



Complaints Policy

Effective From	1 April 2026
Responsible Party	Customer Experience
Date of Next Review	1 April 2027

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1 Introduction

- 1.1 The London Borough of Sutton (the Council) is committed to a positive complaint handling culture. The Council views complaints as a source of intelligence to identify issues, resolve disputes, and drive service improvement.
- 1.2 The Council acknowledges that sometimes things go wrong, and when this happens will work to put things right. The Council will do this by understanding what went wrong and how the issue can be resolved, offering an apology and ensuring any learning is taken forward to prevent mistakes from recurring.
- 1.3 This policy acts as a single guide for individuals, setting out what they can expect when they make a complaint. It complies with the principles, processes, and timescales detailed in the Local Government and Social Care Ombudsman's [Complaint Handling Code \(the Code\)](#).
- 1.4 **Aims and Objectives**
- 1.5 Through the use of this policy, the Council will aim to:
- Provide a simple, accessible and transparent complaints process
 - Resolve complaints at the earliest opportunity
 - Ensure complaints are handled consistently, appropriately and effectively
 - Ensure complaints are investigated and responded to in a timely manner
 - Remedy any failures appropriately and proportionately
 - Learn from complaints and use this information to drive service improvement
 - Monitor the effectiveness of the complaints process

2 Definitions

- 2.1 In line with the Local Government and Social Care Ombudsman, the Council provides the following definitions to distinguish between a complaint and a service request.
- 2.2 **Service Request:** A service request is defined as: *"a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision"*. If you are dissatisfied with our response to a service request, you may then raise a formal complaint. The Council will continue efforts to address the service request even if a complaint is raised.
- 2.3 Service Requests allow the Council the opportunity to resolve matters before they become a complaint. The Council will take action to resolve service requests as quickly as possible and in line with agreed service standards. Service Requests are recorded, monitored and reviewed regularly to identify if changes should be made to the way services are delivered. Some common examples of service requests are:
- Reporting a missed bin collection
 - Requesting a replacement waste container
 - Reporting a fly tip
 - Requesting a grass verge be cut

- Reporting a blocked drain/gully
- Reporting an abandoned vehicle
- Requesting information such as a Council Tax bill

2.4 **Complaint:** A complaint is defined as: *"an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of individuals"*. You do not need to use the word "complaint" for the issue to be treated as such.

2.5 A complaint could be about the following:

- Failure to provide a service
- The standard of the service provided
- Treatment by or conduct of a member of staff
- Failure to follow our own policies
- Poor communication
- Disagreement with a decision where you, the complainant, cannot use another procedure such as an appeal to challenge the decision

2.6 This list does not include everything and is given as a guide to assist you in appropriately submitting your complaint.

3 Exclusions

3.1 The Council will accept a complaint unless there is a valid reason not to. There may be times when the Council is unable to, or limited in, what it can do to investigate and respond to a complaint, as such, the complaint may be refused. Some examples of this include:

- The matters being complained about are older than 12 months (the Council will consider applying its discretion and accepting a complaint outside this time limit where there are good reasons to do so)
- You have initiated legal proceedings for the same issue you are complaining about
- Matters that are being investigated by the Police
- Matters that have already been investigated and responded to through the Council's complaints process i.e. you have already been provided with a final decision
- Complaints about councillors (these are processed in line with the Standards Regime Complaints Procedure detailed in the Council's Constitution)
- Complaints requesting assessment of financial loss or the award of compensation
- Complaints that fall outside the jurisdiction of the Council e.g. your utility bills
- Disagreement with a decision where a statutory right of appeal exists e.g. planning applications, housing benefit, council tax banding etc.
- Matters where the desired outcome is not in the Council's remit to provide
- Commercial or contractual matters where an agreed upon route for addressing disputes exists
- Complaints about responses to Freedom of Information or Subject Access Requests, these will be treated as Data Protection Complaints, more information can be found on our [website](#)

- 3.2 This list does not include everything and is given as a guide to assist you in appropriately submitting your complaint.
- 3.3 If the Council decides not to investigate a complaint, you will be provided with a clear explanation as to why it isn't suitable for the complaints process and you will be advised of your right to escalate your complaint to the Local Government and Social Care Ombudsman.
- 3.4 If the Local Government and Social Care Ombudsman does not agree that an exclusion has been applied correctly, it may tell the Council to investigate the complaint through its complaints process.

3.5 **Relevant Legislation**

- 3.6 Not all complaints are covered by this policy. This policy does not overwrite complaints policies that have been established in law i.e. a statutory complaints process. Some examples of these policies are:
- Complaints about [Children's Social Care](#) will be processed under *The Children Act 1989 Complaints Procedure* and its accompanying guidance, *Getting the Best from Complaints*. Complaints that do not meet its requirements will be processed under this complaints policy.
 - Complaints about [Adult Social Care](#) will be processed under the *Local Authority Social Services and National Health Services Complaint (England) Regulations 2009*. Complaints that do not meet its requirements will be processed under this complaints policy.
 - Complaints about [Social Housing](#) will be processed under the Housing Ombudsman's Complaint Handling Code. If you wish to make a complaint about Social Housing, you can do so by contacting Sutton Housing Partnership.

4 Accessibility and Equality

- 4.1 The Council has a public duty under the Equality Act 2010 to pay due regard to eliminate discrimination. At all times the Council should act in a way that is nondiscriminatory through our policies and procedures and interactions with people. The aim is to make our service complaints policy easy to use and accessible for everyone. The Council will take steps to make any reasonable assistance or adjustments to enable a complaint to be made in a fair and equitable way.
- 4.2 Complaints can be made through various channels such as in person, in writing, by phone or with any member of staff who will then raise the matter with the Council's Customer Care Team, the team responsible for administering the Council's complaints function. Complaints cannot be submitted through social media platforms.
- 4.3 The Council recognises that some individuals may need assistance in making their complaints and the Council will generally accept complaints made on behalf of someone else, provided the individual the issue is affecting has given permission for that person to act on and receive information relative to their complaint. Permission can be provided by email or in writing. If permission is not provided, the complaint

may still be investigated depending on the nature of the complaint and on the basis that no personal information will be shared.

- 4.4 If you need assistance making a complaint, you can ask a friend or relative, a Councillor or Member of Parliament, or someone else you trust to help you. You can also contact Citizens Advice for further support on submitting a complaint.

5 The Complaints Process

- 5.1 To make a complaint, you can do the following:

- Email your complaint to complaints@sutton.gov.uk
- In writing to: Customer Experience, Sutton Council, Civic Offices, St. Nicholas Way, Sutton SM1 1EA
- By telephone on 020 8770 5000 and asking for a member of the Customer Care Team to call you back

- 5.2 The Council's Complaints Policy consists of two stages, the process does not include "Stage 0" or "Informal" stages.

- 5.3 If your complaint raises concerns about more than one service area, where possible, the Council will aim to send a single coordinated response that addresses all the concerns being raised.

5.4 Handling Anonymous Complaints

- 5.5 The Council values all feedback including complaints made anonymously. Anonymous complaints will be considered on a case by case basis, depending on the nature of the complaint and if there is enough information contained within the complaint to enable further enquiries. If an anonymous complaint does not provide enough information to enable further action, the complaint may not be progressed.

- 5.6 Should you wish to report any safeguarding concerns such as abuse of an adult or child, you can do so by following the links below:

- 5.7 Adult's Safeguarding Concerns: -
<https://www.sutton.gov.uk/w/report-abuse-of-an-adult>

- 5.8 Children's Safeguarding Concerns: -
<https://www.sutton.gov.uk/w/report-a-concern-about-a-child>

5.9 Stage 1

- 5.10 The Council's priority is to resolve concerns and complaints as soon as they are raised. If on receipt of your complaint it meets the definition above for a service request, it will be treated as such and you will be provided with an explanation as to why it is being treated as a service request and not a Stage 1 complaint.
- 5.11 If you're dissatisfied with the outcome of your service request or if your concerns meet the definition above for a complaint, it will be acknowledged and logged as a Stage 1 complaint within two working days of receipt.

- 5.12 Stage 1 complaints will be investigated by an officer of the service being complained about, this is because they are subject matter experts and best placed to provide a comprehensive response to any concerns being raised. If your complaint names an officer, the named officer will be given a chance to comment and share their views but they will not be tasked with investigating and responding to your complaint.
- 5.13 The Council will aim to provide you with a full response to your Stage 1 complaint, which addresses all of the concerns raised, within 10 working days of acknowledgement.
- 5.14 If, on review, your complaint is determined to be complex and will require more time to investigate and respond, the deadline may be extended by a further 10 working days. You will be informed of the new deadline for response and provided with a reason for the delay. A Stage 1 complaint should take no more than 20 working days from acknowledgement to receive a response.
- 5.15 The Stage 1 response will address all the points raised, provide clear reasons for any decisions, and reference any policies, law or good practice used to evidence the decisions. The response will also confirm if your complaint has been upheld, partially upheld or not upheld. If you remain dissatisfied following your Stage 1 response, you can request your complaint be escalated to Stage 2 of this policy.
- 5.16 **Stage 2 (Final Response)**
- 5.17 If you remain dissatisfied following your Stage 1 response, if all or part of your complaint was not resolved, you may request escalation to Stage 2 which will be the Council's final response to your complaint.
- 5.18 The Council asks that requests for escalation to Stage 2 are received within 20 working days of the Stage 1 response being issued. This is to ensure the Council is acting expeditiously in the handling of your complaint and ensure that momentum is not lost.
- 5.19 If you request escalation to Stage 2, the Council will try to understand why you remain dissatisfied; however, when requesting escalation to Stage 2, it is helpful if you can provide your reasons for requesting escalation so this can be passed onto the Investigating Officer at Stage 2.
- 5.20 Unless an exclusion, noted above in this policy, now applies, the Council will acknowledge and log your complaint at Stage 2 of this policy within two working days. The Investigating Officer at Stage 2 will not be the same officer who investigated at Stage 1. Typically, the Investigating Officer at Stage 2 will be a senior manager within the service being complained about who has had no prior involvement in your complaint.
- 5.21 The Council will aim to provide you with a full response to your Stage 2 complaint, that addresses all of the concerns raised within 20 working days of acknowledgement.
- 5.22 If, on review, your complaint is determined to be complex and will require more time to investigate and respond, the deadline may be extended by a further 20 working

days. You will be informed of the new deadline for response and provided with a reason for the delay. A Stage 2 complaint should take no more than 40 working days from acknowledgement to receive a response.

- 5.23 The Stage 2 response will address all the points raised, provide clear reasons for any decisions, and reference any policies, law or good practice used to evidence the decisions. The response will also confirm if the outcome of your complaint (upheld, partially upheld or not upheld) remains the same at Stage 2. This is the Council's final response to your complaint. If you remain dissatisfied, you can complain to the Local Government and Social Care Ombudsman.

6 Putting Things Right (Remedies)

- 6.1 The Council is committed to putting things right where fault has been identified during a Stage 1 or Stage 2 complaint investigation. If something has gone wrong, the Council will acknowledge this and set out the actions taken, or intend to take, to put things right. This can include:

- Providing an apology
- Acknowledging where things have gone wrong
- Providing an explanation, assistance or reasons
- Taking action if there has been a delay
- Reconsidering or changing a decision
- Amending a record or adding a correction or addendum
- Providing a financial remedy
- Changing policies, procedures or practices

- 6.2 The Council will ensure any remedy offered reflects the impact on you as a result of any fault identified. Any remedy will clearly set out what action will be taken and by when.

- 6.3 If provided with a financial remedy, this is typically a modest amount and is intended to acknowledge any fault that has been identified during the complaints process.

- 6.4 The complaints policy cannot assess financial loss or award compensation. Where complainants are seeking this, they will be directed to the Council's Insurance Service.

7 Local Government and Social Care Ombudsman

- 7.1 A complainant may access the Local Government and Social Care Ombudsman service at any time; however, they will not usually investigate a complaint until it has completed the Council's complaints process.
- 7.2 If you have been through all stages of the Council's complaints process, you can ask the Local Government and Social Care Ombudsman to consider your complaint.
- 7.3 The Ombudsman has issued a Complaint Handling Code which sets out advice and guidance for councils on how to handle complaints. You can find more information about this on the Ombudsman's [website](#).

7.4 The Ombudsman investigates complaints in a fair and independent way - it does not take sides. It is a free service. The Ombudsman expects you to have given us a chance to deal with your complaint, before you contact them.

7.5 **About the Ombudsman**

7.6 The Local Government and Social Care Ombudsman looks at individual complaints about councils and some other organisations providing local public services. It also investigates complaints about all adult social care providers (including care homes and home care agencies) for people who self-fund their care. There are some [limits on what the Ombudsman can look at](#). For example, the Ombudsman may not consider your complaint if you have not been significantly personally affected by the issue you are raising, or if you have a right of appeal to a court or tribunal.

7.7 The Local Government and Social Care Ombudsman's contact details are as follows:

- Website: www.lgo.org.uk
- Telephone: 0300 061 0614

8 Monitoring and Reporting

8.1 The Council values and welcomes complaints as this is seen as an opportunity to remedy any fault and to learn lessons to prevent mistakes from recurring. The ongoing monitoring and review of complaints information gives valuable insights about customer experience and service performance, and can identify areas of learning to drive service improvements.

8.2 To ensure accountability, the Council will produce an annual complaints report which will include information on the number of complaints at each stage of the process, response timeliness, common themes or complaint trends, the outcome of the complaints, and the complaints that escalated to the Local Government and Social Care Ombudsman. The report will also contain details of any service improvements made as a result of learning from complaints. In line with the Complaint Handling Code, included in the report will be a self-assessment against the Code to ensure the complaints process remains compliant. This will be reported through the Council's governance arrangements and published on the Council's website.

8.3 The Council also monitors complaint performance on a monthly and quarterly basis which is reviewed and distributed through to senior management teams. This ensures any areas of concern or underperformance can be managed internally at that point and actions can be taken to improve areas of concern.

9 Data Protection

9.1 All complaints will be treated confidentially and only shared with those officers necessary to investigate and respond to the concerns being raised. The Council will ensure fairness to all concerned and individuals will not be treated adversely as a result of making a complaint.

- 9.2 All customer contact will be dealt with in accordance with the UK General Data Protection Regulation and the Data Protection Act 2018. The Council will only collect information necessary to investigate complaints. The Council works with a number of other organisations and sometimes it may be necessary for the Council to share information with these organisations to resolve your complaint, in these instances, only the required amount of information will be shared.
- 9.3 Personal information will be retained by the Council in line with our retention schedule and in line with our obligations under the Data Protection Act 2018.
- 9.4 For more information about Data Protection, visit the Council's [Privacy Notice and Data Protection webpage](#).

10 Compliments

- 10.1 The Council welcomes compliments from individuals who engage with services as this is another important aspect of customer feedback. It allows the Council to understand where things have gone well and what policies and practices are working to the best interest of individuals.
- 10.2 **Compliment:** A compliment is defined as *“an expression of positive recognition or praise for an individual or service”*. If a compliment is received for a member of staff, that member of staff will be informed as well as their line manager. If a compliment is received for a service, the Head of that Service will be informed.
- 10.3 If you'd like to submit a compliment, you can do so by contacting the Customer Care Team on any of the details listed above.

11 Review

- 11.1 This policy will be reviewed annually to ensure it continues to best meet the needs of those individuals wishing to complain and to ensure it remains compliant with any relevant legislation and best practice.