

Meeting: Haringey Strategic Partnership

Date: 3 July 2008

Report Title: Complaint Handling Protocol

Report of: Sharon Kemp, Assistant Chief Executive – Policy, Performance, Partnerships and Communication

Summary

To approve a Complaint Handling Protocol for all services delivered by partnership members.

Recommendations

- i. That the Complaints Protocol be approved.
- ii. That all partners ensure that arrangements are put in place to ensure effective implementation of the Protocol, having regard to the issues highlighted at paragraph 4 of this report.
- iii. That appropriate publicity be provided for service users and staff (paragraph 5 of the report)
- iv. That the operation of the Protocol be formally reviewed after twelve months of operation, and thereafter as required should one or more partners consider any modification to be appropriate.

Financial/Legal Comments

The Chief Financial Officer has been consulted on the contents of this report and notes that adopting the complaints handling protocol for the HSP should not have any financial implications that can't be met from existing resources. The proposed post twelve month review will enable any emerging financial implications to be highlighted.

A number of partners have statutory complaints processes: as stated in the protocol, these proposals do not affect them. There are no other specific legal implications in implementing the protocol. The Ombudsmen's report contains information on *'The legal status of LSPs'*.

For more information contact:

Name: Ian Christie
Title: Feedback and Information Manager,
Tel: 020 8489 2557

1. Background:

- 1.1 Last year, the Local Government Ombudsmen issued a special report: *Local partnerships and citizen redress*. This identified problems that are involved in handling complaints where there is a partnership of service providers, and recommended the drawing up of a complaints protocol to address these problems.
- 1.2 At the meeting on 11 February 2008, the Partnership approved in principle the establishment of such a complaints protocol.

2. Action taken to produce the protocol

- 2.1 Consultation with the Ombudsman and other authorities failed to identify any model for a protocol. Following discussion with other London boroughs, the Council's Feedback and Information Manager therefore produced a draft on the basis of the recommendations in the special report. This was circulated to partners and discussed at a meeting of partners on 23 April. Comments from the meeting were incorporated into a revised draft that was circulated and further comments incorporated.
- 2.2 The Ombudsman was then consulted, and his comments resulted in a further revision, which was again circulated for partners' comments. The final agreed version is now submitted for your approval.

3. Operation of the protocol

- 3.1 The Ombudsmen's key concerns are that:
 - It is easier for service users to gain redress when things go wrong,
 - There is full accountability for complaint handling,
 - The needs of complainants are met by ensuring that they understand how to complain and who to complain to
 - Complaints are resolved quickly, and
 - There is one point of reference that can be used to ensure that all complaints are properly handled, particularly in cases of doubt or dispute.
- 3.2 Where responsibility is clear, the relevant partner will deal with a complaint in accordance with normal procedures. Where the remit lies with two or more partners, is outside the remit of the receiving partner, or responsibility is not clear, the provisions of the protocol should be used to determine responsibility.
- 3.3 In cases of joint working, or service delivery by any other organisation outside the partnership, partners will ensure that appropriate complaints protocols are put in place.

- 3.4 The Council will assist in ensuring that complaints are properly addressed in cases of doubt as to responsibility for the issues raised, including resolving any potential differences of view. If this might involve a potential conflict of interest for the Council, the partner holding the position of vice chair of the Partnership will fulfil this role.
- 3.5 A schedule of partners' complaints contacts, including a brief outline of their complaints procedures, has been produced and distributed to partners' complaints contacts.

4. Implementation of the protocol

- 4.1 All partners should ensure that arrangements are put in place to implement all of the elements of the protocol, including in particular:
- Ensuring that staff take responsibility for quickly resolving complaints that are the responsibility of their organisation, and for promptly referring other complaints to the appropriate partner(s), or to the Council if guidance or a single point of reference is required;
 - Taking appropriate action to support complainants, and to put things right when a mistake has been made that adversely affects a service user;
 - Training staff to provide them with the right skills to deal with complaints and to resolve problems quickly;
 - Implementing systems to learn from complaints to improve services; and
 - Ensuring that appropriate arrangements are put in place in respect of any service delivery arrangements made with other organisations outside the Partnership.

5. Publicity

- 5.1 All partners should publicise the protocol so that service users are aware of how to complain and who to complain to. This will necessarily vary between partners: those who are members of a number of strategic partners may need to restrict website and other publicity to a list of boroughs with whom complaint protocols are in place.
- 5.2 The publicity planned by the Council includes:
- A press release, agreed with partners and to be issued after this meeting, which will be placed on the Council's website with links to the complaints pages,
 - Updating of the website complaints pages to include the key elements of the protocol,
 - An article in the August edition of 'Haringey People', which is distributed to all households in the borough, and
 - Reference to the protocol in the next edition of the Council's A to Z of services.

5.3 All partners are asked to arrange internal publicity so that all staff are aware of the protocol, and that their complaints officers will deal with any cases where there is any doubt as to responsibility for resolution.

6. Other matters to be addressed

6.1 Partners are asked to ensure that all other matters contained in the report are appropriately addressed, including staff training, learning from complaints, and monitoring and review arrangements.

7. Strategic Implications

7.1 The Ombudsmen's special report highlighted the problems involved in handling complaints where there is a partnership of service providers, and suggested how governance and processes can be improved to make things easier for service users. The purpose of the protocol is to address these issues.

8. Equalities implications

8.1 All service users must be enabled to provide feedback about the services they use, whatever their age, disability, ethnicity, gender, language, religion/belief/faith, or sexual orientation. Care must be taken to ensure that feedback is used to identify and eliminate discriminatory practice and to promote equality of access to service provision.

9. Conclusion

9.1 It is recommended that the complaints protocol be approved and implemented with immediate effect, and that all partners take prompt action to implement its provisions.

10. Use of Appendices

10.1 The following appendix is attached:

Haringey Strategic Partnership: Complaint handling protocol