

WITHAM AND HUMBER DRAINAGE BOARDS

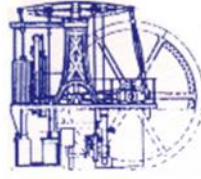
Four independent statutory Land Drainage and Flood Risk Management Authorities working in partnership.



Witham First District IDB



Upper Witham IDB



Witham Third District



North East Lindsey

www.witham3idb.gov.uk

Complaints Procedure

Witham & Humber IDBs have a procedure for dealing with complaints 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, which enables complaints to be dealt with in a consistent way. Complaints will be taken seriously and investigated. The Boards regard them as an important source of feedback, from which to learn and improve our services.

We want to hear from you if you have concerns or are unhappy with our services and wish to make a complaint.

What is a Complaint?

A complaint is an expression of dissatisfaction, however made, about the standard of service, action or lack of action by the Board, its staff and contractors. This may affect an individual member of the public, a group of people or an organisation.

The Steps to follow in raising your concerns.

1. Informal Resolution

Some complaints may be dealt with immediately and informally resolved. This is ideal, as we would prefer to put things right straight away, if possible, rather than involve you in filling out a form and you waiting for an investigation to be undertaken and a formal response to be sent to you. Your first step if you are not happy with the way we have dealt with you is to in the first instance go back to the person in the Board who handled the matter and provide feedback as to why you are dissatisfied. Please give them an opportunity to informally resolve your concerns and put things right.

2. Stage 1 Complaint (Investigation and Response)

If you remain dissatisfied with the way your complaint has been dealt with, and we cannot resolve matters informally, then we will adopt a formal complaints procedure in order to investigate your concerns. Please fill in the complaints form, copies are available on the 4 Boards' website www.witham3idb.gov.uk and a copy is included as an appendix to this procedure. We would like you to set out what went wrong and what you think the Board should do to put things right. Please provide as much background information about your concerns as possible and include reference numbers, dates of correspondence, any relevant photos of relevant watercourses, location references like OS grid references etc as this helps us to identify sites accurately. Please ensure we have your contact details.

We will acknowledge your complaint in writing, email or by phone within 5 working days, to confirm that we have understood your concerns correctly. The Board's Chief Executive will appoint an

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Investigating Officer to review the issues you have raised and to report on their findings. This may involve taking statements from relevant staff and from you as the complainant, plus from any witnesses. It may also involve site visits and reviewing data depending on the nature of your complaint. It may be that the Investigating Officer comes back to you for further information or clarification.

We will investigate your complaint, and where possible, send a written reply to you within 15 working days of our initial acknowledgement of your complaint. If the matter requires further investigation, and we envisage we cannot reply within 15 days of acknowledgement, we will tell you the reason for any delay and when a full response will be completed.

When your complaint has been investigated and we have responded to you to set out the investigation findings, hopefully your concerns will be remedied. Your complaint or aspects of it may be upheld, or we will explain to you why the Board does not uphold your complaint. We will aim to give a clear explanation of the Board's position. This will usually be the point at which most complaints are resolved between a complainant and the Drainage Board.

3. Stage 2 Complaint (Review of original investigation and response).

When you receive the written findings from the Board's investigation of your complaint you may remain dissatisfied with our reply. If this is the case, please let us know and state why you remain dissatisfied, providing any information which you feel we have overlooked or misinterpreted in our response to you. We would ask you to make clear what aspects of our investigation findings you disagree with.

We will investigate further by undertaking a stage 2 review of your complaint and our investigation findings to assess whether the Board's position remains as stated to you or whether in the light of issues you have now raised, we need to change some or all those initial findings [this may be the case if, for example, some material new information is raised which has not been subject to the original investigation].

Following this review of your original complaint, our investigation findings and written communication to you, we will write to you to set out our review findings. We will aim to complete this review of your complaint and our investigation within a further 15 days of you advising us that you are not satisfied with the original response to your complaint.

4. Stage 3 Complaint (Review of Stages 1 & 2 by a panel of Board members).

After a stage 2 complaint review is completed and we have confirmed our findings to you, you may remain dissatisfied. At this point in the complaint procedure, you may advise us that you remain dissatisfied and why and request a stage 3 review of your complaint. This involves the nomination and convening of a small panel of independent Board members, usually 2-3 members with no prior knowledge of the complaint, with the panel to be chaired by the Board's Chairman. The panel will review the handling of the complaint and the findings.

The panel's review findings will be communicated to you in writing as soon as practicable and within a reasonable timescale.

Stage 3 is the final stage of the Board's internal complaints procedure.

The Local Government Ombudsman - <https://www.lgo.org.uk/>

After exercising all internal stages to resolve your complaint, if you are dissatisfied with the way we have dealt with your complaint you may refer it to the Local Government Ombudsman, who works independently to the Board to investigate allegations of maladministration causing injustice to the person who has complained. However, the Ombudsman will usually expect you to have tried to resolve your complaint with the Board using this internal complaint procedure before accepting your case. 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.

For example, it may constitute maladministration if the Board:

- made a mistake.
- took too long to do something.
- did not follow its own rules or the law.
- broke its promises.
- treated you unfairly.
- gave you wrong information.
- did not decide in the correct way - that is if it:
- did not follow the right procedures when making the decision.
- did not consider all the relevant information or
- wrongly considered irrelevant information.

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

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

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.

The Local Government Ombudsman has a leaflet called "Complaint to the Council? How to Complain to the Local Government Ombudsman ". While the leaflet refers to Councils, the same principles apply equally to IDBs as these are smaller public bodies. There is also a leaflet on the LGO website <https://www.lgo.org.uk/> entitled "How the Ombudsman will deal with your complaint ". You can get a copy of these leaflets by telephoning their Adviceline on **0300 061 0614**. It is open between 10am and midday on Monday, and 10am to 4pm, Tuesday to Friday, except on public holidays. Lines are often quieter in the afternoon so they may be able to help you more quickly if you call then or by downloading them from the website <https://www.lgo.org.uk/>

Postal address:

Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH

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Why we want to hear from you.

Although we want to hear from you if you feel you need to complain, we would also 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 what we need to improve.

Joint Services Committee.

13.12.21.

V3: Review Date: Not more than 3 years from the date of this approval.