

## COMPLAINTS, COMPLIMENTS AND COMMENTS – PP02

### 1. INTRODUCTION

This policy explains to people using our services or other interested people how they can let us know about a good experience they have had or observed, any suggestion about what we are doing and how we are doing it, we strive to offer excellence in all our services but understand that sometimes things go wrong, this Policy outlines what steps to take if something we do is not right, as we will want to address this and prevent it happening again. It also describes for responsible staff, the process of receiving and responding to information received.

### 2. POLICY STATEMENT

Phoenix Support wishes its communication systems to be open and effective, especially with people who use our services. We are keen to know when what we are doing is right and to have suggestions for improvement. We are perhaps more keen to know and respond to any shortfall in our own expected standard of performance, if it's wrong we need to know how and what to improve.

### 3. DEFINITION

In a relationship based business, it is vital that we are on good terms with the people we work with and in particular, those who use our services. This policy is designed to give a clear path for the resolution of difficulties for service users along with their families and carers. It is also recognised that a customer of Phoenix Support could be anyone else outside making an enquiry of us or our services.

### 4. PURPOSE

Phoenix Support' policies place a high priority on resolving complaints. Complaints procedures, service user surveys, staff surveys, service reviews and other forms of feedback are all essential elements to find out how the organisation is performing and whether we are providing a service user and customer led experience.

This procedure is a generic procedure, applicable to all services and departments within the Phoenix Support service. Where the procedure refers to the title of 'manager' this a general term referring to the line manager or most senior manager at the location,

### 5. CONTEXT

The main area of service evaluation and monitoring for Phoenix Support will be for our own development and knowing that our service provides excellence, however CQC will also monitor the views that others have of us under Regulation 19 Outcome 17: Complaints. Part of our internal audits for compliance with ISO9001:2008 will also be to monitor complaints and comments

### 6. IMPLEMENTATION

CONTENTS OF SECTION	
6.1	MAKING YOUR VIEWS KNOWN
6.2	COMPLAINTS PROCEDURE
6.3	PROCESSING A COMPLAINT

<b>6.4</b>	<b>FORMAL STAGE</b>
<b>6.5</b>	<b>INTERNAL REVIEW</b>
<b>6.6</b>	<b>EXTERNAL REVIEW</b>

6.0.1 Phoenix Support publishes an accessible leaflet for services users and other members of the public to enable them to comment on Phoenix Support' work (**PPF000**). This leaflet is for getting people views known to us at any time they feel like telling us. This is for Complaints, Comments and Compliments

## 6.1 MAKING YOUR VIEWS KNOWN

6.1.1 We attach a great deal of importance to listening to your views on any matters relating to the service you receive from us. You can make your views known in a variety of ways, from talking to our staff on an individual basis, or by contacting us to arrange a group meeting. We hope you will feel free to make your views known.

- Should you feel unhappy about any aspect of the service you have received, please talk to our manager who will investigate your complaint and respond appropriately within 24 hours for urgent matters and within 7 days in all other circumstances.
- Wherever possible we try to resolve satisfactorily any difficulty or complaint as quickly as we can. However, if you still have a concern please contact us:-



by letter at 24 County Road Maidstone, Kent ME14 1XJ



by email at [admin@Phoenix Support.com](mailto:admin@Phoenix Support.com)



by telephone on 01622 682535

6.1.2 We will acknowledge receipt of your communication, investigate it within 14 days and respond to you within 28 days.

- If, in your opinion, we have still failed to respond appropriately to your communication, please write to the Company Director, 24 County Road, Maidstone, Kent ME14 1XJ

6.1.3 You can also make your views known at:

- 1) A Citizen's Advice Bureau or Law Centre or from a Solicitor.
- 2) Your local Councillor or Member of Parliament.
- 3) Our Regulators CQC

## 6.2 COMPLAINTS PROCEDURE

6.2.1 A complaint can be submitted through the routes above. All complaints will be acknowledged within Seven (7) working days of receipt of the complaint, each complaint will be dated stamped immediately upon receipt at head office and logged onto a central system.

6.2.2 A complaint should be made as soon as possible and no later than 12 months after the date the event occurred or the date the event came to the notice of the Complainant to maximise our ability to deal with the matter effectively.

6.2.3 Anonymous complaints will be investigated using the same procedure and the outcome recorded for an official closure of the event, feedback to the relevant manager and/or other relevant party will always be given where it is possible to do so.

- 6.2.4 All complaints will be investigated by a person with sufficient seniority and experience to resolve the issues. Complainants will receive (so far as is reasonably practical) assistance to enable them to understand the complaints procedure and advice on where they may obtain such assistance. At all times due regard must be had to the Data Protection Act 1998, and no documentation with any individual's personal information should be disclosed to any third party without the consent of that individual.
- 6.2.5 Where it is required, we will offer a local advocacy service to support people with any concerns that may arise, we have this available throughout the year at various meetings, drop-ins and forums for all our service users to discuss any issues they have.
- 6.2.6 Complaints from a representative will only be accepted if confirmed, either verbally or in writing, or where the Service User cannot complain and cannot give consent because they lack capacity within the meaning of the Mental Capacity Act 2005 *and* the representative is acting in the Service User's best interests; for example where the matter complained about, if true, would be detrimental to the Service User.
- 6.2.7 Providers are not required to investigate the following complaints:
- 1) A complaint by an employee relating to their employment (this should be through the grievance procedure)
  - 2) 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
  - 3) A complaint that has already been investigated and resolved

### **6.3 PROCESSING A COMPLAINT**

#### **6.3.1 THE INFORMAL COMPLAINT**

- 6.3.2 Stage One** - Complaints can be received in a variety of ways, by letter, e-mail, telephone or personal visit and by the user, their advocate or carer, Phoenix Support or political representative e.g. County Councillor.
- 6.3.3 They can also be received by any staff member throughout the Phoenix Support. It is important, therefore that all staff should understand how to receive and respond to complaints in compliance with this procedure.
- 6.3.4 Staff, should at all times be receptive to receiving complaints. Many users of services will not say the words "**I want to complain about...**" but comments showing dissatisfaction or misunderstandings should be listened to. It may not be appropriate to formally register all complaints immediately, but to determine whether misunderstandings have arisen and whether further advice and discussion by the relevant manager might solve the problem.
- 6.3.5 The staff member receiving the complaint should establish which service or department the complaint pertains to and bring it to the attention of their Line Manager immediately.
- 6.3.6 If it is decided to attempt to sort out a complaint informally this should be clearly time limited to 24 hours so that the complainant is not denied the right to an appropriate investigation and response.
- 6.3.7 If, after 24 hours there is still dissatisfaction, the service user, or their advocate, must be advised of their right to make a complaint and at all stages thereafter. You should at this time provide the complainant with a copy of the complaints procedure.

- 6.3.8 If a complaint is of a serious nature, such as abuse or neglect that may require action to protect service users and notification to Regulators, Local Authority Commissioners or Safeguarding Authority, the Operations Manager should be notified immediately.
- 6.3.9 They will make the necessary notifications and work closely with the authorities after informing the General Manager. The operations manager will ensure that the details and subsequent outcomes are logged. The General Manager should be kept fully informed and consulted throughout the process.
- 6.3.10 If it is clear that the complaint is not relevant to Phoenix Support every effort should be made to assist the person to make their complaint to the correct person.
- 6.3.11 Any complaint received, regardless of the service location or department, must be recorded for that service or department and, also, referred to relevant manager who will advise / decide what action is required. A central system of complaints must be kept at Head Office with the PA to the General Manager.

### **6.3.12 STAGE TWO**

- 6.3.13 If a complaint is not resolved at stage one or if the complainant does not wish to speak to the staff at the time, it should be passed to the relevant manager who will record all the facts accurately and reassure the person that it will be investigated. An appropriate response will be given in 14 working days. Remember, many people may have difficulty in expressing or writing down their complaint.

## **6.4 THE FORMAL STAGE**

### **6.4.1 Stage Three**

- 6.4.2 At this stage the complaint should be in writing, and will be registered by the relevant manager. It is good practice to meet with the complainant to gain clarity as soon as possible after the notice.
- 6.4.3 An acknowledgement of the complaint will be sent out within 7 days with an undertaking to provide a full reply within 28 days. The complainant will be kept informed of progress and, where this timescale is likely to be breached through unforeseen circumstances, this will be explained and a new date set; not normally longer than 14 days.
- 6.4.4 The relevant manager and any other person who may have received the complaint need to work closely together to obtain appropriate information and co-ordinate a response. If the complaint was addressed to the director, the response should go in his/her name
- 6.4.5 Every effort will be made to comply with the 28-day timescale, and replies should be friendly, but where appropriate, firm. Where a complaint has substance Phoenix Support will always be transparent and admit error, we will apologise for what has happened and ensure remedial action is taken.
- 6.4.6 Where appropriate, express an understanding of the problems but keep to the facts, and do not express opinions or leave Phoenix Support open to inappropriate actions. A brief explanation of Phoenix Support' policies may be appropriate.

6.4.7 The last paragraph of any letter should read: *“If you are not satisfied with the outcome, or the way your complaint has been dealt with, you are entitled to refer the matter to the Company Director or externally to .....*”

## 6.5 INTERNAL REVIEW

### 6.5.1 Stage Four

6.5.2 If the complainant is not satisfied by the response to a formal complaint, they can ask for the matter to be referred to the General Manager or Company Director. They must make this request within 28 days of receiving the service or departmental response.

6.5.3 The General Manager or Company Director, after considering both sides of the problem, will make a recommendation, which will be notified, to the complainant in writing within 14 days. If this timescale is likely to be breached the complainant will be advised and an alternative timescale agreed.

## 6.6 EXTERNAL REVIEW

6.6.1 The Local Government Ombudsman looks at complaints about social care providers. It is a free service. Its job is to investigate complaints in a fair and independent way – it does not take sides. If you have a problem with a service, you should first complain to the council, but if you are still not satisfied, it may be able to help, call 0300 061 0614 8.30am – 5pm Monday to Friday or go to the LGO website: [www.lgo.org.adult-social-care/providers](http://www.lgo.org.adult-social-care/providers)

**6.6.2 Unresolved Complaints** If, after following the above procedure, the Complainant is unhappy with the way the issue has been dealt with, they may also register their complaint with– Outside Agencies: Maidstone & Malling Learning Disabilities Team Commercial Services, Gibson Drive West Malling ME19 4QG Tel: (01732 525763) Fax: (01732) 525415  
Supporting People Team Social Services Room 4.02, Sessions House County Hall Maidstone Kent ME14 1XQ Tel: (01622) 694511  
Brenchley House (Customer Care Team) 123-135 Week Street Maidstone ME14 1RF Tel: (0300) 333 5903 Fax: (01622) 690893 Textphone (01622) 694883 Email: [CustomerCareWK@kent.gov.uk](mailto:CustomerCareWK@kent.gov.uk)  
Adult Protection Team Tel No: 01622 691640