






**AXE BRUE, PARRETT & NORTH SOMERSET LEVELS  
INTERNAL DRAINAGE BOARDS**

**GOVERNANCE  
SDBC Complaints Policy**

Version 1.0

Approved by the Boards:		
Axe Brue IDB	12 March 2021	 Chairman
Parrett IDB	12 March 2021	 Chairman
North Somerset Levels IDB	12 March 2021	 Chairman

To be reviewed every 12-months

## **General Complaints**

### **1. Introduction**

1.1 The Somerset Drainage Boards Consortium has a procedure for dealing with complaints about the Consortium or its constituent Boards from members of the public and others. Despite our best endeavours, we recognise that things may not always meet your expectations. We follow a standard procedure to ensure that we investigate your complaint fully and fairly, and which enables complaints to be dealt with in a consistent way.

1.2 We want to hear from you if you are unhappy with our services and want to make a complaint.

### **2. What is a Complaint?**

2.1 A complaint is an expression of dissatisfaction about the standard of service, action or lack of action made by the Board or its staff, contractors etc, affecting an individual member of the public or other group or organization. The complaint must be made in writing.

### **3. The Steps to Follow**

3.1 Some problems can be dealt with immediately, and we would like to put things right straight away if possible, rather than involve you in filling out a form and waiting for a response. So your first step if you are not happy with the way we have dealt with you is to go back to the person in the Board who handled the matter in the first place.

3.2 If you are still not satisfied with the way your problem has been dealt with, then we will adopt a formal procedure in order to investigate it further. This then becomes a complaint. Please fill in the Boards complaint form (see Annex A) setting out what went wrong and what you think the Board should do to put things right. Please provide as much information as possible about your complaint and include reference numbers, dates of correspondence etc. Return the completed form to the Board.

3.3 We will acknowledge your complaint in writing or by phone within 5 working days to confirm that we have understood your concerns correctly. The complaint will be investigated by the Consortium's Chief Executive.

3.4 We will investigate your complaint, and where possible, send a written reply to you within 15 working days of our acknowledgement. If the matter requires further investigation, we will tell you the reason for the delay and when a full reply will be sent.

3.5 If you are not satisfied with our reply, please let us know why in-writing. If possible, we will investigate further and if your concerns are still unresolved, the matter will be discussed at a full Board Meeting. We will keep you informed of progress and provide a further reply within 15 working days of receiving your letter.

## 4. The Local Government Ombudsman

4.1 If you remain unsatisfied with the way we have dealt with your complaint you may refer it to the Local Government Ombudsman, who works independently to the Board, investigating allegations of maladministration causing injustice to the person who has complained. However, the Ombudsman will usually expect you to have tried to get your complaint settled by the Board first. Any complaint to the Ombudsman must involve more than a disagreement with the Board and needs to show that something went wrong and an injustice was caused.

4.2 For example it might be maladministration if the Board:

- a. Made a mistake;
- b. Took too long to do something;
- c. Did not follow its own rules or the law;
- d. Broke its promises;
- e. Treated you unfairly;
- f. Gave you wrong information; or
- g. Did not make a decision in the right way, that is if it;
  - i. did not follow the right procedures when making the decision;
  - ii. did not consider all the relevant information; or
  - iii. wrongly considered irrelevant information.

4.3 You might have been caused an injustice by the Board's maladministration if, for example, you:

- a. Did not get the service or benefit you were entitled to or there was a delay before you got it;
- b. Suffered financial loss;
- c. Were put to a lot of avoidable expense, trouble or inconvenience, or suffered avoidable uncertainty or stress.

4.4 The Local Government Ombudsman might not investigate your complaint if they consider that the injustice is only slight, or if the Board has already taken, or is willing to take, satisfactory action to resolve it.

4.5 The Local Government and Social Care Ombudsman has online guidance about complaining to the Council. While this refers to Councils, the same principles apply equally to IDBs. You can obtain further information from their website <https://www.lgo.org.uk/make-a-complaint>

## **5. Why we want to hear from you**

5.1. Although we want to hear from you if you feel you need to complain, we like to hear any comments you have about our overall service performance. We want to provide the best possible service and your comments will help us to know what we are doing well, and also what we need to improve on.

If you wish to make a complaint, a Complaints Form can be downloaded from the SDBC website or can be obtained from the Boards Offices at:

Somerset Drainage Boards Consortium  
Bradbury House  
33-34 Market Street  
Highbridge  
Somerset  
TA9 3BW  
Tel: 01278 789906

## **Complaints Specifically Against Board Members**

### **6. Introduction**

6.1. A complaint against a Member of the Internal Drainage Board should be submitted using the Board's Complaints Form on the SDBC Website to the Chief Executive Officer (CEO) as per a General Complaint.

### **7. What the Procedure Does Not Cover?**

7.2. It is not appropriate to use this Procedure in the following cases:

- To complain about the Board's services or policies.
- Incidents which occurred before the Member was elected or appointed.
- The way in which the Board conducts or reports its meetings.
- Where the person you wish to complain about is no longer a member of the Board.
- Where the complaint relates to the Member's private life.

## **8. What Will Happen on the Receipt of a Complaint against a Board Member?**

- The Complaint will be acknowledged within 5 working days.
- The Member complained about will be notified within this period.
- The CEO will consider whether the complaint appears to fall within this procedure and to demonstrate a potential breach of the Board's Members Code of Conduct. If it does not, then the complainant will be so informed and no further action will be taken under this Procedure.
- If the allegations are considered to be frivolous, malicious, vexatious or substantially the same as a complaint previously investigated, the CEO will so inform the complainant that no further action will be taken.
- No action will be taken under this procedure if the complaint was made anonymously. If the complainant has requested that their identity be withheld from the Member, the matter cannot reasonably be taken forward in these circumstances and the complainant will be so informed.
- Where a complaint is considered to have merit, the CEO will consider whether it can nevertheless be dealt with informally without formal investigation. Such a course of action would, for instance, probably be appropriate where only a minor infringement appears to have occurred. Informal resolution may include advising the Member about matters of conduct, arranging member training or advising the Member that an apology may be appropriate to resolve the complaint.

## **9. Formal Investigation**

9.1. If the CEO concludes that the complaint cannot be resolved informally and that the issues are such as to require further investigation to determine whether there has been a failure to comply with the Members Code of Conduct, the CEO will investigate the complaint further (either personally or by an alternate senior Officer or independent Board Chairman). A written report indicating the findings of the investigation will be produced to the Complaints Panel.

## **10. The Complaints Panel**

10.1. A Panel of 4 persons will consider the investigation report and will determine the complaint. Three of the Panel will be Board Members (chosen in rotation) and the other will be an 'Independent' person from another Board within the Somerset Drainage Boards Consortium. The 'Independent' person (as understood within the context of Local Government complaints procedures) will Chair meetings of the Panel but will not have any voting rights.

10.2. In addition to the investigation report, the Panel will consider any further representations which the complainant or the Member complained about may wish to make. These representations may be either in person or in writing.

10.3. The Panel will decide whether or not to uphold the Complaint. If the Panel concludes that there has been no failure to comply with the Members Code of Conduct, then no further action will be taken. If however the Panel concludes that the Member concerned has failed to comply with the Code of Conduct and that a sanction should be imposed, it will make a recommendation to the Board as to what action should be taken against the Member concerned.

10.4. Meetings of the Panel will not be open to the public.

10.5. The Panel will aim to meet within 12 weeks of the submission of the complaint to the Board.

## **11. Possible Sanctions Available to the Board**

- For the Board to formally censure the Member concerned.
- To recommend that the Member be removed from a Committee(s).
- To request the Member to apologise.
- In the case of an Appointed Member, to request the appointing Council to consider whether the Member concerned should continue to represent it.
- Where the complaint is found to be justified after a formal investigation, to publish that conclusion on the Board's website.

## ANNEX A



BRADBURY HOUSE  
33-34 MARKET STREET  
HIGHBRIDGE  
SOMERSET TA9 3BW  
TEL: 01278 789906  
EMAIL: ADMIN@SOMERSETDBS.CO.UK

# COMPLAINT FORM

### Contact Details

Your name:

Your address (including postcode):

Your telephone number:

Your e-mail address:

### Complaint Details

What is the nature of your complaint? Please give as much details as you can:

What action (or actions) would you like the Board to take to resolve your complaint?

What action (or actions) should the Board take to prevent similar complaints in the future?

Date:	Signed:

This form will be passed to the Board's Chief Executive who will identify a senior employee of the Board to deal with your complaint. The Board will acknowledge receipt of this form within 5 working days, and inform you of the name of the Officer dealing with your complaint. Within 15 working days of the date of the acknowledgement the Board will write to you again detailing the outcome of its investigations, or providing you with a progress report together with an expected date of completion, if further examination of the matter is required.

If you are not satisfied with the Board's final response, you should write directly to the Chief Executive at the address shown at the top of this form, who will make arrangements for a further review of your complaint.

Date received:

Reference number:

Officer dealing with complaint: