



Cairt Chustaiméirí Customer Charter

V6 January 2026



Table of Contents

Introduction	2
Our Customers	2
Our Commitment to you	3
Our Performance	3
Telephone Calls	4
Visiting our premises.....	5
Written and Electronic Communication.....	6
Social media	7
Service in Irish	8
Our Service Through Other Languages.....	9
Customer Responsibilities – Help us to Help You.....	9
Complaints policy and procedure.....	11
Purpose of the Policy.....	11
What Constitutes a Complaint.....	11
Principles of Complaint Handling.....	11
Feedback	12
APPENDIX 1 - Code of C o n d u c t	13
APPENDIX 2 – Policy on dealing with abusive, persistent or vexatious complaints and complainants	15
APPENDIX 3 – Tipperary County Council complaint handling policy and procedure	24
Policy & Procedures.....	26
1. Introduction	26
2. Complaint Definition and Duty of the LA to Give Reasonable Assistance	26
3. Decisions/Actions Where a Local Authority has Exercised Discretion.....	28
5. Resolving Complaints	31
5.1 Frontline Resolution	31
5.2 Investigation Resolution.....	32
5.3 Acceptable Behaviour	33
5.4 Dealing with Multiple Complaints	34
5.5 Outcome of the Complaint.....	34
6. Record Keeping and Reporting	36
7. How to access the policy	36
Complaint Decision Letter Template	37
The complaint handling process flowchart for staff.....	39
APPENDIX 4 – Customer complaint form	40



Cairt Chustaiméirí Customer Charter

Introduction

Tipperary County Council is committed to delivering the highest standard of service to all customers, ensuring efficiency, accessibility, and responsiveness. Our Customer Charter, aligned with the **Corporate Plan 2024-2029**, outlines the service standards customers can expect from us.

Our Vision

"Tipperary the place where every individual, business and community can prosper and every visitor is captivated."

The commitment to this Customer Charter is outlined in the Corporate Plan 2024-2029 and sets out the standards of service you, as a customer, may expect from Tipperary County Council. **Appendix 1** of the Customer Charter outlines the code of conduct for customers and members of the public.

Our Customers

We serve a broad spectrum of customers, including:

- Members of the public
- Businesses
- Community and voluntary groups
- Elected representatives
- Other local authorities and government agencies
- Tipperary County Council employees
- Visitors to the county



Our Commitment to you

Courtesy – Consideration – Openness – Impartiality

Meeting your needs is important to us and we aim to achieve this by:

- Giving you the best possible service and providing helpful advice;
- Treating you properly, fairly, impartially and with courtesy;
- Aiming to ensure that your rights to equal treatment established by equality legislation are upheld in the delivery of our services;
- Aiming to meet any special needs you may have;
- Maintain privacy and confidentiality, where necessary;
- Be honest and open in dealing with you;
- Discuss any aspect of your dealings with us;
- Explain the decision-making procedures.
- **Appendix 1** Code of conduct for customers and members of the public.

Our Performance

We undertake to:

- Review and evaluate our performance;
- Examine the development and delivery of our services in order to meet the needs of all customers;
- Provide appropriately trained employees to ensure quality services delivery;
- Maximise the benefits of Information Technology to continuously improve service delivery;
- Carry out surveys on an ongoing basis to assess the quality of services being provided.



Telephone Calls

If you telephone us:

- Our Customer Services Desk Staff will answer your telephone enquiries promptly and politely;
- We aim to answer your calls within an overall average of 30 seconds;
- We will give our name;
- We will aim to answer your questions straight away. If we cannot do so, we will either put you through to the relevant Section/District or record your details and notify the relevant Section/District on the same day;
- Be as helpful and informative as possible;
- If it is necessary to transfer your call to a different Section, we will tell you why and give you the name of the person we are transferring you to.
- In accordance with the criteria outlined in **Appendix 2** – Policy on dealing with abusive, persistent or vexatious complaints and complainants, if a call is determined abusive by a staff member, the caller will be informed that the call will be terminated in compliance with the customer charter, and the incident will be recorded using the violence and aggression incident reporting form.
- If a caller to the customer service desk staff is abusive, changes their behaviour and wishes to continue with the phone call, a member of the customer service desk staff shall advise the caller that it will be necessary to activate voice recording, subject to their consent to continue call. If consent is not forthcoming the call will be terminated and logged.
- If behaviour persists and no consent is given to activate voice recording, the customer service desk staff member shall inform the caller that the call is being terminated due to verbal abusive nature of the call.

Note:

It is Council policy not to permit the electronic recording of phone calls by our customers.



Visiting our premises

If you call to see us we will: -

- Ensure that the Customer Services Desk is staffed during office hours;
- Identify ourselves and be courteous in all interaction with customers;
- Respect your privacy and ensure that all matters are dealt with in a confidential manner;

- Deal with your enquiry as quickly as possible;
- Aim to answer your questions fully; If we cannot do this we will arrange to phone you, or write to you if you prefer;

- Try to arrange meetings at a time that suits you and will not keep you waiting unnecessarily;

- Aim to provide private meeting rooms to discuss your query, where necessary;

- Ensure that our public offices comply with occupational health and safety standards;

- Ensure that our public offices are accessible for people with disabilities; Our main offices providing direct information or services to the public – Clonmel, Nenagh, Tipperary Town, Thurles, Carrick on Suir and all our libraries are accessible for people with disabilities and special needs;

- Continue to proactively support a culture of universal accessibility for all our services.

Note:

- It is Council policy not to permit the electronic recording of conversations or meetings by our customers.
- Using video and/or audio recordings or taking photographs without the specific permission from the service manager and the inappropriate post of same on social media is not permitted having regard for the privacy rights of staff, customers and members of the public.



Written and Electronic Communication

If you write to us we will: -

- Acknowledge your correspondence in clear plain language within **5 working days**. Please note that this will be an automated reply, which will include a case number for reference purposes, and a comprehensive reply will issue. We will issue a comprehensive reply **within 30 working days** of receiving your correspondence. This correspondence will include a printed contact name, a contact number and a reference number, where appropriate. If we cannot do this we will write to explain why and tell you when you can expect a full reply – this undertaking does not in any way affect statutory deadlines.
- If your correspondence relates to a matter that comes within the remit of another public body, we will direct the correspondence to that body and inform you accordingly;
- Use automated email responses when employees are out of the office:
- Reply “as Gaeilge” when correspondence is received through Irish; *Note:* We have a dedicated council address: customerservices@tipperarycoco.ie for all customer enquiries.



Social media

Tipperary County Council uses social media to share information, gather feedback and create a dialogue with our community. We welcome your input and thoughts, but will not engage with comments or content that includes:

- Abusive or threatening language
- Offensive, indecent or obscene language that could be discriminatory or promotes discrimination of any kind
- Posts of a defamatory or potentially defamatory nature
- Inciting, condoning or encouraging conduct which could result in a criminal offence, civil liability, or otherwise breach any laws
- Plagiarised material; any material in violation of any laws, including copyright
- Private, personal information published without consent Information unrelated to the content of the forum
- Commercial solicitation or solicitation of donations
- Spamming in nature
- Trolling or deliberate disruption of discussion

Comments on our social media accounts will not be considered as contacting Tipperary County Council for official purposes. The best way for us to respond to questions you raise is by emailing [**customerservices@tipperarycoco.ie**](mailto:customerservices@tipperarycoco.ie) or phoning 0818 06 5000/6000.

Content posted by other users on Tipperary County Council's social media channels does not necessarily reflect the opinions or policies of Tipperary County Council.

We may share information that we think will be of interest or use to our followers, but please do not be offended if we do not share something you ask us to; as a trusted organisation, any sharing of information could be seen as endorsement of a particular view, individual or organisation, and it is important that we remain impartial. For this reason, we do not promote, share or engage with political events such as protests, marches and rallies.



Service in Irish

We aim to ensure that:

- Customers who wish to conduct their business through Irish can do so, within the resources available to us;

Note: Documents such as the Annual Report and Corporate Plan are available in both Irish and English;

Information leaflets on various schemes are available in Irish and English; Our website www.tipperarycoco.ie includes content in Irish for certain services and information.

Seirbhísí a chur ar fáil i nGaeilge

Is féidir leis an gComhairle roinnt seirbhísí a chur ar fáil trí mheán na Gaeilge. Nuair a thugann tú cuairt orainn, nó nuair a chuireann tú gloch ar ár nDeasca Seirbhísí do Chustaiméirí i gCluain Meala agus san Aonach, fiafraigh le do thoil má tá sé seo ar fáil maidir le do sheirbhís.

Déanfaimid ár seacht ndícheall tú a éascú.'

Fiosruithe/Enquiries: asgaeilge@tipperarycoco.ie

Provision of services in Irish

The Council can provide some services through the Irish language.

When you visit, or phone our Customer Services Desks in Clonmel and Nenagh, please ask if this is available regarding your service.

We will make every effort to facilitate you.



Our Service Through Other Languages

We aim to:

- Accommodate in so far as possible all our customers who wish to conduct their business through the medium of sign language or other languages.

Customer Responsibilities – Help us to Help You

Customers also have an important role to play in assisting the Council achieve its service commitments. By adhering to the following principles, you will greatly assist us in delivering a quality service to you;

- **Providing Accurate Information**

- Quote reference numbers, where available, in all correspondence and communications with the Council;
- Familiarise yourself with the terms and conditions of schemes before filling out applications/forms and provide all necessary supporting documentation;

- **Providing Contact Details**

- Provide a daytime telephone number or email address, if available, in all correspondence;

- **Adhering to Closing Dates**

- Ensure, where applicable, that applications/forms are submitted in sufficient time to meet specified deadlines;

- **Responding to Requests for Additional Information**

- Respond as soon as possible to any queries raised, including supplying any additional information requested in support of applications;
- Inform us of any changes in circumstances which may have a bearing on a decision made by the Council;



- **Making appointments**

- If you need to visit the Council regarding a complex matter, please make an appointment in advance. This will ensure that the appropriate officials will be available and that any necessary preparations can be undertaken;

- **Cooperating with Council Staff**

- Treat staff of the Council with the same courtesy and cooperation you would like to receive; see **Appendix 1** Code of Conduct
- Accord staff the due respect and freedom to carry out their duties and refrain from intimidating or threatening staff in any manner whatsoever. The following behaviour is not acceptable from any member of the public in any of our facilities, or in the provision of any of our services
 - Harassment of staff by use of abusive, racist or threatening language;
 - Use of violence or threat of violence towards staff members;
 - Behaviour which is disruptive and interferes with delivering a quality customer service.

Customers are advised that where a staff member is subjected to such treatment, contact will have to be terminated. For further details please see **Appendix 2** attached: "Policy on dealing with abusive, persistent or vexatious complaints".



Complaints policy and procedure

Tipperary County Council's Complaints Policy and Procedure (**Appendix 4**) provides a structured, fair, and accessible process for members of the public to raise concerns about the Council's actions, decisions, or service standards. The policy ensures transparency, accountability, and continuous service improvement across all Council operations.

Purpose of the Policy

The complaints system is designed to:

- Allow customers to express dissatisfaction regarding service delivery or communication.
- Ensure complaints are handled promptly, fairly, and consistently.
- Provide learning opportunities to improve Council services.
- Safeguard staff and maintain a respectful environment.

What Constitutes a Complaint

A complaint is defined as **an expression of dissatisfaction** with:

- An action or lack of action by the Council, or
- The quality of service or communication provided by or on behalf of the Council.

Certain issues fall **outside** the complaints process, including: initial service requests, matters outside Council remit, planning appeal decisions, data protection issues, ethics breaches, and protected disclosures.

Principles of Complaint Handling

The Council commits to:

- Providing reasonable assistance to anyone wishing to make a complaint.
- Ensuring complaints are easy to submit (online, in writing, phone, in person).
- Maintaining confidentiality where required and appropriate.
- Offering supports for people with additional needs, literacy issues, or language barriers.
- Ensuring staff are trained and equipped to handle complaints professionally.

A customer may complain in a number of ways, including face-to-face, by phone, letter or email customerservices@tipperarycoco.ie.

Customer Complaint form is available on our website www.tipperarycoco.ie or **Appendix 4** – customer charter.



Feedback

The Council is committed to consulting with its customers and to evaluating its services. You can help us by:

- Providing comments or suggestions regarding the service you receive;
- Completing and returning any customer survey forms that we may send you.

If you want to forward a suggestion on how we could improve our service to you, please email customerservices@tipperarycoco.ie

Note:-

Customer Complaint form is available on our website www.tipperarycoco.ie or **Appendix 4** – customer charter



APPENDIX 1 - Code of Conduct



Code of Conduct for Customers and Members of the Public

Tipperary County Council aims to provide a high quality of service, in a safe and secure environment. In order to achieve this, we would ask our customers to note that the following behaviour will not be accepted in any of our facilities. This Code of Conduct has been established for all those who use the facilities and have dealings with Tipperary County Council including customers, elected members and members of the public.

Please note that the following behaviour is not acceptable:

1. Disruptive behaviour that interferes with the use and enjoyment of the facility by others.
2. Harassment of staff or the public by use of abusive, racist, obscene or threatening language.
3. Violence or threats of violence towards staff and/or the public.
4. Malicious damage to and/or theft of Council property.
5. Use of alcohol and illicit drugs while using Council facilities.
6. Smoking in public areas within any Council premises.
7. Leaving personal property unattended.
8. Posting abusive, threatening, offensive or obscene posts and comments on Council or other social media channels.
9. Electronic recording of conversations or meetings is not permitted.
10. Using video and/or audio recordings or taking photographs without the specific permission from the service manager and the inappropriate post of same on social media is not permitted having regard for the privacy rights of staff, customers and members of the public.

Please help us to encourage the responsible and considerate use of Tipperary County Council facilities by observing the Code of Conduct.

Signed: 

Date: 23 January 2026

Director of Services
Corporate Services and Human Resources



APPENDIX 2 – Policy on dealing with abusive, persistent or vexatious complaints and complainants



Introduction

- 1.1 Dealing with a complaint is a straightforward process, but in a minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for the council. This can happen either while their complaint is being investigated, or once the council has finished dealing with the complaint.
- 1.2 We are committed to dealing with all complaints equitably, comprehensively, and in a timely manner.
- 1.3 We will not normally limit the contact which complainants have with council staff or offices.
- 1.4 We do not expect staff to tolerate unacceptable behaviour by complainants or any customer. Unacceptable behaviour includes behaviour which is abusive, offensive or threatening and may include
 - Using abusive or foul language on the telephone
 - Using abusive or foul language face to face
 - Sending multiple emails
 - Leaving multiple voicemails
 - Abusive, threatening, offensive, indecent or obscene posts and comments on any of Tipperary County Council or other social media channels
- 1.5 We will act to protect staff from such behaviour. If a complainant behaves in a way that is unreasonable persistent or vexatious, we will follow this policy.
- 1.6 Raising legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent complainant.
- 1.7 Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent.



Aim of this policy

- 1.8 The aim of this policy is to contribute to our overall aim of dealing with all complainants in ways which are demonstrably consistent, fair and reasonable.
- 1.9 It sets out how we will decide which complainants will be treated as vexatious or unreasonably persistent, and what we will do in those circumstances. The policy is for the information of Staff and Councillor's, as well as customers.

Definitions

- 1.10 We define unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the Council, hinder our consideration of their or other people's complaints. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.
- 1.11 Examples include the way or frequency that complainants raise their complaint with staff, or how complainants respond when informed of our decision about the complaint.
- 1.12 Features of an unreasonable persistent and/or vexatious complainant include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):
An unreasonably persistent and/or vexatious complainant may:
 - Have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that he or she does not admit to make obvious)
 - Refuse to specify the grounds of a complaint despite offers of assistance
 - Refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved
 - Refuse to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of the policy and procedure (e.g. parking ticket and planning appeals)



- Refuse to accept that issues are not within the power of the Council to investigate, change or influence (examples could be a complaint about a private car park, or something that is the responsibility of another organisation)
- Insist on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice (insisting, for instance, that there must not be any written record of the complaint)
- Make what appear to be groundless complaints about the staff dealing with the complaints and seek to have them dismissed or replaced
- Make an unreasonable number of contacts with us, by any means in relation to a specific complaint or complaints
- Make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to numerous, frequent and/or complex letters, faxes, telephone calls or emails)
- Harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive and racist language. Staff will deal with such calls in the following manner: -
 - In accordance with the criteria outlined in **Appendix 2** – Policy on dealing with abusive, persistent or vexatious complaints and complainants, if a call is determined abusive by a staff member, the caller will be informed that the call will be terminated in compliance with the customer charter, and the incident will be recorded using the violence and aggression incident reporting form.
 - If a caller to the customer service desk staff is abusive, changes their behaviour and wishes to continue with the phone call, a member of the customer service desk staff shall advise the caller that it will be necessary to activate voice recording, subject to their consent to continue call. If consent is not forthcoming the call will be terminated and logged.
 - If behaviour persists and no consent is given to activate voice recording, the customer service desk staff member shall inform the caller that the call is being terminated due to verbal abusive nature of the call.



- Raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process
- Introduce trivial or irrelevant new information whilst the complaint is being investigated and expect this to be considered and commented on
- Change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed
- Deny statements he or she made at an earlier stage in the complaint process
- Electronically record meetings and conversations without the prior knowledge and consent of the other person involved
- Adopt an excessively 'scattergun' approach, for instance, pursuing a complaint or complaints not only with the Council, but at the same time with other Councils, Elected Councillor's of this and other Councils, the Councils independent auditor, an Garda Síochána and the Office of the Ombudsman
- Refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given
- Make the same complaint repeatedly, perhaps with minor differences, after the complaint's procedure has been concluded, and insist that the minor differences make these 'new' complaints which should be put through the full complaint's procedure
- Persistently approach the Council through different routes about the same issue
- Persist in seeking an outcome which we have explained is unrealistic for legal or policy (or other valid) reasons
- Refuse to accept documented evidence as factual
- Complain about or challenge an issue based on a historic and irreversible decision or incident
- Combine some or all of these features



Imposing restrictions

- 1.13 We will ensure that the complaint is being, or has been, investigated properly according to the Council's complaints procedure
- 1.14 In the first instance the Head of Section will consult with the Head of Customer Services prior to issuing a warning to the complainant. The Head of Section will contact the complainant either by phone, in writing or by email to explain why this behaviour is causing concern, and ask them to change this behaviour. The Head of Section will explain the actions that the Council may take if the behaviour does not change.
- 1.15 If the disruptive behaviour continues, the Head of Section will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact us in future will be restricted. The Head of Section will make this decision and inform the complainant in writing of what procedures have been put in place and for what period.
- 1.16 Any restriction that is imposed on the complainant's contact with us will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be in place for. In most cases restrictions will apply for between 3 and 6 months but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis.
- 1.17 Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:
 - Banning the complainant from making contact by telephone except through a third party e.g. Solicitor/Councillor/Friend acting on their behalf.
 - Banning the complainant from sending emails to individual and/or all Council officers and insisting they only correspond by letter, to a designated point of contact.
 - Banning the complainant from using any of the Council's services e.g. libraries or leisure centres.
 - Banning the complainant from accessing any council building except by appointment.
 - Removing content and comments from social media.



- Requiring contact to take place with one named member of staff only
- Restricting telephone calls to specified days/times/duration
- Requiring any personal contact to take place in the presence of an appropriate witness
- Letting the complainant know that we will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff should be identified who will read future correspondence).

1.18 When the decision has been taken to apply this policy to a complainant, the Head of Section will contact the complainant in writing (and/or as appropriate) to explain:

- Why we have taken the decision
- What action we are taking
- The duration of that action
- The review process of this policy and
- The right of the complainant to contact the Office of the Ombudsman about the fact that they have been treated as a vexatious/persistent complainant

1.19 The Head of Section will enclose a copy of this policy in the letter to the complainant

1.20 Where a complainant continues to behave in a way which is unacceptable, the Head of Section in consultation with the Director of Corporate Services may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.

1.21 Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, we will consider other options, for example reporting the matter to an Garda Síochána or taking legal action. In such cases, we may not give the complainant prior warning of that action.



New complaints from complainants who are treated as abusive, vexatious or persistent

- 1.22 New complaints from people who have come under this policy will be treated on their merits. The Head of Section will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint. We do not support a “blanket policy” of ignoring genuine service requests or complaints where they are founded.
- 1.23 The fact that a complainant is judged to be unreasonably persistent or vexatious, and any restrictions imposed on our contact with him or her, will be recorded and notified to those who need to know within the Council.

Review

- 1.24 The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the Head of Section after three months and at the end of every subsequent three months within the period during which the policy is to apply.
- 1.25 The complainant will be informed of the result of this review if the decision to apply this policy to them has been changed or extended.

Referring unreasonably persistent or vexatious complaints to the Office of the Ombudsman

- 1.26 In some cases, relations between Councils and unreasonably persistent or vexatious complainants break down completely while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances, there may be little purpose in following all the stages of the complaint’s procedure. Where this occurs, the Ombudsman may be prepared to consider a complaint before the procedure has run its course.



Record Keeping

- 1.27 Adequate records will be retained by the appropriate Head of Section of the details of the case and the action that has been taken. The Head of Section will retain a record of
- The name and address of each customer who is treated as abusive, vexatious or persistent
 - When the restrictions came into force and ends
 - What the restrictions are
 - When the customer and sections were advised
- 1.28 The Director of Services, Corporate Services will be provided with an annual report giving information about customers who have been treated as vexatious/persistent as per this policy.



APPENDIX 3 – Tipperary County Council complaint handling policy and procedure



Complaint Handling Policy and Procedure

Responsibility for review - Corporate Services

Related policies:

All policies, though the following non-exclusive list are particularly relevant.

- Code of Conduct for Councillors **(2019)**.
- Code of Conduct for Employees **(2007)**.

Related Legislation:

- Disability Act
- Section 42 of the Irish Human Rights and Equality Act 2014 (Public Sector Equality and Human Rights Duty)
- Equal Status Acts
- Customer Charter



Policy & Procedures

1. Introduction

1.1 This document sets out Tipperary County Councils policy on complaint handling and sets out the complaints procedure of including the complaints recording system.

1.2 An effective complaint handling system provides significant benefits to any organisation. It resolves issues in a timely and cost-effective way.

1.3 It provides safeguards for employees operating in public settings where incidents may occur.

1.4 It provides valuable information that can lead to service improvement, and it can improve the reputation of, and strengthen confidence in, an organisation.

1.5 Staff at every level in are equipped with the appropriate skills and resources to deal with a complaint and have a full understanding of the complaints procedure including the complaints recording system. All staff should direct persons who wish to make a complaint to the appropriate Director/Head of Function, to either Civic Offices, Clonmel, Co. Tipperary E91 N512 or or Civic Offices, Limerick Road, Nenagh Co. Tipperary E45 AO99.

1.6 Appropriate training is provided for staff who may have to deal with persons who are vulnerable or who have particular needs.

2. Complaint Definition and Duty of the LA to Give Reasonable Assistance

2.1 A complaint is defined as "An expression of dissatisfaction by one or more members of the public about an organisation's action or lack of action, or about the standard of service or communication provided by or on behalf of the organisation".

2.2 What is not a complaint

- An initial service request is not a complaint – this can transition into a complaint if, for example, there is an undue delay in dealing with the matter.
- Complaints about matters that are outside of the Council's remit to examine/ deal with – you should assist the person by directing them to the relevant organisation if you can do so.
- Complaints about reserved functions of the elected members of Council – the executive of the Council cannot examine such decisions from members of the public.



- Complaints about planning decisions as there is a right of appeal to An Coimisiún Pleanála (formally An Bord Pleanála) – Councils can examine complaints about the administration of the planning process and those relating to planning enforcement.
- Complaints about alleged data protection breaches should be directed to your Data Protection Officer to deal with.
- Complaints about breaches of Ethics legislation should be referred to your Ethics Registrar in the first instance (and then signposted to the Standards in Public Office Commission).
- Complaint made under the Disability Act must be investigated by your appointed Inquiry Officer in accordance with Section 39 of the Disability Act (and then signpost the Ombudsman).
- Protected disclosures (whistleblowing or ‘reporting wrongdoing in the workplace’) should be directed to the Chief Executive/ Protected Disclosures Officer – see link to further information - <https://www.opdc.ie/en/publication/3a25c-what-a-protected-disclosure-is/>

2.3 Section 4A of the Ombudsman Act 1980 (as amended) outlines the duty to give reasonable assistance and guidance to persons in any dealings with the “reviewable agency” (in this case the Local Authority). Reasonable assistance includes dealing with persons in a timely manner and providing information on any rights of appeal or review. It also includes informing the public about their right to complain to the Ombudsman in the complaint decision letter/ email.

2.4 Giving reasonable assistance to a person making a complaint might also include providing assistance or support to making/formulating a complaint and/or teasing out an implied complaint. Complaints received by the Ombudsman will be investigated against these criteria.

2.5 Any disciplinary, or other such actions, taken with regard to a Council employee, on foot of complaints made to a Council, are dealt with in the context of Employment Legislation and the Council’s HR policies and procedures. No details of this process will be disclosed to a complainant.



3. Decisions/Actions Where a Local Authority has Exercised Discretion

3.1 Administrative decisions by their nature sometimes include the exercise of discretion where a decision maker has the power to make a choice about whether or not to take action or whether to approve an application or not (either fully or with conditions). In such cases the role of the decision maker is to make a judgement taking into account all relevant information and the particular circumstances of the case.

Where such discretion is exercised, in as far as possible, a record will be kept showing the pertinent issues that were taken into account by the decision maker and why; the weight given to these issues; and reasons for the decisions made. This information is key when investigating a complaint about a decision as it shows how the decision was arrived at. Good reasons supporting the decision taken should be provided to the complainant.

Tipperary County Council recognises the importance of strong record keeping, especially where a decision is not covered by an express policy or legislative provision or in line with the terms of a particular scheme etc.

4.1 Tipperary County Council will ensure there is a culture and environment in the Local Authority that encourages people who are dissatisfied with a service to make a complaint. Making a complaint will not adversely affect a person's interaction with the Local Authority.

4.2 The process for making a complaint is user centred, simple to access and easy to use. It is flexible depending on the complaint and the complainant and supports the early resolution of complaints. Complaints are accepted in a number of accessible ways including online, in person, over the phone and in writing. See the complaint form which is available on the Local Authority website and at Appendix 2 in this procedure document.



4.3 It is easy for a person to find out how to make a complaint, and it is simple and convenient to do so.

- Ensures that all service users have access to simple and clear information about how to make a complaint.
 - Information about our complaint's procedure is clearly signposted to service users on our website, social media and on signs and posters in our Local Authority offices.
- Takes account of service users with particular requirements, such as those with intellectual or physical disabilities. Access Officer is familiar with the complaints process and information on how to contact the Access Officer is included with information on how to make a complaint.
- Some people may find it challenging to make a complaint or may have literacy issues or difficulties putting their complaint in writing. will utilise support resources at our disposal, if necessary, to assist a person making a complaint. Where such issues are identified will take the complaint over the phone/in person or, ask the person if they wish to nominate a friend, family member or advocacy service as an advocate. Citizen Information Centres can also assist such individuals subject to GDPR requirements. Where a complaint is taken verbally in person a note of the discussion will be agreed by both parties and signed by both parties where possible.
- Takes account of persons for whom English or Irish is not their first language and notes that if a person is able to articulate their complaint in their first language that this will ensure that the salient points are not lost. The Local Authority will aim to accommodate in as far as possible a translation service noting that this may extend the timeframe for responding to the complaint.
- Accepts complaints brought by a representative of the complainant, provided the appropriate written consent has been obtained from the complainant.
- Makes information about the complaints procedure and policy easily accessible at all times, not just when a person wishes to complain. This information should be available at all public reception areas and any areas which the public may use.
- Information about the complaints procedure and policy should be notified in all decision letters/ emails.
- Explain and signpost the role of the Citizen Information Centres (and any other advocacy agencies operating within the sector) in providing assistance to persons wishing to make a complaint.



- The website and other appropriate information material will include the relevant e-mail and contact details.

NOTE: If the Ombudsman receives a complaint where the person has not been advised of the complaints procedure and policy in the decision communication, the complaint will be dealt with once it is deemed within remit. In such circumstances the Ombudsman may not advise the person to engage with the Local Authority's complaints procedure. The Ombudsman may take a Local Authority's failure to notify about the complaints procedure and policy into consideration when deciding whether to uphold that aspect of the complaint.

4.4 Confidential Complaints

In some cases, a person may wish to keep their complaint confidential (particularly if a complaint is being made about a specific person in respect of Anti-Social Behaviour where there is a fear of reprisal). In such circumstances a Local Authority may allow a person to keep details of their complaint confidential.

However, if information received from the complainant, or if the complaint itself, would tend to identify a complainant who requests confidentiality then they will be made aware of this and asked if they wish an investigation to proceed.

The provisions of the FOI Act also apply when processing any request for information from the person against whom the complaint is made.

There may be situations where the public interest outweighs the right to privacy of the individuals to whom the information relates.

In cases where the public interest factors favour withholding the records the following should be taken into account

- 1) The public interest in protecting the right to privacy of individuals in relation to making complaints.
- 2) The public interest in individuals being able to communicate in confidence with the Council and without fear of disclosure in relation to personal or sensitive matters.
- 3) The public interest in the Council as a public body being able to perform their function in relations to complaints from members of the public effectively.
- 4) The need to preserve confidentiality having regard to the subject matter and the circumstances of the communications.



4.5 Anonymous Complaints

Tipperary County Council will not deal with anonymous complaints unless there is a risk of injury to person or property and substantial information that warrants investigation - e.g. Tipperary County Council will not investigate trivial, frivolous or complaints without substance.

5. Resolving Complaints

On receipt of a complaint Tipperary County Council will clarify exactly what the person is complaining about. The person may be asked for more information to get a full understanding of the complaint, the outcome they are seeking and how they believe the complaint can be resolved.

If aspects of the complaint are outside Tipperary County Council remit to investigate (for example if the complaint concerns the actions of third parties that are not under the remit or contracted to act on behalf of Tipperary County Council this will be clearly communicated to the person at the outset.

Tipperary County Council will advise the person of their right to contact the Ombudsman if they do not agree with the decision not to deal with the issue as a complaint.

There are potentially two stages involved in resolving complaints:

- **Frontline Resolution**, or where this is not successful then;
- **Investigation Resolution.**

5.1 Frontline Resolution

Will seek to resolve a customer's queries and complaints as early as possible and, ideally, at the first point of contact. Dealing with customers in a fair, reasonable and timely manner through an informal process will minimise complaints being escalated to a formal complaint investigation.

Frontline resolution occurs where the staff member can achieve the expected complaint outcome quickly and effectively either by phone, in person or in writing.

Complaints resolved through the frontline process will be recorded on the complaints record system. Details recorded will include the category or nature of the complaint; the outcome; any action taken and whether the person making the complaint was satisfied with the outcome. Persons making a complaint should be given a unique reference number concerning their complaint to quote on any future correspondence.



The same reference number should be used if the complaint proceeds to investigation.

Decisions on time critical complaints will be signposted to the Ombudsman, skipping the investigation. Where complaints relate to an immediate negative consequence the Ombudsman will consider a complaint in those circumstances.

5.2 Investigation Resolution

Where a complaint is not resolved through the frontline resolution process set out above at 5.1 it will be referred to the Complaints Officer/Manager immediately for formal investigation. The aim is to resolve the complaint where possible, or to give the person making a complaint a full, objective, and proportionate response that represents the final position. Whenever possible, complaints will be investigated by a manager not involved with the issue complained of.

It is important to be realistic and clear with the person making the complaint about timeframes, and to advise them early if it will not be possible to meet the timeframes set out below:

The following deadlines apply to complaint investigations cases (counting day one as the day of receipt for investigation, or the next working day if the complaint was received on a weekend or public holiday):

- A complaint will be acknowledged **within 5 working days**, and all reasonable means will be applied to resolve the issue. The acknowledgement should issue in a format which is accessible to the person, taking into account their preferred method of contact.
- Managing expectations of complaint outcomes and clarifying the scope of the investigation at the outset are essential to complaint handling efficiency and effectiveness.

The complaint should be investigated with the issues raised considered afresh at the outset and without relying on any previous assumptions or conclusions made. The Complaints Officer/Manager, staff member or person assigned to investigate the complaint should:

- Ensure they have access to all necessary communications and evidence - this could include records of phone calls or meetings, work requests, recollections of staff members and internal emails;
- Examine what happened;



- Consider what should have happened - this should include any relevant policies or procedures that apply including the Local Authority's Public Sector Equality and Human Rights Duty;
- Contact or meet with the complainant, if necessary to fully understand the complaint being made. If such contact takes place, complete a written record of same; and
- At all stages in the investigation process the Complaints Manager should seek opportunities to resolve the matter amicably.

In forming his or her final view, having taken the above and any other relevant matters into consideration, the investigator should simply decide if there is a difference between what happened and what should have happened.

Where the relationship with the person making the complaint has broken down or the complaint relates to serious/high-risk/high profile issues the complaint will be investigated at a suitable level as required.

In some cases, it may not be possible to agree the points of complaint. It may be that the person expects more than can be provided or has unrealistic or unreasonable expectations about the scope of the investigation. Such matters should be clarified for the person as soon as possible in order to manage expectations at the outset. Unreasonable or unrealistic complaints should be managed in accordance with the Local Authority's acceptable behaviour policy, or equivalent, bearing in mind that the complaint should continue to be investigated wherever possible. (See further information below regarding acceptable behaviour – Section 5.3.)

Tipperary County Council will ensure that any party assigned to carry out the investigation of a complaint shall be independent of the content of the complaint and not have a direct reporting relationship with any person under investigation as a result of that complaint.

5.3 Acceptable Behaviour

There is express recognition that Tipperary County Council has its own acceptable behaviour policy but that these are general principles that should underpin that, with regard to the steps that Tipperary County Council can/should take when this type of behaviour arises.

Treat staff of Tipperary County Council with the same courtesy and cooperation you would like to receive.



Accord staff the due respect and freedom to carry out their duties and refrain from intimidating or threatening staff in any manner whatsoever. The following behaviour is not acceptable from any member of the public in any of our facilities, or in the provision of any of our services

- Harassment of staff by use of abusive, racist or threatening language;
- Use of violence or threat of violence towards staff members;
- Behaviour which is disruptive and interferes with delivering a quality customer service.

Customers are advised that where a staff member is subjected to such treatment, contact will have to be terminated.

5.4 Dealing with Multiple Complaints

A Local Authority is not expected to accept an unreasonable burden on its complaints processes produced by an organised campaign or multiple versions of the same complaint. In such circumstances the Local Authority may either issue a single 'form' response or may ask the group to nominate a single person to receive the Local Authority's response. For this to apply it would be necessary to be clear that all of the complaints being brought to the Local Authority are the same, and to clearly set out what issues are being considered under the complaint. Any other additional or separate concerns that a person (making a complaint as part of that campaign) may raise would need to be handled as a separate complaint and addressed in the normal manner.

These types of complaints are distinct to persistent complaints which involve repeated correspondence about the same issue previously decided on by Tipperary County Council. Persistent complaints can be dealt with through the Local Authority Customer Charter or equivalent or related policies.

5.5 Outcome of the Complaint

The outcome and response to the complaint will be signed off by the Complaints Officer/Manager and recorded on the complaints record system.

Where service failings have been identified, Tipperary County Council will in so far as possible rectify the matter give an explanation and/or apologise.



- A full response to the person making the complaint will be provided as soon as possible, but not later than **30 working days** from the time the complaint was received.
- If this timeframe cannot be met, extensions will be agreed by both parties. This will be carried out on a case-by-case basis with the circumstances fully explained and will only occur in exceptional circumstances.
- If the extension date cannot be met the timeframe for provision of response may be further extended by agreement of both parties and to a specified date.
- If the person has not received an investigation decision after 30 working days or after on the agreed date of extensions, they should be informed that they can complain to the Ombudsman.

It is noted that extended delays may increase the dissatisfaction felt by the complainant.

The complaint response is very important, and will:

- Be clear and easy to understand
- Where possible, share the information informing the investigation outcome with the person so they can understand the findings. Staff should ensure that any legislation/policy/guidelines relied upon should be explained in a way that makes it easy to understand the decision that has been reached.
- Avoid technical terms and if these must be used provide an explanation of the term(s) will be provided.
- All issues agreed/ identified at the outset of complaint should be addressed to demonstrate a fair and fully considered decision.
- Where a failure on Tipperary County Council part is identified and the Local Authority proposes to take action to resolve the issue, the response will include details of what will be done and when.
- Where administrative failings have been identified include an apology.
- Highlight any area of disagreement and explain why no further action can be taken.
- Indicate a named member of staff, for example the Complaints Officer/Manager, who is available to discuss/clarify any aspect of the response. If the complainant is still dissatisfied with the response or does not accept Tipperary County Council decision, explain that they have been given Tipperary County Council final decision/response on the matter and inform them they may seek a review by the Ombudsman.



6. Record Keeping and Reporting

Record Keeping

A cornerstone of dealing with a complaint in a timely and effective manner is good record keeping. Tipperary County Council has a suitable system in place which will capture and record complaint data and which is capable of producing complaint insights.

Tipperary County Council maintains a complaint file containing complete and accurate records of all contact regarding a complaint and ensure that this information is easily accessible.

Reporting

Senior management should be provided with periodic updates on the number and type of complaints received, timeline for response and where appropriate matters arising and actions required. Actions required to improve service delivery shall be noted by senior management. Annual reporting of the number of complaints processed by service area should be facilitated within the Chief Executive's Report to include any changes to services resulting from issues raised.

7. How to access the policy

This policy will be made available on the Council's website, in order to communicate to the general public what the Council's complaint policy is.

This policy will be circulated to all staff, councillors and Council committee members and published on the Council's Intranet.

This policy will be provided as part of induction and general employee awareness activities. Employees shall be obliged to acknowledge receipt of the policy.

This policy will be kept under review and updated annually and after a significant change and/or as required.



Complaint Decision Letter Template

Dear Mx,

You contacted the Council to complain about **[Issue]**. I have now completed my investigation of your complaint. In this letter I will explain what I found out during my investigation, what my conclusions are **[insert if relevant: and what actions I am taking to address your concerns]**.

The complaint(s) we agreed on **[Date]** and that I have investigated is/are xxx

Background

- Background to the events leading to the complaint including brief timeline if helpful
- This section should outline relevant events/facts only

Investigation

- Provide brief background to investigative process for example: I have reviewed the documentation you provided, views of staff involved, notes etc.
- Outline a timeline of key events/ communications (where appropriate) in date order **if relevant** for example: I spoke to Mr X on (date)

What happened?

- List out the **relevant** information you have considered – this should include any differing views.
- Discuss the evidence presented and available from the complainant / in the records / discussed with staff / communication from staff.
- Always remain objective and not subjective.

What should have happened?

- Identify relevant policy, internal process/procedure that should have been taken into account in relation to the issue of complaints. Provide any other factual evidence relevant to the complaint, for example, expert opinion.

Conclusion

- The conclusion should summarise the complaint, the arguments presented, and combine factual points that identify any areas of poor practice or service failure



- Identify key areas where any failings have already been identified and / or remedial action has already taken place as a result of the complaint.
- Summarise these below each complaint and/or at the end of the letter.
- Note apologies, meetings or other steps already provided by staff to address the concerns

What happens next?

I will follow up to ensure that the issues are addressed and any further action I have identified are completed, by (**date**). If there is anything in this letter which you would like to discuss with me, please contact me. My contact details are shown below.

We hope that we have been able to resolve your complaint satisfactorily. However, if you remain unhappy with our response then you can refer your complaint to the Office of the Ombudsman. The Ombudsman is impartial, independent, and free to use. The Ombudsman will ask you for details of your complaint and to provide a copy of this letter or email (our final response to your complaint). The best way to do this is by:

- Clicking on the 'Make A Complaint' button at www.ombudsman.ie
- Or writing to: Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773.
- Or calling the Ombudsman on 01 639 5600 if you have any queries.

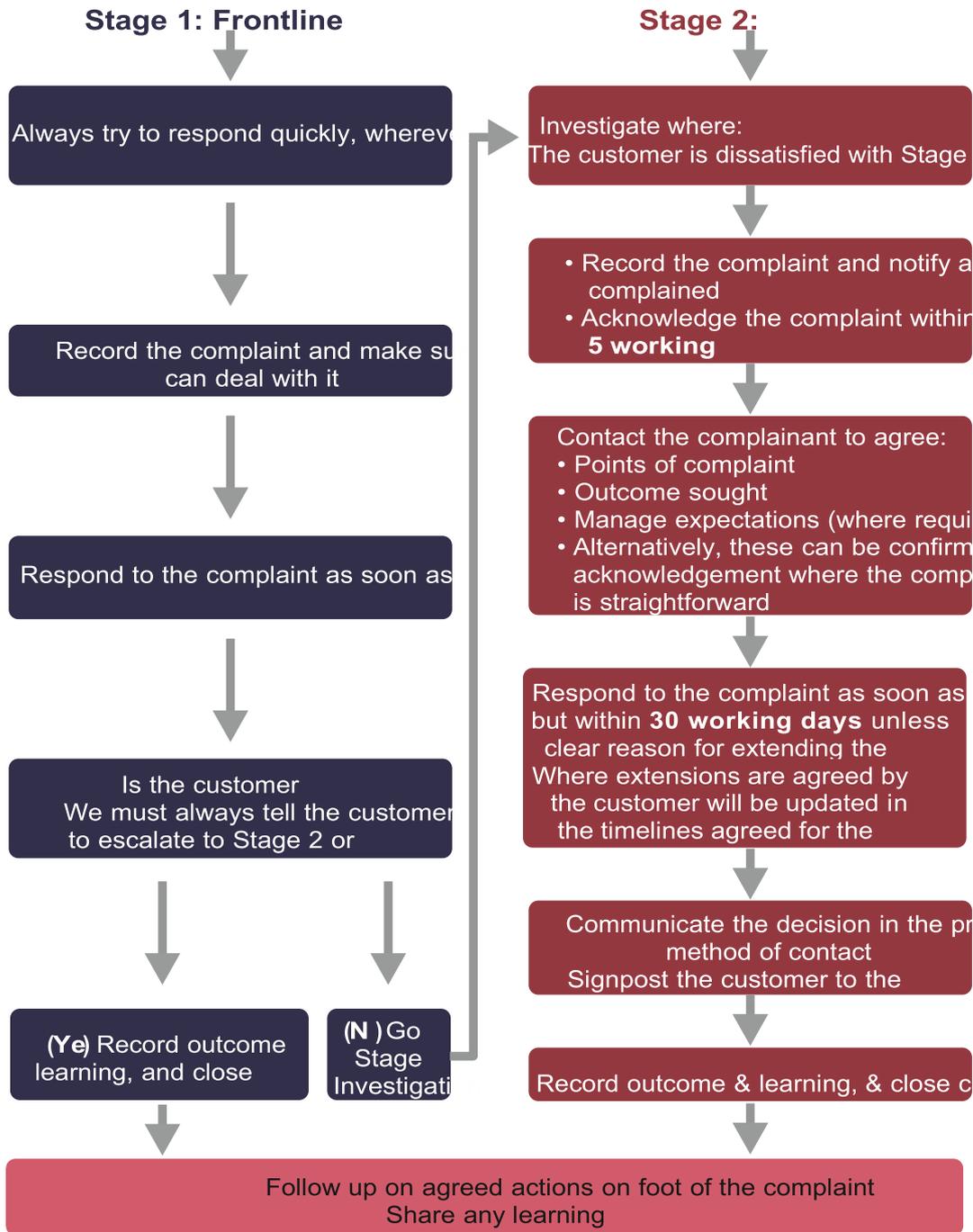
Yours sincerely,

**Director/Head of function
Tipperary County Council**



The complaint handling process flowchart for staff

A customer may complain in a number of ways, including face-to-face, by phone, letter or email. Your first consideration is whether the complaint should be dealt with at Stage 1 (Frontline Resolution) or Stage 2





APPENDIX 4 – Customer complaint form



Customer complaint form

Tipperary County Council is committed to providing an efficient and courteous service to all our customers. Please complete the form below to submit your complaint, query or comment to the Customer Services Desk in Clonmel or Nenagh customerservices@tipperarycoco.ie or any of our Municipal District offices. You can complete this form online www.tipperarycoco.ie by clicking in the relevant box and typing the information.

A: Details of the person making the complaint Please complete form in block letters

Name

Address

Email

**Contact
number/email**

Please state which is your preferred method of contact:

Your requirements

If you have any difficulty with this form or making your complaint, please tell us so that we can discuss how we might help you. The person who experienced the problem should normally fill in this form. If you are filling this in on behalf of someone else, please fill in section B. Please note that before taking forward the complaint we will need to satisfy ourselves that you have the authority to act on behalf of the person concerned.

B: Details of a person making a complaint on behalf of someone else:

Name

Address

**Contact
number/email**

Relationship to the person making the complaint

Why are you making a complaint on their behalf?

C: About your complaint (Please continue your answers to the following questions on a separate sheet(s) if necessary)

What do you wish to complain about?

Describe how the person affected suffered or has been affected

What do you think should be done to put things right?

Have you already put your concern to the staff responsible for delivering the service? If so, please give brief details of how and when you did so.

Signature

Date

If you have any documents to support your concern/complaint, please attach them with this form.

When you have completed this form, please send it to:

Name (Director/Head of Function) and Address or Email:

customerservices@tipperarycoco.ie