

# 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. This policy does not include Big Life Schools which has its own comments and complaints policy.,

Where services have 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 BLG 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 we 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**

Details relating to 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. Informal complaints can be defined as issues that are resolved promptly to the complainant's satisfaction without the need of a formal investigation into what has happened.

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.

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## 5.2 Formal stage

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 for NHS commissioned services or 7 working days for all other services, 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 colleague or, advocate),).

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
- Bringing together parties to mediate the dispute
- Recommendations on staff training

Complaint 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

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the relevant service complaint leaflet for details). This information should also be included in the investigation report.

### **5.3 Withdrawing a complaint**

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 Quality Committee on a quarterly basis. The Quality Committee 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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## 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 for a period of 10-years.

<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>
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<b>ACTION TAKEN:</b>
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<b>Copy retained?</b> <input type="checkbox"/>
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<b>SIGNED:</b>	
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<b>COUNTER SIGNED:</b> <i>(by staff receiving complaint)</i>	
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## Acknowledgement of complaint letter template

**ADD THE RELEVANT SERVICE LETTER HEADER PRIOR TO SENDING TO CLIENT**

[Date of letter being sent]

Dear [complainants name],

Thank you for your complaint which we received on [date]

As a service we treat all complaints seriously. We ensure that any complaints or concerns are investigated in an unbiased and non-judgemental manner and strive to be transparent throughout the investigation process.

I will be responsible for completing the investigation into your complaint and will be your point of contact throughout the process. My role within the organisation is [add]

If for any reason I will no longer be available, you will be informed of this change and provided with contact details of the manager who will be reassigned to the investigation.

I aim to complete a full investigation into the issues you have raised within 35 working days from the day we received your complaint. I will send you a copy of the report by no later than

If for any reason the investigation is likely to take longer than 35 working days, I will be in touch with you 7 days before the above date to explain the reasons why and provide a revised timescale.

As part of the investigation, I will:

- Arrange a time to speak to you to discuss your concerns and the outcome you are seeking.
- Review the patients record [Delete if not applicable]
- Speak to staff involved.
- Liaise with other managers within the organisation who have investigated similar issues.
- Review the relevant policies and procedures.

Once I have investigated your complaint, I will identify any lessons learned and any action we will take to prevent similar experiences in the future. Once I have completed the investigation report, it will be reviewed by a director within the organisation before a copy is sent to you.

**\*Delete if not applicable**

As explained during the phone call on [date complaint was made], a written statement of your verbal complaint was taken. I have enclosed a copy of this statement. If you don't feel this accurately reflects the points you raised, please don't hesitate to get in touch as soon as possible so we can amend this.

**\*Delete if not applicable**

Occasionally we require support from other organisations to help us fully investigate a complaint. In such instances, I will contact you to seek consent prior to communicating with any external organisations.

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Before proceeding with the investigation, I would be grateful for the opportunity to speak to you to ensure that I fully understand the points you have raised. This will also be an opportunity for you to ask any questions you may have regarding the complaints process. I will be in contact within the next 7 days. If you have a preferred method of contact, require an interpreter or any other adaptations which we are not currently aware of, please do let me know. It is our standard procedure to send the investigation report via post. If you would prefer to receive this via email, again please do let me know.

I have enclosed a copy of our complaints policy and service complaints leaflet for you to refer to, which outlines the process in further detail.

**\*Delete if not applicable**

If you would like to access support & advice during this process, the following services are available:

**[Add details of services]**

Kind regards,

Investigating Managers signature

Name

Job Role

**[Add details of local advocacy services if applicable]**

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<b>COMPLAINT INVESTIGATION INTERVIEW</b>	
<b>Date of interview</b>	
<b>Name of interviewee</b>	
<b>Name of manager</b>	
<b>Venue</b>	
<b>Duration</b>	
<b>Minutes of the interview</b>	
(To include a clear and concise account of the interview, which should be reviewed and signed by interviewee)	
<b>Signed by interviewee</b>	
<b>Date</b>	
<b>Signed by manager</b>	
<b>Date</b>	

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## Investigation outcome letter template & form

**ADD THE RELEVANT SERVICE LETTER HEADER PRIOR TO SENDING TO CLIENT**

[Date of letter being sent]

Dear [complainants name],

I have now completed my investigation into the complaint we received on [date of original complaint], and I have enclosed a copy of the report.

I would like to offer my apologies once again on behalf of the organisation and would like to thank you for taking the time to make the complaint.

As an organisation, we recognise the importance of being receptive to feedback and acting on any lessons learned in order to improve the quality of the services we deliver.

If you would like to arrange a meeting to discuss the outcome of the investigation or would like to receive the report in a different format; please contact me on [include your contact details].

If you are not satisfied with the outcome of the investigation or feel that it doesn't answer the points that you raised; you can contact [include details of contact/ombudsman]. Their role is to investigate complaints regarding [enter name of funder] that weren't resolved by the service provider.

**\*Delete if not applicable**

The Ombudsman can review complaints up to 12 months from when the cause for complaint was identified.

**To contact the Ombudsman:**

**Visit:** [www.ombudsman.org.uk](http://www.ombudsman.org.uk)

**Telephone:** 0345 015 4033

**\*Delete if not applicable**

For complaints relating to data protection breaches; you can contact the Information Commissioner's office (ICO). They can review complaints up to 3 months from when you last have contact with our service.

**To contact the ICO:**

**Visit:** [www.ico.org.uk](http://www.ico.org.uk)

**Telephone:** 0303 123 1113

Kind regards

Investigating Managers signature

Name

Job Role

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CONFIDENTIAL INVESTIGATION REPORT		
<b>Investigation process:</b>		
List what action was taken/ what documents were reviewed when completing the investigation		
<b>Findings:</b>		
Complaint and sought outcome	Response	Action plan
Each point of the complaint should be listed and responded to separately	List findings from investigation, include reference to information that was considered. Confirm whether the complaint is upheld, part upheld or not upheld. To give a clear rationale for your decision whether to uphold the complaint.	State what action will be offered to compensate the complainant. State what action will be taken to minimise the likelihood of this occurring again
<b>Outcome of investigation:</b>		
[To conclude the outcome of the investigation]		
<b>Appendices:</b>		
[include hyperlinks/references for any documents referenced in the report, i.e., policies/procedures]		
Name of Investigating Manager		
Signed by Investigating Manager		
Date		
<b>Comments from Director level:</b>		
[Director who countersigns the report to record their comments regarding the findings and outcome of the report]		
Name of Director		
Countersigned by Director	(Signed by the BLG Director)	
Date		

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