



Complaints and Compliments Policy

2025-2029

May 2025

Basildon Borough Council

Basildon Centre

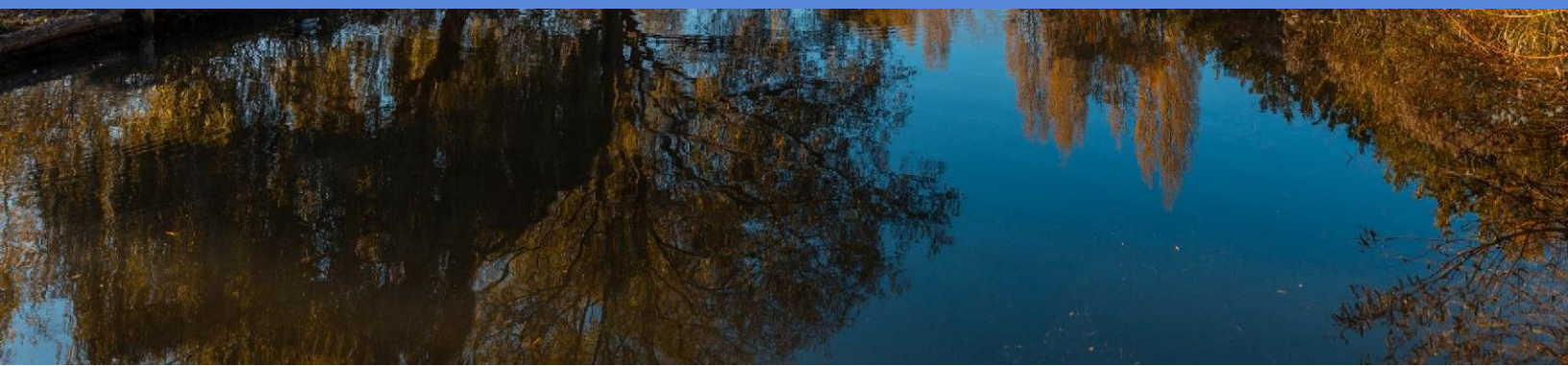
01268 533 333

St Martins Square

www.basildon.gov.uk

Basildon

SS14 1DL



Key Information	
Author:	Juliette Ryan
Accountable Director	Christine Lyons
Responsible Committee	Cabinet
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May 2025	Version 11	Update	Addition of the Social Housing Regulator Delegation and lessons learnt

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Introduction

This policy sets out Basildon Borough Council's framework for managing complaints and compliments. Recognising the valuable insights provided by resident feedback, Basildon Council views complaints as opportunities to enhance service delivery, while compliments affirm the areas where the Council performs well.

This policy aligns with best practices from the Housing Ombudsman (HO), and Local Government and Social Care Ombudsman (LGSCO). It outlines Basildon Council's approach to receiving and addressing resident feedback across all services, including those provided by external partners.

By listening to residents, the Council can look at actions that can be taken to improve services and resident's experience. Similarly, the Council welcomes compliments from residents too, as this helps build a picture of where we are getting it right, which can be both rewarding for staff and provides positive feedback on what works well for residents.

This policy outlines Basildon Council's approach to managing and responding to the complaints and compliments it receives in relation to the services it delivers. It applies to all services that are provided directly by the Council and those for which the Council has responsibility but are delivered through external businesses and partners who are contracted and employed on behalf of the Council.

Purpose and Scope

This policy outlines:

- Procedures for submitting complaints and compliments.
- Standards for handling feedback.
- How feedback informs service improvements.

This policy applies to all services provided directly or indirectly by the Council.

Policy Statement

Basildon Council is committed to listening to all feedback from residents and using it to drive continual improvements. The Council values both complaints and compliments as they guide how services can be enhanced or celebrated.

Overarching Principles of the Policy

- Accessibility: Making it easy for residents to provide feedback.
- Efficiency and Fairness: Ensuring prompt, fair, and consistent responses.
- Inclusivity: Respecting the diversity of service users and providing reasonable adjustments where necessary.
- Empathy: Listening with compassion and understanding.

- Improvement: Taking action to enhance services based on feedback.

Regulatory Framework

This policy complies with the requirements and codes of practice of several regulatory bodies:

1. Local Government and Social Care Ombudsman (LGSCO): The February 2024 Complaint Handling Code from the LGSCO sets standards for complaint management. This policy ensures adherence, facilitating the Council's compliance by 2026.
2. Housing Ombudsman (HO): The policy aligns with the Complaint Handling Code, which mandates prompt and fair resolutions.

Understanding the Housing Ombudsman and LGSCO Codes

To effectively manage complaints and enhance service delivery, it is essential the Council understands the principles outlined in both the Housing Ombudsman (HO) Complaint Handling Code and the Local Government and Social Care Ombudsman (LGSCO) Code. These codes serve as frameworks that guide the organisation in creating accessible, transparent, and efficient complaint handling processes.

Housing Ombudsman Complaint Handling Code

The Housing Ombudsman Scheme (HOS) is enshrined in the Social Housing (regulation) Act 2023 and requires all social landlords to be members of the scheme. The HOS enables residents and other individuals to have complaints about members investigated by a Housing Ombudsman.

The role of the Ombudsman is to resolve disputes involving members of the Scheme, including making awards of compensation or other remedies when appropriate, as well as to support effective landlord and tenant dispute resolution by others.

The Scheme came into effect on 1 April 2024 and replaces the previous Scheme. The HO introduced the Ombudsman Complaint Handling Code which sets out best practices for landlord's complaint handling procedures, to enable a positive complaints culture across the social housing sector, regardless of the size or type of landlord.

The Code encourages landlord-tenant relationships so that residents can raise a complaint if things go wrong.

The Housing Ombudsman has a duty to monitor compliance with the code and is required to ensure all landlords meet the standards set out in the Code for complaint handling, regardless of their size and operating model.

The duty allows the Ombudsman to assess a landlord even if there has not been a complaint referred to us by a resident. This extends fairness across the sector ensuring residents receive a quality complaint-handling service, regardless of who their landlord is, or what they are complaining about. Landlords must assess against the Complaint Handling Code and ensure policies and practices comply with the Code at least annually. As a large stock-holding council Basildon will be assessed annually.

The purpose of the self-assessment is to set out how landlords demonstrate their complaint-handling service complies with the provisions of the Code. In addition, the self-assessment supports landlords to inform residents about service provision.

The **Housing Ombudsman's** Complaint Handling Code emphasises the importance of a structured twostage complaints process. This includes:

1. **Acknowledgment and Response Times:** Landlords are required to acknowledge complaints within five working days and provide a full response within ten working days at Stage One. If unresolved, complaints can escalate to Stage Two, which mandates a final response within twenty working days.
2. **Accessibility:** The code highlights the necessity for landlords to create an inclusive environment, ensuring that all residents can easily access the complaints process. This involves considering the diverse needs of the community and making reasonable adjustments where necessary.
3. **Transparency and Record Keeping:** Clear communication is essential throughout the complaints process. Organisations must maintain comprehensive records to track complaints and resolutions, allowing for accountability and learning from each case.
4. **Continuous Learning:** The Housing Ombudsman encourages landlords to analyse complaint data to identify trends and improve service delivery, fostering a culture of learning and adaptation

Local Government and Social Care Ombudsman (LGSCO) Complaint Handling Code Local Government Online

The Local Government and Social Care Ombudsman (LGSCO) serves a pivotal role in ensuring that local councils in England manage complaints in an effective and fair manner. The LGSCO's Complaint Handling Code outlines the framework that local authorities must adhere to promote good administrative practices in complaint resolution.

This code highlights the necessity for transparent and accessible complaint handling, encouraging councils to perceive complaints as valuable opportunities for learning and improving services. Local councils are required to foster a positive complaints culture, enabling residents to express their concerns and seek resolutions without fear of negative repercussions.

Councils are mandated to conduct regular self-assessments to verify that their complaint handling processes comply with the standards set out in the code. These assessments not only demonstrate a commitment to effective complaint management but also inform residents about the services provided.

The LGSCO possesses the authority to monitor compliance with the code and can recommend corrective actions if a council fails to meet its obligations. This oversight extends to evaluating councils even in the absence of a specific complaint, ensuring that all residents receive a high-quality complaint handling service.

Through these measures, the LGSCO aims to cultivate a culture of accountability and continuous improvement within local government services, ensuring that residents' voices are heard and acted upon effectively. For further details, the resident can explore the LGSCO's resources on their official website: [LGSCO Complaint Handling Code](#).

The LGSCO Code sets forth guidelines that focus on effective administrative practices in complaint handling:

1. **Principles of Good Complaint Handling:** The LGSCO Code advocates for transparency, accessibility, and efficient resolution of complaints. It encourages organisations to view complaints as valuable feedback rather than negative reflections.
2. **Designated Responsibility:** Local councils must appoint a specific person or team responsible for overseeing complaint handling, ensuring that responses are timely and in compliance with the established guidelines.
3. **Self-Assessment:** Regular self-assessments are vital for councils to evaluate their complaint handling processes, ensuring adherence to the code and identifying areas for improvement.

Integrating the Codes into the Councils Complaint Process

To effectively address both codes in the council's complaint resolution process, the council is delivering the following:

- **Unified Complaint Policy:** Creating this comprehensive complaint handling policy that incorporates elements from both codes, establishing a clear two-stage process that residents can easily follow.
- **Training and Resources:** Ensuring that all staff involved in the complaint resolution process are trained on the codes' requirements and have the necessary resources to handle complaints efficiently.
- **Accessible Communication:** Ensuring multiple channels for residents to submit complaints, ensuring that all communication regarding the process is clear and accessible.
- **Data Utilisation:** Regularly analysing complaints data to inform service improvements, using insights gained to adapt policies and enhance overall service delivery.
- **Feedback Mechanism:** A system for residents to provide feedback on the complaint handling process itself, promoting a culture of accountability and continuous improvement.

By understanding and implementing the principles from the Housing Ombudsman and LGSCO codes, the Council can foster a positive complaints culture, ultimately leading to enhanced service quality and improved resident satisfaction.

Approach to Resident Feedback Feedback Definitions

The following definitions will be used in the management of resident feedback to ensure that residents' views are processed appropriately:

What went well? – A Compliment

A compliment is a statement of positive recognition or praise from a resident or colleague directed towards an individual staff member, service, or the organisation. It highlights something that has been done well and acknowledges the effort, quality, and positive impact of that action on our residents. Compliments can boost morale, encourage continued excellence, and foster a positive environment.

For example, if a resident praises the cleanliness of a park, they are complimenting the efforts of the maintenance team. This not only makes the team feel appreciated but also provides valuable feedback on what we as an organisation are doing well.

What went wrong? – A Complaint

A complaint is *'an expression of dissatisfaction, however, made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'*

The Complaint Handling Code

The Complaint Handling Code outlines key principles for managing resident feedback effectively. Importantly, a resident does not need to label their feedback as a "complaint" for it to be treated as such. Whenever a resident expresses dissatisfaction, landlords must offer the option to formally register a complaint. If a complaint is submitted through a third party or representative, it should be handled according to both the council in the capacity of the landlord and/or service providers complaints policy.

As a Council, acting as landlords or service provider, it must clearly differentiate between a service request and a complaint. This distinction is explicitly defined within this complaints policy:

A Service Request

A service request involves a specific request for action to rectify an issue and is not categorised as a complaint. However, these service requests should still be recorded, monitored, and reviewed regularly to ensure accountability and responsiveness.

A Complaint

A formal complaint should be started when a resident is dissatisfied with the response to their service request, even if the handling of that request is ongoing. Landlords must continue to address the service request, regardless of any complaints raised.

Exceptions

Feedback expressed through surveys does not constitute a complaint. Nonetheless, the Council (in the capacity as service provider or landlord) should inform survey participants about how they can pursue a complaint if they wish, this must be clear with a link to the complaints process.

This code applies to all services for which the landlord is responsible, affecting both individual residents and groups. For further details on the Complaint Handling Code, please refer to the following resources:

- [Housing Ombudsman Complaint Handling Code](#)
- [Local Government and Social Care Ombudsman Code](#)

Complaint Process Overview (Appendix 1 – Process illustration)

The Council has a two-stage formal complaint policy however, we will always try to resolve the matter informally in the first instance, by responding with an “Urgent Enquiry Response” where this is possible to do so, and in agreement with the resident who is experiencing the issue.

An Urgent Enquiry

The Council aims to resolve issues as quickly as possible. To do this when the resident first contacts the Council, we offer a choice on the first step of taking forward the complaint:

The resident either:

- Agrees to give the Council three working days to resolve the issue to their satisfaction, before progressing to a formal Stage One investigation if this cannot be achieved.
- The issue is progressed immediately to a formal Stage One complaint, which as per the Council’s policy will require a full investigation and a formal response.

If the resident allows the Council an additional three working days to resolve the issue, an “Urgent Enquiry” will be raised to seek a quick resolution.

If this is not possible the resident will be made aware as soon as possible. The enquiry will then automatically be classified as a Stage One complaint against the Council and dealt with as a formal Stage One complaint as per the Council’s Complaints Procedure.

If the enquiry can be fully resolved within three working days, meeting the resident’s expectations, the Council will close the case, completing the “Urgent Enquiry” and informing the resident of the outcome by their preferred method of contact and recording the outcome on our internal complaint’s platform. There will be no need for a full investigation or a formal response from the Council.

Stage One

This is the first formal stage of the complaint process; the Council will acknowledge receipt of the resident’s complaint. Our acknowledgment can be made verbally, electronically, or in writing.

Stage One Complaints Receipt must be acknowledged, defined, and logged at Stage One of the complaints procedure within **five working days** of the complaint being received.

It will include:

- Confirm that the resident’s complaint has been received and if possible, the name and contact details of the investigating officer, however, this may not be possible in all cases.
- A date or timeframe by which the resident can expect to receive a response

Stage One Complaint Response the Council will respond to a Stage One complaint in full within **ten working days** of the complaint being acknowledged.

If the Council cannot respond in full within ten working days, the Council will provide a timeframe in which we can provide a full response and provide a reason for the delay.

If an extension is required, the Council will provide the contact details of the relevant Ombudsman Service.

Where residents raise additional complaints during the investigation, these must be incorporated into the Stage One response if they are related, and the Stage One response has not been issued. Where the Stage One 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 must be logged as a new complaint.

The investigating officer may need to ask the resident for further information to assist with their investigation.

Our formal response to the complaint will be provided by the resident's preferred method of contact either by letter, email, face-to-face, or by telephone. Where a response is given by telephone or inperson, all formal complaints will receive a formal written response as confirmation of our discussion.

As part of our formal response, we will provide an outcome, explaining if the complaint has been Upheld/Not Upheld or Partially Upheld. The complaint can be progressed to Stage Two of the Council's Complaints Procedure and if the resident remains unhappy and where appropriate we will provide details of how the resident can escalate their complaint.

Alternative Dispute Resolution

Where a customer issues a disrepair claim, Basildon Council may instruct a solicitor to act on its behalf, where appropriate, Basildon Council will consider using Alternative Dispute Resolution (**ADR**) methods to resolve the matter with the resident at the earliest opportunity for the parties to work toward a voluntary, consensual agreement. ADR is intended as a vehicle for improving communication between the parties, and provides a forum for creative solutions to disputes that better meet the needs of the resident and Basildon Council ADR can include:

- Mediation
- Arbitration and Factfinding
- Negotiating

Stage Two – Complaint Escalation

If the outcome of the Council's investigation at Stage One of the Complaints Procedure is that the complaint was either partially upheld or not upheld and the resident remains dissatisfied, they can ask for the complaint to be escalated and reviewed by a senior officer at the Council.

<p>Stage Two Complaint Escalations Requests The resident has twenty-eight days (Calendar days) from the date of response to the initial Stage One complaint, to request for the complaint to be escalated to a Stage Two review.</p>
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The resident will be required to set out what they feel was wrong with the outcome of the initial investigation undertaken at Stage One, informing the Council why they remain dissatisfied and providing any additional information concerning their complaint.

<p>Stage Two Complaint Escalations Receipt must be acknowledged, defined, and logged at Stage One of the complaint's procedure within five working days of the complaint escalation being received.</p>

If necessary, the investigating officer may contact the resident during their appeal, to assist with the appeal process, the resident needs to declare specifically what they want changed and why, providing any supporting evidence.

The Council will appoint an independent senior officer to review the complaint, this will not be the same officer that carried out the previous Stage One investigation.

Stage Two Complaint Response the Council will respond to a Stage Two complaint in full within **twenty working** days of the complaint being acknowledged.

In the review, the investigating officer will look at how the Council dealt with the resident's complaint at Stage One and will only consider information concerning the original complaint. Our policy is to formally respond in full to the resident within fifteen working days of receipt of the president's request for the Council to review the outcome of the complaint, wherever possible. If we cannot respond in full within twenty working days, we will provide the resident with a timeframe in which we can provide a full response and provide a reason for the delay.

Stage Two is the Councils (landlord and/or service providers **final response**.

Next Steps

There is no further right of appeal to the council following the completion of Stage Two of this policy and the Council's Complaints Procedure.

The complaint can, however, be taken forward to the relevant Ombudsman if the resident remains dissatisfied. On informing the resident of the outcome of our investigation we will ensure we provide the resident with the contact details for the appropriate ombudsman's office about the type of complaint they have made against the Council.

[Complaining to an ombudsman - Citizens Advice](#)

[Guidance notes - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk)

[How to register a complaint - Local Government and Social Care Ombudsman](#)

How the Council will Put things Right

If something has gone wrong, the Council will acknowledge the issue and outline the actions that have already been taken or will be taken to rectify the situation. This includes:

1. Apologising for the error.
2. Acknowledging where mistakes have occurred.
3. Providing an explanation, assistance, or rationale.
4. Taking action to address any delays.
5. Reconsidering or amending decisions.
6. Amending records or adding corrections or addenda.
7. Offering financial remedies where appropriate.

8. Revising policies, procedures, or practices to prevent future issues.

Any remedy offered will consider the impact on the resident resulting from the identified fault. The Council will ensure that the remedy is clearly communicated, detailing what actions will be taken and the expected timeline for completion, in agreement with the resident where feasible. Furthermore, the Council will ensure that any proposed remedy is fully executed. When determining suitable remedies, landlords must consider the guidance provided by the Ombudsman, ensuring that their actions align with best practices for complaint resolution.

Financial Remedy

For financial remedy (compensation) to be considered, a formal complaint investigation is required. Basildon Council determines the levels of compensation by the particular facts of the case, such as the amount of time it has taken to resolve the case, and the impact of the issue on the wellbeing or financial loss to the resident of the Council determined following our investigation.

Types of Complaint

Anonymous Complaints

An anonymous complaint is defined as one where the Council does not hold any contact details for the complainant (name, telephone number, e-mail address, home address).

The Council does not accept anonymous complaints.

Please see our Whistleblowing Policy for complaints of this nature.

[Basildon Council - Whistleblowing Policy and Procedure - January 2019](#)

Complaints against members of staff

If a resident, business or other party has an issue about a member of staff (this includes people who volunteer on our behalf), we will investigate and take appropriate action, in accordance with our policies.

Exclusions of the Policy Complaints Exclusions – Overview

The policy will not address complaints related to:

- Issues beyond Council jurisdiction.
- Government legislation and associated policies.
- Settled or ongoing legal cases.
- Unreasonable complainant behaviour, which will be managed as per the Council's relevant procedures.

The Council reserves the right to refer matters outside its scope to the appropriate authority.

Outside the Council Service Jurisdiction

The Council will only be able to receive and process feedback, complaints, and compliments concerning the services it provides, or Council services delivered by an alternative provider on behalf of the Council.

This policy cannot deal with any issues which fall under the jurisdiction of another body and where this is the case the resident should seek to raise the matter with the appropriate relevant body. The Council will inform the resident if an item of feedback does not relate to a Council service, and where possible inform the resident of the responsible body or entity to whom the feedback relates.

The issue giving rise to the complaint occurring over twelve months ago. and matters that have previously been considered under the complaints policy". A landlord must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue unless it is excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.

Complaints Regarding Government Legislation and Associated Policies

The Council has a statutory duty to implement Government legislation and is, therefore, unable to progress complaints based on the content or mandated delivery of such legislation or policies.

Complaints Regarding Agreed Council Policies

The Council has a range of adopted policies that prescribe and guide the business of the Council. The Council must ensure that all its policies comply with relevant legislation. Careful consideration is given to how policies impact staff, service users, residents, and groups with protected characteristics.

Such policies are approved by Elected Members through the Council's decision-making processes and officers are required to operate following these policies. The Council will deal with complaints alleging that relevant council policy has not been complied with, or that alleges the policy does not comply with relevant legislation through its normal complaints procedure.

In circumstances where it is alleged that actions have been taken in the absence of a policy or where an individual believes a Council policy should exist but is absent, these complaints will also be dealt with using the normal complaints procedure.

Where a complaint relates to how a person has been affected because of a Council policy, there is very limited scope to investigate that complaint, however, feedback and comments on the impact of policies will be considered (as appropriate).

Residents are also encouraged to provide feedback to their Ward Councillors (details of which can be found on [Basildon Home Page - Basildon](#)) who have options to make representations regarding the appropriateness of the policy through the decision-making process.

Complaints regarding Settled or Ongoing Legal Cases or those with an Existing Right of Appeal

Complaints will not be dealt with if there is an existing right of appeal or an existing or settled legal case regarding the specific matter - for example, an appeal to a Council Tax Tribunal, an ongoing Housing Review decision, or a referral to the Planning Inspectorate.

In such instances, the complainant will be written to advising of this and if appropriate, advice will be given on how to pursue an alternative appeal.

For those complainants who are, or who have pursued legal action against the Council, the outcome of this will override any formal action that can be determined by investigation via the Council's Complaints Procedure.

Managing persistent or unreasonable complainants

[Basildon Council - Persistent and Unreasonable Complainant Procedure - July 2019](#)

The Council is committed to handling resident feedback fairly and impartially and to providing a highquality service. As part of this service, we would not normally limit the contact complainants have with us. Many residents who contact the Council communicate politely and reasonably.

The persistent or unreasonable complainant procedure is aimed at how we manage the relatively few individuals whose actions we consider unreasonable. The Council may not progress complaints from resident/s managed under this process.

Aggressive/abusive behaviour – Violence at Work Policy

Unreasonable behaviour is behaviour or language (whether verbal, i.e. face to face or by telephone, or written) that may cause staff to feel intimidated, threatened, or abused.

The Council recognises that residents may have reason to feel aggrieved, upset, or distressed when they issue a complaint, however, aggressive or abusive behaviour will not be tolerated and will be reported to the necessary body, which may result in prosecution.

Alignment to the Councils Corporate Plan

The successful implementation of the Compliments and Complaints Policy will contribute to the delivery of the Corporate Plan, specifically demonstrating the Council's commitment into putting our Resident s at the heart of what we do.

Accountability

The Council's Performance Scrutiny Committee reviews all complaints data and ombudsman referrals and outcomes. Lessons learned are drawn from these discussions.

The Council will report on wider learning and lessons learned from complaints to stakeholders, including tenant and leaseholder panels, staff, and relevant committees.

A senior officer is accountable for complaint handling including analysis of themes and trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.

The Leader of the Council is the Member Responsible for Complaints and ensures the relevant committees receive regular information on complaints that provides insight into the Council's complaint-handling performance

6. Outcomes and Priorities

This policy seeks to achieve the following Outcomes and Priorities

Outcome	Priority
Resident insight (gained from feedback, complaints, and compliments) used to drive service improvements and efficiency	Lessons learned are shared within the organisation to drive service improvement to help improve the lives of its residents.
Simplify the process of making a complaint or compliment to the Council for the residents, by creating greater accountability by introducing a single point of contact for the resident.	Centralisation of the complaints management process to ensure a consistent approach across the organisation.
Residents are empowered to use the complaints and compliments process to feedback on the Council's and its service delivery partners, performance. Providing them with greater choices to better manage their expectations	Complaints and compliments process promoted and accessible to all 24/7.
Improve the level of communication with our residents to better understand their needs and requirements.	To better meet the expectations of our residents and improve our Resident 's experience.

Links to other Corporate Policies or Partner Documents

- Corporate Plan
- Persistent and Unreasonable Behaviour
- Service Impact Assessment
- Complaints Procedure
- Resident Charter
- Whistleblowing Policy and Procedure
- [Guidance notes - Local Government and Social Care Ombudsman](#)
- [Guidance notes - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk)
- [The Complaint Handling Code | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk)

Appendix 1 – Process illustration Complaint Process Overview

Complaint Process – Overview

