



Complaints & Commendations Policy

Statement and Purpose

Natural Resources Wales is committed to dealing effectively with any concerns or complaints that we receive about our service. We aim to clarify any issues our customer(s) are not clear on. If possible, we'll put right any mistakes we may have made. We will provide any entitled service that we have failed to deliver. We will always aim to learn from our mistakes and to improve our services.

As a Welsh Government Sponsored Body, Natural Resources Wales is expected to handle complaints according to the Public Services Ombudsman (Wales) Act 2005. Natural Resources Wales is following the best practice as set out by the Public Services Ombudsman for Wales (PSOW) and detailed in the PSOW Model Concerns and Complaints policy and guidance.

When to use this Policy?

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

In addition, appeals that any regulated business wishes to raise informally against our regulatory decisions, will also be handled as complaints in line with this policy. Making an appeal to us in this way does not affect any statutory right of appeal you may have or the time limits within which a statutory appeal must be made, or your right to consider asking the courts to review our decision.

What is a Complaint?

A complaint is:

- an expression of dissatisfaction or concern
- either written or spoken by any communication method
- made by one or more members of the public
- about action or lack of action or about the standard of service provided by Natural Resources Wales which requires a response

The complaint can be towards Natural Resources Wales itself, a person acting on its behalf, or a public service provider partnership that Natural Resources Wales is a part of.

A complaint is not:

- an initial request for a service*
- an appeal by a 3rd party against a 'properly made' decision¹ by Natural Resources Wales, except where that 3rd party is a regulated business raising an informal appeal
- 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
- also, this policy does not apply if the matter relates to a Freedom of Information or Data Protection issue. In this circumstance, you should contact accesstoinformationteam@naturalresourceswales.gov.uk

**If you are approaching us for a service for the first time then this policy does not apply as you should first give us a chance to respond to your request. If you make a request for a service and then are not happy with our response, you will be able to raise your concern in line with this policy.*

Key principles

Complaints received by Natural Resources Wales will be handled in such a way that the complainant is the focus and not the process itself. We will apply the following principles when handling complaints:

(i) Accessible and Simple

- We will publicise our policy and procedure about how to make a complaint and the way it will be dealt with
- The policy and procedure is intended to be easy to understand and follow – both for the public and staff.

(ii) Fair and Impartial

- We will deal with concerns in an open-minded and impartial way.
- Complainants are assured that making a complaint will not adversely affect their future dealings and contacts with Natural Resources Wales.

(iii) Timely, Effective and Consistent

- We will endeavour to ensure where appropriate and possible, frontline staff themselves should seek to resolve complaints in accordance with Natural Resources Wales guidance.
- Our overriding principle will be 'Investigate Once, Investigate Well' – when a complaint requires formal investigation, this should be done thoroughly to establish the facts of the case.
- We will deal with your concerns as quickly as possible and keep you informed throughout

(iv) Accountable

- We will provide an honest, evidence-based explanation and give reasons for decisions
- When concerns are found to be justified, as appropriate we will:
 - acknowledge mistakes
 - apologise in a meaningful way
 - put matters right

¹ A 'properly made' decision is one where the relevant laws, policies and procedures have been correctly followed in arriving at a decision.

- provide prompt, appropriate and proportionate corrective action
 - We will ensure that complainants are informed of their right to complain to the Public Services Ombudsman for Wales (or of other appropriate routes open to them, for example, Welsh Language Commission in respect of complaints about compliance with Welsh Language Schemes and the Equality and Human Rights Commission).
- (v) Delivers Continuous Improvement
- We will seek to gather lessons learnt from complaints and use that information to ensure continuous improvement of the service provided.

Complaints Stages

There are two stages to Natural Resources Wales policy for dealing with complaints. These are underpinned by the principles outlined above:

Stage 1 – ‘Point of Service’ Resolution

As an organisation providing public services, we have a responsibility to view any complaints about a lapse in service or any wider concerns about the service seriously.

This stage offers the opportunity for informal engagement at the point of service delivery to resolve complaints either at the time the concern arises or very shortly thereafter. In many instances, the only step required will be an explanation or other appropriate remedial action by frontline staff. Any concerns by regulated businesses or individuals concerning our regulatory decisions will also ideally be resolved via this approach, before either informal, or formal, appeals are lodged.

Point of Service informal resolution at Stage 1 Response Time – we aim to respond immediately to concerns raised in relation to services provided and direct contact (face to face, telephone) with the public and customers is likely to be most effective in achieving an informal resolution.

If this is not effective and the complaint is formalised then an assessment is made as to the seriousness and likely complexity of the complaint.

How to express concern or complain formally

You can express your concern in any of the ways below.

- You can ask for a copy of our form from the person with whom you are already in contact. Tell them that you want us to deal with your concern formally.
- You can get in touch with our central complaint contact point on tel: 0300 065 4114 if you want to make your complaint over the phone. If you are hard of hearing we have a Textphone service available on 03702 422 549
- You can use the form on Natural Resources Wales website
- You can e-mail us at complaintsandcommendations@cyfoethnaturiolcymru.gov.uk
- You can write a letter to us at the following address:

Complaints
 Natural Resources Wales
 Maes y Ffynnon
 Penrhosgarnedd
 Bangor
 Gwynedd
 LL57 2DW

Stage 1 is where we will invest the majority of our time and resource and our focus will be on a successful outcome (complaint closed).

Formalised Complaint handled at Stage 1

We will issue an acknowledgment letter within 5 working days and will have responded within 20 working days of receipt to any complaints that are formalised in writing. It will be clear that the right of appeal is to our Director of Governance.

Stage 2 - Formal Investigation

Our intention is that we will be dealing with very few complaints that have progressed to this stage. However some will via:

- The initial assessment indicating that the complaint is serious and potentially complex
- Non-resolution of complaints handled at Stage 1 where the 'quick fix' or clear route to resolution was not achieved

For complaints that reach this stage, we will adopt the principle of 'Investigating once, investigating well'. We will place emphasis on one investigation to deal thoroughly with the concerns raised.

Formal Investigations at Stage 2 Response – serious or unresolved complaints referred to the Director of Governance will be acknowledged within 5 working days. A response will be made within 20 working days, although in some circumstances we may extend this response time. If your complaint is more complex, we will:

- let you know within this time why we think it may take longer to investigate
- tell you how long we expect it to take
- let you know where we have reached with the investigation, and
- give you regular updates, including telling you whether any developments might change our original estimate

As well as the quality of the investigation, 'Investigating well' also means conducting an investigation in a manner that is proportionate to the nature and degree of seriousness of the complaint.

Outcome

If we formally investigate your complaint, we will let you know what we have found in keeping with your preferred form of communication. This could be by letter or e-mail, for example. If necessary, we will produce a longer report. We'll explain how and why we came to our conclusions. If we find that we got it wrong, we'll tell you what and why it happened. We'll show how the mistake affected you. If we find there is a fault in our systems or the way we do things, we'll tell you what it is and how we plan to change things to stop it happening again. If we got it wrong, we will always apologise.

Putting Things Right

If we didn't provide a service you should have had, we'll aim to provide it now if that's possible. If we didn't do something well, we'll aim to put it right. If you have lost out as a result of a mistake on our part we'll try to put you back in the position you would have been in if we'd got it right.

Stage 2 Investigations will be signed off by the Director of Governance and will be the final position of the organisation on the matter. There will be no further route of appeal within Natural Resources Wales and our communication will make it clear that any appeal is to the Public Services Ombudsman for Wales.

Lapsed Time

Normally, we will only be able to look at your concerns if you tell us about them within 6 months. This is because it's better to look into your concerns while the issues are still fresh in everyone's mind.

We may exceptionally be able to look at concerns which are brought to our attention later than this. However, you will have to give us strong reasons why you have not been able to bring it to our attention earlier and we will need to have sufficient information about the issue to allow us to consider it properly. (In any event, regardless of the circumstances, we will not consider any concerns about matters that took place more than three years ago).

For appeals that a regulated business wishes to raise informally against our regulatory decisions, these must be registered within 15 days of the date when we confirmed our decision in writing to you.

Complaints involving other Legal or Disciplinary Proceedings

Occasionally, complaints received will involve legal or disciplinary proceedings. It may from time to time be necessary to put the investigation of a complaint 'on hold' until the conclusion of those other proceedings.

Complaints involving more than one service provider

There are occasions when a complaint received will involve more than one organisation and in these cases we will work closely and constructively with the other organisations involved.

Complaints concerning services that have been contracted out

If the complaint is about an organisation working on our behalf (e.g. contractors) you may wish to raise the matter informally with them first. However, if you want to express your concern or complaint formally, we will look into this ourselves and respond to you.

Where we have contracted out the provision of a service to private/voluntary organisations, we will ensure that there is a clarity over complaint handling in the service provision.

Learning lessons

We take your concerns and complaints seriously and try to learn from any mistakes we have made. Our senior management team considers a summary of all complaints quarterly as well as details of any serious complaints. Our Audit & Risk Assurance Committee will also consider our response to complaints at least twice a year.

Where there is a need for change, we will develop an action plan setting out what we will do, who will do it and when we plan to do it by. We will let you know when changes we've promised have been made.

What if I need help

Our staff will aim to help you make your concerns known to us. If you need extra assistance, we will try to put you in touch with someone who can help. You may wish to contact an independent advocacy service who may be able to assist you.

Ombudsman

If we do not succeed in resolving your complaint at Stage 2, you may escalate to the Public Services Ombudsman for Wales. The Ombudsman is independent of all government bodies and can look into your complaint if you believe that you personally, or the person on whose behalf you are complaining:

- have been treated unfairly or received a bad service through some failure on the part of the body providing it
- have been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman expects you to bring your concerns to our attention first and to give us a chance to put things right. You can contact the Ombudsman by:

- phone: 0845 601 0987
- e-mail: ask@ombudsman-wales.org.uk
- the website: www.ombudsman-wales.org.uk
- writing to:

Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ

There are also other organisations that consider complaints. For example, the Welsh Language Commission about services in Welsh or the Equality and Human Rights Commission. We can advise you about such organisations.

What we expect of you?

We do not regard determination to pursue a complaint or strength of feeling about the standards of our service as inappropriate and we do recognise that some people may act out of character in times of trouble or distress. However, any actions of those raising concerns or making a complaint, that are angry, over demanding or persistent in the face of reasonable responses, will be considered as unreasonable demands on Natural Resources Wales. We view the following actions, especially when combined with personalising perceived lapses in service standards to individual members of staff, as unacceptable:

- Threats
- Personal verbal abuse
- Rudeness
- Discrimination
- Unsubstantiated allegations
- General aggressive behaviour directed toward the staff of Natural Resources Wales
- Unacceptable tone or manner used in communications in respect of a complaint

In exceptional circumstances, legitimate persistence in pursuing a complaint can lapse into unreasonable and unacceptable demands. These circumstances may apply when:

- Natural Resources Wales has disclosed all relevant information and the complainant is now making unreasonable demands beyond the scope of the initial complaint
- Natural Resources Wales has exhausted its ability to respond, following earlier responses supplied to the highest possible standard which have been ignored or dismissed/rejected

Or the complainant:

- Persistently refuses to accept a decision made in relation to a complaint
- Persistently refuses to accept explanations relating to what Natural Resources Wales can or cannot do
- Continues to pursue a complaint without presenting any new information

If Natural Resources Wales deems that some or any of these characteristics apply, then we reserve the right to indicate to the complainant that all future contact with Natural Resources Wales should be in writing or via a representative. We also reserve the right to indicate that all future correspondence will be read and filed but only acknowledged and responded to if the complainant provides significant new information relating to their case.

Commendations

Whilst we strive to learn from complaints we like to also acknowledge the positive aspects of the services we provide and recognise Commendations. We consider very good customer service “a given”, therefore are proud to identify all instances when our service was perceived as “above and beyond”.

All customers and members of the public are encouraged to submit commendations relating to services we have provided. It is important to recognise that the success of our organisation is dependent upon employee participation and actions.

You may commend an employee in person, by letter, by phone call or by emailing complaintsandcommendations@naturalresourceswales.gov.uk or writing to:

Commendations
Maes y Ffynnon
Penrhosgarnedd
Bangor
Gwynedd
LL57 2DW

Please complete the Commendations form should you prefer.

Privacy

We will be retaining your personal details along with your complaint in a database for the purpose of recording progress and monitoring our performance. We will only use this personal data in accordance with the Data Protection Act 1998 to deal with your request and any matters that arise from it.

If you require this document in an alternative format and/or language please contact us to discuss your needs.

By telephone: 0300 065 3000 (Mon-Fri, 8am-6pm)

By Textphone: 03702 422 549

By email: enquiries@naturalresourceswales.gov.uk

In writing: Natural Resources Wales
Customer Care Centre
Ty Cambria
29 Newport Rd
Cardiff
CF24 0TP

Related Documents

Complaint Form

Commendation Form

Welsh Language Scheme for Natural Resources Wales

Ombudsman for Wales

Owner: Director of Governance