



Llywodraeth Cymru
Welsh Government

GUIDANCE

How to make a complaint about Welsh Government

How you can complain, what we will do and what to do if you are still not happy.

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Introduction

This guide sets out what you need to do if you believe you have suffered as a result of maladministration or service failure by us. This guide sets out the procedure the Welsh Government will follow when considering complaints.

Welsh Government procedure for making a complaint

The Welsh Government is committed to providing an excellent service. We value your views and aim to make continuous improvements to our services based on the information and feedback we receive. We welcome both positive and negative feedback and recognise that justified complaints give us the opportunity to learn from what happened, to put things right and to improve our services where we can. This guide sets out the principles and procedures which we will apply when considering complaints. A summary of the complaints process can be found at Appendix 1.

Learning lessons

We take your complaints seriously and try to learn from mistakes we have made. The Complaints Advice Team shares complaint data on a bi-annual basis with Welsh Government senior board level managers.

If there have been lessons learned as a result of your complaint, we will let you know.

When to use this procedure

The complaints policy allows us to consider complaints about our administrative actions in relation to the following:

- Maladministration in our administrative actions, whether through poor administration or applying rules incorrectly. The following list provides some examples:
 - Avoidable delay
 - Faulty procedures applied or failing to follow correct procedures
 - Failing to tell a member of the public about any rights they might have
 - Unfairness, bias or prejudice
 - Giving advice which is misleading or inadequate
 - Rudeness and failing to apologise properly
 - Mistakes in handling a claim
 - Not offering a suitable solution when one is due.
- Failing to provide a service we planned to provide or must provide by law or failing to provide a service to our standards
- Failing to meet or comply with our Welsh Language Standards, or treating the Welsh language less favourably than English
- Breaches of data protection

Under this procedure, we will not consider:

- complaints about a decision, which has not involved maladministration – in other words, the complaints procedure cannot be used to complain about a decision just because you do not agree with it
- complaints about matters, which are covered by separate Welsh Government complaints procedures
- a request for compensation only
- legal proceedings or judgements
- a previously concluded complaint by the Welsh Government or the Public

Services Ombudsman for Wales

- complaints about government policy and legislation
- Freedom of Information and Environmental Information decisions

If your complaint relates to a Freedom of Information request and you are seeking a review, you should contact:

Freedom of Information Officer
Information Rights Unit
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Tel: 0300 0604400

Email:

Freedom.ofinformation@gov.wales or DataProtectionOfficer@gov.wales

In addition, this guide does not apply to complaints about Welsh Government Ministers, Members of the Senedd, Members of Parliament, councillors, and other elected representatives. If you have a complaint against any of these elected representatives we list the relevant body or authority for you to direct your queries to.

If you have a complaint that a Welsh Government Minister has breached the Ministerial Code you should write to the First Minister at:

Welsh Government
5th Floor
Tŷ Hywel
Cardiff Bay
CF99 1NA

PS.FirstMinister@gov.wales

If your complaint is about a Member of the Senedd, please contact:

Standards Commissioner
Welsh Parliament
Cardiff Bay
CF99 1SN

Telephone: 0300 200 6532

E-mail: **standards.commissioner@senedd.wales**

Standards of Conduct Committee
National Assembly for Wales
Cardiff Bay
CF99 1SN

Telephone: 0300 200 6565

E-mail: **Seneddstandards@senedd.wales**

If you have a complaint about a Member of Parliament, please contact:

Office of the Parliamentary Commissioner for Standards
House of Commons
London
SW1A 0AA

General enquiries: 020 7219 1883

Fax: 020 7219 0490

Email: **standardscommissioner@parliament.uk**

Website: **[Parliamentary Commissioner for Standards](#)**

If your complaint is about an organisation delivering a service on behalf of the Welsh Government, you should wish to raise the matter with them first. If you remain dissatisfied following consideration of your complaint, you can ask us to investigate how your complaint was handled and we will advise you on what to do next.

How to make a complaint

You can make a complaint in writing, by e-mail or by using a complaint form. Receiving a complaint in writing is particularly important if the complaint is complicated and detailed. However, we may accept a verbal complaint if we consider it reasonable to do so.

How we will try to resolve issues

You can ask for a copy of our complaint procedure from the person with whom you are already in contact with and make your complaint to them.

You can write a letter to us at the following address:

Complaints Advice Team
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

You can contact the Complaints Advice team on 0300 0604400 if you want to make your complaint over the phone. If no one is able to take your call, please leave a message and someone will call you back.

You can e-mail us at complaints@gov.wales

You can use the form on our website: [Complain about Welsh Government](#)

Stage 1: Informal resolution

If possible, we believe that it is best to deal with things straight away rather than try to sort them out later. If you have a complaint, raise it with the person you are dealing with. He or she will try to resolve it for you there and then. Complaints that are considered under Stage 1 are usually considered and resolved quickly and if possible, within 10 working days of the complaint being raised.

If you remain dissatisfied after receiving the Stage 1 response, you have the option of requesting that your complaint be reviewed under Stage 2 (formal resolution) of the procedure but you will need to clarify why you are not satisfied with the way your complaint has been handled through informal resolution.

Stage 2: Resolution through formal investigation

The Complaints Advice Team will:

- acknowledge your complaint within 5 working days and let you know how we intend to deal with it. Alternatively your complaint may be acknowledged, considered and responded to by a person who works in the area in which your complaint arose.
- provide you with advice about the process and how your complaint will be handled appoint a lead official to consider and respond within 20 working days of the complaint being received. If we cannot give you a full response because your complaint is complicated or raises serious issues which may need detailed and careful consideration, we may need to extend this timeline but will keep you updated with progress.

- once we have determined who within Welsh Government is best placed to consider your complaint, our aim will be for that person to see your complaint through to the result. The appointed official for handling your complaint could be a manager of the team or individual responsible for any concerns raised or an official who is independent of that team as deemed appropriate.

Normally, we will only be able to look at your complaints if you tell us about them within 6 months. This is because it is better to look into your complaints while the issues are still fresh in everyone's mind. We may, however, be prepared to consider a complaint made outside of that time limit if we consider that, in the particular circumstances of the complaint there is good reason why the normal time limit should not apply. We will however not consider any complaints about matters that took place more than 3 years before you raised the issue).

If you are expressing a complaint on behalf of somebody else, we will need their written permission for you to act on their behalf.

Outcome

If we investigate your complaint, we will let you know the outcome through your preferred form of communication. If necessary, we will produce a report and will explain how and why we came to our conclusions.

If we find that we got it wrong, we will tell you what and why it happened and explain how the mistake affected you.

If we find there is a fault in our systems or the way we do things, we will tell you what it is and how we plan to make changes to help prevent the same errors from happening again.

If we failed to provide you with a service you expected or did not perform as well

as you expected, we will aim to rectify matters. If your complaint is upheld we will aim to put you back in the position you would have been in before you made the complaint.

If we got it wrong, we will always apologise.

Public Service Ombudsman for Wales

The Ombudsman expects you to bring your complaints to our attention first and to give us a chance to put things right. If we do not succeed in resolving your complaint, you may complain to the Ombudsman. He is independent of all government bodies and can look into your complaint, if you believe that you personally, or the person on whose behalf you are complaining:

- has been treated unfairly or received a bad service through some failure on the part of the body providing it
- has been disadvantaged personally by a service failure or have been treated unfairly.

you can contact the Ombudsman by:

writing to:

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

phone: 0300 790 0203

e-mail: ask@ombudsman.wales

website: [Public Services Ombudsman for Wales](#)

For further information, contact the Welsh Government's Complaints Advice

Team on 0300 0604400.

What we expect from you?

In times of trouble or distress, some people may act out of character. There may have been upsetting or distressing circumstances leading up to a complaint. We do not view behaviour as unacceptable just because someone is forceful or determined. We believe that all complainants should have the right to be heard, understood and respected. However, our staff also have the same rights. We, therefore, expect you to be polite and courteous in your dealings with us. We will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence.

Appendix 1: Process summary

Complaints procedure

You can make your complaint in person, by phone, by e-mail or in writing. We have a two-stage complaints procedure. We will always try to deal with your complaint quickly. But if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.

Stage 1: Informal resolution

We will always try to resolve your complaint quickly, within 10 working days if we can.

If you are dissatisfied with our response, you can ask us to consider your complaint at stage 2.

Stage 2: Resolution through formal investigation

We will look at your complaint at this stage if you are dissatisfied with our response at stage 1. We will also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation. We will acknowledge your complaint within five working days. We will give you an update on our decision as soon as possible. This will be after no more than 20 working days unless there is clearly a good reason for needing more time.

The Public Services Ombudsman for Wales

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the PSOW to consider it.

We will tell you how to do this when we send you our final decision.

Staff training: Complaints about compliance with the Welsh Language Standards

In relation to dealing with complaints made about failing to meet or comply with the Welsh Language Standards, or treating the Welsh language less favourably than English, guidance has been provided to staff, which is available on the staff intranet. This topic is also covered in our staff induction training on the Welsh language.

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