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CEREDIGION
County Council

Concerns and Complaints Policy (Corporate)



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Concerns and Complaints Policy

Statement of Principles

Effective complaints handling processes should be:

Complainant Focused

- The complainant should always be at the centre of the complaints process
- Service providers need to be flexible when responding to complainants' differing needs

Simple

- Complaints processes should be well-publicised, have easy-to-follow instructions and have no more than two stages
- Information on advocacy services and support should be available
- Complaints responses should set out clearly the next stage and the right to approach the Ombudsman

Fair and Objective

- Complainants should receive a complete and appropriate response to their concerns
- Complainants and staff complained about should be treated equally and with dignity

Timely and Effective

- Complaints should be resolved promptly, when possible investigations should be thorough, yet prompt
- Complainants should be kept informed throughout of the progress of a lengthy investigation

Accountable

- Complainants should receive an honest and clear explanation of the findings of an investigation
- Service providers should explain to complainants what changes will be made if their complaint is upheld, wherever possible

Committed to Continuous Improvement

- Information from complaints will be collated and analysed
- Data will be shared with Ceredigion County Council senior leaders and the Ombudsman to support improvement in complaint handling and in service delivery
- Decision makers will regularly review the information gathered from complaints when planning service delivery

Concerns and Complaints Policy

Ceredigion County Council is committed to dealing effectively with concerns or complaints you may have about our services. We will treat people fairly and with respect and listening to feedback from our service-users when things go wrong.

We aim to clarify any issues you may be unsure about. If possible, we will put right any mistakes we may have made. We will provide any service you are entitled to which we have failed to deliver. If we did something wrong, we will apologise and, where possible, we will try to put things right for you. We also aim to learn from our mistakes and use the information we gain from complaints to improve our services.

Welsh Language Standards

You may make your complaint to any member of Council staff in Welsh or in English, depending on your language preference. In accordance with the Council's duty to comply with the Welsh Language Standards (WLS), we will communicate with you in the language of your choice.

Complaints can also be made regarding the Council's implementation and compliance with the WLS, or the standard of service provision delivered by the Council in Welsh. Complaints of this nature will be shared with the Council's Welsh Language Officer and you will have the opportunity to refer your complaint to the Welsh Language Commissioner at any time.

When to use this policy

When you express your concerns or complain to us, we will usually respond in the way we explain below. However, sometimes you may have a statutory right of appeal e.g. against a refusal to grant you planning permission or the decision not to give your child a place in a particular school, so rather than investigate your concern, we will explain to you how you can appeal. Sometimes, you might be concerned about matters that are not covered by this policy e.g. when a legal framework applies or in the event of an insurance claim. In such cases, we will advise you about how to make your concerns known to the appropriate body.

This policy does not apply to Freedom of Information or data access issues. Please direct your requests in writing to the relevant service:

Freedom of Information
Complaints and FOI Manager
Canolfan Rheidol
Rhodfa Padarn
Aberystwyth
Ceredigion
SY23 3UE

foi@ceredigion.gov.uk

Data Protection
Information & Data Protection Officer
Canolfan Rheidol
Rhodfa Padarn
Aberystwyth
Ceredigion
SY23 3UE

data.protection@ceredigion.gov.uk

This policy does not apply to complaints made about the provision of Social Services as there is a separate, statutory policy in place for this (i.e. “*Are we getting it right?*”). This policy also does not relate to complaints against schools. Whilst the Council can provide advice to schools regarding their complaints handling procedures, it is the school’s Governing Body that has responsibility for ensuring complaints are managed in accordance with the school’s own complaints procedures. You can obtain more information about the school’s complaints procedures and a copy of their policy by contacting the school directly.

Asking us to provide a service?

If you are approaching us to request a service, e.g. reporting a missed bin collection, or requesting an appointment this policy does not apply. If you make a request for a service and then are not happy with our response, you will be able to make your concern known to us as we describe below.

When should you complain?

Normally we will only be able to look at your concerns if you tell us about them within **six months** of the event that you are complaining about. This is because it is better to look into your concerns while the issues are still fresh in everyone’s mind.

In exceptional circumstances we may agree to look into matters that occurred over six months ago, but you will need to explain why you could not bring your complaint to our attention earlier. We will then consider whether there is enough information available to support undertaking an investigation outside of the normal timescale. In any event, we will not consider any concerns about matters which took place more than three years ago.

If you are expressing a concern on behalf of somebody else, we will need their agreement for you to act on their behalf.

What if there is more than one body involved?

If your complaint covers more than one body (e.g. a housing association) we will usually work with them to decide who should take the lead in dealing with your concerns. You will then be given the name of the person responsible for communicating with you while we consider your complaint.

If the complaint is about a body working on our behalf (e.g. repair contractors) you may wish to raise the matter with them first as we expect organisations providing a service for the council to have their own Complaints policy. If you are dissatisfied with the response, and you want to express your concern or complaint with the Council, we will look into this ourselves and respond to you, provided the contractors have had the opportunity to respond to you directly.

How to make your complaint

You can express your concern in any of the following ways:

- Ask for a copy of our form from the person with whom you are already in contact. Tell them that you want us to deal with your complaint in accordance with this policy.
- Get in touch with our Complaints and FOI Team on 01545 574151 if you want to make your complaint over the phone.
- Use the complaints form on our [website](#).
- E-mail us at: complaints@ceredigion.gov.uk
- Write to us: Complaints & FOI Team, Canolfan Rheidol, Rhodfa Padarn Aberystwyth, SY23 3UE

We aim to have concern and complaint forms available at all of our public areas e.g. at our Council offices and community libraries.

Copies of this policy and the complaint form are available in alternative languages, audio and braille upon request.

Dealing with your complaint – STAGE 1 (Informal Resolution)

Where possible, we believe it's best to deal with things straight away. You may be able to raise it with the person you're dealing with, or their line manager, who will try to resolve the issue for you there and then and make sure any lessons are learned as a consequence.

If the member of staff or manager cannot help, they will pass your concerns to the Complaints and FOI Service for further consideration under Stage 1 of the Concerns and Complaints Policy. As outlined above, you may also contact the Complaints and FOI Team directly to raise your concerns.

At Stage 1:

- We will acknowledge your concern within **two working** days and let you know how we intend to deal with it.
- We will ask you to tell us how you would like us to communicate with you and establish whether you have any particular requirements – for example, your preferred language of choice or if you need documents in large type.
- We will deal with your concern in an open and honest way.
- We will make sure that your dealings with us in the future do not suffer because you have expressed a concern or made a complaint.
- We will formally respond to your complaint within **10 working days** informing you of our findings and what we have done to resolve matters. If we are unable to respond to you

within this timeframe, **we will escalate your complaint to Stage 2**, Formal Investigation. The Complaints and FOI Team will advise you of these arrangements.

- If you remain dissatisfied with the outcome of your complaint at Stage 1, you will be advised within the response provided that you can request escalation of your complaint to Stage 2: Formal Investigation within **20 working days** of the date of your Stage 1 response.
- You will need to explain why you believe your complaint has not been addressed properly at Stage 1.

Dealing with your complaint – STAGE 2 (Formal Investigation)

If we have been unable to resolve your complaint satisfactorily at Stage 1, if we have exceeded the timescales set out under Stage 1 or, if your concerns are complex or of a more serious nature, we will conduct a formal investigation into your complaint.

At Stage 2:

- We will formally acknowledge your concern within **five working** days and let you know how we intend to deal with it.
- We will ask you to tell us how you would like us to communicate with you and establish whether you have any particular requirements – for example, your preferred language of choice or if you need documents in large type.
- We will deal with your concern in an open and honest way.
- We will make sure that your dealings with us in the future do not suffer because you have expressed a concern or made a complaint.
- We may need to meet with you to discuss your complaint or we may suggest alternative methods to try and resolve matters (e.g. mediation or a resolution meeting).
- We will aim to formally respond to your complaint within **20 working days**, informing you of our findings and what we have done to resolve matters. If we are unable to respond to you within this timeframe, the Complaints and FOI Team will contact you to inform you of the delay, provide an update on the investigation and give you a revised response date.
- We will include information in our formal response about where you can take your complaint if you remain unhappy with the outcome or the explanations provided. This is usually the [Public Services Ombudsman for Wales](#), but may also be the [Welsh Language Commissioner](#) if your complaint relates to the Welsh Language Standards, or the [Information Commissioner's Office](#) if your complaint is about information governance.

Investigation

We will tell you who we have asked to look into your complaint. If your complaint is straightforward, we will usually ask the Corporate Manager for the Service to investigate your complaint and respond to you. If your complaint is complex or of a serious nature, we may ask a manager from another Service to investigate matters. In exceptional circumstances, we may decide to appoint an independent investigating officer.

Our Complaints and FOI Team will keep you informed about how your complaint will be addressed, who is responsible for investigating the matters you have raised and when you can expect to receive a response.

We will set out our understanding of your complaint and ask you to confirm that these details are correct. We will also ask you to tell us what outcome you are hoping for. We may also need to discuss your complaint with you in more detail. We will let you know as early as possible if this is the case.

The person investigating your complaint will aim to establish the facts. The extent of the investigation will depend on how complex and how serious the issues are and in some cases, we may draw up an investigation plan.

The investigating officer will look at relevant evidence which may include information you have provided, our case files, notes of conversations etc. The investigating officer may also conduct staff interviews and look at our policies and any legal entitlement and guidance.

Outcome

If there is a simple solution that could resolve your complaint then we may ask you if you are happy to accept this. For example, where you have asked for a service and we can see straight away that you should have had it, we will offer to provide the service rather than undertake a formal investigation into your complaint.

If we formally investigate your complaint we will let you know what we find and if necessary, we will produce a report. We will explain how and why we came to our conclusions.

If we find that we made a mistake, we will tell you what happened and why.

If we find there is a fault in our systems or the way we do things, we will tell you what it is and how we plan to change things to stop it happening again.

If we have made a mistake we will always provide a formal apology within our response.

Putting things right

If we didn't provide you with a service you should have had, we'll aim to provide it now, if that's possible. If we didn't do something well, we will aim to put it right. If you have lost out as a result on our part, we will try to put you back in the position you would have been in if we'd have done things properly.

If you were entitled to funding and we did not provide it, we will try to refund the cost.

Our formal response to your complaint will provide details of any actions we will take to put things right.

The Ombudsman

If we do not succeed in resolving your complaint, you may complain to the Public Services Ombudsman for Wales. The Ombudsman is independent of all government bodies and can look into your complaint if you believe that you personally, or the person on whose behalf you are complaining:

- Have been treated unfairly or received a bad service through some failure on the part of the service provider.
- Have been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman normally expects you to bring your concerns to our attention first and to give us a chance to put things right. You can contact the Ombudsman by:

- Phone: 0300 790 0203
- Email: ask@ombudsman.wales
- The website: www.ombudsman.wales
- Writing to: Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ

Learning lessons

We take your concerns and complaints seriously and try to learn from any mistakes we've made. The Council's Leadership Group considers a summary of all complaints on a quarterly basis and is made aware of all serious complaints.

The Council's Cabinet of Elected Members also consider how we are performing in relation to complaints at least twice a year.

We share summary (anonymised) information on complaints received and complaints outcomes with the Ombudsman as part of our commitment to accountability and learning from complaints.

In line with the Local Government and Elections (Wales) Act 2021 we also report information on complaints performance and the Council's ability to handle complaints effectively at least twice a year to the Audit and Governance Committee.

Where there is a need for significant change, we will develop an action plan setting out what we will do, who will do it and when we plan to do it.

What if you need help?

Our staff will aim to help you make your concerns known to us. If you need extra assistance, we will try to put you in touch with someone who can help. You may wish to contact:

Ceredigion Independent Professional Advocacy (CIPA)

- **Website:** www.cipawales.org.uk
- **Email:** info@cipawales.org.uk
- **Phone:** 0800 206 1387

You can also use this concerns and complaints policy if you are under the age of 18. If you need help, you can speak to someone on the [Meic Helpline](#):

- **Website:** www.meiccymru.org
- **Phone:** 0808 802 3456

Or contact the [Children's Commissioner for Wales](#):

- **Website:** www.childcom.org.uk
- **Email:** post@childcomwales.org.uk
- **Phone:** 0808 801 1000

What we expect from you

In times of trouble or distress, some people may act out of character. There may have been upsetting or distressing circumstances leading up to a concern or a complaint. We do not view behaviour as unacceptable just because someone is forceful or determined.

We believe that all complainants have the right to be heard, understood and respected. However, we also consider that our staff have the same rights. We therefore expect you to be polite and courteous in your dealings with us. We will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence. We have a separate policy to manage situations when we find that someone's actions are unacceptable.

APPENDIX A

CONCERN / COMPLAINT FORM

Please Note: The person who experienced the problem should normally fill in this form. If you are filling this in on behalf of someone else, please fill in section B.

A: Your details

Title:	Forename(s):	Surname:
Address and postcode:		
E-mail address:		
Daytime phone number:		
Please state how you would prefer us to contact you:		

Your requirements: if our usual way of dealing with complaints makes it difficult for you to use our service, for example if English or Welsh is not your first language or you need to engage with us in a particular way, please tell us so that we can discuss how we might help you.

B: MAKING A COMPLAINT ON BEHALF OF SOMEONE ELSE

THEIR DETAILS:

Please note: We have to be satisfied that you have the authority to act on behalf of the person who has experienced the problem.

Their full name:	
Address and postcode:	
What is your relationship to them?	
Why are you making a complaint on their behalf?	

C: About your concern / complaint

(please continue your answers to the following questions on a separate sheet(s) if necessary.)

C.1 Name of the department/section/service you are complaining about:

C.2 What do you think they did wrong, or failed to do?

C.3 Describe how you personally have suffered or have been affected:

C.4 What do you think should be done to put things right?

C.5 When did you first become aware of the problem?

C.6 Have you already put your concern to the staff responsible for delivering the service? If so, please explain how and when you did so:

C.7 If it is more than 6 months since you became first aware of the problem, please give the reason why you have not complained before now:

If you have any documents to support your concern/complaint, please attach them with this form.

Signature: _____

Date: _____

When you have completed this form please send it to:

Complaints and FOI Team, Canolfan Rheidol, Rhodfa Padarn, Aberystwyth, SY23 3UE

or via e-mail to: complaints@ceredigion.gov.uk.