



# Blaenau Gwent County Borough Council

## Concerns and Complaints Policy

Version 4 – April 2021

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**REVISION HISTORY**

<b>ISSUE DATE</b>	<b>VERSION</b>	<b>REASON FOR CHANGE</b>
March 2010	1	New Policy
July 2015	2	Reviewed and Updated
March 2018	3	Reviewed and Updated
April 2021	4	Reviewed and Updated at request of Public Services Ombudsman for Wales

## 1. Introduction

Blaenau Gwent 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.

## 2. 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 and we will then advise you 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 Protection /access issues.** For Freedom of Information, please contact the Freedom Information Officer, Blaenau Gwent County Borough Council, General Offices, Ebbw Vale, NP23 6DN, Tel: 01495 311556 or email [foi@blaenau-gwent.gov.uk](mailto:foi@blaenau-gwent.gov.uk)

**This Policy does not cover schools.** Each individual school has their own complaints procedure and full details of school's complaints procedures can be obtained directly from each of the Blaenau Gwent schools, contact details of which can be found at <https://www.blaenau-gwent.gov.uk/en/resident/schools-learning/school-contact-details/> Non-school related complaints need to be made to the Director of Education. Further advice and guidance on the Council's procedures can be obtained by contacting the Education Directorate via the following email address: [education.department@blaenau-gwent.gov.uk](mailto:education.department@blaenau-gwent.gov.uk) Also via the Council's complaints page <https://www.blaenau-gwent.gov.uk/en/council/compliments-complaints/>

Any complaints regarding Social Services will be addressed via the Social Services Compliments, Comments & Complaints Procedure. For further information visit <https://www.blaenau-gwent.gov.uk/en/council/compliments-complaints/social-services-complaints->

The Corporate Complaints process is not able to address concerns and complaints regarding Councillors. Complaints should be directed to the Monitoring Officer, [andrea.jones@blaenau-gwent.gov.uk](mailto:andrea.jones@blaenau-gwent.gov.uk)

**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.

### **3. Who may put forward a concern**

Any member of the public who has received, or was entitled to receive, a service from the public service provider may make a complaint.

The person who experienced the problem should normally make the complaint. If you are making a complaint on behalf of someone else, we will need their agreement to you acting on their behalf.

### **4. Asking us to provide a service**

If you are approaching us to request a service, e.g. reporting a faulty street light, or requesting an appointment, this policy doesn't apply. If you make a request for a service and are not happy with our response, you will be able to make your concern known as we describe below.

### **5. Informal Resolution**

If possible, we believe it is best to deal with things straight away. If you have a concern, please raise it with the person you are 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 cannot help, they will explain why and you can then ask for a formal investigation.

### **6. 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 <https://www.blaenau-gwent.gov.uk/en/council/compliments-complaints/corporate-compliments-complaints/>
- Ask for a copy of the 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 01495 311556 if you want to make your complaint over the phone.
- Email us at [info@blaenau-gwent.gov.uk](mailto:info@blaenau-gwent.gov.uk)
- Write to us at Corporate Complaints, Blaenau Gwent County Borough Council, The General Offices, Steelworks Road, Ebbw Vale NP23 6DN.

We aim to have concern and complaint forms available at our Community Hubs. Copies of this policy and the complaint form are available in English and Welsh and can be made available in other formats including audio or braille on request.

## 7. What is a complaint

### 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.
- About a public service provider's action or lack of action, or the standard of service provided.
- Something which requires a response.

It can be about the public service provider itself, a person acting on its behalf, or a public service provider partnership.

### A complaint is not:

- An initial request for a service, such as reporting a faulty street light.
- Reporting a fault or a service failure.
- An appeal against a 'properly made' decision by a public body.
- A means to seek change to legislation or to challenge a 'properly made' decision.
- A means for lobbying groups/organisations to seek to promote a cause.

## 8. Dealing with your concern

### Stage 1

- We will acknowledge your concern within 3 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 9 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 are expressing a concern on behalf of somebody else, we will 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. 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. contractors, you may wish to raise the matter informally with them first. However, if you want to express your concern or complaint to us, we will look into this ourselves and respond to you.

**Investigation**

We will establish details of your concern and make enquiries with the appropriate department. The complaints officer for the department will set out their understanding of your concerns and ask you to confirm that they are right. They will also ask you to tell us what outcome you're hoping to reach.

The person looking at your concern will usually need to see the files we hold relevant to your concern. 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 aim to provide a response and outcome within 10 working days. If it is not possible to resolve your concern within this timescale, then the matter may be escalated to the formal investigation stage as outlined below.

**Stage 2**

If you feel that the stage 1 outcome has not addressed the details of your concern, then you may ask for us to escalate to the second stage of the process. You can ask the person dealing with your concern or contact Customer Services.

The stage 2 investigation will be carried out by the Corporate Complaints Officer and they will aim to resolve concerns as quickly as possible and expect to deal with the vast majority within 20 working days. If your concern 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

## 9. Learning lessons

We take your concerns and complaints seriously and try to learn from any mistakes we've made. We share information and reports with senior management and Members via the most appropriate forum. 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.

## 10. 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 organisations such as Citizens Advice Bureau, Advocacy Support Cymru, Older People's Commissioner for Wales, Children's Commissioner for Wales, Age Cymru, Shelter who may be able to assist you.

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:

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

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

3. Phone 0808 801 1000
4. Email [post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)
5. Website [www.childcom.org.uk](http://www.childcom.org.uk)



## **11. 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.

## 12. 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

<b>Surname:</b>	
<b>Forename(s):</b>	
<b>Title:</b>	
<b>Address and Postcode:</b>	
<b>Email Address</b>	
<b>Daytime Phone Number:</b>	
<b>Please state how you would prefer us to contact you:</b>	

**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.

<b>Their full name:</b>	
<b>Address and Postcode:</b>	

<b>What is your relationship to them?</b>	
<b>Why are you making a complaint on their behalf?</b>	

**C: ABOUT YOUR CONCERN/COMPLAINT**

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

<b>C.1</b> Name of the Department/Section/Service you are complaining about:
<b>C.2</b> What do you think they did wrong, or failed to do?
<b>C.3</b> Describe how you personally have suffered or have been affected.
<b>C.4</b> What do you think should be done to put things right?
<b>C.5</b> When did you first become aware of the problem?
<b>C.6</b> Have you already put your concerns to the frontline staff responsible for delivering the service? If so, please give brief details of how and when you did so.
<b>C.7</b> If it is more than 9 months since you first become aware of the problem, please say why you have not complained before now:
<b>If you have any documents to support your concern/complaint, please attach them with this form.</b>

**Signature** ..... **Date** .....