



Congleton Town Council

Historic Market Town

Chief Officer: David McGifford CILCA

COMPLIMENTS, SUGGESTIONS AND COMPLAINTS POLICY

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Congleton
beartown
where friends are made



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1. Introduction

This policy and procedure document details the approach the Council will take on dealing with compliments, suggestions and complaints received from our customers and/ or third parties. The Council is committed to providing consistently high-quality services, but we acknowledge that occasionally things do go wrong. We welcome feedback from our customers, and we recognise that compliments, suggestions and complaints are a valuable source of information to help us:

- Improve the standard of services we deliver
- Put things right when they have gone wrong
- Learn from our mistakes

The aim of this policy is to provide a fair, consistent and structured process for members of staff to follow when customers are providing feedback. We will ensure staff understand their responsibilities under this policy so they can deal with feedback effectively, and lessons learned from complaint investigations will be used to inform service improvements.

The Local Government Ombudsman defines a complaint as follows:

A complaint is an expression of dissatisfaction about the Council's action or lack of action or about the standard of a service, whether the action was taken or the services provided by the Council itself or a person or body acting on behalf of the Council.

All complaints about services the Council provides will be dealt with under the Council's Corporate Compliments, Suggestions and Complaints Policy and Procedures. All other complaints, with the exception of those exclusions set out in this document, will be dealt with under this policy.

2. How to make a suggestion, compliment or complaint

A customer or third party can make a suggestion, compliment or complaint in a number of ways:

- Call us on 01260 270350
- E-mail the Chief Officer of the Council
David.McGifford@Congleton-tc.gov.uk
- Write to us at: Compliments, Suggestions and Complaints, Congleton Town Hall, High Street, Congleton, Cheshire CW12 1BN

3. What can you expect?

Customers and/ or third parties can expect all compliments, suggestions and complaints to be dealt with promptly, efficiently and with courtesy, and can expect to receive a consistently high-quality service when they contact the Council. We will:

- Treat all compliments, suggestions and complaints seriously and confidentially
- Act impartially, objectively and professionally
- Maintain a record of all compliments, suggestions and complaints received in accordance with Data Protection requirements
- Aim to resolve the problems brought to our attention as soon as possible and, wherever possible, at a local level
- Keep the complainant informed about the progress of the investigation into their complaint when necessary
- Provide a response within the timescales provided in this policy either verbally or in writing
- Take appropriate action to resolve the complaint when necessary
- Record, monitor and evaluate complaints so that we can continually improve and develop services, as well as identifying training and development needs for our staff

- Monitor and report our performance in complaint handling

4. Compliments and Suggestions

All staff should record compliments so we can report on the good news received from our customers. Details of all customer/third-party compliments received should be recorded on the complaints/ compliments database. An acknowledgement letter or e-mail, as appropriate, thanking the customer/ third party for their compliment should be sent within 7 calendar days.

When a suggestion is received, the information will be passed to the relevant Committee to consider and respond to within 14 calendar days of that Committee meeting.

5. Complaints

The complaints procedure is a two-stage process. Any employee receiving a complaint should send it to the Chief Officer, who may allocate an officer to act as the Complaints Co-ordinator.

5.1 Stage One

This is the first opportunity to try to resolve a complaint, and the majority of complaints will be resolved at this stage. The complaint will initially be investigated by an appropriate member of staff. Where no appropriate investigating officer can be identified, a member of the Council's Management Team may investigate. It is not appropriate for any staff member named in a complaint to be the investigating officer, but they should be informed of the complaint and given the opportunity to comment.

The complaint will be acknowledged by the Chief Officer or a member of the Management Team, providing the complainant with the name of the investigating officer and the estimated timescales. Where necessary, further information will be requested to ensure the complaint is fully understood.

The Investigating Officer will carry out the initial investigation into the complaint and respond to the complainant with their findings within 14 calendar days wherever possible. Where it is necessary to extend this timescale, the complainant will be informed and provided with an expected completion date, which should be within 28 days

Where the outcome of a complaint leads to action being taken under the Council's Disciplinary Policy and Procedure, the complainant will not be entitled to be informed of that action; they will be informed that their complaint has been upheld and appropriate action will be taken.

5.2 Stage 2 (Review)

The appeal stage of the process is an independent review carried out by a member of the HR Team who has not previously been involved in dealing with the complaint. They will either support the original investigation findings, provide further clarification, or propose a different solution.

For a complaint to proceed to Stage 2, credible new information or other matters which call the original decision into doubt need to be provided.

The appeal will be acknowledged by the Chief Officer, who will inform the complainant of the name of the appeal manager and the expected timescale for response. Stage 2 complaints will be responded to within 28 calendar days wherever possible. Where it is necessary to extend this timescale, the appeal manager will discuss with the Chief Officer and the complainant will be informed and provided with an expected completion date.

5.3 Anonymous Complaints

Anonymous complaints will be considered and recorded when appropriate, but they will not be responded to. However, if a customer wishes to remain anonymous to the services being complained about, the complaint will be responded to, and the name withheld from the service.

6. Exclusions

Some types of complaints, detailed below, are excluded from this policy. Furthermore, the Company reserves the right to reject a complaint if the customer is rude, vexatious, uses profanities, is using a pseudonym or makes racist/homophobic, etc. remarks in their communication. The complaint may also be rejected if the complainant is unable to identify/ evidence of the alleged injustice.

- Complaints about services provided on behalf of the Council will be dealt with under the Council's Corporate Compliments, Suggestions and Complaints Policy and Procedures.

- Social Media Complaints; when a complaint is received on the Company's official Social Media account (s), complainants will be requested to make contact in line with section 2 of this policy to ensure that the requisite details are captured in order that an appropriate response can be issued.
- Complaints where the complainant or the 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.
- A complaint which the complainant was aware of for more than 12 months before they contacted or formally complained to the Council
- Complaints made by staff under the Whistleblowing Policy.
- Internal HR matters will be dealt with under the appropriate internal procedure.
- Complaints regarding personal injury or motor claims against the Company
- Allegations of criminal behaviour or financial impropriety; such allegations are unlikely to be handled under this policy. The matter may need to be directed to the police, treated as a tip off via the Council Anti Fraud and Corruption Strategy or handled by another more appropriate process. The complainant will be advised of the route to be followed once the information has been considered.
- Freedom of Information Requests; these will be dealt with by the Chief Officer.
- Data Protection: All requests to review or complain about the information supplied in relation to a Subject Access Request are exempt from this policy but will be considered by the Council's Data Protection Officer.

7. Unreasonable and vexatious complaints (see Appendix A)

- There will be circumstances when a complainant persists in wishing to proceed when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken.
- These matters should be referred to the Chief Officer with a summary of the issues and of the attempts made to resolve the complaint. The Chief Officer may, in such circumstances, decide that no further action can usefully be taken in response to the complainant, and inform the complainant so, making it clear that only new and substantive issues will merit a response.

APPENDIX 1

Congleton Town Council – Employees and Councillors

Unreasonably Persistent or Vexatious Complaints Policy

This policy was adopted by Council on 22nd February 2024 (Version 1, Approved 22.02.2024 CTC/83/2324)

Congleton Town Council strives to provide a high standard of service to the public. It will treat all members of the public in a courteous and professional manner. This behaviour is also part of our Equality and Inclusion Policy. we will try hard to recognise their needs as an individual or as part of a local community. It will always try to offer a way forward on the particular issue being raised.

In particular, the Council will strive to:-

- Provide information in accordance with its Marketing Programme and Information and Data Protection Policy (2018);
- Respect confidentiality unless it is legally required to disclose information;
- Deliver its services in accordance with stated standards and its Equality Policy (2021);
- Be transparent;
- Return telephone calls within 2 working days;
- Respond to letters and e-mails within 21 working days of receipt;
- Where it is unable to resolve an issue for a member of the public, it will advise where further help can be obtained or, where practicable, act as an advocate by contacting the other organisation on the member of the public's behalf;

Unreasonably Persistent or Vexatious Complaints

The procedure will not be used to impede the ability of anyone to have reasonable access to services provided, nor will it be assumed that because a member of the public /complainant has submitted a large number of enquiries, they are vexatious or unreasonably persistent.

Unreasonably persistent and vexatious complainants are those individuals who, because of the nature or frequency of their contacts with the Council, hinder our ability to effectively deliver services to our members of the public. Some examples of behaviour and actions taken by these individuals are listed below; however, this is not an exhaustive list.

These are some of the actions and behaviours which can prove problematic. Single incidents may be unacceptable, but more often the difficulty is caused by unreasonably persistent behaviour that is time-consuming to manage and interferes with the proper handling of the issues being raised.

These behaviours can be:-

- Refusing to specify the grounds of the service request, despite offers of assistance;
- Refusing to cooperate with the process for handling service requests;
- Refusing to accept that certain issues are not within the scope of the Council;
- Insisting on the request being dealt with in ways which are incompatible with adopted procedure(s) or with good practice;
- Making repeated and/or unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced;
- Changing the basis of the service request as the issue proceeds;
- Denying or changing statements made at an earlier stage;
- Introducing trivial or irrelevant new information at a later stage;
- Raising numerous, detailed, but what the council reasonably feels to be unimportant questions and insisting that they are all or some are answered;
- Covertly recording meetings and conversations, otherwise than allowed by law at a public meeting;
- Submitting falsified documents from themselves or others;
- Adopting a 'scatter gun' approach: inappropriately pursuing parallel service requests on the same issue with a variety of organisations or with a variety of individuals within the Council;
- Making excessive demands on the time and resources of staff with lengthy phone calls or e-mails to numerous council staff or detailed letters on a regular basis, and expecting immediate responses;
- Submitting repeat requests with minor additions/variations that the service user insists make these 'new' issues;
- Refusing to accept the decision or outcome; repeatedly arguing points with no new evidence or with new evidence that is very similar to the original;
- Making numerous, repetitious or unreasonable contact because an individual is unable or unwilling to accept or agree with a policy decision or approach which has been adopted by the Council or individual services or functions;
- What the council perceives to be an individual adopting a threatening, violent or aggressive demeanour towards staff.

Any of the above behaviours can trigger this process. The Chief Officer or, in his/her absence, the Deputy Chief Officer will write to the individual and clearly explain the actions the Council may take if their behaviour does not change, outlined below.

Very rarely, in extreme or rapidly escalating cases, it may be necessary to immediately impose restrictions to ensure the safety of staff members. This is a decision which will be taken by the Chief Officer or, in his/her absence, the Deputy Chief Officer and the Mayor or, in his/her absence, the Deputy Mayor with the utmost consideration for the circumstances surrounding the incident(s).

Any restrictions imposed by the Chief Officer will be appropriate and proportionate, and examples of some options most likely to be considered are:-

- Requesting contact in a particular format e.g. letters only
- Requiring contact to take place with a single named person only.
- Restricting telephone calls to specified days and times; and/or a particular member of staff.
- Restricting the number of times that a member of the public may be in contact over a certain time period.

The decision to restrict or stop a person's contact and access to the Council's offices and officers altogether can only be taken by the Personnel Committee, advised by the Chief Officer or, in his/her absence, the Deputy Chief Officer.

A letter will then be sent to the complainant outlining the decision. All letters will include:-

- Why the decision has been taken;
- What action will be taken;
- The duration of that action;
- The date of review for the action, if required.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the Council's staff and councillors, other options will be considered; for example, reporting the matter to the Police or taking civil legal action.

The Chief Officer will keep a record of all individuals who have had this procedure applied to them. Decisions taken under this procedure are subject to the Data Protection principles and the Human Rights Act. The position will be reviewed after 6 months if requested by the complainant.