



Complaints Policy

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Accessibility of Document

Our aim is to make our services easy to use and accessible for everyone.

We will take steps to make any reasonable adjustments needed for you to contact us, access our policies, or any requests to provide responses in other formats.

Depending on the individual's needs, these include:

Using larger print, or a specific colour contrast

- Give more time than usual to provide information or comments on a complaint
- Using the telephone rather than written communication
- Communicating with a person through their representative or advocate
- Arranging a single point of contact
- Having an 'easy read' version of the document

If you would like to contact us about reasonable adjustments or alternative formats, please email edi@dacorum.gov.uk or call us on **01442 228000**

If you prefer to write to us, send your letter to:

**Equality, Diversity and Inclusion Team
Dacorum Borough Council
The Forum, Marlowes, Hemel Hempstead
Hertfordshire
HP1 1DN**

You can find information on Advocacy support here:

<https://www.dacorum.gov.uk/home/do-it-online/contact-us/advocacy-support>

1 What is the goal of the policy?

We always aim to provide a good service. This policy explains how you can complain about a service, and how we will make sure we deal with your complaint fairly.

2 Who and what does the policy impact?

The Policy impacts customers and officers submitting and managing complaints with the Council

3 How does the policy comply with the law and other requirements

3.1 Statutory powers

The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures members of the Scheme should have in place for considering complaints.

The Complaint Handling Code became statutory on 1 April 2024, meaning that landlords are obliged by law to follow its requirements.

The Code aims to achieve best practice in complaint handling and ultimately to provide a better service to residents.

This Policy complies with the Complaint Handling Code.

4 Supporting Policies or Procedures

Dependent policies / strategies:

- Persistent & Unreasonable Behaviour Policy
- Housing Compensation Policy
- GDPR Policy

5 EDI Statement

The Council is committed to promoting equality of opportunity. The Council has procedures in place to ensure that all individuals are treated fairly and without unlawful discrimination.

6 Policy Statement

6.1 Context

This Policy aims to ensure we deliver:

- An efficient, effective and modern service.
- A clean safe and enjoyable environment.
- Provide good quality affordable homes.
- Build strong and vibrant communities .

6.1.1 Policy Purpose

The purpose of this policy is to:

- Define what a complaint is.
- Explain who can make a complaint.
- Explain how to make a complaint.
- Explain the process we follow when dealing with a complaint, so you know what to expect.

We will:

- Show understanding about the issues you raise.
- Treat all comments and complaints seriously, with an honest and open mind, and do everything we can efficiently and effectively.
- Be as flexible as we can within the limits of the law and policies we follow.
- Acknowledge the problem.
- Aim to resolve complaints within the timescales set out in this policy.
- Keep you informed about the progress of your complaint.
- Respond to all the points that you raise, provide evidence for our decisions and explain them, using simple language and avoid jargon.

6.2 Policy content

6.2.1 What is a compliant?

We define a complaint as:

‘An expression of dissatisfaction about the standard of our services, actions, or lack of action by the Council, its own staff, or those acting on its behalf, affecting an individual resident or group of residents’.

Some examples of complaints that we will deal with under this policy are:

- There has been a delay in providing a service.
- We have made a mistake in the way we have provided a service.

- We have failed to deliver a service - this could relate to quality, standard or service level.
- We have not listened properly.
- We have not followed our processes or policies.
- We have not met our legal, statutory or regulatory requirements.
- We have not delivered against a commitment or promise.

You can complain about any of Dacorum Borough Council services, whether they are delivered by our staff, contractors or other organisations employed by us. Sometimes we may request our contractors or other organisations employed by us to respond to a complaint in relation to a service they are delivering on our behalf. In such circumstances, they may follow their own organisational complaints procedures. We will advise you who will respond to your complaint.

Complaints submitted by a third party or representative require Authority to Disclose signed by the customer.

We will only accept complaints that relate to issues that happened in the last twelve months

6.2.2 What is not treated as a complaint under this policy?

Often, we can resolve an issue by putting the problem right straight away or dealing with it as part of our established service request processes. For example, you let us know that our waste collection team has not emptied your bin. If we have missed the bin, we would try to fix this by returning to empty your bin as soon as possible. We would not usually treat this as a formal complaint unless the problem happens repeatedly.

We will only deal with complaints raised under this policy if they have been submitted via the process set out in this policy.

If you raise issues with your local Councillor or Member of Parliament regarding services you receive from the Council, we will respond directly to them. This will not be raised as a formal complaint.

If legal proceedings have started, we will not process this under this Complaints Policy as details of the claim have been filed at the Court.

6.3 Conduct of a councillor

There is a separate process if you need to complain about the behaviour of local councillors (also called elected Members). This includes borough councillors, parish and town councillors within the borough of Dacorum. The Code of Conduct for Members describes the standard of behaviour expected of councillors. You can find the Code of Conduct and report an issue on our website:

www.dacorum.gov.uk/complaints-about-councillors

6.4 Statutory appeals

Some services have a separate appeal process if you think the Council has made the wrong decision. For these services, you should follow the appeals process instead of submitting a complaint. These include:

- **Appeal a Housing Benefit decision.** Our website has details on the procedure for appealing: www.dacorum.gov.uk/benefits-appeal
- **Appeal a Homelessness decision.** Our website has details on the procedure for appealing: www.dacorum.gov.uk/home/housing/housing-advice-and-options/homeless-or-at-risk
- **Appeal a refusal of planning permission.** Our website has information about the appeals process: www.dacorum.gov.uk/planning-appeals
- **Appeal a planning enforcement notice.** The government website has details of the appeals process and requirements: <http://www.gov.uk/appeal-enforcement-notice>

6.5 Services not provided by Dacorum Borough Council

We cannot deal with a complaint about a service that the Council does not provide. For example, Hertfordshire County Council is responsible for:

- Maintenance of roads and street lighting.
- Adult Social Care provision.
- Children's services and education.

You can read the Hertfordshire County Council's complaints policy, and find out how to make a complaint on their website: www.hertfordshire.gov.uk/complaints

6.6 Complaints about government legislation or policy

We will respond to complaints about Dacorum Borough Council policies. We will explain the policy and the reasons for it. For policy or legislation that is set by central government, we will direct you to your Member of Parliament for a response.

7 Making a complaint

The quickest way to complain is by using our online form: www.dacorum.gov.uk/complaints-form

If you cannot use our online form, you can call us on 01442 228000.

If you prefer to write to us, send your complaint to: Dacorum Borough Council, The Forum, Marlowes, Hemel Hempstead, Hertfordshire, HP1 1DN

8 What happens when a complaint is made?

8.1 Stage One - An investigation takes place, and a response is provided.

Using our online form is the most effective way of raising a complaint
<https://www.dacorum.gov.uk/home/do-it-online/make-a-complaint>

Once we receive your complaint, we will send you an email to confirm receipt within five working days.

We recognise that not everyone has access to our online complaints reporting process. We will accept complaints raised by letter, on the telephone or in person.

The Manager responsible for your complaint will contact you after reading your complaint, to make sure we understand your concerns and what we can do to put things right. We will aim to do this within five days of receipt. If we can agree on a resolution with you at this stage we will close the complaint, subject to the agreed action being taken.

We will investigate your complaint, make a decision, and provide you with a written response within 10 working days of acknowledging your complaint.

If your stage 1 complaint is complex, we may need to extend this time limit. If we think we need more time to investigate, we will contact you to discuss and agree on a new date.

We will reply to you in writing and will clearly explain:

- The stage of the complaint.
- The nature of the complaint made.
- Our decision.
- The reasons for our decision.
- Actions we will take to put things right.
- If you are dissatisfied with our response when you receive it, you can escalate your complaint to stage two of the process. You can do this either by responding to the email we will send you or writing to us **within 28 calendar days from receipt of our response.**

If you have raised a complaint with us first and then asked your councillor, Member of Parliament or someone else to get involved, we will continue to respond to you. We will also provide a response to the councillor or Member of Parliament if they are involved.

8.2 Stage Two - Review of your Stage One response

If you decide to proceed to stage two, it is helpful if you can tell us why you are dissatisfied with your response.

We will appoint an appropriate senior officer to investigate at stage two, within five working days of your request. This person will work in a different service area from those associated with the complaint. You will receive a formal response within 20 working days, at which point we will consider the complaint closed.

If your stage two complaint is complex, we may need to extend this time limit. If we think we need more time to investigate, we will contact you to discuss and agree on a new date.

8.3 Escalation to the Ombudsman

Once a complaint has been through the stage one and stage two complaints process and are still unhappy with our response, you can choose to contact the relevant Ombudsman. An Ombudsman is an independent person, not connected with the Council, whose job it is to investigate complaints. The relevant Ombudsman will accept complaints for up to 12 months after you first complained to us.

For complaints about our duties as a social landlord, please contact the Housing Ombudsman. You can visit their website for more information on the process of escalating the complaint: www.housing-ombudsman.org.uk

For all other matters, please contact the Local Government and Social Care Ombudsman. You can visit their website for more information on the process of escalating the complaint: www.lgo.org.uk

9 Unreasonable behaviour towards our staff

We will do our best to resolve complaints and you will be treated with respect throughout the process. We also expect our staff to be treated with respect and we do not accept any form of abuse or intimidation towards staff at any time, including the use of offensive language. Any abuse of staff will be dealt with robustly and the Council may report any incident to the Police or use the tools available to us to prevent further incidents occurring.

10 Reporting and learning from complaints.

We are committed to learning from complaints and using complaints information to improve our services. We will look at:

- The type of complaint.
- The complaint outcome.
- The timescales agreed.
- Whether timescales were met.
- Equality information about complainants.

We will then:

- Publish (anonymised) a summary of complaints and their outcomes on the Council's website, including:
 - Information on the complaint outcomes
 - Lessons learnt and what we have done to make sure this doesn't happen again and how we have improved services because of the complaints we have received.

11 Data Protection

When you make a complaint, we will log information about your complaint and your name and contact details. To investigate a complaint, certain customer information (like your name, contact details and details of the complaint may be shared with other Council departments so that a response can be given. We may also use this information to improve our services. Information may also be shared with the relevant Ombudsman if they have received a complaint. All personal data will be held securely and retained in line with the relevant legislation. More information on how we use your information can be found here:

[Retention Guidelines for DBC \(dacorum.gov.uk\)](https://dacorum.gov.uk)

All complaints will be dealt with in line with the UK GDPR and Data Protection Act 2018. The identity of the person making a complaint will only be made known to some or all of the parties stated above in order to consider the complaint.

The Council aims to be transparent when responding to complaints but sometimes it is necessary to maintain confidentiality. Information will generally not be provided about third parties in line with the Data Protection Act unless asked to do so by a Regulator or Ombudsman.