

# Corporate Complaints Procedure

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## 1. Introduction

This Corporate Complaints Policy sets out how Stockport Council handles complaints in line with the Local Government and Social Care Ombudsman (the Ombudsman) Complaint Handling Code (2024). We are committed to dealing with complaints fairly, transparently and in a timely manner.

Stockport Council welcomes complaints. Our customers' views are important to us and help to ensure our services are consistently meeting people's needs. We need our customers to tell us what is not working and what is working well.

We realise that we don't always get it right, and if that happens, we are committed to dealing with any problems you may be experiencing. Our aim is to resolve issues effectively and use the feedback to learn and improve the services we provide.

## 2. Policy Principles

We aim to be flexible and responsive in our approach to handling complaints. Our objectives are to:

- **Put things right** where they have gone wrong
- Be **customer-focused** in how we respond
- Remain **open and accountable** throughout the process
- Act **fairly and proportionately**
- Use feedback to **continuously improve** the services we provide

We are committed to upholding the following key principles:

- **Fairness:** All complaints will be treated impartially and investigated thoroughly.
- **Accessibility:** Complaints will be easy to make, and assistance will be available for anyone who has difficulty with the process.
- **Transparency:** We will be open and honest in our communication.
- **Timeliness:** We aim to resolve complaints quickly and in line with our published timescales.
- **Accountability:** We learn from complaints and improve our services as a result.

### 3. Definition of a service request and a complaint

It is important to define what is a service request and what is a complaint.

#### Service request

A service request is defined as **‘a request that the organisation provides or improves a service, fixes a problem or reconsiders a decision’**. This provides us with the opportunity to resolve a matter before it becomes a complaint.

Service requests are not complaints but may contain expressions of dissatisfaction. You should give us the opportunity to deal with a service request before making a complaint. We should continue to address the service request if you complain. If you raise a complaint without first allowing us the chance to resolve the matter, we will initially treat it as a service request.

#### Complaint

A complaint is defined as **‘an expression of dissatisfaction, 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’**.

### 4. Who may complain?

Any member of the public, including a child, who claims to have been negatively impacted as a result of the actions, or inaction, of the authority, may make a complaint. The same applies if you are raising issues which relate to matters of significant public interest.

This includes:

- Residents
- Members of the public
- Partner organisations
- Representatives acting on behalf of others

#### Significant public interest

You should raise issues of public interest with your locally elected councillor(s) in the first instance. This is because they are often best placed to raise these matters through local scrutiny processes. A member of the public includes people acting on behalf of a business, or a voluntary or charitable organisation. Members of the public do not have to be resident in the Council’s area to raise a complaint.

#### Who may not complain

- Complaints made on behalf of another public body (for example, parish council, NHS Trust, government department). The complaints process is not an appropriate route to resolve disputes between public bodies.

- Complaints from local councillors about issues of wider public interest. These matters are best addressed through local “member enquiry” processes.

## Anonymous complaints

If a complaint is made anonymously, we’re unable to consider the individual impact or check for any ongoing processes such as appeals or court action. However, the relevant service manager may still review the concerns raised and take any action they consider appropriate. In such cases, a response will not be provided.

## 5. Exclusions

We will accept complaints under the Corporate Complaint procedure unless there is a valid reason not to do so. As a general rule, we will consider complaints where the route of progression is to the Local Government and Social Care Ombudsman. Each complaint will be considered on its own merit.

Here are some specific things that we cannot look at under the Corporate Complaint process:

**Requests for a service** - A service request is defined in section 3 of this policy. You should give us a chance to act or put things right before you make a complaint. If a service request is not dealt with properly or within the appropriate timescale, then you can complain to us.

**Complaints more than one year old** - You should complain as soon as you can after the date on which the event occurred or came to your notice. There is discretion to consider a complaint outside this timescale where it would be unreasonable for the complaint to have been made earlier and there is good reason to do so.

**Matters subject to statutory procedures or another more appropriate process** - for example social care statutory procedures, safeguarding investigations and disciplinary proceedings.

**Complaint where you have, or had, a statutory right of appeal or review process** – for example a tribunal.

**Complaints which an individual has previously raised** – this includes complaints which have already been considered under the corporate complaints policy and/or by the Ombudsman.

**Complaints where the matter has not affected you personally or caused an injustice** - we assess whether the complainant is *particularly* affected by the issue raised, meaning they've suffered an injustice beyond that experienced by the general public. For example, complaints about environmental issues, some individuals are more concerned about the impact of a development on the environment than others.

**Complaints where the issue affects most people in the Council's area** – for example an increase in the level of council tax rise in a year.

**Complaints relating to legal action already started**

**Complaints which would prejudice action being taken elsewhere** – for example a criminal investigation or court action.

If we do not accept a complaint, we will explain the reason for this and advise you of the right to refer to the Local Government and Social Care Ombudsman (the Ombudsman).

## 6. How to make a complaint

If you have raised a service request with us to provide or improve a service, fix a problem or reconsider a decision and you are still unhappy, the best way to make a complaint is by using the Council Online Complaints form:

<https://www.stockport.gov.uk/topic/complaints-and-complaints>

A complaint can also be made in the following ways:

- By phone to 0161 217 6019
- In writing to: Council Complaints Service, Stopford House, Stockport, SK1 3XE.

For complaints relating to Children's services, contact via:

- Email to: [talktous@stockport.gov.uk](mailto:talktous@stockport.gov.uk)
- By phone to 0161 474 3898

You will need to give us your name, address, and contact details so that we can respond to you.

## 7. Accessibility

The Council is committed to ensuring that everyone has equal access to all services. Assistance is available for those who need help making a complaint, including support for individuals with disabilities, language barriers, or those requiring an advocate.

If you feel this would benefit you, please notify us of your requirements as soon as you can. Additionally, if there are any vulnerabilities, disabilities or specific personal circumstances that may be relevant to your complaint, please inform us at the earliest opportunity.

Information and responses can be provided in alternative formats including large print, audio formats and other languages where needed. The Council can provide interpreters (including sign language translators) where needed.

## Representatives and consent

Someone may complain on your behalf. Having a representative can be helpful. A representative could be a friend, a family member, or a professional such as an advocate or solicitor.

Where a complaint is made by someone who represents you, such as a friend or relative, we will make sure that you have agreed that they can contact us on your behalf, or that they have a legal right to represent you.

Representatives should always act in your best interests. If we feel that a representative is not acting reasonably, is not suitable to make a complaint on your behalf, or if we don't receive the appropriate consent, we will be unable to take the complaint further. If this happens, we'll explain our decision in writing.

## 8. Complaint Stages

The corporate complaint process has two stages.

When you complain, you will need to tell us:

- what has gone wrong,
- how this has affected you or others, and
- what you would like us to do.

### Early resolution

If we can resolve your complaint as soon as we receive it, then we will do so. We will make sure that you are happy with what we have done or what we plan to do.

### Stage 1

Where we have not been able to resolve your complaint with an early resolution, we will respond to you within 10 working days of acknowledging your complaint. This will usually be done by a service manager in the area where the complaint is made.

If we cannot respond in 10 working days, we will let you know when we expect to respond and the reason for the delay. We should not take longer than 20 working days to respond to you at stage 1 without good reason.

The person handling your complaint will:

- address the points raised in the complaint
- provide reasons for any decisions made
- reference relevant policy, law and good practice where appropriate

- act independently, and have an open mind
- consider all relevant information and evidence carefully

A serious complaint or a case where we have previously corresponded with you may go directly to Stage 2 depending on the nature of the complaint.

If you are not happy with the response you receive at Stage 1, you can contact us within 20 working days and ask for your complaint to be considered at Stage 2 of the complaints process.

It is important that you escalate your complaint as soon as possible if you remain unhappy with our response. As time passes, it can become more difficult to fully and fairly consider the issues raised. However, we recognise that delays are sometimes unavoidable. Therefore, requests to escalate a complaint to Stage 2 made after 20 working days will be considered on a case-by-case basis.

## Stage 2

If you are not satisfied with the response at Stage 1, you can escalate your complaint to Stage 2. When you make a Stage 2 request, it is helpful if you can tell us:

- why you remain dissatisfied with our Stage 1 response
- what you would like us to do to put things right

Once your Stage 2 complaint is accepted, it will be allocated to a senior officer who will review and respond to the issues raised. To ensure transparency and fairness, this officer will be independent of the service area involved in the complaint.

The Stage 2 officer will contact you to confirm the details of your complaint and explain the timescales for the response. You can normally expect a full response within 20 working days from the date your complaint is acknowledged.

If we cannot respond in 20 working days, we will let you know when we expect to respond and the reason for the delay. We should not take longer than 40 working days to respond to you at stage 2 without good reason.

When we respond to you at Stage 2, we will include in the reply:

- the complaint stage
- the Council'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 Ombudsman, if you remain dissatisfied.

## 9. Local Government and Social Care Ombudsman

The Local Government and Social Care Ombudsman is the final stage for 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. If you have been through all stages of our complaint procedure, you can ask the Ombudsman to review 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.

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. If you have not heard from us within a reasonable time, the Ombudsman may decide to look into your complaint. This is usually up to 12 weeks but can be longer for social care complaints that follow a statutory process.

You can contact the Ombudsman at:

Website: <https://www.lgo.org.uk/how-to-complain>

Phone: 0300 061 0614

## 10. Putting things right

When you make a complaint, we will ask you what you would like us to do to put things right. We will take your views into account, but it may not always be possible to give you exactly what you want. If we uphold or partly uphold your complaint, you can expect an apology and for us to put things right quickly.

Other actions may include:

- an acknowledgment of where things have gone wrong
- providing an explanation, assistance or reasons

- taking action if there has been a delay
- reconsidering or changing a decision
- changing a policy or procedure

When considering a suitable remedy to a complaint, we will use the Ombudsman's Guidance on Remedies. You can find this guidance on the Ombudsman's website at [www.lgo.org.uk](http://www.lgo.org.uk)

## 11. Learning

A key part of the complaints process is identifying learning and taking appropriate action to prevent similar issues from happening again. This commitment to learning is central to continuous service improvement, and we aim to take something valuable from every complaint we receive.

The Complaints Service regularly meets with senior management teams to share insights and highlight opportunities for wider learning. Where necessary, action plans are developed and monitored to ensure improvements are implemented effectively.

The Council is committed to using complaints as a tool for positive change. Feedback and learning points are shared with relevant teams to drive improvement and reduce the likelihood of similar complaints arising in the future.

## 12. Monitoring and Reporting

The Council will maintain accurate records of all complaints received and their outcomes. This data will be reviewed regularly to identify trends or areas for improvement. We will produce an annual complaints performance and service improvement report for scrutiny and challenge, which will include an annual self-assessment against the Ombudsman's Code to ensure our complaint handling policy remains in line with its requirements.

## 13. Training and Awareness

All staff involved in complaint handling will receive regular training on the complaint process, customer service, and the LGSCO Code of Practice. Training will ensure that staff are fully aware of their responsibilities and are equipped to handle complaints effectively.

## 14. Confidentiality and Data Protection

All complaints will be treated confidentially and in accordance with data protection legislation. Personal data provided as part of a complaint will be used solely for the purpose of investigating and resolving the complaint.

## 15. Managing unreasonable and unacceptable behaviour

We will treat you politely and with respect. We expect you to treat our staff in the same way. We will not tolerate behaviour that is abusive, deceitful, threatening, or violent. We have a Managing Unreasonable Actions Policy that sets out how we deal with customers who behave unacceptably or who are unreasonable in the way they contact the Council.

Please find the link to the council's complaints page, where the policy can be found:

<https://www.stockport.gov.uk/start/make-a-formal-complaint>



Thinking  
Stockport



Achieving as a  
Team



Working with  
Ambition



Showing everyone  
Respect

**Ambitious Stockport, creating opportunities** *for everyone*