



Ministry of Tourism, Economic Affairs, Transport & Telecommunication

Complaint Handling Procedure

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1. Introduction

The complaint management procedures for the handling of complaints or grievances by the Ministry of Tourism, Economic Affairs, Transportation and Telecommunication (TEATT) are aimed at establishing, implementing and maintaining effective and transparent procedures for the reasonable and prompt handling of complaints or grievances received from the public, as well as to keep a record of each complaint or grievance and the measures taken towards resolution of the complaint.

The procedures manual for handling complaints gathers all measures taken by the Ministry of TEATT in order to solve potential inconveniences that might occur.

2. Procedure

2.1 Filing Complaints

The Public is advised to complete a Complaint Form (Annex 1) and send it to the Ministry of TEATT through one of the following means:



Email to TEATTcomplaints@sintmaartengov.org.



Hand deliver to the reception on the ground floor of the Government Administration Building.



Mail to Ministry of TEATT, Government Administration Building, Soualiga Boulevard # 1, Philipsburg, St. Maarten

The complaint form can be downloaded from the Ministry of TEATT'S page on the website of the Government of Sint Maarten

<http://www.sintmaartengov.org/pages/TEATT> or can be emailed to the complainant following receipt of an inquiry.

2.2 Receiving Complaints

All complaints will be received by the staff bureau by two coordinators to be designated by the Secretary General. The first will play the primary role and the second, the back-up role in case of absence of the first.

Within 24 hours after receipt of the complaint, the designated coordinator within the Ministry of TEATT will notify the complainant that his/her inquiry was received and will provide him/her with the name and the contact details of the person who will be handling the complaint. Unless otherwise indicated, this person will be the Head of the relevant department.

Any complaint form received by the Ministry of TEATT will be assigned a number and registered in the Complaints' Registry (Exhibit 5) and will be maintained by the Ministry's coordinator(s). The complaint will be examined and resolved by the coordinator(s) of the Ministry of TEATT in cooperation with the Department Head involved with the complaint. Depending on the nature and the possible claims arising thereof, a briefing or an opinion may be sought from the Legal Advisor in the department of ETT.

2.3 Handling Complaints

The Ministry of TEATT is responsible for handling complaints or grievances from the public in relation to its areas of responsibility. The Ministry's duties in this regard include the effective and efficient handling of complaints or grievances so as to enable the Ministry of TEATT to adopt and apply the required actions to fully protect the public's and the Government's interests, acting independently and objectively and ensuring that corrective measures are introduced to prevent the repetition of the same complaints or grievances. In the cases where the complaint or grievance involves the Ministry of TEATT, it is to be handled by the designated coordinator(s) at Staff bureau of the Ministry of TEATT in collaboration with the relevant Department Heads.

2.3.1 The Complaint Form

The Complaint form along with the Complaint Handling Procedure will be available on the Ministry of TEATT's page of the Sint Maarten Government's website: <http://sintmaartengov.org/teatt/pages>.

The Ministry of TEATT shall record the complaints in the complaints form, which includes the following information:

- Details of the complainant;
- The department to which the complaint refers to;
- The date of receipt and of registration of the complaint;
- The content of the complaint in brief;
- The magnitude of the damage which the complainant claims to have suffered or which can be presumed to have suffered;
- The basis of the contents of the complaint;

- The date and briefly the content of the Ministry of TEATT's written response to the complaint lodged;
- A reference to any other correspondence.

2.3.2 Review

The designated coordinator(s) of the Ministry of TEATT shall review the details of each complaint. Once the coordinator(s) fully understand(s) the nature of the complaint, the coordinator(s) of the Ministry shall forward to the relevant Department Head(s) and coordinate the resolution of the complaint.

2.4 Solving Complaints

The Head of the relevant department shall take all necessary measures to:

- Contact the specific complainant to personally discuss the matter over the phone or in person, to identify the nature of the complaint.
- Investigate and question the relevant personnel of the Departments related to each complaint (if necessary).
- Communicate with other Department Heads/employees, if such is required for solving the complaint.

The Head of the relevant department should thank the complainant for bringing the complaint or grievance to the Ministry's attention. The Head of the relevant department should apologize and accept ownership. Others are not to be blamed and the Head of the relevant department should remain courteous.

If the complaint relates to the alleged wrongdoing/ integrity breach of the Department Head, the coordinator of the Ministry of TEATT will investigate or call for an investigation into the relevant Heads of Department.

Once the Ministry of TEATT thoroughly analyzes the matter, the decision will be communicated to the complainant and/or his/ her representative in writing. Where applicable, and in cases where no decision from the Minister is required, the Minister shall be informed.

2.4.1 Time Frame

Complaints should be resolved in 15 working days.

In the event that, due to the nature of the complaint, more time is required for the complaint to be fully investigated and resolved, the Head of the relevant department should inform the Ministry of TEATT.

The Ministry of TEATT shall then notify the complainant in writing about the investigation into the complaint (Annex 2) as well as the approximate time period when a final response can be expected, which cannot exceed 30 working days (6 weeks) starting from the working day following receipt of the initial complaint. In the event that additional evidence is needed from complainant, the 30 day/ 6 week period will begin immediately after receipt of additional evidence provided by the complainant.

3. Records and measures

The Ministry of TEATT shall maintain effective and transparent procedures for the prompt handling of complaints or grievances received from the Public. The coordinator(s) of the Ministry of TEATT shall keep a record of each complaint or grievance as well as the measures taken for the resolution of the complaint/grievance (Annex 5).

The Ministry of TEATT shall maintain all complaints, all relevant correspondence and documents related to complaints for a minimum period of 5 years.

One copy of the complaint form is archived in the Public's file and another copy is kept in a separate file (complaint/grievance file).

The Minister of TEATT may inspect the "complaint/grievance file" at any time and ensure that the Secretary General of TEATT and the Heads of the Departments of TEATT have taken all the required actions in order to prevent repetition of the same complaints/grievances.

The Ministry of TEATT shall update the Complaint Handling Procedure Manual as necessary.

4. Final Provisions

Along with the final response sent to the complainant (Exhibit 4), the Ministry of TEATT will inform the complainant that he/she may use the provisions mentioned in article 7, in conjunction with article 16, of the National Ordinance Administrative Jurisdiction (*“landsverordening administratieve rechtspraak”*). These provisions allow complainant to submit an appeal to the Court of First Instance, within 6 weeks after the decision has been taken, if he/she is dissatisfied with the decision or response of the Ministry (read: Minister) of TEATT or the settlement conditions offered to him/her.

Annex 1. The Complaints Form



MINISTRY OF TOURISM, ECONOMIC AFFAIRS, TRANSPORT & TELECOMMUNICATION

THE COMPLAINTS FORM

All sections as marked * are to be completed prior to lodging form at the Ministry.

All personal details remain CONFIDENTIAL!

Complaints will be acknowledged by the end of the next working day after receipt and an ultimate resolution can be expected within 30 working days.

* Name of person making Complaint _____

* Address _____

* Contact Number/s _____ Email _____

COMPLAINT DETAILS

* Date of Incident (if relevant) _____ * Time Location of Incident _____

* Who/What is the subject of your Complaint _____

* Summary of Complaint/Issue

WITNESS DETAILS (if applicable)

Name _____

Address _____

Daytime Contact Number _____

COMPLAINT OUTCOME:

As a result of making this complaint, is there any outcome you would like Yes ___ No ___

If yes, please provide details _____

Upon signing this form, I agree that should legal proceedings be required I will APPEAR IN COURT AS A WITNESS TO GIVE EVIDENCE TO THE TRUTH OF THIS COMPLAINT

* Complainant: _____
Name & Signature date

Lodge Complaints to:

By e-mail: TEATTcomplaints@sintmaartengov.org

Hand delivered: Deliver to General Affairs, Ground Floor, Government Building

By mail: Ministry of TEATT, Government Building, Soualiga Blvd. 1, Philipsburg, St. Maarten

TEATT OFFICE USE ONLY

INVESTIGATION DETAILS

Name of Person investigating incident _____

Title _____ Department _____ Date of Investigation _____

Customer complaint acknowledged Date: _____ (within 1 day of receipt)

Investigation Details _____

ACTIONS ARISING FROM INVESTIGATION Date to be completed _____

Immediate _____

Further Recommendations _____

Investigator: _____

Signature

Date

Annex 2. Acknowledgment of Complaint Template



MINISTRY OF TOURISM, ECONOMIC AFFAIRS, TRANSPORT & TELECOMMUNICATION

(Date)

(Name of Complainant)

(Address)

RE: (subject)

Dear (name of complainant):

Thank you for taking the time to contact the Ministry of Tourism, Economic Affairs, Transportation and Telecommunication regarding (insert outline of complaint) on (insert date received).

(Insert Department Head name), Head of the (insert Department) is now looking into the matter. Within 15 working days, we will provide a more substantive response to your problem and a suitable solution. In the event that additional time is required, you will be notified of such and will ultimately receive a response within 30 days from the date that the complaint was received by the Ministry.

Thank you for bringing this matter to our attention and for your patience while we explore this matter.

Best regards,

Ministry of
Tourism, Economic Affairs, Transport and Telecommunication

Cc: (Concerning Departments)

Annex 3. Template to request additional time.



MINISTRY OF TOURISM, ECONOMIC AFFAIRS, TRANSPORT & TELECOMMUNICATION

(Date)

(Name of Complainant)

(Address)

RE: (subject)

Dear (name of complainant):

In reference to your complaint of (date received) regarding (outline of complaint), we hereby inform you that more time to research your complaint is required.

Ministry of Tourism, Economic Affairs, Transportation and Telecommunications takes your complaint seriously and will respond when completed.

By (insert date), a response and suitable solution will be conveyed to you.

Best Regards,

Ministry of
Tourism, Economic Affairs, Transportation and Telecommunication\(\

Cc: (Concerning Departments)

Annex 4. Template for final response to Complainant

(Date)

(Name of Complainant)
(Address)

RE: (subject)

Dear (name of complainant):

The investigation into the complaint you submitted on [date received] regarding (outline of complaint) is now complete.

We will address each of the points to you.

1. (List Point 1)

We have found that.....

2. (List Point 2)

We have found that.....

Outcome

As a result of your complaint, we have taken the following action (if not already mentioned above).

1. (List action)

2. (List action)

We thank you for bringing these matters to our attention and hope to use these to improve our services.

Objection/Appeal:

Pursuant the National Ordinance Administrative Jurisdiction (“Landsverordening administratieve rechtspraak”), the natural or legal person, whose interest has been directly affected by this decision, may, within six weeks after the day on which the decision was given, submit a letter of complaint to the Minister of Tourism, Economic Affairs, Traffic and Telecommunication or submit an appeal to the Court of First Instance of Sint Maarten.

Best Regards,

Ministry of
Tourism, Economic Affairs, Transportation and Telecommunication

Cc: (Concerning Departments)

Annex 5. Complaint Registry



MINISTRY OF TOURISM, ECONOMIC AFFAIRS, TRANSPORT & TELECOMMUNICATION

COMPLAINT REGISTRY

Complaint #	Date	Complainant	Department Involved	Nature of Complaint	Root of Complaint	Action Taken	Correspondence from The Public
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							