

Corporate Policy and Resources Committee



20 January 2025

Title	Revised Corporate Complaints Policy
Purpose of the report	To make a decision.
Report Author	Sacha Bailey - Projects Officer Gillian Scott - Corporate Governance Support Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	Resilience Service delivery
Recommendations	Committee is asked to: Adopt the proposed revised Corporate Complaints Policy that aligns with the Ombudsman’s Complaints Handling Code.
Reason for Recommendation	The Local Government and Social Care Ombudsman (LGSCO) has issued a Complaint Handling Code as advice and guidance for all local councils. The Ombudsman expects councils to consider the Code when developing complaint handling policies and procedures and when responding to complaints. This will result in better services to the public and help drive service improvements.

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> The Council currently has a Corporate Complaints Policy which covers all services apart from the Council’s role as a landlord for affordable rental/temporary accommodation. The Council’s current Complaints Policy does not completely align with best practice in the Local Government and Social Care 	<ul style="list-style-type: none"> The Code was issued by the LGSCO as “advice and guidance” for all local councils in England. This means that councils should consider the Code when developing complaint handling policies and procedures and when responding to complaints. The Code was launched in February 2024, and councils are encouraged to adopt the Code as soon as possible.

Ombudsman (LGSCO) Complaint Handling Code (the Code).	
This is what we want to do about it	These are the next steps
<ul style="list-style-type: none"> • Successfully implement a new Corporate Complaints Policy, from 01 April 2025, that fully complies with the Complaint Handling Code. • Review current complaints procedures to ensure that they align with the Code. • Develop new templates that all staff are required to use when responding to complainants. 	<ul style="list-style-type: none"> • Gain approval from CPRC and proceed with the implementation of the new Corporate Complaints Policy. • Review current complaints procedures to ensure they align with the Code. • Review ICT systems, including our online form, to ensure that it enables the successful implementation of the Complaints Policy. • Develop a SharePoint site that all staff can access for information on complaint handling. • Develop new templates that all staff are required to use when responding back to complainants. • Develop a feedback form for customers using our complaints service.

1.1 This report seeks to obtain approval from Corporate Policy and Resources Committee to adopt the draft revised Corporate Complaints Policy 2025 - 2026 (**Appendix A**). If approved, the Policy will be implemented in accordance with the timetable specified in section 11. of this report.

2. Key issues

2.1 A Corporate Complaints Policy is crucial for enhancing service delivery within an organisation. Complaints provide valuable feedback from customers, highlighting areas where service improvements can be made. A well-defined complaints policy ensures that all complaints are handled consistently and fairly, regardless of where they occur within the organisation. Effective handling of complaints can improve the Council's reputation and strengthen public confidence in the Council's processes.

2.2 The Local Government and Social Care Ombudsman's [Complaint Handling Code](#) sets out a process that will allow councils to respond to complaints effectively and fairly. The purpose of the Code is to enable organisations to resolve complaints raised by individuals promptly, and to use the data and learning from complaints to drive service improvements. It will also help to create a positive complaint handling culture amongst staff and individuals.

- 2.3 The Code has been issued as “advice and guidance” for all local councils in England under section 23(12A) of the Local Government Act 1974. This means that councils should consider the Code when developing complaint handling policies and procedures and when responding to complaints. If a council decides not to follow the Code, the Ombudsman expects it to have a good reason for this.
- 2.4 The Code was launched in February 2024 and is considered good practice. The Ombudsman has been working with a group of pilot councils this year to develop a good practice guide to go alongside the Code, however, local councils are encouraged to adopt the Code as soon as they are able to do so.
- 2.5 The Ombudsman will start assessing complaint responses against their Code from April 2026; however, by having a revised Policy in place by 1 April 2025, the Council will have one year to adopt the Code successfully into working practices.
- 2.6 The Council’s current Complaints Policy already meets the majority of requirements in the new Code. The main differences being introduced by the revised Policy to comply with the Code include:

Current Policy	Revised Policy
No definition of a service request.	A definition of a service request i.e. a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision
Service decides to exclude a complaint from the complaint process and informs complainant.	When declining to respond to an issue as a complaint, signpost complainant to the Ombudsman.
An informal stage before the formal Stage1.	No informal stage. An expression of dissatisfaction is responded to at Stage 1.
Service area advises complainant if it needs to extend time for response.	When informing of an extension, signpost to the Ombudsman.
Requires reasons for escalating to Stage 2.	Reasons not required but clarification may be sought if necessary.
No feedback mechanism.	Actively seek feedback from individuals in relation to their complaint handling as part of the drive to encourage a positive complaint and learning culture.

- 2.7 The Council’s ICT systems, including the online complaints form, will need to be reviewed to ensure that it enables the successful implementation of the revised Complaints Policy.

- 2.8 A feedback form for those who have engaged with the complaints process, will be developed in order to gather data on our complaint handling and encourage a positive complaint and learning culture.
- 2.9 The review of the Complaints Policy and procedures has provided an opportunity to develop clear guidelines for staff on how to handle complaints effectively. Staff will be given training in the revised procedures to ensure they are equipped to deal with issues professionally, courteously and in a timely manner, further enhancing the customer experience.

3. Options analysis and proposal

- 3.1 Option 1 – Adopt the draft revised Corporate Complaints Policy so that it can be implemented by 1 April 2025, in accordance with the timetable set out in this report. If a council decides not to follow the Code the Ombudsman expects it to have a good reason for this. Having the revised Policy in place by 2025, gives the Council time to embed the changes within the organisation, before the Ombudsman starts assessing complaint responses against the Code in April 2026. **Option 1 is recommended.**
- 3.2 Option 2 - Only implement some changes to the Corporate Complaints Policy, without bringing it completely in line with the Code. This will mean that although the Policy may align with parts of the Complaint Handling Code, the Council may leave itself vulnerable in other areas to a finding of fault by the Ombudsman. In addition, the Policy will not meet best practice recommendations and consequently not provide the best experience for its customers. **Option 2 is not recommended.**
- 3.3 Option 3 – “Do nothing”. Doing nothing will mean that we will not comply with the Complaint Handling Code, leaving the Council vulnerable to a finding of fault by the Ombudsman, and will also run the risk of negatively impacting our Services link to the Corporate Plan. **Option 3 is not recommended.**

4. Financial management comments

- 4.1 There are no financial implications resulting from matters considered in this report.

5. Risk management comments

- 5.1 A privacy notice and Data Protection Impact Assessment already exists for the Council’s Complaints Policy.

6. Procurement comments

- 6.1 This report refers to a draft policy for which there are no procurement considerations.

7. Legal comments

- 7.1 As stated at paragraph 2.2, the LGSCO has issued a Complaint Handling Code as “advice and guidance” for all local councils in England under section 23(12A) of the Local Government Act 1974. This means that councils should consider the Code when developing complaint handling policies and procedures and when responding to complaints.

8. Other considerations

8.1 The LGSCO expect local councils to carefully consider the Code when developing policies and procedures. The LGSCO may make a finding of maladministration where local councils policies and procedures depart from the Code without sufficient explanation. They may also make a finding of maladministration where a local council, without good reason, does not meet the standards in the Code when responding to an individual complaint.

9. Equality and Diversity

9.1 An Equality Impact Assessment (EIA) has been completed (**Appendix B**) to assess the likely impact that a particular policy, procedure or decision will have on particular groups. In accordance with the Equality Act we will make changes in our approach as necessary to ensure our services are accessible to everybody.

10. Sustainability/Climate Change Implications

10.1 There are no impacts on sustainability or climate change issues arising from this report.

11. Timetable for implementation

11.1 January 2025 – adoption of the Policy by Corporate Policy and Resources Committee.

- January-February 2025 – develop a Complaints SharePoint site for internal use
- February 2025 - Prepare changes to online complaint portal for go-live date
- March 2025 – Staff training sessions on new processes
- 1 April 2025 – new Policy and processes are live

12. Contact

12.1 Gillian Scott, Corporate Governance Support Officer,
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Background papers: There are none.

Appendices:

Appendix A – Draft revised Corporate Complaints Policy
Appendix B – Equality Impact Assessment