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## **1. Purpose**

- 1.1. Kevin Cross Case Management are committed to providing high quality evidence-based, client centred, care and support to our clients. Responding and dealing with complaints and concerns as a priority is integral to maintaining a high standard of service.
- 1.2. This policy identifies the framework for making a complaint or concern including the roles and responsibilities of those involved in dealing with complaints or concerns.
- 1.3. This policy reflects our compliance with all relevant legislation and regulations to ensure the safe and responsive delivery of care and support to our clients.

## **2. Scope of Policy**

2.1. This complaints and concerns policy will inform the practice of all staff who work under the Kevin Cross Case Management umbrella. This includes:

- Case Managers
- Care and Support staff
- Operational consultant
- Administrative support
- Bookkeeper and payroll agent
- HR consultants
- Finance
- Accountant

### **2.2 The following stakeholders may be positively impacted by this policy**

- Clients and their family
- Advocates for the client
- 3<sup>rd</sup> party health and social care professionals instructed to work with clients
- Statutory health and social care providers
- Litigators or insurers working with our clients

## **3. Introduction and objectives (to include regulatory standards compliance)**

- 3.1. This document outlines the commitment of Kevin Cross Case Management in dealing with complaints and concerns about the services we provide, to learn lessons and make improvements in order to ensure a safe, effective and responsive service for our clients and their families, referrers and support staff.
- 3.2. A responsive and efficient complaints and concerns process is key to maintaining a high standard of overall service quality and safety. It ensures we recognise the need for improvements and effectively implement these to strengthen service provision.
- 3.3. Kevin Cross Case Management will treat complaints and concerns seriously and ensure that any complaints or concerns raised by clients, relatives and care staff are thoroughly investigated in an unbiased, transparent, timely and sensitive way. The



outcome of any investigation and resulting actions will be explained to the complainant.

Kevin Cross Case Management will acknowledge any difficulty in communication and give the complainant the time and assistive support that may be required to enable the complaint to be made.

- 3.4. The key issues taken into consideration when creating this policy are that a person raising a complaint or concern:
  1. Knows how to complain.
  2. Feels confident that their complaint will be taken seriously.
  3. Understand that their complaint will be thoroughly investigated and that they will be informed of the outcome.
  4. Trust that Kevin Cross Case Management will learn from complaints or feedback and make any necessary improvements to their service as a result.
- 3.5. This policy should be read in conjunction with our quality assurance model, and governance framework
- 3.6. This policy also applies to our staff management and training procedures including whistleblowing, incident and accident reporting.

#### **4. Main policy – content and procedures**

##### **Our Vision**

- 4.1. Kevin Cross Case Management vision is to provide a client centred, caring and effective approach to the delivery of case management services. We are committed to upholding the rights of the service user to privacy, dignity, choice, respect and control
- 4.2. We aim to create a culture of openness and transparency in which we fulfil our professional duty of candour and service users and staff are encouraged to challenge, and question defined ways of working so we can learn and improve as a result.

##### **What is a complaint?**

- 4.3. A complaint is an expression or statement of dissatisfaction with a particular situation.
- 4.4. Informal concerns will be dealt with by the supervising case manager and documented appropriately.
- 4.5. This complaints procedure is not appropriate for dealing with staff complaints and grievances, including disciplinary matters which will be managed separately through Human Resources Policies and performance management processes.
- 4.6. If any aspect of a complaint investigation identifies a staff performance or capability issue Human Resources will be contacted for support and advice.



### **Who can complain?**

- 4.7. Clients or their families, care/therapy staff and appointed representatives including deputies and solicitors.
- 4.8. Where someone other than the client, raises a complaint on their behalf they must be acting with the knowledge and consent of the client and/or their appointed representative. In this instance written consent may be required as evidence of this. If the client is unable by reason of incapacity to make the complaint or raise a concern themselves then consent is not required but the legal deputy and/or their family must be informed.
- 4.9. Consent is not needed in situations where a person is acting on behalf of someone who has died provided, they are deemed to be a suitable person e.g., a close relative/friend or court appointed deputy.

### **Duties, responsibilities and accountability**

- 4.10. A feedback contact form (appendix 1) is provided as part of the clients care and support documentation. This should be visible in the care/support folder and gives clear contact details for reporting a complaint. The Kevin Cross Case Management complaints policy can also be viewed on our website Kevin Cross Case Management [www.kc-cm.org](http://www.kc-cm.org).
- 4.11. All complaints should be made in writing to Kevin Cross Case Management Metro House, Chichester PO19 1BE or by email to [www.kc-cm.org](http://www.kc-cm.org).
- 4.12. The complainant will be contacted by the responsible case manager/partner to acknowledge receipt of the complaint or concern.
- 4.13. The complaint will be reviewed jointly by the [www.kc-cm.org](http://www.kc-cm.org) partners and investigated by an agreed designated investigating officer from the partnership.
- 4.14. Any staff who may be involved in the investigation stages of a complaint must provide a true, accurate and factual written account of the event that prompted the complaint and co-operate with any investigation. Any investigation will be carried out fairly and in a non-judgemental and supportive way.

### **Complaint Process**

- 4.15. All formal complaints will be acknowledged within three working days of receipt. This acknowledgement can be made by telephone, email or letter. The acknowledgement will include a timescale for responding which will be within 14 days and will ask for clarification of the complainants' expectations and desired outcome.



- 4.16. The complainant can expect to be kept up to date with the progress of their complaint, their complaint will be investigated, and they will receive an explanation based on the facts. They can expect to receive a comprehensive response from Kevin Cross Case Management with an explanation of any learning and of what action has been taken to prevent a recurrence.
- 4.17. Following the conclusion of the investigation and as soon as reasonably possible Kevin Cross Case Management will send a formal response in writing to the complainant.
- 4.18. The response will include an explanation of how the complaint has been considered, an apology if appropriate, an explanation of the investigation outcome based on facts, lessons learned, and actions taken to prevent a recurrence. It will also include details of the appropriate statutory regulatory and professional bodies to take the complaint further if necessary.
- 4.19. If the response does not resolve the situation to the satisfaction of the complainant a request for a referral to an impartial mediator may be made via the 3HUB Case Management Community [www.threehub.co.uk](http://www.threehub.co.uk)
- 4.20. A key consideration is to respond in a sensitive and flexible manner, treating each case with a focus on a satisfactory outcome and learning that can lead to service improvement.
- 4.21. Regular reviews of complaints handling will be conducted in accordance with our quality assurance monitoring.
- 4.22. The withdrawal of a complaint can be made at any time either verbally or in writing. The withdrawal of a complaint will be acknowledged in writing.

## **5. Training Requirements**

5.1 Case managers at Kevin Cross Case Management have an annual appraisal and professional development plan covering all aspects of service delivery including the handling of complaints and concerns. This is to ensure we are delivering evidence-based care and support to our clients that is safe, caring, responsive and effective.

5.2 Training, both mandatory and client specific is central to ensuring our support teams are able to deliver high standards of care and support. We expect our staff to be aware of complaints handling procedures including whistleblowing. Staff training needs are reviewed through regular supervision and annual appraisal and personal development planning. Costs for training are estimated at the recruitment stage to ensure adequate funding is available. Training formal and client related is organised through the case manager.

## **6. Record Keeping**

6.1. Information regarding a complaint should not be recorded in the clients notes. A separate file should be opened for the purposes of managing the complaint.



- 6.2. All information should be timed, dated and kept securely.
- 6.3. Unless 'legally privileged' complaints documentation must be disclosed to the complainant if requested in line with the Freedom of Information Act and Data Protection Act 1998.
- 6.4. All complaints will be entered onto the complaints log (appendix 2) which will record action taken and any changes in practice to enable an effective audit of complaints.

## **7. Review and Audit**

- 7.1. The complaints log will be audited annually as a minimum to identify lessons learned and changes to practice and procedures and any areas for improvement.
- 7.2. Kevin Cross Case Management will review any complaints feedback quarterly at business meetings to assist with improvements in service and inform overall quality assurance.
- 7.3. Complaints can act as an early warning system for practices and processes that are not working well or are seen by the clients and the supporting people who are using them. This helps us to understand how our service is working and where improvement and change is required.

## **8. Policy Review**

- 8.1. This policy and the intrinsic processes associated with it are reviewed as a minimum annually by the partners of Kevin Cross Case Management and circulated to those whose practice it informs.

## **9. Associated documents and legislation**

- 9.1. By adhering to this policy, we ensure compliance with:

Health and social care act 2008 (2014 update) regulated activities.

The Care act 2014

The Health and Safety at work act 1974

Data Protection Act 1998

Statutory Duty of Candour 2014

- 9.2. By adhering to this policy, we ensure we comply with the CQC standards by addressing:

WELL-LED – Does the complaints and concerns procedure ensure that responsibilities are clear, and that quality performance, risks and regulatory requirements are understood and managed.

SAFE – How does the service make sure that opportunities to raise complaints and concerns are facilitated and are responded to in an efficient and timely way.



RESPONSIVE – How does the service ensure that peoples, concerns and complaints are listened and responded to and are used to improve the quality of care and support.

## 10. References

The local Authority Social Services and National Health Service Complaints (England) regulations 2009

Recommendations from the Francis Report (2013)

NHS Accessible Information Standard (DCB1605 Accessible Information)

