

# **Hammersmith & Fulham Council**

## **Corporate Complaints Policy**

**(Including Adult Services & Children's Services Complaints)**

**May 2024**

**“The London Borough of Hammersmith & Fulham’s vision is to be the best council. Acting with integrity and working with residents to get things done”**

**Our vision is underpinned by six priorities:**

*Building shared prosperity*

*Doing things with residents, not to them*

*Taking pride in Hammersmith & Fulham*

*Creating a compassionate council*

*Being ruthlessly financially efficient*

*Rising to the challenge of the climate and ecological emergency*

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## 1. INTRODUCTION

The London Borough of Hammersmith & Fulham (LBHF) is committed to having a positive approach to dealing with residents and customer feedback. This approach is supported by fair, consistent, and effective policies and procedures for handling complaints, compliments, comments, and feedback.

We will also use staff and resources effectively and efficiently, ensuring that the needs of residents are the top priority. We will where possible communicate with you electronically or online rather than by letter.

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

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

- Corporate complaints (this covers all other areas)
- Adult services complaints (statutory)
- Children's services complaints (statutory)

While adults and children's complaints fall within statutory guidelines, the corporate complaint's policy is discretionary and deals with complaints that do not fall within statutory guidelines, and for which there is no alternative appeals process in place.

Hammersmith & Fulham are governed by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman (HO) for all complaints, who you have the right to complain to at any stage of the complaint process should you be dissatisfied with the outcome once the complaints process has been exhausted.

The LGSCO and the HO will usually ask the council to investigate and respond to your complaint through the appropriate complaints process in the first instance. However, they will continue to monitor the complaint to its conclusion.

The complaint policy is intended for the use of service users, customers, residents, businesses, and visitors or their chosen representatives which may include Councillors' and should be read in its entirety.

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

## 2. WHAT IS A COMPLAINT

Our definition of a complaint is “***an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by our organisation, our staff, or those acting on our behalf, affecting an individual resident or group of residents.***”

On receipt of your complaint, we will check to see if there is any other formal legislative appeal/review process that should be used (“business as usual”) and if so, we will advise you of this. If not, we will then establish which complaint process is relevant, which could be adult’s (statutory), children’s (statutory) and if neither of those it will be the council’s corporate complaint process.

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

Table 1 explains the steps and timeframes for each process.

	<b>Corporate complaints (excluding housing management &amp; repairs)</b>	<b>Corporate complaints (housing management &amp; repairs)</b>	<b>Adult Services complaints</b>	<b>Children’s Services complaints</b>
<b>Stage 1</b>				
Acknowledgement	Up to 2 working days from receipt of complaint	Up to 5 working days from receipt of complaint	Up to 5 working days from receipt of complaint	Up to 5 working days from receipt of complaint
<b>Stage 1</b>				
Response	15 working days	10 working days This can be extended by a further 10 days for complex cases	<b>Statutory</b> to agree timeframe but aim to respond within 10 working days	<b>Statutory</b> up to 10 working days. Up to 20 working days with agreement
<b>Stage 2</b>				
Acknowledgement	Up to 2 working days from receipt of escalation request	Up to 5 working days from receipt of escalation request	N/A	Up to 5 working days from receipt of escalation request

<b>Stage 2</b>				
Response	20 working days	20 working days This can be extended by a further 20 days for complex cases	N/A	<b>Statutory</b> 20 – 65 working days
<b>Stage 3</b>				
Acknowledgement	N/A	N/A	N/A	<b>Statutory</b> Stage 3 independent panel convened. Up to 50 working days for panel, then 20 working days for response to be sent
<b>Tracking Agreed Actions to completion</b>  (unable to resolve all issues when complaint response is issued)	N/A	Where we have agreed actions/tasks as part of our complaint response, these actions will be tracked to completion *	N/A	N/A

\*At stage 1 the complaint resolution officer will remain your point of contact until all actions/repairs are completed. At stage 2 you will be advised of a single point of contact in the response who will monitor actions/repairs until fully completed.

<b>Local Government &amp; Social Care Ombudsman &amp; Housing Ombudsman</b>	Can complain to Local Government and Social Care Ombudsman or Housing Ombudsman at any time
<b>Alternative appeal process</b>	Aim to respond within specific timeframes that you will be advised of

### 3. WHEN CAN YOU MAKE A COMPLAINT?

Corporate complaints need to be made within 12 calendar months of the failure so that we can investigate fully and fairly.

There may be times when you haven't had a chance to complain within 12 months. If there are exceptional circumstances (illness, changes in personal circumstances etc.), the Assistant Director of Contact Services or relevant Director may make a discretionary decision to consider a late complaint providing you are able to explain and evidence why you haven't complained sooner.

#### **4. CORPORATE COMPLAINTS**

If a complaint is accepted by Hammersmith & Fulham that does not fall within the adults' or children's statutory complaints processes, it will be accepted under the council's corporate complaint process.

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

Once the council accepts your complaint, the complaint will be registered into ICaseWork (our case management system) by the Resident Experience Team and we will send an acknowledgement to you advising of your unique case reference number within 5 working days.

The acknowledgement will include the following information:

- A summary of your complaint
- The issues that are to be investigated
- The timescales on when you can expect to receive our response.

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

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

## **Stage 1 – The complaint**

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

For corporate complaints, you will receive a full response within 10 working days from the date your complaint was acknowledged. If we cannot respond to your complaint within 10 working days, we can request to extend the timescales by a further 10 working days. If we need to extend these timescales, we will agree with you prior to the extension being applied and then confirm the extension in writing.

Our response will be clear and simple and will, where appropriate, include:

- a) the complaint stage:
- b) the complaint definition:
- c) the decision on the complaint:
- d) the reasons for any decisions made:
- e) the details of any remedy offered to put things right:
- f) details of any outstanding actions:
- g) details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.

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

## **Stage 2 – The review**

This stage is to review the stage 1 outcome. If all or part of your complaint is not resolved, or you are dissatisfied with the resolution received at stage 1 you can request to escalate to stage 2.

When we have received your request for your complaint to be escalated to stage 2, you will be sent an acknowledgement within 5 working days.

The acknowledgement will include the following information:

- A summary of your complaint
- The issues that are to be investigated
- The timescales on when you can expect to receive our response.

The stage 2 review will be investigated by a manager who has not previously been involved; normally it will be a senior manager within the service area where your complaint originates. A response will be sent to you within 20 working days (4 weeks).

If we cannot respond to your complaint within 20 working days, we can request to



extend the timescales by a further 20 working days. If we need to extend these timescales, we will agree with you prior to the extension being applied and then confirm the extension in writing.

In exceptional circumstances we may need longer. We will try to agree this with you but if you aren't happy with an extension, you can contact the Local Government and Social Care Ombudsman or the Housing Ombudsman.

Our response will be clear and simple and will, where appropriate, include:

- a) the complaint stage:
- b) the complaint definition:
- c) the decision on the complaint:
- d) the reasons for any decisions made:
- e) the 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 stage 2 if the individual is remains dissatisfied.

There may be times where an alternative officer, head of service or director will be asked to investigate and respond, if for example the original member of staff that responded to the stage 1 complaint is involved in the subject of the complaint.

After the stage 1 complaint and the stage 2 review the council's corporate complaints process has been exhausted. You will still retain the right to complain to the Local Government and Social Care Ombudsman or the Housing Ombudsman and Hammersmith & Fulham will fully co-operate with any investigation undertaken.

## **5. REMEDIES, REDRESS AND COMPENSATION**

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

We will deal with each case on its own merits, and we usually follow the guidance issued by the Local Government and Social Care Ombudsman or the Housing Ombudsman's (as appropriate) for addressing remedies. This guidance can be found [www.lgo.org.uk](http://www.lgo.org.uk) or [www.housingombudsman.org.uk](http://www.housingombudsman.org.uk).

Where compensation has been offered and you consider it as not adequate, please advise us of the reasons for this, so we can review the amount offered. If after the review the amount offered remains unchanged, and this is the only matter outstanding, we will close the complaint to allow you to escalate your complaint to either the Local Government and Social Care Ombudsman or the Housing Ombudsman.

Where compensation has been offered this does NOT prevent you escalating your complaint to the Ombudsman. However, the Ombudsman will be advised that compensation was offered to you by the council and accepted or declined by you.

The Ombudsman may take this into account in determining whether to investigate a complaint further.

## **6. LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN & HOUSING OMBUDSMAN**

If you remain dissatisfied once you have exhausted the statutory adults', statutory children's and the council's corporate complaints process you can still contact the Local Government and Social Care Ombudsman or the Housing Ombudsman who will investigate complaints in a fair and independent way and do not take sides. If the Ombudsman decides to investigate your complaint, Hammersmith & Fulham will fully co-operate with any investigation.

### **How to contact the Local Government and Social Care Ombudsman:**

- [www.lgo.org.uk/contactus](http://www.lgo.org.uk/contactus)
- 0300 061 0614
- The Local Government Ombudsman  
PO Box 4771, Coventry, CV4 0EH

### **How to contact the Housing Ombudsman:**

- <https://www.housing-ombudsman.org.uk/contact-us/>
- 0300 111 3000
- The Housing Ombudsman  
PO Box 152, Liverpool, L33 7WQ

## **7. WHEN WE CAN'T DEAL WITH YOUR ISSUE/CONCERN AS A CORPORATE COMPLAINT**

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

- A missed bin collection.
- Graffiti removal.
- A broken street lights.
- Litter.
- Fly tipping.
- Potholes.
- Abandoned cars.
- Grass cutting.
- Overgrown hedges.

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

- Online through “My Account” at Online: [www.LBHF.gov.uk](http://www.LBHF.gov.uk);
- Mobile: lovecleanstreets – mobile application that can be downloaded from APP Store.
- Phone: 020 8748 3020

Even though you may want to use the corporate complaint’s process, many of our services have an alternative formal review, appeal, challenge process or procedure that must be followed. In these cases, the formal complaint’s process is not able to be used, below are some examples, please note that this is not an exhaustive list:

- Code of Conduct of Elected Members (Councillors).
  - The Monitoring Officer is responsible for considering complaints that a Councillor may have breached the Code of Conduct for Councillors
- Parking Charge Notices PCN (fines).
- Education complaints
  - Schools’ admissions and exclusions appeals.
    - It is a legal requirement for every school in the country to have a complaints policy and they should be accessible on their website or on request from the school office. In the first instance you should follow that policy. If you have not done this, we will not record your contact with us.
    - If you are not satisfied after following the school policy and you have submitted your complaint in writing to the chair of Governors, you can raise your complaint with either the Department for Education, or Ofsted of the Education Funding Agency.  
(The circumstances of your complaint will determine which route to take and you can find out more at <https://www.gov.uk/complain-about-school/state-schools>. If you are doing this, we will record your intention to complain and tell our education service the name of the school but please note they cannot investigate the complaint.)
- Housing Benefit calculation.
- Planning decisions.
  - All formal planning decisions are no longer eligible to be considered under the formal corporate complaints process as under the law we are unable to alter these. There is a separate appeal process for rejected planning applications.
- Special Education Needs Tribunals.
- Council Tax banding decisions.
- Refusals for information requested under the Freedom of Information Act (FOI).
- Refusals to disclose information under the Data Protection Act (DPA).
- Staff/ex-staff complaints about employment matters including.
  - Grievances.
  - Disciplinary hearings.
- Representations from Trade Unions.
- Complaints about suitability of interim housing.
- Complaints about suitability of temporary accommodation and s.184 decisions (s.202 review).
- Disputes about the findings of s.202 review.
- Decisions about housing priority band.

- Housing medical decisions.
- Outcome of statutory enforcement action.
- Complaints from landlords about dilapidations in Private Sector Leased properties.
- Matters of law or central government policy.
- Service Charges or Major Work Invoices

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

Other reasons that you will not be able to use the corporate complaints policy are:

- You have already commenced legal action against us, or the Council has started legal proceedings against you. In this situation our representatives will be in contact with you or your representative.
- Insurance claims. In this instance you will need to submit a claim and our insurance team will be in contact with you – guidance on this is available at [www.lbhf.gov.uk](http://www.lbhf.gov.uk);
- Not agreeing with a council policy and want it changing, rather than the policy not being followed or being applied incorrectly. In this situation tell us why you think that the policy is wrong or unfair and what you think needs to be done to change it. We will use the feedback to help decide any future changes to the policy. This information will be recorded as “policy feedback.

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

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

## **8. SUPPORT AND ADVOCACY**

If you feel daunted at the prospect of making a complaint or you are not sure how to go about it or how best to put your case, we will help. We will encourage you where possible to seek the support of friends, family, or other advocates such as the Citizen's Advice Bureau as they are independent. We will help you find such support and will assist people who have difficulty with written or spoken English and to those with a disability and require additional support.

The Council will, where appropriate, accept complaints from advocates or third parties, provided the person affected gives written permission. In some cases, for example children or vulnerable people, if it seems that the person is unable to give permission, a judgement will be made as to whether it is appropriate to accept the complaint from an unconfirmed representative.

## **9. HOW CAN A COMPLAINT BE MADE?**

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

- Online at [Complaints and compliments | London Borough of Hammersmith & Fulham \(lbhf.gov.uk\)](https://www.lbhf.gov.uk/complaints)
- Email [residentexpteam@lbhf.gov.uk](mailto:residentexpteam@lbhf.gov.uk)
- Telephone 020 8753 2456.
- Twitter @LBHF (we may ask you to contact us through a private secure channel).
- In writing to:
  - Resident Experience Team  
London Borough of Hammersmith & Fulham  
Town Hall, King Street,  
London, W6 9JU
- In person at the Contact Centre, 145 King Street.
- Via your local Councillor (details can be found at [www.lbhf.gov.uk](http://www.lbhf.gov.uk)).
- Via your Member of Parliament.
- Via your representative who has permission to act on your behalf (we will need signed authority from you to confirm we have permission to speak to them about your complaint).

Please note: if a complaint is received via social media, for instance Facebook, twitter etc., we will not respond via these channels to ensure the protection of our residents' personal information.

You may make a complaint via other channels such as to the Chief Executive. All complaints received by Hammersmith and Fulham, regardless of who they are made to will be sent to the Resident Experience Team to ensure that they are all recorded and responded to within the published timeframes as defined in this policy.

The Resident Experience Team will be your independent contact point.

## **10. THINGS TO INCLUDE IN YOUR COMPLAINT**

When you do complain so we know what to investigate, please tell us clearly and concisely by giving as much information as possible:

- What we did wrong and when.
- What should have happened in your opinion.
- What policy or procedure has not been followed and why (if known).
- How we can put it right.
- And any other outcomes you are wanting.

## **11. COMPLAINTS AGAINST OUR CONTRACTORS/PARTNERS**

A number of services are currently delivered on our behalf by private suppliers or are undertaken by our partners. Complaints can be made to Hammersmith and Fulham Council so we can log and monitor in the same way we do for services delivered by council staff.

This will allow us to monitor complaints via the contract monitoring process and continually ensure we put our residents first.

## **12 CHILDREN'S AND ADULTS SERVICES COMPLAINTS**

Complaints need to be made within 12 calendar months of the failure so that we can investigate fully and fairly.

There may be times when you haven't had a chance to complain within 12 months. If there are exceptional circumstances (illness, changes in personal circumstances etc.) the Head of Contacts or a relevant Director may make a discretionary decision to consider a late complaint providing you are able to explain and evidence why you haven't complained sooner.

## **13. STATUTORY ADULTS' SERVICES COMPLAINTS**

The statutory adults' services complaints procedure consists of one stage.

When you make a complaint, it will be acknowledged within three working days and a member of the Quality, Standards and Performance Team will contact you within 5 working days to establish the elements of your complaint that you would like the council to consider and what outcome you are seeking and agree a timescale for your complaint to be investigated.

Hammersmith and Fulham will aim to send a full response to you within 10 working days from the date the Quality, Standards and Performance Team agree with your specific issues and establish the outcome you would like. However, the length of time that an investigation will take depends on several factors, such as the complexity of the complaint, whether the investigation can be completed internally or if the council needs to appoint an investigating officer. The Quality, Standards and Performance Team will keep you informed and if we need longer the time agreed in our discussions with you, we will let you know.

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

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

## **14. STATUTORY CHILDREN'S SERVICE COMPLAINTS**

The statutory children's complaints process consists of three stages:

- Stage 1 - The complaint (representation)
- Stage 2 - An independent investigation
- Stage 3 – an independent panel

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

There are statutory timescales for children's services complaints at each stage that the council must keep to:

- Stage 1 - 10 working days (with a further 10 days for more complex complaints or additional time if an advocate is required).
- Stage 2 – 20 working days (with a maximum extension of 65 working days).
- Request for Review Panel – 20 working days.
- Stage 3 Review Panel – 30 working days for panel to be convened.
- Panel to issue findings – 5 working days.
- LBHF to respond to findings – 15 working days.

## **Representations**

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

### **Stage 1 – The complaint**

Your complaint at stage 1 will be investigated and dealt with by the service team where the complaints originate. Some responses may come directly from our suppliers or partners.

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

Our response will be clear and simple and may include:

- What we understand the agreed issue(s) to be.
- Chronology of events.
- If we agree with you:
  - What we are going to do to put it right.
  - When it will be put right by.
  - An apology.
  - What we will do differently now to prevent a repeat.

However, if we do not agree with you a clear explanation detailing the reason why.

If you are still dissatisfied, you must let us know within 20 working days (4 weeks) of receiving your stage 1 response and request a stage 2 review advising of why you are dissatisfied with our response.

If we do not hear anything from you within 20 working days, we will assume that you are satisfied with our response, and we will close the complaint.



## **Stage 2 – The Review**

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

The stage 2 request, if accepted, will be investigated by an independent investigating officer who will work with an independent person to ensure that your complaint is investigated fairly.

The investigating officer will:

- Discuss your complaint with you to ensure all your concerns are fully investigated.
- Read files that relate to your complaint.
- Interview where possible staff associated with your complaint.
- Produce a report that discusses each element of your complaint and the outcomes of their investigation.

The independent person will:

- Accompany the investigating officer to interviews with you and with members of staff associated with your complaint.
- Read files that relate to your complaint.
- Produce a report that their view of how the investigating officer has conducted the investigation.

The review at stage 2 of the complaints process should take no longer than 65 working days. The Complaints and Customer Care Team (CHS) will keep you informed of progress.

### **The response from London Borough of Hammersmith & Fulham**

When the findings from the review have been received, within 5 working days, from the Investigation Officer and the Independent Person, they will be reviewed by the children's services director. The children's services director will also consider what remedies are appropriate and a response (adjudication letter) will be prepared, within 15 working days, on behalf of Hammersmith & Fulham.

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

The council's response will be sent to you along with a copy of the Investigation Officer's report and the Independent Person's findings. If injustice or maladministration is found, the response will state:

- What we are going to do to put it right.
- When it will be put right by.
- An apology.

- What we will do differently now to prevent a repeat.

However, if we do not find that there was any injustice or maladministration, or response will state:

- A clear explanation detailing the reason why

If you have been offered compensation as part of the remedies offered, and you decide to accept, the council will consider the complaint closed. However, you still have the right to complain to the Local Government and Social Care Ombudsman.

If you are still dissatisfied, you must let us know within 20 working days (4 weeks) of the date of your stage 2 response and request a stage 3 panel review. This is the third and final stage of the statutory complaint's procedure. If we do not hear anything from you in 20 working days, we will assume that you are satisfied with our response and will close your complaint.

To proceed to stage 3, you will need to give clear reasons and evidence as to why you disagree with the findings and response of the stage 2 outcome, and you want us to do to resolve it. The review should be convened within 30 working days. The Complaints and Customer Care Team (CHS) will keep you informed of the process.

### **Stage 3 – Review Panels**

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

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 everybody's satisfaction.
- Identify any injustices.
- Focus on achieving resolution for you by addressing your clearly defined complaints and desired outcomes.
- Reach findings on each of the complaints being reviewed.
- Make recommendations that provide practical remedies and solutions.
- Look at finding solutions where the opportunity for resolution between you and Hammersmith & Fulham exists and to recommend appropriate redress.
- Recommend any service improvements for action by Hammersmith & Fulham.

What the review panel will not do:

- Will not re-investigate the complaint.
- Will not consider any element of your complaint unless it has already been investigated under stage 2.

- Cannot directly consider matters which are or have been placed before a Court of Law.

### **After the review panel**

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

Hammersmith & Fulham must send its response to the panel's recommendations to you within 15 working days of receiving the review panel's report. The response should be sent from the director of children's service setting out how the council will respond to the recommendations and what action will be taken. If the director disagrees with the recommendations this will be fully explained in their response.

At this point the statutory children's complaint process will have been exhausted.

However, if you are still dissatisfied you retain the right to go to the Local Government and Social Care Ombudsman to ask them to review your complaint.

## **15. ANONYMOUS COMPLAINTS, WHISTLE BLOWING AND FRAUD**

We will not normally investigate anonymous complaints but depending on the individual circumstances we may choose to do so. If we do, we will not tell anyone you have complained and will keep your details confidential. If we know who you are and keep in touch with you, it will help us investigate things better and more quickly and provide a response (if required).

If you believe a member of staff or someone who works for the council has been involved in fraud or corruption, you can speak to someone in our audit or fraud team.

There are a number of ways that they can be contacted:

- Telephone 020 8753 1273.
- Online at [https://www.apps12.lbhf.gov.uk/cus/servlet/ep.app?type=148786&auth=10026 &ut=x;](https://www.apps12.lbhf.gov.uk/cus/servlet/ep.app?type=148786&auth=10026&ut=x;)

## **16. WHAT HAPPENS WHEN WE GET YOUR COMPLAINT?**

When the council receives a complaint, it will be sent to the Resident Experience Team. Your complaint will be registered in our case management system. Your complaint will then either be accepted or rejected.

## 17. WHAT HAPPENS IF YOU COUNCILLOR OR MP COMPLAINS ON YOUR BEHALF?

There are separate guidelines on dealing with enquiries and representations from MP's MEPs, the Mayor of London and your Councillor. We may need your permission that we can divulge your information to them. A response will usually be sent to them so they can contact you directly.

## 18. PERSISTENT, VEXATIOUS AND UNREASONABLE COMPLAINTS

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

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

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

We have a separate policy for dealing with unreasonable behaviour, persistent and vexatious complainants.

## 19. COMPLAINTS MONITORING

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

An annual report for the statutory adults' and children's complaints and for the corporate complaints will be produced giving an overview of the complaints that have been received, overall performance, lessons learned, and improvements made. The report will also include a copy of the annual letter that is issued by the Local Government and Social Care Ombudsman and the Housing Ombudsman. We aim to publish these reports annually by the 1<sup>st</sup> July on Hammersmith & Fulham's website.

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