

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT
BY DEPUTY M. TADIER OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 29th MAY 2012**

Question

Will the Minister –

- (a) produce a table showing the number of complaints received regarding his officers between 2006 and 2011, breaking the complaints down into planning, environment, enforcement sections; years; officer grade; and indicating whether multiple complaints were received against any one officer in these areas?
- (b) explain the complaints procedure;
- (c) explain how many complaints, if any, were upheld and how they were dealt with for example an official warning, suspension, dismissal etc?

Answer

- (a) Our records for logging comments, compliments and complaints go back to 2008. The table below lists the number of complaints received against department officers for the period 2008 to 2012
- (b) The Department of the Environment Customer Feedback Policy and procedure (including complaints) is as follows:

**Comments, Complaints, Compliments
Department of the Environment
Customer Feedback Policy**

We recognise that in certain circumstances customers may wish to make a complaint, or a suggestion to help us improve our services, or indeed compliment us on the service provided. We welcome all such feedback and this document sets out our policy in this regard.

Our key aims

- To fully investigate and respond to all formal complaints.
- To record and analyse all formal complaints
- Set and monitor response targets for responding to feedback
- To ensure complimentary feedback is registered and recognised
- To ensure suggestions are appropriately responded to

Customer feedback

Our customers can:

- Give us feedback about our services – online, by fax, by phone, by letter or in person

- Expect us to use plain language when communicating with them
- Know the name of the person that is communicating with them
- Expect to be kept informed when we are unable to give a full response within the target time
- Escalate a complaint when dissatisfied with our initial response

How feedback will be handled

1. Compliments

A compliment is when a customer gives us feedback about how we delivered a good level of service or how an employee has done more than would normally be expected of him.

- Any compliments received in writing (letter or email) will be acknowledged within 3 working days.
- All written compliments will be recorded for performance monitoring purposes and appreciation for excellent service will be passed on by the senior management team to those involved.

2. Suggestions

A suggestion is when a customer gives us feedback on how we can improve our service delivery.

- We will send a response to the customer within 10 working days that either explains how we will implement the suggestion or explains why we are unable to implement the suggestion

3. Complaints

A complaint is any grievance or concern about the service we provide which can include allegations of one or more of the following:

- Non compliance with our service level agreement
- Failure to provide a reasonable level of service
- Incorrect advice given
- Poor customer service
- Inappropriate charging for a service
- An employee's behaviour causes upset to a customer
- We unfairly discriminate against a customer

a. Informal complaints

Where a customer wishes to make an informal complaint by telephone or in person we will:

- Try to resolve the problem with the customer straight away
- If the problem has arisen because of a mistake we will take action to put it right

If no satisfactory immediate resolution is possible we will arrange for you to be contacted by a senior manager within 3 working days. If you are still dissatisfied, we will advise you to make a formal complaint.

b. Formal complaints

Where a customer wishes to make a formal complaint, this needs to be made in writing (email or letter) to the line manager of the Officer that you have been dealing with, who will ensure that it is fully investigated. This is a stage 1 complaint.

We undertake to:

- Acknowledge your formal complaints within 3 working days
- Fully investigate and respond in detail within 20 working days.
- Give you the name of the person dealing with your complaint.

If you are not satisfied with the result of the investigation by the line manager, you can request that the complaint is reconsidered by the relevant Director. This is a stage 2 complaint.

At this stage, the relevant Director will:

- Review the evidence relating to the complaint
- Review your comments on the Line Manager's findings
- Respond in detail within 20 working days

If you are not satisfied with the result of the investigation by the relevant Director, you can request that the complaint is reconsidered by the Chief Executive Officer This is a stage 3 complaint and is the final stage of the Departmental complaints procedure.

At this stage, the Chief Executive Officer will:

- Review the evidence relating to the complaint
- Review your comments on the Director's findings
- Respond in detail within 20 working days
- Advise you of the procedure for complaints to the States of Jersey Complaints Board

Note: All parties will be kept informed throughout the process. If the complaint is about the conduct or performance of a named member of staff they will have access to all the correspondence received from the complainant. The complainant will also have access to all correspondence relating to their complaint.

The Complaints Monitoring System

As a service organisation we respect our customers and their right to know we will treat any complaints they may make in an appropriate manner. We will endeavour to deal with all complaints efficiently and effectively. In this regard we will record and monitor the number, nature and response to all formal complaints and report the findings annually.

If you have any queries regarding this policy please contact:

Business Support Officer
Planning and Environment Department
South Hill, St Helier

In addition to the above department policy, member of the public are able to complain to the States of Jersey Complaints Board. The Board is established under the Administrative Decisions (Review) (Jersey) Law 1982, as amended, to look into complaints by members of the public into

any matter of administration by any Minister or department of the States, or by any person acting on their behalf. The States of Jersey Complaints Board information leaflet and the Administrative Decisions (Review) (Jersey) Law 1982 can be downloaded from the States website.

(c) During the period 2008 to 2012 no complaints received have resulted in an officer being dealt with under the department's disciplinary or capability policy.

Complaints against officers can be dealt with as disciplinary or capability issues as follows:

1. Disciplinary

In the case of disciplinary issues (for civil servants), the following procedure would take place;

Investigation (informal or formal as deemed appropriate by the relevant Director and with Chief Officer approval). Investigations can take place internally or with the use of two external investigators for formal cases, all depending on the extent of the issue. It is hoped that investigations will take place as soon as possible. In the case of what is deemed a minor fault, managers will bring the error to the attention of the employee and establish a course of action, set objectives, timescales and provide additional training if appropriate.

The States of Jersey emphasises that a full and proper investigation should take place into allegations, prior to a decision being taken to progress the matter formally under the procedure. Suspension from work may be required in certain circumstances, and must always be for the shortest possible period of time.

All issues are investigated with the aim of dealing with potential inappropriate behaviour immediately. The aim of the disciplinary policy is to deal with all matters fairly, consistently and promptly. The aim is to correct behaviour immediately, and in the cases where disciplinary rules have been thought to have been breached, formal action is implemented immediately. States Human Resources is involved with all formal stages of this procedure.

This policy is used in conjunction with the States of Jersey Code of Conduct (which all Department of the Environment staff have access to on the States of Jersey website, as well as their departmental website.).

The formal disciplinary categories are; minor misconduct, serious misconduct, gross misconduct.

The formal disciplinary sanctions available are:

- formal verbal warning
- first written warning
- final written warning (with or without additional penalties)
- dismissal, with or without notice
- right of appeal.

All disciplinary cases are recorded with the Human Resources department.

2. In the case of capability issues (for civil servants):

If the matter was formal or informal, managers would ensure individuals are aware of the standard of requirements, the reason for any action and the implications of not achieving an improved performance.

If the matter was dealt with formally, they would be advised at all stages and given the opportunity to be accompanied by a colleague or representative.

Managers would be tasked with investigating all of the facts, advise or warn employees of the problem and give them written notification that their performance is being monitored, give the employee a specific period in which they have a chance to improve, take any relevant action to assist and support the employee during this period, and maintain complete written records of all discussions throughout this process.

In the cases where there was deliberate or wilful ignoring of instructions or producing sub-standard work, the disciplinary procedure would be used.

Complaints received by the Department of the Environment against department officers (2008 to 2012)								
Date received	Received by	Stage	Department	Nature of Complaint	Summary of Complaint	Passed to	Comment	Total
19.06.08	E-mail	1	Development Control	Poor level of service	No acknowledgement of Planning Application Submitted in Dec 2007	Assistant Director	Investigated. Apology given.	2008 5
25.06.08 & 04.07.08	Telephone and E-mail	1 & 2	Development Control	Poor level of service	Poor level of Service and turnaround time on Planning Application	Director	Investigated. Delays due to workloads. Apology given.	
24.01.08	Letter	2	Building Control	Discrimination allegation	Alleged discrimination by staff members	Director	Investigated. No further action taken.	
25.06.08	Letter	2	Building Control	Discrimination allegation	Alleged discrimination by staff members	Director	Investigated. No further action taken.	
3.07.08	E-mail	1	Building Control	Discrimination allegation	Alleged discrimination by staff members	Assistant Director	Investigated. No further action taken.	
20/01/2009	Card	1	Development Control	Poor level of service	Timescale too long. Poor service, staff attitude, lack of information.	Assistant Director	Investigated. Application processed within target. No further action.	2009 7
16/03/2009	letter	1	Development Control	Poor level of service	Telephone manner following queries over disturbance caused neighbour	Senior Planning Officer	Investigated. No reason for further action identified.	
25/03/2009	e-mail	1	Building Control	Poor level of service	Phone calls not returned	Assistant Director	Assistant Director met with customer, who did not want to pursue the complaint further.	
08/04/2009	e-mail	2	Development Control	Delay in Response	Delay in responding and determining application	CEO and Senior Planning Officer	Investigated. Apology given.	
25/06/2009	E-mail	1 & 2	Development Control	Delay in Response / Poor service	Complaint re length of time of planning application. No one returning calls	Assistant Director	Investigated. Response via applicant's agent.	
11/09/2009	Letter	1	Development Control	Delay in Response	complaint about delays/staff handling of application	Director	Investigated. Application processed within target. No further action.	2010 3
15/09/2009	e-mail	1	Development Control	Poor level of service	Complaint from objector feeling she had been mislead	Assistant Director	Investigated. No further action taken.	
16.3.10	card	1	Department	Poor level of service	Reception service	Director	Investigated. No further action.	
28.07.10	Letter	1	Development Control	Poor level of service	Objected to PAP decision in their absence	CEO	No further action.	2011 1
13.09.10	Letter	1	Development Control	Poor level of service	Lack of response to phone calls and email	Director	Investigated. Apology given.	
04.07.11	email	1	Development Control	Poor level of service	application was not dealt with properly	Director	Complaint dismissed.	2012 1
14.03.12	Letter	1	Building Control	Poor level of service	Staff - inconsistent advice	Director	Complaint not justified. Complaint resulted from remedial work required by surveyor.	
							Total	17