

**Complaints, Comments and Compliments Policy**

<b><u>Policy Statement</u></b>	Age UK Staffordshire (AUKS) recognises that everyone has the right to expect that service and support delivered by any representative of Age UK Staffordshire, whether staff member, volunteer or Director, should be entirely suitable for the purpose for which it was intended and delivered in a person centred environment to the highest service standards.
<b><u>Responsibility</u></b> Board	Implement / Review / Adhere to Policy and to review all complaints and resultant action taken.
Chief Executive / Senior Managers	Implement / Monitor / Review / Adhere to Policy / Investigate / Respond to complaints / Review all complaints and ensure actions and lessons learnt are implemented
Service Leads	Implement and monitor complaints ensuring compliance by staff and volunteers to respond to breaches in policy. Implement resultant actions and lesson learnt.
Staff/Volunteers	Comply with policy at all times
Service Users	Responsibility to report complaints, raise concerns about activities which may result in a complaint.
Reporting Time Limits	Immediate
Policy Approved Date	Revised version February 2016, March 2018
Review Period	Annually or as a result of statutory / regulatory changes.
Next Scheduled Review	January 2021
Review Committee	Complaints Lead/ Directors / Senior Managers
Reviewed by Officer Signed, Position & Date	Wendy Botham, Head of Operations January 2020
Reviewed by Board Signed, Position & Date	Nicola Sawyer, Chair 10 February 2020

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## 1 POLICY STATEMENT

We aim to provide high-quality services and support to all our service users but recognise that sometimes we may fail to meet their expectations or our own service standards. If this happens, it is important that service users tell us so that we can make changes and put things right.

We welcome feedback on our services, whether positive or negative. It is important that we hear whether service users are unhappy with the services provided. Likewise, compliments also help us to continue to get things right first time and we are grateful for this feedback.

This policy sets out Age UK Staffordshire's approach to managing compliments, comments and complaints it receives about any of its services.

When a complaint is received, our aim is to show service users that we *care* about the complaint that we can be *trusted* to act upon the feedback, and demonstrate that we are committed to improving the service.

We aim to:

- encourage feedback, both positive and negative
- resolve complaints quickly and sensitively
- resolve any comments or complaints at the first point of contact, wherever possible
- learn from comments, complaints and compliments to help us improve our services and reduce the level of complaints in future.

This policy is designed to deliver good practice as well as meet regulatory requirements within the Care Quality Commission (CQC) and NHS.

## 2 REGULATORY FRAMEWORK

Some of our services are regulated services which are CQC registered and must operate under CQC regulation. This includes a Care Navigation Service as a sub contract for the NHS and Virgin Care.

It is CQC's view that a service that is safe, responsive and well-led will treat every concern as an opportunity to improve, and will respond to complaints openly and honestly.

CQC's assessment framework is consistent with standard expectations of complaints handling agreed by the Parliamentary and Health Service Ombudsman, the Local Government Ombudsmen and Healthwatch England. Duty of Candour also applies.

The regulations for the handling and consideration of complaints state that the arrangements for dealing with complaints must be such as to ensure that:

- (a) there is a 'nominated person' and a 'complaints lead' (who may be the same person) to deal with complaints
- (b) complaints are dealt with efficiently and complainants understand the process;

- (c) complaints are properly investigated;
- (d) complainants are treated with respect and courtesy;
- (e) complainants receive, so far as is reasonably practical
  - assistance to enable them to understand the procedure in relation to complaints; or
  - advice on where they may obtain such assistance;
- (f) complainants receive a timely and appropriate response within stated or agreed timescales;
- (g) Complainants are told the outcome of the investigation of their complaint; and action is taken if necessary in the light of the outcome of a complaint.
- (h) Complainants know how to appeal and their right to put the complaint to the appropriate external body if dissatisfied.

### **3 POLICY OUTLINE**

Our complaints process will operate in line with the following to ensure compliance with regulation and demonstrate our commitment to service users:

- (a) That we provide service users (or their advocates) with a convenient and easy process for reporting their comments, compliments and complaints, giving them a choice of options to follow based on what is important to them.
- (b) That service users are at the heart of service provision by listening to and responding to them using a person-centred approach.
- (c) Set out a clear process of how service users can make a complaint, and the stages and timescales for responses, also what they need to do if they remain dissatisfied.
- (d) We carry out an end-to-end examination of the compliment, comment and complaints process to make it simple for service users to give feedback and use this information effectively to improve services.
- (e) To support and develop our staff and volunteers to have the flexibility to resolve problems and provide them with the tools they need to be aware of our Complaints, Comments and Compliments processes and understand how to deal with the situation.
- (f) To constantly look for new and better ways of providing our services, ensuring that the quality of our services remains uncompromised.
- (g) We keep service users informed about the progress of complaints and what we plan to do.
- (h) Provide information to service users on the number of complaints made, their nature, and the outcomes.

### **4 SERVICE STANDARDS**

We believe that by meeting the service standards outlined below, that we will improve services for the greater good of all service users:

- We will make it easy for service users to log a compliment or complaint with any member of the organisation.
- We will log all service users compliments, comments and complaints, and report on our performance at least annually.
- We will make it easy for you to contact us if you have a problem whether it be in person, by telephone, in writing, or by email and/or social media.
- If a staff member cannot resolve your query immediately, they will explain the process and the timescale for resolution to you.
- If you have a problem, we will keep you informed regularly of how we are dealing with your query or complaint, and the reasons for any changes.
- We will publish details of service improvements as a result of complaints as often and as widely as we can to demonstrate what we have learnt from service user feedback.
- We will treat every complaint fairly and confidentially.
- We will assign service users a dedicated investigating officer at each stage of the process who will take a person-centred approach to agree timescales and keep you informed throughout any investigation.
- We will only close the complaint when service users are satisfied, or where all internal stages have been exhausted
- Where all internal stages have been exhausted, we will advise service users of their right of appeal and how to access external advice
- We will take ownership, apologise where we have made a mistake and aim to resolve the complaint to the complainants satisfaction.
- The Head of Operations will be the Complaint Lead (manager) and ensure our complaints process is implemented and monitored.

## 5 DEFINITIONS

### **Compliment**

A compliment is an unsolicited expression of gratitude or praise for a member of staff or service area.

### **Comment**

Is a concern raised about our service, which can be dealt with at the time and where the service user does not wish to make a formal complaint and have a written response to the issues raised.

### **Complaint**

A complaint is any expression of dissatisfaction or concern, in any form, with our services, whether justified or not, which requires a response. A formal complaint is one that cannot be resolved quickly at point of contact, or one where the complainant has requested a formal, written response.

## 6 GIVING A COMPLIMENT

Anyone who has a relationship with Age UK Staffordshire can compliment a member of staff, volunteer, a team or the organisation as a whole. Compliments are recorded and are passed on to staff and their line manager, and are used to identify areas of good practice we can learn from. Compliments can be given directly to staff or volunteers or sent to the Complaints Lead at the Roller Mill, Teddesley Road, Penkridge, Stafford, ST19 5BD or email [info@ageukstaffordshire.org.uk](mailto:info@ageukstaffordshire.org.uk), tel 01785 788477.

## **7 MAKING A COMMENT**

Anyone can make a comment to Age UK Staffordshire. All comments will be recorded on our compliments, comments and complaints register and will be investigated, and we will take action as required. Comments on areas of strength or weakness are used to continuously improve our service.

## **8 MAKING A COMPLAINT**

Anyone who receives a service from us can make a complaint. Complaints can be made via our website by email, letter, phone or in person. The email address is [info@ageukstaffordshire.org.uk](mailto:info@ageukstaffordshire.org.uk), website link: <https://www.ageuk.org.uk/staffordshire/contact-us/>, Tel: 01785 788477

Service users may make a complaint to anyone in the organisation. All complaints will be logged by the service team.

Our staff will support you to make the complaint if you wish to put it in writing. If you need assistance please call us on 01785 788477.

Ideally a complaint should be made as soon after the situation causing concern has taken place and within 12 months of an incident happening or being discovered.

Making a complaint will not result in any adverse consequence such as removing a service or treating a service user any differently.

## **9 HOW WE HANDLE A COMPLAINT**

We will handle a complaint in line with our Service Standards above (section 4).

### **(a) Initial Contact**

We will try to deal with the issue right away at first point of contact. If the member of staff receiving the complaint considers that they cannot resolve it or you require a written response, they will formally log it and refer it immediately to their Line Manager so the complaint can be investigated.

### **(b) Investigation**

When we log a formal complaint, we will acknowledge it in writing within 3 working days, and refer it to the relevant member of staff. They will contact the person who made the complaint by telephone within two working days to establish what they need for resolution and to agree a timescale. We will explain the procedure.

It is expected that most complaints can be resolved within 28 working days but there may be times when it is necessary to agree a longer timescale. All formal complaints must receive a written response within 28 working days outlining any future action to be taken if resolution within that timescale is not possible.

If the timescale we agree needs to be changed for any reason, we will agree a new timescale.

We will provide a full written response in plain English. It will contain a summary of the complaint, our response including any action we are taking, an apology if appropriate, and details of how to appeal against our decision.

**(c) Appeal**

If the service user believes we have not provided them with an adequate response, or they believe that our response is wrong, they can appeal. On receipt of an appeal, the appeal will be referred to the next stage of our Complaints Process. If all stages internally have been exhausted and the service user is still dissatisfied with the outcome they will be advised where they can take the complaint further for that particular service.

The person responsible for the appeal response will contact the service user to agree timescales. We will provide a full written response in plain English. It will contain a summary of the appeal, our response, an apology if appropriate, and confirmation that they have now completed our complaints process.

An appeal must be sent by the complainant within 10 working days of receipt of the response to the complaint. We will acknowledge the appeal in writing within 2 working days and aim to resolve it within 28 working days.

**(d) Compensation**

Compensation, where appropriate, can be paid at any stage in the complaints process in line with legal advice obtained at the time.

**(e) Complaints about a member of staff**

If a complaint is made about the conduct of a member of staff, the individual(s) will not be asked to investigate. Their line manager or another senior manager will investigate and will keep the individual member of staff informed in line with our policies. Details of individual performance management action plans will not be discussed with complainants.

**(f) Suspected abuse**

If something leads the person managing the complaint to suspect that abuse is taking place, they will act in line with our Safeguarding Policies and Procedures.

**(g) Threatening or Abusive Behaviour**

To protect our staff we will not engage with service users where the behaviour of the service user has become threatening or abusive.

Where a service user or their representative behaves in this way in relation to a complaint:

- If the service user has not exhausted our internal complaints process, we will escalate the complaint to the next stage.
- Where we have issued our final decision and the service user remains dissatisfied, we will advise the service user to refer the matter to the relevant external body.
- If the service user continues to send correspondence regarding the complaint with no new information, we will advise that we have nothing further to add to our final decision letter and repeat that if this is not satisfactory the service user may refer the matter to the relevant external body.

(h) **Anonymous complaints**

If we receive an anonymous complaint, this may highlight a problem with the way our service users perceive a service, or it might raise a ‘whistle-blowing’ issue that needs to be followed up. We will therefore record, investigate and monitor anonymous complaints in the same way that we treat comments.

(i) **Alternative dispute resolution**

Where a complaint has not been resolved at the point of the service user’s initial contact with us, we may offer the service user mediation or adjudication if we think this will assist. The service user will be entirely free to accept or reject this offer and may insist that the complaint be dealt with through the formal procedure only.

## 10 EXTERNAL APPEALS AGAINST COMPLAINT RESPONSES

If service users are unhappy with the response they receive from us they can ask an external organisation to look into their issues. We will advise complainants who they can refer to according to the service they are receiving.

If a complaint has reached the final stage of our procedure and they still believe our response is incorrect or incomplete, service users may wish to refer their complaint to the following depending on which service they are receiving:

(a) **Local authorities**

Where we are providing services on behalf of a local authority service users can also complain to their local authority.

(b) **The Charity Commission**

Service users receiving any of our services can refer their complaint to the Charity Commission.

(c) **Care Quality Commission (CQC)**

The CQC regulate health and care services. The CQC cannot investigate or resolve complaints about these services on your behalf. The CQC does however welcome information about services that are delivered and complaints that are made about these and if provided to them will use this to inform its future inspection programme. You can find more information about the CQC at <http://www.cqc.org.uk/content/complain-about-service-or-provider>



(d) **Fundraising Regulator**

Where an individual is not satisfied with our response regarding a fundraising approach the complaint can be taken to the Fundraising Regulator. You can find more information at: <https://www.fundraisingregulator.org.uk/make-a-complaint/complaints/>

**11 MONITORING AND LEARNING FROM COMMENTS, COMPLIMENTS AND COMPLAINTS**

Gathering feedback from our service users on their experience of our services is important. We use this feedback to improve the service we provide. We will keep and analyse all complaints, compliments and comments we receive and will monitor timescales for responding to them.

We will provide regular reports on the quantity of comments, compliments and complaints submitted, and on the lessons we have learned from them. We will report this information to senior management teams, the Board and annually to our service users through for example, notices at our centres.

**12 TRAINING**

All staff and volunteers will be appropriately trained to provide high quality, customer-focused services. Staff who handle complaints will be trained to manage them effectively.

**13 PUBLICISING OUR POLICY AND PROCEDURES**

Our, Complaints, Compliments and Comments Policy and the process for making a complaint will be publicised and easy to access. It will be available on our website and in our Compliments, Comments and Complaints Leaflet.

**14 POLICY IMPLEMENTATION**

Everyone who works within Age UK Staffordshire has a role to play in identifying mistakes, putting them right and learning from them. To do this effectively, staff need the right knowledge and skills. All staff involved in providing services to service users will be provided with information and training regarding the complaints system and how it works in their section of the organisation.

Staff will also be briefed on how to handle, progress and resolve concerns and complaints and help each other develop key skills, through learning and ongoing training.

Complaints, compliments and comments will also be reported to the Age UK Staffordshire Board and Management Team, to enable lessons to be shared as appropriate with other organisations and/or services. They will also be made available to commissioners of services, the Care Quality Commission and other external bodies as appropriate.

Age UK Staffordshire Management Team will produce an annual report covering all services, to ensure that any trends are identified and that all lessons have been captured. Each report will detail:

- The number of complaints received.
- Issues raised by those complaints.
- Whether complaints have been upheld.
- The number of cases referred to an external body
- Significant issues raised by complaints.
- Lessons learnt and actions taken.

## 15 USEFUL LINKS

The Care Quality Commission: [www.cqc.org.uk](http://www.cqc.org.uk)

The Charity Commission: [www.gov.uk/government/organisations/charity-commission](http://www.gov.uk/government/organisations/charity-commission)

The Local Government Ombudsman: [www.lgo.org.uk](http://www.lgo.org.uk)

Health Watch Staffordshire: <http://healthwatchstaffordshire.co.uk/>

Fundraising Regulator: <https://www.fundraisingregulator.org.uk/about/purpose-strategy/>