

Complaints Procedure

Complaints Policy

The MLKDC seeks a positive public perception of its aims and activities. It is open and responsive to suggestions about and criticism of the ways it conducts its business. To this end, any complaint received will be treated

- Courteously, promptly and effectively,
- On a confidential basis and
- In accordance with the complaints procedure set out below.

The MLKDC will publish its complaints procedure in its Annual Report.

1.1 *Definition of a Complaint*

A complaint is an expression of dissatisfaction:

- By any person or body external to the MLKDC, excluding public sector organisations.
- With or against any action by or on behalf of the MLKDC.

Complaints will be accepted in writing, by fax or email, or verbally, whether face to face or by telephone, by any member of staff of the MLKDC.

1.2 *Interpretations*

Legal action initiated against the MLKDC, while clearly a complaint in the normal sense of the term, is quite distinct in procedural terms and does not come within the scope of this document. Similarly, staff grievance and disciplinary procedures are also distinct form of complaints.

While it will usually be clear that dissatisfaction with the MLKDC's actions constitute a complaint, it is more difficult to distinguish between differing views on MLKDC policy and complaints about it. Criticism of the MLKDC proposals which have been circulated for consultation will not usually amount to a complaint as such, but where, for example, it is claimed that a MLKDC policy will have an adverse effect on an individual business or group of businesses, this should be treated as a complaint.

A complaint against the MLKDC may involve a third party, for example, a contractor employed by the MLKDC and redress may be outside the MLKDC's control. This should be pointed out to the complainant in informal discussion, but once a complaint has been made, it should be processed within these procedures and the outcome recorded. In such cases it

will often suffice simply to refer the complainant to the appropriate body; however, action in each case should be decided on its merits and on the capacity of the MLKDC to help resolve the issue.

1.3 Expressed Dissatisfaction — Informal Stage

Many verbal and some written expressions of dissatisfaction can be resolved easily and simply in discussion and this is obviously to be preferred; often an explanation and rectification will be sufficient to content the dissatisfied person. If the MLKDC has been at fault — for example, a routine request for information has been overlooked or has not been dealt with quickly enough – a simple apology should be given.

Such complaints can be dealt with by any member of staff; junior staff should however seek advice from their manager. However, any member of staff receiving a complaint against his or her self must immediately refer the matter to their manager.

In all cases, it is essential to obtain from the dissatisfied person all the information needed for a thorough and speedy investigation.

If it becomes clear at any stage of the informal process that the complainant is unlikely to be satisfied, the “1.4 Initiated Complaints – Formal Stage 1” procedure should be initiated. Where a complainant seeks financial or other redress beyond rectification of the error, the Director of Finance and Corporate Services should be consulted. Similarly, if it is suspected that the complainant is considering legal action, the Director of Finance and Corporate Services should be consulted and may decide to seek legal advice.

1.4 Initiated Complaints – Formal Stage 1

A complaint will not affect the complainant’s continuing right to fair and equitable treatment by the MLKDC.

Written complaints should be passed to the Director of Finance & Corporate Services on receipt. These include faxes and hard copies of emails. Verbal, including telephone complaints, should be recorded and passed to the Director of Finance & Corporate Services in the same way. Verbal complainants should not be asked to put complaints in writing.

The Director of Finance & Corporate Services will respond to all complaints. A separate acknowledgement is not needed where a substantive reply can be made within five working days (including the day of receipt). In all other cases, the complaint will be acknowledged at once and an intended response date given. Where the complaint has been made verbally, the acknowledgement will also set out the MLKDC’s understanding of the grounds of dissatisfaction, to allow the complainant an opportunity to clarify any misunderstanding. A

copy of the MLKDC's complaints procedure will be enclosed with each acknowledgement and the Director of Finance & Corporate Services will offer to assist the complainant.

All complaints will be investigated thoroughly by the section concerned. If additional information is needed, the Director of Finance & Corporate Services will arrange for it to be requested from the complainant. Investigations should be completed as quickly as possible, normally within five working days (including the day of receipt). Where this cannot be achieved, the Director of Finance & Corporate Services will initially acknowledge, as above, and thereafter issue holding replies at intervals of not more than ten working days, giving any revised date for the intended response. Each holding reply must be authorised by the Chief Executive, who must be satisfied that no more substantive response is possible.

Substantive replies will:

- a. Give a full explanation of the outcome of the MLKDC's investigations.
- b. Give an apology where the MLKDC has made a mistake, and
- c. Indicate what has been done to put matters right.

Substantive replies must be authorised by and will usually be signed by the Director of Finance & Corporate Services. The replies will indicate that, where there is continuing dissatisfaction, the complainant may contact the Chief Executive. The Chief Executive should be made aware of the circumstances of each complaint but because of his role in "1.5 Continued Complaints – Formal Stage 2" he will become involved only where a complaint is judged to be of the most serious nature.

1.5 Continued Complaints – Formal Stage 2

If further complaint is made, whether or not directly to the Chief Executive, it should be regarded as a "1.5 Continued Complaints – Formal Stage 2" complaint nevertheless and passed immediately to the Chief Executive. Where a substantive response cannot be given within five working days for example, if further investigations are deemed to be necessary – acknowledgement and holding reply action will be authorised by the Chief Executive to the same timescales as set out in section "1.4 Initiated Complaints – Formal Stage 1" on page 2.

Substantive responses as "1.5 Continued Complaints – Formal Stage 2" may be issued only by the Chief Executive, or in his unavoidable absence, by the deputy Chief Executive. Those responses will refer to the right to complain to the Commissioner for Complaints.

1.6 Performance and Review

The Director of Finance & Corporate Services will establish and maintain systems to capture and record all complaints, whether formal or informal, written or verbal... The MLKDC will publish in its Annual Report performance against target information and list complaints and the action taken to improve services.

The MLKDC will also ask its internal auditors to review performance in complaints handling and will take note of any findings. It will also conduct an annual internal review of its procedures and relay the conclusions to the Chief Executive on an annual basis.

1.7 Commissioner for Complaints

Our complaints procedure is not a substitute for your right to complain to the Commissioner for Complaints. You should note however that the Commissioner will generally expect you to have used our procedure before accepting your complaint.

You may contact the Commissioner for Complaints at:

The Commissioner for Complaints

FREEPOST

Belfast BT1 6BR

Freephone: 0800 343424

Fax: 02890234912

No stamp is required for letters to the Commissioner and telephone calls are free of charge.