

## Concerns and Complaints Policy

Merthyr Tydfil 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, 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 such as social services complaints these are covered under The Social Services Complaints Procedure (Wales) Regulations 2014 and we will then advise you about how to make your concerns known. This policy does not apply to 'Freedom of Information' or data access issues. Please contact our Information Governance departments in the first instance regarding these matters. Complaints Officers can advise on the type and scope of complaints they can consider.

### 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 then are not happy with our response, you will be able to make your concern known as we describe below.

### 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.

## 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 01685 725000 if you want to make your complaint over the phone.
- Use the form on our website <https://www.merthyr.gov.uk/council/comments-complaints-and-compliments/complaints-procedure-comments-and-customer-feedback/>
- Email us at [MTCBCcomplaints@merthyr.gov.uk](mailto:MTCBCcomplaints@merthyr.gov.uk)
- Write to us at Complaints Department, Merthyr Tydfil County Borough Council, Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN

We aim to have concern and complaint forms available at all of our service outlets and public areas and also at appropriate locations in our reception areas. Copies of this policy and the complaint form will be made available in alternative languages, audio, large print and braille upon 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 6 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 12 months 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 Merthyr Tydfil County Borough Council and South Wales Police 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 specialist company contracted by the Authority 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.

## Investigation

There are two stages to the Council's complaints procedure:

- A Stage 1 complaint (also referred to as informal resolution) is the quickest and often the most effective way of dealing with your complaint. Unless a complaint is of a very serious nature we expect all complaints to be dealt with initially at Stage 1.
- A Stage 2 complaint enables you to escalate the matter if you remain dissatisfied with the outcome at Stage 1. Stage 2 complaints will be dealt with by a senior officer within the Council and may be independent to the service your complaint relates to.

The Council reserve the right to escalate serious matters straight to Stage 2 should it feel this is necessary based on the nature and seriousness of the issues raised.

We will tell you who we have asked to look into your concern or complaint. If your concern is straightforward, we'll usually ask somebody from the relevant service area to look into it and respond to you. If it is more serious, we may use someone from elsewhere in the Council or, in certain cases including those concerning social services 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 consider refunding 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

There are also other organisations that consider complaints. For example, the Welsh Language Commissioner's Office deals with complaints about services in Welsh. We can advise you about such organisations. Concerns and Complaints Policy for Public Services Providers in Wales.

## 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 six monthly and is made aware of all serious complaints. Our Council, Cabinet, Standards Committee Board and Scrutiny reviews our complaints data annually. 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:

### Older People

If you are over the age of 60, you can get advice and assistance from the Older People's Commissioner for Wales, whose contact details are:

The Older People's Commissioner for Wales, Cambrian Buildings, Mount Stuart Square, Butetown, Cardiff, CF10 5FL

Telephone Number: 02920 445 030 (local rate) or 08442 640 670 (standard rate), or by Fax No: 08442 640 680.

### Children and Young People

If you are under the age of 18 you can get advice and assistance from the Children's Commissioner for Wales, whose contact details are:

- 01792 765600 (South Wales)
- 01492 523333 (North Wales)
- [post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)
- [www.childcom.org.uk](http://www.childcom.org.uk)

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 at TGP Cymru:

- Phone 029 20 396974
- Website <https://www.tgpcymru.org.uk/>

Email [admin@tgpcymru.org.uk](mailto:admin@tgpcymru.org.uk)

Address 12 North Road, Cardiff, CF10 3DY

#### 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. Concerns and Complaints Policy for Public Services Providers in Wales

## **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: Forenames(s): Title: Mr/Mrs/Miss/Ms/ if other please state

Address and postcode:

Your email address:

Daytime contact phone 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 name in full:

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:

Complaints Officer, Community Services, Merthyr Tydfil County Borough Council, Civic Centre, Castle Street, Merthyr Tydfil CF47 8AN