



Northern Ireland

Public Services
Ombudsman

Investigation Report

Investigation of a complaint against Derry City and Strabane District Council

NIPSO Reference: 21017

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

Tel: 028 9023 3821

Email: nipso@nipso.org.uk

Web: www.nipso.org.uk



@NIPSO_Comms

The Role of the Ombudsman

The Northern Ireland Public Services Ombudsman (NIPSO) provides a free, independent and impartial service for investigating complaints about public service providers in Northern Ireland.

The role of the Ombudsman is set out in the Public Services Ombudsman Act (Northern Ireland) 2016 (the 2016 Act). The Ombudsman can normally only accept a complaint after the complaints process of the public service provider has been exhausted.

The Ombudsman may investigate complaints about maladministration on the part of listed authorities, and on the merits of a decision taken by health and social care bodies, general health care providers and independent providers of health and social care. The purpose of an investigation is to ascertain if the matters alleged in the complaint properly warrant investigation and are in substance true.

Maladministration is not defined in the legislation, but is generally taken to include decisions made following improper consideration, action or inaction; delay; failure to follow procedures or the law; misleading or inaccurate statements; bias; or inadequate record keeping.

The Ombudsman must also consider whether maladministration has resulted in an injustice. Injustice is also not defined in legislation but can include upset, inconvenience, or frustration. A remedy may be recommended where injustice is found as a consequence of the failings identified in a report.

Reporting in the Public Interest

This report is published pursuant to section 44 of the 2016 Act which allows the Ombudsman to publish an investigation report when it is in the public interest to do so.

The Ombudsman has taken into account the interests of the person aggrieved and other persons prior to publishing this report.

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Case Reference: 21017

Listed Authority: Derry City and Strabane District Council

SUMMARY

I received a complaint regarding the actions of the Derry City & Strabane District Council (the Council). A planning permission was initially granted on 11 March 2014 in respect of a proposed anaerobic digester and combined heat and power plant. Condition 2 of the permission granted detailed the waste materials which could be accepted at the plant. A Habitat's Regulation Assessment (HRA) was conducted at the time.

An application to vary condition 2 of the permission granted, was submitted on 10 November 2017, with the intention of including an additional waste product, that from whiskey distillation. In a consultation response, the Council was informed that, on the basis of information provided, it was not considered the proposal would have any adverse impact. However, the consultation response stated that the Council should undertake a HRA on Lough Foyle SAC (Special Area of Conservation)/ASSI (Area of Special Scientific Interest) to ensure compliance with the requirements of the Habitats Directive. No HRA was conducted and permission was granted on 13 February 2018.

My investigation found maladministration in record keeping with regard to the need or otherwise of a HRA being conducted concerning the application complained of and also concerning a subsequent review of the application. I also found maladministration in the Council's failure to provide a full explanation to the complainant in relation to an issue of complaint. I am satisfied that the maladministration identified caused the complainant to experience the injustice of frustration and uncertainty, as well as the time and trouble in pursuing his complaint to this office.

I recommended that, notwithstanding previous apologies to the complainant, the Council Chief Executive should apologise for the failings identified in accordance

with the NIPSO guidance on apology¹ and that Council Planning officers should be reminded of the need to make proper contemporaneous records of decisions made and of the reasons for those decisions. I referred the Council to the document *'Records Matter, a view from regulating and oversight bodies on the importance of good record keeping'* (The Public Services Ombudsman, the NI Audit Office and the Information Commissioner's Office, January 2020.)

¹ <https://nipso.org.uk/site/wp-content/uploads/2019/07/N14C-A4-NIPSO-Guidance-on-issuing-an-apology-July-2019.pdf>

THE COMPLAINT

1. I received a complaint concerning the actions of the Council regarding a planning matter. The complainant said that the Council had failed to carry out a HRA in relation to an application to vary a condition on a previously granted planning permission.

Background

2. Planning permission was initially granted on 11 March 2014 in respect of a proposed anaerobic digester and combined heat and power plant. Condition 2 of the permission granted detailed the waste materials which could be accepted at the plant. A HRA was conducted at the time.
3. An application to vary condition 2 was submitted on 10 November 2017, with the intention of including waste products from whiskey distillation. In a consultation response from NIEA dated 13 December 2017, it was stated that on the basis of information provided, it was not considered the proposal would have any adverse impact on the local environment. However, the consultation response also stated that the Council should undertake a HRA on Lough Foyle SAC/ASSI to ensure compliance with the requirements of the Habitats Directive. No HRA was conducted and permission was granted on 13 February 2018.
4. The complainant complained on behalf of a group he was a member of, regarding the failure to carry out a HRA. He submitted an email request to the Council on 23 April 2018 asking if a HRA was carried out. No response was received and on 12 June 2018 the complainant submitted a formal complaint and an Environmental Information Regulations request (EIR). On 10 July 2018 the Council confirmed that no HRA was conducted. On the basis of not receiving a response to his original question, the complainant made other EIR requests for information including an explanation why the HRA was not conducted. The complainant remained dissatisfied and contacted the Information Commissioners Office (ICO). The ICO wrote to the Council on 27 February 2019 informing it to provide requested information to the complainant or provide the ICO with an

explanation for not doing so. A Council response was issued to the complainant on 9 May 2019.

Issues of complaint

5. The issues of complaint accepted for investigation were
 - Whether the Council's consideration of the need for a HRA for the planning application approved on 13 February 2018, was appropriate and in accordance with relevant standards.
 - Whether the Council's investigation of the complaint in relation to the above matter, was appropriate and in accordance with relevant standards.

INVESTIGATION METHODOLOGY

6. In order to investigate this complaint, the Investigating Officer obtained from the Council all relevant documentation together with its comments on the issues raised by the complainant. This documentation included, among other things, copies of the relevant planning files and copies of the Council's responses to the complainant at each stage of its complaints process.

Relevant Standards and Guidance

7. In order to investigate complaints, I must establish a clear understanding of the standards, both of general application and those which are specific to the circumstances of the case. I also refer to relevant regulatory, professional and statutory guidance.
8. The general standards are the Ombudsman's Principles²:
 - The Principles of Good Administration
 - The Principles of Good Complaints Handling
 - The Public Services Ombudsmen Principles for Remedy

² These principles were established through the collective experience of the public services ombudsmen affiliated to the Ombudsman Association.

9. The specific standards and guidance referred to are those which applied at the time the events occurred. These governed the exercise of the administrative functions of those individuals whose actions are the subject of this complaint.
10. Among the specific standards and guidance relevant to this complaint which I have examined are:
- Derry City and Strabane District Council – A Guide to making comments, compliments and complaints
 - The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995
11. In investigating a complaint of maladministration, my role is concerned primarily with an examination of the administrative actions of the Council. It is not my role to question the merits of a discretionary decision taken unless that decision was attended by maladministration. I should also explain that while my authority extends to the investigation of the administrative actions of the Council, a complaint to me concerning planning matters does not constitute an appeal about the quality of planning decisions. Ultimately it may be for individuals to seek to challenge planning decisions in the courts. Furthermore, in conducting an investigation under my legislation, I refer to Section 30 (6) under the heading, investigative procedure, which states ‘the procedure for conducting an investigation is to be such as the Ombudsman considers appropriate in the circumstances of the case.’ Therefore, I alone determine the significance of the various elements in a complaint. Neither a complainant nor those complained of can have the final decision in relation to the specific questions which are to be addressed, the manner and extent of the investigation, or be involved in determining my conclusions.
12. I did not include all of the information obtained in the course of the investigation of this report but I am satisfied that I took into account everything that I consider to be relevant and important in reaching my findings.
13. A draft copy of this report was shared with the complainant and the Council for

comment on its factual accuracy and the reasonableness of the findings and recommendations. The Council had no comments to make. The complainant responded with detailed comments which I have considered.

THE INVESTIGATION

Habitat Regulations Assessment (HRA)

14. By way of explanation, European legislation requires member states to designate a series of Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) to protect areas supporting populations and habitats of importance within Europe. The network of European protected sites is widely referred to as the Natura 2000 Network. Any plan or project which could be considered to have a 'likely significant effect' on a Natura 2000 site requires a HRA.
15. A HRA is a formalised process of identifying and evaluating the impacts of proposed works upon designated sites protected by the Habitats and Birds Directives. These directives are transposed into law in Northern Ireland by the Conservation (Natural Habitats etc.) Regulations (Northern Ireland) 1995.
16. A 'competent authority' (usually a planning authority) can only agree to a proposal after having ascertained that it will not adversely affect the integrity of the site.

Issue 1 - Whether the Council's appropriately considered the need for a HRA prior to making a decision on the application.

Consultations received regarding this application

17. During the consultation process and before the application to vary a condition of the initial permission was approved, on 13 December 2017, the Northern Ireland Environmental Agency (NIEA) Natural Heritage, responded to the Council, stating that it was content with the development as proposed. It stated, under the heading 'Considerations', *'the application site is hydrologically connected and*

within 1km of Lough Foyle SPA/ASSI with a watercourse 25m from the southern boundary which are of international and national importance and are protected by the Conservation (Natural Habitats etc) Regulations (Northern Ireland) 1995 (as amended) and the Environmental (Northern Ireland) Order 2002.

18. *‘..... has considered the impacts of the proposal on the designated sites and on the basis of the information provided to date, (01.12.17) is content that the proposal will not have any adverse impact on the ASSI and N2K sites provided the proposal is carried out as described in the planning application. **However the competent authority, Derry City and Strabane District Council should undertake a Habitats Regulation assessment on Lough Foyle SAC/ASSI to ensure compliance of the Habitats Directive.*** (my emphasis). The consultation response further described how the existing Anaerobic Digester Plant was in operation for 2 years and that it had a waste license approval for processing animal faeces, urine, manure and other feedstock. It stated that the applicant wished to input distillers’ grain as additional feedstock. It did not consider this to be *‘of any significant ammonia risk to Lough Foyle SAC/ASSI’* nor was it likely that the proposal *‘will have any significant effect on the designated sites either directly or indirectly’*.
19. Other consultations were carried out with Environmental Health Service, DFI Roads and DAERA, all of which had no objections.

The Council’s response to investigation enquiries

20. The investigating officer directed enquiries to the Council. In response the Council explained that upon receipt of an application, Council planning officer’s pre-screen applications to consider if it is necessary to consult with SES (Shared Environmental Services), who could then provide specialist advice. If consultation with SES is considered to be required, a formal consultation is sent through the planning portal, with a statutory response time of 21 days. If officers are unsure at this pre-screening stage if consultation is required, an informal email is sent to SES staff and they advise whether to consult or not. The Council stated that this is an established practice/procedure from the transfer of the

planning function in April 2015.

21. In this particular case, the Council stated that professional staff dealing with this application were of the opinion that a HRA was not required in this instance. This was a request for a variation of a condition to include an additional waste code only, on an approval which had previously had a full HRA completed. Therefore, it was assumed that a HRA would not be a requirement at this pre-screening stage. However, the Council informed me, that no file record was provided to clarify this.
22. The Council stated that upon review by more senior officers it was concluded that HRA screening should have been carried out in this instance. As a result of this error, senior officers have formulated a HRA checklist to be completed and placed on file in order that professional opinion can be explained in such circumstances in the future.
23. In August 2018, following receipt of the complaint, the Council contacted SES seeking advice on whether a HRA would have been required in this particular case. The Council stated that it was informed by SES that the initial HRA on the original approval was comprehensive and that the additional feedstock was unlikely to have a significant effect on the designated sites.

Analysis and Findings

24. In my consideration of this complaint, I note that the complainant was not an objector to this application pre-approval, nor in his complaint has he sought to contend that the granting of this application has had a significant detrimental effect on the designated site either directly or indirectly. I also note that the complainant has not challenged the validity of the permission granted.
25. I note that during the course of responding to the complainant during its complaint's procedure, at both Stage 2 and 3, the Council acknowledged that a HRA had not been carried out with regard to this application. On 31 July 2018, at

Stage 2 of the complaint's procedure it stated *'In this case a HRA was not carried out'*. On 30 August 2018, at Stage 3, it informed the complainant that *'Council acknowledges that NIEA responded, recommending that Council should consider undertaking a HRA. Council accepts that this was not carried out. The Council response to the complainant went on to state that 'I can confirm that all officers connected with this application have been interviewed and been reminded of the need to check if it is necessary to carry out a HRA and to give an explanation of their decision in their case file checklist and report. Since this recent incident emerged, a new HRA checklist has been added to the procedures. Officers must now record separately that they have considered this and the rationale for carrying out, or not, a HRA. This must be cleared by a senior officer before proceeding to recommend a decision.'*

26. I note the comments of the Council to the complainant during the complaints process and the fact that procedures were changed following receipt of this complaint. A checklist was introduced regarding the completion of HRA's to evidence the rationale of decisions taken and which now needs to be signed off by a senior officer. Officers were also reminded of the need to ensure appropriate records are kept. I welcome this fact and am satisfied that learning has been gained by the Council. Action has been taken to hopefully reduce the potential of a similar situation arising in the future. I consider that the action of the Council following on from receipt of this complaint complies with the sixth Principle of Good Administration: Seeking continuous improvement, by reviewing policies and procedures regularly to ensure they are effective and ensuring that the public body learns lessons from complaints and uses these to improve services and performance.
27. Having said that, I am concerned to note the lack of reference to the need or otherwise for a HRA during the course of the processing of this specific application.
28. The Development Management Officers (DMO) Report of 8 February 2018 gives details of the proposal, including the characteristics of the site, the material considerations taken into account, planning history, consultee responses and

objections made, together with a summary of recommendations. The DMO Report concluded that the proposal met policy requirements and recommended approval. I note that within this DMO Report reference is made to the NIEA consultation response requesting a HRA. The report states that NIEA have no concerns in relation to natural heritage and provides standard informatives. No reference is made to the recommendation of NIEA, as referred to in paragraph 18 of this report, that a HRA be undertaken '*on Lough Foyle SAC/ASSI to ensure compliance of the Habitats Directive*'. Furthermore, there is no record on the file of any consideration having been given to the possibility of a HRA being carried out within any of the Council's documentation. Nor is there any record of an informal email being sent to SES staff asking for advice. I also note that this position was signed off by a more senior officer who countersigned the DMO Report on 8 February 2018.

29. It is therefore the case that no documentation exists to evidence that contemporaneous consideration was given to whether or not a HRA should have been carried out in respect of this application, or even that advice should be sought from SES. I refer to the third Principle of Good Administration: which requires public bodies to be 'open and accountable' in providing honest, evidence-based explanations and giving reasons for its decisions and keeping full and accurate records. This principle underscores the need for records of decisions to be created and maintained by a public body. This is a key principle of good administration. To comply with this principle adequate and contemporaneous records must be retained of matters considered by the public body, decisions made and the reasons for the decisions including the weight given to relevant factors. Without such records being maintained it is impossible for public bodies to defend its actions and the decisions it makes when challenged. It can also have the effect of diminishing the public's confidence that decisions made are not arbitrary and outside of due process.
30. I am satisfied that this identified failure amounts to maladministration. As a consequence, I consider the complainant suffered the injustice of frustration and uncertainty. While I identified maladministration in relation to this issue of complaint, I did not identify any grounds on which I could question the merits of

the discretionary decision by the Council in deciding to approve the application on 13 February 2018. I cannot conclude with any reasonable certainty that a different decision on the application would have resulted following HRA screening. Nevertheless, I do consider that the complainant has sustained an injustice as a result of the Council's failings. The injustice is not as a result of the decision to grant planning permission but because of the doubt it created within the process.

31. In considering the question of remedy I took into account the Principles of Remedy³ cited above. I deal with the appropriate remedy in the conclusion of this report.

32. The Council informed me that following receipt of this complaint and upon review by more senior officers it was concluded that HRA screening should have been carried out in this instance. It was for this reason that the HRA checklist process was formulated. However, when asked to provide evidence of this review, how and when it was conducted and its conclusions, the Council was unable to do so. I was informed that the review of the file by more senior officers *'resulted in the conclusion that a HRA should have been carried outthe addition of, and introduction of the checklist is the evidence that the review was carried out and actioned.'* I also note that the process followed by the council requires that the DMO report is signed off by a more senior officer. Where such steps are put in place it is important that they enhance confidence in the process followed in making a recommendation on a planning application. In this case the check by the more senior officer does not appear to have identified that the HRA as recommended by NIEA was not conducted. This should be a matter of concern to the council.

33. The fact that the Council did not document its own internal review of a failure to document the consideration or reasoning behind not conducting a HRA is a further matter of concern to me. If as stated by the Council, the results of this review concluded that HRA screening should have been conducted and that in this instance the failure to do so or to provide contemporaneous evidence of

³ See Appendix two

decision making was serious enough to necessitate the introduction of a new checklist system, I would have expected the genesis of this new system to be documented alongside contemporaneous documentation to evidence that a review took place. Instead the Council seek to rely on an ipso facto justification that one event is a consequence of another without documentation to evidence the sequence of events.

34. I again refer to the third Principle of Good Administration: which requires public bodies to be 'open and accountable' in providing honest, evidence-based explanations and giving reasons for its decisions and keeping full and accurate records. I am satisfied that the identified failure of not recording how a review of the application in question was conducted and of the review's conclusions, amounts to maladministration. As a consequence, I consider the complainant has suffered the injustice of frustration and uncertainty.
35. In considering the question of remedy I took account of the Principles of Remedy⁴ cited above. I deal with the appropriate remedy in the conclusion of this report.

Issue 2 - Whether the Council dealt with the complaint relating to the application appropriately and in accordance with its procedures.

Analysis and Findings

36. Part of the complaint made to the Council was dissatisfaction with the response to the complainant's request for a 'clear' explanation as to why a HRA was not conducted with regard to this application. I note that the Council, on 31 July 2018 and 30 August 2018, did confirm to the complainant that a HRA had not been carried out, however an explanation as to why it had not been carried out was not provided. While it is not for me to question the merits of this decision, I consider the reason given to me subsequently by the Council as to 'why' HRA screening did not take place to be one they could have been provided to the complainant to assist his understanding. I was informed that the professional

⁴ See Appendix two

staff dealing with this application were of the opinion that a HRA was not required in this instance as the application solely concerned a variation on an approval which had previously had a full HRA completed. Therefore, it was assumed that a HRA would not be a requirement at the pre-screening stage. However, this was not an explanation given to the complainant. The fact that such an explanation was not provided reinforces the findings of maladministration identified in this report as it demonstrates the difficulty public bodies have in justifying themselves or even providing simple explanations when challenged, as documentary evidence to show the decision making process does not exist. In such circumstances a public body should not avoid providing a full explanation to a complainant of its actions and the assumptions which it made, particularly regarding an issue which had been subject to an internal review and the most plausible explanation determined.

37. I refer to the third Principle of Good Complaints Handling: Being open and accountable, providing honest, evidence-based explanations and giving reasons for decisions. I am satisfied that the Council's actions in failing to provide the complainant with an answer to his question as to 'why' is contrary to this principle and that the failure amounts to maladministration. As a consequence, I consider the complainant suffered the injustice of frustration and uncertainty.

38. In considering the question of remedy I took account of the Principles of Remedy⁵ cited above. I deal with the appropriate remedy in the conclusion of this report.

39. The complainant said that the Council sought to withhold information from him. This was in relation to the release of documentation relating to internal Council correspondence and which he had requested to be provided under the Environmental Information Regulations (EIR) 2004. I do not propose to make a finding on this issue as I consider the decision on whether certain information falls to be disclosed is best dealt with by the ICO. The complainant was correctly signposted to the Information Commissioner by the Council regarding this and I note that he made a complaint to that office. I further note that he subsequently

⁵ See Appendix two

received the documents requested. Generally, I expect public bodies to be open and to provide information when requested, unless there is a strong and valid reason for not doing so. In this case, given the subsequent provision of the information requested it does appear that this was not the case in this instance. I would remind the Council that a lack of openness can undermine trust, particularly in matters relating to planning and to the environment where openness is key to the integrity of the process.

CONCLUSION

40. I have investigated this complaint and have found maladministration in relation to the following matters:
- (i) The Council's record keeping with regard to the need or otherwise of a HRA being conducted concerning the application complained of.
 - (ii) The Council's record keeping with regard to a subsequent review of the application
 - (iii) The Council's failure to provide an explanation to the complainant

I am satisfied that the maladministration I identified caused the complainant to experience the injustice of frustration and uncertainty.

Recommendations for Remedy

41. Having considered the nature and extent of the injustice sustained by the complainant in consequence of the maladministration identified in this report, I recommend the following remedies:
- Notwithstanding previous apologies offered to the complainant, the Chief Executive of the Council should apologise for the failings identified in this report in accordance with the NIPSO guidance on apology. I recommend that the Council provide the apology to the complainant within one month from the date of the final report.
 - In order to improve the Council's delivery of its service, I also recommend that within three months from the date of this report:

Planning Officers should be reminded of the need to make proper contemporaneous records of decisions taken and the reasoning for those decisions. I would refer the Council to the document I referred the Council to the document '*Records Matter, a view from regulating and oversight bodies on the importance of good record keeping*' (The Public Services Ombudsman, the NI Audit Office and the Information Commissioner's Office, January 2020.)

A handwritten signature in cursive script that reads "Margaret Kelly". The signature is written in black ink on a white background.

**MARGARET KELLY
OMBUDSMAN**

February 2021

PRINCIPLES OF GOOD ADMINISTRATION

Good administration by public service providers means:

1. Getting it right

- Acting in accordance with the law and with regard for the rights of those concerned.
- Acting in accordance with the public body's policy and guidance (published or internal).
- Taking proper account of established good practice.
- Providing effective services, using appropriately trained and competent staff.
- Taking reasonable decisions, based on all relevant considerations.

2. Being customer focused

- Ensuring people can access services easily.
- Informing customers what they can expect and what the public body expects of them.
- Keeping to its commitments, including any published service standards.
- Dealing with people helpfully, promptly and sensitively, bearing in mind their individual circumstances
- Responding to customers' needs flexibly, including, where appropriate, co-ordinating a response with other service providers.

3. Being open and accountable

- Being open and clear about policies and procedures and ensuring that information, and any advice provided, is clear, accurate and complete.
- Stating its criteria for decision making and giving reasons for decisions
- Handling information properly and appropriately.
- Keeping proper and appropriate records.
- Taking responsibility for its actions.

4. Acting fairly and proportionately

- Treating people impartially, with respect and courtesy.
- Treating people without unlawful discrimination or prejudice, and ensuring no conflict of interests.

- Dealing with people and issues objectively and consistently.
- Ensuring that decisions and actions are proportionate, appropriate and fair.

5. Putting things right

- Acknowledging mistakes and apologising where appropriate.
- Putting mistakes right quickly and effectively.
- Providing clear and timely information on how and when to appeal or complain.
- Operating an effective complaints procedure, which includes offering a fair and appropriate remedy when a complaint is upheld.

6. Seeking continuous improvement

- Reviewing policies and procedures regularly to ensure they are effective.
- Asking for feedback and using it to improve services and performance.
- Ensuring that the public body learns lessons from complaints and uses these to improve services and performance.

PRINCIPLES OF GOOD COMPLAINT HANDLING

Good complaint handling by public bodies means:

Getting it right

- Acting in accordance with the law and relevant guidance, and with regard for the rights of those concerned.
- Ensuring that those at the top of the public body provide leadership to support good complaint management and develop an organisational culture that values complaints.
- Having clear governance arrangements, which set out roles and responsibilities, and ensure lessons are learnt from complaints.
- Including complaint management as an integral part of service design.
- Ensuring that staff are equipped and empowered to act decisively to resolve complaints.
- Focusing on the outcomes for the complainant and the public body.
- Signposting to the next stage of the complaints procedure, in the right way and at the right time.

Being Customer focused

- Having clear and simple procedures.
- Ensuring that complainants can easily access the service dealing with complaints, and informing them about advice and advocacy services where appropriate.
- Dealing with complainants promptly and sensitively, bearing in mind their individual circumstances.
- Listening to complainants to understand the complaint and the outcome they are seeking.
- Responding flexibly, including co-ordinating responses with any other bodies involved in the same complaint, where appropriate.

Being open and accountable

- Publishing clear, accurate and complete information about how to complain, and how and when to take complaints further.
- Publishing service standards for handling complaints.

- Providing honest, evidence-based explanations and giving reasons for decisions.
- Keeping full and accurate records.

Acting fairly and proportionately

- Treating the complainant impartially, and without unlawful discrimination or prejudice.
- Ensuring that complaints are investigated thoroughly and fairly to establish the facts of the case.
- Ensuring that decisions are proportionate, appropriate and fair.
- Ensuring that complaints are reviewed by someone not involved in the events leading to the complaint.
- Acting fairly towards staff complained about as well as towards complainants.

Putting things right

- Acknowledging mistakes and apologising where appropriate.
- Providing prompt, appropriate and proportionate remedies.
- Considering all the relevant factors of the case when offering remedies.
- Taking account of any injustice or hardship that results from pursuing the complaint as well as from the original dispute.

Seeking continuous improvement

- Using all feedback and the lessons learnt from complaints to improve service design and delivery.
- Having systems in place to record, analyse and report on the learning from complaints.
- Regularly reviewing the lessons to be learnt from complaints.
- Where appropriate, telling the complainant about the lessons learnt and changes made to services, guidance or policy.