

	<p><i>'A Co-operative approach to safe, quality care, under your control and informed by your experience'</i></p> <p><i>'Together we can live life well'</i></p> <p>Company limited by guarantee without share-holders Registered Office: Sension House, Denton Drive, Northwich, CW9 7LU Company No: 11676038 Care Quality Commission ID: 1-5637274181 Email: nwcarecoop@gmail.com Telephone: 01606 331853 Website: nwcarecoop.co.uk</p>
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Complaints Procedure

North-West Care Co-Operatives (NWCC) complaint procedure has been created to meet general standards and requirements and complies with standard compliant handling procedures, including the Information Commissioner's Service (ICO) regulations.

The aim of this procedure is to ensure that all complaints, either written or verbal, are handled in a consistent and regulated manner and that further complaint incidents are mitigated and where possible, prevented. Where anyone has cause to complain, the complaints handling procedure will be followed in every instance and a record will be made of the complaint nature and details to help improve our services and reduce the occurrence of similar complaints.

Purpose NWCC is committed to delivering a fair, open and clear process for complaints and ensure a satisfactory outcome for anyone raising a complaint. We provide thorough staff training in our internal complaint handling procedures and support our staff in how to handle complaint situations in a face-to-face, written and/or telephone environment.

Scope This procedure applies to all NWCC members and pertains to the processing of personal information. Adherence 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***. The complainant 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 and to follow the procedure.

Our objectives for internal complaint handling are to: -

- Provide a fair complaints procedure which is clear and easy to use.
- Ensure that our complaints procedure is fully accessible.
- Ensure that everyone at NWCC knows 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 (*or appointed person*) 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 sent a copy of the Complaints Procedure 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)
- The procedure will be 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*)

Raising a complaint. Anyone wishing to make a complaint will be provided a copy of the Complaints Procedure either by a link to the website or by email in a pdf format and will be asked to raise their complaint in writing as soon as possible after the incident.

NOTE: Complaints are to be raised in writing, however verbal complaints will be accepted and dealt with as per the same procedures.

If a complaint is made by telephone, we will record details of the complaint and attempt to resolve it there and then. If that is not possible the details of the complaint will be passed to the Registered Manager (RM) and the complainant given an indication of when the RM will contact them, which should be as soon as reasonably possible.

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 supervisory authority where they consider that the processing of personal data relating to them infringes the General Data Protection Regulation (GDPR) or we have breaches data protection law. All individuals using our services and those employed by us are notified of this right via our Privacy Notice, in our complaint handling procedures and in our information disclosures.

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 where the supervisory authority does not handle a complaint or does not inform the data subject within three months on the progress or outcome of the complaint lodged.

Informal complaint resolution (Stage One). NWCC considers and responds to all complaints and issues, no matter how they are raised or what they refer to. Some issues and complaints we can resolve immediately or within a 5-working day timeframe and are referred to as *informal complaints*. Such instances are where an investigation is not required because the nature of the complaint is clear, and a resolution can be obtained without further review of the facts. Where we resolve a complaint within the timeframe, the details are still logged on our complaint register, and the complainant is still informed of their rights.

NWCC takes every opportunity to resolve complaints at the first initial point of contact where feasible and possible. Informal resolution is always attempted where the issues raised are straightforward and potentially easily resolved, requiring little or no investigation. 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, it is acceptable for the point of contact or addressed employee to attempt to resolve the issue without involving the RM. However, any issue relating to data protection infringes or breaches, no matter how small or informal, are always brought to the attention of the RM in their capacity as Data Protection Officer.

Frontline staff are trained to deal with basic issues and informal complaint resolution and are aware of their obligations and the subsequent reporting lines. Such employees are equipped to attempt 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 and issues 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 RM to enter the formal complaint process.

Formal complaint resolution (Stage Two). Whilst we take every opportunity to resolve complaints informally at the first initial point of contact, this is not always possible, and it may be necessary to deal with complaint formally.

All employees are provided with clear guidelines of when a complaint is formal and requires an appropriate investigation by the Registered Manager. An 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.
- Child protection issues are involved.
- The issues do or may affect more customers (*whether identified or not*).

Responding to a formal complaint. Where an official complaint has been received or the informal complaint was unable to be resolved at the frontline point of contact, a written acknowledgement is sent to the customer within 5 working days. The response should detail the complaint handling procedure and provide approximate timelines and expectations for the investigation and future responses.

The RM is the only staff member who should respond to customers regarding their complaints.

Investigating the formal complaint. The RM will assign an investigator who will gather all necessary documents, recordings and information to make an independent review of the incident.

If internal interviews are to be conducted, notes will be taken and a copy written up and signed by the interviewer and interviewee prior to them being added to the complaint history.

All investigations must take place with 20 days of the initial complaint being received so that a final response (*decision letter*) can be sent to the customer 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 referenced written on them for continuity.

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

Outcome 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 for the RM to send to the complainant explaining their findings and decision regarding 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 ask for a review of the investigation if they are not satisfied with the outcome. Details of how to do this must be provided.

Appeal

Complainants have a 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 upheld you will have to provide evidence to indicate that:

1. The investigation has failed to consider some significant evidence and is 'unfair', or

2. The Complaints Procedure has not been adhered to.

If you wish to appeal, you must inform the RM in writing within one week or five working days (whichever is longer). They will arrange for another investigator untainted by prior knowledge of the Complaint to arrange an Appeal Meeting with you in which you can explain the grounds for your appeal. You will have the right to be accompanied by a friend, fellow employee or trade union official at this meeting.

The RM (or nominated investigator) will then consider your appeal, making any other enquiries as may be required to confirm any matters of fact.

If your appeal is not upheld, you will be informed in writing in the form of an Appeal Outcome letter as soon as reasonably possible. 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 Complaints Process.

If your appeal is upheld it will be referred to the Chair of the Board of NWCC, who will review the investigation outcomes in the light of the appeal findings. If there has been a substantial breach of the Complaints Procedure or a lack of fairness they may direct a second investigation, to be carried out by someone untainted by the initial investigation.

The Board's response (including the outcome of any further investigation) will be in writing in the form of a further outcome letter signed by the Chair of the Board that we aim to send within 8 weeks of the date of the Outcome Letter that concluded the formal investigation.

Patterns and Analysis The 'Risks, Issues & Complaints Register' is reviewed regularly by the RM to identify any patterns or reoccurring issues. NWCC are committed to improving performance, services and functions and will use learning from complaint records and the investigation process to do this. Where improvements can be identified, we will implement them as soon as possible.