

# Comments and Complaints Policy

**Policy Data Sheet**

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# Comments and Complaints Policy

## **1. Aim of the Policy**

This policy aims to ensure that all comments and complaints are received positively and where necessary acted upon in accordance with the procedures set out in this policy.

## **2. Scope of the policy**

The scope of this policy affects all service users, clients, vendors, visitors and the general public. It outlines procedures on making comments and complaints giving timescales in order to resolve any issues whether informal or formally.

Each service also has a comments and complaints leaflet which includes service specific information. The leaflet should be read in conjunction with this policy.

The Big Life group is committed to improving the lives of people by providing quality services and facilities. We are constantly looking for ways to improve. We believe that the people we work with deserve the best possible service. We encourage feedback as part of the process of improving what we do. We welcome positive comments as well as complaints.

We want to positively respond to complaints and be open when things go wrong and about the improvements we have made as a result of feedback. Managers will monitor the implementation of this policy and collate information about required improvements. We will offer all staff and volunteers training so that they are able to encourage, receive and manage the complaints process with sensitivity.

## **3. General Principles**

- We wish to encourage comments and complaints. All services and centres will clearly advertise the comments and complaints procedure.
- Many complaints arise from misunderstandings. It is very important that every effort is made to ensure that users and carers understand the reasons for decisions made about care and treatment. The need for complaints can often be avoided if there is good ongoing communication between staff, users and carers.
- Complaints can be made verbally, in writing, by telephone or by email. Staff recording verbal complaints should ensure they have carefully recorded the nature of the complaint, checked it with the complainant after they have written it, and recorded the complainant's details.
- The BLG Comments and Complaints form (enclosed in this policy) can be used by the complainant to record their complaint. This form should also be used when staff are recording a verbal complaint.
- Assistance will be offered to both parties in a complaint procedure to ensure equality of representation. Complainants should be made aware of advocates and other organisations able to offer them assistance.
- We will ensure that complainants are not discriminated against as a result of making a complaint.
- We are committed to providing complainants with ongoing communication throughout the complaints process

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- All complaints will be kept confidential to the parties concerned; where appropriate the complainant will be made known to the Exec Team and managers.
- Complaints regarding individuals need to be from an identified complainant and details of the complaint must be in writing.
- Complaints regarding external service providers will be referred to their complaints procedure. We will make sure that complainants know how to access their complaints process.
- Where appropriate, complainants will be informed of the complaints procedures of other professional bodies
- The BLG reserves the right to refuse to accept a complaint where the complaint is clearly vexatious, malicious or motivated by racist, sexist, homophobic or other discriminatory attitudes or where the complainant threatens or abuses BLC staff. The decision as to whether a complaint is vexatious will be taken by the Appeals Manager in consultation with the appropriate Director.

#### **4. Appreciating and Understanding Complaints**

A complaint is an expression of discontent or dissatisfaction, requiring a response. If a person complains they are basically saying that they are unhappy and explaining why this is the case. A good way of determining whether an expression of dissatisfaction amounts to a complaint or not is to determine what is being sought by the complainant and what is needed to resolve the matter

The word 'complaint' in its everyday use is often perceived in a negative manner. This is perhaps best exemplified by its associated words. For example, if you look up the verb 'to complain', it is defined by reference to others: to grumble, to whine, to nitpick and to nag. Accordingly, complaining is not generally seen as a positive thing to do, but this is neither the best nor the correct way to view complaints. It would be better to look at why complaints should be considered important from the perspective of the various parties involved.

##### **4.1 Why people complain**

In modern culture, consumers are better informed about their rights and have high expectations of service providers. As a service user, complainants feel entitled to have a say regarding how that service is provided.

There can of course be a variety of reasons for complaining but the underlying purpose will nearly always be to rectify the situation. For some people all they seek from the service provider is an acknowledgement that whatever happened to give rise to their complaint should not have done so, and to receive an apology that it did in their case.

Consumer complainants are often seeking restitution, i.e. recompense or reimbursement. If a consumer bought a faulty product, they would quite rightly seek a refund to put them back in the position they were in before the fault occurred.

Other complaints are motivated by seeking an understanding or answers. People can often feel that they have cause to complain because they do not know why or how something has happened. An explanation or information can resolve matters in these circumstances. This is often the case when there has been an unexpected death of a loved one.

Perhaps the most important reason for bringing a complaint though is to avoid a repetition or recurrence. Complainants want to know that whatever happened to them to give them cause to complain, would

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not happen again, either to them or to anyone else. This ties in closely with the reason why we consider complaints to be important.

## **4.2. Valuing complaints**

Receiving a complaint can feel like an attack on the service provider. It is possible to feel offended but complaints should not be viewed in this way. It is often human nature to take criticism badly and as a service provider, it is possible to take personal offence. However, developing an understanding of the purpose of complaints is key to changing this perception.

Complaints are a form of feedback and we need to know how they are doing. Performance and delivery can only really be assessed by obtaining feedback from service users. Those people who have used the service are naturally best placed to provide comment on how that service is received.

Complaints should be used to inform and improve. We should aim for continuous change and improvement in their performance and complaints are a rich and vital source of information that can be used to assist in this.

Areas of deficiency can be highlighted by complaints. When a complaint identifies that something has gone wrong or has fallen below standards, this should be seen as an opportunity to improve and avoid a recurrence. Learning is a key aspect of processing complaints. By identifying deficiencies and faults, we have the chance to learn from the experience. The opportunity to reflect and review the matter can allow for systems, policies, practices or procedures to be amended or put in place as appropriate, to ensure that lessons are learned and followed up.

By making sure that lessons from complaints are taken on board and followed up appropriately, service and performance can be greatly improved for the future.

## **5. Complaints Procedure (See Appendix 1 for Big Life Schools Procedure)**

Complaints should not be recorded on the client database, or in a file associated with the service provided to the client. The complaint may be unfounded, include 3<sup>rd</sup> party information, or may cause detrimental prejudice between the client and the service.

Each service should have a procedure in place to record complaints which is secure and confidential. Records of complaints and any associated information should be kept for a period of 10 years.

### **5.1 Informal Stage**

Wherever possible we will try to respond and resolve the situation at an informal level. An informal complaint is defined as *'a verbal complaint which is resolved to the complainant's satisfaction no later than the next working day'*.

Both staff and volunteers are trained to deal with less serious matters and find resolutions to problems. All staff should be informed of the procedure for recording informal complaints within their team during their induction.

The matter will go no further unless the injured party is still dissatisfied, then the formal process will then begin.

### **5.2 Formal stage**

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Comments and Complaints can be made in person, in writing, by telephone or by email. Complaints should go to the relevant service manager who will appoint a suitably trained manager/team leader to carry out the investigation.

The appointed manager should respond to the complainant in writing within 3 working days of receiving the complaint. The letter should include the following information:

- Contact details of the manager who will be their point of contact throughout the process
- The date by which the complainant will receive a copy of the investigation report
- An offer to discuss the complaint process and associated timescales; as well as the complainants expectations and desired outcome
- If the complaint was made verbally, a copy of their verbal statement should be included. The complainant should be advised to inform the appointed manager if they don't feel this accurately represents their complaint
- Details of the independent advocacy services available in their locality
- Establish the complainants preferred method of contact and any adaptations required (e.g. an interpreter)
- A copy of this policy and the service complaints leaflet

When investigating complaints, managers should ensure that:

- They fully understand the complaint – this may require them to meet with or talk to the complainant
- Understand the response of staff or the situation in which the problem arose. This may involve interviewing or speaking to staff and volunteers, or reviewing any written information
- When interviewing complainants, staff or volunteers, they should be offered the opportunity to bring someone with them (a friend, advocate, trade union representative).

The investigation report should include the following information:

- An explanation of how the complaint has been investigated
- An apology if appropriate
- A response to each issue raised based on facts
- Whether the complaint is upheld in full or in part
- The conclusion reached in relation to the complaint
- Information and contact details of the external organisation the complainant can contact if dissatisfied with the outcome of the investigation (please see service leaflet for details)
- An action plan (including timescales) of any action the organisation plans to take in response to the findings of the investigation

Actions may include:

- Specific Improvements to service
- Bring together parties to mediate the dispute
- Recommendations on staff training

Investigation reports should be forwarded to a Director within 28 working days of receiving the complaint to be reviewed and countersigned prior to being sent to the complainant.

If more than 35 working days are required to complete the investigation and have it countersigned by a director, the appointed manager should contact the complainant at least 7 days before the 35<sup>th</sup> working day to explain the reasons why and provide a revised timescale.

If the complainant isn't satisfied with the outcome of the investigation, they should be signposted to the relevant external organisation who is responsible for reviewing complaints for that service (please see the relevant service complaint leaflet for details). This information should also be included in the investigation report.

### 6.3 Withdrawing a complaint

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If at any time during the complaint process the complainant or their representative decides they would like to withdraw the complaint this request can be made either verbally or in writing. The withdrawal of a complaint will be acknowledged in writing by the Investigation Officer.

## **6. Time limits on making a complaint**

Normally complaints should be made within twelve months of the event or within twelve months of the complainant becoming aware of cause to complain. Exceptions to this rule may be made by the Services Manager taking into account reasons for the delay and the practicability of investigating the matter.

## **7. Monitoring systems**

A report of all comments and complaints will be compiled and sent to the Clinical Service Governance Board on a quarterly basis. CSGB will regularly review the reports with a view to sharing lessons learned across the group.

## **8. Review**

This procedure will be the subject of periodic review in the light of local practice and/or the receipt of changes to national procedures or guidelines.

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## Appendix 1

### Big Life Schools Comments and complaints procedure

#### 1. Legislation and Guidance

This document meets the requirements set out in part 7 of the schedule to the Education (Independent School Standards) Regulations 2014, which states that we must have and make available a written procedure to deal with complaints from parents of pupils at the school.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on creating a complaints procedure that complies with the above regulations, and refers to good practice guidance on setting up complaints procedures from the Department for Education (DfE).

This policy complies with our funding agreement and articles of association.

#### 2. Stage 1: informal

The school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of teaching or support staff, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the school office.

The school will acknowledge informal complaints within 5 working days, and investigate and provide a response within 7 school days. If the school cannot complete the investigation within this timeframe they must contact the complainant and make them aware of the amended timescales. If the complaint is not resolved informally, it will be escalated to a formal complaint.

#### 3. Stage 2: formal

The formal stage involves the complainant putting the complaint into writing, usually to the headteacher and/or the subject of the complaint. This letter should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

The headteacher (or other person appointed by the headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 7 school days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the chair of governors in writing within 2 weeks of receiving the outcome of stage 1.

#### 4. Stage 3: Chair of Governors

Complaints will be escalated to the Chair of Governors if the complainant is not satisfied with the response to the complaint at the second, formal, stage. The Chair of Governors is contactable through the school office. The chair of governors will have access to the existing record of the complaint's progress.

The complainant will be invited to meet with the chair of governors. At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The chair of governors will be given the chance to ask and reply to questions. Once the complainant has presented their case, they will be asked to leave and evidence will then be considered.

The chair of governors must then put together their findings and recommendations from the case. A copy of the findings and recommendations will be made available to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection.

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The school will inform those involved of the decision in writing within 14 days.

#### **5. Complaints against the headteacher or a governor**

Complaints made against the headteacher or any member of the governing body should be made in writing to the Chair of the Multi Academy Trust. The Chair of the MAT will contact the complainant within 7 days, acknowledging the complaint and detailing the timescales to complete the investigation.

Chair of Big Life Schools Multi Academy Trust  
463 Stretford Road  
Manchester, M16 9AB

#### **6. Referring complaints on completion of the school's procedure**

If the complainant is unsatisfied with the outcome of the school's complaints procedure, they can refer their complaint to the DfE. The DfE will check whether the complaint has been dealt with properly by the school. The DfE will not overturn a school's decision about a complaint. However, it will look into:

Whether there was undue delay, or the school did not comply with its own complaints procedure

Whether the school was in breach of its funding agreement with the secretary of state

Whether the school has failed to comply with any other legal obligation

If the school did not deal with the complaint properly, it will be asked to re-investigate the complaint. If the school's complaints procedure is found to not meet regulations, the school will be asked to correct its procedure accordingly.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

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## Private & Confidential – Comments/Complaint Form

The Big Life Group is committed to providing quality services and welcomes feedback from people using the range of available services.

Any comments or complaints you make will be given serious attention and appropriate action will be taken. Please note, that this complaint will be kept on our secure IT systems.

<b>NAME:</b>	
<b>ADDRESS:</b>	
<b>CONTACT TELEPHONE NUMBER:</b>	
<b>DATE:</b>	

<b>NATURE OF COMMENT / COMPLAINT:</b> <i>(Please explain in detail – use a separate sheet if necessary)</i>
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<b>DESIRED OUTCOME:</b> <i>(Please explain in detail what the complainants desired outcome in response to the complaint – use a separate sheet if necessary)</i>
<b>ACTION TAKEN:</b>

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<b>Copy retained?</b>	<input type="checkbox"/>
<b>SIGNED:</b>	
<b>COUNTER SIGNED:</b> (by staff receiving complaint)	

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