

Standards and Governance Committee

Purpose: Noted

Date: **22 October 2019**

Title: **COMPLAINTS REPORT 2018-2019**

Report of Chief Fire Officer



**HAMPSHIRE
FIRE AND
RESCUE
AUTHORITY**

SUMMARY

1. At a meeting of the Standards and Governance Committee on 23 July 2019 Officers presented the Information Compliance Report 2018-2019. The report demonstrated Hampshire Fire and Rescue Service's (HFRS) commitment to information compliance and its activities, including an update on the implementation of the General Data Protection Regulation (GDPR) and Data Protection Act (DPA) 2018.
2. That report included a performance summary of:
 - Subject Access Requests (SARs);
 - Freedom of Information (FOI) and Environmental Information Regulations (EIR) Requests;
 - Data Protection breaches;
 - Complaints management (in compliance with HFRS Procedure).
3. At the meeting on 23 July, Members requested a separate report be brought back to the Standards and Governance Committee outlining the nature of the 65 complaints HFRS received during 2018-2019. This report is presented to the Standards and Governance Committee for noting the Service's performance and its commitment to complaint management.

BACKGROUND

4. The Governance and Compliance Team is responsible for the overall management of complaints on behalf of the Service.
5. HFRS is committed to complaints management; ensuring that public service complaints are handled effectively, and rights of redress upheld is an integral part of good corporate governance and effective service delivery.
6. The complaints routing and key contact details are published on the HFRS website and internally for engagement and transparency. HFRS promotes the reporting of complaints as a positive culture of openness and an important mechanism in dealing with concerns.

COMPLAINT ANALYSIS

7. The Governance and Compliance Team process complaints made about the Service in accordance with HFRS Procedures. These complaints can be both internal and external complaints.
8. In the financial year 2018-2019 a total of 65 complaints were received. Of these 65 complaints, one was internal. Of the complaints received, 45 out of the 65 complaints were dismissed/not proven after thorough investigations, with 20 complaints upheld and found to have merit.

Number of Complaints	Dismissed	Upheld
65	45 (69%)	20 (31%)

9. Of the 45 complaints dismissed, all were thoroughly investigated by appropriate managers, and were found to either be lacking in evidence, or substantial contrary evidence was identified as part of the investigations.
10. The below table provides a summary of the thematic areas for the 45 dismissed complaints:

Number of Complaints	Theme
21	Conduct
16	Organisational processes
8	Driving

- a) There were 21 complaints received in relation to conduct. Of these, 6 pertained to an online video created by a member of the public which depicted a conversation with an HFRS employee. It was determined that the HFRS employee acted appropriately, but that there was a Service wide need to update our training on the law and photography in public spaces;
- b) The remaining 15 had varying themes, but the most common was regarding perceived rude behaviour of HFRS staff when attending an incident or a property for a 'fire safety' or 'safe and well' visit. One of these pertained to behaviour of an off duty HFRS employee, and another was identified to be in relation to an employee from another organisation and not HFRS.
- c) There were 8 complaints received in relation to driving. Two of these related to inconsiderate parking, one of which incorrectly identified a vehicle as belonging to an HFRS employee. Six of these related to the manner of driving to incidents, however these were not upheld following investigation and the HFRS staff in question were determined to have driven appropriately for the circumstances.

11. There were 16 complaints received in relation to organisational processes, decisions, and/or responses to incidents. These complaints were very varied in relation to specific reasons for the complaint, but the most common theme was that the complainants were unhappy with HFRS decisions made at or post responding to an incident. Upon investigation these decisions were found to be appropriate and the rationale was communicated to the complainant.
12. The below table provides a summary of the thematic areas for the 20 upheld complaints:

Number of Complaints	Theme
11	Conduct
5	Information on the internet and social media platforms
3	Driving
1	Property

13. Complaints relating to conduct:
 - a) Of these, 2 of the complaints were in relation to off-duty firefighters and their general behaviour;
 - b) The remaining 9 conduct complaints were in relation to inappropriate behaviour from HFRS personnel while acting in the course of their duties.
14. All complaints in relation to inappropriate conduct were addressed with the upmost priority by managers and any identified misconduct was professionally challenged, including raising awareness and training. Where appropriate, managers dealt with the relevant individuals under HFRS disciplinary procedures.
15. Complaints relating to information published on the internet and/or social media platforms:
 - a) Of these, 3 complaints were regarding out of date information being published on the external HFRS website;
 - b) 2 complaints were in relation to uploaded posts on HFRS official Twitter accounts. HFRS Social Media Guidelines stress the importance of individual judgement when posting online. In relation to these two posts, it was deemed an error in judgement was made by the author when deciding to post the information.

16. The resolution of these 5 complaints was readily achieved with inaccurate information being corrected, and the 2 Twitter posts being immediately removed.
17. Complaints in relation to driving:
 - a) Of these, 2 complaints were in reference to unsafe driving by HFRS personnel when responding to an incident;
 - b) 1 complaint was a result of the complainant seeing a fire appliance parked outside of a supermarket when not seemingly responding to an incident.
18. Where appropriate, the individuals subject to investigation underwent driver training and were reminded of their responsibility when driving any Service vehicles.
19. Complaints in relation to HFRS property:
 - a) This complaint was raised as a result of an alarm sounding in a fire station and causing disturbance for a neighbour. Our Property and Facilities Team conducted an investigation into why the alarm was activated and as to why the crew was unable to deactivate it sounding. In addition, this incident highlighted further training requirements around the use and technicalities of the Carbon Monoxide alarms. Training has now been commissioned as a result.

SUPPORTING OUR SERVICE PLAN AND PRIORITIES

20. The information contained within this report supports the Service Plan and priorities. Thoroughly investigating any complaints made ensures that we maintain robust and transparent operations and protects the reputation of the organisation.
21. HFRS is committed to making Hampshire safer. HFRS takes the responsibility bestowed on us to act in a professional manner at all times very seriously and has made investigating complaints and learning from the outcomes one of our priorities.

COLLABORATION

22. The Governance and Compliance Team continue to collaborate with Hampshire County Council, the Office of Police and Crime Commissioner, Networked Fire Service Partnership (NFSP), Hampshire Constabulary, and National Fire Chief Council (NFCC) colleagues to exchange expertise and discuss complex issues in relation to complaint investigations.

RESOURCE IMPLICATIONS

23. The Information Compliance Report has no resource implications and no additional cost to the Service. The work is currently carried out within existing resource and budgets.

ENVIRONMENTAL AND SUSTAINABILITY IMPACT ASSESSMENT

24. The proposals in this report are compatible with the environment and sustainability.

LEGAL IMPLICATIONS

25. There are no legal implications associated with this report.

EQUALITY IMPACT ASSESSMENT

26. The proposals in this report are compatible with the provisions of equality and human rights legislation.

RISK ANALYSIS

27. Failure to thoroughly investigate complaints about HFRS could damage our reputation in Hampshire and wider counties.

EVALUATION

28. All complaints will continue to be thoroughly investigated, appropriately recorded and monitored to ensure compliance with HFRS Procedure.
29. Continued evaluation of this information will be captured within the HFRS Performance Report, presented to the HFRA twice annually.

CONCLUSION

30. This report details HFRS commitment to complaints management, including the thorough investigation and resolution of complaints.

RECOMMENDATION

31. That the Service's performance demonstrated within this report and its commitment to complaints management be noted by the Standards and Governance Committee.

Background reading
[Information Compliance Report 2018-2019](#)

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