

Islington Council Corporate Complaints Policy

Date last updated: March 2023

March 2023

Contents

1. Introduction	3
2. Our Commitment	3
2.1 Equality and Diversity	4
3. The Council's Corporate Complaints Policy	4
3.1 What services can customers complain about?	4
3.2 Complaints about Adult Social Services or Children's Services	6
3.3 Complaints about councillors.....	7
4. Who can complain?	7
4. 1 How are complaints made?	8
4. 2 Anonymous complaints	8
4. 3 Recording complaints	8
4. 4 Privacy notice	9
5. Resolving complaints before they reach the formal procedure stage	9
6. The council's complaints procedure	9
6. 1 Complaint outcomes.....	11
7. Complaints that cross council services.....	12
8. Learning from complaints	12
9. The Ombudsman.....	12
10. Confidentiality	13
11.Contact details.....	13

1. Introduction

Islington Council aims to provide its customers with services that are of a consistently good quality. However, sometimes things go wrong and when they do, we want to make sure that we quickly put them right and learn from our mistakes.

We recognise the importance of customer compliments and complaints in helping to achieve this aim and welcome them as a valuable form of feedback about our services.

Responding positively and efficiently to customers' comments concerns and complaints is a very direct and practical way of achieving progress and reflects our commitment to deliver basic services well. A well-managed and responsive complaints service can be a powerful tool to reassure our customers that we have:

- Listened to their concerns
- Taken them seriously
- Learnt from our mistakes
- Used and continue to use the lessons from complaints to help improve services
- Committed ourselves to providing good customer service
- Made sure that complaints are investigated fully and fairly

The aim of this policy is to provide clarity of roles and responsibilities to ensure response targets and quality of service are achieved. In addition, it provides guidance and expectations when investigating and resolving formal complaints or issues raised by citizens, or their advocates.

This policy does not cover complaints relating to an issue which is part of a statutory or legal process, or where other appropriate independent appeals processes or procedures are available (see section 3.2).

2. Our Commitment

Islington Council is committed to:

- Dealing with complaints impartially, objectively and professionally
- Treating customers with the same respect that we ourselves would like to be treated
- Ensuring that customers and their families do not receive adverse treatment because they have made a complaint
- Emphasising resolution and remedies to improve customers' satisfaction with council services
- Putting things right where possible and issuing an apology to the customer when necessary.

2.1 Equality and Diversity

Islington Council is committed to ensuring that the services we provide are relevant to the needs of all sections of the local community. The council aims to ensure that services meet the individual needs and expectations of local people and that everyone has equal access to services, regardless of their race, heritage, gender, religious or non-religious belief, nationality, family background, age, disability, or sexuality. We expect our contractors to share our vision and values.

We recognise that services must be relevant, responsive and sensitive and that it must be perceived as fair and equitable by our service users and the wider community. We expect contractors to share our vision and values.

We want to make the council's complaints procedure as accessible as possible, so we accept complaints in any format and in any language. We will also encourage a wide take up of the complaints procedure through contacts with advice agencies and organisations representing various community groups. The complaints leaflet can be made available in a wide range of formats, including Braille and audio tapes.

3. The Council's Corporate Complaints Policy

This policy sets out our approach when dealing with customer complaints. A complaint is an expression of dissatisfaction, 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 customer, resident or group of residents. Customers do not have to use the word 'complaint' for a complaint to be regarded as a formal complaint.

3.1 What services can customers complain about?

In general, a complaint can be made about services delivered by the council as well as services delivered by contractors and external agencies on behalf of the council.

There may be areas where the council is unable or limited in what it can do to investigate the complaint under the corporate complaints policy. Here is a list of examples where this applies:

- **Service requests** – these are initial requests for a service provided by either the council, its partners or contractors, such as a missed bin collection or a repair. Service requests can be reported online at www.islington.gov.uk/contact-us. or by phone on **020 7527 2000**, Monday to Friday from 9am to 5pm
- **Claims for damages/compensation** – these should be dealt with as an insurance claim. If your property or any personal items have been damaged, this is an insurance matter. In the

first instance, you will need to make a claim via your own home contents insurance. If you do not have a contents insurance policy, please contact Homes and Communities on 020 7527 5300, or by email at HomesandCommunities@islington.gov.uk .If the claim relates to an accident on public highway, please contact Public.Realm@islington.gov.uk

- **Complaints that are more than 12 months old** – any complaint known about by the customer, that was not reported to us within 12 months will not be accepted unless there is good reason for the delay e.g., customer was in hospital, evidence may be required.
- **Appeals to tribunals** – e.g., parking fine, housing benefit assessment, council tax support and service charges. Customer should use the appeals process, for further information on the appeals process, please see the links:
 - www.islington.gov.uk/parking/parking-tickets
 - www.islington.gov.uk/benefits-and-support/disagreeing-with-our-decision
 - www.islington.gov.uk/housing/council-homeowner-services/service-and-works-charges
- **Previous appeals** - the council cannot accept complaints about matters that have already been the subject of an appeal to a tribunal or to a government minister or are part of previous court action against the council
- **Complaints that have already been investigated** – any complaints that have already been through the council's complaints procedure or have been investigated by the Ombudsman should not be investigated again
- **Complaints about council staff** – some complaints contain issues about council staff or staff working on behalf of the council. These complaints can be investigated under the usual complaints policy but there is also a separate Human Resources (HR) policy which governs such issues. Depending on the nature of these complaints, if the complaint is to be investigated under our HR policy and the code of conduct for officers it may not be possible to keep the complainant informed of the progress, outcome, or specific action that may be taken against the member of staff. This could risk the investigation being prejudiced by disclosures of the process being taken and inconsistent with obligations of confidentiality in relation to others. To make a complaint regarding a member of staff, please use our online complaints form www.islington.gov.uk/contact-us/complaintsforms
- **Personnel matters** – new and existing staff of the council, organisations who deliver services on behalf of the council cannot use the complaints process to address any employment related issues. These complaints are governed by the relevant Human Resources policy
- **Housing Association (HA) or Social Landlord (RSL) complaints** – Complaints about any matters relating to services provided by a Housing Association will not be accepted and should be made directly to the relevant HA or RSL
- **Tenancy Management Organisation (TMO)** – TMO's have their own complaints investigation procedures but they are required to log complaints on the council's complaints system and respond within the timescales set by the council. The TMO Support and Compliance Team monitors established TMOs (including co-ops) and supports the development of new TMOs. If you require further information, visit www.islington.gov.uk/housing/council-tenant-services/council-tenant-and-homeowner-involvement/tmo-support-and-compliance-team
- **Penalty Charge Notices (PCN)** – There are legally defined procedures for challenging a PCN e.g., parking incorrectly, driving in a bus lane or failing to obey a sign. In these

circumstances customers should follow the legal procedures which are provided on the actual PCN Notice. For further information on PCN notices www.islington.gov.uk/parking

- **Initial reports of noise and neighbourhood nuisance** – there is a separate procedure to deal with complaints about noise nuisance. If you wish to submit a report, visit www.islington.gov.uk/community-safety/anti-social-behaviour/antisocialbehaviourreporting
Complaints about the conduct of these reports will be investigated in accordance with the Corporate Complaints Policy
- **Legal disrepair claims** – Where the customer has informed us that they are taking legal action against the council and a claim has been issued at court . All legal matters must be addressed in writing to: Legal Services, 3rd Floor, 7 Newington Barrow Way, London N7 7EP
- **Alternative Remedy** – When an alternative remedy such as legal action, tribunals or other procedures are more appropriate the customer should be advised of them
- Educational establishments, Schools, Colleges, Universities and Commissioned Children Centres operate their own complaints procedures which are separate from the council's procedures. Customers should contact the Head Teacher or administration department of the institution concerned for information on how to complain. If they are not satisfied after that they can ask the governing body to look at their complaint.
- **Access to Information requests** - Standard Information Complaints, Internal Reviews, Data Protection Complaints and Information Commissioner' s Officer complaints are not dealt with under the corporate complaints procedure. There is a separate complaint route, which leads to the Information Commissioner's Office (ICO), if the complaint is not resolved satisfactorily. Detailed guidance can be found in the Access to Information policy
- **Data Protection and Freedom of Information** – Refer to FOIA@islington.gov.uk

We may also place limitations on persistent or unreasonable complainants as covered under the council's **Unreasonable Complainant Behaviour Policy** (January 2021).

3.2 Complaints about Adult Social Services or Children's Services

Some complaints to Adult Social Services and Children's Services relate to the abuse or suspected abuse of a vulnerable adult or child. In these circumstances customers should immediately contact:

Adult Social Services
Adult Social Services Access Service
Tel: 020 7527 2299
Email: access.service@islington.gov.uk

Children's Social Care
Children's Services Contact Team
Tel: 020 7527 7400

Adult Social Services and Children's Services have their own statutory complaints procedures. Customers should first try to resolve the complaint with the line manager providing the service. If it cannot be resolved locally, the customer should contact the relevant complaints officers listed here:

People Directorate
222 Upper Street London N1 1 XR
Email: people@islington.gov.uk
Tel: 020 7527 8046
Text talk No. for deaf service users: 07860 026673

Children's Customer Care and Complaints Manager
3 Elwood Street
London N5 1EB
Email: jennifer.watson@islington.gov.uk childrensocialcare.complaints@islington.gov.uk
Tel: 020 7527 8048

Looked after children and young people can use the following freepost address.

Freepost children's complaints
3 Elwood Street
London N5 1EB
Email: childrensocialcare.complaints@islington.gov.uk

3.3 Complaints about councillors

Member of Parliament (MP's) and Councillor Conduct complaints are dealt with by the council's Monitoring Officer. Find out more on the council's Democracy web pages www.islington.gov.uk/about-the-council

4. Who can complain?

Anyone who uses or is affected by our services can make a complaint. This includes:

- Residents
- Service users
- Carers
- People who work in or visit the borough
- Local businesses
- Community groups

We acknowledge that some people need help to make a complaint and as such, we will normally accept complaints made on behalf of someone who is unable to do so themselves. Complaints can be made by a third party e.g., a relative or carer, a Councillor or Member of Parliament, a solicitor or other advocate and advice agency.

These complaints will be dealt with in exactly the same way as a complaint made directly by the customer. In some instances, it may be necessary to ask for appropriate consent from the complainant. For further advice on consent issues, please contact the council's Corporate Central Complaints Team (CCCT) at central.complaints@islington.gov.uk

4. 1 How are complaints made?

Customers can make a complaint using a variety of methods. These include:

- Online complaint form
- E-mail
- Letter
- Via social media
- Face to face (in person)

We wish to assist customers in the most appropriate way to resolve their issue. In line with equality legislation we will provide reasonable assistance or adjustments to enable a complaint to be made in a fair and equitable way. Some customers with disabilities may choose to use other methods to make a complaint. Further information on this can be obtained from the council's website www.islington.gov.uk/accessibility

Where a complaint is received in person, it is the responsibility of the person receiving the complaint to ensure that a full written record of the complaint is retained. This is important to ensure the customer receives a suitable response and will be reviewed should the customer wish to exercise their right to request a subsequent further review of the complaint by the council or the Ombudsman.

4. 2 Anonymous complaints

Consideration needs to be made on a case-by-case basis as to the substance of anonymous complaints, since they might highlight management issues which need to be investigated and addressed. Further guidance on this can be obtained from the CCCT.

4. 3 Recording complaints

Once received, the council will record the complaint together with any documentary evidence on the customer relationship management system, which will provide the customer with a reference number to use when making contact with the council about the complaint.

4. 4 Privacy notice

Information provided can be used for the purposes of complaint investigation. All data must be held securely and processed in accordance with the Data Protection Act 2018 and the General Data Protection Regulation. To investigate a complaint, the council might share the customer's name and contact details and details of the complaint with other services in the council so that a response can be made. If the complainant is escalated to the Local Government and Social Care Ombudsman (LGSCO) and/or the Housing Ombudsman (HO) to investigate the council may share information with them, however this will always be limited to what is required for the investigation. Further details can be found at www.islington.gov.uk/about-the-council/information-governance/data-protection/privacy-notice

5. Resolving complaints before they reach the formal procedure stage

There can be occasions where it is possible to identify potential problems that, if resolved swiftly can prevent a formal complaint being made. Every effort should be made to do this as the best way of resolving complaints is by dealing with the problem as soon as possible. Any decision to try and resolve a concern will be taken in agreement with the customer and the council, and where the council is the customer's landlord, an audit trail/record of such agreements should be available.

When a complaint is made however, **it must be acknowledged and logged at stage one** of the complaints procedure within 5 days of receipt.

6. The council's complaints procedure

The council operates a two-stage complaints procedure. A response must be sent when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned expeditiously with regular updates provided to the customer. If a complaint is not accepted a detailed explanation must be provided to the customer setting out the reasons why the matter is not suitable for the council's complaint process and the right to take that decision to the Ombudsman.

Stage 1

This stage is investigated and responded to by the service area in which the complaint originated. The relevant service must ensure that the complaint is acknowledged in 5 days of it being received in the council. Complaints received outside business hours will be treated as received the following working day. A full investigation will be undertaken and a final response will be sent to the customer in 10 working days of registration.

Where agreement over an extension period cannot be reached for a complaint that might be considered by the Housing Ombudsman, the Housing Ombudsman's contact details must be provided to the customer so the customer can challenge the council's/landlord's plan for responding and/or the proposed timeliness of the council's/landlord's response.

Where a customer raises additional complaints during the investigation these should be incorporated into the stage one response if they are relevant and the stage one response has not been issued. Where the stage one response has been issued, or it would unreasonably delay the response, the complaint should be logged as new complaint.

The final response, which will be reviewed and signed off by either a Senior Manager or the relevant Head of Service before being sent to the customer.

The response will advise customers/residents of their right to ask for their complaint to be escalated to stage 2 of the complaints procedure if they are unhappy with how their complaint has been handled.

The response will advise customers/residents that they can request an escalation to stage 2 of the procedure by contacting the service that responded to their stage 1 complaint using their preferred method of communication, or making their request directly to the Corporate Central Complaints Team. The escalation should detail the reasons the request is being made and the aspects of the stage 1 response the customer is dissatisfied with. The customer is also asked to provide any additional evidence they have to support the escalation request being made.

Requests for escalation must be made within one month of the date of the stage 1 response. We acknowledge however that there may be extenuating circumstances such as an illness, hospitalisation, or travel outside the country that prevent a complainant from asking for their complaint to be escalated within the one month period. These extenuating circumstances will be taken into account by the council and the timescales extended accordingly to ensure complainants are treated fairly.

A complaint response should be sent in PDF letter format which may be attached to an email.

Stage 2

The council (this includes in its capacity as a social landlord) must not unreasonably refuse to escalate a complaint through all stages of the complaints process and must have valid reasons for taking that course of action and those reasons are set out at 3.1 above.

Stage 2 investigations, referred to as the Chief Executive stage, are undertaken by the council's Corporate Central Complaints Team. Once the escalation has been accepted, the CCCT will acknowledge receipt of the complaint in three calendar days (excluding bank holidays). The CCCT is responsible for ensuring the customer's complaint receives a full investigation and response within 20 working days of receiving the complaint (excluding bank holidays).

If the investigating officer thinks that they need more time to carry out a full investigation they should contact the customer to agree a reasonable extension of the timescale. If an extension

beyond 10 working days is required to enable the council to respond to the complaint fully, this should be agreed by both parties.

In cases where an agreement cannot be reached and the complaint is in relation to the council as a social landlord, the customer/resident must be provided with the Housing Ombudsman contact details so the customer/resident can challenge the landlord's plan for responding, and/or the proposed timeliness of the landlord's response.

The Stage 2 complaint response will stipulate that any compensation payment offered is in full and final settlement of the complaint and where appropriate the total sum must be specified. The response must also reference that the complainant has up to one month from the date of the letter to accept the monetary offer. We acknowledge however that there may be extenuating circumstances such as an illness, hospitalisation, or travel outside the country that prevent a complainant from accepting a monetary offer within the one month period. These extenuating circumstances will be taken into account by the council and the timescales extended accordingly to ensure complainants are treated fairly. Where the complaint is in relation to the council as a social landlord, the response must provide the Housing Ombudsman contact details and clearly advise the customer/resident that they still have the right to contact the Housing Ombudsman if they are unhappy with how their complaint has been handled.

The final response will be reviewed and signed off by either a Senior Manager or the relevant Head of Service before being sent to the customer. A complaint response should be sent in PDF letter format which may be attached to an email.

6. 1 Complaint outcomes

All complaint responses provided, whether at stage 1 or stage 2, will have an outcome finding of either upheld, partially upheld or not upheld. The response will detail the reasons the investigation officer has come to that decision/finding. In addition, the response will also include:

- An apology where this is appropriate
- Details of any actions and/or remedies to put things right and the timescale for doing so
- Where appropriate, details of the measures to be taken to prevent a recurrence
- Information on any payment agreed to compensate the customer and how that will be made
- How to escalate the complaint to the next stage
- Information about the contact details of the Housing Ombudsman or Local Government and Social Care Ombudsman

7. Complaints that cross council services

Sometimes a complaint involves more than one service. In these instances, and in line with good practice, and Ombudsman guidelines, one response will be issued on behalf of the council. The complaint must be registered with the service who has the most substantive part of the complaint and the subsidiary service must provide comments for their service area. Only in exceptional circumstances should separate complaints be issued and must be agreed between services and the customer advised in the complaint acknowledgement letter.

8. Learning from complaints

Complaints are opportunities to put things right and learn lessons to prevent similar mistakes reoccurring. In the resolution of a complaint, both the complaint officer and the relevant service may find that there are recommendations and actions for improvement that can be agreed upon, with follow-on actions that can be put in place, and monitored. If this is the case, these recommendations will be captured within the conclusion of the complaint response.

9. The Ombudsman

If the customer considers their complaint has not been dealt with properly or fairly, they can make a request for their case to be considered by either the Local Government and Social Care Ombudsman (LGSCO) or the Housing Ombudsman (HO), depending on the nature of the complaint that has been made, as both Ombudsman deal with different issues. Both the LGSCO and the HO are fully independent of local councils and are answerable to parliament.

A complaint can be made to the LGSCO at any time, although the LGSCO will usually refer premature complaints to the council if they have not completed the internal complaints procedure. The LGSCO set out six core principles as a benchmark for standards expected when investigating complaints. These are accepted as a benchmark for the local authority and adhered to during the formal complaint handling process. These principles of good administrative practice can be read at www.lgo.org.uk/

If a resident remains dissatisfied at the end council's complaint procedure for complaints relating to the council's role as a social landlord, details of how to escalate to the HO service will be provided. The HO Complaint Handling Code promotes the progressive use of complaints, to support effective handling and prevention, alongside learning and development. As part of our membership obligations, the council will comply with the code and share the outcome of the self-assessment with residents www.islington.gov.uk/contact-us/comments-and-complaints-info

The Housing Ombudsman Complaint Handling Code www.housing-ombudsman.org.uk/

10. Confidentiality

All complaints will be dealt with in accordance with the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000. The identity of the person making a complaint will be made known only to those who need to know in order to consider the complaint and will not be made public by the council.

The council aims to be open and honest in its responses to complaints but sometimes it is necessary to maintain confidentiality. For example, we will generally not provide information about third parties to a complainant, although the investigation process might well involve the comparison of the complainant's circumstances with that of other people.

11. Contact details

Address: Corporate Central Complaints Team, Islington Town Hall, Islington, London, N1 2UD.

Email: Central.Complaints@islington.gov.uk

Phone: 020 7527 3007