

# Inverclyde Council

## Complaint Handling Procedure

### Part 4 - Governance



## DOCUMENT CONTROL

Document Responsibility		<b>Official</b>
Name	Title	Service
<b>Information Governance &amp; Complaints Officer</b>	Complaint Handling Procedure	Legal & Property Services

<b>Change History</b>		
<b>Version</b>	<b>Date</b>	<b>Comments</b>
<b>1</b>	March 2012	Local Authority MCHP published on SPSO website
<b>1.1</b>	December 2016	Social Work MCHP published on SPSO website
<b>2</b>	28/09/2017	Annual review of procedure and letter suite. Letter suite: Changes made to instructions for staff using the templates. Introduced new templates. Amended reference to senior management to "Corporate Management Team". Complaint Handling Procedure section that includes roles and responsibilities, reporting requirements and learning approach. Aligned to the Model CHP. Minor amendments & appendices to enhance.

<b>v.2.1</b>	11.12.2018	Minor change: SPSO office has moved. Changed the address within letters in CHP & Letter Suite
<b>v2.2</b>	January 2020	Combined and revised version published on SPSO website
<b>3</b>	December 2020	Local Complaint Handling Procedure merging changes introduced by SPSO



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## Roles and responsibilities

1. All staff will be aware of:
  - the Complaints Handling Procedure (CHP)
  - how to handle and record complaints at the frontline response stage
  - who they can refer a complaint to, in case they are not able to handle the matter
  - the need to try and resolve complaints early and as close to the point of service delivery as possible; and
  - their clear authority to attempt to resolve any complaints they may be called upon to deal with.
2. Training on this procedure will be part of the induction process for all new staff. Refresher training will be provided for current staff on a regular basis.
3. Senior management will ensure that:
  - Inverclyde Council's final position on a complaint investigation is signed off by an appropriate manager or officer in order to provide assurance that this is the definitive response of Inverclyde Council and that the complainant's concerns have been taken seriously
  - it maintains overall responsibility and accountability for the management and governance of complaints handling (including complaints about contracted services)
  - it has an active role in, and understanding of, the CHP (although not necessarily involved in the decision-making process of complaint handling)
  - mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored, reviewed by the Council and reported at all levels in Inverclyde Council; and
  - complaints information is used to improve services, and this is evident from regular publications.
4. **The Chief executive Chief Officer in the HSCP:** The chief executive provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective CHP, with a robust investigation process that demonstrates how the Council learn from the complaints the Council receive. The chief executive may take a personal interest in all or some complaints, or may delegate responsibility for the CHP to senior staff. Regular management reports assure the chief executive of the quality of complaints performance.
5. The chief executive is also responsible for ensuring that there are governance and accountability arrangements in place in relation to complaints about contractors/ALEOs. This includes:
  - ensuring performance monitoring for complaints is a feature of the service/management agreements between Inverclyde Council and contractors/ALEOs

- setting clear objectives in relation to this complaints procedure and putting appropriate monitoring systems in place to provide Inverclyde Council with an overview of how the contractor/ALEO is meeting its objectives
6. **Chief social work officer (CSWO):** The CSWO has an important role in the consideration of social work complaints information and, on occasion, the content of individual complaints. Their role in overseeing the effective governance of social work services and monitoring these arrangements includes complaints about social work services. The CSWO should also take appropriate account of complaints information in fulfilling their obligations to promote continuous improvement and best practice. Furthermore, the CSWO or their delegated officers may have specific interest in complaints relating to individuals for whom they have decision-making responsibilities.
  7. **Directors:** On the chief executive's behalf, directors may be responsible for:
    - managing complaints and the way the Council learn from them
    - overseeing the implementation of actions required as a result of a complaint
    - investigating complaints; and
    - deputising for the chief executive on occasion.
  8. They may also be responsible for preparing and signing off decisions for customers/service users, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint. However, directors may decide to delegate some elements of complaints handling (such as investigations and the drafting of response letters) to other senior staff. Where this happens, directors should retain ownership and accountability for the management and reporting of complaints.
  9. **Heads of service and service managers with complaint oversight responsibility:** these officers may be involved in the operational investigation, oversight and management of complaints handling including following up on complaints approaching timescales. As senior officers they may be responsible for preparing some response letters to complaints, oversight and signing decision letters to customers/service users ensuring the right outcome achieved in stage two complaint letters, so they should be satisfied that the investigation is complete and their response address all aspects of the complaint. Ensure actions are managed effectively for any practice or policy issues emerging as a potential service improvement.
  10. **Line Managers with responsibility for employees:** will be responsible for identifying and ensuring new staff receive training on the CHP as part of the induction process and for refresher training is progressed for established employees on a regular basis or as needs arise. This will be progressed and tracked using the individual development plan and monitored to completion.
  11. **Staff investigating complaints:** are responsible and accountable for the management of the investigation. They will be based in service area and will be required to take ownership of individual cases resolving them at the earliest possible stage in the complaint handling procedure. This may include gathering and examining the events relating to the complaint, preparing a comprehensive written report, including details of procedural changes in service delivery that could result in wider opportunities for learning across the local authority and preparing the response letter outlining the decision. They will provide sufficient information to the staff undertaking administration duties for

complaints to update the complaint fully in the complaint recording system through the council's customer relationship management software kana/lagan including the outcome of the complaint investigation.

12. **The officer with complaint oversight and who is the SPSO liaison officer:** is responsible for providing strategic direction for complaints handling to ensure a responsive, efficient and improved complaints handling service which meets the appropriate regulatory standards. Lead on the strategic development and promotion of the CHP and feedback process by monitoring performance and providing recommendations on improvement to senior management through quarterly updates to the corporate management team (CMT) and annual reports to the council's policy and resources committee.
13. Additionally this officer ensures officers are Identifying and recording where service improvements can be made. Act as the 'investigating officer' for complex or multi-service complaints, for complaints on behalf of the Chief Executive and as the council's link to independently reviewed complaints by the Scottish Public Services Ombudsman (SPSO) with a clear view to improving learning across the Council. In their liaison role with the SPSO they will collate and provide complaint information in an orderly, structured way within the requested timescales, providing comments on factual accuracy on our behalf in response to the SPSO reports, and confirming and verifying that recommendations have been implemented.
14. **Staff undertaking administration duties for complaints:** are responsible and accountable for administration duties associated with the receipt of a complaint including processing and updating the complaint detail into the complaint management system accurately, acknowledgement of the complaint timely and ensuring timeline are achieved by highlighting them to the person investigating the complaint. Proactively works with their colleagues to ensure the complaint record are accurately updated fully in the complaint recording system through the council's customer relationship management software kana/lagan.
15. **All local authority staff:** A complaint may be made to any staff member in the local authority, so all staff must be aware of the complaint handling procedure and how to handle and record complaint at frontline stage. They should also be aware of whom to refer a complaint to in the case they are not able to deal with it personally. For staff whose role involves handling customer contacts on a regular basis as a major part of their role, this will include taking and resolving complaints at first point of contact and recording the details onto the complaint recording system through the council's customer relationship management software kana/lagan. For those staff who may handle complaints infrequently, this will mean directing customers/service users on how to complain by providing details of the website link [www.inverclyde.gov.uk/complaint](http://www.inverclyde.gov.uk/complaint) and/or customer service centre.
16. **Complaints about senior staff:** Complaints about senior staff can be difficult to handle, as there may be a conflict of interest for the staff investigating the complaint. When serious complaints are raised against senior staff, it is particularly important that the investigation is conducted by an individual who is independent of the situation. The Council must ensure the Council have strong governance arrangements in place that set out clear procedures for handling such complaints.



## Recording, reporting, learning from and publicising complaints

17. Complaints provide valuable customer/service user feedback. One of the aims of the CHP is to identify opportunities to improve services across *Inverclyde Council*. By recording and analysing complaints data, the Council can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.
18. The Council also have arrangements in place to ensure complaints about contractors or ALEOs are recorded, reported on and publicised in line with this CHP.

### Recording complaints

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19. It is important to record suitable data to enable us to fully investigate and respond to the complaint, as well as using our complaint information to track themes and trends. As a minimum, the Council should record:
  - the customer's/service user's name and contact details
  - the date the complaint was received
  - the nature of the complaint
  - the service the complaint refers to
  - staff member responsible for handling the complaint
  - action taken and outcome at frontline response stage
  - date the complaint was closed at the frontline response stage
  - date the investigation stage was initiated (if applicable)
  - action taken and outcome at investigation stage (if applicable)
  - date the complaint was closed at the investigation stage (if applicable); and
  - the underlying cause of the complaint and any remedial action taken.
20. Inverclyde Council records the outcome of the SPSO's investigation (where applicable) by appending a note to the complaint record. It is good practice to record the full journey of a complaint, as this allows the Council to use the information to identify good practice or areas for improvement. For example, where there are a high number of complaints 'not upheld' by the Council but then 'upheld' by the SPSO, this could suggest that there are opportunities to improve complaints handling at a local level
21. If the customer/service user does not want to provide any of this information, the Council will reassure them that it will be managed appropriately, and record what the Council can.
22. Individual complaint files will be stored in line with our document retention policy. This can be found at the following link: <https://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information> within the Policy for the retention and disposal of documents and records paper and electronic.



23. Complaints should be logged into the Verint complaint system for those received for Inverclyde Council. The HSCP will record complaints received into their complaint log. Riverside Inverclyde and Inverclyde Leisure will record complaints received about their services using their complaint log. Each area will be responsible for the accuracy and maintenance of their processes within their systems and complaint logs to ensure that they can provide their data for the compilation of management information quarterly and annually.

## **Learning from complaints**

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24. The Council must have clear systems in place to act on issues identified in complaints. As a minimum, the Council must:

- seek to identify the root cause of complaints
- take action to reduce the risk of recurrence; and
- systematically review complaints performance reports to improve service delivery.

25. Learning may be identified from individual complaints (regardless of whether the complaint is upheld or not) and from analysis of complaints data.

26. Where the Council have identified the need for service improvement in response to an individual complaint, the Council will take appropriate action.

- *the action needed to improve services must be authorised by an appropriate manager*
- *an officer (or Service) should be designated the 'owner' of the issue, with responsibility for ensuring the action is taken*
- *a target date must be set for the action to be taken*
- *the designated individual must follow up to ensure that the action is taken within the agreed timescale*
- *where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved; and*
- *any learning points should be shared with relevant staff.*

27. SPSO has guidance on **Learning from complaints**.

28. Senior management will review the information reported on complaints regularly to ensure that any trends or wider issues which may not be obvious from individual complaints are quickly identified and addressed. Where the Council identify the need for service improvement, the Council will take appropriate action (as set out above). Where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved.

## Reporting of complaints

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29. The Council have a process for the internal reporting of complaints information, including analysis of complaints trends. Regularly reporting the analysis of complaints information helps to inform the corporate management team of where services need to improve.
30. The Council will report at least **quarterly** to the Corporate Management Team and with each Service receiving regular reviews of their complaints log/register on:
- performance statistics, in line with the complaints performance indicators published by SPSO
  - analysis of the trends and outcomes of complaints this includes service failures as well as highlighting where there are areas where few or no complaints are received, which may indicate either good practice or that there are barriers to complaining in that area.

## Publicising complaints information

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31. The Council publish on a **quarterly** basis information on complaints outcomes and actions taken to improve services.
32. This demonstrates the improvements resulting from complaints and shows that complaints can help to improve our services. It also helps ensure transparency in our complaints handling service and will help to show our customers/service users that the Council value their complaints.
33. The Council will publish an **annual** complaints performance report on our website in line with SPSO requirements, and provide this to the SPSO on request. This summarises and builds on the quarterly reports the Council have produced about our services. It includes:
- performance statistics, in line with the complaints performance indicators published by the SPSO; and
  - complaint trends and the actions that have been or will be taken to improve services as a result.
34. These reports must be easily accessible to members of the public and available in alternative formats as requested.