

REPORT OF MONITORING OFFICER

SUBJECT: ANNUAL REPORT 2022/23

Terms of reference of the Standards Committee

- (a) to keep under review the Authority's Code of Conduct and to make recommendations to the Authority as to any changes it considers desirable;
- (b) to monitor the operation of the Authority's Code of Conduct;
- (c) to provide advice and training for Members of the Authority on matters relating to its Code of Conduct;
- (d) to consider any reports relating to Members of the Authority issued by the Monitoring Officer under Section 70 (4) or by the Local Commissioner for Wales under Section 71(2)(b) of the Local Government Act 2000 and any recommendations of the Adjudication Panel for Wales and to take such action thereon as it considered appropriate;
- (e) to receive and take action on any reports issued to it by a Case Tribunal under Section 79 of the Act;
- (f) to consider and make recommendations to the Authority as to the actions which should be taken on any report from a Case Tribunal under Section 80 of the Act;
- (g) to consider requests from Members of the Authority for dispensations under the Standards Committee's (Grant of Dispensations) (Wales) Regulations 2001,
- (h) the monitoring of the Authority's complaints procedure in relation to allegations of maladministration and the making of recommendations thereto and
- (i) to make recommendations to the Authority from time to time with regard to any proposed additions to or revisions of these Terms of Reference.

Coronavirus

Whilst all restrictions have now been lifted the lessons and experiences of the arrangements made during the pandemic have resulted in hybrid meetings becoming routine. They have enabled meetings which may have had to be abandoned because of issues over quorum, to take place. Notably, because of poor weather the meeting of the Development Management Committee on 8th March 2023 was sparsely attended by Members at Llanion Park but because of the ability to proceed with the hybrid format the meeting was able to take place. The ability to continue to

hold hybrid meetings was confirmed in the Local Government and Elections (Wales) Act 2021.

Training

In the run up to the Local Government elections in May 2022 it was agreed that a joint training session should take place after the elections which would be open to all Members (new/returning Councillors, Welsh Government appointed Members and Members of the Standards Committee) of both authorities.

That training took place on 17th May 2022 at County Hall and was conducted by Members of the Pembrokeshire County Council legal section. I presented a section of the training on predetermination and predisposition. Ms Bethan Evans was the main presenter for the session. Members will recall that Ms Evans gave a training session to Members of the National Park Authority on 1st October 2021 which was very well received.

It is anticipated that a further training session on the Code of Conduct will take place after the meeting of the National Park Authority and the AGM on the 21st June 2023.

Complaints.

In my last report I referred to the Complaints Standards Authority and the service they can provide. On 18th April 2023 I attended an online “sounding board” meeting with the office of the Ombudsman and colleagues from other local authorities and have agreed to discuss the situation on a one-to-one basis with the lead officer from the Complaints Standards Authority shortly, and therefore anticipate that I will be able to provide a verbal update at the meeting.

Members will note from my last report that I had anticipated that the Standards Committee should review the NPA’s complaints procedure after the consultation on the Penn report had been concluded, the responses considered, and the recommendations (if any) implemented. In the event the consultation period has only recently opened and will conclude on the 23rd June 2023. I have read the consultation document (which can be found [here](#)) and in fact there is nothing that would impact on the review of the complaints procedure. Accordingly, I am annexing in appendix 1 the existing NPA policy and at appendix 2 the model complaints policy issued by the Complaints Standards Authority for Members to consider.

Currently, a senior officer in the section from which the complaint has arisen will provide a stage 1 response within 20 working days and if the complainant is still dissatisfied then the complaint can be escalated to the Monitoring Officer at Stage 2 and thereafter to the Ombudsman. Complaints relating to Members adherence to the Code of Conduct are always dealt with by the Ombudsman who will decide using the two-part test whether to investigate and can then, as Members will be aware, refer the matter back to the Standards Committee to consider or to the Adjudication Panel for Wales, or conclude that the complaint will not be investigated further and that no subsequent action is necessary.

My reading of the model policy annexed is that it is largely similar to the current policy, save that Stage 1 can be an informal attempt to resolve the complaint so that the NPA’s current stage 1 which is a formal reasoned written response would effectively be the NPA’s current Stage 2 so that if adopted my understanding of it

would be that there would be no further response and the complaint would then be escalated to the Ombudsman thus obviating the Monitoring Officer's involvement at Stage 2.

I am hoping that my imminent discussions with the Complaints Standards Authority will confirm whether my interpretation of the Model Code of Conduct is correct and the reasoning behind it and I will update Members at the meeting if possible.

Current complaints.

In the past year to 18 April 2023, 24 complaints have been recorded by the NPA, however 11 related to the increase in carpark season ticket prices. In addition, there were 3 complaints related to alleged breaches of the Members Code of Conduct which were received by the Ombudsman direct and do not appear on the NPA schedule of complaints received. Of those listed in the schedule, 5 have been escalated to me as the Monitoring Officer. One complainant whose complaint arose from the recent increase in car parking charges has expressed dissatisfaction at my response but so far I do not know if he will escalate it to the Ombudsman. In each of the three complaints where allegations of breaches of the Code of Conduct have been made, the Ombudsman has decided not to investigate.

One complaint arose out of a complaint that officers had not properly instigated recommendations I had made in response to a previous complaint where the complainant and the NPA had accepted my findings. Although this was a new complaint, because of its unusual nature it was agreed that stage 1 would be bypassed, and I would deal with it. I again found in favour of the complainant and am pleased to say the matter has now been satisfactorily resolved. Incidentally it had been agreed that if the complainant was dissatisfied with my response, then it would be escalated to a senior officer from another Authority.

Trends.

Other than the complaints about the increase in season ticket car parking charges which were largely anticipated there were no obvious trends save that the NPA must be vigilant in ensuring Members continue to be offered and do attend training on the Code of Conduct as allegations of breaches of the Code of Conduct are becoming more frequent albeit mostly in connection with Town and Community Councils.

Bannau Brycheiniog (formerly Brecon Beacons National Park Authority)

Members will be aware of the difficulties encountered by our colleagues over recent years and the publishing by the Ombudsman of a [public interest report](#) which Members may wish to review. The contents make for uncomfortable reading and emphasise the need to ensure that the NPA continues to have robust governance structures in place.

Local Resolution Protocol. (LRP)

I have received no member-to-member complaints so there has been no need to invoke the LRP.

Dispensations.

No applications for dispensations have been received by Members in the current year. I can confirm that following the last meeting and after the local elections in May 2022 I wrote to all County Council Members of the Authority advising them that the

general dispensation, allowing them to participate fully in matters under discussion which affected Pembrokeshire County Council, had been extended to the end of their term of office.

Unacceptable actions by complainants Policy.

Members will be aware of the general increase in society of poor behaviour by a small number of people and the NPA is not immune to this decline in standards.

Whilst I am not aware that officers have kept a record of incidents of hectoring and boorish behaviour by members of the public, I have discussed the issue generally with staff, and the consensus is that a policy should be introduced to govern such incidents. Whilst it is not within the remit of Standards Committee to implement such a policy it would be useful if Members could consider it with a view to a report being presented to the NPA in due course.

Accordingly I am annexing a draft Policy for consideration and discussion.

Annual report of the Ombudsman.

In the year [2021/22](#) the Ombudsman received 294 Code of Conduct complaints. This was 5% less than in 2020/21 which might be accounted for by the coronavirus pandemic but 25% more than in 2019/20 which is a concerning increase. Of those complaints 50% related to allegations concerning lack of respect and inequality and the rest evenly distributed between other code issues. Within the National Parks there were 5 Code of Conduct complaints compared to 2 in 2020/21 and none in 2019/20. 51% related to complaints about lack of integrity and respect.

Of those complaints which were investigated by the Ombudsman, 20 were referred to Standards Committees or the Adjudication Panel for Wales an increase of 100% on 2020/21 and 14% more than in 2019/20.

The Penn Report consultation.

As already stated the consultation period ends on 23rd June 2023. Many of the recommendations made by Richard Penn have not found their way into the questions included in the consultation document. This is probably because the overall finding of the report is that the current system is working well and no major reforms are deemed necessary.

RECOMMENDATIONS:

- 1. That this report is noted.**
- 2. That the model Complaints Policy be adopted by the NPA.**
- 3. That subject to the approval of the NPA the Standards Committee agrees the need for a policy dealing with Unacceptable behaviour of complainants and endorses the draft policy annexed.**
- 4. That Members delegate to the monitoring officer the response of the NPA to the consultation arising out of the Penn report.**

Author: Michael Kent, Monitoring Officer

Pembrokeshire Coast National Park Authority

SERVICE STANDARDS



August 2022

Page 8 of 39



Pars Cenedlaethol
Arfordir Penfro
Pembrokeshire Coast
National Park

Contents

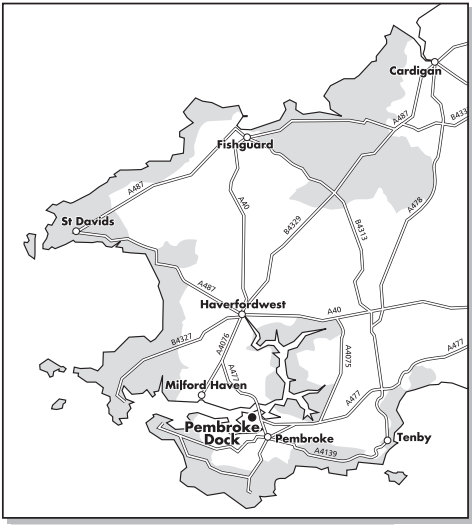
Our Service Commitment	2
Service Standards	2
Definition of Dissatisfaction	2
What to do	2
Telephoning	2
Visit the National Park Office	3
Write to the National Park Authority	3
What happens next?	3
What if I feel that the outcome is unsatisfactory?	3
Bringing a complaint to the Public Services Ombudsman for Wales (“the Ombudsman”)	4
Please remember our commitment	4
National Park Authority Members	5
Comments/Complaint Form	6

Contact us

Administration and Democratic Services Manager
Freepost RTKR-GGRT-ESST
Pembrokeshire Coast National Park
Llanion Park
PEMBROKE DOCK
SA72 6DY

(Please handwrite this address on your envelope/label only)

Email: info@pembrokeshirecoast.org.uk



Pembrokeshire Coast National Park Authority

Llanion Park, Pembroke Dock
Pembrokeshire SA72 6DY

01 646 624800
pcnp@pembrokeshirecoast.org.uk
www.pembrokeshirecoast.wales

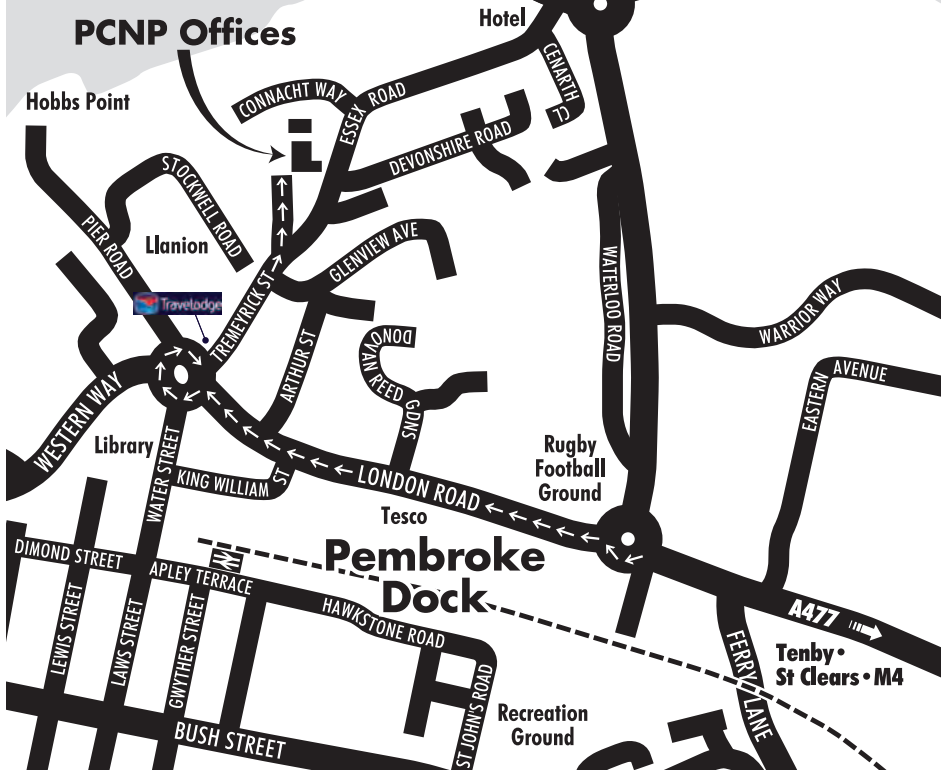


Cleddau Bridge (Toll)

Haverfordwest • Milford Haven

Cleddau Business Park

PCNP Offices



Our Service Commitment

Pembrokeshire Coast National Park Authority is committed to providing a high standard of service to all its customers - but we want to know when things go wrong.

We can learn from your experience - if you think that we have failed to do something or that we have done something badly, or you have a suggestion for improving services then it's important that you tell us about it.

We want you to feel free to contact us with any comments or suggestions. By doing this you will enable us to put things right and improve the service. This does not affect the statutory rights whereby an applicant for planning approval can ask the Welsh Government to consider their case if they think we have made the wrong decision or we have not given a decision within an 8 week period.

Service Standards

Our staff are committed to giving you a high standard of service. They will deal with your enquiries politely and quickly and they will meet the standards set out in in this booklet, which is available in Information Centres or the National Park Office, Llanion Park, Pembroke Dock, Pembrokeshire. Tel. 01646 624800.

Definition of Dissatisfaction

Anyone who has had contact with the Pembrokeshire Coast National Park Authority can express dissatisfaction about the following:

- the behaviour/actions of Members of the Authority or its staff;
- the standard of service provided by the Authority or the manner in which it was provided;
- lack of appropriate action or failure to deal with the matter quickly enough.

Normally, we will only be able to look at your concerns if you tell us about them within 12 months of the perceived incident. We may exceptionally be able to look at concerns which are brought to our attention later than this, however you will need to give us good 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 enable us to consider it properly.

What to do

Contact us either by telephone, by visiting the National Park Office, by writing to us or by email.

Telephoning

You can telephone the National Park Authority's Customer Contact Centre on 01646 624800.

If you have already had contact with the service and have ongoing correspondence you can telephone direct, quoting the letter reference.

If you prefer not to speak to the office, you can telephone the Chairman or any Member of the National Park Authority (see list of Members on Page 5).

You can also ask a friend, relative or a representative to telephone on your behalf.

Visit the National Park Office

If you prefer you can visit the National Park office or ask a friend, relative or representative to visit us on your behalf in order to make the complaint or suggestion.

The office is located at Llanion Park, Pembroke Dock. If you are unfamiliar with the area the location map inside the front cover will assist you.

Write to the National Park Authority

You can write to us if you prefer by detailing your concerns in a letter, an email or by completing the attached form. We are happy to communicate with you in Welsh or English. Please remember that we can only deal with complaints that are about our services and/or our Members or employees, or contractors working on behalf of the Authority.

Please feel free to suggest what we might do to solve the problem, and tell us how we may contact you.

Send your letter to:

Administration and Democratic
Services Manager
Freepost RTKR-GGRT-ESST
Pembrokeshire Coast National Park
Llanion Park
PEMBROKE DOCK
SA72 6DY

(Please handwrite this address on your envelope/label only)

Email:
info@pembrokeshirecoast.org.uk

What happens next?

We will acknowledge your communication or visit within three working days and tell you the name and telephone number of the person dealing with it.

We aim to resolve concerns within 20 working days. If your complaint is more complex we will let you know within this period why we think it may take longer to investigate. At the conclusion of the investigation into your complaint we will explain how and why the investigator has come to his/her conclusions.

What if I feel that the outcome is unsatisfactory?

If you feel that the matter has not been dealt with properly or you are unhappy with the reply, then you can ask the National Park Authority's Monitoring Officer to investigate your case (telephone 01646 624800 or email monitoringofficer@pembrokeshirecoast.org.uk)

In doing so, you do not in any way affect your right of taking your complaint to the Ombudsman if you remain dissatisfied.

The Monitoring Officer is an independent adjudicator. At this stage you will have an opportunity to make any points which you feel have not been properly considered.

The Monitoring Officer will let you have a copy of his Report which will contain details of his decision and any recommendations. In addition the Monitoring Officer periodically informs the Authority/Standards Committee of the existence and nature of his Reports.

If you need help in making your complaint or concerns known to the Authority you can telephone our Customer Contact Centre team on 01646 624800 who will connect you with a senior officer who will be able to assist you.

Bringing a complaint to the Public Services Ombudsman for Wales (“the Ombudsman”)

The law provides that the Ombudsman may investigate a matter once he is satisfied that:

- (a) the matter has been brought to the attention of the Authority, and
- (b) the Authority has been given a reasonable opportunity to investigate the complaint and respond to it.

These requirements will have been met once you have received a formal response in writing from the Authority in answer to your complaint or the Authority has been given a reasonable time to respond to your complaint but has failed to do so. Your option and right to go direct to the Ombudsman is available as from that stage.

Please note that the Ombudsman has the discretion to investigate a complaint even if these requirements have not been met - if the Ombudsman is satisfied that it would be reasonable for him to do so in the particular circumstances.

If you wish to contact the Ombudsman, will you kindly note the following details:

The Public Services Ombudsman for Wales

1 Ffordd Yr Hen Gae

Pencoed CF35 5LJ

Telephone enquiry number:

0300 790 0203

(Calls to this number are charged at the normal landline rate, regardless of what part of the country you are calling from, including if you use a mobile)

Fax Number: 01656 641199

Website address:

www.ombudsman-wales.org.uk

Please remember our commitment

If you feel we have done something wrong or badly or that there has been a long delay in dealing with any matter, please tell us about it. Only by doing this can we put matters right and acknowledge any mistake on our part. This will also enable us to improve our services for the benefit of everyone.

National Park Authority Members

Cllr Steve ALDERMAN

07775 952770 stevea@pembrokeshirecoast.org.uk

Cllr Mrs Di CLEMENTS

01834 891206 dic@pembrokeshirecoast.org.uk

Cllr Dr Simon HANCOCK

07968 225156 simonh@pembrokeshirecoast.org.uk

Dr Madeleine HAVARD

madeleineh@pembrokeshirecoast.org.uk

Dr Rachel HEATH-DAVIES

07974 405142 racheld@pembrokeshirecoast.org.uk

Mrs Sarah HOSS

sarahhs@pembrokeshirecoast.org.uk

Mrs Julie JAMES

01558 668827 juliej@pembrokeshirecoast.org.uk

Cllr Mike JAMES

01239 614020 mikeja@pembrokeshirecoast.org.uk

Mr Gwynn A JONES

gwynnj@pembrokeshirecoast.org.uk

Cllr Rhys JORDAN

07444840376 rhysj@pembrokeshirecoast.org.uk

Cllr Peter MORGAN

01437 781010 peterm@pembrokeshirecoast.org.uk

Cllr Reg OWENS

01646 697658 rego@pembrokeshirecoast.org.uk

Dr Rosetta PLUMMER

01558 669104 rosiep@pembrokeshirecoast.org.uk

Cllr Mrs Sam SKYRME-BLACKHALL

07969108080 samsb@pembrokeshirecoast.org.uk

Cllr Vanessa THOMAS

07910 209271 vanessat@pembrokeshirecoast.org.uk

Cllr Michele WIGGINS

07714787889 michelew@pembrokeshirecoast.org.uk

Cllr Anthony WILCOX

01646 621942 tonyw@pembrokeshirecoast.org.uk

Cllr Chris WILLIAMS

07979197936 chrisw@pembrokeshirecoast.org

Pembrokeshire Coast National Park Authority

Comment/Complaint Form



Your details

Name:

Address and Post Code:

.....

.....

Telephone:

Mobile number:

Email address:

Please indicate by which of the above methods you would prefer us to contact you.

The person who experienced the situation should normally fill in this form. If you are filling this in on behalf of someone else, please fill in the following section. Please note that before taking forward the matter we will need to satisfy ourselves that you have the authority to act on behalf of the person concerned.

Making a comment/complaint on behalf of someone else: Their details

Their name:

Address and Post Code:

.....

.....

What is your relationship with them?

.....

Why are you making a complaint on their behalf?

.....

About your comment/concern/complaint

(please continue on a separate sheet(s) if necessary)

Details of your comment/concern/complaint:

What could be done to remedy the problem or issue?

Have you already raised the issue with the person(s) concerned?
If so, please give brief details of how and when you did so:

If it is more than 12 months since you first became aware of the problem, please give the reason why you have not complained before now:

If you have any documents to support your comment/concern/complaint, please attach them to this form.

Signature: Date:

Please return the form to:

Administration and Democratic Services Manager
Freepost RTKR-GGRT-ESST
Pembrokeshire Coast National Park
Llanion Park
PEMBROKE DOCK
SA72 6DY

(Please handwrite this address on your envelope/label only)

Alternatively, you can email it to
memberservices@pembrokeshirecoast.org.uk

Please note the following important information

Data Protection

The information you provide will only be held for the purposes of processing and administration and will not be passed to any other organisation. However, in order to investigate any concern you may have, we may need to divulge your information to other Authority staff. This will only be done where absolutely necessary. Should you refer your complaint to the Public Services Ombudsman for Wales, then information must by law be provided to them on request.

Freedom of Information

Any correspondence received by the Authority may be subject to a Freedom of Information request. Where appropriate, the Authority will try and maintain anonymity.

For internal use only

Date received:

Received by:.....

Date acknowledged:

To be actioned by:.....

Date response sent:.....

Complaints Standards Authority – Wales

Concerns and Complaints Policy for
Public Services Providers in Wales



Preface

This model policy is designed for public services providers in Wales. It represents a minimum standard of complaint handling for public bodies in Wales.

The Policy is fully compatible with the Welsh Language Standards Regulations of 2018.

Please note that NHS bodies in Wales adhere to the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011, known as ‘Putting Things Right’.

When the content of this policy conflicts with the Putting Things Right regulations, the Putting Things Right regulations will take precedence, including when references are made to timescales.

Also, the Social Services Complaints Procedure (Wales) Regulations 2014 outline the procedure for handling complaints about Social Services issues in Wales.

A Model Concerns and Complaints Policy

[insert organisation name] is committed to dealing effectively with any concerns or complaints you may have about our services. We aim to clarify any issues you may be unsure about. If possible, we'll put right any mistakes we may have made. We will provide any service you're entitled to which we have failed to deliver. If we did something wrong, we'll apologise and, where possible, try to put things right for you. We aim to learn from our mistakes and use the information we gain from complaints to improve our services.

When to use this policy

When you express your concerns or complain to us, we will usually respond in the way we explain below. However, sometimes you may have a statutory right of appeal *[local authorities may want to add e.g. against a refusal to grant you planning permission or the decision not to give your child a place in a particular school]* so, rather than investigate your concern, we will explain to you how you can appeal. Sometimes, you might be concerned about matters that are not covered by this policy *[examples should be given here e.g. when a legal framework applies]* and we will then advise you about how to make your concerns known.

This policy does not apply to 'Freedom of Information' or data access issues. Please contact *[insert relevant contact details]*.

Complaints Officers can advise on the type and scope of complaints they can consider.



Asking us to provide a service?

If you are approaching us to request a service, *[e.g. reporting a faulty street light, or requesting an appointment]* this policy doesn't apply. If you make a request for a service and then are not happy with our response, you will be able to make your concern known as we describe below.

Informal resolution

If possible, we believe it's best to deal with things straight away. If you have a concern, please raise it with the person you're dealing with. They will try to resolve it for you there and then. If there are any lessons to learn from addressing your concern, the member of staff will draw them to our attention. If the member of staff can't help, they will explain why and you can then ask for a formal investigation.

How to express concern or complain formally

You can express your concern in any of the following ways:

- 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.
- Get in touch with our central complaint contact point on *[*****]* if you want to make your complaint over the phone.
- Use the form on our website at *[www*****]*
- Email us at *[****@****]*
- Write to us at: *[*****]*


We aim to have concern and complaint forms available at all of our service outlets and public areas and also at appropriate locations in the *[include examples as appropriate here, e.g. libraries]*.

Copies of this policy and the complaint form are available in *[insert list of appropriate community languages]* and as audio, large print *[etc...]*.

Dealing with your concern

- We will formally acknowledge your concern within *[the maximum time to be inserted here is 5 working days]* and let you know how we intend to deal with it.
- We will ask you to tell us how you would like us to communicate with you and establish whether you have any particular requirements – for example, if you need documents in large type.
- We will deal with your concern in an open and honest way.
- We will make sure that your dealings with us in the future do not suffer just because you have expressed a concern or made a complaint.

Normally, we will only be able to look at your concerns if you tell us about them within *[**]* months *[the minimum time to be inserted here is six months, but you may extend this, should you need to consider complaints beyond this time]*. 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 explain 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, we will not consider any concerns about matters that took place more than three years ago.

If you're expressing a concern on behalf of somebody else, we'll need their agreement to you acting on their behalf.

What if there is more than one body involved?

If your complaint covers more than one body [*insert appropriate examples here e.g. Housing Association and Council re: noise nuisance*] we will usually work with them to decide who should take the lead in dealing with your concerns. You will then be given the name of the person responsible for communicating with you while we consider your complaint.

If the complaint is about a body working on our behalf [*insert appropriate examples here, e.g. repair 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.


Investigation

We will tell you who we have asked to look into your concern or complaint. If your concern is straightforward, we'll usually ask somebody from the relevant service area to look into it and respond to you. If it is more serious, we may use someone from elsewhere in the *[insert name of body e.g. Council]* or, in certain cases *[local authorities should add "including those concerning social services where a statutory procedure applies"]*, we may appoint an independent investigator.

We will set out our understanding of your concerns and ask you to confirm that we are right. We'll also ask you to tell us what outcome you're hoping for.

The person looking at your complaint will usually need to see the files we hold relevant to your complaint. If you don't want this to happen, it's important that you tell us.

If there is a simple solution to your problem, we may ask you if you're happy to accept this. For example, where you asked for a service and we see straight away that you should have had it, we will offer to provide the service rather than investigate and produce a report.



We will aim to resolve concerns as quickly as possible and expect to deal with the vast majority within 20 working days *[if appropriate, bodies may wish to insert a shorter timescale here]*. 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.

The person who is investigating your concerns will firstly aim to establish the facts. The extent of the investigation will depend upon how complex and how serious the issues you have raised are. In complex cases, we will draw up an investigation plan.

In some instances, we may ask to meet with you to discuss your concerns. Occasionally, we might suggest mediation or another method to try to resolve disputes.

We'll look at relevant evidence. This could include information you have provided, our case files, notes of conversations, letters, emails or whatever may be relevant to your particular concern. If necessary, we'll talk to the staff or others involved and look at our policies, any legal entitlement and guidance.

Outcome

If we formally investigate your complaint, we will let you know what we find. If necessary, we will produce a report. We'll explain how and why we came to our conclusions.

If we find that we made a mistake, we'll tell you what happened and why.

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 make a mistake, we will always apologise for it.

Putting Things Right

If we didn't provide you with 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 done things properly.

If you had to pay for a service yourself, when we should have provided it for you, *[bodies providing funding, e.g. local authorities, grant making agencies, should add "or if you were entitled to funding you did not receive"]* we will try to refund the cost.



The Ombudsman

If we do not succeed in resolving your complaint, you may complain 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 service provider.
- Have been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman normally 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: 0300 790 0203
- Email: ask@ombudsman.wales
- The website: www.ombudsman.wales
- 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 Commissioner's Office deals with complaints about services in Welsh. We can advise you about such organisations.


Learning lessons

We take your concerns and complaints seriously and try to learn from any mistakes we've made. Our senior management team considers a summary of all complaints quarterly *[or more often, as applicable]* and is made aware of all serious complaints. Our *[Council/Cabinet/Committee/Board]* also considers our response to complaints at least twice a year. We share summary (anonymised) information on complaints received and complaints outcomes with the Ombudsman as part of our commitment to accountability and learning from complaints.

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

What if you 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 *[insert examples appropriate to the service provider here e.g. advocacy services, Age Cymru, Shelter etc.]* who may be able to assist you.



You can also use this concerns and complaints policy if you are under the age of 18. If you need help, you can speak to someone on the Meic Helpline:

- Phone 0808 802 3456
- Website www.meiccymru.org

or contact the Children’s Commissioner for Wales. Contact details are:

- Phone 0808 801 1000
- Email post@childcomwales.org.uk
- Website www.childcom.org.uk

What we expect from you

In times of trouble or distress, some people may act out of character. There may have been upsetting or distressing circumstances leading up to a concern or a complaint. We do not view behaviour as unacceptable just because someone is forceful or determined.

We believe that all complainants have the right to be heard, understood and respected. However, we also consider that our staff have the same rights. We therefore expect you to be polite and courteous in your dealings with us. We will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence. We have a separate policy to manage situations when we find that someone’s actions are unacceptable.

Appendix A

Concern/Complaint form

Please Note: The person who experienced the problem should normally fill in this form. If you are filling this in on behalf of someone else, please fill in Section B.

A: Your details

Surname:	Forenames(s):	Title: Mr/Mrs/Miss/Ms/ if other please state
Address and postcode:		
Your email address:		
Daytime contact phone number:		

Please state how you would prefer us to contact you:

Your requirements: if our usual way of dealing with complaints makes it difficult for you to use our service, for example if English or Welsh is not your first language or you need to engage with us in a particular way, please tell us so that we can discuss how we might help you.

B: Making a complaint on behalf of someone else: Their details:

Please note: We have to be satisfied that you have the authority to act on behalf of the person who has experienced the problem.

Their name in full:	
Address and postcode:	
What is your relationship to them?	
Why are you making a complaint on their behalf?	

C: About your concern/complaint (Please continue your answers to the following questions on a separate sheet(s) if necessary)

- C.1 Name of the department/section/service you are complaining about:
- C.2 What do you think they did wrong, or failed to do?
- C.3 Describe how you personally have suffered or have been affected:

- C.4 What do you think should be done to put things right?
- C.5 When did you first become aware of the problem?
- C.6 Have you already put your concern to the frontline staff responsible for delivering the service? If so, please give brief details of how and when you did so:
- C.7 If it is more than six months since you first became aware of the problem, please say why you have not complained before now:

If you have any documents to support your concern/complaint, please attach them with this form.

Signature:

Date:

When you have completed this form, please send it to:

*[Name (central complaints handler)
Address & Other Contact Details]*



How to contact us

Phone 0300 790 0203

E-mail ask@ombudsman.wales

Visit the website www.ombudsman.wales

Write to: Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae, Pencoed CF35 5LJ

You can also follow us on Twitter: [@OmbudsmanWales](https://twitter.com/OmbudsmanWales)

Unacceptable Actions by Complainants Policy

1. Scope of procedure

All complaints about services provided by the Pembrokeshire Coast National Park Authority (NPA) (including complaints relating to compliance with the Welsh Language Measure (Wales) 2011 Service Delivery standards.)

Objectives

The objectives of the Policy are:

- To provide a means of handling necessary communications with complainants whose behaviour has been unacceptable
- To improve unacceptable behaviour so that normal complaints management practices can apply.

2. Roles

Democratic Services Manager

Overall responsibility for deciding when this policy is to be engaged will fall to the Democratic Services Manager.

On receiving a referral the Democratic Services Manager will lead discussions with officers and, if appropriate, the complainant, leading to a decision on how communication with the complainant will be handled.

Democratic Services Team

The Democratic Services Manager will advise officers when it may be appropriate to consider use of the policy, and will liaise with staff /Members.

The Democratic Services Team will maintain a log of complainants for which the formal stage of this policy has been used. The management of this log will be compliant with the Data Protection Act / General Data Protection Regulations and will include a review date.

When the review falls due, the Democratic Services Manager will decide whether the process need to continue.

Heads of Service

The relevant Head of Service will be consulted over each instance raised. He/She may nominate a single point of contact between the Complainant and the Authority, and may even be the point of contact.

All Staff

Any officer who undertakes a suitably relevant role and has the requisite training or skills may be nominated as a single point of contact.

3. What are unacceptable actions?

Officers should always consider the effect that the situation surrounding the complaint may have had on the complainant. A person who is normally very reasonable may react differently in a stressful situation.

Attempts should always be made to defuse the situation so that, wherever possible, normal relations and procedure can take place.

However, when the complainant's continued actions render that impossible, guidance should be sought from the Democratic Services Manager about the possible use of this policy.

Unacceptable actions may include:

Repetition

A complainant may repeat what amounts to the same complaint over a period of time to one or more officers / Members without raising anything new, or may even call repeatedly to different officers / Members with exactly the same complaint.

Unreasonable pursuit

Once a complainant has been advised of what will happen regarding their complaint and when a response can be expected, it may be considered unreasonable to continue to excessively call officers / Members before that date.

Refusal to accept outcome

Sometimes an investigation will not lead to the result desired by the complainant, and the complainant may continue to raise the matter after the process has been closed.

Abusive behaviour

Complainants may behave aggressively or threateningly toward staff and Members

Abuse of the procedure

Many actions which could fall under the above descriptions are likely to be irrational. However, some complainants may wish to use the policy to further other ends, such as when a pressure group wishes to keep the profile of its chosen subject high, or when an attempt is being made to influence the NPA's legitimate decision making processes.

4. Procedure under the policy

Who can start procedure?

Any officer who feels that a complainant is acting in a way which this policy identifies as unacceptable may raise the issue.

What should they do? The Informal Stage

The first action is to explain to the complainant, calmly and politely, why their behaviour is unacceptable and to try to influence that behaviour so that it becomes acceptable.

If that does not succeed, the Democratic Services Manager should be consulted.

The Democratic Services Manager will review the case, based on the information provided by the officer. This information will include notes about the complaint and records of any contact deemed unreasonable.

The Democratic Services Manager will either advise the officer why the behaviour is not unreasonable, or will contact the Complainant, either by letter or e-mail, explaining why the behaviour is unreasonable and defining what would be considered reasonable. The letter would also advise the complainant of the future action to be taken by the Council if the behaviour were to continue.

What if the behaviour continues? The Formal Stage

The Democratic Services Manager will then consider the case, with the assistance of officers involved up to that point, and decide on how to proceed.

The options open will include, but not be limited to:

- Use of a single point of contact, including if appropriate a dedicated e mail address.
- Advising the complainant that only complaints unrelated to those already considered will be accepted
- Requiring all communications to be in writing only. (ie not in person or by telephone.)
- Meeting with the complainant.
- Indicating to the complainant a date by which a substantive response will be issued.

- Until that date is reached or the substantive response issued whichever is sooner, no
- Communication will be accepted or responded to unless in a response to a request from the NPA for further specific information.
- Advising the complainant to contact the Public Services Ombudsman for Wales
- The use of fixed letters to close any contact which does not contain a new complaint.

Future complaints

It is not acceptable to cut off all contact with a complainant, as it cannot be assumed that no genuine new complaints will be raised in the future.

Logging and review

The Democratic Services Team will maintain a log of complainants for which the formal stage of this policy has been used. The management of this log will be compliant with the Data Protection Act 2018 and the General Data Protection Regulations and will include a review date.

When the review falls due, the Democratic Services Team will bring the case to the attention of the Democratic Services Manager, who will decide whether the process need continue.

The log will be updated to reflect the decision. Expired entries should be removed a year after closure.