



Updates: 2022

Formatting
Contact details

COMPLAINTS

Name: Achieving Aspirations CIC

Policy Statement

This organisation accepts the rights of service users, and stakeholders to make complaints and to register comments and concerns about the services received. It further accepts that they should find it easy to do so. It welcomes complaints, seeing them as opportunities to learn, adapt, improve and provide better services.

The Policy

This policy is intended to ensure that complaints are dealt with properly and that all complaints or comments by service users and their relatives, carers and advocates are taken seriously. It is not designed to apportion blame, to consider the possibility of negligence or to provide compensation; it is not part of the company's disciplinary policy. This organisation believes that failure to listen to or acknowledge complaints leads to an aggravation of problems, service user dissatisfaction and possible litigation. The organisation supports the idea that most complaints if dealt with early, openly and honestly can be sorted at a local level between just the complainant and the organisation. The complaints procedure is made available to service user and families through our website, and on request. A copy is always available at the services and provided in a format that it might be understood. Where a service user is not able to understand the complaints procedure then he/she will be supported to do so, where necessary by an independent person.

Aim of the Complaints Procedure

We aim to ensure that the complaints procedure is properly and effectively implemented, and that service users feel confident that their complaints and worries are listened to and acted upon promptly and fairly.

Specifically we aim to ensure that:

- Service users, carers and their representatives are aware of how to complain and that the company provides easy to use opportunities for them to register their complaints
- A named person will be responsible for the administration of the procedure
- Every written complaint is acknowledged within 5 working days
- All complaints are investigated within 14 days of being made
- All complaints are responded to in writing within 28 days of being made
- Complaints are dealt with promptly, fairly and sensitively, with due regard to the upset and worry that they can cause to both service users and staff.

Policy Owner: Anna Boulton: Review schedule: annually: Next review: Jan 2023



Responsibilities

The Registered/Service Manager is responsible for following through complaints. The **Director Anna Boulton, is responsible for ensuring any complaints are responded to within timescale and investigated appropriately and monitor outcome action points.**

Complaints Procedure

Verbal complaints

- The organisation accepts that all verbal complaints, no matter how seemingly unimportant, must be taken seriously.
- Front-line care staff who receive a verbal complaint are expected to seek to solve the problem immediately.
- If they cannot solve the problem immediately, they should offer to get their line manager to deal with the problem.
- Staff are expected to remain polite, courteous, sympathetic and professional to the complainant. They are taught that there is nothing to be gained by adopting a defensive or aggressive attitude.
- At all times in responding to the complaint, staff are encouraged to remain calm and respectful.
- Staff should not, make excuses or blame other staff.
- If the complaint is being made on behalf of the service user by an advocate, it must first be verified that the person has permission to speak for the service user, especially if confidential information is involved. (It is very easy to assume that the advocate has the right or power to act for the service user when they may not). If in doubt it should be assumed that the service user's explicit permission is needed prior to discussing the complaint with the advocate.
- After discussing the problem, the manager or member of staff dealing with the complaint will suggest a means of resolving it. If this course of action is acceptable then the member of staff should clarify the agreement with the complainant and agree a way in which the results of the complaint will be communicated to the complainant (i.e. through another meeting or by letter).
- If the suggested plan of action is not acceptable to the complainant, then the member of staff or manager will ask the complainant to put their complaint in writing to the Registered Manager. The complainant should be given a copy of the company's complaints procedure if they do not already have one.
- Details of all verbal and written complaints must be recorded in the complaints book, the service user's file and in the home records.

Serious or written complaints

- Preliminary steps:
 - When we receive a written complaint it is passed to the designated lead manager, who records it in the complaints book and sends an acknowledgment letter within **5 working days** to the complainant.



- The manager also includes a copy of the complaints procedure for the complainant. (Designated lead is the named person who deals with the complaint through out the process)
 - If necessary, further details are obtained from the complainant; if the complaint is not made by the service user but on the service user's behalf, then consent of the service user, preferably in writing, must be obtained from the complainant where required.
 - If the complaint raises potentially serious matters, advice could be sought from a legal advisor. If legal action is taken at this stage, any investigation by the organisation under the complaints procedure ceases immediately.
- Investigation of the complaint by the organisation:
 - Immediately on receipt of the complaint, the manager will start an investigation and within 14 days should be in a position to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned.
 - If the issues are too complex for the investigation to be completed within 28 days, the complainant will be informed of any delays.
 - Where the complaint cannot be resolved between the parties, an arbitration service will be used. This service and its findings will be final to both parties. The cost of this will be borne by the organisation.
- Meeting:
 - If a meeting is arranged, the complainant will be advised that they may, if so desired, bring a friend, relative or a representative such as an advocate
 - At the meeting a detailed explanation of the results of the investigation will be given, in addition to an apology if deemed appropriate (an apology is not necessarily an admission of liability)
 - Such a meeting gives the management the opportunity to show the complainant that the matter has been taken seriously and investigated thoroughly.
- Follow-up action:
 - After the meeting, or if the complainant does not want a meeting, a written account of the investigation will be sent to the complainant. This includes details of how to approach the CQC or Ofsted if the complainant is not satisfied with the outcome.
 - The outcomes of the investigation and the meeting are recorded in the complaints book, and any shortcomings in company procedures will be identified and acted upon.
 - The company management formally reviews all complaints at least every quarter as part of its quality monitoring and improvement procedures to identify the lessons learned.

Vexatious Complainers

This organisation takes seriously any comments or complaints regarding its service. However, there are service users and disgruntled ex-staff who can be treated as “vexatious complainers”



due to the inability of the organisation to meet the outcomes of the complaints, which are never resolved. Vexatious complainers need to be dealt with by the arbitration service, so that the repeated investigations become less of a burden on the organisation, its staff and other service users.

Local Government Ombudsman (LGO)

Since October 2010 the Local Government Ombudsman (LGO) can consider complaints from people who arrange or fund their own adult social care. This is in addition to complaints about care arranged and funded by local authorities, which the LGO has dealt with for more than 35 years.

The LGO's new role includes those who "self-fund" from their own resources or have a personalised budget. It will ensure that everyone has access to the same independent ombudsman service, regardless of how the care service is funded. In most cases they will only consider a complaint once the care provider has been given reasonable opportunity to deal with the situation. It is a free service. Their job is to investigate complaints in a fair and independent way; they are not biased and do not champion complaints; they are independent of politicians, local authorities, government department, advocacy and campaigning groups, the care industry, and the CQC; they are not a regulator and do not inspect care providers.

The link below is to the LGO's web-page on "Adult social care" and has a short film that provides an overview of their adult social care service; it explains their role and how the service will benefit both service users and care providers. A free copy of the film and manuscript is available to download from the same location.

<http://www.lgo.org.uk/adult-social-care/>

The LGO is fully independent of the CQC. They deal with individual injustices that people have suffered and the CQC will refer all such complaints to them. The CQC deals with complaints about registered services as a whole and does not consider individual matters. They can share information with the CQC but only when deemed appropriate. The CQC will redirect individual complaints to the LGO, and the LGO will inform CQC about outcomes that point to regulatory failures.

Local Authority-funded Service Users

Any service user part or wholly funded by their Local Authority can complain directly to the complaints manager (Adults) who is employed directly via the Local Authority.

Relevant Contacts

Local Authority Complaints Manager (Adults)

Customer First
0808 800 4005
customer.first@suffolk.gov.uk

County Police HQ

Portal Avenue,
Martlesham Heath,
Ipswich,
Suffolk IP5 3QS



Tel: 01473 613500

Ofsted

Tel: General enquiries 03001231231

Concerns: 03001234666

<https://www.gov.uk/government/organisations/ofsted>

The Parliamentary and Health Service Ombudsman

Millbank Tower

Millbank

London

SW1P 4QP

Tel. 0345 015 4033

The Local Government Ombudsman

10th Floor,

Millbank Tower,

Millbank,

London

SW1P 4QP

Advice Line Tel: 0300 061 0614 [for complainants]

The Care Quality Commission

Citygate

Gallowgate

Newcastle Upon Tyne

NE1 4PA

Tel. 03000 616161

Training Statement

The Registered/service Manager is responsible for organising and co-ordinating training on the complaints procedure.

All staff receive training in dealing with and responding to verbal and written complaints. The complaints policy and procedures are included in new staff members' induction training. In order to learn from mistakes, staff group meetings and supervisions are used to discuss formal complaint issues, in order that all staff can share and learn from the experiences.

Associated Policies:

Equalities Act

Access to Activities

Admissions