



**REPORT ON COMPLAINTS MADE AGAINST
THE OFFICE OF THE CLERK OF TYNWALD
FOR THE YEAR ENDED 31 DECEMBER 2004**



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TO: The Hon N Q Cringle, President of Tynwald, and the Honourable the Council and Keys in Tynwald assembled.

Introduction

In 1991, as a result of recommendations made by the Select Committee on the Appointment of an Ombudsman, a standardised complaints procedure was introduced for responding to complaints from members of the public. Complaints received by the Office of the Clerk of Tynwald were included in the Chief Secretary's annual report until year ended 31st December 2002. However, from 1st January 2003 separate reports in respect of the Office of the Clerk of Tynwald have been issued.

The same complaints procedure is followed as that adopted by Government Departments and covers all complaints relating to Parliamentary Officers and other members of staff.

All complaints are initially dealt with by the Deputy Clerk of Tynwald, the Complaints Officer. In the event that a complaint remains unresolved or the complainant remains dissatisfied, the Clerk of Tynwald will consider it personally and, in this event, he will discuss it with the Tynwald Management Committee.

Appendix A details the categories of complaints which are recorded and the types which are not recorded.

Deputy Clerk of Tynwald
May 2005

**COMPLAINTS MADE AGAINST THE OFFICE OF THE CLERK OF TYNWALD
DURING THE YEAR ENDED 31 DECEMBER 2004**

Number of complaints	Nature of complaints
0	-

**COMPLAINTS RESOLVED DURING THE YEAR ENDED 31ST DECEMBER 2004
AND COMPLAINTS UNRESOLVED AT YEAR END**

Outstanding at beginning of year	Received during year	Dealt with during year	Unresolved at year end
0	0	0	0

THE LEVEL OF SENIORITY AT WHICH COMPLAINTS WERE RESOLVED

Complaints Officer	Clerk of Tynwald	Tynwald Management Committee
0	0	0

APPENDIX A

What constitutes a “Complaint”?

For the purpose **only** of the completion of the Annual Return of Complaints, complaints fall into two groups:-

1. To be recorded

- (C1) A complaint concerning a decision against which there is no independent appeal;
- (C2) A complaint concerning any failure to make a decision;
- (C3) A complaint concerning a failure of service which is not corrected, or is not corrected within a reasonable time;
- (C4) A complaint concerning the failure of administrative arrangements, or an over-restrictive or narrow interpretation of such arrangements;
- (C5) A complaint concerning the application of inappropriate or unfair remedies;
- (C6) A complaint concerning breach of confidentiality;
- (C7) Any other substantial complaint not falling within any of the foregoing definitions.

2. Not to be recorded

- (1) A complaint about a matter outside the competence of the Office;
- (2) A complaint where it is obvious that there is no *prima facie* case to answer or that the complaint is frivolous or trivial;
- (3) A complaint where the complainant is not involved in the subject matter of the complaint or has no direct interest in it;
- (4) A complaint which is made more than twelve months after the action has been taken which has led to the complaint being made;
- (5) A complaint which is successfully dealt with on the spot;
- (6) A complaint about a failure of service which is rectified within a reasonable time;
- (7) A complaint solely regarding the attitude/behaviour of a member of staff (this is the subject of normal disciplinary enquiry);

- (8) A complaint solely against a decision which is the subject of an independent appeal mechanism, or where the mechanisms available for further review and appeal have not been exhausted;
- (9) A complaint solely concerning the application of professional judgement.

In cases where there is a doubt about whether the complaint should be recorded, they are recorded.

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May 2005

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