



Castletown Town Commissioners
Complaints Procedure

Adopted by the Castletown Town Commissioners at a
meeting held on 21st June 2021

Introduction

Castletown Town Commissioners (“the Commissioners”) aim to provide the people of Castletown and its customers with a high standard of service and meet their requirements where possible. However, we appreciate that there may be circumstances when we do not get something right and ratepayers or customers may be discontented with the service they have received.

A complaint arises when we fail to meet one of our standards, or someone is dissatisfied with something we have done or failed to do.

Our Complaints Procedure is in place to ensure that we can efficiently resolve any issues that arise, so that we can meet our customers’ needs, identify any processes which need reviewing or updating to improve our services and enhance the public’s trust in the Commissioners. We are committed to dealing with all complaints fairly, impartially and in a timely manner.

If you feel that we have failed to provide the level of service you might reasonably expect, we would like to know so that we can rectify this and improve our services.

Stage 1

In the first instance, in order to try to resolve your complaint as quickly as possible, please speak directly to the person you have been dealing with and explain your complaint. Alternatively, you can ask to speak to their manager or another member of staff, who may be able to resolve your complaint straight away.

If your complaint cannot be resolved informally or you are still dissatisfied with the service you have received, our internal Complaints Procedure has two subsequent formal stages.

Stage 2

If you are still unhappy and feel that your complaint has not been resolved, you should make a formal written complaint to the Town Clerk who will investigate the matter for you, liaise with the necessary departments, and report back to you in writing. (If your complaint is about the Town Clerk, please go straight to Stage 3).

Please write to: The Town Clerk, Civic Centre, Farrants Way, Castletown, Isle of Man, IM9 1NR

Alternatively, please refer to our Website for the current email address of the Town Clerk (<https://www.castletown.gov.im/commissioners/>).

It is important that you provide as much information as possible when submitting your complaint to help us contact you and understand the problem. For examples of such information, please see '*What to include in your complaint*' section below.

You will receive an acknowledgement of receipt of your complaint within **7 days**. We will check that our understanding of your complaint is correct and ask you to confirm this.

Where possible we will deal with your complaint and provide a substantive written response within **20 days** following receipt. However, if this is not possible we will contact you to let you know the expected timeframe for a response and provide an explanation for the delay.

Stage 3

If at the end of Stage 2 you remain dissatisfied with the way the matter has been dealt with, please write to the Chairman using the following contact details within **10 days** from receiving your written outcome response to Stage 2. The Chairman will arrange for the matter to be reviewed and deal with any remaining concerns.

Please write to: The Chairman, Civic Centre, Farrants Way, Castletown, Isle of Man, IM9 1NR

Alternatively, please refer to our Website for the current email address of the Chairman (<https://www.castletown.gov.im/commissioners/>).

As above, it is important that you provide us with as much information as possible when making your complaint, to enable us to best assist you.

You will receive an acknowledgement of receipt within **7 days**. We will check that our understanding of your complaint is correct and ask you to confirm this.

Where possible we will deal with reviewing your complaint and provide a substantive written response within **20 days** following receipt. However, if this is not possible we will contact you to let you know the expected timeframe for a response and provide an explanation for the delay.

Please note that requesting your complaint to be reviewed under Stage 3 is without prejudice to your ability to also make an external complaint to the Tynwald Commissioner to investigate the Commissioners actions, if we are taking longer than 28 days or if we think that we cannot help you any further beyond Stage 2 (such as if we have exhausted our investigations/ ability to deal with the matter) (please see '*Tynwald Commissioner for Administration*' section below for further information on your additional rights to complain). If your complaint is about the Town Clerk and you are using Stage 3 to make your initial formal complaint to the Chairman, you will have to exhaust Stage 3 before being eligible to complain to the Tynwald Commissioner.

Supplemental Information

Who can complain?

Any ratepayer, member of the public, organisation or company who receives a service from the Commissioners.

What is a complaint?

A complaint is defined as: *“an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the local authority/ council or its staff affecting an individual ratepayer or group of ratepayers”*.

For example, a letter complaining about the behavior of neighbours would not constitute a “complaint” within this procedure. However, a letter complaining that the Commissioners had failed to act adequately in this situation would be defined as a “complaint”.

Forms of complaints

A complaint may be made either verbally, in writing or electronically. It is preferable that you make a complaint in writing (either by post or email), so that we hold a clear record of your complaint.

What to include in your complaint

When making a formal complaint it is important when submitting your complaint that you provide as much information as possible to help us contact you and understand the issue. For example:

- Your full name and contact information (postal address, telephone number and email address if you have one).
- A clear description of your complaint and what you think we should do to resolve the problem.
- The section of the Commissioners relevant to your complaint, and the name(s) of the member(s) of staff with whom you have been dealing in relation to the matter (if known).

It is recommended that a complaint is made as soon as possible after the event to which it relates and must set out clearly the exact nature of the matter.

Complaints Register

The Commissioner will maintain a register of formal complaints received.

Tynwald Commissioner for Administration

If you still not happy with the outcome of your formal written complaint and/or we are taking too long to respond to you, you may make an external complaint to the Tynwald Commissioner for Administration provided the conditions below are satisfied. The right to complain to the Tynwald Commissioner for Administration has been conferred by the Tynwald Commissioner for Administration Act 2011.

You may complain if:

1. you consider that you have sustained injustice or hardship as a result of the Commissioners' maladministration or service failure;
2. the Commissioners have in its view taken all reasonable steps to deal with the matter to which the allegation relates or has taken longer than 28 days to conduct a proper investigation and respond with its conclusions (with a maximum extension of timeframe to 3 months if considered reasonable); and
3. the complaint has been made within **six (6) months** after the final decision of the Chairman (Stage 3) (or, if applicable, of the Town Clerk after Stage 2) has been notified to you.

Provided these conditions are met, the Tynwald Commissioner for Administration has statutory powers to investigate the action or service failure by the Commissioners in service of its administrative functions.

Your complaint must be made in writing and sent to The Tynwald Commissioner for Administration using one of the following methods:

Email: ombudsman@parliament.org.im

Post: Tynwald Commissioner for Administration, Office of the Clerk of Tynwald, Legislative Buildings, Finch Road, Douglas, Isle of Man, IM1 3PW

Website: <https://www.tynwald.org.im/about/TCA/Pages/default.aspx>

Equality

If necessary, the Commissioners' will make reasonable adjustments to the submission or response to complaints under this Complaints Procedure, in line with the Equality Act 2017.

If a complaint involves discrimination because of an applicable protected characteristic such as race, sex or disability, then it should be referred immediately to the Town Clerk.

Behavioural standard

We reserve the right to protect our staff against any behaviour by customers that is unacceptable such as abusive, offensive or threatening behavior, irrespective of whether that behaviour is in person or in written correspondence.

Data Protection

The Commissioners are the controller for all personal data processed by the Commissioners, staff or other appointed officers. The Commissioners are a Local Authority with specific duties and responsibilities under the Freedom of Information Act 2015, the Data Protection Act 2018, and connected data protection legislation as applied in the Isle of Man.

The Commissioners will use the information you provide in accordance with data protection legislation and will only be processed for the purpose of dealing with your complaint. In most circumstances we will not disclose personal data without your prior knowledge. However, when we investigate a complaint, for example, we may need to share

personal information with other relevant bodies. This will only be done if absolutely necessary.

For further details, the Commissioner's Privacy Notice can be located on our website: <https://www.castletown.gov.im/privacy/>.

The Commissioner's appointed Data Protection Officer can be contacted at Alexander Elliot, Sovereign House, Douglas, Isle of Man, IM1 2SD.