



COMPASSIONATE HEART

SERVICES WITH A DIFFERENCE

Complaints, Suggestions and Complains Policy and Procedure

1. Purpose

1.1 To ensure Compassionate Heart Ltd has an effective system in place to manage complaints, suggestions and compliments.

1.2 To ensure that Compassionate Heart Ltd complies with any legal requirements, regulations, guidelines and best practice.

1.3 To ensure that our complaints and compliments process is fair and transparent and does not discriminate directly or indirectly because of;

- 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

With the complainant feeling free to complain without fear of reprisals and are treated with courtesy, respect and compassion.

1.4 To meet the legal requirements of the regulated activities that Compassionate Heart Ltd is registered to provide:

- Compensations Act 2006
- The Care Act 2014
- The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Human Rights Act 1998
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
- Mental Capacity Act 2005
- Mental Capacity Act Code of Practice
- Data Protection Act 2018

2. Scope

2.1 The following roles may be affected by this policy:

- All staff

2.2 The following people may be affected by this policy:

- Clients

2.3 The following stakeholders may be affected by this policy:

- Family
- Advocates
- Representatives

- Commissioners
- External health professionals
- Local Authority
- NHS

3. Objectives

3.1 To improve the quality of client's experience.

3.2 To ensure that all complaints and suggestions are promptly addressed, resolved and shared within the agreed timescales to ensure lessons are learnt and the learning improves service quality and delivery.

3.3 To ensure staff at all levels within Compassionate Heart Ltd understand their roles and responsibilities with regard to handling complaints, suggestions and compliments.

4. Policy

4.1 Complaints

- Compassionate Heart Ltd understands complaints to be an expression of dissatisfaction requiring a response, communicated verbally, electronically, or in writing. Complaints may be made by any users of the service, their family or advocate acting on their behalf, with their consent or in their best interests
- Compassionate Heart Ltd takes complaints seriously. They 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 the service will achieve this. The detail of how the service will do this will be found in the associated procedures
- Compassionate Heart Ltd 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 Whistleblowing procedure where a protected disclosure is made
- Compassionate Heart understands their statutory obligations in respect of the Duty of Candour and will ensure they follow agreed policy and procedure

4.2 Seeking Views and Engaging with clients

Compassionate Heart will seek out opportunities to obtain feedback from clients and stakeholders. Compassionate Heart will act with sensitivity, integrity and professionalism by treating individuals that do complain or raise a suggestion with compassion, courtesy and respect. The service will protect client's right to confidentiality. The service will ensure that alternative methods of communication are available so that the complaints and suggestions procedures are accessible for clients 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.

4.3 The organisation understands that it can be difficult to separate a complaint from a concern, therefore, Compassionate Heart will follow this policy when any dissatisfaction arises with the service.

4.4 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 client care file and reported in line with contractual or regulatory requirements.

4.5 Safeguarding Concerns

Where a complaint or concern is raised that relates to a client being harmed or likely to be harmed, the organisation will follow their Safeguarding Policy and Procedures in addition to the complaints procedures, seeking advice and guidance from the Local Authority Safeguarding Adults team. The organisation will also notify CQC in line with our statutory duty.

4.6 Roles and Responsibilities

All Staff

It is acknowledged that all staff working within Compassionate Heart could be presented with an individual wishing to raise a concern or complaint at any time, therefore staff need to be able to manage this in a sensitive, structured and timely manner. In order to do this staff should:

- Be trained on induction and as a routine measure to ensure knowledge is embedded and refreshed around the complaints procedure
- Have access to the complaints procedure
- Be provided with the opportunity to reflect and learn from complaints as a means to developing and driving quality care
- Appreciate that any feedback from clients or their representatives that is of concern needs immediate resolution, where possible, to their satisfaction. Care Plans will be updated to reflect the planned changes to care and the Registered Manager informed of the feedback. Failing to do this could result in a complaint
- Be clearly advised that on presentation of a complaint, swift escalation to management is necessary and purposefully withholding or concealing of concerns expressed by clients or their representatives could lead to disciplinary action

Compassionate Heart Ltd Management Team

- Compassionate Heart Limited's management team is responsible for ensuring compliance with this policy, regulations, improvement planning and having arrangements in place to provide relevant reports and information regarding complaints
- The registered manager is the main point of contact for receipt, investigation and management of complaints within Compassionate Heart, however, this could be delegated to another member of staff within the organisation who holds experience, knowledge and competence to investigate and manage complaints
- Compassionate Heart will ensure the procedure for raising a complaint is accessible and displayed prominently in office, on our website and within the client information and guides.

4.7 Compliments and Suggestions

Compassionate Heart Ltd welcomes compliments and suggestions and recognise their importance in celebrating and recognising the success of our service and opportunities for improvement. We will engage with a wide range of stakeholders in addition to clients to support service development and improvement. We will share feedback with our staff.

4.8 One Complaint, One Response

Compassionate Heart Ltd will follow the [Local Government and Social Care Ombudsman best practice](#) and where client are receiving services for more than one organisation we will ensure they can make a complaint to anyone and be provided with a single response following a joint investigation.

5. Procedure

5.1 Raising Complaints

A complaint can be received by Compassionate Heart Ltd either verbally or in writing and can be made by:

- Clients
- Someone acting on behalf of a client and with their written consent, e.g. an advocate, relative, Member of Parliament
- Someone acting on behalf of a client who is unable to represent his or her own interests, provided this does not conflict with the client's right to confidentiality or a previously expressed wish of the client

Compassionate Heart Ltd should ensure that clients are given information on how to make a complaint and the process once a complaint has been made, including any agreed timescales.

5.2 Time Limits for Submitting a Complaint

Complaints should be submitted immediately when if an incident or concern arise.

The time limit, however, can and should be waived, if:

- It is still practical and possible to investigate the complaint (the records still exist and the individuals

- concerned are still available to be questioned, etc.)and
- The complainant can demonstrate reasonable cause for delay in making the complaint

It is at the discretion of the manager of the service if the time limit can be set aside.

5.3 Complaints Procedure:

Step 1

When a complaint is raised to staff, staff will make an effort to resolve it immediately to the satisfaction of the complainant.

Step 2

Staff will apologise for the fact there was the need to complain in the first instance and explain the complaints process as described in the procedure steps.

Step 3

Staff will report the complaint to the manager and the complaint to be logged.

Step 4

Formal acknowledgement of the complaint will be sent within 72 hours of receipt to the complainant, this could be via letter or email. Compassionate Heart Ltd will have a local system in place to manage out-of-hours and weekend complaints received.

The acknowledgement will include:

- An invitation to meet and discuss the complaint
- Who will be investigating the complaint
- How the investigation will be handled - the response should state what the investigation will be focused on
- A time limit for the investigation to be concluded. This should be 28 days, however, some cases may take longer and the complainant will be made aware of this
- The complaints procedure and contact details of bodies that can be accessed in the event of dissatisfaction with the outcome of the investigation

Step 5

Following a full investigation, a response letter will be sent and this will include the following:

- A summary of the issue from the complainant's point of view
- Details of the evidence and sources consulted in order to investigate the issue fully and fairly
- A presentation of the findings for each issue clearly and concisely described
- A conclusion, stating clearly whether the issue is "upheld", "partially upheld" or "not upheld"; unless it is ineligible, in which case the reason for this will be given, e.g. out of time or out of jurisdiction
- An explanation of the outcome and whether any remedial action or learning points arise from the investigation of that issue
- An apology where the issue is upheld and shortcomings or failings have been found
- The complainant's rights if not satisfied with the outcome to refer to The Local Government and Social Care Ombudsman
- A signature from the responsible individual or sent by email in their name

Step 6

The complaint will be closed once confirmation has been received that there is satisfaction with the outcome. In the event of dissatisfaction, Compassionate Heart Ltd will support the complainant to access further support (refer to section 5.6)

5.4 The Complaints Log

A record will be held of all complaints raised and contain the following information:

- Each complaint received

- Subject matter and outcome
- Details of any reason for delay where investigations took longer than the agreed response period
- The date the report of outcome was sent to the complainant

Where complaints relate to a client, a copy of the complaint will be held in their care records so that the client can reflect on the recommendations.

Where complaints are raised by telephone, the log will include date and time of the call and this should be followed up with written confirmation of the areas discussed.

Where a complaint indicates the potential abuse of clients, safeguarding policies will be followed as per local authority expectation and necessary notifications made to the regulatory body. Where Care is commissioned by Cambridgeshire County Council their reporting procedure for notifying them of complaints should be followed.

Where complaints are to be shared as part of learning, the complaint should be anonymised so there is no identifiable client information.

5.5 Investigations

All investigations will be managed by using the following approach:

- Investigating the fact
- Assessing evidence
- Review of records
- Interviewing those involved

Where necessary, advice and support will be sourced via senior managers within the organisation. The complaint should be investigated by a member of staff with the knowledge, experience and seniority to undertake the investigation robustly.

Confidentiality of information will be considered at all times and staff will adhere to the confidentiality policies and relevant codes of practice.

If an investigation of a complaint results in disciplinary action of staff within company, the complaint will continue to its conclusion. The complainant will be informed that the investigation has led to disciplinary process, but the details of the outcome or ongoing investigation should remain confidential.

5.6 Unresolved Complaints

There are many bodies that can support or will need to be informed of unresolved complaints:

1. Care Quality Commission

Individuals can escalate their complaint to the Care Quality Commission via:

- Website www.cqc.org.uk
- Email enquiries@cqc.org.uk
- Address Care Quality Commission (CQC)
National Correspondence
Citygate, Gallowgate
Newcastle upon Tyne NE1 4PA
Tel: 03000 616161
Fax: 03000 616171

2. The Local Government and Social Care Ombudsman (for those Service Users that are funded by local authority-funded social services care or self-funded)

Individuals have the right to raise their complaint to the Local Government and Social Care Ombudsman. This is a free service and individuals can contact their Local Government and Social Care Ombudsman via:

The Local Government and Social Care Ombudsman

PO Box 4771,

Coventry CV4 0EH,
Tel: 0845 602 1983 or 024 7682 1960,
Fax: 024 7682 0001,
advice@lgo.org.uk

Individuals should be advised that the Local Government and Social Care Ombudsman will not investigate the complaint until the provider has had the opportunity to respond and resolve the matter in the first instance.

3. Parliamentary and Health Service Ombudsman (For Service User that are NHSfunded)

Individuals have the right to raise a concern about a service that is NHS funded. This is a free service and individuals can contact via:

- Telephone 0345 0154033
- Email phso.enquiries@ombudsman.org.uk
- Website www.ombudsman.org.uk
- Address Parliamentary and Health Service Ombudsman, Millbank Tower, Millbank, London, SW1P 4QP.

The registered manager can also signpost individuals to Healthwatch and the local independent complaints advocacy services (ICAS).

4. Clinical Commissioning Groups

Individuals can make a complaint about a health service they are receiving or have received and can discuss this with the commissioner of the service. Local contact details can be located via: <http://www.england.nhs.uk/ccg-details/#ccg-e>

5. Professional Bodies

If a complaint involves the serious misconduct of a healthcare professional, their relevant professional body can be informed and this is determined on an individual case basis in discussion with the Registered Manager.

For any external bodies managing complaints Compassionate Heart will work with the external body providing information as requested within any agreed timescales expected.

5.7 Compliments

Receiving compliments is an opportunity to celebrate and recognise success. Compassionate Heart will ensure that:

- All compliments are shared with staff and displayed in public area to highlight good practice
- Compliments are anonymised or permission sought before displaying
- Numbers of compliments received are logged as part of a quality assurance programme
- Verbal positive feedback from residents and relatives is also deemed as compliments and should be recorded and shared with colleagues
- Compliments form a core agenda item at staff, resident and relative meetings

5.8 Suggestions

Suggestions can be made verbally or in writing and generally are in response to seeking a means of changing practice for the better.

- Suggestions are not complaints but in some circumstances, if they are not considered or actioned they could lead to a complaint
- When suggestions are raised in meeting or as part of a conversation, these should be documented and then outcomes of such suggestion recorded to show consideration
- Staff should be encouraged to share their suggestions or suggestions received by relatives and clients to the registered manager
- The registered manager should consider implementing a suggestions system to encourage comments from clients, staff, and visitors

5.9 Audit and Evaluation

Compassionate Heart Limited will monitor, review and analyse all information received about the service as a

means of continuously reviewing performance, quality and safety.

Compassionate Heart Ltd will also:

- Share themes and trends with Care Workers working for Compassionate Heart Ltd
- Ensure that staff are trained to deal with complaints and understand the procedure for managing complaints

5.10 Anonymous Complaints

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

5.11 One Complaint, One Response

Where more than one organisation is involved in the client's Care they, or their representative, should be able to complain to any of them and Compassionate Heart will contact the other organisations, carry out a joint investigation and provide a single joint response. Clients should not have to contact each organisation separately.

If someone complains and Compassionate Heart Ltd is not responsible for the care or service complained about, rather than turning them away, Compassionate Heart should 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 organisations), Compassionate Heart should signpost them to the right organisation instead and provide the person with their contact details.

Compassionate Heart Ltd will follow [LGO guidance](#) for managing this.

6. Definitions

6.1 Compliment

- A compliment is an expression of satisfaction about a service the client has received
- Compliments are positive feedback that can be received verbally or in writing and can include expressions of praise, admiration, congratulation and encouragement

6.2 Complaint

- A complaint is an expression of dissatisfaction, disappointment or discontent. This could be in response to an act of omission, decision or act
- Complaints can be made in various ways and include:
 - Verbally
 - Electronically
 - Local feedback channels
 - Writing

6.3 Self-Funded Care

- Self-funded care is defined as care that is paid for entirely by the person receiving it

Key Facts - Professionals

Professionals providing this service should be aware of the following:

- Receipt of Complaints, suggestions and compliments is everyone's responsibility and therefore you should know what to say and how to respond. You need to be able to promote an open, honest and transparent service to encourage people to feel able to feedback and raise concerns
- You will be involved in quality improvement planning in response to themes from both compliments and complaints received by the service. Compliments will be recognised and celebrated and staff will be supported during any complaint's investigations

- Any feedback received from clients or their representatives can influence positive change and quality delivery of care and should be discussed with your manager

Key Facts - People Affected by The Service

People affected by this service should be aware of the following:

- You have the right to feel confident to raise a concern, suggestion or compliment
- The process for you to raise a concern, suggestion or compliment will be simple and you will feel listened to and understood
- Your concerns, suggestions and compliments will make a positive difference to future care at Compassionate Heart Ltd

Further Reading

As well as the information in the 'Underpinning Knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

LGO Resources for Letter Templates, etc: <http://lgo.org.uk/adult-social-care/resources-for-care-providers>

Parliamentary and health service ombudsman: Principles of good complaint handling, 2009.
<https://www.ombudsman.org.uk/about-us/our-principles/principles-good-complaint-handling>

Care Quality Commission: Complaints Matter Report 2014.

Healthwatch: Suffering in Silence Report 2014

Healthwatch: 'My expectations for raising concerns and complaints' report 2014

Forms

The following forms are included as part of this policy:

Title of form	When would the form be used?
Complaint Investigation Template	When a complaint arises.
Complaint Procedure for clients	To ensure all clients have information on how to make a complaint or suggestion.
Complaints and Compliments Register	To record complains, compliments and action taken.
Complaint Acknowledgement Letter Template	To assist with acknowledging complaints in a timely manner and setting expectations.
Complaint Final Response Letter Template	To inform the complainant of the results of the complaints investigation and any subsequent actions.



COMPASSIONATE HEART

SERVICES WITH A DIFFERENCE

Complaint Reference:			
Name (who does the complaint relate to):		Date of Birth:	
Address:			
Date of Complaint:		Date Complaint Acknowledged:	
Name of Complainant:		Date Response Required by:	
If the complainant is not the client, what evidence was provided of the client's consent to complain on their behalf?			
Overview of Complaint (append complaint letter or notes of verbal complaint to this form):			

Investigation Plan (outline the planned activities to investigate the complaint):

Findings of Investigation (append interview notes to this form):

Proposed Response:

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Approved by:

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Response Provided by:

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Name:

--

Method (attach any written communication to this form):

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Date:

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1. Introduction

We always aim to provide a high standard of care in all our services.

Our clients' views are important to us and help to ensure our services are consistently meeting people's needs. If you are unhappy with any of our services, it is important that you let us know.

If a complaint alerts us to possible abuse or neglect, we will tell the Council's Adult Safeguarding Team. The Safeguarding Team will decide how to investigate and monitor outcomes.

2. Making a Suggestion

Often people feel more comfortable suggesting improvements than complaining formally. Suggestions can be made by anyone receiving services, or their friends/family. To suggest you can:

- Speak to the Manager
- Utilise available comments or suggestions if you would rather make your suggestion that way
- If the suggestion is something that Compassionate Heart Ltd as an organisation needs to consider you can send it to:

Registered Manager

Compassionate Heart Limited

Office 15 Barnwell House
Barnwell Drive
Cambridge
Cambridgeshire
CB5 8UU

01223 210477

3. Making a Complaint

We aim to handle complaints quickly, effectively and in a fair and honest way. We take all complaints seriously and use valuable information from investigating to help us improve the service we provide. We treat all complaints in confidence.

Compassionate Heart Limited assures clients and their families that it will not withdraw or reduce services because someone makes a complaint in good faith.

4. Who Can Complain

Anyone affected by the way Compassionate Heart Ltd provides services can make a complaint. A representative can make a complaint for the affected person if they:

- Have died
- Cannot make a complaint themselves, or
- Have given consent for the representative to act on their behalf

If you are not happy about making a complaint yourself and you do not know someone who can talk or write to us on your behalf, we will be happy to find someone from an independent organisation to act as an advocate for you.

5. How You Can Make a Complaint

You can complain:

- In person
- By telephone
- Through a member of our staff
- Through an advocate or representative

Where someone complains verbally we will make a written record and provide a copy of it within 3 working days

- By letter
- By email

6. Anonymous Complaints

We deal with anonymous complaints under the same procedure. However, it should be noted, if you provide contact details, we can update you on the outcome of our investigation.

7. Responsibility

The Registered Manager has overall responsibility for dealing with all complaints made about their service.

We will provide as far as is reasonably practical:

- Any help you need to understand the complaints procedure
- Advice on where you may get that help
- Information about making a complaint in a way you can understand

8. How We Handle Complaints

The Registered Manager or Compassionate Heart Ltd may ask one of the management team to investigate the complaint. That person will have enough seniority and experience to deal with the issues raised by the complaint.

We will acknowledge a complaint within **3** working days and give you the name and contact details of the person investigating it.

We will keep you informed about the progress of the investigation. We aim to have all complaints finished within **28 working days** unless we agree a different time scale with you.

When we have finished investigating, we will arrange to meet with you to discuss the outcome, and write to you with:

- Details of the findings
- Any action we have taken
- Our proposals to resolve your complaint

9. Time Limits

You should complain as soon as you can after the date on which the event occurred or came to your notice. If you complain more than twelve months later, we may not be able to investigate properly. However, we will consider whether you had a good reason for not making the complaint sooner and whether, despite the delay, it is still possible to investigate the complaint effectively and fairly.

10. Further Steps

At any stage during the process, if you are not happy with the way the service is dealing with your complaint you can contact the Register at Compassionate Heart.

Office 15 Barnwell House
Barnwell Drive
Cambridge
Cambridgeshire
CB5 8UU
01223 210477

Once we have dealt with your complaint, if you are not happy with the outcome you can refer your complaint to the Local Government and Social Care Ombudsman and ask for it to be reviewed. The Local Government and Social Care Ombudsman provides a free independent service.

You can contact them at:

The Local Government and Social Care Ombudsman

PO Box 4771,
Coventry CV4 0EH,
Tel: 0845 602 1983 or 024 7682 1960,
Fax: 024 7682 0001,
advice@lgo.org.uk

NB: The Ombudsman will not normally investigate a complaint until the provider has had an opportunity to respond and resolve matters.

Compassionate Heart Limited services are registered with and regulated by the Care Quality Commission. The CQC cannot get involved in individual complaints about providers but is happy to receive information about services at any time.

You can contact the CQC at:

Care Quality Commission National Correspondence

Care Quality Commission (CQC)
National Correspondence
Citygate, Gallowgate
Newcastle upon Tyne NE1 4PA
Tel: 03000 616161
Fax: 03000 616171

Website: www.cqc.org.uk

Date	Name of person making complaint/compliment	Summary of complaint/compliment	Action taken

[Insert date]

[Insert name]

[Insert address]

Our ref: [Insert reference]

Your ref: [Insert reference]

Our contact details: [Insert name, email address and phone of person managing this complaint]

Dear [Insert title and name]

[Insert heading. For example, Complaint about.....]

Thank you for bringing to our attention your concerns in [your letter/your email/our conversation] of [date]. I am sorry that you are not happy with the service provided by Compassionate Heart Limited.

As I understand it, you are concerned that [Insert your understanding of the issues of concern, using a bulleted or numbered list if there is more than one point]. Please contact me straight away if I have misunderstood your concerns.

I would be happy to meet you to discuss the issues you have raised and our investigation procedures, if that would be helpful. [Suggest a date and/or ask them to contact you to arrange].

I am looking into the points you have made as a matter of urgency and shall be in touch with you with a full response by [insert anticipated response time – not longer than 28 working days].

Please do contact me again in the meantime if I can be of further assistance. My email and phone number are provided above.

Yours Sincerely,

[Insert name and job title]

[Insert date]

[Insert name]

[Insert address]

Our ref: [Insert reference]

Your ref: [Insert reference]

Our contact details: [Insert name, email address and phone of person managing this complaint]

Dear [Insert title and name]

[Insert heading. For example, Complaint about.....]

My investigation into the concerns you raised on [Insert 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 numbered list if there is more than one issue.]

Point one, I have found that...

Point two, 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]

[action three]

I would like to thank you for bringing these matters to our attention. We welcome comments from people who use our services and aim to use these to improve our services.

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 and Social Care Ombudsman, who you can contact at:

Tel: 0300 061 0614

Email: advice@lgo.org.uk

Website: www.lgo.org.uk

Yours Sincerely,

[Insert name and job title]