



## **CAERPHELLY COUNTY BOROUGH COUNCIL**

### **CONCERNS AND COMPLAINTS POLICY**

Caerphilly County Borough Council is committed to dealing effectively with any concerns or complaints you may have about our services.

We aim to clarify any 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.

#### **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 for example 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 for example where a legal framework applies, and we will then advise you about how to make your concerns known.

This policy also applies to how we will deal with complaints from members of the public relating to our compliance with the Welsh language standards, which we have a statutory duty to comply with under the Welsh Language [Wales] Measure 2011.

This policy does not apply to Freedom of Information or data access issues. Please contact the Council's Information Unit, Penallta House, Ystrad Mynach, Hengoed CF82 7PG; telephone 01443 864320; email [foi@caerphilly.gov.uk](mailto:foi@caerphilly.gov.uk)

This Policy does not apply to complaints about schools. Should you wish to raise a complaint about a school contact the school direct who can provide you with a copy of their complaints policy.

Complaints Officers can advise on the type and scope of complaints they can consider.

## **Training for Council Employees**

We will make sure that our staff are trained to handle complaints effectively and receive appropriate training in the use of the Council's Complaints Policy. We will arrange workshops to take place in English or Welsh depending on the requirements of staff.

## **Asking us to provide a service?**

If you are approaching us to request a service, for example, reporting a missed bin collection or 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.

## **Dealing with Your Complaint**

We have a two-stage approach for dealing with your complaint.

### **Stage 1 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 to 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.

We aim to complete the informal stage as quickly as possible and no longer than 10 days. If it is not possible to resolve the concern within this timescale then the matter may be escalated to the formal investigation stage as outlined below. You will be advised how you can escalate your complaint.

## **How to express concern or complain formally**

**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 concern formally.
- Get in touch with our central complaint contact point on 01443 864221 if you want to make your complaint over the phone.
- Use the form on our website at [www.complaints@caerphilly.gov.uk](http://www.complaints@caerphilly.gov.uk)
- Email us at [complaints@caerphilly.gov.uk](mailto:complaints@caerphilly.gov.uk)
- Write to us at: Caerphilly County Borough Council FAO Corporate Complaints Officer c/o Legal Services Penallta House Ystrad Mynach Hengoed CF82 7 PG

We aim to have concern and complaint forms available at all of our service outlets and public areas and also at appropriate locations in the Contact Centres, Libraries, Area Housing Offices and Leisure Centres.

Copies of this policy and the complaint form are available in Welsh and can be made available in other formats including audio or braille on request.

## **Dealing with your concern**

- We will formally acknowledge your concern within **5** 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, 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. 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 any 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.

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

If your complaint covers more than one body e.g. a Housing Association and the 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 for example a repair contractor, 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 unless we have agreed that those organisations will comply with a similar complaints handling process as set out in this document which includes those organisations informing complainants of the right to complain to the Public Services Ombudsman for Wales. If a contractual complaints process is in place, we will still monitor complaints received and how the contractor deals with them.

## **Stage 2 Formal Investigation**

We will tell you who we have asked to look into your concern or complaint. Usually this will be the relevant Head of Service or a person nominated on his/her behalf. If the complaint involves more than one Head of Service's area of responsibility the nominated Head of Service will co-ordinate the response to you or it may be dealt with by the Council's Monitoring Officer, or his/her deputy. In certain cases, for example 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.

We will aim to resolve concerns as quickly as possible and expect to deal with the vast majority within 20 working days. 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.

In some instances, we may ask to meet with you to discuss your concerns. Occasionally, we might suggest mediation or another method to try 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 a 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.

## **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](mailto:ask@ombudsman.wales)
- The website: [www.ombudsman.wales](http://www.ombudsman.wales)
- Writing to: Public Services Ombudsman for Wales 1 Ffordd yr Hen Gae, Pencoed CF35 5LJ

In addition to the right to refer a complaint to the Public Services Ombudsman for Wales concerning the Welsh Language and our Standards if you feel that the complaint has not been resolved satisfactorily or that someone is interfering with your freedom to use Welsh, you may also complain directly to the Welsh Language Commissioner. You can contact the Welsh Language Commissioner by: • Phone: 0845 6033221 • Email: [post@cyg-wlc.wales](mailto:post@cyg-wlc.wales) • Writing to: The Welsh Language Commissioner, Market Chambers, 5-7 St Mary Street, Cardiff CF10 1AT

## **Learning lessons**

We take your concerns and complaints seriously and try to learn from any mistakes we've made. Our senior management team considers a summary of all complaints quarterly and is made aware of all serious complaints. Our Cabinet also considers our response to complaints at least twice a year. We may also make reports to other committees within the Council including the Governance and Audit committee. 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.

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. We will let you know when changes we've promised have been made.

## **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 any of the following services who may be able to assist you.

- Citizens Advice Bureau – [admin1@cacbg.org.uk](mailto:admin1@cacbg.org.uk) telephone number 03444 772020 and or 01443 835363
- Tai Pawb – [info@taipawb.org](mailto:info@taipawb.org) telephone number 02920 537630
- [sheltercymru.org.uk](http://sheltercymru.org.uk) telephone number 08000 495495

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.

- 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
- Email [post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)
- Website [www.childcom.org.uk](http://www.childcom.org.uk)

## **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**

**Surname:**

**Forename:**

**Title:** Mr/Mrs/Miss/Ms/if other please state

**Address & Postcode:**

**Your Email address:**

**Daytime Contact Telephone 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)**

- 1 Name of the department/section/service you are complaining about:
- 2 What do you think they did wrong, or failed to do?
- 3 Describe how you personally have suffered or have been affected:
- 4 What do you think should be done to put things right?
- 5 When did you first become aware of the problem?
- 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:
- 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 Officer  
Caerphilly County Borough Council  
C/o Legal Services  
Penallta House  
Ystrad Mynach  
Hengoed CF82 7PG

How to contact us: email us [complaints@caerphilly.gov.uk](mailto:complaints@caerphilly.gov.uk), telephone: 01443 864221, website: [www.caerphilly.gov.uk/complaints](http://www.caerphilly.gov.uk/complaints), write to us at the above address.