

## Epping Forest District Council – Customer Complaints Policy

We always want to provide you with the best possible service, however we appreciate that sometimes things can go wrong. If there is a problem, we need you to tell us so that we can investigate, put things right and learn from it. This will help us to continuously improve our service to you.

The Ombudsmen defines a complaint 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 resident or group of residents*”.

We understand you will be unhappy if you believe we have:

- Not carried out an action in a timely manner
- Done something we should not have done
- Not done something that you feel we should have done
- Behaved inappropriately (staff or contractors)

This policy explains how you can make a complaint, how we will investigate and respond to your concerns and how you can progress the matter if you remain dissatisfied. It also covers what types of issues the complaints process can address and what it cannot.

### 1. Issues which the Complaints process cannot address

#### Initial reports of a problem

The Complaints Process cannot be used to report initial problems such as;

- A missed bin collection
- Fly tipping
- An abandoned vehicle
- Noise disturbances or nuisance
- Anti-Social Behaviour
- A problem with your property that requires repair

Should you wish to make an initial report of a problem that requires assistance from Council services, this can be done via our “Report it” page on our website ([www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk)). This can also be reported by calling our Customer Contact Centre on 01992 564000.

If you have previously reported a problem but feel that the appropriate action has not been taken, then you can raise this as a complaint.

#### Freedom of Information Requests & Subject Access Requests

The Freedom of Information Act 2000 (FOIA) gives the public the right to request information held by us. The General Data Protection Regulation (GDPR) provides individuals with a right of access to their personal information, through a Subject Access Request.

Such requests for information cannot be processed as part of the Complaint process.

Please visit our website, [www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk) which details how to submit a written request for such information.

### Matters where you have a formal or legal right of Appeal

If you disagree with the Council's refusal of planning permission, or an application for housing benefit, or other matters which are the subject of legal proceedings, such as eviction proceedings. You must follow the appropriate legal path in such cases and the relevant Officer will advise you as to what this is. The complaints process cannot address such matters.

### Challenging a decision made by Council Officers concerning your property

If you believe that works are required to your Council property, but an Officer has advised you these are not necessary and will not be carried out. You should advise the relevant officer that you wish to appeal against the decision. This will then be reviewed by a Senior Officer. Decisions cannot be changed through the complaints process.

### Matters over which the Council has no jurisdiction

The Complaints process cannot be used to address matters where Epping Forest District Council has no jurisdiction. For example

- Potholes & Road Repairs – this is the responsibility of Essex County Council
- The public Highway – this is the responsibility of Essex County Council

Any damages or loss due to conditions of roads, pavements etc is the responsibility of Essex County Council. Please use this [link](#) to report your concern to Essex County Council.

### Matters involving insurance claims

The complaints process cannot address matters which must be investigated for the purposes of an insurance claim. You should discuss this with your own insurer and if you need to contact our insurance department, they can be contacted by emailing [Insurance@eppingforestdc.gov.uk](mailto:Insurance@eppingforestdc.gov.uk).

### Duplicate Complaints

If you submit the same or similar complaint while a matter is under investigation, this will not be treated as a new Stage 1 complaint.

### Matters already addressed

If your complaint has already gone through the complaints process and you have received a formal response and decision, this will not be investigated as a new Stage 1 complaint. If you are not satisfied with the outcome, you can contact the Complaints Team at [complaints@eppingforestdc.gov.uk](mailto:complaints@eppingforestdc.gov.uk), who will provide guidance on the appropriate next steps.

## 2. Issues which the Complaints process can address

- Failure to provide a service which we should have provided
- Unreasonable delays in providing a service
- Dissatisfaction with the way a policy has been applied
- Failure to fulfil our statutory responsibilities
- Provision of inaccurate or false information
- Inappropriate conduct of staff or contractors

### 3. Reasonable Adjustments during the complaints process

The Council is committed to taking action to ensure that the way we work does not place disabled people at a disadvantage and to meet our legal obligations under the Equality Act 2010.

The Equality Act 2010 requires us to provide reasonable adjustments for you if you are “disabled”. Under the Act this means you have a “physical or mental impairment which has a substantial and long-term adverse effect on your ability to carry out normal day to day activities”. Our duty is to make “reasonable adjustments” if the way that we carry out our complaints process places you as a disabled person at a “substantial disadvantage” compared to someone who is not disabled.

#### Requesting reasonable adjustments

Specific reasonable adjustments are not defined by the Act. If you feel there is reasonable adjustment to be made during the complaints process then please contact us at [complaints@eppingforestdc.gov.uk](mailto:complaints@eppingforestdc.gov.uk) with your request.

Some examples of adjustments that we can make during the complaints process is;

- Providing documentation in larger print
- Giving you more time than usually allowed to provide further information or respond accordingly.
- Calling you in addition to corresponding in writing.
- Corresponding via post instead of email or using online tools.
- Communicating with you via your representative or advocate

### 4. How to make a complaint

You can make a complaint in writing (addressed to the Complaints Officer, Contact Centre, Civic Offices, High Street, Epping, Essex CM16 4BZ), via the Council’s website [www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk), or by telephoning the Contact Centre on 01992 564000. This is not a comprehensive list of how to make a complaint. Your complaint can be submitted via another route, and we will make reasonable adjustments to facilitate this being put through our Complaints Process.

If your complaint is being registered by a third party, we require consent to discuss this matter with the named individual or organisation. This can be provided by sending an email to [complaints@eppingforestdc.gov.uk](mailto:complaints@eppingforestdc.gov.uk) or posting a letter (addressed to the Complaints Officer, Contact Centre, Civic Offices, High Street, Epping, Essex CM16 4BZ).

As part of your complaint, you will need to provide your contact details and a clear explanation of what you think we did wrong, and what you believe should have happened under the circumstances. If there is any documentary evidence that we should see, you should also provide this.

You must make your complaint as soon as possible, and within 12 months of the events occurring, otherwise we will not be able to investigate the matter.

### The Complaints Process

When you make a complaint, the initial Stage 1 investigation will be carried out by the relevant Officer. You will receive an acknowledgement within 5 working days and a full response within 10 working days of your complaint being acknowledged. If the matter is complex and requires more time to complete our investigations, we will let you know the expected timescale at the earliest opportunity, and if possible, no less than 2 working days before the response due date.

Our Stage 1 response will tell you if we have identified any fault, and if so, what actions we will take to put matters right. If you are dissatisfied with our response, you must tell us within 15 working days. At this point you can escalate your complaint to for a Stage 2.

You will receive an acknowledgement to your Stage 2 request within 5 working days. A Senior Officer will review the original investigation and write to you within 20 working days to advise of the outcome and whether any new fault has been identified. However, if the matter is complex and requires more time to complete our investigations, we will let you know the expected timescale at the earliest opportunity, and if possible, no less than 2 working days before the response due date. If you are dissatisfied with our response at Stage 1, but request a Stage 2 review after 15 working, we will not carry out a Stage 2 review and the request will be refused in writing.

If further information is submitted during any stage of the investigation, additional time may be required to review the submission and provide our response.

### If you disagree with the outcome of our investigations

If on conclusion of our complaints process you believe your concerns have not been addressed appropriately, you have the right to take your case to an Ombudsman.

The Local Government Ombudsman and the Housing Ombudsman are independent bodies that will impartially review your complaint.

The Local Government Ombudsman and the Housing Ombudsman each deal with different types of complaint and we will advise you of which Ombudsman to contact at the conclusion of our investigations.

The Ombudsmen will not usually accept a complaint until it has fully completed the Council's process.

All complaints are managed and investigated in accordance with Ombudsman's Statutory Complaint Handling Code with effect from 1<sup>st</sup> April 2024.

Further information can be obtained directly from the relevant Ombudsman themselves:

- Local Government Ombudsman: [www.lgo.org.uk](http://www.lgo.org.uk) or telephone 0300 061 0614
- Housing Ombudsman: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk) or telephone 0300 111 3000

## 5. Unacceptable Behaviour during the process

### Aggressive or abusive behaviour

We understand that you may be frustrated about an issue you are reporting, particularly if the issue has escalated to the point where you feel it is necessary to make a complaint. It is, however, unacceptable if this frustration turns into aggressive or abusive behaviour towards our employees.

Verbal abuse, aggression and violence towards our employees is **not** tolerated. This can include behaviour or language (whether spoken, written or via social media) that makes employees feel offended, afraid, threatened or abused. For example, threats, personal abuse, offensive remarks, shouting or swearing.

Language that is racist, sexist, homophobic or that makes serious allegations that employees have committed criminal or corrupt conduct without evidence is unacceptable. Similar comments which are aimed at third parties are unacceptable because of the effect they may have on employees. We also consider inflammatory statements to be abusive behaviour.

### Other unreasonable behaviour and demands

We appreciate the concern you have raised is important to you and we will do our best to respond within the timescales given. It is however deemed unacceptable to bombard our employees with calls or other forms of contact especially when Officers have managed expectations around timescales. This is deemed as unreasonable levels of contact.

### Actions that may be taken due to such behaviour

Our staff do not have to tolerate unacceptable behaviour in any circumstances and should the behaviour continue following warnings given (face to face, by telephone, email etc), the line of communication will end. Should the behaviour continue take place, the decision to restrict contact will be carefully considered. The decision for restricted contact will be considered in line with the Equality Act 2010. There is a Right To Appeal this decision should it be applied within 10 working days.

## 6. Further information

For more information on Epping Forest District Council's Complaint Policy, please contact us;

**Website:** [www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk)

**Email:** [complaints@eppingforestdc.gov.uk](mailto:complaints@eppingforestdc.gov.uk)

**Phone:** 01992 564000

We review and assess our Complaint Policy and processes in line with Ombudsman's Complaint Handling Code. For further information, please visit their website [The Complaint Handling Code | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](http://The Complaint Handling Code | Housing Ombudsman Service (housing-ombudsman.org.uk))

For more information on The Local Government Ombudsman and the Housing Ombudsman, please contact;

- Local Government Ombudsman: [www.lgo.org.uk](http://www.lgo.org.uk) or telephone 0300 061 0614
- Housing Ombudsman: [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk) or telephone 0300 111 3000

We reserve the right to make amendments to this policy as necessary.