

Q2f: Please consider each element of the draft MCHP outlined below and comment on any changes or additions.

A full response to stage 2 complaints should be provided as soon as possible but no later than 20 working days from the time the complaint was received for investigation

HEALTH SECTOR

Organisation name	Response
Northern Ireland Ambulance Service	We agree that timescales should be included in a complaints handling process, but suggest these are based on the level of seriousness of the complaint. For example, all Trusts (nationally) currently grade their complaints against a risk matrix, which factors in the consequences of the incident against the likelihood of it reoccurring. Based on these factors each complaint is then graded Low, Medium or High risk and could form the basis of the timeframe for responses. For example, Low Risk complaints could be responded to within the current 20 working day timeframe, whereas Medium Risk complaints (which have a higher level of complexity) could be set at 40 working days and High Risk complaints at 90 working days. Using this response model, which is currently used by the Yorkshire Ambulance Service, timeframes would be based on risk, rather than the current 'one size fits all' approach. This model would also provide clearer expectations that are more manageable for the complainant, provide timescales for more complex investigations and provide a fairer model for organisations to deliver against.
Southern Health & Social Care Trust – email submission	No response to question.
Southern Health & Social Care Trust – online submission	No response to question.
Health & Social Care Board	No response to question.
NHS	No
Woodbrooke Medical Practice	No response to question.

HSC Trust Complaints Forum	<p>Firstly the count of working days should start at Day 0 as day of receipt. For example, if I received a complaint on Monday, and used the draft model definition of 20 working days, I would actually have to respond 19 days later. Current database systems used in HSC are set up as Day 0 being the day of receipt. We accept that 20 working days is a reasonable target for response to the majority of straight forward complaints. However to state "not later than 20 working days" gives a hard target that appears to say it must always be met and is a contradiction to paragraph 58 that states "complex beyond the 20 working day timeline". Our view is that yes we aim to meet 20 working days but feel it is better to provide a quality response that will fully address all points rather than rushing out a reply just to meet the target that may not address the complaints appropriately. Paragraph 59 states any extension must be approved by an appropriate manager. However if a delay expected, this would be informed by the investigating officer, so not sure why another person would need to approve.</p>
Patient Client Council	<p>This approach is welcomed. A full response within 20 working days would also be welcome but we recognise that this will be dependent on the complexity of the complaint. It is the PCC's experience that current timeframes can slip substantially and this in turn can cause further distress for complainants. PCC would emphasise the importance of a quality and considered response over one which meets timeframes. However we would also emphasise the need for good communication with the complainant and supporting bodies throughout the process to mitigate any distress or frustration caused by delays.</p>
General Medical Council	<p>No response to question.</p>
Medical Protection Society	<p>MPS disagrees with this proposal. We observe, in passing, the incongruity of the NIPSO's expectations with respect to complaint responses in the public sector versus the performance of her own office. In the 2019-2020 report, the Ombudsman indicates at section 6 that she aims to share the draft investigation report with the parties within 50 weeks of deciding to initiate an investigation. The Ombudsman set a target of 70% for this key performance indicator (KPI) but in the event, achieved only 60%. We submit that the Ombudsman promulgates a double standard in this regard. Many of the complaints that MPS assists with involve complex clinical issues which span a protracted period. Because of the nature of healthcare delivery, a complaint investigation may require input from multiple clinicians; and the analysis and synthesis of those contributions. In our experience, the imposition of an arbitrary "deadline" for a complaint response can act to undermine the quality of the investigation and response, because the focus of the healthcare organisation can shift to meeting the deadline rather than providing a clear and evidence-based response. The HSC Complaints Procedure allows for a full response within 20 working days -10 days for primary care where the HSCB is not involved as "honest broker". The Ombudsman is referred to the legislation governing complaints in healthcare in England -the Local Authority Social Services and NHS Complaints (England) Regulations 2009- which does not impose such rigid timescales. Section 14 of the Regulations stipulates that a responsible body to</p>

	which a complaint is made must investigate the complaint in a manner appropriate to resolve it speedily and efficiently; and during the investigation, keep the complainant informed, as far as reasonably practicable, as to the progress of the investigation. In our experience, healthcare organisations in England strive to uphold the legislation by dealing with complaints as promptly and efficiently as possible. MPS considers that Northern Ireland should look to this model rather than setting arbitrary timeframes that run the risk of undermining the principles of good complaints handling.
CHASNI	Agree
Northern Health & Social Care Trust	No response to question.

EDUCATION SECTOR

Organisation name	Response
Council for Curriculum, Examinations and Assessment (CCEA)	No response to question.
Spires Integrated Primary School	No response to question.
Belfast Metropolitan College	Agree if 20 working days from date stage 2 complaint received. Our joint sector policy currently stipulates a 20 working day response time frame and this works well in our experience.
South West Regional College	SWC agrees with the 20 working days from date stage 2 complaint received. Our joint sector policy currently stipulates a 20 working day response time frame and this works well in our experience.
Northern Regional College	Agree if 20 working days from date stage 2 complaint received. Our joint sector policy currently stipulates a 20 working day response time frame and this works well in our experience.
Education Authority - School Development Service	This is already in place and is clearly stated in the EA model schools' procedure.
Education Authority - Corporate Complaints Service	The EA Corporate Complaints Service are trying to develop a culture of effective complaints management across the Authority and suggest that given the current changes regarding the processing of complaints that 25 working days is a more appropriate and manageable timeframe for a response to issue. This will afford the Investigating Officer the opportunity to explore the complaint in more depth, establish all the relevant facts and to allow a full, objective and proportionate response to issue that represents our final position. It is also acknowledged that Investigating Officers already experience difficulty in complying with a 25 working day time period in Stage 2 investigations and any reduction to 20 working days for a response to issue will certainly be extremely challenging for the Investigation Officers and unfortunately most likely will lead to more extension requests being required.
Council for Catholic Maintained Schools	No response to question.
Northern Ireland National Association for Head Teachers	Deadlines should be realistic and achievable and school leaders should be consulted on these in advance of them being set.
Northern Ireland Council for Integrated Education	This may be reasonable in term time but not in the school holidays.

NI Teachers Collaborate	Agree if 20 working days from date stage 2 complaint received. Our joint sector policy currently stipulates a 20 working day response timeframe and this works well in our experience.
South Eastern Regional College	Agree if 20 working days from date stage 2 complaint received. The FE sector policy currently stipulates a 20 working day response timeframe and this works well in our experience.

HOUSING SECTOR

Organisation name	Response
Co-Ownership Housing Association	The two stage process for Co-Ownership allows a manager to investigate the complaint fully and respond promptly to the customer within 20 days of the complaint being raised. Very few complaints go beyond this stage as it is only if the customer remains unhappy with the response that the second stage is needed. Our experience is that customers like the reassurance that having a Director of the organisation review their complaint brings.
Clanmil Housing Association	No response to question.
Choice Housing Association	Large public bodies receive volumes of correspondence via a variety of channels. Administration requirements and good record keeping necessitates recording of all incoming queries/complaints and circulation to the appropriate personnel which in itself may take at least a day from date of receipt. That said we recognise that complainants should enjoy timely response to complaints and as such we feel that 20 working days provides opportunity to investigate and respond to the complainant subject to the further extension for complex cases.
Ark Housing Association	Agree
Northern Ireland Housing Executive	From our experience we have found that a significant number of complaint cases require considerable time and involved levels of investigation to bring to a conclusion. Very often we are reliant on third parties to contribute to any investigation and the complexity can involve numerous departments within the organisation to deliver a response. Whilst providing a target timescale may seem beneficial to the customer this must be a realistic timescale or else it runs the risk of increasing frustration and leaving customers feeling dissatisfied with the complaints process. If a particular sector or organisation has to publicise and report on a 20 day timescale, but the reality is it has very little chance of meeting such a target in a significant number of cases, this will likely lead to increased customer frustration and disappointment. Whilst recognising the need for a speedy resolution, the Housing Executive has always favoured a thorough investigative approach and quality of response over the meeting of any internal and now external target. On balance, we believe customers appreciate this quality over quantity approach with assurance that their case is being taken seriously. The presence of an external 20 day target may lead to a reduction in the quality and extent of investigation, and, in some cases, may lead to increased customer dissatisfaction. The Housing Executive realises that this is a balancing act and whilst keen to reduce its own response times to complainants, it would still wish to prioritise the quality of investigation and response as the primary motivation behind any complaints handling procedure. We believe that the most important factor is ensuring that customers are fully informed on the progress of their case at each stage of the process and they know matters are be thoroughly investigated. Organisations should have the ability

	<p>to designate cases as complex, where appropriate, with a view to informing customers at the outset that their case falls into this category and, as such, the expectation is that the 20 day target will be exceeded. The proposed Stage Two target time in particular will result in the need to review what we would consider to be the "Received date" of a complaint. We would regularly receive complaints where the issues of complaint are not always clear and at times customer may seek to add items of complaint to their original submission. The Housing Executive believes that any target response time should commence once the final issues of complaint are agreed and depending on the level of clarification required this may be some time after receipt of the initial complaint. This is contrary to our approach at present where adherence to target dates is overridden by regular contact with the customer and as such target dates are not routinely reset. On occasions the Housing Executive would also receive complaints from people who are acting on behalf of someone else (e.g. friend or family member). In such cases a form of authority is sought. Again any target timescale should not commence until authority to act has been confirmed. It would be beneficial if any prescribed timescales (and monitoring of such) could make allowances for factors such as these and give organisations the ability, subject to a suitable audit trail and rationale to decide what the effective commencement date for any complaint timescale should be.</p>
Northern Ireland Federation of Housing Associations	<p>Agreed. It is widely recognised that complaints received are increasingly complex and challenging, requiring careful assessment to determine key issues. We welcome the proposal that an extension beyond the 20-day time frame is possible and feel an update every 20 days ensures that the complainant is kept abreast of progress.</p>

LOCAL GOVERNMENT

Organisation name	Response
Ards and North Down Borough Council	In order to do this, it is essential that all relevant staff, including front line staff, are given the empowerment and training to investigate and resolve a complaint. Where a complaint is not made directly to the department involved, call handlers and others who are likely to be the first point of contact will be trained to identify a complaint and allocate it to a contact point within each department at which it will be determined who shall be the stage 1 responder, and the complainant will be notified promptly who this will be. If a complaint cannot be resolved within 20 working days then it will be assigned to a manager to further investigate and resolve. We agree that if the customer is still unhappy with the outcome at stage 2 the customer should be at this stage referred to the Ombudsman.
Causeway Coast & Glens Borough Council	Agree
Lisburn & Castlereagh City Council	Agree with this point. If a response cannot be made within 20 working days a revised timescale should be provided on progress of the investigation.
Newry, Mourne & Down District Council	This timescale is acceptable and provides sufficient time to prepare a response to a complaint.
Fermanagh & Omagh District Council	Agreed, but again it would be useful to include "exceptional circumstances" as circumstances beyond reasonable control can occur e.g. the sickness of a key member of staff.
Mid & East Antrim Borough Council	Council supports this approach. This is in line with our current Council policy.
Belfast City Council	Based on council experience, twenty working days is sufficient to bring to conclusion the vast majority of complaint cases.
Antrim & Newtownabbey Borough Council	Our current proposed approach is up to 10 working days to resolve complaints at both stages. We feel that 20 working days could cause frustration for the customer as it is usually possible to resolve stage 2 complaints within 10 working days. We have included a caveat to state in exceptional circumstances a short extension of time may be necessary due to unforeseen circumstances (such as the availability of a key staff member or the need to obtain further information).
Mid Ulster Council	No response to question.

Northern Ireland Local Government Officer's Superannuation Committee	Regulation 87(1) and (2) of the Local Government Pension Scheme Regulations (Northern Ireland) 2014 (SRNI 2014/188) gives NILGOSC two months from the date the application was received to respond under stage 2. Achieving this is difficult (and sometimes not achievable) when medical reports and consultants appointments are required. Stage 2 decisions also need to be reviewed by the Committee, who meet on a monthly basis and papers need to be prepared in advance. However, 87(2) required NILGOSC to send an interim reply if the two month deadline will not be met setting out the reasons for the delay and the expected date for issuing the decision.
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CENTRAL GOVERNMENT

Organisation name	Response
Department of Education	No response to question.
Department for Communities	<p>The draft Model proposes that where the points of the complaint and expected outcomes are clear, these must be set out in the acknowledgement and asks the complainant to get in touch immediately if they disagree. Where the points of the complaint are not clear, the complainant must be told that the organisation will contact them by phone or face to face to discuss.</p> <p>While we agree with this approach in principle, to acknowledge in the manner outlined would involve significant time to consider the complaint and draft the acknowledgment or to prepare for and complete the phone or face to face engagement to better understand the complaint. The introduction of this step would impact the ability to meet the target clearance time of 20 working days. Consideration should be given to a process which would facilitate people who prefer to engage only in writing.</p>
Department for Justice	No response to question.
Department for Health	No response to question.
Department for Economy	We suggest this is amended to 'usually no later than' in acknowledgement of genuine reasons for complaints taking longer than 20 working days to address. This is reflected in the question below.
National Museums NI	I am pleased to advise that NMNI's CHP is in parallel to that which is proposed in your MCHP.
Land & Property Services	LPS aims to respond to our Stage 2 complaints within ten days.
Northern Ireland Audit Office	NIAO agrees with this proposal; indeed it corresponds with our latest policy on complaints handling. Where such deadlines cannot be met, it is important to keep the complainant abreast of the situation, and the likely timetable for response.
Probation Board for Northern Ireland	PBNI ask that Investigating Officers should complete the investigation and provide a written report to the Decision Officer within 25 working days from their appointment. Due to PBNI staff caseload and difficulties as set out above in organising to meet complainants, particularly those in prison, we believe this 25 day time frame is necessary. The terms of reference are established by the Decision Officer at the start of the formal investigation. Investigating Officers often need to interview numerous relevant individuals, particularly when investigating a complex complaint, and produce an in-depth investigation report. The investigation report goes to the Decision Officer who may ask the Investigating Officer to further investigate some elements of the investigation or make substantial revisions to the investigation report. Therefore, we believe 20 working days is too short a time frame to conduct a full and robust investigation.

The Consumer Council Northern Ireland	Our own process is 10 working days and this would be similar to many utility companies and public organisations that we work with. We think it is best practice to endeavour to respond within 10 working days and in cases where a more in-depth investigation is required, update the consumer in advance of the 10 day deadline that more investigation time is needed and provide an indicative date when the response is likely. We are aware that this will vary depending on the organisation and the complexity of the case.
Charity Commission for Northern Ireland	The Charity Commission for Northern Ireland currently has this timescale approach and has found it is workable, with the acknowledgement noting that where an extension is required, the complainant will be notified of this and a reason why provided.

OTHER

Organisation name	Response
Information Commissioner's Office	No response to question.
Scottish Public Services Ombudsman	Our experience is that this is achievable for public organisations in many cases and it is appropriate that the standard reporting time is based around a reasonable timescale. It is not achievable for all complaints and so it is important to provide for some flexibility. This is why this, in our models, and in the proposed NIPSO model, it is appropriate that this is a timescale against which it is useful to report performance, This is to gain an understanding of what the general achievement against the timescales are, and what types of complaints take longer.
Alliance Party	If an extension is granted to the time line, this must be detailed to complainant at the earliest stage possible with an explanation of why it will take longer than 20 working days. If a member of staff is being investigated at this time, relevant support services should be detailed to them. Consequences for failing to adhere to timescales should be considered to avoid a lack of support/ engagement from relevant bodies.