London Borough of Camden Complaints Policy & Procedure

We want to make Camden a better borough – a place where everyone has a chance to succeed and where nobody gets left behind.

Together, we will create a place that works for everyone, and where everybody has a voice.

We will make sure we put communities and residents at the heart of everything that we do.

In order to do this, we encourage you - Camden's residents, tenants, businesses, visitors, community groups and any other group or individual that uses or are affected by our services (referred to here as residents) - to get in touch when things go wrong. When they do go wrong, we need to know so we can put them right and learn from our mistakes.

This policy and procedure set out how we handle complaints from our residents in a simple and timely way that is open and transparent.

Camden is committed to making our complaints process barrier-free and as accessible as possible for everyone. This includes making reasonable adjustments or changes for disabled people, neurodiverse people, or people with long-term health conditions. If you would like us to do anything differently during the complaints process, including providing information in alternative format, then please let us know.

Some examples of tools that make access to our complaints process easier

• If you are blind or partially sighted you can navigate our website including the complaints webpages using our Browse aloud tool, which can read the contents of the webpage out to you.

• People who use British Sign Language (BSL) can contact the Council using Sign Video, a specialist interpreting service.

• Browse aloud allows you to translate the Council's web pages into 99 different languages.

More information on accessibility is available here: Accessibility in Camden 2

Any member of the public, including a child, who claims to have been negatively impacted as a result of the actions of the authority, may make a complaint. The same applies if they are raising issues which relate to matters of significant public interest.

However, a consent form may need to be completed where applicable.

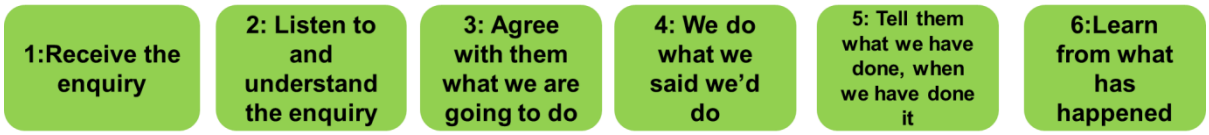
A member of the public includes people acting on behalf of a business, or a voluntary or charitable organisation. Members of the public do not have to be resident in the authority's area to raise a complaint.

Camden Council's definition of 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.'

The term 'complaint' does not need to be explicitly used for an issue to be treated as one. Whenever dissatisfaction is expressed, we will offer the opportunity to raise a formal complaint.

The following steps are applied to all complaints received:



Good complaint handling means:

- Getting it right
- Being resident-focused
- Being open and accountable
- Acting fairly and proportionately
- Putting things right
- Doing it in a timely way
- Learning from complaints
- Seeking continuous improvement

Stages of complaint

1. Being able to resolve a matter at the point of contact is important and the Council's aim is to resolve issues for our residents as quickly and simply as possible and to the resident's satisfaction, where possible. This is done by discussing with the resident their issue and whether it can be resolved as a service request (Business as Usual). Where an issue that has been raised has not been dealt with to the resident's satisfaction at the point of contact then the formal procedure is started, and the issue is logged as a complaint. This is done within 5 days of the issue being first raised. A complaint will not prevent, stall or impact actions needed to resolve immediate issues.

Stage 1

- The local resolution stage
- Dealt with internally directly by the officers and managers responsible for the service.
- Emphasis is on trying to reach a resolution. If that resolution is not reached, the resident has the right to escalate matters to stage 2

Stage 2

- The review or appeal stage
- Dealt with internally by complaints officers who have not been involved previously [or in the case of statutory social care services, by an independent investigator]
- The process is overseen and monitored by the centralised Complaints Team within the Information and Records Management [IRM] service

Stage 3

- An external, independent review conducted by the Local Government & Social Care Ombudsman or Housing Ombudsman or Building Safety Regulator.

Usually, the Ombudsman expects the complainant to have exhausted the Council's complaints procedure before stepping in

- For children's social care complaints stage 3 is an independent review panel

The focus at all stages is to provide a high-quality response that resolves all the issues you raise and finds a suitable outcome for you in a timely way.

How are we going to do this?

We will:

- Ensure that residents have a fair and effective way to provide feedback about our services
- Respond to feedback in a fair, consistent and professional manner
- Make the complaints experience as simple as possible
- Resolve any issues and find a suitable outcome
- Ensure our complaint policies are up to date and consistent with relevant legislation and standards

When we receive a complaint at Stage 1 or 2, we will:

- Acknowledge the complaint which will include understanding of the complaint, the outcomes being sought, and aspects the Council might not be responsible for.
- Contact you to ensure we have listened and understand the complaint when further clarification is needed
- Offer translation and interpretation services to those of you who request it or inform us that English is not your first language
- Make reasonable adjustments or changes for disabled people, neurodiverse people, or people with long-term health conditions for those who request it
- For children and young people appoint an advocate to support the process if requested using an external and appropriate advocacy service
- Tell you the name of the officer or team dealing with the complaint, what will happen next and when the response will be ready
- Investigate the complaint and do what we say we will do to resolve the complaint
- Keep you informed and notify you if there is a delay and commit to a new timescale in which you will receive a response
- Contact you to tell you what we have done and why we have done it (the outcome and reasons for the decision)
- Ensure that additional related concern raised within the review period of the Stage 1 will be included within the complaint response. any new issues will be logged as a new complaint if the stage 1 response has been issued, the issues are unrelated, or it would unreasonably delay the response.

For stage 2 complaints:

We will also:

- Ask you why you are dissatisfied with the response at stage 1.
- We do not require complainants to provide reasons when requesting a Stage 2 review, and a complaint will not be declined on this basis. However, if the grounds for escalation are unclear, we will make reasonable efforts to understand the nature of the dissatisfaction**.**
- For Adult Social Care and Children's Social Care Services, arrange an independent investigation (Stage 2)

Tenant Management Organisation (TMO)

Some properties are managed by Tenant Management Organisations (TMO) which include:

- Abbey Road Community Housing Ltd
- Agar Grove Housing Group Ltd
- Carol Street Tenant Managed Co-operative Ltd
- Chalk Farm Housing Group Ltd
- Godwin and Crowndale Tenant Managed Co-operative Ltd

In accordance with the Housing Ombudsman's Complaint Handling Code, Camden Council is committed to monitoring and reporting on complaints related to TMO's. However, the complaints process for TMOs follows a slightly different procedure as detailed below.

Stage 1: The complaint will be investigated and responded to directly by the TMO.

Stage 2: If you remain dissatisfied with the outcome, the complaint will be escalated and investigated by Camden Council's Central Complaints Team.

This approach ensures that TMO's are accountable for their services while maintaining oversight and consistency through the Council's complaints framework. TMO's will handle complaints in accordance with our complaints policy and the Housing Ombudsman's Complaint Handling Code.

Remedies

If we find that we (including our contractors) are responsible/at fault, suitable remedies may include one or more of the following:

- Recognise what we did wrong
- Apologise
- Improve procedures so similar problems do not happen again

- Review a decision
- Carry out an assessment
- Offer a financial remedy

When deciding on suitable remedies the investigating officer will consider the following:

- Amount of time the citizen spent trying to resolve the issue
- Difficulty the citizen experienced trying to resolve the issue
- Distress to the citizen and/or others
- Risk of harm to the citizen and/or others
- Actual harm caused (We will consider if an insurance claim is more appropriate on a case-by-case basis).
- Previous responses sent to the citizen
- Any other attempts to address the issue
- Administrative costs such as travel, cost of phone calls etc.

The investigating officer will then consider the remedies that are appropriate and proportionate to the fault or failure.

A copy of the remedies policy and procedure is available here:

Complaints - Camden Council

Learning from complaints

We are committed to learning from complaints and promoting a culture of continuous improvement.

We will:

Capture learning outcomes and analyse trends and themes to:

- inform improvements to services
- identify relevant training for staff
- review and make changes to policies and procedures where necessary.

How long will it take?

We will discuss your concerns and agree timescales with you and keep you updated on the progress of your complaint. The following are guidelines which we will follow although some complaints may be resolved sooner than this and others that are more complex may take longer.

- All stages (acknowledgement) - 5 working days

We will register and acknowledge receipt of your complaint within 5 working days from when you submitted it. The acknowledgement will include a complaint definition.

- Stage 1 - 10 working days

We will endeavour to respond in full to your complaint within 10 working days from when the acknowledgement has been received.

Exceptionally, the Council may extend the timescales to respond by a further 10 working days (This is particularly relevant to complex cases such as in adult or children social care cases) and will provide an explanation to the resident for the reasons for the extension and a clear timeframe for when the response will be received. We will provide details of the Ombudsman where any extension exceeds those stated within the Housing Ombudsman's Code.

- Stage 2 – 20 working days

We will endeavour to respond in full to your complaint within 20 working days from when the acknowledgement has been received.

Exceptionally, the Council may extend the timescales to respond by a further 20 working days and will provide an explanation to the resident for the reasons for the extension and a clear timeframe for when the response will be received. We will provide details of the Ombudsman where any extension exceeds those stated within the Housing Ombudsman's Code.

(Extended to 65 working days in complex adult or children social care cases)

Stage 3 - dependent on the Ombudsman timescales as laid out by them.
Arrangement of an Independent Review - 30 working days

Issue of findings of stage 3 Panel - 5 working days

Response from the council to findings (when applicable) - 15 working days

In the case of Children's social care services complaints:

If an extension beyond the above timeframes is required to enable the Council to respond to the complaint fully, this will be agreed by both parties. Where agreement cannot be reached, details of the relevant Ombudsman Local Government and Social Care Ombudsman will be provided to the resident so they can challenge the Council's plan for responding.

Responses will detail the remedies that have been decided with dates for completion. We proactively will track and provide updates on any outstanding actions, once a complaint response is provided.

Referrals to the Ombudsman

If you have exhausted Camden's complaints procedure and you are not happy with the outcome, you can ask the Ombudsman to assess your case.

You can also contact the Ombudsman for free impartial advice at any point including before making a complaint or while Camden are investigating a complaint you have made.

The **Housing Ombudsman (HOS)** deals with enquiries and complaints that are related to services provided by the council as a social landlord e.g., repairs to properties.

Make a complaint - Housing Ombudsman

https://www.housing-ombudsman.org.uk/residents/make-a-complaint/

The **Local Government and Social Care Ombudsman (LGSCO)** deals with enquiries and complaints that are related to all other council services. This includes non-landlord housing issues such as housing allocation, homelessness and temporary accommodation

How to Complain - Local Government and Social Care Ombudsman

https://www.lgo.org.uk/how-to-complain

The Joint Complaint Handling Code

The Joint Complaint Handling Code sets out good practice that provides guidance on how the Council should respond to complaints effectively and fairly.

Under the Housing Ombudsman Scheme, it is mandatory for landlords to comply with the Code.

Under LGSCO it is recommended to comply with the Code as good practice.

Camden applies the good practice set out in the Code to all of its complaint handling processes.

Camden must carry out an annual self-assessment against the Code to ensure our complaint handling remains in line with its requirements.

Previous and current self-assessments can be found here: Complaints - Camden Council

Referrals to the Building Safety Regulator

The **Building Safety Regulator** deals with enquiries and complaints that relate to building safety issues of high-rise residential buildings (HRRB) e.g. fire safety.

If your complaint is about the building safety of a high-rise residential building and you have exhausted Camden's complaints procedure, you can ask the Building Safety Regulator to investigate your complaint further. You can also contact the Building Safety Regulator for free impartial advice at any point including before making a complaint or while Camden are investigating a complaint you have made.

Further information can be found here – https://www.gov.uk/guidance/contact-the-building-safety-regulator#complaints-you-can-make-to-bsr

What do you need to do?

We ask that you:

- Submit the complaint within 12 months after the date of the incident.
- Submit a request for a stage 2 review: within 1 calendar month after the date of the agreed actions in the stage 1 response are due to be completed

or

- within 1 calendar month of receipt of the stage 1 response,

or

- whichever is later.

We will not accept a complaint outside of these timescales except where exceptional reasons for the delay can be demonstrated. To further clarify, complaints submitted more than twelve months after the issue occurred, or after the complainant became aware of the issue, will not be considered under the complaint's procedure.

We will provide an explanation and signpost to the relevant Ombudsman if a complaint is not accepted.

If we receive persistent malicious, rude, offensive or vexatious communications that we consider to be unreasonable behaviour, we may:

- if the complainant is a tenant, refer to the Ward Manager for tenancy action
- invoke the unreasonable behaviour procedure and a complaint will not be rejected without good reason
- if the resident is a tenant, refer to the Ward Manager for tenancy action
- take legal action

More information about the policy and procedure

Format of complaint

We accept complaints in a variety of formats - e-form, telephone, letter, email and in person.

Examples of a complaint

- Failure to follow process
- Failure to follow the Council's own policy
- Significant or repeated failure to provide a service
- Failure to do what we said we would do
- Failure to respond

Other types of feedback or enquiries

There are some types of feedback or enquiries that fall outside the scope of this policy because there are other more suitable processes for dealing with them.

These include:

- Requests covered by legislation such as a Freedom of Information or Subject Access requests.
- Claims for compensation for damages to personal belongings and/or impact to health. Such claims for compensation against the Council will be referred to the insurer.
- Complaints relating to compensation claims will be progressed under our complaint process up until the point legal proceedings have been filed.
- Enquiries from Councillors and Members of Parliament (MPs). However, if such enquiries clearly constitute complaints submitted on behalf of a constituent by a Councillor or MP, they will be handled in accordance with the third-party complaints process.
- We will deal with service requests directly, in the first instance, as part of the Council's Day to day business, rather than through our complaints process. Examples of a service request are:
- A request to carry out a repair
- When we are advised of a missed waste collection
- Reports of anti-social behaviour

When we are unable or may not investigate a complaint

- We may not investigate if legal proceedings have started (i.e. when a claim is filed in court) and the Council considers the proceedings are inextricably linked to the complaint and therefore responding to the complaint would prejudice the proceedings. The threat of legal or other proceedings does not stop consideration of a complaint, and the complaints manager will decide whether to investigate each case on an individual basis having taken legal advice when necessary

- We cannot investigate any complaints where the Court has made a decision about the subject of the complaint
- We cannot investigate when the complaint is not about Camden Council or a contractor or partner acting on our behalf

Other types of complaints procedures

There are some types of complaints that fall outside the scope of this policy because there are other more suitable processes for dealing with them.

- Complaints about Councillors. Complaints of this nature are dealt with by Camden's Standards Committee Complain about a Councillor

https://www.camden.gov.uk/complain-about-a-councillor-form

- Complaints about your planning application. If we have refused your planning application for development or work where consent is required by planning law, in most cases you have a right to appeal to the Planning Inspectorate. We cannot investigate any decisions made by the Planning Inspectorate

Planning Inspectorate - GOV.UK

You disagree with a housing benefit decision. You can ask us to explain the reasons for the decision. If you still disagree, you can:

- Ask us to reconsider the decision or
- Appeal to an independent appeals tribunal

Dispute a Housing Benefit decision - Camden Council

Dispute a housing benefit decision

- You want to challenge a Penalty Charge Notice (PCN), you can:
- Ask us to reconsider the decision or
- Appeal to the Environment and Traffic Adjudicators

Parking Penalty Charge Notice enforcement process | London Tribunals

Our contractors and partners

A number of services are delivered by our partners or private suppliers. This policy applies to services that Camden Council currently provide directly, and the procedure can be used for any council service regardless of how it is delivered. We encourage you to feedback to us your experiences with our contractors or partners.

Third Parties

We accept complaints from third parties on behalf of someone else, such as family members, friends or representatives, solicitors, advice agencies or advocacy

workers. This also includes ward councillors who are able to assist people through the process. To comply with Data Protection legislation, we must have written and signed consent from the citizen before we respond to a third party.

In relation to Building Safety Regulator complaints, 'any person' is able to make a relevant complaint where it relates to matters covered under Building Safety and signed consent is not required.

Statutory Requirements

Complaints relating to Children's Services and Adult Social Care are governed by statutory guidelines. Those statutory requirements have been incorporated into this policy and therefore this policy covers those areas of council activity.

Data Protection

Privacy and data protection - Camden Council

Publication of the complaints policy and procedure

The complaints policy and procedure are available on the Council's website:

Details of the complaints policy including information about the Housing Ombudsman's complaint handling code are publicised on the Council's Housing webpages.

Complaints - Camden Council

Previous policies and procedures

This policy and associated documentation replace Camden Council's:

Complaints Policy and Procedure V 3.0 July 2024

Information and version control

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