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# General Complaints Policy

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## Where does this Policy sit?

This is the starting point for dealing with customer complaints. Two further policies sit above it and apply where needed:

- Unreasonable Customer Behaviour and Persistent Complaints Policy – where a customer’s behaviour gives cause for concern.
- Zero Tolerance Policy – Protecting Employees and Councillors from Harm – where behaviour is aggressive or violent.

This Policy has been prepared in accordance with the Local Government and Social Care Ombudsman’s Complaint Handling Code (February 2024).



**Elmbridge**  
Borough Council

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## Introduction

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We aim to provide an excellent experience every time a customer uses our services, but occasionally things do go wrong. When that happens, we want the opportunity to put things right.

If a service falls below our expected standard, we will work with our customers and employees to understand why and to resolve matters as quickly as possible. Complaints, comments and compliments help us identify when we have done well and where we could do better. We look carefully at comments and complaints to see where we can improve, and we pass compliments to employees so that good work is recognised.

We see complaints as a core part of the service we provide, not as negative feedback. A complaint handled well strengthens the relationship between the Council and the people it serves.

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## Who can make a complaint?

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We accept complaints from residents, local businesses and visitors to the borough. We also accept complaints from people acting on behalf of someone else, such as councillors, members of parliament and other representatives.

A person does not have to use the word 'complaint' for us to treat a concern as one. If what someone tells us meets the definition below, we will treat it as a complaint and handle it accordingly.

We cannot investigate a complaint where responding would compromise data protection, without the explicit consent of the person the complaint concerns.

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## What is a complaint?

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A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council, its employees, or those acting on its behalf. It might be about:

- A failure to deliver a service.
- A delay in providing a service.
- The quality of a service.
- The behaviour of an employee.
- A failure to follow an agreed policy.

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## What is not a complaint under this Policy?

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Some matters are outside the scope of this General Complaints Policy. The Local Government and Social Care Ombudsman's Complaint Handling Code distinguishes between a service request and a complaint. Each is explained below.

### Service Requests

A request for a service – such as reporting noise nuisance or fly-tipping – is not a complaint. We will respond in accordance with our normal timescales for that service. However, if you are dissatisfied with how we have responded to a service request, that dissatisfaction can be raised as a complaint.

### Requests for Information

A request for information can be made through the [Council's Freedom of Information pages](#). If you request a review of our decision, we will tell you about the specific procedures that apply when we respond.

### Regulatory Decisions

Where there is a disagreement with the outcome of a process that has its own appeals mechanism – such as planning or licensing decisions – we cannot deal with this as a complaint. Each process has its own legal mechanism for resolving disputes. Where relevant, we will tell you about those routes.

## Policy Decisions

Disagreement with a Council policy decision is not a complaint under this Policy. If you wish to make representations about Council policy, please contact your local councillor or attend a public meeting of the relevant committee.

## Councillor Complaints

A complaint about the conduct of a councillor must be made to the Monitoring Officer. You can do this using our [online form for councillor conduct complaints](#) or by writing to the Monitoring Officer directly.

## Data Protection Complaints

Complaints about how the Council has used your personal data are dealt with under the [Council's Data Protection Complaints Policy](#), which took effect on 1 April 2026 in line with new requirements under the Data (Use and Access) Act 2025.

## Housing Complaints

The Council is required to maintain a separate complaints policy for people who are tenants in Council-provided homes. If you have a complaint about your Council tenancy, please use the [Housing Complaints Policy](#).

If you have a complaint about the way we have dealt with a homelessness application, this General Complaints Policy applies.

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## Time limit for making a complaint

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We will accept a complaint made within 12 months of the event or issue occurring, or within 12 months of the date on which you became aware of it. We will consider exercising discretion to accept complaints made outside this period where there is a good reason for the delay. If we decide not to accept a complaint, we will explain why and remind you of your right to take that decision to the Local Government and Social Care Ombudsman.

## How to make a complaint

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You can raise a complaint with any Council employee – in person, by telephone or in writing – and they will make sure it reaches the right team. You can also make a complaint directly by:

- Completing our [online complaint form](#).
- Writing to us at: Customer Operations, Elmbridge Borough Council, Civic Centre, High Street, Esher, KT10 9SD.
- Visiting us in person, where we will record your complaint for you.
- Calling [NUMBER] – a member of the Customer Operations team will complete a form with you over the phone.

We do not accept complaints by social media. It is too difficult to capture the necessary information and it is not appropriate for sensitive or confidential matters. If a complaint reaches us via social media, we will ask you to use one of the above methods.

All complaints are handled confidentially. We need your contact details as we cannot deal with anonymous complaints.

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## Accessibility and reasonable adjustments

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We want the complaints process to be accessible to everyone. We will make reasonable adjustments for individuals who need them under the Equality Act 2010, so that no one is disadvantaged in accessing our complaints process. If you need us to communicate with you in a different format, or need any other adjustment, please let us know when you make your complaint. We will keep any adjustments agreed under review.

You have the right to be represented by, or accompanied by, a suitable representative when making a complaint or attending any meeting with us in connection with a complaint.

## How we deal with complaints

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Many complaints can be resolved quickly by contacting the employee or team that provides the service. If that is not possible, the process below applies.

At each stage, please tell us what your complaint is about and what outcome you are looking for. The person dealing with your complaint will clarify with you any aspects they are unclear about, deal with the complaint on its merits with an open mind, and consider all relevant information carefully.

We aim to respond within the timeframes set out below. If a complaint is particularly complex, we will let you know and keep you updated.

### Stage 1 – Resolution

If you are not satisfied with the service you have received, you can make a Stage 1 complaint. Our aim is to resolve complaints at this stage as quickly as possible. Team leaders or specialists for the relevant service area will investigate and respond.

We will:

- Acknowledge your complaint within 2 working days of receiving it.
- Provide a full response within 10 working days of the date of acknowledgment.

If we need more time – for example because the complaint is particularly complex – we will let you know before the 10-day period expires. Any extension will be no more than a further 10 working days unless there is a good reason, which we will explain to you. When we notify you of an extension we will also give you the contact details of the Local Government and Social Care Ombudsman.

Our response will address all the points you have raised and provide clear reasons for any decisions, referencing relevant policy, law or good practice where appropriate.

Sometimes it is possible to resolve a complaint by speaking to you and agreeing actions. If we do this, we will follow up and confirm in writing. If you request a written response from the outset, we will provide one.

Where we identify additional complaints during Stage 1 that are related to the original complaint and we have not yet responded, we will incorporate them into the Stage 1 response. Where the Stage 1 response has already been provided, or the new issues are unrelated, we will log them as a new complaint.

## Stage 2 – Review

If you are not satisfied with the Stage 1 outcome, you can ask for a Stage 2 review within 28 days of receiving our response. You do not have to explain your reasons for requesting a review, but it will help us to deal with your case more quickly and effectively if you can tell us why the Stage 1 response was not acceptable and what you would like the Council to do. We will contact you when we acknowledge your Stage 2 request to make sure we understand your outstanding concerns and what outcome you are looking for.

The Stage 2 review will be carried out by a Head of Service or Director, who will not be the same person who handled your Stage 1 complaint. The review will focus on your continuing concerns, whether Stage 1 was conducted fairly and whether the conclusions reached were reasonable.

We will:

- Acknowledge your Stage 2 request within 2 working days of receiving it, setting out our understanding of the outstanding issues and the outcome you are seeking.
- Provide a full response within 20 working days of the date of acknowledgment.

If we need more time, we will let you know before the 20-day period expires. Any extension will be no more than a further 20 working days unless there is a good reason, which we will explain to you. When we notify you of an extension we will also give you the contact details of the relevant Ombudsman.

Stage 2 is the Council's final response. At the conclusion of Stage 2 we will write to you to confirm: the complaint stage; our understanding of the complaint; our decision; the reasons for that decision; details of any remedy we are offering; details of any outstanding actions; and how to escalate the matter to the Ombudsman if you remain dissatisfied.

## Ombudsman

We hope we can resolve any problem quickly and to your satisfaction. If you remain dissatisfied after Stage 2, you are entitled to approach the Local Government and Social Care Ombudsman or, where relevant, the Housing Ombudsman. We provide details of these processes in all Stage 2 letters. You can also find information about the Ombudsman and the Local Government and Social Care Ombudsman's Complaint Handling Code on the Ombudsman's website at [www.lgo.org.uk](http://www.lgo.org.uk).

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## How we respond to a complaint

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When we respond to your complaint, we will:

- Address all the issues raised.
- Explain the relevant policy, procedure or level of service.
- Set out what we have done to try to resolve the issue.
- Give a clear decision: upheld, not upheld, or partially upheld.
- Tell you what to do next if you are not satisfied with the outcome.

Where the service has not met our standards, we will:

- Apologise for the failure.
- Explain what went wrong.
- Say what has been done to put things right.
- Where appropriate, explain what we have learned from the complaint.

If we are at fault, we will do our best to put things right. Any remedy we offer will reflect the impact on you as a result of what went wrong. We will always follow through on any remedy we propose. If a proposed remedy cannot be delivered, we will tell you why, offer any available alternative, and remind you of your right to approach the Ombudsman.

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## Compensation

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The Council does not pay compensation as a routine response to complaints. Complaints are a normal part of life and the Council's priority is to fix what has gone wrong and to learn from mistakes, rather than to treat every inconvenience as grounds for a financial payment.

Where the Local Government and Social Care Ombudsman or the Housing Ombudsman finds fault and recommends a financial remedy, the Council will always comply with that recommendation.

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## How we learn from complaints

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As part of every Stage 1 investigation, team leaders review the process or practice involved and identify improvements. Changes and the action taken are recorded in the system.

At Stage 2, a Head of Service or Director reviews the Stage 1 response to consider whether escalation could have been prevented.

We encourage teams to take ownership of complaints, resolve them promptly and use them to improve services. Complaints and compliments are discussed at team meetings so that trends are addressed, good work is recognised and all employees know what action has been or needs to be taken.

At all stages we share what we have learned from complaints across the organisation. Our councillors are also encouraged to flag issues and work with us to resolve problems.

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## Reporting and oversight

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Complaints are reported quarterly to the Council Management Board. The report will cover:

- What the complaints were about.
- Any trends or issues identified.
- How learning has been shared across the organisation.
- What action was taken to prevent recurrence or improve service delivery.

Each year the Council will produce an annual complaints performance and service improvement report. This will include a self-assessment against the Local Government and Social Care Ombudsman's Complaint Handling Code, a qualitative and quantitative analysis of complaint handling performance, any findings of non-compliance with the Code, the service improvements made as a result of learning from complaints, the annual letter from the Ombudsman about the Council's performance, and any other relevant reports or publications from the Ombudsman. This report will be considered through the Council's governance arrangements and published on the Council's website alongside the response from those governance arrangements.

We publish on our website details of what has changed as a result of complaints. Significant issues will also be highlighted through other communications where appropriate.

The Head of Legal and Governance monitors complaints to identify any trends or issues that need to be escalated.

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## Councillor Responsible for Complaints

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The Council designates a Cabinet Member as the Councillor Responsible for Complaints. This reflects the requirement of the Local Government and Social Care Ombudsman’s Complaint Handling Code that a suitably senior elected member has oversight of complaint handling performance and governance.

The Councillor Responsible for Complaints will:

- Receive regular updates on complaint volumes, categories and outcomes, together with complaint handling performance data.
- Receive regular reviews of issues and trends arising from complaint handling.
- Receive the annual complaints performance and service improvement report.
- Have access to suitable information and employees to perform this role effectively and to report on their findings.

The name of the Councillor Responsible for Complaints is published on the [Council’s website](#).

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## Unreasonable complaint behaviour

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We know it can be frustrating when we do not meet your expectations. We will do everything we can to resolve your complaint and will always treat customers fairly and with respect. Most customers who contact us are polite and reasonable.

In return, we ask customers to:

- Treat our employees with respect.
- Not use abusive language or behaviour.
- Follow all reasonable requests we make in trying to resolve concerns.

Any restrictions placed on a customer’s contact with the Council due to unreasonable behaviour will be proportionate and will take into account the provisions of the Equality Act 2010. We will be able to explain the reasons for any restrictions and will keep them under regular review.

On the rare occasion when a customer’s behaviour makes it difficult for us to help, we may need to take action. For full details please refer to our:

- [Unreasonable Customer Behaviour and Persistent Complaints Policy](#)
- [Zero Tolerance Policy – Protecting Employees and Councillors from Harm](#)

**Review**

**This policy will be reviewed annually, or sooner in the event of a significant change in legislation, guidance from the Local Government and Social Care Ombudsman, or a significant restructure of the Council’s complaint handling arrangements. A self-assessment against the Local Government and Social Care Ombudsman’s Complaint Handling Code will be completed as part of each annual review.**

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Approved by Cabinet: March 2026 | Effective from: 1 April 2026