



Compliments, Concerns and Complaints

1 Policy

1.1 Outcomes

Our services take full account of people's views, whether complimentary or matters of concern.

People know that if our usual high standards are not met they may complain and will be treated fairly.

People can be confident their complaint will not result in any retribution, but will be treated in an open, non-discriminatory way that seeks effective resolution and will wherever possible be treated in confidence.

People will be supported to make a complaint in a manner that meets their individual needs.

We learn from our mistakes, put things right, use the knowledge to improve outcomes for people.

1.2 Why we need a policy

We use the term 'complaint' in its everyday sense, to mean any statement about a service or member of staff that has not met the standard that people could reasonably expect. Our aim is to put people we support first and provide them with the best possible service. To make this aim a reality it is important that we encourage people and their representatives to tell us what they think about the services we provide. We are required by law to have a complaints procedure in place that is accessible to everyone who may need it.

We take a range of steps to ensure our services are of a good quality, including the vetting, checking and training of employees, quality checks and audit processes relating to all aspects of our services including premises and health and safety. We also invest heavily in providing person centred support that aims to meet people's individual needs. We also have in place a comprehensive set of policies to assist us in ensuring that we deliver the quality of provision that we promise.

It is important that positive comments are also recorded, acknowledged and monitored, and we welcome these. However, despite all this, we know there will be times when people who use our services, or someone acting on their behalf, will be unhappy with some aspect of the service provided.

The Complaints Procedure is there so that people can tell us when we get things wrong so that we can put them right. They can also tell us when we get things right, make comments about the things we do and suggest new ways of doing things.

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Signature: _____

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We understand that sometimes it is difficult to complain. If a person supported by Hesley Group wishes to make a complaint, we will provide them with the support they need in order to make it. All complaints or concerns will be taken seriously.

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We will treat people fairly and with respect and anyone making a complaint should be confident that they will not receive a poorer service as a result. If we uphold a complaint the person who brought it to our attention can expect an apology and for us to put things right quickly. What we ask in return is that people treat our staff with respect.

In addition to resolving the complaint we will use the information we gather during investigation to help us improve the services we provide.

1.3 **Complaints we are unable to deal with**

There will be times when we are unable to accept a complaint. The reasons for this are set out within the Practice Guidance, [Corp 10.1.1](#). Generally, this will apply where:

- The circumstances giving rise to the complaint were beyond our control, or involve matters that concern staff employment standards,
- the complaint falls outside the set time period, or
- the complaint has already been fully investigated.

Where a third party is making a complaint about a service received, we will need to know that the person has consented to the complaint being made on their behalf. If the person making the complaint represents a person who lacks capacity to consent to a complaint being made on their behalf, we will need to determine whether an investigation is in the person's best interests before proceeding.

We will not use this policy to investigate complaints about personnel matters.

1.4 **Informal and formal procedures**

We will always aim to agree a resolution to a concern or complaint informally (Stage 1) however, there may be times when it is necessary to progress a complaint in a more formal manner (Stages 2 & 3).



The Practice Guidance, Corp 10.1.1, gives more detailed information about this process.

1.5 **Contacting the Social Care Regulators**

A person making a complaint may at any time during the process contact the relevant regulatory body for adult or children's social care:

Adult Services regulator: Care Quality Commission (CQC), who can be contacted at any stage during the process if they feel they need to, particularly if they feel there has been a breach of the law relating to care homes. The contact details for CQC are as follows:

Tel: 03000 616161
Email: enquiries@cqc.org.uk
Fax: 03000 616171

Post: CQC National Service Centre
Citygate
Gallowgate
Newcastle upon Tyne
NE1 4PA

Children's Schools regulator: Ofsted, is the social care regulator for schools. It is possible to contact Ofsted to report concerns at any stage during the complaints process as follows:

Tel: 0300 123 1231 (general) or Tel: 0300 123 4666 to report concerns
Email: enquiries@ofsted.gov.uk (general) or CIE@ofsted.gov.uk (concerns)
Fax: 0300 123 3159

Post: Ofsted Social Care
Piccadilly Gate
Store Street
Manchester
M1 2WD

It is possible to complain to the Department for Education (DfE) about standards within school, but they will only look at this once the schools' own complaints process has been completed. The DfE cannot investigate individual complaints about private schools. But it has certain powers as a regulator if the school is not meeting standards set by DfE for:

- education
- pupil welfare and health and safety
- school premises
- staff suitability
- making information available to parents
- spiritual, moral, social or cultural development of students.

DfE will consider any reports of a major failure to meet the standards. It can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure serious failings are dealt with.





DfE can ask the school inspectorates to take minor complaints into account when the school is next inspected.

The complaints process for schools is
<https://contact.ofsted.gov.uk/online-complaints>

Next Steps – School complaints

If, at the conclusion of the Hesley Group investigation process the person making a complaint about Ivy Lane School remains dissatisfied they may complain to their purchasing authority (usually the child’s home local education authority/social services department). If the complainant is still not satisfied, they may complain to the local Government and Social Care Ombudsman about the local authority’s process.

The Local Government and Social Care Ombudsman may be contacted at:

LGSCO
PO Box 4771
Coventry
CV4 0EH
Tel: 0300 061 0614

Their website is at:
<https://www.lgo.org.uk/make-a-complaint/fact-sheets/social-care/children-s-care-services>

Next Steps – Adult Services complaints

If, at the conclusion of the Hesley Group investigation process, the complainant remains dissatisfied the person making a complaint about Hesley Group Adult Services may complain to the Local Government and Social Care Ombudsman. Please note that the Ombudsman will not consider a complaint until the provider’s complaint process has been completed.

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Coventry
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[Tel: 0300 061 0614](tel:03000610614)

Their website is at:
<https://www.lgo.org.uk/adult-social-care>

Date of this Policy	Next planned review date
22/03/2023	05/10/2023



2 Standard Forms, Letters and Documents

- 2.1 Compliments, Concerns and Complaints Practice Guidance, Corp 10.1.1
- 2.2 Compliments, Concerns and Complaints Procedure, Corp 10.1.2
- 2.3 Compliments, Concerns and Complaints Monthly Log, Corp 10.1.3
- 2.4 Compliments, Concerns and Complaints Progress Form (Stage 2 to Stage 4), Corp 10.1.4
- 2.5 Template letter 1, Corp 10.1.5
- 2.6 Template letter 1a (Non-Qualification letter), Corp 10.1.5a
- 2.7 Template letter 2, Corp 10.1.6
- 2.8 Template letter 3, Corp 10.1.7
- 2.9 Complaints Leaflet, Corp 10.1.8
- 2.10 Easy Read Summary of Policy, Corp 10.1.9
- 2.11 Writing an Apology Advisory Document, Local Government and Social Care Ombudsman, Corp 10.1.10
- 2.12 Writing a Decision Letter Advisory Document, Local Government and Social Care Ombudsman, Corp 10.1.11

3 Other Documents to be Referred to

- 3.1 Information Sharing and Confidentiality, Policy ReS 2.4
- 3.2 Corporate and Quality Governance in Hesley Group, Policy Corp 1.1
- 3.3 Safeguarding Adults at Risk, Policy ReS 2.1
- 3.4 Ivy Lane School Safeguarding and Child Protection Policy, ReS 2.1D
- 3.5 People's Rights and Having A Say, Policy ReS 5.8
- 3.6 Being Open – Hesley Group Duty of Candour Policy, Corp 8.1
- 3.7 Bullying and Harassment Policy, Per 7.3
- 3.8 Speaking Up Policy and Guidance, Corp 5.1
- 3.9 Grievance Procedure, Per 7.1
- 3.10 CQC Fundamental Standards and Health and Social Care Regulations 2014 (amended 2015)
<http://www.cqc.org.uk/content/regulations-service-providers-and-managers>





- 3.11 The Education (Independent School Standards) (England) Regulations 2014
http://www.legislation.gov.uk/uksi/2014/3283/pdfs/uksi_20143283_en.pdf
- 3.12 Equality Act 2010
<http://www.legislation.gov.uk/ukpga/2010/15/contents>
- 3.13 Mental Capacity Act 2005
http://www.legislation.gov.uk/ukpga/2005/9/pdfs/ukpga_20050009_en.pdf

