

THE ABBEYFIELD FERRING SOCIETY LTD POLICY & PROCEDURE/GOOD PRACTICE GUIDELINES

Policy Ref:	AF010	Effective date:	March 2019
Owner:	Abbeyfield Ferring Society	Review date:	March 2021

Title:	Complaints Policy and Procedure
<p>1. Background</p>	<p>Abbeyfield Ferring Society welcomes complaints and concerns raised by service users, families, friends and staff to enable it to monitor and improve the services it provides.</p> <p>Any complaint received regarding the services Abbeyfield Ferring Society provide will be taken seriously and dealt with fairly and effectively. Complaints will be treated in confidence and all information relating to a complaint will be communicated on a need to know basis.</p> <p>The Complaints Policy is an integral part of our Service User Involvement Strategy and stakeholder feedback process. We aim to use complaints to identify improvements and increase service user satisfaction.</p>
<p>2. Objectives</p>	<p>Abbeyfield Ferring Society is committed to providing services that enhance the quality of life for older people and developing services that will meet the needs of future generations. This commitment is based on the Mission and Values of Abbeyfield Ferring Society.</p> <p>The objectives of this policy are:</p> <ul style="list-style-type: none"> • To set out the procedure for handling complaints • To publicise the procedure • To monitor complaints received and use of the procedure • To provide a means of identifying improvements and increasing service user and stakeholder satisfaction • To comply with all relevant legislation and regulation
<p>3. Scope</p>	<p>This policy applies to all service users, applicants for service, staff, volunteers and other stakeholders. This policy does not apply to former members of staff.</p> <p>For the purpose of this policy a complaint is defined as an expression of unresolved dissatisfaction, however made, about the standards of service, action or lack of action of the Abbeyfield Ferring Society.</p> <p>A concern is defined as an issue which is raised and resolved at a local level. Records of concerns are maintained at a local level by the line manager.</p> <p>This policy applies to complaints raised in relation to provision of service to service users and complaints made by any other person about the services Abbeyfield Ferring Society provides.</p> <p>It does not apply to complaints from staff dealt with under the Grievance Policy.</p>

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	We cannot deal with a complaint where it raises issues that are the subject of legal proceedings.
4. Policy	
4.1.	<p>To Set out the Complaints Procedure</p> <p>In operating an effective complaints procedure, we provide a standardised means of dealing with a complaint. We are also meeting the requirements of our regulators i.e. the Homes and Communities Agency (HCA), the Care Quality Commission (CQC) and (where we have Supporting People contracts) Administrating Authority Supporting People teams, as well as the Housing and Local Government Ombudsman services.</p>
4.2.	<p>To Publicise the Complaints Procedure</p> <p>By publicising and implementing the complaints procedure, we offer residents and other stakeholders an effective means of dealing with a problem.</p> <p>The residents' tenancy agreement, the Residents handbook, Service Users' Guide and resident notice boards are used to publicise the procedure.</p>
4.3.	<p>Monitoring of Complaints Received and the use of the Procedure</p> <p>By monitoring complaints we are able to:</p> <ul style="list-style-type: none"> • Identify any issues that may be a matter for concern and require action • Establish whether the procedure is being successfully implemented and that targets for response are being met • Determine whether there are any trends amongst the issues raised
4.4.	<p>To Provide a Means of Identifying Improvements and Increasing Resident Satisfaction</p> <p>In addition to providing a process for dealing with complaints, the information collected from complaints enables us to examine the effectiveness of our activities and the quality of the service we provide.</p> <p>Where an issue has been identified, every effort will be made to address it.</p> <p>Either the line manager or the Administration Office will keep a central complaints log updated and The Chief Operating Officer will keep the Executive Committee advised of complaints.</p> <p>Abbeyfield Ferring Society recognises that people may act out of character in times of trouble or distress. However, the actions of complainants who are angry, demanding or persistent may result in unacceptable behaviour.</p>
4.5.	<p>Definition of unacceptable behaviour or actions from a complainant:</p> <ul style="list-style-type: none"> • Where an individual persists in pursuing a complaint when appropriate procedures have been followed and exhausted

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	<ul style="list-style-type: none"> • Where the substance of a complaint is continually being changed, or new issues are continually being raised to prolong contact • When an individual is unwilling to accept documented evidence as part of the complaints response, or denies receipt of an adequate response in spite of correspondence specifically answering their concerns. • When the individual persists in raising issues of complaint outside the remit of Abbeyfield Ferring Society • Where an individual has threatened or used physical violence towards residents, staff or volunteers, or has harassed or been verbally aggressive towards staff or volunteers dealing with the complaint • Where an individual has had an excessive number of contacts with Abbeyfield Ferring Society during the investigation, e.g. personally, or by telephone, fax, email • Where an individual has made unreasonable demands about the investigation of their complaint (e.g. responses being made more quickly than time limits set down) • When the complaint, in view of the Executive Committee is unreasonable or contains derogatory remarks or offensive language
4.6.	<p>Procedure for dealing with unacceptable behaviour from a complainant</p> <p>A complainant should only be treated as behaving unacceptable as a last resort and after all reasonable measures have been taken to try and resolve the behaviour. Judgement and discretion must be used in applying the criteria to identify unacceptable behaviour from complainants and in deciding action to be taken in specific cases. A complainant should only be classified as behaving unacceptably with the authority of the Executive Committee Chairman in consultation with the Chief Operating Officer.</p> <p>Before classifying a complainant's behaviour as unacceptable, the Chairman of the Executive Committee and the Chief Operating Officer must ensure that the complaint has not been overlooked or inadequately addressed. If Abbeyfield Ferring Society has mishandled the complaint that does not excuse unacceptable behaviour but the problem in complaint handling must also be addressed.</p> <p>The Chairman of the Executive Committee will determine what action to take and whether it is appropriate to notify the complainant in writing of the reasons why they have been classed as engaging in unacceptable behaviour and of the action to be taken. The Complaints Log must record for future reference the reasons why a complaints behaviour was classified as unacceptable.</p> <p>The Chairman of the Executive Committee and the Chief Operating Officer may decide</p>

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	<p>to deal with unacceptable behaviour from a complainant in one or more of the following ways:</p> <ul style="list-style-type: none"> • Try to resolve matters by agreeing a code of behaviour for the complainant Abbeyfield Ferring Society is to continue dealing with them as we process the complaint. This may involve the complainant communicating in a particular ay, such as in writing only, or with a particular member of staff. If this agreement is contravened, consideration would then be given to implementing other action as indicated in this section. • Decline contact with the complainant either in person, by telephone, by fax, by letter or any combination of these provided that one form of contact is maintained. • Notify the complainant in writing that Abbeyfield Ferring Society has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant should also be notified that the correspondence is at an end and that further letters received will not be answered. • Inform the complainant that in extreme circumstances Abbeyfield Ferring Society reserves the right to pass unreasonable or vexatious complaints to its legal advisors or the police.
4.7.	<p>Change of behaviour or circumstances</p> <p>If a complainant subsequently demonstrates a more appropriate approach or if they submit a further complaint for which the normal complaints procedure appears appropriate, staff and volunteers should, with the support of the Executive Committee, process this complaint in the normal manner.</p>
4.8.	<p>Training</p> <p>Training will be provided to staff and relevant volunteers at all levels to ensure competence in handling complaints.</p>
5. Finance	N/A
6. Supporting Appendices	<p>The following documents are attached as appendices:</p> <ul style="list-style-type: none"> • Complaints procedure (for our services) and summary for display in the homes • Complaints records kept by managers
7. Linked policies	Compensation and Goodwill Payments Policy
8. Legislation / Regulation	<ul style="list-style-type: none"> • The Regulatory Framework for Social Housing in England • Consumer Standard Tenant and Empowerment • Regulation 19 of the Health & Social Care Act 2008 (Outcome 17)
9. Review	Annually, subject to any regulatory or legislative updates
10. Procedure / Guidance	See Appendices

Appendix A: Complaints Procedure for Cornwell and Old School House

Complaints procedure for Abbeyfield Ferring Society Cornwell House / Old School House

If you feel that we have broken the terms of this agreement or that we have not performed any obligation contained in it, and you wish to complain, you are asked to follow the procedure set out below.

Most problems can easily be resolved by having a word with the Home Manager.

You may however wish to make a formal complaint. You can either do this yourself or you can ask a relative, friend or sponsor to do so on your behalf.

You may also wish to get independent advice from a Citizen's Advice Bureau, from Age UK or from a solicitor.

If you wish to make a formal complaint, you are asked to follow the steps below:

1. Home Manager / House Manager:

Talk to the Home Manager / House Manager in the first instance; if your problem cannot be resolved by the relevant manager you can;

2. Investigation by the Chief Operating Officer:

You can discuss your concerns with, or write to, the Chief Operating Officer who will look into your complaint and seek to resolve it within 5 working days. They will send you a full written response within 10 working days and let you know in advance if it will take longer than this. If you are not satisfied with the response, you can request to have your complaint reviewed by the Executive Committee.

3. Review by the Executive Committee:

Two members of the Executive Committee will review your complaint and send you a full written response within 10 working days. They will let you know in advance if it will take longer than this. We hope by this stage that your complaint will have been sorted to your satisfaction.

However, if you are still unhappy, you can contact the Office Manager to request an appeal with the Chairman of the Executive Committee.

4. Appeal to the Chairman of the Executive Committee:

The Office Manager will arrange for the Chairman and two other members of the committee (who have not previously been involved in the complaint procedure) will review your complaint at a meeting. You may attend this meeting or be accompanied if you wish to. You will be informed of the outcome of the appeal within 10 working days of the hearing.

At any stage of the complaint you may refer to the Commission for Social Care Inspection, Ridgworth House, Liverpool Gardens, Worthing, West Sussex, Tel. 01903 222950

If you remain dissatisfied and wish to take the complaint further, you can ask the Housing Ombudsman to investigate your complaint. The Ombudsman is an independent referee who investigates complaints against housing bodies.

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Appendix A: Complaints Procedure for Cornwell and Old School House

Please contact:
Housing Ombudsman Service, Exchange Tower, Harbour Exchange Square, London, E14 9GE
0300 111 3000

Appendix B: Complaints Procedure for Domiciliary Service

Complaints procedure for Abbeyfield Ferring Society Domiciliary Services

If you feel that we have broken the terms of this agreement or that we have not performed any obligation contained in it, and you wish to complain, you are asked to follow the procedure set out below.

Abbeyfield Ferring Society wish to ensure that the complaints procedures 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.

The Registered Manager is responsible for following through complaints and should be contacted if you have problem or complaint about any domiciliary service.

Sarah Rodgers, Domiciliary and Registered Manager, 01903 248389

If you wish to complain or raise a concern about the service then it is asked that you;

1. Domiciliary Manager

Contact the in the first instance. If your problem cannot be resolved by the Manager then you can;

2. Investigation by the Chief Operating Officer:

You can discuss your concerns with, or write to, the Chief Operating Officer. They will look into your complaint and seek to resolve it within 5 working days. They will send you a full written response within 10 working days and let you know in advance if it will take longer than this. If you are not satisfied with the response, you can request to have your complaint reviewed by the Executive Committee.

3. Review by the Executive Committee:

Two members of the Executive Committee will review your complaint and send you a full written response within 10 working days. They will let you know in advance if it will take longer than this. We hope by this stage that your complaint will have been sorted to your satisfaction.

However, If you are still unhappy, you can contact the Office Manager to request an appeal with the Chairman of the Executive Committee.

4. Appeal to the Chairman of the Executive Committee:

The Office Manager will arrange for the Chairman and two other members of the committee (who have not previously been involved in the complaint procedure) will review your complaint at a meeting. You may attend this meeting or be accompanied if you wish to. You will be informed of the outcome of the appeal within 10 working days of the hearing.

You may at any time contact the Local Government Ombudsmen (LGO or the Care Quality Commissioner (CQC).

The LGO can consider complaints from people who arrange or fund their own adult social care. This is in addition to complaints about care that are arranged and funded by local authorities. In most cases the LGO will consider complaints once the organisation has been given reasonable opportunity to deal with the situation.

Relevant Contacts

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Appendix B: Complaints Procedure for Domiciliary Service

Local Authority Complaints Manager (Adults), West Sussex County Council, County Hall, West Street, Chichester, PO19 1RQ
01243 777100

County Police HQ, Worthing Police Station, Centenary House, Durrington Lane, Worthing
01273 475432

The Parliamentary and Health Service Ombudsman, Millbank Tower, Millbank, London, SW1P 4QP
0345 015 4033

The Local Government Ombudsman, 10th Floor, Millbank Tower, Millbank, London, SW1P 4QP
0300 061 0614

To raise concerns

The Care Quality Commission, Citygate, Gallowgate, Newcastle upon Tyne, NE1 4PA
03000 616161