



COMPLAINTS PROTOCOL

1. Introduction

This complaints protocol has been adopted by all partners within the Haringey Strategic Partnership. Its purpose is to ensure that there is clarity of procedure and clear information on responsibilities and processes for handling complaints by or on behalf of service users the public about any service delivered through the partnership. It does not apply to complain to between partners.

2. Aims and general principles

- All partners welcome complaints by or on behalf of service users, and are committed to resolving them promptly and efficiently whenever possible.
- All partners will operate effective complaints procedures that meet public authority best practice, including publicity of arrangements for service users and staff.
- Complaints about services delivered by one partner will be dealt with by that organisation.
- Where services are jointly delivered, partners will cooperate to ensure the efficient handling of the complaint, normally in accordance with the timescales of the lead partner.
- Where complaints are incorrectly directed, all partners will work together to ensure prompt handling by the correct partner(s), and advise complainants.
- Our definition of a complaint is *“any expression of dissatisfaction about a partnership service, whether justified or not, requiring a response.”*

3. Adherence to partners' procedures

The provisions of this protocol do not affect the statutory and established complaints processes of partners, including in particular those for NHS Trusts, the Metropolitan Police, the London Fire Brigade, London Probation and Job Centre Plus.

4. Taking responsibility for complaints

All members of the Partnership, and senior managers and officers of all partners are committed to the effective handling of complaints and will provide leadership and support to their staff to ensure that effective procedures operate in their organisations to facilitate this.

When a complaint is about a local authority function that has been delegated to a partner, the partner will provide effective complaints procedures (if the authority does not retain this responsibility), including responsibility for redress where the authority agrees to an Ombudsman recommendation, and will refer the complainant to Haringey Council at the last stage of the procedure.

Partners will not take an overly bureaucratic approach: systems will be reasonable and proportionate, taking into account the wide variations in scale, structure and objectives of their organisations.

4.1 Complaints within the remit of only one partner

On receipt of a complaint, which falls wholly within the remit of one partner, the partner's complaints lead will ensure that the complaint is fully investigated and responded to in accordance with their complaints procedure.

4.2 Complaints within the remit of two or more partners

Where a joint response from two or more partners is needed, one partner will normally take the lead, usually the partner responsible for the largest proportion of the issues raised, and ask the other partners to consider the aspects within their own remits. The lead partner will then be responsible for communicating with the complainant and providing a single response to all concerns raised, after receiving the agreed contributions of the other partners.

If partners cannot agree on a joint response, the issues raised will be separated and all partners involved will respond on those matters within their responsibility, while ensuring jointly that there are no omissions of response to any points of complaint. Any differences of view between partners will be dealt with in accordance with the provisions at paragraph 3.6 below. Complainants will be granted a conciliation review under these provisions if dissatisfied with conflicting responses from different partners.

Each partner will record on their own complaints database the details of complaints involving partners, including cases they contribute to as a subsidiary partner.

4.3 Joint working arrangements

Where there are regular joint working arrangements to deliver services, the handling of complaints will be formalised as part of these arrangements.

4.4 Complaints where the subject matter is outside the remit of the partner or responsibility is unclear

Partners will take responsibility for correctly allocating, and forwarding to the correct partner, any complaints they receive that are outside of their remit. This will normally be within two working days of receipt. They will inform the complainant of the contact details of the partner to whom they forward the complaint.

Haringey Council's Strategic Partnership Manager and Feedback and Information Manager, and the complaints leads of other partners will provide advice and guidance as required to assist in such cases.

4.5 General partnership matters

Some complaints may concern general partnership matters, such as consultation about the community strategy, Local Area Agreement, or funding arrangements. Where such a complaint is not clearly the responsibility of another partner, Haringey Council's Strategic Partnership Manager and Feedback and Information Manager will ensure that the complaint is effectively dealt with by the appropriate partner(s).

4.6 Single point of reference and differences of view between partners

Partners will work together to prevent the possibility of disadvantage or delay to complainants in the handling of their concerns and identification of any fault or remedy. Haringey Council's Feedback and Information Manager will therefore provide a single point of reference for any complaints about services provided by partners, and ensure, in conjunction with Haringey Council's Strategic Partnership Manager, that they are appropriately addressed by the relevant partners. As necessary this may involve the clarification of partners' roles and responsibilities and any differences of view between partners. In cases of potential conflict of interest for the Council, the partner holding the position of vice chair of the partnership will fulfil this role. The existence of such a conflict may be determined by the Council or the complainant.

4.7 Arrangements with other organisations/authorities

Partners will ensure that appropriate complaints protocols are put in place in respect of any service delivery arrangements made with any other organisations outside the Partnership.

4.8 Confidentiality

Partners will protect client confidentiality and ensure that client consent is obtained when someone is acting on behalf of someone else. This duty of consent and confidentiality will be interpreted in accordance with partners' procedures.

Whilst the confidentiality of a service user is important, this should never stop a partner forwarding a concern highlighted in a complaint to another partner or other relevant organisation, with or without the consent, if a particularly serious risk or high-level concern is identified (e.g. child protection or adult abuse issues). In some areas there may be a legal requirement to share information. The presumption in such instances will be in favour of dealing with the risk rather than the protection of user confidentiality.

Confidentiality will not be used as a reason to avoid dealing with a complaint.

5. Remedies - putting things right (redress)

Partners will ensure that appropriate action is taken to put things right when a mistake has been made that adversely affects a service user. This will normally be in line with relevant best practice Ombudsman guidelines.

Redress may include an apology, financial compensation, staff guidance, procedural changes or service improvements. Where applicable, this provision will be interpreted in accordance with partners' statutory and established complaints processes.

6. Supporting complainants

Partners will keep complainants informed of the progress of their complaints, including the stage at which it is being considered, the applicable timescales, and the reasons for any delay.

When dealing with complaints, partners will take account of complainants' special needs, including language, culture and disability, in accordance with their own procedures.

Where appropriate, partners will consider the option of conciliation or mediation to assist early resolution, and provide access to local sources of independent advocacy and advice.

7. Publicity and Communications

All partners will publicise this protocol, their own and relevant statutory complaints arrangements, and other appeals procedures, in appropriate written and electronic media to increase public and staff awareness.

8. Staff training

Partners will train their staff dealing with complaints, so that they understand their procedures and have the right skills to resolve problems quickly, and so that investigations of complaints are rigorous and evidence-based with clear, well-explained decisions.

9. Learning from complaints

Partners are strongly committed to develop and implement systems to learn from complaints to improve their services.

10. Monitoring and review

Where the local authority exercises a function through any other body, it will ensure that the arrangements provide for effective monitoring and review of complaints handled by that body, including a requirement to provide it with such access to evidence as it may request. Any review will identify learning points arising from complaint outcomes.

11. Advice, assistance and guidance

The relevant complaints leads of partners will provide advice, assistance and guidance to each other within their areas of expertise.

12. Review of protocol

This protocol was approved by the Haringey Strategic Partnership on 3 July 2008. It will be formally reviewed after 12 months, and thereafter as required if one or more partners considers that any modification is appropriate.

Appendix: Agencies in membership of the Haringey Strategic Partnership

Set out below is a list of agencies in membership of the Haringey Strategic Partnership in July 2008, all of whom have agreed to observe the arrangements set out in this protocol.

Local authority	Haringey Council
Community representatives	Community Link Forum HAVCO
Other community agencies and groups	Haringey Fire Service Metropolitan Police Environment Agency Lee Valley Regional Authority London Remade New Deal for Communities Transport for London Thames Water English Nature Haringey Probation Service Youth Offending Service Haringey Youth Council Haringey Magistrates Court
Health	Haringey Teaching Primary Care Trust North Middlesex Hospital Trust Barnet, Enfield and Haringey Mental Health Trust Whittington Hospital Trust Great Ormond Street Hospital
Education	Connexions (North London) Middlesex University College of North East London
Schools	Early Years and Play Primary Schools Secondary Schools Special Schools
Employment and skills	Jobcentre Plus Learning and Skills, North London
Business and Enterprise	Business Link for London Greater London Enterprise Mall Management North London Chamber of Commerce North London Business
Others/observers	London Development Agency College Arts Selby Trust
Housing	Homes for Haringey Metropolitan Housing Trust Family Mosaic Circle Anglia Innesfree