



Renfrewshire Integration Joint Board Complaints Handling Procedure

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The Integration Joint Board Complaints Handling Procedure

Introduction

The Public Bodies (Joint Working) (Scotland) Act 2014 (the Act) requires Health Boards and Councils to integrate planning for, and delivery of, certain adult health and social care services. They can also choose to integrate planning and delivery of other services – additional health and social care services beyond the minimum prescribed by Ministers. The Act requires them to prepare jointly a formal integration scheme setting out how this joint working is to be achieved.

Renfrewshire Council (the “Council”) and Greater Glasgow and Clyde Health Board (the “Health Board”) have elected to use a “body corporate” arrangement whereby services will be delegated to a third body called the Integration Joint Board (“IJB”) whose composition reflects a partnership approach between the Council and the Health Board under the leadership of a single Chief Officer.

Issues that are not covered by this definition are likely to be covered by our other Complaint Handling Procedures (CHP), relating to either our health or social work services.

Foreword

Our CHP reflects our commitment to valuing complaints. The procedure seeks to resolve dissatisfaction as close as possible to the IJB and to conduct thorough, impartial and fair investigations of complaints so that, where appropriate, we can make evidence-based decisions on the facts of the case.

The procedure introduces a standardised approach to handling complaints which complies with the SPSO’s guidance on a model complaints handling procedure. This procedure aims to help us ‘get it right first time’. We aim to have quick, simple and streamlined complaints handling with local, early resolution wherever possible.

Complaints give us valuable information we can use in terms of how we fulfil our responsibilities. Our complaints handling procedure will enable us to address dissatisfaction and may also prevent the same problems that led to the complaint from happening again. Handled well, complaints can also help us continuously improve all aspects of how we work.

Resolving complaints early can save time and enable improved customer relationships. Resolving complaints as close to the IJB as possible means we can deal with them quickly so they are less likely to escalate to the next stage of the procedure.

It will also help us keep the public at the heart of the process, while enabling us to better understand how to improve how we do our work by learning from complaints.

This procedure is in addition to the CHP in place for the Health & Social Care Partnership and Local Authority (adult social work) complaints.

| | |
|--|-----------|
| How to use this Model Complaints Handling Procedure..... | 1 |
| What is a complaint? | 2 |
| Handling anonymous complaints..... | 2 |
| What if the individual does not want to complain? | 3 |
| Who can make a complaint? | 3 |
| Complaints involving more than one service or organisation..... | 3 |
| The complaints handling process | 4 |
| Stage one: frontline resolution | 6 |
| What to do when you receive a complaint..... | 6 |
| Timelines | 7 |
| Extension to the timeline | 7 |
| Closing the complaint at the frontline resolution stage | 8 |
| When to escalate to the investigation stage | 8 |
| Stage two: investigation..... | 8 |
| What to do when you receive a complaint for investigation | 9 |
| Timelines | 9 |
| Extension to the timeline..... | 9 |
| Mediation | 10 |
| Closing the complaint at the investigation stage..... | 10 |
| Independent external review | 11 |
| Governance of the Complaints Handling Procedure | 12 |
| Roles and responsibilities..... | 12 |
| Complaints about senior staff..... | 12 |
| Recording, reporting, learning and publicising | 13 |
| Recording complaints | 13 |
| Reporting of complaints | 14 |
| Learning from complaints..... | 14 |
| Publicising complaints performance information | 15 |
| Maintaining confidentiality..... | 15 |
| Managing unacceptable behaviour | 15 |
| Support..... | 15 |
| Time limit for making complaints | 15 |
| Appendix 1 - Timelines..... | 17 |
| Appendix 2 - The complaints handling procedure..... | 21 |

How to use this Procedure

This document explains how to handle IJB complaints. Our public facing document and complaint form provides information for customers on the complaints procedure, together forming our complaints handling procedure.

This document contains references and links to more details on parts of the procedure, such as how complaints will be recorded and the criteria for signing off and agreeing time extensions. These explain how to process, manage and reach decisions on different types of complaints.

When using this document, you can also refer to the 'SPSO Statement of Complaints Handling Principles' and best practice guidance on complaints handling from the Complaints Standards Authority at the SPSO.

<http://www.valuingcomplaints.org.uk>

What is a complaint?

Renfrewshire Integration Joint Board's (IJB) definition of a complaint is:

'An expression of dissatisfaction by one or more members of the public about Renfrewshire IJB's action or lack of action, or about the standard of service the IJB has provided in fulfilling its responsibilities as set out in the Integration Scheme'.

Issues that are not covered by this definition are likely to be covered by our other CHPs relating to either our health or social work services.

A complaint may relate to dissatisfaction with:

- the IJB's decisions
- the decision-making processes followed by the IJB in coming to a decision

This list does not cover everything.

A complaint is **not**:

- a first time request made to Renfrewshire IJB
- a request for compensation only
- issues that are in court or have already been heard by a court or a tribunal
- disagreement with a decision where a statutory right of appeal exists
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.
- Freedom of Information request
- Subject Access request.

We will not treat these issues as complaints but will instead direct the complainant raising them to use the appropriate procedures.

Handling anonymous complaints

We value all complaints. This means we treat all complaints including anonymous complaints seriously and will take action to consider them further, wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. However, this anonymity may restrict the activity of the investigating officer to fully investigate the matters raised and it is possible that an indication of who the complainant is may become evident during the investigation. This will allow the complainant to consider their position in this respect. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further. Any decision not to pursue an anonymous complaint must be authorised by the Chief Officer or Head of Service.

If an anonymous complaint makes serious allegations, it will be considered by Chief Officer or Head of Service immediately.

If we pursue an anonymous complaint further, we will record the issues as an anonymous complaint through the IJB Complaints system. This will help to ensure the completeness of the complaints data we record and allow us to take corrective action where appropriate.

What if the individual does not want to complain?

If someone has expressed dissatisfaction, (in line with our definition of a complaint), but does not want to complain, we will still consider all expressions of dissatisfaction and use the opportunity to investigate/review and improve services. We will encourage them to submit their complaint and allow us to deal with it through the Complaints Handling Procedure. This will ensure that they are updated on the action taken and receive a response to their complaint.

If, however, they insist they do not wish to complain, we will record the issue as an anonymous complaint. This will ensure that their details are not recorded on the complaints database and that they receive no further contact about the matter. It will however enable us to ensure the completeness of the complaints data recorded and to fully consider the matter and take corrective action where appropriate.

Who can make a complaint?

Anyone who is affected by a decision made by Renfrewshire IJB or the conduct of a member of the IJB can make a complaint. This is not restricted to people who receive services through the IJB and their relatives or representatives. Sometimes a customer may be unable or reluctant to make a complaint on their own. We will accept complaints brought by third parties as long as the customer has given their personal consent in line with Data Protection legislation.

Complaints involving the Health & Social Care Partnership (HSCP) or more than one organisation

A complaint may relate to a decision, action or lack of action that has been made by the IJB as well as a service or activity provided by the HSCP. Complaints regarding services or activities provided by the Health & Social Care Partnership will be handled in line with the NHS or Renfrewshire Council Complaint Handling Procedures as appropriate.

Where a complaint relates to a decision made jointly by the IJB and the Health Board or Local Authority, the elements relating to the IJB will be handled through this Complaints Handling Procedure. Where possible, working together with relevant colleagues, a single response addressing all of the points raised should be issued.

Should an HSCP member of staff receive a complaint in relation to the IJB and they have the relevant and appropriate information to resolve it, they should attempt to do so. If the staff member feels unable to offer a response, the complaint should be passed to their Head of Service.

If a complaint is received about services of another agency or public service provider and Renfrewshire IJB has no involvement in the issue, they will be advised to contact the appropriate organisation directly.

If we need to make enquiries to an outside agency in relation to a complaint relating to the IJB, we will always take account of data protection legislation and SPSO guidance on handling personal information. The Information Commissioner has detailed guidance on data sharing and has issued a data sharing code of practice.

How to complain

Should staff be contacted or approached by a member of the public wishing to make a complaint specifically regarding Renfrewshire Integration Joint Board and you are unable to provide a response, you should advise them that they can complain by phone, in writing or by email and provide them with the details noted below.

By phone: 0141 618 7629

In writing: Renfrewshire Health & Social Care Partnership
3rd Floor
Renfrewshire House
Cotton Street
Paisley PA1 1AL

Email: RenfrewshireHSCP.complaints@ggc.scot.nhs.uk

The complaints handling process

The CHP aims to provide a quick, simple and streamlined process for resolving complaints early and locally by capable, well-trained staff.

Our complaints process provides two opportunities to resolve complaints internally:

- **frontline resolution**, and
- **investigation**

| FRONTLINE RESOLUTION STAGE 1 | INVESTIGATION STAGE 2 | INDEPENDENT EXTERNAL REVIEW (SPSO or other) |
|--|---|--|
| <p>For issues that are straightforward and easily resolved, requiring little or no investigation.</p> <p>'On-the-spot' apology, explanation, or other action to resolve the complaint quickly, in five working days or less, unless there are exceptional circumstances.</p> <p>Complaints can be addressed to any member of staff. If unable to provide a response, the complaint must immediately be forwarded to their Head of Service to take forward. Complaint details, outcome and action taken recorded and used for service improvement.</p> | <p>For issues that have not been resolved at Stage 1 or that are complex, serious or 'high risk'.</p> <p>A definitive response provided within 20 working days following thorough investigation of the points raised.</p> <p>The response is signed off by a senior manager.</p> | <p>For issues that have not been resolved by the IJB.</p> <p>Complaints progressing to the SPSO will have been thoroughly investigated by the IJB.</p> <p>The SPSO will assess whether there is evidence of service failure or maladministration not identified by the IJB.</p> |

For clarity, the term 'frontline resolution' refers to the first stage of the complaints process. It does not reflect any job description but means seeking to resolve complaints at the initial point of contact where possible.

Stage one: frontline resolution

Frontline resolution aims to quickly resolve straightforward complaints that require little or no investigation. Any member of staff may deal with complaints at this stage; if the member of staff receiving the complaint is not able to provide a response, then it should **immediately** be passed to the Head of Service to progress.

The main principle is to seek early resolution, resolving complaints at the earliest opportunity. This may mean a face-to-face discussion.

Whoever responds to the complaint, it may be settled by providing an on-the-spot apology where appropriate, or explaining why the issue occurred and, where possible, what will be done to stop this happening again. They may also explain that, as an organisation that values complaints, we may use the information given when we review policies and processes in the future.

A complaint may be made in writing, in person, by telephone, by email or online, or by having someone complain on their behalf. Frontline resolution will always be considered, regardless of how the complaint has been received.

What we will do when we receive a complaint

- 1 On receiving a complaint, we will first decide whether the issue can indeed be defined as a complaint. The complainant may express dissatisfaction about more than one issue. This may mean we treat one element as a complaint, while directing them to pursue another element through an alternative route.
- 2 If we have received and identified a complaint, we will record the details on the IJB complaints recording system.
- 3 Next, we will decide whether or not the complaint is suitable for frontline resolution. Some complaints will need to be fully investigated before we can give the customer a suitable response. A senior officer will escalate these complaints immediately to the investigation stage.
- 4 Where we consider frontline resolution to be appropriate, we will consider four key questions:
 - What exactly is the complaint (or complaints)?
 - What does the complainant want to achieve by complaining?
 - Can I achieve this, or explain why not?
 - If I cannot resolve this, who can help with frontline resolution?

What exactly is the complaint (or complaints)?

It is important to be clear about exactly what is being complained about. Staff may need to ask the supplementary questions to get a full picture. If it is clear that the complaint is in relation to the IJB, then it should immediately be passed to the Head of Service.

What does the complainant want to achieve by complaining?

At the outset, we will seek to clarify the outcome the complainant wants. Of course, they may not be clear about this, so there may be a need to probe further to find out what they expect and whether they can be satisfied.

Can I achieve this or explain why not?

If we can achieve the expected outcome by providing an on-the-spot apology or explain why we cannot achieve it, we will do so. If we consider an apology is suitable, we may wish to follow the SPSO's guidance on the subject, which can be found on the SPSO website.

The complainant may expect more than we can provide. If their expectations appear to exceed what the IJB can reasonably provide, we will tell them as soon as possible in order to manage expectations about possible outcomes.

Decisions at this stage may be conveyed face to face or on the telephone or via e-mail. In those instances; there is no requirement to write to the customer as well, although we may choose to do so. A full and accurate record of the decision reached must be kept, including the information provided to the complainant.

If I cannot resolve this, who can help with frontline resolution?

If the complainant raises issues which you cannot respond to in full because, for example, it relates to an issue or area of service you are unfamiliar with, pass details of the complaint to the Head of Service to be progressed by the complaint team.

Timelines

Frontline resolution (Stage 1) must be completed within **five working days** of Renfrewshire IJB receiving the complaint although, in practice, we would often expect to resolve the complaint much sooner.

More information or advice may be required to resolve the complaint at this stage. However, we will respond to the complainant within five working days, either resolving the matter or explaining that their complaint is more complex and will be investigated under Stage 2 of the Complaint Handling Procedure.

Extension to the timeline

In exceptional circumstances, where there are clear and justifiable reasons for doing so, Heads of Service may agree an extension of no more than five working days with the complainant. This must only happen when an extension will make it more likely that the complaint will be resolved at the frontline resolution stage.

If the complainant does not agree to an extension but it is unavoidable and reasonable, a Heads of Service can still decide upon an extension. In those circumstances, they will then tell the complainant about the delay and explain the reason for the decision to grant the extension.

Such extensions will not be the norm and the timeline at the frontline resolution stage will be rarely extended. All attempts to resolve the complaint at this stage will take no longer than **ten working days** from the date the complaint is received.

The proportion of complaints that exceed the five-day limit will be evident from reported statistics. These statistics will be presented to the IJB on a quarterly basis.

Appendix 1 provides further information on timelines.

Closing the complaint at the frontline resolution stage

When staff have informed the complainant of the outcome, they are not obliged to write to them, although they may choose to do so. The response to the complaint must address all areas that we are responsible for and must explain the reasons for our decision. Staff will keep a full and accurate record of the decision reached. The complaint will then be closed and the complaints system updated accordingly. The complaints resolved at the frontline stage will be reported to the IJB on a quarterly basis.

When to escalate to the investigation stage

A complaint will be escalated to the investigation stage when:

- frontline resolution has been attempted but the complainant remains dissatisfied and requests an investigation. This may happen immediately when the decision at the frontline stage is communicated, or some time later
- the complainant refuses to take part in frontline resolution
- the issues raised are complex and require detailed investigation
- the complaint relates to serious, high-risk or high-profile issues.

When a previously closed complaint is escalated from the frontline resolution stage, the complaint should be reopened on the IJB complaints system.

We will take particular care to identify complaints that might be considered serious, high risk or high profile. The IJB defines potential high-risk or high-profile complaints as those that may:

- generate significant and ongoing press interest
- pose a serious risk to the organisation's operations
- present issues of a highly sensitive nature.

Stage two: investigation

Not all complaints are suitable for frontline resolution and not all complaints will be satisfactorily resolved at that stage. Complaints handled at the investigation stage of the complaints handling procedure are typically complex or require a detailed examination before we can state our position.

These complaints may already have been considered at the frontline resolution stage, or they may have been identified from the start as needing immediate investigation.

An investigation aims to establish all the facts relevant to the points made in the complaint and to give the complainant a full, objective and proportionate response that represents our final position.

What we will do when we receive a complaint for investigation

It is important to be clear from the start of the investigation stage exactly what is being investigated, and to ensure that all involved – including the complainant - understand the investigation's scope. It may be helpful for an investigating officer to discuss and confirm these points with the complainant at the outset, to establish why they are dissatisfied and whether the outcome they are looking for sounds realistic.

In discussing the complaint with the complainant, the investigating officer will consider three key questions:

1. What specifically is the complaint or complaints?
2. What does the complainant want to achieve by complaining?
3. Are the complainant's expectations realistic and achievable?

It may be that the complainant expects more than we can provide. If so, we will make this clear to them as soon as possible.

Where possible, we will also clarify what additional information we will need to investigate the complaint. The complainant may need to provide more evidence to help us reach a decision.

Details of the complaint must be recorded on the IJB complaints recording system. Where appropriate, this will be done as a continuation of frontline resolution. The details must be updated when the investigation ends.

If the investigation stage follows attempted frontline resolution, staff will ensure that all relevant information will be passed to the officer responsible for the investigation and record that they have done so.

Timelines

The following deadlines are appropriate to cases at the investigation stage:

- complaints must be acknowledged within **three working days**
- Renfrewshire IJB will provide a full response to the complaint not later than **20 working days** from the time they received the complaint for investigation.

Extension to the timeline

Not all investigations will be able to meet this deadline. For example, some complaints are complex and require careful consideration and detailed investigation beyond the 20-day limit. However,

these would be the exception and we will always try to deliver a final response to a complaint within 20 working days.

If there are clear and justifiable reasons for extending the timescale, the Head of Service will ensure a time limit on any extended investigation with the agreement of the complainant. They will keep the complainant updated on the reason for the delay and give them a revised timescale for completion. If the complainant does not agree to an extension but it is unavoidable and reasonable, then Head of Service can consider and confirm the extension. The reasons for an extension may include the following:

- Essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff or others but they cannot help because of long-term sickness or leave.
- Further essential information cannot be obtained within normal timescales.
- Operations are disrupted by unforeseen or unavoidable operational circumstances, for example industrial action or severe weather conditions.
- The complainant has agreed to mediation as a potential route for resolution.

As with complaints considered at the frontline stage, the proportion of complaints that exceed the 20-day limit will be evident from reported statistics. These statistics will be presented to the IJB on a quarterly basis.

Appendix 1 provides further information on timelines.

Mediation

Some complex complaints, or complaints where complainants and other interested parties have become entrenched in their position, may require a different approach to resolving the complaint. Where appropriate, we may consider using services such as mediation or conciliation using suitably trained and qualified mediators to try to resolve the matter and to reduce the risk of the complaint escalating further.

Mediation will help both parties to understand what has caused the complaint and so is more likely to lead to mutually satisfactory solutions.

If the IJB and the complainant agree to mediation, revised timescales will need to be agreed.

Closing the complaint at the investigation stage

We will inform the complainant of the outcome of the investigation, in writing or by their preferred method of contact. This response to the complaint will address all areas that we are responsible for and explain the reasons for the decision. We will record the decision and details of how it was communicated to the complainant on the IJB complaints recording system. The complaint will then be closed and the complaints system updated accordingly. The complaints resolved at the investigation stage will be reported to the IJB on a quarterly basis.

In responding to the complainant, we will make clear:

- their right to ask SPSO to consider the complaint
- the time limit for doing so, and
- how to contact the SPSO.

Independent external review

Once the investigation stage has been completed, the complainant has the right to approach the SPSO if they remain dissatisfied. The SPSO considers complaints from people who remain dissatisfied at the conclusion of our complaints procedure. The SPSO looks at issues such as service failures and maladministration (administrative fault), as well as the way we have handled the complaint.

We will use the wording below to inform complainants of their right to ask SPSO to consider the complaint. The SPSO provides further information for organisations on the [Valuing Complaints](#) website. This includes details about how and when to signpost to the SPSO.

Information about the SPSO

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. This includes complaints about the Scottish Government, NDPBs, agencies and other government sponsored organisations. If you remain dissatisfied with an organisation after its complaints process, you can ask the SPSO to look at your complaint. The SPSO cannot normally look at complaints:

- where you have not gone all the way through the organisation's complaints handling procedure
- more than 12 months after you became aware of the matter you want to complain about, or
- that have been or are being considered in court.

The SPSO's contact details are:

SPSO
4 Melville Street
Edinburgh
EH3 7NS

Freepost SPSO

Freephone: **0800 377 7330**
Online contact www.spsso.org.uk/contact-us
Website: www.spsso.org.uk

Governance of the Complaints Handling Procedure

Roles and responsibilities

As per the Public Bodies (Joint Working) Act, and as specified within the integration authority's Integration Scheme,] the Chief Officer's role is to provide a single senior point of overall strategic and operational advice to the IJB. In line with this, overall responsibility and accountability for the management of complaints lies with the Chief Officer.

Our final position on a complaint must be signed off by a senior manager and we will confirm that this is our final response. This reassures the complainant that their concerns have been taken seriously.

Chief Officer:

The Chief Officer provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective complaints handling procedure with a robust investigation process that demonstrates how we learn from the complaints we receive. The Chief Officer may take a personal interest in all or some complaints, or may delegate responsibility for the procedure to appropriate members of the Senior Management Team. Regular management reports assure the IJB of the quality of complaints performance.

Members of the Senior Management Team (Heads of Service):

Members of the Senior Management Team may be responsible for:

- managing complaints and the way we learn from them
- investigating complaints
- overseeing the implementation of actions required as a result of a complaint
- deputising for the Chief Officer on occasion

However, members of the Senior Management Team may decide to delegate some elements of complaints handling (such as investigations and the drafting of response letters) to other senior staff. Where this happens, senior management should retain ownership and accountability for the management and reporting of complaints. They may also be responsible for preparing and signing decision letters to customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint. They may be involved in the operational investigation and management of complaints handling. As senior officers they may be responsible for preparing and signing decision letters to customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint.

Complaints investigator:

The complaints investigator is responsible and accountable for the management of the investigation. They will be involved in the investigation and in co-ordinating all aspects of the response. This may include preparing a comprehensive written report, including details of any procedural changes in service delivery that could result in wider opportunities for learning across the organisation.

All staff:

A complaint may be made to any member of staff in Renfrewshire HSCP. Therefore, all staff must be aware of this Complaints Handling Procedure and how to handle IJB complaints. They should also be aware of who to refer a complaint to, in case they are not able to personally handle the matter. We encourage all staff to try to resolve complaints early, as close to the point of service delivery as possible, and quickly to prevent escalation.

Renfrewshire HSCP SPSO liaison officer:

- The Head of Administration
- Snr Business Support Officer
- The Chief Officer

The liaison officer's role may include providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on our behalf in response to SPSO reports and confirming and verifying that recommendations have been implemented.

Complaints about senior staff

Complaints about senior staff can be difficult to handle as there may be a conflict of interest for the staff investigating the complaint. When serious complaints are raised against senior staff, it is particularly important that the investigation is conducted by an individual who is independent of the situation. We must ensure we have strong governance arrangements in place that set out clear procedures for handling such complaints, including the handling of complaints about the Chief Officer.

Recording, reporting, learning and publicising

Complaints provide valuable customer feedback. One of the aims of the complaints handling procedure is to identify opportunities to improve services across the organisation. We must record all complaints in a systematic way so that we can use the complaints data for analysis and management reporting. By recording and using complaints information in this way, we can identify and address the causes of complaints and, where appropriate, identify opportunities for improvements.

Recording complaints

To collect suitable data it is essential to record all complaints in line with SPSO minimum requirements, as follows:

- the customer's name and address
- the date the complaint was received
- the nature of the complaint
- how the complaint was received
- the date the complaint was closed at the frontline resolution stage (where appropriate)
- the date the complaint was escalated to the investigation stage (where appropriate)
- action taken at the investigation stage (where appropriate)
- the date the complaint was closed at the investigation stage (where appropriate)
- the outcome of the complaint at each stage
- the underlying cause of the complaint and any remedial action taken.

We have structured systems for recording complaints, their outcomes and any resulting action.

Reporting of complaints

Complaints details are analysed for trend information to ensure we identify procedural failures and take appropriate action. Regularly reporting the analysis of complaints information helps to inform improvement actions.

We publish on a quarterly basis the outcome of complaints and the actions we have taken in response. This demonstrates the improvements resulting from complaints and shows that complaints can influence our processes. It also helps ensure transparency in our complaints handling service and will help the public to see that we value their complaints.

We must:

- publicise on a quarterly basis complaints outcomes, trends and actions taken
- where and when possible, use case studies and examples to demonstrate how complaints have led to improvements.

This information should be reported quarterly to the IJB.

Learning from complaints

At the earliest opportunity after the closure of the complaint, officers involved in handling the complaint will make sure that the complainant and relevant staff understand the findings of the investigation and any recommendations made.

The senior management team will review the information gathered from complaints regularly and consider whether processes could be improved or internal policies and procedures updated.

As a minimum, we must:

- use complaints data to identify the root cause of complaints
- take action to reduce the risk of recurrence
- record the details of corrective action in the complaints file and
- systematically review complaints performance reports to improve processes.

Where we have identified the need for improvement:

- the action needed must be agreed by the IJB
- the Chief Officer will designate the 'owner' of the issue, with responsibility for ensuring the action is taken
- a target date must be set for the action to be taken
- the designated individual must follow up to ensure that the action is taken within the agreed timescale
- where appropriate, performance should be monitored to ensure that the issue has been resolved
- we must ensure that the IJB learns from complaints.

Publicising complaints performance information

We also report on our performance in handling complaints annually in line with SPSO requirements. This includes performance statistics showing the volumes and types of complaints and key performance details, for example on the time taken and the stage at which complaints were resolved.

Maintaining confidentiality

Confidentiality is important in complaints handling. It includes maintaining the complainant's confidentiality and explaining to them the importance of confidentiality generally. We must always bear in mind legal requirements, for example, data protection legislation, as well as internal policies on confidentiality and the use of complainant's information.

Managing unacceptable behaviour

People may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the complainant acting in an unacceptable way. Complainants who have a history of challenging or inappropriate behaviour, or have difficulty expressing themselves, may still have a legitimate grievance.

A person's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them. However, we also recognise that the actions of people who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, work with the Health Board and the Council to apply the relevant organisational policies and procedures to protect staff from unacceptable behaviour such as unreasonable persistence, threats or offensive behaviour. Where a decision is made to restrict access to a complainant under the terms of an unacceptable actions policy, the relevant procedure will be followed to communicate that decision, notify the complainant of a right of appeal, and review any decision to restrict contact with us. This will allow the complainant to demonstrate a more reasonable approach later.

Support

All members of the public have the right to equal access to our complaints handling procedure. People who do not have English as a first language may need help with interpretation and translation services and others may have specific needs that we will seek to address to ensure easy access to the complaints handling procedure.

We must always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our processes to help the customer where appropriate.

Several support and advocacy groups are available to support individuals in pursuing a complaint and people should be signposted to these as appropriate.

Time limit for making complaints

This procedure sets a time limit of six months from when the complainant first knew of the problem, within which time they may ask us to consider the complaint, unless there are special circumstances for considering complaints beyond this time.

We will apply this time limit with discretion. In decision making we will take account of the Scottish Public Services Ombudsman Act 2002 (Section 10(1)), which sets out the time limit within which a member of the public can normally ask the SPSO to consider complaints. The limit is one year from when the person first knew of the problem they are complaining about, unless there are special circumstances for considering complaints beyond this time.

If it is clear that a decision not to investigate a complaint will lead to a request for external review of the matter, we may decide that this satisfies the special circumstances criteria. This will enable us to consider the complaint and try to resolve it.

Complaint 3

Complaint 3 refers to a complaint that we considered appropriate for frontline resolution. We did not resolve it in the required timeline of five working days. However, we authorised an extension on a clear and demonstrable expectation that the complaint would be satisfactorily resolved within a further five days. We resolved the complaint at the frontline resolution stage in a total of eight days.

Complaint 4

Complaint 4 was suitably complex or serious enough to pass to the investigation stage from the outset. We did not try frontline resolution; rather we investigated the case immediately. We issued a final decision to the complainant within the 20-day limit.

Complaint 5

We considered complaint 5 at the frontline resolution stage, where an extension of five days was authorised. At the end of the frontline stage the complainant was still dissatisfied. At their request, we conducted an investigation and issued our final response within 20 working days. Although the end-to-end timeline was 30 working days we still met the combined time targets for frontline resolution and investigation.

Complaint 6

Complaint 6 was considered at both the frontline resolution stage and the investigation stage. We did not complete the investigation within the 20-day limit, so we agreed a revised timescale with the complainant for concluding the investigation beyond the 20-day limit.

Appendix 2 - The complaints handling procedure

