OPEN

Corporate Policy Committee

27 November 2025

Corporate Complaints Policy

Report of: Karen Grave, Director of People and Customer Experience

Report Reference No: CPC/56/25-26

Ward(s) Affected: All

For Decision

Purpose of Report

1 To update the Council's Corporate Complaints Policy. The previous Corporate Complaints Policy dates from 2018. The revised policy has been created in line with the Local Government and Social Care Ombudsman's (LGSCO) Complaint Handling Code which comes into effect in April 2026. The LGSCO have introduced this code to promote best practice and standardised processes and timescales across local authorities when dealing with complaints.

2 The revised Corporate Complaints Policy still reflects the 2-Stage process; however, our intention remains to resolve complaints at Stage 1 where possible. The notable changes to the policy include extended timeframes for acknowledging complaints from 3 working days to 5 working days. The complaint investigation Service Level Agreement (SLA) will now commence from the date of acknowledgment as opposed to the date the complaint is received as currently. This will give the Customer Feedback Team more time to acknowledge the complaint and ensure that Council services are able to utilise the full 10 working day SLA to investigate and respond to the complaint providing better investigations and responses for our complainants. This reflects the LGSCO's Complaint Handling Code.

Executive Summary

3 The Council has a two-stage complaints procedure. Most complaints are resolved at Stage 1 where a complaint is investigated and responded to by a manager from the service being complained about. A written response should be issued unless the matter has been resolved and the customer has been contacted directly by the service via telephone or email.

4 If the customer remains unhappy following the Stage 1 response and outcome, they can request that the complaint is considered at Stage 2. At this stage a review of the complaint is carried out by a manager who has not previously been involved with the complaint. The exception is for complaints which are classed as policy complaints which only have a one stage response.

5 It should be noted that Adults and Childrens Statutory Social Care Complaints are not dealt with under the Council's Corporate Complaints Policy but under their respective Statutory Complaints Representation procedures. Adults Statutory Social Care Complaints have a one stage response only whereas the Children's Statutory Complaints procedure consists of a 3 Stage complaints procedure.

6 All complainants who remain dissatisfied after completing the Council's complaints procedure are referred to the Local Government and Social are Ombudsman.

RECOMMENDATIONS

The Corporate policy Committee is recommended to:

1. Approve the new Corporate Complaints Policy
2. Note the LGSCO's Complaint Handling Code
3. Agree that we standardise our acknowledgement and response times for Formal Correspondence in line with complaints and the LGSCO's code.

Background

7 The Council has a Corporate Complaints Policy covering all complaints about Council services other than Adults & Health and Children's Social Care statutory complaints, which each have separate statutory complaints process.

8 The Policy provides for members of the public to contact the Council in several different ways. Most complaints are received either by email, via

the Customer Contact Centre or are self-logged via the Council's website.

9 The Local Government Act 1974 established the Local Government and Social Care Ombudsman (LGSCO). It empowers the Ombudsman to investigate complaints against councils and adult social care providers and to provide advice and guidance on good administrative practice. Once a complainant has exhausted the Council's Complaints procedure, their next recourse, should they remain dissatisfied with the Council's response, is to contact the Ombudsman.

10 The Ombudsman will assess the merits of each case escalated to them and seek clarification from the Council as necessary before making the decision to investigate a complaint. Once the Ombudsman decides to investigate, they will try to ascertain if maladministration/Fault has occurred and whether there has been any resulting injustice to the complainant because of the maladministration/Fault.

11 In instances where maladministration/Fault with Injustice is found, the Ombudsman will usually make non-legally binding recommendations which they consider to be appropriate and reasonable. Although not legally binding, refusal to accept the Ombudsman's recommendation(s) will trigger a Public Report. A Public Report is a detailed account of the complaint, outlining the failures by the Council in the investigation.

12 All complaints are a useful indicator of performance and provide the Council with an opportunity to review the quality of service provided and to make improvements.

13 It is noted that the LGSCO has launched a new Complaints Handling Code. The Ombudsman believes that a single code that applies to all councils in England will make it easier for customers to know what to expect in terms of how their complaint is going to be dealt with; and that it will improve complaints handling and standards, resulting in better services. The code will officially go live on the 1st of April 2026; however, once approved the revised Corporate Complaints Policy will be in line with the code in advance of it going live in April 2026.

14 The current response timeframe for an item of Formal Correspondence is 8 working days. Formal Correspondence from members of the public incudes correspondence to the Leader, Deputy Leader, Chief Executive, Executive Directors and Directors as well as MP correspondence. It is challenging for services to make a response in this timeframe. We would therefore wish to bring the timeframes for Formal Correspondence into line with the proposed timeframes for Stage 1 complaints – 5 working days for an acknowledgement and 10 working days for a response from the date of acknowledgement.

Consultation and Engagement

15 The Complaints Policy has been revised to bring it up to date and to follow the LGSCO's Complaint Handling Code. The Policy has been agreed by Corporate Leadership Team.

Reasons for Recommendations

16 To ensure that the Committee is assured of the Council's commitment to provide an effective complaints policy and procedure which is in line with the LGSCO's Complaint Handling Code.

Option	Impact	Risk
Do nothing	Poor customer experience would not be addressed, lessons would not be learned, and service improvements would not be made	Likely increase in complaints to Local Government Ombudsman with the potential for financial penalties and poor reputational impact

Implications and Comments

Monitoring Officer/Legal/Governance

17 Whilst there are no legal implications flowing directly from the revised Complaints Policy, there are legal, reputational and resource implications in complaints that are taken through the corporate process and in addressing complaints which reach LGO and Public Report.

Section 151 Officer/Finance

18 If Fault causing Injustice is found by the Ombudsman, the Council can be asked to pay compensation to a complainant, the level of which is determined on a case by-case basis. The cost of such compensation is paid for by the service at fault.

19 The Complaints Policy does provide the option for a monetary compensation payment at either Stage 1 or Stage 2 of the complaints procedure (Section 7.0 Remedies). While the majority of complaints are responded to without any offer of monetary compensation, in some cases – where a quantifiable loss has occurred or where a customer has spent an undue amount of time pursuing their complaint – a monetary compensation payment may be appropriate. Again, the cost of such compensation is paid for by the service at fault.

Human Resources

20 Resource implications arise from the high numbers of complaints. These relate to the increased demand upon officers in researching the background to complaints and responding appropriately. Where complaints relate to specific staff members, for example because of behaviour or attitude, these are escalated to the appropriate manager. Details of any actions that may be taken against staff found at fault are not disclosed due to the need to maintain confidentiality.

Risk Management

21 There are reputational risks for the Council if complaints are responded to poorly or responded to late. The Ombudsman can also consider issuing a Public Report if one or more of the following criteria are met:-

Recurrent faults (for example, the organisation keeps making similar mistakes).

Significant fault, injustice or remedy (by scale or the number of people affected).

Non-compliance with an Ombudsman’s recommendation (it has not agreed or has not carried out our recommendations).

A high volume of complaints about one subject.

A significant topical issue.

Systemic problems and/or wider lessons (for example, problems with how the organisation does things that if not put right are likely to affect others, and this is an opportunity for others to learn).

Impact on other Committees

22 Complaints impact all services therefore all service committees will be affected and should be aware of the Complaints Policy.

Policy

23 If a high volume of complaints were received about a specific policy, a review of the relevant policy could be triggered and referred to the relevant service committee.

Commitment 1: Unlocking prosperity for all	Commitment 2: Improving health and wellbeing	Commitment 3: An effective and enabling council

Equality, Diversity and Inclusion

24 When responding to complaints, the Council must ensure that people are treated fairly and that we comply with the Equality Act 2010, making reasonable adjustments where necessary. This may include providing responses in large font, using coloured paper, or communicating by specific means such as email only.

Other Implications

25 No other implications.

Consultation

Name of Consultee	Post held	Date sent	Date returned
Statutory Officer (or deputy) :			
Ashley Hughes	S151 Officer	03/11/25	10/11/25
Kevin O'Keefe	Interim Monitoring Officer	03/11/25	04/11/25
Legal and Finance			
Chris Benham	Director of Finance	03/11/25	10/11/25
Hilary Irving	Interim Head of Legal	03/11/25	05/11/25

Access to Information	
Contact Officer:	Lee Washbrook, Head of Customer Experience Lee.Washbrook@cheshireeast.gov.uk

Appendices:	Appendix 1 - Corporate Complaints Policy
Background Papers:	N/A