



CRICKHOWELL TOWN COUNCIL COMPLAINTS POLICY AND PROCEDURE

(Adopted 15 February 2022)

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Crickhowell Town Council Policy Statement

Crickhowell Town 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.

Crickhowell Town Council Complaints Procedure

What is a complaint?

1. This can be a difficult concept to define but for the purposes of this complaints procedure Crickhowell Town Council uses the Ombudsman's definition:
"A complaint is an expression of dissatisfaction by one or more members of the public about the council's action or lack of action or about the standard of a service, whether the action was taken, or the service provided by the council itself or by a person or body acting on behalf of the council."
2. This is a reasonably comprehensive definition but the following are not to be regarded as complaints: -
 - An initial request for a service
 - Complaints about third parties: e.g., about a community group for which Crickhowell Town Council is not responsible
 - A request for an explanation of a decision.
 - A representation about a major policy decision e.g., setting the precept
3. Customers may of course complain that the council has failed, despite assurances, to provide the service requested.
4. Complaints about the conduct of councillors should always be reported to the Monitoring Officer of the Unitary Authority in the first instance, who will then advise the complainant about making a complaint to the Public Services Ombudsman for Wales.

Why good complaints handling matters

5. Crickhowell Town Council believes an efficient complaints handling procedure will work to the benefit of the council. At a basic level it will help to ensure that customers receive the service to which they are entitled and bring into focus areas where service delivery may be falling below the standards set. It will identify staff development issues and highlight opportunities for service enhancement. Prompt resolution of problems identified will enhance the image of the council and turn potential critics into admirers. Addressing complaints may also help to ensure that all customers are dealt with on the basis of equality.
6. On the other hand, inefficient or long-winded complaints procedures may reinforce the complainant's view that the council is poor at providing services and may result in a complaint to the Ombudsman.



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Complaints procedure

Since it can be difficult to look into things that happened a long time ago, Crickhowell Town Council will normally expect complainants to bring their complaint to them within 6 months of becoming aware of the problem.

Crickhowell Town Council is prepared to be flexible when there are exceptional circumstances.

7. Crickhowell Town Council has adopted a two stage complaints system to suit its particular circumstances:

Stage 1: All complaints will be acknowledged within 7 working days. Initial resolution of the complaint will be attempted by the Clerk.

Stage 2: Where the Clerk is unable to resolve the matter, or considers the issue serious enough, the complaint will be referred to the next Council Meeting for consideration and action.

8. Complainants have the right to refer their complaint to the Ombudsman if they are dissatisfied with the outcome at Stage 1, rather than proceed to Stage 2, and should be advised accordingly. In serious cases, the clerk is aware that the matter should be fast-tracked to Stage 2 at the earliest opportunity.
9. Stage 1 is an opportunity for an informal and reasonably quick resolution of a complaint. Sometimes it is the officer responsible for the original action or decision who is able to resolve the complaint. But at the more formal stage or stages it becomes important to separate roles, and the complaint should always be considered by someone who did not have any involvement in the action or decision complained of.
10. Where complaints might involve disciplinary matters care should be taken to separate the resolution of the complaint and any disciplinary procedures.
11. Crickhowell Town Council will keep a record of complaints in a standard format either on paper or by electronic means.

At what stage might the Ombudsman become involved?

12. The Ombudsman may investigate a complaint if he is satisfied:

- (a) that the matter has been brought to the attention of the council ...and
- (b) the council has been given a reasonable opportunity to investigate and respond to it.

13. The test will have been met at the latest once the Council has made a formal response to the complaint. The Ombudsman also has discretion to investigate even where this test is not met, if there are particular circumstances which make it reasonable to do so.

14. Councils now have a duty to inform members of the public about their right to make a complaint to the Ombudsman and have a duty to do so in responding to any complaint made to the council. The possible stages at which the Ombudsman is likely to become involved, if a council has adopted a complaints procedure based on the preceding guidance, are set out in the table below. However, it should be borne in mind that the Ombudsman does have discretion to accept a complaint at any time if it appears reasonable to him to do so in the particular circumstances.



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<i>Stage reached in council's complaints procedure when complaint made to Ombudsman</i>	<i>Ombudsman's likely involvement</i>
Complainant has not raised matter with council at all	Ombudsman will not accept complaint save in exceptional circumstances
Complainant has raised matter with council but it has not been recognised and dealt with as a complaint	Ombudsman likely to intervene, especially if matter appears serious
Authority still dealing with complaint at stage 1	Ombudsman unlikely to intervene unless authority apparently dealing inappropriately with serious complaint or taking too long
Complainant not satisfied with authority's response at stage 1	Ombudsman likely to refer most complaints back to authority for consideration under a formal stage of its procedure if stage 1 has been dealt with properly and promptly
Authority still dealing with complaint at first formal stage of its procedure	Ombudsman unlikely to intervene unless authority apparently dealing inappropriately with complaint or taking too long
Complainant not satisfied with outcome at any formal stage	Ombudsman will normally accept complaint for consideration (not necessarily leading to an investigation)

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