

Comments, Compliments and Corporate Complaints Policy

This policy is intended to be read electronically and has hyperlinks to other supporting information on the Council website.

**If you require a hard copy of the policy, with a printout of the link addresses, please contact the Council:
Tel. 0300 123 8123
email: enquiries@cheshirewestandchester.gov.uk**

Contents:

Corporate Complaints Policy

1. [Introduction](#)
2. [Objectives](#)
3. [Principles](#)
4. [What you can expect from the Council –Customer Commitment](#)
 - 4.1. [Reasonable adjustments](#)
5. [Contacting the Council](#)
 - 5.1. [Service Requests](#)
 - 5.2. [Comments](#)
 - 5.3. [Compliments](#)
 - 5.4. [Complaints](#)
6. [What the Council expects from Customers](#)
7. [Customer Assistance in raising a complaint](#)
8. [Complaint Representatives or Advocates](#)
 - 8.1. [Consent](#)
 - 8.2. [Advocacy](#)
9. [Timescales and Process](#)
 - 9.1. [Request for independent investigations](#)
10. [Circumstances in which a matter might not be considered or escalated](#)
11. [Putting Things Right](#)
12. [Rights to Appeal](#)
13. [Related Documents](#)

1. Introduction

Cheshire West and Chester Comments, Compliments and Corporate Complaints Policy sets out how it will deal with all customer feedback. The Council welcomes any kind of feedback to help it monitor and improve the quality of services to its customers.

This policy reflects the advice and guidance set out in the Local Government and Social Care Ombudsman's [Complaint Handling Code](#).

2. Objectives

The policy is intended to:

- acknowledge the importance of customer feedback in helping to shape future service delivery and continuously improve the quality of Council services
- provide a clear route for customers to raise concerns about the service they have received from (or on behalf of) the Council
- ensure that eligible complaints are dealt with fairly, promptly and sensitively and in line with the Council's [Customer Commitment](#)
- ensure that the Council has delivered services in line with its statutory requirements, relevant legislation, national and corporate policies, and any good practice guidance
- ensure that customers know what other options are available to them when the Council cannot deal with their complaint
- ensure that the Council learns from its mistakes and reduces repeat occurrences
- Deliver an effective complaints procedure in line with best practice guidance from the Local Government and Social Care Ombudsman.

3. Principles

The Council's published [Customer Commitment](#) explains what customers can expect in their day to day contact with the Council, whether online, face to face, on the telephone or in writing. Individual service areas may also publish their own service level agreements dependent on statutory requirements, local policies and/or priorities.

4. What you can expect from the Council

A professional and courteous service as set out in our [Customer Commitment](#) and individual service level agreements, and achieving a high level of customer satisfaction. The Council is committed to providing a fair service to all members of the public regardless of their age, culture, disability, economic status, sex, race (including colour, nationality and ethnic origin), marital status, religion or belief, gender identity or sexual orientation.

The Council has a duty of care towards all its customers. Where officers have concerns for the welfare and well-being of customers because of their comments or behaviour, officers will seek advice from the Council's Safeguarding teams about how to ensure that the customer is supported. This may involve the customer being contacted by the Council's Safeguarding team or the Police if serious concerns are raised. More

information about how we will use customer information can be found in our [Privacy Notice](#).

4.1 Reasonable Adjustments

We are committed to ensuring that all customers can access our services fairly and without disadvantage. Under the Equality Act 2010, we have a legal duty to make *reasonable adjustments* for customers who have a disability, or who may otherwise face barriers when raising a complaint.

Reasonable adjustments are changes or accommodations that help remove or reduce those barriers. These may include, but are not limited to:

- Providing information in alternative formats (such as large print, easy-read, or audio).
- Allowing a representative to act on the customer's behalf.
- Offering additional time to respond or provide information.
- Communicating through the customer's preferred method, such as email, telephone, or written correspondence.
- Arranging support for customers who may need assistance to explain their complaint.

We encourage customers to tell us about any specific needs they have so that we can make the appropriate adjustments. Our aim is to handle every complaint fairly, respectfully, and inclusively, ensuring that no customer is disadvantaged in accessing our complaints process.

5. Contacting the Council

There are various ways to contact the Council to provide feedback.

5.1. Service Requests

A service request is: 'a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision'. The Council should have the opportunity to deal with a service request before a complaint is raised.

If a customer has never reported the issue before then it is most likely to be a service request that can be reported online via [Report It](#).

5.2. Comments

If a customer wishes to comment on a decision or action taken by the Council, they can raise a [Comment](#). This can include sharing your feedback on Council policies.

5.3. Compliments

If a customer wishes to highlight something that the Council, or an individual officer, has done well, they can raise a [Compliment](#).

5.4. Complaints

The Council accepts the Local Government and Social Care Ombudsman's ([LGSCO](#)) definition of a complaint:

“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 or group of individuals.”

A complaint may be raised when the individual expresses dissatisfaction with the handling or response to their service request, for example, if something was previously reported but was not acted upon within the expected timeframe or to the expected standard. A complaint may be raised when the customer expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Each complaint will be considered on its own merits.

Complaints can be raised online by creating an online account at: [Online Account](#) and submitting the complaint online via: [Complaint Form](#).

Where the Council's 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 the Ombudsman's Code. Individuals should not be expected to go through two complaints processes. The Council will ensure that any third parties handle complaints in line with the Code.

6. What the Council expects from Customers

The Council is committed to putting things right as soon as possible and to resolving any personal injustice to the customer. That is why the focus of the Council's complaint handling is on 'local resolution'. This is a commitment by each of our services to be accountable for its actions and to resolve complaints satisfactorily and as early as possible.

To enable prompt resolution, we ask customers to provide their contact details in order for an officer to call, contact or visit them within 5 days of raising their complaint, with a view to resolving it informally. If that is not possible then the customer will be advised of what they can do next, including proceed with a formal investigation and written response.

7. Customer Assistance in raising a complaint

Assistance can be provided to customers on accessing the Council, e.g. for setting up an online account through which to raise service requests and enquiries, or submitting their complaint via a different route, by contacting the Council's Contact Centre:

- a. Via Telephone to the Council's Contact Centre:** dial 03001238123 and ask to make a comment, compliment or complaint.
- b. By email to:** enquiries@cheshirewestandchester.gov.uk
- c. In Person:** visit a Resident Assistance Point and log your complaint using a publicly accessible PC, or ask to make a comment, compliment or complaint. Details on locations and opening times of customer service centres can be found via: [Resident Assistance Point](#)

- d. **Requesting Council Information in another format:** the Council has arrangements in place to help people who may have difficulty accessing its services. It can help with translation, interpretation and provide information in a variety of formats such as large print, Braille, and audio. [Other formats](#)
- e. All complaints will be expected to follow the Council's two-stage corporate complaints process and then be signposted to the Local Government and Social Care Ombudsman.
- f. Where Complaints are received by direct email to officers, including senior officers and the Chief Executive the Council will ask you to log it under the complaints policy, or advise you that they have done this. No complaints will be considered by officers, senior leaders or the Chief Executive outside of the complaints process.
- g. If there has been extensive or continued dialogue with officers prior to a complaint submission, a Customer Team manager will use their discretion to decide whether it is appropriate to accept the complaint at stage 1 or 2, or to refuse the complaint in full on the basis that the complaint has been answered via an alternative path (through extensive dialogue). Full reasons will be provided for any refusal and the customer will be advised of their right to take their complaint to the Local Government and Social Care Ombudsman.

8. Complainant Representatives or Advocates

8.1. Consent

A Council customer may prefer someone to raise their complaint on their behalf. This can be informally, via a friend or family member, or more formally by using the services of an Advocate. If they choose either of these options, the Council will require their consent in writing for that person to act on their behalf before it can share any information about their complaint with their representative.

Where correspondence is received from elected representatives, including a local MP or ward Councillor, it is the MP or Councillor's responsibility to inform constituents when and what information will be shared with the Council about their complaint. Where sensitive information is concerned, the Council reserves the right to seek a customer's direct consent before responding.

Complaints from adults on behalf of children aged 13 or above will be reviewed and, where appropriate, advice taken from officers who may have worked with the child. If the child is deemed to have the capacity to raise the complaint themselves, or has not provided their consent, the complaint from the adult may be refused and the child or young person invited to raise the complaint themselves.

Any concerns about consent, or the capacity of an individual to give consent, will be referred to the Council's Data Protection Officer for advice. That advice will be recorded against the complaint case reference and the customer advised about whether the complaint will be progressed or refused depending on the advice received.

8.2. Advocacy

Citizens Advice may provide relevant advice and support: www.citizensadvice.org.uk

In some circumstances Adults requiring support can contact the Access West team for further information about advocacy support: [Access West Team](#).

Children requiring support to make a complaint can contact the Children’s Society:

Contact details

- Referral email: cheshirecr@childrenssociety.org.uk
- General enquiries number: 0161 763 2170
- For further information on the Children’s Society, visit: [The Children’s Society](#)

9. Timescales and Process

In line with the Local Government and Social Care Ombudsman’s [Complaint Handling Code](#), the Council will accept complaints referred to them within 12 months of the issue occurring, or the individual becoming aware of the issue. However, we may consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.

Once a complaint has been accepted the Council will acknowledge it to the customer, providing a reference number. The Council will respond within the following timescales:

Complaints Procedure Stage	Timescales	Who will deal with it
Stage 1	<ul style="list-style-type: none"> • Acknowledgement of complaint receipt: Complaints received online will receive an automatic email/message to confirm that your complaint has been successfully submitted. We will send you a further acknowledgment within 5 working days to confirm we are dealing with your complaint. • Triage: A telephone call/site visit or email to customer, where appropriate: Within 5 working days of the complaint being received to attempt to resolve the complaint or identify how best to deal with the contact. Customers who are satisfied with the handling of their complaint at this stage will be advised of the outcome of this ‘triage’ in writing and provided with details of how to escalate the complaint if they remain unhappy. The complaint will be closed with one of the following outcomes: <ul style="list-style-type: none"> • Alternative Path • Withdrawn by Customer • Logged on Confirm - Service Request • Routine Business – Early Intervention 	<p>At stage1 a team leader or manager within the service complained about will usually respond to the complaint.</p> <p>Where there has already been extensive dialogue with the team leader or manager then, at the service’s discretion another manager may respond to it.</p> <p>Where the complaint crosses several services, the service which has the most complaint issues raised by the</p>

Complaints Procedure Stage	Timescales	Who will deal with it
	<ul style="list-style-type: none"> • Routine Business - Request for Service • Formal response by service area(s): Where the customer is not satisfied with the outcome following the triage contact their complaint will continue as a formal complaint. Customers can submit additional complaints <u>related to</u> their stage 1 until the stage 1 response is issued. Formal complaints will receive a written response within 10 working days of the complaint being acknowledged. • If the complaint is considered complex, we reserve the right to extend the deadline for answering this complaint by up to a further 10 working days from the original deadline. If we need longer than this, we will provide good reason for doing so. • Complainants will be kept fully informed of the expected timescale for a response and provided with details of the Local Government and Social Care Ombudsman. • The final response at stage 1 will provide details of how to escalate the matter to stage 2. If the complainant is not satisfied with the response. • Once the complaint response has been issued the Council will answer requests for clarification of the response, but any new issues raised will be logged as a new complaint. 	customer will usually respond.
Stage 2	<ul style="list-style-type: none"> • We generally expect individuals to ask to escalate complaints to stage 2 of the complaint process within 20 working days of receiving our stage 1 response. However, we understand that this is not always possible and that individuals may want to give us an opportunity to resolve matters before escalating their complaint further. Therefore, we will generally accept requests to escalate complaints to stage 2 which are made within six months of receiving our stage 1 response. • It is important that you escalate your complaint as soon as possible if you remain unhappy with our response. It can be challenging for us to properly consider complaints as more time 	The person considering the complaint at stage 2 will not be the same person that considered the complaint at stage 1.

Complaints Procedure Stage	Timescales	Who will deal with it
	<p>passes between the issue you are complaining about and our consideration of your complaint. This is because it may be difficult to obtain relevant evidence and people involved may not be able to accurately recollect what happened.</p> <ul style="list-style-type: none"> • A Customer Team manager will exercise discretion to accept any requests outside of this timescale, if there are good reasons for the individual not escalating their complaint sooner. Otherwise, the complainant will be signposted to the Local Government and Social Care Ombudsman. • A request for stage 2 will be acknowledged and logged at stage 2 within 5 working days of the escalation request being received. The acknowledgment will set out our understanding of any outstanding issues and the outcomes the complainant is seeking. Where we consider any aspect of the complaint is unclear, we will request clarification. • We will issue a final response to the stage 2 within 20 working days of the complaint being acknowledged. <p>If the complaint is considered complex, we reserve the right to extend the deadline for answering this complaint by up to a further 20 working days from the original deadline. If we need longer than this, we will provide good reason for doing so.</p> <p>Complainants will be kept fully informed of the expected timescale for a response and provided with details of the Local Government and Social Care Ombudsman.</p> <p>The final response at stage 2 will confirm:</p> <ul style="list-style-type: none"> • the complaint stage; • the organisation’s understanding of the complaint; • the decision on the complaint; • the reasons for any decisions made; • the details of any remedy offered to put things right; • details of any outstanding actions; and • details of how to escalate the matter to the Local Government and Social Care 	

Complaints Procedure Stage	Timescales	Who will deal with it
	Ombudsman if the individual remains dissatisfied.	

9.1. Request for independent investigations

Where an independent investigation is requested by the complainant the Council will, wherever possible, seek for the complaint to be investigated and responded to from a service independent of the complaint issue. If this is not possible then the customer will be given the option to progress the complaint within the service responsible as per our usual procedure. They will also be signposted to the Local Government and Social Care Ombudsman. Complaints will be held in suspense for 20 working days to give the customer time to decide and, if no decision is made, the complaint will be closed as 'withdrawn by customer'.

10. Circumstances in which a matter might not be considered or escalated

Not all complaints submitted to the Council may be dealt with under this policy because the customer may have a more appropriate 'alternative path' to pursue their complaint. A list of the circumstances in which a matter might not be considered or escalated is provided below. This is not an exhaustive list, and the individual circumstances of each complaint will be considered before a decision is made. Council staff will assist customers in following the correct route for their complaint. If we decide not to accept your complaint we will provide you with an explanation why the matter is not suitable for the corporate complaints process, and details of your right to take that decision to the Ombudsman.

Circumstances in which a matter might not be considered or escalated	
a.	Initial reporting of faults or requests for a service. The Council should have the opportunity to deal with a service request before a complaint is raised. Customers should raise initial service requests via: Report it Cheshire West and Chester Council
b.	Complaints about planning application decisions. The applicant of any type of planning application is usually entitled to appeal the decision of the local planning authority (LPA). There are no third party rights of appeal.
c.	Complaints about damages or personal injury (the Council has an online highways insurance claim form)
d.	Complaints about current policies of the Council (these are considered comments and are logged and passed to Directors)
e.	Complaints about social care services as there are separate statutory processes to follow for these (see Adult Social Care Complaints and Children's Social Care Complaints)
f.	Complaints about schools (each school will have its own complaint process, see Complain about a school: Types of complaints - GOV.UK)
g.	Complaints about the Council's employment processes and policies – there are separate HR policies to follow for these
h.	Complaints about the conduct and behaviour of individual staff (these are referred to the employee's line manager to review, with support from the Human Resources

Circumstances in which a matter might not be considered or escalated	
	team if required). The Council has a duty to safeguard the personal data of employees so details about the handling or outcome of a complaint against a staff member may not be shared with the customer.
i.	Complaint where the customer or Council has started legal proceedings or there is a right of redress in law and where it is reasonable to have expected the complainant to have pursued that course of action.
j.	Complaints made by staff under the whistleblowing policy or believed to be a whistleblowing allegation. These will be dealt with via the separate Whistleblowing Policy .
k.	Allegations of corruption, criminal behaviour or financial impropriety. The customer will be advised to report the matter to the Police. The Council will work in partnership with the Police and other relevant agencies that may make enquiries.
l.	Complaints about statutory Requests for Information (RFI) under the FOIA (2000), EIR (2004) and DPA SAR (2018) and/or information security incidents/breaches. Customers unhappy with their responses are invited to request an internal review under the relevant RFI process or can raise the matter directly with the Information Commissioner. See: Data protection and freedom of information Cheshire West and Chester Council
m.	<p>Complaints where a statutory right of appeal exists, such as:</p> <ul style="list-style-type: none"> • Penalty Charging Notices Appeals (Traffic Penalty Tribunal) • SEN or EHCP Appeals (SEND Tribunal) • School Admissions or Transport Appeals (Council's Appeals Process) • Valuation Appeals (Council Tax) • Waste Collection Fixed Penalty Notices (via the courts) <p>Customers will be signposted to the relevant appeal process, e.g. SEN Tribunal, Valuation Office.</p>
n.	Complaints about the conduct of Councillors (Customers will be signposted to the Council's Monitoring Officer)
o.	Where an organisation's 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. The customer will be expected to complain directly to the provider first, and any escalation to stage 2 will be considered by the Council.
p.	Complaints about the process followed by the Local Authority Designated Officer when coordinating a response to concerns about safeguarding will be coordinated by the Council as lead partner (this has been agreed by the Cheshire West and Chester Safeguarding Children Partnership).
q.	Services delivered by Council owned Companies. Individual arrangements exist with each company and when a complaint is received the Council will check who has the lead authority on complaints against Council Companies or Partnerships and direct the customer there. At all times the Council will keep the customer informed of how their correspondence will be dealt with.
r.	Any complaint received following extensive or continued dialogue direct with officers may not be considered. At a customer team manager's discretion, complainants may be advised that their complaint has already completed the Council's complaint process through this dialogue.

Circumstances in which a matter might not be considered or escalated	
s.	Housing Repairs complaints. Any person accessing the Landlord service can make a complaint. This includes any tenant or customer including leaseholders, residents, shared owners or housing waiting list applicants, or any person acting on their behalf, who communicate an expression of dissatisfaction to us. These are dealt with under a separate Council Housing Complaints Policy.

11. Putting Things Right

With all complaints the Council will acknowledge where there has been fault and will offer an appropriate remedy that reflects the impact on the individual. This will usually be by apologising to the customer and putting things right, i.e. returning the customer to the position they should have been in without having to make a complaint, at the earliest opportunity. When offering a remedy the Council will consider the Local Government and Social Care Ombudsman's '[Guidance on Remedies](#)' before it decides on what it considers to be a proportionate, reasonable and satisfactory remedy.

If we cannot deliver a proposed remedy, we will tell you are reasons for this and offer details of an alternative remedy.

12. Rights to Appeal

If you have been through all stages of our complaints process, you can ask the Local Government and Social Care Ombudsman to consider your complaint.

The Ombudsman has issued a Complaint Handling Code which sets out advice and guidance for councils on how to handle complaints. You can find more information about this on the Ombudsman's website (Complaint Handling Code - Local Government and Social Care Ombudsman).

The Ombudsman investigates complaints in a fair and independent way - it does not take sides. It is a free service.

The Ombudsman expects you to have given us a chance to deal with your complaint, before you contact them.

About the Ombudsman

The Local Government and Social Care Ombudsman looks at individual complaints about councils and some other organisations providing local public services. It also investigates complaints about all adult social care providers (including care homes and home care agencies) for people who self-fund their care. There are some [limits on what the Ombudsman can look at](#). For example, the Ombudsman may not consider your complaint if you have not been significantly personally affected by the issue you are raising, or if you have a right of appeal to a court or tribunal.

Contact

Website: www.lgo.org.uk

Telephone: 0300 061 0614

You can also download a version of this wording in [Easy Read \(pictures and words\) format](#) .

13. Related Documents

- [Customer Commitment](#)
- [Managed Contact Policy](#)
- [ASC Complaint Policy](#)
- [CSC Complaint Policy](#)
- [Whistleblowing Policy](#)
- [Information Request Policies](#)
- [Privacy Notice](#)
- Council Companies policies will be published on their own websites. Please ask the Council or the Company for more details

Accessing Cheshire West and Chester Council information and services

Council information is also available in Audio, Braille, Large Print or other formats. If you would like a copy in a different format, in another language or require a BSL interpreter, please email us at equalities@cheshirewestandchester.gov.uk

إذا أردت المعلومات بلغة أخرى أو بطريقة أخرى، نرجو أن تطلب ذلك منا.

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

Pokud byste požadovali informace v jiném jazyce nebo formátu, kontaktujte nás

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਓ।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

Türkçe bilgi almak istiyorsanız, bize başvurabilirsiniz.

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Tel: 0300 123 8 123 **Textphone:** 18001 01606 275757

email: equalities@cheshirewestandchester.gov.uk

web: www.cheshirewestandchester.gov.uk