



Corporate Complaints Policy

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1. Foreword

This policy sets out Gloucestershire County Council's approach to handling complaints. We value all customer feedback and see complaints as an important source of learning that helps us improve our services.

When something goes wrong, we aim to act quickly, fairly, and proportionately. We will investigate complaints in an objective and evidence-based way so that decisions are clear, consistent, and based on the facts of the case.

We aim to provide a complaints process that;

- is simple to use and easy to understand;
- is led and supported by senior leaders;
- meets the needs of our customers;
- helps the council learn and improve;
- complies with the relevant legislation and council policy;
- focuses on early, fair and proportionate resolution;
- is open-minded, objective, and impartial.

Throughout this policy, we use the term customer to mean anyone who receives, or is affected by, our services, including representatives.

Some complaints fall outside of this policy. Complaints about adult social care and some elements of children's services follow separate statutory processes. Please see the following webpage for further details:

<https://www.gloucestershire.gov.uk/council-and-democracy/complaints-and-feedback/>

2. What is a complaint?

A complaint is any expression of dissatisfaction, however made, about;

- the standard of service;
- an action or lack of action;
- the behaviour of council staff or those acting on our behalf;

...where this affects an individual or a group of individuals.

A complaint may relate to;

- a failure to provide a service;
- poor service or service standards;
- dissatisfaction with how a council policy has been applied;
- the attitude or behaviour of a member of staff;
- a decision that cannot be appealed through another formal route;

- a failure to follow the correct administrative process.

This list is not exhaustive.

Customers do not need to use the word “complaint” for their concerns to be treated as one.

A concern **is not** a complaint under this policy if it;

- is a routine first-time request for service (a “service request”);
- relates to legal proceedings involving the customer;
- is a difference of opinion about a council policy (unless applied incorrectly);
- is a matter where a statutory appeal route already exists (e.g. Education, Health and Care Plan appeals, parking fines);
- seeks to reopen a previously concluded complaint;
- relates to a contract between the council and an external provider;
- concerns personnel matters such as recruitment, pay, or disciplinary issues;
- challenges a decision made by the council through other established processes;
- relates to school-managed issues;
- relates to insurance claims (these are handled by the council’s Insurance Manager);
- falls under another statutory complaints process (adult social care, children’s social care, elected members).

If an issue is not accepted as a complaint under this policy, we will explain why and advise the customer on the most appropriate way to take the matter forward. See Appendix 1 for issues falling outside the scope of this policy.

3. Complaint or service request?

A service request is a request for the council to;

- provide a service;
- improve a service;
- fix a problem;
- reconsider a decision.

A service request is **not** a complaint, although it may include dissatisfaction. We expect to be given the opportunity to resolve a service request before it becomes a complaint.

If a customer remains unhappy with the response to their service request, they may make a complaint.

If a customer asks for their issue to be treated as a complaint, we will do so. We will continue to address any service requests alongside the complaint where appropriate.

We also record general comments that may help improve services more broadly. These are shared with relevant service areas for consideration.

4. Who can make a complaint?

Anyone who receives, requests, or is affected by our services can make a complaint.

We will accept complaints made by a third party (such as a friend or relative) where the customer has given clear permission. Complaints may also be made through an independent advocacy service.

Complaints can be made;

- in writing;
- in person;
- by telephone;
- by email;
- online;
- in response to a survey or feedback request.

We do not accept complaints from corporate bodies, as they cannot experience personal injustice under this policy.

MPs and councillors sometimes raise concerns on behalf of constituents. These may be complaints, enquiries, service requests, or reports of issues. If the matter is treated as a complaint, we will acknowledge it (with the customer's permission) and correspond with the MP or councillor during the process.

We may ask the customer to confirm that a representative is acting with their permission or in their best interests.

5. Complaints involving more than one service or organisation

If a complaint involves more than one council service, we will aim to provide a single coordinated response.

Where a complaint involves both the council and another organisation, and the council has a direct interest in the matter, we will handle the council-related aspects under this policy.

Where the matter relates to work carried out by another organisation on our behalf, we will forward it to that organisation to investigate under their own complaints policy. The relevant council commissioning team will maintain oversight in line with contract arrangements.

6. Handling anonymous complaints

Some customers may wish to remain anonymous.

We will consider anonymous complaints where there is sufficient information to identify and understand the issue. If there is not enough information, or if the complaint is repetitive, we may decide not to take further action.

Serious anonymous allegations will be referred immediately to an appropriate senior officer.

Where we take action in response to an anonymous complaint, we will still record the issues and any learning.

7. What if the customer doesn't want to complain?

If a customer expresses dissatisfaction but does not wish to make a formal complaint, we will still consider the issue and take corrective action where appropriate.

8. Time limit for making complaints

In line with Local Government & Social Care Ombudsman (LG&SCO) guidance, we will not normally investigate complaints made more than **one year** after the customer became aware of the matter.

We may consider older complaints in exceptional circumstances.

Requests to escalate a complaint to **Stage 2** must be made within **6 months** of the Stage 1 response.

We will apply time limits with discretion and take account of any special circumstances the customer brings to our attention.

9. Satisfactory resolution

We aim to resolve complaints at the earliest opportunity.

Where a mistake or service failure is identified, we will apologise and explain what action we will take to put things right. This may not always mean agreeing with the customer's preferred outcome.

If the customer remains unhappy, they may refer their complaint to the Local Government & Social Care Ombudsman.

10. Complaints process

We will acknowledge all complaints within **5 working days** of receipt. Complaints are recorded centrally by the Customer Feedback and Complaints Team.

Where appropriate, we will resolve service requests quickly by delivering a service or correcting an error. If this is not appropriate, or if the customer requests it, the issue will proceed to **Stage 1** of the complaints process.

Stage 1 – Initial response

We will acknowledge the complaint within **5 working days** of receiving it. The acknowledgement will include the name and contact details of the team manager responsible for handling the complaint, along with the date by which the customer can expect a response.

We will ask the customer for relevant information to help us understand and investigate their complaint. Information will be held in line with the General Data Protection Regulation (GDPR).

The team manager will review the complaint, make a decision on each issue raised, and consider what action, if any, can be taken to put things right.

We aim to resolve formal complaints and send a full response within **10 working days** of the acknowledgement being sent. If we cannot meet this timescale, we will let the customer know, explain the reason, and provide a revised expected date. Any extension should be no longer than **a further 10 working days**, unless there is a clear and justifiable reason, which will be explained to the customer.

The response to the customer will;

- address each point of the complaint;
- explain our decisions clearly;
- state whether the council agrees, does not agree, or partially agrees with each issue raised;
- outline any actions we will take to resolve the matter, where appropriate.

We will also explain how the customer can escalate their complaint to **Stage 2** if they remain dissatisfied.

Stage 2 – Independent review

If the customer remains dissatisfied with the Stage 1 response, they can request that their complaint is escalated to Stage 2. This request must be made within **6 months** of receiving the Stage 1 response. Customers do not need to explain why they disagree with the Stage 1 outcome, although the Customer Feedback and Complaints Team may ask for clarification if any part of the complaint is unclear.

We will acknowledge and log the escalation request within **5 working days** of receiving it. In the acknowledgement, we will outline our understanding of the unresolved issues and the outcomes the customer is seeking. If anything is unclear, we will ask the customer to clarify before the investigation proceeds.

A senior manager who has not previously been involved in the complaint will carry out a fresh review. If necessary, they may appoint an independent person to investigate the complaint on their behalf. They will aim to provide a final response within **20 working days** of the escalation request being acknowledged.

If this timescale cannot be met, we will inform the customer, explain the reason, and provide a revised deadline. Any extension should be no longer than a further **20 working days** unless there is a clear and justified reason, which will be explained to the customer.

Stage 2 is the **final stage** of the corporate complaints process.

11. Local Government & Social Care Ombudsman (LG&SCO)

If the customer remains unhappy after Stage 2, they may contact the Local Government & Social Care Ombudsman.

The Ombudsman investigates complaints about councils and other local service providers. The service is free, independent, and impartial.

Customers can contact the LG&SCO;

- **by post** : The Local Government & Social Care Ombudsman, PO Box 4771, Coventry, CV4 0EH;
- **by telephone** : 03000 610614;
- **online** : <https://www.lgo.org.uk/complaint-form>

The LG&SCO may be contacted at any time but will not usually investigate until the council has provided its final response.

12. Learning from complaints

Complaints help us improve our services. We aim to;

- identify trends and recurring issues;
- understand the root cause of complaints;
- make improvements to prevent issues happening again;
- ensure actions taken have resolved the issue;
- reduce the likelihood of similar issues reoccurring.

13. Maintaining confidentiality

We will maintain customer confidentiality throughout the complaints process. We will follow all legal requirements and internal policies when sharing or using customer information, including when contacting external agencies.

14. Managing unacceptable behaviour

Most customers raise concerns reasonably. Some behaviour, however, can place unreasonable demands on staff or services.

Where behaviour is unacceptable or persistent, we may take proportionate action in line with the council's Unacceptable Customer Behaviour Policy ([unacceptable-behaviour-policy.pdf](#))

15. Supporting the customer

We want everyone to be able to use this policy. Some customers may face barriers, such as language or communication needs.

We will;

- make reasonable adjustments;
- record and review adjustments regularly;
- provide information in accessible formats where needed;
- signpost to advocacy or support services.

We welcome feedback on how to make our complaints process more accessible.

16. Publicising the policy

This policy is shared with customers who make a complaint and is available on the council's website.

17. Data Protection and Freedom of Information

The Customer Feedback and Complaints Team processes personal data under the General Data Protection Regulation (GDPR) for the purpose of handling complaints.

We will;

- store complaint information securely;
- share information only with relevant service areas;
- retain records in line with council retention schedules.

Information about how the council handles requests under the Data Protection Act and Freedom of Information Act is available on our website.

18. Contact us

If you would like advice or support before making a complaint, you can contact us:

Write to:

Customer Feedback and Complaints Team
Gloucestershire County Council
Shire Hall
Westgate Street
Gloucester
GL1 2TG

Telephone: 01452 427614

Email: corporatecomplaintsteam@gloucestershire.gov.uk

Online form: <https://forms.gloucestershire.gov.uk/feedback>

Webpage: <https://www.gloucestershire.gov.uk/council-and-democracy/complaints-and-feedback/complaints-about-corporate-issues/>

Appendix 1 - What is outside the scope of this policy?

The following issues are not covered by the Corporate Complaints Policy. Where relevant, other processes apply.

Statutory or legal processes

- Adults' and Children's Social Care complaints (statutory procedures apply)
- Complaints about councillors (Code of Conduct process)
- Matters that can only be challenged through judicial review, e.g. Coroners' decisions
- Data Protection, Freedom of Information and Environmental Information Regulations complaints
- Appeals or challenges where a legal route already exists (e.g. Penalty Charge Notices, Education, Health and Care Plan decisions)
- Issues that are part of legal proceedings or can only be resolved by the courts
- Complaints raised more than one year after the issue became known, unless there are exceptional reasons

Contractual or organisational matters

- Complaints by organisations that provide goods or services to the council
- Complaints from corporate bodies where no personal injustice has occurred
- Complaints from council staff unless the complaint relates to their experience as a service user

Issues handled by other services or organisations

- Matters managed by Borough, City or District councils (e.g. council tax, waste and recycling, street cleaning, licensing, dog fouling, fly-tipping, noise, parks, pest control)
- Parking concerns where other review or appeal processes apply
- Parking concerns without restrictions (police matter)
- Compensation or insurance claims (handled by the Insurance Team or the courts)
- Complaints about schools (should be raised with the school)
- Road safety concerns (report to the Road Safety Community Hub)
- Roadworks carried out by utility companies or national highways authorities

See the following page on the council's website for more information:

<https://www.gloucestershire.gov.uk/council-and-democracy/complaints-and-feedback/complaints-we-cannot-consider/>
