

## **POLICY ON COMPLAINTS**

### **Policy Statements**

MK Executive Care 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 our 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 service users 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 our disciplinary policy.

MK Executive Care believes that failure to listen to or acknowledge complaints will lead to an aggravation of problems, service user dissatisfaction and possible litigation. MK Executive Care supports the concept that most complaints, if dealt with early, openly and honestly, can be sorted out at a local level between just the complainant and MK Executive Care. If this fails due to either the establishment or the complainant being dissatisfied with the result the complaint will be referred to the local authority team or The Local Government Ombudsman (whichever is relevant) and legal advice will be taken as per necessary.

### **Aim**

The aim of MK Executive Care is to ensure that its complaints procedure is properly and effectively implemented, and that service users feel confident that their complaints and worries are listened to and acted upon promptly and fairly.

### **Goals**

The goals of MK Executive Care are to ensure that:

- Service users, carers, users and their representatives are aware of how to complain, and that MK Executive Care provides easy to use opportunities for them to register their complaints
- A named person will be responsible for the administration of the procedure
- Every written complaint is acknowledged within two working days
- Investigations into written complaints are held within 28 days
- All complaints are responded to in writing by MK Executive Care
- Complaints are dealt with promptly, fairly and sensitively with due regard to the upset and worry that they can cause to both staff and service users.

The named complaints manager with responsibility for following through complaints is The Registered Manager or an assigned staff by the registered manager.

MK Executive Care believes that, wherever possible, complaints are best dealt with on a local level between the complainant and the establishment. If either of the parties is not satisfied by a local process the case should be referred to either the local authority where the individual lives or The Local Government Ombudsman (whichever is relevant).

## **Complaints Procedure**

### ***Oral Complaints***

- All oral complaints, no matter how seemingly unimportant, should be taken seriously. There is nothing to be gained by staff adopting a defensive or aggressive attitude.
- Front line care staff who receive an oral complaint should seek to solve the problem immediately if possible.
- If staff cannot solve the problem immediately they should offer to get the manager to deal with the problem.
- All contact with the complainant should be polite, courteous and sympathetic.
- At all times staff should remain calm and respectful.
- Staff should not accept blame, make excuses or blame other staff.
- 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.
- After talking the problem through, each 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 (i.e. through another 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 complainant to put their complaint in writing to the establishment and give them a copy of the complaints procedure and form for completion.
- In both cases details of the complaints should be recorded on a complaints form and handed to the Manager.

### ***Written Complaints***

- 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.
- 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.
- A leaflet detailing the procedure should be forwarded to the complainant.

- If the complaint raises potentially serious matters, advice should be sought from a legal advisor to the establishment. If legal action is taken at this stage any investigation by the establishment under the complaints procedure should cease immediately.
- If the complainant is not prepared to have the investigation conducted by the establishment he or she should be advised to contact the local authority or The Local Government Ombudsman (whichever is relevant) and be given the contact details.
- Immediately on receipt of the complaint the establishment should launch an investigation and within 28 days 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.
- If the issues are too complex to complete the investigation within 28 days, the complainant should be informed of any delays.
- 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.
- 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).
- Such a meeting gives the establishment the opportunity to show the complainant that the matter has been taken seriously and has been thoroughly investigated.
- 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 or The Local Government Ombudsman if the complainant is not satisfied with the outcome.
- The outcomes of the investigation and the meeting should be recorded on appropriate documentation and any shortcomings in the establishment's procedures should be identified and acted upon.
- MK Executive Care should discuss complaints and their outcome at a formal business meeting and the establishment's complaints procedure should be audited by the manager every 12 months.

## **Training**

The Manager is responsible for organizing and coordinating training. All staff should be trained in dealing with, and responding to, complaints. Complaints policy training should be included in the induction training for all new staff and in-house training sessions on handling complaints should be conducted at least annually and all relevant staff should attend.

## **Central Bedfordshire contact:**

You can contact Central Bedfordshire Council's Customer Relations by telephone or email:

0300 300 6077

0300 300 4995

[customer.relations@centralbedfordshire.gov.uk](mailto:customer.relations@centralbedfordshire.gov.uk)



**Herefordshire Social Services Contact:**

Tel: 01432 260101

Email: [ASCAdviceandReferralTeam@herefordshire.gov.uk](mailto:ASCAdviceandReferralTeam@herefordshire.gov.uk)

**Milton Keynes Contact:**

Adult Social Care Access Team  
01908 253772

[ascat@milton-keynes.gov.uk](mailto:ascat@milton-keynes.gov.uk)

**Walsall Council Social Services Contact:**

Tel: 0300 555 2922

[InitialIntake@walsall.gov.uk](mailto:InitialIntake@walsall.gov.uk)

**The Local Government Ombudsman**

PO Box 4771  
Coventry CV4 0EH

**Tel: 0300 061 0614**

Fax: 0330 403 4001

**Care Quality Commission Contact:**

Telephone: 03000 616161

Fax: 03000 616171

**Or write to us**

CQC National Customer Service Centre  
Citygate



Gallowgate  
Newcastle upon Tyne  
NE1 4PA

Name of Service User:

Date:

Sign:

Relationship to SU: