

## **CUSTOMER COMMENTS AND COMPLAINTS**

### **BACKGROUND**

Country Court is committed to ensuring that all our residents and other customers receive the highest standards of care and service. We are focused on continuous quality improvement and the achievement of excellence in all that we do. However, there may be times when we get things wrong or where customers are unhappy with some aspect of our service. We welcome comments as they help us to improve our service and we aim to resolve any concern or complaint quickly and simply.

A complaint is defined as an expression of dissatisfaction with the Company's procedures, employees, quality of care or other aspect of the service.

On occasion a person may not wish to lodge a formal complaint but may wish to express a concern or provide suggestions and comments for improving the service. Concerns may often be related to a misunderstanding and a wish to obtain more information or clarification. Concerns, suggestions and comments can either be made verbally to the Home Manager, Area Manager or by completing one of the suggestions and comments cards available at reception.

Customers may wish to praise the care and service received by them or another person and recording, analysing and acting upon these compliments also helps to make the service more responsive to customer needs and wishes. It is important that staff are made aware of all compliments and a book of compliments and thank you cards will be kept in the reception area, an electronic record will also be recorded on Cool Care.

The policy is based on the Ombudsman's six Principles of Good Complaint Handling (2009):

#### **Getting it right**

This means that we will:

- Act in accordance with the law and best practice and with regard to the rights of those concerned.
- Provide positive leadership re complaint handling at a senior level and encourage a Company culture which values complaints.
- Have clear arrangements which set out roles and responsibilities and ensure lessons are learnt from complaints.
- Include complaint management as part of all service design.
- Ensure that staff are trained and empowered to act decisively and resolve complaints.
- Focus on outcome for the complainant.
- Signpost the next stage of the complaints procedure in the right way and at the right time.

#### **Being customer-focused**

This means that we will:

- Have clear and simple procedures.
- Ensure that complainants can easily access the people dealing with complaints and informing them about advice and advocacy services where appropriate.

- Deal with complaints promptly and sensitively, bearing in mind the complainants individual circumstances.
- Listen to complainants to understand the complaint and the outcome they are seeking.
- Respond flexibly, including good coordination of responses with other bodies involved in the same complaint where appropriate.

### **Being open and accountable**

This means that we will:

- Publish accurate and complete information about how to complain, and how and when to take complaints further.
- Publish service standards eg timescales for handling complaints.
- Provide honest, evidence-based explanations and give reasons for decisions.
- Keep full and accurate records.

### **Acting fairly and proportionately**

This means that we will:

- Treat a complainant fairly, equally and respectfully without discrimination or prejudice.
- Ensure complaints are investigated thoroughly and fairly to establish the facts of the case.
- Ensure that decisions are proportionate, appropriate and fair.
- Ensure that complaints are reviewed by someone not involved in the complaint.
- Act fairly towards staff who have been complained about as well as to the Complainant.
- Set a 12-month limit for complaints to be accepted and investigated.

### **Putting things right**

This means that we will:

- Acknowledge mistakes and apologise where appropriate.
- Provide prompt, appropriate and proportionate remedies.
- Consider all the facts of the case when offering any remedy.
- Take into account any effect on the complainant that has resulted from them pursuing the complaint as well as from the original issue.

### **Seeking continuous improvement**

This means that we will:

- Use all feedback and lessons learned from complaints to improve service delivery and design.
- Have systems in place to record, analyse and report on learning from complaints.
- Regularly review the lessons learnt from complaints.
- Where appropriate tell the complainant about the lessons learnt and the changes made to services, guidance or policy.

The “Essential standards of Quality and Safety” (CQC 2010) Outcome 17, Regulation 19 relates to complaints and details the regulatory standards to be met with regard to dealing with complaints and complainants.

## **POLICY AND PROCEDURE**

Country Court values the opportunity that every complaint can provide to improve the care and service. We recognise that often complaints can result from a misunderstanding of an event or situation.

As far as possible all complaints will be treated in confidence. However there is a statutory requirement for the Company to notify specific agencies about certain serious types of complaints e.g. allegations of professional misconduct, criminal offences. Where this is the case it will be discussed with the complainant before the information is released. It must also be appreciated that the investigation process may reveal the source of the information and a statement from the complainant may be required.

Complaints relating to safeguarding issues will be managed according to the local authority & Company policy relating to Safeguarding Adults.

People making complaints will be encouraged to give their names as anonymous complaints are much less powerful and often difficult to investigate. Country Court will not tolerate any victimisation or harassment of complainants or their treatment and support being affected by the complaint. It will take action to protect anyone who has made a complaint if this is required. Any employee who has sought to victimise or harass a complainant will face disciplinary action.

While recognising that complaints can raise strong emotions for the complainant, country court will not tolerate abusive, offensive or threatening behaviour to staff from anyone making a complaint.

Unreasonably persistent or vexatious complaints will be dealt with by the Operations Manager on an individual basis, according to the circumstances of the complaint. If the complainant does not accept the offer of a discussion, the provider must determine the response period, which should always be within six months, and notify the complainant in writing of that period. This will ensure that the complainant is dealt with in a fair and consistent manner and that the point made is properly considered. This may involve other external agencies or independent advisors and the process will be managed by the appropriate company director, depending on the nature of the complaint.

On admission all residents will be made aware of the procedure for making complaints. This is included in the Resident Guide, detailed in a poster displayed in the reception area of the Home

Complaints may be made verbally in person or by telephone, in writing or by email.

Where a person feels unable to discuss a complaint at Home level or if the complaint is of a particularly serious nature and it cannot be discussed through the normal management channels then we have a raise a concern email which can be used.

Staff must ensure that where a resident wishes to make a complaint that this is enabled as smoothly and quickly as possible. Where possible a quick acknowledgement of the mistake and an apology along with action to put right the issue as soon as is possible will be all that is required. Often this is all people really want when they raise a complaint or concern.

Complainants are encouraged to follow the Country Court complaint procedure. However they may also make a complaint directly to the Care Quality Commission, Local Authority purchaser or use the NHS complaints procedure if they are receiving nursing care.

The Country Court complaints process has several stages which are outlined below:

### **Front line Complaint Handling**

Usually complaints received within a Home are informal and verbal.

Complaints from a representative will only be accepted under certain conditions.

These are **either**:

- When you know the Service User has consented in writing or verbally **or**:
- When the Service User cannot complain unaided and cannot give consent because he lacks capacity within the meaning of the Mental Capacity Act 2005 **and**
- The representative is acting in the Service User's best interests, such as when the matter complained about, if true, would be detrimental to the Service User.

As part of good customer care, any member of staff may listen to a comment or complaint which relates to his area of work. Where the issue is straightforward, such as a missing bin liner or wrong type of drink, it is expected that staff will resolve the issue immediately, if possible. The person in charge will be made aware of the complaint so that it can be recorded.

In most instances however, the point of contact for the complainant would be the most senior member of staff on duty. The Home Manager must be notified at the first available opportunity, if not on duty at the time. The person in charge will discuss the issue with the complainant and try to bring about resolution quickly.

If the complaint cannot be resolved immediately, requires further investigation or the complainant wishes it to be dealt with as a formal complaint then it should be dealt with as per Stage One of the Formal complaint handling process.

### **Formal Complaint Handling**

Any complaint received in writing or by e mail or will be treated as a formal complaint. All formal or unresolved frontline complaints received at any Country Court Home will be reported to and copied to the area Manager within 48 hours of receipt.

#### **Stage One**

Within 3 working days of receipt of a formal complaint, the Home Manager (or senior manager receiving the complaint) will send a letter acknowledging the complaint, informing the complainant that the issue is being investigated, detailing the person dealing with the complaint and specifying the date by which a full reply will be received.

Where the complainant is not a resident, the Home Manager will contact the complainant by telephone where possible to discuss the complaint in detail and also to arrange to meet if this is helpful to achieve a resolution.

Following discussion with the area Manager an investigation should commence into the complaint. In most circumstances the investigation will be managed at Home level by the Home Manager. Where the Area Manager feels the issue requires a more in-depth investigation or the complaint involves the Home Manager, it will be handled by the Area Manager or their designated person. Where a complaint is about the Area Manager or

other senior personnel it will be dealt with by the person's line manager or ultimately the Managing Director.

Formal letters of complaint received at Country Court Head Office or via the raise a concern email will be dealt with by the most appropriate person for that complaint.

All formal complaints will be responded to in writing within 21 working days. On the rare occasion where this is not possible an update on progress and an explanation of the reason for the delay will be provided. The letter will give some indication of when the investigation will be completed.

All letters written to the Managing Director or a Director of the company will be replied to personally by the named person, although they may not necessarily undertake the investigation.

## **Complaint Responses**

All letters sent in response to a complaint regardless of the source of the complaint must be checked and authorised by the Area Manager

This letter will acknowledge receipt of the complaint and will outline what we understand the complaint(s) to be. It will respond to the concerns raised (one by one) or explain what next steps are being taken to continue to resolve the concern if resolution is not immediately possible. It will outline any improvements or actions taken (if appropriate).

This letter will explain to the complainant who and how they can contact the investigator to discuss/address any further questions they may have. It will also explain the complainant's right to refer the complaint to Stage 2 of the complaint process.

### **Stage 2**

If the complainant is not satisfied with the response which they received from the Home Manager at Stage 1, they can request an internal review of their complaint by the Area Manager

This review should be requested within 28 working days of the date of the written response or meeting.

The Area Manager will acknowledge within 3 working days that your complaint is under review.

The Area Manager will review the handling of the complaint and conduct further investigations where necessary. This may include meeting with the complainant.

The Area Manager will respond in writing to the complainant within 21 working days detailing the findings of the review and explaining how the complainant can contact the investigator to discuss/address any further questions they may have. The letter will also explain the complainant's right to refer the complaint to the Local Government Ombudsman or the Health Service Ombudsman if nursing care is being provided. Contacts for these services are detailed at the end of the policy.

Country Court aims to resolve and conclude all complaints and investigations within six months.

Once a complaint has been dealt with by Country Court, if you are not satisfied with the outcome you can complain to the Local Government Ombudsman [LGO], which provides a free, independent service [see Contacts at end of policy]. The LGO will not investigate a complaint until Country Court has had an opportunity to respond and resolve matters.

Country Court's services are registered with and regulated by the Care Quality Commission [CQC], which is happy to receive information about them at any time, but cannot get involved in individual complaints [see Contacts at end of policy].

### **Legal Proceedings**

A complaint will cease to be investigated where the complainant states, either verbally or in writing, that they intend to pursue a resolution by way of proceedings in a court of law, or if they advise they have appointed a solicitor to act on their behalf. In such cases, the complaint must be referred immediately to the Managing Director.

### **Complaint Documentation**

A complaint file will be maintained securely by the Home Manager in each Home. A summary complaint log will also be kept which details the following information for each complaint and these details will be also be held electronically on Cool Care:

- The date the complaint was received
- The name and contact details of the complainant
- The person to whom the complaint refers
- A summary of the complaint
- Date the acknowledgement letter was sent
- Date the response letter was sent
- Outcome of the complaint (satisfied/dissatisfied)
- Any further follow-up action

The complaint log must be kept securely to ensure that confidentiality is observed. It may be accessed by inspectors from the Care Quality Commission or senior Country Court managers as part of internal quality assurance processes.

The Care Quality Commission may request a summary of complaints at a time, in a format and within a timescale set by them. The Area Manager must be made aware of any request for this information.

### **Training**

All staff will receive customer care training on induction. This includes awareness on how to assist people to make a complaint if they wish.

Managers will receive training on managing complaints

### **Complaint Monitoring**

Complaints will be reported monthly as per the Quality Assurance Programme on the Quality Indicator form.

The Home Manager will review complaints on a three-monthly basis to determine any trends. Where a trend occurs, such as complaints about staff attitude, the Home Manager must ensure actions are taken to prevent further complaints of that nature.

The Operations Director will review complaints management annually.

## CONTACT ADDRESSES

<p>Country Court Head Office Millenium House 102 Dukesmead Industrial Estate Werrington Peterborough PE4 6ZN</p> <p>Tel: 01778 348884 Email: <a href="mailto:raiseaconcern@countrycourtcare.com">raiseaconcern@countrycourtcare.com</a></p>	<p>Care Quality Commission National Correspondence Centre Citygate Gallowgate Newcastle-upon-Tyne NE1 4PA</p> <p>Tel: 03000 616161 Email: <a href="mailto:enquiries@cqc.org.uk">enquiries@cqc.org.uk</a></p>
<p>Local Government Ombudsman PO Box 4771 Coventry CV4 OEH</p> <p>Tel: LGO Advice Team 03000 610614 Email: <a href="mailto:advice@lgo.org.uk">advice@lgo.org.uk</a></p>	<p>Parliamentary and Health Service Ombudsman Millbank Tower Millbank London SW1P 4QP</p> <p>Tel: 03450 154033 Email: <a href="mailto:phso.enquiries@ombudsman.org.uk">phso.enquiries@ombudsman.org.uk</a></p>

## RESPONSIBILITIES

The Home Manager and senior managers involved in complaint handling are responsible for ensuring compliance with this policy

## REFERENCES/ FURTHER READING

- Care Quality Commission (2010) “Essential standards of quality and safety”, London
- Department of Health (2009) Listening, improving, responding: a guide to better customer care
- Parliamentary and Health Service Ombudsman (2009) The Principles of Good Complaint Handling [[www.ombudsman.org.uk](http://www.ombudsman.org.uk)]
- NPSA (2009) Being open - communicating patient safety, incidents with patients and their carers.

**This policy can be made available on request in other languages and in other formats such as cassette and Braille.**