



## **COMPLIMENTS AND COMPLAINTS POLICY**

### **Contents**

1. Introduction
2. Policy Statement
3. Compliments
4. Informal Complaints
5. Formal Complaints
6. Review Procedures
7. Other Possible Action
8. Providing Information on this Policy and Procedure
9. Monitoring and implementation
10. Attachment 1 – Complaints Procedure Flowchart
11. Attachment 2 – Example Pro-forma for Recording Complaints
12. Attachment 3 - Compliments: Accessible format
13. Attachment 4 – Complaints: Accessible format

## **1. Introduction**

Drive aims to provide high quality services which are sensitive and flexible to meet the needs of people we support. Drive believes that people with learning disabilities should be valued as full citizens with rights and responsibilities.

This policy adheres to the legislation and principles set out in the Regulation and Inspection of Social Care (Wales) Act 2016, and the Social Services and Wellbeing Act (Wales) 2014.

## **2. Policy Statement**

Drive welcomes compliments and/or complaints that will assist it to improve services from a wide range of people such as individuals we support, parents and carers. Drive endeavours to learn from experiences, both positive and negative in order to change our practices and improve service delivery. All complaints will be investigated in a sensitive, effective and confidential manner without bias or prejudice.

## **3. Who is the policy for?**

**3.1** Anyone who has contact with services provided by Drive can use the compliments and complaints procedure.

This includes:

- People we support
- Their friends
- Family
- Advocates
- Visitors
- Neighbours
- Care Managers
- Staff from other agencies

**3.2** Drive has a range of human resources policies that enable concerns from employees to be reported and acted upon. Examples of these policies and procedures are Drive's grievance procedure, Drive's disciplinary procedure and Drive's whistle blowing procedure. Therefore issues arising from employees do not fall within the remit of this policy and procedure.

#### **4. Procedure for Compliments**

- 4.1 Compliments about the way that Drive provides services to people can be received from a range of people; family members, case managers, members of the public, service users. They can also be made in a variety of ways; through e-mails, letters, thank you cards, or verbally. Individuals we support may prefer to record what they want to say using alternative methods such as Ipads. Whichever method is chosen, please ensure that the manager is informed so that Drive can continue to learn through feedback on what is going well.
- 4.2 A copy of compliments made should be kept in the house, for example in a compliments and complaints book, or using the proforma attached (appendix 2). Area Managers will ask to look at compliments made when they conduct management visits, so that Drive can collate the information for management board and inspectors.

#### **5. Procedure for Complaints**

##### Procedure for informal complaints

- 5.1 A complaint may be made in writing, in person, by tape, or via the telephone.
- 5.2 Supported persons may also wish to raise their complaints at house meetings, individual service reviews, or during operational service manager monitoring visits.
- 5.3 When receiving a complaint, the staff member should be sympathetic, listen carefully, and record the complainant's comments.
- 5.4 Wherever possible the staff member receiving the complaint should attempt to provide a reasonable answer or explanation immediately for the complainant.
- 5.5 If it is not possible for the staff member receiving the complaint to give an answer or explanation to the complainant, they should give the complainant the name of someone who will be able to contact them within 24 hours. This may be the Team Manager or On-Call Manager another team member, depending on the circumstances.
- 5.6 The Team Manager should be aware of all informal Complaints /Representations and attempt to achieve a resolution.

- 5.7 A record of complaints should be kept at each project or Office. This may be in the form of a Complaints Book or a Complaints Pro-forma (example attached as Attachment 1 and 3). The record of complaints should include the following:
- i. Name of person making the complaint.
  - ii. The date the complaint was made.
  - iii. Name of person receiving the complaint.
  - iv. Nature of the complaint.
  - v. Explanation or reason given by the staff member.
  - vi. If explanation was acceptable or unacceptable.

- 5.8 If the complainant is not satisfied and wishes to take the matter further, the complaint will become registered as a formal complaint.

## **6. Formal Complaints**

- 6.1 A formal complaint becomes recognised when the complainant is not satisfied with the verbal explanation given, or when a serious complaint is made about the service.
- 6.2 The complainant will be asked to put their complaint in writing, any support required to do this will be provided by Drive. Any complaint relating to allegations of abuse will be handled in accordance with Drive's policy on the Protection of Vulnerable People (P.O4).
- 6.3 All formal complaints will be referred to the Chief Executive, who will determine the most appropriate person to investigate the complaint.
- 6.4 If the complaint is about the Chief Executive or a Senior Manager the matter will be referred to the chair of the board of management.
- 6.5 The Chief Executive will write to the person making the complaint within 28 days of receiving the formal complaint, informing them of the name of the Investigating Officer, and their right to contact him\her.
- 6.6 If the complaint under investigation concerns an employee of Drive they will be informed of the nature of the complaint against them.
- 6.7 The nominated Investigating Officer will carry out a full and fair investigation. This investigation will also be carried out as quickly as possible.

- 6.8 If during the Investigation it becomes apparent that a possible criminal act may have taken place, the complaint investigation will be halted and the matter handed to the police.
- 6.9 Similarly, if it becomes apparent that a possible disciplinary offence may have taken place, the complaint investigation will be halted and a Disciplinary Investigation will be carried out, following consultation with the Human Resources Manager.
- 6.10 In either of the above instances, the complainant will be kept up to date on events, by the Chief Executive maintaining regular contact. Once events have been investigated as appropriate, the complainant will be informed of the outcome.
- 6.11 If there is no action as a result of either a Police or Disciplinary Investigation, consideration will be given of whether the complaint is being fully investigated and the complainant informed of the outcome. It is the responsibility of Drive's Chief Executive to ensure that full consideration has been given and the complainant informed of the outcome.
- 6.12 Once the Investigation has been completed, the Investigating Officer will provide the Chief Executive with a written report of their findings.
- 6.13 Chief Executive will then write to the complainant, outlining the findings of the investigation.

## 7. **Appeal Procedure**

- 7.1 If the complainant remains unsatisfied with the outcome of the investigation she\he may request a review of that investigation.
- 7.2 The Chief Executive of Drive will appoint a Review Panel of three people to examine Drive's response to the complaint. One member of the Panel will be an independent member.
- 7.3 The Review Panel will meet within 28 days of the complaints request for a review.
- 7.4 The Chief Executive will write to the complainant giving him\her ten days notice of the review meeting. The complainant will be informed of the names and status of Panel Members, identifying who are independent and who are staff members.
- 7.5 The complainant is entitled to make written representation to the Panel prior to its meeting, and to make oral representations at the meeting.

- 7.6 Supported people are entitled to be accompanied by another person or advocate who may speak on their behalf. The Panel may also allow representations from other involved persons.
- 7.7 The Panel should record its recommendations within twenty-four hours. The Chair of the Panel will write to the complainant stating its findings and any recommendations.
- 7.8 Drive will consider its original decision after the Review, and if necessary, take appropriate action. The Chief Executive will write to the complainant advising him/her of the outcome of the Review within twenty-eight days of the Panel's findings being made available.

## **8. Other Possible Action**

- 8.1 Complainants have the right to complain to the Local Social Services Department, the CIW, or to the relevant housing association. The CIW is based at:

**CIW**  
 Welsh Government  
 Rhydycar Business Park  
 Merthyr Tydfil  
 CF48 1UZ

Telephone: 0300 062 8888  
 Fax: 0300 062 8548  
 Email: [cssiw.southeast@wales.gsi.gov.uk](mailto:cssiw.southeast@wales.gsi.gov.uk)

- 8.2 A complainant may feel it is necessary to contact the Police in the case of criminal allegations **before** making a complaint - Drive recognises this right.

- 8.3 If you are not satisfied with the response to your complaint from Drive, Social Services or the CIW, you can complain to the Public Service Ombudsman for Wales at:

1, Oldfield Road, Pencoed, Bridgend, CF35 5LJ

Tel: 03007900203

## **9. Providing Information on the Policy and Procedure**

- 9.1 It is the responsibility of the Team Manager to make the Compliments and Complaints Procedure available to supported people, carers and/or advocates. The Team Manager will

ensure that the contact numbers for the agencies identified in 7.1 available to tenants, carers and/or advocates.

- 9.2 There is an accessible version of the compliments and complaints procedure available for supported person. Team Managers are responsible for ensuring that all supported people are aware of this.

## 10. Monitoring/Implementation

- 10.1 Drive's Management Board will receive details on all compliments and formal complaints, annually.
- 10.2 Families receiving targeted support will be encouraged to provide feedback through annual questionnaires that include questions about satisfaction with the service received.



## STATUS BOX FOR POLICIES

Name of Policy	OP.06 Compliments and Complaints Policy
Date reviewed	

### THIS POLICY APPLIES TO:

All employees.

It is the responsibility of employees to comply with this Policy. Failure to do so may result in disciplinary action.

### THIS POLICY CROSS REFERENCES TO:

OP.01 Statement of Aims Policy

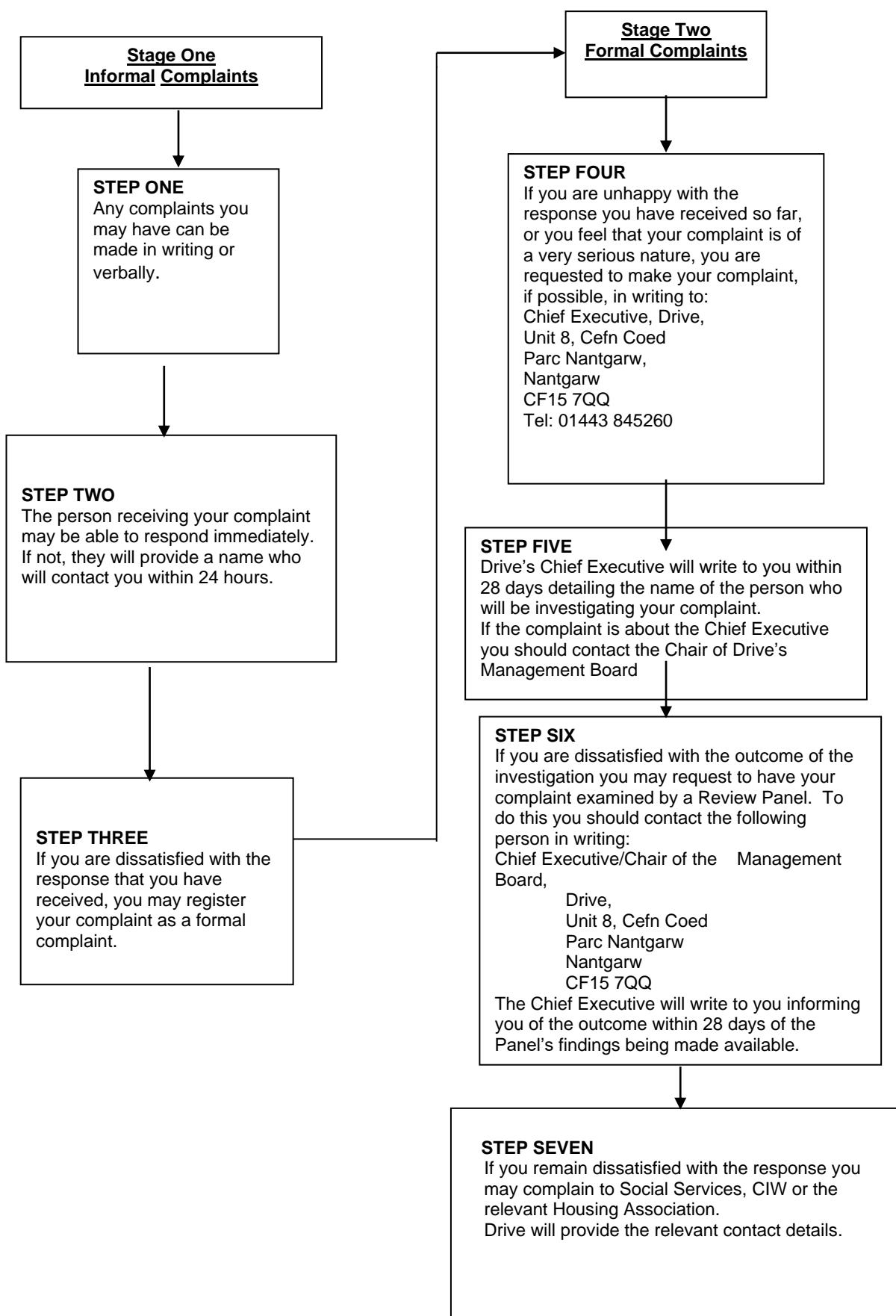
OP.2 Person Centred Approaches Policy

Where an employee has questions about and/or needs clarification of any aspect of this policy, the employee should check with their line manager. Where appropriate, training will be provided in the policy and procedure to ensure knowledge, compliance, and best practice across Drive.

This policy will be reviewed on a 2 year cycle to ensure Drive's policy and practices remain effective, are up to date with legislative and regulatory changes, reflect good practice and capable of supporting Drive's objectives.

## Attachment 1

### Complaints Procedure Flowchart





## Record of Complaint Form      Drive18

Name of Person Making the Complaint .....

Date Complaint Made: .....

Name of Person to whom the complaint was passed: .....

What is the complaint about; please include dates, places and the names of people involved.

Have you previously spoken to any member of Drive staff concerning this complaint? .....

Who?

When?

With what result?

Signature of person making the complaint.....

Date: .....