

1575 CORPORATE COMPLIMENTS AND COMPLAINTS PROCEDURE

The following procedure sets out the consistent approach taken by Cheshire Fire and Rescue Service to ensure that complaints are dealt with appropriately and that compliments are communicated to the appropriate departments.

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PART 1 – POLICY SECTION

1. Policy Statement

Cheshire Fire and Rescue Service is committed to reducing preventable deaths and injuries arising from fires and other emergencies in Cheshire by seeking to work with the public and others through education, training, partnerships and research, whilst continuing to provide a risk assessed fire safety and rescue service. We aim to ensure that the community is satisfied with our service but there may be occasions when the service appears to be unsatisfactory.

Positive and negative feedback from customers in the form of compliments and complaints is essential in refining our services to meet their needs. It can highlight areas where services are failing to meet expectations and potentially where changes can deliver efficiencies for Cheshire Fire and Rescue Service.

Cheshire Fire and Rescue Service endeavours to ensure that good practice spreads across the service to innovate and develop through the positive and negative feedback that is received.

This document outlines the associated procedures for dealing with Corporate Compliments and Complaints.

2. Introduction and Scope

The Corporate Compliments and Complaints Procedure needs to adhere to legislative and statutory requirements of the Data Protection Act 2018 Environmental Information Regulations 2004 and the Freedom of Information Act 2000. The procedure coordinates responses to external communication raised by the public in relation to services provided by Cheshire Fire and Rescue Service.

The Government's Audit and Inspection Framework requires Local Authorities to apply rigorous challenges to the services provided to the public ensuring continuous improvement is being attained. The Democratic Services Team monitors the compliments and complaints received and presents an annual report to the Authority's Governance and Constitution Committee.

The procedure outlines Cheshire Fire and Rescue Service's approach to ensuring that complaints are dealt with appropriately and that there is an opportunity to review services provided. It also ensures that compliments are relayed to the appropriate service areas to assist with continued service improvement.

The procedure provides clear guidelines for dealing with compliments and complaints.

3. Role and Responsibilities

The guidelines for compliments and complaints received directs all such correspondence to the Democratic Services Team.

Role	Responsibility
Complaints Co-Ordinator	Democratic Services are responsible for the day to day process of recording and coordinating all correspondence in accordance with the procedures and timelines detailed.
Investigating Officer (informal complaints)	Officers are responsible for investigating and responding to informal complaints relevant to their department, within Corporate deadlines detailed within the procedure.
Senior Investigating Officer (formal complaints)	Heads of Department are responsible for responding to formal Complaints within Corporate deadlines detailed within the procedure.
Review of Head of Department's response (formal complaints)	A Principal Officer and/or Independent Senior Investigating Officer is responsible for reviewing the matter and providing a written response.

PART 2 – PROCEDURE SECTION

4. Overview

Cheshire Fire and Rescue Service want to ensure that service users, be they individual residents or business owners, are provided with a fair, consistent and structured process to remedy any failures in the delivery of its service.

A log of all compliments and complaints is retained by Democratic Services. It is the responsibility of the person receiving the compliment or complaint to ensure it is forwarded to the Democratic Services Office. The details below provide guidance on how, upon receipt, they should be dealt with and the procedures that should be followed.

A judgement should be made upon initial receipt of a complaint as to whether it is dealt with informally or formally in the first instance. The following definitions should be taken into consideration:

Informal complaints include:

- Straight forward investigations
- Easy to provide brief response required
- No 'real' action required
- Not lengthy and involved

Formal complaints include:

- Complex, lengthy investigations
- Complainant specifies they want to make a formal complaint
- Complaint received in writing by completion of Complaints form or a letter

The majority of complaints received are dealt with as an informal complaint initially, and if not resolved satisfactorily are then logged as a formal complaint and the formal procedure followed.

5. Methods of contact to submit a compliment or complaint

A customer can contact Cheshire Fire and Rescue Service in a number of ways:

- In person by visiting one of the Fire Station premises, or Headquarters at Clemonds Hey, Oakmere Road , Winsford,CW7 2UA
- By telephone
- By email
- In writing to Democratic Services, Clemonds Hey, Oakmere Road,Winsford CW7 2UA

- Via the Service's website www.cheshirefire.gov.uk and completing the online form
- Via the Service's social media accounts (e.g. Facebook, Twitter etc.)

**6. Procedure 1 (attached as Appendix 1)
Informal complaints**

Upon receipt of a complaint, attempts should be made to deal with it at initial contact. Such complaints will follow an informal procedure and will be resolved by the officer contacted or their line manager for the relevant department to which the complaint refers. A response dealing with an informal complaint should be provided generally within 10 working days of receipt of the complaint. Details of the complaint and copies of all correspondence should be sent to Democratic Services for recording purposes. Additionally, when appropriate, details of complaints are sent to the Corporate Communications Department, for their information, to enable any possible reputational issues to be managed. Where it has not been possible to deal with the complaint satisfactorily at initial contact, the formal complaints procedure should then be followed, as noted on page 7 (Procedure 2).

	Process / Action	Responsibility
1	Officer receives a complaint and forwards details to Democratic Services by emailing complaints@cheshirefire.gov.uk	Receiving Officer
2	Democratic Services log the details of the complaint on a central database and consider whether it can be investigated and whether any of the exclusions apply. If so provide an explanation to the complainant and advise on appropriate route to follow.	Democratic Services
3	When appropriate, Democratic Services sends details of the complaint to the Corporate Communications department, for information.	Democratic Services
4	Officer from the relevant department investigates the complaint and provides a response within 10 working days of receipt of the complaint, sending a copy of the response to Democratic Services to be held centrally.	Investigating Officer
5	Democratic Services monitors to ensure the complaint is dealt with within the standard timeline and log a record of the response sent.	Democratic Services

6	Democratic Services close the record 28 days after the date the response is sent to the complainant, if no further response is received from the complainant.	Democratic Services
7	If a further dissatisfied response is received, this should be escalated to the next stage, and the formal complaints procedure followed (Procedure 2).	Democratic Services

7. Procedure 2 (attached as Appendix 2) Formal Complaints

The complainant should be advised that a formal complaint should be submitted either:

- in writing to the Service Headquarters,
- by completion of the Service's Compliments and Complaints form on the website, or
- if assistance is required completing the form, by calling Democratic Services on 01606 868304.

	Process / Action	Responsibility
1	Officer receives a formal complaint and forwards details to Democratic Services by emailing complaints@cheshirefire.gov.uk	Receiving Officer
2	Democratic Services log details of the complaint on a central database, and an acknowledgement email/letter is forwarded within 5 working days of receipt of the complaint (Appendix 4). Consider whether it can be investigated and whether any of the exclusions apply and if so, provide an explanation to the complainant and advise on appropriate route to follow.	Democratic Services
3	Democratic Services forwards the complaint to the relevant Head of Department to provide a written response within 28 days of the date of the initial acknowledgement and monitors to ensure a response is sent.	Democratic Services
4	When appropriate, Democratic Services sends details of the complaint to the Corporate Communications department, for information.	Democratic Services
5	The relevant Head of Department to which the complaint refers, investigates and provides a	Head of Department

	detailed written response to the complaint within the standard timeline.	
6	If the standard timeline can't be met, the complainant is notified by email/letter of the delay and the reason. (Appendix 5)	Head of Department / Democratic Services
7	Democratic Services receive a copy of the detailed response and add to the central record.	Democratic Services
8	Democratic Services close the record 28 days after the response is sent to the complainant, if no further response is received from the complainant.	Democratic Services
9	If a further response is received regarding the same matter, the complaint is escalated to the appropriate Principal Officer and/or Independent Senior Investigating Officer.	Head of Department /Democratic Services
10	Further response logged by Democratic Services and an acknowledgement email/letter sent to the complainant within 5 working days of the further response.	Democratic Services
11	Principal Officer and/or Independent Senior Investigating Officer to review the matter and provide a written response within 28 days of the date of the acknowledgement email/letter.	Principal Officer/ Independent Senior Investigating Officer
12	Democratic Services to monitor to ensure a response is sent and a copy is added to the central record.	Democratic Services
13	Democratic Services close the record 28 days after the response of the Principal Officer and/or Independent Senior Investigating Officer is sent to the complainant, if no further response received from the complainant (see Appendix 2 for process map).	Democratic Services
14	If a further response is received regarding the same matter, any further action is taken through the independent Local Government Ombudsman.	Local Government Ombudsman

**8. Procedure 3 (attached as Appendix 3)
Compliments**

	Process / Action	Responsibility
1	Officer receives compliment and provides acknowledgement if appropriate, forwarding all details to Democratic Services by emailing complaints@cheshirefire.gov.uk OR Compliment received by Democratic Services, who will send out an acknowledgement email/letter if appropriate (Appendix 6), and the compliment is forwarded to the relevant department.	Officer /Democratic Services
2	Democratic Services log details of the compliment on a central database.	Democratic Services
3	Democratic Services close the record and no further action is required.	Democratic Services

9. Template Documents

To provide consistency when responding to external communications raised by the public, standard templates have been developed. The standard templates are as follows:

- an initial response email/letter for formal complaints advising the complainant of the process and when they should expect to hear following an investigation into the matter including an Equality Monitoring Form for completion (Appendix 4);
- a response to send to the complainant if the investigation has been delayed and a detailed response cannot be provided within the original time scale (Appendix 5); and
- Response for compliments received (Appendix 6).

10. Recording of Data, Monitoring and Performance Reporting

As part of the Authority's existing Governance and Constitution Committee Terms of Reference compliments and complaints received are reported to the Committee annually. The recording of the information on the central database will give the ability to provide the Governance and Constitution Committee and the Service a more in-depth analysis of:

- the number of compliments and complaints received through the year;

- the number of complaints resolved at initial contact; and
- the types of compliments and complaints received.

All compliments and complaints are registered with Democratic Services where they are kept on a database. A unique reference number will be allocated to each entry.

Case files for all complaints are retained electronically by Democratic Services for monitoring purposes, it is therefore essential that copies of all correspondence are submitted. Hard copies of case files are created for formal complaints only.

Additionally, when appropriate, details of complaints recorded by Democratic Services are sent to the Corporate Communications Department, for monitoring purposes, to enable any possible reputational issues that may occur to be managed.

11. Dealing with Persistent Complainants

Cheshire Fire and Rescue Service endeavour to deal fairly, honestly and properly with persistent complainants while ensuring that other service users, officers or the Service as a whole does not suffer any detriment and that the resources of the Service are used as effectively as possible.

A persistent complainant may have a genuine grievance, but take inappropriate steps to seek redress. A persistent complainant is a member of the public who complains about issues the complainant considers are within the remit of the Service and whose behaviour is characterised by:

- a) actions which are obsessive, persistent, harassing, prolific, repetitious and/or
- b) insistence upon unreasonably pursuing unmeritorious complaints and/or unrealistic outcomes, or
- c) insistence upon pursuing meritorious complaints in an unreasonable manner.

The danger is that their complaint, even if meritorious, is treated without a significant degree of seriousness and consideration, which compounds their complaint and leads to criticism of the Service.

A persistent complainant may use the complaints procedure excessively either at step two or at a higher level. Firstly it should be considered whether a dissatisfied complainant has raised legitimate concerns:

- a) has the complaint been investigated properly?
- b) was any decision reached the right one?
- c) have communications with the complainant been satisfactory?

- d) is the complainant now providing any significant new information that might affect the Service's view of the complaint.

Action

The actions that Cheshire Fire and Rescue Service will take in dealing with unreasonably persistent complainants will be appropriate to the nature and frequency of the complainant's contacts. The following is a list of possible options that the Service may consider if a person is deemed to be an unreasonably persistent complainant.

- a) Limiting the complainant to one form of contact e.g. telephone, letter, email and/or requiring the complainant to communicate only with one named member of staff
- b) Refusing to register and process further complaints about the same matter
- c) Where a decision on the complaint has been settled. Informing the complainant that future correspondence on the same matter will be read and filed and will not be acknowledged or sent a response.

If a decision is taken to apply an action from the above, the Service will write to inform the complainant.

The fact that a complainant has been deemed an unreasonably persistent complainant, details of any restrictions imposed on that complainant, will be recorded and notified to the Director of Governance and Commissioning and Principal Officers. Personal information about the complaint will not normally be included in such a notification.

12. Monitoring and Recording of Persistent Complaints

A central register of persistent complaints will be retained by Democratic Services. Such complaints will be monitored and a report presented annually to the Authority's Governance and Constitution Committee in line with the Service's Compliments and Complaints reporting procedure.

13. Persistent Complaints and Links to Other Policies

This procedure should be used in conjunction with other Cheshire Fire and Rescue Service policies and procedures aimed at protecting officers and the Service. Attention should also be paid to the Service's obligations under the Human Rights Act 1998 to ensure that it is within its right to take any action with regard to a persistent complainant.

14. Exclusions

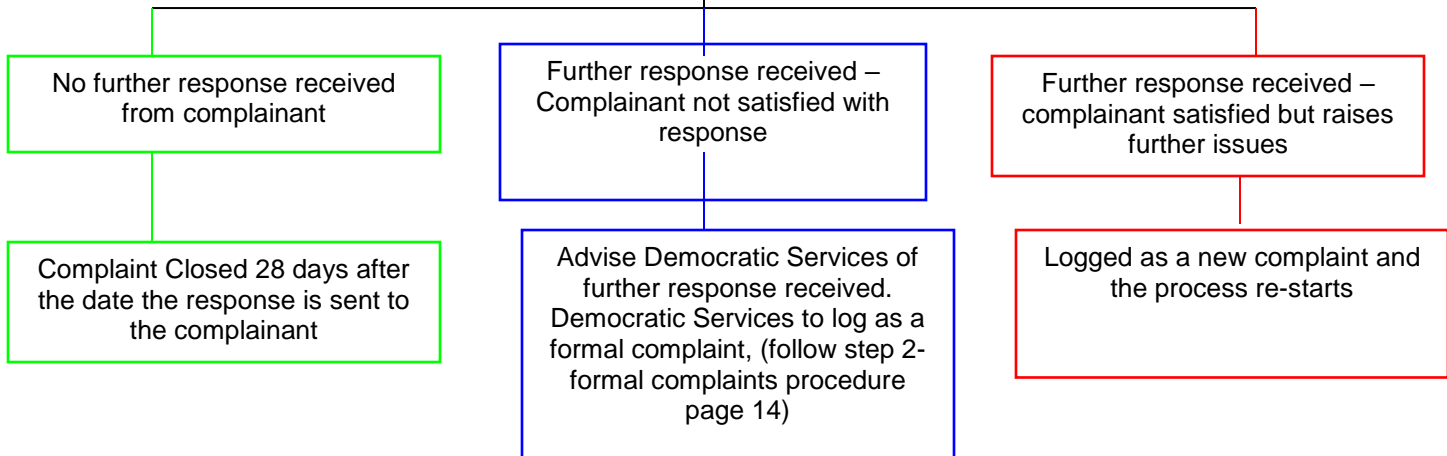
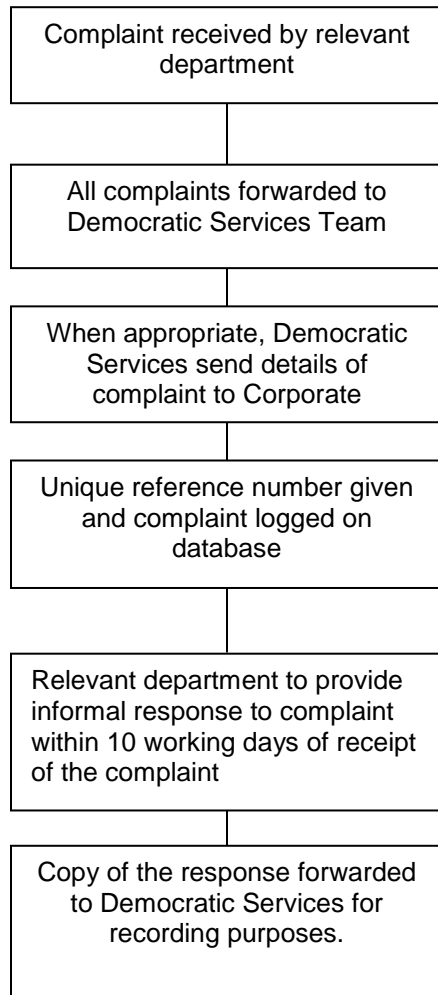
Although this procedure covers complaints relating to the majority of services provided by, or on behalf of, Cheshire Fire and Rescue Service it does not

cover the following situations, which are covered by other policies and procedures. Democratic Services should consider these exclusions before initiating the Corporate Complaints procedure:

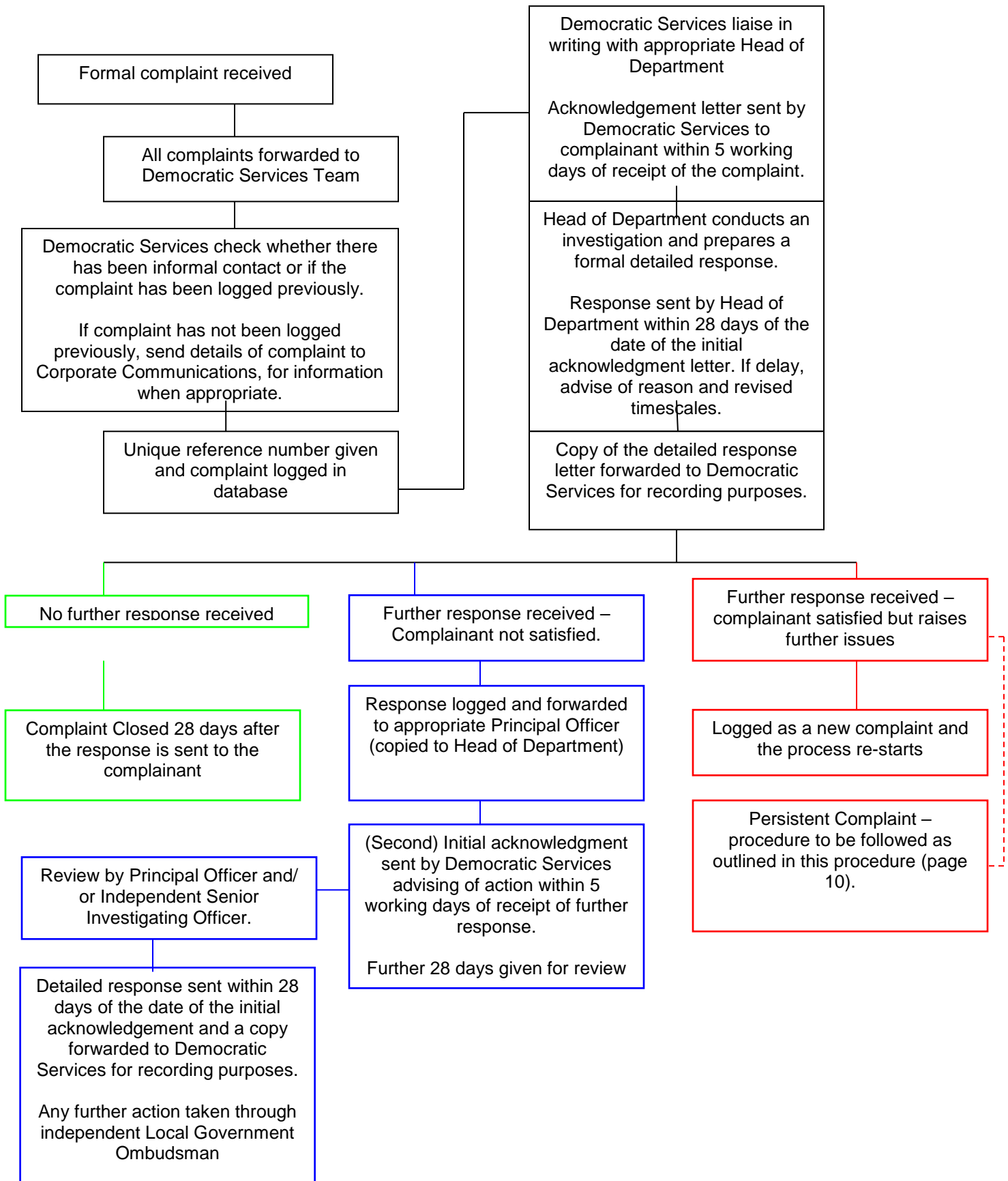
- A complaint where the complainant or Fire Service has started legal proceedings or there is a right of redress in law and where it is reasonable to have expected the complainant to have pursued that course of action
- Complaints about the conduct of a Member of Cheshire Fire Authority. Details of the procedure for handling this type of complaint can be found on our website at <https://www.cheshirefire.gov.uk/about-us/fire-authority/complaints-about-fire-authority-members>
- Complaints covered by statutory appeals processes
- Complaints about personnel matters, including the recruitment process, disciplinary and grievances issues
- Complaints made by staff under the Whistleblowing Policy
- Complaints regarding insurance claims
- Allegations of criminal behaviour or financial impropriety. In these situations, it is appropriate to hold the internal investigation of any aspect of the complaint relating to the allegation of criminal behaviour or financial impropriety pending the outcome of the police investigation. A crime number should be requested from the complainant and it is their responsibility to inform us when the police investigation is complete so that the internal investigation can recommence.
- Freedom of information and the handling of data protection requests

Upon receipt of a complaint which for any reason cannot be considered under the Service's Complaints procedure, Democratic Services will provide an explanation to the complainant and advise on the appropriate route to follow.

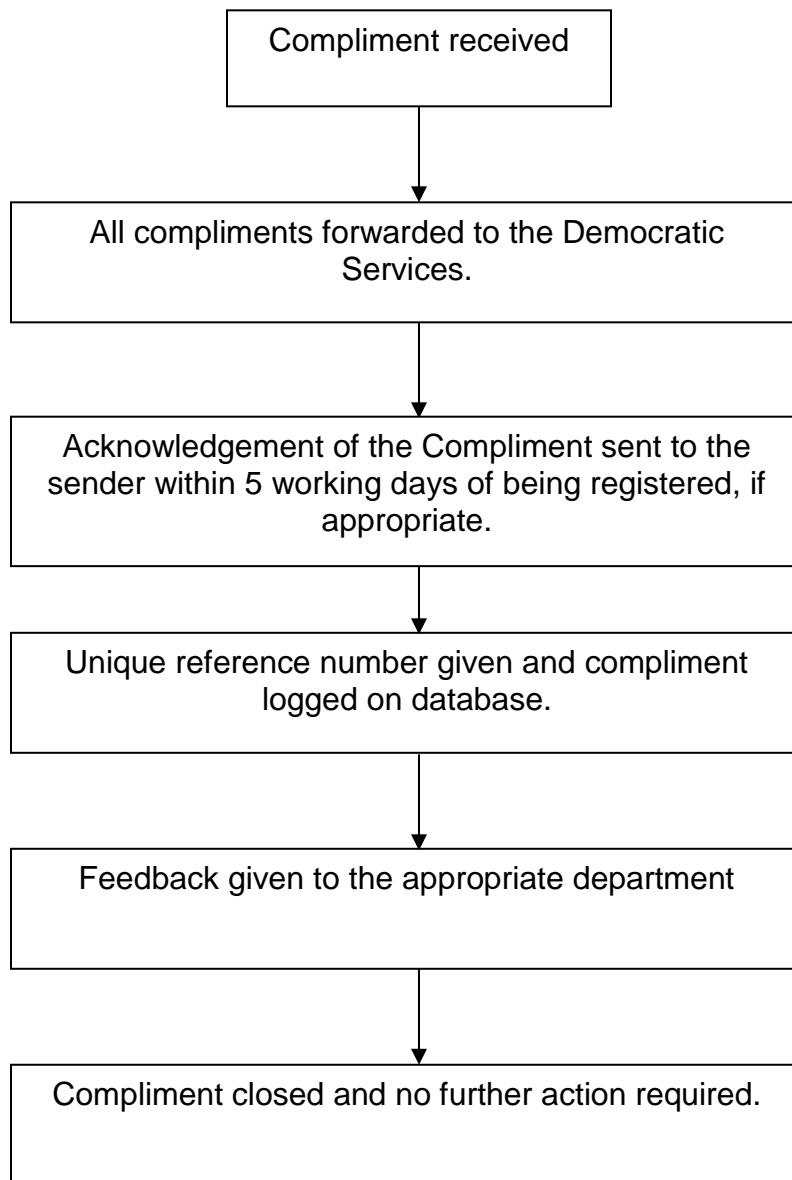
APPENDIX 1
STEP 1: INFORMAL COMPLAINTS PROCEDURE



APPENDIX 2 STEP 2: FORMAL COMPLAINTS PROCEDURE



**APPENDIX 3
PROCEDURE FOR DEALING WITH COMPLIMENTS:**



**APPENDIX 4
TEMPLATE INITIAL RESPONSE FOR FORMAL COMPLAINTS**

(To be amended as necessary)

(insert address of the complainant)

(date)

Complaint **(insert number)**

Governance Officer

Email address

Dear **(insert name)**,

Re: Complaint No. (insert number) – (insert address)

I am writing to acknowledge receipt of your completed complaint **(email/form/letter)** in respect of **(provide summary of the complaint)**

Your complaint has been forwarded to the **Director/Head of (insert department), (insert name of HOD)**. Your complaint will be investigated and a detailed written response of the findings forwarded to you within the next 28 days.

If you would like to provide us with any further information during this time or would like to ask any questions about the complaints process please do not hesitate to contact Democratic Services on 01606 868304.

Cheshire Fire and Rescue Service are trying to make sure that we are not inadvertently discriminating against any sections of the local community when delivering our services or when dealing with complaints/concerns that they may have. I would be grateful if you could complete the attached equality monitoring form and return it in the pre paid envelope provided.

Yours sincerely,

Governance Officer

EQUALITY MONITORING FORM

The information you provide on this form will be kept confidentially and secure.



Cheshire Fire and Rescue Service is keen to ensure that all residents within Cheshire, Halton and Warrington receive an appropriate level of customer service.

The information collected within this monitoring form will be anonymous and used purely for our legitimate interests to research whether there are any trends in the complaints / compliments made about our services and monitor the equality of opportunity or treatment of our customers , for example, whether more complaints received from people over the age of 65. It will not be used to identify individuals. Where a trend is identified with regards to complaints the Service will take steps to ensure that this does not happen again.

The information you provide will be protected and handled under the Data Protection Act 2018 and used only as we have stated above. We will only retain this information for as long as we need it, which is currently 4 years. Our website provides further information about how we use personal information and how to contact the data protection officer: www.cheshirefire.gov.uk/about-us/key-documents/data-protection. You can also complain to the ICO: www.ico.org.uk

If you have any questions about this form you can contact:

equalities@cheshirefire.gov.uk

Please X the appropriate boxes

Gender	
<input type="checkbox"/> Male	<input type="checkbox"/> Female

Ethnic Origin
I would describe my ethnic origin as:
White <input type="checkbox"/> British <input type="checkbox"/> Irish
<input type="checkbox"/> Any other white background

Please specify

.....

Gypsy and Traveller

Romany/Roma Gypsy

Irish Traveller

Other

Please specify

.....

Mixed

White & Black Caribbean

White & Asian

White and Black African

Any other mixed background

Please specify

.....

Asian or Asian British

Indian

Pakistani

Bangladeshi

Any other Asian background

Please specify

.....

Black or Black British

Caribbean

African

Any other Black background

Please specify

.....

Chinese

Chinese or other ethnic group	<input type="checkbox"/> Any other ethnic group
	Please specify

Disability	
Do you consider yourself to be disabled?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Age	
<input type="checkbox"/> 16 - 21	<input type="checkbox"/> 51 - 60
<input type="checkbox"/> 22 - 30	<input type="checkbox"/> 61 - 65
<input type="checkbox"/> 31 - 40	<input type="checkbox"/> Above 65 years
<input type="checkbox"/> 41 - 50	

**APPENDIX 5
TEMPLATE RESPONSE – DELAY IN PROVIDING A DETAILED RESPONSE TO
THE COMPLAINANT**

(To be amended as necessary)

(insert address)

(date)

Complaint **(insert number)**

Governance Officer

Email address

Dear **(insert name)**,

Re: Complaint No. (insert number) – (insert address)

Further to our letter dated **(Insert date of initial response letter)** I would like to advise that the investigation into your complaint is still underway and a detailed response will not be complete for the date originally specified.

I would like to apologise for the delay however we would like to ensure that a thorough investigation is conducted to ensure that the matter is resolved accurately.

The Officer investigating the matter has advised that there will be a delay of **(note the timescale/days)**. If you have any further question with regards to the complaints process or delay please do hesitate to contact Democratic Services on 01606 868304.

Yours sincerely,

Governance Officer

**APPENDIX 6
TEMPLATE RESPONSE FOR COMPLIMENTS RECEIVED**

(To be amended as necessary)

(insert address)

(date)

Compliment **(insert number)**

Governance Officer

Email address

Dear **(insert name)**,

Re: Compliment

Thank you for your recent correspondence giving thanks to the Service following **(insert detail)**. The Service appreciates the positive feedback.

A copy of your letter of thanks has been forwarded to the relevant department.

Yours sincerely,

Governance Officer

PART 3 – GUIDANCE SECTION

15. Steps for Dealing with a Complaint

(External – Published Guidance for Service Users)

Compliments

Cheshire Fire and Rescue Service welcomes positive feedback. We want to learn from your experiences of using the service. If you compliment us on doing something well we can ensure that the good practice spreads across the service.

Complaints

Cheshire Fire and Rescue Service aim to provide a high quality service to all our customers, but if you are unhappy with the service that you have received, please let us know.

Step One: We aim to ensure your complaint is resolved at initial contact. You can make your complaint in person to any Fire Service Premises, by telephone, by email, on the Services website or in writing to Cheshire Fire and Rescue Service. You should receive a response within 10 working days of receipt of your complaint.

Step Two: If the initial contact was not resolved satisfactorily you can make a formal complaint by writing to Democratic Services, Cheshire Fire and Rescue Service, Clemonds Hey, Oakmere Road, Winsford, Cheshire, CW7 2UA, by using the Compliments and Complaints form or via the Cheshire Fire and Rescue Service website. If you require assistance with completing the form you can call Democratic Services on 01606 868304.

An acknowledgement of your complaint will be sent to you within 5 working days of receipt of your formal complaint, notifying you of:

- What we understand your complaint to be;
- How we are dealing with your complaint;
- How long this will take; and
- Who will be dealing with your complaint.

You will receive a response to your complaint within 28 days of the date of the acknowledgment. If there is a delay and we are unable to respond within this timeframe, we will write to you notifying you of the delay and a reason.

Step Three: If you are still dissatisfied with the response you have received, please notify us within 28 days. Your complaint will be referred to a Principal Officer and/or Independent Senior Investigating Officer who will conduct a

review. We will inform you of the outcome within 28 days of receipt of your further response or advise you of any delay.

Step Four: If you are still not satisfied with the response you are entitled to send your complaint to the Local Government Ombudsman.

The Contact details for the Local Government Ombudsman are:

Tel: 0300 061 0614

Website: <https://www.lgo.org.uk/contact-us>

If you'd like to make a complaint by post please call them on the number above and they will provide further contact details for you.