

Complaints Policy & Procedure

Procedure No. HR03

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COMPLAINTS POLICY & PROCEDURE

TABLE OF CONTENTS

1. Introduction
2. Definition
3. Scope
4. Policy Statement
5. Principles
6. Legal Action
7. Safeguarding
8. Third Parties
9. Multiple Complaints and Petitions
10. Multi-Agency Complaints
11. Mediation
12. Timeliness of Complaints
13. Learning

Procedure

1. Registering a Complaint
2. Timelines of a Complaint
3. Advocates
4. Overview of the Complaints Process
5. Acknowledging Complaints
6. Timescales
7. Failure to achieve Target Times
8. Appealing against Complaint Findings (Escalation)
9. Options for Redress when a Complaint is Upheld

Appendix 1 – Complaints Sheet Submission Form

Appendix 2 – Third Party Disclosure Agreement

INTRODUCTION

The Connaught is committed to providing high quality services in all areas of operation. We recognize that sometimes people may be dissatisfied with our services and/or that we have not treated you fairly and that you may wish to formally complain.

Concerns and complaints will always be taken seriously; they will always be explored thoroughly and responded to in good time. Our services will show a difference to the way care, treatment and support is delivered, as a consequence of complaints made.

We acknowledge the learning opportunity presented by complaints to allow us the opportunity to put things right.

1. DEFINITION

We consider a complaint to be your expressed view that we have failed to perform or deliver a service that you can reasonably expect the Connaught, or person acting on behalf of the Connaught, to provide. For example, this might be an expressed dissatisfaction about a policy, action, lack of action or service standard provided by the Connaught. It may be dissatisfaction about the quality or choice of food and activities in our care home.

2. SCOPE

This policy and procedure include formal complaints from Clients, Residents or those directly affected by The Connaught operations.

Complaints will also be accepted from the relatives and representatives of the care home's Residents, Meals on Wheels clients, Domiciliary Care clients, and external professionals who are involved in their care.

Remedies for non-residents may differ to those offered to residents.

3. POLICY STATEMENT

The complaint system is designed to give us the opportunity to put things right as quickly as possible.

4. PRINCIPLES

- Complaints will be investigated seriously, objectively and promptly.
- We will endeavour to resolve complaints without the need for external intervention.
- Staff will not investigate complaints about their own actions.
- Complainants will be treated fairly.
- The Connaught will not discriminate against anyone because they have complained.
- At each stage of the complaint process we will aim to resolve the complaint and to prevent it from escalating.
- We will explain how a complaint can be progressed to the next stage if a person remains dissatisfied.
- We will regularly review complaint resolutions and endeavour to learn and improve services as a result of complaints received.
- We will assess our services by the number of times complaints are made about the same issue, among other subjects.

5. Legal Action

The complaints procedure will not be used while legal action regarding the same issue or closely related matter is being undertaken, as the legal process takes precedence. We will usually defer beginning or suspending a complaint investigation immediately legal action is underway by the Connaught.

6. Safeguarding

Where a complaint has been referred to Guernsey Adult Safeguarding under its safeguarding procedures, those safeguarding procedures take precedence over the Connaught's complaints. The Connaught will implement its own investigations once the Guernsey Adult Safeguarding process is complete.

7. Third Parties

The Connaught welcomes the use of third parties to support a complaint and recognizes that this may be helpful for vulnerable individuals. However, we do not accept the use of Advocates as this is then a litigation process and is excluded from our Complaints procedure.

Where a resident of a care home has been assessed as lacking capacity, we shall actively seek the appointment of an appropriate third party.

8. Multiple Complaints and Petitions

A number of people making an identical or similar complaint may be treated as a complaint. Petitions will be treated as a single complaint, registered under the lead petitioner.

9. Multi-agency Complaints

If a complaint involves more than one service provider, we will only investigate our involvement in the complaint. We may occasionally decide to act as a third party on behalf of the complainant with another service provider, but we are under no obligation to do so, for example, where a care home resident is dissatisfied with the service provided by their GP.

10. Mediation

In some cases, we may suggest, arrange and pay for mediation between ourselves and a complainant, in order to resolve the complaint. If mediation is agreed, then the complaint will be closed based on the planned mediation and may be escalated if the mediation fails.

11. Timeliness of Complaint

A complaint must be made (arrive) to the Connaught within six months of the event occurring.

There are no time limits on complaints regarding risk or safeguarding issues in care homes.

12. Learning

Complaints will be monitored and reviewed with the aim of learning in order to improve services.

Procedure

1. Registering a Complaint

We will accept complaints made by:

- The complaint standard form available from the staff room via post/email or on the Connaught's website
- Telephone
- The Manager's 24-hour voicemail service
- Letter
- Direct email
- Website form
- Personal visit to the Connaught's offices

Care home residents, clients in the community and their representatives can make a complaint to any member of staff at the Connaught, either verbally, in writing or by email to Liz Bowskill, Executive Operations Director on liz.bowskill@connaught.org.gg

Personal Callers – Complainants/Third Parties may request to meet the Manager, or in her absence, one of the Senior Carers or Administrators.

Home Visits – If a complainant finds visiting the office difficult, a home visit can be arranged.

2. Timeliness of a Complaint

A complaint must be made:

- Within **six months** of the date of the incident/event,
- Or**
- From when the complainant became aware of the issue

Exceptions may be made where there are justifiable reasons which prevented the complaint being made earlier.

There are no time limits on complaints regarding risk or safeguarding issues.

Where out-of-time complaints are refused the reasons will be communicated through correspondence.

3. Third Parties

Third Parties may support a complainant. This includes a friend, relative, carer, states member, social worker or GP. We do not accept any legal professionals as third parties as this then becomes a litigation process and is excluded from the complaints system.

We will ask complainants to sign a Third-Party Disclosure Agreement (giving the third-party permission to act on the complainant's behalf)

(See Appendix 2: Third Party Disclosure Agreement)

4. Overview of the Complaints Procedure

The complaint process has three internal stages and a right of appeal to an independent body as a fourth and final stage.

	Method	Respondent
Stage 1	Local resolution	Senior Carer
Stage 2	Investigation	Manager
Stage 3	Review appeal	Director
Stage 4	External	HSC (Health & Social Care) Inspector

5. Acknowledging Complaints

Complaints will be acknowledged by letter or email within two working days of receipt **(excluding the day of receipt)**.

The acknowledgement letter will confirm:

- the date of receipt
- the stage of the complaint
- the subject areas of the complaint
- the target date for a response to be emailed/posted by **(not received by)**.
- who will be leading the investigation by name and title

6. Timescales

We will always endeavour to resolve a complaint by investigating how the complaint arose, and to provide feedback in a timely manner.

7. Failure to achieve Target Times

If a complaint is going to take longer to investigate than originally anticipated, we will write again to the complainee (as soon as we know it is going to overrun) to explain the delay and the new expected completion date. We will also inform the complainant by letter or email.

8. Appealing against Complaint Investigation findings – escalating to the next stage

If a complainant decides to appeal (elevating the complaint to the next stage within the procedure), they have 30 calendar days to lodge the appeal.

Clarification

The complainant can request clarification on any of the points made in the response letter without escalating the complaint to the next stage. An acknowledgment letter/email will be sent within two working days and a full response within 10 working days.

9. Options for Redress when a Complaint is upheld

- We will apologise if published standards have not been met
- Providing information and/or an explanation
- Revising or introducing a policy/policies
- Implementing or improving an existing procedure
- Improving an existing element of the service
- Introducing a new service
- Explaining how the decision was made
- Refunding the complainant e.g. if property has been lost/damaged.

Appendix 1 – Complaint Sheet Submission Form

Purpose

To be used for the formal stages of the complaint procedure. Reference should be made to the Connaught's Complaints Policy & Procedure before completion of this form.

Outline of basis (background) of complaint:
What has actually happened? (if applicable please include names and of those involved and the relevant dates and times of relevant incidents):
What do you believe should have happened?
What steps have you already taken to resolve the complaint informally?
Outcome sought from the formal stage of the complaint procedure:
Signed..... Date..... Name(s), block capitals..... Name of representative.....

Appendix 2 – Third Party Disclosure Agreement

Confidential Third-Party Disclosure Agreement

<p>THIS AGREEMENT dated _____, 20__, by and between The Connaught, <i>(name of complainant)</i> and <i>(name of third party)</i>.</p> <p>I <i>(name of complainant)</i>, hereby give my permission for <i>(name of third party)</i> to act on my behalf and under my instruction during the complaint process in line with the Connaught's Complaints Policy and Procedure ensuring that the requirements regarding confidentiality are adhered to at all times.</p>
<p><i>Name of complainant:</i></p> <p><i>Signature of complainant:</i></p> <p><i>Date of signing:</i></p>
<p><i>Name of Third Party:</i></p> <p><i>Signature of Third Party:</i></p> <p><i>Date of signing:</i></p>
<p><i>Name of Connaught representative:</i></p> <p><i>Signature of Connaught representative:</i></p> <p><i>Date of signing:</i></p>