

COMPLAINTS POLICY & PROCEDURE

Policy Statement

Tender Care Services Limited believes that if a service user wishes to make a complaint or register a concern they should find it easy to do so. It is Tender Care Services Limited's policy to welcome complaints and look upon them as an opportunity to learn, adapt, improve and provide better services. This policy is intended to ensure that complaints are dealt with properly and that all complaints or comments by clients and their relatives and carers are taken seriously.

The policy is not designed to apportion blame, to consider the possibility of negligence or to provide compensation. It is not part of Tender Care Services Limited's disciplinary policy.

Tender Care Services Limited believes that failure to listen to or acknowledge complaints will lead to an aggravation of problems, service user dissatisfaction and possible litigation.

Tender Care Services Limited supports the principle that most complaints, if dealt with early, openly and honestly, can be sorted at a local level between the complainant and Tender Care Services Limited. If this fails due to the complainant being dissatisfied with the result, Tender Care Services Limited will respect the right of the complainant to take the complaint to the next stage.

Tender Care Services Limited's complaints procedure complies fully with the current legislation and regulations.

Aim of the Policy

The aim of Tender Care Services Limited is to ensure that its complaints procedure is properly and effectively implemented and that clients feel confident that their complaints and worries are listened to and acted upon promptly and fairly.

Goals

The goals of Tender Care Services Limited are to ensure the following.

1. Clients, their representatives and carers are aware of how to complain and that Tender Care Services Limited provides easy to use opportunities for them to register their complaints.
2. A named person will be responsible for the administration of the procedure.
3. Every written complaint is acknowledged within two working days.
4. Investigations into written complaints are held within 28 days.
5. All complaints are responded to in writing by Tender Care Services Limited.
6. Complaints are dealt with promptly, fairly and sensitively with due regard to the upset and worry that they can cause to both staff and clients.

The named complaints manager with responsibility for following through complaints is:
ABBY RUSSELL.

Tender Care Services Limited believes that, wherever possible, complaints are best dealt with on a local level between the complainant and Tender Care Services Limited. If either of the parties is not satisfied by a local process, the person will be advised that they can take their complaint to the local authority, if they receive funding support from it, or directly to the Local Government Ombudsman if they are self-funding. Local authority-funded residents may also decide to take their complaint to the Local Government Ombudsman if they are dissatisfied with the way that Tender Care Services Limited or the local authority has handled their complaint.

The Care Quality Commission states that it will always welcome hearing about any concerns, though it will not investigate any complaint directly. It can be contacted by phone on 03000 616 161, by e-mail to enquiries@cqc.org.uk or by post to:

Care Quality Commission

Citygate

Gallowgate

Newcastle-upon-Tyne NE1 4PA.

In the event of the complaint involving alleged abuse or a suspicion that abuse has occurred, Tender Care Services Limited will refer the matter immediately to the Local Safeguarding Board manager. Usually the board will call a strategy meeting to decide on the actions to be taken next. This could entail an assessment of the allegation by a member of the Safeguarding Authority team.

Verbal Complaints

1. All verbal complaints, no matter how seemingly unimportant, should be taken seriously.
2. Front-line care staff who receive a verbal complaint should seek to solve the problem immediately.
3. If staff cannot solve the problem immediately they should offer to get the manager to deal with the problem.
4. All contact with the complainant should be polite, courteous and sympathetic. There is nothing to be gained by staff adopting a defensive or aggressive attitude.
5. At all times staff should remain calm and respectful.
6. Staff should not make excuses or blame other staff.
7. If the complaint is being made on behalf of the service user by an advocate it must first be verified that the person has permission to speak for the service user, especially if confidential information is involved. It is very easy to assume that the advocate has the right or power to act for the service user when they may not. If in doubt it should be assumed that the service user's explicit permission is needed prior to discussing the complaint with the advocate.
8. After talking the problem through, the manager or the member of staff dealing with the complaint should suggest a course of action to resolve the complaint. If this course of action is acceptable then the member of staff should clarify the agreement

with the complainant and agree a way in which the results of the complaint will be communicated to the complainant (ie through another meeting or by letter).

9. If the suggested plan of action is not acceptable to the complainant then the member of staff or manager should ask the complainant to put their complaint in writing and give them a copy of Tender Care Services Limited's complaints procedure.
10. In both cases details of the complaints should be recorded in the complaints book.

Written Complaints

Preliminary steps

1. When a complaint is received in writing it should be passed on to the named complaints manager who should record it in the complaints book and send an acknowledgment letter within two working days. The complaints manager will be the named person who deals with the complaint through the process.
2. If necessary, further details should be obtained from the complainant. If the complaint is not made by the service user but on the service user's behalf, then consent of the service user, preferably in writing, must be obtained from the complainant.
3. A leaflet detailing Tender Care Services Limited's procedure should be forwarded to the complainant.
4. If the complaint raises potentially serious matters, advice should be sought from a legal advisor. If legal action is taken at this stage any investigation by Tender Care Services Limited under the complaints procedure should cease immediately.
5. If the complainant is not prepared to have the investigation conducted by Tender Care Services Limited he or she should be advised to contact the local authority (if it provides the individual's funding) or the Local Government Ombudsman service (if the individual self-funds) or an organisation such as Age UK or Counsel and Care, which can provide advice on how to proceed. The CQC could also be contacted under these circumstances, though it will not investigate a complaint directly.

Investigation of the Complaint

1. Immediately on receipt of the complaint Tender Care Services Limited should launch an investigation and within 28 days Tender Care Services Limited should be in a position to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned.
2. If the issues are too complex to complete the investigation within 28 days, the complainant should be informed of any delays.

Meeting

1. If a meeting is arranged the complainant should be advised that they may, if they wish, bring a friend or relative or a representative such as an advocate.

2. At the meeting a detailed explanation of the results of the investigation should be given and also an apology if it is deemed appropriate (apologising for what has happened need not be an admission of liability).
3. Such a meeting gives Tender Care Services Limited the opportunity to show the complainant that the matter has been taken seriously and has been thoroughly investigated.

Follow-up action

1. After the meeting, or if the complainant does not want a meeting, a written account of the investigation should be sent to the complainant. This should include details of how to approach the local authority complaints service or Local Government Ombudsman if the complainant is not satisfied with the outcome.
2. The outcomes of the investigation and the meeting should be recorded in the complaints book and any shortcomings in procedures should be identified and acted upon.
3. The management should discuss complaints and their outcome at a formal business meeting and the complaints procedure should be audited by the manager every six months.