



# CODE OF PRACTICE ON COMPLAINTS

2011

## **PART 1**

### **INTRODUCTION**

#### **Purpose of the Code**

- 1.1 This Code of Practice sets out the arrangements adopted by the Boundary Commission for Wales (hereafter referred to as the Commission) for handling complaints.

#### **Status of this code**

- 1.2 This Code is not a legal document.

#### **Definition of a complaint**

- 1.3 A working definition of a complaint is:

**“an expression of dissatisfaction about the standard of service provided by the Boundary Commission for Wales, or about action or lack of action by the Commission’s staff, that needs a response.”**

- 1.4 This definition includes complaints regarding the operation of the Commission’s publication scheme or the provision of information under the terms of the Freedom of Information Act 2000.

## PART 2

### INTERNAL PROCEDURES FOR CONSIDERING COMPLAINTS

2.1 The Commission will operate a complaints system which encompasses the following principles:

Courtesy	The Commission will treat all complainants with courtesy and understanding.
Accessibility	The system will be easy to understand, easy to access and will be publicised.
Timely and Informative	There will be clear time limits for taking action to deal with the complaint.  The Commission will keep complainants informed of progress.
Fairness	As far as possible, all parties will be given the opportunity to give their point of view.
Further Review	Complainants have the right to pursue their complaint if not satisfied, until a person who is independent of the Commission has reviewed it.
Effectiveness	The Commission will examine thoroughly all aspects of the complaint. If the complaint is upheld, the Commission will identify and action suitable and appropriate remedies as soon as possible.  The Commission will regularly monitor, audit and report on its internal complaints procedure.

## **2.2 Courtesy**

The Commission will treat all complainants with courtesy and understanding.

## **2.3 Accessibility**

The Commission will:

- publicise their complaints system in the review guidance notes, the annual report and on the Commission's web site;
- accept complaints either orally or in writing (including via fax or electronic mail). Where necessary, particularly where the complaint is complex, complainants will be encouraged to put their complaints in writing, setting out the detail of the complaint. Oral and written complaints will be given the same consideration.

Where the complaint is received orally the member of staff who receives it will, where appropriate, make a note of the complaint and ask the complainant to confirm that it records the complaint accurately.

Where a complainant is unable to act for him/herself, a representative may make a complaint. A person claiming to be acting on behalf of someone else may be asked to provide proof that he or she is authorised to act in this way.

## **2.4 Timely and Informative**

The complaints system will operate to the following timetable:

- Where the complaint is made orally (e.g. by telephone) it may be possible to give an immediate explanation/apology which satisfies the complainant.
- All complaints will be dealt with promptly with the aim of identifying as quickly as possible whether there has been an error, delay or poor service, so minimising the risk of a recurrence of the circumstances which gave rise to the complaint and allowing a speedy remedy. Prompt examination may also establish that it would be appropriate to refer the complaint to the Deputy Chairman and members of the Commission.
- All written complaints which warrant more than a simple explanation or apology will be acknowledged within 2 working days and complainants told that they will receive a response as soon as possible and normally within 20 working days of the receipt of the complaint; all oral complaints (made by telephone or in person) which warrant more than a simple explanation or apology will be handled in the same way.
- Some complaints may be complex, or raise serious issues, and will require particularly detailed and careful investigation. Where a response cannot be provided within 20 working days, an interim reply will be sent with an estimate of the time it will take to provide a full reply.

- Where a complaint is not resolved at this stage the same approach and deadlines will apply to further stages.

## **2.5 Fairness**

Where a complaint is one which warrants more than a simple explanation or apology, a thorough investigation will be carried out on the following basis:

- The complaint will be logged and examined initially and immediately by the official who receives it
- The complaint will be referred for a full examination to the Team Leader. If other staff are involved they will be informed and asked to contribute to the investigation.
- Where possible, any error or omission identified during the course of the examination will be addressed immediately. The complainant will receive a letter of apology and explanation from the Secretary.

The letter will also enclose information on the Commission's complaints procedure including the role of the Commissioners, and that of the Office of the Deputy Prime Minister.

## **2.6 Further Review**

Where the complainant is dissatisfied with the apology/explanation or with any redress offered he/she may take up the next stage of the complaints procedure which will operate as follows:

- The Secretary will refer the first follow up complaint directly to the Deputy Chairman and members of the Commission.
- Where a complainant is still not satisfied that the complaint has been fully investigated and does not feel that the Commission has done all it can to put things right, he or she may ask for the complaint to be investigated independently by the Director of Local Government, Office of the Deputy Prime Minister.
- If the complainant responds further saying that he or she is still not content, the Director of Local Government, Office of the Deputy Prime Minister will consult the Permanent Secretary who will decide whether there is any further action which should be taken.

## **2.7 Effectiveness**

- All aspects of the complaint will be thoroughly examined and suitable remedies identified and put into practice including changes to procedures where appropriate.

- The internal complaints procedure will be regularly monitored to make sure that it is effective and improved as necessary.
- A standing item to report complaints will occur on every Commission meeting agenda.
- An annual summary of complaints investigated via the internal complaints procedure together with a report on lessons learned will be prepared. The report will have regard to issues of confidentiality.
- Lessons learned from mistakes will be acted on to ensure improvement in services.
- Complaints via Complaints Wales will be accepted:

[www.complaintswales.org.uk](http://www.complaintswales.org.uk)

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