



SILVA CARE

COMPLAINTS POLICY

Policy Statement

Silva 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 the organization'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 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 the organization's disciplinary policy.

The organization believes that failure to listen to or acknowledge complaints will lead to an aggravation of problems, service user dissatisfaction and possible litigation. The organization supports the principle that most complaints, if dealt with early, openly and honestly, can be sorted at a local level between the complainant and the organization. If this fails due to the complainant being dissatisfied with the result, the organization will respect the right of the complainant to take the complaint to the next stage.

Goals

The goals of the organization are to ensure the following.

1. Service users, their representatives and carers are aware of how to complain and that the organization provides easy to use opportunities for them to register their complaints.
2. Lyn Isaac 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 the organization.
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 service users.

The named complaints manager with responsibility for following through complaints is: Lyn Isaac.

The organization believes that, wherever possible, complaints are best dealt with on a local level between the complainant and the organization. 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 them, 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 the organisation or the local authority has handled their complaint.

Social care:

Bristol – Adult Duty Desk – 01179036684

South Gloucestershire – Duty Desk – 01454 868007

South Gloucestershire out of office hours – Emergency Duty Team – 01454 615165

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, the organisation 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.

Oral Complaints:

- all oral complaints, no matter how seemingly unimportant, should be taken seriously.
- front line care staff who receive an oral complaint should seek to solve the problem immediately.
- if staff cannot solve the problem immediately they should offer to get the organisation manager to deal with the problem.
- all contact with the complainant should be polite, courteous and sympathetic.
- staff should remain calm and respectful at all times.
- staff should not accept blame, make excuses or blame other staff.
- after talking the problem through, the organisation 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 organisation manager should ask the complainant to put their complaint in writing to the organisation and give them a copy of the complaints procedure.
- in both cases details of the complaints should be recorded in the complaints book.

Written Complaints:

- when a complaint is received in writing it should be passed on to the 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 process.
- if necessary, further details should be obtained from the complainant.
- a leaflet detailing the complaints procedure should be forwarded to the complainant.
- if the complaint raises potentially serious matters, advice should be sought from a legal advisor to the organisation. If legal action is taken at this stage any investigation by the organisation under the complaints procedure should cease immediately.
- if the complainant is not prepared to have the investigation conducted by the organisation he or she should be advised to contact the Commission for Social Care Inspection and be given the relevant contact details.
- immediately on receipt of the complaint the home should launch an investigation and within 28 days the organisation 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 organisation 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 Commission for Social Care Inspection if the complainant is not satisfied with the outcome.
- the outcomes of the investigation and the meeting should be recorded in the complaints book and any shortcomings in the organisation's procedures should be identified and acted upon.

Investigation of the Complaint

1. Immediately on receipt of the complaint the organisation should launch an investigation and within 28 days the organisation 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 the organisation 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.

Training

Complaints policy training is included in the induction for all new staff.

| Date Reviewed: | Signature | Next Renewal Date |
|----------------|---|-------------------|
| 06/08/2014 |  Sharon Moore | 06/08/2015 |
| 06/08/2015 |  Sharon Moore | 06/08/2016 |
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