

Local Government Staff Commission Complaints Handling Procedure (LGSC CHP)

Part 3

Guide for Person who wishes to make a complaint.

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The Local Government Staff Commission (the Commission) is an Executive Non-Departmental Public Body established under the Local Government Act (NI) 1972.

The Commission is committed to providing high-quality customer services. The document provides customers with clear and straight-forward information on the Commission's complaints handling procedure that follows NIPSO's Model Complaints Handling Procedure (MCHP).

We value complaints and use information from them to help us improve our services.

1. If something goes wrong or you are dissatisfied with our services, please tell us. We need to know about them so that we can learn from them and put them right. This will help us improve our performance. This document describes our complaints procedure and how to make a complaint. It also tells you about how we will handle your complaint and what you can expect from us.

What is a complaint?

2. We regard a complaint as 'An expression of dissatisfaction by one or more members of the public about the Commission's action or lack of action, or about the standard of service provided by or on behalf of the Commission.'

What can I complain about?

3. You can complain about things like:
 - *failure or refusal to provide a service.*
 - *inadequate quality or standard of service, or an unreasonable delay in providing a service.*
 - *dissatisfaction with one of our policies or its impact on the individual.*
 - *failure to properly apply law, procedure or guidance when delivering services.*
 - *failure to follow the appropriate administrative process.*
 - *conduct, treatment by or attitude of a member of staff or contractor (except where there are arrangements in place for the contractor to handle the complaint themselves).*
 - *a concern about the actions or service of an organisation who is delivering services on our behalf.*
 - *disagreement with a decision, (except where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector).*
4. Your complaint may involve more than one of the *Committee's* services or be about someone working on our behalf.

What can't I complain about?

5. There are some things we can't deal with through our complaints handling procedure. These include:
- *a routine first-time request for a service.*
 - *a first-time report of a fault.*
 - *issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process).*
 - *disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information and subject access requests).*
 - *a request for information under the Data Protection or Freedom of Information a request under the Environmental Information Regulations 2004.*
 - *a grievance by a staff member or a grievance relating to employment or staff recruitment.*
 - *a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern).*
 - *an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.*
 - *abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our [Unacceptable Actions Policy or equivalent]; or*
 - *a concern about the actions or service of a different organisation, where we are not involved in the issue (except where the other organisation is delivering services on our behalf).*
6. If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

Who can complain?

7. Anyone who receives, requests or is directly affected by our services, or a service contracted or commissioned by us, can make a complaint to us. This includes the representative of someone who is dissatisfied with our service. If you are making a complaint on someone else's behalf, you will normally need their written consent. Please also read the section on 'Getting help to make your complaint' below.
8. It is easier for us to address complaints if you make them quickly and directly. So please talk to a member of the Commission on your complaint. Then they can try to resolve the issue.
9. When complaining, please tell us:
- your full name and contact details.
 - as much as you can about the complaint.

- what has gone wrong; and
- what outcome you are seeking.

How long do I have to make a complaint?

10. Normally, you must make your complaint within 6 months of:

- the event you want to complain about; or
- finding out that you have a reason to complain.

11. In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

What happens when I have complained?

12. We will always tell you who is dealing with your complaint and provide contact details. Our complaints procedure has two stages.

Stage 1: Frontline response

13. We aim to respond to complaints quickly (where possible when you first tell us about the issue). This could mean an on-the-spot apology and explanation if something has clearly gone wrong, or immediate action to resolve the problem.

14. We will give you our decision at stage 1 in 5 working days or less unless there are exceptional circumstances.

15. If you are not satisfied with the response, we give at stage 1, we will tell you what you can do next. If you choose to, you can take your complaint to stage 2. You must normally ask us to consider your complaint at stage 2 either:

- within 6 months of the event, you want to complain about or finding out that you have a reason to complain; or
- within 2 months of receiving your stage 1 response from us (if this is later).

16. In exceptional circumstances, we may be able to accept a stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

Stage 2: Investigation

17. Stage 2 deals with two types of complaint: those that have not been resolved at stage 1 and those that clearly require in-depth investigation, and so are handled at this stage following discussion and agreement with you. If you do not wish your complaint to be handled at stage 1, you can ask us to handle it at stage 2 instead.

18. When using stage 2:

- we will acknowledge receipt of your complaint within 3 working days.
- we will confirm our understanding of the complaint we will investigate and what outcome you are looking for.
- we will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation); and
- where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within 20 working days.

19. If our investigation will take longer than 20 working days, we will tell you. We will tell you our revised time limits and keep you updated on progress.

What if I'm still dissatisfied?

20. After we have given you our final decision, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Northern Ireland Public Services Ombudsman (NIPSO) to look at it.

NIPSO is the final stage for complaints about the majority of public services in Northern Ireland. This includes complaints about us. NIPSO is an independent organisation that investigates complaints. The service provided by NIPSO is free. It is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

If you remain dissatisfied when you have a final response from us, you can ask NIPSO to look at your complaint. NIPSO generally expect complaints to be brought to it:

- within 6 months since you received correspondence from us informing you that the complaints handling procedure is complete and of your right to refer your complaint to NIPSO.

NIPSO will generally ask you to provide details of your complaint and a copy of our final response to your complaint. You can do this online at www.NIPSO.org.uk or call them on Freephone 0800 34 34 24.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on '*Getting help to make my complaint*' below.

NIPSO's contact details are:

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

Tel Freephone: 0800 34 34 24
Email: nipso@nipso.org.uk
Web: www.nipso.org.uk

(If you would like to visit in person, you must make an appointment first)

The freepost address is:
FREEPOST NIPSO

21. If NIPSO cannot investigate your complaint and your complaint requires an alternative route for independent review, NIPSO will tell you and provide you with the relevant contact details.

Getting help to make my complaint.

22. We understand that you may be unable or reluctant to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. It is important to recognise the barriers that some customers may face barriers to complaining. These may be physical, sensory, communication or language barriers, but can include their anxieties and concerns. Customers may need support to overcome these barriers.

All necessary efforts will be made to ensure that people with particular needs, such as physical or sensory impairments, learning disabilities and stakeholders who are less familiar with English have full access to these procedures. Forms can be provided in large print, Braille, audio and translated into community languages as required. In some specific circumstances, the Commission will offer face to face support or advocacy to those who may need help in making a complaint or in response.

23. How do I complain?

If you wish to complain:

- The quickest way to resolve a problem is to explain it to a member of staff, either face to face or via telephone 028 9031 3200.
- Fill in the complaints form (see below) and return it to the Commission by email to: info@lgsc.org.uk or by post to the relevant member of staff at:

Local Government Staff Commission for NI
217 Formation Works, Lanyon
22 East Bridge Street
Belfast
BT1 3NR

PART 3 GUIDANCE FOR PERSON
WHO WISHES TO MAKE A
COMPLAINT

LOCAL GOVERNMENT STAFF COMMISSION FOR NORTHERN IRELAND
COMPLAINTS PROCEDURE

Complaint Form

What is your complaint regarding? (Please give as much detail as possible)

(Please continue on a separate sheet if necessary.)

It will help us to investigate your complaint fully and contact if you fill in the following:

Name:
Address and postcode:
Contact Phone number:
Signature:

For Staff Use Only

Form Received By: _____ Date: _____

Information logged by: _____ Date: _____

A quick guide to our Complaints Procedure

