



## **Complaints and Compliments**

### **Policy and Procedure**

#### **COMPLAINTS AND COMPLIMENTS**

Date Policy Implemented August 2011 by Paul Graham – Director of Services  
Policy Reviewed January 2022 by Rebecca Gritton – HR Manger  
Policy Amended August 2022 by Rebecca Gritton- HR Manager

# POLICY AND PROCEDURE

## 1. INTRODUCTION

Aspects Care Ltd recognises that service users may from time to time be concerned and/or dissatisfied about the treatment and support they have received, and also recognises that such concerns and complaints must be taken seriously and dealt with expeditiously and sympathetically. This policy has, therefore, been produced in recognition of the rights of the citizen to complain when dissatisfied, and in appreciation of the time and effort which this often involves for both citizen and staff.

Equally there will be occasions where Service users wish to express their thanks and gratitude for the care/support provided by a member of staff. This policy therefore also includes the policy for ensuring such positive remarks are fed back to the relevant individuals.

## 2. RESPONSIBILITIES

1. Aspects Care Ltd have designated one of its Directors to have full responsibility for overseeing the complaints procedure within the company. The relevant Director will be nominated within the company management plan – at present it is the Director of Services, Paul Graham.
2. The Registered Care Manager, or his/her nominated designate, will be responsible for the initial handling and investigation of complaints, and ensuring that there are proper procedures within the company for dealing with complaints, in line with this procedure.
3. Where there is a complaint and the service user has been introduced by a Service Outsourcer (e.g. PCT, Mencap etc.) then the Service Outsourcer will be notified and where appropriate will be involved with the investigation of the complaint.

## 3. LOCAL RESOLUTION

1. The key objective is to try and resolve all complaints at the local resolution stage in a manner which is open, fair, flexible and conciliatory.

### 2. Oral Complaints

Complaints are most likely to be initiated with the support staff/carers. Oral complaints should be dealt with promptly in an informal and sensitive manner by the most appropriate member of staff on the spot and recorded in the appropriate documentation. Where the recipient of the complaint is unable to deal with the complaint adequately, or feels unable to give the assurances that the complainant is looking for, then the complaint should be recorded and referred onto the appropriate Line Manager. Where an oral complaint is considered to be sufficiently serious or difficult to resolve, the acknowledgement and written response procedure set out in paragraph 3.3 should apply.

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### 3.3 Written Complaints

All written complaints should be acknowledged in writing within seven working days. A copy of the letter of complaint should be brought to the attention of the Director responsible for complaints along with a copy of the letter of acknowledgement.

After investigation a full response should be drafted by the nominated individual tasked with investigating the matter and sent to the Director within twenty-one working days. A copy of the signed letter will be placed into the complaints folder for record purposes.

If the full response cannot be completed within twenty-one working days, an interim response will be sent out by the recipient of the complaint informing them of the delay, the reasons for it and the likely timescale for resolving the complaint.

4. On receipt of the proposed draft response to the complainant it will be the responsibility of the nominated Director to ensure that all of the points raised in the initial complaint have been answered, that apologies have been incorporated where applicable, that there are no implications for possible future litigation, and that information on the right of the complainant to seek an independent review is included in the response.
5. The time limits for making a complaint will normally be within six months of the event giving rise to the complaint, or within six months of discovering the problem, provided this is within twelve months of the incident. There is discretion to extend this time limit where it would be unreasonable for the complaint to have been made earlier and where it is still possible to investigate the facts of the case.
6. On receipt of the proposed draft response to the complainant it will be the responsibility of the nominated Director to ensure that all of the points raised in the initial complaint have been answered, that apologies have been incorporated where applicable, that there are no implications for possible future litigation, and that information on the right of the complainant to seek an independent review is included in the response.
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8. On receipt of the proposed draft response to the complainant it will be the responsibility of the nominated Director to ensure that all of the points raised in the

initial complaint have been answered, that apologies have been incorporated where applicable, that there are no implications for possible future litigation, and that information on the right of the complainant to seek an independent review is included in the response.

9. The time limits for making a complaint will normally be within six months of the event giving rise to the complaint, or within six months of discovering the problem, provided this is within twelve months of the incident. There is discretion to extend this time limit where it would be unreasonable for the complaint to have been made earlier and where it is still possible to investigate the facts of the case.

#### **4. DISCIPLINARY AND OTHER RELATED MATTERS**

If any of the complaints received indicates prima facie need for referral to any of the following

- (i) An investigation under the disciplinary procedure
- (ii) One of the professional regulatory bodies
- (iii) An investigation of a criminal offence

The person in receipt of the complaint should at once pass the relevant information to their Manager, who will inform the nominated Director, who will in turn ensure that the appropriate action is taken.

The complaints procedure will not deal with matters which are the subject of disciplinary investigation. If such action is initiated, the complainant should be advised accordingly, so that appropriate action under the Complaint Procedure can be pursued in respect of matters raised in the complaint which do not relate to disciplinary investigation.

If a complaint reveals a prima facie case of negligence, or if it is thought that there is likelihood of legal action being taken, then the person in receipt of the complaint should inform the Registered Manager straightaway. The Complaint Procedure should cease if the complainant explicitly indicates an intention to take legal action in respects of the complaint.

#### **5. APPEALS**

Where the complaint has progressed through the complaints procedure and a result has been provided if the complainant still feels that the matter has not been resolved to their satisfaction then they can appeal the findings of the complaint. An appeal must be made in writing to the nominated Director within 7 days of the result being provided to the complainant. The nominated Director will ensure that the appeal is reviewed by a Director or Senior Manager who has not previously been involved with the complaint. The appeal will review the evidence gathered and will produce within 14 days a final decision with regards to the appeal. This decision will be final and binding.

If the complainant still feels that the complaint has not been dealt with correctly then the complainant will be directed to:

#### **Care Quality Commission**

West Midlands Region  
Care Quality Commission  
Citygate  
Gallowgate  
Newcastle-upon Tyne NE1 4PA  
Tel. General Enquiries 03000 616161

Birmingham City Council  
Email: [CSAdultSocialCare@birmingham.gov.uk](mailto:CSAdultSocialCare@birmingham.gov.uk)  
Telephone: 0121 303 1234

Solihull Metropolitan Borough Council  
Email: [candacomplaints@solihull.gov.uk](mailto:candacomplaints@solihull.gov.uk)  
Telephone: 0121 704 8296

North East Lincolnshire CCG  
Municipal offices  
Town Hall Square  
Grimsby  
North East Lincolnshire  
DN31 1HU  
Telephone: 0300 3000 500  
Email: [nelccg.askus@nhs.net](mailto:nelccg.askus@nhs.net)

Corporate Performance Management (Tellus)  
Walsall Council  
Civic Centre  
Darwall Street  
Walsall  
WS1 1TP  
Telephone: 01922 650000  
Fax: 01922 614 210  
Text phone: 01922 654 000

## 6. **PUBLICITY**

Information sheets explaining the complaint Procedure simply and clearly will be made available at all appropriate locations and will be contacted within the Service Users Guide. This information should be set out how to make a complaint, together with details and address of the nominated Director and how to access appropriate advocacy and advice services to assist in making a complaint. Information should be made available in appropriate languages for people from minority ethnic groups, and in the appropriate medium for people with disabilities, where applicable. Complaint Forms will be available on each project and/or via the office.

All publicity material regarding complaints should make reference to the right of service users to refer their complaints to the Director, should they be dissatisfied with how a complaint has been handled throughout the local resolution/independent review process.

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## **8. TRAINING**

The registered Care manager is responsible for ensuring that all staff have training in complaints handling as part of their induction training and at yearly intervals thereafter as a refresher to ensure that they understand how the procedure should be applied and what their responsibilities are.

This training should be set within a wider customer care agenda so staff can acquire skills in dealing with difficult situations and to diffuse these in order to avoid formal complaints.

## **9. COMPLIMENTS**

Where a service user raises with a member of staff a wish to have recorded their thanks, praise or a complementation then the member of staff should record within the register a written record of the thanks, praise or complementation and invite the service user to sign the contents as a true and accurate record of what they want recorded.

The Registered Manager, as of his/her duties will periodically review the register and will note all such compliments, entering them onto the members of staff's personnel record as necessary.

Where a service user wishes to go beyond verbal praise but provide a gratuity then the Policy and procedure in Acceptance of Gifts and Legacies should be followed.

## **10. ADVOCATE**

Residents/Service Users can be referred to an advocate to represent themselves and express their views and concerns.

## **11. REVIEW**

This policy will be reviewed annually or in-line with any relevant changes in legislation.

