



Item	Details
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Originator:	Kerry Spiers
Owner:	Nichola Oliver
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Corporate Complaints and Feedback Policy

Key policy details

Approvals

Item	Date of Approval	Version No.
Consulted with Legal Services	30.12.2022	1
Reviewed by Corporate Scrutiny Committee	TBA	
Approved by Cabinet	TBA	

Policy Location

This policy once approved will be found on the following page of the website [Complaints, compliments, comments - North West Leicestershire District Council](#)

Equality Impact Assessment (EIA)

Completed by	Completion date
Nichola Oliver	September 2023

Revision history

Version Control	Revision Date	Summary of Changes

Policy Review Plans

This policy is subject to a scheduled review once every two years or earlier if there is a change in legislation or local policy that requires it.

Distribution

Title	Date of Issue	Version No.
Website	TBA	

We welcome your feedback

Northwest Leicestershire District Council has a positive complaint handling culture which is integral to the effectiveness with which we resolve disputes. We use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.

We are committed to providing high quality services and we welcome your feedback on how we are performing.

Our staff take great pride in their work, and we love hearing from customers who have received excellent service.

We always try to get things right first time, but we recognise that sometimes things can go wrong and if they do, we want to know, so we can put them right and learn from any mistakes.

This policy explains how you can make a compliment, comment or complaint and how we will investigate it and respond back to you.

This policy and the relevant Ombudsman complaint handling codes can be found on our website: <https://www.nwleics.gov.uk/>. If you require this policy in a different format, please contact Customer Services on 01530 454545.

Complaints

What is a complaint?

We consider a complaint to be *'an expression of dissatisfaction, however made, 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/resident or a group of individuals/residents'*. We will always encourage you to resolve your problems directly with the relevant service area before making a complaint, as this is most often the quickest way of resolving problems when they occur.

Please use our complaints process if you think the Council has not:

- Provided the standard or quality of service promised.
- Followed our own policies.
- Responded promptly to your enquiry or request for service.
- Treated you fairly.
- Treated you with courtesy.

If you make a complaint to the Council, we will investigate and respond using the procedure set out in this document. We promise to deal with your complaint promptly, courteously and fairly.

When dealing with complaints, the Council works in line with the Local Government Ombudsmen's six principles of good administration:

1. Getting it right....
2. Being service user focused...
3. Being open and accountable...
4. Acting fairly and proportionately...
5. Putting things right ...
6. Seeking continuous improvement...

If you would prefer us not to investigate and respond, you can still make a comment on our services, which we will feed back to the relevant manager. Feedback via our social media channels will need to be submitted through the established routes below.

The Council also recognises that sometimes serious dissatisfaction with our services may be expressed informally. In these cases, due the nature of the service failure, the Council itself may choose to invoke the complaints procedure, to ensure that the issue is properly investigated, resolved and that lessons learned are captured.

Not a complaint?

Sometimes the complaint process is not the most appropriate route to address your concern. If this is the case, we will contact to you to explain why, and which other processes are open to you. Examples of issues that we cannot address through our complaints process include, but are not limited to:

- When you first report a fault or problem (e.g. reporting a bin has not been collected or a leaking roof in a Council-owned property). This will be dealt with and recorded as a Request for Service. A complaint will be raised when an individual expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. The council will not stop its efforts to address the service request if the individual complains.
- An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, those completing the survey will be made aware of how they can pursue a complaint if they wish to. Where we ask for wider feedback about our services, we will also provide details of how individuals can complain.
- A matter which occurred over twelve months ago unless there are exceptional circumstances to why you are making the complaint outside this timeframe.
- When you have concerns about an issue in the District, such as a noise or public nuisance – these should be directed to our Environmental Protection team who will investigate and may need to take enforcement action.
- If you are making objections regarding a Planning application, these should be via our [planning portal](#). Objections to a planning application will not be considered as part of the complaints policy.
- The correct application of the law or a Council Policy, or to matters for which there is another right of appeal. Sometimes you may have a statutory right of appeal against a decision that has been made for example Issues for which

statutory appeal bodies or tribunals have been established, for example, The Appeals Service (for Benefit appeals), The Planning Inspectorate (for Planning appeals).

- Complaints which amount to a disagreement with the Council about its decision rather than the way the decision has been administered (e.g. the Council Tax banding or the allocating of council properties in accordance with its allocation policy).
- Complaints regarding a decision made by the Council when exercising its regulatory powers (e.g. licensing, serving notices) or undertaking its statutory duties (e.g. making a decision on a homelessness claim) unless the complaint relates to the way the matter has been administered.
- Matters in which legal proceedings have started (legal proceedings are considered to be started when details of the claim, such as the Claim Form and Particulars of Claim, have been filed at court).
- Complaints which amount to a disagreement with or refusal to accept a rule of law which the Council is applying.
- Complaints which constitute an allegation of fraud and/or corruption will need to be dealt with under the [Whistle Blowers Policy](#).
- Complaints about Elected Member's conduct. These are handled by the Monitoring Officer through a separate process [Local Code of Conduct - North West Leicestershire District Council \(nwleics.gov.uk\)](#).
- Complaints which amount to a petition. Whilst the Council welcomes petitions, these are handled by the Council's Democratic Services team under the Councils' Petition Scheme [Petitions - North West Leicestershire District Council \(nwleics.gov.uk\)](#)
- Complaints about the conduct of an election, which is the responsibility of the Returning Officer.
- Insurance Compensation claims. These are handled by the Council's Finance Team and the Council's Insurers.
- Grievances by existing, or former, employees about their employment. These need to be referred to the Head of HR and Organisational Development.
- A request for information or an explanation of Council policy or practice.
- Freedom of Information (FOI), Environmental Information Regulation (EIR) and Data Protection requests [How to make a Freedom of Information request - North West Leicestershire District Council \(nwleics.gov.uk\)](#)

- Matters that have previously been considered under the complaints and Ombudsman's process.
- Matters relating to a Business-as-Usual Request that has been previously notified to the Council and is awaiting action within an agreed timescale (e.g., a non-urgent housing repair that may be actioned up to 60 days after notification).
- If the Complaint is about something that a different council or other organisation is responsible for, the Council will signpost you to the right organisation.

However, the circumstances of each complaint will be considered and we may exercise discretion to accept complaints even if one of the exclusions applies.

If you would like more information on any of the issues listed above, please contact Customer Services on 01530 454545 who will be happy to advise you.

How can I make a comment or complaint?

Individuals may make a complaint in the way most suitable for them. This includes in writing, by email, over the telephone or face to face on appointment. Any member of staff will be able to take a complaint and pass it to the Feedback team.

The complaints process is open to everyone who receives, should receive, or requests a service from the Council. You can contact us via the following channels:

- Click [here](#) to complete our online Compliment, comment or complaint form
- Calling our Customer Services team on 01530 454545
- Through a representative for example your Councillor, MP, Housing Officer, or Support Worker
- Visiting in person at:

Customer Centre
Belvoir Road
Coalville
LE67 3PD

or writing to us:

Feedback Team
NWLDC
PO Box 11051
Coalville
LE67 0FW

What will happen when I make a complaint?

We investigate all complaints thoroughly and with an open mind. If you want a friend or relative to take your complaint forward on your behalf, please let us know and we will be happy to work through your representative. You might also want to seek help from your local ward councillor – a key part of a councillor's role is to act as a community champion and he or she would be happy to help you. Contact details for your councillor can be found on the Council website, or by calling the Customer Services team on 01530 454545.

When we receive a stage 1 complaint, or a request to escalate a complaint to stage 2, we will acknowledge the complaint within 5 working days, setting out our understanding of the complaint and the outcomes the complainant is seeking. We call this the "complaint definition". If any aspect of the complaint is unclear, we will ask for clarification.

We will then investigate your complaint and aim to provide a response within ten working days from the date of acknowledgement.

Sometimes this process may take longer, for example if we need further information or the complaint is very complex, but we will update you on the progress of your investigation every ten working days until a full response can be given.

If we are at fault, then we will apologise and try to put things right. If we do not think we are at fault, then we will explain why.

If there are some aspects of the complaint that are not the responsibility of the council, we will make that clear in the acknowledgement

We will:

- Deal with complaints on their merits, act independently and have an open mind
- Give the complainant a fair chance to set out their position
- Take measures to address any actual or perceived conflict of interest
- Consider all relevant information and evidence carefully

How will we respond?

The appropriate officer investigating your complaint will select the most appropriate means to respond to your complaint.

We encourage, where appropriate, investigating officers to have informal discussions with complainants before issuing the final response. This ensures that the Council has understood the issue and your expectations correctly, allowing us to explain the proposed action and closure.

All points raised in the complaint definition will be addressed and clear reasons for any decisions provided, with reference to the relevant policy, law or good practice where appropriate.

In issuing the final response, the Council may respond in a variety of means depending on the nature of the complaint and your needs. Possible channels may include verbal, face to face, email or in writing. All stage one complaints will be signed off by a Director.

Where the complainant raises additional complaints during the investigation, these will be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues will be logged as a new complaint.

We will always write or email you to confirm that the complaint has been closed.

This is the first stage of the Council's complaint process.

What if you are unhappy with the response to your complaint?

If you are unhappy with the response to your complaint then you can ask for the complaint to be reviewed by a Senior Manager, who will reconsider your case. All Stage 2 complaint responses will be signed off by the Chief Executive.

All points raised in the complaint definition will be addressed and clear reasons for any decisions provided, with reference to the relevant policy, law or good practice where appropriate

We will acknowledge your request for a review within five working days and aim to provide a written response within twenty working days, again this process might sometimes take longer, and we will keep you informed of progress every ten working days until a full response can be given.

This is the second stage of the Council's complaint process.

Complaining to the Local Government Ombudsman or Housing Ombudsman

We aim to resolve your complaint through our internal process, but if you are still not satisfied with our response you can contact the Local Government Ombudsman; or the Housing Ombudsman in the case of tenants in Council-owned properties with complaints about housing matters. The Housing Ombudsman may be contacted at any stage throughout the complaints process to give tenants the opportunity to engage with the Ombudsman's dispute support advisors for impartial advice.

Please be aware that both Ombudsman will normally only deal with your complaint if you have previously given the Council the chance to consider your complaint through Stages 1 and 2 listed above.

Local Government Ombudsman

Contact details for the Local Government Ombudsman are:

Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Telephone: 0300 061 0614

Website: www.lgo.org.uk/making-a-complaint

Housing Ombudsman

Contact details for the Housing Ombudsman are:

Housing Ombudsman Service
PO Box 1484
Unit D
Preston
PR2 0ET

Telephone: 0300 111 3000

Phonelines are open Monday to Friday 9am to 5pm

Lines will be closed for staff training every Thursday from 3.30pm to 5pm

Website: www.housing-ombudsman.org.uk

Complaints about third parties

North West Leicestershire District Council has a two-stage complaints process. Where our response is handled by a third party (for example a contractor), it will form part of the two stage process. Third parties will handle complaints in line with this policy. Please be aware that we may need to share your personal details with the third party in order to proceed with our investigations.

Remedies

Where something has gone wrong, we will acknowledge this and set out the actions we have already taken, or intend to take, to put things right and prevent the same mistake happening again:

This could include:

- apologising
- acknowledging where things have gone wrong
- providing an explanation, assistance or reasons
- taking action if there has been any delay
- reconsidering or changing a decision
- providing a financial remedy

Compensation in relation to service complaints is not offered every time the Council has made an error but is considered when the error cannot be put right.

When compensation is offered, it will always be appropriate and proportionate to the circumstances. We must think about the impact the fault has had.

Compensation payments to remedy complaints are in accordance with the Council's Financial Procedure Rules provided that the Monitoring Officer, in consultation with the relevant Strategic Director has advised on the appropriateness of compensation for instances when we do not get it right.

Where we have investigated and do not uphold all or part of a complaint, we will:

- explain the reasons for our decision clearly
- inform customers how to progress their complaint if they remain dissatisfied

A complaint may be remedied at any stage of the complaint process

Anonymous complaints

When taking details of a complaint, staff will always encourage customers to provide their identity in order for their complaint to be effectively processed. However, complaints may be made anonymously and will still be treated with the same degree of importance and within the relevant timescales set out in our procedure above. Anonymous complaints may be more difficult to investigate, and therefore in most cases will be recorded as informal complaints and investigated by the service involved in order to identify possible areas for service improvement.

What we ask of our customers

When you make a complaint, it may take some time to thoroughly investigate and respond. Our complaints procedure sets out the timescales in which you can expect to receive either an update into the progress of the investigation into your complaint or a response. We ask that the Council is given time to investigate in order to respond properly.

Customers should appreciate that not all complaints may be resolved to their satisfaction; however, we will always apologise and try to make things right if we find we are at fault. We will not tolerate abusive or unreasonable behaviour whilst investigating your complaint and ask that our staff are treated with courtesy and respect.

A very small minority of customers persist unreasonably with their complaints. This may be by:

- Continued complaints about the same issue for which they have already received a response
- Frequent complaints about a number of issues
- Frequent or abusive contact with our staff while complaints are being investigated
- Vexatious complaints targeted at individuals or teams within the Council or at Elected Members.

This can hinder our consideration of their and other people's complaints and make it difficult to resolve genuine grievances. The Council will act as appropriate against customers that we consider to be persisting unreasonably with their complaints against the Council. Actions may include but are not limited to; restriction of points of access, a consolidated and/or a limited number of replies, or in very severe cases; legal action and withdrawal of service in accordance with the Council's [Unreasonable Behaviour and Communication Policy](#).

Equal Opportunities

The Council uses the same process to investigate all complaints, and every complainant will receive the same level of service regardless of age, disability, gender reassignment, marital status, pregnancy, race, religion or belief, sex or sexual orientation.

We recognise that some groups are more vulnerable than others. Complaints involving equality issues will be handled with particular sensitivity to ensure that the matter is resolved quickly and fairly and in accordance with the Council's equality commitments.

We will make reasonable adjustments for complainants where appropriate under the Equality Act 2010. We will keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a complainant has disclosed. Any agreed reasonable adjustments will be kept under active review.

Confidentiality

All complaints received will be dealt with confidentially and in accordance with the requirements of the Data Protection Act 2018.

Compliments

If we have done something particularly well, or if you think one of our staff deserves a special thank you, please let us know. You can contact us using the same methods.