

How the Council will Deal with your Concerns and Complaints

Conwy County Borough Council April 2019

This policy sets out how the Council deals with complaints from members of the public. Telling us when you are dissatisfied with our service is important as it means we have the opportunity to put things right. However, there are some matters within the Authority where you may disagree with a decision the Council has made but where this policy does not apply, for example where there may be an appeal process or other legal procedures that should be followed, for example:

the issuing of Fixed Penalty Notices or Penalty Charge Notices. Information on how to proceed with an appeal can be found on the back of the Fixed Penalty Notice or on our website; [Appeal a Parking Fine](#)

the outcome of a planning application. Once a planning application has been determined generally it can only be overturned by an appeal or judicial review; [Appeal a Planning Decision](#)

a change to the provision of school transport, where there is an appeal process, appeals / dispute resolution is in section 16 of the policy; Appeal / dispute

decisions made regarding Housing Benefit or Council Tax Reduction. Information on how to make an appeal can be found on Conwy's web site, [Housing Benefit Appeal](#), [Council Tax Rebate Appeal](#)

decisions made about a homeless application or accommodation offered through Conwy Housing Solutions. Information on how to request a review of a decision can be found on the Council's website : [Appeal a Decision](#)

NB This list is not exhaustive and further information can be found at Paragraph 2.12 below.

Members of the Council wishing to make a complaint against a member of staff employed by the Authority must proceed via the Protocol for Member/Officer Relations.

Welsh Language Complaints

1. In accordance with the Council's statutory obligations under the Welsh Language Measure 2011, a person can make a complaint in Welsh or English. The complaints process will be followed in accordance with this preference (i.e. issue a Welsh acknowledgment letter, response letter etc.).
2. Should any complaints arise regarding the provision of Council services in Welsh, they should be reported to Corporate Complaints please see item 6. In this guidance **How to express your complaint**, all Complaints are recorded on the central database and acknowledged upon receipt.
3. Council staff will be aware of this policy either through briefing sessions or the Induction Process for new staff. Where applicable, key staff will also receive detailed briefing sessions in relation to this policy and when dealing with Complaints about the Welsh language.
4. Complaints about any matter relating to the Welsh language will also need to be brought to the attention of the Welsh Language & Translation Manager and the Welsh Language Promotion & Development Officer. They will assist you and offer advice about how to respond to a complaint.
5. Complainants who remain dissatisfied following a response at Stage 2 of a complaint in relation to the Welsh language should be informed of the contact details for the Welsh Language Commissioner: Welsh Language Commissioner Market Chambers 5-7 St Mary Street Cardiff CF10 1AT Tel: 0845 6033 221 E-mail: post@cyg-wlc.cymru.

1. Our commitment

- 1.1. Conwy County Borough Council is committed to dealing effectively with any concerns or complaints you may have about any of our services.
- 1.2. We welcome feedback about our services and we want to hear from you. We aim to clarify any issues about which you are not sure.
- 1.3. If possible, we'll put right any mistakes we may have made. We will provide any service to which you are entitled where we have failed to deliver.
- 1.4. If we get something wrong, we will apologise.
- 1.5. We aim to learn from our mistakes and use the information we gain to improve our services.
- 1.6. We will make sure that your dealings with us in the future do not suffer just because you have made a complaint

2. How we will deal with your concerns or complaints

- 2.1. We will normally respond in the same way that you contact us, but if you want a response in a different way, please let us know.
- 2.2. Sometimes your complaint can't be dealt with under this policy. Paragraphs 2.3 – 2.10 below set out the circumstances where you should refer the matter to someone else and the checklist at 2.11 gives you relevant addresses and other information
- 2.3. If you are approaching us for a service for the first time, e.g. reporting a faulty street light or an uncollected refuse bin, then this policy doesn't apply. You should first give us a chance to respond to your request. If you make a request for a service and then are not happy with our response you will be able to make your complaint known as we describe below.
- 2.4. 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. In those circumstances, rather than refer it to us as a complaint, you should appeal in accordance with that particular process and we will explain to you how to do this if you need help
- 2.5. Equally you might be concerned about matters that are not decided by us e.g. by the NHS or the Police. In those cases we will advise you wherever possible how to refer your complaint to the correct body.
- 2.6. If you wish to complain about the conduct of an Elected Member / Councillor then you should complain direct to the Ombudsman.
- 2.7. Complaints relating to Social Care should be referred to that Department to be dealt with in accordance with the statutory procedure relating to those issues.
- 2.8. Matters relating to a Freedom of Information or Data Protection issue should be referred to our Information Governance Unit.
- 2.9. Any complaints relating to a particular school should be referred to the school itself for

resolution.

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- 2.10. Sometimes Officers or Members act as representatives of the Council on outside bodies. In those situations, the complaint should be addressed to that organisation. If you are not sure how to do that we will help you.
- 2.11. Finally, if there are current legal proceedings we will not deal with a complaint on that issue until the proceedings are concluded.
- 2.12. Before you contact us, please refer to the checklist below to ensure that whatever your issue, it can be referred directly to the correct place wherever possible

Issue you may have	What you should do
Service request	Refer it for action to relevant Department
Something where you have a right of appeal	Follow the appeal process
Complaints about other organisations eg NHS, Police, Town or Community Council	Refer to the correct body
<p>1) Complaints about a Councillor's behaviour</p> <p>or</p> <p>2) Dissatisfaction with the outcome of our internal complaints process after the conclusion of stage 2</p>	<p>Refer to the Ombudsman at:-</p> <p>Public Services Ombudsman for Wales 1 Ffordd yr Hen Gae, Pencoed, CF35 5LJ e-mail: ask@ombudsman-wales.org.uk www.ombudsman-wales.org.uk Tel 0300 790 0203</p>
Complaints about Social Care	<p>Refer to Social Care complaints at:-</p> <p>Statutory Complaints Officer Social Care & Education Coed Pella Conway Road Colwyn Bay LL29 7AZ Tel: 01492 574078 cssc@conwy.gov.uk</p>
Issues around Freedom of Information and Data Protection	<p>Refer to Information Governance Unit</p> <p>Information Governance Manager Conwy County Borough Council PO Box 1 Conwy LL30 9GN Tel: 01492 574016 info-gov.unit@conwy.gov.uk</p>
Complaints about a School	Refer to the School itself
Complaints relating to an outside organisation where an Officer or Member of the Council represents the Council on that organisation	Refer to the organisation itself
Complaints relating to an issue where there are current legal Proceedings	Wait until proceedings are concluded

2.13. If your complaint cannot be dealt with in accordance with the above checklist and falls within this policy we will deal with it in an open and honest way starting at Stage 1

3. Stage 1

- 3.1. If possible, we believe it's best to deal with things straight away rather than try to sort them out later. If you have a concern please raise it with the person you're dealing with. He or she will try to resolve it for you there and then.
- 3.2. If you raise your complaint with a member of staff but it can't be answered straight away or within a short period of time (normally within 10 working days) you will be informed and we will let you know how long we expect it to take.
- 3.3. When you receive our response to your complaint and you feel that our response hasn't dealt with your complaint as you expected, you can ask for us to investigate it at Stage 2.
- 3.4. However, if we feel there is nothing more we can do or add to the response at Stage 1, we reserve the right to refuse a Stage 2 investigation, and direct you to the Ombudsman's Office.

4. Stage 2

- 4.1. At stage 2 we will ask another member of staff to investigate the issues.
- 4.2. This step of the process can take longer as it requires a more detailed investigation, possibly up to 20 working days.
- 4.3. The person looking at your complaint will usually need to see the files and all relevant evidence which we hold in connection with the issue. If you don't want this to happen, it is important that you tell us.
- 4.4. The person who is looking at your complaint will aim to establish the facts. The amount of investigation will depend on how complicated and serious the matter appears to be. In some instances we may ask to meet you to discuss and clarify your concerns
- 4.5. If the complaint is complex it may take longer than 20 working days. We will keep you informed as the investigation progresses
- 4.6. When we have finished our investigation we will let you know our findings.

This is the final stage of our complaints procedure

5. Outcome

- 5.1. Regardless of whether your complaint is concluded at Stage 1 or Stage 2, we will let you know what we have found. We will explain how and why we came to our conclusions.
- 5.2. If we find that we got it wrong, we'll tell you what happened and why.

- 5.3. 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.
- 5.4. If we got it wrong, we will always apologise
- 5.5. If we didn't provide a service you should have had we will aim to provide it now if that is possible.
- 5.6. If we didn't do something well we will aim to put it right.
- 5.7. If you have lost out as a result of a mistake on our part we will try to put you back in the position you would have been in if we'd we got it right.

6. How to express your complaint

You can express your complaint in any of the ways below.

- You can write a letter to us at the following address:

	Corporate Complaints Service Conwy County Borough Council PO Box 1 CONWY LL30 9GL
	complaints@conwy.gov.uk
	01492 576070 BT Relay Service Clienteles with hearing or speech impairments can contact any Council service by dialling 18001 before the number they require.
	British Sign Language users can contact Conwy County Borough Council using a Sign Language interpreter, through the InterpretersLive! service, provided by Sign Solutions – visit www.conwy.gov.uk/Contact-Us/sign

- 6.1. Copies of this policy are also available in Welsh, and other formats and languages if requested.



- 6.2. The Corporate Complaints Officer can help you if you are not sure how to make the complaint.

7. Further support in telling us about your complaint

- 7.1. Normally, we will only be able to look at your complaint if you tell us about it within 6 months. This is because it is better to look into issues whilst they are still fresh in people's memories
- 7.2. If you're making a complaint on behalf of somebody else, we will need their agreement to you acting on their behalf.
- 7.3. We will keep the information you provide safe and confidential and we will use it in accordance with the Data Protection Legislation. .

8. Ombudsman

- 8.1. If we do not succeed in resolving your complaint at Stage 2, you may complain to the Ombudsman. The Ombudsman is independent of the Council and can look into your complaint if you are dissatisfied with the outcome of our internal process. The Ombudsman's contact details are shown on page 3 of this document.
- 8.2. The Ombudsman expects you to bring your complaint to our attention first and to give us a chance to put things right.
- 8.3. There are also other organisations that consider complaints in certain circumstances. The **Corporate Complaints Officer** can advise you about such organisations.

9. What we expect from you

- 9.1. 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 complaint. We do not view behaviour as unacceptable just because someone is forceful or determined.
- 9.2. 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 separate policies to manage situations where we find that someone's actions are unacceptable (Persistent & Vexatious Complainants Policy and the Adverse Risk Policy). We cannot deal with complaints in respect of those policies under these procedures.