

Guidance on Implementing Carmarthenshire County Council's Corporate Complaints Policy

Mission Statement

Carmarthenshire County Council (CCC) is committed to dealing effectively with any complaints residents may have about their services.

CCC aim to clarify any issues residents may be unsure about. If possible, CCC will put right any mistakes they may have made.

CCC will provide any service residents are entitled to which CCC have failed to deliver.

If CCC did something wrong, they will apologise and, where possible, try to put things right for our residents.

CCC aim to learn from their mistakes and use the information they gain from complaints to improve their services.

Introduction

This guidance document is designed to help our staff to implement our Corporate Complaints Policy.

This guidance relates to corporate complaints, to all departments excluding Adult and Children's Services.

The Council follows the Policy and Guidance issued under the Public Services Ombudsman (Wales) Act 2019 and compliance with timescales which is a statutory obligation.

What is a complaint?

Whether about the council itself, a person acting on its behalf, or a partnership, a complaint is:

- an expression of dissatisfaction or concern
- either written or spoken or made by any other communication method
- made by one or more members of the public
- about the Council's action or lack of action
- about the standard of service provided

A complaint is not:

- an initial request for a service, such as reporting a missed bin collection
- an appeal against a properly made decision
- a means to seek change to legislation or a properly made policy decision
- a means for lobbying groups/organisations to seek to promote a cause

Handling a complaint

"Investigate once, investigate well" is the principle for resolving all complaints.

Emphasis is placed on one investigation to deal thoroughly with the concerns raised.

"Investigating well" means investigating in a manner that is proportionate to the nature and degree of complexity of the complaint.

For more straightforward complaints, the investigation may not need to be so detailed.

CCC will take a proactive approach to dealing with complaints, by focusing on individuals' needs and not the complaints process itself and by being resolution focused.

Any member of the public who has received, or was entitled to receive, a service from the Council may make a complaint. The same applies if they have suffered due to the inappropriate action or lack of action by CCC.

A complaint can also be submitted by someone on behalf of another person. If this is the case, depending on the nature of the complaint, the Corporate Complaints Team will make enquiries to confirm that the representative is acting with the authority of that person and obtain evidence of that consent.

The Corporate Complaints Team are a source of support for all Council Officers in respect of dealing with complaints. The complaints team can be contacted via email CECorpcomplaints@carmarthenshire.gov.uk or you can reach out to team members directly via MS Teams:

- Robert Davies: Complaints Management Officer
- Hywel Phillips: Corporate Complaints Officer
- Helen Davies: Corporate Complaints Officer

The statutory timescale for completion of complaints from the date of receipt is:

- Stage 1 complaints: within 10 working days
- Stage 2 complaints: within 20 working days

Monthly performance monitoring reports are provided to Directors, and Heads of Service on compliance with these timescales.

Performance reports are required by the Ombudsman's Complaints Standards Authority, and this data is included in the Council Complaints Annual Report.

Role of the Corporate Complaints Team

- Log and coordinate all complaints
- Monitors deadlines and ensure acknowledgements are issued within 5 working days
- Acts as a liaison between complainants and Investigating Officers (IO)
- Support with quality assurance and learning from outcomes

Emotional Intelligence and Resilience

IOs are encouraged to:

- Recognise and manage their own emotions and biases
- Show empathy while remaining objective
- Seek support when needed and practise reflective learning
- Follow GDPR and Records Management policies

The Complaints Procedure

1. Stage 1 Complaint – Informal Resolution

Complaints come in to the Corporate Complaints Team where they are reviewed and are forwarded on to the relevant department for a response.

If a complaint is received directly by the department, it must be forwarded to the Corporate Complaints Team straightaway to be recorded.

The aim of a Stage 1 IO is to resolve complaints by providing an explanation or any appropriate remedial action to resolve the complaint.

By resolving complaints at the earliest opportunity, this can help to avoid escalation of complaints through the Stage 2 complaint process.

The Corporate Complaints team will send an acknowledgement to the complainant within 5 working days of receipt, will ask the complainant to confirm their preferred language for future correspondence, and whether they have any other specific requirements such as needing documents in large type. The IO will be advised of any feedback received.

This stage should be completed as soon as possible and take no longer than 10 working days from when the complaint was received.

If a complaint is received in Welsh, we must respond in Welsh (as per the Welsh Language (Wales) Measure 2011 legislation).

Investigating a Stage 1 Complaint

When an IO receives a Stage 1 complaint, they should:

- Identify the root cause of the complaint
- Decide if they agree with the complainant's account of the situation. If so, include in your response what action will be taken to remedy the situation
- Respond to the complainant via the channel of their choice i.e. email, phone call or letter.
- In the response, respond to all points raised by the complainant, confirm to the complainant if the complaint has been upheld or not upheld, all within the 10 working days statutory timescale.

The Corporate Complaints Team must be copied into the response sent to the complainant. This is to ensure that the complaint record is closed at the time of completion.

If the complaint has been resolved by a phone call or face to face/virtual meeting, the Corporate Complaints Team must be notified of the outcome in writing (via email), including the date the phone call or face to face/virtual meeting took place, so that the complaint record can be closed at the time of completion.

It is best practice to confirm to the complainant in writing (via email) what the outcome of the phone call or face to face/virtual meeting was when resolving the complaint, copying in the Corporate Complaints Team.

It is important to provide a prompt, clear and thorough response to the points raised by the complainant to hopefully prevent any further complaints being made.

2. Stage 2 Complaint – Formal Internal Investigation

A complainant may wish their complaint to go straight to a Stage 2 complaint investigation, but this is discouraged where possible.

However, it may be appropriate to proceed directly to a Stage 2 complaint in certain circumstances, such as if there has been a breakdown in the relationship between the complainant and Council Officers.

This will be agreed following discussion between Senior Council Officers and the Complaints Team.

In certain circumstances the Corporate Complaints Team may decide that a complaint is investigated directly at Stage 2 without the need for a Stage 1 investigation e.g. when the complaint is complex or when there is a high level of communication received from the complainant.

Investigating a Stage 2 Complaint

The Corporate Complaints Team will:

- Record and Acknowledge
 - Log the complaint.
 - Acknowledge the complainant within 5 working days.
- Appointing an Investigating Officer (IO)
 - Inform the Head of Service of the Stage 2 complaint.
 - Liaise with the department to identify an officer with appropriate seniority, experience, skills, and independence.
 - If necessary, appoint someone independent from the department, or as a last resort, an External Independent IO (EIO).
 - Where an EIO is appointed, seek the complainant's consent to share personal information and documentation.
 - If the complaint has already been investigated at Stage 1, the Stage 2 IO must be of the same grade/level or higher than the Stage 1 IO.
- Provide Resources
 - Supply the IO with all relevant background information, the Stage 2 report template, and supporting guidance/checklist.
- Monitor and Support
 - Track and record the progress of the investigation, ensuring timescales are met where possible.
 - Provide advice, support, and quality assurance to the IO throughout the process.

Role of the Stage 2 Investigating Officer

The role of the Stage 2 IO is to conduct a fair, open, and proportionate fact-finding investigation into the Stage 2 complaint.

Key responsibilities:

- Clarify and question information provided, challenging assumptions where necessary.
- Consider the complaint from the complainant's perspective, remaining objective and evidence based.
- Recognise and manage any personal views or feelings about the complaint or individuals involved.
- Record all contacts with the complainant, including telephone conversations.
- Advise the Corporate Complaints Team if a complainant withdraws their complaint (noting the Council may continue the investigation where necessary).

Timescales

Stage 2 complaints should normally be completed within 20 working days of receipt.

- If this is not possible, the IO must inform the complainant within this timeframe, explain why more time is needed, agree an extension, and confirm it in writing.
- The Corporate Complaints Team must be kept updated.
- The complainant must receive regular updates, especially if completion deadlines change.

Ongoing contact with the Corporate Complaints Team

- Maintain dialogue with the Corporate Complaints Team throughout the investigation.
- Discuss emerging findings, recommendations, and any issues requiring advice.
- Quality assurance checks will ensure the complaint is fully and fairly addressed.

Confirming the Complaint with the Complainant

- Review background information, then contact the complainant (preferably by email for a written record). This can also be done by phone call, or face to face/virtual meeting.
- Consider complainant safety and IO safety if face-to-face meetings are necessary (consult Corporate Complaints Team).
- Confirm understanding of the complaint and the outcomes sought.
- Agree and record the final wording of the complaint in writing for inclusion in the report and send a confirmation email to the complainant.
- If compensation or negligence is raised, consult the Corporate Complaints Team to decide if the process must pause for an insurance claim to the Risk Management Team.

Note: Additional issues raised during the process should be considered if relevant.

Plan the investigation

- List key events in date order to identify delays or failures.
- Consider early resolution if appropriate (discuss with the Corporate Complaints Team and Service Manager).
- Ensure the investigation is proportionate: simple complaints may be resolved with a shorter process or email response.

Gather Evidence

- Interview relevant parties (main individuals, witnesses, internal or external).
- Distinguish between *what happened* and *what should have happened*.
- If officer conduct concerns arise, refer separately to HR processes.
- Keep all correspondence factual, formal, and professional (may be disclosable to the Ombudsman or via a Freedom of Information Access Request (FOIA)).
- Stay focused on the agreed complaint points.
- Re-interview or clarify if new issues emerge.
- Maintain confidentiality. Remind interviewees of this.

Review supporting documentation

- Check correspondence, policies, procedures, legislation, and other relevant documents.
- Consider mediation or meetings to support resolution.
- Seek legal advice where necessary (discuss with the Corporate Complaints Team).

Investigation Report

The report must be clear, evidence-based, and impartial. If a Stage 2 complaint is not complex, this can be drafted as an email response. It should include:

- **Complaint:** summary as agreed with complainant (list elements and outcomes sought).
- **Summary of Investigation:** who was interviewed, documents reviewed, policies consulted.
- **Background:** chronology or overview of events.
- **Findings:** decision on each element (upheld/not upheld), reasons, evidence. Conclusions should be made on a balance of probability if applicable.
- **Recommendations:** SMART actions (Specific, Measurable, Achievable, Relevant and Time Bound) should be proportionate, and constructive (e.g., service improvements, apologies, redress).
- **Conclusion:** overall decision (upheld/not upheld), rationale, and lessons learned.

Final Steps

- Submit draft report to Complaints Team for quality assurance.
- Complaints Team sends report to Head of Service for factual accuracy and confirmation of recommendations.
- Department ensures implementation of recommendations; Corporate Complaints Team will monitor recommendations through PIMS.
- If amendments are needed (e.g., due to policy/legal restrictions), wording may be renegotiated.
- Stage 2 IO Report issued to complainant by Complaints Team.
- If complainant remains dissatisfied, they may escalate to the Ombudsman.

After the investigation

- Retain key evidence and communications for 2 years (in case of Ombudsman/legal proceedings).
- IO's role ends once report is issued. Any future contact from complainant must be redirected to the Corporate Complaints Team.

Related Policies and External Resources

Carmarthenshire County Council

1. [Carmarthenshire County Council: Complaints Policy](#)
2. [Welsh Language Standards \(Welsh Language \(Wales\) Measure 2011\) Compliance Notice - Carmarthenshire County Council](#)
3. [Complaints Annual Report 2023-24.pdf](#)

Public Service Ombudsman for Wales

1. [Public Services Ombudsman \(Wales\) Act 2019](#)
2. [Complaints Standards Authority – Wales Concerns and Complaints Policy for Public Services Providers in Wales](#)
3. [Complaints Standards Authority – Wales Complaint Handling Processes – Statement of Principles](#)
4. [Complaints Standards Authority – Wales Guidance for Public Service Providers on Implementing the Concerns and Complaints Policy](#)
5. [Decision-Making-Tool-for-Complaint-Investigators.docx](#)
6. [Decision-Making-Checklist.docx](#)
7. [The-six-Stage-complaint-investigation-process-updated.docx](#)
8. [10-min-tutor-complaint-handling-LAHA.ppt](#)
9. [10-minute-tutor-Emotional-Intelligence.ppt](#)
10. [10-minute-tutor-Investigation-skills.ppt](#)
11. [10-minute-tutor-Resilience.ppt](#)

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For review September 2026 and every two years thereafter.

Amendments will be made sooner where a relevant change in legislation or business requirement occurs.