

## Guide to London Councils Complaints Procedure

London Councils has a simple three stage procedure that covers what we do. Please read the information below for details of the kinds of complaints we can investigate and how they will be handled.

### What can we investigate?

We can investigate any of the following through our complaints procedure:

- an unsatisfactory level or quality of service
- concerns about service delivery or non-delivery
- a failure to provide information or give the correct information
- a failure to follow London Councils agreed policies and procedures
- a complaint about the behaviour of staff or contractors employed by London Councils.

### What must be investigated by other procedures?

- Complaints about the Environment and Traffic Adjudicators or the Road User Charging Adjudicators (collectively known as London Tribunals) cannot be dealt with by London Councils; similarly, complaints relating to judicial decisions reached by adjudicators cannot be dealt with under this procedure. For details about when and how to complain about an adjudicator or their decision, please visit the London Tribunals website [www.londontribunals.gov.uk](http://www.londontribunals.gov.uk)

London Councils can only investigate complaints relating to the administrative service that supports London Tribunals. We will deal with any complaints that relate to administrative functions associated with your appeal such as the scheduling or processing of your case.

- Complaints about how we have handled a request for information under the Freedom of Information, Environmental Information Regulations or the Data Protection Act will be dealt with through our internal review procedure.
- Complaints about elected Members should be referred to their own authorities where they are bound by their local code of conduct.

### What can't we investigate?

Sometimes we receive complaints about policy decisions taken by London Councils Member bodies, for example the level of parking fines or the reduction in the Grants scheme. If the complaint is about the policy itself, rather than the way a decision has been taken or a problem with delivery of a service, we will not consider it under our complaints procedure.

We are not able to investigate complaints made against London local authorities because regulation of such organisations does not fall within London Councils' powers. Such complaints will need to be sent to the relevant local authority and if the outcomes remain unsatisfactory, the complaint can be referred to the Local Government Ombudsman.

### Our standards for handling complaints

1. We treat all complaints seriously, whether they are made in person, by telephone, letter, fax, or by email.
2. We will treat complainants with courtesy and fairness at all times.

3. We will aim to meet the timescales set down within our procedures and if, for any reason, we require further time we will tell the complainant the reason why and let them know when we will be able to reply in full.
4. We will not treat a complainant less favourably than anyone else because of their:
  - Age
  - Disability
  - Gender reassignment
  - Marital or civil partnership status
  - Pregnancy or maternity status
  - Race
  - Religion/belief
  - Sex
  - Sexual orientation
5. If a complainant requires assistance in making their complaint, we will provide appropriate help, which may include putting people in touch with a suitable agency which can assist them in making their complaint.

### **Corporate Complaints Procedure – Fair Processing Notice under the Data Protection Act 1998**

London Councils holds and processes personal data in compliance with the Data Protection Act 1998 (DPA). The contact details provided will only be used for the purpose of managing the complaint and for statistical purposes. They will not be shared with a third party.

### **Persistent or vexatious complaints and managing unreasonable complainant behaviour**

Our aim is to deal with all complaints in ways which are demonstrably consistent, fair and reasonable. We reserve the right to handle any complaint made unreasonably, persistently or vexatiously outside of the three stage complaints procedure. Examples of such complaints include those where the complainant causes unnecessary aggravation or annoyance to the organisation, refuses to co-operate with the complaints process, or changes the basis of the complaint as the investigation proceeds and/or introduces new information into the complaint.

### **Making a complaint**

#### Informal Stage

If you or someone you represent is unhappy about a particular service or wish to make a comment or suggestion, you should contact the relevant officer or line manager in that directorate. They can usually sort out mistakes and misunderstandings quickly and informally at this stage, without the need to use our complaints procedure. It is important that if something goes wrong we have the opportunity to put it right.

#### Stage 1 – Initial Complaint

If you are unable to get your issues resolved informally, then you can make a complaint:

- by email at [complaints@londoncouncils.gov.uk](mailto:complaints@londoncouncils.gov.uk)
- by telephone on 020 7934 9845
- by letter to Corporate Complaints Officer at: Corporate Governance, London Councils, 59½ Southwark Street, London, SE1 0AL

When making your complaint please give us as much information as possible. This might include details about:

- What you think we have done wrong or not done?
- How you have been affected?
- What you would like us to do to put things right?
- Any relevant dates, the names of staff you have dealt with, information you have been given
- Copies of any letters or other documents to support your complaint.

Even if you cannot, or choose not to, provide any or all of these details we will still investigate your complaint as fully as possible but any information you can provide will be of assistance.

We will try to sort out mistakes and misunderstandings quickly at this stage and, at the latest, within 15 working days of receiving the complaint.

If you are not happy with the response you receive, you can ask to move your complaints to stage 2, telling us why you are unhappy with the stage 1 response, what has not been addressed and how you would like the complaint resolved. You will need to contact us no later than 28 days after you receive the response.

Please note: Occasionally, we may receive a complaint which we consider is sufficiently serious to escalate it immediately to stage 2 or 3 of the complaints procedure. If this is the case, you will be informed immediately.

### Stage 2 - Directorate Investigation

At Stage 2 your complaint will be referred to the relevant Director who will either deal with the complaint personally or will appoint someone to investigate. That person will usually be a senior member of staff\* or someone who has in-depth knowledge of the area you are complaining about and has not been involved at stage one. We will write to you within 5 working days of receiving your request to let you know that your complaint has been received and is being investigated. We will aim to provide you with a full response within 20 working days. Sometimes, when a complaint is complicated, further time may be needed to conduct the investigation. If extra time is needed, we will contact you to explain why and give a new date when you can expect a full reply.

\*‘Senior member of staff’ refers to those officers mentioned on our ‘Senior Officers’ page on our public website <http://www.londoncouncils.gov.uk/node/4320>

### Stage 3 - Chief Executive’s Review

If you are still unhappy with our response after the Stage 2 investigation, you can apply to progress your complaint to stage 3 with the Corporate Complaints Officer. You must tell us how the responses at previous stages have not dealt with your complaint and what you’d like London Councils to do to resolve the issue. We will generally only allow a complaint to progress to stage 3 if there is a clear reason for dissatisfaction, for example you feel that we have not addressed the complaint in full, or that any remedy proposed is insufficient. If this cannot be demonstrated, after review we may close the complaint at stage 2.

If the complaint is to be heard at stage 3, the Corporate Complaints Officer will refer the complaint to the Chief Executive to initiate an independent review of our response to your complaint. This review will usually be conducted by a senior manager who is independent of the service area you are complaining about and who will work on behalf of the Chief Executive. We will write to you within five working days to let you know that your complaint has been accepted and that a full review will be carried out within 20 working days. If the issues raised are particularly complicated and extra time is required, we will contact you to explain why and give a new date when you can expect a full reply.

## **Local Government Ombudsman**

If after the complaints procedure has been exhausted you are not satisfied that your complaint has been resolved, you can complain to the Local Government Ombudsman here ([www.lgo.org.uk](http://www.lgo.org.uk)). Their telephone number is 0300 061 0614 and their address is The Local Government Ombudsman, PO Box 4771 Coventry CV4 0EH

You can complain to the Local Government Ombudsman at any point of making your complaint, but in most cases the Local Government Ombudsman will only consider a complaint if the London Councils complaints procedure has been completed.

Within our final response, we will include full contact details for the Local Government Ombudsman.