Corporate Complaints Policy

Wandsworth Council

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1. Introduction

This policy covers Corporate Complaints where recourse is to the Local Government & Social Care Ombudsman (LGSCO) and Housing Ombudsman Service (HOS).

Thid HOS generally cover some matters relating to housing associations and local housing authorities which are:

- Leasehold services
- Moving to a property
- Rent and service charges
- Occupancy Rights
- Property condition – repairs and improvements
- Tenant behaviour
- Estate management
- Complaint Handling
- Compensation

For any other corporate complaint, recourse will be to the LGSCO.

2. Our approach

At Wandsworth Borough Council we want to provide our residents, businesses and visitors with good quality services delivered in a helpful and efficient way. This document explains how we record and act upon this feedback, listening to the experiences of our customers - positive or negative - to make improvements in services.

We take a positive approach to complaints and value them as an important form of feedback on our services. We want to learn from complaints, and use the lessons learned to review and where necessary improve the services we offer and to help develop and train our staff.

The Council responds to complaints in line with the standards set out in the LGSCO and HOS Joint Complaints Handling Code. We also carry out an annual self-assessment to make sure our complaints handling remains compliant with the code.

3. Complaints and Service Requests

The Council's definition of a complaint

"An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation/landlord, its own staff, or those acting on its behalf, affecting an individual/resident or group of individuals/residents".

One way to make a complaint is by using the Council's online forms at https://www.wandsworth.gov.uk/the-council/have-your-say/make-a-complaint/

The definition of a fault or service request

"*a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision "*.

Issues such as missed bin collections, faulty street lights, street cleaning issues or requesting repairs to your property may not, in the first instance, be treated as a formal complaint.

Most contacts about matters such as refuse collections, dog fouling, graffiti, fly tipping, street related issues or minor repairs will be dealt with as faults or service requests.

If you need to raise the same issue more than twice or are dissatisfied with how your service request has been handled, the issue can be dealt with as a formal Stage 1 complaint.

However, we can treat a service request as a Stage 1 complaint straight away if that is your preference.

You can make a service request or report a fault by using the Council's online form at https://www.wandsworth.gov.uk/report, or by calling Customer Services on 020 8871 6000.

4. What is a complaint?

We will take the following points into consideration when assessing your complaint:

- the nature of the issue and whether the Council's Corporate Complaints Procedure is appropriate in the circumstances; and
- what you would like to happen next.

A complaint may concern one or more of the following:

- The Council has done something which you consider should not have been done
- The Council has failed to do something that you consider should have been done
- The service provided by the Council was not good enough; you received poor quality of service or there was poor communication
- There has been a failure or a delay in providing a service
- Mistakes were made in the way a decision has been reached
- The Council has given incorrect or misleading information
- Staff have been rude or unhelpful or behaved inappropriately

The above list is not exhaustive, and we will consider each issue individually.

5. Exclusions from the Corporate Complaints Policy

Services for which there is an alternative appeal or tribunal process will not be dealt with using the Corporate complaints procedure. These include for example:

- Refusal of planning permission
- Planning enforcement
- Parking tickets (parking control notices)
- Blue Badge decisions
- School admissions
- School exclusions
- Special Educational Need decisions (including decisions made as part of the Education, Health and Care Plan process)
- Housing Benefit disputes
- Council Tax disputes

- Homelessness decisions
- Building Control services are regulated by the Building Safety Regulator (BSR). As a result, some complaints fall outside the scope of the Local Government and Social Care Ombudsman (LGSCO). In addition, where a Building Control application has been submitted and you wish to challenge the substantive outcome of a decision, rather than the Council's handling of the application, the appropriate legal appeals process must be followed rather than the complaints procedure.

The following matters will **not** be put through the Corporate Complaint Procedure:

- First time requests for services (faults/service requests) e.g. a dripping tap.
- Requests for information (these are dealt with under separate procedures: the Freedom of Information Act and Subject Access Requests)
- Data protection complaints as there is a separate complaints process and final recourse is the Information Commissioner's Office
- Data breach or security incidents as there is a separate reporting process and final recourse is the Information Commissioner's Office
- Matters for which there is a right of review, appeal, or an alternative complaints procedure.
- A complaint that has already been considered by the Council and completed both stages of the Corporate Complaints' Procedure.
- A complaint where a decision has already been reached by a court, an appeal process, or an external independent tribunal
- A complaint where either the customer or the Council has started legal proceedings
- A complaint that is being, or has been investigated, by the LGSCO or HOS
- Any complaints that are made by people or organisations working with the Council in their professional capacity, e.g. another local authority or an external provider or contractor. This complaints process is for complaints made by members of the public.
- Matters that come under the Council's employment procedures

- Complaints about a registered housing provider outside the Council's jurisdiction.
- Complaints against an elected Councillor – there is a separate procedure (Appendix 1)
- Complaints about lawful decisions taken by a Committee of the Council
- Complaints about Children's or Adults Social Care – the statutory complaints procedure should be used for these (Appendix 1)
- Insurance claims against the Council
- **Antisocial behaviour**: You should report antisocial behaviour to the police or your social housing provider. Visit our antisocial behaviour page for more information https://www.wandsworth.gov.uk/community-safety/antisocial-behaviour/how-to-report-antisocial-behaviour/

If we do not accept your complaint, we tell you why the matter is not suitable for the Corporate Complaints Procedure and the right to take this decision to the LGSCO or HOS.

6. Who can make a complaint?

Anyone who uses or is affected by our services can make a complaint, including:

- Our residents
- People who work in the borough, local businesses
- People who visit the borough
- A representative acting on your behalf. This could be a relative, friend, carer, solicitor, or an advocate from an advice agency (please note that we usually require your consent for them to act on your behalf).

Anonymous complaints

We will deal with anonymous complaints on an individual basis and determine whether further action is appropriate. The action we take will be dependent upon the substance of the matter and the amount of information provided.

7. Outsourced Services

Where the Council has outsourced a service, while it no longer provides that service directly, it remains responsible for it and for the actions of the organisation providing that service. We would usually expect you to submit a complaint direct to the organisation delivering the service and allow them to respond to your complaint. If you complete their complaints procedure and remain dissatisfied, you can contact the LGSCO or HOS straight away. You do not need to go through two complaint processes. However, you can contact the relevant service at the Council and ask for your complaint to be addressed under the Council's Corporate Complaints procedure if this is your preference.

8. How to make a complaint

You can raise your complaint in any way and with any member of staff. For example, in order to raise a complaint, you can do one of the following:

- Use the Council's online complaint form on our website www.wandsworth.gov.uk\complaints
- Send an email to the person you have been dealing with or the service that you are not happy with
- Write a letter to, or telephone, the person you have been dealing with or the service that you are not happy with.
- Speak to a staff member face to face, who will provide a summary of your complaint

Details of your complaint

When making your complaint, please:

- Provide your contact details (and the details of the person you are making the complaint on behalf of, if appropriate)
- Include all the relevant points of your complaint.
- Be clear about what you hope to achieve and what will put the matter right. Your desired outcomes should be fair and proportionate to the issue raised
- We understand that you may feel strongly about your complaint but would ask that you are polite and refrain from being aggressive

9. The Corporate Complaints Procedure

This procedure covers all eligible complaints except where the subject of complaint is outside the scope of this procedure. Other useful information can be found in Appendix 1.

Stage 1 – Investigation (10 working days)

- When you raise an issue, we will check to see whether we should treat it as a complaint under the Corporate Complaints Procedure.
- We will need clear details of your complaint and to know what outcome is required to assist the service in resolving the complaint.
- In some cases, further information may be needed about the complaint for the service to fully consider the matter. If further details are required, we will contact you and ask for more information. We may not be able to progress your complaint until this information is provided but we will let you know if this is the case.
- In some exceptional circumstances we may need to meet with you to discuss your complaint, or to see evidence in person, but this is not normally required
- A Service Manager from the service being complained about will oversee an investigation and come to a decision about your complaint.
- In some cases, we will contact you to discuss the complaint and explore how it might be resolved to your satisfaction. We will not always be able to take the action you wish but we will do our best to look at all available options.
- If the complaint is about the Service Manager, a more senior person will handle the complaint.
- We will acknowledge your complaint within **five** (**5) working days** and we will respond to your complaint within **ten** (**10) working days**. This will mean you will receive a response **within fifteen (15) working days** from the date your complaint is received.
- If your complaint is more complex and we are not able to do this, we may need to extend the timescale **for an additional 10 working days** and we contact you to explain why more time is needed.

Stage 2 – Review (20 working days)

- If you remain dissatisfied following receipt of a Stage 1 response, you can request that your complaint is reviewed at Stage 2. Please try to submit your request within 20 working days of receiving the Stage 1 response.
- It is helpful if you can explain why the Stage 1 response has not resolved your complaint and what outcome you are seeking in order to resolve the matter at Stage 2. If we understand why you are not satisfied with the Stage 1 investigation, it will be easier for us to provide the resolution you are seeking.
- We will acknowledge receipt of your complaint within **five** (**5) working days** and provide a written response, with a decision on your complaint, following a review at Stage 2 within **twenty (20) working days.** This means you will receive a response **within twenty five (25) working days** from receipt of your stage 2 complaint.. If your complaint is more complex and we are not able to do this, we may need to extend the timescale for an additional 20 working days and we will contact you to explain why more time is needed. Stage 2 will be a review of your complaint and the response you have received – it will not re-investigate the matter.
- This will be the Council's final decision and marks the end of the Corporate Complaints Procedure.

At the end of the Stage 2 response, you will be provided with the contact details of the LGSCO or HOS, as that would be your next and final recourse if you are still unhappy.

10. Time limits

Complaints to the Council should be made within 12 months of a person becoming aware of the issue they want to make a complaint about. This is because it is easier to find out what happened and to put things right when complaints are received as close to the time that something happened. As time passes it becomes more difficult to investigate complaints fairly and fully, because staff members may have moved on, recollections may have changed, and records may no longer be available. We may accept complaints outside of this timescale in exceptional circumstances.

11. Remedies

As far as possible, we aim to put you back in the position you would have been in if there had been no fault by the Council. There are a number of actions we can take to put things right. In some cases, the Council may offer financial remedy if you are out of pocket because of our mistakes, or if you have been caused undue hardship, inconvenience, or distress. We follow the remedies guidelines issued by the LGSCO and HOS in deciding the appropriate amount of financial remedy.

12. The Local Government & Social Care Ombudsman (LGSCO)

If you have been through both stages of our complaints procedure and remain unhappy, you can ask the LGSCO to consider your complaint. The LGSCO will look at what the Council has done to see whether there have been any errors or failures and if so, how this has affected you.

The LGSCO investigates complaints in a fair and independent way, they do not take sides and provide a free service. The Ombudsman expects you to have given the Council a chance to deal with your complaint before you contact them. If you have not heard from us within a reasonable time, the Ombudsman may decide to look into your complaint anyway.

The LGSCO is the final stage for complaints about Councils and some other organisations providing local public services. It also investigates complaints about all adult social care providers (including care homes and home care agencies) for people who self-fund their care. The LGSCO will make their own assessment about whether a further investigation is needed and will keep you informed.

Website: https://www.lgo.org.uk

Telephone: **0300 061 0614**

13. The Housing Ombudsman Service (HOS)

The HOS looks at complaints about social housing, including local housing authorities, housing associations, and other landlords, housing managers and agents. If your complaint is about Wandsworth Council, as your social landlord and you have completed both stages of our

complaints procedure and remain unhappy, you can ask the Housing Ombudsman to review your complaint.

The Housing Ombudsman investigates complaints in a fair and independent way and expects you to have given the Council a chance to deal with your complaint first.

The HOS is the final stage for complaints about social housing provided by Wandsworth Council. The Housing Ombudsman will make their own assessment about whether a further investigation is needed and will keep you informed.

Website: https://www.housing-ombudsman.org.uk/
Telephone: 0300 111 3000

14. The Energy Ombudsman

The Energy Ombudsman investigates complaints between consumers and energy suppliers. From 1 April 2025, under the new national consumer-protection regime, Councils and housing providers that operate communal or district heating systems are under the Energy Ombudsman's remit. Ofgem became the formal regulator from January 2026.

This Energy Ombudsman is the final stage for complaints from residents connected to heat networks if they have an unresolved heating complaint that has completed both stages of the corporate complaints process.

The Housing Ombudsman Service will continue to cover all other landlord functions (see section 13 above).

Where a complaint concerns a heat-network (communal or district heating) service, the total time taken to respond across all stages must not exceed 8 weeks, in line with Energy Ombudsman requirements. Where an extension would otherwise be available under the Corporate Complaints Procedure, this will **not apply** if it would exceed the statutory 8-week limit.

15. Further help and support

The following organisation may be able to offer general advice and guidance.

Citizens Advice (CA)

https://www.citizensadvice.org.uk or https://cawandsworth.org

Citizens Advice Wandsworth Telephone Advice Line: 0800 278 7833 (Lines open Monday to Friday 10am to 4pm except public holidays.)

Battersea Centre Battersea Library, Clapham Junction, 265 Lavender Hill, SW11 1JB (Open Mon/Tues/Wed & Fridays 10am-4pm except public holidays).

Roehampton Centre (temporarily relocated), Battersea Library, Clapham Junction, 265 Lavender Hill, SW11 1JB (Open Tuesday and Thursday only, 10am – 4pm except public holidays)

Other Organisations Providing Assistance

Assistance can also be obtained from a specialist advice or advocacy organisation, such as:

- Age UK Wandsworth – https://www.ageuk.org.uk/wandsworth
- Brent, Wandsworth and Westminster MIND – https://www.bwwmind.org.uk
- POhWER (Independent Health Complaints Advocacy https://www.pohwer.net:
  You can also contact on 0300 456 2370 or email pohwer@pohwer.net
- SHELTER, https://england.shelter.org.uk/get_help
  Open Monay to Friday 9.30am to 5pm. You can also contact on 0344 515 1540 (25+ years) or 0330 053 6091 (under 25 years).

VoiceAbility is a charity which supports people in having a voice through providing professional and independent advocacy support. They offer independent mental capacity advocacy, care and support advocacy, and community advocacy.

Telephone:**0300 303 1660**

Email: helpline@voiceability.org
Website: https://www.voiceability.org

16. Reasonable Adjustments

We want to make it easy for anyone who wants to complain to do so and in line with the Equalities Act 2010 will consider reasonable adjustments for residents who may need access to the complaints process. For example, if you need an interpreter or sign language interpreter, need information translated into another language, in Braille, on audio tape or in electronic format, or are neurodivergent and require information to be more accessible to suit your needs, please tell us when you first make your complaint, so we can make appropriate arrangements for you. The Council will always do its best to meet customers' needs.

Contact information:
For more help or information, customers can contact the Corporate Complaints Team
Email: corpcomplaints@richmondandwandsworth.gov.uk

17. Data, Monitoring and Recording

Monitoring and Recording

The Corporate Complaints Team and Council Directorates keep electronic logging sheets of all complaints and associated information such as:

- Complainant's details (and the details of any representatives if the complaint was made on a person's behalf)
- Complaint details (who, what and which service is being complained about)
- A record of any reasonable adjustments or disabilities a complainant or their representative has disclosed which will be kept under active review
- Documentation and correspondence related to the complaint

The Complaints Manager will monitor complaints on an ongoing basis to ensure that records are kept for each complaint received including the type of complaint, the outcome at each stage and whether the timescale was met.

An Annual Complaints Report will be presented to senior managers and elected Councillors through the relevant committee and will be published on the Council's website alongside our annual complaint handling self-assessment (which measures compliance against the LGSCO and HOS Joint Complaint Handling Code 2024).

The Complaints Manager will aim to quarterly complaints performance reports to senior managers and a bi-weekly complaints tracker report.

Confidentiality

The Council will do all it can to respect your privacy and to protect the personal information we acquire about you when you use our complaints service.

You may be asked to provide personal and equalities information when you first make a complaint. Please be assured we will treat this information in confidence. Any personal information you give on the online or paper complaint form you complete, or as part of your complaint, will only be used by the Council to:

- Help address and resolve your concerns
- Check whether our services and our complaints procedure are equally accessible to every member of the community; and
- Improve our complaints procedure.

Data protection law gives you a number of rights to control what personal information we can hold and how it is used by us. All complaints will be dealt with in accordance with the requirements of the General Data Protection Act 2018 and the Data Protection Act 2018. For further information on how the Council manages your personal data and your rights, please visit: https://www.wandsworth.gov.uk/wandsworth-council-privacy-notice

Information regarding your complaint will only be shared with others within the Council who are directly involved in the matters you have included in

your complaint. They may need to be consulted in order obtain information to assist with providing a full response to the concerns you have raised. You can ask for access to the information we hold on you in connection with your complaint by submitting a Subject Access Request (SAR). More information about the SAR process can be found here: https://www.wandsworth.gov.uk/accessing-your-personal-information-subject-access-request.

Responses to complaints at both stages will be sent in writing to the email or home address you have given us, unless you have specifically requested otherwise.

18. Unreasonable Complainant Behaviour

The Council is committed to dealing with all customers fairly and impartially and to delivering high quality services. This includes to those who wish to complain, offer comments, or provide us with feedback.

Normally, people who wish to complain are allowed full access to the Council and all relevant services. However, there are a small number of complainants who, because of their behaviour and the way they approach Officers in the Council in relation to their complaint, may need to have their contact restricted. They may behave unacceptably or be unreasonably persistent in their contact. This can impede investigating their complaint(s) and can have significant resource implications. These actions can occur either while the complaint is being investigated, or once the Council has finished the complaint investigation.

Any restrictions placed on unacceptable behaviour will be proportionate and demonstrate regard for the provisions of the Equality Act 2010.

The Council has an Unreasonable Complainant Behaviour Policy which can be found on our complaints webpage

Appendix 1

Other useful information

Complaints against Councillors

These complaints are handled under a separate procedure. Complaints about Councillors are viewed as breaches under the Councillors' Code of Conduct and are responded to by the Council's Monitoring Officer. Further details on the process and contact details for the Monitoring Officer can be found at https://www.wandsworth.gov.uk/make-a-complaint-about-a-councillor/

Complaints about Council decisions

Dissatisfaction with lawful decisions made by the Council through the Council's governance processes cannot be challenged and overturned through the Council's complaints process. A lawful decision can only be overturned if successfully challenged in the courts.

Complaints about Children's or Adult Social Care

Most of these types of complaints will be handled under separate, statutory complaint procedures. If you are unhappy about the care or support you or someone you know has received you should let us know as soon as possible. Further information can be found on the Council's website.

Wandsworth Children's Social Care:
https://www.wandsworth.gov.uk/childrens-services-complaints-process

Wandsworth adults' social care:
https://www.wandsworth.gov.uk/make-a-comment-complaint-or-compliment-about-adult-social-care

Complaints about other registered housing providers

Registered Housing Providers have their own individual complaints procedures, so you will need to contact your landlord or housing association if you wish to register a complaint about a housing related issue.

Complaints by commissioned providers about contractual issue

The Corporate Complaints Procedure is not intended for use by third party providers to raise contractual issues about business matters with the Council. If complaints are received, they will be passed to the appropriate service to either respond as part of regular contract monitoring arrangements, or to provide a response in line with good customer standards.

Complaints by members of staff

Complaints by members of staff or ex-members of staff about issues relating to their employment cannot be investigated through the complaints process. The default should be the post-employment grievance procedure but if that does not apply, responses should be provided in line with good customer standards.

Freedom of Information requests - https://www.wandsworth.gov.uk/the-council/open-data-and-transparency/accessing-information/freedom-of-information/

Data protection - If you want to complain about a data protection matter you should read our Data Protection Complaints Procuedure https://www.wandsworth.gov.uk/the-council/have-your-say/data-protection-complaints-procedure/

Data breach or security incident - You can report a data breach or security incident https://www.wandsworth.gov.uk/the-council/open-data-and-transparency/privacy/report-a-data-breach-or-a-security-incident/

Document Name	Corporate Complaints Policy
Version No.	V6 (April 2026)
Owner	Statutory and Corporate Complaints Service Manager
Approved by	Finance Overview and Scrutiny Committee
Next review date	April 2027