

Appendix C- Revised Complaints Policy

1. Overview

2. The Council aims to always provide a high-quality, cost-effective services. However, we recognise that things can go wrong. If they do, we need to know so we can put things right and learn from them.
3. Complaints are therefore welcomed as they can help us improve service delivery and inform our policies.

4. What is a complaint?

5. A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council, its employees, or contractors affecting a resident or group of residents.

6. Examples of a complaint include:

- A delay in taking action without good reason.
- A failure to provide a service.
- Mistakes in the way a decision has been taken.
- Not following the law or the Council's own policies.
- Broken promises.
- Giving incorrect or misleading information.
- Bias or unfair discrimination.
- Rude, unhelpful or inappropriate behaviour by staff.
- Poor communication.
- The conduct of staff when delivering the service.

7. Where the complaint response is handled by the Council, we will work with the relevant contractors or third-party organisations as part of the 2 stage complaints process.

8. What is not a complaint?

9. We receive a lot of service requests, and these are slightly different from complaints. A service request is a contact from a customer to the Council requiring action to be taken to put something right. Examples include:


- Reporting a missed bin collection.
- An issue reported to us for the first time eg the need for a housing repair.
- Asking us to reconsider a decision that has been made.

10. Talking with the relevant service should enable them to put the issue right straight away or allow them to explain why they can't.

11. If you are unsure who the best person to speak to is, please contact our Customer Service Centre [01329 236100](tel:01329236100) customerservicecentre@fareham.gov.uk
12. If a service request is raised via the complaints system, it will be passed to the correct service to deal with as any other enquiry to that service would be.

13. How to Raise a Complaint

You can make a complaint in a range of ways:

- Residents can raise a complaint in the following ways:
 - By using the [online complaint form](#)
 - By printing off a [paper version of complaint form](#)  (390 KB).
 - By telephone: [01329 236100](tel:01329236100)
 - Email: complaints@fareham.gov.uk
 - By letter: Complaints Team, Fareham Borough Council, Civic Offices, Civic Way, Fareham, PO16 7AZ
 - In person
 - Using an audio recording
 - In different languages
14. We accept complaints made on your behalf by third parties or representatives eg Councillors and will handle them as if you made the complaint yourself. Once a complaint has been submitted, Councillors will not be involved in investigating the matter or providing a response to the complainant.
 15. If you make a complaint against a Councillor, it will be forwarded to our Monitoring Officer. If a Councillor receives a complaint about another Councillor, they will forward it to the Monitoring Officer and then have no further involvement.
 16. We will make reasonable adjustments to help ensure that anyone wanting to make a complaint can do so. Details of how to make a complaint to the Council and Ombudsman are published on our dedicated complaints webpage.
 17. The annual Complaints Performance and Service Improvement report will also be published on the complaints webpage.

18. Our Complaints Process

19. There are 2 Stages of complaints, in line with the Complaints Handling Codes from the Housing Ombudsman and the Local Government and Social Care Ombudsman. Our central Complaints Officer will manage the administration of complaints using the 2 stage process:

Stage 1

20. At this stage a Complaints Handler within the relevant service will investigate your complaint. We will:

- Acknowledge and confirm your complaint within 5 working days of receipt.
- Investigate and respond to the complaint within 10 working days after we acknowledge and confirm your complaint.

21. In exceptional circumstances, particularly where your complaint is complex, we may not meet these timeframes. In this case we will let you know why and when you can expect a response.

Stage 2

22. If you are unhappy with our response at Stage 1, you can request that a more senior officer reviews the handling of your complaint. They will review whether the correct procedures and processes were followed when investigating the complaint in Stage 1. We will:


- Acknowledge your Stage 2 complaint within 5 working days of receipt of your request to escalate from Stage 1.
- Investigate and respond to the complaint within 20 working days of acknowledging your complaint.

23. In exceptional circumstances, particularly where your complaint is complex, we may not meet these timeframes. In this case we will let you know why and when you can expect a response.

Ombudsman Complaints

24. If you are still unhappy with our response after Stage 2, you can ask the Local Government and Social Care Ombudsman or the Housing Ombudsman Service for an independent review.

Local Government and Social Care Ombudsman

- The quickest way to complain to the Local Government and Social Care Ombudsman is to complete an online complaint form. You can also complain by telephone.
- Local Government and Social Care Ombudsman Contact details are:
- The Local Government and Social Care Ombudsman
- Tel: [0300 061 0614](tel:03000610614)
- Text 'call back' to: [0762 481 1595](tel:07624811595)
- Online complaint form: www.lgo.org.uk/make-a-complaint 

Housing Ombudsman

- The quickest way to complain to the Housing Ombudsman is to complete an online complaint form.

- Housing Ombudsman Contact details are:
- Housing Ombudsman Service (for issues relating to Local Authority Housing only)
- Online complaint form:www.housing-ombudsman.org.uk/residents/make-a-complaint/ 
- If you wish to make a complaint by post, you can telephone the Housing Ombudsman Service on [0300 111 3000](tel:03001113000) and they can post you a complaint form.

Complaint Exclusions

21. There are some types of complaint which will be treated in a different way. Some examples of this are:

- Refusal of planning application, or the failure to make a decision within a given period – Appeals process.
- Freedom of Information, Environmental Information Regulations or Data Protection legislation matters.
 - i. Member complaints
- Any other matters for which an alternative statutory or Constitutional appeals mechanism exists, including:
 - i. Parking appeals
 - ii. Licensing appeals
 - iii. A Benefits or Council Tax decision.
 - iv. A Homeless decision

22. We will always consider the individual circumstances of each complaint. However, in some instances, we will not investigate your complaint. Some examples of this are:

- The issue giving rise to the complaint occurred over twelve months ago.
- 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.
- Matters that have previously been considered under the complaints policy.

23. In these cases, we will let you know the reasons why we are treating your complaint differently, or not investigating.

24. Unreasonable Complaint Behaviour Policy

25. A copy of our policy can be viewed: [Unreasonable Complaint Behaviour Policy](#)

26. Exceptional Circumstances

27. If we are unable to comply with the Code due to exceptional circumstances, such as a cyber incident, the Council will:

- Inform the Ombudsman.

- Provide information to residents who may be affected.
- Publish details on our Complaints Webpage, including a timescale for returning to compliance with the Code.

28. Reporting on the Complaints Code

29. To ensure we monitor and learn from complaints we will provide regular updates to our Senior Leadership Team.

30. The Chairman of the Council's Audit and Governance Committee will be the Member Responsible for Complaints. They will receive an annual Complaints Performance and Service Improvement report presented at the Audit and Governance Committee to consider. This will include:

- An annual self-assessment against Ombudsman's Code.
- A qualitative and quantitative analysis of our complaint handling performance, including a summary of the types of complaints we have refused to accept.
- Any findings of non-compliance with this Code by the Ombudsman.
- Service improvements made as a result of the learning from complaints.
- Any annual reports about the landlord's performance from the Ombudsman; and
- Any other relevant reports or publications produced by the Ombudsman.

31. The report along with the minutes of the Audit and Governance Committee will be made available on the Council's Complaints Webpage.

32. Publicising our approach to complaints

33. To ensure that people can easily make a complaint if needed we will:

34. Publicise the Complaints Policy alongside information on the Ombudsman and Complaints Codes on our dedicated Complaints Webpage, social media accounts and our 44 public noticeboards.

35. Details on the Council's complaints policy will be included in customer satisfaction surveys.

36. We will make reasonable adjustments where appropriate under the Equality Act 2010 to allow individuals to make a complaint. A record will be kept of any adjustment made and be kept under active review.