



Northern Ireland

Public Services

Ombudsman

Consultation on creating
complaints handling standards
for the Northern Ireland
public sector

Consultation document

Foreword by the Ombudsman

Introduction

Since 1969 the role of the Ombudsman in Northern Ireland has been to investigate unresolved complaints about public services. Over the last 50 years we have investigated almost 40,000 complaints from members of the public and have helped thousands of others with their enquiries.

During that time we have also given advice and support to local councils, government departments, health trusts, and other providers of public services on how they should respond when people are unhappy about an aspect of their service.

We regularly come across examples of where public bodies have handled complaints well. However, we also see many examples of poor practice, including where public bodies have failed to take a complaint seriously, taken too long to deal with a complaint, communicated poorly with a complainant, or otherwise demonstrated a disregard for the process.

We have seen the frustration and stress this can cause people during what might be an already difficult time in their lives.

Setting standards for complaints handling

Under Part 3 of the Public Services Ombudsman Act (Northern Ireland) 2016 (the Act) we have been given the authority by the Northern Ireland Assembly to produce a set of principles and procedures to help standardise complaints handling by public bodies in Northern Ireland.

Based on our extensive experience of dealing with complaints, the findings of research into the complaints handling landscape (published along with this consultation), and drawing on similar work carried out by our counterparts in Scotland, Wales and England, we have drawn up a number of plans which we hope will improve the way public bodies deal with complaints and in doing so assist people in NI to have better public services.

We believe that members of the public should expect the highest standards from public services, and that when these standards are not met they have the right to complain..

We think it is important that if people do complain, they know what level of service to expect and a common set of standards will help achieve this. We think that having a simplified, standardised complaint system across the public sector will make it easier for people to complain and help staff who handle complaints within public bodies.

Our aim is also to change the complaints culture within the public sector in Northern Ireland. Although no organisation likes to receive complaints, if they are viewed positively they can act as an excellent early warning sign of where things might be going wrong. By taking claims of service failures seriously, providers of public services can learn lessons and make improvements so that the same mistakes are not repeated.

Overall we believe our plans will:

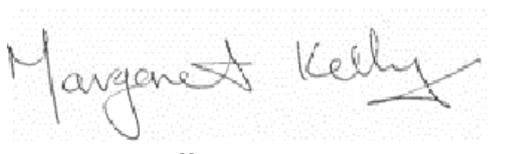
- Create a **positive** culture where complaints are welcomed and valued as an important source of feedback.
- **Simplify** the way complaints are handled.
- **Encourage** many complaints to be resolved much earlier than at present.
- Set clear and consistent standards for effective and **high quality** investigation of complaints.
- Promote best practice in complaints handling by creating **networking and learning opportunities** for public bodies and their staff.
- Help us to provide ongoing **support and guidance** to public bodies to support best practice complaints handling.

This consultation will last for 12 weeks and we want responses from members of the public, consumer and advocacy groups, political parties, regulators, oversight bodies, providers of public services, and others.

After it has finished we will collate the responses and consider any changes we might need to make. We then intend to go back to the NI Assembly to seek final approval for our plans.

This is your opportunity to help shape the way complaints are handled by public bodies in Northern Ireland, so I would urge you to let us know what you think.

We look forward to hearing from you!



Margaret Kelly
Northern Ireland Public Services Ombudsman

Introduction

The Northern Ireland Public Services Ombudsman (NIPSO) has been authorised by the Northern Ireland Assembly to produce a set of principles and procedures to help standardise complaints handling in the public sector. This document sets out:

1. **A Statement of Principles** – outlining the basic principles NIPSO is proposing that all public bodies should use when handling complaints
2. **A draft Model Complaints Handling Procedure** – going into more specific detail about the ways in which organisations may be expected to handle complaints in the future
3. **Our suggested approach** – explaining NIPSO's proposed sector-based approach, and how it plans to support public bodies to implement changes

These plans will affect public bodies across Northern Ireland (in areas such as health and social care, local and national government, housing, and education), requiring organisations to adapt to new, clearly defined standards for how complaints must be treated and handled. It is extremely important that public bodies, those who are the recipients of public services, and groups who support and advocate for them have an opportunity to shape our plans.

1. A Statement of Principles

This is a high level document which sets out the basic principles we think all public bodies should follow when handling complaints.

We have identified six key principles. They state that public bodies should;

1. Start off right
2. Fix it early
3. Focus on what matters
4. Be fair
5. Be honest
6. Learn and improve.

Under each of these headings we have set out a number of key things we expect to see from public bodies when they receive a complaint.

1. STATEMENT OF PRINCIPLES

To provide good complaints handling public bodies should:

- 1) Start off right
 - Ensure effective leadership and governance of complaints.
 - Create a culture that embraces complaints.
 - Provide a simple and time bound complaints process.
 - Ensure clarity of process, roles and responsibilities.
 - Provide a point of contact.
 - Ensure effective and timely communication.
 - Signpost to advocacy and support services, where appropriate.
- 2) Fix it early
 - Acknowledge mistakes and resolve complaints early.
 - Provide an apology, where appropriate.
 - Provide prompt, appropriate and proportionate remedies.
 - Consider alternative methods of resolution.
- 3) Focus on what matters
 - Put the complainant at the heart of the process.
 - Recognise some complainants might need extra help to complain
 - Help the complainant access and use the procedure.
 - Listen, respect and treat complainants with dignity.
 - Provide a safe, secure and confidential service.
 - Inform complainants when timescales cannot be met.
- 4) Be fair
 - Ensure fair investigations in accordance with law and guidance.
 - Provide impartial and objective complaint handling.
 - Deal with complaints within the agreed timescale.
 - Ensure thorough and proportionate investigations.
 - Provide clear and evidence-based outcomes.
 - Ensure consistency from case to case, where appropriate.
- 5) Be honest
 - Be open and accountable.
 - Keep full and accurate records.
 - Provide full, honest and clear reasons for decisions.
 - Publish service standards for handling complaints.
- 6) Learn and Improve
 - Regularly review complaints handling procedures.
 - Provide complaints handling training for relevant staff.
 - Regularly publish complaint outcomes and use feedback to help improve service delivery.
 - Record, analyse and learn from complaints.
 - Review the complainants journey and satisfaction.
 - Promote complaints handling networking opportunities with stakeholders.

2. A draft Model Complaints Handling Procedure

The draft Model Complaints Handling Procedure (MCHP) is underpinned by the Statement of Principles. The draft MCHP explains more specifically how public bodies should deal with complaints.

Our aim is to develop and implement Model Complaints Handling Procedures for each public service sector. Therefore while all public bodies will be expected to agree to the same Statement of Principles, our expectation is that detailed discussions will be needed with public bodies on how the complaints handling procedures will be implemented within each sector. The MCHPs will act as a starting point for these discussions.

We believe that complaints handling principles should contain;

- An agreed definition of what is and what is not a complaint
- A process in which complaints are dealt with in no more than two stages
- A register of all complaints received.
- A focus on resolution of complaints within a specified time period as a key objective
- An investigation stage which lasts a specified number of working days, and which signposts complainants to the Northern Ireland Public Services Ombudsman if they remain unhappy with the outcome.
- Clear standards of investigation.
- Reporting and publicising of complaints information.
- Demonstration of active learning from complaints.

The full draft MCHP is available [here](#).

We are asking you to look at the MCHP and tell us what you think the key elements should be, as well as your views on them as a whole.

3. Our suggested approach

Stakeholder and partnership working

We are committed to a collaborative approach to developing and bringing in the proposed changes.

After the consultation we intend to work in partnership with public bodies and those who represent the interests of recipients of public services to discuss how changes can be made which improve the experience of those who make a complaint.

We will do this by establishing a Complaints Standards Team which will be responsible to the Ombudsman but will operate separately from our complaints investigations teams. This is important as it will mean advice and guidance on good complaints handling will be provided independent of specific investigations.

This team will adopt a flexible, proportionate approach when working with public bodies and other stakeholders, taking account of the wide range of differences between them but with the overall goal of bringing about simplification, standardisation and most importantly a change in the culture around dealing with complaints.

Networks

We intend, where possible, establish formal complaints handling networks with identified sectors as part of a rolling programme of implementation. Each network will consist of representatives from different bodies and interests within each sector, and play a key role in the co-development of the new complaints handling procedures.

It is anticipated that the networks will also act as a driver for collaboration, bench marking, support and the promotion of best practice. This will include the promotion of openness and transparency through the collection and publication of key complaints information for the individual provider and the sector as a whole. Being open about complaints is a key element in changing the complaints culture and in driving improvement.

A sector-based approach

We know we will not be able to bring in these changes overnight. We also don't think it will be possible to effectively introduce them throughout all of the public sector at the same time. We are therefore proposing a staged implementation approach across the five main sectors, allowing us to take account of the unique set of circumstances in each. The five sectors are health and social care, local authorities, government departments, housing, and education.

To help us decide when we will work with each sector, we will consider a number of factors. These include;

- The numbers of complaints we receive about the sectors
- The size and complexities of the sectors.
- The readiness of bodies within the sectors to participate.
- The existence of sectoral collaborations, networks or working groups etc.
- The impact on members of the public attached to the services provided in a sector
- Available resources within sectors (e.g. staffing, programme costs and IT capabilities)

Given their size, some sectors may be subdivided to ensure effective implementation. We aim to announce the sector or sectors we will be starting to work with after the end of the consultation process.

Training and best practice

Training is expected to play an essential role in supporting the proposed changes. The Complaints Standards Team intends to develop a range of training for public bodies to support senior managers, complaints managers and front line staff to manage complaints effectively. We aim to make sure training is available in a range of formats to include face to face, online learning and self-directed e-learning.

The Complaints Standards Team also aim to produce a range of guides for public bodies on topics such as complaints investigation skills, record keeping, how to deal with challenging behaviours, and how to make an effective apology. Further resources will be developed as necessary.

The team intends to monitor practice and identify any trends with respect to the way in which public bodies handle complaints. To enable the culture change necessary public bodies will be encouraged to share their experience of complaints and how their services have improved as a result of receiving complaints.

Compliance

Once a public body is subject to the new arrangements, we propose to monitor their compliance with the new standards. We intend to be flexible and supportive with public bodies to assist them in implementing the new procedures.. However, in the event of a public body not fulfilling their obligations we may make a declaration of non-compliance.. If we do this we would intend to give our reasons in writing and specify which modifications to the complaints handling procedure need to be made.

Responding to the consultation

If you would like to respond to this consultation please do so by clicking [here](#).

You can also email communications@nipso.org.uk if you would like us to send you a printed copy of the consultation response form.

Responses are invited from members of the public, public service providers and their representative groups, elected representatives, professional regulator bodies, advocacy groups and all those with an interest in public service improvement.

The consultation will run from 10 June to 2 September 2021. We intend to submit the draft statement of principles to the Northern Ireland Assembly in the Autumn.

Thank you in advance for contributing to this important development in improving complaints handling in Northern Ireland.



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

Tel: 028 9023 3821
Email: nipso@nipso.org.uk
Web: www.nipso.org.uk
@NIPSO_Comms