



Classification	Standard		
Meeting	Service Leadership Team	Agenda no.	04g
Meeting Date	11 June 2024		
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Subject	Compliments and Complaints Process		
Type of Report	Decision		
PFCC Action Point No.		For Publication	Yes/No

RECOMMENDATION(S)

Members of the Senior Leadership Team (SLT) are to be informed of updates about the current process of managing compliments, complaints and concerns. Furthermore, SLT are asked to discuss and approve the recommendation within the options and analysis section of this paper.

EXECUTIVE SUMMARY

The Information Governance (IG) team currently manage the processing and handling of all compliments, complaints and concerns. During the last twelve months the IG team have carefully reviewed and updated the service's processes and standards; these are further explained in the background of this report.

BACKGROUND

Setting the standard for compliments and complaints & learning from others

Having reviewed compliments and complaints processes across a wide range of public sector bodies, it is clear that this is never just a 'back office' function. Compliments, complaints and concerns should always place public feedback right at the heart of corporate governance. This ensures the voice of the citizen is firmly embedded within risk management and accountability systems. Many organisations use complaints as a barometer of external opinion and as an early warning of problems that might otherwise stay unseen. Furthermore, it is best practice to use critical and complimentary feedback to drive a sophisticated culture of learning, reflection, and improvement.

The Service Leadership Team (SLT) take an active personal interest in complaints, concerns and compliments. This then provides evidence that enables scrutiny of what

they are being told internally with feedback from their workforce. This insight equips them as leaders, to know when and where they should act.

Most importantly, the culture of listening to public concerns is fundamental to the democratic principles that align with the Nolan principles of public life. Providing the transparency and accountability that underpins continued public trust and engagement and is part of the ECFRS culture of 'Making Complaints Count'.

Principles of Effective Complaint Handling



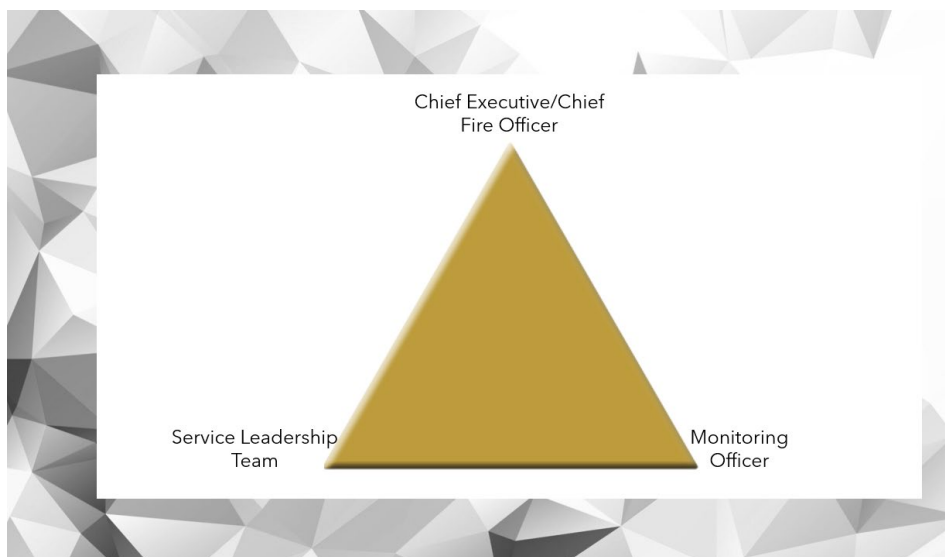
ECFRS Complaints Process

The ECFRS complaints process should be tailored to allow the service to respond to each complaint on its own merits. Investigations should be proportionate and pragmatic. The service should be able to identify and act on learning opportunities from complaints, ensuring that any lessons learnt inform the service's work to develop a professional standards function.

The current ECFRS complaints process does comply with the law. If a complaint does not fall under a statutory process, then it is for the service to determine how to respond to the complaint properly.

A good complaints process is flexible, allowing it to respond effectively to the complaint and the complainant. There is no prescribed number of stages to a non-statutory complaint process, what matters most is that the complaint is robustly investigated, and the findings are properly considered.

To ensure effective governance, the triangle below represents who should be aware and engaged with complaints.



ECFRS expects robust oversight of complaint handling, and this now forms part of regular reporting to the SLT Strategic Board on a quarterly basis. An effective complaints process will ensure the right people are involved at the right stage.

Learning from complaints should be at the centre of the service's risk management and audit function and inform the developing professional standards arrangements. ECFRS requires effective reporting mechanisms to ensure the right people hear about complaint performance.

Five key elements to effective complaint handling



Identifying and accepting a complaint

Making a complaint should be simple, accessible, clear and straightforward. There is no difference between a 'formal' and an 'informal' complaint. While one service user may send in a letter headed 'formal complaint' another may tell frontline staff about something that concerns them. Both are expressions of dissatisfaction that require a response. ECFRS has procedures in place for effectively identifying and accepting a complaint, no matter how it is raised, or with whom. Being customer focused and consider making any reasonable adjustments for the complainant. Being open and accountable People should know they can complain and how to do it. Acting fairly and proportionately Offer service users support to make a complaint, if needed. Putting things right If you find something has gone wrong, do not wait until the complaint process has been completed to put it right.

Defining a complaint

The best way to accurately define a complaint is to speak to the complainant. Check your understanding of the issue they want you to investigate and under which complaint process you should consider it. Identify opportunities to resolve the complaint at the earliest opportunity. Manage the complainant's expectations and answer any questions about the process. Hear the complainant's view of what has gone wrong and how they say it has affected them. Good practice is to write to the complainant setting out your understanding of their complaint, what will happen next, and when they can expect a response.

Investigating a complaint

Being open and accountable Let the complainant know who is investigating their complaint and how they can contact them. Being customer focused Keep the complainant informed at all stages of your investigation, especially if there is a delay. Getting it right Spend time planning the investigation, deciding how you will obtain the information you need

Making and communicating the decision

Being open and accountable Share the information you have considered with the complainant so they can understand your findings. Acting fairly and proportionately Ensure the complainant knows how they can challenge the decision if they remain unhappy. Putting things right If something has gone wrong tell the complainant how and when you will put it right. Getting it right Be clear what your decision is, and what you will do to put things right if something has gone wrong. Being customer focused Consider whether the complainant needs support understanding your decision, such as a meeting to discuss the findings.

Putting things right

Seeking continuous improvement Make sure you have a mechanism in place to learn from complaints you uphold. Putting things right If you have found something went wrong, what has been the impact on the complainant? That is what you need to put right. complaints process should help you to find the root causes of problems and make improvements to systems and processes where they haven't worked properly. This can include changing policies and procedures, or training staff.

OPTIONS AND ANALYSIS

1. Remain with current process of managing compliments, complaints and concerns and associated reporting, with no further changes.
2. **(Recommended)** Establish a new process as outlined below, which will form part of a decision tree (Appendix A – DRAFT example) of how ECFRS manages compliments and complaints. This will ensure there is greater transparency and visibility of key metrics as well as providing assurance that learning has taken place and is being embedded within the service's professional standards function.

Step 1 – complaint received, and receipt acknowledged within 48hrs.

Step 2 – complaint assessed within 48hrs, and appropriate pathway determined. This could include: -

- Referral to HR
- Referral to Professional Standards (once established)
- Direct to Line Manager advising further investigation

Step 3 – Within 5 working days the complainant is updated notifying them of: -

- The timeframes in which their complaint will be dealt with
- What actions have been taken as a result, i.e. further investigation
- Any immediate action eg safety measures put in place to mitigate a H&S matter
- Who their direct point of contact is should they wish to make any further enquiries or provide further information etc.

Step 4 – Dependent on nature of complaint, hold a multi-disciplinary group meeting with pre agreed representatives to discuss the complaint and the agreed action plan.

Step 5 – Continue to engage and update the complainant on a regular (time tbc) basis regardless of whether there has been any further progress. This is to assure the complainant that the service is taking their complaint seriously and is conducting a thorough process.

Step 6 – Ensure that the complaint investigation is tracked and completed within the 28-day timeframe. If there is likely to be a delay, then the complainant should be contacted to update them. This should be done in consultation to agree a suitable revised timeframe for the complaint to be concluded and responded to in writing.

Step 7 – Any delays or issues of a serious nature should be reported via the Head of Information Governance to the Director of Corporate Services and/or other relevant director.

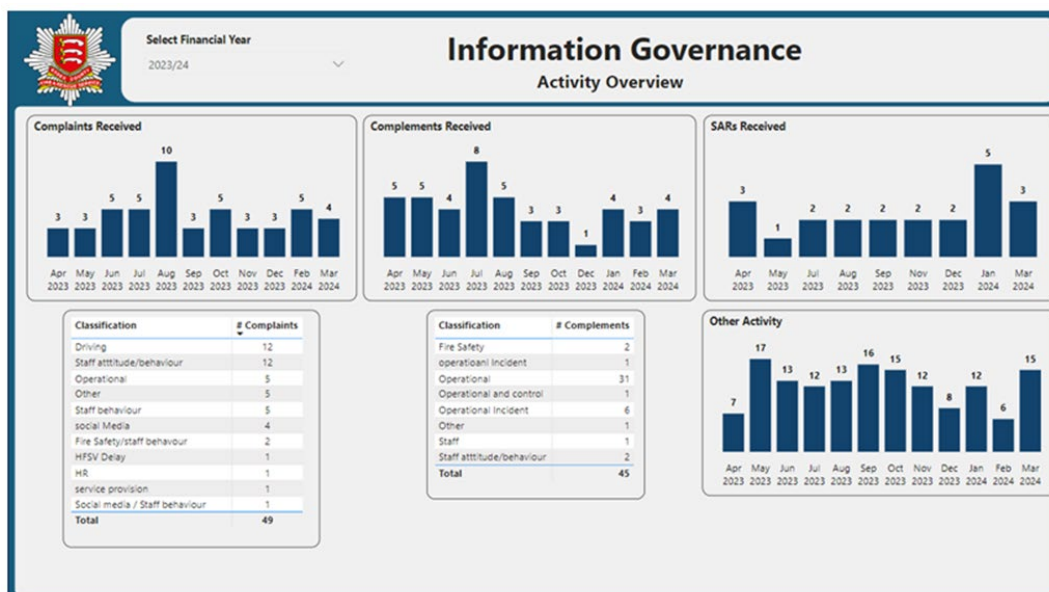
Step 8 – Where the complaint has been fully investigated and concluded within the 28 days, the final response to the complainant should be signed off via the Director of Corporate Services and/or other relevant director.

Step 9 – Once the complainant is in receipt of the final report and outcome of their complaint, this should be followed up with a contact to understand their level of satisfaction in how the complaint was handled, inviting any further feedback.

Reporting & compliance metrics

Currently ECFRS captures basic level metrics concerning compliance. As the infographic below details, we currently look at numbers received and classifications.

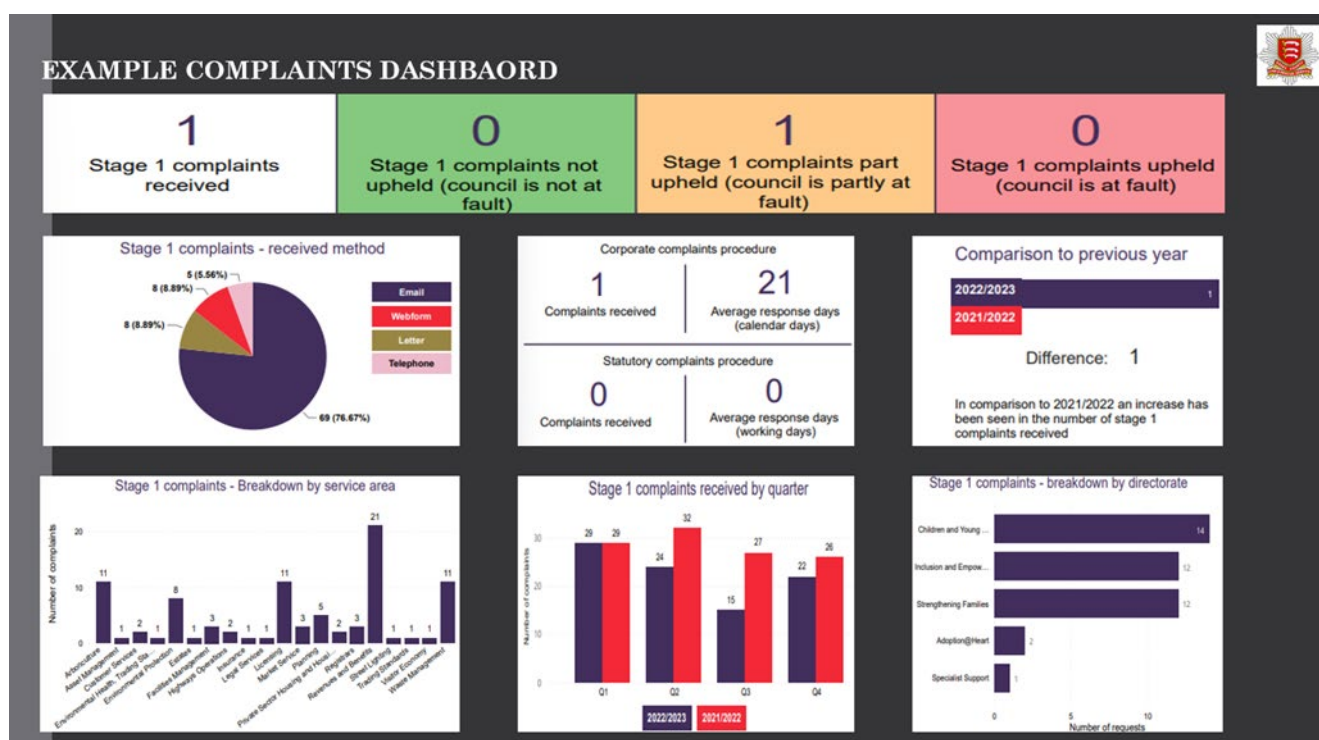
Diagram 1



However, the intention is to start to assess our complaints management across a wider range of key performance indicators (KPI's) (Diagram 2) This will include key areas such as: -

- ✓ Methods in which complaints have been received
- ✓ Comparison data to establish key trends
- ✓ Complainant satisfaction measures
- ✓ Complaint resolved within first receipt
- ✓ Complaints resulting in referral to ombudsmen
- ✓ Number of complaints where ECFRS has upheld/not upheld
- ✓ Outcomes/Learning/Actions taken from complaints

Diagram 2 – Illustrative purposes only



Compliments Process

Step 1 - clear guidance on how a compliment can be received (multiple channels) and how to process this. For example, if the compliment was a verbal contact direct from a member of the public to personnel that work for ECFRS. All compliments can be communicated via Compliments.Complain@essex-fire.gov.uk mailbox or an alternative Text Message/Online MS Form.

Step 2 – Where a compliment has been received and the source of the compliment is known with the appropriate contact details, then a service thankyou notification should be sent advising the person/people that their compliment has been recorded and the appropriate person/people notified.

Step 3 – The compliment received should then be placed into an appropriate compliment notification proforma (Diagram 3 – example) with further acknowledgement from the line manager and Chief Fire Officer thanking them for their professional service and conduct in representing ECFRS.



RISKS AND MITIGATIONS

With all information, there is a potential risk in managing records, especially related to whistleblowing, behavioural complaints, and confidential information. The Information Governance Team will help ensure that the appropriate safeguards and governance measures are in place working in line with the Professional Standards function.

LINKS TO FIRE AND RESCUE PLAN

- Professional Standards
- Code of Conduct
- Data Management Fire Standard
- Records Management Policy
- Data Protection Policy

FINANCIAL IMPLICATIONS

There is a potential that certain complaints may be due to property or personal items being damaged. Dependent on the outcome of the investigation, ECFRS may wish to award a level of compensation. In some instances, a complaint may warrant seeking legal advice and would result in legal costs. This will be determined on a case-by-case basis.

LEGAL IMPLICATIONS

Dependent on the nature and circumstances of the complaint, there may be legal implications that require ECFRS to gain specific legal advice. In some cases, the complainant may choose to refer their complaint to the Public Sector ombudsman scheme. The Local Government and Social Care Ombudsman investigates complaints across organisations providing local public services.

STAFFING IMPLICATIONS

Some complaints may result in the need to investigate, for example if there has been a complaint regarding a member of staff behaviour. In circumstances where this is applicable, the complaint will be reviewed through a multidisciplinary team that will be led by a member of the services Professional Standards function (once established). This will ensure that all aspects of the complaint are taken into consideration and the appropriate and proportionate actions are enacted.

EQUALITY AND DIVERSITY IMPLICATIONS

The actions being taken will not have a disproportionate impact on individuals with protected characteristics (as defined within the Equality Act 2010), when compared to all other individuals and will not disadvantage people with protected characteristics.

Race	n	Religion or belief	n
Sex	n	Gender reassignment	n
Age	n	Pregnancy & maternity	n
Disability	n	Marriage and Civil Partnership	n
Sexual orientation	n		

The Core Code of Ethics Fire Standard has been fully considered and incorporated into the proposals outlined in this paper.

HEALTH AND SAFETY IMPLICATIONS

If any complaint highlights a potential health and safety risk, this will be referred to the Health and Safety team to review and assess as required. ECFRS will not wait for the complaint to be concluded/resolved before taking any action that would remove a potential Health & Safety risk.

CONSULTATION AND ENGAGEMENT

The changes outlined in this paper refer to a change in process regarding the services approach to how compliments and complaints are processed. It is recognised that this paper makes reference to the service establishing a professional standards function that will be a key component within the management of complaints. Furthermore it is acknowledged that the professional standards function is not yet in place and that this will form part of the services strategic changes over future months.

FUTURE PLANS

As part of the service's strategic improvement plans, there is a forthcoming proposal to initiate a professional standards function. This will be developed and established over future months.

LIST OF APPENDICES

Appx – A – Complaints Decision Tree