Crawley Borough Council

Complaints Policy

Date applicable: 1 April 2024

Last revised: 1 October 2024

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- Disagreement with a council policy or legislation decision that we are applying when delivering a service.
- A request that the Council provides or improves a service.

3. Complaints about Councillors

If your complaint is about one or more of our elected councillors, please visit our Code of Conduct page on our website, which will guide you through the process.

4. How do I complain?

Complaints can be submitted using our online complaints form, by telephone on 01293 438000, email complaints@crawley.gov.uk, visiting the Town Hall, or by writing to us:

Corporate Performance Team, Governance People & Performance Division, The Create Building, The Boulevard, Crawley, West Sussex, RH10 1UZ.

When making your complaint, please tell us:

- Your full name, address, and contact details
- The date and time the incident occurred and what went wrong.
- Who was involved, including the names of officers / departments if known?
- How you would like us to resolve the matter

The complaints policy also covers complaints made via your local Councillor or Member of Parliament.

The Council is committed to ensuring the way we work does not place people who require assistance at a disadvantage when accessing our services. We will consider each request individually, aiming to agree and provide appropriate reasonable adjustments when they are needed and in compliance with the Equality Act 2010.

5. Time limit for making complaints

Complaints should be made as soon as possible after the incident and no more than 12 months from the event or issue being complained about. Discretion may be applied to accepting complaints made outside this time limit where there are good reasons to do so.

6. Anonymous complaints

Anonymous complaints will be investigated as far as possible, and a record of the complaint kept. If an anonymous complaint makes serious allegations, we will refer it to the relevant Head of Service immediately.

7. The Complaints Handling process

Our complaints policy is based on a two

However, the Council reserves the right to refuse escalation of a complaint through all stages only where this is good reason to do so on a case-by-case basis. We will provide a full explanation for the reason in these cases and refer you to either the Local Government & Social Care Ombudsman or Housing Ombudsman.

We will make reasonable adjustments for individuals where appropriate under the Equality Act 2010 and keep a record of any reasonable adjustments agreed.

If the complaint includes issues for more than one part of the council, the investigation will be led by the person who has responsibility for the major part of the complaint. We will aim to provide you with a single response whenever possible.

If more information or additional complaints are raised during the complaint investigation and is relevant to the original issue and a response has not been provided, we will include these in our response. If, however the Stage 1 response has been issued, or the new issues are unrelated we will log it as a new complaint.

Stage 1

Stage 1 complaints are conducted by the relevant service Manager.

- We will acknowledge and log the complaint within five working days oponskit(e)-4 ( )]TIOc1<(o)1 iresvspo2 (o)1 (nal)-1 ((y)(e)-1(1<(oa)-10 m)1 (ai)-2 (t)2 (0 (ig)5 0 (a)-10 (dp 28.5 0 Td(.)Tj4EMC /LE

details of any outstanding actions and
details of how to escalate the matter to Stage 2 if you are not satisfied with the response.

- There may be occasions when we consider the matter has been exhausted at Stage 1 and any further investigation would not change the outcome or decision. If this is the case, the decision to conclude the Council's complaints process at Stage 1 will be taken by the relevant Head of Service. We will clearly state the reasons for not escalating the complaint and you will have the right to refer the matter to the Local Government and Social Care Ombudsman or Housi1 (e ( )-10 (i)-2 (f y)1 (o))]TJ16.4 -1.2/MCID 17

details of how to escalate the matter to

The Ombudsman expects you to have given us a chance to deal with your complaint, before you contact them.

The Local Government and Social Care Ombudsman looks at individual complaints about councils and some other organisations providing local public services. There are some limits on what the Ombudsman can look at. For example, the Ombudsman may not consider your complaint if you have not been significantly personally affected by the issue you are raising, or if you have a right of appeal to a court or tribunal.

Contact:

Website: www.lgo.org.uk
Telephone: 0300 061 0614

Housing Ombudsman Service

The Housing Ombudsman is an independent, impartial, and free service for social housing residents. You can bring a complaint to the Housing Ombudsman for investigation if you have completed our complaint process and the issues have not been resolved.

The Ombudsman has a Complaint Handling Code which sets out advice and guidance for landlords on how to handle complaints. You can find more information about this on the Ombudsman's website The Complaint Handling Code | Housing Ombudsman Service (housing-ombudsman.org.uk)

The Ombudsman cannot consider every complaint they receive and what they can and cannot consider is set out in the Ombudsman's jurisdiction.

Contact:

Wesbite:www.housing-ombudsman.org.uk

Email: info@housing-ombudsman.org.uk

Telephone: 0300 111 3000

PO Box 1484

Unit D

Preston

PR2 0ET

11.

- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.

- Submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints.

- Refusing to accept the decision.

- Repeatedly arguing points with no new evidence.

Vexatious behaviour

The Council recognises that customers who feel dissatisfied with the service they have received may feel angry about their treatment. However, the Council has a duty of care to its staff and will take necessary steps to ensure the safety and wellbeing of its employees.

Examples of unacceptable or vexatious behaviour includes that which is abusive, offensive or threatening and may include:

- Using abusive or foul language on the telephone
- Using abusive or foul language face to face
- Any form of intimidating or threatening behaviour

We will take action to protect staff from such behaviour. If a complainant behaves in a way that is unreasonably persistent or vexatious, we will follow this policy.

How we will respond

When we believe a complainant to be unreasonably persistent or vexatious, we will use this policy to consider the appropriate and proportionate action based on evidence.

The decision to restrict access will be taken by the Head of Governance, People & Performance in consultation with the relevant Head of Service. The options we are most likely to consider are:

- Placing time limits on telephone conversations and personal contacts
-

The council will keep a record of the following information:

- The name and address of the complainant who is treated as abusive, vexatious or persistent.
- When the restriction comes into force and ends
- What the restrictions are and when the complainant and departments were advised.

Right to appeal the decision

The complainant has the right to challenge the decision on any restrictions to be applied under this policy and they should request for this review to take place within 10 working days of the initial notification. Such requests will be forwarded to the Deputy Chief Executive who will undertake the review of the decision.

The review will determine whether:

- A decision was right to invoke the policy and/or
- Any particular restrictions applied are justified.

Referral to the Local Government & Social Care Ombudsman or Housing Ombudsman

In some cases, relations between authorities and unreasonable and unreasonably persistent complainants break down badly while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances there is often little purpose in following through all stages of the council's complaints procedure and where this occurs the Ombudsman may be prepared to consider complaints before complaints procedures have been exhausted. This is the case even in respect of statutory complaints procedures.

A complainant who has been identified as an unreasonably persistent complainant may make a complaint to the Ombudsman about the way in which he or she has been treated. The Ombudsman is unlikely to be critical of the council's action if it can show that its policy has been operated properly and fairly.