

## Corporate Representations Procedure

This document explains the general standards we use when handling corporate complaints, comments and compliments (it is different to how we handle Adults Statutory or Children’s Social Care Statutory complaints).

### Purpose of this Procedure

Worcestershire County Council uses its corporate representations process to make sure we:

- Respond properly and consistently to feedback about our services
- Are accountable for the quality of services delivered by us or by our contractors
- Learn from feedback and improve how we provide services in future
- Recognise outstanding service when it is highlighted by the public

This public version is based on our internal procedure, the Local Government and Social Care Ombudsman’s Complaint Handling Code, and other statutory guidance.

### Who This Procedure Applies To (Scope)

This procedure covers formal feedback—complaints, comments or compliments—made by, or on behalf of, people who directly use Worcestershire County Council services.

However, some matters fall under other processes. For example:

- Adults’ and Children’s Social Care statutory complaints have separate procedures
- Certain issues (e.g., information requests, councillor conduct, legal proceedings, internal employee issues) must follow specialist routes
- Where an organisation has a formal liaison route with the council, that route must be fully used before the representations process can be accepted.

## What Is a Service Request (and Why It Isn't a Complaint)?

A service request is when you ask us to:

- Provide or improve a service
- Fix a problem
- Reconsider a decision

Service requests focus on what needs to happen *next*, not on investigating past actions. They may contain dissatisfaction, but they are not complaints unless they say the council has already:

- failed to do something it should have done, or
- done something it should not have done

## Definitions of Representations

### Complaints

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions, or lack of action by the organisation or those acting for it.

When you make a complaint, we will:

- record it
- identify and act on any service request included within it
- make reasonable adjustments if you have communication needs
- acknowledge it
- investigate and respond
- keep a record of findings and lessons learned

### Comments

A comment is feedback written with an expectation of a response but without alleging a past failing affecting a specific service user.

### Compliments

A compliment expresses satisfaction with a service, identifies good practice, or recognises staff or contractor behaviour.

## How to Submit Your Feedback

You can make a complaint, comment or compliment in any of the following ways:

- By email
- By phone
- By letter
- Using online or paper forms

If you contact us another way, we will make best efforts to route your comments into our feedback system.

We will always take any communication needs you have into account.

## Timescales

### Complaints

#### *Time limits*

Complaints about issues more than 12 months old are normally outside scope, unless you could not reasonably have complained sooner.

#### *Response times*

We follow Ombudsman-aligned standards:

- Stage 1 acknowledged within 5 working days
- Stage 1 response within 10 working days of acknowledgement
- Stage 2 request acknowledged within 5 working days
- Stage 2 response within 20 working days of acknowledgement

If a complaint needs extra time due to complexity, we will explain why and provide a revised timeframe.

### Comments and Compliments

- Acknowledgement within 5 working days
- Comments responded to within 20 working days

## Complaints Made on Behalf of Another Person

You can complain on someone else's behalf, but we must ensure the service user agrees or that you have the legal authority to represent them.

### When We Need Consent

#### *Adults (18 or over) with capacity*

We will seek:

- Their signed permission naming you, or
- A previously held consent form (dated within six months and not withdrawn)

#### *Children under 18 where you do not have parental responsibility*

We will seek:

- Signed consent from someone with parental responsibility, or
- A valid consent form from a previous complaint (within six months)

#### *Where you have legal authority*

If you have legal authority (e.g., power of attorney), we will ask for evidence.

### When We Do Not Need Consent

Consent is not required where:

- you have parental responsibility for a child under 18
- a child under 18 makes their own complaint (we ensure they understand confidentiality limits)
- responding to you is clearly in the service user's best interests, even if we cannot prove full consent

## When a Complaint May Be Outside This Procedure

Some issues cannot be handled under this process because they follow other legal or formal routes. If your complaint is outside scope, we will explain why and signpost you to the correct process.

Reasons include:

- Another statutory or specialist process applies, such as
  - Adults' or Children's Social Care
  - Councillor conduct
  - information requests
  - legal proceedings
- The issue is not actually a complaint, but may instead be a
  - Service request
  - Comment
  - Compliment
  - Follow-up to a service request still within reasonable timescales
- It does not relate to a County Council responsibility
- The complaint has already been fully investigated
- Another formal appeal route exists, e.g. school admissions, EHCP content, school transport.
- The issue is an employment or contractual matter
- It is an insurance or liability claim
- The complaint is vexatious
- Safeguarding processes take priority
- The complaint seeks personal staff data

## Stage 1 Corporate Complaint Investigation

Stage 1 is our first formal investigation into your complaint.

### Who investigates

A Council officer or contractor who:

- Was not directly involved in the events raised
- Is suitably independent

### What the investigator does

They will:

- Identify your complaint points
- Seek clarification if needed
- Review information held in our systems
- Consider what happened, the impact, and what can be done to put things right
- Try to resolve matters quickly where possible

### What you receive

A Stage 1 response including:

- Each complaint point
- A finding for each
- An overall finding
- Information about how to request a Stage 2 review

## Stage 2 Corporate Complaint Process

If you remain dissatisfied, you may request a Stage 2 review.

### Requesting Stage 2

- Requests should be made within 20 working days of the Stage 1 response.
- Requests outside this window may still be considered.
- Requests more than six months later are unlikely to be accepted.

### What we decide at Stage 2

We may:

- Investigate the whole complaint
- Investigate specific points
- Decline further investigation (with reasons)

### When Stage 2 *will* proceed

When you:

- Identify specific and evidenced faults in the Stage 1 investigation
- Show the Stage 1 remedy is insufficient
- Provide new information
- Provide credible evidence of unfairness

### When Stage 2 may not proceed

If:

- Your dissatisfaction is based only on difference of opinion
- New issues are raised
- No specific Stage 1 faults are identified
- Further investigation is unlikely to change the outcome
- The escalation is vexatious

A Stage 2 response is the council's final one on your complaint. If dissatisfied after Stage 2 you may contact the Local Government and Social Care Ombudsman.

## Stage 2 Council Officer Investigation

This is the default Stage 2 method.

### *Who investigates*

Someone who:

- Works for the Council or the relevant contractor
- Was not directly involved in the issue
- Did not carry out Stage 1

### *What they do*

- Confirm the complaint points being reviewed
- Seek more information if needed
- Review evidence

### *What you receive*

A response containing:

- Each escalated point
- Reason it was accepted
- A finding
- Whether that finding differs from Stage 1
- An overall finding
- Ombudsman information

## Stage 2 Independent Investigating Officer Route

This method is used only in highly exceptional cases. It cannot be invoked at the request of the customer but is only used when in the view of the council there is no council officer who could demonstrate adequate impartiality in an internal investigation, or where there is a need for in-depth and dedicated investigation that cannot reasonably be undertaken by a council officer.

### *Who investigates*

An independent officer who:

- Is not a Council employee
- Is not related to any involved staff
- Was not part of Stage 1

### *What the Independent Investigator does*

- Clarify complaint points
- Gather information
- Write a detailed investigation report
- Make findings and recommendations

### *How the council reacts*

A senior manager (who is not the investigator) reads the investigation report, and as adjudicating officer responds to it on behalf of the council, reacting to its findings and recommendations.

They will:

- Confirm which findings we accept
- Set out remedies and/or next steps, where relevant
- Provide Ombudsman information

## How We Make Findings on Each Complaint Point

For every issue raised we consider:

- Whether it is in scope
- Whether the council or its contractor acted as it should have
- Whether statutory duties, published standards, best practice, or reasonable expectations apply
- Whether those standards were met
- Whether external circumstances affected the situation

### *What different findings mean*

- Upheld — we were at fault
- Not upheld — we were not at fault
- Partially upheld — some fault or mixed circumstances
- No finding — we cannot determine because it is outside our remit, or we cannot determine from the evidence

### *Reaching overall complaint findings*

- Upheld – if half or more of the points are upheld.
- Partially upheld – if there is a mix of outcomes.
- Not upheld – if no points are upheld or partially upheld
- No finding – when all points are outside scope, or the whole complaint cannot be determined from the evidence

### *Remedies and Lessons Learned*

Where fault is found, remedies may include:

- Actions to put things right
- Apologies
- Staff feedback
- Financial remedies in line with Local Government and Social Care guidance
- We also consider wider “lessons learned”, such as:
- Process improvements
- Staff training
- Service changes

## Comments

Comments include:

- Suggestions for new or improved services
- Concerns about general policies
- Observations about services for the benefit of others

We will record, acknowledge, and respond to comments.

## Compliments

We record compliments and share them with staff or teams mentioned.

## Vexatious Representations

If behaviour meets our vexatious criteria, we will handle it under our separate Vexatious Complaints Policy.

## Anonymous Representations

We may act on anonymous complaints, but:

- We cannot acknowledge them or update the complainant
- Investigation may be limited due to missing information