

Model Complaints Handling Procedure Quick Guide

What do we mean by ‘resolution’ in the MCHP?

What is a resolved complaint?

The terms **resolve** and **resolution** can have many different meanings. In the revised MCHP, **resolving a complaint** has a technical meaning. This is explained in Part 3 of the MCHP:

*A complaint is **resolved** when both the organisation and the customer agree what action (if any) will be taken to provide full and final resolution for the customer, without making a decision about whether the complaint is upheld or not upheld.*

Where a complaint is resolved, we do not need to provide a detailed response to each point of complaint. There must be a clear record of the customer’s agreement to the resolution and any agreed action. The customer must be signposted to the next stage.

Resolved or upheld?

In some circumstances, particularly at stage 1, it may be difficult to decide if a complaint is ‘upheld’ or ‘resolved’. The difference is:

- **Upheld** complaints are where we have found some failing by our organisation.
- **Resolved** complaints are where we have taken action *without* reaching any conclusions about whether there were failings (for example, because we agree a solution before we look into the problem).

For clarity, if we know our organisation fell short of our expected standards, we should always uphold (or partly uphold) the complaint, and apologise to the customer.

*A customer calls up angry, saying the workman didn’t turn up to fix their door. The staff member knows there is a slot available that afternoon and offers this. The customer is happy with this, and does not want to pursue the complaint further. This complaint is **resolved**.*

*A customer calls up angry, saying the workman didn’t turn up to fix their door. The staff member calls the workman and discovers they had a car breakdown so missed the appointment, but they can come in the afternoon. They call the customer back to offer the new appointment, and the customer is happy with this. This complaint is **upheld** (and the staff member should also apologise and explain why the workman missed the appointment).*

Learning from resolved complaints

Where a complaint is resolved, we may not need to look into the matter any further. However, in some cases it will still be appropriate to continue looking into the underlying issue, for example where there is potentially evidence of a wider problem that may need to be fixed, or potential for useful learning or improvement. Staff should use their judgment in deciding when this is appropriate.

In the first example above, the staff member may decide it is appropriate to look into the matter further (even though the complaint is resolved). For example, there may be concerns about this workman missing appointments in the past, which could indicate a continuing problem that needs to be addressed.

All complaints (including ‘resolved’ and ‘not upheld’ complaints) can offer useful learning, and it is important that the organisation has a process for capturing and sharing learning from complaints, regardless of the outcome.

‘Resolution’ and ‘alternative complaint resolution’

In the revised MCHP, the term **alternative complaint resolution** refers to a range of approaches that can be used in trying to resolve a complaint (such as mediation or facilitated conversations). While some complaints may be resolved using alternative complaint resolution approaches, others may be resolved without using these (for example, following a quick conversation about the issue and possible fixes).

Complaint resolution approaches forms and characteristics

Form	Characteristics	Advantages	Disadvantages
quick conversation	The most common form of complaint resolution, which involves a relatively informal process where the two parties discuss matters between themselves with a view to resolving any issues by reaching an agreement on the way forward.	This process is quick, cheap and avoids the need for a lengthy investigation of issues where this is an easily identified and achievable solution that works for both parties.	This may not reveal any underlying or systemic issues which are causing the problems to occur. For more serious issues this may be perceived as simply trying to buy them off by the complainant.
facilitated conversation	This is a more structured conversation held between the parties by mutual agreement and with a specific and predefined purpose, for example to agree the terms of the complaint, to explore specific concerns in the complaint. The conversation will usually be facilitated by a member of the	This is relatively quick and simple and allows both parties to ensure they understand the complaints being made. This in turn may allow for a speedy resolution but will also assist in ensuring any investigation that	This may not reveal any underlying or systemic issues which are causing the problems to occur. The facilitator needs to ensure that all parties know what the conversation is for and what they can expect to happen as a result of it.

	organisation's staff such as a complaints officer. This may be face to face or acting as a shuttle between the parties.	follows is able to answer the appropriate questions.	If this conversation is not properly managed it can make matters worse as the conversation itself becomes a focus of further complaint.
negotiation	This an advanced form of the quick conversation above. Both parties are seeking to reach a mutually acceptable resolution by simple exchanges between them although this may also involve more structured settlement meetings using facilitated discussions as above.	While this takes longer than the quick conversation, negotiation can still achieve a mutually agreed resolution relatively quickly and easily.	Negotiation may not identify underlying or systemic issues causing the problems to occur. As with facilitated conversations there is a danger that badly handled negotiations can result in further complaints.
mediation	A qualified independent third party (the mediator) helps parties in dispute to try and reach an agreement. The people in the dispute, not the mediator, decide whether they can resolve things and what the outcome should be.	Helps parties see the other perspective and overcomes adversarial and entrenched positions. Can make offers and concessions seem more acceptable (face-saving!). Relatively low costs and straight forward to arrange.	Needs the agreement of both parties and will increase costs if mediation fails. Need skilled mediators who can instil confidence in their actions. May not work if either party has motivations beyond resolving matters, for example vengeance! May not provide the evidence that would become available through investigation.
conciliation	Similar to mediation in most respects but the third party is instrumental in assessing the situation and proposing a possible resolution to both parties.	Again this can be relatively quick, simple and cheap. Allows for an active independent voice to break a seemingly intractable situation.	As with mediation this requires mutual agreement to the process and a belief in the impartiality and skill of the conciliator.
expert evaluation	A third party, who is an expert in the subject of the dispute and is agreed by both parties, considers their evidence and reaches a conclusion on the dispute.	This allows a neutral evaluation of technical disputes where there may be a clash of expertise or a concern that one party (usually	This can be more costly and take longer than an internal investigation. Either party may not accept the expert conclusion.

	<p>This may amount to an investigation and as such could not allow for a 'resolved' complaint outcome although it will be helpful in ensuring a robust investigation.</p>	<p>the organisation) has a knowledge advantage over the other.</p>	
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