

### Question 3:

**NIPSO is proposing to introduce MCHPs for public bodies on a sector by sector basis. Do you consider this is the most effective approach? If not, what would you propose?**

#### HEALTH SECTOR

Organisation name	Response
Northern Ireland Ambulance Service Trust (NIAST)	Yes, this seems the most effective approach. However, as previously stated, a new MCHP for health and social care would need to be introduced by the Department of Health.
Southern Health & Social Care Trust (SHSCT)	<b>Questionnaire submission</b> - No response to question. <b>Email submission</b> – No response to question
Northern Health & Social Care Trust (NHSCT)	No response to question
Health & Social Care Board (HSCB)	No response to question
NHS	No.
Woodbrooke Medical Practice	No response to question
HSC Trust Complaints Forum	Yes, we consider it is best to have individualised sector procedures as each sector is very different.
Patient Client Council (PCC)	No response to question
General Medical Council (GMC)	No response to question

Medical Protection Society (MPS)	MPS agrees that a bespoke sector-by-sector approach is preferred. However, we firmly disagree with the requirement to introduce a MCHP in the health sector. We would suggest that NIPSO adopts the HSE complaints policy as it is adequate.
Care Homes Advice and Support NI (CHASNI)	Agree.

## EDUCATION SECTOR

Organisation name	Response
Spires Integrated Primary School	No response to question
Belfast Metropolitan College	There are a number of more pressing concerns to be addressed in the proposed model before this can be considered.
Northern Regional College	There are a number of more pressing concerns to be addressed in the proposed model before this can be considered.
South West College	There are a number of more pressing concerns to be addressed in the proposed model before this can be considered.
Council for Catholic Maintained Schools (CCMS)	No response to question
Council for Curriculum, Examinations and Assessment (CCEA)	No response to question
Northern Ireland Council for Integrated Education (NICIE)	Yes sector by sector may be the most appropriate way and the easiest way to offer training/ information sessions.
Education Authority (EA) - Corporate Complaints Service	Yes it is agreed this is the best approach as it will enable each organisation to adopt the MCHP to suit their specific needs and requirements. The NIPSO may also be able to share learning from their experiences from their engagement with other public bodies i.e. challenges which they have faced and how to avoid similar issues arising with other organisations.
Education Authority (EA) - School Development Service	Yes it is agreed this is the best approach as it will enable each organisation to adopt the MCHP to suit their specific needs and requirements. NIPSO may also be able to share learning from their experiences

	from their engagement with other public bodies i.e. challenges that they have faced and how to avoid similar issues arising with other organisations.
National Association for Head Teachers Northern Ireland (NAHTNI)	No response to question
NI Teachers Collaborate	There are a number of more pressing concerns to be addressed in the proposed model before this can be considered.
South Eastern Regional College	There are a number of more pressing concerns to be addressed in the proposed model before this can be considered.

## HOUSING SECTOR

Organisation name	Response
Co-Ownership Housing Association	We agree that it would be useful to take a sector by sector approach to complaints handling.
Clanmil Housing Association	No response to question
Choice Housing Association	Choice recognises that each sector has its own challenges. Robust engagement with each sector is required to understand the range and complexity of complaints and the regulatory / legislative responsibilities that each sector is subject to. As Housing Associations we do not fully meet the definition of a public body. Furthermore we are subject to Departmental regulation with regard to complaints and regulatory oversight by the Charities Commission. Prior to any review of our current complaints models it is our view that regulatory/legislative conflict needs to be addressed.
Ark Housing Association	Yes, we would welcome this approach.
Northern Ireland Housing Executive (NIHE)	The Housing Executive would be of the view that this is an effective approach if there is a degree of flexibility to be built into the model to reflect differing requirements of different sectors.
Northern Ireland Federation of Housing Associations (NIFHA)	<p>NIFHA recognises that each sector has its own challenges. Robust engagement with each sector is required to understand the range and complexity of complaints and the regulatory or legislative responsibilities that each sector is subject to.</p> <p>As Housing Associations, do not fully meet the definition of a public body and are subject to Departmental regulation with regard to complaints and regulatory oversight by the Charities Commission. Prior to any review of our current complaints models it is our view that regulatory or legislative conflict needs to be addressed.</p>

## LOCAL GOVERNMENT SECTOR

Organisation name	Response
Ards & North Down Borough Council	Yes, sector by sector would be a more effective and efficient way of managing the complaints for public bodies while recognising the difference between the volume and severity of complaints received by for example the health service versus local government. Assuming public sector bodies would be required to make returns to the Ombudsman based on the MCHP, pre-populated drop down options would be useful to save time and ensure benchmarking is appropriate.
Causeway Coast & Glens Borough Council	Agree with the approach.
Lisburn & Castlereagh City Council	Agree.
Newry, Mourne & Down District Council	Council welcomes greater standardisation across the whole public sector in terms of definitions, consistency of approach and complaints handling. A sector by sector approach would be appropriate when issues of common interest in complaints handling can be addressed.
Fermanagh & Omagh District Council	Council welcomes the commitment to the development of a sector based approach as it is important to recognise sector specific issues such as where the Council's complaints procedure cannot be used e.g. in relation to Complaints against Councillors or where alternative dispute resolution alternatives apply.
Mid & East Antrim Borough Council	Council would support this as an appropriate approach. It should be noted that Councils have the most diverse portfolio of services delivered by a public sector organisation, which makes complaint handling more complex.

Belfast City Council	The council views a sector by sector approach as a sensible and effective way to introduce and implement the MCHP. It will enable a programme of work which can address and learn from issues as it rolls out across different sectors.
Antrim & Newtownabbey	With a clear timescale for implementation this allows bodies to begin appropriate preparation.
Mid Ulster Council	No response to question
Northern Ireland Local Government Officer's Superannuation Committee	<p>NILGOSC currently has its own Complaints Handling Procedure, that includes the IDRP referred to above, the framework of which is set out in the LGPS (NI) legislation. Running two different complaints handling processes with different timescales and steps has the potential of leading to member, stakeholder and administrator confusion where one process ends with the NI Ombudsman and the other with the Pensions Ombudsman ("TPO"). Complaints may be mixed in nature - having some elements that should be referred on to NIPSO if the member remains unsatisfied and other elements falling within the jurisdiction of TPO. In these circumstances it would be cumbersome and confusing for the member and the scheme, if the complaint had to be divided for internal consideration under two different internal processes. It may be useful to explain the complaints landscape for pensions a little further. TPO has wide jurisdiction in relation to pension complaints in Northern Ireland under Part X of the Pension Schemes (NI) Act 1993, as amended. The complaints within this jurisdiction (please see s. 142 of the 1993 Act) include, for example: - any complaint by an actual or potential beneficiary of an occupational or personal pension scheme who alleges injustice as a consequence of maladministration in connection with any act or omission of a person responsible for the management of the scheme - any dispute of fact or law in relation to an occupational pension scheme between an actual or potential beneficiary and a person responsible for the management of the scheme. Generally the IDRP has to be exhausted before referring a complaint to TPO. However, TPO offers an Early Resolution Service, which is available to the member and the scheme at any stage - the IDRP does not have to be completed. This can offer a faster route for the parties to a complaint. It is contingent on both member and scheme agreeing to use the Early Resolution Service. The outcome is without prejudice and non-binding - so either party may decide to progress to the formal TPO adjudication process. NILGOSC is required under the 2014 Regulations to signpost the availability and contact details of the Money and Pensions Service ("MaPS") to members after stage one of the IDRP and of TPO and MaPS to members after stage two of the IDRP. (Please see regulations 85 and 87.) Please note that MaPS has a new consumer facing brand for advice known as MoneyHelper (which combines the Money Advice Service, The Pensions Advisory Service and Pensions Wise) and it is possible that our regulations will be updated to refer to this new consumer advice brand. TPO has also issued standard wording to be used by schemes in responses to</p>

	<p>members under any IDRP or similar process. (Please see: <a href="https://www.pensionsombudsman.org.uk/sites/default/files/publication/files/Signposting%20to%20The%20Pensions%20Ombudsman%202.pdf">https://www.pensionsombudsman.org.uk/sites/default/files/publication/files/Signposting%20to%20The%20Pensions%20Ombudsman%202.pdf</a>). It should also be noted that the Financial Ombudsman Service also has jurisdiction in relation to some pension related complaints. These are unlikely to be against NILGOSC as we are outside FOS's jurisdiction. However, if a member has a complaint, for example, about a transfer out of the Scheme, they may wish to take that to FOS in relation to any advice they have received. TPO and FOS are working closely together to ensure that members can find the right pathway for their complaints and have a formal memorandum of understanding in this regard. Complaints relating to a person's entitlement under the Scheme are usually technical in nature and require careful consideration of the law on pensions and related areas. It would be important to ensure that the member takes his or her complaint on to the correct body. TPO has quite wide powers to award compensation to members and to make other orders binding upon the Scheme. Both parties to a complaint to TPO from Northern Ireland can appeal TPO's decision to the Court of Appeal in NI (different appeal rules apply in England, Scotland and Wales).</p>
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## CENTRAL GOVERNMENT SECTOR

Organisation name	Response
Department of Education	No response to question
Department for Communities	No response to question
Department of Justice	No response to question
Department of Health	I am content with the sector-based approach to implementation in conjunction with formal complaints handling networks. Within the health social care sector, there are already well established networks such as the HSC Complaints Policy Liaison Group (CPLG).
Department for the Economy	We consider the introduction of Model Complaints Handling Procedures for public bodies on a sector by sector basis is the most effective approach.
Labour Relations Agency (LRA)	No response to question
Land & Property Services (LPS)	Yes. This seems a sensible approach. LPS Complaints Procedures overlaps with NIPSO's guidance.
Northern Ireland Audit Office (NIAO)	NIAO notes that the proposed sectors reflect the current headings under which NIPSO reports (excluding others). However, our Office does not easily rest under any of these. This suggests the unique nature of our work, and the potential need for bespoke arrangements for us in the development of the MCHP. We would suggest that other organisations may find themselves in a similar situation. Nevertheless, we can see the benefits of the sectoral approach in streamlining and ensuring consistency in the handling of complaints. In summary, we agree with the principle of sectoral MCHPs, but there will need to be a need for flexibility in the application of this proposal.
Libraries Northern Ireland	No response to question

Probation Board for Northern Ireland	PBNI has a policy and procedures on Complaints and we are unsure which sector we might fit within based on these categories. We are an NDPB within the justice sector. We would appreciate further discussion on this, but recommend a further category of NDPB, as there will be several delivery organisations like PBNI who would fall into this category.
Consumer Council NI	Yes. We think this is a good approach as it will allow NIPSO to ensure that the process is being bedded in properly and any issues are easily identified, rather than everyone doing it at once.
National Museums NI	No response to question
Charity Commission for Northern Ireland (CCNI)	If ALBs are to be included within the government departments sector, then it would be helpful to recognise this and sub-divide to provide something meaningful for smaller bodies.

## OTHER

Organisation name	Response
Scottish Public Services Ombudsman (SPSO)	The basic structure is the same across Scotland. Where it has been appropriate we have introduced models for each sector but suggest that the divergence is not so great as to create work in the future on updating and reviewing to ensure MCHPs are fit for purpose. While it is important to ensure that sector specific issues are built in, we suggest NIPSO might want to think about a core process that has additional sectoral guidance. This makes updating easier as it would not always require a complete update, and ensures greater consistency for service users who should receive the same level of complaint handling service irrespective of sector.
Information Commissioner's Office (ICO)	No response to question
Alliance Party for Northern Ireland	Introducing MCHPs on a sector by sector basis allows for the outcomes of the process to be recorded and analysed before moving forward with another sector, ensuring that best practise is recorded and used to alter and improve the service provided based on outcomes and feedback. Evaluations should be used to shape different sectors and the successes / improvements that are needed before moving to another sector.