

# Santon Parish Commissioners

## Complaints Procedure

### **A Complaint is defined as :**

*an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Santon Parish Commissioners or its staff affecting an individual.*

Santon Parish Commissioners will investigate and settle any complaints received, wherever possible. Therefore, the Commissioners maintain the following systems for dealing with complaints.

The principal test of the effectiveness of a complaints system is whether it helps to resolve the dissatisfaction of ratepayers or customers about the service they have received or believe they should have received. An efficient system will also highlight any processes which need reviewing or updating thereby improving services.

In cases where the complainant is dissatisfied with the Commissioners' handling of their complaint, the complainant is entitled to raise the matter further with the Tynwald Commissioner for Administration who can be contacted by e-mail: [ombudsman@parliament.org.im](mailto:ombudsman@parliament.org.im) or via the Clerk of Tynwald's Office, Legislative Buildings, Douglas.

### **Complaints received will be entered in a Register of Complaints.**

Complaints may be either oral or written. Of course, not all communications with a dissatisfied customer will necessarily involve the making of a complaint. For example a customer may have a concern which can be easily resolved without the need to make a formal complaint. Similarly there are some complaints which do not warrant a record being taken:-

- A complaint about a matter outside the competence of the authority;
- A complaint where the complainant is not involved in the matter forming the subject of the complaint or has no direct interest therein;
- A complaint about a failure of service which is rectified within a reasonable timescale (e.g. failure of water or electricity supply).

A complaint is not a request for a service (e.g. housing repairs) or for information. However, a complaint could arise if the Commissioners failed to act adequately on such a request, or to communicate information which had been requested.

It is important to stress that a complaint must relate to some act or omission by the Commissioners, not any other outside agency. For example a letter complaining about the behaviour of neighbours would not constitute a complaint within this procedure. However, a letter complaining that the Commissioners had failed to act adequately in this situation would be defined as a complaint.

If the complaint involves racial, sexual or equal opportunity discrimination then that should be referred immediately to the Clerk.

In some cases it will remain a matter of judgement whether a complaint is being made. During the course of day to day contact with the public there will always be an exchange of views and comments and a common-sense approach must be taken in deciding whether a formal complaint is being made.

The Complaints Procedure exists to ensure a prompt investigation and resolution of genuine complaints, and to provide a mechanism for ratepayers or others using services provided by the Commissioners to make known their grievances.

Complaints may be categorised into Levels 1 to 3 in order of seriousness i.e. Level 1 - serious in nature; Level 2 - complaints that require an individual response; Level 3 those defined as standard complaints.

### **Who can complain?**

Any ratepayer, member of the public, organisation or company who receives a service from the Commissioners.

A separate procedure is in place for complaints made via an elected member.

### **Form of complaints**

A Complaint may be made either verbally, in writing, or electronically. The complaint might not be specifically flagged and may be disguised in more lengthy correspondence. All complaints received shall be recorded.

### **Receipt of Complaints**

In the case of an oral complaint this should be made to the person dealing with the enquiry, who should be asked to make a record of it. This will then be passed to the Clerk who will undertake an investigation.

If an oral complaint is being made about the member of staff dealing with the enquiry, a request should be made to speak to another person, who will make a record of the complaint. If there is no immediately identifiable person this should not be a reason to refuse or delay a complaint.

All written complaints should be addressed to the Clerk.

### **Timescale**

The complaint should be acknowledged within seven working days and recorded in the Commissioners' Complaints Register.

The Commissioners should attempt to send the complainant a substantive response within 14 working days of receiving the complaint. A substantive response is one which conveys the investigating officer's decision on the complaint.

It will not always be possible to meet this timescale, and in such cases the complainant should be advised of the situation within 10 working days, giving an explanation for the delay and an indication of when a substantive response can be expected.

It should be an objective to resolve all complaints within 20 working days.

The timescale of 10-20 working days may be extended for complaints which are referred to an Independent Arbitrator, but the complainant needs to be informed of the extension.

### **Right of Review**

The Commissioners have a mechanism in place for any complainant who is dissatisfied with the decision on their complaint. In such cases a Complainant may take the matter up with the Chair of the Commissioners. If you are not satisfied with the decision made by the Chair of the Commissioners, you can complain to the Tynwald Commissioner for Administration. The complaint must be made in writing within 6 months of the Chair's decision.

The Commissioners, primarily through their websites, make their members, officers and ratepayers aware of this complaints procedure and the public aware of to whom any complaints should be addressed.

The Department of Infrastructure has power to make inquiries into the manner in which any functions of a local authority are carried out by the authority, thereby providing a further mechanism for the investigation and resolution of complaints.