

Complaints Procedure

Lewes District Council
Eastbourne Borough Council
Eastbourne Homes Limited

Original Draft Date	28 July 2017
Reviewed	14 May 2021
Review Date	31 March 2023



We are committed to providing high quality services with our customers at the heart of everything we do. We do our best to make sure your contact with us is professional, courteous and goes beyond your expectations. However, we do accept that sometimes things can go wrong and at these times we need to listen to your views and put things back on the right track.

No matter what your experience we welcome the opportunity of receiving your views so we can learn and continually improve. Your views, both good and bad, are very important to us. Please use this booklet as a guide to help you through our complaints procedure.

We want to help resolve your issue as quickly as possible

Report a problem

We are sorry something has gone wrong; we would like to help put it right. If you need to report a problem to us, the quickest way is by visiting our [Report a Problem](#) page on our website; alternatively you can contact our customer contact team. Here is a list of things commonly reported to us that should be resolved without needing to use our formal Complaints Procedure:

- [Report a missed bin collection](#)
- [Request a repair or adaptations for a council property](#)
- [Report food premises or personal hygiene issue](#)
- [Report street cleanliness issues](#) such as fly tipping, litter, dog fouling, dead animals and vandalism
- [Report a planning breach](#)
- [Report a noise nuisance or anti social behaviour](#)

Appealing service outcomes/decisions

Sometimes we need to make decisions as a Local Authority that individual residents or businesses may not agree with. Ordinarily these should not be dealt with through the Complaints Procedure, but as appeals.

You can find out more information about appealing any of the following on our website or by contacting our customer contact team.

- [Housing Benefit decision](#)
- [Council Tax calculation](#)
- [Homeless Decision](#)
- [banding on the Housing Register](#)
- [Parking ticket](#)
- [Planning application decision](#)
- [Freedom of Information request](#)

Other things which do NOT need to go through our Complaints Procedure

Complaining about a Councillor

If you feel it is necessary to complain about the conduct of a Councillor there is a separate process for this which can be found on our [website](#); alternatively you can contact our customer contact team.

Feedback about a policy

Although we do our best to ensure our policies are robust and fair, you may want to feedback about them or suggest an amendment. The quickest way to do this is by visiting the [contact us page](#) on our website; alternatively you can contact our customer contact team.

How we manage your information or data

Lewes District Council, Eastbourne Borough Council and Eastbourne Homes Ltd may need to store and use data about you to properly deliver their services. However, you have the right to ask for:

- Incomplete or inaccurate data to be rectified,
- Personal data to be deleted (the right to be forgotten),
- The processing of your personal data to be restricted.

We do not consider these requests to be complaints, to find out more about making changes to how we manage your personal data visit the [Data Protection page](#) on our website; alternatively you can contact our customer contact team.

If you believe that we have not treated your Freedom of Information request fairly, are not using and/or storing your data in a proper manner or have not met our own standards for these and you have been through the relevant appeals procedure then you can ask the [Information Commissioner's Office](#) to review this and offer you further advice.

What can be investigated through our complaints procedure?

We can formally investigate complaints about the following:

- **Poor service standards**
If the quality of a service provided by Lewes District Council, Eastbourne Borough Council or Eastbourne Homes Ltd does not meet your expectations.
- **Repeated service failures**
When a service delivered by Lewes District Council, Eastbourne Borough Council or Eastbourne Homes Ltd has not done what it was expected to on more than one occasion.
- **Equality breaches**
If you believe that you have been discriminated against due to your age, disability, gender, marriage, civil partnership, pregnancy, maternity, race, religion or belief (including lack of belief), sex and sexual orientation.
- **Staff/contractor complaint**
If you find the behaviour of a person delivering a service for Lewes District Council, Eastbourne Borough Council or Eastbourne Homes Ltd to be offensive or otherwise unacceptable.

We cannot usually investigate if:

- You have left it more than 12 months since knowing about the problem
- The matter has not affected you personally or caused you an injustice
- The issue affects most people in the council's area
- You have, or had, a right to appeal or take legal action and we think it is reasonable for you to have done so

How to make a formal complaint

To request a formal investigation into any of the following; poor service standards, repeat service failures, equality breaches, poor conduct of a member of staff or contractor, please put your complaint in writing. We need the following information to investigate your complaint effectively.

*information we must have in order to investigate

- **First name***
- **Surname***
- **How you would like us to contact you***, by email or by post?
- **Telephone number**, this will help speed up the process if we need to contact you
- **Does your enquiry relate to Lewes district or Eastbourne borough?***
- **Are you a council tenant, council leaseholder or other?***
- **What do you think we did wrong?*** Please explain briefly what your complaint is about, including dates of any incidents and names of any officers or staff involved, if known
- **How has this affected you?*** Please explain briefly what impact the problems you've described above have had on you.
- **What do you think we should do to put things right?**

The easiest and quickest way to make a complaint is by using our online [complaints form](#).

Alternatively you can email us at customerfirst@lewes-eastbourne.gov.uk or you can send a letter to:

Complaints
Town Hall
Grove Road
Eastbourne
BN21 4UG

Complaints,
Southover House
Southover Road
Lewes
BN7 1AB

What to expect when making a formal complaint

Informal Stage

We would like to do all we can to try and resolve your complaint informally. At this informal stage, if you have provided a contact number, a member of staff will make contact with you via telephone. Where possible they will do their best to resolve the issue for you without having to go through our formal procedure.

If this has not been possible your complaint will go through to be investigated formally at Stage 1 of the Complaints Procedure.

Formal complaint - Stage 1

As mentioned above, if your complaint cannot be resolved at the Informal Stage, then your complaint will be allocated to a member of staff to investigate formally.

Within five days of having submitted a complaint either through the online form, e-mail or by letter you will receive an acknowledgement including:

- An apology for any inconvenience,
- Our understanding of the nature of your complaint,
- The name and contact details of the officer appointed to deal with your complaint,
- A deadline for when a decision will have been made (this will usually be within 10 working days of the original complaint, unless there are special circumstances).

When the investigation into your complaint has been completed you will be contacted again (usually within 10 working days of the original complaint, unless there are special circumstances) and be given:

- A clear statement about whether or not your complaint has been upheld,
- An explanation of the circumstances leading to the issue (if appropriate),
- An explanation of the action which has been taken/is being taken to ensure the same thing does not happen again (if appropriate),
- The offer of a remedy (if appropriate),
- Details about how to make a stage 2 complaint if you are dissatisfied with how we have conducted our investigation.

Formal complaint - Stage 2

If you are dissatisfied with how we have carried out the Stage 1 investigation you can request a second investigation at Stage 2 of our complaints procedure. This stage will require more information from you to explain why you are unhappy with the investigation we have carried out.

Within five days of having submitted a request for further investigation either by email or by letter you will receive an acknowledgement including:

- The name and contact details of the officer appointed to deal with your complaint,
- Our understanding of the reasons you are dissatisfied with our Stage 1 investigation and the nature of our complaint.
- A deadline for when a decision will have been made (this will usually be within 20 working days of the original complaint, unless there are special circumstances).

The investigating officer may need to contact you during the investigation to make sure they have a robust understanding of the investigation.

When the investigation into your complaint has been completed you will be contacted again (usually within 20 working days of the original complaint, unless there are special circumstances) and be given:

- A clear statement about whether or not your complaint has been upheld,
- An explanation of the circumstances leading to the issue (if appropriate),
- An explanation of the action which has been taken/is being taken to ensure the same thing does not happen again (if appropriate),
- The offer of a remedy (if appropriate),
- Details about how to make a complaint to the Local Government Ombudsman or the Housing Ombudsman if you disagree with the response.

Local Government and Housing Ombudsman

If you believe that we have not treated your complaint fairly or have not met our own standards for handling complaints and your complaint has been through both stages of our Complaints Procedure then you can ask the Local Government Ombudsman (LGO) or Housing Ombudsman (HO) to review your complaint and offer you further advice. This requires complainants to go through all stages of their Council's own procedure first, except in certain circumstances.

Housing Ombudsman

If your complaint is about the **Council as a landlord**, you can approach the Housing Ombudsman eight weeks after the Council has given you its final response to your complaint.

The HO website www.housing-ombudsman.org.uk explains how they can help you to resolve a complaint you have not previously been able to.

Alternatively, you may contact the HO on: 0300 1113000 for advice about your complaint; Email: info@housing-ombudsman.org.uk; or write to the Housing Ombudsman at: Housing Ombudsman Service, Exchange Tower, Harbour Exchange Square, London, E14 9GE.

Local Government Ombudsman

For all other complaints, you can approach the Local Government Ombudsman (LGO). They will look for maladministration which is something we have done wrong or failed to do that adversely affects you.

The LGO website www.lgo.org.uk explains how they can help you to resolve a complaint.

To contact the LGO visit their [website](#) or call the Intake Team on 0300 061 0614.