

## **Complaints and Concerns Policy**

## **1. Introduction**

- 1.1 Rhondda Cynon Taf County Borough Council is committed to dealing effectively with any complaints or concerns you may have about the services we provide. In this policy the term “complaint” refers to a complaint or a concern.
- 1.2 We aim to clarify any issues about which you are not sure and if possible we will put right any mistakes we may have made. We will provide any service that you are entitled to, which we have failed to deliver. We will apologise if we get something wrong and will correct our error where appropriate. We aim to learn from our mistakes and use the information we gain to improve our services.

## **2. When To Approach Us**

- 2.1 If you are approaching us for a service for the first time, e.g. reporting a faulty street light, requesting a service or an appointment, etc then this policy does not apply. You should give us a chance to respond to your request. However, if you make a request for a service and remain unhappy with our response, you will be able to make a complaint which is described further in this policy.

## **3. When To Use This Policy**

- 3.1 When you express your complaint to us, we will usually respond in accordance with this policy. However, sometimes you may have a statutory right of appeal. For example, against a refusal to grant you planning permission, or a decision not to give your child a place in a particular school. Rather than investigate your complaint, we will explain how you can appeal.
- 3.2 This policy does not apply to complaints relating to Social Services. These are dealt with separately and can be made by contacting :

The Representations and Complaints Unit  
Rhondda Cynon Taf County Borough Council  
Dinas Isaf East,  
Williamstown  
Tonypany  
CF40 1NY  
Telephone: 01443 425451  
Email: [welisten.complaints@rctcbc.gov.uk](mailto:welisten.complaints@rctcbc.gov.uk)

- 3.3 For a complaint regarding a school, in the first instance, please approach the head teacher of the school concerned.

3.4 Areas where this policy may not apply, which may have separate appeal mechanisms include:

- Allegations of criminal activity
- Approved Working Practices
- Complaints about Councillors
- Council policies
- Council Tax matters
- Determination of Housing Benefit entitlement
- Employment matters
- Freedom of Information matters
- Homelessness matters
- Legal and insurance claims
- Parking Contravention Notices
- Planning applications
- School matters

3.5 Should any such complaints be received under this policy, they will be referred to the relevant service to be dealt with.

#### **4. How To Make A Complaint**

4.1 You can express your complaint in any of the following ways:

- Request a copy of our complaint form from the member of staff you are already in contact with. Tell them that you want us to deal with the matter formally.
- Contact us by telephone to make your complaint on: 01443 425005.
- Use the complaint form on our website at: [www.rctcbc.gov.uk](http://www.rctcbc.gov.uk)
- E-mail us at: [feedback@rctcbc.gov.uk](mailto:feedback@rctcbc.gov.uk)
- Write a letter to us at : Customer Feedback, Rhondda Cynon Taf C.B.C., Bronwydd, Porth CF39 9DL
- Visit one of our One4all Centres based in Aberdare, Mountain Ash, Porth, Pontypridd or Treorchy.

4.2 We aim to have complaint forms available at all of our reception areas, libraries and other Council run facilities. Copies of this policy and the complaint form will be made available in alternative languages, audio, large print and Braille, upon request.

4.3 For matters not decided by us, such as a policy of the Welsh Government we will advise you about how to make your concerns known to them.

#### **5. Complaint Response Timescales**

5.1 Complaints received will be logged and acknowledged within 5 working days. Substantive responses will be issued within 10 working days at Stage 1, and within 20 working days at Stage 2. However, if this is not

possible, you will be informed in writing of the reason for the delay prior to the response deadline with a revised timescale for response.

- 5.2 The officer assigned to investigate your complaint will determine whether or not the service has acted in accordance with legislative requirements or in line with approved policies and procedures. It is not the role of the Investigating officer to overturn any decisions that have been made or where legislation or established guidelines have been followed.
- 5.3 If there are lessons to be learned from addressing your complaint then an action plan will be devised by the service manager concerned to ensure its implementation.

Other useful points to note:

- i) Complaints received of a very serious nature will be escalated straight to Stage 2.
- ii) Complaints of a “cross-service” nature involving a number of services will receive one single co-ordinated response, wherever possible.
- iii) The decision of whether an anonymous complaint received warrants investigation, will be determined by the relevant service manager.

## **6. The Two Stage Approach To Complaints**

6.1 We have two Stages for dealing with your complaint.

- A **Stage 1** complaint is the most common way of dealing with your complaint. An officer from the service concerned will investigate the matter and respond to you.
- A **Stage 2** complaint is designed for 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.

### 6.2 Stage 1 – Informal Resolution

- i) We believe it is best to deal with an issue straight away, rather than try to sort it out later. If you have a complaint, raise it promptly with the officer you are dealing with, and indicate the outcome you hope for.
- ii) The officer will normally try to resolve your complaint there and then but this might not be possible and may require referral to a senior officer in the service for investigation, prior to responding to you.
- iii) Depending on the circumstances or serious nature of your complaint, we will reserve the right to escalate it directly to Stage 2 of this policy.

### 6.3 Stage 2 Complaint - Formal Resolution

- i) A senior officer within the Council will deal with your Stage 2 complaint and may be independent to the service your complaint concerns. You may escalate your complaint to Stage 2, when:
- a service has had adequate opportunity to address your complaint but has not provided you with a response in accordance with the Stage 1 requirements.
  - you believe that your complaint has not received adequate or proper consideration.
  - you have received a response at Stage 1 and you remain aggrieved or dissatisfied with the decision reached.
- ii) You are required to provide a detailed explanation of why you think your complaint was not properly addressed at Stage 1, together with your desired outcome.
- iii) Occasionally specific complaint issues may warrant clarification, for example when written complaints are long, unspecific, or when complex complaints taken by telephone have been noted and require clarification. In such circumstances the Investigating officer will contact you with a complaint summary as they see it, to agree/clarify issues prior to investigation.
- iv) Should you fail to respond and agree/clarify issues within 28 days, the complaint will be closed and a letter to this effect will be sent to you.

## 7. Dealing With Your Complaint

- 7.1 We will formally acknowledge your complaint within 5 working days and will usually reply to you in the same way you communicated with us. For example, if you complained by email in Welsh, we would respond by email in Welsh), unless you inform us that you have particular requirements.
- 7.2 We will deal with your complaint in an open and honest way and will make sure that your dealings with us in the future, do not suffer just because you made a complaint.
- 7.3 Normally we will only look at your complaint if you tell us about it **within 12 months** because it is better to look into issues while they are still clear in everyone's mind.
- 7.4 In exceptional circumstances we may look at issues brought to our attention later than this. However, you will have to provide strong reasons why you have not raised the issue sooner. We will also need sufficient information about the matter to allow us to consider it properly.

7.5 If you express a complaint on behalf of someone else, we will need proof of their agreement to you acting on their behalf.

## **8. Investigating Your Complaint**

8.1 We will refer your complaint to the Complaints officer in the relevant service and If the matter is straightforward he/she will tell you who will look into your complaint and reply to you.

8.2 If your complaint is more serious, an officer from another service may be asked to undertake the investigation.

8.3 If our understanding of your complaint requires agreement or clarification we will ask you to confirm that we have got it right. We will also ask you to tell us what outcome you are hoping for.

8.4 The officer looking at your complaint will usually need to see files held relevant to the matter. If you do not want this to happen, it is important that you tell us when you first make your complaint.

8.5 If there is a simple solution we may ask you if you are happy to accept this. For example, where you asked for a service and we see straight away that you should have received, we will offer to provide the service rather than investigate.

8.6 We aim to resolve complaints as quickly as possible and expect to deal with the vast majority within 20 working days. If however, the complaint is more complex, we will:

- let you know within this timescale why it may take longer to investigate, and,
- tell you how long we expect to take to respond ;
- let you know where we have reached with the investigation; and,
- give you periodic updates advising whether any developments might change our original estimate for response.

8.7 The officer investigating your complaint will first aim to establish the facts. The extent of the investigation will depend on how complex and serious the issues you have raised are. We may ask to meet you to discuss your complaint. Occasionally, we may suggest mediation to try to resolve disputes.

8.8 We will look at relevant evidence which could include files, notes of conversations, letters, call recordings, e-mails and anything else relevant to your complaint. If necessary, we will talk to staff or others involved and look at our policies, procedures, guidance and any legal entitlement.

## **9. Outcome Of Your Complaint**

- 9.1 Upon investigating your complaint, we will let you know what we have found in keeping with your preferred form of communication. For example this could be by letter or e-mail. If necessary we will produce a longer report.
- 9.2 We will explain how and why we came to our conclusions and if we find we got the matter wrong, we will explain what happened and why. We will show how the mistake affected you and we will always apologise.
- 9.3 If we find there is a fault in our systems or the way we do things, we will tell you what it is and how we plan to change things to prevent it happening again.

## **10. Putting Things Right**

- 10.1 If we did not provide a service you should have received, we will aim to provide it to you now, if that is possible. If we did not do something well, we will aim to put it right.
- 10.2 If you have lost out as a result of a mistake on our part, we will try to put you back in the position you would have been in, had we got the matter right.
- 10.3 If you had to pay for a service yourself, which you should have received from us, or if you were entitled to funding you did not receive, we will usually aim to make good what you have lost.

## **11. When There Is More Than One Body Involved**

- 11.1 If your complaint covers more than one body e.g. Rhondda Cynon Taf County Borough Council and South Wales Police, we will usually work with them to decide who should take a lead in dealing with the matter. You will then be notified of the officer responsible for communicating with you while your complaint is considered.
- 11.2 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 with them first. However, should you wish to raise the matter with us on a formal basis, we will look into the complaint and respond to you.

## **12. Public Services Ombudsman for Wales**

- 12.1 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 public 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 poor service as a result of a failure on the part of the body providing it.
- have been disadvantaged personally by a service failure or have been treated unfairly.

12.2 The Ombudsman does expect you to bring your concerns to our attention first, to give us a chance to put things right. You can contact the Ombudsman by:

- telephone: 0300 790 0203
- e-mail: [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk)
- writing to: The Public Services Ombudsman for Wales,  
1 Ffordd yr Hen Gae,  
Pencoed  
CF35 5LJ

12.3 There are also other organisations that consider complaints, for example, the Welsh Language Commissioner. Should you wish to complain about the lack of services in Welsh or that someone is interfering with your freedom to use Welsh, you can contact the Welsh Language Commissioner by:

- phone: 0845 6033221
- e-mail: [post@welshlanguagecommissioner.org](mailto:post@welshlanguagecommissioner.org)
- writing to: The Welsh Language Commissioner, Market  
Chambers, 5-7 St Mary Street, Cardiff CF10 1AT

### **13. Learning Lessons**

13.1 We take complaints seriously and try to learn from any mistakes that we have made. 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 the changes we promised have been made.

13.2 Our Corporate Management Team will consider a quarterly summary of all complaints received, plus details of any serious complaints. Our Cabinet will receive a detailed annual complaints report with recommendations where improved practices have been identified.

## 14. Further Help

14.1 Our staff will aim to help you make your complaint known to us. If you need extra assistance, we will try to put you in touch with someone who can help.

### 14.2 Older People

If you are over the age of 60, you can also get help 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 No: 02920 445 030 (local rate) or 08442 640 670 (standard rate), or by Fax No: 08442 640 680.

### 14.3 Children and Young People

You do not need to be an adult to raise a concern or make a complaint about our services which you receive. A leaflet entitled "Help Us To Improve – Get It Sorted" has been produced specifically to obtain feedback from children and young people up to the age of 18 and is available from schools, leisure centres and other Council establishments. Alternatively, you can contact our Children's Complaints Officer to support and help you, whose details are:

Children's Complaints Officer  
Representations and Complaints Unit  
Ty Elai  
Dinas Isaf East  
Williamstown  
Tonypandy  
Tel: 01443 425451  
Email: [welisten.complaints@rctcbc.gov.uk](mailto:welisten.complaints@rctcbc.gov.uk)

If you are still unhappy or need further help, you can contact 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)

**South Wales Office:**  
Oystermouth House  
Phoenix Way  
Llansamlet  
Swansea  
SA7 9FS

**North Wales Office:**  
Penrhos Manor  
Oak Drive  
Colwyn Bay  
Conwy  
LL29 7YW

## **15. What We Expect From You When Dealing With Your Complaint**

- 15.1 We accept that in times of trouble or distress people may act out of character. There may have been upsetting or distressing circumstances leading up to a complaint. Such behaviour is not considered unacceptable just because it is forceful or determined.
- 15.2 We believe you have the right to be heard, understood and respected. However, we also consider that our staff have the same rights and therefore expect you to be polite and courteous in your dealings with us. We will not tolerate aggressive or abusive behaviour, unreasonable actions, demands or persistence.
- 15.3 We will invoke our Unreasonably Persistent Customer policy will to manage situations when a person's behaviour in relation to their complaint is considered unreasonable or unacceptable, or when the nature/ frequency of their contact takes up a disproportionate amount of time.

## Complaint/ Concern form

### A: Your details

Surname	Forename(s):	Title: Mr/Mrs/Miss/Ms - if other please state:
Address and postcode: (to receive letter response)		
Your e-mail address:		
Daytime contact phone number		
Mobile number:		

Please state by which of the above methods you would prefer us to contact you.

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### 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, for example, if you have a sight impairment and would prefer to receive a daisy disc, please tell us so that we can confirm the most accessible form of contact with you.

The person who experienced the problem should normally fill in this form. However, if you are completing it on behalf of someone else, please also fill in section B, below. Before taking the complaint forward we will need to satisfy ourselves that you have the authority to act on behalf of the person concerned.

### B: Making a concern or a complaint on behalf of someone else: *Their Details.*

Their name in full:	
Address and postcode:	
What is your relationship to them?	
Why are you raising a concern/ making a complaint on their behalf?	

**C: About your complaint/concern - please continue your answers to the following questions on a separate sheet(s) if necessary.**

- C.1 Name of the department/section/service you are complaining about:
  
- C.2 What do you think they did wrong, or failed to do?
  
- C.3 Describe how you have personally suffered or adversely affected.
  
- C.4 What do you think should be done to put things right?
  
- C.5 When did you first become aware of the problem?
  
- C.6 Have you already put your complaint/concern to frontline staff responsible for delivering the service? If so, please give brief details of how and when you did so.
  
- C.7 If it is more than 12 months since you first became aware of the problem, please give the reason(s) why you have not complained before now.

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

Signature:.....

Date:.....

When you have completed this form, please send it to:

Customer Feedback,

Rhondda Cynon Taf County Borough Council,

Bronwydd,

Porth

CF39 9DL

Alternatively, email a copy to: [feedback@rctcbc.gov.uk](mailto:feedback@rctcbc.gov.uk)