London Borough of Havering

Complaints and Compliments Policy and Procedures 2026

Complaints and Compliments Policy and Procedure includes procedures for Social Care complaints, Housing complaints, and Data Protection complaints

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Introduction

The Council defines a complaint as ***"an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents"***

Havering Council provides a wide range of services to many people, and we aim to deliver these services to the highest possible standards. Your complaints and concerns and compliments are important to us.

This policy is aimed at anyone who is dissatisfied with any services delivered by the Council and is considering contacting us seeking a viable solution, a resident does not have to use the word 'complaint' for it to be treated as such.

We also encourage those who would like to praise or provide positive recognition for a job that you feel we have done well.

Purpose

Our right first-time approach to complaints is driven by the Council's Vision "The Havering you want to be part of" and focusing on "things that are important to our residents" and making sure Havering is "a great place to live, work and enjoy".

We pride ourselves on treating everyone fairly no matter the circumstances and we are keen to understand our customers' experiences of the services we deliver to all our customers and use learning to improve any identified service failures.

This policy supersedes:

- The Corporate Complaint Policy and Procedure.
- Unacceptable Behaviour around Complaints.
- Adult Social Care Complaints and Compliments Policy.
- Children and Young People's Complaint Procedure.

We have also included a guide to Member's enquiries and Freedom of Information requests to ensure all processes are aligned.

Scope

Our complaint process has been tailored to accommodate all (statutory and corporate) complaints to ensure a clear consistent approach across all areas of the organisation, which will be more efficient and easier to communicate. This process will allow us to determine each complaint on its own merits. We will investigate all complaints to allow us to identify any service failures, and will review all compliments, which in turn will allow us to act on learning opportunities, ensuring the lessons learnt, both good and bad, reach those officers in the Council who can affect change.

A good complaints process will comply with the law (statutory complaints). Those which are non-statutory complaints are addressed in this policy under the corporate complaints process.

The Council will seek to resolve complaints at the earliest opportunity. Where possible, every attempt will be made to deal with the issues quickly, however a complaint will not prevent, stall or impact on actions needed to resolve any immediate issues.

Some complaints received by the Council must be dealt with under a statutory process and our complaints policy will set out the difference between statutory and corporate complaints.

The attached procedures (Appendices 1-5) set out how the Council will deal with any complaint coming into the Council including the necessary timescales set to investigate and respond to all complaints.

The Customer Insight, Information and Investigations Team are also responsible for access to information requests which do not fall within the scope of this policy. Freedom of Information (FOI) requests, Environmental Information Regulations (EIR) and Individual Rights Request, including Rights to Erasure and Rights to Rectification, are overseen by the Information Commissioner. Havering Council abides by their statutory guidelines and timescales.

Legislation

This policy adheres to the following legislation:

- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
- Section 24 (D) and 26 Children Act 1989.
- The Children Act 1989 Representations Procedure (England) Regulations 2006.
- the Advocacy Services and Representations Procedure (Children) (Amendment) Regulations 2004
- Freedom of Information Act 2000.
- UK GDPR and Data Protection Act 2018.
- Re-Use of Public Sector Information Regulations 2005.
- Environmental Information Regulations 2004.
- Human Rights Act 1998.
- Equality Act 2010.
- Localism Act 2011.
- Social Housing (Regulations) Bill.
- DWP Regulations.
- Social Services and National Health Service Complaint Regulations 2009 and the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, the Council has a duty act fairly and proportionately
- This policy also outlines the council's responsibilities to ensure member conduct and decision-making are lawful and fair

Guidance Documents

- Local Government and Social Care Ombudsman complaints handling code (Due April 2026)
- Housing Ombudsman complaints handling code (April 2024)
  Good Practice Guidance - Children's Statutory Complaints Procedure - updated November 2023

Timescales

This Policy will apply from 1 October 2025 onwards. It will be subject to a review periodically to reflect any changes in legislation or Council practice.

Aims, objectives and outcomes

We take General Data Protection Regulations (GDPR) seriously and will not use your information for anything other than for the purpose in which it was intended to be used. We treat

all complaints the same and will ensure we investigate each part of the complaint robustly and consider our findings properly. We may share data with external contractors or agencies for the purpose of our investigation.

We ensure that our procedures are simple; to guarantee our customers know where and how to complain and have easy access to our complaints system

Our objectives to handling our complaints are to adhere to our six key principles of complaint handling:

1. **Start off right** by providing a simple and time bound complaint process.
2. **Fix it early** through acknowledging mistakes and resolve complaints early.
3. **Focus on what matters** and put the customer at the heart of the process.
4. **Be fair** by providing impartial and objective complaint handling.
5. **Be honest,** open, accountable and provide clear reasons for decisions.
6. **Learn and improve** through regularly reviewing and measuring the satisfaction of our customer and the complaint procedure.

Policy

The Council defines a **complaint** as ***"an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents"***

The Council defines a **compliment** as "an expression of satisfaction, positive recognition or praise for a service, team or individual officer."

We accept feedback through all means including:

- Our online forms.
- Our call centre (01708 434343).
- By post (Town Hall, Main Rod, Romford. RM1 3BD).
- In person through visiting and talking to a member of staff at any of our libraries.
- By emails received into the Council
- Through Digital Apps such as Mind of My Own

We will review all complaints and determine which of the following complaint types your complaint falls under:

- Corporate Complaint - If a complaint does not fall under a statutory process, then it is for us to determine how to respond to the complaint. Further information on the process is outlined in Appendix 1.
- Statutory Complaint - The way we deal with complaints relating to Children's and Adult Social Care services, and now any complaints relating to our housing stock, is set down by legislation. As a result, the process and timelines for dealing with complaints may vary dependent upon the type of complaint being made. Please refer to Appendix 2, 3 and 4.
- Members' Enquiries – Councillors and MPs can make enquiries and complaints on behalf of one of their constituents, however, if a customer has already raised a complaint the councillor will not be able to also raise the same complaint on behalf of the customer, and vice versa.

Matters outside the Scope of the Complaints Procedure

There are certain issues that fall outside the scope of the Council's complaints process, as they are more appropriately addressed through alternative statutory or legal channels. In such cases, we will not investigate the matter as a complaint. Examples include, but are not limited to, the following:

- **Penalty Charge Notices (PCNs):**
  Appeals against parking tickets or traffic fines should be made through the appropriate parking enforcement process.
  Appeal against a parking ticket or traffic fine | Parking tickets and traffic fines | London Borough of Havering

- **Planning Applications and Enforcement:**
  Objections or appeals related to planning decisions must be submitted through the planning appeals process.
  Planning appeals search | Planning searches | London Borough of Havering

- **Council Tax Enforcement:**
  Disputes regarding Council Tax enforcement should be directed to the relevant Council Tax team.
  For further guidance, please contact us via the Contact us – London Borough of Havering or call 01708 434 343.

- **School Admissions and Transport Appeals:**
  Appeals concerning school placements or school transport must follow the statutory school appeals process.
  Appeal for a school place | London Borough of Havering

- **Housing Appeals:**
  Appeals or reviews related to housing decisions should be submitted through the housing appeals process.
  Appeals and reviews | Apply for council housing | London Borough of Havering

- **Legal Proceedings or Separate Appeals Processes:**
  Where legal action has already commenced, or where a separate statutory or regulatory appeals process exists, the matter cannot be addressed through the complaints procedure.
  For further guidance, please contact us via the Contact us – London Borough of Havering or call 01708 434 343.

- **Missed Waste Collections**
  Where a scheduled waste collection is missed. This can be reported
  https://www.havering.gov.uk/rubbish-recycling/report-missed-collection

How to Complain

For all complaints, we will provide customers with an acknowledgement, conduct a full and thorough investigation and try to resolve your issue at the first point of contact.

You can raise your complaint via different avenues; our preferred contact is through our online complaint form as this will be received by the Complaints Service instantly. However, we pride ourselves on treating everyone fairly and offer alternative routes to log a complaint if required. This could be through calling our contact centre on 01708 434343 speaking to a member of staff directly or via email to an officer of the Council.

We will maintain the confidentiality of all personal information and will not disclose it outside Havering Council without your permission unless we are legally obliged to do so. However, if we are informed of anything that makes us think that an individual is unsafe or at risk of being harmed, we will pass this on to the appropriate authority or service for action.

When someone has suffered an injustice, we try to put them back in the position they would have been had that error did not occur. Our focus is on restoring services that have been denied and taking practical steps to put things right. Where that isn't possible, we will try to think of creative remedies that acknowledge the impact of faults. We look at the injustice that has occurred and then use the Housing Ombudsman and Local Government and Social care Ombudsman guidance on remedies to objectively decide what is an appropriate remedy for that injustice. For more information on the remedies Havering Council offer please see Remedies section on pages 10-11.

How long will the complaint take to investigate

Please note that **extensions to response times** may be applied if required. Further details regarding extension procedures and circumstances can be found in **Appendix 1 - 4.** We will ensure that you are **kept informed** if any extensions are necessary during the complaints process.

Corporate Complaints

Stage One

- Investigated by the service and reviewed by the Complaints Team
- **Acknowledgement:** Within 5 working days
- **Response:** Within 10 working days from the date of acknowledgement

Stage Two

- Investigated independently by the Complaints Team
- **Acknowledgement:** Within 5 working days
- **Response:** Within 20 working days from the date of acknowledgement

Statutory Housing Complaints

Stage One

- Investigated independently by the Complaints Team
- **Acknowledgement:** Within 5 working days
- **Response:** Within 10 working days from the date of acknowledgement

Stage Two

- Investigated independently by a different officer in the Complaints Team
- **Acknowledgement:** Within 5 working days
- **Response:** Within 20 working days from the date of acknowledgement

Tenants Management Organisation (TMO) under Statutory Housing Complaints

Stage One

- Investigated by TMO Management team
- **Acknowledgement:** Within 5 working days
- **Response:** Within 10 working days from the date of acknowledgement

Stage Two
Investigated independently by Complaints Team

- **Acknowledgement:** Within 5 working days
- **Response:** Within 20 working days from the date of acknowledgement

Statutory Adults Complaints

- **Early Resolution**, where appropriate criteria are met

- Direct Response from the Service area

Stage One
- Investigated by the service and reviewed by the Complaints Team
- **Acknowledgement:** Within 2 working days
- **Response:** Within 10–20 working days from the date of acknowledgement
- Up to 25 working days if the complaint involves another agency

Note: There is no Stage Two process for Statutory Adults Complaints.

Statutory Children's Complaints

- **Early Resolution**, where appropriate criteria are met
- Direct Response from the Service area

Stage One
- Investigated by the service and reviewed by the Complaints Team
- Stage One Acknowledgement: **Within 3 working days**
- **Stage One complaint Response**: Within 10 working days

Stage Two
- Investigated independently via the Complaints Team by external Independent Investigators **Acknowledgement:** Within 5 working days
- **Response:** Within 25 working days from the agreed date of the Statement of Complaint
- May be extended up to a maximum of 65 working days

Stage Three
- Managed by the Complaints Team
- **Acknowledgement:** Within 5 working days
- **Panel Hearing:** Held within 30 working days from the date of request
- **Panel Hearing Outcome:** Issued within 5 working days from the date of the hearing
- **Final Response:** Issued within 15 working days from the panel's final decision

What are the differences between complaints?

Havering Council welcomes feedback on their performance and uses this to improve our services. If you have experienced an unsatisfactory service from Havering Council and are considering contacting us to seek a viable solution. However, any customer that express dissatisfaction will be given a choice to make a complaint

As identified above, a **statutory complaint** relates to the services received from Children's and Adults Social Care, and now any complaints related to housing matters (Inc. repairs, Anti-Social Behaviour (ASB) and homelessness), whereas a **Corporate Complaint** relates to all other services provided by Havering Council. A **Data Protection complaint** refers to complaints regarding the handling or use of your data.

What is the difference between a complaint and a service request

A complaint is ***"an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents"*** Complaints may relate to delays, poor communication, staff conduct, or failure to meet agreed standards.

In contrast, a service request is a contact made to the Council to request a specific service or report an issue for the first time—such as reporting a missed bin collection, requesting a repair, or asking for information. If following a request for service, the issue persists or the response is unsatisfactory, this can be raised as a complaint.

What is the difference between a complaint and member enquiry?

A Member's Enquiry is ***"a request for information, the clarification of circumstances or further information for a particular situation or constituent, or the notification of dissatisfaction with a service."***

Councillors and MPs can enquire or make a complaint on behalf of their constituents, at their request, through the usual complaint process. However, if a customer has already logged a complaint, we will not be able to accept a duplicate complaint on their behalf through a councillor /MP. If the councillor/MP would like to follow up on the progress or outcomes of a complaint that a constituent has already raised, this will be treated as a member's enquiry and would need to follow the relevant complaint process.

Any councillor/MP involvement will follow the same processes outlined in this policy.

Please note that councillors/MPs may respond to any constituent enquiry submitted. If the enquiry results in a complaint being raised directly with the Council, the complaint will then follow the processes outlined in this policy where the relevant timescales will apply.

Who can complain

For our **corporate complaint process**, anyone can complain who uses, has used or is affected by the services we provide.
For our statutory complaints process, you can complain if you:

- Receive or have received a service from Havering Adult Social Care.
- Are acting on behalf of a service user (with their consent).
- Are acting on behalf of a service user who has died, or is unable to make a complaint due to, physical incapacity or lacks capacity within the meaning of the Mental Capacity Act 2005 (16 years plus) and who is acting in their best interest and the service user has not previously indicated that they did not want that person representing them before they died/lost capacity.
- A child or young person and a parent or someone with parental responsibility for a child/young person who is either looked after by the local authority or is a child in need.
- A child or young person, or an individual involved in fostering, adoption or Special Guardianship arrangements.
- A care leaver to the Local Authority about services under the Children Act.
- Someone acting on behalf of a child or young person who the local authority considers has sufficient interest in the child and whose views the Council consider to be relevant. Consent and views will be sought from the child where appropriate.
- Someone who is acting on behalf of a child or young person who is unable to make a complaint due to:
    - Lacking capacity within the meaning of the Mental Capacity Act 2005 and who is deemed to be acting in their best interest.
- An adult relating to a child or young person but not on behalf of the child or young person. The local authority will determine if there is sufficient interest in the child's welfare and seek the child or young person's consent where appropriate.
- A tenant/or anyone living in a property which the Council owns or manages.

Support

We pride ourselves on treating everyone fairly, should you need help with the complaints process, either understanding of the policy or helping to raise a complaint, we will always try to find someone to support and assist you including organising any translation or interpreting services required.

The Council has a positive approach to complaints. The Council will help people who have difficulty accessing or using the complaint form and provide alternative means of making a complaint when required.

Should you require any support or assistance with alternative methods of contact our staff are available to assist at any of our buildings, including our Libraries, or alternatively you could call our contact centre on 01708 434343 who will help you or transfer you to our Customer Insight, Information and Investigations Team.

Ownership and authorisation

This policy has been written by the Complaints Management Team and is owned by the Assistant Director of Insight Policy and Strategy

The policy was reviewed and taken to Cabinet in September 2025, where it was formally agreed upon and a final copy was made available for publication.

A minor amendment was made in November 2026 to provide additional clarification within the policy. This amendment did not alter the policy's purpose, scope, or substantive requirements.

The Council reserves the right to make amendments to this policy at short notice, or in any situation that warrants an immediate amendment being introduced.

Remedies

A remedy is how we put things right after some level of maladministration has been identified. The Council's approach to remedies is based on our six complaint principles as outlined in the policy. The Local Government and Social Care and Housing Ombudsman remedies guidance is also taken into consideration when assessing a case

We will be fair by treating each case individually and ensure the remedy is fair when considering the specific circumstances of the case. We will look at the severity of the maladministration/ service failure and the impact that this has had on the individual.

We will be honest and explain how we will correct the service failure.

We will then learn from each case. We will look beyond the circumstances of the individual complaint and consider whether anything needs to be 'put right' in terms of process or systems to the benefit of all residents.

There are different types of remedies in relation to Complaints handling and service failures. Havering follows the guidance set by the Local Government and Social Care Ombudsman and Housing Ombudsman in line with the Ombudsman remedies guidance.

The different remedies that the Council could offer include:

- **Apology** - In some circumstances, a customer may feel that an apology is all that is required. An apology will be made in writing or in person.

- **Specific actions** - We will consider whether there is some practical action which would provide all or part of a suitable remedy. Including:
    - Looking at our contractual arrangements to see if there are any amendments required to improve the service offered.
    - Looking at making changes to our policies, procedures, systems, staff training, or all of these, to ensure that the maladministration is not repeated.
- **Financial Remedy**– We will consider offering a financial remedy where it is deemed appropriate. All calculations will be based on what is considered fair on a case-by-case basis as outlined below.

Our staff use their discretion to decide on the best remedy for a case and may therefore set out a remedy that does not fall into one of the categories above but is tailored to the individual circumstances of that case.

Financial Remedy

The Council will consider if there has been an actual, evidenced financial loss incurred as a direct result of the maladministration and if any remedy should be offered to the customer for all or part of this loss, taking into consideration the specific circumstances of that case.

The council will not offset any financial remedies against any existing rent or other arrears owed to the council, unless it is requested by the customer.

Unacceptable Behaviour around Complaints

Some customers place unreasonable demands on the Council by submitting multiple, sometimes repetitive or occasionally abusive requests, these contacts may dominate our staffs' attention.

As a Council we do not view behaviour as unacceptable just because a claimant is forceful or determined. We understand that some customers are upset and angry about the issues they have raised, however the actions of customers who are aggressive, demanding, persistent or continually rude may result in unreasonable demands on the Council and unacceptable behaviour towards the Council's staff.

When this happens, we must take action to protect the health and wellbeing of our staff, who have the right to do their jobs without fear of being abused or harassed. In these circumstances, the Council will start by explaining why we feel the behaviour is inappropriate and ask that this is changed. If the behaviour continues, the Council has the right to make the decision to restrict contact with the customer. On these occasions, the Council will send a refusal notice to the customer specifying how the current individual complaint will be handled.

If we have restricted our contact with a claimant and they make a new complaint regarding a different matter, the Council will make a decision on a case by case basis whether or not to continue with any restrictions that have been put in place for the earlier complaint.

The Council refers to the Local Government and Social Care Ombudsman Unreasonable Complainant Behaviour and the Housing Ombudsman Unacceptable User Action Policy when we are faced with these situations.

Access to Information Procedure – Data protection complaints procedure

When you use a Council service, the personal data you provide is required for statutory, legal, or contractual reasons, or with your consent. The Council processes personal information in compliance with their privacy notice and relevant data protection laws. You can access recorded information held by the Council unless it is exempt. If an exemption applies, we will notify you of the specific exemption being used and the reason for its application.

There are several methods to access information held by the Council, including the following:

- **Freedom of Information request (FOI)** – relate to the business dealings of the Council. The Council has **20 working days** to provide a response. FOI requests must always be in writing.
- **Environmental Information request (EIR)** – relate to requests for information relating to noise, air pollution, emissions, soil, buildings and animals, as well as images, video & audio recordings. The Council has **20 working days** to provide a response. All EIRs should be made in writing, although we will accept requests verbally if necessary.
- **Internal Review** – if not satisfied with an FOI or EIR response, you have the right to request an internal review. The Council has **20 working days** to respond, though if particularly complex, up to **40 working days** is allowed.
- **Data Protection / Subject Access Requests (SAR)** – relate to the personal information the Council hold about individuals, including staff. The Council has **30 calendar days** to provide a response.
- **Release of Public Sector Information** – requests to re-use the information contained within responses received from the Council. The Council must respond to these requests within **20 working days**.

Please note that a fee may be payable depending on the complexity and volume of the information being requested.

Data Protection Complaint

The way we handle complaints related to your personal information is governed by data protection legislation. Therefore, complaints concerning data protection matters, such as Subject Access Requests, Freedom of Information, or Environmental Information Requests, will not be processed under the Council's Corporate Complaint procedure. Instead, these complaints will be reviewed and responded to by the Customer Insight, Information & Investigations Team. Please refer to page 14 for further details.

Complaints about administration of the request

Where a complaint relates to service issues associated with an information request, such as delays, a failure to respond, a lack of updates or dissatisfaction with the administration of the request, these matters will be considered under the Council's Complaints Policy.

You can raise a complaint via the online form Complaints | London Borough of Havering Your complaint will be investigated by the Complaints Team, and a response will be provided as soon as reasonably practicable.

Complaints About the Processing of Personal Information

Complaints regarding the processing, handling, use, or disclosure of personal information are not considered under this Complaints Policy. Such matters will be reviewed separately by a senior officer within the Insight, Information and Investigations Service.

If you have concerns about how your personal data has been processed, or you are dissatisfied with the Council's response to your Subject Access Request, you may submit a request for a review.

How to ask for a review:

Contact us by email
Reply directly to the email we sent you with the Subject Access Request. Make sure to include your surname and complaint case number in the subject line. This helps us to find your case quickly.

Contact us by post
Write to us at Complaints Team, Havering Town Hall, Main Road, Romford RM1 3BB.

When submitting a request for review, please outline the reasons why you are dissatisfied with the Council's handling of your personal information or Subject Access Request. The Council will consider your concerns and issue a response within 30 calendar days of receiving your request.

If you remain dissatisfied following the outcome of the Council's review, you have the right to complain to the Information Commissioner's Office (ICO), the UK's independent regulator for data protection and information rights.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 0303 123 1113
Website: https://ico.org.uk/make-a-complaint/

Please note that the following applies to all complaints processes in the Appendices

1. Anonymous complaints, where enough information is provided to be able to investigate, will be recorded and considered by the Complaints Manager and/or relevant service area manager, where appropriate, but **no response will be provided**.
2. The Council **will not usually** consider complaints raised where the subject matter is being considered in legal proceedings such as care, adoption, special guardianship and disrepair proceedings. A decision will be reached after taking legal advice whether the complaint can be taken under the statutory procedure.
3. There is a 12-month limit in which a complaint can be made from the time that the matter occurred or from the time, it came to the attention of the customer. If your complaint is older than 12 months, we may still be able to consider it if there are extenuating circumstances that led to the delay of the complaint being made, and it is still possible to investigate the complaint effectively and fairly.

4. Complaints that have previously been will not be investigated again unless new information is provided.
5. In instances that the Council decides not to accept a complaint at any stage, an explanation will be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman.
6. The Council will not take a blanket approach to excluding complaints; we will consider the individual circumstances of each complaint.
7. We will update you and keep you informed on complaints that fall outside of the extension period.
8. If a complaint at any stage exceeds the extension timescale customers can approach the Housing or Local Government and Social Care Ombudsman Service
9. Councillors/MPs should not email officers directly as there will be no record of the request coming through, these should be logged through the usual complaint processes.
10. To support fair and timely complaint handling, the Council encourages submissions to be clear, proportionate, and focused. Excessively lengthy or unfocused complaints may limit our ability to respond effectively. We may ask for the points to be clarified before we are able to complete a full investigation.
11. Complaints and Information Requests Submitted Using **Artificial Intelligence (AI)** will not be rejected solely because they have been drafted or assisted by AI. However, where a complaint is unclear, excessively lengthy, contradictory, or the issues cannot be reasonably identified, the Council may request clarification or a summary before progressing the complaint or request. Any such request will not affect the customers right to have their case considered.
12. Members are not automatically entitled to sensitive/personal information, i.e. social care support plans or personal health data.

Information given to a councillor must only be used for the purpose for which it was requested. The Council is committed to treating all customers with courtesy and respect and expects the same standard of behaviour towards its staff. Any form of rude, abusive, or violent conduct directed at Council staff will not be tolerated. Further details are provided in the 'Unacceptable Behaviour around Complaints' section of this policy.

Appendix 1: Corporate Complaint Procedure

Havering Council fully adheres to the Complaints Handling code set by the Local Government and Social Care Ombudsman. We are committed to ensuring our complaints handling processes are fair, transparent, and accessible, and that they meet the standards set out by the Ombudsman.

All complaints will come into the triage team who will identify which route the complaint will follow. We aim to contact you within five working days. The Council has a two-stage Corporate Complaint procedure in place. Corporate Complaints covers areas such as but not limited to:

- Council Tax
- Benefits
- Bereavements and Registrations
- Public Protection
- Streets and Trees

Areas relating to Building Regulations

This includes but is not limited to:

- Building Control services, inspections, approvals and enforcement
- Factually incorrect information about the requirements of the Regulations
- Where the council has decided a structure is dangerous and has demolished it without giving the owner an opportunity to carry out the work.
  Delays in carrying out inspection of enforcement works
- A failure to keep proper records.

Areas we may not consider under complaints:

Damage to property caused by a neighbour's inadequate building work. This would normally be a matter for private legal action against your neighbour, where you have a right of appeal dispute about the quality of work. The quality of work is the responsibility of those who commissioned it and those who do the work.

Works done before purchase, a buyer would be expected to have carried out a full survey before completion of buying a property.

We will:

- Acknowledge your contact within **5 working days** detailing our understanding of your enquiry and the next steps.
- We will thoroughly review and investigate your concerns and respond to you, aiming to get things right first time, within **10 working days from the date of your acknowledgement**
- Allow an additional **10 working days** for those complaints which require longer to investigate. In these instances, it will be agreed by both parties in advance.
- Address all points raised in the complaint and provide a clear reason for any decisions.
- Incorporate any additional complaints raised during the Stage 1 complaint, if relevant to the original complaint. Where the response has been issued or unreasonably delay the response, a new Stage 1 should be logged.
- Confirm in all responses:
  - The complaint stage and definition.
  - The decision (including the reasons) on the complaint.
  - Details of any remedy offered to put things right.

    - Details of any outstanding actions.
    - How to escalate to Stage 2 if the customer is not satisfied.

- For those complaints which progress to Stage 2, we will acknowledge the request within 5 working days of receipt and conduct a further thorough and proportionate investigation and provide a full, clear and honest response within **20 working days**.
- It is not required for customers to explain their reasons for requesting a stage 2 consideration. Organisations should make reasonable efforts to understand why an individual remains unhappy as part of its stage 2 response
- Should we identify that the investigation is more complex, we will allow a further **20 working days**. In these instances, it will be agreed by both parties in advance.
- Ensure that the person considering the complaint at Stage 2 is not the same person that considered/investigated the Stage 1 complaint, to ensure another independent investigation is undertaken at Stage 2.

- Confirm in all responses:
    - The complaint stage and definition.
    - The decision (including the reasons) on the complaint.
    - Details of any remedy offered to put things right.
    - Details of any outstanding actions.
    - How to escalate to the Ombudsman if the customer is not satisfied.

When a complaint is made verbally, the officer will record the details of the complaint and the outcome the customer is seeking. If the officer can quickly resolve the complaint, they should do so. Otherwise details of the complaint and the desired outcome should be agreed with the customer and forwarded to the Customer Insight, Information and Investigations team, where they will triage the complaint, confirm the understanding of the issues raised and will immediately start the complaint process.

Sometimes complaints concern two or more service areas or departments. The Council will usually provide one co-ordinated response unless agreed otherwise.

Staff Complaints:

The Council takes complaints about staff very seriously. Complaints about staff should be made directly to the Council and will be considered under the formal Corporate Complaints Policy. However, complaints about staff conduct that relate to disciplinary matter, may be redirected to Human Resources, where they can be addressed through internal HR processes.
Where the complaint concerns an agency worker then the Council will coordinate any investigation with the relevant recruitment agency.

Once your complaint has completed the Council's complaints procedure, the Council cannot re-open a complaint which deals with the same matters.

The Customer Insight, Information and Investigations team will monitor performance to identify under performance and address any issues, identify any trends, ensure our customers are getting value for money.

Right to escalation

The customer has the right to request the complaint be escalated if they remain dissatisfied. The customer will need to:

Request an escalation to Stage 2 following the guidance they will have received on their Stage 1 outcome response.

Landlords must only escalate a complaint to Stage 2 once it has been completed at Stage 1. If all or part of the complaint is not resolved to the customer's satisfaction at Stage 1, it can be requested for progression to Stage 2 of the landlord's procedure, unless an exclusion ground now applies.

In instances where a complaint is declined to be escalated, we will clearly communicate in writing our reasons for not escalating as well as the details of your right to approach the Ombudsman about its decision

What happens if the customer is still dissatisfied once they have been through our complaints process?

If you remain dissatisfied following the review of your complaint, you will be informed of your right to refer the complaint to the Local Government and Social Care Ombudsman, who deal with complaints about a number of council services, including planning, social care, housing benefit, environment and waste, transport and highways, council tax and some education matters and Housing, except Social Housing.

Telephone: 0300 061 0614

Website: www.lgo.org.uk (you can complete an online form under "Contact us")

Address: Local Government and Social Care Ombudsman, PO Box 4771, Coventry CV4 0EH

Appendix 2 Housing / Social Landlord Complaints

Under the provisions of the Social Housing (Regulation) Act, the Housing Ombudsman has been granted new powers to issue a statutory Code of Practice outlining the procedures that social landlords must have in place for handling complaints.

Havering Council fully adheres to this Code when managing statutory housing complaints and those relating to social landlord services. We are committed to ensuring our complaints handling processes are fair, transparent, and accessible, and that they meet the standards set out by the Ombudsman.

To demonstrate our compliance, we annually complete a self-assessment against the Code and published our Annual Complaints Performance and Service Improvement Report. These documents are available via the below web link:

Ombudsman compliance documents | London Borough of Havering
Havering Council is committed to ensuring that all residents are aware of how to raise a complaint. We will continue to promote this information through a variety of accessible channels, including the At the Heart publication, the Residents' Handbook, and other relevant Council communications and platforms. This proactive approach supports our commitment to transparency, accountability, and continuous service improvement.

Responses at all stages will be provided when the answer is known and not when all outstanding actions are completed. Updates will be followed up on any outstanding actions.

What can complaints be about?

In general terms, anything related to a Social Housing property that you rent from the Council, this includes but is not limited to:

- Repairs and maintenance of your home.
- Anti-social behaviour/tenancy issues.
- Sheltered Housing
- Rent

What is the complaint process?

Complaints relating to Havering Council stock follow a two-stage process:

They will start at **Stage 1** and we will:

- Acknowledge your contact within **5 working days** detailing our understanding of your complaint and the next steps.
- We will thoroughly review and investigate your concerns and respond to you, aiming to get things right first time, within **10 working days** from the acknowledgment of your complaint.
- Allow an additional **10 working days** for those complaints which require longer to investigate. In these instances, it will be agreed by both parties in advance.
- Address all points raised in the complaint and provide a clear reason for any decisions.
- Incorporate any additional complaints raised during the Stage 1 complaint, if relevant to the original complaint. Where the response has been issued or unreasonably delay the response, a new Stage 1 should be logged.

- Confirm in all responses:
    - Its understanding of the complaint.
    - The outcomes the resident is seeking.
    - Which aspects they are and are not responsible for.
    - If any aspect of the complaint is unclear, we will contact you for clarification
    - The complaint stage and definition.
    - The decision (including the reasons) on the complaint.
    - Details of any remedy offered to put things right.
    - Details of any outstanding actions.
    - How to escalate to Stage 2 if the customer is not satisfied.

For **Stage 2** complaints, we will:

- Ensure that the person considering the complaint at Stage 2 is not the same person that considered/investigated the Stage 1 complaint, to ensure another independent investigation is undertaken at Stage 2.
- Acknowledge your contact within **5 working days** detailing our understanding of your enquiry and the next steps.
- We do not require customers to explain their reasons for requesting a stage 2 consideration. We will make reasonable efforts to understand why a resident remains unhappy as part of the stage 2 response.
- Respond to all Stage 2 complaints within **20 working days** of the complaint being acknowledged

Allow an additional **20 working days** for those complaints which require longer to investigate. In these instances, it will be agreed by both parties in advance.

- Confirm in all responses:
    - It's understanding of the complaint.
    - The outcomes the resident is seeking.
    - Which aspects they are and are not responsible for.
    - If any aspect of the complaint is unclear, we will contact you for clarification
    - The complaint stage and definition.
    - The decision (including the reasons) on the complaint.
    - Details of any remedy offered to put things right.
    - Details of any outstanding actions.
    - How to escalate to the Ombudsman if the customer is not satisfied.

Right to escalation

The customer has the right to request the complaint be escalated if they remain dissatisfied. The customer will need to:

a) Request an escalation to Stage 2 following the guidance you will have received on their Stage 1 outcome response.

Landlords must only escalate a complaint to Stage 2 once it has completed at Stage 1.
If all or part of the complaint is not resolved to the customer's satisfaction at Stage 1 it must be progressed to Stage 2 of the landlord's procedure, unless an exclusion ground now applies.
Please note that we have the right to decline a Stage 2 if the grounds are reasonable.

In instances where a complaint is declined to be escalated, we will clearly communicate in writing our reasons for not escalating as well as the details of your right to approach the Ombudsman about its decision

TMO complaints

Complaints Involving Tenant Management Organisations (TMOs)

Some properties owned by Havering Council are managed by **Tenant Management Organisations (TMOs).** These include **BETRA and DELTA.**

In accordance with the **Housing Ombudsman's Complaint Handling Code**, Havering Council is committed to **monitoring and reporting** on complaints related to TMOs.

However, the complaints process for **TMOs** follows a slightly different procedure:
Stage One: The complaint will be investigated and responded to directly by the TMO's management team.

Stage Two: If you remain dissatisfied with the outcome, the complaint will be escalated and investigated by Havering Council's Complaints Team.

This approach ensures that TMOs are accountable for their services while maintaining oversight and consistency through the Council's complaints framework.

Completion of local complaints process

If you/the customer remains dissatisfied with the response they/you can go direct to the Housing Ombudsman Service, and they may be able to investigate how we dealt with the matter.

- Online complaint form: www.housing-ombudsman.org.uk/residents/make-a-complaint/
- Phone: 0300 111 3000
- Email: info@housing-ombudsman.org.uk
- Postal address: Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET

Appendix 3: Statutory Adult Complaint Procedure - Social Care

If you are dissatisfied about a statutory service, you have received from Adult Social Care we would welcome your feedback and will use this to improve both your experience of the service and how services can be improved in the future. Adult Social Care is committed to responding appropriately to complaints and will take appropriate steps to remedy service failures identified arising from complaints.

Where complaints do not show a service failure, this will be passed to the service to respond directly, and an explanation will be provided. Adult Social Care will regularly review the lessons learnt from complaints to improve the quality of the service provided. If you do not receive a response from the service in agreed timescale, this can then be raised as a complaint.

What can complaints be about?

Anything related to Adult Social Care, such as:

- An unwelcome or disputed decision.
- Concern about the quality of a service.
- Delay in decision making or providing a service.
- Delivery or non-delivery of services.
- Quantity, frequency, change or cost of a service.
- Attitude or behaviour of staff.
- Application of eligibility and assessment criteria.
- Assessment, care management and review.
- Change/closure of service.
- Financial issues.
- Working practices which are contrary to Havering's policies on:
    - Health and Safety.
    - Equal Opportunities.
    - Racial, Harassment or Bullying.

When you make a complaint, we will contact you to ensure that we understand fully. Where possible, we will also discuss what you would like to happen to help resolve your complaint. Where further clarification is required and we are unable to confirm the details, the case may be placed on pause until the case details have been confirmed.

What is the complaint process?

- We will acknowledge your complaint within 2 working days of receipt
- Where a complaint is considered suitable for Early Resolution, a response will normally be provided direct from the service within 10 working days. Where a resolution meeting is arranged or further enquiries are required, this timescale may be extended to a maximum of 20 working days.
- Where a complaint does not meet the criteria for Early Resolution or the issue was not resolved at the Early Resolution stage, it will be accepted as a formal Stage One Complaints
- We will aim to **respond** to your complaint within **10-20 working days** from the date the complaint is agreed and/or required consent information is received.
- If your complaint involves another agency, e.g. health, home care services or residential/nursing home we will discuss this with you and the relevant agency to agree how the complaint should be handled. We will aim to **respond within 25 working days**.
- Resolution meetings may be considered to help resolve your complaint and this will be discussed with you if appropriate.

- We will keep you informed about the progress of your complaint and discuss any changes to the handling of your complaint with you.
- Interim responses will be provided if it takes longer to respond than anticipated.
- The outcome of a complaint will be provided in writing and will explain how the complaint has been considered, the conclusions reached and any remedial action which is necessary.
- The person who raised the complaint with us will be kept informed about any changes and the progress of their complaint including any delays with an explanation.

The final response **must** be sent no later than six months from the date the complaint was first received. The regulations allow councils to extend this timescale; however, this should only be necessary in rare cases. Councils should be mindful that the longer it takes to respond to a complaint, the more it can add to an individual's injustice.

The final response to the complaint **must** set out the council's response to the issues raised, including any proposals of how to put things right if things went wrong through an apology, remedy or service improvements.

It **must** also clearly signpost the customer to the Local Government and Social Care Ombudsman. https://www.lgo.org.uk

Right to escalation

If you have been through all stages of our complaints procedure and are still unhappy, you can ask the Local Government and Social Care Ombudsman to review your complaint. The Ombudsman investigates complaints in a fair and independent way - it does not take sides. It is a free service.

The Ombudsman expects you to have given us 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 investigate your complaint anyway. This is usually up to 12 weeks but can be longer for social care complaints that follow a statutory process.

The Local Government and Social Care Ombudsman looks at individual 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.

Website: www.lgo.org.uk

Telephone: 0300 061 0614

Monday to Friday: 10am to 4pm (except public holidays)

Appendix 4: Statutory Children's Complaint Procedure

What can complaints be about?

In general terms anything related to the actions/omissions of Children's Services in connection with a child or young person who is looked after or in need of help and protection, such as:

- A disputed decision.
- Concern about the quality of a service.
- Delay in decision making or providing a service.
- Delivery or non-delivery of services.
- Quantity, frequency, change or cost of a service.
- Attitude or behaviour of staff,
- Application of eligibility and assessment criteria.
- Application of a local authority policy which impacts on a child or young person.
- Assessment, care management and review.
- Change/closure of service.
- Financial issues.
- Working practices which are contrary to Havering's policies on:
    - Health and Safety.
    - Equal Opportunities.
    - Racial, Harassment or Bullying.

When a complaint is made, the Customer Insight, Information and Investigations team will contact the person to ensure that the complaint is fully understood and where possible, discuss what they would like to happen to resolve the complaint and any support needed, such as advocacy. Where further clarification is required and we are unable to confirm the details, the case may be placed on pause until the case details have been confirmed.

What is the complaint process?

- We will acknowledge your complaint within 3 working days of receipt
- Where a complaint is considered suitable for Early Resolution, a response will normally be provided direct from the service within 10 working days. Where a resolution meeting is arranged or further enquiries are required, this timescale may be extended to a maximum of 20 working days.

Where a complaint does not meet the criteria for Early Resolution or the issue was not resolved at the Early Resolution stage, it will be accepted as a formal Stage One Complaints. We will aim to **respond** to your complaint within **10 working days with an extension of up to 20 working days if required,** from the date the complaint is agreed and/or required consent information is received. acknowledge your complaint within 2 working days, and provide a formal Stage One complaint

- You may be offered a resolution meeting with the service at either stage of this process

Right to escalation

If you remain dissatisfied, you can request to progress your complaint to the next stage (Stage 2), and this must be requested within 20 working days of the Stage One response. However, if there are extenuating circumstances that led to the delay of requesting the escalation being made, and it is still possible to investigate the complaint effectively and fairly, the Stage Two request will be considered.

If your complaint is progressed to **Stage 2** – Independent Investigation:

- Your complaint will be progressed re-investigated by an independent investigator and overseen by an Independent Person. The Independent Person ensures the investigation is carried out fairly and in the best interests of the child.
- Your Stage Two complaint will be acknowledged with your statement of complaint, within **5 working days** from the date of receipt.
- If the Stage two request has been made verbally and requires confirmation in writing, or the initial statement of complaint is not agreed initially, the investigation will commence from the date of the agreed statement of complaint between the Customer and the Council
- Your complaint will be progressed to an Independent Officer and Independent Person, who may contact you about your Stage Two Complaint
- An individual report will be produced following an investigation by the Independent Investigator after accessing relevant records and interviews with staff, where required.
- Your complaint will be reviewed following receipt of the Independent Investigator report and any comments by the Independent Persons reports by the Assistant Director/Director.
- Once your complaint has been concluded the decision and the reports will be sent to you.
- Resolution meetings may also be considered during this stage if appropriate

Stage 2 Investigation can take between **25 working days,** from the date the Statement of Complaint being received or agreed, with a **maximum extension of up to 65 days**. Updates will be provided if the extension is required.

If you remain dissatisfied, you can request to progress your complaint to

Stage 3 – Review Panel
This must be requested within 20 working days of the Stage Two response. However, if there are extenuating circumstances that led to the delay of requesting the escalation being made, and it is still possible to investigate the complaint effectively and fairly, the Stage Three request will be considered.

In certain circumstances a complaint may be eligible for early referral to the Local Government and Social Care Ombudsman rather than continuing to Stage three. This decision will be based on a case-by-case basis

- The Stage two has delivered a robust report and adjudication, and all or most of the complaint points have been upheld
- The Council has provided a clear action plan and agreed to meet most of or all the complainants' outcomes.

If the Council feels early referral is appropriate, we will write to the customer confirming the agreement and reasons why and to advise them to contact the Local Government Ombudsman.

- If agreement is made to progress your Stage Three request, the process is as follows: Your Stage Three complaint will be acknowledged within 5 working days of the request
- A Stage 3 Review Panel will be held within **30 working days** from the date of the request, and you will be notified of the date.
- You can make representation to the Panel either in writing or in person.
- The Review Panel will review the Stage 2 investigation but will not reinvestigate the complaint.

- Following the Review Panel, the Chair will provide its recommendations to the Director of Starting Well within **5 working days**.
- The Director will send the decision to you within **15 working days** following receipt of Chair's recommendations.
- The outcome of a complaint will be in writing explaining how the complaint has been considered, the conclusions reached and any remedial action necessary.
- Resolution meetings may be considered to help resolve the complaint and this will be discussed if appropriate.
- The person who raised the complaint with us will be kept informed about any changes and the progress of their complaint including any delays with an explanation.

Completion of local complaints process

Complaints, which are made against a local authority, are the responsibility of the Local Government & Social Care Ombudsman (LGSCO) who has the necessary remit to cover local government issues.

The Parliamentary and Health Service Ombudsman has the authority to carry out joint investigations of health and social care complaints.

The LGSCO can be contacted if dissatisfied with the outcome of a complaint. The LGSCO would expect a complaint to have gone through all three stages, before investigating a complaint. However, they may consider early referrals.

Local Government & Social Care Ombudsman (LGSCO)
PO Box 4771, Coventry CV4 0EH

Telephone: 0300 061 0614

Online: http://www.lgo.org.uk/adult-social-care