

**SWINDON BOROUGH COUNCIL**

**CUSTOMER FEEDBACK AND COMPLAINTS  
HANDLING POLICY**

**Version 10.1**

Updated June 2024

**Swindon Borough Council**  
**Customer Feedback and Complaints Handling Policy**

## **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.

## **Compliments**

We appreciate hearing when we have done a good job and record all statements of praise as a compliment. 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.

## **Comments and 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. If requested, comments and general feedback will receive an acknowledgement within three working days and a full response within ten working days.

## **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 from which requires action to be taken to put something right. However if customers are still not satisfied following our response, then in order to help us improve the Council for everybody, it is important that you let us know when you think we can do better or when the matter may require a 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 the service request

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remains ongoing. 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 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 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.

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.

**Areas that are excluded from this policy**

There are some exclusions that apply when submitting a complaint, some of which relate to statutory, legal limitations. Please check the relevant policy below.

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

The complaint may also be excluded if legal proceedings have started or if the complaint includes matters that have previously been considered under this policy.

If your complaint 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.

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#### **Who to contact if you need further assistance**

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.

If you should experience any issues when trying to make a complaint, or require any further assistance or adjustments, you will find support via:

- **Online** - via the Council's website @ [www.swindon.gov.uk](http://www.swindon.gov.uk) or by clicking on the link ([https://www.swindon.gov.uk/info/20022/contacting\\_us/463/complaints\\_and\\_feedback](https://www.swindon.gov.uk/info/20022/contacting_us/463/complaints_and_feedback))
- **Phone** - 01793 445500 and ask for the Complaints Team
- **Email** - customerservicecomplaints@swindon.gov.uk
- **Post** - Customer Service Complaints Team  
Wat Tyler House  
Princes Street  
Swindon  
SN1 2JG
- **In Person**- visit one of our customer hubs within our [five core libraries](#) where our multi-skilled library staff can support you.

#### **How to use the Customer Feedback Policy**

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

- If your complaint relates to **Tenancy Council Housing & Services**, please go straight to **Section 1**
- If your complaint relates to **Children's Services** please go straight to **Section 2**
- If your complaint relates to **Adult's Services**, please go straight to **Section 3**
- If your complaint relates to **General Services**, please go straight to **Section 4**

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## **Section 1 – Tenants Council Housing & Service Complaints**

### **Introduction**

We manage our Housing Services 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.

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

[The Complaint Handling Code | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk)

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

### **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.

### **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 will be published on our website together with our Cabinet response.

Links to this policy will be 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.

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#### **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](http://www.swindon.gov.uk).

#### **What is a Service Request?**

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 appointments, 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.

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 in your complaint.

#### **What is a complaint?**

A complaint is where the customer expresses dissatisfaction, however made, about the standard of a service, actions, or lack of actions by the council, 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. A complaint that is submitted by a third party or representative must still be handled in line with the landlord's complaints policy.

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As a landlord we want to embrace complaints through increased transparency, accessibility, and complaint handling governance, demonstrating that our customers are core to our service delivery

#### **What is not a complaint?**

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:

- 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 your complaint relates to an issue relating to a person or organisation who is a subcontractor of Swindon Borough Council, please use their complaints procedure to raise your complaint. All of our subcontractors agree to follow the Housing Ombudsman Complaint Handling Code. However, if you are still dissatisfied with the handling of your complaint, please raise a complaint via our complaints procedure detailed within this document.

#### **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 and will let you know if we can progress your concern under stage 1 of the formal housing 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 looked at

You can raise a complaint via the following channels:

- **Online** - via the Council's website @ [www.swindon.gov.uk](http://www.swindon.gov.uk) or by clicking on the link ([https://www.swindon.gov.uk/info/20022/contacting\\_us/463/complaints\\_and\\_feedback](https://www.swindon.gov.uk/info/20022/contacting_us/463/complaints_and_feedback))
- **Phone** - 01793 445500 and ask for the Complaints Team
- **Email** - [customerservicecomplaints@swindon.gov.uk](mailto:customerservicecomplaints@swindon.gov.uk)
- **Post** - Customer Service Complaints Team  
Wat Tyler House  
Princes Street  
Swindon  
SN1 2JG
- **In Person**- visit one of our customer hubs within our [five core libraries](#) where our multi-skilled library staff can support you.

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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](#)

#### **Stage 1**

A complaint will be acknowledged, defined and logged at stage 1 of the complaints procedure within 3 working days of the request being received. 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.

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

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.

#### **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 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.



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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:

- a) Complaint stage;
- b) Complaint definition;
- c) Decision on the complaint;
- d) Reasons for any decisions made;
- e) Details of any remedy offered to put things right;
- f) Details of any outstanding actions;
- g) Details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied

**Stage 3 – Housing Ombudsman Review**

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:

- Visit their website: <https://www.housing-ombudsman.org.uk/>
- Call 0300 111 3000 (lines are open 9:15am – 5.15pm, Monday to Friday)
- Email [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)
- Submit your complaint in writing using the following address:  
Housing Ombudsman Service, PO Box 1484, Unit D, Preston, PR2 0ET

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.

Consulting on this policy

This policy has been developed and updated informed by feedback from customers about our complaint handling. It has also been consulted with our Customer Services Committee and Resident Scrutiny Panel. 10.2 This policy was also developed in consultation internally across A2Dominion, including operations, policy, and communications teams.

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## **Section 2 – Children Services**

### **Introduction**

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

Complaints about children social services may fall under the statutory children complaints process, the general complaint process or other appeal processes, for example, SEND Tribunal 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 general complaint process.

### **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.

### **Special Education Needs**

We are not able to investigate complaints regarding SEND/EHCP decisions in respect of assessment, content or annual reviews. These issues must be resolved through formal mediation or SEND Tribunal processes with the Special Educational Needs and Disability Tribunal Service (SENDIST). To raise a complaint about the decisions, assessment, content or annual review please use the; disagreement resolution, mediation and tribunal guidance.

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.
- We take longer than 5 weeks to reach a decision about whether to agree to implement a Tribunal recommendation.

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- You are unhappy about the behaviour or conduct of the SEND Officer
- 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.

### **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. You can contact them direct on:

### **Contact details for Oxfordshire County Council Complaints Team:**

Tel: 01865 323589  
Mobile: 07717 420419 (to send us a text)  
Email: [commentsandcomplaints@oxfordshire.gov.uk](mailto:commentsandcomplaints@oxfordshire.gov.uk)  
Postal address: Comments and Complaints Team  
Oxfordshire County Council  
Freepost RRYR-XTBE-GBTZ  
County Hall,  
New Road,  
Oxford,  
OX1 1ND

### **Is it a complaint or a service request?**

Most concerns that are raised with the council can be resolved without you needing to make a formal complaint. A service request may be; a rescheduled appointment, a request for meeting minutes, a request for a call back from a social worker. These can often be resolved 'there and then' with an apology and may not need to enter the complaints system. However, if further enquiries are needed to resolve the matter, or if the customer requests it, the issue will be logged as a complaint.

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 Children's statutory complaints process. This is a three stage process, with a fourth independent stage.

### **Who can make a 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

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or give consent

### **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.

- **Online** - via the Council's website @ [www.swindon.gov.uk](http://www.swindon.gov.uk) or by clicking on the link ([https://www.swindon.gov.uk/info/20022/contacting\\_us/463/complaints\\_and\\_feedback](https://www.swindon.gov.uk/info/20022/contacting_us/463/complaints_and_feedback))
- **Phone** - 01793 445500 and ask for the Complaints Team
- **Email** - [customerservicecomplaints@swindon.gov.uk](mailto:customerservicecomplaints@swindon.gov.uk)
- **Post** - Customer Service Complaints Team  
Wat Tyler House  
Princes Street  
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- **In Person**- visit one of our customer hubs within our [five core libraries](#) where our multi-skilled library staff can support you.

The Complaints Manager will also ensure that a suitable person meets the child or young person with their advocate to discuss the complaints process and ensure that any questions or concerns are fully addressed. Where an advocate is being used, the Council will ensure that the advocate is acting with the informed consent of the young person. Alternatively, the young person is able to select an advocate of their own choosing in whom they have confidence (e.g. a foster carer, teacher).

**Please note:** If customers repeatedly misuse the councils complaints service, or are offensive, abusive or threatening to our staff members we will consider taking actions as detailed in our Customer behaviour policy.

### **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 aim to acknowledge your complaint within 3 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.

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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 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 20 working days, and the reason(s) for this extension.

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.

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.

**Stage 2 – Escalating your initial complaint – 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.

Once we have received your request to escalate your complaint, you will receive an acknowledgement within 3 working days confirming the details of your complaint and suggested next steps.

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 then you will be informed accordingly. This extension should be no more than 65 working days.

**Stage 3 – Panel Review Hearing**

If you are unhappy or dissatisfied with the outcome to your stage 2 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.

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If you want to go to a review panel you will need to contact the compliments and 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.

A review panel hearing will be arranged and held within 30 working days of the date when your request was received by the compliment and complaints 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.

#### **Stage 4 – 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:

- Online via their website: [www.lgo.org.uk/making-a-complaint](http://www.lgo.org.uk/making-a-complaint)
- Download the following complaint form <https://www.lgo.org.uk/complaint-form>
- Call the Customer Helpline on 0300 061 0614 from 8:30am to 5:00pm, Monday to Friday
- Send a text to 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)
- Submit your complaint in writing using the following address:  
The Local Government and Social Care Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

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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.



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## **Section 3 – Adult Social Care Complaints**

### **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.

### **What complaints do Adult Social Services deal with?**

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.

### **What is not a complaint?**

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 you have arranged care directly with a care provider and you are funding the care, or your family is paying, you should make your complaint direct to the Local Government Social Care Ombudsman.
- 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 within 12 months from



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when the specific situation or event occurred.

- If a complaints 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 note: If your complaint is regarding Avon and Wiltshire Mental Health Partnership NHS Trust (AWP), you can either write to the Chief Executive or the Complaints & PALS Manager at:

Avon and Wiltshire Mental Health Partnership NHS Trust

Website: <http://www.awp.nhs.uk/advice-support/pals/complaints/>  
Email: [awp.complaints@nhs.net](mailto:awp.complaints@nhs.net)  
Telephone: 01225 325680  
Postal address: Avon and Wiltshire Mental Health Partnership NHS Trust  
Bath NHS House,  
New bridge Hill,  
Bath  
BA1 3QE

**Who can make a complaint?**

The following people can make a complaint:

- The person receiving the service (the service user)
- 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

You can raise a complaint via the following channels:

- **Online** - via the Council's website @ [www.swindon.gov.uk](http://www.swindon.gov.uk) or by clicking on the link ([https://www.swindon.gov.uk/info/20022/contacting\\_us/463/complaints\\_and\\_feedback](https://www.swindon.gov.uk/info/20022/contacting_us/463/complaints_and_feedback))
- **Phone** - 01793 445500 and ask for the Complaints Team
- **Email** - [customerservicecomplaints@swindon.gov.uk](mailto:customerservicecomplaints@swindon.gov.uk)
- **Post** - Customer Service Complaints Team  
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- **In Person**- visit one of our customer hubs within our [five core libraries](#) where our multi-skilled library staff can support you.

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The Complaints Manager will also ensure that should an advocate be needed they will meet the person with their advocate to discuss the complaints process and ensure that any questions or concerns are fully addressed. Where an advocate is being used, the Council will ensure that the advocate is acting with the informed consent of the person. Alternatively, the person is able to select an advocate of their own choosing in whom they have confidence

**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.

**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 aim to acknowledge your complaint within 2 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 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 20 working days, and the reason(s) for this extension.

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.

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## **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 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.

We aim to acknowledge your complaint within 2 working days. The Complaints Manager will contact you and will confirm the associated details. Once the issues of the complaint have been agreed with you, we will ask the relevant Service Director to investigate and provide a response within 20 working days.

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.

## **Stage 3 – Escalating your complaint to the Local Government and Social Care Ombudsman/ Health Service Ombudsman**

After receiving your stage 2 response, you are within your rights to escalate your complaint to stage 3 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 makes 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:

- Online via their website: <https://www.ombudsman.org.uk/making-complaint>
- Download the following complaint form: <https://www.lgo.org.uk/complaint-form>
- Call the Customer Helpline on 0300 061 0614 from 8:30am to 5:00pm, Monday to Friday
- Send a text to 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)
- Submit your complaint in writing using the following address:  
The Local Government and Social Care Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

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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.

### **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: [feedback.swindonccg@nhs.net](mailto:feedback.swindonccg@nhs.net)

Telephone: 0300 200 8844

Postal address: PALS and Complaints team  
Priory Road Medical Centre  
Priory Road  
Park South  
Swindon  
SN3 2EZ

### **Health Watch Swindon**

Health watch Swindon can put you in touch with the right organization to listen to your concerns and make sure your voice is heard. The service is free, independent and impartial.

Health watch England have also worked with Citizens Advice to produce a series of guides to help you make a complaint or raise a concern.

Health watch Swindon is at: <https://www.healthwatchswindon.org.uk/help-making-complaint>

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Email: [info@healthwatchswindon.org.uk](mailto:info@healthwatchswindon.org.uk)  
Telephone: 01793 497777  
Postal address: Health watch Swindon  
Swindon Advice and Support Centre  
Sanford Street  
Swindon SN1 1HE

## **Section 4 – General Complaints**

### **Introduction**

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

### **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.

### **Equality and diversity**

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

### **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](mailto:dataprotection@swindon.gov.uk)  
Postal address: Data Protection Officer  
Civic Offices,  
Euclid Street,  
Swindon,

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Wiltshire,  
SN1 2JH

### **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](http://www.ICO.org.uk). You may refer the matter to the Information Commissioner's Office, whose contact details are below:

Postal address:      Information Commissioner's Office  
                             Wycliffe House  
                             Water Lane  
                             Wilmslow  
                             Cheshire  
                             SK9 5AF  
Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

For information on data protection and your rights and remedies, please visit our website [www.swindon.gov.uk](http://www.swindon.gov.uk).

### **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](http://www.swindon.gov.uk).

A complaint can be raised in response to a service request

A service request may be:

- Missed bin collection
- Street light not working
- Pot hole 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.

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#### **What is a Complaint?**

A complaint is where the customer expresses dissatisfaction, however made, about the standard of a service, actions, or lack of actions by the organisations, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.

#### **What is not a Complaint?**

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.

- The issue giving rise to the complaint occurred over twelve months ago, however we will exercise discretion, depending on individual circumstances.
- 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 policy.
- If your complaint relates to an issue relating to a person or organisation who is a subcontractor of Swindon Borough Council, please use their complaints procedure to raise your complaint in the first instance

#### **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 3 working days and will let you know if we can progress your concern under Stage 1 of the general 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 looked at

You can raise a complaint via the following channels:

- **Online** - via the Council's website @ [www.swindon.gov.uk](http://www.swindon.gov.uk) or by clicking on the link ([https://www.swindon.gov.uk/info/20022/contacting\\_us/463/complaints\\_and\\_feedback](https://www.swindon.gov.uk/info/20022/contacting_us/463/complaints_and_feedback))
- **Phone** - 01793 445500 and ask for the Complaints Team
- **Email** - [customerservicecomplaints@swindon.gov.uk](mailto:customerservicecomplaints@swindon.gov.uk)
- **Post** - Customer Service Complaints Team  
Wat Tyler House  
Princes Street  
Swindon  
SN1 2JG
- **In Person**- visit one of our customer hubs within our [five core libraries](#) where our multi-skilled library staff can support you.



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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](#)

#### **Stage 1**

A complaint will be acknowledged, defined and logged at stage 1 of the complaints procedure within 3 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.

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.

#### **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 3 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 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:



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- a) Complaint stage;
- b) Complaint definition;
- c) Decision on the complaint;
- d) Reasons for any decisions made;
- e) Details of any remedy offered to put things right;
- f) Details of any outstanding actions;
- g) Details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied

**Stage 3 – 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:

- Online via their website: <https://www.ombudsman.org.uk/making-complaint>
- Download the following complaint form: <https://www.lgo.org.uk/complaint-form>
- Call the Customer Helpline on 0300 061 0614 from 8:30am to 5:00pm, Monday to Friday
- Send a text to 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)
- Submit your complaint in writing using the following 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.

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