

# DORSET & WILTSHIRE FIRE AND RESCUE SERVICE

## IM 4 - Complaints & Compliments Procedure

To be used in conjunction with the Information Management Policy (IM)

### Information Management

The Dorset & Wiltshire Fire and Rescue Authority (DWFRA) is the combined fire and rescue authority for its area, as defined within sections 1 and 2 of the Fire and Rescue Services Act 2004. This document contains the Authority's policy on information management. It is supported by a set of procedures.

Information is an important organisational asset and we need to make sure we properly and efficiently manage and protect the information we hold. We constantly work on making sure our information is complete, accurate, relevant, accessible, and timely. As well as ensuring legal compliance, the Authority requires a high standard of governance to support open and transparent decision-making.

In line with our vision, we strive to continue to be a trusted partner. We share and receive information responsibly by following good practices and, where appropriate, secure recognition of this through externally accredited standards.

We have established effective information management systems embedded and maintained throughout the organisation. These systems directly support our strategic aims/vision and the need to ensure legal compliance against a range of statutory requirements. We take advantage of cost effective technology to make sure appropriate and secure solutions are in place to support the management of the information we hold.

This policy and the supporting procedures are:

- the responsibility of a nominated Senior Information Risk Owner (SIRO) within our Senior Leadership Team (SLT)
- reviewed annually by senior management and scrutinised by Members as part of the Statement of Assurance. This Statement and our assurance framework are publically available to promote confidence in the Authority and its Service.

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## 1. Purpose & Definition

- 1.1. This procedure sets out how Dorset & Wiltshire Fire and Rescue Service (DWFRS) deals with complaints and compliments. It aims to make sure the Service records and acts on these promptly so that we can recognise good performance and identify opportunities for improvement in the future.
- 1.2. A complaint is an expression of dissatisfaction, whether justified or not, about any element of the Service's work. Our aim is to make sure all complaints are investigated fairly and in a timely way.
- 1.3. This procedure does not cover fire safety complaints or matters that should be dealt with under the Discipline, Resolving Issues at Work or Whistle Blowing procedures.
- 1.4. All complaints are handled sensitively, telling only those who have a need to know and following the relevant data protection requirements.

## 2. Procedure Principles

### 2.1. Complaints

- 2.1.1. Complaints can be made in person, by phone, in writing or via the complaints form on the website. If you receive a complaint, try to resolve the concern on the spot, using good customer care practice. If you are unable to do this, advise the complainant of their right to make a formal complaint and explain the complaints procedure to them.
- 2.1.2. If the complainant would like to make a formal complaint, you need to:

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- record the contact details of the complainant
- record the nature of the complaint, including any details of any DWFRS employees involved
- record what action, if any, has already been taken
- ask the complainant what further action they would like taken
- advise that complaints are dealt with during normal office hours
- forward the above information to the Information Management (IM) Team
- consider if it is a matter for the Police. If so, contact the Silver Duty Officer.

2.1.3. If the complainant prefers to contact the IM Team directly, they can do so.

2.1.4. If the complaint relates to discrimination, record this against the relevant equality characteristics and encourage the complainant to also report this through the Hate Crime Reporting tool at [www.dorsetforyou.com/hatecrime](http://www.dorsetforyou.com/hatecrime) or <http://www.wiltshire.police.uk/hate-crime>

2.1.5. If the complainant wishes to remain anonymous, assure them that any details given will remain confidential. Take as much detail as possible around the complaint and forward this to the IM Team.

2.1.6. If you believe that there may be some safeguarding issues surrounding a complaint received, please follow the Safeguarding procedure.

2.1.7. Upon receipt of a complaint, the IM team will:

- record the details within the complaints database and assign the complaint to an appropriate Investigating Officer for investigation
- Appoint an Investigating Officer and notify them by email and by phone to make sure they are able to deal with the complaint within the timescale

2.1.8. The Investigating Officer will contact the complainant and investigate the complaint within 14 working days.

2.1.9. Once the investigation is complete, the Investigating Officer will write to the complainant to advise them of the outcome.

2.1.10. If the complainant is dissatisfied with the response or the way in which their complaint was handled, they can appeal within 28 working days of receiving a response. The Investigating Officer will then refer the complaint to a Senior Officer for further investigation, and advise IM.

### **2.2. Records management**

2.2.1. There is a central database for recording complaints which is administered by Information Management. Former Dorset FRS staff who have access to this will be allocated complaints to investigate via an automatic alert and should update the database with their findings. Former Wiltshire FRS staff should keep records of their complaint investigations and email this to the IM team as soon as possible, for uploading into the complaints database

2.3. **Vexatious Complaint Procedure**

2.3.1. This procedure is designed to deal with complaints where:

- the Complaints Procedure has been correctly implemented as far as possible; and nothing further can reasonably be done to rectify a real or perceived problem
- no material element of a complaint has been overlooked or inadequately addressed
- the procedure will only be implemented following careful consideration by the Head of Information and Communications and the Director of Corporate Services
- the complainant will be informed, in writing, that they have been considered a vexatious complainant under this policy and that a sanction has been invoked as a last resort in order to conclude the matter. The complainant will have the right of appeal to the Fire Authority or to seek independent legal advice
- action that may be taken against the vexatious complainant includes:
  - limiting contact to a named member of staff; and allowing written correspondence only. If members of staff are to withdraw from a telephone conversation with the complainant the following statement may be used: “I am sorry I am unable to deal with your complaint, I understand your complaint is being dealt with by [name employee] only, please contact them in writing”
  - suspending all contact with the complainant whilst seeking legal advice
  - notifying the complainant that the Service has fully responded to all issues and that continuing contact on the same matter will serve no purpose as all matters have been thoroughly investigated. The complainant will also be notified that any further correspondence on the same matter will be acknowledged but not answered, unless any significant new matters are raised in writing.

2.3.2. Where a complainant repeatedly and unnecessarily dials 999 the incidents will be reported to the Police.

2.3.3. Where a complainant harasses, and/or repeatedly threatens or abuses a member of staff, the incidents will be reported to the Police.

2.3.4. All members of staff involved in the complaint or those who are likely to come into contact with the complainant must be informed of the action taken.

2.3.5. The Information Management Team will record the reasons why a complainant has been deemed vexatious and the action taken. See supporting information for more information on [vexatious complaints](#).

2.4. **Compliments**

2.4.1. If you receive a compliment you should acknowledge it, if necessary, notify the line manager and pass it to IM for logging.

- 2.4.2. IM will notify the Media team so that compliments can be published (anonymously) in the Service's magazine.

### 3. Responsibilities

#### 3.1. Investigating Officers

- 3.1.1. Contact the complainant within three working days (via phone, in person or email/write) to:
- explain that you are investigating their complaint and provide your contact details
  - clarify the complaint and the desired outcome. Discuss alternative ways of handling the issue, if an option
  - check if the complainant needs further support (interpreter, visual/audio aids) to ensure they fully understand the process
  - explain the procedure and that the result of their complaint may lead to a disciplinary hearing where they may be asked to give evidence
  - obtain a signed statement (where appropriate)
  - clarify what you will do next and when you will be in touch again.
- 3.1.2. If appropriate, send an acknowledgement letter if the complaint is received in writing and/or not resolved during initial discussions.
- 3.1.3. If you need to forward the complaint to a member of your team to deal with, you may do so via the complaints database or by contacting the Information Management team.
- 3.1.4. Notify HR if the complaint is about, or likely to impact on, a member of staff.
- 3.1.5. Carry out the appropriate investigations to resolve the complaint (see investigation and interview tips). Wherever possible, complete the investigation within 14 working days. If the investigation is likely to exceed 14 days, advise the complainant of an expected date of completion and advise IM or enter the revised date into the database.
- 3.2. Contact the complainant within 14 working days to advise them of the outcome of the investigation, stating:
- the findings of the investigation
  - any action taken or to be taken
  - an apology, if appropriate.
- 3.2.1. If appropriate, you can discuss the outcome of the investigation with the complainant over the telephone instead of sending a letter. If you do, please keep a record of this as [per Section 2.2.](#)
- 3.2.2. Update the complaints database or email all documentation relating to the complaint to the IM team for recording ([see section 2.2 – records management](#)).

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- 3.2.3. Discuss any founded complaint relating to the performance of a member of staff with an HR Manager or Business Partner. If required, forward them a copy of the complaint detail (via the system as a Copy to), or ask IM to do this if you do not have access to the complaints database.
- 3.2.4. Consider how we can learn from the complaint to make improvements to our services and advise IM who will monitor any actions identified.
- 3.3. If a complainant is dissatisfied with the response, or the complaint cannot be resolved within a reasonable amount of time, refer the complaint to your department head for further investigation and advise Information Management. See letter template – Complaint not satisfied.
- 3.4. **Heads of Departments**
  - 3.4.1. Investigate all complaints that the Investigating Officer is unable to resolve. Aim to do this within one month of receiving notification of the complaint and advise the IM team (via database or email) of the new date of completion.
  - 3.4.2. Maintain communication with the complainant during the process, especially if you are likely to need more time to investigate.
  - 3.4.3. Write to the complainant at the end of your investigation to clarify steps previously taken by the Investigating Officer, details of your findings, any actions taken and the next step. Make sure you forward copies of any correspondence to the IM team for entry into the database.
  - 3.4.4. If the complaint is still unresolved and the complainant continues to be dissatisfied with the outcome, refer it to the Clerk of the Fire Authority for consideration by the Authority's Complaints Committee.
  - 3.4.5. If the issue remains unresolved, the complainant can take the matter to the Local Government Ombudsman.
- 3.5. **Information Management (IM) Team**
  - 3.5.1. Record complaints in the complaints database and assign the complaint to an appropriate Investigating Officer for investigation.
  - 3.5.2. Notify the appointed Investigating Officer by email and by phone that they have been allocated a complaint, to make sure they are able to deal with the complaint within the timescale.
  - 3.5.3. Make sure the correct application of the complaints process.
  - 3.5.4. Monitor the trends of causes in complaints and report these to the relevant Heads of Service, including persistent complaints, so that we can identify improvements to the Service.
  - 3.5.5. Maintain accurate information on the website relating to the complaints process.

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- 3.5.6. Record and refer complaints made against Heads of Department, Strategic Leadership Team (SLT) members or a Member of the Fire Authority to the Fire Authority Monitoring Officer.
- 3.5.7. Support staff by providing training in the process and the use of the electronic system (as applicable).
- 3.5.8. Monitor any actions identified for improvement.
- 3.5.9. Log all compliments received.
- 3.5.10. Monitor the number of complaints and compliments received and report these regularly to SLT.
- 3.6. **HR**
  - 3.6.1. When notified of a complaint regarding a member of staff, contact the Investigating Officer with any additional information relating to the behaviour or on-going issues connected to that member of staff.
  - 3.6.2. Assist an Investigating Officer with any background information or detail that may be available in the person's personal reference file (PRF) that you deem relevant to their investigation
  - 3.6.3. Notify the IM team if a complaint is to be dealt with by another process (such as; discipline) so it can be closed and logged accordingly.

## **4. Monitoring & Assurance**

### **4.1. Procedure Management**

- 4.1.1. IM will monitor the number and types of complaints received and regularly report these to SLT and the Finance and Audit Committee.

### **4.2. Learning and Development**

- 4.2.1. This procedure will be raised with all staff on induction.
- 4.2.2. All members of staff using the complaints database should refer to the guidance document.
- 4.2.3. Investigating Officers should refer to the key steps and interview and investigation techniques and contact the Information Management team for further advice and support.

## **5. Document Reference**

### **5.1. Document References**

- Discipline Procedure – EPR 2
- Resolving Issues at Work – EPR 1
- Whistle Blowing Procedure – CG 4

Equality, Diversity and Inclusion – EDI 1

Safeguarding Vulnerable People – PCE 1

5.2. **Supporting Information**

Compliment Acknowledge

Complaint Acknowledge

Complaint Resolution

Complaint Not Satisfied

Lotus Notes Compliments and Complaints database & Guidance Document

Investigating Officer Key Steps

Investigation and Interview Tips

Letter Writing Tips

Vexatious complaints

**6. Document Management**

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Lisa Smith	01/04/2019	Lisa Smith	Pending Publication

6.1. **Version Control:**

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