



Complaints and Compliments Policy – Adults Division

Contents

1 Purpose	1
2 Scope	2
3 Policy Statement	2
4 Procedure	3
4.1 Local Social Services Department	5
4.1.1 England	5
4.1.2 Scotland	6
4.1.3 Wales	6
5 Stage 1 of Complaints	6
6 Stage 2 of Complaints	7
7 Stage 3 of Complaints	7
8 Complaints That CareTech Does Not Have To Investigate	8
9 Persistent Complainants	8
10 Annual Reports and Governance	9
11 Compliments	9
12 Revision History	10

1 Purpose

To ensure that People who use our services or others acting on their behalf:

- Are sure that their comments and complaints are listened to and acted on effectively.
- Know that they will not be discriminated against for making a complaint.
- Are sure that people who use our services receive a service from an Organisation which takes steps to prevent abuse and does not tolerate any abusive practice, should it occur.

The Organisation minimises the risk and likelihood of abuse occurring by:

- Having effective means to monitor and review incidents, concerns and complaints that have the potential to become an abuse or safeguarding concern.
- Having systems in place to deal with comments and complaints, including providing people who use services with information about that system.
- Supporting People who use our services or others acting on their behalf to make comments and complaints.
- Considering fully, responding appropriately and resolving, where possible, any comments and complaints.

2 Scope

Complaints from People who use our services, their families or representatives, staff members, external agencies and other members of the public.

3 Policy Statement

It is CareTech's policy to ensure that all complaints are dealt with sensitively, promptly and positively. We take all complaints seriously and all complaints will be viewed as an opportunity to learn, adapt and help us improve the service we provide. We aim to handle complaints quickly, effectively and in a fair and honest way. We treat all complaints in confidence. CareTech assures clients and their families that it will not withdraw or reduce services because someone makes a complaint in good faith.

The definition of a complaint is as follows: A complaint is a statement in which you express your dissatisfaction with a particular situation.

A complaint may be made by telephone, in person, in writing or by email. A complaint may be made by:

- Someone who receives or has received care services
- Someone who is affected (or likely to be affected) by the action, omission or decision of the provider who is the subject of the complaint, or a representative of either of these, under certain conditions.

Complaints from a representative are accepted under the following conditions:

- Where the person has consented, either verbally or in writing
- Where the person cannot complain unaided and cannot give consent because they lack capacity within the meaning of the Mental Capacity Act 2005, and the representative is acting in the person's best interests – for example, where the matter complained about, if true, would be detrimental to the person.

Please refer to section 'Complaints That CareTech Does Not Have To Investigate' for details on complaints that CareTech will not investigate.

4 Procedure

All complaints must be reviewed when received to assess whether there is a risk to any person and whether a safeguarding needs to be raised. If a complaint alerts us to possible abuse or neglect we will inform the local authority safeguarding team. If in doubt, consult with the local safeguarding team. The safeguarding team will decide how to investigate and we will adhere to the safeguarding process. Please refer to the Safeguarding Policy.

If the complaint involves a person who uses our services, managers should ensure that the person's Funding Authority (ie Care Manager) is notified of the complaint immediately.

If CareTech is not satisfied that the representative is acting with the Service User's consent or in their best interests, CareTech notifies the representative in writing, and states the reason for the decision. All the complaints must be sent to:

Care Tech Community Services Ltd
Metropolitan House
3 Darkes Lane
Potters Bar
Hertfordshire EN6 1AG

Where a complaint is made in person or on the telephone, the person receiving the complaint must tell the complainant that:

- A written record of the complaint will be made
- A copy of the written record will be provided within three working days

All complaints are acknowledged within three working days and in the acknowledgement letter the name of the Investigating Officer will be given.

A complaint must be made no later than 12 months after the date the event occurred or, if later, the date the event came to the notice of the complainant. The time limit will not apply if CareTech is satisfied that the complainant can give a good reason for not making the complaint within that time limit, and despite the delay, it is still possible to investigate the complaint effectively and fairly.

The complainants will receive (so far as is reasonably practical): assistance to enable them to understand the complaint procedure, and advice on where they may obtain such assistance.

Managers shall ensure that guidance on how to make a complaint is displayed and/or made

available to all People who use our services and their advocates and is included in the Statement of Purpose and Service User guide.

People who use our services and/or their carers may require additional support when making a complaint. In such circumstances, the service will work with local advocacy, seek support from internal departments such as Quality or Compliance to ensure that information is easily understood and that the person/s understand the process. It may be appropriate to seek additional support from external organisations such as the placing or local authority. CareTech is also able to offer support to staff through our Employee support line and access to psychology support for complainants if required. CareTech recognises the strain that making a complaint can place upon the complainant and would seek to support the complainant through the complaint process.

This procedure can be made available on request in other languages and in other formats.

Any staff receiving a complaint should notify their line manager as soon as possible, their line manager must notify their Head of Service/Registered Manager, if appropriate. Each service should complete a record of the complaint, keep a record of correspondence and outcome and ensure that this is available for inspection. They or their manager must inform the Compliance and Regulation team on compliance.regulation@caretech-uk.com or post to the following address where the complaint will be logged on the corporate complaints database.

5th Floor
3 Darkes Lane
Potters Bar
Hertfordshire EN6 1AG

Locality/Operations Manager will be required to complete divisional monitoring of complaints. This may form part of the monthly report required.

Locality/Operations Manager will normally determine how best the complaint should initially be investigated.

Complaints about a Locality/Operations Manager/ Director should, however, always be passed to the Managing Director who will then determine how the investigation should proceed. As a norm, the Managing Director will take a personal interest in all complaints as part of his/her aim to provide quality services. All complaints should be reported to him/her, by the relevant Senior Manager as soon as is possible.

The Director of Compliance and Regulation will record all complaints.

At each stage of the Complaints Procedure, the complainant should be advised of their right to take

their complaint up with the relevant regulatory bodies.

CareTech aims to have all complaint investigations concluded within six months unless a different deadline is agreed with the complainant and there is a good reason for this.

Managers shall ensure that People who use our services and their relatives or representatives are kept informed at each and every stage of the investigatory process.

Once the complaint has been fully dealt with by CareTech, if the complainant is not satisfied with the outcome, the complaint¹ can be referred to:

4.1 Local Social Services Department

4.1.1 England

Once your complaint has been fully dealt with by CareTech, if you are not satisfied with the outcome you can refer your complaint to the Local Government Ombudsman (LGO) and ask for it to be reviewed. The LGO provides a free, independent service.

The LGO Advice Team can be contacted for information and advice, or to register your complaint:

- T: 0300 061 0614
- W: www.lgo.org.uk/adult-social-care/ (there are links to an enquiry form and a complaint form on this page)
- Or write to: The Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH

The LGO will not usually investigate a complaint until the provider has had an opportunity to respond and resolve matters. This service is registered with and regulated by the Care Quality Commission (CQC).

Care Quality Commission
Care Quality Commission National Correspondence
Citygate
Gallowgate
Newcastle upon Tyne
NE1 4PA
Tel: 03000 616171
E-Mail: enquiries@cqc.org.uk

¹CQC do not investigate complaints but can ensure that CareTech have followed their policies and procedures correctly.

4.1.2 Scotland

Care Inspectorate
Compass House
11 Riverside Drive
Dundee
DD1 4NY
Tel: 01382 207100
Enquiries: 0845 600 9527
Email: enquiries@careinspectorate.com

4.1.3 Wales

Care Inspectorate Wales
Welsh Government
Rhydycar Business Park
CF48 1UZ

Phone: 0300 7900 126
Email: CIW@gov.wales

5 Stage 1 of Complaints

Resolution at a local level by the Locality/ Operations/Registered Manager.

A Complaint File is to be started in which full details of the complaint will be logged using the complaints information form.

The Investigator will contact the complainant and arrange an initial meeting with them within 48 hours of receiving the complaint, as far as is practicable.

The complaint will be fully investigated, the aim being to provide a formal written response to the complainant within 10 working days. If the complaint is not concluded within 10 working days the Investigator will write to the complainant and provide an update to the status of the complaint investigation.

The complainant has 7 working days to comment on the factual accuracy of the report. If the report findings are agreed a formal final report with accompanying closure letter will be sent to the complainant. The complaint file will be closed and passed to the relevant Senior Manager. A management review will be held with the investigator and their line Manager 2 weeks after closure.

Every effort will be made to reach an amicable agreement/outcome through discussion and negotiation.

6 Stage 2 of Complaints

Where a resolution is not reached at Stage 1, the complaint details (Complaint File) will be passed on by the Locality/Registered Manager and discussed with the Operations Director/Managing Director. The Operations Director or Managing Director will make a decision as to who the investigating officer will be – this will be a Manager who is not responsible for the service at the centre of the complaint.

The Investigating Officer will make contact and arrange to meet with the complainant within 24 hours of being passed the unresolved complaint, as far as this is possible. If a meeting cannot be arranged receipt of the complaint will be acknowledged in writing with the complainant being informed about the investigation process.

The complaint will be further investigated, the aim being to provide a formal written response to the complainant within 10 working days. If the complaint is not concluded within 10 working days the Investigator will write to the complainant and provide an update to the status of the complaint investigation.

The complainant has 7 working days to comment on the factual accuracy of the report. (This should be explained in the accompanying letter with the draft investigation report, with an identified date for receiving their response.)

Where possible the Investigating Officer will meet the complainant at the end of the investigation period to explain the outcome and to gain feedback as to their satisfaction about the findings. If the report findings are agreed a formal final report with an accompanying closure letter will be sent to the complainant. The complaint file will be closed and passed to the Locality/Operations Manager. A management review will be held with the investigator and their line Manager 2 weeks after closure.

7 Stage 3 of Complaints

Where a complaint is not resolved at Stage 2, the complaint details (Complaint File) will be passed to Operations Director and the Director of Compliance and Regulation

The Management Team will make the decision as to who the Investigating officer will be. The investigation could be carried out jointly by two people.

The Investigator will make contact with the complainant within 10 working days to give them the opportunity of discussing their complaint in person.

The Investigator will determine whether a further investigation is needed taking into consideration the previous investigation findings and supporting evidence.

If the complaint is to be investigated at Stage 3 the Investigator should formally advise the complainant in writing. Should the complaint investigation last longer than 10 working days the Investigator will write to the complainant and provide an update to the status of the complaint investigation.

At the conclusion of the Stage 3 investigation the Investigator should provide a detailed written report to the complainant. The complainant has 7 working days to comment on the factual accuracy of the report. (This should be explained in the accompanying letter with the draft investigation report, with an identified date for receiving their response.)

If the report findings are agreed a formal final report with an accompanying closure letter will be sent to the complainant. The complaint file will be closed and passed to the relevant Director. A management review will be held with the investigator and their line Manager 2 weeks after closure.

8 Complaints That CareTech Does Not Have To Investigate

CareTech is not required to investigate the following complaints:

- A complaint by an employee relating to their employment. This is handled in a different way, for example through the grievance procedure.
- A complaint that was made in person or by telephone and is resolved to the complainant's satisfaction no later than the next working day after the day the complaint was made.
- A complaint that has already been investigated and resolved.

In these circumstances, CareTech must, as soon as reasonably practicable, notify the complainant in writing of its decision not to investigate the complaint and the reasons why.

9 Persistent Complainants

Unreasonable and unreasonably persistent complainants may have justified complaints or grievances but are pursuing them in inappropriate ways, or they may be intent on pursuing complaints which appear to have no substance or which have already been investigated and determined.

The following measure can be made by the Operations/ Managing Director to restrict persistent complainants:

- requesting contact in a particular form (for example, letters only)
- requiring contact to take place with a named officer

- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their future contacts with CareTech.

A decision to restrict contact may be reconsidered by the Director if the complainant demonstrates a more acceptable approach.

10 Annual Reports and Governance

CareTech monitors and analyses all complaints received. The Care Governance Committee meets quarterly to review complaints from all divisions across CareTech. The committee ensures that the company learns from complaints and uses the information to continually improve the service provided to people and staff. The annual report for each year must:

- Specify the number of complaints received.
- Specify the number of complaints that CareTech decided were well-founded, partly or fully.
- Specify the number of complaints that CareTech has been informed have been referred to other bodies.
- Give the subject matter of complaints received.
- Summarise any matters of importance in those complaints themselves or in the way that the complaints were handled.
- Summarise any matters where action has been or is to be taken to improve services as a consequence of those complaints.

A 'year' means a period of 12 months ending 30th of September. CareTech ensures that its annual complaint report is available to anyone on request.

11 Compliments

A compliment is an expression of satisfaction with a service made in relation to an individual, a team or the Company as a whole. Compliments and expressions of appreciation are valuable in monitoring the effectiveness of the service being offered by CareTech and can provide useful learning points and examples of good practice which can be shared throughout the Company to encourage our staff to continue to provide and improve on excellent customer service. CareTech is committed to providing the best possible service that it can and we encourage positive feedback from People who use our services and staff.

Any staff member receiving a compliment should notify their Registered Manager as soon as is possible. Compliments should be submitted as part of Operational Monitoring -monthly reports. The Manager should ask the person making the compliment if they are happy that it is shared with the regulatory body. If yes then it should be forwarded to the relevant local Regulatory office. If

preferred, contributors may retain anonymity in their compliments.

12 Revision History

This Policy will be reviewed annually, and updated in line with any legislative, regulatory or Company changes.

Date of review: August 2024

Date of review: August 2023

Date of review: April 2021

Date of review: June 2019

Date of review: April 2017

Date of review: April 2016

Date of review: January 2016

Date of review: September 2015

Date of review: May 2015

Date of review: May 2014

Date of review: July 2014

Date of review: January 2013

Date of release: February 2012