

# POL11 – Complaints, Suggestions & Compliments Policy and Procedure

Serendipity Healthcare Ltd  
Unit 5 Millennium Way, Dunston, Chesterfield, Derbyshire  
S41 8ND



## 1. Purpose

- 1.1** To ensure Serendipity Healthcare Ltd has an effective system in place to manage complaints, suggestions, and compliments
- 1.2** To ensure that Serendipity Healthcare Ltd complies with any legal requirements, regulations, guidelines, and best practice.
- 1.3** To ensure that our complaints and compliments process is fair and transparent and does not discriminate directly or indirectly because of:
- Age
  - Being or becoming a transsexual/ transgender person
  - Being married or in a civil partnership
  - Being pregnant or on maternity leave
  - Disability
  - Race including colour, nationality and ethnic or national origin
  - Religion, belief or lack of religion/ belief
  - Sex
  - Sexual orientation

With the complainant feeling free to complain without fear of reprisals and are treated with courtesy, respect and compassion.

- 1.4** To support Serendipity Healthcare Ltd in meeting the following Key Lines of Enquiry:

Key Question	Key Lines of Enquiry (KLOE)
<b>SAFE</b>	S1: How do systems, processes and practices keep people safe and safeguarded from abuse?
<b>CARING</b>	C2: How does the service support people to express their views and be actively involved in making decisions about their care, support, and treatment as far as possible?
<b>RESPONSIVE</b>	R2: How are people's concerns and complaints listened and responded to and used to improve the quality of care?

- 1.5** To meet the legal requirements of the regulated activities that Serendipity Healthcare Ltd is registered to provide:
- Compensations Act 2006
  - The Care Act 2014
  - The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
  - Human Rights Act 1998
  - The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

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- Mental Capacity Act 2005
- Mental Capacity Act Code of Practice
- Data Protection Act 2018

## **2. Scope**

**2.1** The following roles may be affected by this policy:

- All Staff

**2.2** The following Service Users may be affected by this policy:

- Service Users

**2.3** The following stakeholders may be affected by this policy

- Family
- Advocates
- Representatives
- Commissioners
- External health professionals
- Local authority
- NHS

## **3. Objectives**

**3.1** To improve the quality-of-Service User's experience

**3.2** To ensure that all complaints and suggestions are promptly addressed, resolved and shared within the agreed timescales to ensure lessons are learnt and the learning improves service quality and delivery

**3.3** To ensure staff at all levels within Serendipity Healthcare Ltd understand their roles and responsibilities with regard to handling complaints, suggestions and compliments.

## **4. Policy**

### **4.1 Complaints**

- Serendipity Healthcare Ltd understands complaints to be an expression of dissatisfaction requiring a response, communicated verbally, electronically, or in writing. Complaints may be made by any users of the service, their family or advocate acting on their behalf, with their consent or in their best interests

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- Serendipity Healthcare Ltd takes complaints seriously. They will aim to put things right that have gone wrong and learn lessons to avoid the problem happening again. This policy sets out the framework for how the service will achieve this. The detail of how the service will do this will be found in the associated procedures
- Serendipity Healthcare Ltd will comply with legislation, national guidelines, regulation, and best practice when managing complaints and suggestions. A systematic approach will be taken with all aspects of complaints and suggestions
- Complaints or concerns by staff will be addressed via the Grievance process if the complaint or concerns relates to them individually or Whistleblowing procedure where a protected disclosure is made
- Serendipity Healthcare Ltd understands their statutory obligations in respect of the Duty of Candour and will ensure they follow agreed policy and procedure

### **4.2 Seeking Views and Engaging with Service Users**

- Serendipity Healthcare Ltd will seek out opportunities to obtain feedback from Service Users and stakeholders. Serendipity Healthcare Ltd will act with sensitivity, integrity, and professionalism by treating individuals that do complain or raise a suggestion with compassion, courtesy, and respect. The service will protect Service User's right to confidentiality. The service will ensure that alternative methods of communication are available so that the complaints and suggestions procedures are accessible for Service Users who experience difficulties with communication or whose first language is not English.
- Staff will undertake training on how to manage complaints in line with their role and responsibilities.

**4.3** The organisation understands that it can be difficult to separate a complaint from a concern, therefore, Serendipity Healthcare Ltd will follow this policy when any dissatisfaction arises with the service.

**4.4** A full record will be held of all complaints received regardless of the level of seriousness and means of communication. This approach allows an open and transparent culture around raising concerns in the earliest stage to allow resolution. A record of the complaint will also be held in the Service User care file and reported in line with contractual or regulatory requirements.

### **4.5 Safeguarding Concerns**

- Where a complaint or concern is raised that relates to a Service User being harmed or likely to be harmed, the organisation will follow their Safeguarding Policy and Procedures in addition to the complaints procedures, seeking advice and guidance from the Local Authority Safeguarding Adults team. The organisation will also notify CQC in line with our statutory duty.

### **4.6 Roles and Responsibilities**

#### **All Staff**

- Be trained on induction and as a routine measure to ensure knowledge is embedded and refreshed around the complaint's procedure
- Have access to the complaint's procedure
- Be provided with the opportunity to reflect and learn from complaints as a means to developing and driving quality care

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- Appreciate that any feedback from Service Users or their representatives that is of concern needs immediate resolution, where possible, to their satisfaction. Care Plans will be updated to reflect the planned changes to care, and the Registered Manager informed of the feedback. Failing to do this could result in a complaint
- Be clearly advised that on presentation of a complaint, swift escalation to management is necessary and purposefully withholding or concealing of concerns expressed by Service Users or their representatives could lead to disciplinary action

### **Serendipity Healthcare Ltd Management Team**

- Serendipity Healthcare Ltd's management team is responsible for ensuring compliance with this policy, regulations, improvement planning and having arrangements in place to provide relevant reports and information regarding complaints
- The Registered Manager is the main point of contact for receipt, investigation, and management of complaints within Serendipity Healthcare Ltd, however, this could be delegated to a senior member of staff within Serendipity Healthcare Ltd who holds experience, knowledge, and competence to investigate and manage complaints
- Serendipity Healthcare Ltd will ensure the procedure for raising a complaint is accessible and displayed prominently in The Agency, on Serendipity Healthcare Ltd's website and within the Service User information and guides. Alternative languages and formats should be available on request.

### **4.7 Compliments and Suggestions**

Serendipity Healthcare Ltd welcomes compliments and suggestions and recognise their importance in celebrating and recognising the success of our service and opportunities for improvement. We will engage with a wide range of stakeholders in addition to Service Users to support service development and improvement. We will share feedback with our staff.

### **4.8 One Complaint, One Response**

Serendipity Healthcare Ltd will follow the Local Government and Social Care Ombudsman best practice and where Service User are receiving services for more than one organisation, we will ensure they can make a complaint to anyone and be provided with a single response following a joint investigation.

## **5. Procedure**

### **5.1 Raising Complaints**

A complaint can be received by Serendipity Healthcare Ltd either verbally or in writing and can be made by:

- Service Users
- Someone acting on behalf of a Service User and with their written consent, e.g., an advocate, relative, Member of Parliament
- Someone acting on behalf of a Service User who is unable to represent his or her own interests, provided this does not conflict with the Service User's right to confidentiality or a previously expressed wish of the Service User

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Serendipity Healthcare Ltd should ensure that Service Users are given information on how to make a complaint and the process once a complaint has been made, including any agreed timescales.

### **5.2 Time Limits for Submitting a Complaint**

Complaints should be submitted within 12 months of the incident or concern arising. The time limit, however, can and should be waived, if:

- It is still practical and possible to investigate the complaint (the records still exist, and the individuals concerned are still available to be questioned, etc.) and
  - The complainant can demonstrate reasonable cause for delay in making the complaint
- It is at the discretion of the manager of the service if the time limit can be set aside

### **5.3 Complaints Procedure**

#### **Step 1**

When a complaint is raised to staff, staff will make an effort to resolve it immediately to the satisfaction of the complainant.

#### **Step 2**

Staff will apologise for the fact there was the need to complain in the first instance and explain the complaints process as described in the procedure steps.

#### **Step 3**

Staff will report the complaint to the most senior member of staff on duty and the complaint will be logged.

#### **Step 4**

Formal acknowledgement of the complaint will be sent within 3 working days to the complainant, this could be via letter or email. Serendipity Healthcare Ltd will have a local system in place to manage out-of-hours and weekend complaints received.

The acknowledgement will include:

- A summary of the issue from the complainant's point of view
- Who will be investigating the complaint?
- How the investigation will be handled - the response should state what the investigation will be focussed on
- A time limit for the investigation to be concluded. This should be 28 days; however, some cases may take longer, and the complainant will be made aware of this
- The complaints procedure and contact details of bodies that can be accessed in the event of dissatisfaction with the outcome of the investigation

#### **Step 5**

Following a full investigation, a response letter will be sent, and this will include the following:

- A summary of the issue from the complainant's point of view
- Details of the evidence and sources consulted in order to investigate the issue fully and fairly
- A presentation of the findings for each issue clearly and concisely described
- A conclusion, stating clearly whether the issue is "upheld", "partially upheld" or "not upheld"; unless it is ineligible, in which case the reason for this will be given, e.g., out of time or out of jurisdiction

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- An explanation of the outcome and whether any remedial action or learning points arise from the investigation of that issue
- An apology where the issue is upheld, and shortcomings or failings have been found
- The complainant's rights of appeal if not satisfied with the outcome

### **Step 6**

The complaint will be closed after 7 days once confirmation has been received that there is satisfaction with the outcome. In the event of dissatisfaction, Serendipity Healthcare Ltd will support the complainant to access further support (refer to section 5.6)

### **5.4 The Complaints Log**

A record will be held of all complaints raised and contain the following information:

- Each complaint received
- Subject matter and outcome
- Details of any reason for delay where investigations took longer than the agreed response period
- The date the report of outcome was sent to the complainant

Where complaints relate to a Service User, a copy of the complaint will be held in their care records so that the Service User can reflect on the recommendations.

Where complaints are raised by telephone, the log will include date and time of the call, and this should be followed up with written confirmation of the areas discussed.

Where a complaint indicates the potential abuse of Service Users, safeguarding policies will be followed as per local authority expectation and necessary notifications made to the regulatory body. Where Care is commissioned by Derbyshire County Council, Sheffield City Council or Nottingham County Council their reporting procedure for notifying them of complaints should be followed.

Where complaints are to be shared as part of learning, the complaint should be anonymised so there is no identifiable Service User information.

### **5.5 Investigations**

All investigations will be managed by using the following approach:

- Investigating the fact
- Assessing evidence
- Review of records
- Interviewing those involved

Where necessary, advice and support will be sourced via senior managers within the organisation. The complaint should be investigated by a member of staff with the knowledge, experience, and seniority to undertake the investigation robustly.

Confidentiality of information will be considered at all times and staff will adhere to the confidentiality policies and relevant codes of practice.

If an investigation of a complaint results in disciplinary action of staff within Serendipity Healthcare Ltd, the complaint will continue to its conclusion. The complainant will be informed that the investigation has led to disciplinary process, but the details of the outcome or ongoing investigation should remain confidential.

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### **5.6 Unresolved Complaints**

There are many bodies that can support or will need to be informed of unresolved complaints:

#### **1. The Care Quality Commission**

Individuals can escalate their complaint to the Care Quality Commission via:

- Website [www.cqc.org.uk](http://www.cqc.org.uk)
- Email [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)
- Address Care Quality Commission (CQC)  
National Correspondence  
Citygate, Gallowgate  
Newcastle upon Tyne NE1 4PA  
Tel: 03000616161  
Fax: 03000616171

#### **2. The Local Government and Social Care Ombudsman (for those Service Users that are funded by local authority-funded social services care or self-funded)**

Individuals have the right to raise their complaint to the Local Government and Social Care Ombudsman. This is a free service and individuals can contact their Local Government and Social Care Ombudsman via:

- The Local Government and Social Care Ombudsman PO Box 4771,  
Coventry CV4 0EH  
Tel: 08456021983 or 0247682 1960  
Fax: 02476820001  
[Advice@lgo.org.uk](mailto:Advice@lgo.org.uk)

Individuals should be advised that the Local Government and Social Care Ombudsman will not investigate the complaint until the provider has had the opportunity to respond and resolve the matter in the first instance.

#### **3. Parliamentary and Health Service Ombudsman (For Service User that are NHS funded)**

Individuals have the right to raise a concern about a service that is NHS funded. This is a free service and individuals can contact via:

- Telephone 0345 0154033
- Email [phso.enquiries@ombudsman.org.uk](mailto:phso.enquiries@ombudsman.org.uk)
- Website [www.ombudsman.org.uk](http://www.ombudsman.org.uk)
- Address Parliamentary and Health Service Ombudsman, Millbank Tower,  
Millbank, London, SW1P 4QP.

The Registered Manager can also signpost individuals to Healthwatch and the local independent complaints advocacy services (ICAS).

#### **4. Clinical Commissioning Group**

Individuals can make a complaint about a health service they are receiving or have received and can discuss this with the commissioner of the service. Local contact details can be located via: <http://www.england.nhs.uk/ccg-details/#ccg-e>

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### **5. Professional Bodies**

If a complaint involves the serious misconduct of a healthcare professional, their relevant professional body can be informed, and this is determined on an individual case basis in discussion with the Registered Manager.

For any external bodies managing complaints Serendipity Healthcare Ltd will work with the external body providing information as requested within any agreed timescales expected.

### **5.7 Compliments**

Receiving compliments is an opportunity to celebrate and recognise success. Serendipity Healthcare Ltd will ensure that:

- All compliments are shared with staff and displayed in public area to highlight good practice
- Compliments are anonymised or permission sought before displaying
- Numbers of compliments received are logged as part of a quality assurance programme
- Verbal positive feedback from residents and relatives is also deemed as compliments and should be recorded and shared with colleagues
- Compliments form a core agenda item at staff, resident, and relative meetings

### **5.8 Suggestions**

Suggestions can be made verbally or in writing and generally are in response to seeking a means of changing practice for the better.

- Suggestions are not complaints but, in some circumstances, if they are not considered or actioned, they could lead to a complaint
- When suggestions are raised in meeting or as part of a conversation, these should be documented and then outcomes of such suggestion recorded to show consideration
- Staff should be encouraged to share their suggestions or suggestions received by relatives and Service Users to the Agency manager
- The Agency manager should consider implementing a suggestions system to encourage comments from Service Users, staff, and visitors.

### **5.9 Audit and Evaluation**

Serendipity Healthcare Ltd will monitor, review, and analyse all information received about the service as a means of continuously reviewing performance, quality, and safety.

Serendipity Healthcare Ltd will also:

- Share themes and trends with Care Workers working for Serendipity Healthcare Ltd
- Ensure that staff are trained to deal with complaints and understand the procedure for managing complaints.

### **5.10 One Complaint, One Response**

Where more than one organisation is involved in the Service User's Care, they, or their representative, should be able to complain to any of them and Serendipity Healthcare Ltd will contact the other organisations, carry out a joint investigation and provide a single joint response. Service Users should not have to contact each organisation separately.

If someone complains and Serendipity Healthcare Ltd is not responsible for the care or service complained about, rather than turning them away, Serendipity Healthcare Ltd should



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share the concerns with the correct organisation(s). You will need the individual's permission to do this. If the person prefers that their complaint is not shared with another organisation (or organisations), Serendipity Healthcare Ltd should signpost them to the right organisation instead and provide the person with their contact details.

Serendipity Healthcare Ltd will follow LGO guidance for managing this.

### **6. Definitions**

#### **6.1 Compliment**

- A compliment is an expression of satisfaction about a service the Service User has received
- Compliments are positive feedback that can be received verbally or in writing and can include expressions of praise, admiration, congratulation, and encouragement

#### **6.2 Complaint**

- A complaint is an expression of dissatisfaction, disappointment, or discontent. This could be in response to an act of omission, decision, or act
- Complaints can be made in various ways and include:
  - Verbally
  - Electronically
  - Local feedback channels
  - Writing

#### **6.3 Self-Funded Care**

- Self-funded care is defined as care that is paid for entirely by the person receiving it

Last reviewed:

26<sup>th</sup> January 2022

Lisa Ward – HR Manager