



# DORSET & WILTSHIRE FIRE AND RESCUE SERVICE

## Complaints & Compliments Procedure

To be used in conjunction with the Corporate Governance Policy Statement

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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, Grievance or Whistleblowing procedures.
- 1.4. All complaints are handled sensitively, informing/involving 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 any concerns 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, please point them in the direction of the [DWFRS website](#) in the first instance. If they are unable to access the website, please obtain:
- Contact details of the complainant e.g. name, address, contact number, email address etc.
  - Details of the complaint including date, time and any details of DWFRS members of staff or premises involved
  - Any actions which have already been taken (if any)
  - Details of any further action the complainant would like taken.
- 2.1.3. Please advise the complainant that complaints are dealt with during normal office hours Monday – Friday. Please forward the above information to the [Executive Support Team](#).
- 2.1.4. You should consider if it is a matter for **the Police**. **If so, contact the Duty Area Manager.**
- 2.1.5. If the complainant prefers to contact the Executive Support Team directly, they can do so using [executivesupport@dwfire.org.uk](mailto:executivesupport@dwfire.org.uk).
- 2.1.6. If the complaint relates to discrimination, record this against the relevant protected characteristics and encourage the complainant to also report this through the Hate Crime Reporting tool at:
- [Hate crime | Dorset Police](#) or <http://www.dorsetcouncil.gov.uk/w/hate-crimes> or
  - [Hate crime | Wiltshire Police](#).
- 2.1.7. If a complainant's first language is not English, they can submit a complaint in their language and the Executive Support Team will translate this and any further correspondence.
- 2.1.8. 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 Executive Support Team.
- 2.1.9. If the complainant is an ex-staff member, then their complaint will be treated as external and dealt with under the Complaints Procedure.
- 2.1.10. If the complaint is found to involve a senior officer, the complaint will be assigned to an external investigating officer. Any appeal made following this, will be considered by the Clerk and Monitoring Officer, or their deputy.
- 2.1.11. If you have safeguarding concerns surrounding a complaint received, please follow the [Safeguarding procedure](#).

- 2.1.12. Upon receipt of a complaint, the Executive Support team will:
- record all details within the complaints system and assign the complaint to an appropriate investigating officer
  - notify the investigating officer by email and by phone to ensure they can deal with the complaint within the timescale.
- 2.1.13. The complaint should be logged by Executive Support within **three** working days and assigned and acknowledged by the investigating officer within **five** working days of the complaint being received.
- 2.1.14. Once the investigation is complete, the investigating officer will write to the complainant to advise them of the outcome.
- 2.1.15. Any complaint that requires monetary compensation will be considered on a case-by-case basis by the Head of Finance in conjunction with the relevant director, following completion of investigation.
- 2.1.16. 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 must refer the complaint to a senior officer for further investigation, which is to be acknowledged by the senior officer within **five** working days of notification and advise Executive Support of the complainant's dissatisfaction.
- 2.1.17. If the complainant remains dissatisfied following a review by a senior officer, they have the right to refer the complaint to the Local Government and Social Care Ombudsman for an independent review.

## 2.2. **Records Management**

- 2.2.1. There is a central database for recording compliments and complaints which is administered by the Executive Support Team.
- 2.2.2. If you are allocated a complaint to investigate, you should do so by following the procedures set out in this document and use the guidance provided to assist you with filling in the database and sending correspondence. Please contact Executive Support for any queries.

## 2.3. **Vexatious Complaint Procedure**

- 2.3.1. A complaint may be regarded as vexatious where the complainant:
- persists in pursuing a complaint where the procedure has been fully and properly implemented and exhausted.
  - persists in pursuing a complaint which has already been investigated by another or the same staff member and provides no new material information.
  - insists on pursuing unjustified complaints and/or unrealistic outcomes beyond reasonable limits.
  - changes the substance of their complaint or continually raises new issues or seeks to prolong contact by continually raising further concerns or questions (care must be taken not to disregard new issues which are significantly different from the original complaint. These may need to be addressed as separate complaints).

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- unwillingly accepts the factual documented evidence or does not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
- does not identify precise issues that require investigation and/or does not accept that the concerns are outside the Service's remit.
- focuses on the trivial, which is out of proportion to its significance and continue to focus on this point.
- makes an excessive amount of contact, which may be with several different employees regarding the same issue or have unreasonable demands or expectations and fails to accept that these may be unreasonable.
- harasses or is personally abusive, threatening, rude or aggressive towards employees.
- makes unauthorised recording(s) of meeting(s) or face to face/telephone conversation(s) without the prior knowledge or consent of the parties involved.
- demonstrate obsessive behaviour, they may be fixated on one or more issues/or employees, and/or want to return again and again to the same complaint or variation of it. Complainants may have a conspiracy theory.

2.3.2. If the complainant satisfies the above criteria the vexatious complaints procedure can be implemented; only 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.

2.3.3. The procedure will only be implemented following careful consideration by the Head of Communications and Engagement and the Deputy Assistant Chief Officer – Corporate Support.

2.3.4. The complainant will be informed, in writing, that they have been considered a vexatious complainant under this procedure and that a sanction has been invoked as a last resort to conclude the matter.

2.3.5. The complainant will have the right of appeal to the Strategic Leadership Team or to seek independent legal advice.

2.3.6. Action that may be taken against the vexatious complainant include the following:

- 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 the individual] 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.

- 2.3.7. Where a complainant repeatedly and unnecessarily dials 999 the incidents will be reported to the Police.
- 2.3.8. Where a complainant harasses, and/or repeatedly threatens or abuses a member of staff, the incidents will be reported to the Police.
- 2.3.9. 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.
- 2.3.10. The Executive Support Team will record the reasons why a complainant has been deemed vexatious and the action taken.

### 2.4. **Compliments**

- 2.4.1. If you receive a compliment directly (on station or within your department), acknowledge it. Please forward details of the compliment to the [Executive Support Team](#) who will send a [Compliment Acknowledgement](#) by email, if they are able to do so.
- 2.4.2. The Executive Support team will enter the compliment details into the database, notifying all relevant personnel.
- 2.4.3. If you feel the compliment deserves media attention, please forward a copy to the [Corporate Communications and Engagement team](#) so the detail can be published (anonymously) in the Service's magazine(s).
- 2.4.4. Managers should consider logging compliments for their staff through the 1:1 Review recognition system

## 3. **Responsibilities**

### 3.1. **Investigating Officers**

- 3.1.1. Once assigned to a complaint, contact the complainant within **five** working days (via phone, in person or email/written correspondence) 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/email if the complaint is received in writing and/or not resolved during initial discussions.

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- 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 system or by contacting the Executive Support team.
- 3.1.4. Carry out the appropriate investigations to resolve the complaint (see [Guidance for investigating officers - investigation and interview tips](#)). Wherever possible, complete the investigation within **10 working days**. If the investigation is likely to exceed **20 working days**, advise the complainant of an expected date of completion and advise Executive Support or enter the revised date into the system.
- 3.1.5. Before contacting the complainant with an outcome, this should be discussed with Manager of Executive Support to ensure the system is updated.
- 3.1.6. The complainant should be contacted within **20 working days** to advise them of the outcome of the investigation. This can be done via phone, email or letter, stating:
- the findings of the investigation
  - any action taken or to be taken
  - an apology, if appropriate.
- 3.1.7. Any phone call should be followed up with a letter or email confirming the above. Before sending this outcome letter, it should be shared with Executive Support for quality assurance and standardisation.
- 3.1.8. Update the complaints system or email all documentation relating to the complaint to the Executive Support team for recording ([see section 2.2 – records management](#)).
- 3.1.9. If staff misconduct is found as result of the complaint investigation then pass the complaint to the HR Case Manager where it will be assigned to another investigating officer under internal procedures (such as [Discipline Procedure](#)).
- 3.1.10. If during the investigation, a complaint is found to involve a member of SLT, seek advice on how to proceed on this from Executive Support.
- 3.1.11. Discuss any founded complaint relating to the performance of a member of staff with an HR Manager or HR Business Partner.
- 3.1.12. Consider how we can learn from the complaint to make improvements to our services and advise Executive Support who will monitor any actions identified. The investigating officer is responsible for ensuring that the actions resulting from their investigation are completed.
- 3.1.13. If a complainant is dissatisfied with the response, or the complaint cannot be resolved within a reasonable amount of time, refer the complaint to Executive Support who will assign a senior officer for further investigation. [See letter template – Complaint not satisfied](#).

### 3.2. Senior Officer

- 3.2.1. In addition to being an investigating officer, you may need to review/further investigate complaints that an Investigating officer cannot resolve or are subject to an appeal. Aim to do this within **20 working days** of being assigned and advise the complainant and Executive Support team of the new date of completion.
- 3.2.2. Maintain communication with the complainant during the process, especially if you are likely to need more time to investigate.
- 3.2.3. 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 steps. Make sure you forward a copy of any correspondence to the Executive Support team for entry into the system. Please see [Senior Officer Review Findings letter template](#) if needed.
- 3.2.4. If the issue remains unresolved, the complainant can take the matter to the Local Government Ombudsman.

### 3.3. Executive Support Team

- 3.3.1. Record complaints in the complaints system and assign to an appropriate investigating officer for investigation. Station related complaints are to be sent to Area Leadership Team (ALT) Group Manager for assignment of investigating officer
- 3.3.2. If a call is received from a person speaking a foreign language, please refer to the Service Control Centre's (SCC) Language Line Information Guidance (IG) note for specific details on how to use the service.
- 3.3.3. 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.
- 3.3.4. Ensure the correct application of the complaints process.
- 3.3.5. If during the investigation, a complaint is found to involve a member of SLT, allocate to an external investigating officer.
- 3.3.6. Monitor the trends of causes in complaints and report these to the relevant Heads of Department, including persistent complaints, so that we can identify improvements to the Service.
- 3.3.7. Work with the Corporate Communications and Engagement team to maintain accurate information on the website relating to the complaints process.
- 3.3.8. Where the complaint cannot be resolved or an appeal is requested by the complainant, refer the complaint to a senior officer
- 3.3.9. Support staff by providing training in the process and the use of the complaints system.
- 3.3.10. Monitor any actions identified for improvement, by sample checking each quarter.

- 3.3.11. Log all compliments received into the compliments system.
- 3.3.12. Monitor the number of complaints and compliments received, types and compliance with response timescales and report these via the quarterly Key Performance Indicator (KPI).
- 3.3.13. Consider the level of information that can be disclosed to the complainant about the outcomes, seek advice from the Data Protection Officer if unsure.

### 3.4. **Human Resources (HR)**

- 3.4.1. 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.
- 3.4.2. 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.
- 3.4.3. Notify the Executive Support 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. Executive Support will monitor the following:
  - Number and type of complaints received by the service.
  - Number and type of allegations made.
  - Number of conduct matters raised in service.
  - Who the complaints, allegations and conduct matters related to (including characteristics and role).
  - Whether the complaint was internal or external.
  - Completion of actions arising from complaints this will be carried out via sample checking.
- 4.1.2. These will be reported quarterly to the Service Delivery Team and to the Finance and Audit Committee and as part of the His Majesty's Inspectorate of Constabulary Fire & Rescue Services data collection.

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

- 4.2.1. This procedure will be raised with all staff on induction.
- 4.2.2. Investigating officers should refer to the [Guidance for investigating officers - investigation and interview tips](#) and contact the Executive Support team for further advice and support.

## 5. Document Reference

### 5.1. Document References

PE-PR-0030 - Grievance Procedure  
 PE-PR-0037 - Discipline Procedure  
 CO-PR-0019 - Whistleblowing  
 PE-PR-0019 - Equality, Diversity & Inclusion  
 PP-PR-0002 - Safeguarding of Vulnerable Groups

### 5.2. Supporting Information

[CO-SI-0080 - Letter template – Compliment Acknowledge](#)  
[CO-SI-0079 - Letter template – Complaint Acknowledge](#)  
[CO-SI-0076 - Letter template – Complaint Resolution Written](#)  
[CO-SI-0077 - Letter template – Complaint Resolution Phone Call](#)  
[CO-SI-0078 - Letter template – Complaint Not Satisfied](#)  
[CO-SI-0075 - Letter template – Senior Officer Review Findings](#)  
[CO-SI-0082 - Guidance for Investigating Officers](#)  
[CO-SI-0081 - Vexatious complaints](#)

Service Control Centre’s (SCC) Language Line Information Guidance (IG) note – Executive Support team reference document accessed locally

### 5.3. Impact Assessment Link(s)

[IA122324 - IM 4 - Compliments & Compliments](#)  
[IGIA80 Complaints and Compliments Stage 2 Information Governance \(IG\) Impact Required](#)

## 6. Document Management

<b>Policy Statement Reference:</b> <a href="#">Corporate Governance</a>			
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Page & Par Ref	Date	Changes Made	Authorised By
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