



Information Governance

Speak Up, Speak Out

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Introduction

Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (the Authority) want to hear about your experiences of our services. Comments, compliments and Complaints (commonly collectively known as feedback) are all learning opportunities for the Authority and can help us improve the services we provide to all customers.

This guidance is aimed at anyone who is considering providing feedback relating to the services we provide. We urge all users of this document to consider an informal route to resolution. You may be dissatisfied with the outcome of the informal route in which case exercising your right to complain is the appropriate next step.

Your feedback is important to us. When you are pleased with our services we would like you to tell us so we know what is working well for you. Where expectations have not been met or where our Service has been below published standards your feedback is key to help us improve, help us to put it right and improve our service. If you are making a complaint on behalf of someone else, we need their signed consent that they have agreed to this.

When considering comments, compliments and complaints about our service we try to be:

- Helpful and accessible
- Clear, timely and thorough
- Positive, improving and learning lessons for the future

How can you submit a comment, compliments or complaint?

You can tell us your views in the following way:

- Use our online form <http://www.essex-fire.gov.uk/contact/>
- Telephone: 01376 576299
- Email: informationgovernance@essex-fire.gov.uk
- Post: Performance & Data Department
Kelvedon Park
Rivenhall, WITHAM
CM8 3HB

Compliments

What is a compliment?

A Compliment is an expression of praise or satisfaction with the service provided by the Authority or its employees in the course of their duties.

What happens when I compliment you?

- You will receive an acknowledgement that we are in receipt of your compliment.
- We will review and look into what you have told us and understand what has worked well.
- We will learn lessons from the compliment and share best practise across the Authority
- We will praise and give credit to our staff whom the compliment relates to.

Complaints

What is a complaint?

A complaint is an expression of discontent or dissatisfaction regarding the standard of service, actions or lack of action by the Authority or by its staff when acting in the course of their duties.

Examples of this could be:

- Delay or failure to provide a service
- Dissatisfaction with our policies
- Failure to provide adequate standards of service
- Failure to fulfil statutory responsibilities
- An employee's attitude or behaviour
- Lack of customer service
- Dissatisfaction or concerns with the way we handle your personal information

What is not a complaint?

- Informal, day-to-day matters that can easily be resolved
- A request for service
- A request for information or explanation of policy or procedures
- Making an appeal following a decision about procedure or policy i.e. internal review following a Freedom of Information request response

What happens when I complain to you?

We will review your complaint to determine if it falls within one of the following complaint types:

- Corporate Complaint
- Safeguarding Complaint
- Data Protection Complaint

Corporate Complaints

- We will acknowledge receipt of your complaint.
- We will investigate what you have told us and respond to you within 20 working days.

- If we cannot respond to you within 20 days we will let you know and explain why.
- We will take your complaint seriously and make sure you receive a fair and full response
- We will put things right for you if we can and learn from any mistakes to make improvements to our services.
- We will advise you if your complaint is about another body acting on our behalf.
- We will let you know if we agree with part or all of your complaint, apologising and considering appropriate actions to provide a remedy for any service failure.
- We will explain the reasons why if we do not agree with your view of our services. We hope this will assist you to understand matters better, even if some of your concerns remain.
- We will regularly review the lessons learnt from considering complaints so that we can improve the quality of our service. In this way, the outcome of our consideration of your complaint may help improve the experience of others that use our services.

Complaints relating to the Chief Fire Officer and Principle Officers

Complaints against the Chief Fire Officer and Principle Officers can be submitted by any member of the public and staff. If the complaint is related to an internal grievance matter then this will be dealt with through the grievance policy.

All allegations or complaints against the Chief Fire Officer and Principle Officers will be managed, investigated and concluded by the Police, Fire and Crime Commissioner Fire and Rescue Authority or its representative. Complaints should be set out in writing and emailed to the PFCC@Essex.pnn.police.uk

Complaints against the Chief Fire Officer and Principle Officers which are received by Essex County Fire and Rescue Service should be forwarded onto the Police, Fire and Crime Commissioner Fire and Rescue Authority as soon as practical and within 2 working days.

Complaints against the Chief Fire Officer and Principle Officers may cover three areas:

Professional conduct

Any accusation in this area will be considered against the Seven Principles of Public Life (Nolan Principles) and Essex County Fire and Rescue Service's Values.

Direction and control of the service

Any accusation in this area will be considered against what can reasonably be considered the Chief Officers responsibility for the direction and control of the service. This may include delivery against the responsibilities delegated to them from the Police, Fire and Crime Commissioner as set out in the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority Constitution.

Criminal accusation

These will be dealt with by the Police.

Complaints relating to the Police Fire and Crime Commissioner and Deputy Police, Fire and Crime Commissioner

If you wish to make an allegation or complaint that the Police, Fire and Crime Commissioner or the Deputy Police, Fire and Crime Commissioner has failed to comply with the PFCC's Code of Conduct, that allegation must be put in writing to the Police, Fire and Crime Panel, Essex County Council, County Hall, Market Road, Chelmsford, Essex, CM1 1QH. The Panel will consider the complaint and, where appropriate, form a subgroup to consider the complaint and agree a resolution.

Complaints relating to the Monitoring Officer

Where a member of the public wishes to make an allegation or complaint against the Monitoring Officer of the Authority this should be sent to the Police, Fire and Crime Commissioner who will consider the complaint. Complaints should be set out in writing and emailed to PFCC@Essex.pnn.police.uk.

Data Protection Complaints

The way we deal with complaints relating to how we handle your personal information are determined by legislation and will be reviewed and responded to by the Authority's Data Protection Officer (DPO). Complaints of this nature will be dealt with within 10 working days.

For Data Protection complaints contact the Data Protection Officer via email: dpo@essex-fire.gov.uk.

Safeguarding Complaints

Safeguarding complaints should be passed directly to the Community Development and Safeguarding Manager for ECFRS via Vulnerable.Adults@essex-fire.gov.uk.

The Community Development and Safeguarding Manager, on receipt of the written complaint or verbal account of the complaint, will then liaise with the Safeguarding Responsible Person.

The Community Development and Safeguarding Manager and Responsible Person will decide whether to liaise with another agency, e.g. Police or social care services, or Local Authority Designated Officer or whether there is an internal case required.

Complaints about other organisations

If your complaint concerns other organisations such as the Police or Ambulance Service or an independent service provider, we will forward it to the relevant organisation with your consent. If your complaint involves the Authority and another body there will be full co-operation and co-ordination to resolve your complaint to ensure you receive a co-ordinated response.

Confidentiality

We will maintain the confidentiality of all personal information and not disclose it outside the Authority without your permission unless we are legally obliged to do so. However, if we are informed of anything that makes us think that an individual is unsafe or at risk of being harmed, we will pass this on to the appropriate authority or service for action.

Unreasonably persistent behaviour

The Authority is committed to dealing with complaints fairly and impartially. As part of this service they do not normally limit the contact complainants have with the Service.

However, there are a small number of complainants, who, because of the frequency of their contact with the Authority, we refer to as 'unreasonably persistent complainants'. In these exceptional circumstances we will take action to limit their contact with our Service.

The decision to restrict access to our Service will be taken at Assistant Chief Fire Officer/Director level and will normally follow prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:

- Requesting contact in a particular form (for example, letters only)
- Requiring contact to take place with a named Officer
- Restricting telephone calls to specified days and times; and / or
- Asking the complainant to enter into an agreement about their future contacts with us.

In all cases where the Service decides to treat someone as an 'unreasonably persistent complainant', we will write to tell the complainant why we believe his or her behaviour falls in to this category, what action we are taking and the duration of that action.

Unreasonable Complainant Behaviour

The Authority has a duty to ensure the safety and welfare of its staff. We do not expect our staff to tolerate behaviour by complainants, which is unacceptable, abusive, offensive or threatening. We will take action to protect staff from that behaviour by:-

- Restricting the access the unreasonable complainant has with the Service. The decision to restrict access to our Service will be taken at Assistant Chief Fire Officer/Director level.
- Requesting contact in a particular form (for example, letters only)
- Requiring contact to take place with a named Officer
- Restricting telephone calls to specified days and times; and / or
- Asking the complainant to enter into an agreement about their conduct

Where the behaviour is so extreme that the Authority considers it to threaten the immediate safety and welfare of our staff, further options will be considered, for example reporting the matter to the police or exploring legal action. In such cases, we may not give the complainant warning of that action.

What if I disagree with your response to my complaint?

If you are dissatisfied with the outcome of our investigation into your corporate complaint, you have the right to appeal. Within 20 days of receipt of the complaint outcome letter please set out the grounds of your appeal and submit them in one of the following ways:-

- Email: informationgovernance@essex-fire.gov.uk
- Post: Performance & Data Department
Kelvedon Park
Rivenhall, WITHAM
CM8 3HB

Alternatively, you can complain to the Local Government Ombudsman at

Website www.lgo.org.uk:

Local Government Ombudsman

PO Box 4471

Coventry

CV4 0EH

Telephone: 0300 061 0614

Email: enquiries@lgo.org.uk

Whistleblowing

Whistleblowing is commonly understood as raising concerns about misconduct within an organisation or within an independent structure associated with it. It is important for members of the public and members of staff to understand that proof is not required. It doesn't matter if the concern is latterly judged unfounded providing that the whistleblower is genuinely troubled by the event in question at the time.

Concerns that can be raised include but are not limited to:-

Unsafe working practises/conditions

Impropriety

Breach of procedure or policy

Neglect of duty

Breach of acceptable standards of ethical/professional conduct

A criminal offence

Suspicion of fraud

A bullying culture (across a team or organisation rather than an individual instance which should be managed against the Bullying and Harassment Policy)

Inadequate training or induction for staff

Deliberate concealment of information in relation to any of the above.

If you suspect an instance of malpractice you will need to exercise judgement before bringing the situation to light. If the inaction or lapse of standards seems to be minor, then it may be sufficient to bring the matter to the attention of the person who appears to be at fault.

There are a number of options available to raise a whistleblowing concern through:-

Pippa Brent-Isherwood, Chief Executive and Monitoring Officer

Office of the Police, Fire and Crime Commissioner for Essex, Kelvedon Park, London Road, Rivenhall, Witham, CM8 3HB

Email: Pippa.Brent-Isherwood@essex.pnn.police.uk

Telephone: 01245 291613

or

Protect (formerly Public concern at Work) 020 3117 2520 or email whistle@protect-advice.org.uk

Protect is an independent charity that provide free confidential advice on how to raise a concern about serious malpractice at work. Protect are also contracted to provide an independent whistleblowing service for Essex County Fire and Rescue Service.

or

The Government make available a list of prescribed bodies that whistleblowing concerns can be raised with if you chose not to raise the concern with your employer, the full list can be seen here [list of prescribed people and bodies](#) .

The advice following the closure of the Audit Commission is disclosures relating to local authorities can be made to the external auditor of the relevant authority.

To ascertain details of a Local Authorities external auditors the whistleblower would need to contact the Local Authority or Public Sector Audit Appointments Limited (PSAA). It should be noted that PSAA is not a prescribed person under the Public Interest Disclosure Act and their role in this is only to signpost individuals to external auditor appointed to the local authority in question.