
Newry, Mourne & Down District Council Complaints Handling Procedure (CHP)

Guide for Person who wishes to make a complaint

Introduction

This document is Part 3 of NIPSO's Model Complaints Handling Procedure (MCHP). It has been prepared to assist public bodies to communicate and make accessible its complaints handling procedure to its customers and those people who wish to make a complaint. The document provides customers with clear and straight-forward information on an organisation's complaints handling procedure that follows NIPSO's MCHP.

It is important to make customers aware of their right to complain and how to do so. Information about the procedure should be easily accessible at all times, not just made available when a customer wishes to complain.

Arrangements about how to make a complaint must be widely publicised, simple and clear, and made available in all areas of service provision. Public bodies should, therefore, consider the most effective ways to ensure maximum accessibility, such as online information about how to access the complaints procedure which should be clearly visible on the landing/home page of the organisation's website. Traditional methods such as leaflets can also be helpful and organisations should consider where these can most effectively be displayed.

Customers must, where appropriate, have the support they need to articulate their concerns and successfully navigate the complaints procedure. A range of methods for complaining by whatever means is easiest for the customer and should be provided and accepted to ensure accessibility to the complaints procedure. This may include frontline staff assisting the customer by writing the complaint for them.

Public bodies should also take into account individual requirements, for example less-abled people; people with learning difficulties; people who are deaf or hard of hearing (including British Sign Language users); people with a visual impairment; and people whose first language is not English. Where appropriate, suitable arrangements should be made for the specific needs of those who wish to complain, including provision of interpreting services, access to support or advocacy, and information in a variety of formats and languages, at suitable venues, and at suitable times. The organisation information should make clear what adjustments are available and how they can be accessed.

To comply with NIPSO's MCHP, NMDDC must provide and publish guidance for complainants on how to make a complaint.

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Newry, Mourne & Down District Council (“NMDDC”) is committed to providing high-quality customer services.

We value complaints and use information from them to help us improve our services.

1. If something goes wrong or you are dissatisfied with our services, please tell us. This guide describes our complaints procedure and how to make a complaint. It also tells you about how we will handle your complaint and what you can expect from us.

What is a complaint?

2. We regard a complaint as “an expression of dissatisfaction by one or more members of the public 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?

3. You can complain about things like:
 - failure or refusal to provide a service
 - inadequate quality or standard of service, or an unreasonable delay in providing a service
 - dissatisfaction with one of our policies or its impact on the individual
 - failure to properly apply law, procedure or guidance when delivering services
 - failure to follow the appropriate administrative process
 - conduct, treatment by or attitude of a member of staff or contractor (except where there are arrangements in place for the contractor to handle the complaint themselves)
 - a concern about the actions or service of an organisation who is delivering services on our behalf
 - disagreement with a decision, (except where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector or;
 - dissatisfaction with how an element of a planning/pension decision was administrated.
4. Your complaint may involve more than one of NMDDC services or be about someone working on our behalf.

What can't I complain about?

5. There are some things we can't deal with through our complaints handling procedure. These include:
 - a routine first-time request for a service
 - a first-time report of a fault
 - a request for compensation only
 - issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)

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- disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information and subject access requests), or an established appeals process followed throughout the sector – such as council tax, planning, or a parking ticket appeal
 - a request for information under the Data Protection or Freedom of Information (Northern Ireland) Acts
 - a grievance by a staff member or a grievance relating to employment or staff recruitment
 - a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
 - a concern about a child or an adult's safety
 - an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
 - abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our [Unacceptable Actions Policy or equivalent]
 - a concern about the actions or service of a different organisation, where we have no involvement in the issue (except where the other organisation is delivering services on our behalf); or
 - challenges to decisions made via formal decision-making channels i.e., a customer is dissatisfied with a planning or pension decision but not with any element of the process that led to the decision.
6. If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

Who can complain?

7. Anyone who receives, requests or is directly affected by our services, or a service contracted or commissioned by us, can make a complaint to us. This includes the representative of someone who is dissatisfied with our service (for example, a relative, friend, advocate or adviser). If you are making a complaint on someone else's behalf, you will normally need their written consent. Please also read the section on '*Getting help to make your complaint*' below.

How do I complain?

You can complain in person at of our offices/facilities, by phone, in writing or by email [or via our complaints form . Where a complaint issue is raised via a digital channel managed and controlled by NMDDC (for example an official Twitter address or Facebook page), we will explain that we do not take complaints on social media, but we will tell the person how they can complain.

8. It is easier for us to address complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve the issue.
9. When complaining, please tell us:
- your full name and contact details

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- as much as you can about the complaint
 - what has gone wrong; and
 - what outcome you are seeking.

Our contact details are available at the end of this guide.

How long do I have to make a complaint?

10. 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.

11. 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?

12. We will always tell you who is dealing with your complaint and provide contact details. Our complaints procedure has two stages.

Stage 1: Frontline response

13. We aim to respond to complaints quickly (where possible, when you first tell us about the issue). This could mean an on-the-spot apology and explanation if something has clearly gone wrong, or immediate action to resolve the problem.

14. We will give you our decision at stage 1 in **5** working days or less, unless there are exceptional circumstances.

15. If you are not satisfied with the response, we give at stage 1, we will tell you what you can do next. If you choose to, you can take your complaint to stage 2. You must normally ask us to consider your complaint at stage 2 either:

- within six months of the event you want to complain about or finding out that you have a reason to complain; or
- within two months of receiving your stage 1 response from us (if this is later).

16. In exceptional circumstances, we may be able to accept a stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

Stage 2: Investigation

17. Stage 2 deals with two types of complaint: those that have not been resolved at stage 1 and those that clearly require in-depth investigation, and so are handled at this stage following discussion and agreement with you. If you do not wish your complaint to be handled at stage 1, you can ask us to handle it at stage 2 instead.

18. When using stage 2:

- we will acknowledge receipt of your complaint within **3** working days
- we will confirm our understanding of the complaint we will investigate and what outcome you are looking for
- we will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation); and
- where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within **20** working days.

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

What if I'm still dissatisfied?

20. After we have given you our final decision, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Northern Ireland Public Services Ombudsman (NIPSO) to look at it.

NIPSO is the final stage for complaints about the majority of public services in Northern Ireland. This includes complaints about us. NIPSO is an independent organisation that investigates complaints. The service provided by NIPSO is free. It is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

If you remain dissatisfied when you have a final response from us, you can ask NIPSO to look at your complaint. NIPSO generally expect complaints to be brought to it:

- within 6 months since you received correspondence from us informing you that the complaints handling procedure is complete and of your right to refer your complaint to NIPSO.

NIPSO will generally ask you to provide details of your complaint and a copy of our final response to your complaint. You can do this online at www.NIPSO.org.uk or call them on Freephone 0800 34 34 24.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on *'Getting help to make my complaint'* below.

NIPSO's contact details are:

The Northern Ireland Public Services Ombudsman
33 Wellington Place
Belfast
BT1 6HN

Tel Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Web: www.nipso.org.uk

(If you would like to visit in person, you must make an appointment first)

The freepost address is:
FREEPOST NIPSO

21. If NIPSO cannot investigate your complaint and your complaint requires an alternative route for independent review, NIPSO will tell you and provide you with the relevant contact details.

Getting help to make my complaint

22. 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.

23. You can find out about advocates in your area by contacting:

Name: **NICVA**

Website: <https://www.nicva.org/contact-us>

Tel: 028 9087 7777

24. You can find out about advisers in your area through Advice NI

Advice NI

Website: www.adviceni.net

Tel: 029 9064 5919

25. We are committed to making our service easy to use for all members of the community. In line with our statutory equality duties, we will always ensure that reasonable adjustments are made to help you 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, please tell us in person, contact us on 0330 137 4000 or email us at info@nmandd.org.

Our contact details

26. Please contact us by the following means:

In writing: Oifig an Iúir, Newry Office, Monaghan Row, Newry, BT35 8DJ or Oifig Dhún Pádraig, Downpatrick Office, Downshire Civic Centre, Ardglass Road, BT30 6GQ

Telephone: 0330 137 4000

Email info@nmandd.org

We can also give you this leaflet in other languages and formats (such as large print, audio and Braille).

A quick guide to our Complaints Procedure

Complaints procedure

You can make your complaint in person, by phone, by email or in writing. We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need in-depth investigation, we will talk to you about this and keep you updated on our progress.



Stage 1: Frontline response

We will always try to respond to your complaint quickly, within **5 working days** if we can. If you are dissatisfied with our response, you can ask us to consider your complaint at Stage 2.



Stage 2: Investigation

We will look at your complaint at this stage if you are dissatisfied with our response at Stage 1. We also look at some complaints at this stage, if following discussion and agreement with you, it is clear that an in-depth investigation is needed.

We will acknowledge your complaint within **3 working days**.

We will confirm the issues of complaint to be investigated and what you want to achieve. We will investigate the complaint and give you our decision as soon as possible. This will be after no more than **20 working days** *unless* there is clearly a good reason for needing more time.



Northern Ireland Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask NIPSO to consider it. NIPSO will assess whether there is evidence of service failure or maladministration not identified by us which requires further investigation. NIPSO will signpost you to alternative independent reviewers and provide contact details (where relevant).