Royal Borough Windsor & Maidenhead

Complaints policies for
Adults’ services, Children’s services and Forma corporate complaints

1 October 2016
“The Royal Borough of Windsor & Maidenhead is a great place to live, work, play and do business supported by a modern, dynamic and successful Council”

Our vision is underpinned by four principles:

- Putting residents first
- Delivering value for money
- Delivering together with our partners
- Equipping ourselves for the future
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## Frequently used acronyms

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<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>RBWM</td>
<td>Royal Borough of Windsor and Maidenhead</td>
</tr>
<tr>
<td>LGO</td>
<td>Local Government Ombudsman</td>
</tr>
<tr>
<td>ADR</td>
<td>Alternative Dispute Resolution</td>
</tr>
<tr>
<td>IO</td>
<td>Investigating officer</td>
</tr>
<tr>
<td>IP</td>
<td>Independent person</td>
</tr>
</tbody>
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1. **Introduction**

1.1 The Royal Borough is committed to using our staff and resources effectively and efficiently ensuring that the needs of residents\(^1\) are our top priority. We will where possible communicate with you electronically or online rather than by letter.

1.2 We wish to resolve concerns of residents as quickly as possible, however where this is not possible we have complaints policies and processes to enable customers and ensure that all complaints are dealt with fairly, appropriately and timely, and within statutory guidelines where appropriate.

1.3 This complaints policy is concerned with complaints for the following areas:

- Adult services complaints (statutory)
- Children’s services complaints (statutory)
- Formal corporate complaints (this covers all other areas)

1.4 While adults and children’s complaints fall within statutory guidelines, the formal corporate complaints policy is discretionary and deals with complaints that do not fall within statutory guidelines and for which there is no alternative appeals process in place. Royal Borough of Windsor and Maidenhead is governed by the Local Government Ombudsman (LGO) for all complaints, who you will still have the right to complain to should you remain unhappy with the outcome once the complaints process has been followed. The LGO will usually ask the council to investigate and respond to your complaint through the appropriate complaints process in the first instance.

1.5 The complaints policies are intended for the use of service users, customers, residents, businesses and visitors or their chosen representatives which may include Councillors and should be read in its entirety.

1.6 We are committed to providing you with quality services in the most effective and efficient way possible. It is important to us that we manage your expectations so we will tell you what we can do and what we cannot do. Sometimes we get things wrong and you may not be happy with the service you receive, we need to be aware each and every time so that we can fix it and learn from it. Tell us and we will listen, respond and solve problems as quickly as we can, with a view to improving our services.

2. **What is a complaint?**

2.1 Our definition of a formal complaint is *an expression of dissatisfaction, where you feel we have got something wrong, such as; the standard of service, or the way a decision has been made, behaviours or actions or lack of action by the Council, its staff or its partners and contractors, that affects you, that has already been reported and has not been addressed*.

\(^1\) By ‘residents’ we mean service users, businesses, customers, visitor, i.e. all people who use our services
2.2 On receipt of your complaint we will check to see if there is any other formal legislative appeal/review process that should be used (‘business as usual’) and if so we will advise you of this. If not, we will then establish which complaint process is relevant, which could be adults (statutory), children’s (statutory) and if neither of those it will be the council’s formal corporate complaint process.

2.3 If you have already contacted the team/service/directorate itself to resolve at a local level and they have either not addressed it correctly or not got back to you we will liaise with you to agree the full elements of your complaint and your desired outcomes before the council start the investigation.

2.4 Table 1 explains the steps and timeframes for each process.

<table>
<thead>
<tr>
<th></th>
<th>Adults services complaints</th>
<th>Children services complaints</th>
<th>Corporate complaints</th>
<th>Not within the formal complaints process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 1</td>
<td>Statutory</td>
<td>Statutory</td>
<td>10 working days</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>To agree timeframe but aim to respond within 10 working days</td>
<td>Up to 10 working days. Up to 20 working days with agreement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stage 2</td>
<td>N/A</td>
<td>Statutory</td>
<td>Up to 20 working days</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td>25-65 working days</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stage 3</td>
<td>N/A</td>
<td>Statutory</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Stage 3 independent panel convened</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Up to 70 working days</td>
<td></td>
<td></td>
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<tr>
<td>LGO</td>
<td></td>
<td>Can complain to Local Government Ombudsman</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Alternative appeal process</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>Aim to respond within specific timeframes that you will be advised of.</td>
</tr>
</tbody>
</table>

3. **Statutory adults’ services complaints**

3.1 The statutory adults’ services complaints procedure consists of one stage.
3.2 When you make a complaint it will be acknowledged within three working days and a member of the complaints team will contact you within 5 working days to establish the elements of your complaint that you would like the council to consider and what outcome you are seeking, and agree a timescale for your complaint to be investigated.

3.3 Royal Borough of Windsor and Maidenhead will aim to send a full response to you within 10 working days from the date the complaints team agree with you your specific issues and establish the outcome you would like. However the length of time that an investigation will take depends on a number of factors, such as the complexity of the complaint, whether the investigation can be completed internally or if the council need to appoint an investigating officer. The complaints team will keep you informed and if we need longer than the time agreed in our discussions with you, we will let you know.

3.4 Once you have received our response, you will have the opportunity to meet to clarify any points made should you wish to do so. Following this we will consider the statutory adults’ complaints process to have been exhausted.

3.5 If you are still unhappy you retain the right to go to the Local Government Ombudsman to ask them to review your complaint.

4. Statutory children’s services complaints

4.1 The statutory social care complaints procedure consists of three stages.
- ‘The complaint’ (stage 1)
- An independent investigation (stage 2)
- An independent panel (stage 3).

4.2 Prior to accepting a formal complaint at stage 1 it is assumed that you have already contacted the team/service/department itself to resolve at a local level and they have either not addressed it correctly or not got back to you. If this is not the case we will record your comments as a local level concern rather than a formal complaint.

4.3 There are statutory timescales for children’s services complaints at each stage that the council must keep to. In working days2 these are:
- 10 days at Stage 1 (with a further 10 days for more complex complaints or additional time if an advocate is required);
- 25 days at Stage 2 (with maximum extension to 65 days);
- 20 days for the complainant to request a Review Panel;
- 30 days to convene and hold the Review Panel at Stage 3;
- 5 days for the Panel to issue its findings;
- 15 days for the local authority to respond to the findings.

2 Working days are Monday to Friday, and do not include bank holidays
Representations

4.4 Children and young people or their representatives, parents and carers can comment on the services they receive, ask for changes to be made and ask about services they would like to receive. In addition comments can be made about the place they live and the services they value the most. Representations can be made with them being complaints but are recorded and used for improvements and are captured in the annual report.

The complaint – stage 1

4.5 Your complaint at stage 1 will be investigated and dealt with by the head of service, of the service team where the complaint originates. Some responses may come directly from our suppliers or partners.

4.6 You will receive a full response within 10 working days from the date the complaints team agree with you your specific issues and establish the outcomes you would like (we aim to do this within 5 working days of receipt of your complaint). If we cannot respond to your complaint within 10 working days we will tell you when we will be responding and why we cannot within the 10 working days.

4.7 Our response will include:
- What we understand the agreed issue(s) to be.
- Chronology of events.
- If we uphold or partially uphold your complaint:
  - What we are going to do to put it right.
  - When it will be put right by.
  - An apology.
  - What we will do differently now to prevent a repeat.
- If we do not uphold your complaint:
  - A clear explanation detailing the reason why.

4.8 If you are still unhappy you must let us know within 20 working days (4 weeks) of getting your stage 1 response and request a stage 2 – review. If we do not hear anything from you within 20 working days we will assume that you are satisfied with our response and will close the complaint.

The review - stage 2

4.9 This stage is to review the stage 1 outcome. You will need to give clear reasons and evidence as to why you disagree with the findings and response of the stage 1 outcome and you want us to do to resolve it.

4.10 The stage 2 review will be investigated by an independent investigating officer (IO) who will work with an independent person (IP) to ensure that your complaint is investigated fairly.

4.11 The Investigating Officer will:
- Discuss your complaint with you to ensure all your concerns are fully investigated.
• Read files that relate to your complaint.
• Interview where possible staff associated with your complaint.
• Produce a report that discusses each element of your complaint and the outcomes of their investigation. The outcomes of your complaints will be upheld, partially upheld, not upheld or unable to make a finding.

4.12 The Independent Person will:
• Accompany the investigating officer to interviews with you and with members of staff associated with your complaint.
• Read files that relate to your complaint.
• Produce a report that their view of how the investigating officer has conducted the investigation.

4.13 The review at stage 2 of the complaints process should take no longer than 65 working days. The complaints team will keep you informed of progress.

The response from Royal Borough of Windsor and Maidenhead

4.14 When the findings from the review have been received from the Investigating Officer and Independent Person, they will be reviewed by the children’s services director. The children’s services director will also consider what remedies are appropriate and a response (adjudication letter) will be prepared on behalf of Royal Borough of Windsor and Maidenhead.

4.15 It is the responsibility of the director of children’s services to ensure that any recommendations contained in the response are implemented.

4.16 The council’s response will be sent to you along with a copy of the IO’s report and the IP’s findings. The response will state:
• If we uphold or partially uphold your complaint:
  o What we are going to do to put it right.
  o When it will be put right by.
  o An apology.
  o What we will do differently now to prevent a repeat.
• If we do not uphold your complaint:
  o A clear explanation detailing the reason why.

4.17 If you have been offered compensation as part of the remedies offered, and you decide to accept, the council will consider the complaint closed. However you still have the right to complain to the LGO. (see section 6.1)

4.18 If you are still unhappy you must let us know within 20 working days (4 weeks) of the date of your stage 2 response and request a stage 3 – panel. This is the third and final stage of the statutory complaints procedure. If we do not hear anything from you within 20 working days we will assume that you are satisfied with our response and will close your complaint.
4.19 To proceed you will need to give clear reasons and evidence as to why you disagree with the findings and response of the stage 2 outcome and you want us to do to resolve it. The review should be convened within 30 working days. The complaints team will keep you informed of the process.

**Stage 3 – review panels**

4.20 Stage 3 review panels will consist of 3 people (one will appointed as the chair) who are independent of the service that has been complained about.

4.21 Review panels are designed to:

- Listen to all parties.
- Consider the adequacy of the stage 2 investigation.
- Obtain any further information and advice that may help resolve the complaint to everyone’s satisfaction.
- Identify any injustices.
- Focus on achieving resolution for you by addressing your clearly defined complaints and desired outcomes.
- Reach findings on each of the complaints being reviewed.
- Make recommendations that provide practical remedies and solutions.
- Look at finding solutions where the opportunity for resolution between you and Royal Borough of Windsor and Maidenhead exists and to recommend appropriate redress.
- Recommend any service improvements for action by Royal Borough of Windsor and Maidenhead.

4.22 What the review panel will not do:

- Will not re-investigate the complaint.
- Will not consider any element of your complaint unless it has already been investigated under stage two.
- Cannot directly consider matters which are, or have been placed before a Court of Law.

**After the review panel**

4.23 The review panel will produce a written report containing a brief summary of what was discussed and their recommendations for resolution of the issues. They will send this to you, the director of children’s services, the IP from stage 2 and any other person with sufficient interest within 5 working days of the review panel meeting. If a panellist disagrees with the majority recommendation, this should also be recorded and the reason for it given.

4.24 The Royal Borough must send its response to the panel’s recommendations to you within 15 working days of receiving the panel’s report. The response should be sent from the director of children’s services setting out how the council will respond to the recommendations and what action will be taken. If the director disagrees with the recommendations this will be fully explained in their response.
4.25 At this point the statutory children’s complaints process will have been exhausted.

4.26 However, if you are still unhappy you retain the right to go to the LGO to ask them to review your complaint. (see section 6.1)

5. **Formal corporate complaints**

5.1 If a complaint is accepted by Royal Borough of Windsor and Maidenhead that does not fall within the children’s or adults’ statutory complaints processes it will be accepted under the council’s formal corporate complaints process.

5.2 Before accepting a complaint under the formal corporate complaints process we will firstly check to see if there is any other formal legislative appeal process that should be used and if so we will advise you of this. If not, it is assumed that you will have already contacted the team/service/directorate itself to resolve at a local level and they have either not addressed it correctly or not got back to you. We will record these as a local level concern rather than a formal complaint if you have not already attempted to resolve your concern.

5.3 From 1st October 2016 the council’s formal complaints process will consist of two stages. (All complaints received before 1st October 2016 will be dealt with under the previous three stage formal corporate complaints process).

- ‘The complaint’ (stage 1)
- ‘A review’ (stage 2)

5.4 Once the council accept your complaint into the formal corporate complaints process the complaints team will work with you to agree your full concerns and what your desired outcomes are before the investigation can start. The complaints team will aim to do this within five working days.

5.5 All concerns/complaints will be recorded under one of the following categories

- Attitude or behaviour of staff
- Breach of data protection
- Did not answer all questions asked
- Did not follow Policy, Rules, process or the law
- Failed to follow timescales
- Failed to respond at all
- Failed to take all information into account
- Gave the wrong information
- Inaccurate and wrong information was recorded or is on file, passed on
- Lack of action - did not do what we said we would do
- Multiple reasons
- Objecting/disagreeing against an actual agreed policy
- Safeguarding/LADO
- Services being delivered at lower standard than is set out in our policy
- Unhappy with how a situation/incident was handled
- Unhappy with the decision made

**The complaint - stage 1**

5.6 Your complaint at stage 1 will be investigated and dealt with by the head of service, of the service team where the complaint originates. Some responses may come directly from our suppliers or partners.

5.7 You will receive a full response within 10 working days from the date the complaints team agree with you your specific issues and establish the outcome you would like. If we cannot respond to your complaint within 10 working days we will notify you of this and when we will be responding, along with the reasons why we are unable to respond to you within the 10 working days.

5.8 Our response to your stage 1 complaint will include:
- What we understand the agreed issue(s) to be
- Chronology of events
- If we uphold or partially uphold your complaint
  - what we are going to do to put it right
  - when it will be put right by
  - an apology
  - what we will do differently now to prevent a repeat
- If we do not uphold your complaint
  - a clear explanation detailing the reason why

5.9 If you are still unhappy you must let us know within 20 working days (4 weeks) from the date of the response to your stage 1 complaint. It is important that you consider our response and let us know if you wish to submit a stage 2 review. If we do not hear anything from you within 20 working days we will assume that you are satisfied with our response and will close the complaint.

**The review - stage 2**

5.10 This stage is to review the stage 1 outcome. You will need to give clear reasons and evidence as to why you disagree with the findings and response of the stage 1 outcome and you want us to do to resolve it.

5.11 If you are not able to provide any evidence as to why the findings from stage 1 were wrong we will not be able to undertake a stage 2 – review. The complaints team will work with you to help determine whether you can proceed through the formal complaints process. You will however, still have the right to complain to the LGO.

5.12 The stage 2 review will be investigated by an officer who has not previously been involved; normally it will be the Director responsible for the service and the complaints team, who are independent from the original service. A response will be sent to you within 20 working days (4 weeks).

5.13 The response will include:
- What we understand you think we failed to address or correct at stage 1
• Chronology of events
  • If we uphold or partially uphold your complaint
    o what we are going to do to put it right
    o when it will be put right by
    o an apology
    o what we will do differently now to prevent a repeat
  • If we do not uphold your complaint
    o a clear explanation detailing the reason why

5.14 There may be times where an alternative officer, head of service or director will be asked to investigate and respond, if for example the original head of service is involved in the subject of the complaint.

5.15 After the stage 1 complaint and the stage 2 review the council’s formal complaints process has been exhausted. You will still have the right to complain to the LGO and Royal Borough of Windsor and Maidenhead will fully cooperate with any investigation undertaken. (see section 6.1)

6. Local Government Ombudsman

6.1 If you remain unhappy once you have exhausted the statutory children’s, statutory adults’ and council’s formal complaints process you can still contact the Local Government Ombudsman who investigate complaints in a fair and independent way and do not take sides. If the LGO decide to investigate your complaint Royal Borough of Windsor and Maidenhead will fully co-operate with any investigation.

**How to contact the Local Government Ombudsman:**

- www.lgo.org.uk/contactus
- 0300 061 0614
- The Local Government Ombudsman
  PO Box 4771
  Coventry CV4 0EH
- Fax: 024 7682 0001

7. The residents’ champion

7.1 The role of the local residents’ champion is a manifesto pledge (13.10) and will have responsibility for acting as a local ombudsman. The residents’ champion will work with residents to identify ways that council’s complaints processes and services can be improved to increase residents’ satisfaction with Royal Borough of Windsor and Maidenhead itself. In addition he/she will analyse and recommend resident focussed outcomes, ensuring that recommendations are implemented.

7.2 The residents’ champion will sit within customer services and will also deal with cases where there are multiple complaints about the same issue at the same time.
8. **When we can’t deal with your issue/concern as a formal complaint**

8.1 Many of the reports that the council receives concerning Highways, Environmental and Street Scene areas just require us to do, remove, fix, or clean something such as:

- a missed bin collection
- graffiti removal
- a broken street light
- litter
- fly tipping
- potholes
- abandoned cars
- grass cutting
- overgrown hedges

8.2 We will treat these as a request for us to do something (a service request) rather than a formal complaint, unless you have already reported it and we have failed to do something. These reports are critical in helping us keep our borough clean and well maintained. These in the first instance should all be reported through our standard customer contact channels.

- Online through ‘My Account’ at Online: [www.rbwm.gov.uk](http://www.rbwm.gov.uk)
- Mobile: Fixmystreet – mobile application that can be downloaded from APP Store
- Emailing: [customer.service@rbwm.gov.uk](mailto:customer.service@rbwm.gov.uk)
- Phone: 01628 683 800

8.3 Even though you may want to use the formal complaints process, many of our services have an alternative formal review, appeal, challenge process or procedure that has to be followed. In these cases the formal complaints policy is not able to be used, below are some examples, the list is not exhaustive:

- **Code of Conduct of Elected Members (Councillors)**
  - The Monitoring Officer is responsible for considering complaints that a Councillor may have breached the Code of Conduct for Councillors.

- **Parking Charge Notices PCN (fines)**

- **Education complaints**
  - Schools admissions and exclusion appeals
  - It is a legal requirement for every school in the county to have a complaints policy and they should be accessible on their website or on request from the school office. In the first instance you should follow that policy. If you have not done this, we will not record your contact with us.
  - If you are not satisfied after following the school policy and you have submitted your complaint in writing to the Chair of Governors, you can
raise your complaint with either the Department for Education, Ofsted or the Education Funding Agency.

- The circumstances of your complaint will determine which route to take and you can find out more at https://www.gov.uk/complain-about-school/state-schools. If you are doing this, we will record your intention to complain and tell our education service the name of the school but please note they cannot investigate the complaint.

- Housing Benefit calculation
- Planning decisions
  - All formal planning decisions are no longer eligible to be considered under the formal corporate complaints process as under the law we are unable to alter these.
  - There is a separate appeals process for rejected planning applications.
- Special Education Needs Tribunals
- Council Tax banding decisions
- Refusals for information requested under the Freedom of Information Act (FOI)
- Refusals to disclose information under the Data Protection Act (DPA)
- Staff/ex-staff complaints about employment matters including grievances/disciplinary hearings
- Representations from Trade Unions
- Complaints about suitability of interim housing
- Complaints about suitability of temporary accommodation and s.184 decisions (s.202 review).
- Disputes about the findings of s.202 review
- Decisions about housing priority band
- Housing medical decisions
- Outcome of statutory enforcement action
- Complaints from landlords about dilapidations in Private Sector Leased properties

8.4 Where an issue is not upheld through the above processes, it is not uncommon for us to then receive a formal corporate complaint regarding the same or related issue. In these circumstances we are sorry but the formal corporate complaint will not be accepted.

8.5 Other reasons that you will not be able to use the formal corporate complaints policy are:
- You have already commenced legal action against us. In this situation our representatives will be in contact with you or your representative.
- Insurance Claims. In this instance you will need to submit a claim and our insurance team will be in contact with you - Guidance on this is available at www.rbwm.gov.uk
- Not agreeing with a council policy and want it changing, rather than the policy not being followed or being applied incorrectly. In this situation tell us why you think the policy is wrong or unfair and what you think needs to be done to
We will use the feedback to help decide any future changes to the policy. This information will be recorded as ‘policy feedback’.

8.6 If you are not sure who to contact or what process or review to follow, you don’t need to worry as we will forward on your issue or let you know who to contact and how.

8.7 But we do recognise that there are times when we still get it wrong and you want to put in a formal corporate complaint. The guidance below spells out how you can do this.

9. **When can you make a complaint?**

**Formal corporate complaints**

9.1 Formal corporate complaints need to be made within six (6) calendar months of the failure so that we can investigate fully and fairly.

9.2 There may be times when you haven’t had a chance to complain within six months. If there are exceptional circumstances (illness, changes in personal circumstances etc), the Head of Customer Services or relevant Director may make a discretionary decision to consider a late complaint providing you are able to explain and evidence why you haven’t complained sooner.

**Children’s and adult’s services complaints**

9.3 Formal complaints need to be made within twelve (12) calendar months of the failure so that we can investigate fully and fairly.

9.4 There may be times when you haven’t had a chance to complain within twelve months. If there are exceptional circumstances (illness, changes in personal circumstances etc), the Head of Customer Services or relevant Director may make a discretionary decision to consider a late complaint providing you are able to explain and evidence why you haven’t complained sooner.

10. **How can a formal complaint be made?**

10.1 There are a number of ways you can formally complain to us:

- Online or through ‘My Account’ at www.rbwm.gov.uk
- Email complaints@rbwm.gov.uk or social.services@rbwm.gov.uk
- Telephone 01628 683847 or 01628 683857
- Twitter @RBWM (we may ask you to contact us through a private secure channel).
- In writing to: Complaints Team
  Royal Borough of Windsor and Maidenhead Council
  Town Hall
  St Ives Road
  Maidenhead
  Berkshire
SL6 1RF

- In person at the Town Hall, St Ives Road, Maidenhead. SL6 1RF.
- Via your local councillor (details can be found at www.rbwm.gov.uk).
- Via your Member of Parliament.
- Via your representative who has permission to act on your behalf (we will need signed authority from you to confirm we have permission to speak to them about your complaint).

10.2 You may make a complaint via other channels such as to a Director or Managing Director. All complaints received by the Royal Borough, regardless of who they are made to will be sent to the Complaints Team to make ensure that they are all recorded and responded to within the published timeframes as defined in the policy.

10.3 The Complaints Team will be your independent contact point.

11. Things to include in your complaint

11.1 When you do complain so we know what to investigate please tell us clearly and concisely by giving as much information as possible.
   - What we did wrong and when
   - What should have happened in your opinion
   - What policy or procedure has not been followed and why (if known)
   - How we can put it right
   - And any other outcomes you are wanting

12. Complaints against our Contractors/Partners

12.1 A number of services are delivered by on our behalf by private suppliers or are undertaken by our partners. Some of these already have their own complaints process and timeframes may differ. Where there is not a complaints process they will be required to adopt the council's formal complaints process. Formal complaints can be made to Royal Borough of Windsor and Maidenhead so we can log and monitor in the same way we do for services delivered by council staff. This will allow us to monitor formal complaints via the contract monitoring process and continually ensure we put our residents first.

13. Anonymous complaints, whistle blowing and fraud

13.1 We will not normally investigate anonymous formal complaints but depending on the individual circumstances we may choose to do so. If we do we will not tell anyone you have complained and will keep your details confidential. If we know who you are and keep in touch with you, it will help us investigate things better and more quickly
13.2 If you believe a member of staff or someone who works for the council has been involved in fraud or corruption, you can speak to someone in our audit or fraud team 0118 974 6550 or Report a Fraud

14. What happens when we get your complaint?

14.1 When the council receives a complaint it will be sent to the Complaints Team to liaise with you as described previously in this document. Your complaint will be recorded and start the process of being accepted or rejected as a complaint.

15. What happens if your councillor or MP complains on your behalf?

15.1 If you contact your Councillor or MP we may need your permission that we can divulge information to them. A response will usually be sent to your councillor or MP so they can contact you directly.

16. Remedies, redress and compensation

16.1 Our immediate aim is to respond and apologise for what went wrong, to put right what we might have done wrong, and to do so as quickly as possible. The purpose of the complaints process is to put you back to the situation you would have been if we had done it right in the first place.

16.2 We will deal with each case on its own merits and we will usually follow the guidance issued by the Local Government Ombudsman for addressing remedies. This guidance can be found www.lgo.org.uk

16.3 Where compensation has been offered and has been accepted by you (or the cheque not returned within 20 working days of its issue), then we will assume that we have resolved your concern and your complaint will be considered closed.

16.4 Where compensation has been offered and you consider it as not adequate please advise us of the reasons as to this so we can review the amount offered. If after the review the amount offered remains unchanged, and this is the only matter outstanding, we will close the complaints process to allow you to escalate your complaint to the LGO.

16.4 Where compensation has been offered this does NOT prevent you escalating your complaint to the Local Government Ombudsman. However, the LGO will be advised that compensation was offered to you by the council and accepted or declined by you. The LGO may take this into account in determining whether to investigate a complaint further.

17. Persistent, vexatious and unreasonable complainants
17.1 In a minority of cases some complainants pursue their cases in a way that can impede the investigation of their complaint or have significant resource issues for us. This may include reasons like:

- Repeatedly not accepting the response and not providing any new evidence
- Not wanting to follow the correct appeals/complaints channel
- Repeatedly not following the correct customer contact channel
- Repeatedly copying many people including councillors into contacts resulting in several people working on it at the same time.
- Volume of contacts
- Aggressive and intimidating in style of communication
- Unreasonably chasing officers for responses within timeframes published.

17.2 We do not expect our staff to waste time on dealing with unreasonable complainants. Nor do we expect staff to tolerate threatening or abusive behaviour by complainants and we will take action to protect staff from such behaviour.

17.3 We have a separate policy for dealing with unreasonable behaviour, persistent and vexatious complainants and this can be found at link to policy for vexatious

18. **Complaints monitoring**

18.1 Performance will be monitored on an on-going basis including a quarterly report for service managers and councillors.

18.2 An annual report for the statutory adults’ and children’s complaints and for the formal corporate complaints will be produced for Royal Borough of Windsor and Maidenhead giving an overview of the complaints that have been received, overall performance, lessons learned and improvements made. The report will also include a copy of the annual letter that is issued by the LGO. We will aim to publish both these reports by 1 June each year on Royal Borough of Windsor and Maidenhead’s website.
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