

Environment Department

Customer Complaint Procedure

May 2008





Environment Department

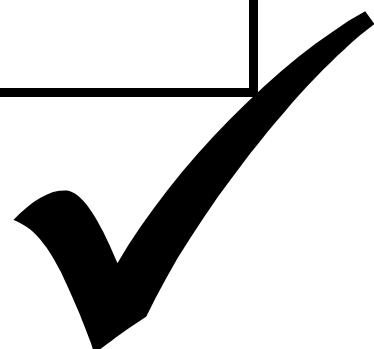
Customer Complaint Procedure

This document sets out the processes which will be used when dealing with complaints and 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

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|-----------------------------|--|
| Date of Issue: | <i>May 2008</i> |
| Complaints Registrar | <i>Personal Assistant to the Chief Officer</i> |

| | |
|-----------------------------------|--|
| Chief Officer's Signature: |  |
| Minister's Signature: |  |



Environment Department

Customer Complaint Procedure

Introduction

This document supports the **Customer's Charter** and the **Customer Complaint Form**, issued by the Environment Department.

It sets out the procedures that will be followed in the Department's efforts to resolve all complaints amicably and to the benefit of the complainant, the Department and the people of Guernsey as a whole.

The Environment Department has introduced a complaints procedure for several reasons:

- To help ensure that it continues to provide a quality service with the highest standards of conduct;
- To provide a mechanism that gives users of the Department's services the confidence that complaints are dealt with promptly, consistently and professionally;
- To assist in developing and improving its services;
- To protect the interests of the employees of the Department in conducting their work efficiently, effectively and professionally;

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

The Department believes 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 Department and its employees and can be used to assist in the enhancement of the service it seeks to provide. Further, it is believed that a well developed procedure for dealing with complaints strengthens the Department's 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 Department 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 Department cannot overlay an appeal process with a complaint investigation. The Department will always advise you 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 Department's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the Department itself or a person or body acting on behalf of the Department.

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

Decisions of the Department 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 the Department has failed to provide a timely service;
- An inquiry or question has not received a response;
- A Departmental 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 of the Environment Department;
- Anyone representing an individual or group of individuals who have used or seek to use the services of the Environment Department 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

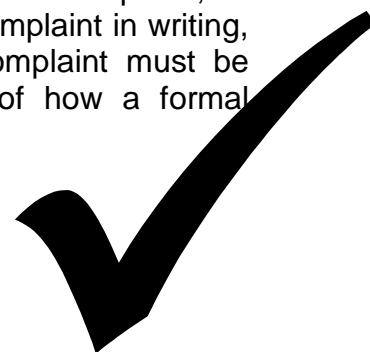
Complaints may be either **INFORMAL** or **FORMAL**.

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 Department 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 Department 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 in the Department. 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 Chief Officer or his/her nominated deputy. The Chief Officer or his/her 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 Chief Officer or his/her nominated deputy.

In such cases, the Chief Officer (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.



The complainant may, if not satisfied with the progress being made by the Chief Officer, request to meet with the Minister or his/her nominated deputy, who must be an elected member of the Environment Department. The Minister or his/her 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.

If, after the Chief Officer (or his nominated deputy) has reported, the complainant is still unsatisfied with the outcome, then he/she may appeal for a review of the outcome by the Minister or his/her nominated deputy, who must be an elected member of the Environment Department.

In such cases, the Minister (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 Minister or his/her deputy, the complainant has the right 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, the Environment Department will not accept unwarranted accusations and attacks on the integrity, probity or character of members of staff.

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 Departmental rules, regulations and procedures 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.



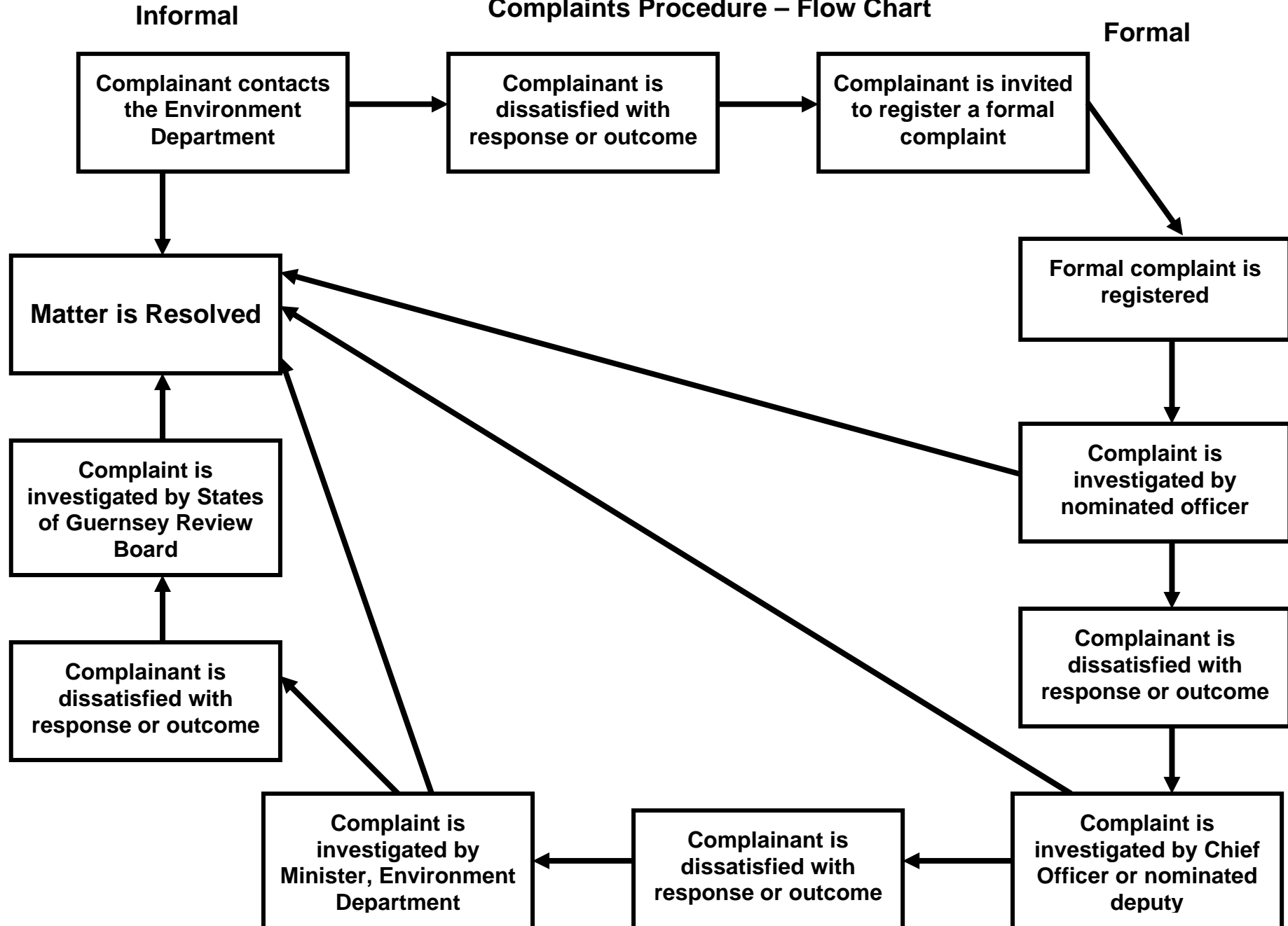
Complaints Procedure Flow Chart

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.



Environment Department
Complaints Procedure – Flow Chart



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