



# **COMPLAINTS POLICY AND PROCEDURES**

**MARCH 2017**

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## **Policy Rationale and Scope**

Arc HD Services (Arc) fully recognises that it has responsibilities to all young people, their parents and carers, placing agencies, employees and the community at large. This policy is designed to make it easy for matters of concern to be raised and to promote an atmosphere of mutual trust where concerns can be raised and promptly addressed without fear of retribution.

The policy applies to all staff working in the Home, young people, parents, carers, involved professionals and all who have reason to come into contact with the Home.

The policy aims to achieve efficient effective resolution, embracing the opportunity to develop and improve practice where need is indicated.

### **PART 1: Managing External Complaints**

#### **Scope**

There are no restrictions on the scope of issues that may be the subject of a complaint. All will be investigated, properly considered, and the findings made known to relevant individuals and groups with due respect for the appropriate confidentiality. Many issues may involve lack of information, poor communication or misunderstandings and can be addressed with an appropriate degree of informality. In such cases resolution can be sought at source with any member of staff. If the concern or complaint cannot be immediately and informally addressed then more formal representations need to be made.

#### **Who to Notify of a Complaint**

Minor issues may well be discussed directly with any member of staff (Appendix 3) as all staff will have an overview of the organisation and how its procedures operate. All young people also have an allocated Key Worker who is in regular contact with involved Primary Care Trusts, CAMHS representatives, placing authority representatives and parent / carers. They may well be in a position to informally deal with matters of concern or minor forms of complaint and act quickly in order to resolve difficulties.

All complaints, whether verbal or in writing, and whether informal or formal, are recorded in the Complaints Log Book.

#### **More Serious Complaints**

Where matters of complaint are felt to be more serious the Registered Manager should be contacted directly. At this stage the complaint may have to be in written form. In the absence of the Registered Manager, matters should be referred to another available Arc HD Services Operational Director.

If the complaint is about, or directly related to, the Registered Manager then matters should be referred to the Responsible Individual for the Home. In such cases details should also be sent to OfSTED (See Appendix 3).

## Child Protection

Concerns related to Child Protection can be addressed directly by contacting the Home's on duty Designated Child Protection Officer. In exceptional circumstances contact may be made directly with the local Child Protection department, the Police, or OfSTED.

### Procedure (See also Appendix 2)

- Staff addressing and resolving informal complaints are responsible for ensuring that the Registered Manager is informed of the complaint, in order that it can be entered into the Complaints Log.
- Where it has not been possible to resolve a complaint informally a Written Complaint Form (See Appendix 1) should be submitted. (This may be scribed by a staff member on behalf of a parent/carer/other party as necessary).
- The Complaints Form is submitted to the Registered Manager. Receipt is recorded in the Complaints Log Book and a reference number is allocated.
- The Registered Manager then allocates the complaint to the appropriate staff member (See Appendix iii) for resolution, or may choose to resolve the issue themselves if appropriate.
- Allocation should take place within two working days of receipt of the Complaints Form.
- The allocated staff member should inform the complainant that he/she has been allocated to resolve the issue. This should occur within two working days of the complaint being allocated.

The staff member should:

- (i) outline how he or she plans initially to investigate the issue.
  - (ii) give a realistic estimate of the time this will take, indicating when contact will be made with the complainant to outline progress and discuss resolution. Except in exceptional circumstances and with the express approval of the Registered Manager, this should occur within ten working days of the complaint being allocated.
- All actions taken by the staff member in investigating and resolving the issue are recorded on the Complaints Form.
  - Verbal feedback and a proposed resolution are provided to the complainant (as above). The date of contact is recorded in the Complaints Log Book, and is confirmed in writing to the complainant.

- Should the complainant be unsatisfied with the proposed resolve, the request for a Complaints Panel to review and address the issue may be made. Such a request should be received by the Home within ten days of receipt of the written proposal, and may be made in writing or verbally. The date of request is recorded in the Complaints Log Book.
- The Registered Manager is responsible for arranging any Complaints Panel Hearing. The Panel is identified by the Registered Manager and will consist of two Arc HD Services Operational Directors and one Arc HD Services Non Operational Director who has no role in day to day management. None of those identified as Panel Members will have had any prior involvement in the issue. The Chairperson will be provided with all the relevant information by the staff member initially allocated to resolve the complaint and is responsible for seeking clarification and further information as necessary.
- The Panel Hearing will be held at a mutually agreed location and at a mutually agreed time, within ten working days of the request being received, except where in exceptional circumstances the complainant agrees with the Registered Manager to extend this period.
- The complainant has the right to be accompanied to the Panel Hearing by a supporter.
- Panel Meetings are fully minuted, and the outcome confirmed in writing to the complainant within seven working days of the hearing, including details of any findings and recommendations made by the Panel.
- The Panel may identify their findings and make recommendations. These should be recorded on the Complaint Form and in minutes.
- The date of the Panel Meeting is recorded in the Complaints Log Book.
- The Registered Manager will assume after ten working days of the date of the confirmation letter that the issue is considered resolved unless contact to the contrary is made by the complainant. Resolution will be recorded in the Complaints Log Book and on the Complaint Form which is retained in the Complaint File.
- With all due respect for confidentiality, the completed Complaint Form and minutes from the Panel Hearing are copied to the Responsible Individual, Registered Manager and Complainant(s) and the subject(s) of the complaint.

If any complaint is not felt to be managed in a satisfactory manner then it can be reported to Ofsted.

## **PART 2: Managing Complaints from Young People**

Young people have a strong and supportive system for making complaints which is fully explained within the 'Young Person's Guide to the Home'. Staff will assist young people in the completion of complaint forms as necessary. Appendix 4 contains the Young person Complaint Form that describes the manner in which complaints from young people are managed and outlines responsibilities. Any person may make a complaint on behalf of a young person. Appendix 5 contains the guidelines for Young Person Complaints Panel Meetings.

### **PART 3: Managing Staff Complaints**

The Home has a number of systems for addressing staff concerns.

Staff should refer to:            Whistleblowing Policy  
   Grievance Procedure  
   Disciplinary Policy and Procedures

Should these procedures fail to achieve resolve, then the issue should be addressed through the Complaints System as outlined in Part 1 herein.

Details of the Complaints Policy and Procedures are covered in the Induction period of all new employees. Copies are readily available for staff reference, together with other policies, in central locations in the Home.

### **FURTHER INFORMATION AND MONITORING**

Young people's complaints are recorded in the Young Person Complaints Log, maintained by the Registered Manager who is responsible for ensuring issues are satisfactorily resolved.

Any serious complaint about the Home or its employees shall be reported to the placing authority and OfSTED.

The Registered Manager will regularly review all records of complaints and take any necessary further follow-up action in relation to individual cases.

The Home undertakes an annual audit of complaints detailing the number of complaints received and indicating the level at which they are resolved. This is available upon request. The audit is numerical and does not contain confidential details (See Appendix vi). More detailed analysis will be used to develop and inform practice.

There will be a specific opportunity at all statutory reviews for any matters of discontent, however minor, to be raised by parents / carers, CAMHS, placing authorities or any other outside agency.

### **Please Remember**

Complaints may well be constructive for the Home and the Company; it is important for all concerns to be shared in order for our service to young people to be constantly appraised. Arc welcomes views and comments from young people, parents and carers, placing agencies, national inspectorate bodies, employees and the public.

## EXTERNAL COMPLAINTS FORM

Ref No: \_\_\_\_\_

Name of person(s) making complaint: \_\_\_\_\_

Connection with the Home, *e.g. parent, CAMHS,S/W, neighbour*: \_\_\_\_\_

Contact details: Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Telephone Numbers: \_\_\_\_\_  
 \_\_\_\_\_

Have you previously informed or discussed your complaint with any staff member at the Home?  
 YES [  ] NO [  ]

Has any attempt at informal resolution been made: YES [  ] NO [  ]  
 If YES please give details:-

<u>Date</u>	<u>Time</u>	<u>Name of Staff Member</u>	<u>Method (Phone/letter/meeting etc)</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Details of complaint (Please ensure that you include details of all relevant dates/times/ locations/correspondence/names : use additional sheet if required)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Form Completed By:  
 Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please tick as appropriate: I am the person making the complaint [  ]  
 I am completing the form on behalf of the complainant [  ]

Details of action and resolution/outcome on reverse

PLEASE FORWARD TO REGISTERED MANAGER

**COMPLAINT FORM : ACTION AND RESOLUTION**

Form received by Registered Manager:      Date: \_\_\_\_\_

Staff Member Nominated to Address Complaint: \_\_\_\_\_

Briefly outline all actions taken in attempt to resolve complaint and the outcome of these actions (ensure all relevant dates/ times/locations/names are recorded).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

Complaints Panel Meeting:    Date: \_\_\_\_\_ Time: \_\_\_\_\_

Chair: \_\_\_\_\_ Panel Members: \_\_\_\_\_

Others present: \_\_\_\_\_  
\_\_\_\_\_

Further Actions/Findings/Recommendations:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

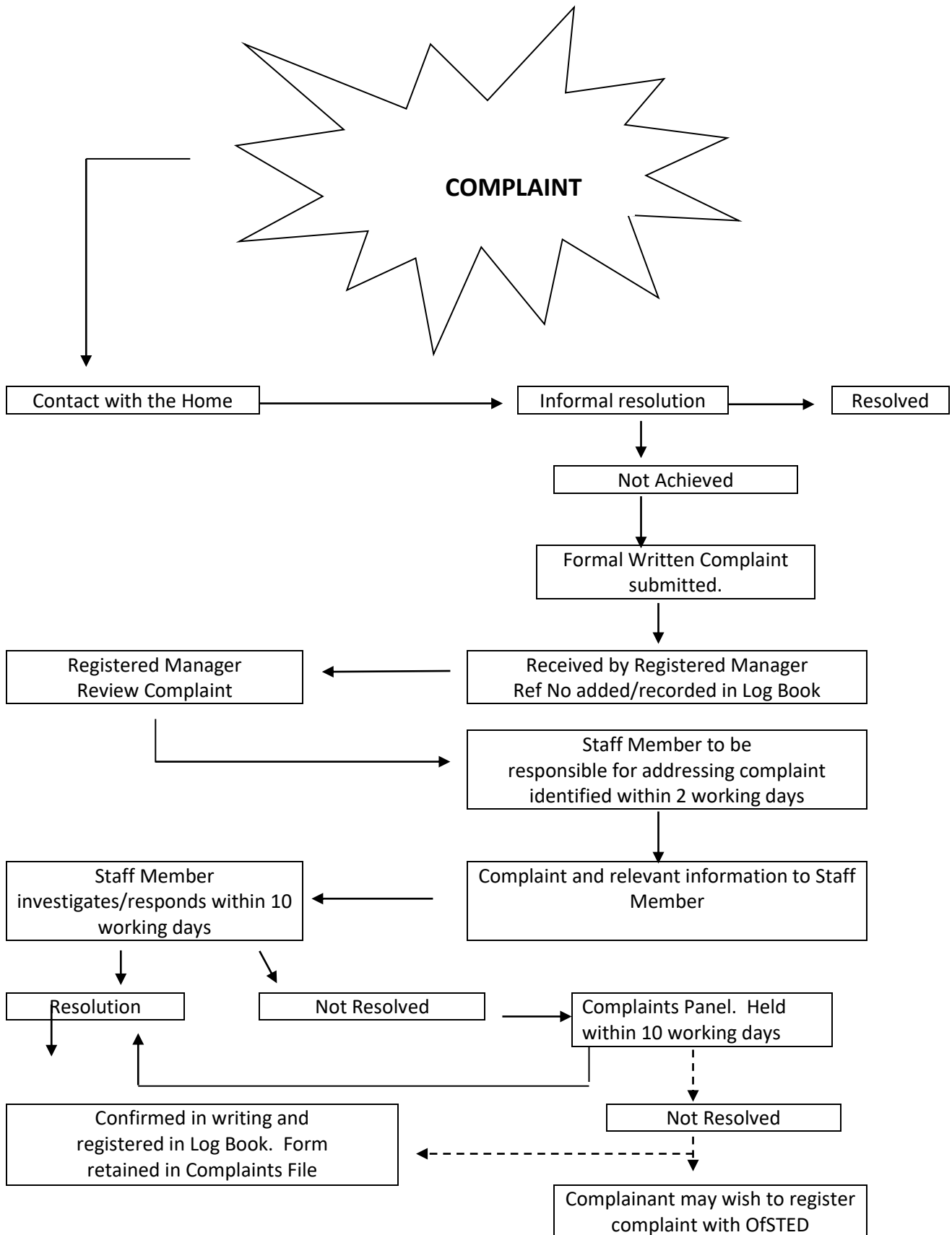
Senior Staff Member: Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Registered Manager: Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Outcome recorded in Complaints Log [      ]



**EXTERNAL COMPLAINTS PROCEDURE**



**CONTACTS**

Martin Rose	Responsible Individual	<a href="mailto:mr@arc-hd.com">mr@arc-hd.com</a>	02381 112014
Keith Bidwell	Compliance Manager	<a href="mailto:kb@arc-hd.com">kb@arc-hd.com</a>	02381 112014
Mark Johnson	Operational Manager	<a href="mailto:mj@arc-hd.com">mj@arc-hd.com</a>	02381 112014
Annette Mckeown	Operational Manager	<a href="mailto:Annette.mckeown@arc-hd.com">Annette.mckeown@arc-hd.com</a>	02381 112014
Marcus Whitfield	Business / Finance Manager	<a href="mailto:mw@arc-hd.com">mw@arc-hd.com</a>	
Rajpal Dhillon	Business / Finance Manager	<a href="mailto:rd@arc-hd.com">rd@arc-hd.com</a>	

**OfSTED**

Ofsted

Piccadilly Gate

Store Street

Manchester

M1 2WD

General Enquiries: 0300 123 1231 Reporting Concerns: 0300 1234666

**The Children's Commissioner for England – Anne Longfield OBE**Phone: **020 7783 8330**e-mail: **[advice.team@childrenscommissioner.gsi.gov.uk](mailto:advice.team@childrenscommissioner.gsi.gov.uk)**Website: **<http://www.childrenscommissioner.gov.uk/>**Write to: **The Office of the Children's Commissioner, Sanctuary Buildings, 20 Great Smith Street, London , SW1P 3BT****Child Line**

Phone: 0800 1111

Website: [www.childline.org.uk](http://www.childline.org.uk)

You are also able to get in contact with your Independent Reviewing Officer to discuss any concerns you may have.

**YOUNG PERSON COMPLAINT FORM**

Ref No: \_\_\_\_\_

Young Person's Name: \_\_\_\_\_

Date and time of problem: \_\_\_\_\_ Where did the problem occur? \_\_\_\_\_

Which people were involved? \_\_\_\_\_

What is the problem? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

What action did the staff take? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Which member of staff is helping you fill in this form? \_\_\_\_\_

Your signature: \_\_\_\_\_ Staff signature: \_\_\_\_\_

Received by Registered Manager: \_\_\_\_\_ Date/time: \_\_\_\_\_

Actioned: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\* Problem sorted – Resident's signature: \_\_\_\_\_ Date/time: \_\_\_\_\_

\* Not sorted – referred to Complaints Panel: \_\_\_\_\_ Date/time: \_\_\_\_\_

## **YOUNG PERSON COMPLAINTS PANEL – GUIDELINES**

### **Purpose of Panel**

A Complaints Panel is convened with the intention of resolving issues for the young person, when the Registered Manager has been unable to do so.

### **Members of Panel**

The Panel Meeting (date/time/members/venue) will be arranged by the Registered Manager.

The panel should consist of one senior member of staff (usually Arc HD Services Operational Director) and one independent of the operational management of the organisation (usually one of the Non Operational Directors). One of these individuals chairs the meeting. One panel member should be allocated to take minutes.

### **Preparation**

The panel should be provided with available and accurate information by the Registered Manager to facilitate an objective overview of the matter in question. The panel should receive this documentation at least an hour before the meeting.

### **Hearing**

- All parties must be assured of the panel's confidentiality.
- Should the young person choose to attend, with or without a staff representative (i.e. the person who has completed the complaints form for / with them), they should be given the opportunity to explain the situation and to add supporting information, if they wish to do so.
- The panel may ask questions but must be sensitive to the young person, who may be anxious.
- Where the young person chooses not to attend but is represented by a staff member, the panel must recognise that they may only ask questions of that staff member that they would ask of the young person.
- Any speculative details, i.e. information not relating directly to the complaint should not be considered.
- The panel should aim to be entirely objective and try to discount historical/previous knowledge of the individuals concerned.

## Panel Outcomes

The panel may recommend a number of options which it feels will help resolve the issue for the young person. They should recognise that an element of “Repair and Rebuild” work will almost certainly need to take place. This should be guided by the young person’s readiness to participate in the process. If this is possible and acceptable to them, the Registered Manager can facilitate this process.

All recommendations must be verified by the Registered Manager and the Responsible Individual.

The panel may decide that it is unable to resolve the issue and may opt to pass it back to the Registered Manager. Alternatively, the panel may conclude that the matter in question is beyond its remit and refer the issue on to the Responsible Individual for further action.

## Feedback Process

- Minutes of the Complaints Panel will be passed on to the Registered Manager who will retain the minutes with the other documentation relating to the complaint.
- The Chairperson of the meeting will feedback outcomes to the Registered Manager, who will then be responsible for notifying:
  1. the Responsible Individual, who will be responsible for taking any other appropriate action;
  2. the young person (and where appropriate, the staff representative);
  3. any staff involved in the issue.
- The responsibility of the panel then ends and panel members should not respond to any requests for justification of outcomes by parties involved. All matters should remain confidential.

## ANNUAL COMPLAINTS AUDIT SUMMARY

COMPLAINANT	Total No of Informal Complaints	Total No of Formal Complaints	Total No of Informal Resolve	Total No of Formal Resolve by Senior Staff	Total No Complaints Panel	Total No Appeal (Young person Procedure)	Total No External Referral	Total Currently Unresolved
Parents/Carers								
Placing Agencies								
Others								
Young people's								

**SAMPLE PAGE: COMPLAINTS LOG BOOK**

DATE	INFORMAL COMPLAINT	FORMAL COMPLAINT REF NO	NAME	NATURE	RESOLVED INFORMALLY	MOVE TO FORMAL COMPLAINT REF NO	RESOLVED BY: SENIOR STAFF / PANEL / EXTERNALLY

## **LINKED DOCUMENTS**

- **Statement of Purpose**
- **Young Person's Guide to the Home.**
- **Whistleblowing Policy**
- **Grievance Procedure**
- **Disciplinary Policy and Procedures**
- **Safeguarding (Child Protection) Policy**

**Policy Review By Date: March 2019**