

Integration Joint Board

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GLASGOW CITY INTEGRATION JOINT BOARD COMPLAINTS HANDLING PROCEDURE

Purpose of Report:	To submit a draft Complaints Handling Procedure and Unacceptable Conduct Policy for approval by the Board.
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Recommendations:	<p>To</p> <ul style="list-style-type: none"> (a) approve the attached draft Complaints Handling Procedure and Unacceptable Conduct Policy for the Integration Joint Board on an interim basis pending publication of a Model Complaints Handling Procedure by the Complaints Standards Authority; and (b) agree that any minor changes to the Procedure recommended by the Complaints Standard Authority be incorporated into the Procedure with the approval of the Chief Officer. (c) Note the Guide to making a Complaint
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Implications for IJB:

Financial:	None
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Personnel:	None
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Legal:	Obligation on the IJB to respond to certain types of complaints.
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Economic Impact:	None
Sustainability:	None
Sustainable Procurement and Article 19:	None
Equalities:	The Procedure recognises the Board's responsibilities under equalities legislation.
Implications for Glasgow City Council:	The HSCP will manage social work complaints on behalf of the Council
Implications for NHS Greater Glasgow & Clyde:	The HSCP will manage health complaints on behalf of the Health Board

1.0 Background

- 1.1 Currently Social Work and Health operate two distinct statutory complaints procedures. The social work system is based on the Social Work (Scotland) Act 1968 and the health system is based upon the Patient Rights (Scotland) Act 2011. There is an intention that following legislative change these will become fully (or near fully) aligned in 2017. This will allow for the integration of complaints handling. Meantime the two complaints functions are being operated separately.
- 1.2 Complaints about service delivery will remain the responsibility of the Council and Health Board. In practice the staff who will process these complaints will form part of the Health & Social Care Partnership. Under arrangements set out in the Integration Scheme we will publish a single point of contact for all complaints through the Chief Officer. The Chief Officer will have overall responsibility for ensuring that an effective and efficient complaints system operates within the Integration Joint Board.
- 1.3 The Health Board and the Council are remitted to ensure that the arrangements agreed are:-
- Clearly Explained
 - Well publicised
 - Accessible
 - Allow for timely recourse
 - Complainants are sign posted to independent advocacy services

2.0 Complaints about Integration Joint Boards

- 2.1 Integration Joint Boards are new public bodies and complaints may be raised against them in relation to the way they exercise functions, such as strategic planning. Complaints against the Integration Joint Board are not covered under current complaints procedures and therefore the Integration Joint Boards need to establish a complaints procedure in relation to their responsibilities.
- 2.2 In addition, it may be that a complaint will be made in respect of a direction that the Integration Joint Board has issued. An Integration Joint Board will, therefore, require to operate suitable procedures for handling such complaints.
- 2.3 Amendments to secondary legislation laid before Parliament changed the Scottish Public Services Ombudsman Act 2002 to provide that Integration Joint Boards become listed authorities under the Act. The effect of this is that the IJB becomes subject to the jurisdiction of the Ombudsman and is also required to have a complaints handling procedure in place which complies with principles published by the Ombudsman, usually in the form of a Model Complaints Handling Procedure. This is different again to the systems in place for Health Boards and Council Social Work Departments, but is similar to the system used generally by the Council's other departments.
- 2.4 Consultation with the Complaints Standards Authority (which acts for the Ombudsman in these matters) has indicated that there is no likelihood that a specific Model Complaints Handling Procedure for IJBs will be published in the near future. They await guidance on this from the Scottish Government. They are agreeable to the IJB adopting an interim Procedure based on that used by local authorities.
- 2.5 The attached draft has been submitted to the Complaints Standards Authority for comment. It is proposed that the Board agree that any minor drafting amendments proposed by the Authority be incorporated with approval of the Chief Officer, if the IJB is content to proceed on this basis.
- 2.6 There is also attached a Guide to Complaining to the IJB. This is a brief leaflet which sets out the main provisions of the Complaints Procedure and also provides contact details for further information.



Glasgow City Integration Joint Board Complaints Handling Procedure

1st April 2016 draft version 1.0



Glasgow City IJB Complaints Handling Procedure

Foreword

Our complaints handling procedure reflects the Integration Joint Board's commitment to valuing complaints. It seeks to resolve customer dissatisfaction as close as possible to the point of service delivery and to conduct thorough, impartial and fair investigations of customer complaints so that, where appropriate, we can make evidence-based decisions on the facts of the case.

The procedure has been developed from the Model Complaint Handling Procedure for local authorities as issued by the Complaints Standards Authority in March 2012 under Section 16B of the Scottish Public Services Ombudsman Act 2002 (as amended). The Integrated Joint Board is required to have its own complaints handling procedure (separate to those of the local authorities' social work service and the health service). At this time a Model Complaints Handling Procedure has not been developed by the Complaints Standards Authority. This interim procedure has been prepared following discussion with the Complaints Standards Authority and has been submitted to them for comment.

Complaints raised directly with the Integration Joint Board are likely to be about issues of principle, rather than individual instances of care (which are covered by the existing social work and health procedures). This Procedure is based on this type of complaint being handled by Chief and Senior Officers within the organisation rather than front line staff.

Whatever the subject matter, all complaints give valuable information that can be used to improve customer satisfaction. Our complaints handling procedure will enable us to address a customer's dissatisfaction fairly and openly and may also prevent the same problems that led to the complaint from happening again. Handled well, complaints can give our customers a form of redress when things go wrong, and can also help us continuously improve our services.

I urge all staff across health and social work to become familiar with this procedure so we may appropriately route complaints so that they are investigated and responded to fully within the timescales identified.

David Williams
Chief Officer
Glasgow City Health & Social Care Partnership

1st April 2016

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How to use this Model Complaints Handling Procedure

This document explains to staff how to handle complaints. A Complaints Guidance document provides information for customers on the complaints procedure. Together, these form our complaints handling procedure.

This is designed to be an internal document. It contains references and links to more details on parts of the procedure, such as how to record complaints, and the criteria for signing off and agreeing time extensions. These explain how to process, manage and reach decisions on different types of complaints. The language used reflects its status as an internal document. So 'we' refers to the Integration Joint Board.

When using this document, please also refer to the 'SPSO Statement of Complaints Handling Principles' and best practice guidance on complaints handling from the Complaints Standards Authority at the SPSO.

<http://www.valuingcomplaints.org.uk>

What is a complaint?

The Integration Joint Board's definition of a complaint is:

'An expression of dissatisfaction by one or more members of the public about our actions or lack of action, this includes the standard of service on issues directly provided by the IJB.' It does not include issues raised by staff of the partner agencies about their employment.

A complaint may relate to:

- failure to provide a service
- inadequate standard of service
- dissatisfaction with the process followed in coming to a decision
- dissatisfaction with the operation of adopted policy
- treatment by or attitude of a member of staff in relation to the functions of the IJB
- disagreement with a decision where the customer cannot use another procedure (for example an appeal) to resolve the matter
- a failure to follow the appropriate administrative process.

This list does not cover everything, but is indicative of the matters we will consider.

The following **must not** be classed as complaints against the IJB:

- an issue which relates to the delivery of services by partner agencies in health and social care
- a routine first-time request for a service under existing policy
- a request for compensation only
- issues that are in court or have already been heard by a court or a tribunal
- disagreement with a decision where a statutory right of appeal exists
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.

You must not treat these issues as complaints, and should instead direct customers to use the appropriate procedures. This may be the procedures operated by Glasgow City Council or NHS Greater Glasgow & Clyde.

Handling anonymous complaints

We value all complaints. This means we treat all complaints including anonymous complaints seriously and will take action to consider them further, wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to

make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further. Any decision not to pursue an anonymous complaint must be authorised by a Chief Officer ¹.

If an anonymous complainant makes serious allegations, we will refer it to a Chief Officer immediately. If a Chief Officer is implicated, it will be referred to the Board Chair and Vice Chair.

If we pursue an anonymous complaint further, we will record the issues as an anonymous complaint on the complaints system. This will help to ensure the completeness of the complaints data we record and allow us to take corrective action where appropriate.

What if the customer does not want to complain?

If a customer has expressed dissatisfaction in line with our definition of a complaint but does not want to complain, we will tell them that we do consider all expressions of dissatisfaction, and that complaints offer us the opportunity to improve services where things have gone wrong. We should encourage the customer to submit their complaint to allow us to deal with it through the complaints handling procedure. This will ensure that the customer is updated on the action taken and gets a response to their complaint.

If, however, the customer insists they do not wish to complain, record the issue as an anonymous complaint. This will ensure that the customer's details are not recorded on the complaints database and that they receive no further contact about the matter. It will also help to ensure the completeness of the complaints data recorded and will still allow us to fully consider the matter and take corrective action where appropriate.

Who can make a complaint?

Anyone who receives requests or is affected by our actions or failure to act can make a complaint. Sometimes a customer may be unable or reluctant to make a complaint on their own. We will accept complaints brought by third parties as long as the customer has given their personal consent.

Complaints involving more than one service or organisation

If a complaint relates to the actions of two or more services, we will tell the customer who will take the lead in dealing with the complaint, and explain that they will get only one response covering all issues raised.

If a customer complains to the IJB about the service of another agency or public service provider, but the IJB has no involvement in the issue, the customer should be advised to contact the appropriate organisation directly. However, where, a complaint relates to services commissioned

¹ The term Chief Officer in this context includes the Chief Officer of the IJB and his direct reports i.e. Chief Officer Planning & Strategy, Chief Officer Operations and Chief Officer Finance & Resources

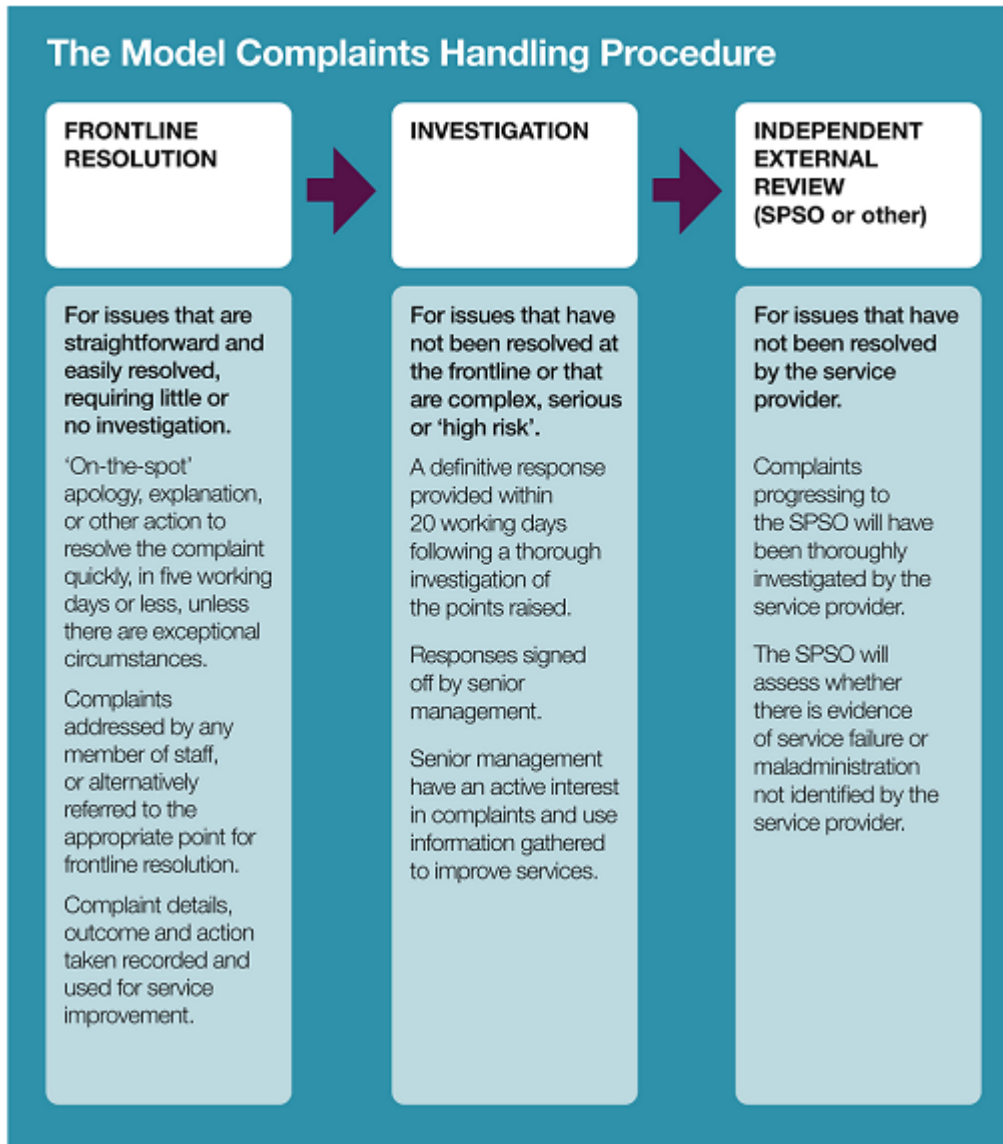
by the IJB and the service of another agency or public service provider, (for example a housing association or a government department), and the IJB has a direct interest in the issue, we will handle the complaint about the local authority through the Complaints Handling Procedure. If you need to make enquiries to an outside agency in relation to the complaint always take account of data protection legislation and our guidance on handling our customer's personal information. The Information Commissioner has detailed guidance on data sharing and has issued a data sharing code of practice.

The complaints handling process

Our complaints handling procedure aims to provide a quick, simple and streamlined process for resolving complaints early and locally by capable, well-trained staff.

Our complaints process provides two opportunities to resolve complaints internally:

- **frontline resolution**, and
- **investigation**.



For clarity, the term 'frontline resolution' refers to the first stage of the complaints process and means seeking to resolve complaints at the initial point of contact where possible.

Stage one: frontline resolution

Frontline resolution aims to quickly resolve straightforward customer complaints that require little or no investigation. Any member of staff may deal with complaints at this stage.

The main principle is to seek early resolution, resolving complaints at the earliest opportunity and as close to the point of service delivery as possible. This may mean a face-to-face discussion with the customer, or asking an appropriate member of staff to deal directly with the complaint.

In practice, frontline resolution means resolving the complaint at the first point of contact with the customer, either by the member of staff receiving the complaint or other identified staff.

In either case, you may settle the complaint by providing an on-the-spot apology where appropriate, or explaining why the issue occurred and, where possible, what will be done to stop this happening again. You may also explain that, as an organisation that values complaints, we may use the information given when we review service standards in the future.

A customer can make a complaint in writing, in person, by telephone, by email or online, or by having someone complain on their behalf. You must always consider frontline resolution, regardless of how you have received the customer's complaint.

It is not envisaged that many complaints received by the IJB will be resolved at frontline resolution as complaints raised with us are likely to raise issues of principle or policy which require more detailed consideration than is possible at frontline resolution.

What to do when you receive a complaint

- 1 On receiving a complaint, you must first decide whether the issue can indeed be defined as a complaint. The customer may express dissatisfaction about more than one issue. This may mean you treat one element as a complaint, while directing the customer to pursue another element through an alternative route
2. If in doubt consult with the Business Administration Manager (Resources) or the Principal Officer Rights and Enquiries.
- 2 If you have received and identified a complaint, arrange to record the details on our complaints system.
- 3 Next, decide whether or not the complaint is suitable for frontline resolution. Some complaints will need to be fully investigated before you can give the customer a suitable response. You must escalate these complaints immediately to the investigation stage.
- 4 Where you think frontline resolution is appropriate, you must consider four key questions:
 - What exactly is the customer's complaint (or complaints)?
 - What does the customer want to achieve by complaining?
 - Can I achieve this, or explain why not?
 - If I cannot resolve this, who can help with frontline resolution?

What exactly is the customer's complaint (or complaints)?

It is important to be clear about exactly what the customer is complaining about. You may need to ask the customer for more information and probe further to get a full picture.

What does the customer want to achieve by complaining?

At the outset, clarify the outcome the customer wants. Of course, the customer may not be clear about this, and you may need to probe further to find out what they expect, and whether they can be satisfied.

Can I achieve this, or explain why not?

If you can achieve the expected outcome by providing an on-the-spot apology or explain why you cannot achieve it, you should do so. If you consider an apology is appropriate, you may wish to follow the SPSO's guidance on the subject:

SPSO guidance on apology

The customer may expect more than we can provide. If so, you must tell them as soon as possible.

You are likely to have to convey the decision face to face or on the telephone. If you do so face to face, by telephone or by email, you are not required to write to the customer as well, although you may choose to do so. It is important, however, to keep a full and accurate record of the decision reached and passed to the customer.

If I can't resolve this, who can help with frontline resolution?

If you cannot deal with the complaint because, for example, you are unfamiliar with the issues or area of service involved, seek guidance on who you should pass details of the complaint to as someone who can attempt to resolve it.

Timelines

Frontline resolution must be completed within **five working days**, although in practice we would often expect to resolve the complaint much sooner.

You may need to get more information from other services to resolve the complaint at this stage. However, it is important to respond to the customer within five working days, either resolving the matter or explaining that their complaint is to be investigated.

Extension to the timeline

In exceptional circumstances, where there are clear and justifiable reasons for doing so, you may agree an extension of no more than five working days with the customer. This must only happen when an extension will make it more likely that the complaint will be resolved at the frontline resolution stage.

When you ask for an extension, you must get authorisation from the appropriate Chief Officer, who will decide whether you need an extension to effectively resolve the complaint. Examples of when this may be appropriate include staff or contractors being temporarily unavailable. If, however, the issues are so complex that they cannot be resolved in five days, it may be more appropriate to escalate the complaint straight to the investigation stage. You must tell the customer about the reasons for the delay, and when they can expect your response.

If the customer does not agree to an extension but it is unavoidable and reasonable, a Chief Officer must decide on the extension. You must then tell the customer about the delay and explain the reason for the decision to grant the extension.

It is important that such extensions do not become the norm. Rather, the timeline at the frontline resolution stage should be extended only rarely. All attempts to resolve the complaint at this stage must take no longer than **ten working days** from the date you receive the complaint.

The proportion of complaints that exceed the five-day limit will be evident from reported statistics. These statistics must go to The Senior Management Team on a quarterly basis.

Appendix 1 provides further information on timelines.

Closing the complaint at the frontline resolution stage

When you have informed the customer of the outcome, you are not obliged to write to the customer, although you may choose to do so. You must ensure that our response to the complaint addresses all areas that we are responsible for and explains the reasons for our decision. It is also important to keep a full and accurate record of the decision reached and given to the customer. The complaint should then be closed and the complaints system updated accordingly.

It is good practice to provide a written response to all front line resolutions either by letter or e-mail, unless this is anticipated to cause the customer further distress.

When to escalate to the investigation stage

A complaint must be escalated to the investigation stage when:

- frontline resolution was tried but the customer remains dissatisfied and requests an investigation into the complaint. This may be immediately on communicating the decision at the frontline stage or could be some time later
- the customer refuses to take part in the frontline resolution process

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- the issues raised are complex and require detailed investigation
 - the complaint relates to serious, high-risk or high-profile issues.

When a previously closed complaint is escalated from the frontline resolution stage, the complaint should be reopened on the complaints system.

Take particular care to identify complaints that might be considered serious, high risk or high profile, as these may require particular action or raise critical issues that need senior management's direct input. The SPSO defines potential high-risk or high-profile complaints as those that may:

- involve a death or terminal illness
- involve serious service failure, for example major delays in providing, or repeated failures to provide, a service
- generate significant and ongoing press interest
- pose a serious risk to operations
- present issues of a highly sensitive nature, for example concerning:
 - immediate homelessness
 - a particularly vulnerable person
 - child protection.

Stage two: investigation

Not all complaints are suitable for frontline resolution and not all complaints will be satisfactorily resolved at that stage. Complaints handled at the investigation stage of the complaints handling procedure are typically complex or require a detailed examination before we can state our position. These complaints may already have been considered at the frontline resolution stage, or they may have been identified from the start as needing immediate investigation.

An investigation aims to establish all the facts relevant to the points made in the complaint and to give the customer a full, objective and proportionate response that represents our final position.

What to do when you receive a complaint for investigation

It is important to be clear from the start of the investigation stage exactly what you are investigating, and to ensure that both the customer and the service understand the investigation's scope.

It may be helpful to discuss and confirm these points with the customer at the outset, to establish why they are dissatisfied and whether the outcome they are looking for sounds realistic. In discussing the complaint with the customer, consider three key questions:

1. What specifically is the customer's complaint or complaints?
2. What does the customer want to achieve by complaining?
3. Are the customer's expectations realistic and achievable?

It may be that the customer expects more than we can provide. If so, you must make this clear to the customer as soon as possible.

Where possible you should also clarify what additional information you will need to investigate the complaint. The customer may need to provide more evidence to help us reach a decision.

Details of the complaint must be recorded on the system for recording complaints. Where appropriate, this will be done as a continuation of frontline resolution. The details must be updated when the investigation ends.

If the investigation stage follows attempted frontline resolution, you must hand over all case notes and associated information to the officer responsible for the investigation, and record that you have done so.

Timelines

The following deadlines are appropriate to cases at the investigation stage:

- complaints must be acknowledged within **three working days**
- you should provide a full response to the complaint as soon as possible but not later than **20 working days** from the time you received the complaint for investigation.

Extension to the timeline

Not all investigations will be able to meet this deadline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the 20-day limit. However, these would be the exception and you must always try to deliver a final response to a complaint within 20 working days.

If there are clear and justifiable reasons for extending the timescale, a Chief Officer will set time limits on any extended investigation, as long as the customer agrees. You must keep the customer updated on the reason for the delay and give them a revised timescale for completion. If the customer does not agree to an extension but it is unavoidable and reasonable, then senior management must consider and confirm the extension. The reasons for an extension might include the following:

- Essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff, customers or others but they cannot help because of long-term sickness or leave.
- You cannot obtain further essential information within normal timescales.
- Operations are disrupted by unforeseen or unavoidable circumstances, for example industrial action or severe weather conditions.
- The customer has agreed to mediation as a potential route for resolution.

These are only a few examples, and you must judge the matter in relation to each complaint. However, an extension would be the exception and you must always try to deliver a final response to the complaint within 20 working days.

As with complaints considered at the frontline stage, the proportion of complaints that exceed the 20-day limit will be evident from reported statistics. These statistics go to The Senior Management Team on a quarterly basis.

[Appendix 1](#) provides further information on timelines.

Mediation

Some complex complaints, or complaints where customers and other interested parties have become entrenched in their position, may require a different approach to resolving the complaint. Where appropriate, you may consider using services such as mediation or conciliation using suitably trained and qualified mediators to try to resolve the matter and to reduce the risk of the complaint escalating further.

Mediation will help both parties to understand what has caused the complaint, and so is more likely to lead to mutually satisfactory solutions.

If you and the customer agree to mediation, revised timescales will need to be agreed.

Where mediation or conciliation is proposed, the terms of that mediation or conciliation must be agreed by a Chief Officer.

Closing the complaint at the investigation stage

You must let the customer know the outcome of the investigation, in writing or by their preferred method of contact. Our response to the complaint must address all areas that we are responsible for and explain the reasons for our decision. You must record the decision, and details of how it was communicated to the customer, on the system for recording complaints. You must also make clear to the customer:

- their right to ask SPSO to consider the complaint
- the time limit for doing so, and
- how to contact the SPSO.

Independent external review

Once the investigation stage has been completed, the customer has the right to approach the SPSO if they remain dissatisfied.

The SPSO considers complaints from people who remain dissatisfied at the conclusion of our complaints procedure. The SPSO looks at issues such as service failures and maladministration (administrative fault), as well as the way we have handled the complaint.

The wording below should be communicated to inform customers of their right to ask SPSO to consider their complaint.

Information about the SPSO

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. This includes complaints about Integration Joint Boards. If you remain dissatisfied with an IJB after its complaints process, you can ask the SPSO to look at your complaint. The SPSO cannot normally look at complaints:

- where you have not gone all the way through the IJB's complaints handling procedure
- more than 12 months after you became aware of the matter you want to complain about, or
- that has been or is being considered in court.

The SPSO's contact details are:

SPSO
4 Melville Street
Edinburgh
EH3 7NS

Or write to

SPSO Freepost

Freephone: **0800 377 7330**

Online contact www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

Mobile site: <http://m.spsso.org.uk>

Governance of the Complaints Handling Procedure

Roles and responsibilities

Overall responsibility and accountability for the management of complaints lies with the Chief Officer and senior management.

Our final position on the complaint must be signed off by a Chief Officer and we will confirm that this is our final response. This ensures that our most senior management own and are accountable for the decision. It also reassures the customer that their concerns have been taken seriously.

Within our organisation the principal persons involved with complaints raised with the IJB are:

The Chief Officer: Provides leadership to the IJB, including responsibility for ensuring that there is an effective complaints handling procedure, with a robust investigation process that demonstrates how we learn from the complaints we receive. The Chief Officer may take a personal interest in some complaints. For others he will delegate to the Chief Officer Finance & Resources, Chief Officer Operations or Chief Officer Planning & Strategy. Quarterly management reports assure the Chief Officer of the quality of complaints performance.

The Business Administration Manager (Resources) is responsible for ensuring effective policies and procedures exist for complaints handling and that all complaints are handled appropriately and recorded. The post holder also provides expert advice on the complaints procedures, ensures that agreed actions are implemented via Heads of Service and liaises with the SPSO on any investigations they are conducting and in ensuring recommendations are implemented.

For each complaint an **Investigating Officer** is appointed who is responsible for thoroughly investigating the complaint and making recommendations to management.

All staff: A complaint may be made to any member of staff so all staff must be aware of the complaints handling procedure and how to handle and record complaints. They should be aware of who to refer a complaint to, in case they are not able to personally handle the matter.

Complaints about senior staff

Complaints about senior staff can be difficult to handle, as there may be a conflict of interest for the staff investigating the complaint. When serious complaints are raised against senior staff, it is particularly important that the investigation is conducted by an individual who is independent of the situation. We must ensure we have strong governance arrangements in place that set out clear procedures for handling such complaints. The Chief Officer will ensure that an appropriate and independent person is appointed to investigate such complaints. If the complaint involves the Chief Officer, the Chair and Vice Chair of the Board will take independent advice on how to proceed.

Recording, reporting, learning and publicising

Complaints provide valuable customer feedback. One of the aims of the complaints handling procedure is to identify opportunities to improve services across Glasgow City IJB. We will record all complaints in a systematic way so that we can use the complaints data for analysis and management reporting. By recording and using complaints information in this way, we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.

Recording complaints

To collect suitable data it is essential to record all complaints in line with SPSO minimum requirements, as follows:

- the customer's name and address
- the date the complaint was received
- the nature of the complaint
- how the complaint was received
- the service the complaint refers to
- the date the complaint was closed at the frontline resolution stage (where appropriate)
- the date the complaint was escalated to the investigation stage (where appropriate)
- action taken at the investigation stage (where appropriate)
- the date the complaint was closed at the investigation stage (where appropriate)
- the outcome of the complaint at each stage
- the date a response was provided to the complainant
- the underlying cause of the complaint and any remedial action taken.

We have structured systems for recording complaints, their outcomes and any resulting action. These provide a detailed record of services that have failed to satisfy customers. These are prescribed by the Business Administration Manager (Resources).

Reporting of complaints

Complaints details are analysed for trend information to ensure we identify service failures and take appropriate action. Regularly reporting the analysis of complaints information helps to inform management of where services need to improve.

We publish on a quarterly basis the outcome of complaints and the actions we have taken in response. This demonstrates the improvements resulting from complaints and shows that complaints can influence our services. It also helps ensure transparency in our complaints handling service and will help us to assure our customers/users that we value their complaints.

We:

- publicise on a quarterly basis complaints outcomes, trends and actions taken
- use case studies and examples to demonstrate how complaints have helped improve services.

This information is reported regularly (and at least quarterly) to our Senior Management Team.

Learning from complaints

At the earliest opportunity after the closure of the complaint, the Investigator should always make sure that the customer and staff of the department involved understand the findings of the investigation and any recommendations made.

The Senior Management Team will review the information gathered from complaints regularly and consider whether our services could be improved or internal policies and procedures updated.

As a minimum, we:

- use complaints data to identify the root cause of complaints
- take action to reduce the risk of recurrence
- record the details of corrective action in the complaints file, and
- systematically review complaints performance reports to improve service delivery.

Where we have identified the need for service improvement:

- the action needed to improve services must be authorised
- an officer (or team) should be designated the 'owner' of the issue, with responsibility for ensuring the action is taken
- a target date must be set for the action to be taken
- the designated individual must follow up to ensure that the action is taken within the agreed timescale
- where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved
- we must ensure that staff learn from complaints.

Publicising complaints performance information

We also report on our performance in handling complaints annually in line with SPSO requirements. This includes performance statistics showing the volumes and types of complaints and key performance details, for example on the time taken and the stage at which complaints were resolved.

Maintaining confidentiality

Confidentiality is important in complaints handling. It includes maintaining the customer's confidentiality and explaining to them the importance of confidentiality generally. We always bear in mind legal requirements, for example, data protection legislation, as well as internal policies on confidentiality and the use of customers' information.

Managing unacceptable behaviour

People may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the customer acting in an unacceptable way. Customers who have a history of challenging or inappropriate behaviour, or have difficulty expressing themselves, may still have a legitimate grievance.

A customer's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them.

However, we also recognise that the actions of customers who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable behaviour such as unreasonable persistence, threats or offensive behaviour from customers. Where we decide to restrict access to a customer under the terms of an unacceptable actions policy, we have a procedure in place to communicate that decision, notify the customer of a right of appeal, and review any decision to restrict contact with us. This will allow the customer to demonstrate a more reasonable approach later.

The Unacceptable Actions Policy adopted by the Integration Joint Board is attached as Appendix 2.

Supporting the customer

All members of the community have the right to equal access to our complaints handling procedure. Customers who do not have English as a first language may need help with interpretation and translation services, and other customers may have specific needs that we will seek to address to ensure easy access to the complaints handling procedure.

We must always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our service to help the customer where appropriate.

Several support and advocacy groups are available to support customers in pursuing a complaint and customers will be signposted to these as appropriate.

Time limit for making complaints

This complaints handling procedure sets a time limit of six months from when the customer first knew of the problem, within which time they may ask us to consider the complaint, unless there are special circumstances for considering complaints beyond this time.

We will apply this time limit with discretion. In decision making we will take account of the Scottish Public Services Ombudsman Act 2002 (Section 10(1)), which sets out the time limit within which a member of the public can normally ask the SPSO to consider complaints. The limit is one year from when the person first knew of the problem they are complaining about, unless there are special circumstances for considering complaints beyond this time.

If it is clear that a decision not to investigate a customer's complaint will lead to a request for external review of the matter, we may decide that this satisfies the special circumstances criteria. This will enable us to consider the complaint and try to resolve it.

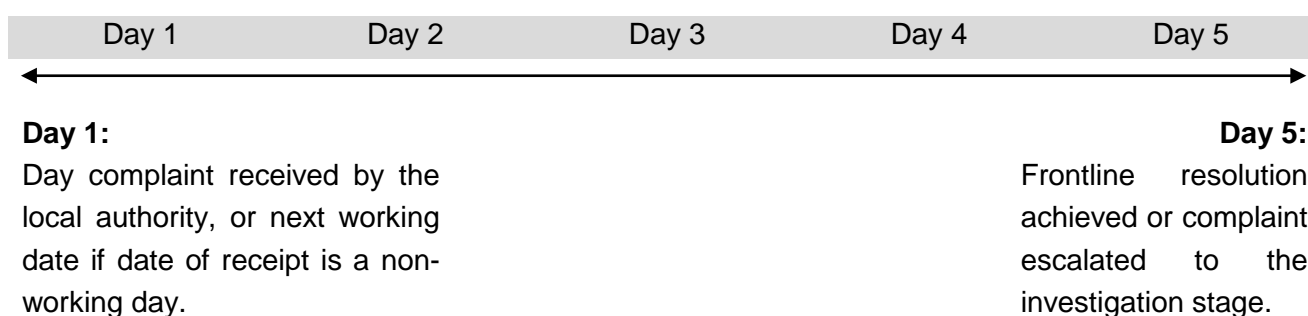
Appendix 1 - Timelines

General

References to timelines throughout the complaints handling procedure relate to working days. When measuring performance against the required timelines, we do not count non-working days, for example weekends, public holidays and days of industrial action where our service has been interrupted.

Timelines at frontline resolution

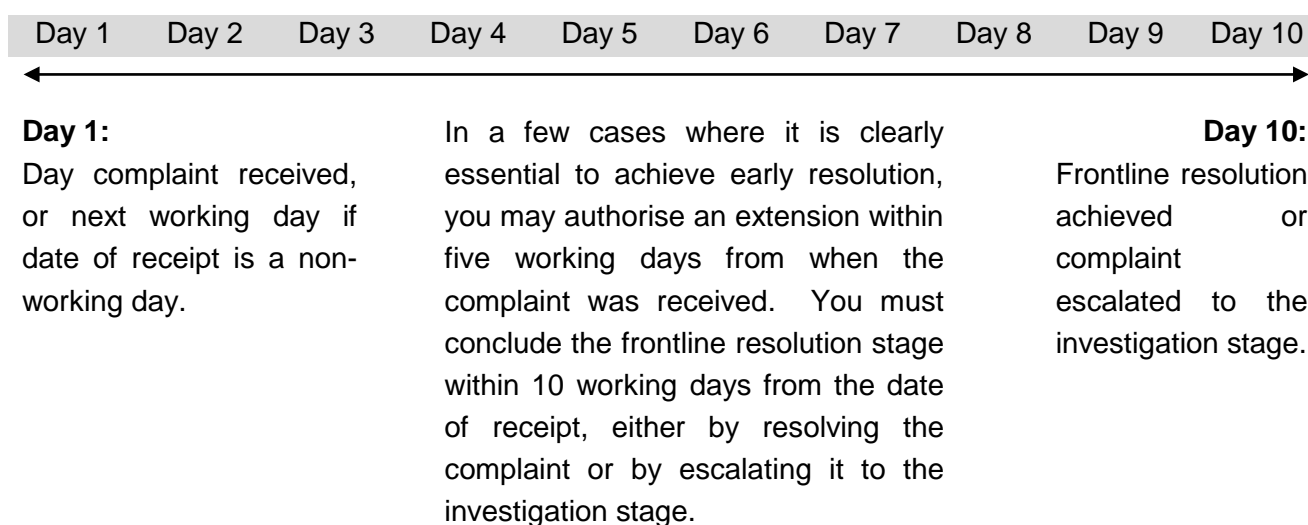
You must aim to achieve frontline resolution within five working days. The day you receive the complaint is day 1. Where you receive it on a non-working day, for example at the weekend or on a public holiday, day 1 will be the next working day.



The date of receipt by the organisation is the date to be regarded as day 1 above.

Extension to the five-day timeline

If you have extended the timeline at the frontline resolution stage in line with the procedure, the revised timetable for the response must take no longer than 10 working days from the date of receiving the complaint.



Transferring cases from frontline resolution to investigation

If it is clear that frontline resolution has not resolved the matter, and the customer wants to escalate the complaint to the investigation stage, the case must be passed for investigation without delay. In practice this will mean on the same day that the customer is told this will happen.

Timelines at investigation

You may consider a complaint at the investigation stage either:

- after attempted frontline resolution, or
- immediately on receipt if you believe the matter to be sufficiently complex, serious or appropriate to merit a full investigation from the outset.

Acknowledgement

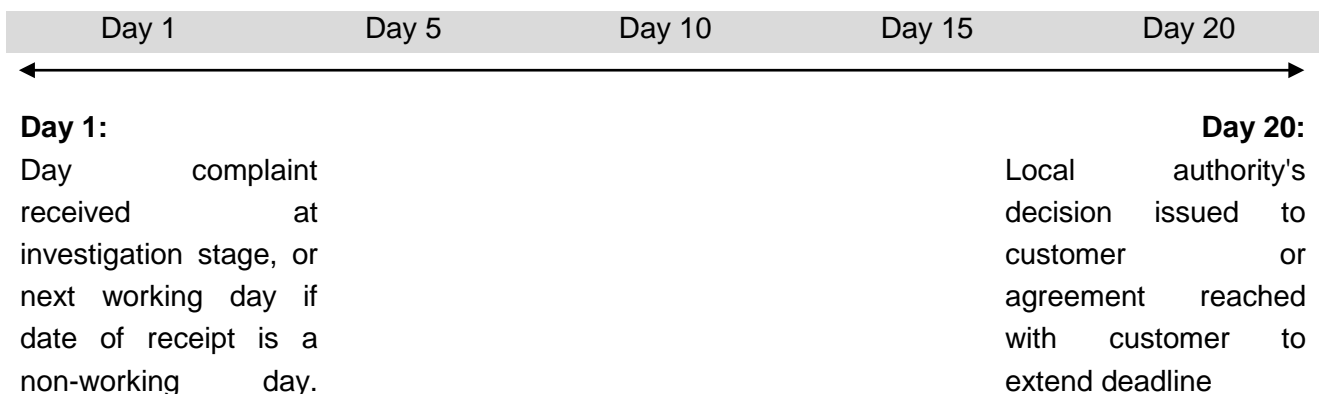
All complaints considered at the investigation stage must be acknowledged within **three working days** of receipt. The date of receipt is:

- the day the case is transferred from the frontline stage to the investigation stage, where it is clear that the case requires investigation, or
- the day the customer asks for an investigation after a decision at the frontline resolution stage. You should note that a customer may not ask for an investigation immediately after attempts at frontline resolution, or
- the date the organisation received the complaint, if you think it sufficiently complex, serious or appropriate to merit a full investigation from the outset.

Investigation

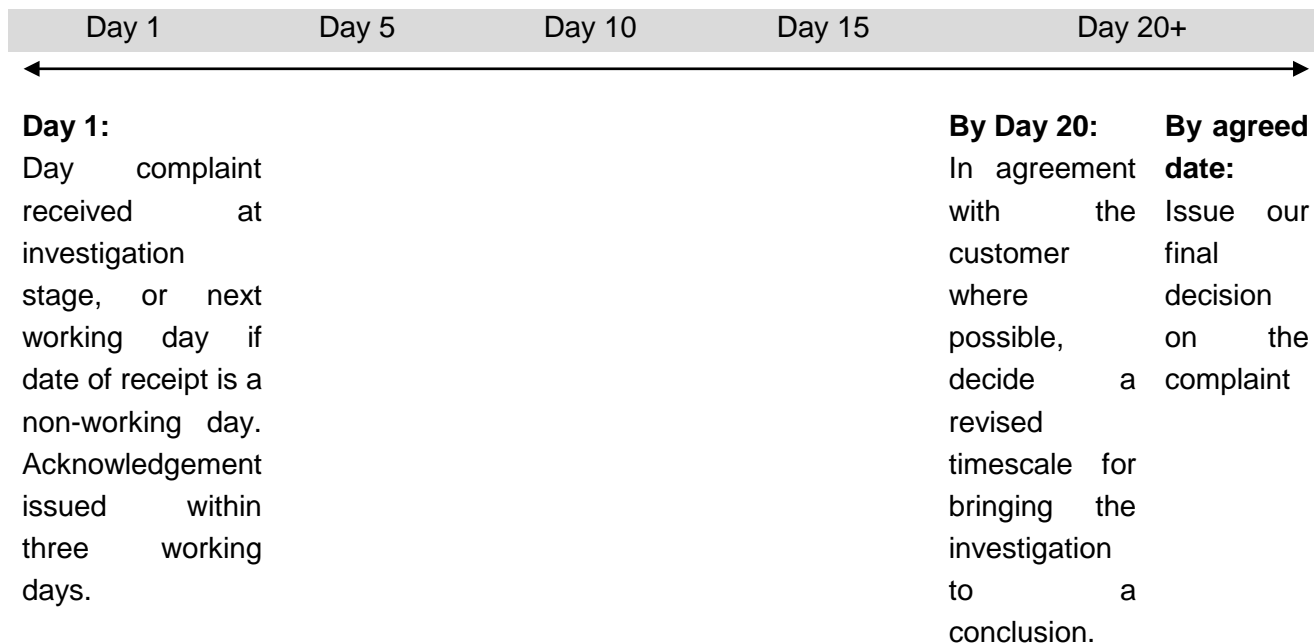
You should respond in full to the complaint within **20 working days** of receiving it at the investigation stage.

The 20-working day limit allows time for a thorough, proportionate and consistent investigation to arrive at a decision that is objective, evidence-based and fair. This means you have 20 working days to investigate the complaint, regardless of any time taken to consider it at the frontline resolution stage.



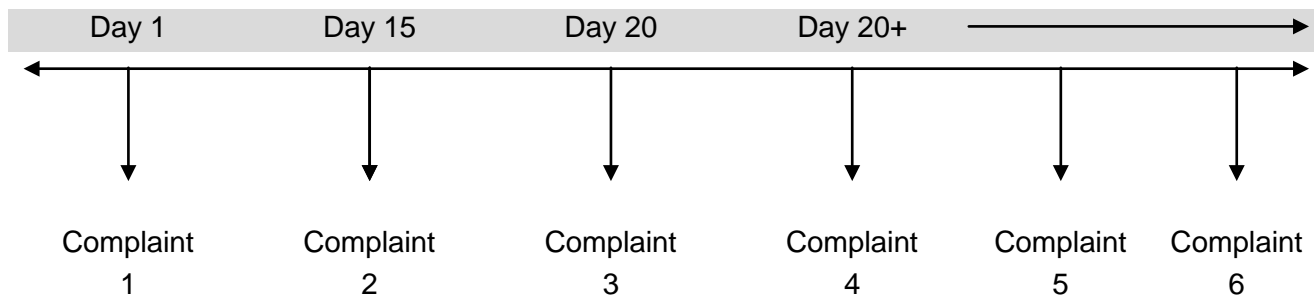
Acknowledgement issued within three working days.

Exceptionally you may need longer than the 20-day limit for a full response. If so, you must explain the reasons to the customer, and agree with them a revised timescale.



Timeline examples

The following illustration provides examples of the point at which we conclude our consideration of a complaint. It is intended to show the different stages and times at which a complaint may be resolved.



The circumstances of each complaint are explained below:

Complaint 1

Complaint 1 is a straightforward issue that may be resolved by an on-the-spot explanation and, where appropriate, an apology. Such a complaint can be resolved on day 1.

Complaint 2

Complaint 2 is also a straightforward matter requiring little or no investigation. In this example, resolution is reached at day three of the frontline resolution stage.

Complaint 3

Complaint 3 refers to a complaint that we considered appropriate for frontline resolution. We did not resolve it in the required timeline of five working days. However, we authorised an extension on a clear and demonstrable expectation that the complaint would be satisfactorily resolved within a further five days. We resolved the complaint at the frontline resolution stage in a total of eight days.

Complaint 4

Complaint 4 was suitably complex or serious enough to pass to the investigation stage from the outset. We did not try frontline resolution; rather we investigated the case immediately. We issued a final decision to the customer within the 20-day limit.

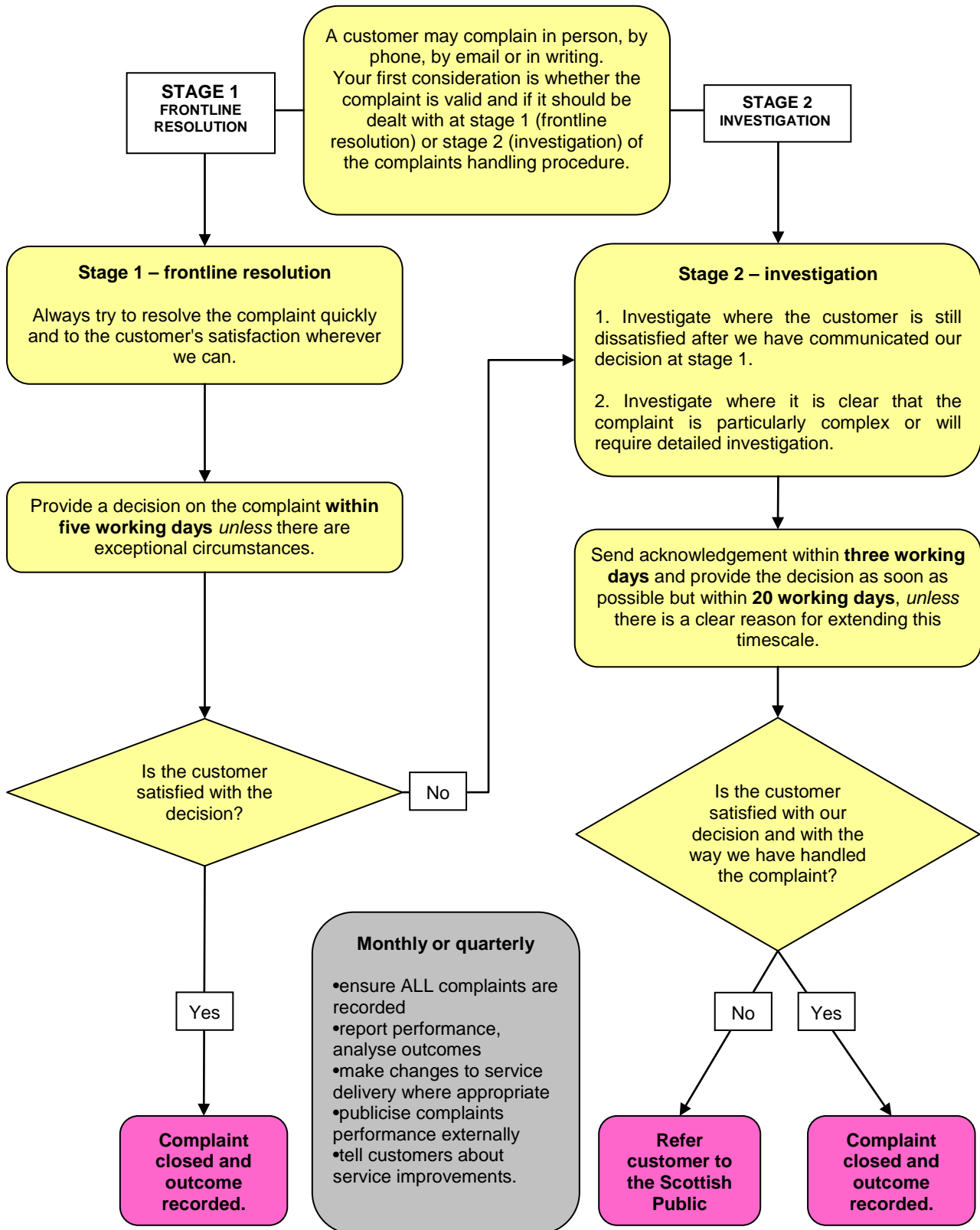
Complaint 5

We considered complaint 5 at the frontline resolution stage, where an extension of five days was authorised. At the end of the frontline stage the customer was still dissatisfied. At their request, we conducted an investigation and issued our final response within 20 working days. Although the end-to-end timeline was 30 working days we still met the combined time targets for frontline resolution and investigation.

Complaint 6

Complaint 6 was considered at both the frontline resolution stage and the investigation stage. We did not complete the investigation within the 20-day limit, so we agreed a revised timescale with the customer for concluding the investigation beyond the 20-day limit.

Appendix 2 - The complaints handling procedure



Appendix 3 – Unacceptable Behaviour Policy

As an organisation we believe that complainants have a right to be heard, understood and respected. We work hard to be open and accessible to everyone.

Occasionally, the behaviour or actions of individuals makes it very difficult for us to deal with their complaint. In a small number of cases the actions of individuals become unacceptable because they involve abuse of staff or our process.

When this happens we have to take action to protect staff. We also consider the impact of the behaviour on our ability to do our work and provide a service to others. Unacceptable behaviour can seriously impact on the use of the organisation's resources.

This Policy explains how we will approach these situations.

What actions may be considered unacceptable?

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint being made.

We do not view behaviour as unacceptable just because a complainant is forceful or determined. In fact, we accept that being persistent may sometimes be a positive advantage when pursuing a complaint.

However, we do consider actions that result in unreasonable demands on our time or unreasonable behaviour towards staff to be unacceptable. It is these actions that we aim to manage under this Policy.

(a) Aggressive or abusive behaviour

We understand that many complainants are angry about the issues they have raised in their complaint. If that anger escalates into aggression towards staff, we consider that unacceptable. Any violence or abuse towards staff will not be accepted.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel offended, afraid, threatened or abused. We will judge each situation individually and appreciate individuals who come to us may be upset. Language which is designed to insult or degrade, is racist, sexist or homophobic or which makes serious allegations that individuals have committed criminal, corrupt or perverse conduct, or calls into question their competence, without any evidence, is unacceptable.

(b) Unreasonable demands

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the Board.

Examples of actions grouped under this heading include:

-
- repeatedly demanding responses within an unreasonable timescale,
 - insisting on seeing or speaking to a particular member of staff when that is not possible,
 - repeatedly changing the substance of a complaint or raising unrelated concerns.

An example of such impact would be that the demand takes up an excessive amount of staff time and in so doing disadvantages other complainants and prevents their own complaint from being dealt with quickly.

(c) Unreasonable levels of contact

Sometimes the volume and duration of contact made by an individual causes problems. This can occur over a short period, for example, a number of calls in one day or one hour. It may occur over the life-span of a complaint when a complainant repeatedly makes long telephone calls to us or inundates us with copies of information that has been sent already or that is irrelevant to the complaint.

We consider that the level of contact has become unacceptable when the amount of time spent talking to a complainant on the telephone, or responding to, reviewing and filing emails or written correspondence impacts on our ability to deal with that complaint, or with other people's complaints. This is a matter of judgement which we will consider most carefully at a senior level within the organisation.

(d) Unreasonable refusal to co-operate

When we are looking at a complaint, we seek to engage with that individual so that we can fully understand their complaint. This can include agreeing with us the scope of the complaint; providing us with further information, evidence or comments on request; or helping us by summarising their concerns.

Sometimes, an individual repeatedly refuses to cooperate and this makes it difficult for us to proceed. We will always seek to assist someone if they have a specific, genuine difficulty complying with a request. However, we consider it is unreasonable to raise a complaint and then not respond to reasonable requests.

(e) Unreasonable use of the complaints process

Individuals with complaints against the Board have the right to pursue their concerns through a range of means. They also have the right to complain more than once to us if they have a continuing relationship, if subsequent incidents occur.

This contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent us from pursuing a legitimate aim or implementing a legitimate decision. We consider access to a complaints system to be important and it will only be in exceptional circumstances that we would consider such repeated use as unacceptable – but we reserve the right to do so in such cases.

Our Response to Unacceptable Behaviour

(a) Examples of how we manage aggressive or abusive behaviour

The threat or use of physical violence, verbal abuse or harassment towards staff is likely to result in a termination of all direct contact with the complainant. We may report incidents to the police. This will always be the case if physical violence is used or threatened. Such decision is effective only in relation to each individual incident.

Staff will end telephone calls if they consider the caller is aggressive, abusive or offensive after the caller has been given fair warning to temper his/her behaviour. We believe that staff have the right to make this decision, after the caller has been made aware of his/her behaviour.

Subject to the approval of a senior officer at Head of Service level or above, we will not engage in correspondence (in any format) that contains statements that are abusive to staff or contains allegations that lack substantive evidence. Where we can, we will return the correspondence. We will explain why and say that we consider the language used to be offensive, unnecessary and unhelpful and ask the sender to stop using such language. We will advise them that we will engage with them if they temper their actions.

In extreme situations, we will tell the complainant in writing that their name is on a restricted contact list and they should only make future contact via a named individual.

(b) Examples of how we deal with other categories of unreasonable behaviour

We have to take action when unreasonable behaviour impairs the effective functioning of the complaints system. We aim to do this in a way that allows a complainant to progress their complaint.

We will try to ensure that any action we take is the minimum required to solve the problem, taking into account relevant personal circumstances including the seriousness of the complaint and the needs of the individual.

Actions we may take with the approval of a Head of Service or above

Where a complainant repeatedly phones, visits the office, raises repeated issues, or sends large numbers of documents where their relevance isn't clear, we may decide to:

- limit contact to telephone calls from the complainant to set times on set days.
- restrict contact to a nominated member of staff who will deal with future calls or correspondence from the complainant.
- see the complainant by appointment only.
- restrict contact from the complainant to writing only.
- return any documents to the complainant where the relevance of the documentation to the complaint raised is not clear, or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed.

-
- take any other similar action that we consider appropriate.

Where we consider continued correspondence on a wide range of issues to be excessive, we may tell the complainant that only a certain number of issues will be considered in a given period and we ask them to limit or focus their requests accordingly.

In exceptional cases, we reserve the right to refuse to consider a complaint or future complaints from an individual. We will take into account the impact on the individual and also whether there would be a broader public interest in considering the complaint further.

We will always tell the complainant what action we are taking and why.

The process we follow to make decisions about unreasonable behaviour

Any member of staff who directly experiences aggressive or abusive behaviour from a complainant has the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this Policy. Incidents must be recorded on the risk management and incident reporting system for review by their line manager.

With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact are only taken after careful consideration of the situation by a senior member of staff at Head of Service level and above. Wherever possible, we will give a complainant the opportunity to change their behaviour or action before a decision is taken.

How we let people know we have made this decision

When an employee makes an immediate decision in response to offensive, aggressive or abusive behaviour, the complainant is advised at the time of the incident. When a decision has been made by senior management, a complainant will always be given the reason in writing as to why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place. This ensures that the complainant has a record of the decision and the timescale involved. Where it is considered that the complainant may not understand the terms of any letter the decision should be communicated in person in the presence of two senior members of staff.

The process for appealing a decision to restrict contact

It is important that a decision can be reconsidered. A complainant can appeal a decision to restrict contact. If they do this, we will only consider arguments that relate to the restriction and not to either the complaint made to us or to our decision to close a complaint.

An appeal could include, for example, a complainant saying that:

- their actions were wrongly identified as unacceptable;
- the restrictions were disproportionate;
- or that they will adversely impact on the individual because of personal circumstances.

A senior member of staff who was not involved in the original decision will consider the appeal. They have discretion to confirm, quash or vary the restriction as they think best. They will make their decision based on the evidence available to them. They must advise the complainant in writing that either the restricted contact arrangements still apply or a different course of action has

been agreed. Alternative means of communicating such decision should be considered as above where necessary.

Any restriction must be time limited and be subject to review before the end of the specified time limit. Each case is different. We will explain in the letter setting out the restriction what review process will be in place for that restriction and in what circumstances they could request this to be reconsidered.

How we record and review a decision to restrict contact

The Business Administration Manager (Resources) records all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry noting this is made in the relevant file and on appropriate computer records. Each quarter a report on all restrictions will be presented to the Executive Group so that they can ensure the policy is being applied appropriately

Policy Review

This Policy shall be reviewed every second year, or more frequently in case of legislative change.

Acknowledgement

This Policy is based substantially on the Unacceptable Actions Policy of the Scottish Public Services Ombudsman. For further guidance on dealing with problem behaviour please refer to the SPSO publication:-

Practice Guide: Dealing With Problem Behaviour (PDF, 865KB)

http://www.valuingcomplaints.org.uk/wp-content/media/DealingWithProblemBehaviour_SPSOGuide.pdf

Draft v.1.0 1st April 2016



Glasgow City Integration Joint Board – Guide to Making a Complaint

We are committed to providing high-quality customer services. **We value complaints and use information from them to help us improve our services.**

If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you what you can expect from us. If something has gone wrong or you are dissatisfied with our service please tell us. This leaflet is about where you are dissatisfied with something the Integrated Board has or has not done. Such complaints should be directed to:-

Chief Officer
Glasgow Health & Social Care Partnership
Commonwealth House
42 Albion Street
Glasgow G1 1LH
Telephone 0141 287 0130

If you are dissatisfied with the service you have received from **social work services** or **health services**, please check who you should raise your complaint with by contacting:-

Social Work Services
 Principal Officer
 Rights & Enquiries
 Glasgow City Health & Social Care Partnership,
 Commonwealth House
 32 Albion Street
 Glasgow
 G1 1LH
 Telephone 0141 287 8716 or see our web page at
<https://www.glasgow.gov.uk/index.aspx?articleid=17304>



Health Services

Business Administration Manager (Resources)
Glasgow City Health & Social Care Partnership
Commonwealth House
32 Albion Street
Glasgow
G1 1LH
Telephone 0141 287 0394

<http://www.nhsggc.org.uk/get-in-touch-get-involved/complaints/>

What is a complaint?

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- failure to provide a service
- our standard of service
- the way we decide policy
- treatment by or attitude of a member of staff
- our failure to follow proper procedure.

What can't I complain about?

There are some things we can't deal with through our complaints handling procedure. These include:

- where you have not raised the issue initially via the relevant service
- requests for compensation
- things that are covered by a right of appeal or separate legal process.

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you access these.

Who can complain?

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with what we have or have not done. Please also read the section on 'Getting help to make your complaint'.

How do I complain?

Complaints about the Integrated Joint Board are best directed to the Chief Officer at the address above. The other sections mentioned above are able to provide advice and assistance in how to take your complaint forward.

It is easier for us to resolve complaints if you make them quickly.

When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter.

How long do I have to make a complaint?

Normally, you must make your complaint within six months of:

- the event you want to complain about, or
- finding out that you have a reason to complain, but no longer than 12 months after the event itself.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

What happens when I have complained?

We will always tell you who is dealing with your complaint.

Our complaints procedure has two stages:

Stage one – frontline resolution

We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, and immediate action to resolve the problem.

We will give you our decision at Stage 1 in five working days or less, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will explain why and tell you what you can do next. We might suggest that you take your complaint to Stage 2. You may choose to do this immediately or sometime after you get our initial decision.

Stage two – investigation

Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed investigation. Complaints against the Integrated Joint Board are likely to be referred on receipt to stage two resolution.

When using Stage 2 we will:

- acknowledge receipt of your complaint within three working days
- where appropriate, discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for
- give you a full response to the complaint as soon as possible and within 20 working days.

If our investigation will take longer than 20 working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.

What if I am still dissatisfied?

After we have fully investigated, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO **cannot** normally look at:

- a complaint that has not completed our complaints procedure (so please make sure it has done so before contacting the SPSO)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

You can contact the SPSO:

In Person:

SPSO

4 Melville Street

Edinburgh

EH3 7NS

By Post

SPSO FREEPOST

Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

Mobile site: <http://m.spsso.org.uk>

Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance.

Scottish Independent Advocacy Alliance

Tel: 0131 260 5380 Fax: 0131 260 5381 Website: www.siaa.org.uk

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help customers access and use our services.

If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, contact us:-

e-mail GHSCPComplaints@ggc.scot.nhs.uk

telephone: 0141 287 0130

Quick guide to our complaints procedure

