

Q2: Please consider each element of the draft MCHP outlined below and comment on any changes or additions.

A Complaint Handling Procedure should contain an agreed definition of what is and what is not a complaint.

HEALTH SECTOR

Organisation name	Response
Northern Ireland Ambulance Service	Agree, the definition provided by NIPSO is broadly the same as the one all Trusts currently use.
Southern Health & Social Care Trust – email submission	No response to this question.
Southern Health & Social Care Trust – online submission	Draft Model Complaints Handling Procedure SHSCT is regulated by the Department of Health (DoH) and its Regional Complaints Policy. Therefore, the Trust considers that DoH must review and respond to aspects of NIPSO's proposal. SHSCT has shared this with DoH and awaits its input. SHSCT will share with NIPSO any input received from DoH.
Health & Social Care Board	<p>Within the consultation document, the definition of a complaint has been outlined as 'an expression of dissatisfaction by one or more members of the public about the organisation's action or lack of action, or about the standard of service provided by or on behalf of the organisation'.</p> <p>There was previously considerable debate in the development of the definition of a complaint among key stakeholders, as 'An expression of dissatisfaction which requires a response', with this being determined by whether a response was actually required, and this was felt to be clear, definitive and not restrictive.</p> <p>The phrase "... which requires a response ..." was specifically included to differentiate those letters, emails comments etc which expressed dissatisfaction and which required to be responded to via the complaints procedure, and those which did not.</p> <p>While the HSCB understands the NIPSO's attempt to introduce a definition where in many public bodies, a definiti</p>
NHS	They make it difficult to make a complaint
Woodbrooke Medical Practice	No response to this question.

HSC Trust Complaints Forum	Agree
Patient Client Council	We agree that a Complaint Handling Procedure should contain an agreed definition of what is a complaint and what is not. A matrix for understanding what is considered and what is not might be helpful.
General Medical Council	No response to this question.
Medical Protection Society	MPS agrees with the proposal that a Complaint Handling Procedure should contain an agreed definition of what is and what is not a complaint. The Department of Health's Guidance already contains a definition of a complaint [paragraph 2.1] in addition to information about, inter alia: "promoting access" [2.2]; "who can complain" [2.3]; and issues that fall outside of the scope of the HSC Complaints Procedure [1.13 et seq.].
CHASNI	Agree to an extent, I'd rather everything is explored and if it doesn't meet criteria as complaint or should be explained in writing why and possibly signposted elsewhere
Northern Health & Social Care Trust	This is reflective of the Trust approach and I would fully support the set of principles as outlined.

EDUCATION SECTOR

Organisation name	Response
Council for Curriculum, Examinations and Assessment (CCEA)	No response to this question.
Spires Integrated Primary School	No response to this question.
Belfast Metropolitan College	A definition of what a complaint is would be useful, and perhaps a distinction between an informal and formal complaint. We do not however agree with including a list of what is or is not a complaint. A customer has the right to complain if they are dissatisfied with any aspect of service delivery. A list could not cover all possible dissatisfactions. Furthermore, by including an example of what may or may not be a complaint, we could be deterring customers from complaining if their particular issue is not listed.
South West Regional College	South West College (SWC) considers that a definition of what a complaint is would be useful, and perhaps agreeing a distinction between an informal and formal complaint. SWC does not however agree with including a list of what is or is not a complaint. A customer has the right to complain if they are dissatisfied with any aspect of service delivery. A list could not cover all possible dissatisfactions. Furthermore, by including an example of what may or may not be a complaint, we could be deterring customers from complaining if their particular issue is not listed.
Northern Regional College	A definition of what a complaint is would be useful, and perhaps a distinction between an informal and formal complaint. We do not however, agree with including a list of what is or is not a complaint. A customer has the right to complain if they are dissatisfied with any aspect of service delivery. A list could not cover all possible dissatisfactions. Furthermore, by including an example of what may or may not be a complaint, we could be deterring customers from complaining if their particular issue is not listed.
Education Authority - School Development Service	<p>We agree that there should be an agreed definition of complaint; this would assist staff in assessing and processing complaints. In our current two-stage procedure, we have already included such a definition. We are content to review and amend this to take account of the definition offered in the MCHP. We further suggest that there should be examples included of what a complaint may relate to, some suggestions detailed below:</p> <ul style="list-style-type: none"> • Failure to provide a service; • Inadequate quality or standard of service, or an unreasonable delay in providing a service; and • Dissatisfaction with one of our policies or its impact on individual or group <p>Examples should also be included for what is not a complaint, some suggestions detailed below:</p>

	<ul style="list-style-type: none"> Disagreement with a decision where there is a statutory procedure for challenging that decision or an established appeals process followed throughout the sector such as: School Admissions and Admissions Appeals <p>The MCHP should also provide the necessary contact details/links for alternative processes and procedures, this would assist staff in promptly signposting customers to the correct process.</p>
Education Authority - Corporate Complaints Service	<p>The EA Corporate Complaints Service agree that there should be an agreed definition of what is and what is not a complaint which should be clearly defined in the Model as this would assist staff in assessing and processing complaints. The EA further suggest:</p> <p>There should be examples included of what a complaint may relate to, some suggestions detailed below:</p> <ul style="list-style-type: none"> Failure to provide a service; Inadequate quality or standard of service, or an unreasonable delay in providing a service; and Dissatisfaction with one of our policies or its impact on the individual <p>In addition, there should be specific examples of complaints along with possible actions staff may take in particular situations.</p> <p>Examples should also be included for what is not a complaint, some suggestions detailed below:</p> <ul style="list-style-type: none"> A routine first-time request for a service A request for compensation only Disagreement with a decision where there is a statutory procedure for challenging that decision or an established appeals process followed throughout the sector such as: <ul style="list-style-type: none"> School Admissions and Admissions Appeals Special Education Needs and Disability Tribunal (SENDIST) or mediation Transport Appeals. <p>The MCHP should also provide the necessary contact details/links for alternative processes and procedures, this would assist staff in promptly signposting customers to the correct process.</p>
Council for Catholic Maintained Schools	<p>Think this may be difficult to do especially defining what is not a complaint – fairly subjective</p>

Northern Ireland National Association for Head Teachers	<p>The new complaints procedure administered by DE must include the following:</p> <ul style="list-style-type: none"> • An informal stage that emphasises the importance of relationships between school staff and parents and the wider school community • The importance of Boards of Governors must be recognised and they must have an officially recognised stage in the process of complaint escalation • Clear definitions of what specifically constitutes a complaint and the distinction between a complaint and a concern. We would recommend this is clearly laid out in tabular form as per the English model and that the contents are consulted upon with school leaders.
Northern Ireland Council for Integrated Education	Agree, but there are now so many ways that complaints can now be made to organisations, social media, telephone, face to face, letters and emails. When is an inquiry a complaint?
NI Teachers Collaborate	
South Eastern Regional College	A definition of what a complaint is would be useful, and perhaps a distinction between an informal and formal complaint. SERC does not however agree with including a list of what is or is not a complaint. A customer has the right to complain if they are dissatisfied with any aspect of service delivery. A list could not cover all possible dissatisfactions. Furthermore, by including an example of what may or may not be a complaint, we could be deterring customers from complaining if their particular issue is not listed.

HOUSING SECTOR

Organisation name	Response
Co-Ownership Housing Association	We agree that there should be an agreed definition of what is a complaint. What is understood to be a complaint may differ in relation to different organisations and in different sectors. For instance, the words 'the organisation's action or lack of action' may be more readily understood in some contexts while in others it could be that words such as 'the organisation's decision' would be more meaningful. For instance, our current definition of a complaint is "Any expression of dissatisfaction with our service". This should be set by the particular body and should be included in each body's complaints policy. We agree that there should be examples of what is and what is not a complaint.
Clanmil Housing Association	We welcome a single definition of a complaint which would be applied by all Housing Associations as well as examples of what doesn't constitute a complaint (in the housing context).
Choice Housing Association	The Association welcomes an agreed definition of what is / is not a complaint as this should contribute to consistency of approach across sectors and improve the experience for complainants. It should also help service providers prioritise actual complaints and improve service efficiency. We feel other parameters with regard to complaint handling could/should be standardised eg time frames within which complaints should be lodged and agreed definition and procedure for dealing with 'vexatious' complaints.
Ark Housing Association	Agree, this needs to be consistent and uniform across the sector (Housing). It is very important that there is a clear definition of what is not a complaint.
Northern Ireland Housing Executive	Whilst the Housing Executive is in broad agreement that a complaints handling procedure may benefit from the inclusion of an agreed definition of what constitutes a complaint, this definition must not be so broad as to potentially encompass a whole range of business as usual activities. The Current definition suggested in the Model Complaints Handling Procedure 'An expression of dissatisfaction by one or more members of the public about the organisation's action or lack of action, or about the standard of service provided by or on behalf of the organisation' runs the risk of doing that. A significant range of customer 'dissatisfaction' is actually addressed at the initial point of service delivery without the need to enter into any formal complaints procedure. The wishes of the customer should also be reflected at this stage in terms of what constitutes a complaint. Often the customer is simply requesting that an issue be addressed and has no desire to enter a complaints handling process. The current definition also has the potential to include decisions and the requests for decisions to be reviewed. Whilst that is to be encouraged for any decisions without an alternative appeal or reconsideration mechanism, a significant number of decisions will have just such a process built in which is the correct method for addressing customer concerns or issues around this. Different organisations then would require some flexibility to determine in the context of their own business what a complaint

	<p>needing to be dealt with through the formal procedure is and what is not, and adopt a suitable definition to make this clear to customers. This can certainly build on or add to the definition outlined as part of the consultation document. For example the Housing Executive has developed this definition of a complaint: An expression of dissatisfaction or unhappiness that cannot be resolved at the initial point of service delivery about: 'the standard of service provided by or on behalf of the Housing Executive', an action, delay or lack of action, 'a decision made by the Housing Executive that falls within the remit of the complaints policy'. This allows for matters to be resolved at the initial point of service delivery and reflects the presence of alternative appeals and reconsideration mechanisms within the organisation. It would be our view that this provides more meaningful and helpful information to the customer than a one size fits all definition which may leave room for potential misinterpretations and confusion. Customers should naturally (continue to) have the right of appeal to NIPSO where an organisation had refused to consider an issue under the complaints procedure and that was the customer's wish. This more specific definition poses no risks to customer service as it clearly defines what is considered to be a complaint. A broad definition increases the risk of customer misunderstanding and frustration if the complaints procedure is not the correct method of redress.</p>
Northern Ireland Federation of Housing Associations	<p>NIFHA agrees with this element. We welcome an agreed definition of what is and what is not a complaint as this should contribute to consistency of approach across sectors and improve the experience for complainants. It should also help service providers prioritise actual complaints and improve service efficiency. We feel other parameters with regard to complaint handling could/should be standardised e.g., timeframes within which complaints should be lodged and agreed definition and procedure for dealing with 'vexatious' complaints.</p>

LOCAL GOVERNMENT

Organisation name	Response
Ards and North Down Borough Council	<p>Agree but we feel a complaint handling procedure should also include the following:</p> <ul style="list-style-type: none"> • Overview and structure • When to use the procedure - guidance on identifying what is and what is not a complaint, handling complex or unusual complaint circumstances, the interaction of complaints and other processes, and what to do if the MCHP does not apply • The complaints handling process - guidance on handling a complaint through stages 1 and 2, and dealing with post-closure contact • Governance of the procedure - staff roles and responsibilities and guidance on recording, reporting, publicising and learning from complaints • Customer-facing guide - information for customers on how we handle complaints • Implementation guide • Clarification of the ways in which a complaint can be submitted – face to face, by phone, email – all other Digital platforms for eg, Social media how are they treated are they treated the same as all other complaints? • If a matrix /flow chart could be followed this would assist in redefining a complaint as a service request. <p>For e.g.</p> <ol style="list-style-type: none"> 1. Is the customer unhappy (Have they used the words I am unhappy) if not it may not be a complaint? <p>If they are calling reference a service that has not been carried out.</p> <ol style="list-style-type: none"> 1. Has the customer made a request for this service before and we have not fulfilled our promise? Yes / No 2. If this is a first request for a service if Yes, it is a service request. <p>For e.g.</p> <p>Is the customer unhappy Yes/No</p> <p>Is this a repeat request for service not provided? Yes/No</p> <p>Is the customer saying that we caused them stress and inconvenience? Yes/No</p> <p>If answered 'Yes' to 2 out of the 3, it is a complaint.</p>

	If it is for a service where the customer has not requested before, it is a service request.
Causeway Coast & Glens Borough Council	Agree that a Complaint Handling Procedure should contain an agreed definition of what is and what is not a complaint and in particular further definition would be useful in relation to 'planning' complaints. It would also be useful for the CHP to provide examples of what is and what is not a complaint.
Lisburn & Castlereagh City Council	Absolutely agree with this point
Newry, Mourne & Down District Council	Council accepts a Complaint Handling Procedure should contain an agreed definition of what is and what is not a complaint. In addition, NIPSO should produce as part of the MHCP an indicative, but not definitive, list of examples of matters which are and are not complaints. The following are suggested matters for inclusion on an indicative list, either at this stage or when developing sector specific documents. A complaint can be made about, 'inadequate standard of service', failure or refusal to provide a service 'dissatisfaction with a Council policy', 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 working on our behalf, 'disagreement with a decision where the customer cannot use another procedure (for example an appeal or statutory procedure) to challenge the decision', the Council's failure to follow the appropriate administrative process. Exceptions Certain issues and complaints fall outside the scope of this Policy. A complaint is not: 'a routine first-time request for a service (for example a missed bin)', a first-time report of a fault, 'a request for compensation only', disagreement with decisions appropriately made by Councillors or Officers under Council's Scheme of Delegation, 'an explanation of Council policy and practice', disagreement with a decision where a statutory right of appeal exists, (for example in relation to planning permission) 'information requests or an explanation of Council policy or practice', a Press enquiry, 'matters for which there is a right of appeal to a tribunal and or a legal remedy', matters concerning human resources where other Council policies and procedures apply, 'an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where Council has already given a final decision', a matter concerning a Councillor's behaviour.
Fermanagh & Omagh District Council	This is particularly important for both the Public Body and the Complainant.
Mid & East Antrim Borough Council	Council is supportive of an agreed definition but this approach needs to be carefully developed for example: what is defined as a Complaint verses an Opinion verses a Service Request verses General Feedback. Sometimes a service request is seen as a complaint from a public point of view, for example: A noise complaint about a neighbour isn't a complaint, but rather a service request. It only becomes a complaint if the member of public is not happy about how their service request has been dealt with.

Belfast City Council	A suitable and agreed definition is important to ensure that complaints are identified as such, as quickly as possible, and provide guidance to both complainants and council, to promote the early resolution of all complaints.
Antrim & Newtownabbey Borough Council	Yes, we agree that this is an important element of the Complaints Handling Procedure to ensure clarity and to set firm definitions. This will help both the Customer and Staff alike.
Mid Ulster Council	No response to this question.
Northern Ireland Local Government Officer's Superannuation Committee	Agreed.

CENTRAL GOVERNMENT

Organisation name	Response
Department of Education	No response to this question.
Department for Communities	No response to this question.
Department for Justice	No response to this question.
Department for Health	<p>The definition of a complaint does require consideration and means many things to different people, and it is important to get this right as a first principle. I understand this was the subject of much debate when the 2009 Complaints in HSC: Standards and Guidelines for Resolution and Learning was being developed. The final wording, “An expression of dissatisfaction which requires a response,” was consulted on at the time and agreed across the whole of the HSC.</p> <p>It is my view that a simple generic definition should be a starting point for the draft model complaints procedure with the option to elaborate and provide more detail in the complaints handling procedures specific to each sector and their business.</p>
Department for Economy	<p>We agree with this concept but consider the proposed definition to be too wide ranging and that it may lead to a substantial increase in the number of complaints dealt with, many of which may not be intended as such. DfE's more detailed definition is at: https://www.economy-ni.gov.uk/dfe-complaints-procedure and we suggest that in any cases of doubt, public authorities should first confirm with the correspondent whether or not they wish their expression of dissatisfaction to be taken through this route. It is also very important to explain that there are entirely separate statutory and other procedures for certain types of complaint eg FOI/EIR, Data Protection, Public Appointments and - specifically for DfE - Insolvency and Trading Standards complaints and RHI Statutory Reviews. There is no mention of this in the proposals.</p>
National Museums NI	<p>National Museums NI has a clearly defined process for handling a complaint, and this is laid out in our Complaints Policy which I have shared a link to below.</p> <p>nmni-complaints-policy-2021.pdf</p>
Land & Property Services	<p>Agreed. The LPS Complaints Handling guide defines a complaint, which is based upon NIPSO guidance. We can incorporate what is not a complaint into our guidance when we receive the definition</p>

Northern Ireland Audit Office	NIAO agrees with the proposal that a Model Complaint Handling Procedure (MCHP) should contain an agreed definition of what is and what is not a complaint. This should be early in the MCHP and should be the first consideration for all staff dealing with complaint queries.
Probation Board for Northern Ireland	PBNI fully supports this. PBNI complaints policy and procedures set out what may be defined as a complaint. We state in our procedures that a complaint is defined as: 'any communication, which expresses dissatisfaction, by any person about the service actions or inactions of a body or its staff which requires a response.' We use the definition which has been provided by the NIPSO in its document for public bodies 'A Framework for Effective Complaint Handling.' We also set out when PBNI will not accept a complaint. For example if it relates to a decision made by another organisation, or if a certain time has elapsed.
The Consumer Council Northern Ireland	We believe it is beneficial to have a consistent definition across the all public bodies, so there is no confusion around what does or doesn't constitute a complaint from organisation to organisation. We have witnessed this first hand when undertaking complaints handling reviews within organisations, some definitions within organisations have such a specific definition of a complaint that most of the contacts aren't logged as complaints when they should be. This then skews numbers when it comes to publishing complaint figures.
Charity Commission for Northern Ireland	It is agreed that a complaint handling procedure should include an agreed definition of what is and what is not a complaint. This should consider matters such as complaints about governance, formerly known as "whistleblowing". Supporting the "start off right" principle, an agreed and published definition supports the public and the organisation in understanding exactly what may constitute a complaint and therefore will be dealt with under that specific process. This helps to clarify the process from the beginning. Our experience has found that complaints can be communicated in a way which is, at times, complex and lengthy. For example, the complaint issues may be buried within convoluted correspondence on a wide range of other issues, queries and statements; or the complaints process may be being used in an attempt to voice disagreement with a statutory decision. An agreed definition would support understanding by both the organisation and the complainant on what constitutes a complaint, what issues are ineligible as complaints and what issues may be better dealt with under a different process. This, in turn, supports complainants in understanding and submitting complaints which are within the set legal and policy parameters of what can be dealt with by the organisation as a complaint. The organisation can therefore concentrate on complaints which realistically can be considered, resolved and improved for the future.

OTHER

Organisation name	Response
Information Commissioner's Office	No response to this question.
Scottish Public Services Ombudsman	All of our procedures include a definition of a complaint. There are many benefits to this. It helps staff quickly identify when they are dealing with service requests and not complaints, an area which can often be confused. A clear definition is also essential to meeting the reporting and governance requirements of the models, as without one it becomes difficult to assess whether complaints are being properly recorded and reported. Finally, because the definition is the same across organisations, it enables benchmarking across organisations and sectors.
Alliance Party	It is important to ensure that a complainant would not immediately be turned away if their complaint did not fit into definition. An explanation must always be given as to why a complaint would not be accepted or progressed and this should not be used as a means to deter people from using the service.