



LEDBURY TOWN COUNCIL

DRAFT CONCERNS AND COMPLAINTS POLICY

Concerns & Complaints

Ledbury Town Council recognises that from time to time there will be concerns expressed by members of the public over the activities of the Council or one of its Members or employees. The Council is committed to dealing effectively with any concerns or complaints you may have about our service. We aim to clarify any issues about which you are not sure. If possible, we will put right any mistakes we have made, we will provide any service you're entitled to which we have failed to deliver. If we got something wrong, we will apologise and where possible we will try to put things right. We also aim to learn from our mistakes and use the information we gain 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 of appeal, 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 decided by us and we will then advise you about how to make your concerns known.

Also, this policy does not apply if the matter relates to a Freedom of Information or Data Protection issue. In these circumstances, you should write to the Town Clerk, Ledbury Town Council, Church Street, Ledbury, HR8 1DH.

Have you asked us yet?

Of you are approaching us for a service for the first time, (i.e. Cemetery, Recreation Ground or other amenity area) then this policy does not 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 concern known as detailed below.

Informal Resolution

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, raise it with the person you are dealing with and they will attempt to resolve it for you there and then if there are any lessons to learn from addressing your concern then the Member or employee will draw them to the

attention of the Clerk. If they can't help, they will explain why and you can then ask for a formal investigation.

How to express your concern or complaint formally

You can put your concern/complaint forward in any of the following ways:-

- Ask for a copy of our complaints form from the person with whom you are already in contact, advising that you want your concern/complaint dealt with formally;
- Contact the Council offices on 01531 632306 if you wish to make your complaint over the phone;
- Download a copy of our complaints form from our website at <http://www.ledburytowncouncil.gov.uk>
- Email us at: reception@ledburytowncouncil.gov.uk
- Write to us at: - Ledbury Town Council, Church Street, Ledbury, HR8 1DH

Dealing with your concern

- We will formally acknowledge your concern/complaint within 5-working days of receipt and advise you of how we intend to deal with it;
- We will ask you to tell us how you would like to communicate with you and establish whether you have any particular requirements – i.e. do you have a disability;
- We will deal with your concern/complaint 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.

We will, as a rule, only be able to look into your concern/complaint if you tell us about it within 6-months of it occurring.

We may, in exceptional circumstances, be able to look at concerns which are brought later than 6-months, however, you will need to demonstrate good reasons why you have not been able to bring it to the attention of the Council sooner and we will need sufficient information about the issue to enable 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).

A separate Local Resolution Policy is provided in respect of the following low level complaints:

- Minor complaints from Members about Members;
- Minor complaints from Officers about Members;

- Members alleged to have not shown respect and consideration for others – either verbally or written.

What if there is more than one body involved?

If your complaint involves more than one body (i.e. Hereford Council, Health Board etc.) we will usually work with them to decide who should take a lead in dealing with your concerns. You will then be given the name of the person who will be handling your complaint for future communications.

If the complaint is about a body working on behalf of the Council (i.e. contractors) 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 and respond to you accordingly.

Investigation

You will be advised of who is handling your concern/complaint. If your complaint is straightforward, we will usually ask an officer of the Council to look into it and get back to you. If it is more serious, we may use someone from elsewhere in the Council or in some cases we may appoint an independent investigator.

We will provide details of our understanding of your concern/complaint and ask you to confirm that we have the correct understanding. We will also ask you to tell us what you would like as an outcome to the concern/complaint. The person appointed to look at your complaint will usually need to see any files or correspondence we hold relevant to your complaint, if you do not want this to happen it is important that you advise us of this.

If there is a simple solution to your problem, we may ask you to consider it and advise us whether you are happy to accept the outcome. For example; where you have asked for a service and have not received 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 majority within 20-working days. However, if your complaint is more complex, we will:

- Advise you within this time why we think it may take longer to investigate;
- Advise you how long we anticipate it will take;
- Advise you of where we are, at that point, with the investigation;
- Provide you with regular updates, including advising you of whether any developments are likely to change our original estimate of completion.

The person investigating your concerns will aim, in the first instance, to establish the facts. The extent of the investigation will depend on the complexity and seriousness of the issues you have raised. In more complex cases we will draw up an investigation plan.

In some instance, we may ask you to meet with the person investigating your case, to discuss your concerns. Occasionally, if felt appropriate, we might suggest mediation or another method to try to resolve disputes.

We will look at all evidence provided, which will include files, notes of conversations, letters, e-mails and any other relevant documentation and where necessary will talk to Members and employees involved and consider our policies and legal entitlement and guidance.

Outcome

If your complaint is formally investigated, we will let you know the findings via your preferred form of communication. If necessary, we will provide a longer report, which will explain how and why we came to our conclusions.

If we find we (the Council) got it wrong, we will tell you what and why it happened and show how the mistake affected you.

If we find there is a fault in our systems or method of working, we will tell you what that is and how we plan to change things to prevent it from happening again in the future.

If we got it wrong, we will apologise.

Putting things right

If we do not provide a service you should have had, we will aim to provide it as soon as is practicably possible. If we did not do something well, we will aim to put it right. If you have lost out as a result of a mistake of our doing, we will try to put you back in the position you would have been in had we got it right.

If you have had to pay for a service yourself, when you should have had one from us, we will usually aim to make good what you have lost.

Ombudsman

If we do not manage to resolve your concern/complaint satisfactorily you may complain to the Local Government and Social Care Ombudsman. The Ombudsman is a free service that look at individual complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. They are independent of all government bodies and investigate complaints in a fair and independent way if you believe that you, or the person on whose behalf you are complaining:

- Have been unfairly treated or received a bad service through some failures on the part of the body providing it;
- Have been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman can be contacted by:

Tel: 0300 061 0614
Website: <https://www.lgo.org.uk/>

Learning Lessons

We take our concerns and complaints seriously and try to learn from our mistakes. A summary of all complaints will be provided to the Council's Resources Committee twice a year along with the responses provided to each complaint.

Where there is a need to change, we will develop an action plan setting out what we will do, who will do it and when it will be completed by. We will advise you of when changes promised to you have been made.

What if I need help?

Our staff will aim to help you make your concerns known to us. If you need assistance, we will make every effort to put you in touch with someone who can help. You may wish to contact Citizens Advice Bureau, Age Concern, Shelter, etc. who may be able to assist you.

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 complaint. We do not view behaviour as unacceptable just because someone is forceful or determined.

We believe that all complaints 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.

Copies of this policy and the complaints form are available in large print at request.

Date adopted by Council:
Review Date:

LEDBURY TOWN COUNCIL
CONCERN/COMPLAINT FORM

Your Details

Surname	Forename(s)	Title
Address		
Tel:		
Mobile No.		
Email Address		

Please state your preferred method of contact for all future correspondence'

Your Requirements - If our usual way of dealing with complaints makes it difficult for you to use our service please advise us so that we can discuss how we might help you.

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. Please note that before taking forward the complaint we will need to satisfy ourselves that you have the authority to act on behalf of the person concerned.

Making a complaint on behalf of some else? Please provide their details

Surname	Forename(s)	Title
Address		

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

The Complaint

Name of department/service you are complaining about

What do you think they did wrong, or failed to do?

How have you personally suffered or been affected?

When did you first become aware of the problem?

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.

If it is more than 6-months since you first became aware of the problem, please give reasons why you have not complained before now.

What do you think should be done to put things right?

(please continue on a separate sheet(s) if necessary)

If you have any documents to support your concern/complaint, please attach them with this form.

Signed: _____ **Date:** _____

Please send you form to:

Town Clerk
Ledbury Town Council
Church Street
Ledbury
HR8 1DH