



The Office of the
Committee for the
Environment & Infrastructure

Customer Complaint Procedure

November 2019



Office of the Committee for the Environment & Infrastructure

Customer Complaint Procedure

This document sets out the processes which will be used when dealing with complaints in respect of services provided by:

States of Guernsey Traffic and Highway Services
States of Guernsey Agriculture, Countryside and Land Management Services
States of Guernsey Driver and Vehicle Licensing
States of Guernsey Planning Service
States of Guernsey Building Control
States of Guernsey Energy and Infrastructure

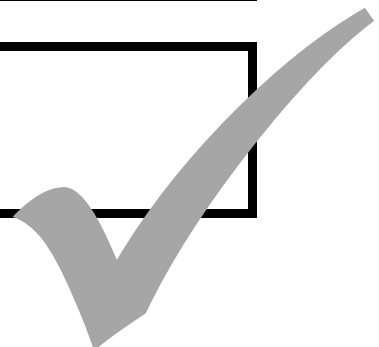
collectively referred to as “The Services”

It provides a concise guide to:

- Definitions of Complaints;
- The Role of the Complaints Registrar;
- Who May Complain;
- How Informal Complaints are Recorded and Dealt With;
- How Formal Complaints are Recorded and Dealt With;
- Matters Concerning Protection for Members of Staff;
- Complaints Procedure Flow Chart

Date of Issue:	November 2019
Complaints Registrar:	Personal Assistant to the Chief Secretary

Director of Operation's Signature:	
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Office of the Committee for the Environment & Infrastructure

Customer Complaint Procedure

Introduction

This document supports the **Customer's Charter** and the **Customer Complaint Form**.

It sets out the procedures that will be followed when responding to a complaint.

The procedure seeks:

- To help ensure that the services provided are of a high quality with the highest standards of conduct;
- To provide a mechanism that gives users of The Services the confidence that complaints are dealt with promptly, consistently and professionally;
- To assist in developing and improving The Services;
- To protect the interests of the employees in conducting their work efficiently, effectively and professionally;

There are other, less specific reasons, for adopting a complaints procedure:

The Services recognise that the procedure is a welcome and necessary part of the business of a modern, responsive and efficient public body. Complaints can be viewed as constructive comments on the performance and actions of The Services and its employees and can be used to assist in the enhancement of The Services. Further, it is believed that a well developed procedure for dealing with complaints strengthens The Services links with its customers and stakeholders to the well-being of all who visit, live or work in the Island.

All complaints shall be dealt with in confidence and only those directly involved in the process will be informed of any details.

It may be the case that, from time to time, the procedures are updated or amended. It should be noted, therefore, that all investigations for complaints will be completed on the basis of the procedures as they stand at the time a complaint is made or registered.

Definitions of Complaints

A service user cannot register a complaint in respect of a DECISION of the Committee or The Services about which he/she is dissatisfied when that decision is made under legislative provisions. In such situations, the legislative provisions provide for separate appeal systems and the appeal process cannot be overlaid with a complaint investigation. You will always be advised of your legal rights of appeal.

Save for the above, a complaint is an expression of dissatisfaction by one or more members of the public. It may be about the action or lack of action of a service or about the standard of a service, whether the action was taken or the



service provided by The Services themselves or a person or body acting on behalf of The Service.

A complaint may arise, for example, if a service user believes that an action has been taken incorrectly, that a Service has failed to do something that it should have done or has acted in a way that may be considered unfair or discourteous.

Decisions which are not regulated by legislation may also be the subject of a complaint.

A service user may choose to complain if, for example:

- He/she believes that there has been failure to provide a timely service;
- An inquiry or question has not received a response;
- That a policy, rule or procedure has not been followed;
- Not all relevant factors have been taken into account in dealing with a matter;
- A member of staff has acted discourteously or dishonestly;
- A complainant has been subjected to abuse, harassment, prejudice or discrimination.

The Role of the Complaints Registrar

The Complaints Registrar is responsible for recording complaints in the Register of Complaints. All formal complaints are registered. The Complaints Registrar will not necessarily be informed about an informal complaint where it is dealt with quickly and registration is not considered necessary.

All complaints are dealt with in confidence and the Complaints Registrar, unless directly involved, will not be party to the details of any complaint as the procedures for its resolution are enacted.

The Complaints Registrar is also responsible for ensuring that complaints forms and details of the procedures are readily available for service users and that they are updated as appropriate.

Who May Complain

A complaint can be made by:

- Anyone who has used or seeks to use The Services;
- Anyone representing an individual or group of individuals who have used or seek to use The Services and is so authorised in writing to act on their behalf.

Complaints cannot ordinarily be recorded by persons under the age of 16, though such individuals may register a complaint through an agent or representative.

How Complaints are Recorded and Dealt With

Complaints may be either **INFORMAL** or **FORMAL**.

An informal complaint usually refers to a minor matter for which there are readily available solutions and which can be handled by those employees directly responsible for the provision of the service in question. It will often just involve an officer of the Service issuing an assurance regarding



rectification of a situation (which might include an apology), either verbally or by correspondence.

If the matter is quickly resolved without repercussions and the complainant is satisfied with the outcome, then the complaint is not recorded. If, however, the complaint involves follow through actions, alterations to policies or procedures, or cannot satisfactorily be resolved in short order, then it will be recorded in the Register of Complaints.

A formal complaint is a complaint registered on the Complaints Register.

If the complainant requests a written statement of any actions that will be taken or changes that will be put in place as a result of the complaint, or requests that their complaint is registered, or submits the complaint in writing, either by letter or using the complaint form, then the complaint must be recorded as a formal complaint (see below for details of how a formal complaint is made).

How Formal Complaints are Recorded and Dealt with

A formal complaint will be recorded using the form available for the purpose. Without a completed form, the complaint will be treated as an informal complaint.

It is important to emphasise that any complaint must, in essence, be recorded in the complainant's own words. A complainant will be offered a complaint form to complete and sign. However, a member of staff will be available to assist a complainant in completing the form or will, if requested, complete it on the complainant's behalf. A complainant may prefer to complain by letter. In such cases, the details of the complaint will be transferred to the complaint form by the Complaints Registrar and a copy of the complaint form will be sent to the complainant with the acknowledgement letter of the complaint.

Once a properly completed form has been received, the complaint in question will be entered in the Register of Complaints, a record book held and maintained by the Complaints Registrar. At the same time, a written acknowledgement will be sent out.

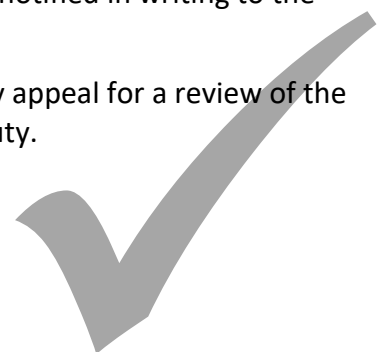
An officer will be assigned to investigate the complaint.

All complaints will be addressed within a period of fifteen working days from the date of registration. If further time is required, then the complainant will be informed of this within the fifteen day period and will receive written updates on progress.

If not satisfied with the progress being made, the complainant may request to meet with the Director of Operations or his/her nominated deputy. The Director of Operations or his/her nominated deputy must provide the complainant with a clear, written programme for addressing the complaint within a reasonable time. The proceedings of this meeting will be noted and the written record signed by both parties in attendance as a true and fair representation of what has taken place in the meeting.

Following investigation, all outcomes of formal complaints will be notified in writing to the complainant.

If a complainant is dissatisfied with the outcome, then he/she may appeal for a review of the outcome by the Director of Operations or his/her nominated deputy.



In such cases, the Director of Operations (or his/her nominated deputy) must report back to the complainant within fifteen working days.

If further time is required, then the complainant will be informed of this within the fifteen day period and will receive written updates on progress.

If not satisfied with the progress being made, or if unhappy with the outcome or decision of the Director of Operations or his/her nominated deputy, the complainant has the right, where no further right of redress exists, to refer their complaint to the States of Guernsey Review Board.

Matters Concerning Protection for Members of Staff

Whereas complaints in respect of the actions and behaviour of members of staff will always be thoroughly investigated in accordance with the procedures laid down by the Civil Service, unwarranted accusations and unsubstantiated attacks on the integrity, probity or character of members of staff are not acceptable.

It should be noted that vexatious, disingenuous or malicious complaints, of whatever nature, will not be recorded. Anyone making complaints in this manner will be informed as such and given notice that further action may be taken if they persist.

In the process of investigating a complaint, there will be an assumption that all and any members of staff act according to rules, regulations and procedures of the service and seek to carry out their duties with sincerity and good faith.

Should the outcomes of a complaint (or any other procedure) demonstrate otherwise, then the internal disciplinary procedures will be enacted. Whilst these may involve a complainant as a witness to actions or behaviours by a member(s) of staff, the complainant will have no wider role in the process.

Complaints Procedure Flow Chart

The following page contains a diagram representing the Complaints Procedure in operation. To read the diagram, begin at the top left hand box and move in a clockwise direction.

Arrows indicate the alternatives as the procedure progresses, showing how a complaint can be resolved at each stage of the process.



Office of the Committee for the Environment & Infrastructure

Complaints Procedure – Flow Chart

Informal

Complainant contacts the service

Complainant is dissatisfied with response or outcome

Complainant is invited to register a formal complaint

Formal

Formal complaint is registered

Complaint is investigated by nominated officer

Complainant is dissatisfied with response or outcome

Complaint is investigated by Director of Operations or nominated deputy

Matter is Resolved

Complaint is investigated by States of Guernsey Review Board

Complainant is dissatisfied with response or outcome

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