

Policy Name	Module
Compliment & Complaint	Operations

Statement of purpose

Hand in Hands welcomes all of our individual's compliments, suggestions and/or complaints about the support they receive. This will enable Hand in Hands to improve our support and to maintain quality and a positive culture of co-operation within the organisation.

Hand in Hands are committed to providing our individuals with excellent quality care. The organisation will make every effort to achieve this; however, if something is not good enough, we encourage our individuals to tell us so that we can improve.

This policy sets out the organisations approach to handle complaints appropriately and effectively to comply with the *Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (as amended) Regulation 16: Receiving and Acting on Complaints*. Hand in Hands will also act in accordance with *Regulation 20: Duty of Candour* in respect of complaints about care and treatment that have resulted in a notifiable safety incident.

The policy and procedure aims to set out how individuals and others may complain about any aspect of the organisation's care and support.

The organisation acknowledges that a wide range of individuals who are involved with the individuals day to day lives may wish to complain to Hand in Hands, maybe on behalf of the individual or to raise areas with which they themselves are unhappy with. This procedure applies to all people wishing to complain in any way.

Staff members who wish to make a complaint regarding their employment should do so in accordance with Hand in Hands 'Grievance' Policy & Procedure.

Our individuals and others can expect:

- ✓ All comments, suggestions and complaints to be listened to, taken seriously and acted upon swiftly and effectively.
- ✓ All complaints will be dealt with fairly and impartially.
- ✓ Any persons making a complaint will be fully supported and kept informed during the process.
- ✓ No individuals will be discriminated against or victimised for making comments, suggestions or complaints. It is everyone's right to make a complaint and receive the level of care and services that they wish.
- ✓ Adaptations to the format of this policy will be provided to meet Accessible Information Standards.

A current copy of the policy will be available in the Main Office.

This policy will be reviewed at least annually, or more frequently if significant changes occur.

This person accountable for this Policy/Procedure is Michelle Dudderidge.

This Policy / Procedure was last updated on 17/02/2023.

This Policy / Procedure is due to be reviewed on 12/11/2023.

Policy & Procedure

Definition

Compliment- is a polite expression of praise or admiration.

Complaint- is an expression of dissatisfaction about a service that is being delivered or the failure to deliver a service. A complaint can be made in various forms and include:

- ✓ Verbally
- ✓ Electronically
- ✓ Local feedback channels
- ✓ Writing

Examples of situations where a complaint can be made under this policy could include the following, although this list is not exhaustive:

- ✓ Where the organisation has failed to provide a service or an acceptable standard of service;
- ✓ Where the organisation has failed to act properly or follow policies and procedures;
- ✓ Where there is alleged misconduct by a staff member;
- ✓ Where mistakes have happened;
- ✓ Where there is a disagreement about a decision.

Hand in Hands will ensure all compliments and complaints are treated fairly and honestly and will not discriminate in any way because of:

- ✓ Being or becoming a transsexual/transgender person;
- ✓ Age;
- ✓ Being married or in a civil partnership;
- ✓ Being pregnant or on maternity leave;
- ✓ Disability;
- ✓ Race including colour, nationality, ethnic or national origin;
- ✓ Religion, belief or lack of religion/belief;
- ✓ Sex;
- ✓ Sexual orientation.

What to do if you have a compliment or a complaint

Hand in Hands welcomes your compliments and suggestions and we understand their importance in recognising our team successes and areas for development and improvement. Your feedback is shared with the care team and will inform our practice.

If you would like to give your compliments to Hand in Hands, then please do so by completing our 'Compliment form' (please see Appendix 1 for this form) and post it to us. Alternatively you can give your feedback in person, via telephone or email.

You (or a family member, advocate or another representative on your behalf) can give your compliments or raise a complaint at any time either verbally by telephone, in person, in writing or by email.

If you have any questions regarding this form or you require assistance, please do not hesitate to contact us on the contact details provided within Appendix 1 & 2.

Procedures for Informal Complaints

Where a complaint is made orally to a member of our team, then we will endeavour to always try to resolve the issue immediately and where possible informally. For example, where a phone call has

been received reporting that a staff member is 5 minutes late to a scheduled visit, we will endeavour to make contact with that staff member immediately in order to resolve the issue.

These complaints will be dealt with before the end of the next day, as they will not require a formal investigation to be carried out. However, you will still be asked to confirm that you are happy with the outcome of our actions and response on such occasions.

Complaints which may not be considered under this policy and procedure

There may be occasions where it will be more appropriate to deal with a complaint under other procedures. For example:

- ✓ Any allegations relating to safeguarding which will need to be investigated under the 'Safeguarding Adults at Risk' Policy & Procedure;
- ✓ Any conduct by employees that needs to be investigated under disciplinary procedures;
- ✓ Any allegations of a criminal offence that should be investigated by the police.

If at any point during the complaint process, it is identified that your concerns or complaint should be dealt with under another procedure, that part of the complaint will be suspended and moved to the other procedure as appropriate. However, wherever possible, complaints will be progressed alongside other procedures as long as that does not compromise any other process.

You will be kept informed of any decisions regarding the above.

How we deal with your concern or complaint

You should make a complaint as soon as possible after the date on which the event occurred or came to your notice. If you make a complaint more than 12 months later, we may not be able to complete an investigation properly. But we will consider your reasons for not making a complaint sooner and whether, despite the delay, it is still possible to investigate the complaint effectively and fairly.

If a complaint is made by telephone; all details will be noted, repeated back to you and transferred onto a Complaints Form. A copy of this complaint form will be sent out to you within 3 working days.

If you make a complaint in person, you will be offered a Complaints Form (please see Appendix 2) to complete, if you need assistance to complete the form, a member of staff, relative, friend or advocate should complete the form on your behalf.

If you wish to appoint an advocate, or you feel that you may benefit from an advocate's help in making a complaint, Hand in Hands will provide support for you to do so. The following are contact details of national advocacy agencies. Please note that there may be smaller local agencies in your area too, which we can help you to contact.

👉 The Advocacy People
<https://www.theadvocacypeople.org.uk/seap>
Tel: 0330 440 9000

👉 PoHWER
www.pohwer.net
Tel: 0300 456 2370

Your complaint form will be passed on to the Registered Manager and your complaint will be acknowledged within 3 working days. The Registered Manager will then carry out a thorough investigation.

If your complaint concerns the Registered Manager, or they are unable to investigate due to their absence from work or no Manager is in post, a complaint form should be forwarded to the next proprietor for initial investigation.

Each complaint must be recorded on a complaints form, even those where the person making the complaint does not wish to give their name.

The complaints form should be filed in the individuals personal file and a copy stored in the office immediately.

If your complaint relates to poor performance or conduct by a Support Worker then this is likely to be managed under our staff disciplinary procedures. We are happy to provide you with a copy of this procedure upon request.

A record of all complaints, outcomes and actions taken in response will be maintained.

Where no action has been taken, the reasons for this will also be recorded. All records will be held in line with the Data Protection Act 2018 and General Data Protection Regulations.

Anonymous complaints

We will deal with any anonymous complaints following the same procedure, however it is easier if details are given so that we can keep you informed of any actions and outcomes following your complaint.

Resolving the complaint

There are three stages involved in resolving a complaint. Each will be monitored to ensure that timescales are adhered to and that each complaint has a resolution.

Stage 1

It is the responsibility of the Registered Manager to ensure that each complaint is investigated and resolved. In the majority of instances, it will also be the Registered Manager who investigates the complaint. If the complaint leads to the need for disciplinary action, then the organisation's Disciplinary Procedure will be followed.

The investigating Manager has to acknowledge the receipt of each complaint in writing within 3 working days. We will give you the name and contact details of who will be investigating your complaint.

We will keep you informed about the progress of the investigation. We aim to have complaints resolved within 14 working days of it being raised.

When we have finished investigating, we will arrange to meet with you to discuss the outcome, and write to you with:

- ✓ Details of the findings;
- ✓ Any action we have taken; and;
- ✓ Our proposal to resolve your complaint.

If a complaint involves an investigation, which will last for more than 14 working days, you will be notified to this effect by the Registered Manager, and you will be kept informed on a regular basis until a resolution is achieved. Any conversation relating to the complaint must be recorded.

The issues highlighted in the complaint may be discussed at a team meeting to raise awareness and ensure future learning development, whilst ensuring confidentiality is maintained.

Investigations

All investigations will be managed using Hand in Hands approaches as follows:

- ✓ Investigating the facts;
- ✓ Assessing the evidence;
- ✓ Reviewing of records;
- ✓ Interviewing those involved.

Where necessary, advice and support will be sourced via the Management Team within the organisation. The complaint will only ever be investigated by a member of staff with the knowledge, experience and seniority to undertake the investigation correctly and thoroughly.

Confidentiality of information will be considered at all times and staff will adhere to the confidentiality and data protection policies and relevant codes of practice.

If an investigation of a complaint results in disciplinary action against staff within Hand in Hands, the complaint will continue to its conclusion. The complainant will be informed that the investigation has led to a disciplinary process, but the details of the outcome or ongoing investigation will remain confidential.

Stage 2

If you are not satisfied with the outcome of how your complaint was dealt with, the complaint will then be passed to the next person in the line management process. The Investigating Manager will then complete a 'Follow up Complaint Form' and they will try to resolve the matter within 14 working days of receiving the unsatisfactorily resolved complaint.

Stage 3

If you are still not satisfied with the outcome, you have the right to go to an external person for adjudication (see below).

External contacts

Whilst complaints should not be directed to the Care Quality Commission, (CQC) in the first instance, they can be contacted for advice.

Tell the regulator for adult health and social care if you think that our service may be in breach of its statutory duties. The regulator will look into cases where the provider of services may be failing to comply with essential standards of quality and safety:

👉 Care Quality Commission (CQC)
Citygate, Gallowgate
Newcastle upon Tyne
NE1 4PA
Telephone Number - 03000 616161
www.cqc.org.uk

Ask the Local Government & Social Care Ombudsman to investigate the matter on your behalf. The ombudsman will investigate cases of maladministration. It cannot look into the decision made by us, but can look into the way in which a decision was reached. This service is free of charge and is

available to customers who fund their own care as well as customers who receive funding from their local authority.

✉ Local Government & Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH
Telephone Number - 0300 061 0614
www.lgo.org.uk

Parliamentary and Health Service Ombudsman (Individuals who are NHS funded)

Individuals have the right to make a complaint or raise a concern about a service that is NHS funded. The following contact details are free to use:

✉ Helpline: 0345 015 4033
Website: www.ombudsman.org.uk/making-complaint

What we will do with the information from concerns and complaints

We want to learn from all concerns and complaints. Therefore we will use information about service failures to improve the way that we work and aim to prevent these problems from being repeated.

All complaints and concerns received by Hand in Hands will be recorded and stored securely and confidentially. These records will be available to the regulatory bodies such as the Care Quality Commission who will check on such records during their inspection to ensure that we are meeting regulations and are acted on complaints appropriately and within a timely manner.

- ✓ A record will be held of all complaints raised and will contain the following information:
- ✓ Each complaint received
- ✓ Subject matter and outcome
- ✓ Details of any reason for delay where investigations took longer than the agreed response time
- ✓ The date the report of outcome was sent to the complainant.

Where complaints relate to an individual, a copy of the complaint will be held in their care records. Where complaints are raised by telephone, the log will include the date and times of call and this will be followed up with written confirmation of the areas discussed.

Where complaints are to be shared as part of learning, the complaint will be anonymised so there is no identifiable individual information.

Safeguarding Concerns

Where a complaint is raised or reported to an individual being harmed or at risk of being harmed, Hand in Hands will implement procedures stated within the Safeguarding Adults at Risk Policy & Procedure in addition to the complaints procedures. Hand in Hands will seek advice and guidance from its Local Authorities. Hand in Hands will also notify the Care Quality Commission (CQC) in line with statutory duties.

Audit & Evaluation

Hand in Hands will monitor, review and analyse all information received about the service as a means of continuously reviewing performance, quality and safety.

Hand in Hands will also ensure:

- ✓ Any themes and trends identified are shared with the care and support team within the organisation.
- ✓ Staff are fully trained in how to respond and manage any complaints in accordance with the organisation's compliant procedure.

Relevant Legislation

<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

↪ The Care Act 2014

<https://www.legislation.gov.uk/ukdsi/2014/9780111117613/contents>

↪ Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

<https://www.legislation.gov.uk/ukpga/1998/42/contents>

↪ Human Rights Act 1998

<https://www.legislation.gov.uk/uksi/2009/309/contents/made>

↪ The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

<https://www.legislation.gov.uk/ukpga/2005/9/contents>

↪ Mental Capacity Act 2005

<https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>

↪ Mental Capacity Act Codes of Practice

<https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

↪ Data Protection Act 2018

<https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation>

↪ GDPR

Relevant Regulations

https://www.cqc.org.uk/sites/default/files/20150324_guidance_providers_meeting_regulations_01.pdf

↪ Regulation 12: Safe care and treatment

↪ Regulation 16: Receiving and acting on complaints

↪ Regulation 17: Good governance

↪ Regulation 20: Duty of candour

Key Lines of Enquiry KLOE

Safe: How do systems, processes and practices safeguard people from abuse?

- Are lessons learned and improvements made when things go wrong?

Caring: How does the service ensure that people are treated with kindness, respect and compassion, and that they are given emotional support when needed?

- How does the service support people to express their views and be actively involved in making decisions about their care, support and treatment as far as possible?

Responsive: How are people's concerns and complaints listened and responded to and used to improve the quality of care?

Well-led: Is there a clear vision and credible strategy to deliver high-quality care and support, and promote a positive culture that is person-centred, open, inclusive and empowering, which achieves good outcomes for people?

- How are the people who use the service, the public and staff engaged and involved?
- How does the service continuously learn, improve, innovate and ensure sustainability?

Appendix 1

COMPLIMENT FORM

Name of individual:		Date received:	
Summary of compliment			

Agreement

By signing below you are agreeing that you are happy for your above comments to be used/shared by Hand in Hands with the care team and as a testimonial for advertising purposes.

Name of individual:	
Signed:	
Date:	
Manager name:	
Signed:	
Date:	

NOTE: copies of any compliments naming particular members of staff will be given to said staff members. The original should also be placed in the individuals file and a copy added to the compliments, complaints and concerns folder.

What to do with this Form:

You can leave your completed form with the Registered Manager or another member of staff, or you can post it to Hand in Hands at the following address:

Hand in Hands
Devonshire Business Centre, Works Road, Letchworth, Hertfordshire, SG6 1GJ
michelle@handinhands.co.uk

If you have any questions regarding this form or you require assistance, please do not hesitate to contact us on the above details or Tel: 01462 222400

We appreciate your feedback and want to assure you that your complaint will be used constructively to enable Hand in Hands to continually improve.

Appendix 2

COMPLAINTS FORM

Please fill in this form if you have a complaint or are unhappy with Hand in Hands services. If you would like help to fill in the form, please ask a member of staff, a relative, an advocate or another representative.

You do not have to give your name when making a complaint. However, this does help our investigations into your complaint if you do.

Your complaint should be resolved within 14 working days.

Name of person completing this form:		Date completed:	
Information about the individual			
individual name if different from above:		Tel number:	
individual full address		Email address:	
Information about the complainant (if different from above)			
Name:		Relationship to individual:	
Address:		Tel number & Email:	
Date complaint received:		Is individual aware of complaint/ have they given consent?	
Details of complaint (Date/ time of event(s), what did/didn't happen, context, person(s) involved, impact)			
individual preferred outcome(s) (what would you like to happen?)			

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