



Information Asset Owner: Director of Legal and Governance

Page : 1 of 9

Procedure Note: **Compliments, Concerns and Complaints**

Appendix C

To:	Document Summary:
All staff	This procedure describes Buckinghamshire Fire and Rescue Service (BFRS) approach to addressing compliments concerns and complaints.
Please note that as Documents are frequently updated, if you print a document, its accuracy cannot be guaranteed, always check for latest version.	

1. Changes since to previous version

- Issue 4.0 February 2015
- Name changed from compliments, complaints, concerns and and Suggestions.
 - Reference to handling personal information and protective marking included.
 - Notifying the Information Governance and Compliance Manager when a concern or complaint is raised
 - Use of "Statements of Complaint" and "Decision Statements" added.
 - Appendix A added – decision notice based on guidance from the Local Government Ombudsman.

2. Purpose

- 2.1 This procedure has been written in accordance with best practice advice from the Local Government Ombudsman (LGO) to assist employees to identify when a complaint is being made and to deal with concerns and complaints fairly.
- 2.2 Compliments handling is also included in this document to ensure that we consider if lessons can be learned from these that can contribute to improvements to the quality of our service.

3. What is a compliment, concern or complaint?

3.1 Compliments

A compliment is regarded as when someone takes the time to thank BFRS and/or the Authority for providing good service. The Administrative Support Team are responsible for adding these to these to relevant sections on **I:DRIVE**.

3.2 Concern

A concern is anything that is not clearly intended as a complaint – for example when someone does not understand something and is seeking clarification or information (these are referred as "service requests" by the LGO. If concerns are not resolved quickly (within five days) they should be treated formally and, even if not received in writing, they must still be

Version:		Status of document:	Draft
Author:	Information Governance and Compliance Manager	Approved By:	
Issue Date:		Review Date:	September 2016
File Name			



Appendix C

recorded and passed to the Duty Officer and copied to the Information Governance and Compliance Manager.

3.3 *Complaint*

A complaint is any report of a problem arising in the course of service delivery or in any connection with BFRS or its employees – an expression of dissatisfaction.

4. **Scope and exclusions**

Scope

4.1 This procedure deals with compliments, concerns and complaints made to BFRS. Even if a concern or a complaint is raised anonymously, BFRS will endeavor to investigate in the same way as where the person makes themselves known to us.

4.2 When a person or organisation who has requested information under Environmental Information Regulations 2004, Freedom Of Information Act 2000 or the Data Protection Act 1998 requests a review /makes a complaints about how their information request was handled this will be referred to the Director of Legal & Governance or a member of his team. Whilst the request will be dealt with, with the same level of rigour as for other complaints once the review is completed, if the complainant is still unhappy with our response, they will be referred to the Information Commissioner.

4.3 *Exclusions*

- Complaints from employees should be made using the Grievance Procedure.
- Complaints against a Member of the Authority¹ should be referred to the Director of Legal and Governance.
- Fire safety complaints, about the condition of premises belonging to other organisations,² should be referred to the Prevention and Protection Policy Team.

5. **Receiving compliments, concerns and complaints**

¹ Information about how to make a complaint about a member of the authority can be found on the BFRS website at www.bucksfire.gov.uk

² Information about how to make a complaint about fire safety matters at other organisations premises can be found on the BFRS website at www.bucksfire.gov.uk

Version:		Status of document:	Draft
Author:	Information Governance and Compliance Manager	Approved By:	
Issue Date:		Review Date:	September 2016
File Name			



Information Asset Owner:

Director of Legal and Governance

Page :

3 of 9

Procedure Note:

Compliments, Concerns and Complaints

Appendix C

- 5.1 To assist service users, for example, residents of Buckinghamshire and Milton Keynes, other organisations, suppliers and contractors, a customer-facing procedure "COMPLAINTS ABOUT US How to make a complaint or raise a concern".
- 5.2 *Compliments, concerns or complaints* can be received in a number of formats, such as via an online form from our website; telephone; e-mail; fax; in writing or face-to-face. When a concern or complaint is received sufficient information needs to be collected (see form FB1.10) to enable us to pursue an investigation.
- 5.3 *Urgent complaints or concerns (e.g. a potential danger to the public)* Urgent complaints or concerns received out-of-hours, should be notified to Control who will contact the Duty Officer to take appropriate action.

6. Responding to compliments, concerns or complaints

- 6.1 *Protecting personal information*
Compliments, concerns and complaints usually contain some personal information (for example the name and contact details of the complainant), which, although not sensitive personal information, must be protectively marked and not made available to anyone who does not have a business need to access this information. BFRS will protect any personal information received and will not share it with any third parties, other than for the purpose of crime prevention or detection or the apprehension or prosecution of offenders, and will delete it when it is no longer needed. Anonymised /depersonalised information will be retained to enable data to be analysed and lessons learned.
- 6.2 Complaints should be referred to the Duty Officer and copied to the Information Governance and Compliance Manager unless:
- there is concern about individual or organisational malpractice (for example concerns about possible fraud or corruption) which must be referred to the Director of Legal and Governance and the Director of Finance and Assets
or
 - the complaint is out-of-scope for this procedure (see section 4.3)
or
 - the complaint is about how an information request has been handled which should be referred to the Director of Legal and Governance.
- 6.3 *Actions taken by the Duty Officer*
In some instances the Duty Officer will be able to resolve concerns immediately – these are often service requests where (for example) the

Version:		Status of document:	Draft
Author:	Information Governance and Compliance Manager	Approved By:	
Issue Date:		Review Date:	September 2016
File Name			



Appendix C

explanation of a process or redirection to the appropriate organisation enables the concern to be resolved informally.

6.4 Although the Duty Officer will appoint an investigating officer to investigate a complaint he/she may have to make further enquires to establish the nature of the complaint before selecting the most appropriate person to deal with the complaint.

6.5 *Acknowledging concerns or complaints*
In most instances we do not acknowledge compliments in writing, but concerns and complaints should be acknowledged within five working days. If the Duty Officer or investigating officer has verbally acknowledged the concern or complaint, but the investigation is likely to take more than five working days to resolve, then a written acknowledgement should be made.

6.6 *Clarifying the complaint*
If not already done, the investigating officer will contact the complainant if clarification/ further information about the complaint is required and to determine how the complainant prefers to be contacted (for example visit, telephone, email, letter).

6.7 *Helping people to raise a concern or make a complaint.*
Some people require assistance in clarifying their concerns. We should always verify whether assistance is needed. Assistance may be required if, for example, English is not the person's first language; they have a disability; or just need help to understand what to do. In some instances the complainant puts their complaint in writing but there is so much additional information it is not always clear what the complaint is about. We will take appropriate action to assist in overcoming any problem. This may be (but is not limited to):

- Identifying a suitable advocate (which may be a translator, friend or other)
and /or
- Visiting the person to clarify their needs

6.8 *Verbal concerns or complaints*
If a concern or a complaint is made verbally, record the details, whilst speaking to the person, and repeat it back to ensure that the nature of the concern or complaint is fully understood.

6.9 It is not an admission of responsibility to apologise to the complainant for raising a concern or complaining. A complainant is often unhappy or angry so it may be appropriate to say you are sorry that they are

Version:		Status of document:	Draft
Author:	Information Governance and Compliance Manager	Approved By:	
Issue Date:		Review Date:	September 2016
File Name			



Appendix C

distressed and reassure him/her that you will be investigating their concerns thoroughly.

6.10 It is also good practice to ask the complainant what they want at an early stage. This does not mean you are making a decision about the complaint before you have investigated it, or that you are promising something to the complainant that you may not then be able to deliver. You can then manage their expectations, rather than giving them bad news at the end of the process.

6.11 *Writing a 'statement of complaint'*
Once the investigating officer thinks that he/she understands what the complaint is about he/she should capture this in a statement of complaint – a letter or email to the complainant and ask the complainant to confirm if this is correct.

7. Investigating a concern or complaint

Complaints about compensation for damage (scratched cars, dirty carpets etc) will be forwarded, by the Procurement department to BFRS insurers for their consideration.

8. Escalating concerns and complaints

8.1 Once the investigating officer has completed the investigation he/she should send the complainant a decision letter - a letter or email to the complainant explaining the findings of the investigation³. – This will assist reviews of the how the complaint was handled.

8.2 *Stage 1 (Informal stage)*
The informal stage is aimed at attempting to resolve issues quickly and informally “on the spot”, or within five days.

8.3 *Stage 2 (formal stage)*
Stage 2 is used to address issues that cannot be resolved immediately, where the originator is dissatisfied following Stage 1, or where a concern or complaint can be more appropriately referred directly to Stage 2 and will be passed to a senior officer who will be responsible for ensuring that it is investigated and the results reported to the originator, normally, within 20 working days.

8.3.1 If BFRS cannot give a complete answer, or if the issue is complex, the investigating officer will contact the originator, in writing, advising how BFRS’s investigation is progressing and how long

³ See appendix A for guidance from the Local Government Ombudsman on what should be included in a decision letter.

Version:		Status of document:	Draft
Author:	Information Governance and Compliance Manager	Approved By:	
Issue Date:		Review Date:	September 2016
File Name			



Appendix C

he/she expects it to take. For long investigations the originator should be given regular progress reports.

8.4 *Stage three (final stage)*

Stage 3 is to be used if the originator continues to be dissatisfied following Stage 2 or where there is any suspicion of individual or organisational malpractice. (for more information refer to Anti-fraud and Corruption and Whistle blowing procedures).

8.4.1 Where there is a suspicion of individual or organisational malpractice the Chief Fire Officer/Chief Executive, Director of Finance and Assets, or authorised delegate, will refer the matter to the authority's internal auditors for investigation.

8.4.2 All other complaints will be referred to the Chief Fire Officer/Chief Executive, or authorised delegate, who will be responsible for ensuring that the complaint is reviewed and the results reported to the originator, normally, within 20 working days.

8.5 ***If the originator is still not satisfied with our response***

Whenever a concern or complaint is thought to be resolved, the originator should be contacted to determine that they are satisfied with the manner in which it has been addressed. If the originator remains dissatisfied they should be advised to contact the Ombudsman.

8.6 *Complaints about Employees*

If a complaint regarding an employee's actions or behaviour is found to be valid it will be referred to the appropriate Human Resource procedure (such as the discipline procedure). Should any individual be under investigation, he/she will be notified and offered support as required.

8.7 If at any stage of the process it is apparent that disciplinary action may be involved, all information should be sent to the appropriate line manager who will inform the Information Governance and Compliance Manager that he/she is now dealing with the matter. The line manager will inform the originator of the relevant procedures, the likely timescales and, when the investigation is concluded, advise the originator of the outcome of the investigation. A copy of the outcome letter will be sent to the Information Governance and Compliance Manager (this may be redacted to remove personal data) . All notes regarding the investigation will be retained and kept secure by the Human Resources department.

9. Roles and responsibilities

Version:		Status of document:	Draft
Author:	Information Governance and Compliance Manager	Approved By:	
Issue Date:		Review Date:	September 2016
File Name			



Information Asset Owner: Director of Legal and Governance

Page : 7 of 9

Procedure Note:

Compliments, Concerns and Complaints

Appendix C

- 9.1 **All employees** are responsible for ensuring that information about the complaint and complainant is appropriately handled, marked, classified and secured, and only shared with those responsible for dealing with the complaint, in accordance with the Authority's "Data Protection policy and "protective marking – harm testing and classification scheme".
- 9.2 **Any employee receiving a concern or complaint** is responsible for notifying the Duty Officer and copying the Information Governance and Compliance Manager.
- 9.3 **Duty Officers** are responsible for appointing an Investigating Officer (unless it is a request for a review of the handling of an information request) and notifying the Information Governance and Compliance Manager that an investigation has been opened.
- 9.4 **Investigating Officers** are responsible for
- investigating concerns and complaints promptly,
 - keeping the originator, and Information Governance and Compliance Manager informed of the progress of the investigation,
 - liaising with his/her line manager in agreeing any remedial work that incurs cost to the Authority,
 - escalating the complaint if the originator is not satisfied
 - and
 - applying the appropriate protective marking and safeguarding the personal information of everyone involved.
- 9.5 The **Information Governance and Compliance Manager** is responsible for liaising with Investigating Officers to ensure that the procedure is being complied with, the investigation file includes sufficient information to demonstrate the responsiveness of the investigation and the satisfaction level of the originator, to provide de-sensitised/ anonymised reports to the Senior Management Team and Member Committees, and for maintaining this procedure.

10. Records history

Issue 1.0 First issue

Issue 2.0 Rewritten to better fit with other policies and codes of practice.

Issue 2.1 amended to reference to complaints forms FB1.10 and FB1.11.

Issue 2.2 removes reference to the named Central Register Holder; the requirement to complete a stage one report; annual reporting requirements; introduces a requirement to advise the likely timescales; removes the name of the ombudsman.

Version:		Status of document:	Draft
Author:	Information Governance and Compliance Manager	Approved By:	
Issue Date:		Review Date:	September 2016
File Name			



Appendix C

Issue 2.3 revised April 2008 amends the reporting requirements.

Issue 3.0 revised September 2009. Process extended to include compliments, concerns and suggestions and to cross references policies on complaints against Members and to the Protection Department, regarding other organisations premises. *Also directs employees to use FB 0.10 form for verbal 'Requests for Information'.*

Issue 3.1 revised June 2010. Guidance for employees conducting investigations removed. OC 56/01/01 changed to "How to raise an issue with Buckinghamshire Fire and Rescue Services: Complaints; Compliments; Concerns and Suggestions" and incorporated as an appendix. Forms FB1.10 amended and FB1.11 made obsolete.

Issue 4.0 This issue.

Appendix A

What should be included in a decision letter.

A decision letter at stage 1 or 2 should include:

- A reiteration of the statement of complaint
- A reiteration of the steps taken by the investigating officers.
- What you have taken into account as part of the review – for example:
 - things the complainant has said
 - information you have obtained from who and where (take care with confidentiality and data protection)
- Your decision and the reason for it.
- Any relevant policy or legislation.
- What will happen next – if any action is to be taken, how, when and by whom.
- If the complainant disagrees how they can challenge the decision (advising a reasonable time-period for notifying dissatisfaction (a month should be adequate in most instances).

If a complaint has reached stage 3 the final decision letter should include:

You have now exhausted our internal complaints procedure and no further review will be taken by Buckinghamshire and Milton Keynes Fire Authority.

Version:		Status of document:	Draft
Author:	Information Governance and Compliance Manager	Approved By:	
Issue Date:		Review Date:	September 2016
File Name			



Information Asset Owner:	Director of Legal and Governance
---------------------------------	----------------------------------

Page :	9 of 9
---------------	--------

Procedure Note:

Compliments, Concerns and Complaints

Appendix C

If you are not content with the outcome your complaint, you may apply directly to the Local Government Ombudsman:

- Telephone: 0300 061 0614 or 0845 602 1983.
- Email: advice@lgo.org.uk
- Fax: 024 7682 0001
- In writing: The Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH.

Version:		Status of document:	Draft
Author:	Information Governance and Compliance Manager	Approved By:	
Issue Date:		Review Date:	September 2016
File Name			