



CHESTERFIELD
BOROUGH COUNCIL

Complaints policy

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We want everyone to be able to understand us.

We want everyone to be able to access our materials and services.

We aim to provide what you need to enable you to be involved in our activities – by attending meetings, reading our leaflets, talking and writing to us.

On request we will provide free:

- Language interpreters, includes British sign language
- Translations of written materials into other languages
- Materials in braille, large print, coloured paper, easy read and audio

Our aim

Chesterfield Borough Council puts customer needs at the very heart of the way we develop and deliver our services. We strive to keep our customers happy, but we realise that sometimes things do not go as well as planned.

Telling us when you are unhappy is important, as it means we have an opportunity to put things right for you and potentially improve the service we offer to others in future.

This document sets out how you can let us know you are unhappy and explains what we'll do once we hear from you.

When to make a complaint?

It can often be confusing to know whether you should request a service from the council or whether you should make a complaint, as many of our services are initiated when people are unhappy.

What is a service request?

The Council will treat an initial request from a customer to put something right as a service request. Removing fly tipping, requesting a housing repair or arranging for collection of a missed bin are examples of service requests.

Customers who are unhappy with how their service request is progressing can make a complaint at any time, without waiting for the issue to be resolved. Filing a complaint will not interrupt or slow down our handling of your service requests. We will continue to address urgent matters promptly, no matter if you have made a complaint.

What is a complaint?

If a customer becomes unhappy with how the Council has responded to the service request, and this requires further investigation, it will be treated as a complaint.

The definition of a complaint is guided by the Housing Ombudsman and Local Government and Social Care Ombudsman and is

'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents'.

A customer does not have to use the word 'complaint' for it to be treated as such and when expressing dissatisfaction with a council service will be given a choice to make a complaint.

We will accept any complaints raised with us within twelve months of the customer becoming aware of the issue. Any complaints arising out of actions or omissions from over 12 months will be considered but may be declined..

Reasonable adjustments

Anyone is welcome to make a complaint and the Council is committed to treating everyone fairly. If you need assistance to make a complaint, please let the Council know. We will make reasonable adjustments where required and comply with the Equality Act 2010. There is no prescribed list of reasonable adjustments; this will depend on an individual's needs but may include, for example, the provision of information in alternative formats (e.g. large print), the use of a language service, or communication through a representative.

How to contact us to make a complaint

If you have a complaint, the best way is to let us know is through **My Chesterfield** or **online**. When you send us your complaint through My Chesterfield you can keep a track of it through your account, and can refer back to the information you have sent to us.

You can also contact us using one of the ways shown below. Please ensure you give us your name and a daytime telephone number so we can talk to you if we need to.



You can contact us by phone on 01246 345345



You can write to us: Customer Feedback, Town Hall, Rose Hill, Chesterfield, S40 1LP



You can visit us in person at our Customer Service Centre. Opening times can be found on our website.



You can ask someone else to complain on your behalf. If you ask a third party to help you, we will need your permission to speak to them about your complaint. Any costs will need to be paid for by you unless we have agreed to make a reasonable adjustment under the Equality Act 2010.



You can use the council's social media channels such as Twitter or Facebook. Complaints should be submitted via private message and will be dealt with off-line to ensure your privacy.

Investigating your complaint

We will do everything we can to resolve your concerns promptly and fairly once a complaint is raised. We will ask one of our Complaints Officers to investigate your concerns. This is known as Stage one of our complaints process.

Stage one – investigation and resolution

We will acknowledge your complaint within five working days, either by telephone or in writing. We will set out our understanding about your complaint and the outcomes you are seeking to resolve it. If we are unsure what you want us to do to resolve your complaint we will ask you to confirm this. We will also advise whether parts of the complaint concerns aspects we are not responsible for.

Our Complaints Officer will decide who should carry out the investigation of your complaint. Our Complaints Officer or the investigator may need to contact you for further information to help us complete the investigation.

We aim to respond to your complaint within ten working days of acknowledging it. If the complaint can't be completed within this time, then we will apply an extension of a maximum of ten working days explaining the reasons why. If it is not possible to complete the review within this timescale, we will let you know, explain the reasons why and agree a timescale for keeping you informed. If it is likely to take longer than twenty working days to complete the review, we will provide you with the Ombudsman's contact details so you can challenge our plan and timescales for resolution if you wish.

If additional related issues are raised during the stage 1 complaints process, we will seek to address them within the response. If the issues are unrelated or are raised after the stage one response has been issued we will raise a further stage 1 complaint.

You will receive a full written response from the person investigating your complaint, when the answer is known unless you tell us otherwise. The response we give will make it clear if the complaint is upheld or not and how we intend to put matters right. The service area responding to the complaint will remain responsible for keeping the customer up to date on any outstanding actions arising from the complaint.

If you are not happy with the outcome of the first stage investigation, you can request a review of this decision. This is known as Stage 2 of our complaints process. This review should be requested within twenty working days of the stage one response being issued. Requests for escalation received after twenty working days will be considered on a case-by-case basis. If we decline to escalate the complaint we will let you know the reasons why.

Stage two – escalation

As with stage one complaints we will acknowledge receipt of five working days, either by telephone or in writing. Whilst you are not required to provide a reason for a request to escalate the complaint to stage two, we will set out our understanding about your complaint and the outcomes you are seeking to resolve it and may contact you to do so. If required, we will also advise whether parts of the complaint escalation request concerns aspects we are not responsible for.

The review will be carried out by another manager who will not have any input into the stage one response.

Your stage two complaint review will be dealt with within twenty working days from acknowledgment. If the stage 2 complaint response cannot be completed within this time, then we will apply an extension of a maximum of twenty working days explaining the reasons why. If it is not possible to complete the review within this timescale, we will let you know and explain the reasons why. If it is likely to take longer than forty working days to complete the review, we will provide you with the Ombudsman's contact details so you can challenge our plan and timescales for resolution if you wish.

We will write to you to tell you the outcome of the review at stage two of the complaints policy, including whether your complaint has been upheld and the reasons why. We will also tell you how we intend to put things right and whether there are any outstanding actions. As with a stage one complaint response the responding service area remain responsible for keeping customer up to date on any outstanding actions arising from the complaints.

Referral to the Ombudsman

Our final letter will provide information on how to get in touch with the Ombudsman if you remain unhappy with the way we have dealt with your complaint.

If your complaint relates to the Council's actions as a housing landlord, you can call the Housing Ombudsman on **0300 111 3000** or visit **www.housing-ombudsman.org.uk** to find out more information on the service.

Residents have the right to access the Housing Ombudsman complaints service for advice and support at any time whilst we are investigating their complaint and not just at the point they have exhausted the complaints process.

Please note the Housing Ombudsman only deals with enquiries relating to the council being a housing landlord. It does not review complaints around homelessness, the housing waiting list or Careline services. Complaints relating to these services are dealt with by the Local Government and Social Care Ombudsman.

For all other issues, you have the right to complain to the Local Government and Social Care Ombudsman. You can call **0300 061 0614** or visit **www.lgo.org.uk** for more information on this service.

Complaint Management

The council has two lead officers with accountability for complaint handling including assessing any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision. In addition, these also two Cabinet Members with lead responsibility for complaints (Member Responsible for Complaints). These are –

Complaints covered by the Housing Ombudsman

- Service Director - Housing
- Cabinet Member for Housing

Complaints covered by the Local Government and Social Care Ombudsman

- Service Director - Digital, HR and Customer Services
- Cabinet Member for Customers and Business Transformation

Exclusions from the complaints policy

We will not treat certain issues as complaints and where this is the case we will tell you. You have the right to refer this to the Ombudsman for review.

The following are examples of exclusions from our complaints policy and from escalation to stage two:

- Any issue where legal procedures have already started
- Any issue which has previously been fully investigated at stage one and stage two of the complaints procedure
- Criminal activity will be referred to the police
- Complaints that a Councillor has broken their Code of Conduct has a separate procedure - <https://www.chesterfield.gov.uk/your-council/the-council/your-councillors/members-code-of-conduct.aspx>
- Any complaints arising out of actions or omissions which the customer became aware of more than 12 months previously will be considered but may be declined.

Learning from complaints

We will use complaints data to identify the root cause of complaints, identify trends and take action to reduce the risk of recurrence of errors, so we can provide better services for our customers.

We will monitor our performance when dealing with complaints and will publish this annually on our website at www.chesterfield.gov.uk/complaints.

Management of unreasonable complaints or customers

The council aims to deal with complaints and customers in a way which is fair and impartial. On occasion customers may behave unreasonably or make unreasonable complaints.

Our policy on the management of unreasonable complaints sets out how we deal with this. It can be found at www.chesterfield.gov.uk/complaints

Publicising the policy

The Council will publicise its complaints policy through the website and newsletters and will provide a copy of the complaints policy when requested.

Information about the Housing Ombudsman and the Complaint Handling Code will also be publicised on our website.

The Regulators' Code

The Regulators' Code is a framework which sets out how regulatory bodies (such as the council) should engage with those who they regulate.

This policy has been developed in accordance with the principles set out in the Regulators' Code. For more information see www.gov.uk/government/publications/regulators-code

