

## **1. Complaints Policy** (Non-Registered Services)

This policy is intended to set out the values, principles and procedures underpinning LJWB's approach to handling complaints about non-registered care services. The services which are covered under this policy relate to all services delivered by:-

- Community Support Services
- Community Engagement and Inclusion
- Income Generation
- Human Resources
- Finance and Facilities

In aiming to deliver the highest standards of service, service users, clients, customers and their carers should be informed how to make complaints and comments.

## **2. Policy Statement**

LJWB works on the principle that if a service user wishes to make a complaint or register a concern they should find it easy to do so. It is LJWB's policy to welcome complaints and look upon them as an opportunity to learn, adapt, improve and provide better services. It will always seek to find a workable solution to any concern or complaint. 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 the same as the disciplinary policy. However, LJWB understands that failure to listen to or acknowledge complaints could lead to an aggravation of problems, service user dissatisfaction and possible litigation.

LJWB supports the principle that most complaints, if dealt with early, openly and honestly, can be sorted at a local level, ie between the complainant and LJWB. If this fails due to the complainant being dissatisfied with the result, LJWB respects the right of the complainant to take the complaint to its service funder, or an independent body if LJWB's choice, who will then investigate the complaint.

The aim is always to make sure that the 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.

LJWB works on the basis that wherever possible, complaints are best dealt with directly with service users by its staff and management, who will arrange for the appropriate enquiries to be made in line with the nature of the complaint. This can involve using an independent investigator as appropriate or if the complaint raises a protection issue referral to Leeds City Council's safeguarding team(s).

### **3. Protection Issues**

In the event of the complaint involving alleged abuse or a suspicion that abuse has occurred, LJWB will refer the matter immediately to the local safe guarding team, which will usually call a strategy meeting to decide on the actions to be taken next. This could entail an assessment of the allegation by the protection team and involve other agencies concerned with safeguarding.

### **4. Principles of Complaints Handling**

1. Service users, their representatives and carers are always made aware from the onset of the service of how to complain.
2. LJWB provides easy-to-use opportunities for them to register their complaints.
3. A named person is always responsible for the administration of the procedure.
4. Every written complaint is acknowledged within two working days.
5. Investigations into written complaints are held within 28 days.
6. All complaints are responded to in writing by LJWB.
7. Complaints are dealt with promptly, fairly and sensitively with due regard to the upset and worry that they can cause to service users and those against whom the complaint has been made.
8. People are informed that they can always take their complaint to the funder of the service.

### **5. Procedures**

#### **5.1 Verbal Complaints**

LJWB adopts the following procedures for responding to complaints and concerns made verbally to staff or to LJWB managers.

1. All verbal complaints, no matter how seemingly unimportant, are taken seriously.
2. Front-line staff who receive a verbal complaint are instructed to address the problem straight away.
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.

8. 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.
9. After talking the problem through, the manager or the member of staff dealing with the complaint will suggest a course of action to resolve the complaint. If this course of action is acceptable then the member of staff will 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).
10. If the suggested plan of action is not acceptable to the complainant then the member of staff or manager will ask the complainant to put their complaint in writing.
11. Details of all verbal complaints are recorded in the complaints book by the staff or managers who receive the complaint and on the individual's care records with information on how a specific matter was addressed. The complaint's book is kept on the Governance Officer's desk.

## **5.2 Written Complaints**

LJWB adopts the following procedures for responding to written complaints.

### **5.2.1 Preliminary steps**

1. When a complaint is received in writing it is passed on to a named person / Governance Officer who records it in the complaints book and sends an acknowledgment letter within two working days, which describes the procedure to be followed. The Governance Officer will appoint a complaint's investigator.
2. The complaint's investigator is the named person who deals with the complaint throughout the process.
3. If necessary, further details are 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, is obtained from the complainant.
4. If the complaint raises potentially serious matters, advice will be sought from the Senior Leadership responsible for the service or the CEO. If legal action is taken at this stage any investigation under the complaints procedure should cease immediately pending the outcome of the legal intervention.
5. A complainant, who is not prepared to have the investigation conducted by the organisation or is dissatisfied with LJWB response to the complaint, is advised to contact the relevant funding agency for resolution. Funding agencies could include:-
  - Leeds City Council
  - National Lottery

### **5.2.2 Local investigation of the complaint**

LJWB adopts the following procedures for investigating and assessing the complaint.

1. Immediately on receipt of a written complaint LJWB will launch an investigation and aims within 28 days 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 will be informed of any delay and the reason for the delay.

### **5.2.3 Meeting**

1. If a meeting is arranged the complainant is 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 is given. The complaint will either be upheld and appropriate redress will follow or not upheld.
3. In the case of a complaint not being upheld LJWB might still issue a formal apology for what has happened, which is not necessarily an admission that it was at fault.
4. Such a meeting gives the organisation the opportunity to show the complainant that the matter has been taken seriously and has been thoroughly investigated and that LJWB is prepared to learn from the experience to improve the service.

### **5.2.4 Follow-up action**

1. After the meeting, or if the complainant does not want a meeting, a written account of the investigation is sent to the complainant.
2. This includes details of how to take the complaint to the next stage if the complainant is not satisfied with the outcome.
3. The outcomes of the investigation and the meeting are recorded in the complaints book and any shortcomings in procedures are identified and acted upon. These are reported to the relevant LJWB Committee and all complaints and compliments are reported annually to the Board of Trustees at the AGM.
4. SLT reviews all complaints and compliments every six months to determine what can be learned from them. It regularly reviews the complaints procedure to make sure it is working properly and is legally compliant.

## **6. Training**

All staff are trained to respond correctly to complaints of any kind. Complaints policy training is included in the induction training for all new staff and updated as indicated by any changes in the policy and procedures and in the light of experience of addressing complaints.

Signed:



Date: 1<sup>st</sup> July 2017

Policy review date: 1<sup>st</sup> July 2018

Policy Owner Governance Officer

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