

# **BISHTON COMMUNITY COUNCIL**

## **CYNGOR CYMUNED TRESEFGOB**

### **COMPLAINTS POLICY**

#### **Introduction.**

Complaints are valuable because they provide a chance to put things right if there has been an error, and to make sure that the same mistake is not repeated.

#### **Policy Statement.**

It is essential that complaints be dealt with positively. Bishton Community Council is anxious to hear people's comments and is committed to making full use of complaints information to contribute to continuous service improvement. Important information about areas for improvement can be obtained both from a single complaint and from patterns of complaints, highlighted by detailed monitoring.

#### **Definition of a Complaint.**

A complaint is any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council or its staff, which affects the individual resident or group of residents.

#### **What the complaints procedure will deal with.**

The complaints procedure will deal with matters of maladministration, which is if the Council does something the wrong way, fails to do something it should do or does something that it should not do. Some examples include: ➤ Neglect or unjustified delay

- Malice, bias, or unfair discrimination
- Failure to tell people their rights
- Failure to provide advice or information when reasonably requested ➤ Providing misleading or inaccurate advice
- Inefficiency, ineffectiveness, bad and unprofessional practice or conduct

#### **What the complaints procedure will not deal with:**

- Complaints for which there is a legal remedy or where legal proceedings already exist
- Complaints about employment matters.

#### **Equal Opportunities.**

The Council is committed to equal opportunities. Complaints feedback will be used to highlight discriminatory practices, and to promote equality of opportunity.

Complaints by members of the public of discrimination and/or harassment against the Council will be dealt with through this complaints procedure unless it is a complaint that should be dealt with through a statutory procedure.

## **Stages of the Procedure.**

The stages of the procedure are designed to provide the complainant with a thorough and fair means of redress and to provide a framework for councillors to work within.

### **Everyday problems, queries and comments.**

The Council receives queries, problems and comments as part of its day-to-day running, and they should not all be regarded as complaints. These are routine and expected and are generally resolved quickly to the customer's satisfaction.

If someone is dissatisfied with the original service or response they received and wishes to take the matter further, then the issue should be recognised as a complaint.

### **Informal Complaint.**

During the course of daily business, minor complaints are made to councillors about the services we provide. The Clerk and the Chairman will usually deal with these.

It is not appropriate for every comment to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.

### **Formal Complaint (Stage 1).**

A customer or resident may wish to make a formal complaint directly, or may be unsatisfied with the outcome of an informal complaint and may wish to take the matter further. This will be recorded as a complaint and passed to the appropriate officer to investigate.

#### **Timescales:**

Acknowledgement – by return of post. Within 14 working days of acknowledgement the decision and the nature of any action to be taken shall be communicated in writing to the complainant.  
Investigating Officer: Clerk

#### **Review of Investigation and Complaint (Stage 2).**

If the complainant is not satisfied with the Clerk's response, they should be advised of their right to have the complaint referred to the Chairman who will review the complaint.

#### **Timescales:**

Acknowledgement – by return of post. Within 14 working days of acknowledgement the decision and the nature of any action to be taken shall be communicated in writing to the complainant.  
Investigating Officer: Chairman

### **Complaints Panel (Stage 3).**

If the issue remains unresolved, the complainant should be notified of his or her right to have the matter referred to a Complaints Panel.

- The panel shall consist of either 3 (preferred) or 2 independent/impartial persons(excluding the chairman).

- If a panel cannot be agreed or created, the issue should be put to the council for either:-
  - A 3rd party (independent person or organisation) to investigate the matter and make recommendations to the council (Preferred).
  - An alternative plan be agreed
  - The matter be closed (last resort)

The panel shall investigate the matter and make recommendations in writing to a closed council meeting

The Council shall make the final decision

### **Timescales:**

Panel convened within 14 days. Within 14 working days of the meeting the decision and the nature of any action to be taken shall be communicated in writing to the complainant.

Investigating Body: Complaints Panel

### **Unreasonable and Vexatious Complaints.**

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 Clerk with a summary of the issues and of the attempts made to resolve the complaint. She/he 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.

### **Anonymous Complaints**

Anonymous complaints should be referred to the Clerk, and may be dismissed at his/her discretion, according to the type and seriousness of the allegation.

### **Resolution and Remedies**

The aim in dealing with all complaints is to reach a resolution for the complainant, whether it is the remedy they were originally seeking or not. Where a complaint is found to be at all justified, consideration may need to be given to the question of an appropriate remedy (the Clerk to make any final decision regarding remedy). An explanation or an apology will always be needed.