

## **Humbercare Ltd**

# **Compliments and Complaints Policy and Procedure**

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### **1. Policy Statements**

1.1 Humbercare strives for high standards in everything that it does and welcomes feedback from individuals, intermediaries, charities, and anyone who works with us, on all aspects of our work. Such feedback is invaluable in helping us evaluate and improve our work.

- 1.2 The objectives of the Compliments and Complaints Policy are to:
- Ensure everyone knows how to provide feedback and how a complaint will be handled.
  - Ensure that complaints are dealt with consistently, fairly, and sensitively within clear and acceptable time frames.
  - Provide individuals with a fair and effective way to comment about our work.
  - Ensure that compliments and complaints are monitored and used to improve our services.

1.3 We will ensure that we:

- Listen carefully to complaints and treat complaints as confidential, where possible
- Record, process, store and manage all complaints accurately and in accordance with the Data Protection Act 1998
- Investigate the complaint fully, objectively and within the stated timeframe.
- Notify the complainant of the results of the investigation and any right of appeal.
- Inform the complainant of any action that will be implemented as a result of the complaint, where appropriate
- Report, on a quarterly basis, the number of compliments and complaints received; the outcomes of investigations and any actions taken.

## **2. Definition of a Complaint**

2.1.1 A complaint is any expression of dissatisfaction by an individual, whether justified or not.

An individual may make a complaint if they feel Humbercare has:

- ☐ Failed to provide a service or an acceptable standard of service.
- ☐ Delayed in providing a service.
- ☐ Made a mistake in the way we have provided a service.
- ☐ Failed to act in a proper way.
- ☐ Provided an unfair service.

2.1.2 This policy and procedure relates only to complaints received about Humbercare and its services. Individuals who make complaints about partner organisations will be notified in writing within one working day of receipt of the complaint that they need to complain to the organisation they have the complaint with, and will be provided with contact details, where possible.

### **2.1.3 Anonymous, Offensive and Discriminatory Complaints**

If we receive an anonymous complaint we will still record and investigate it as far as possible, but action may be limited if further information is required to ensure a full and fair investigation.

A complaint may be considered offensive if it includes inappropriate language or views which discriminate against anyone. If an offensive complaint is received it will be logged and immediately forwarded to the HR & Policy Director to deal with.

The HR Lead will decide if the complaint should be investigated or closed. In such cases, a complaint which may be 'closed' for purposes of offensiveness/discrimination will be signed off by a Trustee of the Board.

## **3. Compliments and Complaints Procedure**

### 3.1 Compliments

Any verbal or written compliments will be recorded by the member of staff receiving the compliment and be passed to the appropriate manager for recording on the Compliments Register. Any member of staff identified as being the subject or contributing to any matter giving rise to the compliment will be notified within three working days. Feedback on compliments will be shared with employees at appropriate timings.

### 3.2 Complaints

The complaint must be made no more than 12 months after:  
The date the event occurred, or if later,  
The date the event came to the notice of the complainant.  
The time limit will not apply if Humbercare Ltd is satisfied that:

The complainant can give a good reason for not making the complaint within that time limit, and despite the delay, it is still possible to investigate the complaint effectively and fairly.

**There are three stages to the complaint's procedure:**

- ☐ Stage One – Complaint and Informal Resolution
- ☐ Stage Two – Formal Complaint Review and investigation
- ☐ Stage Three – Second Complaint Review by Chair or Trustee (or a panel).

#### **Stage One**

3.3 We aim to settle issues quickly and satisfactorily by the member of staff or the relevant manager who provides the service. It may be resolved quickly by way of an apology, by providing the service required or by providing an acceptable explanation to the individual.

#### **Stage Two**

3.4 Individuals wishing to make a formal complaint should contact the person who provided the service, or their manager. Alternatively they can contact Humbercare by emailing [info@Humbercare.org.uk](mailto:info@Humbercare.org.uk) or writing to: Humbercare, 81 Beverley Road, Hull HU3 1XR, or 01482 586633; or using the form at [www.Humbercare.org.uk](http://www.Humbercare.org.uk).

3.5 If the individual prefers to make a verbal complaint, then the person receiving the call will enter details on the 'Verbal Complaints Form.' If the person is willing, or asks, to submit a written complaint, the 'Written Complaints Form' will be sent to them on the day of their call, or the individual can download a copy of the form from the website.

If the complaint is on social media the individual will be thanked for their feedback and requested to send a private message with details so we can investigate the details of the experience. The matter will then be dealt with as any other complaint.

3.6 Details of the complaint will be emailed immediately to the HR Lead. On receipt, each complaint will be allocated a unique reference number and logged on the Complaints Register.

3.7 Complaints will be acknowledged within three working days of receipt. The HR Lead will appoint a manager to investigate the matter fully and independently, if appropriate, or investigate personally. This person may need to contact the complainant to clarify the issues, conduct the investigation and explore resolution. The complainant will receive written confirmation, either hard copy or email, of the outcome of any investigation within twenty-eight working days of receipt of the complaint, together with any recommendations/remedies made, such as, staff development and training, reviewing of policies or appropriate improvement to our services. **The outcome should not refer to any individual employees or groups of employees.**

3.8 The Complaints Register will be updated by the Complaints Investigator and any pending complaints flagged so they are followed up by the relevant Director.

3.9 Individuals will be advised that if they are not satisfied with the response to their complaint, they may appeal to the HR Lead within fourteen working days and progress to Stage Three.

3.10 Occasionally, investigations may take longer, particularly if the complaint is complex. Should this be the case a holding letter will be sent after 20 working days and a final date given for a conclusion to be reached which should be no longer than a 6-month period.

3.12 If an individual remains dissatisfied with the outcome from Stage Two, they can request an Independent Review within fourteen working days of the date of the outcome letter and progress to Stage Three.

### **Stage Three**

3.13.1 The Chair/Trustee(s) will review the Stage Two investigation and recommend one of the following actions, within twenty working days:

- Uphold the action taken at Stage Two
- Implement changes to the Stage Two recommendations/actions.

### **IF YOU ARE STILL NOT SATISFIED**

Once the complaint has been fully dealt with by Humbercare Ltd, if you are not satisfied with the outcome you can complain to the Local Government Ombudsman (LGO). The LGO provides a free, independent service. You can contact the LGO Advice Team for information and advice, or to register your complaint:

T: 0300 061 0614

E: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)

W: [www.lgo.org.uk](http://www.lgo.org.uk)

The LGO will not usually investigate a complaint until the provider has had an opportunity to respond and resolve matters.

You may also complain to the Funding Provider of the Service. Humbercare will provide the details.

Some of our services are registered with and regulated by the Care Quality Commission. The CQC cannot get involved in individual complaints about providers but are happy to receive information about our services at any time. You can contact the CQC at:

Care Quality Commission  
National Correspondence  
Citygate, Gallowgate,  
Newcastle Upon Tyne,  
NE1 4PA

T: 03000606161

F: 03000616171

#### **4. Data Protection**

4.1 To process a complaint, we will hold personal data about the complainant, which the individual provides, and which other people give in response to investigating the complaint. We will hold this data securely in accordance with the Data Protection Act 1998 and only use it to help address the complaint. The identity of the person making the complaint will only be made known to those who need to consider the complaint and will not be revealed to other people or made public. However, it may not be possible to preserve confidentiality in some circumstances, for example, where relevant legislation applies, or allegations are made which involve the conduct of third parties.

4.2 Under the Data Protection Act 1998, individuals have a right to obtain a copy of their personal data. However, there are exceptions to this right which includes 3<sup>rd</sup> Party information. We will normally destroy compliments and complaints files in a secure manner six years after the compliment has been made or the complaint closed.

## 5. Monitoring

5.1 Compliments and complaints are a valuable tool which, alongside data provided by exit surveys, user feedback and focus groups, will allow us to learn more about the services we provide. They offer a useful source of information about how individuals see our charity and how we are serving them. To ensure we can learn from compliments and complaints, the following data will be collected:

Compliments:

- ☐ Name and address
- ☐ Nature of the compliment
- ☐ Date of compliment
- ☐ Action(s) taken/recommendations made in response to the compliment, if appropriate.

Complaints:

- ☐ Name and address
- ☐ Name of person dealing with the complaint
- ☐ Date of complaint and response date
- ☐ Nature of complaint
- ☐ Action(s) taken/recommendations made in response to the complaint.
- ☐ Lessons learnt.

5.2 Compliments and complaints information will be considered on a quarterly basis by the Senior Management Team and the Humbercare Board of Trustees. Wherever possible, the data will be used to improve and develop the service.

The following related policies should be read in conjunction with this policy:

- ☐ Data Protection Policy
- ☐ Confidentiality Policy

## COMPLIMENTS & COMPLAINTS FORM

### COMPLIMENT & COMPLAINTS FORM

*Note: this form will be used to record expressions of minor concerns which may dealt with on the spot as well as obvious “complaints” which may require formal investigation. It should also be used to record compliments offered to employees of the organisation.*

*The original of this form will be:*

*Held in a clearly labelled “Complaints in progress file in the HR Lead’s office whilst the complaint is being investigated.*

*Transfer to a Central Complaints file as soon as the matter is closed; and, if applicable, a copy will be placed on the relevant Service User’s file.*

**Re: Person making the complaint, expressing concern, or giving a compliment.**

**NAME:**

**Address:**

**Telephone Number**

**Name & contact details of the person to which the complaint, concern or compliment refers:**

**Details of complaint, concern, or compliment (include dates, times, and witnesses where possible):**

<p><b>Add a sheet if necessary.</b></p>
<p><b>Name of any employees specifically complained of or complimented:</b></p>
<p><b>Name of person originally complained to (if not the person completing this form):</b></p>
<p><b>Name of the person to whom the complaint was referred on to for investigation (state "as above" if the person who receives the complaint also investigates):</b></p>
<p><b>Investigations carried out (attach additional pages if required):</b></p>
<p><b>Action taken or recommended by investigator:</b></p>



<p><b>Did this action satisfy the complainant? If not state why, and who the complaint was referred on to next:</b></p>	
<p><b>Did this action satisfy the complainant?</b></p>	
<p><b>Name of the organisation to which the complaint was referred in the event of a failure to satisfy the complainant:</b></p>	
<p><b>Signed by the complainant to signify satisfaction:</b></p>	
<p><b>Date:</b></p>	

### **Complaints, Concerns and Compliments Register**

<b>Date &amp; Initial</b>	<b>Complainant/Compliment</b>	<b>Summary complaint/suggestion</b>	<b>of Action taken or</b>
<b>This register must be reviewed at each management meeting</b>			