complained about using this policy?

- An unwelcome or disputed decision
- Concern about the quality or appropriateness of a service
- Delay in decision making or provision of services
- Delivery or non-delivery of services (action or lack of action)
- Quantity, frequency or charge of a service
- Attitude or behaviour of staff
- Application of eligibility and assessment criteria
- Assessment, care management and review

This list is not exhaustive.

6. Who can complain?

Any Bristol citizen or anyone who receives a service from the Council (including students and tourists), those entitled to request a Council service or anyone they have chosen to act on their behalf. This may include a relative, Councillor or MP. There are some additional criteria for people complaining about statutory social care services for children or adults and for public health services (see below).

6.1 Complaints made on behalf of someone else

6.1.1 Complaints made *on behalf of an adult*

Where a complaint is received from a representative acting on behalf of an adult with mental capacity, the Council will confirm with the citizen or service user that they are happy for this to happen and that the complaint submitted reflects his/her views where this is not apparent.

Where a complaint is received on behalf of a person who is unable to make the complaint themselves because of a lack of capacity within the meaning of the Mental Capacity Act 2005 <http://www.legislation.gov.uk/ukpga/2005/9/contents> or a child, the Customer Relations Team and/or relevant senior managers from the service will decide whether or not the representative is making a complaint in the citizen or service user's best interests. If it is decided that the representative is not conducting the complaint in the best interests of the person on whose behalf s/he is making the complaint, the complaint will not be considered or further considered. The representative will be notified of this in writing, explaining that no further action will be taken with reasons for the decision.

6.1.2 Complaints made *on behalf of a child*

Where a complaint is received from a representative acting on behalf of a child or young person, the Council will confirm where possible that the child or young person is happy for this to happen and that the complaint submitted reflects his/her views. This is subject to the child's age and understanding.

The Council has the discretion to decide whether or not the representative is suitable to act in this capacity or has sufficient interest in the child's welfare. If the Council considers that the representative does not have sufficient interest, the representative will be notified in writing, explaining that no further action will be taken.

6.1.3 Complaints *relating to a child*

Where complaints are received from adults relating to a child or young person but not made on the child's behalf, the Council has discretion over whether or not to accept the complaint for consideration where eligibility is not automatic. The Council will consider whether or not an individual has sufficient interest in the child's welfare to justify his/her own complaint being considered by the Council. In reaching a decision, where possible the Council may check with the child or young person that s/he is happy with the person making a complaint.

6.2 Anonymous complaints

Anonymous complaints are difficult to deal with because their investigation is always dependent upon limited and unverifiable information. However, they will be recorded in the same way as other complaints and referred to relevant managers who will take appropriate action based on their judgement of the information received. No reply can be made.

6.3 Statutory complaints about children's social care services

- A child or young person who is being looked after by the Council
- A child or young person who is not looked after by the Council but is a child in need
- A parent of his/hers
- A person who is not a parent but has parental responsibility for him/her
- A Council foster carer (including those caring for children placed through independent fostering agencies)
- A child or young person leaving care
- A child or young person in respect of whom a special guardianship order has been made
- A Special Guardian or parent of such a child
- A person who has applied for an assessment for special guardianship support services
- A child or young person who may be adopted, their parents and guardians
- A person wishing to adopt a child
- A person to whom arrangements for the provision of adoption services extend
- Adopted persons, their parents, natural parents and former guardians
- Such other person as the Council considers has a sufficient interest in the child's welfare to warrant his/her representations being considered by them. In reaching a decision as to whether the person has sufficient interest in the child's welfare the authority must take into account the views of the child if they consider it appropriate to do so, and must tell the child concerned of their decision if they consider it appropriate to do so.

6.4 Statutory complaints about adult social care or public health services

Anyone who is likely to want to make comments or complaints about the actions or failings of adult social care or public health services has access to this procedure. The Council may use its discretion to deal with a complaint not covered by this procedure. A complaint may be made by:

- A person who receives, or has received services, from adult social care or public health services
- A person who is affected or is likely to be affected, by the action, omission or decision of adult social care or public health services which is the subject of the complaint
- A representative of the above who:
 - ⇒ has died
 - ⇒ is a child
 - ⇒ is unable to make the complaint themselves due to physical or mental incapacity
 - ⇒ has requested the representative to act on their behalf

7. What cannot be complained about? (Exemptions)

Every complaint will be considered on its individual merits and a decision will be made as to whether the complaint is eligible to be considered under this Policy and procedures. Decisions to exclude complaints from the process are made by the Customer Relations Team in consultation with relevant senior managers and legal services where appropriate.

Complaints will not be considered, or considered further, if the complaint is not about the actions or decisions of the Council, or any organisation acting on its behalf or if the same complaint (from the same complainant) has been responded to already through the complaints procedure or by the Local Government and Social Care Ombudsman, Housing Ombudsman or the Information Commissioner.

If the Customer Relations Team considers that a complaint is not appropriate to be dealt with under this procedure, the complainant will be informed of this in writing. The complainant will be given reasons and, where known, will be directed to the more appropriate means of addressing the issue they have raised elsewhere. They will also be provided with detail of how to refer their concern to the relevant Ombudsman scheme.

The complaints process will not apply in the following instances:

7.1 Time limits

Issues and events which took place more than twelve months before receipt of a complaint will not usually be responded to through the complaints procedure. This is because such complaints are often difficult to investigate fully or fairly. The likelihood of achieving a reliable outcome is significantly reduced because staff members have changed, memory fades, records may be lost or unreliable and procedure, policies and practice may have altered.

Possible grounds for accepting a complaint after one year include one or more of the following:

- Age or vulnerability of complainant
- The delay in complaining is beyond the control of the complainant, eg new evidence has become available
- There may still be a benefit to the complainant in proceeding and there is likely to be sufficient access to information or individuals involved at the time to enable an effective and fair investigation to be carried out.

- The problem is a recurring issue or continues because it has not been fixed by us, when the Council may consider any older reports as part of the background to the complaint if this helps us to resolve the issue.
- It is a housing conditions/disrepair claim, when we may consider complaints and offer redress for as far back as the legal limitation period (so six years back from the date of the complaint).

The Customer Relations Team, in consultation with senior managers and legal services where appropriate, will have discretion to decide exceptions to this rule. Where an exception is not agreed, the complainant will be informed about the reasons for refusal, any evidence that has been considered when making the decision to refuse their request, and of their right to approach the relevant Ombudsman.

7.2 Illegal activity

There will be occasions when a complaint involves the possibility of an offence having been committed, or where legal action is a possible outcome. In these circumstances, advice will be taken from legal services before proceeding. If a decision is taken that all or part of a complaint requires legal investigation and court action, the complaint will be suspended in relation to those investigations. The complainant will be informed that this decision has been taken. This excludes housing conditions/disrepair claims.

7.3 Court proceedings

The Council will not consider complaints if the complaint relates to issues which are or have been the subject of proceedings in any court or tribunal irrespective whether instigated by the complainant or the Council. People wishing to appeal against decisions taken by a Court should approach the Court.

Cases will not generally be considered through the complaint process if the complainant has stated that s/he, or a person on whose behalf s/he is acting, intend to take proceedings in any court or tribunal.

This excludes disrepair/housing conditions claims. Legal claims for housing conditions/disrepair may be stopped or prevented by the court until the complaints process is completed. We will normally expect customers to engage with us personally in investigating any dissatisfaction with our services, or any complaint, rather than going through lawyers, unless their involvement is justified. The Council will not expect a tenant to enter into an agreement with a lawyer engaging them on a conditional fee or other contractual fee paying basis unless their own efforts to get works done and/or compensation offered through the complaints process have failed.

7.3.1 Statutory complaints about children's services

Dissatisfaction about a Council's management or handling of a child's case, even where related to a Court order, may be considered using this procedure in certain circumstances. For example, conduct of social work staff in certain Court procedures. The Customer Relations Team will identify whether any circumstances might be considered under this procedure.

7.4 Negligence claims

Complaints received which only concern financial compensation for loss, damage or injury will be considered a claim for negligence and the complainant will be referred to the Council's Insurance Services team.

7.5 Right of appeal

Some services are required by law to provide a mechanism to allow citizens to appeal against certain types of decisions. The Council also voluntarily operates appeal systems for certain

decisions. If the Council receives a complaint about a decision where a right of appeal exists either in law or under a Council policy, the complaint will be changed to an appeal and handled in accordance with the relevant appeal procedure.

7.6 Complaints about Data

Where a complaint relates to a breach of data protection (GDPR) rules or to a failure to abide by legislation relating to information requests (eg Freedom of information – FOI or Subject Access Request – SAR) then it should be referred to the Councils Data Governance Team and not considered through this process. In some cases it may be appropriate for part or all of these complaints to be dealt with using this complaints process. If that is the case it will be agreed between the Data Governance and Customer Relations Teams.

7.7 Complaints against elected members (Councillors)

Elected members are subject to a Code of Conduct under the Council's Constitution. A citizen can contact the Council's Monitoring Officer if they have a concern about the conduct of a Councillor <https://www.bristol.gov.uk/complaints-and-feedback/complain-about-the-mayor-or-a-councillor>

7.8 Policy decisions

Council staff members are required to adhere to Council policies, which are ultimately the responsibility of the Elected Councillors. It should be noted therefore that whilst complaints about policy may be considered by the relevant service in certain circumstances, they should normally be directed to the appropriate elected representative.

7.9 Complaints about schools

Complaints received which refer specifically to activity that takes place in a school are the responsibility of the school itself, which should have in place its own complaints procedure <http://www.bristol.gov.uk/page/children-and-young-people/school-complaints-and-comments>.

7.10 Complaints from professionals or external contractors

Individuals, companies or organisations in a contractual or professional relationship with the Council should raise any concerns they may have with the relevant manager or contract manager within the Council. They will not be considered through this procedure or be bound by the timescales suggested in this procedure. Services should ensure that complainants are advised of their right to approach a relevant Ombudsman service if appropriate.

7.11 Complaints from staff

Where a staff member wishes to complain about issues and decisions that affect them directly and relate to employment or working practice within the Council, they must take up these issues through line management structures and employment procedures such as the Grievance Policy: https://www.bristol.gov.uk/documents/20182/33892/GrievancePolicyEmployeeGuide_0.pdf

7.12 Unreasonable complainant behaviour

The Council is committed to dealing with all complaints fairly and impartially and to making the complaints procedures as accessible as possible. However, because of the nature or frequency of their contact with the Council, a few complainants behave unreasonably and hinder the consideration of their own, or others' complaints.

The Council will not tolerate deceitful, abusive, offensive, threatening, harassing or other forms of unacceptable behaviour from complainants. When it occurs, proportionate action will be taken to protect the wellbeing of Council staff and the integrity of Council processes. Any action will be agreed between the Customer Relations Team and the relevant service in accordance with the current procedures.

7.13 Service Requests

Initial requests for a service, for example first report to the Council of an issue that they are responsible for, but has not previously been reported. Service requests will be passed to the appropriate service area for consideration.

7.14 Statutory complaints about adult services

7.14.1 Complaints from self-funded service users

People who independently purchase their own community care services, including residential care, cannot complain about the provision of that care under this procedure. It is a requirement of the Care Standards Act 2000 <http://www.legislation.gov.uk/ukpga/2000/14/contents> that providers have a complaints procedure in place and complainants may escalate concerns to the Local Government and Social Care Ombudsman <http://www.lgo.org.uk/>.

7.14.2 Mental Health

The Care Quality Commission <http://www.cqc.org.uk/> is able to investigate complaints made by a patient about matters relating to their detention, treatment, care and aftercare. The Commission may refer relevant complaints to the Council to be dealt with under this procedure.

A decision made by an Approved Mental Health professional regarding the making of an application under the Mental Health Act 1983 <http://www.legislation.gov.uk/ukpga/1983/20/contents> is an action taken independently of the Council and therefore falls outside of this procedure. However, complaints made about the process of the assessment or the Approved Mental Health Professional's actions during the process are covered by this procedure.

All other complaints made by people with mental health problems, or their representatives, may be appropriately dealt with under this procedure provided they are concerned with services provided by the Council.

8. Advocacy

The Council has made arrangements for independent advocacy services to be available to complainants in receipt of social care services who meet certain eligibility criteria.

For those in receipt of social care services, advocates support all children and young people, some adults complaining on their behalf and some vulnerable adults to express their concerns and/or complaints about social care services. This may include helping them to write their complaint and accompanying them to meetings with managers dealing with their complaints. They will also help them to consider responses and decide whether they are satisfied or wish to pursue matters further.

The specialist knowledge and expertise offered by these advocacy services may be beneficial to some complainants. However, complainants may choose to be supported by anyone,

whether a family member or friend, or an advocate from another organisation, subject to data protection considerations. [Details](#) of the current providers of advocacy services will be available on our Complaints procedures webpage:

<https://www.bristol.gov.uk/complaints-and-feedback/complaints-procedures> .

9. Complaints procedure relationship to other Council procedures

In some cases there are other procedures that take precedence over complaints procedures, for example safeguarding children or vulnerable adults, disciplinary procedures. Where joint action is necessary, complaints will be separated out from other procedures where appropriate.

9.1 Complaints about access to information

UK General Data Protection Regulation (UK GDPR)

Where a complaint is about the following issues:

- a breach of the Data Protection Act 2018
- a decision to withhold information
- factual information they consider to be incorrect
- failure to provide requested information
- delay in providing requested information

It should be dealt with using the Councils Data Protection Policy:

<https://www.bristol.gov.uk/files/documents/2022-data-protection-policy/file> and the complainant may ultimately approach the Information Commissioners Office (ICO)

The Freedom of Information Act <http://www.legislation.gov.uk/ukpga/2000/36/contents> regulates the disclosure of non-personal information. If dissatisfied with an FOI response, an enquirer should firstly approach the Council's Data Protection Officer to request an Internal Review. After this, if they remain dissatisfied, they can approach the Information Commissioner to appeal against a decision or complain about an unsatisfactory response.

9.2 Disciplinary, Professional Standards, or Police investigations

When a complaint is received, or at any point during a complaint investigation, if it becomes apparent that a disciplinary investigation, Police investigation or an investigation into professional standards (eg where the Officer involved is subject to a professional code of conduct such as solicitors or registered health care workers) may be required, a relevant senior manager from the service will decide whether such an investigation should take place.

If a decision is made to undertake an investigation, this will be dealt with through our internal HR procedures, as it would not be appropriate to deal with the issue through the complaint's procedure – we do not provide details or the outcome of those internal procedures as they are confidential, but we will let you know once internal processes are complete.

If there are parts of the complaint which are unrelated to the employee, the complaints process may continue if to do so would not compromise any internal procedures. Alternatively, the Council will decide on an individual basis whether the complaint investigation may be started or resumed once the internal procedures are completed.

Complaints against solicitors employed within Legal Services will be investigated by a senior manager and in compliance with the Solicitors Regulation Authority Guidance on best practice (For complaints not resolved by this process see Appendix 2).

9.3 Whistleblowing

Members of staff wishing to raise matters of poor administrative practice or service delivery or other matters that are being openly condoned by senior managers, should follow the guidance in the Council's Whistleblowing Policy:

https://www.bristol.gov.uk/documents/20182/33892/WhistleblowingPolicy_1.pdf

9.4 Safeguarding children and vulnerable adults

Where consideration of a complaint leads to concerns about the welfare of children or vulnerable adults, these will be referred immediately to the relevant Council safeguarding team. The handling of any associated complaint will be suspended if necessary.

Where enquiries have been conducted under section 47 of the Children Act 1989, a Child Protection conference may be held. This brings together family members and professionals involved with the child and family. If there are subsequent complaints about the work of individual agencies, or their performance or the provision or non-provision of services, these should be handled in line with the particular agency's complaints procedure.

If complaints are received about the Bristol Safeguarding Adults Board, a separate procedure exists.

9.5 Complaints relating to more than one Council service

There are some circumstances where a complaint is about the work of more than one Council department, such as children's services, housing and adult services.

Such complaints will usually receive a single response. Responses should use the most appropriate procedure. If any part of a complaint relates to matters covered by statutory complaints procedures, these will usually be used to consider the entire complaint.

The relevant officers dealing with the complaint will agree who will take the lead and responsibility for communicating with the complainant.

9.6 Freezing decisions

In some circumstances a complainant may wish to challenge or change a decision about service provision. The relevant senior manager, in consultation with the Customer Relations Team, will decide whether the decision complained about will be suspended or postponed while the complaint is being dealt with, taking into consideration all the facts of the case, including risk assessment. Decisions will be made on a case by case basis, but generally there will be a presumption in favour of freezing, unless there is good reason against it. The complainant will be informed.

10. Complaints involving other organisations

10.1 Joint complaints

Complaints may relate to the work of more than one organisation. Examples include NHS, other local authorities, schools, child care organisations, Probation services, Housing Associations, voluntary or private sector organisations.

Wherever possible, the Council will work with other agencies to ensure that complainants receive joint timely responses. The lead body will ensure that complainants are kept informed. Each body will contribute to a single joint reply. However, each agency will retain its individual duty of care for service users.

10.2 Complaints about Contractors

Where work is carried out on the Councils behalf by a contractor, the contractor may have their own complaints process. This does not prevent a complaint being made directly to the Council. Where complaints are made to the Council any subsequent response issued by the contractor is considered to be on the council's behalf and will be the first stage response in the Councils complaint process.

10.3 Commissioned services

Some Council services are delivered by external organisations, called providers. The Council will usually expect a complaint about a provider to be considered by them using their own complaints procedure. For some services, providers are required to have a statutory procedure (e.g care homes). If a complainant is dissatisfied with the response they receive from the provider, they can ask the Council to review the complaint.

Where complaints are received which comprise elements relating to both Council functions and a provider's services, the Council will cooperate with the provider to ensure that the complainant receives a coordinated response dealing with all aspects of the complaint.

10.4 Complaints involving the NHS

Sometimes complaints relating to an NHS organisation are received by the Council. With the consent of the complainant, such complaints will be referred to the relevant NHS organisation by the Council. If the complainant does not consent to this, they will be advised how to complain to the NHS.

Some complaints relate to both the Council and the NHS. The Council will co-operate with an NHS organisation involved with a complaint, with the aim of the complainant receiving a co-ordinated response to his/her complaint.

11. Recording and monitoring

A recording system exists to:

- monitor compliance with procedures
- monitor extent to which concerns are being taken seriously
- inform future service planning

- identify problem areas so that remedial action can be taken
- monitor whether complainants are representative of the population

Records kept will include the following:

- contact and diversity information about complainants and associated service users
- each comment, concern, compliment or complaint received and associated documents
- investigation and panel reports where appropriate
- complaint responses
- compliance with timescales
- outcomes of complaints at all stages
- agreed actions
- resulting service improvements

For complaints about adult and children's social care, a record of complaints, investigation reports, panel reports and letters of response will also be kept on service users' files unless there are good reasons not to do so.

12. Reporting on complaint outcomes, learning and service improvement

The Council will carry out annual self-assessments as required by the Local Government and Social Care ombudsman and the Housing Ombudsman.

An annual report/s of complaints will be published in accordance with relevant legislation and Ombudsman Scheme requirements (statutory social care, Housing Ombudsman, and Local Government and Social Care Ombudsman) and will be available on the Council's website.

Management information reports are also available for Council managers so that they can monitor the performance of their services in relation to complaints. Examples of reports include: numbers of complaints, compliance with procedures, complaint outcomes and resulting service improvements.

Appendix 1

Triage

In line with the Housing Ombudsman Complaint Handling Code, complaints to the council will be acknowledged, defined and logged within five working days of the complaint being received.

The acknowledgement will include our understanding of your complaint and provide an opportunity for you to clarify any points of the complaint, inform us of any support needs you have, or request reasonable adjustments that may be required.

Stage 1

A response and required actions will be confirmed within 10 working days of the complaint being acknowledged. This timescale may be extended up to 10 further working days if the council has a good reason for why it cannot respond within the initial timescale. In such cases, a clear explanation as to why is provided to the complainant within the initial 10 working day period, along with the contact details of the Ombudsman.

The complaint response will address all points raised in the complaint definition and set out the reasons for any decisions. The relevant policy, law and good practice will be referenced where appropriate.

The Council's written response at the end of stage 1 will contain the following:

- the complaint stage;
- the complaint definition;
- the decision on the complaint;
- the reasons for any decisions made;
- the details of any remedy offered to put things right;
- details of any outstanding actions; and
- details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.

Stage 2

If a citizen is not satisfied with all or part of a Stage 1 complaint response, they can request the complaint is progressed to Stage 2. The citizen is not required to explain their reasons

for requesting an escalation to Stage 2, but we will endeavour to contact the citizen to clarify why they remain dissatisfied.

A request for a Stage 2 complaint will be acknowledged, defined and logged within five working days of the escalation request being received. The Complaints Manager considering the complaint will be different at Stage 2 to Stage 1.

A final response to the Stage 2 complaint will be issued within 20 working days of the complaint being acknowledged. The outcome will include any appropriate findings, recommendations and/or remedies. If the citizen is not satisfied with the outcome, they will be advised of their rights to raise the matter with the Housing Ombudsman.

In the event that an extension to the initial 20 working day timescale is required, the citizen will be informed and reasons for this will be provided.

The Stage 2 final written response will include:

- the complaint stage;
- the complaint definition;
- the decision on the complaint;
- the reasons for any decisions made;
- the details of any remedy offered to put things right;
- details of any outstanding actions; and
- details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.

Governing Bodies

The Housing Ombudsman investigates complaints from citizens about landlord's housing management.

Full details of the Housing Ombudsman service can be found on their website -

www.housing-ombudsman.org.uk

Their e-mail is info@housing-ombudsman.org.uk

Their telephone number is 0300 111 3000

Address – PO Box 152 Liverpool L33 7W

Some housing related complaints can be considered by the Local Government and Social Care Ombudsman. More information about this can be found on their website:

www.lgo.org.uk

Telephone 0300 061 0614

PO Box 4771 CV4 0EH

Building Safety Regulator

www.hse.gov.uk/building-safety

Appendix 2

What to do if we cannot resolve your complaint about Legal Services

The Legal Ombudsman can help you if we are unable to resolve your complaint ourselves. They will look at your complaint independently and it will not affect how we handle your case. Before accepting a complaint for investigation, the Legal Ombudsman will check that you have tried to resolve your complaint with us first. If you have, then you must take your complaint to the Legal Ombudsman:

- Within six months of receiving our final response to your complaint

and

- No more than one year from the date of the act or omission being complained about; or
- No more than one year from the date when you should reasonably have known that there was cause for complaint.

For more information contact the Legal Ombudsman.

What to do if you are unhappy with our behaviour

The Solicitors Regulation Authority can help if you are concerned about our behaviour. This could be for things like dishonesty, taking or losing your money or treating you unfairly because of your age, a disability or other characteristic. Visit their website to see how you can raise your concerns with the Solicitors Regulation Authority.