

**SWINDON BOROUGH COUNCIL
CUSTOMER FEEDBACK AND COMPLAINTS
HANDLING POLICY**

Version 11

Updated August 2025

1. Introduction

The Council is committed to providing a high-quality service to all our customers and putting our residents at the heart of everything we do. This means all feedback is welcome and treated as an opportunity to identify areas to drive continuous service improvement and improve customer satisfaction.

We take all concerns seriously, aim to keep customers informed of progress, and reply within the agreed timescales.

We promise to listen, log any feedback correctly, and treat all feedback honestly, politely, confidentially and fairly without discrimination, in accordance with data protection legislation.

We want services to be as open and accessible as possible. Council information, including this policy, can be produced in a range of languages and formats (such as large print, Braille or other accessible formats). You can also find an [easy-to-read leaflet](#) available to download on our website. Please contact the department responsible for the information. Alternatively, email your enquiry to customerservices@swindon.gov.uk or call 01793 445500.

We will work with you to make sure that you have the information you need, in a way you understand.

1.1 Praise

We appreciate hearing any positive feedback and record all statements of praise. This could be an expression of satisfaction about any Council activity or service, or about an employee or representative of the Council.

Once we have received a compliment, the details are passed to the relevant manager, who ensures that the team or staff member concerned receives recognition and acknowledgment.

1.2 Customer Feedback

We recognise that customers may wish to raise a comment, observation, or provide us with feedback that is neither critical nor complimentary. This may also include suggestions for changing or improving our service.

1.3 Complaints

We encourage all our staff to resolve any queries as quickly and efficiently as possible when a customer service request has been received. A service request is a request which requires action to be taken to put something right. However, if you are still not satisfied following our response, it is important you let us know you think we can do better or that the matter may require further investigation. Therefore, if you are unhappy with a service you have received from the Council, you are entitled to make a complaint.

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions, or lack of actions by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents. You do not have to use the word 'complaint' for it to be treated as such, even if the handling of a service request remains ongoing. Raising a complaint will not prevent, stall, or impact actions needed to resolve any immediate issues.

Any residents who express any dissatisfaction will be given the choice to make an official complaint. A complaint that is submitted via a third party or representative must still be handled in line with the complaints policy.

A complaint can involve one or more of the following statements:

- You are unhappy with the standard of service, action, lack of action or decision taken by the Council
- You are unhappy with the way in which the Council's staff or representatives have carried out their duties
- The Council has failed to meet our standards of service, such as delivering to agreed timescales and quality of service
- The Council has failed to respond to the original problem or service request
- A member of staff has not carried out their duties to an acceptable standard or with the appropriate courtesy
- The Council has not treated the customer fairly, or without discrimination

All our staff are aware of the Customer Feedback and Complaint Handling Policy and will be able to assist you wherever possible to ensure that you receive a full response within the agreed timescale that is both accurate and unbiased.

We want to embrace complaints through increased transparency, accessibility, and complaint handling governance, demonstrating that our customers are core to our service delivery.

All complaints should be submitted within 12 months of the incident that caused the problem or, when the problem first occurred, or when you became aware of the problem. However, we will exercise discretion to extend this, depending on the circumstances where it may have been difficult for the complaint to have been submitted earlier, and providing we are able to investigate the facts of the case.

If there are any reasons why we are unable to proceed with your complaint, we will explain this to you accordingly.

Please note: If customers repeatedly misuse the Council's complaints service, or are offensive, abusive or threatening to our staff members we will consider taking actions as detailed in our Customer Behaviour Policy.

[Customer behaviour policy | Swindon Borough Council](#)

1.4 Policy Exclusions

There are some exclusions that apply to all complaints submitted and/or escalated, some of which relate to statutory, legal limitations. The below sets out exclusions which apply to all complaints. You will find any specific service area exclusions in the corresponding section in this policy. Please refer to section 1.6 for details on where to find the specific service area sections of this policy.

If your complaint includes one of these exclusions, we will explain this and advise you of any statutory procedures with regard to your complaint.

If your complaint or escalation is not accepted, you will be provided with an explanation, setting out the reasons why it is not suitable for the complaints process and the right to take that decision to the Ombudsman.

Our Council must accept a complaint or escalation unless there is a valid reason not to do so. If we decide not to accept a complaint or escalation, we will provide evidence and reasoning. Each complaint and/or escalation will be considered on its own merits.

A complaint or escalation may not be considered under the following circumstances:

- The issue giving rise to the complaint occurred over twelve months ago
- Legal proceedings have started. This is defined as details of the claim, such as the claim form and particulars of claim, having been filed at court
- Matters that have previously been considered under the complaints process
- If you exceed the escalation timescales defined in the relevant service area complaint procedure (refer to section 1.6 for specific service areas). All escalations are reviewed on a case-by-case basis and may still be considered if beyond the defined timescales

1.5 How to raise a complaint

If you are unhappy and wish to express your dissatisfaction about a service, action or lack of action by the Council and/or its staff, you can raise a complaint. In the first instance this will be a stage 1 complaint. We will acknowledge your complaint within 5 working days (each service areas have different acknowledgment timeframes, please see section 1.6 for where to find the relevant service area for your complaint) and we will let you know if we can progress your concern under stage 1 of the formal complaint process. If we cannot, we will let you know the reasons why and advise you if there is another way for your concern to be reviewed.

We fully appreciate and understand that some people may need advice and support from an independent advocate to make their complaint, to escalate an ongoing issue, or to understand our procedures and outcomes. We also understand that additional support may be required for people who are vulnerable or have communication difficulties due to finding it difficult to express their views, or where English is not their first language.

Below are the contact methods for raising a complaint, if you should experience any issues when trying to make a complaint, or require any further assistance or adjustments.

Online - www.swindon.gov.uk or [Customer Complaints & Feedback](#)

Phone - 01793 445500

Email - customerservicecomplaints@swindon.gov.uk

In Person – Visit Swindon Central Library. At Swindon Central Library you can speak with our Customer Services team in person, Self-service computers and Wi-Fi available for online access

Post - Customer Service Complaints Team

Wat Tyler House

Beckhampton Street

Swindon

SN1 2JG

1.6 Service Area Complaint Procedures

Due to the varying nature of the services provided by the Council, there are slightly different procedures depending on the area of complaint.

- **1.6.1 Tenancy Council Housing & Services**, please go to **Section 2**
- **1.6.2 Children's Services** please go to **Section 3**
- **1.6.3 Adult's Services**, please go to **Section 4**
- **1.6.4 General Services**, please go to **Section 5**

2. Tenants Council Housing & Service Complaints

2.1 Introduction

We manage our housing complaints in line with the Housing Ombudsman Complaint Handling Code. If we are unable to comply with this code due to exceptional circumstances, we will notify the Housing Ombudsman and add a notification to our website to inform residents of the problem and a solution for rectification.

Any exclusions that apply to this policy are clearly set out within section 1.4 and they are in line with provision 2.2 of Housing Ombudsman Complaint Handling Code.

Click on the link below to read the Housing Ombudsman Complaint Handling Code:

[The Complaint Handling Code | Housing Ombudsman Service \(housingombudsman.org.uk\)](http://housingombudsman.org.uk)

You can, at any stage of your complaint, refer to the Housing Ombudsman for advice with your complaint.

2.2 Learning from complaints

The Council has mechanisms in place to ensure that the information we receive from housing complaints is fed into improving services for our customers. Users of the housing complaints process may be surveyed for their views on the handling and outcome of their

complaint, to enable the Council to monitor customer satisfaction with the process and identify any improvements.

2.3 Monitoring, review and accountability

The Council has a responsibility to report on its complaints processes to monitor how they are being used, how satisfied service users are and how the complaints received are being used to improve services.

An annual complaint performance and service improvement report is published on our website together with our Cabinet response. Links to this policy is published on our website and our tenancy handbook.

Performance on complaints against targets and trends is also reported to the corporate management team to ensure accountability for service delivery.

2.4 Is it a complaint, or a service request?

Service requests and complaints are different. A service request is contact from a customer that brings a matter to the Council's attention for the first time, and requests a service offered by the Council. For example, reporting a missed appointment or a repair that is needed. For information about how to raise a service request please visit our website www.swindon.gov.uk.

Most concerns that are raised with the council can be resolved without you needing to make a formal complaint. Service requests, such as a missed appointment, can often be resolved 'there and then' with an apology and the provision of another appointment and may not need to enter the complaints system. However, if further enquiries are needed to resolve the matter, or if the resident requests it, the issue will be logged as a complaint. Swindon Borough Council gives any resident who expresses dissatisfaction a choice to make a complaint; raising a complaint will not prevent, stall, or impact actions needed to resolve any immediate issues.

A complaint can be raised in response to a service request, whilst this service request is still ongoing.

A service request may be:

- Missed appointment
- Repair needed to your home
- Inspection to be carried out at your home

If logging a service request or talking to the team involved, has not resolved your issue, we may be able to progress it under the housing statutory complaints process. This is a two-stage process, with a third independent stage. If your complaint is in reference to a recent service request and the handling of this, please quote your service request number, if provided, in your complaint.

2.5 Third-Party or Sub-Contractor Complaints

You are entitled to make a complaint regarding third-party, service provider or sub-contractors. For Housing complaints in this category, we would encourage you to raise your complaint directly with Swindon Borough Council and we will liaise directly with the third-party, service provider or sub-contractors, where appropriate, to resolve your complaint.

Where a stage 1 complaint has been investigated by the third-party contractor and you refer this complaint to Swindon Borough Council, your complaint will be reviewed and responded to at stage 2 of this policy (refer to section 2.7).

2.6 Housing Complaint - Stage 1

A complaint will be acknowledged, defined and logged at stage 1 of the complaint's procedure within 5 working days of the request being received.

The complaint acknowledgement will set out the following:

- Our understanding of the complaint
- The outcomes you are seeking
- Which aspects of your complaint Swindon Borough Council is and is not responsible for
- If any aspects of the complaint are unclear, we will ask for further clarification

This will be passed to the service to investigate and provide you with a response within 10 working days of the complaint being acknowledged. If the service is unable to provide you with a response within 10 working days of the complaint being acknowledged, they will update you on the progress and inform you that they are extending the timescale by an additional 10 working days, and the reason(s) for this extension. We will only extend a complaint if there is good reason to do so.

If, for any reason the response will fall outside of the extended timescales (as set out in Housing Ombudsman Complaint Handling Code), the service will contact you and agree with you, suitable intervals for updating you on the progress of your complaint and confirm the expected timescale you should receive a response.

If your complaint response falls outside of the extended timescales, you are entitled to approach the Housing Ombudsman.

When responding to a stage 1 complaint, the service will apologise if a mistake has been made and provide an explanation about what went wrong. They will also provide or suggest a remedy that aims to put right what has gone wrong.

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

All complaint responses will be provided when the answer to the complaint is known and not when all outstanding actions are completed. We will ensure that updates are provided until all outstanding actions are completed.

As a result of your complaint, we may identify some learning or service improvements for the organisation. You may also be offered compensation as part of the resolution. If so, these will be noted in the response letter and we will ensure that the response letter avoids complex terminology or jargon. The Council's response to you will be signed by the service manager. Within the Council's response, you should be advised of the options available to you if you remain dissatisfied.

For further information on our Housing Compensation Policy and your rights to appeal, please use this link:

[Housing Compensation Policy](#)

2.7 Housing Complaint Stage 2 - Review

We hope that all complaints will be resolved at stage 1. If customers are not satisfied and wish to escalate to stage 2 of our complaint process, this should be done within 25 working days from receipt of your stage 1 response. If you wish to escalate your complaint, you are not required to provide reasons for escalating, however, it may be beneficial to the investigation for you to provide additional information if you feel it's necessary.

All requests are considered on a case-by-case basis and if you are outside the 25 working days and wish to escalate your complaint, please contact customerservicecomplaints@swindon.gov.uk to review your request. If you are satisfied with your stage 1 response we will close your complaint after 25 working days.

Your complaint will be acknowledged, defined and logged at stage 2, within 5 working days of the escalation request being received; using the escalation reasons and information provided by you when escalating your complaint. If any aspects of the complaint escalation are unclear, we will ask for further clarification.

The senior manager for the service (or delegated Head of Service) will review the complaint; escalation reasons given and provide a response within 20 working days of the complaint being acknowledged. The person considering the complaint at stage 2 will not be the same person that considered the complaint at stage 1.

If the Service Manager is unable to provide you with a response within 20 working days of the complaint being acknowledged, they will update you on the progress and inform you that they are extending the timescale by an additional 20 working days, and the reason(s) for this extension. We will only extend a complaint if there is good reason to do so.

If, for any reason the response will fall outside of the extended timescales (as set out in Housing Ombudsman Complaint Handling Code), the service will contact you and agree with you, suitable intervals for updating you on the progress of your complaint and confirm the expected timescale you should receive a response.

If your complaint response falls outside of the extended timescales, you are entitled to approach the Housing Ombudsman.

Service Managers will confirm the following in writing to the customer at the completion of stage 2 in clear, plain language:

- Complaint stage;
- Complaint definition;
- Decision on the complaint;
- Reasons for any decisions made;
- Details of any remedy offered to put things right;
- Details of any outstanding actions;
- Details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.

All complaint responses will be provided when the answer to the complaint is known and not when all outstanding actions are completed. We will ensure that updates are provided until all outstanding actions are completed.

As a result of your complaint, we may identify some learning or service improvements for the organisation. You may also be offered compensation as part of the resolution. If so, these will be noted in the response letter, and we will ensure that the response letter avoids complex terminology or jargon. The Council's response to you will be signed by the service manager. Within the Council's response, you should be advised of the options available to you if you remain dissatisfied.

For further information on our Housing Compensation Policy and your rights to appeal, please use this link:

[Housing Compensation Policy](#)

2.8 Housing Ombudsman

If you remain dissatisfied with our response to your complaint at this point in the process, you will then be entitled to take your complaint to the Housing Ombudsman:

The Housing Ombudsman can be contacted using one of the following options:

Online <https://www.housing-ombudsman.org.uk/>

Phone 0300 111 3000 (lines are open 9:15am – 5.15pm, Monday to Friday)

Email info@housing-ombudsman.org.uk

Address:

Housing Ombudsman Service
PO Box 1484
Unit D
Preston
PR2 OET

The Ombudsman will make an initial review of the complaint to ensure that attempts to resolve the complaint locally have been made. If not, the Ombudsman will refer the complaint back to the Council.

When the Ombudsman accepts a complaint for review, the Ombudsman will request a copy of the complaint file. The Ombudsman can decide a) there is no case to answer, b) the complaint is partially upheld, or c) the complaint is fully upheld.

If the Ombudsman decides that the Council has got things wrong, they may make recommendations for the Council to put them right. This can include explanations, apologies and recommendations for the service to learn and improve.

3. Children Services Complaints

3.1 Introduction

The council's children's statutory social care complaints process adheres to the government guidance "Getting the best from complaints". You can access the guidance document [here](#).

Complaints about children social services may fall under the statutory children complaints process (refer to section 3.5), the non-statutory children complaints process (refer to section 3.7), or other appeal processes, for example, SEND Tribunal (refer to section 3.3) that is separate the complaints process.

In general, assessments and services in the following areas can be considered under the statutory Children's complaint procedure.

- Children in need.
- Looked after children.
- Special guardianship support.
- Post-adoption support.

Complaints that do not fall into the children statutory complaint process may still be considered and progressed through the council's non-statutory children complaints process.

3.2 Schools

Complaints in relation to specific schools or what occurs within them are the responsibility of the governing bodies, so will not be covered by this policy, unless specifically referred to the Council for a response.

3.3 Special Education Needs

The SEND complaints process is unable to resolve matters that are settled via formal routes of redress (Mediation or SEND Tribunal), including:

- Decisions to refuse assessment
- Decisions to issue a plan
- Placement decisions
- The content of an EHCP
- The decision to cease an EHCP

Your right to appeal is provided to you at the point of decision, and more information on this process can be found within the letter issued to yourself at this time or on the Swindon Local Offer. Please see the disagreement resolution, mediation and tribunal guidance, here: [SEND Advice and Advocacy](#)

We can investigate SEND complaints under the following circumstances:

- When we have not implemented a tribunal recommendation related to an EHCP
- A provision has been agreed but we have failed to deliver the provision
- Failures to implement recommendations related to social care provision in an EHCP
- You are unhappy about the behaviour or conduct of a SEND Officer
- You are unhappy with communication from the council regarding SEND services
- You do not feel we have made the right decision in how we have handed a request for a personal budget
- You feel that we have not involved the young person over 16 years old in the decision making about their personal budget
- If you are dissatisfied with how the local offer is providing advice and information about SEND in our local area
- We have taken longer than our statutory obligation to either:
 - Come to a decision on if we will proceed with statutory assessment.
 - Come to a decision on if we will proceed with issuing an EHCP.
 - Finalising an EHCP once the decision has been made to issue the plan.
 - Undertake action following an annual review.

If you are concerned about the safety of a child or young person, please contact Children and Families, Contact Swindon on:

Phone: 01793 464646

Email: contactchildrenandfamilies@swindon.gov.uk

More Information: Visit the [Swindon Safe Guarding Partnership website](#)

3.4 Children Adoption Services

Please be advised that any complaints received regarding Children's Adoption Services will be passed to Adopt Thames Valley, who will complete the complaint investigation and respond directly to you.

Please contact Oxfordshire County Council Complaints Team on:

Online: <https://adoptthamesvalley.co.uk/get-in-touch/>

Email: commentsandcomplaints@oxfordshire.gov.uk

Phone: 01865 897050

3.5 Who can make a Children Services complaint?

The following people can make a complaint:

- The person receiving the service (the young person)
- A relative or person acting on behalf of the service user with their consent
- A representative of the service user if they do not have capacity to make decisions or give consent

3.5 Children Services – Statutory Complaints

3.5.1 Stage 1 – Investigation by the Children’s team (Local resolution)

All complaints will be taken seriously, and efforts will be made to try to resolve them for you as fairly, quickly and effectively as possible. We will acknowledge your complaint within 5 working days. Once we have received your complaint we may contact you, to talk to you for the following reasons:

- Make sure we understand your complaint fully
- Ask you what you would like to happen as a result of your complaint, and confirm other possible satisfactory outcomes

It might be helpful to have a meeting to talk about your complaint. If so, we will arrange this for you and the relevant officers will aim to resolve your issues raised in the complaint. We will discuss with you whether it might help you to have assistance from a family member or friend, or we may be able to arrange an advocate to support you.

Your complaint will be passed to the service manager to investigate and provide you with a Stage 1 response within 10 working days of the complaint being accepted.

If the Service Manager is unable to provide you with a response within 10 working days of the complaint being acknowledged, they will update you on the progress and inform you that they are extending the timescale by an additional 10 working days, and the reason(s) for this extension.

If, for any reason the response will fall outside of the extended timescales the service will contact you and agree with you, suitable intervals for updating you on the progress of your complaint.

When responding to a stage 1 complaint, the service will apologise if a mistake has been made and provide an explanation about what went wrong. They will also provide or suggest a remedy that aims to put right what has gone wrong.

All complaint responses will be provided when the answer to the complaint is known and not when all outstanding actions are completed. We will ensure that updates are provided until all outstanding actions are completed.

As a result of your complaint, we may identify some learning or service improvements for the organisation. If so, these will be noted in the response letter and we will ensure that the response letter avoids complex terminology or jargon. The Council’s response to you will

be signed by the Service Manager. Within the Council's response, you should be advised of the options available to you if you remain dissatisfied.

3.5.2 Stage 2 – Independent Investigation

If you are unhappy or dissatisfied with the outcome to your stage 1 complaint and the Service Manager is unable to resolve your concerns, you are entitled to escalate your complaint to stage 2 within 20 working days of receiving your stage 1 response.

If you are satisfied with your stage 1 response we will close your complaint after 20 working days.

Once we have received your request to escalate your complaint, you will receive an acknowledgement within 5 working days.

An independent investigating officer and independent person will then be appointed and will investigate the complaint. Both the officer and independent person will produce an in-depth report, which includes a conclusion, any recommendations and/or outcomes regarding the original complaint.

Please note, an advocate can be requested for a child or young person at any time during this complaint process.

You should receive a formal response from the Director of Children's Services and a copy of the reports within 25 working days. If an extension to the investigation is required due to the complexity of the case or the availability of an independent person, you will be informed accordingly. This extension should be no more than 65 working days.

3.5.3 Stage 3 – Panel Review Hearing

If you are unhappy or dissatisfied with the outcome to your stage 2 statutory complaint and feel Children's Services have still not resolved your complaint adequately, then you are entitled to escalate your complaint and request stage 3 of our Children's complaint process which is a review panel hearing.

If you want to escalate to a review panel you will need to contact the complaints team explaining what you are unhappy about and what you expect from the review. You **must** make this request within 20 working days of receiving the response letter to from Stage 2.

In a stage 3 panel, 3 independent people look at whether your complaint was dealt with adequately at Stage 2. None of these people will have been connected with your complaint or know anything about the investigation.

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 all parties' satisfaction;
- focus on achieving resolution for the complainant by addressing his clearly defined complaints and desired outcomes;

- reach findings on each of the complaints being reviewed;
- make recommendations that provide practical remedies and creative solutions to complex situations;
- support local solutions where the opportunity for resolution between the complainant and the local authority exists;
- to identify any consequent injustice to the complainant where complaints are upheld, and to recommend appropriate redress; and
- recommend any service improvements for action by the authority.

The Review Panel will not reinvestigate the complaints, nor should it be able to consider any substantively new complaints that have not been first considered at Stage 2.

A review panel hearing will be arranged and held within 30 working days of the date when your request was received by the compliment team. You may attend the hearing to present your case, but you don't have to. If you decide to attend, you can be accompanied by another person who can speak for you.

The recommendations and notes of the review panel will be sent to the Director of Children's Services within 5 working days of the end of the hearing, and you will be sent a copy at the same time. The Director will consider their decision and will write to you within 15 working days of receiving the review panel recommendations.

This is the end of the council internal statutory children's social care complaints procedure.

3.6 Local Government & Social Care Ombudsman

If you are unhappy or dissatisfied with the outcome to your stage 3 panel and feel Children's Services have still not resolved your complaint adequately, then you are entitled to escalate your complaint by requesting a review by the Local Government & Social Care Ombudsman.

The Local Government & Social Care Ombudsman advice that you contact them within 12 months of receiving the stage 3 responses and that any complaints received after this timescale may not be accepted for investigation.

You can contact the Local Government & Social Care Ombudsman via one of the following channels:

- **Website:** www.lgo.org.uk/making-a-complaint
- **Complaint Form:** <https://www.lgo.org.uk/complaint-form>
- **Phone:** 0300 061 0614 from 8:30am to 5:00pm, Monday to Friday
- **Text** the 'call back' service: 0762 481 1595
- Use a text phone via the Next Generation Text Service (formerly known as Text Relay and Type talk)
- **Address:**
The Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH

The Ombudsman will make an initial review of the complaint to ensure that attempts to resolve the complaint locally have been made. If not, the Ombudsman will refer the complaint back to the Council.

When the Ombudsman accepts a complaint for review, the Ombudsman will request a copy of the complaint file. The Ombudsman can decide a) there is no case to answer, b) the complaint is partially upheld, or c) the complaint is fully upheld.

If the Ombudsman decides that the Council has got things wrong, they may make recommendations for the Council to put them right. This can include explanations, apologies and recommendations for the service to learn and improve.

3.7 Children Services – Non-Statutory Complaints

3.7.1 Stage 1 – Investigation by the Children’s team (Local resolution)

All complaints will be taken seriously, and efforts will be made to try to resolve them for you as fairly, quickly and effectively as possible. We will acknowledge your complaint within 5 working days.

Your complaint will be passed to the service manager to investigate and provide you with a response within 10 working days of the complaint being acknowledged.

If the service manager is unable to provide you with a response within 10 working days of the complaint being acknowledged, they will update you on the progress and inform you that they are extending the timescale by an additional 10 working days, and the reason(s) for this extension.

If, for any reason the response will fall outside of the extended timescales the service will contact you and agree with you, suitable intervals for updating you on the progress of your complaint.

All complaint responses will be provided when the answer to the complaint is known and not when all outstanding actions are completed. We will ensure that updates are provided until all outstanding actions are completed.

When responding to a stage 1 complaint, the service will apologise if a mistake has been made and provide an explanation about what went wrong. They will also provide or suggest a remedy that aims to put right what has gone wrong.

The written complaint response should directly answer all issues raised in your complaint.

As a result of your complaint, we may identify some learning or service improvements for the organisation. If so, these will be noted in the response letter, and we will ensure that the response letter avoids complex terminology or jargon. The Council’s response to you will be signed by the Service Manager. Within the Council’s response, you should be advised of the options available to you if you remain dissatisfied.

3.7.2 Stage 2 - Escalating your initial complaint

If you are unhappy or dissatisfied with the outcome to your stage 1 complaint and the service manager is unable to resolve your concerns, you are entitled to escalate your complaint to stage 2 within 20 working days following your stage 1 response. The person considering the complaint at stage 2 will not be the same person that considered the complaint at stage 1.

All requests are considered on a case-by-case basis and if you are outside the 20 working days and wish to escalate your complaint, please contact customerservicecomplaints@swindon.gov.uk to review your request.

Once we have received your request to escalate your complaint, you will receive an acknowledgement within 5 working days confirming the details of your complaint and suggested next steps.

If the complaint is complex, we may need more than 20 working days to respond. If this is the case, then we will provide you with an update on the progress to your complaint and advise you if we need an additional 20 working days.

If, for any reason the response will fall outside of the extended timescales the service will contact you and agree with you, suitable intervals for updating you on the progress of your complaint.

All complaint responses will be provided when the answer to the complaint is known and not when all outstanding actions are completed. We will ensure that updates are provided until all outstanding actions are completed.

3.8 Escalating your complaint to the Local Government and Social Care Ombudsman/ Health Service Ombudsman (LGSCO)

After receiving your stage 2 response, you are within your rights to escalate your complaint if you remain dissatisfied. To escalate your complaint please contact the Local Government and Social Care Ombudsman and/or Health Service Ombudsman.

The Local Government and Social Care Ombudsman make final decisions on complaints that have not been resolved by the Council or NHS regarding children's and adult social care.

The Health Service Ombudsman investigates complaints about health services.

The Local Government and Social Care Ombudsman and the Health Service Ombudsman can be contacted in one of the following ways:

- **Website:** www.lgo.org.uk/making-a-complaint
- **Complaint Form:** <https://www.lgo.org.uk/complaint-form>
- **Phone:** 0300 061 0614 from 8:30am to 5:00pm, Monday to Friday
- **Text** the 'call back' service: 0762 481 1595
- Use a text phone via the Next Generation Text Service (formerly known as Text Relay and Type talk)

– **Address:**

The Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH

The Ombudsman will make an initial review of the complaint to ensure that attempts to resolve the complaint locally have been made. If not, the Ombudsman will refer the complaint back to the Council.

When the Ombudsman accepts a complaint for review, the Ombudsman will request a copy of the complaint file. The Ombudsman can decide a) there is no case to answer, b) the complaint is partially upheld, or c) the complaint is fully upheld.

If the Ombudsman decides that the Council has got things wrong, they may make recommendations for the Council to put them right. This can include explanations, apologies and recommendations for the service to learn and improve.

4. Adult Social Care Complaints

4.1 Introduction

Adult Social Services encourage service users, families and/or representatives to speak to the relevant team manager of the service they are dealing with in the first instance regarding any concerns or issues they may have. We aim to resolve all concerns as quickly as possible through discussions with the team manager.

Adult social care includes all types of care and support including personal care and other practical help. It is assessed under the Care Act 2014 when a local authority is involved. It also includes care and support attended and funded privately, and care and support funded by the NHS. It is for people aged 18 and over who need help because of age, illness or disability. Here are some examples:

- Provision of equipment
- Help in your home with daily living
- Community support and activities
- Day centres
- Residential care
- Home adaptations
- Information and advice
- Advocacy
- Support for carers

Some concerns cannot be taken under the statutory adult complaint process. If this is the case, we will advise you and let you know if we can take your complaint under the council's general complaint process.

4.2 Adult Services Complaint Exclusions

Our Council must accept a complaint unless there is a valid reason not to do so. If we decide not to accept a complaint, we will provide evidence and reasoning. Each complaint will be considered on its own merits.

A complaint may not be considered under the following circumstances:

- If your complaint relates to a service provider. In these cases, your complaint should go directly to the service provider themselves
- If your complaint relates to services provided by a health service. In these cases, your complaint should go directly to the service provider
- If it is already under investigation through other procedures, for instance criminal or court proceedings or tribunals
- The Council may not investigate complaints that are made after 12 months of the complaint issue
- If a complaint alerts the Council to possible abuse or neglect, we will advise the Adult Safeguarding Team, who will decide how to investigate or monitor outcomes

Please also see section 1.4.

4.3 Who can make a complaint?

- A person can make a complaint about their experiences of Adult Social Care.
- A relative or representative can also make a complaint on behalf of someone else, but they can only do this in the following circumstances;
 - With the person's consent; or
 - If the person does not have capacity to give consent.

4.4 Adult Services Stage 1 – Investigation by the Adults team (Local resolution)

All complaints will be taken seriously, and efforts will be made to try to resolve them for you as fairly, quickly and effectively as possible. We will acknowledge your complaint within 5 working days. Once we have received your complaint we will contact you, usually by phone, to talk to you for the following reasons:

- Make sure we understand your complaint fully
- Ask you what you would like to happen as a result of your complaint, and confirm other possible satisfactory outcomes

It might be helpful to have a meeting to talk about your complaint. If so, we will arrange this for you and the relevant officers will aim to resolve your issues raised in the complaint. We will discuss with you whether it might help you to have assistance from a family member or friend, or we may be able to arrange an advocate to support you.

Your complaint will be passed to the appropriate manager to investigate and provide you with a response within 10 working days of the complaint being acknowledged.

If the service manager is unable to provide you with a response within 10 working days of the complaint being acknowledged, they will update you on the progress and inform you

that they are extending the timescale by an additional 10 working days, and the reason(s) for this extension.

If, for any reason the response will fall outside of the extended timescales the service will contact you and agree with you, suitable intervals for updating you on the progress of your complaint.

All complaint responses will be provided when the answer to the complaint is known and not when all outstanding actions are completed. We will ensure that updates are provided until all outstanding actions are completed.

When responding to a stage 1 complaint, the service will apologise if a mistake has been made and provide an explanation about what went wrong. They will also provide or suggest a remedy that aims to put right what has gone wrong.

The written complaint response should directly answer all issues raised in your complaint.

As a result of your complaint, we may identify some learning or service improvements for the organisation. If so, these will be noted in the response letter, and we will ensure that the response letter avoids complex terminology or jargon. The Council's response to you will be signed by the appropriate manager. Within the Council's response, you should be advised of the options available to you if you remain dissatisfied.

4.5 Adult Services Stage 2 - Escalating your initial complaint

If you are unhappy or dissatisfied with the outcome to your stage 1 complaint and the appropriate manager is unable to resolve your concerns, you are entitled to escalate your complaint to stage 2 within 25 working days following your stage 1 response. The person considering the complaint at stage 2 will not be the same person that considered the complaint at stage 1.

Once we have received your request to escalate your complaint, you will receive an acknowledgement within 5 working days confirming the details of your complaint and suggested next steps.

If the complaint is complex, we may need more than 20 working days to respond. If this is the case, then we will provide you with an update on the progress to your complaint and advise you if we need an additional 10 working days.

If, for any reason the response will fall outside of the extended timescales the service will contact you and agree with you suitable intervals for updating you on the progress of your complaint.

All complaint responses will be provided when the answer to the complaint is known and not when all outstanding actions are completed. We will ensure that updates are provided until all outstanding actions are completed.

4.6 Escalating your complaint to the Local Government and Social Care Ombudsman/ Health Service Ombudsman (LGSCO)

After receiving your stage 2 response, you are within your rights to escalate your complaint if you remain dissatisfied. To escalate your complaint please contact the Local Government and Social Care Ombudsman and/or Health Service Ombudsman.

The Local Government and Social Care Ombudsman make final decisions on complaints that have not been resolved by the Council or NHS regarding children's and adult social care.

The Health Service Ombudsman investigates complaints about health services.

The Local Government and Social Care Ombudsman and the Health Service Ombudsman can be contacted in one of the following ways:

- **Website:** www.lgo.org.uk/making-a-complaint
- **Complaint Form:** <https://www.lgo.org.uk/complaint-form>
- **Phone:** 0300 061 0614 from 8:30am to 5:00pm, Monday to Friday
- **Text** the 'call back' service: 0762 481 1595
- Use a text phone via the Next Generation Text Service (formerly known as Text Relay and Type talk)
- **Address:**
The Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH

The Ombudsman will make an initial review of the complaint to ensure that attempts to resolve the complaint locally have been made. If not, the Ombudsman will refer the complaint back to the Council.

When the Ombudsman accepts a complaint for review, the Ombudsman will request a copy of the complaint file. The Ombudsman can decide a) there is no case to answer, b) the complaint is partially upheld, or c) the complaint is fully upheld.

If the Ombudsman decides that the Council has got things wrong, they may make recommendations for the Council to put them right. This can include explanations, apologies and recommendations for the service to learn and improve.

4.7 Patient Advice Liaison Service (PALS)

The PALS Team works alongside the Swindon Borough Council complaints team, and offers confidential advice, information and problem solving. You may prefer to work with the PALS Team to resolve your complaint in an informal way. PALS staff will work with the Council and other service providers to make sure that people are receiving the appropriate service.

PALS is impartial and will work with you to try to resolve a difficulty or problem and can act on your behalf if you wish. They will discuss with you the best ways to resolve your concerns or problems and will agree with you what action to take for your individual circumstances. They can also signpost to other sources of help if needed. You can provide feedback directly to PALS in writing, by email, by telephone or in person:

Email: gwh.pals@nhs.net

Phone: 01793 604031

Address:

The PALS office Ground Floor
Great Western Hospital
Marlborough Road
Swindon
SN3 6BB

5. General Complaints

5.1 Introduction

A general complaint is a verbal or written expression of dissatisfaction about actions, decisions or apparent failings for which you want a response.

5.2 Complaints regarding Councillors

Complaints regarding Councillors are managed differently due to the nature of these types of complaints. For more information or to submit a complaint about a Councillor, please contact the Committee and Members Services Team on 01793 445500.

5.3 Equality and diversity

Swindon Borough Council is committed to ensuring that we treat all our service users respectfully and fairly regarding the protected characteristics of age, disability, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

5.4 Your personal data

Swindon Borough Council will act as a “Data Controller” for any personal data that you provide to us. We will ensure that the data given to us is processed in line with our Data Protection Act 2018 (DPA 18) and the EU General Data Protection Regulations (GDPR). To find out more about Swindon Borough Council’s data protection policies please contact our Data Protection Officer.

In the event that you wish to complain about the way that your personal data has been handled by Swindon Borough Council, you should write to the Data Protection Officer and clearly outline your case. Your complaint will then be investigated in accordance with our customer complaint procedure.

Email: dataprotection@swindon.gov.uk

Address:

Data Protection Officer
Civic Offices, Euclid Street
Swindon
SN1 2JH

5.5 Escalating a complaint regarding your personal data

If you remain dissatisfied with the way your personal data has been handled, you have the right to complain to the Information Commissioner's Office at www.ICO.org.uk. You may refer the matter to the Information Commissioner's Office, whose contact details are below:

Email: casework@ico.org.uk

Address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

For information on data protection and your rights and remedies, please visit our website www.swindon.gov.uk.

5.6 Is it a complaint, or a service request?

Service requests and complaints are different. A service request is contact from a customer that brings a matter to the Council's attention for the first time, and requests a service offered by the Council. For example, reporting a missed bin collection or telling us about a noise nuisance. For information about how to raise a service request please visit our website www.swindon.gov.uk. A complaint can be raised in response to a service request.

A service request may be:

- Missed bin collection
- Streetlight not working
- Pothole in the road
- Request for a new bus pass

If your complaint is in reference to a recent service request and the handling of this, please quote your service request number in your complaint.

5.7 General - Stage 1

A complaint will be acknowledged, defined and logged at stage 1 of the complaint's procedure within 5 working days of the request being received.

This will be passed to the Service Manager to investigate and provide you with a response within 10 working days of the complaint being acknowledged. If the service is unable to provide you with a response within 10 working days of the complaint being acknowledged, they will update you on the progress and inform you that they are extending the timescale by an additional 10 working days, and the reason(s) for this extension.

When responding to a stage 1 complaint, the Service Manager will apologise if a mistake has been made and provide an explanation about what went wrong. They will also provide or suggest a remedy that aims to put right what has gone wrong.

If, for any reason the response will fall outside of the extended timescales the service will contact you and agree with you, suitable intervals for updating you on the progress of your complaint.

All complaint responses will be provided when the answer to the complaint is known and not when all outstanding actions are completed. We will ensure that updates are provided until all outstanding actions are completed.

As a result of your complaint, we may identify some learning or service improvements for the organisation. If so, these will be noted in the response letter, and we will ensure that the response letter avoids complex terminology or jargon. The Council's response to you will be signed by the Service Manager. Within the Council's response, you should be advised of the options available to you if you remain dissatisfied.

5.8 General - Stage 2 - Review

We hope that most complaints will be resolved at stage 1. If customers are not satisfied and wish to escalate to stage 2 of our complaint process, this must be done within 25 working days from receipt of your Stage 1 response. If you are satisfied with your Stage 1 response and no further concerns, then we will close your complaint after 25 working days.

Your complaint will be acknowledged, defined and logged at stage 2 of the complaints procedure within 5 working days of the escalation request being received. The Senior Manager for the service (or delegated Head of Service) will review the complaint and provide a response within 20 working days of the complaint being acknowledged. The person considering the complaint at stage 2 will not be the same person that considered the complaint at stage 1.

If, for any reason the response will fall outside of the extended timescales the service will contact you and agree with you, suitable intervals for updating you on the progress of your complaint.

All complaint responses will be provided when the answer to the complaint is known and not when all outstanding actions are completed. We will ensure that updates are provided until all outstanding actions are completed.

If the Service Manager is unable to provide you with a response within 20 working days of the complaint being acknowledged, they will update you on the progress and inform you that they are extending the timescale by an additional 20 working days, and the reason(s) for this extension.

Service Managers will confirm the following in writing to the customer at the completion of stage 2 in clear, plain language:

- Complaint stage;
- Complaint definition;

- Decision on the complaint;
- Reasons for any decisions made;
- Details of any remedy offered to put things right;
- Details of any outstanding actions;
- Details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied

5.9 Escalating your complaint to the Local Government and Social Care Ombudsman/ Health Service Ombudsman

If you remain dissatisfied with our response to your complaint at this point in the process, you will then be entitled to take your complaint to the Housing Ombudsman:

The Local Government and Social Care Ombudsman and the Health Service Ombudsman can be contacted in one of the following ways:

- **Website:** www.lgo.org.uk/making-a-complaint
- **Complaint Form:** <https://www.lgo.org.uk/complaint-form>
- **Phone:** 0300 061 0614 from 8:30am to 5:00pm, Monday to Friday
- **Text** the 'call back' service: 0762 481 1595
- Use a text phone via the Next Generation Text Service (formerly known as Text Relay and Type talk)
- **Address:**
The Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH

The Ombudsman will make an initial review of the complaint to ensure that attempts to resolve the complaint locally have been made. If not, the Ombudsman will refer the complaint back to the Council.

When the Ombudsman accepts a complaint for review, the Ombudsman will request a copy of the complaint file. The Ombudsman can decide a) there is no case to answer, b) the complaint is partially upheld, or c) the complaint is fully upheld.

If the Ombudsman decides that the Council has got things wrong, they may make recommendations for the Council to put them right. This can include explanations, apologies and recommendations for the service to learn and improve.