**Corporate Complaints Policy**

**April 2025**

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## 1. Introduction

At Reigate & Banstead Borough Council, we aim to provide an excellent experience every time our services are used, but we recognise that occasionally things can go wrong. When that happens, we would like the opportunity to put things right. The majority of issues are usually resolved at the first point of contact. If a service falls below our expected standard, our officers will work with the customer to resolve any issues as quickly as possible. We understand that the customer may want to make a complaint.

Compliments, comments, and complaints from customers help us identify when we have done well and where we could do better. It can help us to see which processes should be reviewed and improvements made. We pass on compliments to staff and look very carefully at comments and complaints that we have received. This gives us an opportunity to critically evaluate our service and learn.

We have a positive complaints culture, where we welcome complaints as an opportunity to learn and improve our services as well as to restore and maintain good relationships with our customers.

This document explains our complaints service. We will ensure it is shared widely with our customers, including on our website, through social media channels, and across our regular communication to customers.

Where a third party manages complaints on behalf of the Council, we will ensure complaints are managed in line with the Local Government and Social Care Ombudsman Complaint Handling Code or the Housing Ombudsman Service’s Complaint Handling Code.

## 2. Who can make a complaint?

We accept complaints from residents, local businesses, visitors to the area, suppliers of services, community groups and any other groups or individuals who use or are affected by our services. We also accept complaints from people acting on behalf of someone else for example family, friends, Citizens Advice, representatives, and others such as councillors, members of parliament (MPs).

We cannot investigate a complaint where data protection could be compromised as a result of responding, without the explicit consent of the person who is implicated in the complaint.

## 3. What is a complaint?

A complaint is an expression of dissatisfaction, however made, about the standard of a service, actions, or lack of actions by the Organisation, its own staff or those acting on its behalf, affecting an individual or group of individuals or residents. These are usually made when a customer needs an explanation or response. The customer does not have to use the word “complaint.” It might be about the:

* Failure to deliver a service.
* Delay in providing a service.
* Quality of service.
* Behaviour of a member of staff.
* Failure to follow an agreed policy.

The council will raise complaints where a customer, or their representative, expresses dissatisfaction with the response to a service request, even if the handling of the service request remains ongoing.

## 4. What isn’t a complaint?

We do not consider the following to be a complaint:

* A request for a service or to put something right, for example noise nuisance, removal of fly tipping, or a missed recycling or waste collection. You can request a service by using the website to report an issue or by calling us. We will record service requests, and they will be recorded, monitored, and reviewed regularly. Requests for a service can be made at:
	+ - * + [**Report it | Reigate and Banstead (reigate-banstead.gov.uk)**](https://www.reigate-banstead.gov.uk/report-it)
* A request for information or an explanation of council or government policy.
* Where there is a disagreement with the decision made, for example planning decisions, benefit decisions and parking fines. Links to these services are below:
* Planning: [Planning Appeals](https://www.reigate-banstead.gov.uk/info/20241/what_happens_after_a_planning_submission/154/planning_appeals)
* Benefits: [Housing Benefit and Council Tax Reduction Appeals](https://reigate-online.victoriaforms.com/Viewer-VicForms.asp?user=anon&Form=Standard%20HBCTR%20Appeals%20(1.0).WDF)
* Parking Fines: [Challenge your parking fine](https://www.reigate-banstead.gov.uk/info/20150/parking/269/challenge_a_parking_fine)

### 4.1 Making a complaint about a councillor?

There is an alternative complaint process for complaints about councillors. The Council has adopted a Code of Conduct to ensure high standards in the way Councillors undertake their duties:

[**Council Member Code of Conduct**](https://www.reigate-banstead.gov.uk/info/20400/your_council_documents/1236/member_code_of_conduct)

Complaints about failures for councillors to follow this Code can be made using the online form below:

[**Councillors and committees - councillor complaints - My Reigate and Banstead (reigate-banstead.gov.uk)**](https://my.reigate-banstead.gov.uk/service/Councillors_and_committees___councillor_complaints)

When we will not accept complaints

In some circumstances a matter will not be treated as a complaint or escalated. This list is not exhaustive but includes circumstances when we may not deal with something as a complaint:

* It is referring to a service not provided by the council.
* The event or issue took place over twelve months ago.
* Where legal proceedings have been started by either party. 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 through the complaints process.
* Where there is a suitable alternative policy in place which has an appeals process. For example, right to appeal to an independent tribunal for Planning applications, Benefits Decisions, Rights to Review for Housing register applications or Homelessness decisions. We may consider complaints about the way a process is handled.
* If an external process such as a Court of law, Tribunal, Ombudsman has made a determination on a decision, we cannot consider it again as a complaint.
* We will not consider expressions of dissatisfaction made through survey as a complaint. However, when we ask for feedback on our services, we will signpost customers to our complaints policy.

Each situation will be considered individually, and if we do decide not to accept a complaint, we will provide a detailed explanation explaining any decision that a matter is not suitable for the complaints process and their right to take that decision to an Ombudsman Service. We will record instances where we decide not to raise a complaint.

**5. 3rd Party Supplier Complaints**

* The Provider must comply with the Local Government & Social Care Ombudsman and/ or Housing Ombudsman Service Complaints Standards and Code of Practice

The Council requires the supplier/service provider to notify the Council of any complaints, within two working days of receipt. The Supplier / Service provider will respond to both Stage One and Stage Two complaints (as identified in the Council’s complaints policy). In handling both Stage One and Stage Two complaints, the provider must provide drafts of proposed responses to the Council for approval prior to responding to the complainant.

The supplier cannot require a complainant to conclude a separate company/supplier complaint process before handling a complaint as a Stage One complaint.

Any complaint then escalated to the Ombudsman will be managed by the Council but will require the full cooperation of the provider including supply of all relevant documentation.

The provider will supply an annual report outlining complaints received, upheld, escalated and reasons along with the required KPIs.

## 5. How to complain

 A Complaint can be made in any of the following ways:

* **Complete a complaint form online**
	+ - * The easiest way to make a complaint is to use the online [complaints form](https://www.reigate-banstead.gov.uk/info/20313/contact_us/347/complaints). Please provide as much detail as possible including, your view of what will remedy your complaint.
* **Email***donotreply@reigate-banstead.gov.uk*
* **Write to** Reigate & Banstead Borough Council

Town Hall

Castlefield Road

Reigate

Surrey RH2 0SH.

* **Visit us in person and we will record the complaint**
Our current opening hours are available on the website.
* **Call our Contact Team** on 01737 276000 or SMS 0783 462 6468 if you are deaf or hard of hearing and an Advisor will complete a form on your behalf.
* **Report it directly to any member of staff.**

The Head of Communications, Customer Contact and Data and Insight is our “complaint officer”. The complaint officer defers Stage 1 complaints to the relevant service unit and each service unit has the authority to act to resolve complaints and have access to colleagues at all levels.

The Head of Communications, Customer Contact and Data and Insight defers Stage 2 investigations and contact with the Local Government and Social Care Ombudsman Service and the Housing Ombudsman Service to the Democratic Services Team.

### 5.1 Accessibility and awareness:

The Compliments, Complaints and Feedback policy will be published on the council’s website alongside details of the Local Government and Social Care Ombudsman and Housing Ombudsman. Information about the Housing Ombudsman will be given directly to the council’s own social housing tenants.

We will, on request, produce this policy in other languages and formats so everyone can access, understand, and use it.

### 5.2 Social media

When a complaint is received via social media, we will respond by providing a link to our online complaints process. This ensures we capture all the information we need in a confidential manner.

### 5.3 How we manage unreasonable complaint behaviour

We understand it can be frustrating when we do not meet your expectations. We will do everything we can to resolve your complaint. We will always treat customers fairly and with respect, regardless of their complaint and most customers who contact us are polite and reasonable.

We ask customers to:

* Treat our staff with respect.
* Not use abusive language or behaviour when dealing with us.
* Comply with all reasonable requests we make in trying to resolve concerns.

Occasionally a customer makes a complaint in an unreasonable way for example repeatedly, obsessively, or aggressively. We will write to explain why their behaviour is unacceptable and give them the opportunity to change their approach. We will continue to investigate the complaint in the usual way.

The decision to determine a complainant’s behaviour as unreasonable will be made by the Council’s Monitoring Officer or a member of the Council’s Senior Management Team. In making the decision, consideration will be given to the provisions in the Equality Act 2010.

Where a complainant’s behaviour is determined as unreasonable, restrictions will be placed on contact with the council. This will be reasonable and proportionate. Restrictions may include limiting contact to a single officer or email address or number of communications within a given period.

The Monitoring Officer will write to the complainant to explain the reason for this decision. The Monitoring Officer will record the details in a register and review the decision after six months.

The Monitoring Officer will write to the complainant to tell them if they have been removed from the register or if they will remain on it for a further six months, when a further review will be carried out.

6. Complaint Process

 We expect most customer concerns about service requests to be quickly and easily resolved by contacting the member of staff or team providing the service. We will do our utmost to resolve matters at this stage.

If that is not possible, we have a complaint process. On receipt of a customer or representative’s complaint and at every stage of the complaint process we will provide clear information about who will be responding. This will include how to escalate if you are dissatisfied with the response and how to access the Local Government and Social Care Ombudsman or Housing Ombudsman for support.

Our complaint handlers are trained and have an objective to provide an excellent service, to work collaboratively, have collective responsibility and act within professional standards.

All complaints will be monitored against milestone dates in line with our two stage complaints procedure. We will keep a full record of the complaint, our response and correspondence with customers at every stage.

### 6.1 Stage 1

If customers are not satisfied with the service, they have received from us they can make a complaint. We aim to resolve most stage 1 complaints promptly.

If any aspect of the complaint is unclear, we will ask for clarification, and if needed, agree with the complainant or representative exactly what the complaint is about. We will consider which complaints require further investigation, the complexity of complaints and whether an individual is vulnerable or at risk when undertaking the investigation or we need to make reasonable adjustments.

Where an individual or their representative raise additional complaints during their investigation, we will incorporate these into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, if it would delay the response, we will log the additional issues as a new complaint.

At Stage 1, we will:

Acknowledge the complaint, define it and provide a reference number, within 5 working days or sooner of the complaint being received.

An officer trained in dealing with complaints from the relevant service, will fully investigate and respond to complaints within 10 working days of the complaint being acknowledged. Where a complaint is complex a longer timeframe may be necessary. We will inform the individuals of the expected timescale for the response. Any extension will not be longer than 10 working days without explanation to the individual.

Where an extension to these timeframes is given the council will provide contact details of the relevant Ombudsman.

The Organisation will confirm the following in writing to the individual at completion of stage 1 in clear and plain language:

* The complaint stage.
* The complaint definition.
* The decision on the complaint.
* The reasons for any decision made.
* The details of the 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.

A complaint response will be provided to the individual when the answer to the complaint is known. We will monitor any commitments or outstanding actions made in complaint responses to ensure they are delivered. We will make sure to keep customers updated.

### 6.2 Stage Two

If you are not satisfied with the outcome of the investigation at Stage 1, you can escalate your complaint to Stage 2 of our complaints process at your request or that of your representative.

The Stage 2 investigation will be undertaken by a different, suitably qualified colleague.

**How to make a Stage 2 complaint:**

Please email: **democratic@reigate-banstead.gov.uk**and include your name and Stage 1 reference number for example CC-12345678, in the subject line, if you can locate it.

We do not require customers to explain their reasons for a stage two investigation. But customers can consider including the following in requests as this will help us during the investigation:

* Were any of the issues addressed in your Stage 1 complaint not covered in the response?
* Were any of the factual findings provided at the Stage 1 response incorrect?
* Include any other reasons of factors such as additional information or evidence now being available to support your complaint or provide more detail on the specific matters that you require to be investigated at Stage 2.

At Stage 2, we will:

* Set out our understanding of the complaint and the outcomes being sought. We will seek clarification on any aspect of the complaint that is unclear.
* Within 5 working days of the request being received, acknowledge the request, set out our understanding of any outstanding issues and the outcomes being sought and provide a reference.
* Respond to the stage 2 complaint within 20 working days of the complaint being acknowledged. The Monitoring Officer will consider the complexity of the complaint and inform individuals of any expected timescale for the response. Any extension will not be longer than 20 working days without explanation to the individual.
* Where an extension to these timeframes is given, the council will provide contact details of the relevant Ombudsman.

Investigating officers will consider your Stage 1 complaint and, if at Stage 2 you wish to raise new complaints they will be referred as separate (new) stage 1 complaints. The Organisation will confirm the following in writing to the individual at the completion of stage 2 in clear and plain language:

* The complaint stage.
* The council’s understanding of the complaint.
* 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 relevant Ombudsman service if the individual remains dissatisfied.

A complaint response will be provided to the individual as soon as the answer to the complaint is known. We will monitor any commitments or outstanding actions made in complaint responses to ensure they are delivered. We will make sure to keep customers updated.

Your Ward Councillor or the appropriate Executive Member or Chairman of the relevant Council Committee will be informed of your complaint and the outcome of the investigation.

## 7. What to do if you are dissatisfied with the outcome of the Council’s handling of your complaint.

If you are dissatisfied with the Council’s handling of your stage 2 complaint, you have the right to refer the matter to an Ombudsman Service. These services are independent bodies set up in law to review complaints. There are two Ombudsman services, each handles different types of complaint.

**Local Government and Social Care Ombudsman**

The Local Government and Social Care Ombudsman (LGSCO) is independent of Government or local councils and provides impartial, confidential, and free investigation of complaints that are within our jurisdiction. For example, whether a council gave you incorrect information, made a decision in the wrong way, treated you unfairly, did not follow its own rules or the law or took too long to do something. Please be aware the LGSCO does not investigate matters relating to permanent social housing, it does investigate complaints about emergency or temporary accommodation for homeless households. The Housing Ombudsman deals with complaints about permanent social housing, including councils’ role as social landlords.

Before the LGSCO can investigate a complaint, the council must be given an opportunity to answer the complaint. The Ombudsman will only usually investigate complaints that have been through the council’s own complaints procedure.

To find out more, visit the Local Government and Social Care Ombudsman's website at [**http://www.lgo.org.uk/make-a-complaint**](http://www.lgo.org.uk/make-a-complaint) . Their address details are as below:

Local Government & Social Care Ombudsman

PO Box 4771

Coventry

CV4 0EH

Phone: 03000610614

**Housing Ombudsman Service**

The Housing Ombudsman investigates complaints about permanent social housing. It does not investigate complaints about temporary or emergency accommodation, homelessness, or the housing register. It investigates complaints from residents about landlords that provide social housing, about housing management, for example property condition and repairs, charges, complaint handling and anti-social behaviour affecting residents in their homes.

The Housing Ombudsman can only consider a complaint for investigation where they have evidence that the issues have been raised and considered via the council’s own complaint process.

To find out more about the Housing Ombudsman visit their website at [housing-ombudsman.org.uk.](https://www.housing-ombudsman.org.uk/)

The Housing Ombudsman has an email and online complaint form and strongly advises residents to use these rather than the postal address.

Email them: info@housing-ombudman.org.uk

Phone: 0300 111 3000

Write to:

Housing Ombudsman Service

PO BOX 152

Liverpool

L33 7WQ

## 8. How we respond to complaints

When we respond to a Stage 1 or a Stage 2 complaint, we will:

• Speak to you to ensure that we have understood the nature and details of your complaint and address the issues raised.

• Explain the relevant policy/procedure or level of service provided for the area the complaint relates to.

• Set out what we have done to resolve the issue.

• Give a clear decision about whether the complaint is upheld, or not upheld, partially upheld, or resolved.

• Provide details about what the complainant should do if they are not satisfied with the outcome of the complaint.

* Let you know the timeframe for our response and notify you in advance if we need more time to consider your complaint.

### 8.1 Putting things right

After investigating your complaint, if we are at fault, we will do our best to put matters right. If we decide we cannot do anything, we will explain why.

Where the service has not met our standards, or something has gone wrong we will acknowledge this and set out the actions we have already taken or intend to take to put things right. These can include:

* Apologising.
* Acknowledging where things have gone wrong.
* Providing an explanation, assistance, or reasons.
* Taking action if there has been a delay.
* Reconsidering or changing a decision.
* Amending a record or add a correction or addendum.
* Changing policies, procedures, or practices.
* Where appropriate, we will say what has been learned from the complaint.
* This can include offering a financial remedy if that’s appropriate. Any financial remedy due as a result of a complaint will be informed by the Local Government and Social Care Ombudsman’s policy and guidance or the Housing Ombudsman’s Service policy and guidance on remedies.

8.2 How we learn and improve

We aim to resolve complaints efficiently and effectively. At a service level, teams within the council are tasked with evaluating complaints to assess patterns, gaps in services, procedures practices and staff training and with implementing changes.

At a senior management level, complaints are reviewed and monitored on a quarterly basis. The purpose of all monitoring is to identify and action improvements to our practices, training needs or changes to our processes.

We encourage our elected Members to raise any issues or potential areas for improvement as and when they become aware of them.

## 9. Governance and oversight of complaints

The Council monitors and reports the performance of our complaints service to our Corporate Governance Board and our customers.

The Head of Communications, Customer Contact and Data & Insight is the officer responsible for complaints. They have responsibility for ensuring the Council has a positive complaint handling culture and ensuring the Board receives regular reports on complaints which provide insights on performance.

The reports to the Corporate Governance Board on complaints will include:

* Updates on the volume, categories, and outcomes of complaints
* Details of our complaint handling performance
* Analysis and reviews of issues and trends arising from complaints
* Updates on the outcomes of Ombudsman investigations and progress made in complying with orders related to severe maladministration findings.

The Council will also complete an annual complaints performance and improvement reports for scrutiny and challenge. It will include:

* the annual self-assessment against the Complaint Handling Codes
* an analysis of the council’s complaint handing performance and summary of the types of complaints the council refused to accept
* any findings of non-compliance with the Complaint Handling Codes by either Ombudsman Service
* service improvements made as a result of the learning from complaints
* any annual report about the landlord’s performance from the Housing Ombudsman Service
* Any other relevant reports or publications produced by the Ombudsman Service in relation to the Council’s services including the work of the landlord.

This report will be considered by our Board and published on our website alongside the Board’s response to it. It will also be shared with the Ombudsman services.

Self-assessments and service improvement plans will be published on the council’s website.

The council will comply with the Codes set out by both Ombudsman. If we are unable to comply with the Codes for an exceptional reason, such as a cyber incident, we will inform the Ombudsman Services, provide information to customers, and update our website at the earliest opportunity.

## 10. Equality, Diversity, and Inclusion

The Council believes that our residents, and customers should be treated as individuals and with fairness and respect. We will ensure these principles are applied fairly and consistently to all. Our approach is outlined in our Corporate Equality Policy and Equality Objectives.

We will have regard to reasonable adjustments, as defined by the Equality Act 2010, required by customers assessing our complaints process. This includes anticipating reasonable adjustments, keeping a record of agreed adjustments, and reviewing these as needed, as well as recording any disabilities disclosed. Customers with support needs may make use of a representative or use organisations such as Citizens Advice.