



# External Compliments and Complaints Policy

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**PREVENTING PROTECTING RESPONDING**



## Contents

1	Introduction & purpose .....	3
2	Scope .....	3
3	Responsibility .....	3
4	How AF&RS will deal with compliments and complaints .....	4
4.1	Compliments .....	4
4.2	Complaints .....	4
4.2.1	Complaints about AF&RS, its employees or the service it provides.....	4
4.2.2	Complaints involving personal injury .....	5
4.2.3	All other complaints.....	5
4.2.4	Anonymous complaints .....	6
4.2.5	Local Government Ombudsman .....	6
4.2.6	Complaints about an Avon Fire Authority Member.....	6
4.2.7	Unreasonable complainant's behaviour .....	7
4.2.8	Unreasonably persistent complaints .....	7
5	Data Protection.....	7

### *PREVENTING PROTECTING RESPONDING*

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## 1 Introduction & purpose

Avon Fire & Rescue Service (AF&RS) is committed to providing a professional and efficient service that is valued by the community it serves. We welcome both compliments and complaints about our service.

The purpose of the Compliments and Complaints Policy is to ensure that compliments and complaints are properly administered, recorded, acknowledged and, where necessary, investigated. Following this policy will ensure that anybody making a complaint will be treated in a fair, reasonable and consistent manner.

AF&RS will record details of all complaints received in accordance of the requirements of the Data Protection Legislation. AF&RS will use the aggregated information about the complaints we receive to help to improve the service we provide. We will publish this aggregated information about the complaints we receive in our annual performance report.

## 2 Scope

This policy applies to external stakeholders who wish to make a complaint or compliment about AF&RS. It may affect any member of staff or function who is complained about.

Complaints and compliments made by ex-members of staff of AF&RS regarding their employment with AF&RS are outside the scope of this policy.

## 3 Responsibility

The Complaints Manager is responsible for ensuring that complaints are allocated and investigated fully and that complainants are informed of the outcome.

The Investigating Officer is responsible for ensuring that the investigation is carried out fairly and thoroughly.

AF&RS will appoint administrative staff who are responsible for ensuring that the complaints process is administered effectively and efficiently.

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## 4 How AF&RS will deal with compliments and complaints

### 4.1 Compliments

We are often thanked for doing our job and providing a service. Though it is nice to receive such thanks we need to guard against recording each time we are thanked as a compliment.

We should only record as a compliment where it is felt that a special effort has been made to acknowledge our service on a specific occasion or relating to a particular matter or in relation to a general feeling of satisfaction with the service received over a period of time.

Each compliment we receive will be acknowledged to the sender and details will be passed on to the staff who are being complimented and their managers.

Compliments can be submitted via the [compliments form](#) that can be accessed via AF&RS's website. Compliments received via the [compliments form](#) are automatically acknowledged.

Members of the public who wish to show their thanks by making a donation should be asked to send their donation to The Fire Fighters Charity. Contact details can be found on their website.

### 4.2 Complaints

#### 4.2.1 Complaints about AF&RS, its employees or the service it provides

Complaints can be submitted verbally, in person or by telephone, to any AF&RS staff member or in writing at any premises of AF&RS. Alternatively there is a [complaints form](#) that can be accessed via AF&RS's website.

Complaints may either be about AF&RS as a whole or about individual members of staff.

We define a complaint as a representation from a member of the public or from an organisation that alleges that the Service has failed to do something, has done something wrong or acted unfairly or discourteously.

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#### 4.2.2 Complaints involving personal injury

If a complaint alleges any form of personal injury or illness has been caused by our work activities it will be referred to the Health, Safety and Welfare Unit who will deal with it through the Health, Safety and Welfare investigation procedure.

#### 4.2.3 All other complaints

Complaints not alleging a personal injury will be recorded on receipt and acknowledged. This acknowledgement may be by telephone, email, fax or letter. Complaints received via the [complaints form](#) are automatically acknowledged

Each complaint will be referred to the administrative staff. If the complaint is:

- Alleging any activity that may be criminal
- Alleging any activity which has discriminated against a person or persons due to an equality strand
- Alleging any activity which could have a serious impact upon the reputation of the Service

It must be referred to the Complaints Manager who, on the advice of a member of the Senior Management Team, will allocate investigation to an AF&RS officer.

If none of these clauses apply the complaint will be referred to an appropriate Station or Support Staff manager who will undertake a local investigation. A local investigation is appropriate only where, even if proven or admitted by the person(s) complained against, it would not result in disciplinary proceedings being taken.

In either case a thorough investigation into the complaint will be undertaken, including if necessary interviewing and obtaining statements from any relevant persons and contacting the complainant to obtain further information or clarification.

The complaint will be dealt with as speedily as possible and the complainant will be informed of the progress at least every 28 days. At the conclusion of the investigation the complainant will be informed of the outcome. The outcome will inform the complainant what we have found out and what, if any, action we are taking to put right. If we do not think that AF&RS is at fault we will explain our reasons to the complainant. On occasion there may be legal constraints about what we can tell the complainant; for example Data Protection requirements, employee confidentiality or criminal investigations.

If the complainant is unhappy with the outcome of the complaint they must contact the officer who sent the outcome letter in writing within three calendar months of the date on the outcome letter. The complaint will then be referred to an AF&RS officer of Director level

### PREVENTING PROTECTING RESPONDING

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Next Review: 01/08/2021

External Compliments and  
Complaints Policy

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Issue Date 01/08/2018

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or above who will arrange for a further investigation. If necessary the officer will contact the complainant to obtain further information or clarification.

The further investigation will be dealt with as speedily as possible and the complainant will be informed of the progress at least every 28 days. At the conclusion of the further investigation the complainant will be informed of the outcome. The outcome will always be issued in the form of a letter that may be emailed, faxed or sent as appropriate.

A flowchart illustrating AF&RS's complaints process is included in Appendix 1.

#### 4.2.4 Anonymous complaints

Where an anonymous complaint is received it will be referred to a Director who will decide whether there are grounds for investigation. Concerns expressed anonymously are much less powerful and often do not contain adequate or specific information to warrant investigation. Anonymous complaints may also indicate a lack of good faith on the part of the author. Anonymous complaints may not be investigated and the opportunity to do something will be lost.

#### 4.2.5 Local Government Ombudsman

If the complainant is not satisfied with the response to the further investigation of a complaint they can raise a complaint with the Local Government Ombudsman. In most cases the complainant will need to have first made a complaint and received a response from AF&RS.

For more information about the Local Government Ombudsman visit their website at <http://www.lgo.org.uk> where you will also find contact details.

#### 4.2.6 Complaints about an Avon Fire Authority Member

If the complaint is about a Member of the Fire Authority (i.e. an elected Councillor appointed to it) this will be dealt with under the Code of Conduct.

The Code of Conduct together with details of the complaints procedure can be obtained from AF&RS's website at [www.avonfire.gov.uk](http://www.avonfire.gov.uk) or by writing to the Clerk to the Authority at the Service HQ.

If your complaint is about the overall Fire Authority this should be raised with the Local Government Ombudsman; visit their website at <http://www.lgo.org.uk> where you will also find contact details.

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#### 4.2.7 Unreasonable complainant's behavior

AF&RS is committed to dealing with all complaints fairly and impartially. However we do not expect our staff to tolerate behaviour which is abusive, offensive or threatening.

If a complainant is considered to be behaving in an unacceptable way the details will be referred a Director. If the Director considers that the complainant's behaviour is unacceptable they may impose conditions on to whom, how and when that complainant may contact us. Such conditions will be notified to the complainant in writing.

If the unacceptable behaviour continues it will be referred to a Director. The Director may decide to terminate contact with that complainant and may discontinue investigations into their complaint. Any such decisions will be notified to the complainant in writing.

Where the unacceptable behaviour is so extreme as to threaten the immediate safety and welfare of our staff, AF&RS may consider other options such as reporting the matter to the police or taking legal action. In such cases AF&RS may not give the complainant prior warning of our action.

#### 4.2.8 Unreasonably persistent complaints

AF&RS is committed to dealing with all complaints fairly and impartially and do not normally limit contact from complainants. However there may be occasions where a complainant makes unnecessarily excessive demands upon our resources.

Such instances will be referred to a Director. If the Director considers that the complainant's behaviour is unreasonably persistent or vexatious they may impose conditions on to whom, how and when that complainant may contact us. Such conditions will be notified to the complainant in writing.

If the unreasonably persistent behaviour continues it will be referred to a Director. The Director may decide to terminate contact with that complainant. Any such decisions will be notified to the complainant in writing.

## 5. Data protection

Avon Fire Authority (operationally known as Avon Fire & Rescue Service) is defined as a 'Data Controller' for the processing of personal data within the Service. All staff, Members, Contractors, and Volunteers have a responsibility for data protection.

All information processed in relation to this Policy will be in accordance with our Data Protection and Information Security Policies, and our Privacy Notice, which are freely

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available on our website at [www.avonfire.gov.uk/guide-to-published-information](http://www.avonfire.gov.uk/guide-to-published-information), and [www.avonfire.gov.uk/privacy](http://www.avonfire.gov.uk/privacy), and any suspected data breach of personal or sensitive data will be reported without delay.

We have a number of statutory responsibilities, powers and duties which require us to carry out certain tasks, and we collect and use only the personal information necessary to meet these purposes. We will always ensure your data is treated fairly, transparently, and securely.

Further information is available from the AF&RS Data Protection team, or from the Information Commissioner's Office website at [www.ico.org.uk](http://www.ico.org.uk).

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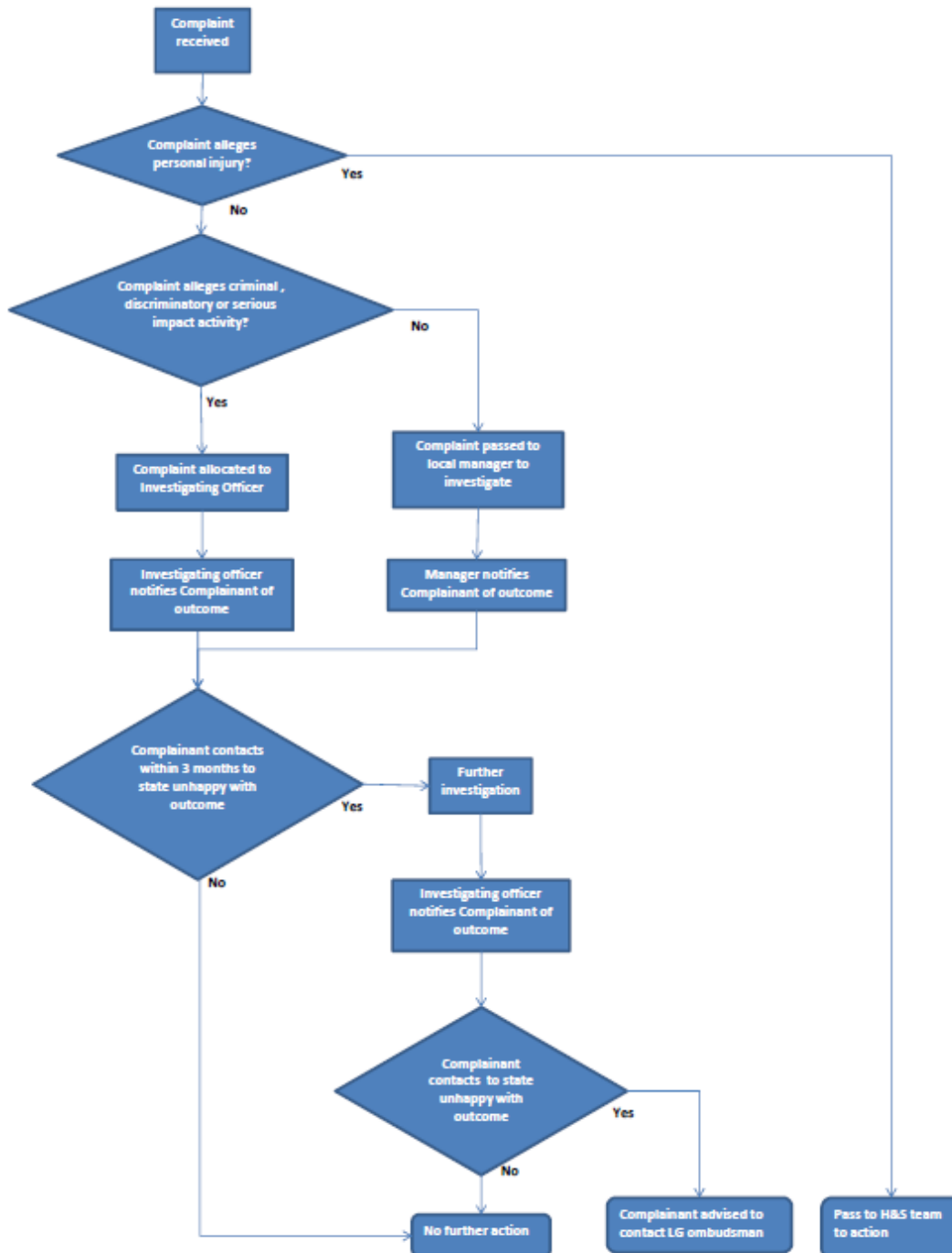
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**Appendix 1: Flowchart of Complaints Process**



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21/6/2012	0.2	Draft transferred to new template	
27/6/2012	0.3	Added to Section 2 and 3	
04/04/2013	0.4	Added to all sections	
21/10/2014	0.5	Added about H&S and local who investigates & changed flowchart	
27/03/2015	1.0	No comments from Unison or Unite Rep Bodies	
27/03/2015	1.0	Agreed at Negotiating Committee	
21/09/2015	1.1	Added to scope for ex staff	
09/02/2018	2.0	Review of responsibility, time frame, definition, data protection and flowchart	
31.10.2018	1.3	Update weblinks and replaced DPA 1998 with DP Legislation (Section 1)	
11/07/2019	1.4	Updated section 5 DP information	

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