# Policy 8: COMPLIMENTS, COMPLAINTS, COMMENTS AND CONCERNS POLICY AND PROCEDURE

Last updated by: SH, JP, RS

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<th>Version</th>
<th>Changes</th>
<th>Policy Date</th>
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<td>April 19</td>
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1. Introduction and intention

i) Age UK York (AUKY) and its Trustees operate within a range of policies and procedures to ensure that the services we provide are of a high quality;

ii) No one connected to AUKY will receive less favourable treatment on the grounds of disability, ethnic origin, gender, marital status, political allegiance, race, religious belief or sexual orientation;

iii) AUKY appreciates compliments, complaints, comments and concerns since these assist with improving our services and also ensures that where our services cause difficulties they can be quickly dealt with.

2. The service user's card

a) A "Customer/Service User Card" is given to all service users when they are first visited by an AUKY member of staff or volunteer;

b) A copy of our full services leaflet is also given to each service user;

c) The Card contains the AUKY address, telephone numbers and e-mail address together with contact hours;

d) The card also shows the specific services provided as they relate to the individual service user, the names of service providers, contact details and the names and numbers of their fellow service workers and the service manager where appropriate;

e) The Card also states:

"We aim to provide a high quality service and would welcome your comments. If you would like a copy of our Compliments, Complaints and Comments Procedure leaflet please contact us. All information is covered by the Data Protection Act 1998. Age UK York staff and volunteers have the right to refuse to enter a house where to do so their health and safety might be compromised. Age UK York follows equal opportunity and confidentiality policies."

3. The right to complain or make any comment

a) Any service user or other individual connected with AUKY services who feels that they have received a service of a less than acceptable level, or is aware of such a service, has the right to make a complaint to AUKY;

b) AUKY and its Trustees take any complaints about any aspect of their services seriously. They will investigate all complaints and will deal with them as appropriate;

c) Complaints may result in an alteration to some aspect of the service;
d) Complainants should not feel that if they make a complaint they will be in some way penalised or have a service withdrawn from them;

e) AUKY always appreciates any comments and these can also be made to any staff member via letter, phone call or e-mail.

3. Protection of service users

a) AUKY provides its services in the best interests of, and for the support of, its service users;
b) From time to time, AUKY staff become aware of situations that are undesirable or dangerous for service users. In such instances, AUKY staff may alert the police to their concerns or may advise service users of their right to do so;
c) All complaints are recorded and are maintained in accordance with the Data Protection Act and General Data Protection Regulations (GDPR).

4. The complaints process

a) Complaints can be made publicly or privately, by telephone, in writing, electronically, personally or through a third party. However, anonymous complaints may be disregarded if it is not possible to investigate the complaint;
b) Complaints can also be made via the Customer/Service User Card, which is given to all service users when a service is first provided or a visit made. This Card, which has relevant staff contact details, is accompanied by the appropriate service leaflets and is explained to the service user by the AUKY staff member or volunteer;
c) The complainant will be told that the complaint will be investigated and that a response from management staff or the Trustees will be provided at the earliest possible time and normally within 5 working days. If the investigation is to take longer than this, the complainant will be kept informed of the progress of the complaint;
d) All complaints are taken seriously and are recorded in accordance with data protection;
e) All complaints are 'formal' in the sense that they are recorded, but a complainant may be asked if s/he wishes to make a formal complaint and may decline to do so. However, details of the complaint must be recorded, unless the complainant remains anonymous. This is because it may still be a warning about a service user’s difficulties which will alert staff to a situation, or it may, on investigation, result in an improved service;
f) Complaints are always referred to a Deputy Chief Officer (DCO) for investigation;
g) Where a complaint involves another agency such as the City of York Council, the CCG or individual medical practice, the DCO will consider whether it may be appropriate to act contrary to confidentiality principles (if a service user is in danger). Alternatively, the DCO will inform the service user that the matter cannot be taken further without her/his express permission to pass on their personal details to the relevant agency;
h) Any investigation will usually include at least one visit by the DCO who will be accompanied by another staff member, and if it is a staff member or volunteer who is the subject of the complaint, that worker will not accompany the DCO on that occasion;
i) The DCO will then take further action as deemed necessary;

j) Following investigation, the DCO will explain the outcome to the complainant and will follow this up with a letter, a copy of which will be kept in the service user's file. A record of the investigation will also be kept in the service user's file;

k) If the complainant is still unhappy with the outcome of their complaint, s/he will be invited to write a letter of complaint to the AUKY Board of Trustees which will continue the complaints process as follows:

   - The Trustees will nominate a Complaints sub-committee;
   - The Chair of the Complaints Committee (who will be the Chair of AUKY) will write a letter inviting the complainant to attend a meeting of the Committee, accompanied by a friend or relative, at which their complaint will be investigated. This letter will be sent within 5 days of receipt of the complainant's letter;
   - The complainant will be informed in writing of the outcome of the Sub-committee's investigations and decision;
   - A record will be kept of the original investigation and its decision, the complainant's letter, the Chair's invitation letter, and the notes of the investigation meeting;
   - The Chair will pass this record to the Board of Trustees and the record will be held securely in a locked cabinet;

l) If the complainant is still unhappy with the outcome of the complaint, they will be advised that they can complain to Citizens Advice;

m) Citizens Advice may investigate the complaint, calling for the record of the complaint kept by AUKY, or may refer it back to AUKY;

n) Complaints concerning AUKY services that are CQC registered will also be relayed to that body and complainants may complain to the CQC if they wish;

o) If the complaint or problem has led to a need for a change in policies or procedures or for any action to be taken with regard to Human Resources this will be recorded on the central complaints file held in the Finance and Administration HR file on the IT system.

5. Appeal

i) If the complainant is dissatisfied with the outcome of the investigation, the complaint will be referred to the AUKY Trustees and will be discussed at their next Board meeting;

ii) The Trustees will decide on what action to take. This may include the nomination of two or more Trustees who will offer to meet the complainant, with a friend or relative, to discuss the situation. This offer will be in writing and any such meeting will be held in a venue agreeable to the complainant. A formal record of this meeting will be kept and it, and the outcome, will be copied to the complainant and a copy kept in the service user's file.

6. Follow-up

i) AUKY workers are highly motivated and it can be distressing if they are the subject of a complaint when they are seeking to provide the best service for a service user;
ii) Because of this, while they will have a formal discussion with the DCO as part of the investigation of the complaint, this will not of itself constitute any part of a disciplinary process;

iii) Any AUKY worker finding him/herself in this situation will receive support from another senior manager;

v) If the investigation results in the identification of a gap in the service provision process or some other action that can be taken to improve the service, the DCO will put this in train wherever possible;

v) If the complaint is indicative of some difficulty experienced by the service user, including a developing illness, the DCO will take appropriate action and this will be recorded in the service user's file;

vi) Where compliments or comments are received, these will be passed to the relevant staff member or volunteer as well as being reported to the Trustees. In appropriate circumstances, compliments and comments will be circulated to all staff, volunteers and the Trustees. These will be anonymised.
AGE UK YORK
COMPLAINTS FORM

NB Will all those involved in the complaint please sign and date their entry

Name of Complainant .................................................................

Date of Original Complaint ......................................................

Service Organiser to whom complaint referred ..............................

Nature of Complaint .................................................................

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<tr>
<td>Resolved by CO, DCO or BDM</td>
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<td>Passed on to the Complaints Committee</td>
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<td>Resolved by the Complaints Committee</td>
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<td>Further Action Needed – e.g. systems/policies</td>
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<tr>
<td>7 Policy 8: COMPLIMENTS, COMPLAINTS, COMMENTS AND CONCERNS POLICY AND PROCEDURE V2</td>
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Docs to be attached.