

	<p><i>'A Co-operative approach to safe, quality care, under your control and informed by your experience'</i>  <i>'Together we can live life well'</i></p> <p>Company limited by guarantee without share-holders  <b>Registered Office:</b> <i>Sension House, Denton Drive, Northwich, CW9 7LU</i>  <b>Company No:</b> 11676038 <b>Care Quality Commission ID:</b> 1-5637274181  <b>Email:</b> <a href="mailto:nwcarecoop@gmail.com">nwcarecoop@gmail.com</a> <b>Telephone:</b> 01606 331853  <b>Website:</b> <a href="http://nwcarecoop.co.uk">nwcarecoop.co.uk</a></p>
Date reviewed:	22 <sup>nd</sup> November 2023
Date Approved:	29 <sup>th</sup> November 2023
Next review:	Autumn 2025
Responsible Person:	Lynne Turnbull
Registered Manager:	John Roberts
<p><i>The overarching purpose of our Complaints Policy is to ensure that clients are not prevented from enjoying a life well lived as consequence of failings in our service processes or behaviours.</i></p>	

## POLICY STATEMENT

North-West Care Co-Operatives (NWCC) complaint handling policy has been created to meet general standards and requirements and complies with standard complaint handling procedures.

The aim of this policy is to ensure that all complaints are handled in a consistent manner and that complaints are where possible, prevented. Where someone has cause to complain, the policy will be followed and a record made of the complaint to help improve services and reduce the occurrence of similar complaints.

## PURPOSE

NWCC is committed to delivering a fair, and transparent process for complaints and ensure a satisfactory outcome for all who raise a complaint. We provide training and support our staff in how to handle complaint situations.

This policy sets out our intent and objectives for handling complaints, from offering a clear process to complain, through to root cause analysis on complaints received to identify causes, and corrective actions to prevent reoccurrences where appropriate.

## SCOPE

This policy applies to all NWCC members and pertains to the processing of personal information. Adherence to this policy is mandatory and non-compliance could lead to disciplinary action.

## OBJECTIVES

For the purposes of this policy, a complaint is defined as ***any contact whereby a negative communication or outcome has occurred***. This does not have to formally address their communication as an official complaint or to request a response for NWCC to treat the incident as a complaint.

### ***Our objectives for complaint handling are to: -***

- Provide a fair complaints process that is clear and easy to use.
- Ensure that our complaints policy is fully accessible.
- Ensure that all NWCC staff know what to do if a complaint is received.
- Ensure that all complaints are investigated fairly and in a timely way.
- Gather information that helps us to improve what we do and how we do it.
- Ensure that the Data Protection Officer is involved in any complaints relating to personal data.

### ***Our objectives for the complaint handling process are: -***

- Complaints are investigated and responded to within 4 weeks.
- Complainants will be given access to a copy of the Complaints Policy along with any relevant or mandatory consumer leaflet (i.e. ICO).
- Responses will be provided in writing (unless the complainant makes a specific request for an alternate form of communication, which will be provided in addition to the written format)
- Procedures and forms are available via our website as well as upon written and/or verbal request.
- Complaints will be investigated by a trained member of staff and a full outcome summary provided to the Board.

- Records will be used to revise company procedures and to improve communication and business practices where applicable.
- Complainants are advised of their rights and provided with any relevant right to refer/lodge the complaint and the applicable contact details (*i.e. the ICO*)

## PROCEDURES & GUIDELINES

**Raising a complaint.** Anyone requesting the Company's complaint policy will be provided a copy by email, in a pdf format.

**Data Protection related complaints.** Where a complaint is related to the processing of personal data, this policy ensures that the Company complies with the data protection laws and notification requirements.

Every individual has the right to lodge a complaint with the relevant supervisory authority.

The supervisory authority with which the complaint has been lodged, is responsible for informing the complainant on the progress and the outcome of the complaint, including the possibility of a judicial remedy.

**'Informal' resolution** NWCC will consider and respond to all 'issues', no matter how they are raised or what they refer to. Some issues can be resolved immediately or within a 5-working day timeframe and are referred to as ***informal complaints***. Such instances are where:

- Formal investigation is not required because the nature of the complaint is clear,

And

- A resolution can be obtained without further review of the facts.

All 'issues' are logged on our 'Risks and Issues' register.

NWCC takes every opportunity to resolve complaints at the first point of contact where feasible. Most face to face and telephone issues can be resolved in this

manner, however the complainant is always offered the option of making the complaint formal if the resolution is not to their satisfaction.

Where an informal complaint is received, the point of contact – usually (but not always) a Personal Assistant will attempt to resolve the issue without involving the Registered Manager. However, any issue relating to data protection, no matter how small or informal, will be brought to the attention of the Registered Manager in their capacity as Data Protection Officer.

Personal Assistants are trained to deal with ‘issues’ and are aware of their reporting lines. They are equipped to resolve a complaint relevant to their area of service or expertise, wherever possible.

**Timeframe for informal resolution.** We aim to resolve informal complaints immediately, or at least within the first 24-hours. Such complaints will have a quick, but informative response and do not need to have an investigation or enter the formal complaint process.

No matter how small or informal the complaint, if a satisfactory resolution has not been achieved within 5 working days of the complaint being raised or identified, the issue is passed to the Registered Manager to enter the formal complaint process.

**‘Formal’ resolution**            A formal investigation must be completed when:

- The complainant has requested such an investigation.
- The complaint involves any type of personal data issue.
- The informal complaint resolution stage failed.
- There is a conflict of interest between the complainant and an employee.
- The issues are complex and require an investigation.
- The complaint represents a high or serious risk to NWCC.
- The facts are unclear, or the complaint will require more time to resolve.
- There has been any media contact or attention.
- Safeguarding issues are involved.
- The issues do or may affect more customers (*whether identified or not*).

**Responding to a formal complaint.** Where a formal complaint has been received or the informal complaint was unable to be resolved at the frontline point of contact, the Registered Manager will send a written acknowledgement to the complainant within 5 working days. The acknowledgement should include a PDF copy of the complaint policy and provide approximate timelines and expectations for the investigation and future responses.

The Registered Manager is the only staff member who will respond to customers regarding formal complaints.

**Investigating the formal complaint.** The Registered Manager will assign the role of investigating the complaint to a supervisor 'untainted' by knowledge of the issue and will gather all necessary documents, recordings, and information to allow the Supervisor to complete an independent review of the issue.

If interviews are conducted, written or voice notes will be taken and a statement declaring them as a true and accurate record signed by the interviewer and interviewee prior to them being added to the complaint history.

All investigations must take place in sufficient time to allow a final response (*decision letter*) to be sent to the complainant within our designated 28 days period.

Investigations must utilise all the facts and any previous, related information to produce an unbiased outcome and an expected course of action. A complaint reference should be assigned and all documents relevant to the complaint should have the reference written on them for continuity.

The reference will also be added to the Complaints Register so that complaint and document can be audited and traced back in the future.

**Decision Letters** After the complaint has been investigated in full and an outcome and action decision has been reached, the investigator will draft a response letter to the complainant with their findings and any action(s) to be taken. The decision letter must:

- Contain enough information to assure complainants that their complaint has been taken seriously; details must be included as far as possible of action taken to prevent a recurrence of the situation complained about.
- Inform complainants of their right to an appeal. Details of how to do this must be provided.

Having ensured that the requirements of the Outcome Letter have been met, the Registered Manager will send the Outcome Letter to the complainant within the required timeframe and update the Risks and Issues log accordingly.

**Appeal Resolution** The complainant has a conditional right to appeal the findings of the Formal Investigation. This is not a right to a ‘second opinion’ on the investigation, and for an appeal to be considered the complainant will have to provide evidence to indicate that:

1. The investigation has failed to consider some evidence and is ‘unfair’.
2. The complaint process has not been adhered to.

An appeal must be made in writing within one week or five working days (whichever is longer) to the Registered Manager. They will consider whether the threshold for an appeal has been met. This is not a test of the evidence – merely a check to ensure that *some* evidence has been provided, rather than the complainant using the appeal process to obtain a second opinion on the investigation.

If the appeal meets the criteria, the Registered Manager will refer the complaint to the Chair of the Board of NWCC. They will review the investigation in the light of the evidence supplied by the complainant in the appeal.

If there has been a substantial breach of the complaints policy or a lack of fairness of the investigation they may direct a second investigation, to be carried out by someone untainted by the initial investigation. In most cases this is likely to be the Registered Manager.

The Board’s response (including the outcome of any further investigation) must be sent in a further outcome letter signed by the Chair of the Board within 8 weeks of the date of the Outcome letter that concluded the formal investigation. If this

period needs to be extended for any reason the Registered Manager will inform the complainant of this in writing (by email), with an indication of a likely date for a conclusion.

The outcome letter will state:

1. Whether the appeal has been upheld or denied.
2. In simple terms (a line or two) why it has been upheld or denied
3. That this decision is final and concludes the NWCC complaint process.

And will also explain the complainants right to refer the complaint to the Local Government and Social Care Ombudsman (or other appropriate body).

## RECORDING

All complaints, whether formal or informal, are recorded on a Risks and Issues Register. The register should consist of the below information and should be audited on a frequent basis to ensure that incidents are not being repeated and improvements are being made.

- Date
- Nature of Complaint
- Individuals (s) Involved.
- Complaint Reference.
- Lead Investigator
- Decision Letter Sent (Y/N)
- Date Complaint Closed

The log will be made available to any relevant authority, ombudsman or body who relates or oversee the firms' complaints

## PATTERNS AND ANALYSIS.

The Risks and Issues log is reviewed weekly by the Registered Manager to identify any patterns or reoccurring issues. NWCC is dedicated to improving performance, services and functions and where gaps or patterns are identified, corrective actions and mitigating solutions are put into place as soon as possible

## RESPONSIBILITIES

Member satisfaction and the mutual resolution of 'issues' is a fundamental part of a co-productive culture, and we will always ensure that staff are provided with the time, resources, and support to deliver this.

The Registered Manager will oversee the investigation and recording of all Risks, Issues and complaints and is responsible for the continuous review of the Risks and Issues log to ensure mitigating actions and improvements are put into place where possible.