

COMPLAINTS POLICY AND PROCEDURE

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Contents

STANDARDS	3
HOW TO COMPLAIN	4
CONTACT DETAILS	5
TAKING YOUR COMPLAINT OUTSIDE THE ORGANISATION	6
Appendix 1 – STANDARDS FOR COMPLAINT HANDLING IN THE PUBLIC SERVICE	8
COMPLAINT FORM	10

INTRODUCTION

The Office of the Commissioner for Survivors of Institutional Childhood Abuse is committed to ensuring that everyone who engages with us is treated appropriately and with respect. We recognise however, that we can sometimes make a mistake. To address this, we have the following Complaints Policy and Procedure for members of the public, and for staff to follow when a complaint is received. This policy reflects the principles set out in the Local Government Model Complaints Handling Procedure that was revised and published in July 2023.

We recognise that when receiving a complaint, it can help us to identify where we may improve, so please do let us know when you feel we may have made a mistake, or when you have experienced an issue you have found to be unsatisfactory. Even if you do not think your particular concern amounts to a ' formal complaint' we would still like to hear from you.

You are entitled to make a complaint about staff who work in any area of the Office.

STANDARDS

When addressing a complaint, the Commissioner's office will follow the standards that have been developed around the [0188-Principles-of-Good-Complaint-Handling-bookletweb-1.pdf \(nipso.org.uk\)](#) Good complaint handling means:

1. Getting it right;
2. Being customer focused and fixing it early
3. Focus on what matters
4. Acting fairly and proportionately;
5. Be honest
6. Learn and improve.

Appendix 1 sets out in detail the standards which:

- Provide a measure by which the Office of the Commissioner will assess ourselves against, demonstrating improvement;
- Help to raise standards and reduce unacceptable variations in quality;
- Enable members of the public to understand the level of quality they are entitled to and provide an opportunity to discuss and act upon any concerns they may experience; and
- Enable staff and the wider public sector to communicate effectively in helping members of the public access services.

OUR STANDARDS OF SERVICE COMPLAINT PROCEDURE

A standards of service complaint is an expression of dissatisfaction from our service users about the standard of service the Office of the Commissioner will provide.

This may include:

- Failure to provide a service, or the provision of an inadequate standard of service;
- Unreasonable delays in the provision of our service;
- How we treated, communicated or interacted with a service user;
- Our failure to correctly follow our internal processes; or,
- Our failure to follow the appropriate legal or administrative process.

WHAT IS A COMPLAINT?

An expression of dissatisfaction by one or more members of the public about the Office of the Commissioner's action or lack of action, or about the standard of service provided by or on behalf of the Office of the Commissioner.

WHAT IS NOT A COMPLAINT?

- A request for compensation
- Issues that are in court of have already been heard by a court or tribunal
- Disagreement with a decision where there is a statutory procedure i.e. Freedom of Information requests
- A request for information under Data Protection
- A grievance by a member of staff
- A concern raised by a member of staff (Raising Concern/whistleblowing)

WHO CAN MAKE A COMPLAINT AGAINST THE OFFICE?

Any person who has had a direct interaction with a member of staff in the Office in an official capacity is entitled to make a complaint about the service they received. A complaint can be made directly by an individual or through a nominated representative, for example a family member, an advocate, solicitor or public representative.

TIME LIMITS FOR RAISING A COMPLAINT AGAINST THE OFFICE

Unless there are exceptional circumstances a complaint will only be dealt with if it is made within 6 months of the date of the issue giving rise to your complaint.

HOW TO COMPLAIN

Contacting Us

The first step is to talk to a member of staff. This can be arranged informally by telephone in the first instance.

Usually, the best staff member to talk to will be the person who originally dealt with the matter you are concerned about, as they will be in the best position to help you quickly, aiming to rectify any issues you wish to raise. If the member of staff is not available, or you would prefer to approach someone else, then ask for their relevant line manager.

We will aim to resolve your concern with immediate effect if we can. If we are unable to do this, for example, because information we need to consider is not to hand, then we will take a record of your concern and arrange the best way and time to get back to you.

This will normally be within five working days, if it is not achievable in those five days an additional five days will be allocated or we will make some other arrangement acceptable to you. We want complaints to be resolved quickly. Straightforward ones should be dealt with within 5 days, while more complicated ones should usually take no more than 20 days.

Where it is not possible to resolve the issue informally to the Reporting Person's satisfaction then the Reporting Person will be invited to make a formal complaint

Complaints of a serious nature will always be dealt with by way of the Complaints Policy and Procedure.

Taking your Complaint further

If you are still unhappy and feel that the matter is still unresolved and wish to make a formal complaint, this should be put in writing to, the Head of Corporate Services, setting out the details and explaining what you think went wrong and what you feel would put things right.

The email address for the registry of complaints admin@cosica-ni.org and the postal address for correspondence is detailed below.

If you are not happy about writing a letter or sending an email, you can always ask a member of staff to take notes of your complaint. We will ask you to agree with what has been recorded and ensure you are provided with your own copy for reference. This record will be passed promptly to the Head of Corporate Services for the Commissioner to address. Once a written complaint is received, it will be fully investigated.

Your complaint will be acknowledged in writing within five working days of receiving it and the letter will state when you can expect a full response. This should normally be within three weeks unless the matter is very complicated (for example, where other organisations need to be contacted). When this is the case, you will be informed on what action is being taken and when we expect to provide you with a full response.

The Next Stage

If you are not satisfied with the investigation, you can take your complaint to the head of Office in the Office of the Commissioner.

All materials relating to your complaint and to the investigation will be passed to the Head of Office for consideration. The Head of Office will inform you within seven working days that she has received your complaint and will confirm when you should expect a full response.

CONTACT DETAILS

Address and contact details:

The Office for the Commissioner for Survivors of Institutional Childhood Abuse
5th Floor South
56-66 Upper Queen Street
Belfast
BT1 6FD

Email: admin@cosica-ni.org
Telephone: 028 9054 4985

Timescale on dealing with formal complaints against the Office

We will acknowledge receipt of your complaint via your preferred method of contact within 5 working days and we will normally seek to provide a full response within three weeks.

Outcomes

These may take the form of:

- An apology;
- An explanation of what happened and/or what went wrong;
- Remedial action – this may include for example a revision of practice, revising published material, providing training or enhanced supervision of staff, disciplinary proceedings or any combination of these;
- No further action – where having conducted an investigation into the customer complaint or having reviewed the investigation giving rise to the complaint it is considered that the member of staff acted appropriately.

What can I do if I am dissatisfied with the way my complaint has been dealt with?

We expect that those who make a complaint about our service will be satisfied at the initial investigation stage. However, if you are not satisfied, you must advise us within 28 days of receiving our explanation as to your dissatisfaction. Complaints outside this timescale will not be considered unless in exceptional circumstances.

Unacceptable behaviour by Reporting Person

We recognise that individuals may act out of character in times of difficulty or distress. However, the Office does not expect staff to tolerate behaviour by individuals which is unacceptable (for example, abusive, offensive or threatening). Nor do we expect staff to deal with habitual/persistent people who are unreasonably persistent in contacting the Office regarding the same set of circumstances/complaint and thereby hindering investigation of the complaint.

The Office will take steps to protect staff from such behaviour or unreasonable persistence. Where a service users behaviour is deemed unreasonable and/or unreasonably persistent they will be advised of this in writing and, if necessary, steps will be taken to restrict contact with the Office. Examples may include:

- Limiting phone calls taken;
- Restriction to one channel of communication, eg, letters;
- Formally stating that the Office will no longer respond to the person.

Whatever action is taken will be reviewed periodically.

TAKING YOUR COMPLAINT OUTSIDE THE ORGANISATION

If you are not satisfied with the Commissioner's response, you can seek advice from outside the organisation. You can contact the Office of the Northern Ireland Public Services Ombudsman. Their contact details are as follows:

Northern Ireland Public Services Ombudsman
Progressive House
33 Wellington Place
Belfast
BT1 6HN

Telephone: 028 9023 3821
Text Phone: 028 9089 7789
Freephone: 0800 34 34 24
Email: nipso@nipso.org.uk

Should your complaint relate to the Commissioner this can be taken directly to the Executive Department which sponsors the Office of the Commissioner:

The HIA Implementation Branch
The Executive Office
Block 2, Knockview Buildings
Stormont Estate
Belfast BT4 3SL
Email: HIAImplementationBranch@executiveoffice-ni.gov.uk
Telephone: 028 9076 5703

STANDARDS FOR COMPLAINT HANDLING IN THE PUBLIC SERVICES

STANDARD 1 – 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 the Office of the Commissioner's design.
- Ensuring that staff are equipped and empowered to act decisively to resolve complaints.
- Focusing on the outcomes for the Reporting Person and the public body.
- Signposting to the next stage of the complaints procedure, in the right way and at the right time.

STANDARD 2 – BEING CUSTOMER FOCUSED and FIXING IT EARLY

- Having clear and simple procedures.
- Ensuring that the Reporting Person can easily access the individual addressing complaints and informing them about advice and advocacy where appropriate.
- Responding to the Reporting Person promptly and sensitively, bearing in mind their individual circumstances.
- Listening to the Reporting Person 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.

STANDARD 3 – FOCUS ON WHAT MATTERS

- Publishing clear, accurate and complete information about how to complain, and how
- and when to take complaints further.
- Publishing standards for handling complaints.
- Providing honest, evidence-based explanations and giving reasons for decisions.
- Keeping full and accurate records.

STANDARD 4 – ACTING FAIRLY AND PROPORTIONATELY

- Treating the Reporting Person 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 the Reporting Person.

STANDARD 5 – BE HONEST

- 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.

STANDARD 6 – LEARN AND IMPROVE

- Using all feedback and the lessons learnt from complaints to improve the Office of the Commissioner's 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, informing the Reporting Person about the lessons learnt and changes made.

COMPLAINT FORM

Name: Click here to enter text.

Address: Click here to enter text.

Telephone: Click here to enter text.

Email Address: Click here to enter text.

Name of the member of staff complained about, if applicable: Click here to enter text.

Details of the complaint, giving as much detail as you can:

Click here to enter text.

What would you like us to do to make things right?

Click here to enter text.

List of enclosures (do not send originals):

Click here to enter text.

Signed: _____ Date: _____

Address and contact details:

The Office for the Commissioner for Survivors of Institutional Childhood Abuse
5th Floor South
56-66 Upper Queen Street
Belfast
BT1 6FD
Email: admin@cosica-ni.org
Telephone: 028 9054 4985