



Sheffield City Council

Corporate Complaint Handling Policy

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Sheffield City Council Corporate Complaint Handling Policy –

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Introduction

The purpose of Sheffield City Council's Complaints Policy is to ensure that complaints about our services are dealt with effectively, consistently, and fairly.

Through this Policy, our aim is to provide customers and Council employees with clarity over the way that complaints about Sheffield City Council's services will be dealt with.

We also aim to provide clarity over what types of problems raised by customers will and will not be dealt with through the Complaints Policy.

It is our intention that customers should be able to make a complaint in any way they choose, including through our website, by email, by telephone, in writing or in person.

In implementing the Complaints Policy, our commitment is to focus on solving the problems that customers raise with us.

All employees of Sheffield City Council will carry out our commitment to solving problems and responding positively to complaints.

Our general commitment to customer service, including good complaint handling, is set out in our Customer Experience Strategy. See: [Customer commitments | Sheffield City Council](#)

Sheffield City Council aims to adhere fully to the Local Government & Social Care Ombudsman and Housing Ombudsman's Complaint Handling Code, which acts as a guide for customers setting out what they can and should expect from an organisation when they make a complaint. The purpose of this Code is to enable organisations to resolve complaints raised by customers promptly, and to use the data and learning from complaints to drive service improvements. It also helps to create a positive complaint handling culture amongst staff and individuals.

See: [Complaint Handling Code - Local Government and Social Care Ombudsman](#) and [Complaint Handling Code | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](#)

As a result, this Policy provides a single policy for dealing with all complaints covered by the Code.

Note: This Code does not replace any existing statutory complaint processes such as The Children Act 1989 Representations Procedure (England) Regulations 2006 or Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

These existing statutory responsibilities remain with the Director of Children & Families and the Strategic Director of Adult's Care and Wellbeing. Section 9.4

1 Our approach

1.1 Sheffield City Council values our customers' views on the way we deliver our services. We are committed to using these views to improve our services. When a customer makes a complaint, their complaint will be handled through with the approach set out in this Policy. We will do this irrespective of where and how they make their complaint.

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

1.3 A customer does not have to use the word 'complaint' for it to be treated as such.

1.4 A complaint that is submitted via a third party (e.g. contractor) will still be handled in line with the Council's Complaints policy. Where a complaint response is handled by a third party (e.g. a contractor) or independent adjudicator at any stage, it should form part of the two stage complaints process set out in this policy. Complainants will not be expected to go through two complaints processes. See Section 12.

1.5 Complaints submitted via a third party or representative may also include an advocate, such as a friend, relative, or a representative from an external organisation

1.6 We recognise the difference between a service request/enquiry and a complaint:

- A **service request/enquiry** is a request from a customer to the organisation requiring action to be taken to put something right. A service request may be defined as, ***'a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision.'***
- This provides organisations with opportunities to resolve matters to a customer's satisfaction before they become a complaint.
- Service requests/enquiries are not complaints but may contain expressions of dissatisfaction. Organisations should have the opportunity to deal with a service request/enquiry before a complaint is made.

1.7 Whenever an individual/resident expresses dissatisfaction, we will provide the opportunity for them to raise a complaint.

1.8 A complaint will be raised when an individual expresses dissatisfaction with the response to their service request, even if the handling of the service request

remains ongoing. We will not stop our efforts to address the service request if the customer complains.

- **A complaint is not** a first request for a service. E.g.in order to raise a complaint about a hole in a roof, a service request for a repair to that roof, must have already been made.

1.9 We welcome feedback about our complaint handling policy and procedures, by means of a survey. Our survey requests will also provide details of how customers may complain so they may pursue any dissatisfaction if they so wish.

1.10 Our approach to dealing with complaints is based on the following principles:

- It should be **easy** for customers to make a complaint.
- We will not take a blanket approach to excluding complaints; we will consider the individual circumstances of each complaint.
- When a complaint is made, we will focus on early resolution and, wherever possible, **we will try to solve the complaint at point of contact or within five working days.**
- We want to know why a customer is unhappy, and what they feel we could do to **resolve their complaint.**
- When investigating a complaint, the person dealing with it will **make personal contact** with the complainant, wherever possible.
- We will aim to ensure that **individual needs are taken into account** when dealing with complaints, clarifying any aspects of the complaint they are unclear about.
- We will deal with complaints on their merits, act independently and have an open mind; **provide the complainant with a fair chance to set out their position** and take measures to address any actual or perceived conflicts of interest.
- We will consider all relevant information and evidence carefully.
- Our communication with the complainant will not identify individual members of staff or contractors, except in exceptional circumstances, as their actions are undertaken on behalf of the Council.
- Where a response to a complaint falls outside the timescales set out in this Policy, we will agree with the complainant suitable intervals for keeping them informed about their complaint.

- When responding, we will where appropriate, **thank the complainant, clearly explain what happened and what we will do, and will apologise and put in place remedies.**
- Our tone will be **open, responsive and avoid unnecessary formality.** Written correspondence will use Plain English.
- Customers who make a complaint will be **treated fairly** and will not be victimised or discriminated against either in the investigation or conclusion of their complaint, or in any service they receive or request.
- Dealing with complaints is the **responsibility of all Sheffield City Council employees.**
- We will **keep a record** of complaints raised by customers.
- We will **learn from complaints** so that we can improve our service.

2 Scope of the Policy

2.1 Complaints will usually be about the following:

- Problems caused by something we have done or not done.
- Dissatisfaction with the way the customer has been treated.
- Dissatisfaction with a decision or Council policies
- Dissatisfaction with the quality, quantity or timeliness of a service being provided.
- Dissatisfaction with the cost of services or charging mechanisms.

2.2 We will deal with most complaints about Sheffield City Council services through the approach set out in sections five and six of this Policy. This approach is our Corporate Complaints Procedure.

2.3 **Complaints about Council Housing Services will be dealt with through the Corporate Complaints Procedure.** However, if complainants are unable to resolve their complaint through our complaints procedure, they can refer it to the Housing Ombudsman Service.

2.4 There are specific statutory requirements on complaints about children's social care, adult social care, and public health. We will handle complaints about these services through separate Complaints Procedures that meet the statutory requirements. However, the principles in section two of this Policy will apply, wherever possible, to complaints about these services.

- 2.5** *Service requests/enquiries* raised by Members of Parliament or Councillors on behalf of customers are not normally dealt with through the Council's Complaints Policy. See 1.5 above.

Members of Parliament or Councillor **complaints** will follow the Council's Complaints Policy.

- 2.6** Complaints received by The Leader of the Council, Committee Members, the Chief Executive or Strategic Directors will be passed to the appropriate Council service, who will respond to the customer, keeping the Originator of the complaint, updated throughout the complaint process.
- 2.7** We will deal with anonymous complaints as far as possible and keep a record of the complaint.

Exclusions:

- 2.8** There are some things that we will not treat as a complaint, because there are other, more appropriate ways of dealing with them. These include situations when:
- The complaint is a first request for a service that can be acted upon and resolved, e.g., a first-time request for a repair to a streetlight that is not working.
 - The complaint is about something that the Council is not responsible for. In these instances, we will, when possible, direct the complainant to the organisation that deals with the issue. e.g. bus timetable failures.
 - There is an appeals process to deal with decisions. Examples of services where there is an appeals process include parking Penalty Charge Notices, planning applications, school admissions, special educational needs, rehousing, Housing Benefit and Council Tax Support, Council Tax, Business Rates, Discretionary Housing Payments, Council Tax Hardship Scheme, Blue Badges, and Child Travel Passes.
 - An issue is being raised by a Council employee about their employment. This is because Council employees have other ways to raise these.
 - The complaint is about the management of a school. These are dealt with by the Head Teacher or the school's Governing Body.
 - The complaint is about a voluntary or community organisation that receives Council funding, as this should be dealt with by the organisation itself, unless the complaint is about fraud, financial or other serious matters. In this case the Council will consider a complaint, but only if the organisation is in receipt of Council funding.

2.9 We may not be able to fully respond to a complaint until another procedure has been completed. This includes situations where:

- There are safeguarding adults or children procedures.
- There are disciplinary proceedings against employees.
- Police investigations and criminal proceedings are in process.

Legal proceedings, including insurance claims, are being pursued against the Council by the customer in relation to the complaint. See Section 13 re Complaints involving insurance issues or Council Housing disrepair claims.

If such situations occur, we will advise the complainant accordingly.

2.10 There are some complaints that we will not deal with through this Policy. This includes situations when:

- The same complaint is from the same customer, and it has already been investigated through all stages of the relevant Council complaints procedure. In this instance the customer should contact the relevant Ombudsman.
- The complaint is about something that the customer knew about **more than twelve months** before the complaint was made unless there are exceptional reasons for the delay.
- There are restrictions in place on how we will handle complaints through the application of the Unreasonable Complainant Behaviour Policy. See Section 14.

2.11 If Sheffield City Council decides not to accept a complaint, a detailed explanation will be provided to the customer setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the relevant Ombudsman. If the relevant Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the organisation to accept the complaint.

2.12 There are some complaints about the Council that are outside the scope of the Complaints Policy:

- Complaints about Freedom of Information, Data Protection and Environmental Information Regulations legislation are covered by a separate procedure. (See; [Freedom of information and environmental information requests | Sheffield City Council](#)) However, if the complaint about these issues forms a small part of a wider complaint, the complaint will be investigated through this policy.
- Complaints about the outcome of procurement and contract tendering processes will be dealt with through the Dispute Resolution Process.

- Complaints about the conduct of Councillors. The Audits & Standards Committee oversees the Members' Code of Conduct and is responsible for considering complaints about Councillor. See: [Complain about a councillor | Sheffield City Council](#)

2.13 Complaints about Council Officers including senior executives and Statutory Officers may be dealt with under Sheffield City Council's Officer's Code of Conduct. See [Code of conduct | Sheffield City Council](#)

2.14 We will not exclude complaints about safeguarding or health and safety issues.

3. Accessibility and awareness

3.1 We will make it easy for customers to complain by providing different channels through which they can make a complaint. We will consider our duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of customers who may need to access the complaints process. We will keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a complainant has disclosed. (see Section 6) Any agreed reasonable adjustments will be kept under active review. See also:

[Access for disabled people | Sheffield City Council](#)

[Equality and Human Rights | Guidance | Housing Ombudsman \(housing-ombudsman.org.uk\)](#)

3.2 Customers can raise their complaints in any way and with any member of staff. All our staff are aware of the complaints process and can pass details of the complaint to the appropriate person within the organisation.

3.3 We will ensure that our complaints policy is available in a clear and accessible format for all customers. This will detail the number of stages involved, what will happen at each stage, and the timeframes for responding.

3.4 The details of this policy will be published on the Council's website, including information about relevant Ombudsman schemes and the Joint Complaint Handling Code. See: [Complain about a council service | Sheffield City Council](#)

3.5 We will give customers the opportunity to have a suitable representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the organisation.

3.6 The Council will consider customers/resident requests to make its complaints policy available in an accessible format.

3.7 We will provide customers with information on their right to access the relevant Ombudsman service and how the customer can engage with the relevant Ombudsman about their complaint.

4. Complaint handling staff

4.1 Sheffield City Council has a standard objective in relation to complaint handling for all relevant employees or third parties (e.g. contractors) that reflects the need to:

- have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments.
- take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and
- act within the professional standards for engaging with complaints as set by any relevant professional body.

4.2 Sheffield City Council has designated Complaints Managers and a specific team – the Corporate Feedback & Complaints Team, assigned to take responsibility for complaint handling, including liaison with the relevant Ombudsman and ensuring complaints are reported to the governing body (or equivalent).

4.3 Our Complaints Managers have access to staff at all levels to facilitate the quick resolution of complaints and report on complaint handling performance. They also have the authority and autonomy to act to resolve disputes quickly and fairly.

4.4 Sheffield City Council prioritises complaint handling and promotes a culture of learning from complaints. All relevant staff are suitably trained in the importance of complaint handling.

5 Dealing with complaints

5.1 The Council has a single policy, a two-stage complaint process (see section 6 below) for dealing with complaints. Customers are not treated differently based on the service they are complaining about.

We will address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.

5.2 When a complaint is made, it must enter the complaint process at Stage 1 even if the complaint is not complex and may be resolved through early resolution.

Early resolution should not be viewed as a stage prior to Stage 1, rather as an approach to expedite the resolution process. Therefore, regardless of whether the complaint is responded to within or before the timescales outlined below, the

customer/resident should receive an acknowledgement letter within 5 working days of the complaint being received. The acknowledgment and Stage 1 response can be combined into one letter if sent within 5 working days, detailing the outcome of the investigation. If residents remain dissatisfied, they have the option to escalate the complaint.

5.3 If we are unable to resolve the complaint earlier, the Council will adhere to the full response times for addressing complaints as set out in the Code for Stage 1. See Section 6.

5.4 All complaints may be escalated through all stages of the complaints procedure unless there are valid reasons not to do so. These reasons must align with the exclusions permitted under Section 2 above.

5.5 A full record will be kept of the complaint, and the outcomes at each stage. This will include the original complaint, and the date received, all correspondence with the complainant, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.

5.6 Sheffield City Council has systems in place to ensure that a complaint can be remedied at any stage of its complaints process. Appropriate remedies can be provided at any stage of the complaints process without the need for escalation.

5.7 Sheffield City Council also has policies and procedures in place for managing unacceptable behaviour from customers and/or their representatives. We will always provide reasons for putting any restrictions in place and we will keep a customer's restrictions under regular review. See Section 14 below.

6. Complaints stages

6.1 Stage 1

6.1.1 All initial complaints received will be logged at Stage 1 of the Council's complaint policy.

6.1.2 All complainants will receive an acknowledgement letter within **5 working days of the complaint being received**. This is regardless of whether the landlord responds within the timescales outlined in the Code. Within the acknowledgment, we will set out:

- our understanding of the complaint and the outcomes the customer/resident is seeking
- which aspects the Council is and is not responsible for and
- if any aspect of the complaint is unclear, then we will seek clarification from the complainant.

6.1.3 We will aim to provide **a full written response to Stage 1 complaints within 10 working days of the complaint being acknowledged**.

6.1.4 We will consider whether an extension to this timescale is needed when considering the complexity of the complaint and will then inform the complainant of the expected timescales for response. However, **any extension will be no more than 10 working days without good reason, and the reason(s) will be clearly explained to the complainant.**

If we inform a complainant about an extension to these timescales, they will be provided with the contact details of the relevant Ombudsman.

6.1.5 Where complainants raise additional complaints during the investigation, these will be incorporated into the Stage 1 response if they are related, and the Stage 1 response has not been issued. Where the Stage 1 response has been issued, the new issues are unrelated to the issues already being investigated, or it would unreasonably delay the response, the complainant should be advised that new issues be logged as a new complaint.

6.1.6 Our written response will be provided to the complainant when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will still be tracked and actioned promptly with appropriate updates provided to the complainant.

6.1.7 Our written response will address in plain language, the complaint stage, the complaint definition (our understanding of the complaint and the outcomes the resident is seeking); all points raised in the complaint, the decision on the complaint, providing clear reasons for any decisions (referencing the relevant policy, law and good practice where appropriate), the details of any remedy offered to put things right, any outstanding actions. We will be clear which aspects of the complaint we are, and are not, responsible for and clarify any areas where this is not clear.

6.1.8 If we are unable to issue a full complaint response following the initial period and the extended timescales set out in the Code, we will contact the customer/resident to agree suitable intervals for being updated on the progress of the complaint.

6.1.9 At the conclusion of Stage 1 we will provide details of how to escalate the matter to Stage 2 if they are dissatisfied with the Stage 1(investigation) response.

If the complainant is not satisfied with the outcome of the investigation, they may request for a review of their complaint through an Investigation Review. This escalates the complaint to Stage 2 of the Council's complaints procedure.

6.2 Stage 2

6.2.1 If all or part of the complaint is not resolved to the complainant's satisfaction at Stage 1, the complaint will be progressed to Stage 2 of the Council's procedure. Stage 2 is the organisation's final response to the complaint. There is no further right to appeal to the Council following completion of the Investigation Review. If the

customer remains dissatisfied, they may take their complaint to the relevant Ombudsman or external body.

6.2.2 Where a request for a Stage 2 Investigation Review is requested, we would ask that complainants do this within the next 28 calendar days from the date of the Stage 1 response letter.

6.2.3 Requests for stage 2 will be acknowledged and logged at Stage 2 of the complaints procedure **within five working days of the escalation request being received**. This is regardless of whether the landlord responds within the timescales outlined in the Code. Within the acknowledgement, we will set out:

- our understanding of any outstanding issues and the outcomes the customer/resident is seeking.
- which aspects the Council is and is not responsible for and
- if any aspect of the complaint is unclear, we will seek clarification from the complainant.

6.2.4 Complainants are not required to explain their reasons for requesting a Stage 2 consideration. We will make reasonable efforts to understand why a complainant remains unhappy as part of its Stage 2 response.

6.2.5 Stage 2 considerations will be a review of the adequacy of the Stage 1 response, as well as any new and relevant information not previously considered.

6.2.6 The Council Officer considering the complaint at Stage 2 will not be the same person that considered the complaint at Stage 1 and should be a more senior Council Officer than the Officer who responded at Stage 1.

6.2.7 Our written response will be provided to the complainant when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions will still be tracked and actioned promptly with appropriate updates provided to the complainant.

6.2.8 Our written response will address in plain language, the complaint stage, the complaint definition (our understanding of the complaint and the outcomes the resident is seeking); all points raised in the complaint, the decision on the complaint, providing clear reasons for any decisions (referencing the relevant policy, law and good practice where appropriate), the details of any remedy offered to put things right, any outstanding actions. We will be clear which aspects of the complaint we are, and are not, responsible for and clarify any areas where this is not clear.

6.2.9 We will aim to provide **a full written response** to Stage 2 complaint investigation reviews, **within 20 working days of the complaint being acknowledged**.

6.2.10 We will consider whether an extension to this timescale is needed when considering the complexity of the complaint and will then inform the complainant of

the expected timescales for response. However, **any extension will be no more than 20 working days without good reason, and the reason(s) will be clearly explained to the complainant.**

If we inform a complainant about an extension to these timescales, they will be provided with the contact details of the relevant Ombudsman.

6.2.11 If we are unable to issue a full complaint response following the initial period and the extended timescales set out in the Code, we will contact the customer/resident to agree suitable intervals for being updated on the progress of the complaint.

6.2.12 At the conclusion of Stage 2 we will provide details of how to escalate the matter to the relevant Ombudsman if they are still dissatisfied with the Stage 2 (investigation review) response.

7. Putting things right and learning

7.1 Where something has gone wrong, we will acknowledge this and set out the actions we have already taken, or intend to take, to put things right. These can include:

- Apologising;
- Acknowledging where things have gone wrong;
- Providing an explanation, assistance or reasons;
- Taking action if there has been delay;
- Reconsidering or changing a decision;
- Amending a record or adding a correction or addendum;
- Providing a financial remedy;
- Changing policies, procedures or practices.

7.2 Any remedy offered will reflect the impact on the complainant as a result of any fault identified.

7.3 The remedy offer will clearly set out what will happen and by when, in agreement with the complainant where appropriate. Any remedy proposed will be followed through to completion.

7.4 Our approach to remedies will be consistent with the guidance issued by the relevant Ombudsman when deciding on appropriate remedies.

7.5 We aim to learn from complaints, so that we do not repeat the same problem. Our focus is on service improvement wherever possible.

8. Self-assessment, reporting and compliance

8.1 We will produce an annual complaints performance and service improvement report for scrutiny and challenge, which will include:

- a) an annual self-assessment against the **Housing Ombudsman's** Complaint Handling Code to ensure our complaint handling policy remains in line with its requirements.
- b) a qualitative and quantitative analysis of the Council's complaint handling performance. This will include a summary of the types of complaints the organisation has refused to accept;
- c) any findings of non-compliance with the Ombudsman's Complaints Complaint Handling Code;
- d) the service improvements made as a result of the learning from complaints;
- e) any annual report about the Council's performance from the relevant Ombudsman; and
- f) any other relevant reports or publications produced by the relevant Ombudsman in relation to the work of the Council.

8.2 The annual complaints performance and service improvement report will be reported to the Council's relevant governing body (or equivalent) and will be published on the on the section of our website relating to complaints. The governing body's response to the report will be published alongside this.

8.3 Sheffield City Council will also carry out a self-assessment following a significant restructure, merger and/or change in procedures.

9. Scrutiny & oversight: continuous learning and improvement

9.1 We will look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.

9.2 A positive complaint handling culture is integral to the effectiveness with which the Council resolve disputes. We will use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.

9.3 Accountability and transparency are also integral to our positive organisational culture. We will report back on wider learning and improvements from complaints to stakeholders, such as citizens' or residents' panels, staff and relevant committees.

9.4 The Council's **appointed senior executive to oversee its complaint handling performance** and is the **Director responsible for the oversight of the Council's Corporate Feedback & Complaints Team**. This Officer will be responsible for overall complaint performance reporting, assessing any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.

However, this role does not replace the responsibility and accountability of Directors to ensure that any outcomes/learnings/service improvements are implemented and reviewed periodically. This may include escalation and review by the appropriate policy committee as required.

Further, this role does not include the statutory responsibilities and the duty to report to the social care regulators of the Director of Children & Families and the Strategic Director of Adult's Care and Wellbeing.

9.5 In addition to this the **Deputy Leader of the Council** is the Lead Member for Customer Experience (which includes responsibility for complaints), whose role is to support a positive complaint handling culture.

9.6 The Strategy and Resources Policy Committee has lead responsibility for complaints, receiving regular information on complaints that provides insight on the organisation's complaint handling performance. This includes:

- Annual report
- Inclusion in the Council's quarterly outcomes performance framework.

9.7 As a minimum, the Strategy and Resources Policy Committee will receive:

- a) regular updates on the volume, categories, and outcomes of complaints, alongside complaint handling performance.
- b) regular reviews of issues and trends arising from complaint handling; and
- c) the annual complaints performance and service improvement report.

10 Data protection and consent policies

10.1 The Data Protection Act 2018 provides protection for personal information to ensure it remains private and confidential. The Council will ensure that the principles of the UK General Data Protection Regulations (UK GDPR) are adhered to. Any information provided for the purposes of investigating a complaint will be held securely. In order to investigate a complaint some personal data, such as name may be shared with other council services, but this is on a need-to-know basis only, as necessary.

10.2 In accordance with the Council's obligations under the Data Protection Act 2018, all personal information provided by complainants is only retained by the Council for as long as necessary. See: [Privacy notice | Sheffield City Council](#)

10.3 All personal data provided will only be used for the purpose of investigating the complaint.

10.4 Where appropriate, the Council will seek consent from the service user so it may correspond with any third party on their behalf. This ensures compliance with data protection and ensures the service user's wishes are being fulfilled.

11 Freedom of information

The Freedom of Information 2000 Act gives people the right to access information held by public authorities. The Council is committed to the principles of openness, transparency, and accountability in its activities. It supports the right of any person to seek information under the Act.

For further information, please see: [Freedom of information and environmental information requests | Sheffield City Council](#)

12 Third Party Complaint Handling

12.1 Legal and policy background

Councils frequently provide local public services by arrangement with a third-party partner, external commercial provider or third party (e.g. contractor). The law says the Ombudsman can treat the actions of third parties as if they were actions of the council, where any such third-party arrangements exist (Local Government Act 1974, section 25(6) to 25(8)). This means the Ombudsman will hold the council responsible for third party actions, including complaint handling, where services are being provided on behalf of the Council.

The Council has standard clauses in its contracts requiring providers to operate a well-publicised and accessible complaints policy which is reflective of the Council's Complaints policy and provides for early contact, transparency, timely resolution, and for review where appropriate.

Providers are required to fully cooperate with complaint investigations, including any Ombudsman investigations and provide information and/or remedy in a timely manner.

Complaints submitted via a third party or representative may include an advocate, such as a friend, relative, or a representative from an external organisation

12.2 Handling complaints

Where the council agrees that third parties will respond to complaints on our behalf, there are appropriate arrangements in place to oversee, agree and quality check those responses. The Ombudsman will regard a response from the council's partner/third party (e.g. contractor) as that of the council.

Complaints about service or funding levels and policy will generally be addressed by the council, not a third party (e.g. contractor).

If someone has completed a partner's/ provider complaints process, we would not expect them to then go through the council's complaint process.

A council is responsible for a partner's/third party (e.g. contractor's) action, including complaint handling. The council wish to know about complaints to the third party. This is to monitor the contract or agreement and so it can suggest ways to resolve complaints where appropriate.

12.3 Joint complaint handling

- Where a complaint is about a Council service and another organisation, such as the NHS, the service will aim to work with that organisation to **provide a single joint response**.
- In these cases, the Accountable Manager of the Council service will need to agree with the manager of the other organisation which organisation will lead the investigation.
- When the Council is leading the investigation, it will be carried out in the same way as any other Investigation at the Investigation stage.
- Before the response is sent, it will need to be approved by the Accountable Manager of the Council service and the lead manager of the other organisation.

13 Complaints involving insurance issues or Council Housing disrepair claims

There will always be some matters of Housing disrepair that will be more complex and difficult to resolve than others. Housing Disrepair claims are not insured claims as they are contractual. Residents may consider resorting to legal claims to get these issues resolved.

Legal action can be stressful, costly, and time-consuming for residents and, for landlords, it can divert much needed funds away from investment programmes. It is, therefore, particularly important that these cases are handled with care to maintain the relationship between the resident and the landlord and to minimise the risk of them becoming protracted and contentious.

Sheffield City Council will only deal with *insurance claims* in relation to damage to property and personal injury, which may occur from housing repair issues. However, in some instances compensation payments may be considered appropriate and these will be dealt with through relevant policies and procedures.

Complainants are able to raise a formal complaint even if an insurance claim is also being made, particularly if a complainant has raised additional issues other than a request to be compensated for damaged belongings or damage to their health.

As a result, customers may have both a legal claim and a complaint running at the same time. To effectively manage these cases, Sheffield City Council will ensure that we are equipped to identify cases at risk of becoming legal issues at an early stage and have appropriate strategies in place to progress them accordingly.

Our processes have continuing emphasis on ensuring that the resident: is kept informed; feels that the landlord is taking the issue seriously; and is assured that the matter is progressing.

We will also be committed to inspect properties as soon as a claim is raised and to completing the repairs needed as soon as is practicable.

For further information see:

<https://www.housing-ombudsman.org.uk/wp-content/uploads/2020/11/Guidance-on-Insurance.pdf>

<https://www.housing-ombudsman.org.uk/landlords-info/guidance-notes/guidance-on-pre-action-protocol-for-housing-conditions-claims-and-service-complaints/>

14 Unreasonable Behaviour from Complainants

14.1 There are a small number of customers who, because of their behaviour and/or the frequency or nature of their contacts with the Council, hinder our consideration of their complaint.

14.2 We refer to such behaviour as 'unreasonable' complainant behaviour.

14.3 In these circumstances we will consider invoking sanctions through the Council's Unreasonable Complainant Behaviour Policy.

- See: [Guidance on managing unreasonable complainant behaviour - Local Government and Social Care Ombudsman](#)

14.4 Examples of the behaviours which may cause the policy to be invoked are:

- Constantly changing the basis of the complaint
- Introducing trivial or irrelevant new information

- Adopting a 'scattergun' approach
- Making unnecessarily excessive demands on the time and resources of staff
- Submitting repeat complaints
- Use of discriminatory and/or offensive language/views

14.5 Any restrictions placed on an individual's contact due to unacceptable behaviour will be proportionate and demonstrate regard for the provisions of the Equality Act 2010.

15 How to Contact Us

If you would like to make a suggestion, compliment or complaint, you can contact us directly, or complete an on-line feedback form by visiting Sheffield City Council website or by following this link: [Contact us | Sheffield City Council](#)

If you would like further information about the Complaints Policy, please contact the Council's Corporate Feedback & Complaints Team at:

Telephone 0114 273 4567

Write to: Customer Services, Corporate Feedback & Complaints Team,

Sheffield City Council, 1 Union Street, Howden House
Sheffield S1 2SH