

Harlow Council complaints policy

Introduction

We will always try and provide you with the best service we can. Sometimes though, things can go wrong and if they do, we want to ensure that they are resolved as quickly as possible in a courteous, fair and consistent manner.

We take complaints seriously as they help us learn and enable us to improve our services. If something is not quite right, please tell us so we can look into it and try to resolve it. We need to know why you are dissatisfied and how you think we can put things right.

We define a complaint as an expression of dissatisfaction about a council service which is either provided directly by us, a contractor or partner that requires a response.

This policy explains how to make a complaint and how we will investigate it. It outlines what we can and can't investigate and what to do if you are not happy with our response.

When we respond to your complaint, we will:

- Address the issues raised and the outcome of the investigation or review.
- Say what we have done to address the matter (if the council is found to be at fault).
- Give a clear outcome as to whether we uphold the complaint.
- Provide details of what you should do if you are not satisfied with the outcome of the complaint.

If your complaint is upheld we will:

- Apologise for the failure in service.
- Explain what went wrong.
- Say what we have done to put things right.
- Where appropriate, say how we have learnt from the complaint.

This policy will be reviewed every two years. The next review will be in November 2023.

How to complain

We have a two stage process to ensure that all complaints are looked into thoroughly. All complaints should be made through Contact Harlow. This can be done through our website, by email, phone, letter or by calling in person.

We will help customers make their complaint through one of the methods described above and progress through the stages if required.

If your complaint is something we can't investigate then we will tell you. You can see examples at the end of this policy.

Regardless of the point of access, any complaints will be dealt with at the lowest stage possible unless there is good reason to escalate it to the next stage.

Stage one – Service Manager

If you are unhappy with any service you have received from Harlow Council, you should complain to Contact Harlow who will pass your complaint to the senior manager of the service you originally dealt with. They have the authority to resolve most problems.

You will need to tell us what is wrong and what you think can be done to put it right.

We will acknowledge your complaint within three working days, give you a reference number, tell when you can expect a full reply and who is dealing with the complaint.

You should get a full response within a maximum of 10 working days. If for any reason this is not possible, we will tell you.

Stage two – Assistant Director

If within 28 days you are unhappy with the response at stage one, you should go back to Contact Harlow to start the second and final stage of the process. Your complaint will be passed to an Assistant Director who will review the response given and outline their findings to you.

You will need to tell us what is wrong, why the response you received to the stage one complaint didn't resolve the issue and what you think can be done to put it right.

We will acknowledge your complaint within three working days, give you a reference number, tell when you can expect a full reply and who is reviewing the complaint.

You should get a full response within a maximum of 15 working days. If for any reason this is not possible, we will tell you.

Further help

If you have exhausted our process and you remain dissatisfied, you can approach the Local Government and Social Care Ombudsman or Housing Ombudsman depending on the nature of your complaint. They would expect people contacting them to have made use of the council's two stage complaints process first. We will advise you how to do this when we reply to you.

At any stage you may refer your complaint to your local councillor or MP. They may help resolve your complaint, however they are subject to the normal workings and timescales. Details of how to contact your local councillor or MP can be found on our website.

Persistent and vexatious complaints

We aim to deal with complaints fairly and in line with our Complaints Policy. Occasionally, some individuals demonstrate unreasonable behaviour (thoughtless or persistent complaints or complaints made in a threatening way).

Should a complaint be considered to be without foundation and deliberately repetitious or vexatious then the council's separate 'persistent and vexatious complaints policy' may be applied.

Getting help with complaints or appeals

If you would like someone to help with your complaint or to speak on your behalf at an appeal, please speak to a Customer Advisor who will give you details of organisations that can help you. In the matter of housing cases, you may want to appoint an advocate from the tenants and leaseholders' group to help. For further details please speak to a Customer Advisor.

Useful contact details

Contact Harlow Civic Centre The Water Gardens Harlow, Essex CM20 1WG Telephone: 01279 446655 Web: www.harlow.gov.uk	Local Government and Social Care Ombudsman Telephone: 0300 061 0614 Web: www.lgo.org.uk Housing Ombudsman Telephone: 0300 111 3000 Web: www.housing-ombudsman.org.uk
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Examples of complaints we can investigate

- Unreasonable delays providing a service or not providing it at all.
- Providing a poor or substandard service.
- Failure to fulfil statutory responsibilities.
- Inappropriate conduct of our staff or contractors.
- Providing false or inaccurate information.

What we can't investigate

- The initial reporting of a problem that could be resolved if we are made aware of it. This includes things such as dumped rubbish or a missed bin.
- Complaints that involve matters that would usually be investigated by the police, such as:
 - allegations of theft, racial or sexual harassment or abuse
 - incidents or allegations of hate crime
 - incidents where the matters being complained about have already been investigated by the police.
- Complaints against staff in relation to safeguarding children or vulnerable adults will be dealt with in line with Southend Essex and Thurrock safeguarding guidelines and processes.
- When the complaint is about noise nuisance or antisocial behaviour which have separate processes for investigating these matters in the first instance.
- An appeal against refusal of planning permission which has a separate process.
- A complaint where the customer or the council has started or concluded legal proceedings or has taken court action, but not cases where a customer has simply threatened to start legal proceedings against the council.
- A complaint in relation to housing benefit or Council Tax liability which has a statutory appeals process.
- A complaint about Council Tax levels which must be challenged by way of judicial review.
- A complaint relating to ongoing or the outcome of an insurance claim which has a separate appeals process.
- A complaint relating to joining or the position in the Housing Needs register which has a separate review process.
- Complaints about the issue of a Penalty Charge Notice (PCN) by the North Essex Parking Partnership which has a separate appeal mechanism. Further details are provided on the PCN.
- Complaints about the issue of a Fixed Penalty Notice (FPN) by National Enforcement Solutions which has a separate appeal mechanism. Further details are provided on the FPN.
- When the issue happened over 12 months before you reported it or complained about it.
- Freedom of Information or Environmental Information Regulation complaints.
- Complaints regarding data breaches which have a separate process.
- Complaints about a councillor which have a separate procedure.
- Any other instance where an alternative appeal process exists.

The above lists are not exhaustive and if for any reason we cannot investigate a complaint, we will tell you why and what to do next.