**Complaints, Compliments & Suggestions Policy and Procedure**

**Purpose**

* To comply with statutes, regulations and quality standards in relation to operating an effective system that receives, records, investigates and provides resolution of any complaint made.
* To demonstrate transparency and fairness throughout the process and to monitor to ensure the rights of young people are maintained and that they are not subject to possible abuse at any stage during this procedure.
* To provide a clear set of guidelines for all staff and young people to know how to alert the Registered Service Manager, who will notify the Director, of any issue that they feel may warrant being formalised into a complaint.
* To ensure that the Local Government Ombudsman guidelines are adhered to.

**Scope**

* All young people
* All visitors to the establishment
* Relatives.
* Other professionals outside agencies.
* All employees.

**Policy**

The purpose of this policy & procedure is to guide employees in identifying the correct procedure to follow should a complaint, compliment and/or suggestion be presented to staff at any time. If a written complaint is serious enough to require notification to an external body, then please ensure that you read and follow the relevant policy & procedure to enable this; a Registered Service Manager and/or a Director will take forward any notification to an external body and it is the member of staff’s duty on receiving the complaint to ensure that a senior manager is made aware of it at the earliest opportunity. In all other circumstances, when a written complaint, compliment and/or suggestion is made then please follow the procedure below.

**Procedure**

**General guidance**

People who can complain

A complaint can be made by:

* Someone who receives or has received our services;
* Someone who is affected (or likely to be affected) by the action, omission or decision of the provider who is the subject of the complaint; or
* A representative of either of these, under certain conditions.

If a provider is not satisfied that the representative is acting with the young person's consent or in their best interests, the provider must notify the representative in writing, and state the reason for its decision.

Complaints the organisation is not obliged to investigate:

* A complaint by an employee relating to their employment (the correct route is for the employee to refer to their grievance procedure).
* A complaint that was made in person or by telephone and is resolved to the complainant's satisfaction no later than the next working day after the day the complaint was made; and
* A complaint that has already been investigated and resolved.

In these circumstances, the provider will, as soon as is reasonably practicable, notify the complainant in writing of its decision to not investigate the complaint and the reasons why.

* A complaint can be made: by telephone; in writing; by email; or in person. All responses will be made/followed up in writing.
* A complaint must be made no more than 12 months after:
	+ The date the event occurred, or if later,
	+ The date the event came to the notice of the complainant.
* The time limit will not apply only if the designated Complaints Manager for the service is satisfied that:
	+ The complainant can give a good reason for not making the complaint within that time limit; and,
	+ Despite the delay, it is still possible to investigate the complaint effectively and fairly.
* Anonymous complaints - The organisation will only accept complaints from a third party under certain conditions:
	+ Where the Complaints Manager knows that the young person has consented, either verbally or in writing;
	+ or,
	+ Where then young person cannot complain unaided and cannot give consent because they lack capacity within the meaning of the Mental Capacity Act 2005; and
	+ The appointed representative is acting in the young person's best interests - for example, where the matter complained about, if true, would be detrimental to the young person.
* All young people are advised that once their complaint has been fully dealt with by the organisation and, if they are not satisfied with the outcome then the young person can complain to the Local Government Ombudsman (LGO). The LGO provides a free, independent service. Young people can contact the LGO Advice Team for information and advice, or to register their complaint:
	+ T: 0300061 0614
	+ E: advice@lgo.org.uk
	+ W: [www.lgo.org.uk](http://www.lgo.org.uk)
* The LGO will not usually investigate a complaint until the provider has had an opportunity to respond and resolve matters.
* Cosmos Care Services understands complaints to be an expression of dissatisfaction requiring a response, communicated verbally, electronically, or in writing. Complaints may be made by any young persons, their family or advocate acting on their behalf, with their consent or in their best interests
* Cosmos Care Services takes complaints seriously. We will aim to put things right that have gone wrong and learn lessons to avoid the problem happening again. This policy sets out the framework for how Cosmos Care Services will achieve this. The detail of how Cosmos Care Services will do this will be found in the associated procedures.
* Cosmos Care Services will comply with legislation, national guidelines, regulation and best practice when managing complaints and suggestions. A systematic approach will be taken with all aspects of complaints and suggestions
* Complaints or concerns by staff will be addressed via the grievance process if the complaint or concerns relates to them individually or the Whistleblowing procedure where a protected disclosure is made
* Cosmos Care Services will ensure that the complaints and compliments process at Cosmos Care Services is fair and transparent and does not discriminate directly or indirectly because of the following:

• Age

• Being or becoming a transsexual/transgender person

• Being married or in a civil partnership

• Being pregnant or on maternity leave

• Disability

• Race including colour, nationality, ethnic or national origin

• Religion, belief or lack of religion/belief

• Sex

• Sexual orientation

* The complainant will feel free to complain without fear of reprisals and will be treated with courtesy, respect and compassion. Cosmos Care Services
* will ensure that the process of how to make a complaint and the feedback is provided in a way that meets the Accessible Information Standards and is in a format that the young person can understand.

**Seeking Views and Engaging with Young persons**

Cosmos Care Services will seek out opportunities to obtain feedback from young persons and stakeholders. Cosmos Care Services will act with sensitivity, integrity and professionalism by treating individuals who do complain or raise a suggestion with compassion, courtesy and respect. The service will protect the young person's right to confidentiality. Cosmos Care Services will ensure that alternative methods of communication are available so that the complaints and suggestions procedures are accessible for young people who experience difficulties with communication or whose first language is not English.

Staff will undertake training on how to manage complaints in line with their role and responsibilities.

* Cosmos Care Services understands that it can be difficult to separate a complaint from a concern, therefore, Cosmos Care Services will follow this policy when any dissatisfaction arises with the service.
* A full record will be held of all complaints received regardless of the level of seriousness and means of communication. This approach allows an open and transparent culture around raising concerns in the earliest stage to allow resolution. A record of the complaint will also be held in the young person's Pathway Plan and reported in line with contractual or regulatory requirements.

**Safeguarding Concerns**

Where a complaint or concern is raised that relates to a young person being harmed or likely to be harmed, Cosmos Care Services will follow its Safeguarding Policy and Procedures in addition to the complaints procedures, seeking advice and guidance from the Safeguarding team and escalating concerns in line with procedure. Cosmos Care Services will also notify LADO in line with our statutory duty.

**Duty to co-operate**

If a complaint involves more than one provider/commissioner of services, there is a duty on the organisation, the young person’s social worker and the Placing Local Authority to co-operate and provide a single response. It is not good practice for the complainant to receive the outcomes of a disjointed and un-coordinated response; it is essential that each service has opportunity to liaise throughout the investigation process to deliver a unified outcome.

* The Complaints, Comments, Compliments & Suggestions Policy & Procedure is publicly available; the organisation ensures that it is:
	+ Clearly displayed on the organisation website.
	+ Clearly visible at the service.
	+ Provided with each young person’s support agreement, and
	+ References to the Complaints, Compliments & Suggestions Policy & Procedure included within all young person guides provided by the organisation.
* The organisation believes that if a young person wishes to make a complaint or register a concern, they should find it easy to do so. It is the scheme’s policy to welcome complaints and look upon them as an opportunity to learn, adapt, improve and provide better services.
* The nearer the person dealing with the complaint is to direct service delivery, the better the likely outcome of the complaint. That person has a better detailed knowledge of the service and can react quickly and appropriately. An exception to this principle will be made in the case of a complaint which alleges abuse, in which case the complaint will be immediately and directly reported to a senior manager. At this point the safeguarding policy should be followed as per local authority advice and the necessary notification made to the Social Services.
* The complainant will not be singled out or victimised in any way as a result of making a complaint.
* Complaints are dealt with promptly, fairly and sensitively with due regard to the upset and worry that they can cause to both staff and young people.
* The nominated Complaints Manager for this service in the organisation is Kwaku Afram.
* A copy of the Complaints, Comments, Compliments & Suggestions Policy & Procedure will be given to all young people and their representatives as they are admitted to the service and each House.
* In all cases complaints and concerns shall be treated seriously in a sensitive and confidential manner.
* All formal or serious complaints will be investigated by a person not related to the immediate source of the complaint.
* The complaints process will only be regarded as "completed" when the complainant or their representative has indicated, in writing, if possible, that they are satisfied with the outcome of the complaint procedure.
* Complaints and suggestions will in all cases be taken seriously, recorded, their practicality/usefulness investigated, and the instigator informed of the decided outcome.
* Complaints, Comments, Compliments and Suggestions must be handled in such a way as to first of all reach a satisfactory outcome with the complainant, and to turn a potentially difficult and damaging problem into a source of quality improvement.
* The recording of complaints will not be confined to "serious" or "substantial" complaints. The existence of records for complaints of an apparently minor nature is an indication of the effectiveness of the procedure, the openness of the culture of the organisation and its employees, and their vigilance in the area of abuse.
* Employees who are the subject of a complaint should not communicate directly with the complainant unless accompanied by a senior member of staff and unless requested directly to do so by the complainant.
* All employees are warned that written complaints have specific recording rules that must be complied with, and those records will be held where they are freely available to supervisors and managers. Any attempt by staff to conceal a complaint may give rise to formal disciplinary action.
* Complaints will be recorded on young people' files in order to identify any pattern of complaints relating to an individual, including service provision in order to update and review the Pathway Planning process.
* Complaints will be recorded centrally in order to identify any pattern of complaint relating to all or a group of young people. This record will contain minor complaints in addition to serious complaints, and will be accessible to all members of staff where appropriate, unless this is a safeguarding issue. In order for this to be established, members of staff are to make appropriate entries, in a timely fashion, to Pathway Planning or risk assessments.
* Where the complaint gives rise to concerns regarding the wellbeing of one or more young people, serious consideration must be given to suspension of the person or persons complained about, and an investigation must be initiated immediately in order to identify any risk to the health and welfare of the young person involved.
* The central information, with regards to complaints, suggestions and compliments, will be regularly reviewed and analysed. The summary will be regularly considered by the Management Meeting for quality assurance purposes.
* Compliments will be recorded centrally and made available for all parties to read; they will also be recorded on the personnel file of any member of staff individually complimented.

**Oral Complaints**

* All oral complaints, no matter how seemingly unimportant, should be taken seriously. All staff are expected to respond to any complaint in a non-judgemental and open manner; professionalism is expected at all times from staff throughout the process.
* Frontline staff who receive an oral complaint should ensure that the complaint is recorded in the Complaints, Compliments & Suggestions Book before attempting to try to resolve the area of concern as quickly as possible.
* Once a complaint has been received, orally or in writing, it is not for staff to then accept blame, make excuses or blame other staff.
* If the young person requires the assistance of an advocate when dealing with the complaint then it must first be verified that the person has authority to speak for the young person, especially if confidential information is involved. It is very easy to assume that the advocate has the right or the power to act for the young person when they may not. If in doubt it should be assumed that the young person's permission is needed prior to discussing the complaint with the advocate.
* After talking the problem through, the Registered Service 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 to the young person, then the member of staff should clarify the agreement with the person complaining and agree a way in which the results of the complaint will be communicated to the person complaining; this will be either through a further meeting or by letter.
* If the suggested plan of action is not acceptable to the complainant, then the member of staff or Manager should ask the person complaining to put their complaint in writing to the organisation and give them a copy of the ‘Complaints, Compliments & Suggestions’ policy & procedure.

**Written Complaints**

* The Service Level Agreement set by the organisation for responding to written complaints is that it is acknowledged within two working days and that the ensuing investigation and outcomes meeting should occur within a twenty-eight working days timeframe. It is possible, in some circumstances that an investigation process following a complaint can take longer than originally anticipated. If this is the case then there is an expectancy that the time will not exceed six months from date of notification; if the case is extremely complex then it is the Complaints Manager’s responsibility to ensure that the complainant is kept informed of progress, without disclosing sensitive information.
* When a complaint is received in writing it should be passed on to the named Complaints Manager who should record it in the Complaints, Compliments & Suggestions Book and send a letter of acknowledgement to the complainant within two working days.
* The organisation, through the designated Complaints Manager, must be able to respond to complaints both by email and in writing. Telephone conversations are not sufficient in themselves, as they do not constitute a proper record.

Acknowledgement Letters

* The acknowledgement letter should include an offer to discuss the complaint with the complainant at a mutually agreed time, to go over:
* The manner in which the complaint is to be handled; and
* The period (response period) within which the investigation of the complaint is likely to be completed.
* If the complainant does not accept the offer of a discussion, the provider must determine the response period (which should always be within 6 months) and notify the complainant in writing of that period.
* The acknowledgement can be sent by letter or email.
* Take account of the complainant's preferences when communicating with him or her.
* The Complaints Manager will be the named person who deals with the complaint through the process.
* If the complaint is made against the registered service manager, then for fairness and transparency, the complaint process will be led by the manager’s supervisor Tariro Tayaya.
* In all circumstances, further details should be obtained from the person complaining. If the complaint is not made by a young person but on the young person’s behalf, then consent of the young person complaining must be given in writing for the complaint to proceed.
* A copy of the Complaints, Compliments & Suggestions Policy & Procedures detailing the organisation’s procedures should be given to the person complaining at the same time as the acknowledgement letter.
* If the complainant is not prepared to have the investigation conducted by the organisation, he or she should be advised to contact the Social Services Team and be given the relevant contact details.
* The organisation believes that, wherever possible; complaints are best dealt with at a local level between the complainant and the complained-about person(s). If either party are not satisfied by a local process the case should be referred to the Social Services Team.
* Immediately on receipt of the complaint the organisation should launch an investigation and a response made within 28 working days from the date the complaint was received. If there are likely to be any delays then the Complaints Manager has to ensure that the young person who has made the complaint is kept informed and given an estimated time frame for the complaint to be resolved.
* If a meeting is arranged the person complaining should be advised that they may, if they wish, bring a friend or relative or a representative such as an advocate. If the complainant is a young person, then they need to be advised that they will have to provide written permission for the contents of the complaint to be discussed with their advocate.
* At the meeting a detailed explanation of the results of the investigation should be given and also an apology, if it is deemed appropriate. Such a meeting gives the organisation an opportunity to show the person complaining that the matter has been taken seriously and has been thoroughly investigated.
* After the meeting, or if the person complaining 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 Social Services if the complainant is not satisfied with the outcome.

Final Response Letter

* The final response letter must include a report giving:
* A detailed explanation of how the complaint has been considered.
* The conclusions reached, including any remedial action needed; and confirmation that any action needed has either already been taken or, if not yet taken, the proposed timescale when such action will be completed.
* The letter must inform complainants of their right to take their complaint to the LGO if they are not happy with the outcome.
* The final letters should be signed by the "responsible individual" or sent by email in their name.
* If the response is not ready within 6 months, the Complaints manager handling the case should:
* Notify the complainant in writing accordingly and explain the reason why; and
* Send the complainant in writing a response in accordance with the above as soon as reasonably practicable after 6 months.
* In the event of a continued disagreement which cannot be resolved internally, the complainant will be advised to approach an appropriate external authority, such as Social Services or NHS, an independent advocacy service, or the local government Ombudsman.
* The outcome of the investigation and the meeting should be recorded in the Complaint, Compliments & Suggestions Book and any shortcomings in the organisation’s procedures should be identified and acted upon.
* The Complaints Manager will then take the outcome of the complaint to discuss at a Senior Management Meeting (SMT) where senior managers/directors will appraise the current policy & procedures and deal with any review to the process, as appropriate.
* The Senior Management Meeting will periodically (recommended every three months) review all complaints since the previous review in order to identify trends and matters which may have appeared to be relatively minor at the time, but which indicate a deeper problem.
* The services action plan will then be updated to include all actions to be taken to resolve any requirements or recommendations made following any investigation.

Cosmos Care Services will also:

* Share themes and trends with Support Workers working for Cosmos Care Services Ltd
* Ensure that staff are trained to deal with complaints and understand the procedure for managing complaints

Anonymous Complaints

Anonymous complaints will be investigated in the same way as named complaints. They will be logged and any corrective action necessary will be taken and also logged.

One Complaint, One Response

Where more than one organization is involved in the Young person's support, they, or their representative, will be able to complain to any of them and Cosmos Care Services will contact the other organisations, carry out a joint investigation and provide a single joint response. Young persons must not have to contact each organisation separately.

If someone complains and Cosmos Care Services is not responsible for the service complained about, rather than turning them away, Cosmos Care Services will share the concerns with the correct organisation(s). You will need the individual’s permission to do this. If the person prefers that their complaint is not shared with another organisation (or organizations), Cosmos Care Services will signpost them to the right organisation instead and provide the person with their contact details.

All efforts will be made by to resolve all complaints within Cosmos Care Services Ltd, If a young person does not wish to raise a complaint directly to management within Cosmos Care Services Ltd, in the first instance, staff will try and sensitively establish their reasons why and aim to resolve and address any concerns that present.

Decisions to raise complaints outside of Cosmos Care Services will be fully respected and the young person will be supported to raise their complaint to the commissioner of the service or to seek the support of an independent advocate or representative.

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| **Notification of a Complaint, Compliment and/or Suggestion form***The purpose of this form is to enable the manager notified of either a complaint, compliment and/or suggestion to then make appropriate record and ensure that the information is then acted upon.* |
| **Information regarding the person making the complaint, expressing a concern,** **giving a compliment or raising a suggestion:** |
| **DATE raised:** |  | **DATE Closed:** |  |
| Name: |  |
| Address: |  |
| Personal phone number: |  |
| Name and contact details of person(s) and/or organisation that this notification is about: |  |
| **Information about the notification (please tick correct box)** |
| **Complaint:** |  | Manager to place this notification in a ‘complaints in progress’ file whilst it is investigated. | Outcome of investigation to be transferred to the ‘Complaints. Compliments & Suggestions’ file on completion. | Place a copy of the outcome in the young person’s file; ensure that transparency is shown throughout to young person(s) and outcomes are discussed & signed off if agreed with. |
| **Expression of Concern:** |  | Minor concerns are better to be dealt with as they occur. | Record the outcome in the ‘Complaints. Compliments & Suggestions’ file. | Place a copy of the outcome in the young person’s file. |
| **Compliment:** |  | Thank the person making the compliment. Ask for this to be made as a written record, wherever possible. | Keep the record in the ‘Complaints. Compliments & Suggestions’ file. | Place a copy in the employee’s personnel file & make record during supervision/appraisal to commend good work. |
| **Suggestion:** |  | Thank the person for the suggestion. Ask the person making the suggestion to raise it at the next meeting for all to consider. | Record the suggestion, and general outcomes from it, in minutes at the next meeting. | Keep the record of the suggestion in the ‘Complaints. Compliments & Suggestions’ file. |

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| **Notification of a Complaint, Compliment and/or Suggestion form**Continued  |
| Details of complaint, expressing a concern, giving a compliment or raising a suggestion (include dates, times & witnesses where possible): |
| Names of any employees specifically involved in this issue: |
| Name of the person who received the original notification (if not the person completing this form): |
| Name of the person to whom the notification has been passed onto for investigation (if the direct manager has been named above as being somehow implicated): |
| Investigation process carried out (attach additional pages if required): |
| Action taken or recommended by investigator: |
| Did this action satisfy the person who made the original notification? If not, please state why and also how resolution is intended to be found: |
| Action to be taken for the future: |
| Did this action satisfy the person who made the original notification? If not, pleaser state why and also how resolution is intended to be found to reduce similar future occurrences:  |
| Name of any organisation that the issue was referred in the event of a complete failure to satisfy the person who made the original notification: |
| Signed by the person who made the original notification (complainant) to signify satisfaction: |  |
| Signed by Complaints Manager to signify that the complainant is satisfied with the outcome: |  |
| Date: |  |

*Draft outline for an acknowledgement letter to a complaint or concern; this is for a designated Complaints manager to complete and is to be printed onto company headed paper*:

(insert name)

(insert address)

(insert date)

Our ref: (insert reference)

Your ref: (if one has been provided then insert this reference)

Dear (insert name),

Re: (insert a heading that refers to the specific complaint or concern)

Thank you for bringing to our attention your concerns in (your letter / our conversation) of (date on letter or of conversation).

I am sorry that you have felt the need to register your concerns and I wish to assure you that, in my capacity of Complaints Manager, I will do my utmost to look into this matter.

As I understand it, you are concerned that (write in your understanding of the issues of concern. Use bulleted or a numbered list if there is more than one point).

Please contact me immediately if I have misunderstood any of your concerns so we can ensure that I am clear about the points you are raising.

I would like to look into the points you have raised as a matter of urgency and I would be happy to meet with you to discuss the issues you have raised and our investigation procedures, I would like to suggest we meet on (suggest a day, time and date). I anticipate that it could take me up to 28 working days to investigate your points, though if during the process of my investigation I find that this is a more complex matter than I first realised then I will advise you accordingly of my revised anticipated response time.

Please do contact me again in the meantime if I can be of any further assistance.

Yours sincerely,

(name)

(job title)

*Draft outline for a final response letter to a complaint or concern; this is for a designated Complaints manager to complete and is to be printed onto company headed paper*:

(insert name)

(insert address)

(insert date)

Our ref: (insert reference)

Your ref: (if one has been provided then insert this reference)

Dear (insert name),

Re: (insert a heading that refers to the specific complaint or concern)

My investigations into the concerns you raised on (date) is now complete.

I will address each of the points as outlined in my earlier acknowledgement letter to you.

(repeat each individual point of complaint, and follow each one with what you found in the investigation. Put this as a bulleted or numbered list if there is more than one issue.)

Point one: you raised (complaint). I have found that …

Point two: you raised (complaint). I have found that …

Outcome

As a result of your complaint, we have taken the following action (if not already mentioned above).

(action one)

(action two)

I would like to thank you for bringing these matters to our attention. We welcome comments from people who use our services and our aim is to provide continual and transparent improvement in how we support people.

If you are not fully satisfied with the way we have handled your complaint you have the right to take your complaint to the Local Government Ombudsman, who you should contact at:

Tel: 0300 061 0614 Email: advice@lgo.org.uk Website: [www.lgo.org.uk](http://www.lgo.org.uk)

Yours sincerely,

(name)

(job title)