



Northern Ireland

Public Services
Ombudsman

Investigation of a complaint against Belfast City Council

Report reference: 202400245

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The role of the Ombudsman

The Northern Ireland Public Services Ombudsman (NIPSO) provides a free, independent and impartial service for investigating complaints about public service providers in Northern Ireland.

The role of the Ombudsman is set out in the Public Services Ombudsman Act (Northern Ireland) 2016 (the 2016 Act). The Ombudsman can normally only accept a complaint after the complaints process of the public service provider has been exhausted.

The Ombudsman may investigate complaints about maladministration on the part of listed authorities, and on the merits of a decision taken by health and social care bodies, general health care providers and independent providers of health and social care. The purpose of an investigation is to ascertain if the matters alleged in the complaint properly warrant investigation and are in substance true.

Maladministration is not defined in the legislation, but is generally taken to include decisions made following improper consideration, action or inaction; delay; failure to follow procedures or the law; misleading or inaccurate statements; bias; or inadequate record keeping.

The Ombudsman must also consider whether maladministration has resulted in an injustice. Injustice is also not defined in legislation but can include upset, inconvenience, or frustration. A remedy may be recommended where injustice is found as a consequence of the failings identified in a report.

Reporting in the public interest

This report is published pursuant to section 44 of the 2016 Act which allows the Ombudsman to publish an investigation report when it is in the public interest to do so.

The Ombudsman has taken into account the interests of the person aggrieved and other persons prior to publishing this report.

TABLE OF CONTENTS

	Page
SUMMARY	4
THE COMPLAINT	5
INVESTIGATION METHODOLOGY	6
THE INVESTIGATION	7
CONCLUSION	16
APPENDICES	18
Appendix 1 – The Principles of Good Administration	
Appendix 2 – The Principles of Good Complaints Handling	

Case Reference: 202400245

Listed Authority: Belfast City Council

SUMMARY

I received a complaint about the actions of Belfast City Council (the Council) in relation to how it considered the complainant's objection to an application for planning permission for a two-storey rear extension. The complainant also raised concerns about the Council's complaints handling.

My investigation found that the Council failed to demonstrate that it properly applied its planning policy in relation to assessing the complainant's concerns. It also found the Council failed to keep appropriate records to evidence its decision-making in respect of the concerns the complainant raised. In addition, my investigation found failures in complaint handling. The failures identified in respect of both issues of complaint constituted maladministration, and I therefore upheld the complaint.

I recommended that the Chief Executive apologise to the complainant. I made further recommendations for service improvements to prevent further recurrence of the maladministration identified.

THE COMPLAINT

1. The complaint was about the manner in which Belfast City Council (the Council) considered the complainant's objection to a planning application. It was also about the Council's handling of the subsequent complaint. The complainant was an objector to the application for planning permission.

Background

2. On 6 October 2023 a neighbouring resident applied to the Council for planning permission for a two-storey rear extension to his own dwelling (the proposal). This resident's dwelling lies to the rear of the complainant's property.
3. The complainant lodged an objection to the proposal as he was concerned it would be a dominant feature when seen from the rear of his property, that it would result in overlooking and overshadowing his property, and that it would be out of character with the surrounding area.
4. The Council granted planning permission for the proposal on 20 November 2023. It issued its decision notice on the same date. The decision notice set out the reasons why the Council considered the proposal acceptable.
5. The complainant raised a complaint with the Council on 21 November 2023. The Council issued its final response to the complainant on 28 February 2024.
6. The complainant was dissatisfied with the Council's written responses to his complaint that issued on 21 December 2023 and 28 February 2024. He was concerned the responses were vague and contained information that went beyond what was on the decision notice.
7. The complainant considered the Council did not respond within its complaint response timeframes.

Issues of complaint

8. I accepted the following issues of complaint for investigation:

Issue 1: Whether the Council's determination of the application for planning permission was reasonable, appropriate and in line with relevant legislation and guidance.

Issue 2: Whether the Council's handling of the complaint was appropriate and reasonable

INVESTIGATION METHODOLOGY

9. The Investigating Officer obtained from the Council all relevant documentation together with its comments on the issues the complainant raised. This documentation included information relating to the Council's complaints process.

Relevant Standards and Guidance

10. To investigate complaints, I must establish a clear understanding of the standards, both of general application and those specific to the circumstances of the case. I also refer to relevant regulatory, professional, and statutory guidance.

The general standards are the Ombudsman's Principles¹:

- The Principles of Good Administration; and
- The Principles of Good Complaints Handling.

11. The specific standards and guidance referred to are those which applied at the time the events occurred. These governed the exercise of the administrative functions and professional judgement of those individuals whose actions are the subject of this complaint.

The specific standards and guidance relevant to this complaint are:

- The Planning Act (Northern Ireland 2011 (Act);
- Development Management Practice Note 16 The Determination of Planning Applications April 2015 (PN);
- Belfast City Council - Development Management - update on lean systems experimentation April 2023 (update);
- Belfast City Council 'Residential Extensions and Alterations' Supplementary Planning Guidance May 2023 (the guidance); and
- Belfast City Council Complaint Procedures (complaints procedure) January 2024

¹ These principles were established through the collective experience of the public services ombudsmen affiliated to the Ombudsman Association.

I enclose relevant sections of the guidance considered at Appendix three to this report.

12. In investigating a complaint of maladministration, my role is concerned primarily with an examination of the Council's administrative actions. While it is not my role to question the merits of a discretionary decision properly taken, I may do so if my investigation identifies maladministration in the process of making that decision.
13. I did not include all information obtained in the course of the investigation in this report. However, I am satisfied I took into account everything I considered relevant and important in reaching my findings.
14. A draft copy of this report was shared with the complainant and the Council for comment on factual accuracy and the reasonableness of the findings and recommendations. I carefully considered the responses I received.

THE INVESTIGATION

Issue 1: Whether the Council's determination of the application for planning permission was reasonable, appropriate and in line with relevant legislation and guidance.

Detail of Complaint

15. The complainant said that during the planning process, the Council failed to properly consider his objection. He considered that the Council did not:-
 - address his point that it failed to adhere to the 20m separation distance² advocated by its planning policy for residential extensions;
 - address his point that the proposal was on ground higher than his dwelling;
 - carry out a site visit³;
 - consider the impact of overlooking to his property from the upper floor windows of the proposal; and
 - the planning decision notice did not clearly explain the reasons why the Council approved the application.

² Separation distance– the distance between rear facing elevations with windows

³ Site- a physical inspection of the site.

The Council's response to investigation enquiries

16. The Council stated it issued its decision on the application on 20 November 2023. It is '*standard*' practice for '*minor applications*'⁴ of this nature, to include "*Reasons for Approval*" on the Council's decision notice. The purpose of this is to set out the Council's reasoning for the decision.
17. The Council stated the complainant raised a number of objections to the proposal. The Council stated the decision notice included an assessment of the impact of the proposal upon neighbour amenity and addressed his objections. However, it acknowledged its explanation was brief and lacking in detail. The Council recognised there should have been more detail in responding to the specific points raised in the complainant's objection. The Council accepted that the absence of this detail contributed to some of the complainant's uncertainty about the decision, and apologised to him in its response to his complaint. The Council stated it changed its working practices as a result.
18. The Council stated there are '*no additional file notes or documents*' to evidence its decision. It explained the '*rationale for the decision*' is set out in the decision notice which followed a discussion on the merits of the case between the case officer and Planning Manager.
19. The Council stated that the guidance advises that a separation of no less than 20 metres should be maintained between facing windows of main habitable rooms⁵. The guidance advises that "*flexibility may be required to permit reduced separation distances*" and that "*In such instances, account will be given to the prevailing local environment to ensure that separation distances are in keeping with the general pattern of development in the area.*"
20. The Council stated that, as the proposal would have created a reduced separation distance, *account was taken of the distance from the complainant's property to the boundary, as an example of the general pattern of development in the area.* Ultimately, '*consideration of separation distances between properties is a planning judgement and matter for the Planning Authority.*'

⁴ Minor application – usually considered to be alterations, extensions and advertisements

⁵ Habitable room – a room in a dwelling house which is not solely a kitchen, utility room, bathroom, cellar or sanitary accommodation.

21. Regarding impact on the amenity of complainant's property, the Council stated it took account of the close relationship of his property with the shared boundary with the application site, as follows:-

- the distance from the rear of the complainant's dwelling to the centre line of the rear hedge is approximately 7.5 metres; and
- the rear elevation-to-elevation distance between complainant's dwelling and proposal would be approximately 14/15 metres.

Therefore, whilst less than the 20 metres guidance, this included the short distance between the complainant's dwelling to the rear shared boundary. The Council stated, '*It would have been perverse for the Council to have refused planning permission on the basis of an objection from a neighbour whose own house has the same elevation to boundary distance.*' The complainant's property house has a large, rear facing, non-obscured window at first floor facing towards the application site. It explained in this regard '*the relationship of the extension with his property is no different.*' The Council accepted that it should have articulated this more clearly in the decisions notice.

22. The Council stated that a site visit is not required in each case and is dependent on a range of factors including:

- the nature of the proposal – generally the more complex the proposal, the greater likelihood that a site visit is required;
- the characteristics of the site – for example, where a site is in a location with an established pattern of development, such as a housing estate, this may reduce the requirement for a site visit. Alternatively, where the site is subject to unusual topographical changes this could warrant further assessment on site;
- the planning history of the site and adjacent land; and
- the availability of other information such as Google Street view, aerial images, and photography.

23. The Council stated this planning application was part of a project to redesign the application process for select pilot applications to adopt in order to speed up the planning application process. The Council began the project in August 2022 and periodically reported the project to the Council's Planning Committee⁶.

⁶⁶ Planning Committee – a committee of local council politicians who make decisions on planning matters

24. The Council stated Officers decided a site visit was *'not required in this particular case based on the nature of the proposal, characteristics of the site, planning history and availability of desk-based imagery include Google Street view and aerial imagery'*.

Analysis and Findings

Aspects of Objection - Separation Distance, Ground levels and Overlooking.

25. The complainant said that the Council did not properly take account of his concerns regarding the impact of the proposal on his property.
26. Paragraph 4.24 of the PPN states that although there is no legal definition for a representation in planning, it is held to be a comment, objection or expression of support in relation to a planning application submitted to the council. Paragraph 4.25 states that Section 45 (3) of the 2011 Act requires that *'in determining any application for planning permission the council must consider any representations relating to that application which are received.'*
27. The headline text of Policy RD 2 'Residential extensions and alterations' of the guide states, *'planning permission will be granted for extensions or alterations to an existing residential property where the scale, massing, design and external materials of the proposal are appropriate to the built form and appearance of the existing property'*. Paragraph 7.3.19 acknowledges that *'an extension or alteration can affect the privacy and amenities enjoyed by neighbouring households, with issues such as dominance, privacy and loss of light often arising'*. Paragraph 7.3.20 goes on to state *that proposals for residential extensions must not cause unacceptable harm to local character, environmental quality or residential quality. Particular regard is to be given to spacing between buildings, safeguarding of privacy, scale and massing of buildings, use of materials and impact on existing landscape and amenity spaces'*
28. Paragraph 4.3.13 of Policy RD 2 of the guide states *'Windows in elevations that overlook adjacent properties will not normally be approved unless there is adequate separation distance between the host dwelling and its neighbours. In general, a separation of no less than 20 metres should be maintained between facing windows of the main habitable rooms (for example, bedrooms, living rooms, dining rooms or kitchens)'*. Paragraph 4.3.16 states *'Where this cannot be achieved each proposal will be assessed on a case by- case basis and would need to be justified by a way*

of a thorough analysis of sunlight/daylight levels, orientation of buildings and design features to demonstrate that reduced separation distances can be achieved without any detrimental impact on residential amenity’.

29. I examined the plans the Council granted planning permission for. I note there is a large first floor bedroom window and a set of ground floor patio doors servicing a kitchen/dining area.
30. The Council stated it had accepted a reduced separation distance as *‘It would have been perverse for the Council to have refused planning permission on the basis of an objection from a neighbour whose own house has the same elevation to boundary distance.’* I am satisfied it is at the Council’s discretion to grant or refuse planning permission. However, for openness, transparency and fairness in the planning process, the Council must be able to evidence the decisions it makes. Having reviewed all relevant evidence, I note there is no evidence the Council conducted a thorough analysis of sunlight/daylight levels, orientation of buildings and design features to demonstrate that reduced separation distances can be achieved without any detrimental impact on residential amenity. This is not in line with the policy requirements of Policy RD 2, and would have been necessary to evidence its appropriate consideration of the complainant’s objection. Therefore, the Council has not acted in accordance with the Act. It has also failed to demonstrate that it acted in accordance with its own planning policy in respect of its handling of these aspects of the complainant’s objection.
31. The first principle of good administration by public service providers ‘Getting it right’, requires public bodies to act in accordance with the law and with regard for the rights of those concerned, and to act in accordance with the public body’s policy and guidance (published or internal). I find that in failing to evidence the consideration it gave to these aspects of the complainant’s objection; the Council also did not act in accordance with this Principle.

Aspects of Objection - Record Keeping and Site Visit

32. I note the Council is undertaking a *‘pilot scheme’* to help speed up the planning application process for *‘minor proposals’*. I note it considered this proposal under this scheme. I also note the scheme is supported by the Council’s Planning Committee, and that officers report ‘regularly’ to the Planning Committee on its progress. Paragraph 3.8 of the update states *‘for each application a record is kept*

of the key action required to determine the application as well as learning points around process for future reference’.

33. In terms of the Council’s record of its decision, it stated the rationale for its the decision is set out in the Reason for Approval document, which followed a discussion *‘on the merits of the case between the case officer and Planning Manager when the application was reviewed.’* I note its position there is no additional documentation to support its decision. I reviewed the Reason for Approval document and note a senior officer signed off on the decision, as per the Council’s protocols. This suggests to me that the decision notice is the only record in this case. I consider this insufficient to fully evidence the Council’s consideration of the application in this instance, including its consideration of the complainant’s objection.
34. In terms of the Council’s rationale for not conducting a site visit, it is not my role to determine whether or not a site visit should have taken place, as this is a discretionary decision for the Council to take. However, the first principle of good administration, ‘getting it right’ requires public services to ensure that public bodies take reasonable decisions, based on all relevant consideration. The Council explained that Officers decided that a site visit *was ‘not required in this particular case based on the nature of the proposal, characteristics of the site, planning history and availability of desk-based imagery include Google Street view and aerial imagery’.*
35. It is concerning to me that, given the site-specific nature of the complainant’s concerns, such as difference in ground levels, overlooking, overshadowing and dominance, there is no record of any analysis of how those particular concerns could be properly considered as a ‘desk based’ exercise rather than a site visit.
36. I examined the decision notice and there is no record of the *‘key action required to determine the application’*, such as the aforementioned analysis of Policy RD 2 or the rationale behind its decision not to carry out a site visit. I consider this decision notice does not constitute a proper and appropriate record of what happened during the planning process. This includes its consideration of the complainant’s objection. As a result, I find the Council failed to demonstrate it took a reasonable decision based on all relevant considerations, which includes the complainant’s concerns. As such, I find the Council has not met the first principle of good administration, nor the requirements of its own planning policies. This is neither open nor transparent

decision making, which impacted on the complainant's understanding of the Council's decision, and how it addressed his objection.

37. In addition, the third principle of good administration requires that public service providers '*keep proper and appropriate records*'. I further find, given the lack of a recorded rationale for its consideration of the complainant's objection, the Council failed to adhere to this Principle.
38. In summary, I found that the Council failed demonstrate that it had properly considered its planning policy or acted in accordance with the Act in its consideration of the complainant's objection. I also found that the Council failed to keep a proper and correct record of what happened during the planning process, which again includes its consideration of the objection. These failures amount to maladministration, which caused the complainant to sustain the injustice of uncertainty and frustration regarding the Council's decision to grant planning permission, as well as how it handled his objection.
39. I am pleased to note the Council is endeavouring to stream-line the planning process in the interests of providing a more efficient public service. However, I consider this should not be to the detriment of good administrative practices, as was the case in this complaint. The Council also acknowledged it should have provided more detail to the complainant about its decision, and how it addressed his objection. I am pleased to note the Council recognised this, and has taken action to improve this aspect of its practice.

Issue 2: Whether the Council's handling of the complaint was appropriate and reasonable?

Detail of Complaint

40. The complainant said that the Council's responses did not answer the detail of his complaint. He also said the Council did not respond to him within its published timescales.

The Council's response to investigation enquiries

41. The Council stated the complainant made a complaint regarding one of its planning decisions on 21 November 2023. Although the Council received the letter before 1

January 2024 it was processed under the new Complaints Procedure which was to come into effect from 1 January 2024. The Council acknowledged the email that same day. The Council explained it did not initially consider the complaint to be a 'service complaint'⁷ because it does not treat the public's disagreements about the merits of a decision as complaints.

42. The Council stated the complainant contacted it by email on 14 December 2023 to enquire when a response would issue. The Council responded on 21 of December 2023 explaining that the impact of the proposal on the amenity of his property was a matter of planning judgement.
43. The complainant responded on 16 January 2024, setting out more detail in relation to his concerns about the Council's decision. The Council dealt with this correspondence as a complaint under Stage 2 of the new complaints process. The Council responded to the complainant on 28 February 2024.
44. The Council stated it does not agree with the complainant that its response was vague, and did not give a sufficient response to the points raised.

Analysis and Findings

Timeliness

45. The Council stated that it dealt the complaint under its '*new system for complaints*' (procedure) . The procedure states that the Council will respond to a complaint '*within 5 working days and if we need longer, we will contact you and explain why and advise a new date. But no longer than 10 working days in total.*'
46. The Council stated that one of the things a person can **not** complain about is '*disagreement with a decision*'. The Council said it did not treat the complainant's submission as a complaint because it was about a planning decision, and this caused the delay in it responding to him. I reviewed the procedure it states that a customer **may** complain about things like '*dissatisfaction with how an element of a planning decision was administrated.*' I consider this complaint to be one about the complainant's concerns with the administration of the planning decision. It is important to ensure staff are sufficiently trained to identify what can be dealt with via

⁷ Service complaint - failure or refusal to provide a service

its Complaints Procedure, and what cannot, as this lack of understanding clearly impacted on the complainant receiving a timely response to his Stage 1 complaint

47. The complainant:-

- made his complaint on 21 November 2023.
- contacted the Council on 14 December 2023 seeking an update
- the Council issued its first stage response on 21 December 2023.

The Council issued its response some 22 days after the complainant made the complaint which was almost three weeks overdue. I have no doubt this was due to an error in the initial stage of its complaint handling. The second principle of good complaint handling 'Being customer focused' requires public bodies to deal with complaints promptly and sensitively. The Council did not deal promptly and sensitively with this complaint, and this is not in accordance with this principle which demonstrates maladministration has occurred. This resulted in the complaint sustaining the injustices of uncertainty and frustration. I uphold this element of the complaint.

48. The Complaints Procedure states that if you are unhappy with the Stage 1 investigation, you can contact the Departmental Complaints Officer. It states the Council will respond within *20 working days and if we need longer, we will contact you and explain why and advise a new date.* The complainant made his Stage 2 complaint on 16 January 2024. The Council responded to him on 28 February 2024, and advised the Council was not in a position to respond within the 20 working days timeframe. It advised of a new date of 27 February 2024. The response issued on 28 February 2024. Although one working day over the anticipated date, I do not consider this sufficiently serious to constitute a failure in complaints handling.

The Council's written response

49. The complainant was dissatisfied with the Council's written response dated 21 December 2023. He was concerned the response was vague and contained information that goes beyond what was on the decision notice.

50. In his 21 November complaint, the complainant asked the Council to explain a number of aspects of the planning decision, and in particular how it assessed the

impact on his property. He stated that the Council did not answer those queries and instead added justification that it had not stated on the decision notice.

51. I reviewed both the first letter of complaint dated 21 November 2023 and the Council's response of 21 December 2023. I consider the first stage response was brief and did not answer all of the concerns raised.
52. I reviewed the second stage response dated 28 February 2024. In it the Council gave a detailed response to the complainant's queries. The Council acknowledged the decision notice and initial response to the complainant were '*both brief*' in their explanation of the assessments undertaken. The Council also acknowledged the uncertainty caused to the complainant by the brevity of both documents regarding the thoroughness of the planning assessment undertaken and his frustration in terms of the outcome. I welcome this action. I note the Council reviewed its practices to ensure that in future cases a fuller explanation is given to any assessment undertaken. I also welcome this action.
53. The Fourth Principle of Good Complaint Handling requires bodies to ensure that complaints are investigated thoroughly and fairly to establish the facts of the case. The Fifth Principle of Good Complaint Handling Putting things right requires public bodies to acknowledge mistakes and apologise where appropriate. The sixth Principle of Good Complaint Handling Seeking continuous improvement requires that public bodies ensure that they learn lessons from complaints and uses these to improve services and performance.
54. I consider the Council investigated the complaint further, acknowledged and apologised for mistakes it identified and used the lessons to improve how it does things. The Council acted in accordance with these principles in handling the Stage 2 complaint and I am satisfied that maladministration has not occurred. I therefore do not uphold this aspect of the complaint. However, I would remind the Council of the importance of providing fulsome responses to complaints at both stages which would offer complainants reassurance that a degree of rigour has been applied to the investigation.

CONCLUSION

55. I received a complaint about the actions of Belfast City Council. I upheld elements the complaint for the reasons outlined in this report.

Recommendations

56. I recommend the Council provides the complainant with a written apology in accordance with NIPSO's 'Guidance on issuing an apology' (June 2019), for the injustice sustained within **one month** of the date of the final report.
57. I recommend that the Council reminds all staff dealing with complaints on the appropriate action to be taken in identifying the nature of the complaint.
58. I recommend that the Council reconsiders its criteria relating to when to conduct a site visit with consideration given to cases where it has received site specific objections.
59. I also recommend that within **three** months of the date of the final report, the Council provides written guidance and training to all planning staff :-
- on how and where to record key action points within the pilot scheme
 - on how to construct decisions notices so they take full account of relevant planning policy and any other material considerations, including third party comments.
60. As outlined previously in this report, it is not my role to question the merits of a discretionary decision unless my investigation identifies maladministration in the process of making that decision. In this case, I consider the maladministration identified does give me cause to question the merits of the Council's discretionary decision made on 20 November 2023. This does not necessarily mean that I consider the outcome should have been different, nor is it a finding to require the Council to make a different decision. However, given that the proposal has been built I do not consider it appropriate or practical to recommend the Council to revisit its decision on this occasion. The complainant informed my Office he wanted the Council to take accountability for any maladministration identified. He also informed my Office he wanted to prevent similar maladministration occurring in the future. I am satisfied the above recommendations provide the complainant with the necessary reassurance in this respect.

MARGARET KELLY

Ombudsman

October 2025

Appendix 1 - PRINCIPLES OF GOOD ADMINISTRATION

Good administration by public service providers means:

1. Getting it right

- Acting in accordance with the law and relevant guidance, with regard for the rights of those concerned.
- Acting in accordance with the public body's policy and guidance (published or internal).
- Taking proper account of established good practice.
- Providing effective services, using appropriately trained and competent staff.
- Taking reasonable decisions, based on all relevant considerations.

2. Being customer focused

- Ensuring people can access services easily.
- Informing customers what they can expect and what the public body expects of them.
- Keeping to its commitments, including any published service standards.
- Dealing with people helpfully, promptly and sensitively, bearing in mind their individual circumstances.
- Responding to customers' needs flexibly, including, where appropriate, co-ordinating a response with other service providers.

3. Being open and accountable

- Being open and clear about policies and procedures and ensuring that information, and any advice provided, is clear, accurate and complete.
- Stating its criteria for decision making and giving reasons for decisions
- Handling information properly and appropriately.
- Keeping proper and appropriate records.
- Taking responsibility for its actions.

4. Acting fairly and proportionately

- Treating people impartially, with respect and courtesy.
- Treating people without unlawful discrimination or prejudice, and ensuring no conflict of interests.
- Dealing with people and issues objectively and consistently.

- Ensuring that decisions and actions are proportionate, appropriate and fair.

5. Putting things right

- Acknowledging mistakes and apologising where appropriate.
- Putting mistakes right quickly and effectively.
- Providing clear and timely information on how and when to appeal or complain.
- Operating an effective complaints procedure, which includes offering a fair and appropriate remedy when a complaint is upheld.

6. Seeking continuous improvement

- Reviewing policies and procedures regularly to ensure they are effective.
- Asking for feedback and using it to improve services and performance.
- Ensuring that the public body learns lessons from complaints and uses these to improve services and performance.

Appendix 2 - PRINCIPLES OF GOOD COMPLAINT HANDLING

Good complaint handling by public bodies means:

1. Getting it right

- Acting in accordance with the law and relevant guidance, with regard for the rights of those concerned.
- Ensuring that those at the top of the public body provide leadership to support good complaint management and develop an organisational culture that values complaints.
- Having clear governance arrangements, which set out roles and responsibilities, and ensure lessons are learned from complaints.
- Including complaint management as an integral part of service design.
- Ensuring staff are equipped and empowered to act decisively to resolve complaints.
- Focusing the outcomes for the complainant and the public body.
- Signposting to the next stage of the complaints procedure in the right way and at the right time.

2. Being customer focused

- Having clear and simple procedures.
- Ensuring that complainants can easily access the service dealing with complaints, and informing them about advice and advocacy services where appropriate.
- Dealing with complainants promptly and sensitively, bearing in mind their individual circumstances.
- Listening to complainants to understand the complaint and the outcome they are seeking.
- Responding flexibly, including where appropriate co-ordinating responses with any other bodies involved in the same complaint, where appropriate.

3. Being open and accountable

- Publishing clear, accurate and complete information about how to complain, and how and when to take complaints further.
- Publishing service standards for handling complaints.

- Providing honest evidence-based explanations and giving reasons for decisions.
- Keeping full and accurate records.

4. Acting fairly and proportionately

- Treating the complainant impartially, and without unlawful discrimination or prejudice.
- Ensuring that complaints are investigated thoroughly and fairly to establish the facts of the case.
- Ensuring that decisions and actions are proportionate, appropriate and fair.
- Ensuring that complaints are reviewed by someone not involved in the events leading to the complaint.
- Acting fairly towards staff complained about as well as towards complainants.

5. Putting things right

- Acknowledging mistakes and apologising where appropriate.
- Providing prompt, appropriate and proportionate remedies.
- Considering all the relevant factors of the case when offering remedies.
- Taking account of any injustice or hardship that results from pursuing the complaint as well as from the original dispute.

6. Seeking continuous improvement

- Using all feedback and the lessons learnt from complaints to improve service design and delivery.
- Having systems in place to record, analyse and report on learning from complaints.
- Regularly reviewing the lessons to be learnt from complaints.
- Where appropriate, telling the complainant about the lessons learnt and the changes made to services, guidance or policy.