



Information Governance

POLICY – Comments, Compliments & Complaints

Number: 002

Last Updated: 01.07.2019
Next Review Date: 01.07.2020

1.0 Summary of Changes

Existing policy transferred to new template and updated.

2.0 What this Policy is About?

Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (the Authority) is an evolving establishment committed to delivering a quality service at all times, sometimes in the most traumatic circumstances.

The purpose of the Comments, Compliments and Complaints Policy is to set out the approach by which the Authority seeks to deal with any feedback made to it, the investigation process and the service anyone giving feedback can expect to receive. Our customers are to be assured that when providing feedback they will be treated in a fair, reasonable and consistent manner.

Feedback gives an indication of how well the service is performing in the public domain and where improvements can be made to training, procedures, policy and promoting changes. Feedback also gives the opportunity to reward those staff that exceed expectations of the people they meet. Compliments received about the service are shared within the Service via our Corporate Communications team who share this on our facility called “#ThankYouThursday”. When things go wrong, we need to deal with what happened quickly and in a way that is constructive and supportive.

This policy applies to all staff, volunteers and contractors working for or on behalf of the Authority.

Comment, compliments and complaints are collectively referred to as feedback.

3.0 Statement of Policy

The Authority’s policy is to ensure that feedback is dealt with fairly and appropriately – this includes sharing insightful commentary and learning widely. It is our intention to be courteous and acknowledge feedback and also provide written outcome responses whenever appropriate. The Authority is committed to transparency. Analysis of feedback received will be reported to the Performance and Resource Board in a publicly-available monthly report. Feedback is used to implement ways of improving the Authority’s services or the manner in which these services are delivered.

The Policy aims to fulfil the following objectives:-



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- a. Members of the public are made aware of their right to give feedback and of the procedure for doing so;
- b. Members of the public feel that feedback is being treated confidentially, fairly and seriously, regardless of whether the outcome brings complete satisfaction;
- c. Staff, volunteers and contractors are aware of this policy and how best to deal with feedback;
- d. The Authority responds to feedback in a timely, courteous and efficient manner
- e. Members of the public are aware of this policy and how best to deal with feedback;
- f. The Authority learns from feedback and takes measures to improve service where appropriate
- g. The reputation of the Authority when delivering services to those most in need is maintained.

Comments

Comments are queries or statements about a particular activity or circumstances that do not raise a complaint. This could be a question about how or why the Authority is doing something, or it could be a suggestion of how it could do something differently. Any such enquiry or comment will be noted (logged), shared with relevant parties and a response provided where appropriate. The Service will triage comments and identify any that need to be processed as Freedom of Information Requests, Environmental Information Requests or Subject Access Requests and will be process and log them accordingly.

Compliments

Compliments are an expression of praise or satisfaction received by the Authority for work or actions undertaken by individuals in the employ of the Authority or provided by the Service for the Authority.

Complaints

Complaints are an expression of discontent or dissatisfaction affecting any member of the public, groups of individuals or an organisation regarding the standard of service, actions or lack of action by the Authority or by its staff.

Approach to Procedure

The procedure for processing feedback is described in the comments, compliments and complaints procedure.



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Classification of Complaints

Any complaints made to the Authority are covered by this policy, including complaints relating to actions taken at operational incidents, actions relating to cases of adult or child safeguarding, or actions taken in relation to the Data Protection Act 2018. In the case of allegations about Safeguarding and Data Protection, the way of handling these is different. They will only be handled by Officers who have received additional, specialised training.

This policy would not normally apply to challenges or objections concerning the enforcement of safety regulations, such as the issuing of an enforcement notice or activity occurring from an audit of a business premises, or subsequent failure to comply with legislation. In these circumstances, the complainant will be directed to the appeals process outlined in the relevant legislation. However, feedback about the conduct or behaviour of staff undertaking these actions does fall within the scope of this policy.

Where a complaint relates to a member of staff, following investigation of the complaint it may also be necessary to consider the nature of the feedback under the Authority's Grievance and Disciplinary Policy and/or Code of Conduct.

Complaints relating to the Chief Fire Officer and Principle Officers

Complaints against the Chief Fire Officer and Principle Officers can be submitted by any member of the public and staff. If the complaint is related to an internal grievance matter then this will be dealt with through the grievance policy.

All allegations or complaints against the Chief Fire Officer and Principle Officers will be managed, investigated and concluded by the Police, Fire and Crime Commissioner Fire and Rescue Authority or its representative. Complaints should be set out in writing and emailed to the PFCC@Essex.pnn.police.uk

Complaints against the Chief Fire Officer and Principle Officers which are received by Essex County Fire and Rescue Service should be forwarded onto the Police, Fire and Crime Commissioner Fire and Rescue Authority as soon as practical and within 2 working days.



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Complaints against the Chief Fire Officer and Principle Officers may cover three areas:

Professional conduct

Any accusation in this area will be considered against the Seven Principles of Public Life (Nolan Principles) and Essex County Fire and Rescue Service's Values.

Direction and control of the service

Any accusation in this area will be considered against what can reasonably be considered the Chief Officers responsibility for the direction and control of the service. This may include delivery against the responsibilities delegated to them from the Police, Fire and Crime Commissioner as set out in the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority Constitution.

Criminal accusation

These will be dealt with by the Police.

Complaints relating to the Police Fire and Crime Commissioner and Deputy Police, Fire and Crime Commissioner

If you wish to make an allegation or complaint that the Police, Fire and Crime Commissioner or the Deputy Police Fire and Crime Commissioner has failed to comply with the PFCC's Code of Conduct, that allegation must be put in writing to the Police, Fire and Crime Panel, Essex County Council, County Hall, Market Road, Chelmsford, Essex, CM1 1QH. The Panel will consider the complaint and, where appropriate, form a subgroup to consider the complaint and agree a resolution.

Complaints relating to the Monitoring Officer

Where a member of the public wishes to make an allegation or complaint against the Monitoring Officer of the Authority this should be sent to the Police, Fire and Crime Commissioner who will consider the complaint. Complaints should be set out in writing and emailed to PFCC@Essex.pnn.police.uk.

Unreasonable or persistent contact

The Authority is committed to dealing with complaints fairly and impartially. As part of this service they do not normally limit the contact complainants have with the Service. However, there are a small number of complainants, who, because of the frequency of their contact or persistent nature of the contact with the Authority, we refer to as 'unreasonably persistent complainants'. In these exceptional circumstances we will take action to limit their contact with our Service.



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The decision to restrict access to our Service will be taken at Assistant Chief Fire Officer/Director level and will normally follow prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:

- Requesting contact in a particular form (for example, letters only)
- Requiring contact to take place with a named Officer
- Restricting telephone calls to specified days and times; and / or
- Asking the complainant to enter into an agreement about their future contacts with us.

In all cases where the Service decides to treat someone as an 'unreasonably persistent complainant', we will write to tell the complainant why we believe his or her behaviour falls in to this category, what action we are taking and the duration of that action.

Unreasonable Complainant Behaviour

The Authority has a duty to ensure the safety and welfare of their staff. We do not expect our staff to tolerate behaviour by complainants, which is unacceptable, abusive, offensive or threatening. We will take action to protect staff from that behaviour by:-

- Restricting the access the unreasonable complainant has with the Service. The decision to restrict access to our Service will be taken at Assistant Chief Fire Officer/Director level.
- Requesting contact in a particular form (for example, letters only)
- Requiring contact to take place with a named Officer
- Restricting telephone calls to specified days and times; and / or
- Asking the complainant to enter into an agreement about their conduct

Where the behaviour is so extreme that the Authority considers it to threaten the immediate safety and welfare of our staff, further options will be considered, for example reporting the matter to the police or exploring legal action. In such cases, we may not give the complainant warning of that action.

4.0 Implications of the Policy

4.1 Finance / Staffing / Training / Other



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Complaints handling and investigation training will be made available through the Learning and Development team.

4.2 Risk Assessment(s)

There is no specific risk assessment or health and safety consideration considered relevant to the content of this policy.

4.3 Equality Impact Assessment

This policy has been subject to an Equality Impact Assessment and has been graded as having a low potential impact. The assessment concluded that the proposals in this policy would have no potential or actual differential impact on grounds of race, ethnicity, nationality, gender, transgender, disability, age, religion or belief or sexual orientation.

5.0 Consultation

The following have been consulted during the formulation of this document:

- *Service Leadership Team*
- *Representative Bodies*
- *Inclusion Lead*
- *Office of Police, Fire and Crime Commissioner*

6.0 Monitoring and Review

Performance Monitoring

The Service Leadership Team and the Authority (via Performance and Resource Board) shall receive an overview of feedback through the monthly and quarterly performance reports and an annual report on feedback from the public to ensure any weaknesses or trends are identified.

The Authority will record the level of feedback and the number of appeals during each financial year and the outcomes from each. It will not record sensitive personal data, such as age or ethnicity. Whilst best practise would suggest this should be collected, the very low level of feedback means that no meaningful analysis of the data could be made, and the data is therefore not required. This position will be subject to review.



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The Authority will on occasions dip sample and review cases for the purposes of scrutiny and compliance.

The Authority will maintain a database of all feedback. Records shall be kept for the duration of three years in accordance with the Authority's Retention Schedule.

Policy Review

The Performance and Data Department will formally review this policy and associated procedure on a yearly basis from the date of publication, to consider:

- Its effectiveness in the business area concerned;
- Any changes to legislation;
- Challenges to the procedure;
- Any identified concerns in relation to implementation

7.0 Related Service Policies or Related Procedures

Comments, Compliments and Complaints Procedure.
Grievance and Disciplinary Policy
Whistleblowing Policy
Whistleblowing Procedure

8.0 Other Source Documents, e.g. Legislation, Partnership Agreements (if applicable)

Relevant Legislation

Care Act 2014
Children's Act 1989
Data Protection Act 2018
General Data Protection Regulations 2016

Policy Author: Tracy King, Assistant Director Performance and Data.

Policy Owner: Rick Hylton, Deputy Chief Fire Officer

Cancellations: Compliments and Complaints Policy March 2011.



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| Title | POLICY – Comments, Compliments & Complaints |
| Author/Owner | Tracy King/Rick Hylton |
| Status | Approved |
| Version | 1.0 |
| Date Approved | 5 June 2019 |
| Approved by | Police, Fire and Crime Commissioner Fire and Rescue Authority |
| Review Date | 01.07.2020 |
| Security Classification | OFFICIAL |