



Title of Report:	Model Complaints Handling Procedure
Committee Report Submitted To:	Corporate Policy and Resources
Date of Meeting:	26th September 2023
For Decision or For Information	For Decision
To be discussed In Committee YES/NO	

Linkage to Council Strategy (2021-25)	
Strategic Theme	Cohesive Leadership
Outcome	Council has agreed policies and procedures and decision making is consistent with them.
Lead Officer	Democratic and Central Services Manager

Budgetary Considerations	
Cost of Proposal	
Included in Current Year Estimates	YES/NO
Capital/Revenue	
Code	
Staffing Costs	

Legal Considerations	
Input of Legal Services Required	YES/NO
Legal Opinion Obtained	YES/NO

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	Yes/No	Date:
	EQIA Required and Completed:	Yes/No	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No	Date:
	RNA Required and Completed:	Yes/No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No	Date:
	DPIA Required and Completed:	Yes/No	Date:

1.0 Purpose of Report

- 1.1** The purpose of the report is to present the final draft of the Model Complaints Handling Procedure (MCHP) for the Local Government sector, attached at Appendices 1 – 3, and to seek Committee’s approval to adopt the Model Complaints Handling Procedure and to proceed to personalise the procedure to Council.

2.0 Background

For the Council to effectively and consistently handle complaints and enquiries, it is essential that it has a corporate complaints procedure in place and that this is communicated across all the Council’s departments and be made available to the public. The Council’s adherence to a formal procedure will protect it in the event of any challenge made by a customer or resident to the Northern Ireland Ombudsman’s Office (NIPSO) on how a complaint has been handled.

- 2.1** Council was provided with a report on the Model Complaints Handling Procedure in October 2022 which outlined the process and next steps to develop the MCHP. The Northern Ireland Public Services Ombudsman (NIPSO) issued the final draft in June 2023 following a period of public consultation and the involvement of Local Government Officers on an operational network.
- 2.2** The document is to assist public sector organisations implement a standardised and streamlined approach to managing and learning from complaints. Part 3 of the Public Services Ombudsman Act (Northern Ireland) 2016 (the legislation) provides the legislative basis for NIPSO to publish MCHPs for public bodies within its jurisdiction.
- 2.3** NIPSO’s MCHP Parts 1-3 takes account of NIPSO’s research report on Complaints Handling in the public sector in Northern Ireland (NI) published in June 2021. The aim of the research was to gain greater understanding of the complaints processes, procedures and practices of a range of public bodies within NIPSO’s jurisdiction. Parts 1-3 also reflect NIPSO’s Complaints Handling Statement of Principles approved by the NI Assembly on 19 January 2022. These documents take account of stakeholder views expressed through NIPSO’s public consultation from June - September 2021.
- 2.4** The purpose of the MCHP is to provide a standardised approach to dealing with customer complaints across the public sector in NI. In particular, the aim is to implement a standardised and consistent process for customers to follow which makes it simpler to complain, ensures staff and customer confidence in complaints handling and encourages public bodies to make best use of lessons learned from complaints.

- 2.5** The MCHP applies to all public bodies within NIPSO's jurisdiction as listed in Schedule 3 of the NIPSO Act 2016. This includes Causeway Coast and Glens Borough Council. Once fully implemented all organisations delivering public services in NI will be required to have in place a complaint handling procedure which meets the requirements of the MCHP relevant to that public sector. NIPSO will publish a MCHP for public sectors which complies with its complaints handling Statement of Principles.
- 2.6** Part 2, the Organisational Guide, is intended to be adopted as an internal procedural document. It provides staff with clear operational guidance on how to implement the MCHP. It is important that the information contained in NIPSO's MCHP Parts 1-3 is adopted in full by the Council to ensure it meets NIPSO's MCHP test of compliance.
- 2.6** NIPSO recognises the importance of providing scope to adapt the MCHP to reflect, for example, the organisation's structure, operational processes and corporate style. Therefore, further in this Organisational Guide, areas/text are highlighted in yellow italics to provide such scope. These areas will be adapted by the Council to provide additional guidance or reference to local processes

3.0 Recommendation

It is recommended that the attached Model Complaints Handling Procedure is adopted and that it is personalised to the Council.



The Model Complaints Handling Procedure (MCHP)

Part 1

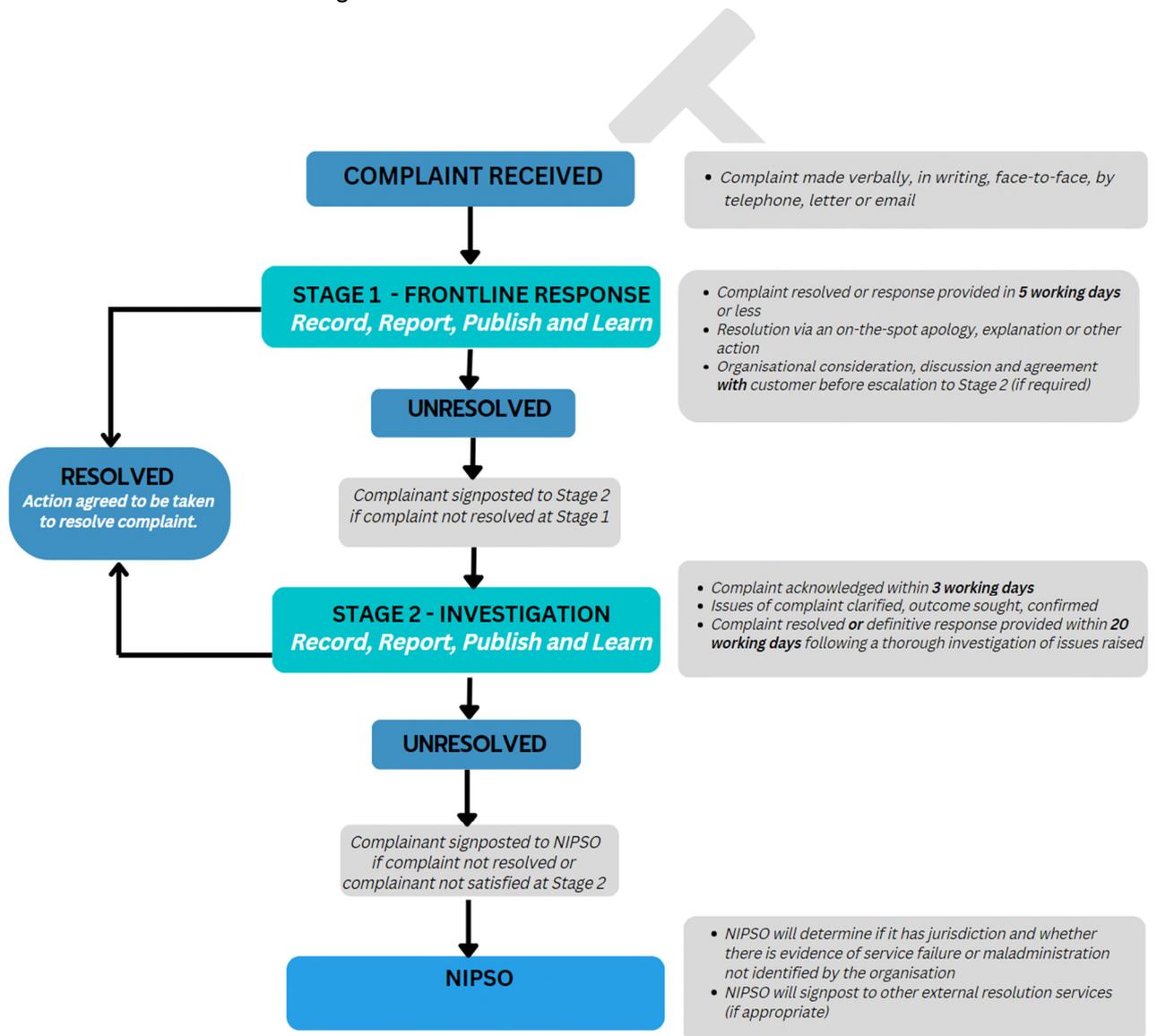
The Procedure

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The Model Complaints Handling Procedure

To comply with NIPSO's Model Complaints Handling Procedure (MCHP), your complaints handling procedure must have two stages. NIPSO expect the majority of complaints to be handled at stage 1. If the customer remains dissatisfied after stage 1, they can request that the organisation look at it again, at stage 2. If the organisation considers a complaint is complex, and requires an in-depth investigation, the organisation should consider it first at stage 1 and, following discussion and agreement with the customer, move the complaint to stage 2.

Below is an overview of the MCHP. The detailed operations of the MCHP are provided at Part 2, section 2 of NIPSO's MCHP Organisational Guide.





The Local Government Model Complaints Handling Procedure (MCHP)

Part 2

Organisational Guide

Background

This document has been prepared as part of a series of three documents that make up NIPSO's Model Complaints Handling Procedure (MCHP) – NIPSO's MCHP Parts 1-3. The document is to assist public sector organisations implement a standardised and streamlined approach to managing and learning from complaints.

Part 3 of the Public Services Ombudsman Act (Northern Ireland) 2016 (the legislation) provides the legislative basis for NIPSO to publish MCHPs for public bodies within its jurisdiction. The Local Government MCHP was developed by NIPSO in partnership with an operational network of Local Government staff, published on *[date]*.

NIPSO's MCHP Parts 1-3 takes account of NIPSO's research report on Complaints Handling in the public sector in Northern Ireland (NI) published in June 2021. The aim of the research was to gain greater understanding of the complaints processes, procedures and practices of a range of public bodies within NIPSO's jurisdiction. Parts 1-3 also reflect NIPSO's Complaints Handling Statement of Principles approved by the NI Assembly on 19 January 2022. This document takes account of stakeholder views expressed through NIPSO's public consultation from June - September 2021.

The purpose of the MCHP is to provide a standardised approach to dealing with customer complaints across the public sector in NI. In particular, the aim is to implement a standardised and consistent process for customers to follow which makes it simpler to complain, ensures staff and customer confidence in complaints handling and encourages public bodies to make best use of lessons learned from complaints.

About the MCHP

The MCHP applies to all public bodies within NIPSO's jurisdiction as listed in Schedule 3 of the NIPSO Act 2016. This includes your organisation. Once fully implemented all organisations delivering public services in NI will be required to have in place a complaints handling procedure which meets the requirements of the MCHP relevant to that public sector. NIPSO will publish a MCHP for public sectors which complies with its complaints handling Statement of Principles.

Part 2, the Organisational Guide, is intended to be adopted as an internal procedural document. It provides staff with clear operational guidance on how to implement the MCHP.

Adopting NIPSO's MCHP

It is important that the information contained in NIPSO's MCHP Parts 1-3 is adopted in full by your organisation to ensure it meets NIPSO's MCHP test of compliance.

NIPSO recognises the importance of providing scope to adapt the MCHP to reflect, for example, your organisation's structure, operational processes and corporate style. Therefore, further in this Organisational Guide, areas/text are highlighted in yellow italics to provide such scope. These areas can be adapted by your organisation to provide additional guidance or reference to local processes.

Scope is also given to your organisation to amend the language of the guidance to comply with corporate writing conventions or style guides. Your organisation's corporate identity puts its stamp on the services it delivers and NIPSO understands the importance of presenting one single corporate brand for all products and services. For this reason, there is flexibility for your organisation to adapt this Organisational Guidance to ensure that, together with any supporting documentation developed by your organisation, the MCHP reflects your organisation's corporate identity and language.

However, it is of equal importance that NIPSO's MCHP is not amended to the extent that its purpose or substance is changed in a way which does not reflect the MCHP, NIPSO's published Statement of Principles of good complaints handling or its key aims. In particular, the following are elements of NIPSO's MCHP Parts 1-3 which should not be amended, given the importance of ensuring a standardised approach across public services in NI:

- the definition of a complaint (although further guidance or examples may be included as indicated in the Organisational Guide)
- the number of stages
- timescales at each stage
- the requirements to record, report and publicise complaints information
- the requirement to learn from complaints.

Within the organisation's Complaints Handling Procedure (CHP), NIPSO expects organisations to replace the above sections with an appropriate foreword from their Chief Executive as a sign of endorsement of the MCHP.

The Organisational Guide template below is designed to be an internal document for your organisation to adopt. The language used reflects its status as an internal document. So 'we' refers to your organisation, not NIPSO. However, it contains references and links to more detailed guidance from NIPSO where relevant.

Any text in yellow highlighted italics should be replaced with your organisation's own text as appropriate.

Organisational Guide Template

NIPSO recommend that *[the organisation's]* Organisational Guide includes the following contents and sections:

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Section 1: When and How to Use the Complaints Handling Procedure (CHP)

What is a Complaint?

1. *[The organisation's]* definition of a complaint is: 'An expression of dissatisfaction by one or more members of the public about *[the organisation's]* action or lack of action, or about the standard of service provided by or on behalf of *[the organisation]*.'
2. For clarity, where an employee also receives a service from *[the organisation]* as a member of the public, they may complain about that service.

[If the organisation has a set of published service standards, consider providing a link to them here to help clarify what standards customers can expect].

3. A complaint may relate to the following, but is not restricted to this list:
 - failure or refusal to provide a service
 - inadequate quality or standard of service, or an unreasonable delay in providing a service
 - dissatisfaction with one of our policies or its impact on the individual
 - failure to properly apply law, procedure or guidance when delivering services
 - failure to follow the appropriate administrative process
 - conduct, treatment by or attitude of a member of staff or contractor (except where there are arrangements in place for the contractor to handle the complaint themselves: please see section 'Complaints about Contracted Services at page 16)
 - a concern about the actions or service of an organisation who is delivering services on our behalf
 - disagreement with a decision, (except where there is a statutory procedure for challenging that decision, or an established appeals process)
 - dissatisfaction with how an element of a planning/pension decision was administered.
4. **Appendix 1** provides a range of examples of potential complaints we may receive at stage 1, and how these may be handled.
5. A complaint **is not**:
 - a routine first-time request for a service (see section 'Complaints and service requests' at page 17)
 - a first-time report of a fault
 - a request for compensation only (see section 'Complaints and compensation claims' at page 18)
 - issues that are in court or have already been heard by a court or a tribunal (see section 'Complaints and legal action' at page 18)

- disagreement with a decision where there is a statutory procedure for challenging that decision (such as freedom of information and subject access requests), or an established appeals process followed throughout the sector (such as planning, pension, or a parking ticket appeal)
 - a request for information under the Data Protection or Freedom of Information (Northern Ireland) Acts
 - a grievance by a staff member or a grievance relating to employment or staff recruitment
 - a concern raised internally by a member of staff which was not about a service they received (such as a whistleblowing concern)
 - a concern about a child or an adult's safety
 - an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
 - abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our [*Unacceptable Actions Policy* or *equivalent*]
 - a concern about the actions or service of a different organisation, where we have no involvement in the issue (**except** where the other organisation is delivering services on our behalf: see section 'Complaints about contracted services' at page 16)
 - challenges to decisions made via formal decision-making channels i.e. a customer is dissatisfied with a planning or pension decision, but not with any element of the process that led to the decision.
6. We will not treat these issues as complaints. We will instead direct customers to use the appropriate procedures. Some situations can involve a combination of issues, where some are complaints and others are not, and each situation should be assessed on a case-by-case basis.
7. If a matter is not a complaint, or not suitable to be handled under the Complaints Handling Procedure (CHP), we will explain this to the customer, and tell them what (if any) action we will take, and why [please see section '*What to do if the CHP does not apply*' at page 19].
8. Some complaints may be more complex. Examples of potentially complex complaints include:
- complaints about senior staff
 - complaints involving more than one department within the organisation
 - compounded complaints about both an original issue and the organisation's handling of the complaint
 - complaints about the administration process of a planning or pension decision

9. **Appendix 2** provides examples of more complex complaints which are not appropriate for this CHP. The section on '*Complaints relevant to other agencies*' at page 18 provides information about some of the other agencies that may be able to assist customers if their complaint is not appropriate for this CHP.

[The organisation may provide further guidance or examples in relation to what is and what is not a complaint and what is a complex complaint. This can be inserted above or alternatively it can be included in an annex to this document.]

Who can make a complaint?

10. Anyone who receives, requests, or is affected by our services can make a complaint. This is not restricted to 'service users' and their relatives or representatives but may also include people who come into contact with or are affected by these services, such as:
- a resident living in a neighbourhood where *[the organisation]* is running an event
 - a third-party stakeholder interested in the administration of a planning decision

[The organisation may provide further examples, to be inserted here].

In this procedure these people are termed 'customers', regardless of whether they are or were using a service.

11. We also accept complaints from the representative of a person who is dissatisfied with our service. Please see section '*Complaints by (or about) a third party*' at page 13.

Supporting the customer

12. All members of the community have the right to equal access to our complaints procedure. It is important to recognise the barriers that some customers may face barriers to complaining. These may be physical, sensory, communication or language barriers, but can also include their anxieties and concerns. Customers may need support to overcome these barriers.
13. *[Where organisations have a separate policy or document setting out how they will meet their equalities obligations and support vulnerable groups in accessing services (including the complaints procedure) they may signpost to this document here instead of repeating the content below. Organisations should take care to ensure that their existing policy or document meets the standards below in relation to complaints handling].*
14. We have legal duties to make our complaints service accessible under equalities legislation. *[Organisations may wish to refer to relevant legislation but should make sure that this is kept up to date and in line with any changes to legislation. Suggested text]:* For example:

- Section 75 of the Northern Ireland Act 1998 - this gives people with a protected characteristic the right to reasonable adjustments to access our services (such as large print or BSL translations of information).

15. Examples of how we will meet our legal duties are: [The types of reasonable adjustments organisations may need to provide will depend on the organisation's services and customer base, and organisations should carefully consider what to include in their own CHP. As part of this, organisations may need to conduct an Equality Impact Assessment. Examples of actions could include:

- proactively checking whether members of the public who contact us require additional support to access our services
- providing interpretation and/or translation services for British Sign Language users
- helping customers access independent advocacy (Advice NI and the Northern Ireland Community and Voluntary Association (NICVA) have information about local advocacy organisations on their websites)].

Expected behaviours

16. We expect all staff to demonstrate a high level of candour, honesty, and openness when dealing with and investigating complaints. Complaints should be received with a willingness to listen to challenge about our services and/or service delivery. We expect staff to be responsive in dealing with complaints to help build and maintain customer relations.

17. [Organisations may wish to set out the behaviours they expect from staff and customers (or provide a hyperlink to these, if the organisation has set these out elsewhere). The text below is provided as an example:

18. We expect all staff to behave in a professional manner and treat customers with courtesy, respect and dignity. We also ask customers bringing a complaint to treat our staff with respect. We ask customers to engage actively with the complaints handling process by:

- telling us their key issues of concern and organising any supporting information they want to give us (we understand that some people will require support to do this)
- working with us to agree the key points of complaint when an investigation is required
- responding to reasonable requests for information.

19. We have a policy in place for when these standards are not met which is our 'Unacceptable Actions Policy' [or equivalent] [Insert hyperlink to relevant policy/procedure].

20. We recognise that people may act out of character in times of trouble or distress. Sometimes a health condition or a disability can also affect how a person expresses themselves. The circumstances leading to a complaint may also result in the customer displaying unacceptable behaviours.

21. Customers who have a history of challenging or inappropriate actions, or have difficulty expressing themselves, may still have a legitimate grievance, and we will treat all complaints seriously. However, we also recognise that the actions of some customers may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable actions such as unreasonable persistence, threats or offensive behaviour from customers. Where we decide to control access to a customer under the terms of our policy, we have a procedure in place to communicate that decision, notify the customer of their right of appeal, and review any decision to control contact with us in accordance with our 'Unacceptable Actions Policy' [or equivalent] [Insert hyperlink to relevant policy/procedure.]
22. If we decide to control a customer's contact, we will be careful to follow the process set out in our [insert name of relevant policy] policy and to minimise any controls on the customer's access to the complaints process. We will normally continue investigating a complaint even where contact controls are in place (for example, limiting communication to letter or to a named staff member). In some cases, it may be possible to continue investigating the complaint without contact from the customer. This would be as a last resort, should be as limited as possible (for a limited time, or about a limited set of subjects) and requires manager approval. Where access to the complaint process is controlled, we must signpost the customer to NIPSO [please see section 'The Complaints Handling Procedure - Signposting to NIPSO' at page 30.]
23. NIPSO has guidance on 'Promoting positive behaviour and managing unacceptable actions' available at www.nipso.org.uk.
24. [The organisation may provide further guidance or examples in relation to their policy. This can be inserted here or be included in an annex to this document.]

Maintaining confidentiality and data protection

25. Confidentiality is important in complaints handling. This includes maintaining the customer's confidentiality and confidentiality in relation to information about staff members, contractors or any third parties involved in the complaint.
26. This should not prevent us from being open and transparent, as far as possible, in how we handle complaints. This includes sharing as much information with the complainant (and, where appropriate, any affected staff members) as we can. When sharing information, we should be clear about why the information is being shared and our expectations on how the recipient will use the information.
27. We must always bear in mind legal requirements, for example data protection legislation, as well as internal policies on confidentiality and the use of customer information. [Organisations may wish to include more detail on local arrangements, such as where staff should seek advice on data processing matters, and where to find relevant policies, guidance and legislation, or insert hyperlinks to these. If organisations require more information, the **Information Commissioner's Office** has detailed guidance on data sharing and has issued a data sharing code of practice.]

28. It may be helpful for organisations to give examples of situations where a response to a complaint may be limited by confidentiality, such as:

- where a complaint has been raised against a staff member and has been upheld – we will advise the customer that their complaint is upheld, but would not share specific details affecting staff members, particularly where disciplinary action is taken.
- where someone has raised a concern about a child or an adult's safety and is unhappy about how that has been dealt with – we would look into this to check whether the safety concern had been properly dealt with, but we would not share any details of our findings in relation to the safety concern.

How complaints may be made

29. Complaints may be made verbally or in writing, including face-to-face, by telephone, letter or email. We will try to be as flexible as possible to remove any barriers to customers submitting complaints.

30. Where a complaint is made **verbally**, we will make a record of the key issues of complaint raised. *[Organisations may add, if desired: Where it is clear that a complex complaint may be required to be investigated at stage 2, we will firstly consider it at stage 1, and if helpful, complete a complaint form with the customer's input to ensure full details of the complaint are documented. It is good practice to confirm the details with the person to prevent any misunderstandings. However, there is no requirement for the person to complete a complaint form, and it is important that the completion of a complaint form does not present a barrier to people complaining].*

31. Complaint issues may also be raised on **digital platforms** (including **social media**). *[Organisations should choose whether to accept or respond to complaints on social media. However, organisations must at least acknowledge complaints that are raised in this way. As a minimum, organisations must adopt the following approach]:*

32. Where a complaint issue is raised via a digital channel managed and controlled by [the organisation] (for example an official Twitter address or Facebook page), we will explain that we do not take complaints on social media, but we will tell the person how they can complain. **[Alternatively]**, if organisations wish to accept or respond to simple complaints on social media, they may amend this section to provide further guidance. An example is below]:

33. Where a complaint issue is raised via a digital channel managed and controlled by [the organisation] (for example an official Twitter address or Facebook page):

- we will normally respond by explaining that we do not normally take complaints on social media and telling the person how they can complain
- in exceptional circumstances, we may respond to very simple complaints on social media. This will normally only be appropriate where an issue is likely to affect a large number of people, and we can provide a very simple response

(for example, an apology for a cancelled bin service or late cancellation of an information session).

34. We may also become aware that an issue has been raised via a digital channel not controlled or managed by us (for example a YouTube video or post on a private Facebook group). In such cases we **may** respond, where we consider it appropriate, by telling the person how they can complain.

[Organisations may wish to include more detail on local arrangements, such as where automated responses are in place for social media contact, or details of manager sign-off for social media contact.]

35. We must always be mindful of our data protection obligations when responding to issues online or in a public forum [please see section 'Maintaining confidentiality and data protection' at page 11].

Time limit for making complaints

36. The customer should raise their complaint within six months of when they first knew of the problem, unless there are special circumstances for considering complaints beyond this time (for example, where a person was not able to complain due to serious illness or recent bereavement or was unaware of the issue).
37. Where a customer has received a stage 1 response, and wishes to escalate to stage 2, unless there are special circumstances, they should request this either:
- within six months of when they first knew of the problem; or
 - within two months of receiving their stage 1 response (if this is later).
38. We will not apply the above time limits in a rigid fashion. In determining whether to apply discretion outside these time limits, the following factors are relevant: taking into account the seriousness of the issue, the availability of relevant records and staff involved, how long ago the events occurred, and the likelihood that an investigation will lead to a practical benefit for the customer or useful learning for the organisation.
39. At the conclusion of the complaints procedure, the complainant has the right to complain to NIPSO and the time limit for this is usually within six months of completing our complaints procedure. However, NIPSO has discretion to waive this time limit and may do so if NIPSO considers special circumstances apply.

Particular circumstances

Complaints by (or about) a third party

(See also 'Complaints about contracted or commissioned services / ALEOs')

40. Sometimes a customer may be unable or reluctant to make a complaint on their own. We will accept complaints from third parties, which may include relatives, friends, advocates and advisers. Where a complaint is made on behalf of a customer, we must ensure that the customer has authorised the person to act on their behalf. It is good practice to ensure the customer understands their personal information will be shared as part of the complaints handling process (particularly where this includes

sensitive personal information). This can include complaints brought by parents on behalf of their child, if the child is considered to have capacity to make decisions for themselves.

41. *[Organisations will have their own processes in place for dealing with and recording consent, which should be detailed or signposted to here. For example: The provision of a signed mandate from the customer will normally be sufficient for us to investigate a complaint. If we consider it is appropriate, we can take verbal consent direct from the customer to deal with a third party and would normally follow up in writing to confirm this].*

42. In certain circumstances, a person may raise a complaint involving another person's personal data, without receiving consent. The complaint should still be investigated where possible, but the investigation and response may be limited by considerations of confidentiality. The person who submitted the complaint should be made aware of these limitations and the effect this will have on the scope of the response.

43. See also section 'Maintaining confidentiality and data protection' at page 11.

44. *[The organisation may provide further guidance or examples in relation to issues around capacity, providing and gaining consent and information sharing, for example in relation to Power of Attorney or Guardianship arrangements. This can be inserted here or alternatively it can be included in an annex to this document.]*

Serious, high-risk or high-profile complaints

45. We will take particular care to identify complaints that might be considered serious, high-risk or high-profile, as these may require particular action or raise critical issues that need senior management's direct input. Serious, high-risk or high-profile complaints should normally be handled at stage 2 following full and careful consideration at stage 1 first [please see section 'Stage 2 Investigation' at page 24].

46. We define potential high-risk or high-profile complaints as those that may:

- *involve serious service failure*
- *generate significant and ongoing press interest*
- *present issues of a highly sensitive nature, for example concerning:*
- *present issues of a highly political nature.*

47. *[The organisation may amend the above examples or provide further guidance or examples in relation to high-risk/high-profile complaints. This can be inserted above or be included in an annex to this document.]*

Anonymous complaints

48. We value all complaints, including anonymous complaints, and will take action to consider them further wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. Any decision not to pursue an anonymous complaint must

be authorised by an appropriate manager *[organisations may include more information on local arrangements – e.g. any manager, the complaints manager, etc.]*

49. If we pursue an anonymous complaint further, we will record it as an anonymous complaint together with any learning from the complaint and action taken.
50. If an anonymous complainant makes serious allegations, these should be dealt with in a timely manner under relevant procedures. This may not be the complaints procedure and could instead be relevant child protection, adult protection or disciplinary procedures.

What if the customer does not want to complain?

51. If a customer has expressed dissatisfaction in line with our definition of a complaint but does not want to complain, we will explain that complaints offer us the opportunity to improve services where things have gone wrong. We will encourage the customer to submit their complaint and allow us to handle it through the CHP. This will ensure that the customer is updated on the action taken and gets a response to their complaint.
52. If the customer insists they do not wish to complain, we are not required to progress the complaint under this complaints procedure. However, we should record the complaint as an anonymous complaint (including minimal information about the complaint, without any identifying information) to enable us to track trends and themes in complaints. Where the complaint is serious, or there is evidence of a problem with our services, we should also look into the matter to remedy this (and record any outcome).
53. Please refer to the example in **Appendix 1** for further guidance.

Complaints involving more than one area or organisation

54. If a complaint relates to the actions of two or more areas within our organisation, we will tell the customer who will take the lead in dealing with the complaint and explain that they will get only one response covering all issues raised.
55. If a customer complains to us about the service of another organisation or public service provider, but we have no involvement in the issue, the customer should be advised to contact the appropriate organisation directly.
56. If a complaint relates to our service and the service of another organisation or public service provider, and we have a direct interest in the issue, we will handle the complaint about the organisation through the CHP. If we need to contact an outside body about the complaint, we will be mindful of data protection [please see section '*Maintaining confidentiality and data protection*' at page 11].
57. Such complaints may include:
 - *A complaint against a third party and/or a contractor who provides a service on our behalf.*
 - *[the organisation should insert appropriate examples]*

Complaints about contracted or commissioned services / ALEOs

58. We may use Arm's Length External Organisations (ALEOs) to deliver certain services. They are 'arm's-length' because we retain a degree of control or influence, usually through a funding agreement, and 'external' because they have a separate identity to us. *[An example might be a charitable organisation delivering leisure and culture services on our behalf.]*
59. Where we use an ALEO or contractor to deliver a service on our behalf we recognise that we remain responsible and accountable for ensuring that the services provided meet our standards (including in relation to complaints). We will either do so by:
- ensuring the contractor complies with this procedure; or
 - ensuring the contractor has their own procedure in place, which fully meets the standards in this procedure. At the end of the investigation stage of any such complaints the contractor must ensure that the customer is signposted to NIPSO.
60. *[Dependent on our arrangements with the contractor or ALEO, we may also apply a hybrid approach to handling complaints about organisations delivering services on our behalf, e.g., stage 1 of the complaints process is conducted by the contractor / ALEO and stage 2 is conducted by [the organisation]. Staff should confirm the complaints handling arrangements for each contractor / ALEO regarding the management of complaints prior to commencing this process.]* Where a complaint about a contractor or ALEO is submitted to NIPSO, NIPSO will treat it as a complaint about *[the organisation]*.
61. We will confirm that service users are clearly informed of the process and understand how to complain. We will also ensure that there is appropriate provision for information sharing and governance oversight where required.
62. We retain discretion to investigate complaints about organisations contracted to deliver services on our behalf even where the procedure has normally been delegated.
63. Contracted service providers/ALEO's will be required to report back to *[the organisation]* and share their complaints data relating to the delivery of the contract or commissioned service for monitoring and learning purposes. This will help ensure that we meet our overall governance responsibility for the provision of the service.

Complaints about senior staff

64. Complaints which involve decisions or actions involving senior staff can be more difficult, as there may be a conflict or perceived conflict of interest for the staff investigating the complaint. When serious complaints are raised against senior staff, it is particularly important that the investigation is conducted by an individual who is independent of the situation. We must ensure we have strong governance arrangements in place that set out clear procedures for handling such complaints.

65. *[The organisation should provide further guidance or examples in relation to the process for handling complaints about senior staff members. This can be inserted here or can be included in an annex to this document.]*

Complaints and other processes

66. Complaints can sometimes be confused (or overlap) with other processes, such as disciplinary or whistleblowing processes. Specific examples and guidance on how to handle these are below.

Complaints and service requests

67. If a customer asks *[the organisation]* to do something (for example, provide a service or deal with a problem), and this is the first time the customer has contacted us, this would normally be a routine service request and not a complaint.
68. Service requests can lead to complaints, if the request is not handled promptly or the customer is then dissatisfied with how we provide the service.

Complaints and disciplinary or whistleblowing processes

69. If the issues raised in a complaint overlap with issues raised under a disciplinary or whistleblowing process, we still need to respond to the complaint.
70. Our response must be careful not to share confidential information (such as anything about the detail of whistleblowing or disciplinary investigations, or outcomes for individual staff members). It should focus on whether we failed to meet our service standards, where relevant, or expected standards and what we have done to improve things, in general terms. It is important to make clear to the complainant what issues they have raised are being dealt with under other procedures.
71. Staff investigating such complaints will need to take extra care to ensure that:
- we comply with all requirements of the CHP in relation to the complaint (as well as meeting the requirements of the other processes)
 - all complaint issues which can be addressed (sometimes issues can get missed if they are not relevant to the overlapping process); and
 - we keep records of the investigation that can be made available to NIPSO if required. This can be problematic when the other process is confidential, because NIPSO will normally require documentation of any correspondence and interviews to show how conclusions were reached. We will need to bear this in mind when planning any elements of the investigation that might overlap (for example, if staff are interviewed for the purposes of both the complaint and a disciplinary procedure, they should be assured that any evidence given will be confidential. However, it may be made available to NIPSO).

Contact from MLAs or Councillors [Optional section]

72. [Organisations may complete this section in line with local procedures. Organisations may provide guidance on distinguishing between elected member enquiries and complaints brought by elected members (on behalf of constituents). However, where a matter is being dealt with as a complaint, it must be handled in line with this CHP. Organisations should be careful not to operate a 'two-tier' complaint system with preferential treatment for some customers.]
73. [Organisations may also wish to refer to special arrangements for elected members in relation to seeking third party consent (the Information Commissioner's Office has guidance on this: <https://ico.org.uk/media/for-organisations/documents/1432063/constituency-casework-of-mps-and-the-processing-of-sensitive-personal-data.pdf>)]

Complaints and compensation claims

74. Where a customer is seeking financial compensation **only**, this is not a complaint. However, in some cases, the customer may want to complain about the matter leading to their financial claim, and they may seek additional outcomes, such as an apology or an explanation. Where appropriate, we will consider that matter as a complaint, but may deal with the financial claim separately. The compensation claim may also form part of the resolution of the complaint. It may be appropriate to extend the timeframes for responding to the complaint, to consider the financial claim.

Complaints and legal action

75. Where a customer says that legal action is being actively pursued, this should not be handled under this CHP and the customer should be directed to **[the organisation's]** legal process.
76. Where a customer indicates that they are thinking about legal action, but have not yet commenced this, they should be informed that if they take such action, they should notify the complaints handler and/or the complaints manager and that the complaints process, in relation to the matters that will be considered through the legal process, will be closed. Any outstanding complaints must still be addressed through the CHP.
77. If an issue has been, or is being, considered by a court, we will generally not consider the same issue under the CHP though this should not prevent any learning from the issue raised in the legal action being implemented.

Complaints relevant to other agencies

78. Customers may raise concerns about issues which cannot be handled through this CHP, but which other agencies may be able to provide assistance with or may have an interest in. The organisations may include:

Northern Ireland Commissioner for Children and Young People:

Website: www.niccy.org

Equality Commission for Northern Ireland

Website: www.equalityni.org

Advice NI

Website: www.adviceni.net

79. This list is not exhaustive, and it is important to consider the circumstances of each case, and whether another organisation may also have a role to play.

What to do if the CHP does not apply

80. If the issue does not meet the definition of a complaint or if it is not appropriate to handle it under this procedure (for example, due to time limits), we will explain to the customer why we have made this decision. We will also tell them what action (if any) we will take (for example, if another procedure applies), and advise them of their right to contact NIPSO if they disagree with our decision not to respond to the issue as a complaint.
81. Where a customer continues to contact us about the same issue, we will explain that we have already given them our final response on the matter and signpost them to NIPSO. We may also consider whether we need to take action under our *Unacceptable Actions policy (or equivalent)*.

Section 2: The Operations of the CHP

The definition of a complaint

82. Key to ensuring effective complaint handling and central to introducing our CHP is having a definition of what a complaint is. Our agreed definition of a complaint is:

'An expression of dissatisfaction by one or more members of the public about [the organisation's] action or lack of action, or about the standard of service provided by or on behalf of our organisation'.

The complaints handling process

83. Our CHP aims to provide a quick, simple and streamlined process for responding to complaints early and locally by our capable, well-trained staff. The aim is, where possible, to resolve the complaint to the customer's satisfaction. Where this is not possible, the customer should be provided with a clear and reasoned response to their complaint.

Resolving the complaint

84. A complaint is resolved when both we and the customer agree what action (if any) will be taken to provide full and final resolution for the customer. Occasionally this may be done without making a decision about whether the complaint is upheld or not upheld. In many cases, however, it may be possible to resolve complaints and make a decision about whether the complaint is upheld or not upheld.
85. You should try to resolve complaints wherever possible, although [the organisation] accept this will not be possible in all cases.
86. A complaint may be resolved at any point in the complaints handling process, including during the investigation stage. It is particularly important that we try to resolve complaints where there is an ongoing relationship with the customer or where the complaint relates to an ongoing issue that may give rise to future complaints if the matter is not fully resolved.
87. It may be helpful to use alternative complaint resolution approaches when trying to resolve a complaint [please see section 'Alternative complaint resolution approaches' at page 27].
88. Where a complaint is resolved, we do not normally need to continue looking into it or provide a response on all points of complaint. There must be a clear record of how the complaint was resolved, what action was agreed, and the customer's agreement to this as a final outcome. In some cases, it may still be appropriate to continue looking into the issue, for example where there is evidence of a wider problem or potential for useful learning. You should use your professional judgment in deciding whether it is appropriate to continue looking into a complaint that is resolved.

89. In all cases, we must record the complaint outcome (resolved), any action taken and signpost the customer to stage 2 (for stage 1 complaints) or to NIPSO as usual [please see section '*Signposting to NIPSO*' at page 30].
90. If the customer and our organisation are not able to agree a resolution, we then follow this CHP to provide a clear and reasoned response to each of the issues raised.

What to do when you receive a complaint

91. When you receive a complaint, you should consider four key questions. This will help you to either respond to the complaint quickly (at stage 1) or determine whether the complaint is more suitable for stage 2:

What exactly is the customer's complaint (or complaints)?

92. It is important to be clear about exactly what the customer is complaining about. You may need to ask the customer for more information and probe further to get a full understanding.
93. You will need to decide whether the issue can be defined as a complaint and whether there are circumstances that may limit our ability to respond to the customer (such as the time limit for making complaints, confidentiality, anonymity or the need for consent). You should also consider whether the complaint is serious, high-risk or high-profile.
94. If the matter is not suitable for handling as a complaint, you will explain this to the customer and signpost them to the relevant procedure or NIPSO for further advice.
95. In most cases, this step will be straightforward. If it is not, the complaint may need to be handled at stage 2 following discussion and agreement with the customer [please see section '*Stage 2: Investigation*' at page 24].

What does the customer want to achieve by complaining?

96. At the outset, you will clarify the outcome the customer wants. Of course, the customer may not be clear about this, and we may need to probe further to find out what they expect, and whether they can be satisfied.

Can I achieve this, or explain why not?

97. If you can achieve the expected outcome, for example by providing an on-the-spot apology or explain why they cannot achieve it, you should do so.
98. The customer may expect more than we can provide. If so, we will tell them as soon as possible.
99. Complaints which can be resolved or responded to quickly should be managed at stage 1 [please see section '*Stage 1: Frontline response*' at page 22].

If I cannot respond, who can help?

100. If the complaint is simple and straightforward, but you cannot deal with it because, for example, you are unfamiliar with the issues or area of service involved, you should pass the complaint to someone who can respond quickly.
101. If it is not a simple and straightforward complaint that can realistically be closed within 5 working days (or 10, if an extension is appropriate), it should firstly be fully considered at stage 1, in case, for example there is a resolution that has not yet been considered. Following full consideration at stage 1 and discussion and agreement with the customer, the complaint should be moved to stage 2. A record should be made of the decision to move the complaint to stage 2. If the customer refuses to engage at stage 1, insisting that they want their complaint investigated, a record of this should be made and the complaint handled immediately at stage 2 [please see section 'Stage 2: Investigation' at page 24].

[The organisation may wish to include more detail on local processes for directing a complaint to stage 2, for example, the need to firstly fully consider all complaints at stage 1 and then following discussion and agreement with the customer, move the complaint to stage 2, contact details of the complaints handling team.]

Stage 1: Frontline response

102. Frontline response aims to respond quickly (**within 5 working days**) to straightforward complaints.
103. Any member of staff may deal with complaints at this stage (including the staff member complained about, for example with an explanation or apology). The main principle is to respond to complaints at the earliest opportunity and as close to the point of service delivery as possible.
104. We may respond to the complaint by providing an on-the-spot apology where appropriate, or explaining why the issue occurred and, where possible, what will be done to stop this happening again. We may also explain that, as an organisation that values complaints, we may use the information given when we review service standards in the future. If we consider an apology is appropriate, we may wish to follow NIPSO's ['Guidance on issuing an Apology'](#).
105. All complaints should be fully considered at stage 1 to identify any opportunities for resolution. Only after discussion and agreement with the customer, will the complaint be moved to stage 2: Investigation. The decision to handle the complaint at stage 2 should be recorded.

Notifying staff members involved

106. If the complaint is about the actions of another staff member, the complaint should be shared with them, where possible, before responding (although this should not prevent us responding to the complaint quickly, for example where it is clear that an apology is warranted).

Timelines

107. Frontline response must be completed **within 5 working days**, although in practice we would often expect to respond to the complaint much sooner. 'Day one' is always the date of receipt of the complaint (or the next working day if the complaint is received on a weekend or public holiday).

[Organisations may wish to add additional detail on their usual arrangements for receiving and dating of mail and other correspondence – for example if there is a policy to mark correspondence received after a certain time as received the next day.]

Extension to the timeline

108. In exceptional circumstances, a short extension of time may be necessary due to unforeseen circumstances (such as the availability of a key staff member). Extensions must be agreed with an appropriate manager. We will tell the customer about the reasons for the extension, and when they can expect a response. **The maximum extension that can be granted is 5 working days (that is, no more than ten working days in total from the date of receipt).**
109. If a complaint will take more than 5 working days to look into, it should be handled at stage 2 immediately. Any movement of a complaint to stage 2 should be discussed and agreed with the customer first. The decision and rationale for the decision should be recorded. The only exception to this is where the complaint is simple and could normally be handled within 5 working days, but it is not possible to begin immediately (for example, due to the absence of a key staff member). In such cases, the complaint may still be handled at stage 1 if it is clear that it can be handled within the extended timeframe of up to **10 working days**.
110. If a complaint has not been closed within 10 working days, it should be escalated to stage 2 for a final response following discussion and agreement with the customer.

[The organisation may provide further guidance and/or examples in relation to extensions to the five working day timeline. This can be inserted here or be included in an annex to this document.]

111. **Appendix 2** provides further information on timelines.

Closing the complaint at the frontline response stage

112. If we convey the decision face-to-face or on the telephone, we are not required to write to the customer as well (although we may choose to). We must:
- tell the customer the outcome of the complaint (whether it is resolved, upheld, partially upheld or not upheld)
 - explain the reasons for our decision (or the agreed action taken to resolve the complaint – please see section 'Resolving the complaint' at page 19)
 - explain that the customer can escalate the complaint to stage 2 if they remain dissatisfied and how to do so (we should not signpost to NIPSO until the customer has completed stage 2).

113. You should keep a full and accurate record of the decision given to the customer. If you are not able to contact the customer by telephone, or speak to them in person, you should provide a written response to the complaint where an email or postal address is provided, covering the points above.
114. If the complaint is about the actions of a particular staff member(s), you should share with them any part of the complaint response which relates to them, (unless there are compelling reasons not to).

[The organisation may provide further guidance or examples about when to provide written confirmation of the decision at the frontline stage of the procedure. This can be inserted here or be included in an annex to this document.]

115. The staff member handling the complaint should consider whether any learning has been identified. Where learning has been identified, this should be recorded to enable reporting [please see section '*Learning from complaints*' at page 36].
116. The complaint should then be closed and the complaints system updated accordingly.

Stage 2: Investigation

117. Stage 2 is appropriate where:
- the customer is dissatisfied with the frontline response or refuses to engage at the frontline stage and would like their complaint to be investigated. Unless exceptional circumstances apply, the customer should escalate the complaint within six months of when they first knew of the problem or within two months of the stage 1 response, whichever is later [please see section '*Time limit for making a complaint*' at page 13. Exceptional circumstances will be considered and if acceptable, we will accept the complaint outside of these timeframes]
 - the complaint is complex (for example where the customer has raised a number of issues, or where information from several sources is needed before we can establish what happened and/or what should have happened)
 - the complaint relates to serious, high-risk or high-profile issues [please see section '*Serious, high-risk or high-profile complaints*' at page 14].
118. An investigation aims to explore the complaint in more depth and establish all the relevant facts. The aim is to resolve the complaint where possible, or to give the customer a full, objective and proportionate response that represents our final position. Wherever possible, complaints should be investigated by someone not involved in the complaint (for example, a line manager or a manager from a different area/department. The organisation should decide at what level in the organisation a final complaint response at stage 2 can be signed off).
119. Details of the complaint must be recorded on the complaints system. Where appropriate, this will be done as a continuation of frontline response. If the investigation stage follows a frontline response, the officer responsible for the investigation should have access to all case notes and associated information.

120. The beginning of stage 2 is a good time to consider whether complaint resolution approaches other than investigation may be helpful [please see section '*Alternative complaint resolution approaches*' at page 27].

Acknowledging the complaint

121. Complaints must be acknowledged **within 3 working days** of receipt at stage 2.
122. You should issue the acknowledgement in a format which is accessible to the customer, taking into account their preferred method of contact.
123. Where the points of complaint and expected outcomes are clear from the complaint, you should set these out in the acknowledgement and ask the customer to get in touch with us immediately if they disagree (see '*Agreeing the issues of complaint and outcome sought*' at page 25).
124. Where the points of complaint and expected outcomes are not clear, you should tell the customer in the acknowledgement letter that we will contact them to discuss this.

Agreeing the issues of complaint and outcome sought

125. It is important to be clear from the start of stage 2 about the issues of complaint to be investigated and what outcome the customer is seeking. We may also need to manage the customer's expectations about the scope of our investigation.
126. Where the issues of complaint and outcome sought are clear, we can confirm our understanding of these with the customer when acknowledging the complaint.
127. Where the issues of complaint and outcome sought are not clear, we must contact the customer to confirm these. We will normally need to speak to the customer (by phone or face-to-face) to do this effectively. In some cases, it may be possible to clarify complaints in writing. The key point is that we need to be sure we and the customer have a shared understanding of the complaint. When contacting the customer, we will be respectful of their stated preferred method of contact. We should keep a clear record of any discussion with the customer.
128. In all cases, we must have a clear shared understanding of:
129. **What are the issues of complaint to be investigated?**

While the complaint may appear to be clear, agreeing the issues of complaint at the outset ensures there is a shared understanding and avoids the complaint changing or confusion arising at a later stage. The issues of complaint should be specific enough to direct the investigation, but broad enough to include any multiple and specific points of concern about the same issue.

We will make every effort to agree the issues of complaint with the customer (alternative complaint resolution approaches may be helpful at this stage). In very rare cases, it may not be possible to agree the issues of complaint (for example, if the customer insists on an unreasonably large number of complaint issues being separately investigated, or on framing their complaint in an unacceptable way). We

will manage any such cases in accordance with our **'Unacceptable Actions policy' [or equivalent]**, bearing in mind that we should continue to investigate the complaint (as we understand it) wherever possible.

130. Is there anything we can't consider under the CHP?

We must explain if there are any issues that are not suitable for handling under the CHP [please see section *'What to do if the CHP does not apply'* at page 19].

131. What outcome does the customer want to achieve by complaining?

Asking what outcome the customer is seeking helps direct the investigation and enables us to focus on resolving the complaint where possible.

132. Are the customer's expectations realistic and achievable?

It may be that the customer expects more than we can provide or has unrealistic expectations about the scope of the investigation. If so, we should make this clear to the customer as soon as possible.

Notifying staff members involved

133. If the complaint is about the actions of a particular staff member/s, you should notify the staff member/s involved (including where the staff member/s is/are not named, but can be identified from the complaint). You should:

- share the complaint information with the staff member/s (unless there are compelling reasons not to)
- advise them how the complaint will be handled, how they will be kept updated and how we will share the complaint response with them
- discuss their willingness to engage with alternative complaint resolution approaches (where applicable); and
- signpost the staff member/s to a contact person who can provide support and information on what to expect from the complaint process (this must not be the person investigating or signing off the complaint response).

134. If it is likely that internal disciplinary processes may be involved, the requirements of that process should also be met **[organisations may wish to provide a link to their grievance process here]**. It is important that there is clear separation between the complaint and the disciplinary process and that staff are aware of the remit of both.

Investigating the complaint

135. It is important to plan the investigation before beginning. The staff member investigating the complaint should consider what information they have and what they need about:

- what happened? (this could include, for example, records of phone calls or meetings, work requests, recollections of staff members or internal emails)

- what should have happened? (this should include any relevant policies or procedures that apply); and
- is there a difference between what happened and what should have happened, and is **[the organisation]** responsible?

136. In some cases, information may not be readily available. We will balance the need for the information against the resources required to obtain it, taking into account the seriousness of the issue (for example, it may be appropriate to contact a former employee, if possible, where they hold key information about a serious complaint).

137. If we need to share information internally or externally, **[the organisation]** will be mindful of our obligations under data protection legislation.

[NIPSO has resources to assist organisations conducting investigations, including: An Investigation Plan template and Decision-making tool for complaint investigators]

Alternative complaint resolution approaches

138. Some complex complaints, or complaints where customers and other interested parties have become entrenched in their position, may require a different approach to resolving the matter. Where we think it is appropriate, we may use alternative complaint resolution approaches such as complaint resolution discussions, mediation or conciliation to try to resolve the matter and to reduce the risk of the complaint escalating further. If mediation is attempted, a suitably trained and qualified mediator will be used. Alternative complaint resolution approaches may help **[the organisation]** and the customer to understand what has caused the complaint, and so are more likely to lead to mutually satisfactory solutions.

139. Alternative complaint resolution approaches may be used to resolve the complaint entirely, or to support one part of the process, such as understanding the complaint, or exploring the customer's desired outcome.

140. If **[the organisation]** and the customer (and any staff member(s) involved) agree to using alternative complaint resolution approaches, it is likely that an extension to the timeline will need to be agreed. This should not discourage the use of these approaches.

[The organisation may provide further guidance and/or examples in relation to alternative complaint resolution approaches. This can be inserted here or be included in an annex to this document.]

Meeting with the customer during the investigation

141. To effectively investigate the complaint, it may be necessary to arrange a meeting with the customer. Where a meeting takes place, we will always be mindful of the requirement to investigate complaints (including holding any meetings) within 20 working days wherever possible. Where there are difficulties arranging a meeting, this may provide grounds for extending the timeframe.

142. As a matter of good practice, a written record of the meeting should be completed and provided to the customer. Alternatively, and by agreement with the person

making the complaint, we may provide a record of the meeting in another format. We will notify the person making the complaint of the timescale within which we expect to provide the record of the meeting.

Timelines

143. The following deadlines are appropriate to cases at the investigation stage (counting day one as the day of receipt, or the next working day if the complaint was received on a weekend or public holiday):

- complaints must be acknowledged **within 3 working days**
- a full response to the complaint should be provided as soon as possible but not later than **20 working days** from the time the complaint was received for investigation.

[Organisations may wish to add additional detail on their usual arrangements for receiving and dating of mail and other correspondence – for example if there is a policy to mark correspondence received after a certain time as received the next day].

Extension to the timeline

144. Not all investigations will be able to meet this deadline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the **20-working day** timeline. It is important to be realistic and clear with the customer about timeframes, and to advise them early if we think it will not be possible to meet the **20-day timeframe**, and why. We should bear in mind that extended delays may have a detrimental effect on the customer and any staff member/s complained about (if applicable).

145. Any extension must be considered and approved by an appropriate manager. A clear rationale should be recorded on each occasion for the appropriate manager to consider and approve. The manager should consider the legitimacy of the reasons provided before approving any extension. There should be a clear record of what action has been taken to progress the complaint during the extension timeframe before a further extension is approved. The customer and any member/s of staff complained about should be kept updated on the reason for the delay and give them a revised timescale for completion. You should contact the customer and any member/s of staff complained about **at least once every 20 working days** to update them on the progress of the investigation. Repeated extensions should be avoided where possible as this can lead to a loss of faith in the process by the customer.

146. *[Organisations may provide further guidance or examples in relation to extensions. For example: The reasons for an extension might include the following:*

- *essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff, customer or others but the person is not available because of long-term sickness or leave.*
- *we cannot obtain further essential information within normal timescales; or*
- *the customer has agreed to alternative complaint resolution approaches as a potential route for resolution.*

These are only a few examples, and we will judge the matter in relation to each complaint. However, an extension would be the exception].

147. **Appendix 3** provides further information on timelines.

Closing the complaint at the investigation stage

148. The final response to the complaint should be in writing (or by the customer's preferred method of contact) and must be signed off by a manager or officer who is empowered to provide the final response on behalf of *[the organisation]*.
[Organisations may wish to include guidance on local sign-off arrangements].

149. We will tell the customer the outcome of the complaint (whether it is resolved, upheld, partially upheld, or not upheld). The quality of the complaint response is very important and in terms of good practice should:

- be clear and easy to understand, written in a way that is person-centred and non-confrontational
- avoid technical terms, but where these must be used, an explanation of the term should be provided
- address all the issues raised and demonstrate that each element has been fully and fairly investigated
- include an apology where things have gone wrong (this is different to an expression of empathy) and any other action to be taken to put things right
- highlight any area of disagreement and explain why no further action can be taken
- indicate that a named member of staff is available to clarify any aspect of the letter.

150. In the same correspondence, and within two weeks of the day the complaints procedure is exhausted/completed, the customer must be advised of our statutory requirements:

- The customer has exhausted/completed our complaints procedure; and
- if the customer is not satisfied with the outcome of the local process and stage 2, the customer may seek a review by NIPSO [please see section 'Signposting to NIPSO' below].

151. Where a complaint has been resolved, our final response does not need to provide a decision on all points of complaint but should instead confirm the resolution agreed [please see section 'Resolving the complaint' at page 19].

152. If the complaint is about the actions of a particular staff member(s), we will share with them any part of the complaint response which relates to them, (unless there are compelling reasons not to).

153. A record of the decision, and details of how it was communicated to the customer, should be recorded on the complaints system.

154. Before the closure of the complaint, the staff member handling the complaint should consider whether any learning has been identified. Where learning has been identified, this should be recorded to enable reporting.

Signposting to NIPSO

155. Once the investigation stage has been completed, the customer has the right to approach NIPSO if they remain dissatisfied. We must make clear to the customer:
- **their right to ask NIPSO to consider the complaint**
 - **the time limit for doing so**
 - **how to contact NIPSO.**
156. NIPSO considers complaints from people who remain dissatisfied at the conclusion of our complaints procedure. NIPSO looks at issues such as service failure and maladministration (administrative fault), and the way we have handled the complaint. There are some subject areas that are not within NIPSO's jurisdiction, but it is NIPSO's role to determine whether an individual complaint is one that they can consider (and to what extent). All investigation responses must signpost to NIPSO.
157. NIPSO recommends that we use the wording below to inform customers of their right to ask NIPSO to consider the complaint. This information should only be included on **[the organisation's]** final response to the complaint.

Information about NIPSO

The Northern Ireland Public Services Ombudsman (NIPSO) is the final stage for complaints about the majority of public services in Northern Ireland. This includes complaints about **[the organisation]**. NIPSO is an independent organisation that investigates complaints. The service provided by NIPSO is free. It is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

If you remain dissatisfied when you have considered this response, you can ask NIPSO to look at your complaint. NIPSO generally expect complaints to be brought to it:

- **within 6 months since you received correspondence from **[the organisation]** informing you that the complaints handling procedure is complete and of your right to refer your complaint to NIPSO.**

NIPSO will generally ask complainants to provide details of their complaint and a copy of the final response from the organisation. You can do this online at [How do I make a complaint to NIPSO?](#) • Office of the Northern Ireland Ombudsman **[insert as hyperlink] or call them on Freephone 0800 34 34 24.**

You may wish to get independent support or advocacy to help you progress your complaint. Organisations who may be able to assist you are:

- Advice NI

Website: www.adviceni.net

Freephone: 0800 915 4604

[the organisation may add to this a list of suggested advocacy and support groups to assist complainants in submitting their complaint to NIPSO].

NIPSO's contact details are:

**The Northern Ireland Public Services Ombudsman
33 Wellington Place
Belfast
BT1 6HN**

Tel Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Web: www.nipso.org.uk

Post-closure contact

158. If a customer contacts us for clarification when they have received our final response, it is permissible to have further discussion with the customer to clarify our response and answer their questions. This can be used as a further opportunity to try to resolve the complaint and the organisation's commitment to improvement and learning. However, if the customer is dissatisfied with our response or does not accept our findings, we will explain that we have already given them our final response on the matter and signpost them to NIPSO.

Section 3: Governance of the CHP

Roles and responsibilities

159. NIPSO recommend that as part of introducing a CHP, all staff are made aware of:
- the CHP
 - how to handle and record complaints at the frontline response stage
 - who they can refer a complaint to, in case they are not able to handle the matter
 - the need to try and resolve complaints early and as close to the point of service delivery as possible; and
 - their clear authority to attempt to resolve any complaints they may be called upon to deal with.
160. Awareness training on the CHP will be part of **[the organisation's]** induction process for all new staff. More in-depth and refresher training will be provided to relevant staff on a regular basis.
161. Senior management will ensure that:
- **[the organisation's]** final position on a complaint investigation is signed off by an appropriate manager or officer in order to provide assurance that this is the definitive response of **[the organisation]** and that the complainant's concerns have been taken seriously
 - it maintains overall responsibility and accountability for the management and governance of complaints handling (including complaints about contracted services)
 - it has an active role in, and understanding of, the CHP (although not necessarily involved in the decision-making process of complaint handling)
 - mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored, reviewed and reported at all levels in **[the organisation]**; and
 - complaints information e.g. number of complaints received, types/issues of complaint received, number of complaints resolved/upheld/not upheld/partially upheld, complaint outcomes, [please see section '*Recording, reporting, publicising and learning from complaints*' at page 35] etc. is annually published; and
 - complaints information is used to improve services, and this is evident from regular publications.
162. **Elected members** have a similar role to Board members in other public sectors and play a key role in the overall accountability and governance of complaints data and trends. Their role is to:

- ensure complaints data and trends are analysed and routinely considered as part of leadership information (every six months, as a minimum)
- provide the necessary challenge and hold senior staff to account for the organisation's performance in complaints handling and management
- provide strategic leadership to drive the required culture of openness in organisations where complaints are welcomed and valued.

163. The strategic oversight and scrutiny role of elected members is designed to promote effective organisational learning from complaints. This helps to ensure early warning signs are identified and acted upon so that the need for potential future actions, such as public inquiries into wider and more serious issues, which often originate from complaints, may be negated.

164. The following are examples of questions elected members may ask senior staff in their scrutiny of complaints data:

- *What were the main issues of complaint received?*
- *What was the organisational learning from the complaints received?*
- *What actions were taken as a result of lessons learned from complaints?*
- *How many complaints were referred to NIPSO?*
- *What were NIPSO's recommendations and were they complied with (if applicable)?*

[The organisation may add more examples]

165. **[The roles and responsibilities in each organisation will vary depending on size, organisational structure, portfolio responsibilities and a host of other business considerations. The following paragraphs provide general examples of the roles and responsibilities that an organisation may consider appropriate in respect of complaints handling. Organisations are, however, free to manage the CHP in the most efficient and effective manner for their organisation.]**

[The following paragraphs explaining roles and responsibilities should be amended to suit the organisation. However, there must remain a clear description of the roles and responsibilities in relation to complaints handling for each level of the organisation.] [Delete this section after amendment].

166. **[Chief executive:** *The chief executive provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes driving a culture change where complaints are welcomed and valued, ensuring that there is an effective CHP that is followed by all staff and assists organisational learning from the complaints received and having an appropriate recording and reporting system in place to enable the organisation to report annually on complaints performance and learning from complaints. The chief executive may take a personal interest in all or some complaints, or may delegate responsibility to senior staff to sign-off on final*

complaint responses. Regular management reports assure the chief executive of the quality of complaints performance.

167. The chief executive is also responsible for ensuring that there are governance and accountability arrangements in place in relation to complaints about contractors/Arms Length External Organisations [ALEOs]. This includes:
- ensuring performance monitoring for complaints is a feature of the service/management agreements between [the organisation] and contractors/ALEOs
 - setting clear objectives in relation to this complaints procedure and putting appropriate monitoring systems in place to provide [the organisation] with an overview of how the contractor/ALEO is meeting its objectives
168. **Directors:** On the chief executive's behalf, directors are responsible for:
- managing complaints and the way we learn from them
 - reporting complaints quarterly to the senior management team
 - overseeing the implementation of actions required as a result of a complaint
 - investigating complaints; and
 - deputising for the chief executive on occasion.
169. They are also responsible for preparing and signing off decisions for customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint. However, directors may decide to delegate some elements of complaints handling (such as investigations and the drafting of response letters) to other senior staff. Where this happens, directors should retain ownership and accountability for the management and reporting of complaints.
170. **Heads of service:** Heads of service are involved in the operational investigation and management of complaints handling. As senior officers they may be responsible for preparing and signing decision letters to customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint.
171. **Complaints investigator:** The complaints investigator is responsible and accountable for the management of the investigation. They may work in a service delivery team or as part of a centralised customer service team, and will be involved in the investigation and in coordinating all aspects of the response to the customer. This may include preparing a comprehensive written report, including details of any procedural changes in service delivery and identifying wider opportunities for learning across the organisation.
172. **The human resources/training officer:** The HR or training officer is responsible for ensuring all new staff receive awareness training on the CHP as part of the induction process, and that complaints handling staff receive more in-depth training and refresher training on a regular basis.
173. **The organisation's NIPSO liaison officer/s:** Our NIPSO liaison officer/s role includes providing complaints information in an orderly, structured way within

requested timescales, providing comments on factual accuracy on our behalf in response to NIPSO reports, and confirming and verifying that recommendations have been implemented].

Recording, reporting, publicising and learning from complaints

174. Complaints provide valuable customer feedback. One of the aims of the CHP is to identify opportunities to improve services across **[the organisation]**. By recording and analysing complaints data, we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.
175. We also have arrangements in place to ensure complaints about contractors or ALEOs are recorded, reported on and publicised in line with this CHP.

Recording complaints

176. It is important to record suitable data to enable us to fully investigate and respond to the complaint, as well as using our complaint information to track themes and trends. As a minimum, the following should be recorded for each complaint:

- the date the complaint was received
- the customer's name and contact details
- the issue/nature of the complaint
- the service the complaint refers to
- staff member responsible for handling the complaint
- action taken and outcome at frontline (stage 1) response
- the date frontline (stage 1) response was issued
- the date request for stage 2 investigation was received (if applicable)
- any extensions authorised at stage 2 (if applicable)
- action taken and outcome at investigation (stage 2) (if applicable)
- whether the complaint was resolved, upheld, partially upheld, not upheld
- date the investigation response was issued at stage 2 (if applicable)
- the underlying cause of the complaint and any remedial action taken
- any organisational learning as a result of the complaint.
- **[Organisations may also wish to record: the outcome of the NIPSO's investigation (where applicable and possible). It is good practice to record the full journey of a complaint, as this allows organisations to use the information to identify good practice or areas for improvement. For example, where there are a high number of complaints 'not upheld' by the organisation but then 'upheld' by NIPSO, this could suggest that there are opportunities to improve complaints handling at a local level].**

177. If the customer does not want to provide any of this information, we will reassure them that it will be managed appropriately, and record what we can. If the customer submits their complaint to NIPSO and NIPSO decide to investigate the complaint, *[the organisation]* will receive a copy of the report and the details of the complaint.

178. Individual complaint files will be stored in line with our document retention policy. *[Organisations may wish to add detail on their local retention policy. In deciding how long to keep complaint files, consideration should be given to the timescales involved in a NIPSO investigation (in the event of a NIPSO investigation, we need to be able to produce records to NIPSO of how we investigated the complaint)].*

[The organisation may provide further guidance and/or examples in relation to how to record complaints in line with their system. This can be inserted here or be included in an annex to this document].

Reporting of complaints

179. We have a process for the internal reporting of complaints information, including analysis of complaints trends. Regularly reporting the analysis of complaints information helps to inform management of areas where services need to improve.

180. We will report at least **quarterly** to senior management on:

- complaints performance statistics
- analysis of the trends and outcomes of complaints (this should include highlighting where there are areas where few or no complaints are received, which may indicate either good practice or that there are barriers to complaining in that area).

[The organisation may provide further guidance and/or examples in relation to how complaints information will be reported internally. This can be inserted here or can be included in an annex to this document].

Publicising complaints information

181. We publish on a **quarterly** basis information on complaints outcomes and actions taken to improve services i.e. good practice and lessons learned. *[Organisations may add more detail on what will be published in addition to NIPSO's guidance on complaints information to be published. Please note that this does not require publication of complaints performance data or trends analysis on a quarterly basis, although some may choose to do so. The focus is on improving positive communication with customers on the value of complaining. This could take the form of case studies, examples of how complaints have helped improve services, or 'you said, we did' leaflets. Publication may be through newsletters, websites or other forums used to communicate with customers].*

182. This demonstrates the improvements resulting from complaints and shows that complaints can help to improve our services. It also helps ensure transparency in our complaints handling service and will help to show our customers that we value their complaints.

183. We will publish an **annual** complaints performance report on our website in line with NIPSO requirements and provide this to NIPSO (on request only). This summarises and builds on the quarterly reports to senior management we have produced about our services. It includes:
- complaint performance statistics;
 - complaint trends and the actions that have been or will be taken to improve services as a result; and
 - lessons learned from complaints.
184. These reports must be easily accessible to members of the public and available in alternative formats as requested.
185. In addition, NIPSO recommend a common dataset for complaints information across all public sector organisations. It is expected that we will work together with other local government sector organisations to publish an overall complaints report.

Learning from complaints

186. We must have clear systems in place to act on issues identified in complaints. As a minimum, we must:
- seek to identify the root cause of complaints
 - take action to reduce the risk of recurrence
 - systematically review complaints performance reports to improve service delivery.
187. Learning may be identified from individual complaints (regardless of whether the complaint is upheld or not) and from analysis of complaints data.
188. Where we have identified the need for service improvement in response to an individual complaint, we will take appropriate action. **[Organisations should include details on their process for learning from complaints]**. The process should meet the following minimum standard:
- the action needed to improve services must be authorised by an appropriate manager
 - an officer (or team) should be designated the 'owner' of the issue, with responsibility for ensuring the action is taken
 - a target date must be set for the action to be taken
 - the designated individual must follow up to ensure that the action is taken within the agreed timescale
 - where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved
 - any learning points should be shared with relevant staff.

189. NIPSO has issued guidance on **Learning from complaints** which can be accessed at www.nipso.org.uk
190. Senior management will review the information reported on complaints regularly to ensure that any trends or wider issues which may not be obvious from individual complaints are quickly identified and addressed. Where we identify the need for service improvement, we will take appropriate action (as set out above). Where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved.

[The organisation may provide further guidance and/or examples in relation to how complaints information will be used to learn from complaints and/or how learning from complaints will be shared within the organisation. This can be inserted here or included in an annex to this document].

Monitoring compliance and performance

Compliance

191. Like all local government bodies, we are required to comply with the MCHP under section 38(2) of the legislation, six months after NIPSO publishes the MCHP.
192. NIPSO expect *[the organisation]* to have appropriate self-assessment arrangements in place to assure ourselves that our CHP is operating in accordance with the MCHP (NIPSO has available self-assessment templates), and to track performance as set out in our CHP. Any significant changes to the CHP would require NIPSO to be notified for prior approval.
193. NIPSO will monitor our compliance with the MCHP both through the complaints it investigates and through our standards function, including quality checks of published and available complaints procedures. Any feedback on issues which could affect compliance will be provided directly to *[the organisation]* in the first instance, in line with NIPSO's 'Support and Intervention Policy'.
194. Under the terms of the legislation, NIPSO may also declare that an organisation is non-compliant. NIPSO intend to use this option as a means of last resort in the event that attempts to work with *[the organisation]* to facilitate implementation have failed. If NIPSO does declare a CHP to be non-compliant with the MCHP it will, in line with the legislation, give reasons in writing and specify any modifications to the CHP which would result in the declaration being withdrawn.

Future revisions of the MCHP

195. The MCHP may be reviewed and revised periodically. Any revisions to the MCHP will be managed by NIPSO. Where we or a public body considers that an amendment to Parts 1, 2 or 3 is required, we are required to prepare and submit a

request for change to NIPSO. This should briefly describe the change requested, explain why the change is proposed and highlight any associated issues in relation to costs, time, quality or risks.

196. NIPSO will consider and decide upon any request, in consultation with the relevant public sector and other relevant stakeholders. This will help to ensure consistency of approach across the sector by ensuring that only the current agreed version of the MCHP is available to the sector at any given time. Importantly it will also allow for an accurate evaluation of the complaints procedure when appropriate.
197. While public sector bodies, including *[the organisation]* may use the MCHP Parts 1-3 as templates to develop our own CHP, it is important to remember that the MCHP Parts 1-3 may only be altered, amended or changed by NIPSO.

NIPSO advice and support

Training

198. NIPSO's MCHP Parts 1-3 places a strong emphasis on early management of complaints, effective recording of complaints and staff being properly trained and empowered to deal with complaints. All staff need to have an understanding of how to deal with complaints and the appropriate knowledge and skills to do so effectively. This includes being aware of how we identify complaints and when we are authorised to use a range of measures to respond to a complaint such as a simple apology where appropriate.
199. It is for us to identify the training needs of appropriate staff to ensure they have the skills and confidence to use the authority delegated to them. NIPSO's Complaints Standards Team will endeavour to provide training and guidance on specific aspects of complaints handling. Further details may be obtained from <https://nipso.org.uk/nipso/>

NIPSO website

200. The NIPSO website provides a centre for best practice in complaints handling. It contains information to help support improvement in public sector complaints handling, including published MCHPs for public bodies in NI, implementation and compliance guidance, and best practice and training resources.

Complaints handler Networks

201. NIPSO supports a Local Government complaints handling network. The remit of this group includes identifying, developing and evaluating best practice, supporting complaints handling practitioners and providing a forum for benchmarking complaints

performance. The network is used to help take forward the ongoing standards work of NIPSO in areas such as developing standardised complaints recording categories.

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Appendix 1 – Potential Stage 1 Complaints

[The organisation should populate the table below with relevant examples or, if relevant, use the examples below. Below are some examples of complaints and possible actions].

The following tables give examples of complaints that may be considered at the frontline stage and suggest possible actions.

Complaint	Possible actions
A customer reports that their bin has not been emptied for two weeks in a row.	<ul style="list-style-type: none"> • Apologise to the customer. • Liaise with the waste management department to investigate the reason for the service fault. • Maintain contact with and update the complainant whilst liaising with relevant organisational personnel. • Ensure that the service is provided the following week. Check in with the customer the following week to ensure the service was provided. • Record all details of the complaint for monitoring and learning purposes.
A customer complains that the changing facilities in a council operated leisure facility are dirty.	<ul style="list-style-type: none"> • Communicate clearly with the customer by thanking them for drawing the matter to the organisation's attention and assure them that the complaint will be investigated. • Liaise with leisure centre management personnel to investigate the status of the changing facilities. • Ensure leisure centre management rectify the issue. Maintain communication with the customer and update them on the progress of the complaint. • Record all details of the complaint for monitoring and learning purposes.
A customer complains that they have been unable to access their online pensions account for several months due to technical problems with the online system.	<ul style="list-style-type: none"> • Apologise to the customer for the inconvenience caused. • Liaise with relevant technical personnel to ensure that the technical issues are resolved for the customer. • Maintain regular contact with the customer until the technical issues are completely resolved and the customer can access their online account. • Record all details of the complaint for monitoring and learning purposes.
The customer complains that a night-working refuse collector woke her up by making excessive noise.	<ul style="list-style-type: none"> • Apologise to the customer for the inconvenience caused. • Explain our policy on refuse collection, in particular the approach to night working. • Tell the customer that you will pass on details of the complaint to the service to highlight the noise issue and ask the service to do what they can to control noise in the future.

Complaint	Possible actions
	<ul style="list-style-type: none"> • Record all details of the complaint for monitoring and learning purposes.
<p>The customer expresses dissatisfaction in line with the definition of a complaint but says she does not want to complain – just wants to tell us about the matter.</p>	<ul style="list-style-type: none"> • Tell the customer that we value complaints because they help to improve services. Encourage them to submit the complaint. • In terms of improving service delivery and learning from mistakes, it is important that customer feedback, such as this, is recorded, evaluated and acted upon. • If the customer still insists that they do not want to complain, record the matter as an anonymous complaint. This will avoid breaching the complaints handling procedure. Reassure the customer that they will not be contacted again about the matter. • Record all details of the complaint for monitoring and learning purposes.

Appendix 2 – Complex complaints not to be handled through the CHP

A concern may not necessarily be a complaint. For example, a customer might make a routine first-time request for a service. This is not a complaint, but the issue may escalate into a complaint if it is not handled effectively and the customer has to keep on asking for service.

1. In some cases, a measure of discretion or further clarification is required in determining whether something is a complaint that should be handled through this procedure or another matter which should be handled through another process. There are also some specific circumstances when complaints should be handled in a particular manner.
2. The following paragraphs provide examples of the types of issues or concerns that must not be handled through the complaints handling procedure. This is not a full list, and you should decide the best route based on the individual case.

[The organisation may insert below, including titles, additional relevant examples of the types of issues or concerns that should not be handled through the CHP].

Planning decisions

3. *Customers may express dissatisfaction after the refusal of a planning **decision** or other related permissions. An example would be dissatisfaction with a condition of consent or an enforcement action.*
4. *Planning applicants, or their agent, have the right to appeal to the Planning Appeals Commission about the planning decision. Appeals may be determined on the basis of a hearing, written representations with an accompanied site visit or by written representations with a Planning Appeals Commissioner's site visit.*
5. *Customers who are dissatisfied with one of our planning decisions, and who have a right to appeal to the Planning Appeals Commission, should be directed to this service. However, some complaints about planning matters are from third parties such as neighbours. These customers do not have the right of appeal to the Planning Appeals Commission. These complaints, and those complaints about the administration of the planning process, should be considered through the CHP.*

Claims for compensation only

6. *A customer may seek to use the CHP to obtain compensation from us if they consider us liable. This includes issues such as personal injury or loss of. Where it is clear from the information provided by the customer that the matter is not a complaint but is a claim **only** and the outcome sought is compensation, it may not be appropriate to consider the matter as a complaint. Claims for compensation **only** are not complaints, so you must not handle them through the CHP. You should be clear, however, that where a customer wants to complain about the matter leading to their request for compensation, for example the condition of a public road causing damage to a motor vehicle, you may consider that matter as a complaint. The request for compensation may or may not be dealt with separately. You may decide to suspend complaint action pending the outcome of the claim for compensation. If you do this, you must notify the customer and*

explain that the complaint will be fully considered when the compensation claim has been decided.

[The organisation may provide further guidance or examples in relation to dealing with complaints pending the outcome of a claim for compensation. This should be inserted here.]

- 7. If you receive a compensation claim, you should explain to the customer the process for claiming compensation in line with our policy on these claims.*

*[Some organisations may have a policy on making time and trouble payments. If so, organisations should clarify that this is distinct from compensation (so complaints where the customer is asking for a time and trouble payment **can** be handled under the CHP).*

Example text:

- 8. You may still make 'time and trouble' payments for inconvenience suffered by customers, in line with our policy on such matters. This is distinct from compensation claims].*

Licence decisions

- 9. We are responsible for issuing various licences, including public entertainment, HMO (Houses in Multiple Occupation), caravan licenses. These have their own legal redress. Customers who are dissatisfied with these decisions will have to pursue this through the correct procedure for the type of licence they want.*

Appendix 3 - Timelines

General

1. References to timelines throughout the CHP relate to working days. *We do not count non-working days, for example weekends, public holidays and days of industrial action where our service has been interrupted.*

[The date of receipt will be determined by the organisation's usual arrangements for receiving and dating of mail and other correspondence - organisations may wish to include more detail on local arrangements, for example if mail received after a certain time is marked as received the next working day].

Timelines at frontline response (stage 1)

2. We will aim to achieve frontline response within 5 working days. The date of receipt is day 1, and the response should be provided (or the complaint escalated) on day 5, at the latest.
3. If we have extended the timeline at the frontline response stage in line with the CHP, the response should be provided (or the complaint escalated) on day 10, at the latest.

Transferring cases from frontline response to investigation:

4. If the customer wants to escalate the complaint to the investigation stage, the reason must be recorded at stage 1 and the case must be passed for investigation without delay. In practice this will mean on the same day that the customer is told this will happen.

Timelines at investigation (stage 2)

5. For complaints at the investigation stage, day 1 is:
 - the day the customer requested or agreed the matter to be considered at the investigation stage (stage 2).
6. We must acknowledge the complaint within 3 working days of receipt at stage 2 i.e. by day 3.
7. We should respond in full to the complaint by day 20, at the latest. We have 20 working days to investigate the complaint, regardless of any time taken to consider it at the frontline response stage.
8. Exceptionally, we may need longer than the 20-working day limit for a full response. If so, we will explain the reasons to the customer, and update them (and any staff involved) at least once every 20 working days.

Frequently asked questions

What happens if an extension is granted at stage 1, but then the complaint is escalated?

9. The extension at stage 1 does not affect the timeframes at stage 2. The stage 2 timeframes apply from the day the complaint was received at stage 2 (we have 20 working days from this date, unless an extension is granted).

What happens if we cannot meet an extended timeframe?

10. If we cannot meet the extended timeframe at stage 1, the customer should be notified. The complaint should be discussed with the customer and if in agreement, the complaint should be moved to stage 2. The maximum timeframe allowed for a stage 1 response is 10 working days.
11. If we cannot meet the extended timeframe at stage 2, a further extension may be approved by an appropriate manager if there are clear reasons for this. There should be a clear record of what action has been taken to progress the complaint during the extension timeframe before a further extension is approved. This should only occur in exceptional circumstances (the original extension should allow sufficient time to realistically investigate and respond to the complaint). Where a further extension is agreed, we should explain the situation to the customer and give them a revised timeframe for completion. We must update the customer and any staff involved in the investigation at least once every 20 working days.

What happens when a customer asks for stage 2 consideration a long time after receiving a frontline response?

12. Unless exceptional circumstances exist, customers should bring a stage 2 complaint within six months of learning about the problem, or within two months of receiving the stage 1 response (whichever is latest).

[Organisations should provide a list of examples of exceptional circumstances and develop a guide for organisational decision-makers on what constitutes an exceptional circumstance].



The Model Complaints Handling Procedure (MCHP)

Part 3

Guide for Person who wishes to make a complaint

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Introduction

This document is Part 3 of NIPSO's Model Complaints Handling Procedure (MCHP). It has been prepared to assist public bodies to communicate and make accessible its complaints handling procedure to its customers and those people who wish to make a complaint. The document provides customers with clear and straight-forward information on an organisation's complaints handling procedure that follows NIPSO's MCHP.

It is important to make customers aware of their right to complain and how to do so. Information about the procedure should be easily accessible at all times, not just made available when a customer wishes to complain.

Arrangements about how to make a complaint must be widely publicised, simple and clear, and made available in all areas of service provision. Public bodies should, therefore, consider the most effective ways to ensure maximum accessibility, such as online information about how to access the complaints procedure which should be clearly visible on the landing/home page of the organisation's website. Traditional methods such as leaflets can also be helpful and organisations should consider where these can most effectively be displayed.

Customers must, where appropriate, have the support they need to articulate their concerns and successfully navigate the complaints procedure. A range of methods for complaining by whatever means is easiest for the customer and should be provided and accepted to ensure accessibility to the complaints procedure. This may include frontline staff assisting the customer by writing the complaint for them.

Public bodies should also take into account individual requirements, for example less-abled people; people with learning difficulties; people who are deaf or hard of hearing (including British Sign Language users); people with a visual impairment; and people whose first language is not English. Where appropriate, suitable arrangements should be made for the specific needs of those who wish to complain, including provision of interpreting services, access to support or advocacy, and information in a variety of formats and languages, at suitable venues, and at suitable times. The organisation information should make clear what adjustments are available and how they can be accessed.

To comply with NIPSO's MCHP, your organisation must provide and publish guidance for complainants on how to make a complaint.

The template below was developed by NIPSO in collaboration with Operational Network members. The template is designed to be an internal document for your organisation to adopt. The language used reflects its status as an internal document. Therefore, 'we' refers to your organisation, not NIPSO.

Any text in yellow highlighted italics should be replaced with your organisation's own text as appropriate.

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[Name of organisation] is committed to providing high-quality customer services.

We value complaints and use information from them to help us improve our services.

1. If something goes wrong or you are dissatisfied with our services, please tell us. This **leaflet** describes our complaints procedure and how to make a complaint. It also tells you about how we will handle your complaint and what you can expect from us.

What is a complaint?

2. We regard a complaint as “an expression of dissatisfaction by one or more members of the public about our action or lack of action, or about the standard of service provided by us or on our behalf”.

What can I complain about?

3. You can complain about things like:

[The organisation should insert appropriate items below]

- **failure or refusal to provide a service**
- **inadequate quality or standard of service, or an unreasonable delay in providing a service**
- **dissatisfaction with one of our policies or its impact on the individual**
- **failure to properly apply law, procedure or guidance when delivering services**
- **failure to follow the appropriate administrative process**
- **conduct, treatment by or attitude of a member of staff or contractor (except where there are arrangements in place for the contractor to handle the complaint themselves)**
- **a concern about the actions or service of an organisation who is delivering services on our behalf**
- **disagreement with a decision, (except where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector or;**
- **dissatisfaction with how an element of a planning/pension decision was administrated.**

4. Your complaint may involve more than one of **[the organisation]** services or be about someone working on our behalf.

What can't I complain about?

5. There are some things we can't deal with through our complaints handling procedure. These include:

[The organisation should insert appropriate items below]

- **a routine first-time request for a service**
- **a first-time report of a fault**

- a request for compensation only
- issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)
- disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information and subject access requests), or an established appeals process followed throughout the sector – such as council tax, planning, or a parking ticket appeal
- a request for information under the Data Protection or Freedom of Information (Northern Ireland) Acts
- a grievance by a staff member or a grievance relating to employment or staff recruitment
- a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
- a concern about a child or an adult's safety
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
- abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our [Unacceptable Actions Policy or equivalent]
- a concern about the actions or service of a different organisation, where we have no involvement in the issue (except where the other organisation is delivering services on our behalf); or
- challenges to decisions made via formal decision-making channels i.e., a customer is dissatisfied with a planning or pension decision but not with any element of the process that led to the decision.

6. If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

Who can complain?

7. Anyone who receives, requests or is directly affected by our services, or a service contracted or commissioned by us, can make a complaint to us. This includes the representative of someone who is dissatisfied with our service (for example, a relative, friend, advocate or adviser). If you are making a complaint on someone else's behalf, you will normally need their written consent. Please also read the section on 'Getting help to make your complaint' below.

How do I complain?

8. You can complain in person at [any of our offices/our office], by phone, in writing or by email [or via our complaints form [insert hyperlink if available]]. Organisations should also include their position on complaints raised via digital platforms here [please see Part 2, section 18, 'How complaints can be made'].

9. It is easier for us to address complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve the issue.

10. When complaining, please tell us:

- your full name and contact details
- as much as you can about the complaint
- what has gone wrong; and
- what outcome you are seeking.

Our contact details are available at [\[the back of this leaflet/end of this document\]](#)

How long do I have to make a complaint?

11. Normally, you must make your complaint within six months of:

- the event you want to complain about; or
- finding out that you have a reason to complain.

12. In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

What happens when I have complained?

13. We will ensure your details and information are kept confidentially in accordance with data protection laws. We will always tell you who is dealing with your complaint and provide contact details. Our complaints procedure has two stages.

Stage 1: Frontline response

14. We aim to respond to complaints quickly (where possible, when you first tell us about the issue). This could mean an on-the-spot apology and explanation if something has clearly gone wrong, or immediate action to resolve the problem.

15. We will give you our decision at stage 1 in **5** working days or less, unless there are exceptional circumstances.

16. If you are not satisfied with the response, we give at stage 1, we will tell you what you can do next. If you choose to, you can take your complaint to stage 2. You must normally ask us to consider your complaint at stage 2 either:

- within six months of the event you want to complain about or finding out that you have a reason to complain; or
- within two months of receiving your stage 1 response from us (if this is later).

17. In exceptional circumstances, we may be able to accept a stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

Stage 2: Investigation

18. Stage 2 deals with two types of complaint: those that have not been resolved at stage 1 and those that clearly require in-depth investigation, and so are handled at this stage following discussion and agreement with you. If you do not wish your complaint to be handled at stage 1, you can ask us to handle it at stage 2 instead.

19. When using stage 2:

- we will acknowledge receipt of your complaint within **3** working days
- we will confirm our understanding of the complaint we will investigate and what outcome you are looking for
- we will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation); and
- where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within **20** working days.

20. If our investigation will take longer than 20 working days, we will tell you. We will tell you our revised time limits and keep you updated on progress.

What if I'm still dissatisfied?

21. After we have given you our final decision, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Northern Ireland Public Services Ombudsman (NIPSO) to look at it.

NIPSO is the final stage for complaints about the majority of public services in Northern Ireland. This includes complaints about us. NIPSO is an independent organisation that investigates complaints. The service provided by NIPSO is free. It is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

If you remain dissatisfied when you have a final response from us, you can ask NIPSO to look at your complaint. NIPSO generally expect complaints to be brought to it:

- within 6 months since you received correspondence from us informing you that the complaints handling procedure is complete and of your right to refer your complaint to NIPSO.

NIPSO will generally ask you to provide details of your complaint and a copy of our final response to your complaint. You can do this online at www.NIPSO.org.uk or call them on Freephone 0800 34 34 24.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on *'Getting help to make my complaint'* below.

NIPSO's contact details are:

The Northern Ireland Public Services Ombudsman
33 Wellington Place
Belfast
BT1 6HN

Tel Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Web: www.nipso.org.uk

(If you would like to visit in person, you must make an appointment first)

The freepost address is:
FREEPOST NIPSO

22. If NIPSO cannot investigate your complaint and your complaint requires an alternative route for independent review, NIPSO will tell you and provide you with the relevant contact details.

Getting help to make my complaint

23. We understand that you may be unable or reluctant to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

24. You can find out about advocates in your area by contacting **[the organisation should insert relevant advocacy and support groups available in the area e.g. NICVA]**

Name:

Website:

Tel:

25. You can find out about advisers in your area through Advice NI

Advice NI

Website: www.adviceni.net

[Organisations may include useful contact details of other relevant support available].

26. We are committed to making our service easy to use for all members of the community. In line with our statutory equality duties, we will always ensure that reasonable adjustments are made to help you access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, please tell us in person, contact us on *[insert telephone number]*, email us at *[insert email address]* or text us at *[insert textphone number]*.

Our contact details

27. Please contact us by the following means:

[Organisation should identify and insert appropriate means of contact]

We can also give you this leaflet in other languages and formats (such as large print, audio and Braille).

A quick guide to our Complaints Procedure

