

Complaints Policy

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1.0 Introduction

Our complaints policy reflects Cambridge City Council's commitment to valuing feedback. This policy sets out our arrangements for complaint handling and reflects the Council's commitment to providing the public with an effective and transparent procedure for dealing with complaints. The Council, through this policy is demonstrating both fairness and openness in the way it deals with members of the public and that it is prepared to listen to its customers.

It recognises that the most successful organisations are those that have moved towards a culture that perceives complaints as an opportunity to improve rather than a threat. This procedure aims to help us 'get it right first time', enables us to address a customer's dissatisfaction and prevent the same problems that led to the complaint from happening again. For our staff, complaints provide a first-hand account of the customer's views and experience whilst highlighting problems we may otherwise miss. Handled well, complaints give us a chance to put things right and help us continuously improve our services.

Cambridge City Council's vision statement:

One Cambridge – Fair for all

Caring for our environment and our people

Creating a great place to live, learn and work

To deliver this vision, the Council needs to be a modern, progressive and dynamic organisation that delivers quality services to its customers as one.

This policy will be published on the Cambridge City Council website alongside our Annual Customer Feedback report, easy-read complaints form, how to complain guidance and information relating to the Local Government & Social Care Ombudsman, and the Housing Ombudsman.

2.0 What is a complaint?

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents. These complaints can relate to:

- Dissatisfaction with the service provided, including failure to achieve specific standards of service
- Delays in responding to service requests
- Dissatisfaction with staff behaviour

- Dissatisfaction with our procedure
- Dissatisfaction with Local or National policy

If the Council decides not to accept a complaint, a detailed explanation will be provided setting out the reasons why the matter is not suitable for the Council's complaints process and the right to take that decision to the Ombudsman.

The Council would not accept a complaint for the reasons set out in section 2.2, or if a complainant chooses to submit their complaint without contact details. If a complainant chooses to omit their contact details, we will treat this as anonymous feedback.

If a customer contacts a member of Council staff with an expression of dissatisfaction, but do not specifically mention that they want to complain, our staff will offer them the opportunity to raise a complaint. This can sometimes include when the customer is receiving a service from the Council. The customer may still complain whilst this service request is ongoing. It is not necessary to wait for completion of works or requests, and can complain at any time.

Customers may be sent a customer satisfaction survey following any interactions with the Council. Any dissatisfaction expressed within these surveys will not be considered a formal complaint, however we will follow up on negative responses to these surveys and offer the opportunity to raise a complaint case if appropriate.

Each year the Council will carry out a self-assessment against the Ombudsman's Complaint Handling Code to ensure that our complaint handling remains in line with its requirements. This will be made accessible to the public. This self-assessment will also be completed following any major restructure, change to procedure or if requested by the Ombudsman.

2.1 Complaint or Service Request?

Service requests and complaints are slightly different. A service request is a contact from a customer that brings a matter to the council's attention for the first time, and requests a service offered by the council, for example, reporting a missed bin or telling us about noise nuisance.

A complaint is a where the customer expresses dissatisfaction about the standard of a service, actions, or lack of actions by the council and its staff.

If customers think their concern might be a service request, they should contact the service in question by visiting our [contact us](#) page

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.

2.2 Other complaint routes

There are some issues which are not covered by our complaints procedure. These include:

- Service Requests (see 2.1)
- Insurance claims
- Employment related personnel matters
- Where a statutory right of appeal exists (Appealing a Planning decision for example)
- Complaints about the conduct of a Councillor (See 7.0)
- Complaints about disrepair to a Council property

Insurance Claims

Complaints about injury to people using Council facilities or damage to property that could lead to requests for compensation should be referred either to the Council Insurers or Legal Services where compensation would be a matter for the courts to decide. If a complainant believes they are entitled to compensation, they need to write to the Council setting out the details of what they wish to claim and why they believe that the Council should pay this compensation.

Employment related personnel Matters

Cambridge City Council employees wishing to raise a complaint relating to a personnel issue should instead follow the internal Grievance Policy, and seek to resolve this via the formal grievance procedure.

Other procedures

Conduct of Elected Members is governed by the Standards Commission who carry out investigations into any complaint against elected members. Contact Head of Practice, Tom Lewis for more information.

Housing Support Services in respect of the 16-24 Young Person Service, Outreach and Resettlement, Temporary Accommodation, and Sheltered Housing. Complaints about these and other Housing Care and Support Services should be made in the first instance to the Housing Manager responsible for the service but if unresolved, referred to the Care Commission.

Where a statutory right of appeal exists i.e. Planning refusal the appropriate appeal procedure must be used in such instances rather than the complaints procedure. Contact Planning Services.

- **Revenues and Benefits** – For Council Tax, Business Rates and Housing Benefit the appeal body is the '[Valuation Tribunal Services](#)'
- **Homelessness Appeals** – Homelessness Review Procedure – information available from [The City Council Housing Advice Team](#).
- **Planning Decisions** – The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN Tel: 0117 372 6372 or [online](#)

Policy Complaints

Some complaints may be about things that either cannot be changed, or can only be changed with democratic approval. If a complaint relates to a Council or Government policy, we will still record it. This could include things such as car park charges, or the level of the Council Tax. If we receive a large number of complaints about a particular policy this will be referred to senior Manager to review and discussed with Members where appropriate.

Complaints about disrepair to a Council property

Where a complaint relates to a repair within a Council property, the Council will investigate this in line with this policy, or if it has not already been raised as a request for service, the Council will treat it as such.

Where complaints are about the general disrepair of a Council Property including a legal claim being made, these will be accepted only if the complaints procedure has already been exhausted. At which point these claims will be passed to our Legal team to progress.

If the case has not yet been investigated as a complaint, it will be raised as a new stage 1 case, or if it has already been investigated at stage 1, it will be escalated to stage 2 to be handled by a member of the Corporate Management Team.

2.3 Fluency Duty complaints

Part 7 of the Immigration Act 2016, known as Fluency Duty, states that public sector organisations must ensure that officers who carry out a role in which the post holder is required to speak to members of the public as a regular and intrinsic part of the role: must do so to a defined level of spoken English proficiency.

For the purposes of the fluency duty, a legitimate complaint is one about the standard of spoken English of a public sector member of staff in a customer-facing role. It will be made by a member of the public or someone acting on his or her behalf complaining that the authority has not met their obligation.

Note: A complaint about a public sector member of staff's accent, dialect, manner or tone of communication, origin or nationality would not be considered a legitimate complaint about the fluency duty and would not be investigated.

Members of staff who are the subject of a complaint should be notified of the complaint and the action being taken in relation to it. It should be made clear to prospective complainants that this will take place following a legitimate fluency duty complaint.

2.4 Shared service and third party complaints

Should you need to complain to the Council about a service which is operated in conjunction with another Council, your complaint will still be handled in line with this complaints policy via Cambridge City Councils complaints system.

Should you complain about a third part, such as a contractor acting on behalf of the Council, we will investigate these complaints in line with this policy, as they are considered to be acting on our behalf.

2.5 Rejecting a complaint

If we refuse to investigate or escalate your complaint for any of the reasons mentioned in sections 2.1, 2.2, 2.3 and 2.4 we will provide a thorough explanation as to why we made this decision. At this point, you will also be given the information to enable you to raise your complaint with either the Housing Ombudsman, or the Local Government and Social Care Ombudsman. The Ombudsman will then advise how best to proceed. This may involve returning you case to the Council to investigate despite our initial decision.

If a complaint contains elements of dissatisfaction that relate to other authorities outside of Cambridge City Council, the complainant will be given information about how to contact these authorities to raise their complaint in addition to a response to the issues we can investigate.

Complaints will be accepted from 12 months of the issue being complained about occurring. If we have already investigated the issue within 12 months, we would not investigate it again. In this instance, the complainant would be signposted to the Ombudsman to pursue their complaint further.

Each case will be considered on its own merits and individual circumstances and at times we may make exceptions to investigate complaints outside of the 12 month timeframe. Whenever the Council makes the decision to reject a complaint, the reasoning will be clearly explained to the complainant.

3.0 Recording a complaint

There are various ways to contact the council, but regardless of how a complaint is received, all cases will be logged into the Council's central case management system. If a complainant contacts the Council by phone, email or in person, staff members can assist with recording a complaint. The Council would prefer complainants to complete the form themselves so that they can provide their complaint in their own words with as much detail as possible, but where a customer is unable to complete the complaints form themselves, Council staff should assist complainants to record their case.

When a case is entered into the Council complaints system, the case will be allocated to a service manager in the area/department related to the complaint, the complainant will also receive an automatic response informing them that we aim to respond to all complaints within 10 working days. All information and communications relating to the case will be recorded and sent through this system.

If a customer requires any adjustments to the complaints process, these should be recorded on the complaints form when submitting a complaint. The Council will consider these and then discuss with the complainant to agree any reasonable adjustments we can make. A record will be kept of any adjustments made on the case.

4.0 Stages of the Complaints Procedure

There are **2 stages** to the Council's complaints procedure internally, and complainants also have the right for their case to be reviewed externally by either the Local Government & Social Care Ombudsman (LGSCO) or the Housing Ombudsman.

At both stages of our complaints procedure, we will confirm with you:

- The stage at which we are responding
- The definition of your complaint (what we understand your complaint to be about)
- Whether we uphold your complaint, or do not uphold your complaint
- The reasoning behind any decisions made
- The details of any remedies we offer to put things right
- Details of any outstanding actions relating to your complaint

- How you can escalate your complaint to the next stage of the process if you are not satisfied with your response.

We will also ensure that all points raised within the complaints definition are responded to and any decisions we make reference the relevant law, policy or good practice.

Complaints at both stages will be considered on their own merits, with an open mind by investigators. Residents will be given the chance to set out their position. The Council will take measures to address any actual or perceived conflicts of interest, and consider all relevant information and evidence provided when investigating a complaint.

We consider the case resolved and responded to when we have agreed a solution with the complainant and any follow on work has been scheduled. Rather than when that work has been completed. We will still keep track of follow on work to ensure it is completed within an appropriate timescale.

After the case is resolved, the Council can reopen the case for further investigation if new information about the initial issue comes to light. The Council will only reopen a complaint from less than 12 months from the date it was raised.

4.1 Target response times

The Council aim to respond to cases raised within 10 working days of receiving them at both stage 1 and upon escalation to stage 2 if applicable.

Sometimes cases are complex and require more than 10 days to investigate. If this is the case, the person investigating the complaint will contact the complainant to advise them of a new target date for a response. This will be a single time extension of up to a further ten working days. We may on rare occasions pause case timers if we require more information from complainants and are waiting for them to provide it.

When we change the target date on a case, the complainant will be provided with the contact details for the relevant Ombudsman.

Should complainants need to chase the progress of their case, or wish to add more information to their case, complainants can do this by replying to the automatic email sent when the complaint was recorded, this will update the case automatically.

If our response falls outside of these 10 working days, you will be kept informed at regular intervals agreed with you with the progress of your complaint case.

4.2 Internal Stages

4.2.1 Stage 1

Complaints at stage 1 are those which are being made for the first time. These Complaints will be allocated to the appropriate service manager to respond to.

When a complaint is made, it will be acknowledged and logged at stage 1 of the complaints procedure within 5 working days of receipt. In this acknowledgement we will set out our understanding of the issues raised in the complaint, and may ask for some clarification if required. We will also advise how any aspects of the complaint that we are not responsible for can be pursued.

The Council aim to respond to complaints within 10 working days. If any or all part of the complaint is not dealt with to the satisfaction of the complainant at stage 1, they can ask for their complaint to be escalated to stage 2 of the Council's complaints procedure.

Once a customer has received a response at stage 1 of the complaints process, they will have 3 months to escalate their case to stage 2 for an investigation by a member of the Corporate Management Team. When we respond at stage 1, we will ask why the complainant does not feel their case was resolved at stage 1, and their preferred outcome of escalating their complaint to stage 2. This information is only to guide the Council, and is not a requirement to escalate a complaint.

Any request for escalation which raises significant new issues to be investigated will instead be raised as a new stage 1 complaint, as the Council would not have had the chance to address these issues during the initial investigation.

The reasons for declining to escalate a complaint are the same as the reasons for not accepting a complaint. The Council may also refuse to escalate a complaint if a statutory appeal body is required to resolve the case. See section 2.2 for a list of where this may be applicable.

4.2.2 Stage 2

Once a complaint is escalated to stage 2 it will be allocated to a member of the Corporate Management Team, or Senior Manager acting on their behalf. The person considering the complaint at stage 2 will not be the same person that investigated at stage 1. They will have a further 10 working days to investigate and respond and will conduct a review of all communications and information received at stage 1 as well as the initial complaint before formulating their own response.

We will only escalate a complaint relating to the initial issue(s) raised in the complaint. If the complainant wishes to complain about a new issue, or about how the case was handled, they should raise a new complaint at stage 1. If a member of the Corporate Management Team handled the case at stage 1, it will be escalated to a director at stage 2. Stage 2 cases will always be handled by somebody senior to the person who investigated at stage 1.

Should complainants remain unsatisfied, they may be able to escalate further to either the Local Government and Social Care Ombudsman or the Housing Ombudsman.

4.2.3 Remedies

If, as a result of a complaint remedial works, or other action is required, this will be booked as part of the response to the complaint. This can be done at either stage 1 or stage 2. These actions can include, an apology and acknowledging what has gone wrong, providing an explanation, taking action to rectify a delay to receiving a service, reconsidering and potentially changing a decision, amending a record or adding a correction/addendum, providing financial redress, or reviewing and changing policies, procedures or practices. This list is not exhaustive.

The Council's remedial action will reflect the impact the fault had on the resident, and be tracked and monitored as part of the Complaints process.

When the Council outline this action, we will be clear with the resident about what will happen, and the timescales involved. This remedy will also be offered in line with guidance from the Local Government and Social Care and Housing Ombudsman.

4.3 Local Government and Social Care Ombudsman/Housing Ombudsman

These are free services which residents can complain to at any time. However, they will usually only investigate a complaint if it has exhausted the Council's internal procedure.

The Local Government & Social Care Ombudsman (LGSCO) will investigate complaints relating to

- Planning
- Housing Benefit
- Council Tax
- Environment & Waste
- Neighbour Nuisance and Antisocial Behaviour

The LGSCO cannot investigate any cases if:

- You have waited more than 12 months to complain since knowing about the problem
- The matter has not affected you personally or caused you an injustice
- The issue affects most people in the Council area
- You have, or had a right to appeal or take legal action and it was reasonable to have done so
- It relates to a personnel/employment matter

The Housing Ombudsman look at cases relating to most Housing Services for tenants. They consider complaints about how a landlord has responded to reports of a problem and consider what is fair in all the circumstances of a particular case. The Housing Ombudsman do not look at the original problem, for example they do not decide if there has been anti-social behaviour or if a property has damp. Rather, they look at whether a landlord dealt with the reported problem in line with the tenancy agreement or lease, and its own policies. If your complaint relates to any of the below, you should escalate to the LGSCO instead:

- Homelessness
- Housing Allocations (Home-Link)
- Antisocial Behaviour which does not fall within the remit of the Council as a landlord
- Housing Benefit
- General Housing Advice
- Planning on sites owned by the Council as a landlord
- Noise Nuisance

5.0 Complaint Officer Roles and Scrutiny

Complainants may be contacted by a Complaints Admin Officer if we require more information about their case. These staff will not be responding to the issues you raised, only asking for more information on behalf of the investigating officer or providing complainants with the correct guidance for where to complain if the complaint has come to us in error.

The Officer investigating a complaint is referred to as the Case Owner. This will be a manager within the relevant service at stage 1, and a member of the Corporate Management Team for that service at stage 2. Where more than one service is involved in a case, an appropriate case owner will be agreed between Heads of Service and Complaints Admin Officers. All staff that handle complaints are trained in the process, policy and system and given regular refresher training.

The Lead Complaints Officer is accountable for all complaint handling in the Council. They will report on and analyse complaint themes and trends on a monthly, quarterly

and annual basis, and report any potential systemic issues, serious risks or any policies or procedures that require a review to the appropriate service staff. This officer will also report to Members on complaints performance and be responsible for identifying service improvements and creating a culture that sees complaints as an opportunity to make these improvements.

System Administrators are responsible for reporting on performance, and statistics, and managing any training or troubleshooting with the case management system. System Administrators work with staff at all levels to facilitate prompt resolution of complaints.

Each year an Annual Customer Feedback report will be produced and presented to the Council's Strategy & Resources committee. This report will put the volumes of complaints into context alongside service performance statistics, and outline any improvements made as a result of the complaints raised throughout the year.

6.0 Unreasonably Persistent Complainants

There are a small number of people who pursue their complaints in a way that can prevent proper investigation of their complaint or other people's, or that requires us to commit significant and inappropriate levels of resource to investigating the complaint, or who refuse to accept the results of the investigation and determination of their complaint.

We refer to such complainants as 'unreasonable' or 'unreasonably persistent' complainants and, exceptionally, will take action to limit their contact with the City Council and its staff. The decision to restrict access to the staff and offices of the City Council will be taken by the relevant Senior Manager in consultation with their Director and will normally follow a prior warning to the complainant.

When we decide to treat someone as an 'unreasonable' or 'unreasonably persistent complainant', we will write to tell them why we believe this to be the case, what action we are taking and how long that action will last. We will also advise them that they can appeal to the Monitoring Officer against the decision to invoke the policy and/or any particular restriction applied. Managers in services likely to be contacted by the complainant, including the Customer Service Centre and Chief Executive's Office, will be informed of the limits applied.

If we are still treating someone as an unreasonable or unreasonably persistent complainant after a year, the decision will be reviewed by the Council's Monitoring Officer, and a decision taken as to whether the restrictions should continue. Limits should be lifted and relationships returned to normal unless there are good grounds to

extend them. The complainant will be informed of the outcome of the review. If limits are to continue, the council will explain its reasons and state when the limits will next be reviewed. New complaints on other matters from complainants who have come under the unreasonable and unreasonably persistent complainants policy will be treated on their merits.

7.0 Councillor Complaints

Complaints relating to a Councillor's conduct have a separate process to follow. Please see more information here: <https://www.cambridge.gov.uk/complain-about-a-councillors-conduct>

Complaints relating to Councillors will be acknowledged within 10 working days, and the Councillor in question will then provide a written response to your allegation. This procedure is overseen by the Council's [Civic Affairs Committee](#)

9.0 Useful Links

Cambridge City Council Complaints page:
<https://www.cambridge.gov.uk/compliments-complaints-and-suggestions>

Unreasonable and unreasonably persistent complainants policy:
<https://www.cambridge.gov.uk/media/9733/unreasonable-complainants-policy.pdf>

Local Government & Social Care Ombudsman: <https://www.lgo.org.uk/>

Housing Ombudsman: <https://www.housing-ombudsman.org.uk/>