

# Pembrokeshire County Council

## Compliments, Concerns & Complaints Policy



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1.0	New Policy	Chief Audit, Risk & Information Officer	April 2021	Draft

# PURPOSE

In accordance with Section 36 of the Public Services Ombudsman (Wales) Act 2019, the Council is required to have a Complaints Handling Procedure which complies with the Ombudsman's Statement of Principles and Model Complaints Handling Procedures.

The Social Services Complaints Procedure (Wales) Regulations 2014 specifies the arrangements required for the handling and consideration of Social Services complaints, including the two stage procedure, statutory timescales and reporting arrangements.

The Representations Procedure (Wales) Regulations 2014 specifies the arrangements required for dealing with complaints in respect of specific functions as outlined within paragraphs 8,9 and 10 of the Regulations.

In addition to the legislative framework outlined above, the Council views Compliments, Concerns and Complaints as an integral part of measuring our performance. We have a duty under the Local Government & Elections (Wales) Act 2021 to keep our performance under review and to consult with local people on performance. The feedback received through Compliments, Concerns and Complaints forms part of our performance self-assessment.

# LEARNING

## OUR COMMITMENT

Pembrokeshire County Council is committed to continuous improvement and to building stronger relationships with the communities that we serve. Our Compliments, Concerns & Complaints Policy is a core part of our performance framework. As part of our culture of Purpose, Learning & Results, we welcome the feedback we receive from our citizens and service users to assist us to identify what we do well and where we need to improve.

If you are pleased with the service you've received from us or would like to make a comment or suggestion, we'd like to hear your feedback. This will give us an understanding of what's important to you and will help us to review and develop our ways of working.

Pembrokeshire County Council is committed to dealing effectively with any concerns or complaints you may have about our services. We aim to clarify issues you may be unsure about. If possible we'll put right any mistakes we may have made. We will provide any service you're entitled to which we have failed to deliver. If we did something wrong, we'll apologise and, where possible, try to put things right for you. We aim to learn from our mistakes and use the information we gain from complaints to improve our services.

# RESULTS

We take your concerns and complaints seriously and try to learn from any mistakes we've made. Our Senior Leadership Team are responsible for the Council's performance and receive quarterly updates on the performance framework, which includes a summary of all compliments, concerns and complaints. The Senior Leadership Team will be made aware of any serious complaints. The Senior Leadership Team require assurance that the Council is delivering on its purpose and where there are shortfalls, that we learn and improve.

The Governance & Audit Committee are responsible for reviewing and assessing our ability to handle complaints effectively and can make recommendations for improvement. The Governance & Audit Committee will receive quarterly updates on the number of compliments, concerns and complaints received, our response times and a high-level overview of outcomes.

The feedback we receive through Compliments, Concerns and Complaints will assist us to undertake self-assessments of our performance to enable us to reflect on how well we are operating as a Council and what action is needed to ensure we can continue to provide effective services now and in the future.

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

# WHEN TO USE THIS POLICY

## APPLICABILITY

When you express your concerns or complaint to us, we will usually respond in the way we explain below. However, sometimes you may have a statutory right of appeal, such as planning application decisions, 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, such as policy decisions by Welsh Government, and we will then advise you about how you can make your concerns known.

### **A complaint is:**

- ♦ An expression of dissatisfaction or concern;
- ♦ Written or spoken or made by any other communication method;
- ♦ Made by one or more members of the public (someone or a group in receipt of or denied a service to which they are entitled by the service provider);
- ♦ About a public service provider's action or lack of action or the standard of service provided;
- ♦ Something which requires a response.

If you are approaching us to request a service, e.g. reporting a faulty streetlight or requesting an appointment, this policy doesn't 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 as we describe below.

**This policy does not apply to 'Freedom of Information', Data Protection or Data Access issues.** We have a separate procedure to follow for these matters, please contact:

Freedom of Information: [foi@pembrokeshire.gov.uk](mailto:foi@pembrokeshire.gov.uk).

Data Protection: [DataProtection@pembrokeshire.gov.uk](mailto:DataProtection@pembrokeshire.gov.uk)

Access to Records: [accesstorecords@pembrokeshire.gov.uk](mailto:accesstorecords@pembrokeshire.gov.uk)

**This Policy does not cover schools.** Schools follow their own procedure, so compliments, concerns and complaints should be addressed directly to the school concerned.

**Concerns and complaints regarding County Councillors should be directed to:**

**Claire Jones, Monitoring Officer: email: [Claire.Jones@pembrokeshire.gov.uk](mailto:Claire.Jones@pembrokeshire.gov.uk)**

# INFORMING US

## CONTACT

### Compliments & Comments

We'd like to understand what we do well and what our customers value. If you would like to provide positive feedback or make a comment or suggestion on how we could improve, please tell us by:

- Completing the online form at [www.pembrokeshire.gov.uk](http://www.pembrokeshire.gov.uk)
- Email us at [compliments@pembrokeshire.gov.uk](mailto:compliments@pembrokeshire.gov.uk)
- Write to us at Compliments & Comments, Pembrokeshire County Council, County Hall, Haverfordwest, Pembrokeshire, SA61 1TP.

### Concerns & Complaints Informal Resolution

If possible, we believe it's best to deal with things straight away. If you have a concern, please raise it with the person you're dealing with. They will try and resolve it for you there and then. If there are any lessons to learn from addressing your concern, the member of staff will draw them to our attention. If the member of staff can't help, they will explain why and you can then ask for a formal investigation.

### How to Express Concern or Complain Formally

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

- Use the **form** on our website at [www.pembrokeshire.gov.uk](http://www.pembrokeshire.gov.uk)
- 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 concern formally.
- Get in touch with our customer contact centre on 01437 764551 if you want to make your complaint over the phone.
- **Email** us at [corporatecomplaints@pembrokeshire.gov.uk](mailto:corporatecomplaints@pembrokeshire.gov.uk)
- Write to us at: Corporate Complaints, Pembrokeshire County Council, County Hall, Haverfordwest, Pembrokeshire, SA61 1TP.

We aim to have concern and complaint forms available at our main Council offices.

Copies of this policy and the complaint form are available in Welsh and English and as audio and large print by request.

# OUR PROCESS

## HOW WE WILL RESPOND

### **Compliments & Comments**

Your compliments will be recorded and shared with the relevant Service Manager to share with the team to ensure that good customer service is acknowledged. We will consider whether there is more wider learning that can be taken from your feedback and share as appropriate. We will publish some anonymised compliments and comments unless you specifically ask us not to. You will receive an acknowledgement within 15 working days to let you know of any further action we are planning to take as a result of your feedback.

### **Concerns & Complaints**

We will formally acknowledge your concern within 5 working days (2 days for social care complaints) 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, 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 just because you have expressed a concern or made a complaint.

Normally, we will only be able to look at your concerns if you tell us about them within six months (twelve months for social care complaints). This is because it's better to look into your concerns while the issues are still fresh in everyone's mind.

We may exceptionally be able to look at concerns which are brought to our attention later than this. However, you will have to explain why you have not been able to bring it to our attention earlier and we will need to have sufficient information about the issue to allow us to consider it properly. In an event, we will not consider any concerns about matters that took place more than three years ago.

If you're expressing a concern on behalf of somebody else, we'll need their agreement to you acting on their behalf.

Occasionally, complaints received will involve legal or disciplinary proceedings. It may be necessary to put the investigation of a complaint "on hold" until the conclusion of those other proceedings.



## **What if there is more than one body involved?**

If your complaint covers more than one body, e.g. Health Board and Council, School and Council, 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. public toilets or transport operators, you may wish to raise the matter informally with them first. However, if you want to express your concern or complaint formally, we will look into this ourselves and respond to you.

## **Investigation**

We will tell you who we have asked to look into your concern or complaint. If your concern is straightforward, we'll usually ask somebody from the relevant service area to look into it and respond to you. If it is more serious, we may use someone from elsewhere Pembrokeshire County Council or in certain cases, including those concerning social services where a statutory procedure applies, we may appoint an independent investigator.

We will set out our understanding of your concerns and ask you to confirm that we are right. We'll also ask you to tell us what outcome you're hoping for.

The person looking at your complaint will usually need to see the files we hold relevant to your complaint. If you don't want this to happen, it's important that you tell us.

If there is a simple solution to your problem, we may ask you if you're happy to accept this. For example, where you asked for a service and we see straight away that you should have had it, we will offer to provide the service rather than investigate and produce a report. In such instances, the outcome of your complaint will still be recorded to reflect performance and aid learning.

We will aim to resolve concerns as quickly as possible and expect to deal with the vast majority within 20 working days or 25 working days for social care complaints. If your complaint is more complex, we will:

- Let you know within this time why we think it may take longer to investigate.
- Tell you how long we expect it to take.
- Let you know where we have reached with the investigation, and
- Give you regular updates, including telling you whether any developments might change our original estimate.

The person who is investigating your concerns will firstly aim to establish the facts. The extent of the investigation will depend upon how complex and how serious the issues you have raised are. In complex cases, we will draw up an investigation plan.

We will contact you to discuss your concerns and in some instances we may ask to meet with you. Occasionally we might suggest mediation or another method to resolve disputes.

We'll look at relevant evidence. This could include information you have provided, our case files, notes of conversations, letters, emails or whatever may be relevant to your particular concern. If necessary, we'll talk to the staff or others involved and look at our policies, any legal entitlement and guidance.

### **Outcome**

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

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

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

If we make a mistake, we will always apologise for it.

### **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'll aim to put it right. If you have lost out as a result of a mistake on our part, we'll try to put you back in the position you would have been in if we'd done things properly.

If you had to pay for a service yourself, when we should have provided it for you, or if you were entitled to funding you did not receive, we will try to refund the cost.

### **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. When we find someone's actions unacceptable we will manage those situations under our Persistent or Unreasonable Contact Policy.

# SUPPORT

## 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 and put you in touch with someone who can help, please ask your Complaints Contact Officer.

The Council commissions Ty Gynnal Plant Wales to provide advocacy support for children and Young people, you can contact them:

☎ Phone: 029 2039 6974 Website: [www.tgpcymru.org.uk](http://www.tgpcymru.org.uk)

☎ Email: [admin@tgpcymru.org.uk](mailto:admin@tgpcymru.org.uk)

You can also use this policy if you are under the age of 18. If you need help, you can speak to someone on the Meic Helpline:

• Phone: 0808 802 3456 Website: [www.meiccymru.org](http://www.meiccymru.org)

Or contact the Children's Commissioner for Wales. Contact details are:

☎ Phone: 0808 801 1000 Website: [www.childcom.org.uk](http://www.childcom.org.uk)

## The Ombudsman

We aim to resolve your concerns and complaints to your satisfaction. However, 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 the chance to put things right. You contact the Ombudsman by:

☎ Phone: 0300 790 0203 Website: [www.ombudsman.wales](http://www.ombudsman.wales)

Email: [ask@ombudsman.wales](mailto:ask@ombudsman.wales) Writing to: Public Services Ombudsman for Wales  
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ

There are also other organisations that consider complaints. For example, the Welsh Language Commissioner's Office deal with complaints about services in Welsh. We can advise you about such organisations.

## Concern/Complaint Form

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

### A: Your details

Surname:	Forename(s)	Title: Mr/Mrs/Miss/Ms/if other please state
Address and Postcode:		
Your email address:		
Daytime contact phone number:		

**Please state how you would prefer us to contact you:**

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**Your requirements:** if our usual way of dealing with complaints make 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:

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

## **C: About your concern/complaints**

**(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 frontline staff responsible for delivering the service? If so, please give brief details of how and when you did so:

C.7: If it is more than six months since you first became aware of the problem, please say 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:

Corporate Complaints, Pembrokeshire County Council, County Hall, Haverfordwest  
Pembrokeshire, SA61 1TP, or email [corporatecomplaints@pembrokeshire.gov.uk](mailto:corporatecomplaints@pembrokeshire.gov.uk).