NORTHERN IRELAND SOCIAL CARE COUNCIL

COMPLAINTS POLICY

(includes the Social Care Council's

Unacceptable Actions Policy)

Final v1.0

Title	Social Care Council Complaints Policy
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Approvals

Date	Document Version	Approver Name and Title	
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Quick Overview of our Complaints Procedure

1. You can make a complaint in person, by telephone, by email, or in writing (we have a complaints form to assist you with this).

2. We have a 2 stage procedure which aims to deal with your complaint quickly but if there is a more in-depth investigation required we will let you know.

Stage 1 – frontline response

3. We will always try to respond to your complaint within 5 working days. If you are not satisfied with our response you can ask us to review your complaint under Stage 2 (below).

Stage 2 – Investigation

4. We will look at your complaint at this stage if you are dissatisfied with our response at Stage 1. We will also look at other complaints at this stage, if following discussion and agreement with you, that it is clear an in-depth investigation is needed. We will acknowledge your complaint **within 3 working days**. We will investigate your complaint and provide you with our findings as soon as possible, but no more than **20 working days**, unless there is clearly a good reason why more time is needed.

Northern Ireland Public Services Ombudsman (NIPSO)

5. If, after receiving our final decision on your complaint, you still remain dissatisfied with either our decision or the way in which we handled your complaint, you can ask NIPSO to consider it.

NORTHERN IRELAND SOCIAL CARE COUNCIL – COMPLAINTS POLICY

1. Introduction

The Northern Ireland Social Care Council (the Social Care Council) is committed to listening to our registrants, those who use services and carers, and our stakeholders – understanding their experiences and responding to their concerns in an effective way.

We are also committed to embedding and maintaining an accessible, transparent, robust and effective complaints policy and process to ensure learning opportunities are acted upon, improvements are implemented promptly to reduce the risk of recurrence, and those who we deliver services to, who experience failings and raise complaints, are listened to and treated fairly and properly.

If you feel a service has fallen short of the expected standard or you are dissatisfied with a service that has been provided, we want to hear from you so that we can improve the services we provide.

This Policy explains who we manage complaints in the Social Care Council and what you can expect from us in managing your complaints or concerns.

2. Who we are

The Social Care Council was established in 2001, under the Health and Personal Social Services Act (NI) 2001. It is an Arms' Length Body, sponsored by the Department of Health in Northern Ireland. It is responsible for the registration and regulation of the Social Care Workforce which comprises around 49,000 people who work in a range of social care services (social work, social care, and also people studying for a Degree in Social Work). The Social Care Council delivers its programme of work across four strategic themes which are –

- delivering effective regulation;
- developing the capability of the workforce;
- leading with influence; and
- innovating and improving.

The Social Care Council is based in James House, 4th Floor, 2 Cromac Avenue, Belfast. It employs just over 60 staff, a number of whom work on a part-time basis. All staff are required to apply and demonstrate the Social Care Council's values and behaviours which underpin delivering a high quality service to all its stakeholders, including registrants, people who use services and carers (these can be found on its website at www.niscc.info).

3. Policy Principles

NIPSO introduced the Health and Social Care Model Complaints Handling Procedure (MCHP), which set out six key principles to improve and manage complaints. This Policy aims to ensure we deliver on these principles:

Defining a complaint

In line with NIPSO's Model Complaints Handling Procedure, the Social Care Council's Complaints Policy defines a complaint as:

"An expression of dissatisfaction by one or more member of the public about the Social Care Council's action or lack of action, or about the standard of a service provided by or on behalf of the Social Care Council."

4. Accessing the Complaints Policy

Who cannot access the Complaints Policy?

- **Staff** of the Social Care Council – there are a range of policies for staff to raise grievances. Staff however can use this Policy to raise a Section 75 complaint (this is explained at Appendix I), or if the complaint is about the services they receive from the Social Care Council when accessing these as a service user. Staff who wish to raise concerns that would be defined as 'whistleblowing' should do so through the Social Care Council's Raising a Concern Policy.

- **Litigants/legal action** – the Social Care Council cannot consider complaints where a complainant states that they intend to take or have commenced legal proceedings against the Social Care Council.

- **Where the complaint is about a social worker or social care practitioner, or someone studying for the Degree in Social work** – these complaints or concerns should be raised under the Fitness to Practise procedures. Information on how to do this and who to contact, including the leaflet 'Raising a Fitness to Practise Concern', can be found on our website at www.info.niscc

Who can make a complaint?

- Anyone who receives services, requests or is directly affected in any form by the services provided by the Social Care Council.

- Anyone who receives, requests or is directly affected by the services or a services contracted or commissioned by the Social Care Council.

- A representative or appropriately authorised person (e.g. relative, friend, advocate or adviser) acting on behalf of the person who wishes to make a complaint. In these instances, the Social Care Council will require written consent from the complainant. The Social Care Council also recognises that a complainant may be unable or reluctant to make a complaint themselves (e.g. a minor or a person suffering from an illness or other incapacity). The Social Care Council will accept a complaint on their behalf on the basis that consent has been received.

Anonymous complaints

The Social Care Council will not normally investigate anonymous complaints. However, we recognise that our complaints procedure must be flexible to allow for anonymous complaints to be made in exceptional circumstances where the complaint identifies systemic issues of concern, there is sufficient evidence available to enable further enquiries and where it is appropriate to do so.

What can you complaint about?

The complaint should relate to something for which the Social Care Council has responsibility:

- Failure or refusal to provide a service.

- Inadequate quality or standard of service, or an unreasonable delay in providing a service.

- Dissatisfaction with one of our policies or the impact it has had on the individual.

- Failure to properly apply law, procedure, rules, regulations, or guidance when delivering a service.

- Conduct, treatment, behaviour or attitude of a member of staff or contractor commissioned by the Social Care Council (except where the contractor has arrangements in place to handle the complaint themselves).

- Disagreement with a decision (except where there is a statutory procedure for challenging that decision, or an established appeals process or mechanism).

What can you not complain about?

There are certain matters outside the scope of the Complaints Policy, where these are governed by other legislative processes or have distinct or separate mechanisms to handle complaints:

- Concerns regarding a social worker, social care practitioner, or someone studying for a Degree in Social Work, should be raised with the Fitness to Practise team. Information on how to do this and who to contact, including the leaflet 'Raising a Fitness to Practise Concern', can be found on our website at www.info.niscc

- Issues that are in court or have already been heard by a court or tribunal and where that process has dealt with the issues raised in the complaint and the court or tribunal has the ability to provide the appropriate remedy in relation to the matters raised by the complaint.

- Disagreement with a decision where there is a statutory procedure for challenging that decision such as Freedom of Information requests.

- A request for information under the Data Protection or Freedom of Information (Northern Ireland) Acts and requests for review of the decisions under these statutory regimes.

- A grievance by a member of staff of the Social Care Council relating to employment or staff recruitment.

- A concern raised internally by a member of staff that is not about the service they received when accessing Social Care Council services as a service user, concerns under Section 75 or whistleblowing concerns.

5. Timescales for complaints

The Social Care Council encourages individuals to make their complaints as soon as possible following the event, so that the investigation and response can be more effective and corrective action put in place quickly.

Individuals can raise a complaint with the Social Care Council within 6 months of the event occurring, or within 6 months of the complainant becoming aware of the issue.

Complaints made outside these timescales will be considered at the discretion of the Director of Registration and Corporate Services where:

- It would be unreasonable in the circumstances of a particular case for the complaint to have been made earlier, and where it is still possible to investigate the facts of the case e.g. where issues such as bereavement, ill health, communication difficulties or limited support have delayed the complaint and/or
- There is a risk to public safety.

Complainants who have their complaints refused due to an excessive delay, will be advised that they may request the Northern Ireland Public Services Ombudsman to consider it.

6. How to make a complaint

Complaints can be made in person, by telephone, by post or by email. You can access information about making a complaint on our website at About Us - NISCC

You can also:

Email your complaint to us at businesssupport@niscc.hscni.net

Phone us at 028 9536 2600

Write to us at:

Complaints Manager
Northern Ireland Social Care Council
4th Floor, James House
2 Cromac Avenue
Belfast
BT7 2JA

Arrange to speak to someone in person by arranging an appointment by completing the form at the following link:
Request a Meeting Appointment - NISCC

When making a complaint it is important that you tell us:

- Your full name and contact details.
- Details about your complaint.
- What has gone wrong.
- What outcome you are seeking.

The Social Care Council manages your personal data in accordance with its duties and responsibilities under the Data Protection Act 2018 and the UK General Data Protection Regulation (GDPR).

Further details can be found in our Privacy Policy at Privacy Notice - NISCC

7. Complaints Handling Procedure – Stage 1

Stage 1 of our procedure is the frontline response – designed to get an early and speedy resolution to your concern, which may include an on the spot apology, appropriate explanation, and taking immediate action to resolve the issue.

We will:

- Respond to your complaint within **5 working days** form the date we receive your complaint, unless there are exceptional circumstances for us not being able to facilitate this. In such circumstances, a short

extension of up to a **further 5 working days may be necessary**. If this is the case, the Social Care Council will tell you the reason for the extension and when you can expect a response.

- We will investigate and outline for you the agreed outcome/actions taken to resolve your complaint.

- If you remain dissatisfied with the outcome at Stage 1, your complaint can be escalated to Stage 2. If you wish your complaint to be escalated to Stage 2, you need to let us know this outlining what you expect from a further review. This must be requested within 6 months of the event, or within 30 days of receiving your Stage 1 response, whichever is latest.

There are a number of ways in which decisions at Stage One can be conveyed, including face-to-face discussion, a telephone call or in writing (email, letter or direct message).

Where a resolution of the complaint has not been possible the Social Care Council will provide a written response explaining the reasons for the decision, how to escalate to Stage 2 if they remain dissatisfied, and explain the timescale and how to do so.

8. Complaints Handling Procedure – Stage 2

A Stage 2 investigation is appropriate where:

- the complainant is dissatisfied with the outcome from Stage 1
- the complaint is complex and it is evident at the outset that it will take more than 10 days to investigate thoroughly. It is considered that these complaints will be the exception and agreement must be sought from the complainant to proceed directly to Stage 2.
- the complaint is high risk, serious, or raises high-profile issues.

A formal investigation under Stage 2 is undertaken by the Social Care Council's Complaints Manager and will explore your complaint in more depth, establish all of the facts relevant to the case and will result in a formal response to the complaint.

What you can expect from Stage 2:

- Formal acknowledgement of your complaint within 3 working days from it being received.

- Confirmation of our understanding of your complaint and the outcome you are looking for.

- Resolution of your complaint where possible.

- A full written response to your complaint, no later than 20 working days from the complaint being received, from the Complaints Manager, or in their absence or conflict of interest, from the Director of Registration and Corporate Services. If under exceptional circumstances a further extension is required, you will be told this in advance including the reasons why and when the formal response will be issued.

- Confirmation of the outcome/actions taken to resolve your complaint.

What if you remain dissatisfied?

Once we have provided you with our final decision/outcome and you remain dissatisfied with either our decision or the way in which we managed your complaint, you can ask the Northern Ireland Public Services Ombudsman (NIPSO) to consider it for you.

NIPSO is the final stage for complaints about the majority of public services in Northern Ireland. This includes complaints about the Social Care Council. NIPSO is an independent organisation that investigates complaints. The service provided by NIPSO is free – it is not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

If you remain dissatisfied when you have considered the response to your complaint, you can ask NIPSO to look at your complaint. NIPSO generally expect complaints to be brought to it within 6 months of you receiving a

response from the Social Care Council and that the complaints handling procedure for the Social Care Council is complete.

NIPSO's contact details are:

The Northern Ireland Public Services Ombudsman
33 Wellington Place
Belfast
BT1 6HN

Freephone: 0800 34 34 24

Email: nipso@nipso.org.uk

Website: www.nipso.org.uk

Post closure contact

Where the complainant contacts the Social Care Council for clarification following receipt of a final response, the Social Care Council may have further discussion with the complainant to clarify a response and answer their questions. This can provide a further opportunity for the Social Care Council to improve and learn. It is not however an opportunity to reopen the complaint or ask for a new investigation.

If the complainant is dissatisfied with the response or does not accept the investigation findings, the Social Care Council will explain that we have already given our final response on the matter and signpost the complainant to NIPSO.

In responding to the complainant, the Social Care Council will also ask if the individual was satisfied with the way in which the complaint was managed. This is to help us ensure that our Policy is fit for purpose and that we not only learn from the content of a complaint, but also our management of it in finding a resolution where possible.

Getting help to make a complaint

We want to ensure that everyone who uses our services can do so easily and we will make reasonable adjustments to help you access and use our services. If you have trouble putting your complaint in writing, or want this

information in another language or format, such as large font, or Braille, please tell us this – by phoning 028 9536 2600 or emailing businesssupport@niscc.hscni.net

Interpretation and/or translation services are also available free of charge for those who may require them. If this is required please email us at businesssupport@niscc.hscni.net

Review

This Policy was approved by the Social Care Council Board on 22 June 2026 and is therefore due for review by June 2029. The Policy has been equality screened with no issues arising.

Children (NI) Order Guidance and Regulations

Is the legal framework in Northern Ireland that dictates child welfare, protection, and parental responsibility. A link to this guidance and regulations can be found here Microsoft Word - Volume-1.doc

Contacting NIPSO

NIPSO's contact details are:

The Northern Ireland Public Services Ombudsman
33 Wellington Place
Belfast
BT1 6HN

Freephone: 0800 34 34 24
Email: nipso@nipso.org.uk
Website: www.nipso.org.uk

Appendix I

Section 75 Complaints

Section 75 of the Northern Ireland Act 1998 (the Act) imposes a statutory duty on public authorities to promote equality of opportunity and good relations across nine key categories. It requires authorities to have "due regard" for equality regarding religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability, and dependents.

Schedule 9, paragraph 10 of the Act refers to complaints. A person can make a complaint to a public authority if the complainant believes they may have been directly affected by an alleged failure of the authority to comply with its approved equality scheme.

If the complaint has not been resolved within a reasonable timescale, the complaint can be brought to the Equality Commission.

A person wishing to make a complaint that the Social Care Council has failed to comply with its approved equality scheme should contact:

The Northern Ireland Social Care Council
Complaints Manager
4th Floor, James House
2 Cromac Avenue
Belfast
BT7 2JA

Email businesssupport@niscc.hscni.net

Phone 028 9536 2600

We will acknowledge your complaint within 3 working days and will carry out an investigation within one month of the date of receiving the complaint. In certain circumstances longer may be required, and may be extended to two months – in these circumstances the complainant will be advised of this in advance.

Northern Ireland Social Care Council

Unacceptable Actions Policy

1 Introduction

1.1 The Social Care Council is committed to executing its responsibilities to the highest standards possible and wishes to hear about and address any concerns or complaints regarding the way in which it has carried out, or failed to carry out, any of its functions.

1.2 The Social Care Council values complaints and views them as a significant source of learning, enabling the organisation to continually improve the quality of its services.

1.3 However, on extremely rare occasions, the Social Care Council may receive a complaint which it considers to be unreasonable or vexatious, or may deal with a complainant whose actions or behaviour it deems to be unacceptable. This policy sets out the approach which the organisation will follow on these occasions.

1.4 The term complainant includes anyone acting on behalf of a complainant or anyone who contacts the Social Care Council in connection with a complaint.

1.5 This policy should be read in conjunction with the Social Care Council's Complaints Policy.

2 Policy Aim

The key aims of this policy are:

2.1 To make it clear to all complainants, both at initial contact and throughout their dealings with the organisation, what the Social Care Council can or cannot do in relation to their complaint. In doing so, the Social Care Council aims to be open and not raise hopes or expectations that cannot be met.

2.2 To deal fairly, honestly, consistently and appropriately with all complainants, including those whose actions are considered unacceptable. All complainants have the right to be heard, understood and respected. Social Care Council staff have the same rights.

2.3 To provide a service that is accessible to all complainants. However, the Social Care Council retains the right, where it considers a complainant's actions to be unacceptable, to restrict or change access to the service.

2.4 To ensure that other complainants and Social Care Council staff do not suffer any disadvantage from complainants who act in an unacceptable manner.

3 Defining Unacceptable Actions

3.1 People may act out of character in times of distress. There may have been upsetting or distressing circumstances leading up to a complaint which can affect their behaviour.

3.2 The Social Care Council does not view behaviour as unacceptable just because a complainant is assertive or determined. In fact, the organisation recognises that being persistent can be a positive advantage when pursuing a complaint.

3.3 However, the actions of a complainant who is angry, demanding or persistent may result in unreasonable demands on the Social care Council or unacceptable behaviour towards its staff.

3.4 It is these actions which the Social Care Council considers unacceptable and aims to manage under this policy.

3.5 The Social Care Council has categorised these actions under the following headings.

Aggressive or Abusive Behaviour

3.6 The Social Care Council expects its staff to be treated courteously and with respect. Violence of any kind and physical or verbal abuse is unacceptable and a zero tolerance approach will be adopted.

3.7 Aggressive or abusive behaviour is considered to be behaviour or language (whether verbal or written) that causes a staff member to feel afraid, threatened or abused – examples of this include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness.

3.8 The Social Care Council also considers that inflammatory statements and unsubstantiated allegations can be abusive behaviour.

3.9 The anger felt by many complainants involves the subject matter of their complaint. It is not acceptable, however, when anger escalates into aggression toward Social Care Council staff. Staff will undergo specific training to understand the difference between anger and aggression.

Unreasonable Demands

3.10 Complainants may make what the Social Care Council considers to be unreasonable demands through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the individual circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.

3.11 Examples of this would include:

- demanding responses within an unreasonable timescale;
- insisting on seeing or speaking to a particular member of staff;
- continual telephone calls, letters or emails;
- repeatedly changing the substance of the complaint;
- raising unrelated concerns

This list is not exhaustive.

3.12 The Social Care Council considers these demands as unacceptable and unreasonable if they start to impact substantially on the work of the organisation, such as taking up an excessive amount of staff time to the disadvantage of other complainants or functions.

Unreasonable Persistence

3.13 It is sometimes the case that some complainants will not or cannot accept that the Social Care Council is unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the Social Care Council persistently about the same issue.

3.14 Examples of this would include:

- Persistent refusal to accept a decision made in relation to a complaint;
- Persistent refusal to accept explanations relating to what the Social Care Council can do or cannot do;
- Continuing to pursue a complaint without presenting any new information.

The ways in which these complainants approach the Social Care Council may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

3.15 The Social Care Council would consider the actions of persistent complainants to be unacceptable when they take up what the organisation regards as being a disproportionate amount of time and resources.

4 Managing Unacceptable Actions

4.1 There are relatively few complainants whose actions the Social Care Council consider unacceptable. How we manage these depends on their nature and extent. If it adversely affects the Social Care Council's ability to do its work and provide a service to others, the organisation may need to restrict complainant contact in order to manage the unacceptable action.

4.2 The Social Care Council will do this in a way, wherever possible, that allows a complaint to progress to completion through the complaints process.

4.3 The Social Care Council may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these. The Social Care Council will try, however, to maintain at least one form of contact.

4.4 In extreme circumstances, the Social Care Council will inform the complainant in writing that their name is on a 'no contact' list. This means that we may restrict contact to either written communication or through a third party.

4.5 The threat or use of physical violence, verbal abuse or harassment towards Social Care Council staff is likely to result in the ending of all direct contact with the complainant. All incidents of verbal and physical abuse will be reported to the police.

4.6 The Social Care Council does not deal with correspondence (letter, fax or electronic) that is abusive to staff or contains allegations that lack substantive evidence. When this happens, the organisation will tell the complainant that it considers their language to be offensive, unnecessary and unhelpful. The Social Care Council will ask the complainant to stop using such language and state that it will not respond to their correspondence if it continues. The Social Care Council may require further contact through a third party.

4.7 The Social Care Council will end telephone calls if the caller is considered aggressive, abusive or offensive. The staff member taking the call has the right to make this decision, tell the caller that their behaviour is unacceptable and end the call if the behaviour continues.

4.8 Where a complainant repeatedly phones, visits the Social Care Council, sends irrelevant documents or raises the same issues, the Social Care Council may decide to, for example:

- only take telephone calls from the complainant at set times on set days;
- put an arrangement in place for only one member of staff to deal with calls or correspondence from the complainant in future;
- require the complainant to make an appointment to see a named member of staff before visiting the Social Care Council;
- require the complainant to contact the Social Care Council in writing only;
- return the documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed;
- take other action that the Social Care Council considers to be appropriate.

The Social Care Council will inform the complainant of the action it is taking and why.

4.9 Where a complainant continues to correspond on a wide range of issues and the action is considered excessive, the complainant will be informed that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.

4.10 Complainant action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the complainant continues to dispute the Social Care Council's decision relating to their complaint.

4.11 In this instance, the complainant will be told that no future phone calls will be accepted or interviews granted concerning this complaint. Any future contact by the complainant on this issue must be in writing. Future correspondence will be read and filed, but only acknowledged or responded to if the complainant provides significant new information relating to the complaint.

5 Deciding to Restrict Complainant Contact

5.1 Social Care Council staff who directly experience aggressive or abusive behaviour from a complainant have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation in line with this policy.

5.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the Social Care Council will only be taken after careful consideration of the situation by a member of the Senior Leadership Team.

5.3 Wherever possible, the Social Care Council will give the complainant the opportunity to modify their behaviour or action before a decision is taken.

5.4 Complainants will be told in writing why a decision has been made to restrict future contact, the restricted contacts arrangements and, if relevant, the length of time that these restrictions will be in place.

6 Appealing a Decision to Restrict Contact

6.1 A complainant can appeal a decision to restrict contact. A member of the Senior Leadership Team who was not involved in the original decision will consider the appeal. The complainant will be advised in writing that either the restricted contact arrangements still apply or a different course of action that has been agreed. There is no further internal appeal. An individual retains the right, having explored this mechanism, to raise the issue with the Northern Ireland Public Services Ombudsman.

7 Recording and Reviewing a Decision to Restrict Contact

7.1 The Social Care Council will record all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry noting this is made in the relevant file and on appropriate computer records in accordance with the General Data Protection Regulation.

7.2 A decision to restrict complainant contact may be reconsidered if the complainant demonstrates a more acceptable approach.