

LOSTOCK GRALAM PARISH COUNCIL

COMPLAINTS POLICY

1. Introduction

Lostock Gralam Parish Council is committed to providing high quality services, acting openly and transparently, and treating all members of the public with courtesy, fairness and respect.

The Council recognises that, despite its best efforts, there may be occasions when an individual is dissatisfied with the administration of the Council or the standard of service it has provided. Complaints provide an opportunity for the Council to investigate concerns, resolve problems wherever possible and learn lessons to improve future services.

The Council is committed to dealing with complaints fairly, consistently, objectively and within reasonable timescales. Every complaint will be considered on its own merits and investigated appropriately.

The Council also recognises that not every expression of dissatisfaction is a complaint. This policy therefore explains what can and cannot be dealt with under the Council's complaints procedure.

Nothing in this policy affects an individual's statutory rights or prevents them from seeking independent advice or pursuing any legal remedy available to them.

2. Purpose of the Policy

The purpose of this policy is to:

- provide a clear and accessible procedure for making complaints;
- ensure complaints are investigated fairly and consistently;
- resolve complaints wherever possible at the earliest opportunity;
- ensure complainants are treated with dignity and respect;
- identify opportunities to improve the Council's services;
- ensure complaints are recorded appropriately; and
- comply with relevant legislation and recognised good practice.

The Council aims to resolve complaints promptly, proportionately and without unnecessary formality.

3. Guiding Principles

When considering complaints, the Council will act in accordance with the following principles:

Fairness

Every complaint will be considered impartially and without prejudice.

Openness

The Council will explain how complaints are investigated and how decisions are reached.

Confidentiality

Information relating to complaints will only be shared with those who need it for the purposes of investigating or determining the complaint.

Proportionality

The level of investigation will reflect the seriousness and complexity of the complaint.

Learning

Where appropriate, complaints will be used to improve procedures, services and decision-making.

4. Scope of this Policy

This policy applies to complaints about:

- the administration of the Council;
- the standard of service provided by the Council;
- actions or failures to act by the Council;
- administrative decisions;
- communication with members of the public; and
- the actions of Council employees whilst carrying out their duties.

Examples include:

- unreasonable delay in responding to correspondence;
- failure to follow Council procedures;
- failure to provide information that should reasonably have been supplied;
- administrative mistakes;
- discourteous behaviour by Council staff; or
- failure to deliver a service that the Council has agreed to provide.

The Council will always seek to resolve concerns informally wherever appropriate.

5. Matters Not Covered by this Policy

This policy does **not** apply to:

Councillor Conduct

Complaints that a parish councillor has breached the Council's Code of Conduct should be referred to the Monitoring Officer at Cheshire West and Chester Council, who administers the Code of Conduct arrangements.

Employment Matters

Complaints made by Council employees concerning their employment, pay, disciplinary matters, grievances or other staffing issues will be dealt with through the Council's employment procedures.

Freedom of Information and Environmental Information

Requests for information made under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 are dealt with under separate legislation.

Where an applicant is dissatisfied with the Council's response, they should request an Internal Review in accordance with the Council's Freedom of Information procedures.

Subject Access Requests

Requests for copies of personal information held by the Council are dealt with under the UK General Data Protection Regulation and the Data Protection Act 2018 and are not complaints under this policy.

Planning Matters

The Council cannot investigate complaints simply because an individual disagrees with a planning decision or a recommendation made by the Council.

Legal Proceedings

The Council will not normally investigate matters where legal proceedings have commenced or where there is another statutory right of appeal.

Criminal Matters

Any allegation of criminal activity should be reported directly to Cheshire Police.

6. Equality and Accessibility

The Council is committed to ensuring that everyone can access the complaints procedure.

Reasonable adjustments will be made where required in accordance with the Equality Act 2010.

Complaints may be submitted by email, letter or, where appropriate, with assistance from the Clerk if a complainant is unable to provide their complaint in writing.

The Council will always seek to communicate in an appropriate format where reasonably practicable.

7. Making a Complaint

Complaints should normally be submitted in writing to the Clerk.

A complaint should include:

- the complainant's full name;
- postal address or email address;
- daytime telephone number (if available);
- details of the complaint;
- relevant dates;
- copies of any supporting documents or photographs; and
- the outcome the complainant is seeking.

Complaints should normally be made within twelve months of the matter occurring. The Council may investigate older complaints where there is a good reason for the delay and it is still possible to conduct a fair investigation.

Anonymous complaints will not normally be investigated unless the Council considers there is a significant public interest in doing so.

8. Informal Resolution

Many concerns can be resolved quickly without the need for a formal complaint.

Where appropriate, individuals are encouraged to raise their concerns with the Clerk in the first instance.

The Clerk will seek to resolve the matter through discussion, explanation, clarification or corrective action where appropriate.

If the complainant remains dissatisfied, they may make a formal complaint under Stage One of this policy.

9. Formal Complaints Procedure

Stage One – Investigation

Upon receipt of a formal complaint, the Clerk will:

- acknowledge the complaint within five working days;
- consider whether the complaint falls within this policy;
- determine the appropriate method of investigation;
- gather any relevant evidence; and
- provide a written response.

The Council aims to complete investigations and issue a substantive written response within twenty working days.

Where additional time is required due to the complexity of the complaint or the availability of information, the complainant will be informed of the reasons for the delay and provided with a revised timescale.

The written response will normally explain:

- the issues investigated;
- the evidence considered;
- the Council's findings;
- any action the Council proposes to take; and
- the complainant's right to request a review if dissatisfied.

Where the complaint concerns the Clerk, it should be submitted to the Chairman of the Council. In such cases, the Chairman will assume the role of Complaints Officer and make appropriate arrangements for the investigation.

10. Review by a Complaints Panel

If the complainant remains dissatisfied with the outcome of Stage One, they may request that the complaint is reviewed by a Complaints Panel.

The request for a review should normally be made in writing within 20 working days of the Stage One response and should explain why the complainant remains dissatisfied.

The review will not normally reinvestigate the complaint from the beginning. Instead, it will consider whether:

- the complaint was investigated fairly;
- the Council followed this Complaints Policy;
- all relevant information was considered;
- the conclusions reached were reasonable; and
- any further action is necessary.

The Complaints Panel will normally consist of three councillors who have had no prior involvement in the matter wherever possible.

Panel members must declare any interests or conflicts that could affect their impartiality and, where appropriate, withdraw from the meeting.

The complainant will be given at least 10 working days' notice of the meeting and may attend to explain their complaint. They may be accompanied by a friend, relative or representative, although that person may only address the Panel with the agreement of the Chairman.

The Council may also invite the Clerk or any other relevant person to explain the Council's position or provide factual information.

The Panel may ask questions of those present to clarify the issues before reaching its decision.

Following the meeting, the Panel may:

- uphold the complaint;
- partially uphold the complaint;
- dismiss the complaint;

- recommend further investigation; or
- recommend changes to Council procedures or practices.

The decision of the Complaints Panel is final and there is no further right of appeal under this policy.

The complainant will normally receive a written decision within 10 working days of the meeting.

11. Complaints About the Clerk

Where a complaint relates to the Clerk, it should be submitted to the Chairman of the Council.

The Chairman may investigate the complaint personally or appoint an independent person or suitably qualified adviser to assist with the investigation where appropriate.

Where the complaint concerns an employment matter, it will be dealt with under the Council's employment procedures rather than this policy.

12. Complaints About Data Protection

Lostock Gralam Parish Council is committed to processing personal data lawfully, fairly and transparently in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

If an individual believes the Council has failed to comply with data protection legislation when handling their personal information, they should first raise their concerns with the Clerk (or the Chairman where the complaint relates to the Clerk).

Examples may include concerns about:

- the use or disclosure of personal information;
- delays in responding to a Subject Access Request;
- inaccurate personal data;
- failure to protect confidential information; or
- any other alleged breach of UK GDPR or the Data Protection Act 2018.

The Council will investigate the complaint in accordance with this policy and provide a written response.

If the complainant remains dissatisfied after the Council has completed its investigation, they have the right to refer the matter to the Information Commissioner's Office (ICO), the UK's independent regulator for data protection.

Nothing in this policy prevents an individual from exercising their statutory rights under data protection legislation.

13. Confidentiality

The Council recognises that complaints often involve personal or sensitive information.

Complaint records will be handled confidentially and information will only be shared with those who need access for the purposes of investigating or determining the complaint.

Where confidential matters are considered by the Council or a Complaints Panel, consideration will be given to excluding the public and press in accordance with the Public Bodies (Admission to Meetings) Act 1960.

Personal information will be processed in accordance with UK data protection legislation and the Council's Privacy Notice.

14. Persistent, Unreasonable or Vexatious Complaints

The Council recognises that, on rare occasions, complainants may pursue matters in a manner that is unreasonable, persistent or vexatious.

Examples may include:

- repeatedly raising the same issues after they have been fully considered;
- refusing to accept reasonable explanations;
- making excessive or abusive correspondence;
- making unreasonable demands on Council resources; or
- behaving aggressively or unreasonably towards councillors or staff.

Each case will be considered on its own merits.

Where the Council decides that further correspondence is unlikely to achieve a different outcome, it may advise the complainant that no further correspondence will be entered into unless significant new evidence is provided.

Any decision to restrict contact will be proportionate, reasonable and recorded.

15. Outcomes

Where a complaint is upheld, the Council will consider what action is appropriate.

This may include:

- an apology;
- an explanation;
- correcting an administrative error;
- reviewing procedures;
- improving communication;
- providing additional training; or
- taking any other action considered appropriate.

The purpose of the complaints process is to resolve concerns and improve services rather than to apportion blame.

16. Records and Monitoring

The Clerk will maintain a confidential register of formal complaints.

The register will normally include:

- the date received;
- the nature of the complaint;
- action taken;
- the outcome;
- the date closed; and
- any lessons learned.

The Council may review complaint trends from time to time to identify opportunities for improving services and procedures.

Complaint records will be retained in accordance with the Council's Retention and Disposal Policy.

17. Policy Review

This policy will be reviewed every three years or sooner if required by changes in legislation, guidance or Council procedures.

Appendix A

Complaint Form

Name:

Address:

Telephone:

Email:

Please describe your complaint (including dates where known):

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Please provide details of any supporting evidence:

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What outcome are you seeking?

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Signature:

Date:

Related Policies

This policy should be read alongside the Council's:

- Code of Conduct
- Data Protection Policy
- Privacy Notice
- Freedom of Information Publication Scheme
- Subject Access Request Procedure
- Equality Policy
- Retention and Disposal Policy

Document Control

Policy Title	Complaints Policy
Council	Lostock Gralam Parish Council
Responsible Officer Clerk and Responsible Financial Officer	
Adopted	September 2026
Review Date	September 2029
Version	2