



Cyngor Cymuned **Glyntraian** Community Council

Complaints Policy and Procedure

1. Introduction

Glyntraian Community Council is committed to dealing effectively and positively with any concerns or complaints from residents about our actions or services. We also aim to learn from our mistakes and use the information we gain to improve our services. This policy outlines the Council's procedure for dealing with complaints.

We take your concerns and complaints seriously and try to learn from any mistakes we've made. Our Council also considers our response to complaints at least twice a year. Where there is a need for change, we will develop an action plan setting out what we will do, who will do it and when we plan to do it by. We will let you know when changes we've promised have been made.

2. Definition of a Complaint

A complaint is any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Community Council or its staff which affects the individual resident or a group of residents.

3. Complaints procedure

The complaints procedure **will deal** with matters of maladministration, which is if the Community Council does something the wrong way, fails to do something it should do or does something it should not do. Examples include:

- neglect or unjustified delay in responding to a contact with the Council
- malice, bias, or unfair discrimination
- failure to tell people their rights
- failure to provide advice or information when reasonably requested
- providing misleading or inaccurate advice
- failure to observe Councils policies or procedures

- inefficiency, ineffectiveness, bad and unprofessional practice, or conduct

The complaints procedure **will not** deal with:

- complaints for which there is a legal solution or where legal proceedings exist already
- complaints about employment matters – the Community Council operates alternative procedures to deal with grievances or disciplinary matters against staff
- complaints concerning an elected member should be directed to the Monitoring Officer at Wrexham County Borough Council, 16 Lord Street, Wrexham LL11 1LG

4. Complaints Officer

The Complaints Officer for Glyntraian Community Council is the Clerk.

Clerk's main duties are:

- The day-to-day operation and management of the procedure, including providing a reference point for staff queries on informal complaints.
- To oversee, and undertake where necessary, the investigation of formal complaints at the first stage, within the relevant time scales.
- To maintain a record of all complaints received including details of the nature of the complaint, action taken, outcome, and time taken to resolve.
- To provide a quarterly analysis of the type, category and number of formal complaints received by the Council.
- To identify improvement points arising from any complaints.

Relevant types of complaint (ideally in writing) should be referred directly to the Clerk at Glyntraian Community Council:

Telephone: 07535 733418

or email: clerk@glyntraian.org.uk

5. Complaints about the Clerk

A complaint about the conduct of the Clerk should be sent directly to the Chairman of the Council, Mr Graham Barrow email: graham.barrow@glyntraian.org.uk

The Council will deal with any complaints about the Clerk internally as an employment matter and, if necessary, appropriate action will be taken in accordance with its internal disciplinary procedure.

6. Dealing with your concern

When 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 have a disability.
- 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 6 months. This is because it's better to investigate 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 give us strong reasons 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, regardless of the circumstances, 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.

7. Stages of the Procedure

The stages of the procedure are designed to provide the complainant with a thorough and fair means of redress and to provide a framework for the Council to work within.

Informal Resolution

The Council receives queries and minor complaints during the course of daily business, and they should not all be regarded as complaints. These are routine and expected from time to time and are generally resolved quickly to your satisfaction. Every effort is made to deal with these problems immediately, either by providing information, instigating the appropriate action, or explaining a decision.

Formal Complaints

You may wish to make a formal complaint directly or may be unsatisfied with the outcome of an informal complaint and may wish to take the matter further. This will be recorded as a complaint and passed to the appropriate officer to investigate. A resident can make their complaint:

- over the phone (07535 733418) expressing the Council deal with their complaint formally
- by writing a letter to the Clerk at the following address: The Clerk, Glyntraian Community Council, Dyffryn, Pontfadog, Llangollen LL20 7AT
- by e-mail at clerk@glyntraian.org.uk

8. Investigation

We will tell you who we have asked to look into your concern or complaint.

We will set out to you our understanding of your concerns and ask you to confirm that we've got it 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 and 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 aim first to establish the facts. The extent of this investigation will depend on 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 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 files, notes of conversations, letters, e-mails 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 and any legal entitlement and guidance.

9. Unreasonable and Vexatious Complaints

There will be circumstances when a complainant persists in wishing to proceed when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response. In such circumstances, the Clerk will inform the complainant that no further action can usefully be taken in response to their complaint, making it clear that only new and substantive issues will merit a response.

10. Anonymous Complaints

Anybody communicating with the Community Council is expected to provide their full name and a postal address. Anonymous complaints should be referred to the Clerk, and may be dismissed at her discretion, according to the type and seriousness of the allegation.

11. Outcome

If we formally investigate your complaint, we will let you know what we have found in keeping with your preferred form of communication. This could be by letter or e-mail, for example. If necessary, we will produce a longer report. We'll explain how and why we came to our conclusions. If we find that we got it wrong, we'll tell you what and why it happened. We'll show how the mistake affected you. 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 got it right.

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.

An explanation or an apology will always be given.

12. Ombudsman

If we fail in resolving your complaint, you may complain to the Public Services Ombudsman for Wales.

The Ombudsman is independent of all government bodies and can investigate your complaint if you believe that you have personally, or the person on whose behalf you are complaining have been:

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

You can contact Ombudsman by:

Phone 0300 790 0203.

Email ask@ombudsman-wales.org.uk

Web site www.ombudsman-wales.org.uk

Writing to: Public services Ombudsman for Wales, I Ffordd yr Hen Gae, Pencoed CF35 5L

13. 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 where we find that someone's actions are unacceptable.

Adopted: 5th October 2022

Next Review: October 2023