



# Phoenix Community Care Ltd Policy & Procedure

## Complaints Procedure

*This policy can be made available, on request, in other languages and in other formats such as audio and Braille.*

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# Phoenix Community Care Ltd Policy & Procedure

## **Complaints Procedure**

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# Complaints

## Introduction

This procedural arrangement is to be used alongside other PCC policies and procedure as and when required. This procedural arrangement is effective immediately and requires the full co – operation of all staff, management, service users and volunteers.

## Complaints

PCC has set in place a 12 month time limit for which complaints can be made. Complaints made 12 months after the incident will be recorded but will not be investigated.

A 12 month limit will not be applied if PCC are satisfied that:

- The complainant can give a good reason why the complaint was not made sooner and that
- Despite the delay, it is still possible to investigate the complaint effectively and fairly.

## Internal reporting procedure

### Policy Statement

From time to time situations arise which PCC recognise may give cause for complaint, this may come from a member of staff relating to their employment or the way they have been treated by a service user. Service users may wish to complain about a member of staff or something about their accommodation. Complaints may also come from volunteers, contractors or members of the public.

It is important to distinguish whether it is a complaint, concern, grievance or incident. According to what is identified so the relevant policy should be referred to.

This policy has accompanying procedures which must be followed in the case of a complaint.

### Key principles

- PCC believes it is the right of every employee, service user volunteer others associated with PCC or members of the public to raise a complaint should they feel it necessary.
- All staff, service users volunteers and any other associated with PCC should have the complaints policy brought to their attention when first coming into the organisation and it is explained how and to whom a complaint should be

made.

- For the service users a copy of the complaints procedure is given to them on admission to the service and it is also displayed on the wall in the communal kitchen. Complaint forms are available in the house folders, which their key worker will show them and help them fill in if requested.
- Staff members are informed during their induction of the complaints procedure and instructed on how to advise volunteers, contractors or members of the public to raise a complaint.
- PCC will take any complaint seriously
- The content of the complaint will usually be treated confidentially but their concerns may be shared if they or others agree there is significant risk to the person [s] named in the statement
- If the person named in the statement is a service user, they will be given immediate protection from the risk of reprisals or intimidation
- If staff, they will be given support and afforded protection if necessary e.g. under the public disclosure act 1988 and Whistle blowing policy
- The complaint will be dealt with in a fair and equitable manner
- The person making the complaint will be kept informed of any action taken and its outcome
- It is hoped that most times an official complaint can be avoided by dealing with the complaint effectively and immediately at point of raising. Some times this may require an apology or a repair doing on site.
- Whatever the circumstance and whoever is making the complaint PCC will treat the issue fairly and in a consistent manner.
- PCC aims to conclude all complaints within six months.

## **Complaint procedure**

These procedures should be used in conjunction with the relevant policy statement.

Every effort should be made by all those involved to resolve the complaint at an early stage and through the normal line management processes. Should the internal procedure of resolving the complaint not satisfy the person complaining or should the complaint raised show the need, then the external complaints procedure should be evoked.

## Complaints Manager

Pauline Hawkes is the complaints manager for PCC.

- She is to be informed of all complaints, regardless of their severity or how they were received or whether they are internal or external.
- She will oversee all complaints from receipt to their resolution.
- She will allocate someone to investigate each complaint appropriate to the situation.
- Any person allocated to investigate a complaint should ensure that the Complaints Manager is kept informed of any/all developments and is copied into all communications.
- She will communicate and cooperate with any other agencies involved in the care provision of the user; including Social Services and Primary Care Trusts, where and when applicable.

## Internal complaints procedure

The following procedure sets out the steps to be taken if any employee, service user, volunteer, contractor or member of the public has a complaint and how the complaint will be dealt with. It sets down time limits on each stage to ensure that any complaint is dealt with as quickly as possible.

Every effort will be made to provide a response in the relevant timescale but if the complaint is complex and requires investigation or it looks as if the external complaints procedure needs to be followed due to the seriousness of the complaint, or the complaint needs immediate action from the police, then the person raising the complaint will be notified in writing of the course of action being taken.

In order for the complaints process to start the person raising the complaint should first fill in the complaints form and give it to their key worker, line manager or office manager at PCC, 21 – 23 Bath Road, London N9 OJX. APPENDIX 1

The person receiving the complaints form needs to check the following before passing it on to the Complaints Manager:

- The correct complaints form has been used
- The form has been filled in correctly and is legible
- The full name of the person making the complaint is legible
- The address for further contact and telephone number are correct
- If the form has been completed by someone other than the person making the complaint their full name and address telephone number and their relationship to the person making the complaint is correct
- The contents of the complaint need to be legible and explain clearly what the cause of the complaint is. If the complaint is raising issues around

treatment, abuse, harassment, bullying or other conduct matters then times, dates, and venue need to be entered.

- The person raising the complaint must sign and date the form and the person on behalf of PCC receiving the complaints form must sign and date they have received the complaint form.
- Advise the person raising the complaint that they will receive a written response within 21 days
- Once the complaint has been checked for correctness the details must then be put into the compliments / complaints book.
- Complaints made by email will automatically be received by the Complaints Manager who will then ensure that the relevant people are made aware of the complaint. All emailed complaints should be saved into the complaints online file.
- The Complaints Manager must be informed of all complaints. He will allocate someone to investigate the complaint.

### **Complaint relating to abuse, harassment or bullying**

If the complaint is raising issues of abuse, harassment or bullying then the relevant PCC policies and procedures need to be adhered to remembering any incident under POVA need to be dealt with immediately by the service manager. The service manager will need to invoke the PCC Protection of the vulnerable adult policy alerting the relevant authorities and PCC board of directors. The board of directors and the manager may decide immediate police intervention is required in this case the police enquiry takes priority over PCC investigation. Reference to manager's guidelines 'How to conduct an investigation' will give further information.

### **Complaints relating to property**

If the complaint is to do with buildings, repair or damage to property it needs to be forwarded to the property maintenance manager. At the Ebase office there is a white board where all information regarding the properties is logged. The property maintenance manager has a basket where all paper work can be left and messages can be left on E – mail or phone. The property maintenance manager (or the person on call) makes contact daily to Ebase and at weekends can be contacted through the emergency on call rota.

Each property has a house folder which is kept at Ebase and the property manager logs all complaints / incidents/ accidents in the individual house folders. Any member of staff wishing to know how the complaint is progressing will find the information in the house folder and on the white board. When the property maintenance manager receives a complaint contact will be made with the key worker, service user or key worker co – coordinator to clarify the situation and an inspection of the information raised in the complaint will take place. If it is something which the property maintenance manager is able to rectify immediately or can be dealt with by an outside contractor, action will be taken to this effect and a report sent to the key worker co – coordinator and the person raising the complaint notified that the works have been done.

If the complaint requires major work or is outside of the property maintenance manager's budget, the complaint will be forwarded to the board of directors for a decision. Once a decision has been made by the board of directors the person raising the complaint will be notified of their decision, and if permission has been given to go ahead, the property maintenance manager will make a programme of works to be done and a proposed time scale of starting the works.

## Complaints from service users

Complaints can be made by telephone, in person, in writing or by email. A step by step guide, containing all relevant contact details, is displayed in all our homes and clients are given a copy during their initial meeting/induction. APPENDIX 4 All complaints will be acknowledged, in writing, within three working days. The acknowledgement letter will include details of the person that will carry out the investigation.

- Telephone complaints:
  - Ensure you have the correct personal details of the complainant.
  - Inform the complainant that a written record will be made of the telephone conversation and that they will receive a copy.
  - Ensure the complainant receives a written record of their complaint within three working days.
  - The complaint will then follow the normal complaints procedure as laid out in this policy.
- In person
  - Complaints may be made verbally to key workers or to managers and staff at PCC offices. They should be treated as important as complaints made in writing.
  - Ensure you make a record of the complainant's personal details.
  - Ensure you record accurately the details of the complaint.
  - If a complaint is being made during an informal visit to the house then for clarity and understanding you should repeat the details of the complaint back to the complainant, if they are happy that you have understood them you should then explain that you will send them a written record of the complaint within three working days.
  - The complaint will then follow the normal complaints procedure as laid out in this policy.
- By email
  - All complaints made using the correct email address will be received directly by the Complaints Manager who will then deal with them according to this policy.
  - Any emails received via other email addresses will be forwarded to the Complaints Manager at [infor@phoenixcommunity.co.uk](mailto:infor@phoenixcommunity.co.uk).

## Anonymous Complaints

Even though anonymous complaints cannot be responded to directly in writing or other communications, they are still taken seriously and investigated. Anonymous complaints should be:

- Recorded in the complaints booked.

- Brought to the attention of the Complaints Manager.
- Investigated appropriately and as far as is possible without having a complainant to correspond with.
- A resolution should be reached and recorded.

## **Complaints Made By Representatives**

Complaints will only be received from representatives under the following conditions:

Either:

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

## **General complaints**

Any complaint not falling in the above categories will follow the usual line of procedure.

1. The complaint is logged at the PCC office, 21 – 23 Bath Road N9 0JX.
2. The complaint is brought to the Complaints Manager's attention immediately.
3. Acknowledgement of the complaint is given within 24 hours.
4. The complaint is recorded in the compliment / complaints book
5. The complaint is investigated.
6. An outcome is decided and appropriate action taken to resolve the complaint
7. The person raising the complaint is informed in writing within 21 days. If the investigation should take longer than this to resolve then the complainant should still be informed in writing within 21 days stating what further actions are being taken and when a resolution can be expected.
8. All communications should be recorded and dated.

## **The right to appeal.**

If the person who raised the complaint is unhappy with the outcome, they should write to the board of directors explaining why they are unhappy with the outcome of



their complaint .The board of directors must then respond by explaining the reasons the decision was made or making revised recommendations or setting up a further investigation.

The person raising the complaint should be told of their right to take their complaint externally.

## **Complaints**

### **External reporting procedure**

#### **Employees**

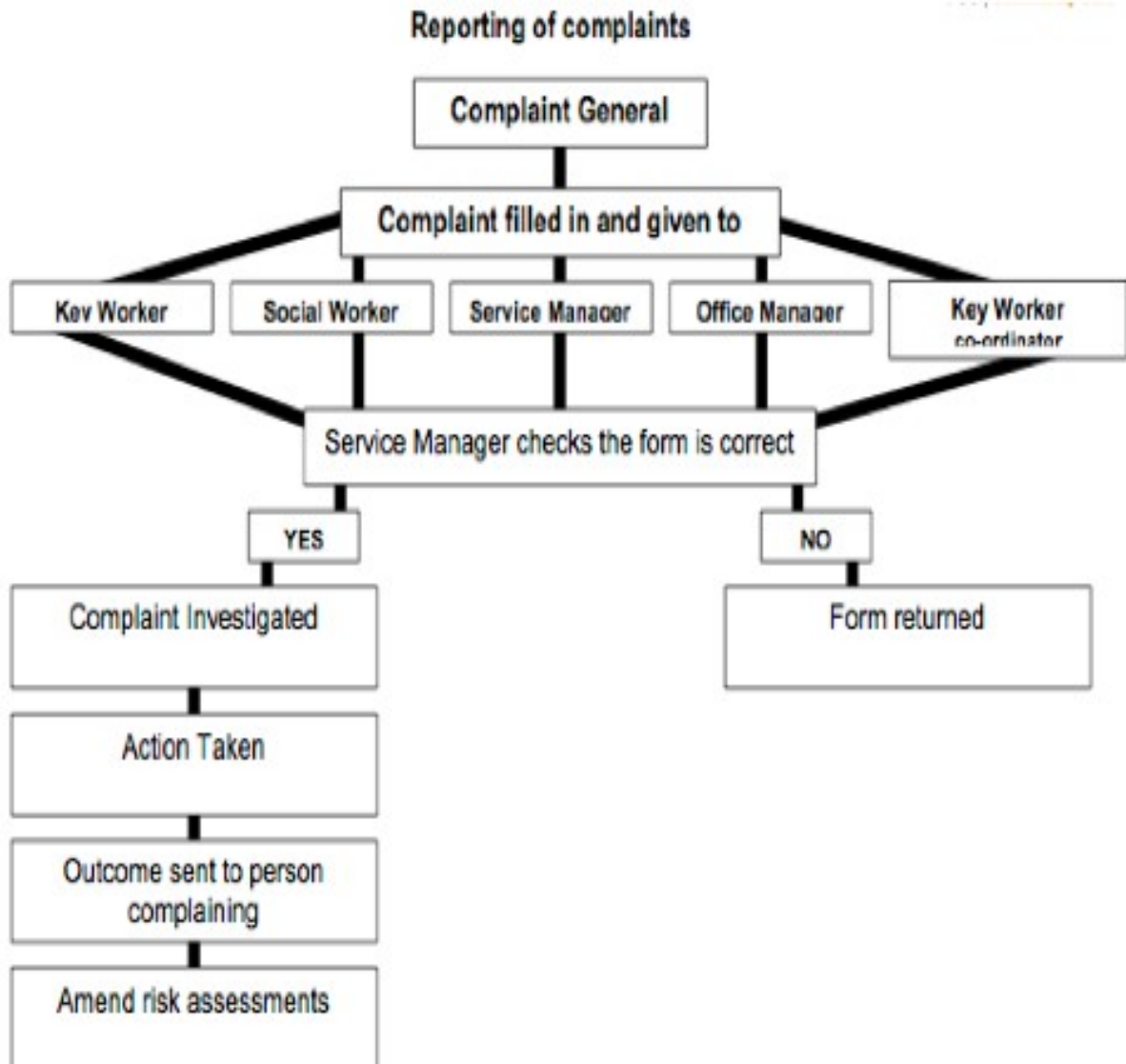
If any employee has raised a complaint through the PCC complaints system regarding anything to do with their terms and conditions of employment or work related issues and they are unhappy with the outcome despite appealing against the decision through the board of directors, the following organizations can be contacted for advice:-

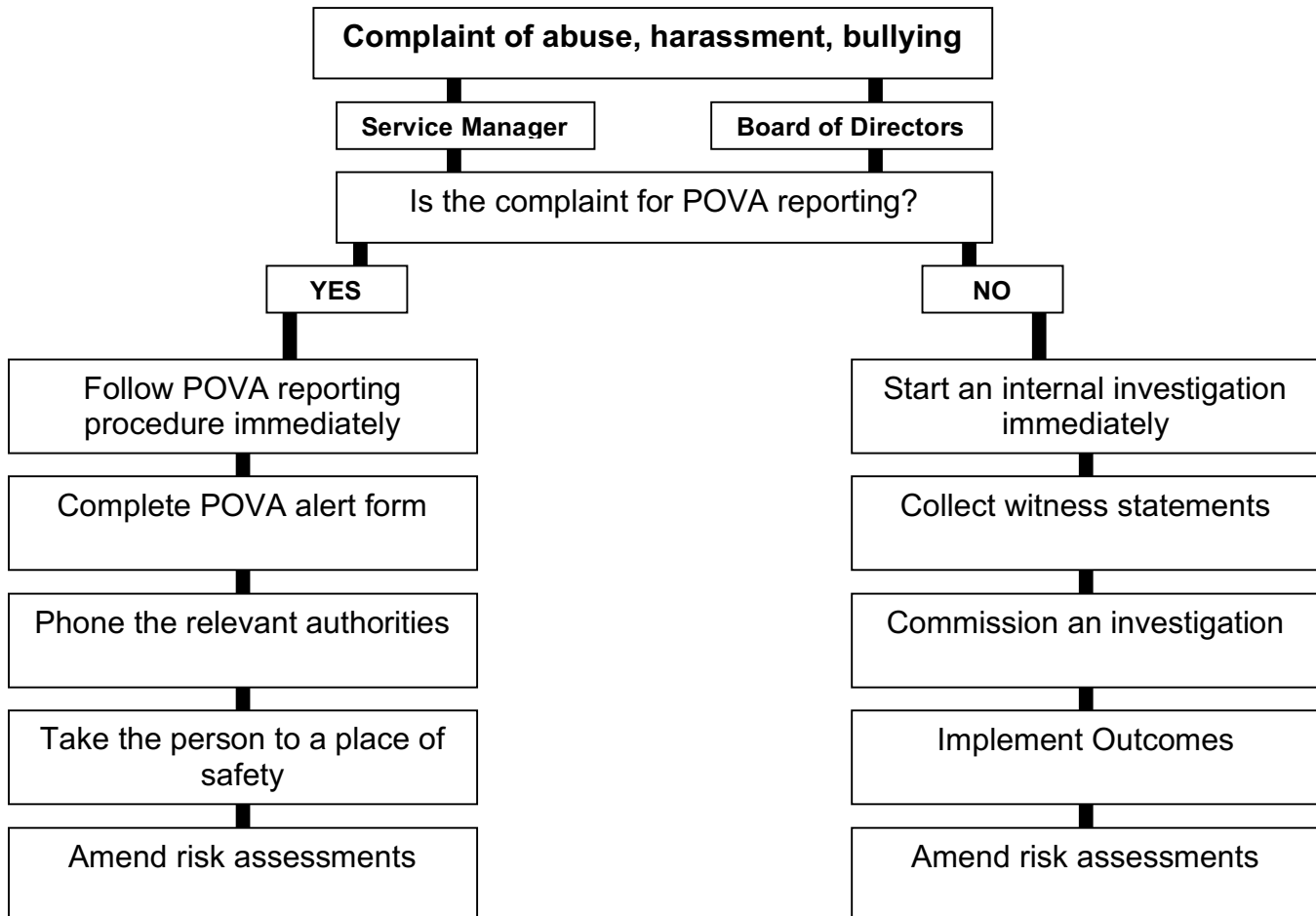
- Their union
- Public Concern at Work [ PcaW ]
- Health and Safety Executive [HSE]

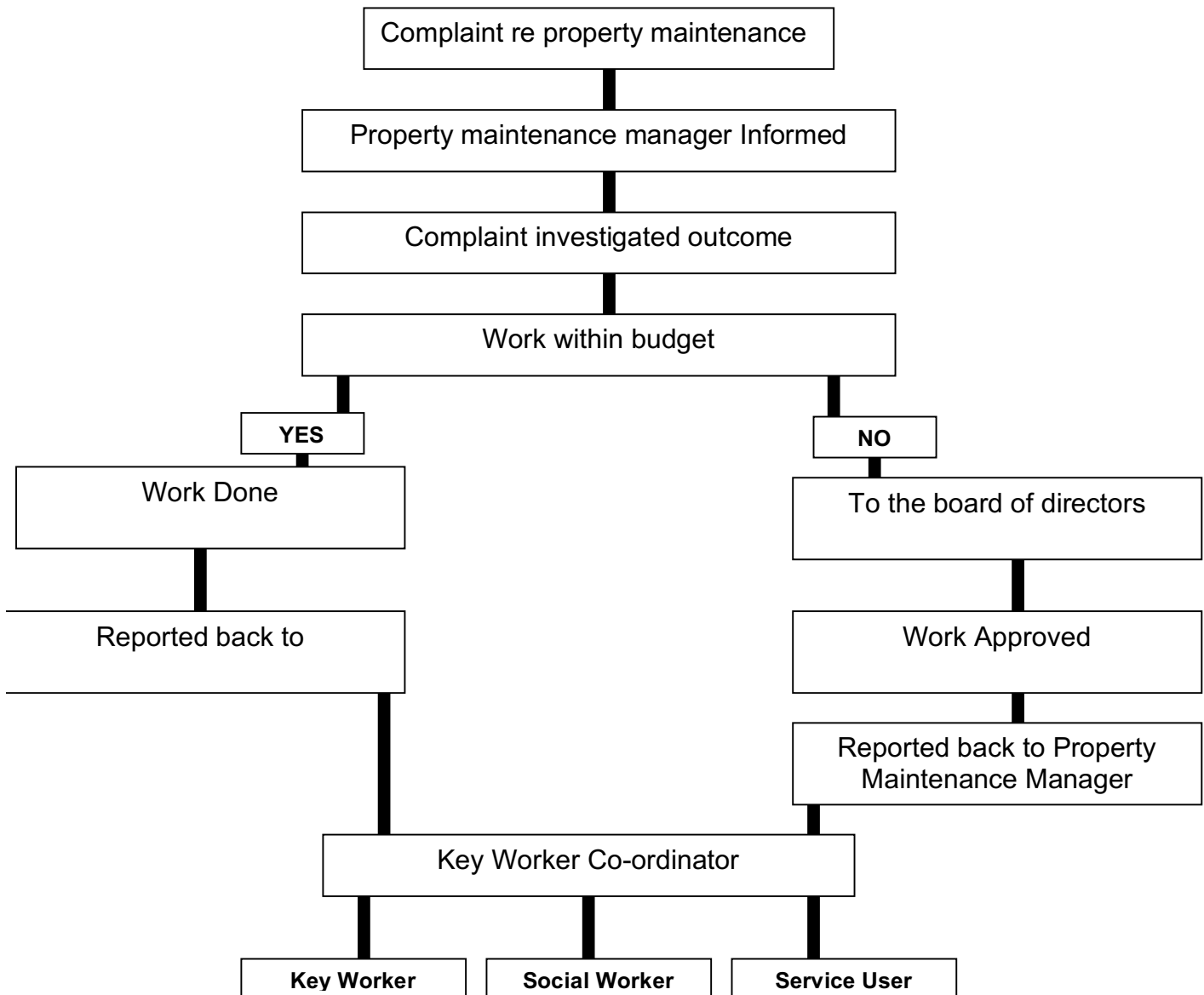
#### **Service users**

All service users are informed of their right to appeal when admitted to the service. This can be in relation to decisions made at reviews, but the same applies with complaints. If after going through the appeal process they remain unhappy with outcome, the following organizations can be contacted for advice:-

- Speak to their social worker
- If under 18years of age - The commission for social care inspection
- If over 18 the authority funding their care
- If the matter refers to standards of care Quality assurance framework team from whom the service user is receiving their funding.







## Making a Complaint

PCC try their best to ensure you are satisfied with the provision you receive, however, we are aware that from time to time problems may occur. If you feel you have a complaint either regarding PCC or other service users please use the following steps:

### Complaints can be made by:

- **Telephone** – 02088876888. Ask to speak to the Complaints Manager.
- **In person** – you may speak to your key worker or you may come to the PCC office; 21 – 23 Bath Road, London N9 0JX.
- **By email** – [info@phoenixcommunity.co.uk](mailto:info@phoenixcommunity.co.uk)
- **By completing the complaints form** – this is available in the PCC house folder. Once completed you can hand it to your key worker or mail it to PCC, 21-23 Bath Road, London N9 0JX.
- **By letter** – you can write a letter of complaint and mail it to PCC, 21-23 Bath Road, London N9 0JX

### Once a complaint has been received PCC will take the following action:

- You will receive a letter of acknowledgement within 3 working days. This letter will tell you the person that will investigate your complaint and will invite you into PCC's office to discuss the matter with our Complaints Manager.
- If you do not wish to discuss your complaint, PCC will still investigate it and will give you a response within 21 working days.
- If you are not satisfied with your response you should let PCC know in any of the above methods. PCC will review your complaint again and will take advice from the Directors and will respond to you within 21 working days from receiving notice of your dissatisfaction.

### If you are not satisfied or would like to take the matter further you may take any of the following actions:

- Inform your allocated social worker or the local authority that has placed you with PCC.
- Inform the Local Government Ombudsman (LGO). This is a free, independent service. You can contact the LGO advice team for help and advice or to register your complaint with them.
  - T; 03000610614
  - E: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)
  - W. [www.lgo.org.uk](http://www.lgo.org.uk)

***Please note: all complaints are recorded and kept on file. You may request information about your complaint at any time.***

**This procedure can be made available in any language or format as requested. Your key worker will assist you in making a complaint if you would like help.**