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## **Brecon Beacons National Park Authority** **Policy on Unacceptable Actions by Complainants**

**Review Date: April 2015**

### **I. Introduction**

- 1.1. In a minority of cases, complainants pursue complaints in a way that is unacceptable. This unacceptable behaviour includes unreasonable and persistent contact with the Authority, making unreasonable demands and being abusive towards Authority staff and Members. This behaviour can impede the investigation of the complaint (or complaints by others) and can cause significant resource implications for departments. These actions can occur either while the complaint is being investigated, or once an investigation has concluded.

The Authority reserves the right to bring a complaint to a close once the complaints procedure contained within the Complaints and Compliments Policy has been exhausted, and the Unacceptable Actions by Complainants Policy has been implemented. Equally the Authority reserves the right not to continue to deal with repetitive complaints from the same person on the same matter.

As stated within the Authority's Complaints and Compliments Policy annexed hereto, the Authority reviews complaints regularly and details of complaints are reported to the Authority's Audit and Scrutiny committee and Corporate Management Team. These reports detail information about the number and type of complaints that have been received. Wherever possible, this information is then used to improve services the subject of the complaint.

This policy is to be reviewed annually by the Authority's Complaints Officer.

### **2. Why the Authority has an Unacceptable Actions by Complainants Policy?**

- 2.1. The Authority deals with complaints in an open, fair and proportionate way in accordance with the Authority's Complaints Policy (Appendix I).

Authority staff have a duty to liaise with complainants with courtesy and respect, and to ensure good customer care. The same behaviour level of courtesy and respect is therefore expected from complainants towards Authority staff.

A policy-led approach helps Authority staff to understand clearly what is expected of them, what options for action are available and who can authorise these actions when dealing with complaints. Having an Unacceptable Actions by Complainants Policy also enables staff to deal with complainants in ways which are demonstrably consistent and fair, and imposing restrictions on access to information and contact with the Authority where necessary. This policy is one that can be shared with a complainant or a group of complainants if they start to behave unreasonably, and can assist in managing complainant's expectations and behaviour, as far as possible, while the substance of their complaint is addressed and investigated.

### **3. Defining unacceptable behaviour by complainants**

3.1. The Authority does not view behaviour as unacceptable just because a complainant is forceful or determined. However, actions of complainants or groups of complainants who are abusive towards Authority staff or Members who are being unreasonably demanding or persistent may result in unacceptable behaviour. It is these actions that are considered unacceptable and ones that this policy aims to manage.

These have been grouped under four broad headings but are not limited to:

#### **3.1.1. Aggressive or Abusive Behaviour**

- Aggressive or abusive behaviour is not restricted to acts of aggression and violence that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, mistreated, threatened or abused.
- Examples include (but are not limited to) threats, physical violence, personal verbal abuse, derogatory remarks and rudeness directly or indirectly made to Authority staff and Members. It is also considered that making inflammatory statements and unsubstantiated allegations can be abusive behaviour.
- The Authority expects staff and Members to be treated courteously and with respect. Violence, aggressive behaviour or abuse (whether physical or verbal) towards staff or Members is unacceptable. The anger felt by many complainants involves the subject-matter of their complaint, however it is not acceptable when anger escalates into aggression directed towards Authority staff or Members.

#### **3.1.2. Unreasonable Demands**

- Complainants may make what are considered to be unreasonable demands to the Authority. Examples include, but are not limited to:
  - i) The volume of information sought;
  - ii) The nature and scale of service a complainant expects;
  - iii) The number of approaches to the Authority made by a complainant;
  - iv) Demanding responses within unrealistic timescales;
  - v) Insisting on seeing or speaking to a particular officer or group of officers;
  - vi) Continuous phone calls, emails or letters to the Authority made by the complainant;
  - vii) The complainant repeatedly changing the substance of the complaint or repeatedly raising new concerns;
  - viii) The complainant making groundless complaints about Authority staff dealing with the complaint, or seeking alternative officers to deal with the complaint;
  - ix) The complainant pursuing an unrealistic outcome to the complaint, and persisting in doing so despite the complaint investigation being concluded and the complainant being clearly advised of the justification for any conclusions made.
  
- These demands are considered unacceptable and unreasonable if they start to impact substantially on the work of Authority staff or Members, such as taking up an excessive amount of time to the disadvantage of other complainants or Authority functions.
  
- What amounts to unreasonable demands will depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.

### **3.1.3. Unreasonable Persistence**

- It is recognised that some complainants will not, or cannot, accept that the Authority is unable to assist them further or cannot provide a level of service other than already provided. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the Authority persistently about the same issue. Examples include (but are not limited to):
  - i) A complainant's persistent refusal to accept a decision made in relation to a complaint;
  - ii) A complainant's persistent refusal to accept the Authority's decision not to investigate a complaint;
  - iii) A complainant's persistent refusal when the decision is made not to uphold a complaint;

- iv) A complainant's persistent refusal to accept any decision made regarding redress;
  - v) A complainant's persistent refusal to accept the Authority's decision to restrict the scope of a complaint;
  - vi) A complainant's persistent refusal to accept explanations relating to what the Authority can or cannot do in relation to Authority functions;
  - vii) Where a complainant continues to pursue a complaint or demands a review of a complaint without presenting any new information or evidence to the Authority;
  - viii) Hindering objective consideration of an enquiry by the nature or frequency of contact with the Authority;
  - ix) Continuing to attempt to pursue any element of the complaint, having exhausted all stages of the complaints procedure set out within the Complaints Policy.
- The way in which complainants approach the Authority may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.
  - The actions of persistent complainants are considered to be unacceptable when they take up what the Authority regards as being a disproportionate amount of time and resources.

#### **3.1.4. Malicious Complaints**

- Complaints made, which are proven to be malicious against Authority staff or Members.

3.2. The Authority will also consider any combination of the elements set out in 3.1. above, or any other behaviour which the Authority considers to amount to inappropriate conduct to a single member of staff or Members or to a group of different staff or Members, will fall within the definition of unacceptable behaviour.

#### **4. Managing Unacceptable Actions by Complainants**

4.1. Authority staff or Members who directly experience aggressive or abusive behaviour from a complainant have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy.

4.2. If Authority staff or Members are concerned that a complainant is acting unreasonably, either during the investigation of their complaint or following conclusion of their complaint, they need to bring this to the attention of the Authority's Complaints Officer. The complainant would also need to provide relevant examples of the unacceptable behaviour.

- 4.3. The Complaints Officer will then liaise with the Authority's Chief Executive and relevant Director of the department concerned, and a meeting will be convened to discuss the matter. Contact will be made with the complainant by the Authority's Complaints Officer (in writing) and an explanation will be provided to the complainant regarding the aspects of conduct that are unacceptable and the possible consequences of implementing the policy. The complainant will be asked to change their behaviour and refrain from the actions the Authority considers to be unacceptable.
- 4.4. If the behaviour continues and the complainant does not refrain from these actions, then the Authority will look into implementing the Unacceptable Actions by Complainants Policy. An internal meeting will be convened with the Management Group, consisting of the Complaints Officer, Chief Executive and one other Senior Manager (ideally a Director or Head of Department different from the department concerned, to avoid self-scrutiny), where a decision will be made whether or not to implement the Unacceptable Actions by Complainants Policy. However, if the matter is a complex case then the relevant Director or Head of Department may attend in place of the Senior Manager, to bring clarity thus avoiding another Director or Head of Department having to absorb a long case history. Where the matter relates to the Chief Executive or a Director, then a Director from a different department will take their place. If the policy is to be implemented, the management group will then decide how the complainant's actions will be managed, which will depend upon the circumstances of each case. The management group will also decide on who needs to be notified of the restrictions identified. The decision form at Appendix 2 must be completed to record the decisions made.
- 4.5. Complaints against Authority Members will be referred to the Authority's Standards Committee.
- 4.6. The management group will appoint an appropriate officer to manage the case. In most cases this will be the Authority's Complaints Officer. The management group will also need to agree a review date, where the case is reviewed and any updates can be provided.
- 4.7. Following the meeting of the management group, the Complaints Officer will write to the complainant to tell them why it is believed their behaviour is unacceptable, the action that is being taken by the Authority in accordance with 5. below, and the proposed duration for this action. The letter will also notify the complainant of the appeals procedure.

## **5. Options for action**

- 5.1. The management group (4.4) will decide how the complainant's actions will be managed, and this will depend upon the circumstances of each case. Examples of actions that can be taken include, but are not limited to:
  - i) The Authority can restrict or refuse contact with the complainant. This can be limited to the Authority only

accepting written correspondence from the complainant, via one Authority Officer.

- ii) The Authority can refuse to deal with correspondence (letter or electronic) that is abusive to Authority staff or Members, or which contains allegations that lack substantive evidence. In such circumstances, details or examples will be given to the complainant and they will be told in writing that their language is considered offensive, abusive, unnecessary and unhelpful. Initially, the complainant will be warned in writing, and asked to stop using such language. The letter from the Authority will also state that the Authority will not respond to any further correspondence if the complainant does not refrain from such behaviour. If the Authority considers necessary, it may be required that any future contact to be through a representative of the complainant. In extreme cases, the complainant will be informed that the Authority will contact the police if necessary.
- iii) Authority staff or Members will terminate telephone calls if the complainant is considered aggressive, abusive or offensive. The Authority staff or Member taking the call will have the right to make this decision, firstly warning the caller by informing them that the behaviour is unacceptable and the call will be terminated if they do not refrain from such behaviour. The caller can also be notified that any such contact with the Authority must be made in writing. If Authority staff or Members feel that an incident is sufficiently serious they can fill in an accident / incident report form (Appendix 4). This form may be used as evidence as part of any decision by the management group made to implement the Unacceptable Actions by Complainants Policy, or may be used as evidence as part of the review of the matter when the policy has been implemented (4.5.).
- iv) Where a complainant repeatedly phones, corresponds, visits the Authority offices, sends irrelevant documentation or persistently raises the same issues, the Authority may decide to:
  - Only take telephone calls from the complainant at set times on set days or put an arrangement in place for only one member of staff to deal with calls or correspondence from the complainant in the future.
  - Require the complainant to make an appointment to see a named Officer before visiting the office or that the complainant contacts the office in writing only.

- Return any documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed.
  - The Authority may take any other action that the management group considers appropriate. This is decided on a case-by-case basis depending on the circumstances, and the Authority will always inform the complainant in writing what action is being taken and why.
- v) Where a complainant continues to correspond on a wide range of issues and such action is considered excessive, then the complainant is told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.
- vi) Actions by a complainant may be considered unreasonably persistent if the complaints procedure contained within the Complaints Policy has been exhausted and Unacceptable Actions by Complainants Policy has been implemented, but the complainant continues to dispute the Authority's decision relating to the complaint. The complainant is told that no future phone calls will be accepted or meetings granted concerning this complaint. Any future contact by the complainant on this issue must be in writing addressed to a specific officer (normally the Complaints Officer).
- vii) Where the complaints procedure contained within the Complaints Policy has been exhausted and the Unacceptable Actions by Complainants Policy implemented, future correspondence is read and filed, but only acknowledged or responded to if the complainant provides significant new information relating to the complaint.

## **6. Appeals**

6.1. A complainant can appeal a decision to restrict contact, within 28 days of being notified in writing that they are subject to the policy. The Appeal Panel will consist of two senior members of Authority staff (preferably one Director or Head of Department different from the department concerned, to avoid self-scrutiny, together with one other staff member), who were not involved in the original decision made by the management group, and they will consider the appeal. It is advisable for the decision form in Appendix 3 to be completed to record the decisions made.

6.2. The outcome of the appeal will be relayed to the complainant in writing, and examples of decisions made by the Appeal Panel include, but are not restricted to:

- The complainant may be asked whether they are willing to modify their behaviour to address the concerns of the Authority.
- The complainant may be advised that the restricted contact arrangements with the Authority still apply.
- The complainant may be advised that the restricted contact arrangements with the Authority have been lifted. The Authority staff and Members must then correspond with the complainant as done before the Unacceptable Actions by Complainants Policy was implemented.
- The complainant may be advised that a different course of action has been agreed by the Appeal Panel.

## **7. Recording and reviewing a decision to restrict contact**

- 7.1. The decision and proposed action made by the management group will be kept by the Authority's Complaints Officer.
- 7.2. The decision to restrict complainant contact may be reconsidered if the complainant demonstrates a more acceptable approach. This decision must be made by the management group who implemented the Unacceptable Actions by Complainants Policy. The complainant must be informed of such decision in writing.
- 7.3. There will be a review of the status of all complainants with restricted contact arrangements on a 6 monthly basis or sooner if required. This will be coordinated by the management group that implemented the Unacceptable Actions by Complainants Policy.

## **8. Related Matters**

- 8.1. New issues raised by complainants who have been designated as displaying unreasonable behaviour will be treated on their merits. This will avoid a failure to respond to a request for service made in an appropriate fashion, or a request for information where the Authority must comply with any statutory requirements.

## **9. Electronic Recording of Oral Communication**

- 9.1. The electronic recording of meetings or telephone conversations by complainants may be considered intimidating to Authority staff or Members. If a complainant intends electronically recording a conversation by any means (e.g. on a mobile phone or dictaphone), that intention must be made clear to the Authority staff or



Member beforehand. This also applies to Authority staff or Members, whereby they should also disclose the intention to record a conversation.

- 9.2. There is no obligation for Authority staff or Members to agree to the electronic recording of conversations / meetings. Where Authority staff or Members state that they are not happy to proceed with an electronically recorded conversation / meeting, the complainant will be expected to agree not to electronically record the conversation/meeting. In relation to public meetings, the public shall not be allowed to film or record meetings, except in special circumstances, and at the discretion of the Chairman.
- 9.3. If Authority staff or Members are happy to continue with an electronically recorded conversation/meeting, the recording must only be retained for personal use by the complainant to help with their recollection of the discussion. Electronic recordings must not be shared with any third party for any reason. In order to avoid any subsequent editing of the conversation, the Authority can also make its own recorded copy of the conversation/meeting.
- 9.4. Any covert recording of telephone calls / meetings by complainants, or those recorded which are not in line with 9.2 or 9.3 above, will be considered as unreasonable behaviour and the complainant would therefore be subject to appropriate actions as outlined in this policy.



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## **Brecon Beacons National Park Authority** **Complaints and Compliments Policy**

**Review Date: April 2015**

### **Complaints**

#### **1. Introduction**

- 1.1. Brecon Beacons National Park Authority (the 'Authority') is committed to dealing effectively with any concerns or complaints submitted by members of the public. In this document, the term "complainant" refers to an individual or company submitting the complaint.
- 1.2. The Authority aims to clarify any issues complainants may have, and this policy sets out the procedure which the Authority will comply with once a complaint has been submitted. This policy also sets out the procedure complainants must follow when making a complaint to the Authority. Submitting a complaint does not affect a complainant's right to Authority services.
- 1.3. The Authority reviews complaints regularly and details of complaints are reported to the Authority's Audit and Scrutiny committee and Corporate Management Team. These reports detail information about the number and type of complaints that have been received. Wherever possible, this information is then used to improve services the subject of the complaint.
- 1.4. This policy is to be reviewed annually by the Authority's Complaints Officer.

#### **2. How to complain**

- 2.1. Complaints can be submitted to the Authority in any of the following ways:
  - Telephoning the Authority's complaints officer on 01874 620407 or 01874 624437. Please note however, the Authority may require you to submit your

complaint in writing / via the Authority's 'Complaints, Compliments and Comments Form'.

- By completing the Authority's 'Complaints, Compliments and Comments form', appended to this policy, and submitting the same to the Authority via email to [complaintsandcompliments@beacons-npa.gov.uk](mailto:complaintsandcompliments@beacons-npa.gov.uk) or [enquiries@beacons-npa.gov.uk](mailto:enquiries@beacons-npa.gov.uk), or by post to Brecon Beacons National Park Authority, Plas y Ffynnon, Cambrian Way, Brecon, Powys, LD3 7HP.
- In writing to the above email or postal addresses.

2.2. The 'Complaints, Compliments and Comments Form' is available on the Authority's website, at the Authority's headquarters at Plas y Ffynnon, Brecon and all Authority run Information and Visitor Centres. The forms are available in both English and Welsh.

### 3. **Complaints Procedure**

3.1. On receipt of a complaint, the Authority will register the same and send an acknowledgement to the complainant within 5 working days from receipt of the complaint. Where the decision is made by the Authority not to investigate a complaint, a letter to this effect will be sent to the complainant within 20 working days from receipt of the complaint by the Authority.

3.2.

#### a) Stage I Complaint

- The complaint will be allocated to the relevant Director of the Department which is the subject of the complaint.
- The complaint is then investigated by the departmental Director, or where relevant by an Authority officer allocated by the departmental Director or Chief Executive Officer.
- In some circumstances, the investigating officer will request to meet with the complainant, or enter into further correspondence with them to obtain necessary information required to investigate the complaint sufficiently. It may also be necessary for the investigating officer to meet with Authority officers involved to establish the full extent of the complaint.
- Where the Authority requests further information from the complainant to enable the complaint to be progressed, the 20 working day time limit for the Authority to respond to the complaint will 'stop' until this further information has been received by the Authority. If the Authority does not receive this information within 20 working days from requesting the same, the complaint will be closed.
- The Authority aims to complete the Stage I complaint investigation and send the complainant a substantive response within 20 working days from receipt of the complaint. However, in some circumstances due to the complexity of

certain complaints the Authority may require an extension of time to investigate and respond fully to the complainant. In such cases, the Authority will inform the complainant within the 20 working day time period that an extension of time is required. The Authority will then provide a full and substantive response within 40 working days from receipt of the complaint. If the Authority requires an extension of time, the complainant will be regularly updated of progress by the investigating officer.

- If the complainant is not satisfied with the outcome of the Authority's Stage I complaint investigation and subsequent response, the complainant has the right to express this dissatisfaction to the Authority and request a review of their complaint with the view to a further complaint investigation (Stage II complaint investigation) being undertaken.

#### b) Stage II Complaint

- To request a Stage II complaint, the complainant must do so by requesting the same in writing, via email to [complaintsandcompliments@beacons-npa.gov.uk](mailto:complaintsandcompliments@beacons-npa.gov.uk) or [enquiries@beacons-npa.gov.uk](mailto:enquiries@beacons-npa.gov.uk) or by post via letter to the Authority's headquarters at Plas y Ffynnon.
- A complainant may request a Stage II complaint in the following circumstances:
  - I. Where the Authority has had adequate opportunity to address the complaint, and has not provided a response in accordance with the Stage I requirements outlined at 3.2.a) above;
  - II. If the complainant does not consider the complaint has received adequate or proper consideration; or
  - III. If a complainant has received a response and remains aggravated or dissatisfied with the outcome.
- Should a complainant wish to request a Stage II complaint investigation then the complainant is required to provide a detailed explanation of all issues which they remain dissatisfied with or aggravated by, giving reasons why the Stage I complaint should be progressed to a Stage II complaint. The complainant is also required to give details of the desired outcome of the complaint investigations.
- Upon receipt of the Stage II complaint request, the request will be acknowledged within 5 working days and the matter will be brought to the attention of the Authority's Chief Executive Officer. The Chief Executive Officer will then consider the Stage I complaint and outcome of the Stage I complaint investigation, and decide whether the complaint is sufficient to be progressed to a Stage II complaint investigation.
- In the event that the Chief Executive Officer considers that it is not expedient to progress the complaint to a Stage II complaint, the complainant will be advised of this decision, and the reasons for this decision in writing within 20 working days from receipt of the request for a Stage II complaint investigation.

- Where the Authority's Chief Executive Officer does consider that the Stage I complaint should be progressed to a Stage II complaint investigation, the complainant will be advised of this as soon as practicable and in any event within 5 working days. The Stage II complaint will then be logged by the Authority, and allocated to the relevant senior officer to investigate.
- The extent of the investigation and investigating officer will be dependent on the circumstances and complexity of the issues raised. In most cases, the complaint is investigated by an Authority departmental Director who did not investigate the initial Stage I complaint or the Authority's Monitoring Officer or Deputy Monitoring Officer.
- In some cases however, it may be relevant for the Authority to appoint an independent investigator from outside the Authority to investigate the Stage II complaint. This would only apply to very serious situations, for example where a complaint was made regarding the Authority's Monitoring Officer.
- The relevant evidence will then be investigated by the investigating officer, including files, notes of conversations and meetings, letters and emails or whatever may be relevant to the individual case. The Stage I complaint investigation will be reviewed, as will the Authority's response to the Stage I complaint investigation. If the complainant has any further information they wish to be considered during the Stage II complaint investigation, this must be submitted with the initial request for a Stage II complaint investigation.
- Where necessary, the investigating officer will request to meet with the complainant, or enter into further correspondence with them to obtain the necessary information required to investigate the complaint sufficiently. It may also be necessary for the investigating officer to meet with Authority officers involved to establish the full extent of the complaint.
- Where the Authority requests further information from the complainant to enable the complaint to be progressed, the 20 working day time limit for the Authority to respond to the complaint will 'stop' until this further information has been received by the Authority. If the Authority does not receive this information within 20 working days from requesting the same, the complaint will be closed.
- The Authority aims to complete the Stage II complaint investigation and send the complainant a substantive response within 20 working days from receipt of the Stage II complaint request. However, in some circumstances due to the complexity of certain complaints the Authority may require an extension of time to investigate and respond to the complaint fully. In such cases, the Authority will inform the complainant within the 20 working day time period that an extension of time is required. The Authority will then provide a full and substantive response within 40 working days from receipt of the Stage II complaint request. Where the Authority requires an extension of time, the complainant will be regularly updated of progress by the investigating officer.

#### **4. Dealing with your complaint**

- 4.1. All complaints received by the Authority are brought to the attention of, and monitored by, the Authority's Chief Executive Officer.
- 4.2. When a complaint is received the Authority will deal with this in line with the Authority's Complaints Procedure detailed above.
- 4.3. Complaints are dealt with seriously by the Authority and in an open and honest way. Where a third party is submitting a complaint on a complainant's behalf, the original complainant will be required to provide agreement of this to the Authority in writing.
- 4.4. The Authority will respect a complainant's right to privacy and confidentiality and will therefore treat complainants fairly and in accordance with the Authority's commitment to equality.
- 4.5. The Authority will normally only consider complaints that are submitted to the Authority within 12 months of the event subject of the complaint occurring. In exceptional circumstances the Authority may look at complaints which are made later than this. However, a complainant will have to evidence strong reasons why the complaint has not been brought to the Authority's attention sooner, and sufficient information will need to be made available by the complainant regarding the issue subject of the complaint, to enable the Authority to deal with the matter appropriately.

#### **5. When there is more than one body involved**

- 5.1. If a complaint covers more than one body including the Authority, the Authority will work with the other body to ensure the complaint is dealt with sufficiently.
- 5.2. If the complaint is regarding another body or contractor working on the Authority's behalf, a complainant may wish to raise the complaint informally with the third party first. However, once a complaint is formally submitting to the Authority, the Authority will investigate the same in accordance with the Authority's Complaints Procedure above.

#### **6. Outcome**

- 6.1. Once a formal complaint has been investigated, the Authority will inform the complainant of the findings in writing. If the investigation is the subject of a complex complaint, then it may be necessary for the Authority to produce a report. In both cases, the Authority will explain the findings and how the outcome has been reached.

- 6.2. In the Authority's substantive response detailing the outcome of the complaint investigation, the Authority will also indicate whether the complaint has been upheld or not.
- 6.3. If it is found that the Authority or Authority officers have not followed relevant processes, the Authority will explain why it happened and provide the complainant with an apology.
- 6.4. If it is found that there is fault with Authority's systems, the Authority will explain what is at fault and detail steps the Authority will take to ensure it does not occur again. The complainant will also be provided with an apology.

## **7. Putting Things Right**

- 7.1. If the Authority didn't provide a service that should have been provided, the Authority will aim to provide an acceptable service as soon as possible.
- 7.2. If a complainant has incurred costs as a direct result of the subject-matter of the complaint, the Authority will give consideration to making good the loss that has been suffered.

## **8. What the Authority Expects from a Complainant**

- 8.1. The Authority understands that all complainants have the right to complain, be understood and treated with respect. However, Authority employees have the same rights and the Authority will not tolerate unacceptable behaviour such as aggressive or abusive behaviour, or unreasonable demands. Please refer to the Authority's Unacceptable Actions by Complainants Policy for further information on how the Authority deals with unacceptable behaviour. Please note, where a complainant refuses to submit a Stage I or Stage II complaint in accordance with this policy, the Authority can still implement the Unacceptable Actions by Complainants Policy.

## **9. The Public Services Ombudsman For Wales**

- 9.1. Complainants have the right to contact the Public Services Ombudsman for Wales regarding their complaint at any stage of the complaints process, at the address shown below. However the Ombudsman will not normally investigate a complaint unless the Authority's complaints procedure has been exhausted. The Ombudsman is independent of all government bodies and can look into a complaint if a complainant believes that they:
  - Have been treated unfairly or received a bad service through some failure on the part of the body providing it; or

- Have been disadvantaged personally by a service failure or have been treated unfairly.

9.2. The Public Services Ombudsman for Wales may be contacted:

- In writing to:

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

- By emailing: [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk)
- By phone: 0845 601 0987
- By visiting the Public Services Ombudsman for Wales' website:  
[www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

## 10. **Complaints Not Covered By This Policy**

- 10.1. This policy does not apply to complaints relating to freedom of information requests. This is because there is a separate process for reviewing requests for information made under the Freedom of Information Act 2000.
- 10.2. Sometimes it may be that there is a statutory right to appeal (e.g. against refusal to grant planning permission) and in such cases Authority's officers will advise you of this statutory right to appeal.
- 10.3. In some circumstances, it may be that the Authority is not the relevant body to deal with your complaint. Subsequently, Authority officers will advise you of the appropriate body to direct your complaint to.

## 11. **Further Help**

- 11.1. Authority staff will aim to assist complainants to make any concerns known. However, if complainants require further assistance from a body separate to the Authority, Authority staff will help to put complainants in touch with the relevant body that can help.
- 11.2. Complainants under the age of 18 can also use this policy however if assistance is required to use the policy, complainants under the age of 18 can contact:
- The Melic Helpline  
Telephone: 080880 23456  
Website: [www.meiccymru.org](http://www.meiccymru.org)



- The Children’s Commissioner for Wales  
Telephone: 01792 765 600  
Email: [post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)  
Website: [www.childcom.org.uk](http://www.childcom.org.uk)
- 11.3. Complainants over the age of 60 who require assistance to use this policy, can contact:
- The Older Commissioner For Wales  
In writing to: The Older Commissioner for Wales, Cambrian Buildings, Mount Stuart Square, Butetown, Cardiff, CF10 5FL  
Telephone: 08442 640 670 or 02920 445 030

## **Compliments**

### **12. Introduction**

- 12.1. Feedback is important to the Authority, as the Authority strives to provide a best possible level of service to members of the public.
- 12.2. The Authority would therefore like to know when the public have been impressed or pleased with the service provided by the Authority. Any positive comments received by members of the public are termed ‘compliments’. In this document, the term “compliment” refers to positive feedback or comments deemed by the Authority to be treated as a ‘compliment’. An individual or organisation can submit a compliment to the Authority.
- 12.3. The Authority reviews compliments regularly and details are reported to the Authority’s Audit and Scrutiny Committee and Corporate Management Team. These reports detail information about the number and type of compliments that have been received.

### **13. How to submit a compliment**

- 13.1. Compliments can be submitted to the Authority in any of the following ways:
- By completing the Authority’s ‘Complaints, Compliments and Comments form’, appended to this policy, and submitting the same to the Authority via email to [complaintsandcompliments@beacons-npa.gov.uk](mailto:complaintsandcompliments@beacons-npa.gov.uk) or [enquiries@beacons-npa.gov.uk](mailto:enquiries@beacons-npa.gov.uk), or by post to Brecon Beacons National Park Authority, Plas y Ffynnon, Cambrian Way, Brecon, Powys, LD3 7HP.
  - In writing to the above email or postal addresses.
- 13.2. The Authority aims to make the ‘Complaints, Compliments and Comments Form’ available at its headquarters at Plas y Ffynnon, Brecon and all Authority

run Information and Visitor Centres. The forms are available in both English and Welsh.

#### **14. Procedure**

- 14.1. On receipt of the compliment, the Authority will log this within the Authority's central compliments register.
- 14.2. The Authority will then make the Chief Executive Officer, Head of Department and the Authority staff subject of the compliment aware that this has been received.

#### **15. Outcome**

- 15.1. Compliments received can then be used to thank Authority staff who have provided the commendable service, as well as being shared amongst Authority staff to indicate best practice and further improve the services provided by the Authority.



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## Brecon Beacons National Park Authority Complaints, Compliments and Comments Form

Please complete all sections of this form.			
Your details	Name.....		
	Address.....		
	.....		
	Postcode.....		
Your telephone number			
Your email address			
Please tell us how you would like us to contact you (e.g. email, letter, telephone call)			
The best time to contact you			
If you are completing this form on behalf of someone else, please give the name and address of the person wishing to make the complaint, comment or compliment	Name.....		
	Address.....		
	.....		
	Postcode.....		
I would like to make a:	Complaint	Compliment	Comment
Please give details of your complaint, compliment or comment (continue on a separate sheet if necessary)			

Complaints only - How would you like the matter to be put right?	
Complaints only - Have you raised this concern before?	
Complaints only - If yes, please provide brief details of how and when you raised this concern before (including department contacted and name of member of staff)	
Complaints only – If applicable, what was the outcome of this previous concern:	

Signed:.....

Date:.....

**(Please return this form to the Complaints Officer, Brecon Beacons National Park Authority, Brecon, Powys, LD3 7HP or by email to [complaintsandcompliments@beacons-npa.gov.uk](mailto:complaintsandcompliments@beacons-npa.gov.uk) or [enquiries@beacons-npa.gov.uk](mailto:enquiries@beacons-npa.gov.uk)**

<b>For office use only</b>	
Complaint reference number:	
Investigating officer (where applicable):	
Date received:	

**Unacceptable Actions by Complainants Policy**  
**Appendix 2 –**  
**MANAGEMENT GROUP DECISION**

<b><u>Unacceptable Actions by Complainants Policy</u></b> <b>Appendix 2 –</b> <b>MANAGEMENT GROUP DECISION</b>		
Name of complainant:		
Names of officers in management group:		
Date of submission:		
	YES	NO
1. A warning needs to be given to the customer warning them about their behaviour and their potential for consideration onto the policy. Has this been done?		
2. If yes, are you satisfied that no further action can be taken to try and resolve the matter?		
3. If yes, do you agree that the evidence provided warrants the customer being placed onto this policy?		
4. If yes, please list the action you feel is appropriate in this case, in accordance with the policy.		
5. Which officer have you appointed to manage this case under the policy? Name: _____ Designation: _____		
6. Who will be informed of the decision and why? (e.g. all staff / director level / Members only)		
7. Review date (not more than 6 months ahead):		
I am satisfied that this action identified is appropriate and proportionate to the nature and frequency of the complainant's contact or behaviour.		
Signed: _____		Date: _____
(Representative of the Management Group)		
Name: _____		Designation: _____

**Unacceptable Actions by Complainants Policy**  
**Appendix 3 –**  
**APPEAL OF MANAGEMENT GROUP DECISION**

Name of complainant:		
Names of officers in appeal panel:		
Date of submission:		
	YES	NO
8. A warning needs to be given to the customer warning them about their behaviour and their potential for consideration onto the policy. Has this been done?		
9. If yes, are you satisfied that no further action can be taken to try and resolve the matter?		
10. If yes, do you agree that the evidence provided warrants the customer being placed onto this policy?		
11. If yes, please list the action you feel is appropriate in this case, in accordance with the policy.		
12. Are the decisions reached the same as that reached in the initial management group decisions? If not, please provide details:		
13. Who will be informed of the decision and why? (e.g. all staff / director level / Members only)		
14. Review date (not more than 6 months ahead):		
I am satisfied that this action identified is appropriate and proportionate to the nature and frequency of the complainant's contact or behaviour.		
Signed: (Representative of the Appeal Panel)		Date:
Name:		Designation: