

Complaints Policy

Transformation & Performance

August 2021



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1. Policy purpose

- 1.1. This policy will explain how to make a complaint, what to expect from us when you do and outline our process for handling complaints made to us about the services we provide.
- 1.2. This policy will also outline the types of complaint that cannot be dealt with under this policy and will explain what you need to do and who you may need to contact.

2. Related Policies & Procedures

- 2.1 Data Protection & Confidentiality Policy
FOI/EIR & Transparency Policy
Whistleblowing Policy
Procedure for Considering Complaints in Relation to Members' Code of Conduct

3. What is a Complaint & How Can I Contact You?

- 3.1. A complaint is an expression of dissatisfaction about the standard of service the Combined Authority provides. Our staff are able to resolve most issues as part of their job, without the need for you to make a complaint. However, there may be cases that require further investigation and the involvement of other officers to find out what went wrong. We will deal with these as complaints.
- 3.2. You can contact us by phone, by writing to us, by emailing us or by submitting a complaint via our [online portal](#). Our contact details can be viewed on our website [here](#).

4. What we can Investigate Under this Policy

- 4.1. The Combined Authority can investigate complaints relating to our work, the products and services we provide and our people. However, there are a number of issues we cannot investigate, and examples of these are explained in more detail in the next section.

5. What we cannot Investigate Under this Policy

- 5.1. Before contacting us, please ensure you are raising your complaint with the correct organisation. **Please note** - the Combined Authority is not a council and has not replaced any of the roles or functions of your Local Authority.
- 5.2. **Issues that occurred over 12 months ago** – We would not normally investigate complaints about something that happened more than 12 months ago unless there are exceptional circumstances

- 5.3. **Bus & train service-related Issues** – Whilst the Combined Authority is the statutory transport authority for the region, it is not the provider of bus or train services. Complaints related to an individual's experience using a bus or train service should be made directly to the operator. Such complaints may include (but are not limited to) matters relating to the reliability of the service, the conduct of operators' staff, tickets and payment arrangements and the presentation of vehicles. To assist complainants to pursue issues with the relevant company, a list of bus and train operators can be found on our website:
<https://www.wymetro.com/buses/bus-operators/>
<https://www.wymetro.com/trains/train-operators-contact/>
- 5.4 **Issues related to employment & recruitment** – Complaints related to recruitment or an individual's current or previous employment with the Combined Authority will be referred to the HR team and handled in line with applicable grievance procedures.
- 5.5 **Whistleblowing issues** – Complaints related to topics already covered by our [whistleblowing policy](#) will be dealt with under that policy.
- 5.6 **Legal Proceedings** – Complaints about matters which are subject to legal proceedings will not be investigated under this policy.
- 5.7 **Procurement Issues** – Complaints relating to the awarding of contracts and tenders are dealt with under existing procurement processes.
- 5.8 **Issues relating to Members** – Complaints relating to our Members and the Combined Authority's Code of Conduct will be dealt with under a separate procedure which can be viewed [here](#).
- 5.9 **Data Protection related issues** – Complaints about how we process personal data should be made directly to our Data Protection Officer at RBrookesDPO@westyorks-ca.gov.uk
- 5.10 **Issues relating to Freedom of Information (FOI) requests** – Complaints about FOI requests or requests made under the Environmental Information Regulations should be made directly to the FOI Officer at freedom.info@westyorks-ca.gov.uk
- 5.11 **Policing & Crime Complaints** – complaints for the attention of our policing & crime team will be dealt with in accordance with the procedure detailed on our website. Please visit <https://www.westyorks-ca.gov.uk/policing-and-crime/complaints-and-conduct/> for further details.

6. Our Process

- 6.1. We have a two-stage process for dealing with complaints. Upon receipt of a complaint, we will look at whether we feel we could resolve the issue for you

quickly. This is known as “informal resolution”. If we cannot, your complaint will be dealt with as follows:

Stage 1

We will acknowledge receipt of your complaint within 3 working days and will include a reference number which you will need to quote if you need to contact us again about the same issue.

Our policy is to provide you with a full response within 15 working days, however sometimes issues can take longer to resolve. Should we need longer to investigate your complaint, we will seek to inform you of this at the earliest opportunity and provide a revised timeframe of when you can expect to receive a full response from us. We may need to contact you for further information to help with the investigation of your complaint.

Stage 2

If you remain dissatisfied after receiving our response, you can ask for your complaint to be escalated to Stage 2, where it will be reviewed by a more senior officer.

You will normally have 28 days from the date we responded to your initial complaint to take your complaint to Stage 2 unless there are exceptional circumstances.

You will need to provide an explanation of why you feel our initial response did not resolve your complaint and any further information you wish to add that will assist our review.

As with Stage 1 of our process, we will acknowledge receipt of your request within 3 working days and aim to provide you with a full response within 15 working days wherever possible.

Next Steps and The Role of the Local Government & Social Care Ombudsman

In the event that you are still not satisfied that we have resolved your complaint after proceeding through the complaints procedure, you can complain to the Local Government and Social Care Ombudsman (“LGO”). You can complain to the LGO at any time at no cost to you, but they will usually refer a complaint back to us if it has not been through all stages of the complaints procedure. The LGO can be contacted at <https://www.lgo.org.uk/contact-us> or by calling 0300 061 0614

7. Dealing with Persistent or Vexatious Complainants

- 7.1. In a small number of cases it is possible that we may consider a complainant unreasonably persistent or vexatious in nature. Each case is considered on its own merit and we will always give a complainant the opportunity to change their behaviour if we deem it to be unacceptable, before taking any further action. The health and safety of our employees and their ability to carry out their duties without adverse effect is of utmost importance and we

reserve the right to restrict access to our services if we feel this would be compromised.

- 7.2. Should it become necessary to place restrictions on how an individual can contact us, we will inform them in writing and review this decision within 12 months. There is no right of appeal to us implementing this section of the policy and where an individual does not agree with our decision, we will refer them to the LGO.

8. Impact Assessment

- 8.1. In the creation of this policy, consideration has been given to any possible adverse equality impact for the following groups: disability; gender; gender reassignment; marital status (including civil partnerships); sexual orientation; race; religion or beliefs; age; pregnancy and maternity. The policy is considered to have little or no adverse equality impact.

9. Data Protection

- 9.1. Personal data provided to the Combined Authority as part of the complaints process is processed under our statutory obligation to respond to complaints. The data is not processed for any other purpose or shared with any third parties other than where this is necessary for the handling of the complaint. The data will be retained for a period of 2 years following the resolution of the complaint and then securely destroyed. Our full privacy notice can be viewed on our website at <https://www.westyorks-ca.gov.uk/footer/privacy-notice-and-cookie-policy/>
- 9.2. **Complaints Made on Behalf of Other People** – Should you wish to make a complaint on behalf of someone else and where this involves divulging their personal information to us, we will usually require evidence of consent from that person before we will investigate. Should this not be possible, our ability to investigate the complaint will be considered on a case-by-case basis, in line with the requirements of relevant legislation (e.g. The Data Protection Act).

10. Policy review or changes

- 10.1. The Combined Authority reserves the right to amend the details of this policy as required following consultation with relevant parties. This policy will be monitored and reviewed on an annual basis, to ensure that it meets the needs of the Combined Authority and ensure compliance with relevant legislation.

Document control

Title:	Complaints Policy
Version number:	1.3
Effective from:	August 2021
Revision date:	August 2022
Authorised by:	SMT – 23 rd March 2021
Policy Owner:	Head of Transformation & Performance Team
Directorate:	Corporate Services
Unique document ID reference:	<i>TBC – for records management purposes</i>