

Complaints Procedure

Purpose

The purpose of our Complaints Procedure is to ensure that the views of our Service Users, family members and carers are made known to us. The aim is to ensure that we act quickly to resolve problems and ensure that we offer responsive services.

Definition of a Complaint

A complaint may generally be defined as “an expression of dissatisfaction or disquiet in relation to an individual service user, which requires a response”.

Representations

Representations include comments and compliments, enquiries or suggestions. We value all views and will respond quickly to all representations and ensure information is passed on to the appropriate person.

When does dissatisfaction or disagreement become a Complaint?

Staff will respond to dissatisfactions and disagreements in the course of their everyday work and try to resolve them. Where it is possible to resolve a matter quickly, there is no need to engage the complaints procedure. However staff must not prevent or discourage service users, their families and friends from using the complaints procedure.

What may be complained about?

A complaint can be made about a range of behaviours or decisions that impact upon the service user. For example:

- Concern about the quality or appropriateness of the service
- Delay in decision-making or provision of services
- Non-delivery of services including complaints procedure
- Attitude or behaviour of staff
- Assessment, care management and review

How will you find out about this procedure?

When a Support or Care Package is commenced, Service Users and their families will be provided with a copy of the complaints procedure. Copies will also be sent to the Service Users' Solicitor or representative where the support staff are employed by CCMS. Copies of the complaints procedure will also be held on the Client Held File within the Service User's home. In addition a copy of the Complaints Leaflet is available on the CCMS website www.ccms.org.uk. A further copy can be requested from the CCMS office or via the Case Manager at any time.

Who can use this procedure?

Any service user, member of the service user's family, friend, carer or other professional may invoke the Complaints Procedure.

Many of CCMS' Service Users have been assessed to lack mental capacity. All CCMS staff work closely with Court of Protection Deputies to ensure that any unhappiness or dissatisfaction on the part of Service User's or their family or friends is dealt with as it arises.

Where a Service User has special needs in relation to communication every effort will be made to ensure that the Service User's wishes and feelings are understood. This may include use of translators, use of Speech and Language Therapists or use of communication aides.

Help with using this procedure

Some Service Users may need to make their complaint verbally; they will be supported to do so. Their families or representatives may also need help in completing the complaints form or writing a letter of complaint. Case Managers should routinely check with Service Users if they have any concerns in respect of their support/care package. Case Managers should help Service Users and their families to make a complaint; where necessary writing the details of the complaint down.

It is recognised that a complaint may be directed at the Case Manager. In this situation, the Service User, family, friend or support worker should contact the CCMS Registered Manager who will ensure that an independent professional is appointed to explore and resolve the complaint with the complainant.

Withdrawing a Complaint

A complaint can be withdrawn at any time either orally or in writing. The Registered Manager of CCMS will write confirming that the complaint has been withdrawn. Where a complaint has been withdrawn CCMS will decide whether it is appropriate to consider the issues further in which case they will write to the complainant informing him/her of this.

Time Limit for making a Complaint

A complaint made later than one year following the event will not be considered. CCMS will write to the complainant informing him/her of this.

Procedure for making a Complaint

Each complaint received will be considered in full. In the event that a Service User is discovered to persistently complain, the Registered Manager or Case Manager where applicable, will ensure that the Solicitor or Court of Protection Deputy is involved in resolving the issues. In the event that the Service User is not involved with a Solicitor or who is not under the Court of Protection, the Registered Manager will consider the necessity to appoint an Independent Mental Capacity Advocate.

Informal Procedure

Any dissatisfaction or concern should be brought to the attention of the Case Manager or other professional involved where appropriate in the first instance and they will aim to address and resolve as soon as possible. If the matter remains unresolved, a formal complaint should be submitted in writing providing as much detail as possible.

Stage 1- Resolution

Where a complaint is received CCMS will attempt to resolve the issues as early as possible through the Case Manager. If at this stage it is believed that the complaint is in fact about an independent professional or organisation, the Case Manager will ensure that the complaint is passed to the appropriate organisation and will inform the Service User where the complaint has been directed.

Stage 1 should be completed within 10 working days, a further 10 working days is allowed where a complete response cannot be provided within the timescale.

A response should be sent in writing to the complainant within the above timescales. A copy of the response should be kept in the complaints file.

Where the complainant remains unsatisfied with the response, Stage 2 of the complaints procedure will be invoked and passed to the Registered Manager.

Stage 2 - Investigation

This stage will be completed by the Registered Manager wherever possible, where the complaint is in relation to the Registered Manager and her duties the complaint will be investigated by an independent Case Manager or other professional.

At this stage consideration must be given to the appointment of an Independent Mental Capacity Advocate for those Service Users who are deemed not to have Mental Capacity.

Where Stage 2 is to be commenced the service user should be informed in writing within 5 working days of receipt of the complaint. The informal investigation should be completed within 25 working days the result of which should be discussed with the complainant who should also receive the outcome of enquiries in writing. A copy of the outcome should be kept in the complaints file.

Appeal

Where the complainant remains unhappy with the outcome of the complaint CCMS will inform the service users Solicitor, or Court of Protection Deputy. In the rare circumstance that a Service User does not have a Solicitor or Court of Protection Deputy, the Service User will be encouraged to make his/her complaint to CQC if appropriate.

Monitoring Arrangements

The Registered Manager will record all complaints and monitor the arrangements at all stages of the procedures including:

- Each Complaint received
- The outcome of each complaint
- Compliance with time limits

Annual Report

CCMS will publish a report each financial year setting out

- Numbers of Comments, Compliments and Complaints made
- The number of complaints at each stage
- Who made the complaint i.e., service user, carer, representative
- Types of complaint
- Outcomes of complaints
- Compliance with timescales
- Organisation learning
- Review of the effectiveness of the complaints procedure