

**London Borough of Waltham Forest:  
Complaints Procedure**

# **How to complain about Council Services**

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# London Borough of Waltham Forest

## Our Complaints Procedure

### 1. Introduction

The Council recognises the importance of customer complaints and welcomes complaints as a valuable form of feedback about its services. Waltham Forest is committed to using the information it receives to help drive forward improvements.

This procedure outlines the aims of the Council in dealing with complaints and sets out what you as the customer can expect when making a complaint regarding a Council service.

### 2. Our definition of a complaint

A complaint is a way of letting the Council know that you are not happy with a particular service. We welcome your feedback. A complaint may be about delay, lack of response, discourtesy, failure to consult or about the standard of service you have received. So, please let us know if:

- You think we have done something wrong
- We have not done something that we said we would do
- You are not satisfied with a particular service or set of services that we provide.

**NB:** A request for service is not a complaint. There are also other reasons why we are unable to deal with certain complaints under this procedure. Please refer to the section headed 'Special Cases' for further information. For example,

- Where you want to complain about a school (please contact VT Education, the Council's contractor or the school direct)
- where special procedures apply by law (e.g. some Social Services or Education matters)
- where legal proceedings have commenced
- Where you have a separate right of appeal (e.g. Housing Benefits, disputes over parking tickets and school admissions)

- Where you were first aware of the issue raised more than twelve months ago

### **3. Who can complain?**

If you live, work or travel in Waltham Forest, and are seeking or are in receipt of a Council service, you are able to complain. Therefore anybody can complain.

Alternatively, someone you trust can make complaint on your behalf.

If you work for the Council, but are also a local resident or service user you may also make a complaint, although you should clearly spell out that you are not complaining in your capacity as an officer.

### **4. How can you complain?**

You can complain in person at any Council Office. You can telephone, fax or e-mail your complaint. You may also use our on-line complaints form on the Waltham Forest web site ([www.walthamforest.gov.uk](http://www.walthamforest.gov.uk)). You may ask a friend or relative to make the complaint on your behalf. You may wish to ask a voluntary or community group to take up your complaint with us.

### **5. Anonymous Complaints**

We understand that it might be difficult for you to complain because you are worried that your complaint could result in a poorer service to your household. Please be assured that we treat all complaints against the Council in strictest confidence, and that it is your right to complain.

If you are still worried about complaining you may wish to contact the Corporate Complaints Manager on 020 8496 4210 to discuss your concerns.

If you do not provide us with a contact name or address, it will not be possible for us to get back to you with the outcome of the investigation.

### **6. Advocates**

You may wish to ask someone to help you in making a complaint against a Council service. This person is called an “advocate”. It is up to you who you appoint to be your advocate. It could be a friend, relative, someone you trust or a voluntary agency.

Once you have appointed an advocate, we will be dealing directly with them until the investigation into your complaint is completed. It is your right to inform the

Council that you no longer wish to complain to us via your advocate at any stage during the investigation.

## **7. How we aim to deal with your complaint**

### **A reliable process**

We want to give you, as our service users, a fair, consistent and structured process to secure a remedy for failures in the delivery of our services.

### **A positive process**

We want to learn from all complaints made to us. Therefore, we will use the outcome of your complaint and any remedial action as a positive method of monitoring performance and improving our services.

We will be monitoring all complaints received and will classify complaints under certain categories such as inadequate service, delay in providing a service or poor officer behaviour. By analysing complaints we aim to highlight specific areas of the Council service provision where improvement is needed.

### **A quality process**

To ensure that the way we deal with our complaints is a quality process and following feedback from you, we have set ourselves the following objectives:

- to improve the quality of the services we provide;
- to improve our relations with you or your spokesperson as a service users;
- to encourage best practice by our staff, and
- to provide training for our staff

### **A process that values diversity**

We recognise and value all of the people who live, work and travel through Waltham Forest. Our goal is to break down barriers to complaining and to make sure everyone can use the Complaints Policy. If you have had problems complaining, please contact the Corporate Complaints Manager on 020 8496 4210.

### **Local Government Ombudsman**

If you are unhappy with the outcome or way in which the Council has investigated your complaint, you may ask the Local Government Ombudsman to investigate the matter on your behalf. Contact details for the Ombudsman are listed at the end of this procedure.

We welcome helpful criticism by the Local Government Ombudsman. In addition, our objective must be to identify our own failures and resolve them reasonably and quickly.

## **8. Meeting your rights as a service user**

**You as our customer have a right to:**

- have your views heard;
- receive a good-quality service;
- expect prompt action when our performance is below standard, balanced by the resources we have available.

**Our staff will do their best to be:**

- efficient and sensitive to your needs as a service users;
- accessible and wear Identification badges;
- aware of your day-to-day concerns as service users.

**Our Complaints Procedure will:**

- be widely advertised and easy to access;
- be available in formats that meet your needs;
- Advise you as a service user of the standard of service you should expect, including a time limit for replying to your complaint and details regarding your right of appeal;
- Explain the code of practice for handling complaints;
- Ensure we monitor complaints;
- Ensure we meet our standards;
- Be regularly reviewed following your feedback.

## **9. Principles of the Complaints Procedure**

The Complaints Policy is based on the principle of a two-stage process; however, where possible we will try and resolve your complaint informally. Informal complaints will deal with simple issues such as replies lost in the post, misunderstandings etc. They are not treated any less seriously than complaints made formally to the Council.

If the customer is satisfied with the outcome of the informal procedure or the complaint cannot be dealt with satisfactorily on an informal basis, the complaint will be dealt with under the Council's formal complaint procedure.

### **Stage I - Service Area review**

The Head of Service, Group Manager or the equivalent Senior Manager based within the service area relating to your complaint, will investigate your complaint and reply to you within 28 calendar days from the receipt of your complaint.

The remit of these senior officers having the responsibility for the investigation of complaints is that it is hoped that early resolution of complaints will occur.

Your complaint will also be acknowledged within 5 calendar days of receipt. This acknowledgement will provide contact details of the officer dealing with your complaint and the timescale for replying to your complaint. If the officer is unable to reply within the agreed 28 days, i.e. for very complex matters, you will be informed, and the timescales for reply set out.

## **Stage II - Chief Executive review**

If you are unhappy with the response that you have been provided with under Stage I of the procedure, you may ask the Council's Chief Executive, via the Corporate Complaints Team, to review the action taken in respect of your complaint.

On receipt of your request for a review, the Corporate Complaints Team will acknowledge your complaint within 5 calendar days and provide you with the contact details for the Complaints Investigation Officer dealing with your complaint. Again you can expect a full response within 35 calendar days, although if the matter is complex and interviews / site visits need to be undertaken, this may be extended after consultation with you.

The Chief Executive will inform you of the result of his review and any further action that you might be able to take in respect of your complaint.

The Complaints Procedure will apply both to services that we provide directly and indirectly, for example where the service is provided through an outside contractor.

### **10. What complaints staff will do**

We will deal with all complaints:

- promptly
- efficiently
- courteously
- systematically
- objectively, and
- openly.

## **11. Letting you know**

On receipt of your complaint we will acknowledge within five days in writing. This letter will state:

- what will be done
- how long before a reply will be given
- who to contact in the Council about your complaint.

We will keep you informed about:

- the progress of our investigation into your complaint
- the final outcome (in writing)
- who to contact if you are not satisfied with our response such as Chief Executive (Stage II) or Local Government Ombudsman.

## **12. What you can expect in your response**

A balanced approach will be taken to handling the complaint providing both an account of what happened and, where appropriate, actions taken. The response will be focused on the specific issues raised by the customer. In particular:

- Where there has been a service failing a clear apology and account of corrective actions taken (or that will be taken) will be provided with associated time frames.
- Where the customer is dissatisfied because their expectations are greater than the agreed standards and/or entitlement for service delivery this will be clearly explained. The customer will be assured that the information provided through their complaint will be used to assist the Council to identify future priorities and relevant opportunities for further involvement in service planning and consultation will be offered where appropriate.
- An offer to contact the service manager for further discussion where the customer is satisfied with the response but has further queries or is undecided as to whether to escalate the complaint to stage 2.
- Advice on how to escalate the complaint to stage 2.

## **13. Help us to help you**

After we have completed the investigation into your complaint, we will contact you to obtain feedback on how we handled your complaint. When escalating your complaint to the Chief Executive, we will ask you to explain why you are dissatisfied with the response that you have received. This information will be used to monitor how we are performing.

The Council monitors equality information, which enables us to improve service delivery for all our customers. The Council will record information about you as the complainant such as your:

- Gender, disability status, ethnicity, religion and sexuality
- Subject of your complaint
- Action taken (with dates)
- Name(s) of officer(s) dealing with the case.

To make sure you have a point of contact, the Corporate Complaints team will provide information and advice about all stages of our Complaints Procedure. The Corporate Complaints Team will prepare an annual report on the Complaints Policy and Procedure for Members of the Council, service users and other stakeholders. This information will tell you how well we have done in the previous financial year, running from 1<sup>st</sup> April to 31<sup>st</sup> March each year, in respect of complaints.

#### **14. Dealing with Complaints by Service Area**

Each service area will advertise a contact officer with responsibility for complaints. The Complaints Officer will establish the nature of a complaint at each stage and ensure that the matter is being dealt with in accordance with the Complaints Procedure.

A list of Complaints Officers / Contacts for each Service Area is attached as an appendix to this Procedure. Alternatively look on the Complaints section of our web site ([www.walthamforest.gov.uk](http://www.walthamforest.gov.uk)) or complain on-line using the form set out on the site.

#### **15. Vexatious complaints**

Where a Head of Service or the manager of the Corporate Complaints Team considers it to be deliberately repetitious or vexatious, we may, at any stage of the Complaints Procedure, review a complaint and give a decision without a formal investigation. You will be informed in writing of this.

Again, if a complaint is substantially the same complaint as has been made by the same complainant within the previous six months, the Council may choose not to investigate. You will be informed in writing of this.

#### **16. Misconduct by Council staff**

Any complaints relating to the misconduct of staff may be investigated using the council's Staff Disciplinary Procedure. If this is the case your complaint will be

progressed but we are not able to share the outcome of the investigation with you, in view of the Council's obligations to maintain confidentiality.

## **17. Special Cases**

We intend, where possible, to allow a complaint to be dealt with under this procedure. The only exceptions relate to some statutory and legal limitations such as:

- A Town and Country Planning appeal against refusal of planning permission
- A complaint where the customer or the Council has commenced legal proceedings or has taken court action, but **not** cases where a customer has simply threatened to start legal proceedings against the Council
- A complaint that has already been heard by a court or tribunal, including The Independent Appeals Service (TAS)
- A complaint about Social Services provision covered by statutory procedures (i.e. Section 7B of the Local Authority Social Services Act, 1970 as amended by Section 50 of the National Health Service and Community Care Act, 1990)
- a school admission or exclusion appeal
- A staff complaint about a personnel matter, including appointments, Dismissals, pay, pensions and discipline (but not from staff as service users)
- A complaint about Council policy
- A complaint about the issue of a penalty charge notice by the parking control service (except administrative issues) and the recovery process.
- a complaint about the independent Rent Officer Service
- A complaint about the refusal of disabled badges for parking exemption

If you are unsure who to contact regarding your complaint, please call Waltham Forest Direct on 020 8496 3000. They will be able to provide you with contact details.

## **18. Complaints by Councillors and Members of Parliament**

The Complaints Procedure is intended for individual citizens to seek redress.

Councillors and MPs may bring a formal complaint by acting as their constituent's advocate and will fall within the remit of the Council's Complaints Procedure.

Complaints about the actions of councilors will be dealt with under a separate procedure.

If for any reason we cannot review a complaint under this procedure, we will give an explanation when we acknowledge the complaint. We will also tell you whom you can contact regarding your complaint.

## **19. Remedies**

“The remedy needs to be appropriate to the injustice, and should as far as possible put the complainant in the position he or she would have been in but for the maladministration. There will be many circumstances where this cannot be achieved because of the passage of time or of events, which have occurred. In such cases financial compensation may be the only available proxy.” *Local Government Ombudsman (1997)*

Whilst investigating your complaint we always consider whether any practical action could provide all or part of a suitable remedy. For example, can we ensure necessary repairs are completed or assess entitlement to a benefit and make the payment. The investigating officer may also consider any practical action / remedy suggested by you.

## **20. Reporting allegation of Fraud or ‘whistle-blowing’**

If you suspect that either a member of staff or a service user/member of the public is committing any kind of fraud against the Council please our dedicated telephone line on 020 8496 4299. The Council’s Audit and Anti Fraud Team deal with calls.

Contact us on 020 8496 3000

**COUNCIL COMPLAINTS CONTACTS**

Service Area	Responsibilities	Contact Details
<p><b>Children &amp; Young People Services</b></p> <p>Silver birch House Unit 7 Uplands Business Park, Black horse Lane, Walthamstow, E17 5SD.</p>	<ul style="list-style-type: none"> <li>• Children's Social Work Service</li> <li>• Children in need (under 18)</li> <li>• Children under 18 who are looked after by Waltham Forest</li> <li>• Children over 18 who are care leavers or were looked after by Waltham Forest</li> <li>• Services for children with disabilities and their families</li> <li>• Child Protection Services</li> <li>• First Response</li> <li>• Fostering and Adoption services</li> <li>• Early Years and Play (Extended Services)</li> <li>• Children Centres</li> <li>• Music Service</li> <li>• Special Education Needs</li> <li>• Safeguarding and Intervention</li> <li>• Suntrap</li> <li>• Youth Support Service</li> <li>• Youth Offending Team</li> </ul>	<p><b>Email:</b> <u><a href="mailto:Councilcomplaints@walthamforest.gov.uk">Councilcomplaints@walthamforest.gov.uk</a></u></p>

Service Area	Responsibilities	Contact Details
<p><b>Adult &amp; Community Services</b></p> <p>Unit 7 Silverbirch House Uplands Business Park Blackhorse Lane Walthamstow E17 5SD</p>	<ul style="list-style-type: none"> <li>• Adults Social Work Service</li> <li>• Occupational therapy</li> <li>• Homecare</li> <li>• Day centres for people with physical and learning disabilities that are run by the Council</li> <li>• Mobility services (Taxi cards, Blue Badges, etc)</li> <li>• Libraries</li> <li>• Arts</li> <li>• Events</li> <li>• Sports and Leisure</li> <li>• C.L.A.S.S</li> </ul>	<p><b>Email:</b> <u><a href="mailto:Councilcomplaints@walthamforest.gov.uk">Councilcomplaints@walthamforest.gov.uk</a></u></p>

Service Area	Responsibilities	Contact Details
<p><b>Housing Services</b></p> <p>Cedar Wood, Fulbourne Road, Walthamstow</p> <p>E17 4GG</p>	<ul style="list-style-type: none"> <li>• Re-housing</li> <li>• Homelessness</li> <li>• Home ownership</li> <li>• Private sector leasing</li> <li>• Sheltered housing</li> <li>• Temporary Housing</li> <li>• Private Sector Leasing Scheme</li> <li>• Choice Based Lettings</li> <li>• Empty Properties</li> <li>• Asylum Seekers People</li> <li>• Supporting People</li> <li>• Home Ownership</li> </ul>	<p><b>Email:</b> <a href="mailto:Councilcomplaints@walthamforest.gov.uk">Councilcomplaints@walthamforest.gov.uk</a></p>
<p><b>Ascham Homes</b></p> <p>Wood Street Shop Front Wood Street</p> <p>E17 3JU</p>	<ul style="list-style-type: none"> <li>• Tenancy enforcement</li> <li>• Estate Services (Caretaking and Ground Maintenance)</li> <li>• Decent Homes</li> <li>• Ascham Direct</li> </ul>	<p><b>Email:</b> <a href="mailto:complain@aschamhomes.org.uk">complain@aschamhomes.org.uk</a></p>

Service Area	Responsibilities	Contact Details
	<ul style="list-style-type: none"> <li>• Community Development</li> <li>• Rents</li> <li>• Tow away (Clamping on Housing Land)</li> <li>• Right to Buy</li> <li>• Former Tenant Debt Recovery</li> <li>• Repairs and Maintenance</li> </ul>	
<p><b>People Policy &amp; Performance</b></p> <p>Town Hall Forest Road Walthamstow E17 4JF</p>	<ul style="list-style-type: none"> <li>• Corporate Communications</li> <li>• Corporate Complaints</li> <li>• Community Complaints</li> <li>• Community Strategy</li> <li>• Diversity and Equalities</li> <li>• Local Strategic Partnerships</li> <li>• Policy and Partnerships</li> <li>• Voluntary Sector Development</li> </ul>	<p><b>Email:</b> <u><a href="mailto:Councilcomplaints@walthamforest.gov.uk">Councilcomplaints@walthamforest.gov.uk</a></u></p>

Service Area	Responsibilities	Contact Details
<p><b>Strategic Directorate Finance (excluding Revenue &amp; Benefits)</b></p> <p>Town Hall Forest Road Walthamstow  E17 4JF</p>	<ul style="list-style-type: none"> <li>• Facilities Management</li> <li>• Internal Audit and Anti Fraud</li> <li>• Finance</li> <li>• Procurement and Purchasing</li> <li>• Insurance</li> <li>• Receiverships</li> </ul>	<p><b>Email</b> <a href="mailto:councilcomplaints@walthamforest.gov.uk">councilcomplaints@walthamforest.gov.uk</a></p>
<p><b>Strategic Directorate Finance</b></p> <p>London Borough of Waltham Forest PO Box 856 London E17 9PN</p>	<ul style="list-style-type: none"> <li>• Housing Benefit</li> <li>• Council Tax Benefit</li> <li>• Benefit overpayments</li> <li>• Council Tax Benefit</li> <li>• National Non Domestic Rates (Business Rates)</li> </ul>	<p><b>Email</b> <a href="mailto:councilcomplaints@walthamforest.gov.uk">councilcomplaints@walthamforest.gov.uk</a></p>
<p><b>Strategic Directorate Governance &amp; Law</b></p> <p>Town Hall Forest Road Walthamstow</p>	<ul style="list-style-type: none"> <li>• Legal</li> <li>• Electoral Registration</li> <li>• Land Charges</li> <li>• Data Protection</li> </ul>	<p><b>Email</b> <a href="mailto:councilcomplaints@walthamforest.gov.uk">councilcomplaints@walthamforest.gov.uk</a></p>

Service Area	Responsibilities	Contact Details
E17 4JF	<ul style="list-style-type: none"> <li>• Freedom of Information</li> </ul>	
<p><b>Environment &amp; Regeneration Services</b></p> <p>Sycamore House Town Hall Forest road Walthamstow E17 4JF</p>	<ul style="list-style-type: none"> <li>• Parks and Open Spaces</li> <li>• Greenspace</li> <li>• Highways</li> <li>• Street cleaning</li> <li>• Refuse collection</li> <li>• Street lighting</li> <li>• Planning</li> <li>• Economic development</li> <li>• Building control</li> <li>• Environmental health</li> <li>• Trading Standards</li> <li>• Community Safety</li> <li>• Regeneration</li> <li>• Olympics Team</li> <li>• Engineering Design</li> </ul>	<p><b>Email:</b> <a href="mailto:councilcomplaints@walthamforest.gov.uk">councilcomplaints@walthamforest.gov.uk</a></p>

Service Area	Responsibilities	Contact Details
	<ul style="list-style-type: none"> <li>• Recycling</li> <li>• WFD Call Centre</li> <li>• WFD Shops</li> <li>• Cashiers</li> <li>• Allotments</li> <li>• Consumer Protection</li> </ul>	
Education Centre Queens Road  E17 4QF	<ul style="list-style-type: none"> <li>• All education matters except school complaints.</li> </ul>	<b>Email</b> <a href="mailto:Customercare.wf@vtpic.com">Customercare.wf@vtpic.com</a>



## Other Useful Contacts

### Local Government Ombudsman

Advice Team on: 0845 602 1983

**Tel. 020 7682 1960**

Website: [www.lgo.org.uk](http://www.lgo.org.uk)

The Ombudsman is independent and will investigate claims of maladministration (i.e. delay, procedures not being followed or unfair treatment) The Ombudsman will investigate if there is evidence of injustice such as financial loss, distress caused or failure to provide a service.

The Ombudsman will not investigate if the Council has not had a chance to deal with the complaint or if you have an appeal route via another mechanism.

### Walthamstow Forest Citizen Advice Bureau

167 Hoe Street  
Walthamstow E17  
Phone: 08701264026

### Leytonstone Citizens Advice Bureau

Greater London House  
547-551 High Road  
Leytonstone E11 4PB  
Phone: 020 8988 9620

Website: [www.walthamforestcab.org.uk/cab](http://www.walthamforestcab.org.uk/cab)

The Citizens Advise Bureau provides people with advise and information on **welfare benefits, housing**, immigration and money management.

### Parking Appeals Service

<http://www.open.gov.uk/park/parkhome.htm>

The Parking Appeals Service gives motorists an opportunity to challenge a decision by a council that they are liable to pay a parking penalty. Last year, they dealt with over 30,000 appeals.

Updated June 2008