

Question 6:

If you have any further comments on these proposals, or any other suggestions or comments about NIPSO's SOP, MCHP and/or approach for implementing complaints standards and ensuring compliance with them, please provide details below.

HEALTH SECTOR

Organisation name	Response
Northern Ireland Ambulance Service Trust (NIAST)	No further comments
Southern Health & Social Care Trust (SHSCT)	<p>Questionnaire submission – No response to question</p> <p>Email submission – The Trust welcomes the opportunity for public bodies to work in partnership and with a more consistent approach to complaints handling in Northern Ireland.</p> <ul style="list-style-type: none"> • Networks In relation to creating networks within sectors, SHSCT would be grateful if you would clarify if the network for the Health and Social Care sector would include DOH and HSCB. • Training and Best Practice SHSCT acknowledges that the Complaints Standards Team intends to develop a range of training for public bodies to support senior managers, complaints managers and frontline staff to manage complaints effectively and that you aim to make sure training is available in a range of formats to include face to face, online learning and self-directed learning.

	SHSCT would be grateful if NIPSO would consider Customer Service training to specifically include engagement with complainants who are using the complaints process inappropriately, complaint investigation training and a broad spectrum eLearning package to cover all aspects of complaints handling. We would also be grateful if consideration be given to defining best practice within training modules, showing how it applies across health and social care.
Northern Health & Social Care Trust (NHSCT)	<p>I think we need to acknowledge instances where there may be agreement with the complainant that the complaint is now investigated under the SAI process.</p> <ul style="list-style-type: none"> • A Complaints Standards Team would be supportive and enhance understanding in both organisations. Agree simplification and standardisation where appropriate would be useful. • Training and best practice – would need to ensure is in accordance with training already in place. • Declaration of non-compliance – we need to be clear the thresholds for this to apply and what this means for the organisation and time frames for compliance, need to be clear as to what aspects are thought to be non-compliant. Often delays in complaint responses can be down to a number of factors such as complexity engagement with families for example. • I am of the view that early conversations with the ombudsman would be really helpful to clarify issues and that doing so may allow earlier resolution of the complaint. • In certain areas we have found that the understanding of the investigator regards processes for example UNOCINI and that earlier referral to an independent advisor may allow earlier resolution of the complaint. • Communication with the Trust from the Ombudsman needs to be better as we can be ‘in the dark’ for months as to the progress of the case.
Health & Social Care Board (HSCB)	<p>The consultation document outlines how the NIPSO intends to take forward the approach to developing and bringing in the proposed changes as outlined within the documentation.</p> <p>The HSCB would suggest that there is a need for clarity of roles and responsibilities within the Model Complaints Procedure. Currently the HSCB has a clear role in terms of providing advice and support to FPS Practices in terms of the resolution of complaints. At times, given the monitoring arrangements that are in place between the HSCB and HSC Trusts, the HSC Trusts will seek advice in terms of</p>

	<p>suggested techniques for resolution, including the use of independent experts and independent laypersons. The suggested approach in the consultation documentation advises that a NIPSO Complaints Standards Team will be established which will as part of its role provide advice and guidance on good complaints handling.</p> <p>In addition the documentation refers to the team 'monitoring' practice and identifying trends in complaints handling. It is important to point out that the HSCB has a role in the oversight and monitoring of HSC Complaints. The need therefore for clarity and to ensure that there is no duplication or cause for confusion would be important.</p>
NHS	No
Woodbrooke Medical Practice	<p>As a partner of a public body providing GP services, I understand that complaints are a useful tool for feedback and learning on the care that we provide to our patients and service users. My surgery upholds an open and honest culture regarding complaints and I agree that a simplified, standardised complaint system across the public sector will make it easier for people to raise complaints.</p> <p>I am however concerned that while the proposed changes will allow this, they may also over complicate the current procedure making it a cumbersome process, particularly for stage 1 (previously informal) complaints which may then escalate, when they could have been easily resolved through prompt and proportionate handling. Further comments on the consultation are noted below.</p>
HSC Trust Complaints Forum	<p>1) The draft model states the Trust is to tell the complainant whether the complaint is 'resolved'. We do not understand how the Trust can tell the complainant this as it is the complainants decision if they feel it is resolved, whether the Trust feels it is or not. The Trust can and indeed does, inform the complainant when the Trust considers the complaints procedure has been exhausted.</p> <p>2) The draft model states the Trust is to tell the complainant whether the complaint is 'upheld, partially upheld or not upheld'. Trusts have felt that this is not helpful or conducive to working with complainants to resolve or agree a closure for their complaint. If we then stated re each complaint whether we upheld it or not, this would undo the work done to resolve/agree closure where there are</p>

	<p>differences of opinion.</p> <p>3) Para 35 states 'the complainant must escalate the complaint within 6 months of when they knew of the problem or within 2 months of Stage 1 response'. If they are unhappy with Stage 1, we would prefer that they came to the Trust as soon as possible and within one month.</p> <p>4) Para 41 states: 'where the points of complaint and expected outcomes are clear these must be set out in the acknowledgement and ask the complainant to get in touch immediately if they disagree'. We do not understand the rationale for this. If the complaint is clear and expected outcome clear, why would we need to reiterate their complaint in an acknowledgement letter and ask them to reconfirm. This seems an unnecessary time consuming step, and frustrating for the complainant who has very clearly written their complaint. Also, would we then need to hold off issuing the papers for investigation to the manager until this is clarified. We do accept that when the issues are not clear, it is appropriate that we go back to the complainant and seek clarity. In some more complex complaints, some investigating managers contact the complainant directly to understand their complaint and what their expected outcome is. this is good practice and usually leads to a better relationship with the Trust during the investigation. However, we do not feel it is appropriate to hold up the acknowledgement letter from the Complaints Department when the issues are clear. In the 'Information about NIPSO' box it that if you are dissatisfied with the Trust final response, you can ask NIPSO 'if it is less than 6months after you became aware of the matter you want to complain about'. Has this been a misprint the draft model previously stated this was the limit to contact the Trust to make a complaint. What we advise the person at present is that if they remain dissatisfied they must approach NIPSO within 6 months of the Trust final response.</p> <p>6) Signposting to NIPSO / post closure contact. Trust already has wording agreed with NIPSO to enable the person to come to the Trust for clarity and only signpost to NIPSO when the Trust considers the complaints process exhausted. Any complaints procedure in Health and Social Care needs to be flexible to allow for complainants to come back to the Trust if unhappy to get clarity / meeting to give more detail etc. Around 15-20% of complainants will come back to the Trust with the majority of these resolved. Less than 1% ever progress to the Ombudsman.</p>
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Patient Client Council (PCC)	We welcome the opportunity to comment on NIPSO's Complaints Handling Standards and the proposed model to help standardise complaints handling in the public sector.
General Medical Council (GMC)	<p>Investigations and complaint procedures can be extremely stressful for both the staff and families involved. This can be compounded by factors such as being excluded from the process, not receiving information about the process that is being followed and not having advice about their rights.</p> <p>We welcome a requirement to involve and support families and staff as much as possible. Our patient charter places an emphasis on improving our understanding the experiences of patients, relatives, and carers to make our interactions with all those we work with better.</p>
Medical Protection Society (MPS)	MPS believes that it is not clear how the MCHP would sit alongside the existing HSC Complaints Procedure and relevant legislation (for example, in relation to the requirement that rests upon family practitioner services to provide a full response within 10 days). We submit that there is potential for confusion as to which Procedure will be authoritative. In relation to the "Information about NIPSO" at paragraph 69 of the draft MCHP, we submit that the third bullet point ("the matter has not been (and is not being) considered in court") should be removed from the recommended wording because the operation of Section 21 of the Public Services Ombudsman Act (Northern Ireland) 2016 is a matter for the Ombudsman to consider, and not for listed authorities to comment upon in communications with complainants.
Care Home Advice and Support NI (CHASNI)	No response to question

EDUCATION SECTOR

Organisation name	Response
Spires Integrated Primary School	No response to question
Belfast Metropolitan College	No response to question
Northern Regional College	No response to question
South West College	N/A
Council for Catholic Maintained Schools (CCMS)	No response to question
Council for Curriculum, Examinations and Assessment (CCEA)	<p>CCEA welcomes the addition of sector complaints networks and the opportunity to collaborate, benchmark and identify opportunities of best practice that CCEA can then use with regards the provision of information on complaints to service users and also with regards the handling of complaints. CCEA has been involved in networks which were set up for the Customer Service Excellence standard and has found value in engaging with others across the public sector.</p> <p>CCEA also welcomes the training opportunities on complaints handling being considered by NIPSO for those working in the public sector.</p>
Northern Ireland Council for Integrated Education (NICIE)	<p>In general there is a need for more clarity in the language and definitions. What is a complaint, how many outcomes are there: resolved, unresolved, closed, referred to the ombudsman etc. more clarity is needed.</p> <p>Is there a need to safeguard staff in this procedure or elsewhere which enables them to not take abusive calls, etc. or deal with abusive complainants?</p> <p>Some complainants may have had injunctions against them for their behaviour, there should be a way to protect staff from this type of behaviour. Vexatious complaints can be another problem. Is there a duty to complain in a reasonable manner??</p>

<p>Education Authority (EA) Corporate Complaints Service</p>	<p>The EA welcome engagement with the NIPSO regarding their complaints standards work and look forward to working with them. It is felt that there is a need for support regarding the changes and the below would be extremely beneficial and helpful:</p> <ol style="list-style-type: none"> 1. Training courses and conferences for public sector organisations regarding complaints handling and 2. The introduction of a complaints handler network within Northern Ireland which would help support the development and sharing of best practice and provide and a forum for benchmarking complaint performance. In addition it would allow for the sharing of expertise and discussions/advice on relevant complaints matters and experiences and challenges faced by other public sectors regarding the introduction of the Statement of Principles and the MCHP. 3. We would welcome more detail on the proposed monitoring of compliance with the new standards. <ul style="list-style-type: none"> • How would monitoring take place – what would the process look like? • How often would monitoring happen – annually / quarterly? • Who would be responsible for undertaking the monitoring? • Will a monitoring report issue? • Will there be a set of guidelines? • What is a ‘declaration of non-compliance’? <p>Finally, the EA continue to receive challenging and unreasonable behaviours from many members of the public. Unreasonable complaints are time consuming, they can be extremely stressful and upsetting for staff and can take up valuable resources and staff time. The feedback from Mandatory Complaints Handling Training this year suggests that staff require further support and guidance in dealing with challenging behaviours. Accordingly, the EA propose that when engaging with the NIPSO on the complaints standard work that the Unreasonable Complaints Policy is also reviewed and amended (if deemed necessary) in line with NIPSO recommendations and best practice.</p>
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<p>Education Authority (EA) School Development Service</p>	<p><u>Stakeholder and Partnership Working</u></p> <p>EA welcomes the establishment of a Complaints Standards Team; this will enable advice and guidance to be given without the shadow of involvement in the actual complaints work.</p> <p><u>Networks</u></p> <p>The creation of formal complaints handling networks will reflect and build upon the good practice we have already established and we would welcome this. When developing and implementing the 'Model School Complaints Procedure', we worked closely with our education partners including: CCMS / CnaG / CSSC / GBA / NICIE. Consistency is essential to the customer experience, regardless of school sector.</p> <p><u>Training and Best Practice</u></p> <p>EA has devised and facilitated Principal and Board of Governor training sessions to promote good practice in complaints handling. NIPSO officers have worked in association with EA to facilitate a number of these sessions.</p> <p>EA has created a range of resources and templates to support schools and governors in complaints handling procedures. These are widely available on the EA website. A detailed guide to implementation of the Model School Complaints Procedure has been produced to further support schools.</p> <p>We welcome the NIPSO commitment to developing training packages and support materials. This will be invaluable.</p> <p><u>Compliance</u></p> <p>We would welcome more detail on the proposed monitoring of compliance with the new standards.</p> <ul style="list-style-type: none"> • How would monitoring take place – what would a school's involvement in the process look like? • How often would monitoring happen – annually / termly? • Who would be responsible for undertaking the monitoring? • Will a monitoring report issue? • Will there be a set of guidelines? • What is a 'declaration of non-compliance'? <p><u>MCHP</u></p>
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	We have annotated the model procedure with relevant comments. We have included a copy for reference.
National Association for Head Teachers Northern Ireland (NAHTNI)	<p>Upon consideration of all the above, NAHT contends that the current proposal from NIPSO is not appropriate for the school context and must be amended. An education specific advisory complaints procedure should be instated. This must not be statutory so that schools have the flexibility of applying the most suitable process for their setting with an emphasis on what will work best for whole school community relationships.</p> <p>This procedure should be consulted upon, overseen and administered by the Department of Education and only upon its exhaustion should complaints be escalated to NIPSO. There should be clear guidance around what type of complaints should be escalated to NIPSO and what the parameters for such complaints would be.</p>
NI Teachers Collaborate	No response to question
South Eastern Regional College	No response to question

HOUSING SECTOR

Organisation name	Response
Co-Ownership Housing Association	No response to question
Clanmil Housing Association	No response to question
Choice Housing Association	No response to question
Ark Housing Association	Training is an essential element to the implementation of the new processes and specific training on how to undertake a complaint investigation and NIPSO's expectations of how complaints should be undertaken would be beneficial at both stage 1 and stage.
Northern Ireland Housing Executive (NIHE)	In general the Housing Executive is of the view that any complaints handling model should avoid being overly prescriptive, but rather set out principles and an approach which is designed to contribute towards standardisation but allowing some flexibility for organisations to reflect specific customer approach and needs. Any model should only be prescriptive when there is no option or a real customer need for things to be completed in a specific manner. As the English Housing Ombudsman states in their own complaints handling code 'While member landlords must comply with some elements of the Code, the Ombudsman recognises that each landlord will need to adapt its complaints policy and processes to meet the needs of its residents. Consequently, there are some areas where a landlord can use its discretion. The Code seeks to be prescriptive only where the Ombudsman believes clear and consistent practice by all landlords is essential'. The Housing Executive view is that standardisation will only benefit customers where all organisations are in a realistic position to comply. Where this is not the case it is more likely to increase customer frustration where organisations cannot adhere to the standards, for good reason(s). As part of this NIPSO may wish to consider an approach whereby it considers or approves submitted complaints handling models from organisations, rather than insistence on adherence to a very prescriptive model. Any organisation would have to justify any deviation from principles or general approach in the context of customer service within their organisation or business. Key to all of this would be customer information and expectation. Customers

	<p>should be told and be freely able to access easy to understand information about an organisation's complaints handling process so they know exactly what to expect from the process and how it will work. Regular contact throughout the lifetime of the complaint should reinforce this. This is more important than a rigid standardisation of approach across different sectors or organisations as customers may only ever have need to complain to one organisation. In terms of ensuring compliance the Housing Executive note the intention to create a compliance team within NIPSO. We would welcome the best practice and support elements of this team in seeking to help organisations improve complaints handling throughout the public sector. In terms of ensuring compliance it would be helpful to have a much detail on the role, functions and likely activity (levels) of this team as it is difficult to comment on this approach without more specific details of what it may look like. It would also be helpful to have more detail on the nature, approach to and consequences of non-compliance declarations.</p>
Northern Ireland Federation of Housing Associations (NIFHA)	<p>Training in the implementation of the new processes is essential and specific training on how to undertake a complaint investigation and NIPSO's expectations would be beneficial for stage 1 and stage 2 complaints.</p> <p>SUGGESTION</p> <p>MODEL OF GOOD PRACTICE</p> <p>There is the potential to lose good practice models- for example the Housing Association who has a process that includes an independent panel consisting of tenant representatives in their current Stage 2 Complaint process. This provides a vehicle for the Association to hear their 'customer's voice' and to feed into their continuous journey of improvement and learning together.</p> <p>REMEDIES</p> <p>Guidance would be welcomed on complaints policy or procedure to offering remedies to complainants when their complaints are upheld. This would be helpful for investigating officers.</p> <p>SIGNPOSTING TO NIPSO</p> <p>With regard to the proposed wording of the referral to NIPSO to be included at the end of the Stage 2 complaint response letter, we suggest the wording is reduced in length considerably.</p>

LOCAL GOVERNMENT SECTOR

Organisation name	Response
Ards & North Down Borough Council	In order for the 2 stage approach to work all staff need to have full training on handling a complaint and getting it right first time, and there should be a mandatory training that takes place annually to make sure that they are compliant in this area and have the confidence to be able to handle from day of receipt. MCHP for the Councils in Northern Ireland should be the same to keep us aligned as we would have the same specialist areas we serve.
Causeway Coast & Glens Borough Council	Will NIPSO provide training or include in model CHP guidance on dealing with vexatious complaints or provide guidance on an Unacceptable Actions policy?
Lisburn & Castlereagh City Council	Nothing to add
Newry, Mourne & Down District Council	We would welcome that NIPSO, as the complaints regulator is to develop training support for public sector bodies on implementing complaints standards and ensuring compliance with them. Council also welcomes the proposal, to be implemented by The Complaints Standards Team, to develop a range of training for public bodies to support senior managers, complaints managers and front-line staff to manage complaints effectively. We would be keen to work with NIPSO to identify suitable areas for training and access to training support.
Fermanagh & Omagh District Council	No response to question
Mid & East Antrim Borough Council	Additional support and training from NIPSO would be very beneficial in driving real change. Officers are always keen to do the right thing but more effective dispute resolution requires skill sets not always fully developed in all areas of the business. The proposed system is going to require officers to have more dialogue with complainants than at present. There has been a preference to deal in writing with

	complainants to avoid telephone discussions being misrepresented the new model is recommending more person to person dialogue. In order for this to be successful staff will need relevant training / coaching to develop fully in these areas. The draft Model Complaint Handling Procedure contains no mention of vexatious complaints. Additional guidance in this area would be welcome. A small number of regular and persistent complainants occupy a disproportionate amount of officers' time. The drain on resources is usually disproportionate to the seriousness of the complaints in question. Therefore, clear guidance on what defines vexatious complaints and serial complainants is required.
Belfast City Council	Belfast City Council welcomes the opportunity to respond to the consultation and looks forward to working with NIPSO and other councils in the co-design and implementation of the complaints handling standards for the Northern Ireland public sector.
Antrim & Newtownabbey Borough Council	We have no further comments or suggestions to make on NIPSO SOP, MCHP and/or approach for implementing complaints standards and ensuring compliance.
Mid Ulster Council	We look forward to working with NIPSO in the roll out of the local government model complaints handling procedure and embedding the standards and principles across Council.
Northern Ireland Local Government Officer's Superannuation Committee (NILGOSC)	No response to question

CENTRAL GOVERNMENT SECTOR

Organisation name	Response
Department of Education	The Department of Education (DE) is committed to the highest standards of service provision to complainants against its services and those of its Arms Length Bodies. As such I am supportive of the establishment of a set of guiding principles within which we, and the wider public sector, will operate. DE's current Complaints Policy is broadly consistent with the model complaints handling procedure on which NIPSO is consulting, with only minor variations from this that we will reflect upon following any published model. I agree, however, that the introduction of a consistent approach to considering and responding to complaints across the public service in Northern Ireland will be a positive development in terms of service provision, and will also provide a defined framework within which NIPSO is able to hold the public service to account.
Department for Communities	No response to question
Department of Justice	No response to question
Department of Health	No response to question
Department for the Economy	We welcome the proposed consistency across the NI public sector while recognising that there are likely to be a range of flexibilities required. We also welcome the concept of partnership working and the proposed creation of a Complaints Standards Team, and the importance given to appropriate training. We note that the proposed 2 stage process may result in an increase in the number of complaints subsequently referred to NIPSO, and if so that the amount of information then sought by NIPSO from the Department may also increase.
Labour Relations Agency (LRA)	The Labour Relations Agency welcomes these proposals on creating complaints handling standards for the Northern Ireland public sector. The principles and procedures are comprehensive and clear.

Land & Property Services (LPS)	None
Northern Ireland Audit Office (NIAO)	<p>1. Status of MCHP advice from the consultation paper, it is unclear if the MCHP must be reviewed and approved by NIPSO, or if it is on an advisory capacity. NIAO would have concerns that the independence of the C&AG, as a corporate sole, is being impinged upon, if he is being compelled by another entity, which he also audits, to conduct this aspect of his business in a certain fashion. We would nevertheless be open to all advice in the development and application of our MCHP, given NIPSO expertise in this area. 2. Appendix 1 - para 11 we note on appendix 1, para 11 that you have stated that 'If the extended timeframe at stage 1 cannot be met, the complaint should be escalated to stage 2. The maximum timeframe allowed for a stage 1 response is ten working days'. Given the nature of our complaints and the nature of our work, this may not be achievable. 3. Commentary/guidance on time limits post which complaint submission cannot be accepted. NIAO would suggest that NIPSO provides further guidance around time limits beyond which the complaint may not be accepted.</p>
Libraries Northern Ireland	<p>Libraries NI welcomes and agrees with the proposed draft Model Complaints Handling Procedures and believes that a robust clearly defined process, taking account of sector specific needs will provide a strong foundation for complaints handling going forward.</p> <p>We note one area which does not appear to be addressed that of abusive, persistent/repetitive and/or vexatious complaints and would suggest that consideration should be given to including guidelines within the MCHPs on how complaints of this nature should be defined and responded to. Whilst such complaints may be rare and as a public body we believe that we should make all reasonable attempts to address issues raised, sometimes a point comes where a line has to be drawn in order to close off an issue, guidelines around when and how would be helpful.</p> <p>Libraries NI welcomes the collaborative nature of the proposed rollout of the SOP and MCHPs and would be willing to participate in or contribute to any relevant complaints handling network or collaborate with the proposed Complaints Standards Team as may be appropriate.</p>

Probation Board for Northern Ireland	Nothing further.
Consumer Council NI	At the end of the process it might be useful to send a customer feedback form to obtain comments and feedback on the complaints process and if any element could be improved. This would be useful from a learning and development perspective, as well as helping the organisation gain insight into the customer journey which would help with future complaints process reviews.
National Museums NI	<p>I am pleased to advise that NMNI's CHP is in parallel to that which is proposed in your MCHP. We have a defined two stage process and our time frames are exactly as you have proposed for both first stage and second stage (First response & Investigation). We will look to incorporate section 9 into our SOP for handling complaints and include these 4 questions into our own processes as they will be helpful for our teams in clearly addressing the steps/questions they should be asking whenever they receive a complaint.</p> <p>All in all I am pleased to see such robust and clear direction in how those delivering Public Services should address a complaint and I am delighted to advise that NMNI's current complaints policy and the procedure our teams use to address any complaints are in line with that of your Draft MCHP.</p>
Charity Commission for Northern Ireland (CCNI)	This consultation and what it proposes are extremely welcome and small bodies will benefit from a standardised approach. The proposed Complaints Standards Team which could provide training, advice and guidance is also extremely welcome, as are the proposed networks. It would be helpful for NIPSO to consider the resources required to deal with complaints in a small organisation which wants to understand dissatisfaction and learn from experience, but is limited by resources. It would be helpful for NIPSO to provide guidance on managing unreasonable complainant conduct.

OTHER

Organisation name	Response
Scottish Public Services Ombudsman (SPSO)	No response to question
Information Commissioner's Office (ICO)	As indicated, we are supportive of the Statement of Principals contained within the consultation document and see many complementarities with our work. We would welcome the opportunity to discuss this further with you.
Alliance Party for Northern Ireland	N/A