



Complaints Policy

Adopted by Towyn & Kinnel Bay Town Council at Full Council Meeting held on 30/11/2016.

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Revised at Full Council Meeting held on

1. Purpose

Complaints are valuable because they provide a chance to put things right if there has been an error, and to make sure that the same mistake is not repeated. It is essential that complaints be dealt with positively. The Council is anxious to hear people's comments and committed to making full use of complaints information to contribute to continuous service improvement. Important information about areas for improvement can be obtained both from a single complaint and from patterns of complaints, highlighted by detailed monitoring.

2. Definition of a Complaint

2.1 A complaint is *any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council or its staff which affects the individual customer or group of customers.*

2.2 What the complaints procedure will deal with:

The complaints procedure will deal with matters of maladministration, which is if the Council does something the wrong way, fails to do something it should do or does something it should not do. Some examples include:

- neglect or unjustified delay

- malice, bias, or unfair discrimination
- failure to tell people their rights
- failure to provide advice or information when reasonably requested
- providing misleading or inaccurate advice
- inefficiency, ineffectiveness, bad and unprofessional practice or conduct

2.3 What the complaints procedure will not deal with:

- complaints for which there is a legal remedy or where legal proceedings already exist
- complaints about employment matters – the Council operates alternative procedures to deal with grievances or disciplinary matters against staff.

3. Equal Opportunities

3.1 The Council is committed to equal opportunities. Complaint's feedback will be used to highlight discriminatory practices, and to promote equality of opportunity.

3.2 Complaints by members of the public of discrimination and/or harassment against the Council will be dealt with through the complaints procedure unless it is a complaint that should be dealt with through a statutory procedure.

4. Complaints Officer

4.1 The Complaints Officer for the Council is the Clerk and Deputy Clerk jointly. His/her duties in regard to complaints are:

- (i) To oversee, and undertake where necessary, the investigation of formal complaints at the first stage, within the relevant time scales.
- (iii) To maintain a record of all complaints received including details of the nature of the complaint, action taken, outcome, and time taken to resolve.
- (iv) To provide a Twelve-monthly analysis of the type, category and number of formal complaints received by the Council.
- (v) To identify improvement points arising from any complaints.

4.2 Complaints should be referred directly to the Clerk/Deputy Clerk including complaints about the Administration Officer and the Caretaker. Should there be any complaints about individual Town Councillors, the Clerk/Deputy Clerk, if deemed appropriate, will refer the complaint to the Monitoring Officer at Conwy County Borough Council for guidance. In the event of a complaint relating to allegations of a Councillor breaching their Code of Conduct Councillor code, the Clerk/Deputy will write to the complainant and advise them that their complaint needs to be directed to the Public Services Ombudsman for Wales.

5. Everyday problems, queries and comments

5.1 The Council receives queries, problems and comments as part of its day-to-day running, and they should not all be regarded as complaints. These are routine and expected and are generally resolved quickly to the customer's satisfaction.

5.2 If someone is dissatisfied with the original service or response they received and wishes to take the matter further then the issue should be recognised as a complaint.

Informal Complaint

- 5.3 During the course of daily business, minor complaints are made about the services we or CCBC provide. The Administration Officer/Deputy Clerk will usually deal with these.
- 5.4 It is not appropriate for every comment to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.

Formal Complaint (Stage 1)

- 5.5 A complainant may wish to make a formal complaint directly, or may be unsatisfied with the outcome of an informal complaint and may wish to take the matter further. This will be recorded as a complaint and passed to the Clerk/Deputy Clerk to investigate.

Timescales Investigation completed – 14 working days
or Progress Reports issued – 14 working day intervals

Review of Investigation and Complaint (Stage 2)

- 5.6 If the complainant is not satisfied with the Clerk's/Deputy Clerks response, they should be advised of their right to have the complaint referred to the Complaints Panel which will review the complaint. This must be done within four weeks of the Clerk's reply.

Timescales: Investigation completed – 14 working days
or Progress Reports issued – 14 working day intervals

Complaints Panel (Stage 3)

- 5.7 The Complaints panel will consist of any three councillors with no prejudicial interest. The outcome of all formal complaints dealt with by the Complaints Panel will be reported to the Full Council.

Timescales: Panel convened within 14 working days
Investigation completed – 14 working days thereafter
or Progress Reports issued – 14 working day intervals

6. Unreasonable and Vexations Complaints

- 6.1 There will be circumstances when a complainant persists in wishing to proceed when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken.
- 6.2 These matters should be referred to the Council with a summary of the issues and of the attempts made to resolve the complaint. In such circumstances, the Council may decide that no further action can usefully be taken in response to the complainant, and inform the complainant so, making it clear that only new and substantive issues will merit a response.

7. Anonymous Complaints

- 7.1 Anonymous complaints should be referred to the Clerk/Deputy Clerk, and may be dismissed at his/her discretion, according to the type and seriousness of the allegation.

8. Resolution and Remedies

- 8.1 The aim in dealing with all complaints is to reach a resolution for the complainant, whether it is the remedy they were originally seeking or not. Where a complaint is found to be at all justified, consideration may need to be given to the question of an appropriate remedy. An explanation or an apology will always be needed.