

Canterbury City Council

Complaints Policy



1	Purpose.....	2
2	Scope.....	2
3	Responsibilities	2
4	Outsourced services:	2
5	What is not a complaint under this policy.....	3
5.1	Service requests:.....	3
5.2	Other exclusions:.....	4
6	Definition of a complaint.....	4
7	Premature complaints (referred to the council by an ombudsman)	5
8	Complaints made by a third party:	5
8.1	Complaints raised by councillors and Members of Parliament.....	5
8.2	Other advocates and third parties:	6
8.3	Anonymous complaints:	6
9	Unreasonable, unreasonably persistent or vexatious complaints	6
10	Complaints process	7
10.2	Stage 1	7
10.3	Stage 2:	8
10.4	Exceptions:	9
11	Escalation after stage 2:.....	10
11.6	Local Government and Social Care Ombudsman (LGO).....	10
11.7	Housing Ombudsman (HO)	10
11.8	The Information Commissioners Office	11
12	Summary of complaints process timescales:	11
13	Discrimination.....	11
14	Monitoring and management.....	11
15	Reporting and transparency	12
16	Complaints co-ordinators group	12
17	Templates.....	13

1 Purpose

- 1.1 The purpose of this policy is to ensure the council has a standard and comprehensive approach to managing complaints.
- 1.2 We seek to reduce the incidents that cause dissatisfaction by understanding the reason for complaints and using that understanding to reduce or prevent them in the future.
- 1.3 The feedback from our customers is an important part of our continuous improvement.
- 1.4 Officers work collaboratively across departments to resolve complaints, taking collective responsibility.
- 1.5 This policy sets out our definition of complaints and how we will respond to them.

2 Scope

- 2.1 This policy applies to all services, except for the exclusions set out in section 5.2. It also applies to all council employees and to any organisations delivering services on the council's behalf under contract or other arrangements.
- 2.2 This policy also covers all forms of complaints, regardless of how they are made, including: those made in person, by phone, by letter, by email, by webform, by social media or by any other means.
- 2.3 The policy also covers the statutory requirement for the council to have a clear internal process for handling data protection complaints¹. Individuals must raise complaints with the council in the first instance, and if they remain dissatisfied, they may escalate the matter to the Information Commissioner's Office (ICO), rather than the Ombudsman. The complaints process builds in compliance with the statutory requirements and associated ICO guidance.

3 Responsibilities

- 3.1 Directors and Heads of Service are responsible for the performance of their services.
- 3.2 This includes performance in relation to dealing with complaints.
- 3.3 It is for each Director and Head of Service to ensure their officers are familiar with the complaints process and to identify who will deal with stage 1 and stage 2 complaints.

4 Outsourced services:

- 4.1 We expect organisations providing services on our behalf to manage complaints in line with our policy.
- 4.2 Their responses will form part of CCC's stage 1 and stage 2 complaint responses.
- 4.3 This should be clear in the contractual arrangement for outsourced services.
- 4.4 The council retains responsibility for the provision of outsourced/contracted services.

¹ [What are data protection complaints? | ICO](#)

- 4.5 The council's client officer is expected to maintain general oversight of complaints and to be responsible for any complaints referred to the council by an ombudsman or other regulator in relation to that service.
- 4.6 Client officers may either manage all complaints received by the service provider or review how the provider handles complaints to support oversight and assurance.
- 4.7 Please note, the Local Government Ombudsman can, by law², treat the council as responsible for the actions of third parties who act on its behalf.

5 What is not a complaint under this policy

5.1 Service requests:

- 5.1.1 Service requests are not complaints but may contain expressions of dissatisfaction.
- 5.1.2 The council will aim to resolve matters to an individual's satisfaction before they become a complaint.
- 5.1.3 As set out in the Local Government and Social Care Ombudsman (LGSCO) Complaint Handling Code a service request may be defined as:

'A request that the council provides or improves a service, fixes a problem or reconsiders a decision.'

- 5.1.4 The Complaint Handling Code for the Housing Ombudsman states:

'A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.'

- 5.1.5 A complaint will be considered as a request for service or an enquiry about a service unless the complainant has already reported it and we have failed to do something about it, or where there is dissatisfaction expressed on how the response to the service request was handled. Wherever a customer expresses dissatisfaction with a service they will be given a choice to raise a complaint.
- 5.1.6 Service requests include requests for the council to take actions, which are reportable via our website, for example:
- missed bin collection (unless this has occurred and been reported on more than three separate occasions)
 - noise nuisance
 - anti-social behaviour
 - graffiti removal
 - grass cutting
 - request for a customer's data to be amended or deleted in accordance with data protection principles

²Local Government Act 1974 s28(6),(7) and (8)

5.2 Other exclusions:

5.2.1 This complaints policy does not cover circumstances where the issue:

- gives rise to the complaint occurred more than 12 months ago³
- is a repeated complaint that has previously been investigated and responded to
- is one which is dealt with by the Monitoring Officer (for example, breaches of the member code of conduct)
- arises from the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. These requests should be registered via our website here: [Submit an information request | Canterbury City Council](#)
- has a statutory mechanism for appeal or tribunal (eg appeals for Planning or Parking)
- is a service request (see 5.1)
- forms part of a legal case or legal proceedings have started
- are the views expressed as a response to research or consultation
- is a personnel matter

5.2.2 Complaints received via research or consultation that relate to a matter other than the research or consultation itself will be forwarded to the relevant service.

5.2.3 This may introduce delay and the service should mention that in their response. In this instance, it is acceptable to treat the complaint received on the day the service receives it rather than the day the council received it.

5.2.4 Late complaints are when someone takes more than 12 months to complain to us about something the council has done.

5.2.5 Late complaints: we will not investigate late complaints unless we decide there are good reasons.

5.2.6 If a decision is taken not to accept the complaint the complainant will be provided with an explanation setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the ombudsman

5.2.7 Late complaints will still be acknowledged and the complainant will be advised that their complaint will not be responded to.

6 Definition of a complaint

6.1 As set out in the Local Government and Social Care Ombudsman Complaint Handling Code, we define a complaint as:

'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 or group of individuals.'

6.2 Specifically for complaints relating to our Tenant and Leaseholder Service, the Housing Ombudsman, Complaint Handling Code defines a complaint as:

³ The council may exercise its discretion to accept complaints made outside this time limit where there are good reasons to do so.

'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.'

6.3 It is not a customer's satisfaction level, or use of the term "complaint" or "formal complaint" that decides if their interaction is a complaint, instead it is what they want the outcome of their interaction to be. It is their choice if they wish their dissatisfaction to be raised as a complaint.

6.4 According to the LGSCO's guidance, if a customer simply wants a service request met/remedied then it is not a complaint.

6.5 The key difference is an expectation of a response about the matter, rather than just resolving the matter.

6.6 Identifiers common to complaints can be when the customer wants the council to:

- formally acknowledge the dissatisfaction (as opposed to just remedy the service issue)
- formally acknowledge any fault
- investigate and explain how the situation occurred
- consider if it could have done anything different to avoid the situation happening
- consider if there is any learning it can benefit from
- provide additional remedy for something that has gone wrong

6.7 Complaints may arise through comments via social media. Where such complaints are raised, it is necessary to take the complaints out of the social media environment and address them through the complaints process.

6.8 The council will consider all requests to make its complaints policy available in alternative formats.

7 Premature complaints (referred to the council by an ombudsman)

7.1 Occasionally the ombudsman will review a complaint from a customer and decide they cannot investigate as the customer has not been through the council's own procedure.

7.2 The ombudsman refers these to the council with an outcome of Premature Complaint.

7.3 If we receive such a case, we should proactively open a complaint record and contact the customer, this may be a stage 1 or stage 2 depending if and how far the matter has progressed already.

7.4 If we consider it would be impossible for the council to resolve the complaint through its own procedures, the council's ombudsman link officer will respond to the ombudsman allowing them to consider taking on the case.

8 Complaints made by a third party:

8.1 Complaints raised by councillors and Members of Parliament

8.1.1 Sometimes, customers will ask their councillor or MP to represent them, or they will make a complaint to the councillor or MP about our services.

8.1.2 These complaints should be dealt with as though they were normal complaints and the council will also need to be mindful of any time taken and how that can impact on the councillor's/MP's own resources.

- 8.1.3 At stage 1 and stage 2 there is a balance between prioritising these complaints to help the councillor/MP and inappropriately prioritising this customer over other customers because they have involved a councillor/MP.
- 8.1.4 Councillors/MPs may be provided with an update and reassurance the council will be responding to the complainant directly, or where explicit consent has been provided to respond to the councillor/MP directly by the complainant these wishes will be followed.
- 8.1.5 If the customer has already exhausted the council's complaints process in respect of the complaint:
- remind the customer of their rights to go to the relevant ombudsman
 - try to take this opportunity presented by the councillor/MP to resolve the complaint
 - use the opportunity to develop relationships with the councillor/MP

8.2 Other advocates and third parties:

- 8.2.1 Complainants can have a number of reasons to require the support of a third party. This could be a family member, friend or a formal advocate acting on their behalf.
- 8.2.2 General issues of concern will only be accepted from a third party providing that the issues and the response will not breach any Data Protection regulations.
- 8.2.3 Where the issues of concern are of a personal or sensitive matter, the council requires specific written consent for the council to engage with, or respond to, a nominated third party instead of directly to the complainant.

8.3 Anonymous complaints:

- 8.3.1 We will not usually investigate anonymous complaints as it is not possible to respond to them.
- 8.3.2 The decision will be made on a case-by-case basis as to whether a complaint made in this way should be investigated.

9 Unreasonable, unreasonably persistent or vexatious complaints

- 9.1 The council has a Customer Behaviour Incident policy⁴ that set outs how we define and manage these.
- 9.2 We define unreasonable and unreasonably persistent or vexatious complaints as those which, because of the nature or frequency of the complainant's contacts with the council, hinder our consideration of their or other people's complaints are made in order to cause aggravation or annoyance rather than to genuinely seek to resolve a grievance.
- 9.3 It also details examples of customer behaviours that we consider unreasonable, unreasonably persistent or vexatious including behaviour which is abusive, offensive or threatening towards officers.
- 9.4 The council reserves the right to manage the methods of contact used where we consider that a customer's behaviour is unreasonable. These should be documented and explained to the complainant.

⁴ [Customer Behaviour & Incident Policy \(Apr 24 final\) -.docx](#)

10 Complaints process

10.1.1 The council operates a two stage formal complaints process. At each stage of the complaints process, officers responding to the complaint should:

- deal with the complaint on their merits, act independently and have an open mind
- give the complainant a chance to explain their position
- address any actual or perceived conflict of interest
- consider all relevant information and evidence carefully

10.1.2 During a complaint investigation, it is possible that new issues will be raised. If the relevant stage response has not yet been issued, the council will include these in the stage 1 response unless doing so would delay the overall response.

10.1.3 Where new unrelated issues are raised during the course of a complaint investigation, they will be logged as a new complaint.

10.1.4 When a complaint is raised this will not prevent, stall or impact actions needed to resolve any immediate issues for the customer.

10.2 Stage 1

10.2.1 The council's aim is to resolve as many of our complaints as possible at stage 1 of the complaint's procedure.

10.2.2 Upon receipt of a complaint an acknowledgement must be sent and the complaint logged. This must be done within 5 working days.

10.2.3 The acknowledgement must include:

- the council's understanding of the complaint
- set out the residents desired outcome
- seek clarification on the issues of complaint, where required
- confirm which aspects of the complaint that the council is not responsible for, where applicable
- the complaints process.

10.2.4 It is important the customer understands the complaints process to set their expectations appropriately and to prevent them inappropriately contacting the ombudsman.

10.2.5 A stage 1 complaint will be investigated by an officer with an appropriate appreciation of the issue and independence from the issue.

10.2.6 Statutory complaint response timeframe provides for 10 working days from the date of the acknowledgement.

10.2.7 If the complexity of the complaint means that an extension to this timescale is needed then we should inform the complainant of the expected timescale for response.

10.2.8 Any extension should be no more than 10 working days without good reason and the reason(s) should be clearly explained to the individual as well as providing the complainant with the option of contacting the relevant ombudsman directly as the result of the extension request.

10.2.9 In the exceptional event that the complaint cannot be responded to within the maximum permitted extended timeframe, the investigating officer will agree with the complainant appropriate intervals to keep them informed of their complaint.

10.2.10 Officers are encouraged to telephone or visit complainants as part of resolving the complaint.

10.2.11 The stage 1 complaint response must include the following:

- complaint stage
- complaint definition
- decision on the complaint (upheld or not upheld)
- the reasons for any decisions made
- the details of any remedy offered to put things right
- details of any outstanding actions
- details of how to escalate the matter to stage 2 if the complainant remains dissatisfied

10.2.11 The formal stage 1 complaint response must be sent out to the customer when the answer to the complaint is known, and it should not wait for the full completion of the outstanding actions. Further updates should be provided to the customer (see section 10.2.13)

10.2.12 The formal stage 1 complaint response must be kept on the customers file in event of escalation to the next stage of the complaints process.

10.2.13 Following a complaint, the investigating officer must keep the customer informed of progress against any outstanding actions identified as part of the complaint response. It is recommended that investigating officer utilise diary reminders to support this.

10.2.14 If the customer is not satisfied with the response at stage 1 they can ask for a further review of their complaint which is the start of stage 2 of the process.

10.3 Stage 2:

10.3.1 Stage 2 is the council's final response to the complaint. The complainant is not required to explain their reasoning for requesting a stage 2 response.

10.3.2 Upon receipt of a request for a stage 2 review an acknowledgement must be sent and the complaint logged. This must be done within five working days.

10.3.3 The stage 2 acknowledgement must:

- set out our understanding of the complaint
- set out the residents desired outcome
- confirm which aspects of the complaint that the council is not responsible for, where applicable

- 10.3.4 If any aspect of the complaint is unclear, the investigating officer at stage 2 will make all reasonable efforts to understand why the resident remains unhappy after their stage 1 response.
- 10.3.5 The complaint must then be reviewed by an officer not involved in the stage 1 response. The stage 2 officer does not have to be a Head of Service or above, but it must be someone with the independence and with the authority to ask questions, get at the facts and recommend changes in response to complaints (eg Team Leader, Manager) and they may be from another service area.
- 10.3.6 We should respond within 20 working days from the acknowledgement.
- 10.3.7 If the complexity of the complaint means that an extension to this timescale is required then the complainant will be informed and advised of the expected timescale for the response. The response will set out the reason for an extension being applied and will include the details of the relevant ombudsman.
- 10.3.8 Any extension should be no more than 20 working days, and the reason(s) should be clearly explained to the individual, as well as providing the complainant with the option of contacting the relevant ombudsman directly as the result of the extension request.
- 10.3.9 In the exceptional event that the complaint cannot be responded to within the maximum permitted extended timeframe, the investigating officer will agree with the complainant the appropriate intervals to keep them informed of their complaint.
- 10.3.10 The response to the complaint is issued by the officer and must include:
- complaint stage
 - complaint definition
 - decision on the complaint (upheld or not upheld)
 - the reasons for any decisions made
 - the details of any remedy offered to put things right
 - details of any outstanding actions / lessons learned
 - details of how to escalate the matter to stage two if the complainant remains dissatisfied
- 10.3.11 The formal stage 2 complaint response must be sent out to the customer when the answer to the complaint is known, and it should not wait for the full completion of the outstanding actions. Further updates should be provided to the customer (see section 10.3.12)
- 10.3.12 Following a complaint, the investigating officer must keep the customer informed of progress against any outstanding actions identified as part of the complaint response. It is recommended that investigating officer utilise diary reminders to support this.

10.4 Exceptions:

- 10.4.1 Depending on the level of investigating officer and depth of the investigation into the complaint, the first response can be deemed to be stage 2.
- 10.4.2 This ensures the customer shall not be required to go through stage 1. This is only applied with the agreement of the Head of Service or above.

- 10.4.3 If a complaint is about an officer's behaviour - as opposed to a decision they have made, or their approach to a decision - that complaint must be initially investigated by an officer who is senior to the officer that is the subject of the complaint.
- 10.4.4 If the council applies a reasonable adjustment for an individual to access the complaints process under the Equality Act 2010, the record of the adjustments will be made and kept under review.

11 Escalation after stage 2:

- 11.1 If a customer is not satisfied with the response at stage 2 the customer can raise the matter with either the Local Government or Housing Ombudsman or the Information Commissioners Office as appropriate.
- 11.2 The complainant can raise a complaint directly with the ombudsman if the council has failed to meet our complaint timeframes.
- 11.3 Complaints referred to an ombudsman are the responsibility of a Director/Head of Service, or in the case of an outsourced service, the client officer.
- 11.4 These officers may involve other officers to help deal with the matter, but they remain responsible for the matter.
- 11.5 Complaints from either ombudsman are received centrally, and responses are passed back to the ombudsman by the council's link officer.

11.6 Local Government and Social Care Ombudsman (LGO)

- 11.6.1 If the complainant is not happy with the result of this process, they may wish to contact the [Local Government and Social Care Ombudsman](#).
- 11.6.2 A complainant, who is not a tenant or leaseholder, who is making a complaint about the handling of housing matters will be signposted to the LGO upon conclusion of Stage 2.⁵
- 11.6.3 The [LGO Complaint Handling Code](#) sets out the standards and expectations that local authorities should follow when handling complaints.

11.7 Housing Ombudsman (HO)

- 11.7.1 If the complainant is a council tenant or leaseholder and their complaint is about the Tenant and Leaseholder Service and the complainant is not happy with the response, they can raise their complaint with the [Housing Ombudsman](#)
- 11.7.2 The [HO Complaint Handling Code](#) is a statutory code which mandates the standards and expectations for all Housing providers.

⁵ [Which ombudsman for social housing complaints? - Local Government and Social Care Ombudsman](#)

11.8 The Information Commissioners Office

- 11.8.1 Any complaint into the handling of a data protection matter⁶ will be signposted to both the Information Commissioners Office (ICO) and the LGSCO upon conclusion of the councils Stage 2 complaints process.
- 11.8.2 The [Information Commissioner's Office make a complaint page](#) provides complainant with information to raise their concerns.
- 11.8.3 [The Data Use and Access Act 2025 \(DUAA\)](#) sets out the requirements for councils to manage data protection complaints.

12 Summary of complaints process timescales:

- 12.1 Timescales relating to complaints are measured in working days:
- complaint acknowledgement within five working days
 - stage 1 response within 10 working days of the acknowledgement
 - stage 1 extension request up to an additional 10 working days (explain reason and signpost to ombudsman)
 - Stage 2 escalation request acknowledgement within five working days
 - Stage 2 response within 20 working days
 - Stage 2 extension request up to an additional 20 working days
- 12.2 A complaint is deemed to be received the date it is delivered to the organisation if it is received within normal working hours, if it is received outside normal working hours the received date starts on the next working day.
- 12.3 A working day is considered Monday to Friday, 9am to 5pm excluding Bank Holidays.

13 Discrimination

- 13.1 When a customer claims discrimination at either stage 1 or stage 2 the investigating officer must involve the council's Equalities Officer (the Head of Corporate Governance) in any investigation.

14 Monitoring and management

- 14.1 The following information must be recorded:
- the stage of the complaint (stage 1 or stage 2)
 - date of receipt
 - date of acknowledgment
 - whether the customer is claiming discrimination
 - complaint type
 - date of response
 - outcome of investigation (upheld and not upheld)
 - remedy/learning

⁶ [What are data protection complaints? | ICO](#)

14.2 Services must record and be prepared to present to Corporate Improvement Board:

- number of stage 1 and stage 2 complaints received between selected dates
- number that claimed discrimination
- number closed that month and number within time
- number upheld or not upheld
- details of lessons learned for service improvements
- details of any complaint reports provided by the Ombudsman

15 Reporting and transparency

15.1 An annual complaints report is presented to Audit Committee and includes:

- self-assessment against the ombudsman's complaint handling Codes (LGSCO and HO) to ensure the complaints handling policy remains in line with the Codes
- qualitative and quantitative analysis of complaint handling performance
- findings of non-compliance against the Codes
- service improvements made as a result of learning from complaints
- the annual letter from the Local Government and Social Care Ombudsman
- the annual letter from the Housing Ombudsman

15.2 The council will publish this complaints policy on its website.

15.3 The council will publish the self-assessments against the Housing Ombudsman's and Local Government and Social Care Ombudsman's complaint handling codes on its website.

15.4 The council will publish the annual complaints report and the response to the report from the audit committee on its website.

15.5 The council will publicise this policy through a combination of engagement activities including tenant surveys and newsletters.

16 Complaints co-ordinators group

16.1 The complaints co-ordinators group includes officers with direct responsibility for administering the complaints process and the link officer for the ombudsman.

16.2 The purpose of the group is to:

- ensure the complaints policy and operating practices remains robust and fit for purpose
- to identify opportunities for learning and improvement
- to identify trends and issues for escalation to senior management
- to record changes to policy or process brought about by a complaint
- to refine and improve the council's approach to complaint management in line with the ombudsman code of practice.

17 Templates

- 17.1 The council uses templates to ensure that officers responding to complaints are guided to include the details required by both the Local Government and Social Care Ombudsman and the Housing Ombudsman.

Owner	Corporate Governance - Ombudsman Link Officer
Last Review Date	22 June 2026 v8