

Annex 5 - Complaints

Responsibility for complaints

- 1.** You are responsible for resolving any complaints about the Contract Work that you undertake, including:
 - 1.1 the quality and/or accuracy of your advice;
 - 1.2 the behaviour or manner of any of your Advisers or Supervisors;
 - 1.3 any other negative comment relating to you, your provision of Contract Work or the standard of advice received.
- 2.** The DSCC will be responsible for responding to the following types of complaints:
 - 2.1 concerns about DSCC operators;
 - 2.2 The DSCC failing to/delaying call back to a Police Station, and you will promptly pass any such complaints to the DSCC.
- 3.** The LAA shall be responsible for responding to the following types of complaints:
 - 3.1 concerns about the overall ITA Services – e.g. the scope of the Services;
 - 3.2 misleading information about the ITA Services;
 - 3.3 where the Complainant is considering contacting the media; and
 - 3.4 where the Complainant is considering passing the matter on to an MP, the Ministry of Justice or the Ombudsman, and you will promptly pass any such complaints to us.
- 4.** Where a complaint has several different aspects that fall within the remits of different organisations, the organisation in receipt of the complaint should, in conjunction with the Contract Manager, identify the core issues. The body that has responsibility for resolving complaints in relation to the core issue should assume responsibility for resolving the complaint.

Complaints handling and managing

- 5.** You must handle any complaints that you receive through your own internal complaints procedure. This procedure must include:
 - 5.1 a process for informing Complainants about how and to whom they should complain; and

- 5.2 a process for identifying and dealing with complaints.
- 6.** You must inform Complainants of the procedure for making complaints. You must include details of how and to whom Complainants should complain. There must be staff guidance and/or training for those members of your personnel dealing with complaints.
- 7.** Your complaints procedure must contain the following:
- 7.1 the definition of a complaint;
- 7.2 confirmation of who has responsibility for complaints handling (generally and ultimately, including who is responsible for complaints made about the person who would ordinarily have ultimate responsibility);
- 7.3 how complaints are identified;
- 7.4 how complaints are recorded;
- 7.5 how to identify the cause of a complaint and respond to it (including acknowledging complaints, telling the Complainant when they will receive a substantive response, explaining to whom they should take matters if they remain dissatisfied at any stage, providing options for redress and for correcting any underlying problem or unsatisfactory procedure or process); and
- 7.6 a process for reviewing complaints (what is reviewed, when and by whom).
- 8.** Your complaints procedure must be compliant with any requirements established by your Relevant Professional Body.
- 9.** You must keep a central record of every complaint received. For each complaint, you must record the details specified below at Section 15 and retain copies of any documentation (usually correspondence) showing how it was resolved.
- 10.** You must report any complaints to your Contract Manager via the Provider Monthly Report as set out in Annex 7 – Reporting Requirements.
- 11.** You must review the central record at least annually to identify trends and to determine whether action can be taken as a result to improve the service being delivered. The results of this review (or of at least one review if more than one is carried out a year) must be documented.

Timescales for the resolution of complaints

- 12.** You must resolve all complaints within 2 Business Days of receipt. The day of receipt should be regarded as the first Business Day for the purpose of measuring response times. If the complaint is received after 4.00pm on a Business Day or on

a day which is not a Business Day, the next Business Day should be counted as the first Business Day for these purposes.

- 13.** Where it is not possible to resolve the complaint within 2 Business Days, you should contact your Contract Manager to agree the next steps.

Complaints escalation

- 14.** Where a Complainant is not satisfied with the outcome of their complaint, or the way in which the complaint was handled, you must contact the relevant Contract Manager for the matter to be pursued further.

Complaint recording

- 15.** You must record details of every complaint that you receive to show:

- 15.1 a unique id number;
- 15.2 the delivery type – e.g. letter, phone call etc;
- 15.3 the date received;
- 15.4 the date responded to;
- 15.5 Client name;
- 15.6 DSCC reference number;
- 15.7 the name of the Adviser complained about (if applicable);
- 15.8 the complaint description;
- 15.9 final outcome;
- 15.10 the action taken;
- 15.11 the date closed; and
- 15.12 whether the complaint was responded to in accordance with the timeframe given at Section 12.

- 16.** Each complaint should also be categorised in order to assist in reviewing trends. The current categories are listed below:

- 16.1 incorrect advice;
- 16.2 Adviser manner;
- 16.3 lack of follow up information; and

16.4 other.

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