



COMPLAINTS AND COMMENTS POLICY AND PROCEDURE

This Policy and Procedure complies with The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, introduced on 1st April 2009 across health and social care.

Policy

- Abbey Support and Services Ltd (ASAS) will take all reasonable steps to ensure that their staff are aware of and comply with this policy.
- ASAS management is responsible for ensuring compliance with the Policy and Procedure, and in particular ensuring that action is taken if necessary in the light of the outcome of a complaint.
- ASAS will take all reasonable steps to ensure that Service Users are aware of:
 - The Complaints and Comments Procedure
 - The roles of ASAS, and the Health Service Ombudsman with regard to Services User complaints.

This includes the alternative facility for the Services User to complain directly to the Care Quality Commission instead of making their complaint to ASAS, as well as their right to escalate their complaint to the Health Service Ombudsman when they are dissatisfied with the initial response.
- Service Users will be encouraged to complain in writing where possible.
- All complaints will be treated in the strictest confidence.
- Service Users who make a complaint will not be discriminated against or be subject to any negative effect on their care, treatment or support.
- Where a complaint investigation requires access to the Service User's care records and involves disclosure of this information to a person outside of ASAS, the Manager, will inform the Services User or person acting on their behalf.
- ASAS will maintain a complete record of all complaints and copies of all related correspondence. These records will be kept separately from Service Users' care records.



Procedure

Complaint initiated on Service User premises

- In the event that an ASAS staff member notices that a Services User appears to be distressed / upset, they should immediately contact ASAS Managing Director, who will attempt to identify and resolve the problem personally at that time.
- In the event of an ASAS staff member being advised that a Service User wishes to make a complaint, the Service User should be passed a copy of the current Abbey Support and Services Complaints and Comments information policy.
- The Service User should be asked if they intend to complete the form there and then, or do they intend to complete it later.
 - If they intend to complete it later, the ASAS staff member should provide them with an envelope.
 - If they intend to complete it there and then, the ASAS staff member will ask if they require assistance in completing it – if so, then the office should be contacted to provide such assistance.
- Whichever option is chosen, the Service User will be assured that their complaint will be acknowledged within 3-4 working days from receipt of the form.

Receipt and acknowledgement of complaints

Abbey Support and Services Ltd (ASAS) may receive the following complaints:

- A complaint made directly by the Services User or former Services User, who is receiving or has received care from ASAS ;
- A complaint made on behalf of a Services User or former Services User (with his/her consent), who is receiving or has received care from ASAS;
- Where the Services User is incapable of making a complaint, then a representative who has an interest in his/her welfare may do so;
- All complaints, whether written or verbal will be recorded by ASAS management;
- All written complaints will be acknowledged in writing within 3-4 working days of receipt;
- If Abbey Support and Services identifies that the complaint will involve an additional provider it will agree with that provider which organisation will take the lead in responding and communicating with the complainant.

Periods of time within which complaints can be made

- The periods of time within which a complaint can be made is normally:
 - 6 months from the date on which the event / incident which is the subject of the complaint occurred; or
 - 6 months from the date on which the event / incident which is the subject of the complaint comes to the complainant's notice.



Initial action upon receipt of a complaint

- All complaints, whether verbal or in writing must be forwarded immediately to ASAS management.
- Where the complaint is made verbally, a written record will be made of the complaint and a copy of this will be provided to the complainant.
- A verbal or written acknowledgement of receipt of the complaint must be made not later than 3-4 working days after the day on which ASAS receives the complaint.
- This written acknowledgement will include:
 - The name and contact details of ASAS member of staff/representative who will be attending the meeting and investigating the complaint
 - An offer to meet with the complainant, at a time and location convenient to them, to discuss the manner in which the complaint is to be handled and the response period within which the investigation of the complaint is likely to be completed and the full response is likely to be sent to the complainant.
- As much of the following information as possible will be obtained at this initial meeting, to enable their concerns to be assessed correctly, resolved quickly if possible and build a good ongoing relationship with them:
 - Ascertain they would like to be addressed – as Mr, Mrs, Ms or by their first name.
 - Ascertain how they wish to be kept informed about how their complaint is being dealt with – by phone, letter, email or through a third party such as an advocacy or support service.
 - If it's by phone, ascertain the times when it is convenient to call and verify that they are happy for messages to be left on their answerphone.
 - If it's by post, make sure that they are happy to receive correspondence at the address given.
 - Check if consent is needed to access someone's personal records
 - Check if they have any disabilities or circumstances that need to be taken account of.
 - Ensure they are aware that they can request an advocate to support them throughout the complaints process, including at the first meeting.
 - Systematically go through the reasons for the complaint so that there is a clear understanding why they are dissatisfied.
 - Ascertain what they would like to happen as a result of the complaint (for example, an apology, new appointment, reimbursement for costs or loss of personal belongings or an explanation).
 - Advise them at the outset if their expectations are not feasible or realistic.
 - Formulate and agree a plan of action, including when and how the complainant will hear back from ASAS.
- If it is considered that the matter can be resolved quickly without further investigation, ASAS will do so, providing the complainant agrees and there is no risk to other service users.
- In the event the complainant does not accept the offer of a discussion, Abbey Support and Services will itself determine the response period and notify the complainant in writing of that period.



Investigation and response

- Complaints should be resolved within a “relevant period” i.e. within 3 months from the day on which the complaint was received.
- However, at any time during the “relevant period”, ASAS has the discretion to liaise with the complainant to extend this timeframe to a mutually agreeable date, provided it is still possible to carry out a full and proper investigation of the complaint effectively and fairly. When an extension to the 3 months timeframe is being considered, it is essential that one takes into account that either party may not be able to remember accurately the essential details of the event / incident and also the feasibility of being able to obtain other essential evidence specific to the time of the event.
- ASAS will investigate the complaint speedily and efficiently and as far as reasonably practicable, keep the complainant informed of the progress of the investigation.
- After the investigation is completed, ASAS will compile a written report which incorporates:
 - A summary of each element of the complaint
 - Details of policies or guidelines followed
 - A summary of the investigation
 - Details of key issues or facts identified by an investigation
 - Conclusions of the investigation: was there an error, omission or shortfall by your organisation? Did this disadvantage the complainant, and if so, how?
 - What needs to be done to put things right
 - An apology, if one is needed
 - An explanation of what will happen next (e.g. what will be done, who will do it, and when)
 - Information on what the person complaining should do if they are still unhappy and wish to escalate the complaint, including full contact information on the Health Service Ombudsman.
 - ASAS will send the complainant a response within the 3 months “relevant period”, signed by a Manager or Director ie ‘The written report’
 - Confirmation as to whether ASAS is satisfied that any necessary action has been taken or is proposed to be taken;
 - A statement of the complainant’s right to take their complaint to the Parliamentary and Health Service Ombudsman.
- If ASAS does not send the complainant a response within the 3 month “relevant period”, it will
 - Notify the complainant in writing accordingly and explain the reason why; and.
 - Send the complainant in writing a response as soon as reasonably practicable after the 6 month “relevant period”.
- In the event that the complaint has been incorrectly sent to ASAS, then ASAS will advise the Services User of this fact within 3 working days from its initial receipt and ask them if they want it to be forwarded to the correct organisation.



Complaints Register

To ensure ASAS monitors, handles and reviews complaints in a logical and timely manner, and to keep an audit trail of steps taken and decisions reached, ASAS will record all complaints received on a complaints register.

Annual Review of Complaints

In line with National Guidance, ASAS will make available the following information to the CQC:

- The number of complaints received;
- The issues that these complaints raised;
- Whether complaints have been upheld;
- The number of cases referred to the Ombudsman.

Reporting a Summary of Complaints to the Care Quality Commission

ASAS will adhere to the Care Quality Commission's requirement of producing a summary of complaints at a time and in a format set out by the CQC and then send the summary within the timeframe specified.



