



H & F Mencap

Complaints Policy and Procedure

Policy statement

In 2013 the Care Quality Commission (CQC) found that there was reluctance from individuals and their families to raise concerns or make a complaint about the care and/or support they receive. This was due to not wanting to be seen as a trouble maker or feeling as though it would not make a difference to the situation or that due to staffing issues making a complaint would not help.

At HF Mencap we believe that everyone has a right to express their views or complain about a service provided by our charity. By inviting comments and encouraging feedback, HF Mencap seeks to ensure that its services are continually reviewed and meet the needs of the people who use it. We also welcome comments from families, carers, professionals, our staff and the public.

We understand there may be occasions when someone feels that the quality of service provided does not meet their expectation. This feedback is welcome and we ensure that positive changes are made as a reflection to resolve that complaint does not arise again in the future. This is incorporated into our company values “We are Trustworthy. We believe in transparency and honesty. We welcome and act upon feedback”. We will try to resolve concerns on an informal basis; however concerns will still be recorded appropriately.

When the individual making the comment or complaint wishes a formal approach to be taken and they would like a response to their concern, we will follow best practice principles as laid out by National Complaints Managers’ Group (see point 4). Staff must use the correct procedure as laid out below.

HF Mencap staff will encourage our service users and others to make their comments and complaints official (whether verbally or in writing/email) in order to make sure that all genuine concerns are properly investigated. Any concern whether formal or informal will be reviewed internally. Even if the person expressing it does not wish it to be formally investigated and does not ask for feedback, this is so that the organisation can ensure best practice and to make appropriate adjustments to our services if deemed necessary.

We will make sure that individuals attending our services and activities are supported to make a complaint, comment or suggestion, by having an easy read version of this

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policy available and having posters present within our activity centre to ensure they understand the process.

This policy is for use by any service user, carer, other agency or member of the public. It is not for use by trustees or staff at HF Mencap, who should instead make use of the grievance and/ or whistleblowing procedures.

As well as complaints about services this policy also covers complaints in relation to fundraising. HF Mencap will respond to complaints from donors, beneficiaries or other parties in a timely, respectful, open and honest way and ensure that the learning from any complaints is acted on.

1. Aims

- To enable HF Mencap to maintain high quality services that are responsive to the needs of the individuals using our services.
- To ensure issues raised by service users, carers and others are responded to in an appropriate manner.
- To maintain best practice by following up to date guidance and legislation from appropriate governing bodies.

2. Definitions

2.1 What is a complaint? A complaint may be where you feel a service or an individual's actions are unsatisfactory or unacceptable, which leaves you feel dissatisfied.

3. The Responsibility of Individual Staff or Volunteers.

3.1 Trustees

- To take reasonable steps to satisfy themselves that the policy is being implemented.

3.2 Senior staff

- To act in accordance with the policy.
- To communicate the policy to other staff and volunteers and to ensure it is being implemented correctly.

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- To monitor the performance of the policy and report to trustees
- To approve and review the policy on a regular basis

3.3 All Staff and volunteers

- To act in accordance with the policy

4. Key Legislation and guidance relating to complaints policy and procedure

- Equality Act (2010)
- The Care Act (2014)
- Health and Social Care Act (2008/2012)
- Working together to investigate health and social care complaints (2016) – Ombudsman
- Complaints Matter (2013) - CQC
- Good Practice guidance for handling complaints concerning adults and children social care services (England) (2016) – National Managers Complaints Group

HF Mencap Complaints Procedure

If you are concerned that a child or vulnerable adult is in danger, contact the London Borough of LBHF on:

- **02083836464 (adults)**
 - **02087488588 (adults –out of hours duty)**
 - **02087536600 (children’s team)**
 - **02087488588 (children’s – out of hours duty)**
- (or relevant local authority e.g Hounslow) or in an emergency situation the police (999)**

Complaints can be made verbally, in a letter, email or the webpage on HF Mencap’s website. The HF Mencap’s Easy Read ‘Compliments and Complaints Form’ may also be used which is available upon request from the HF Mencap office or website. Complaints can be made directly to any member of staff (employees or volunteers) or directly to the Chief Executive – Teresa McGinn. If posted to the HF Mencap offices, the envelope containing the complaint should be marked ‘Strictly Private & Confidential’. If the person making the complaint needs the help of an advocate or interpreter, HF Mencap will seek to arrange this on request. We request that

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complaints contain as much detail as possible, including the complainant's ideal outcome.

Stage one

All complaints will be acknowledged by HF Mencap in writing (post or email), normally within 7 days. The relevant senior manager will investigate the complaint. The findings of the investigation will be communicated to the person making the complaint, usually within 21 days.

If it is not possible to resolve the complaint within this time, the complainant will be provided with an expected timescale for doing so. If the complainant is dissatisfied with the outcome of the investigation, they will have the opportunity to discuss this with the senior manager to determine whether a resolution can be reached.

In cases where the complainant remains dissatisfied or chooses not to hold such a discussion with the senior manager, they can request that the complaint is investigated by Chief Executive Officer (stage two). This request can be made verbally, in a letter or email. If posted to the HF Mencap office, the envelope containing the complaint should be marked 'To the Chief Executive Officer of HF Mencap - Strictly Private & Confidential'. An acknowledgement by HF Mencap of this request will be made within 7 days.

Stage two

The Chief Executive Officer will consider the complaint, normally within 21 days of the acknowledgment. The Chief Executive Officer will carry out an investigation, if the complainant is still dissatisfied with the outcome of the investigation, they will have the opportunity to discuss this with the Chief Executive Officer to determine whether a resolution can be reached.

If the complainant is unhappy at the resolution, they can request that the complaint is investigated by a panel comprising two trustees of HF Mencap (stage three). This request can be made verbally, in a letter or email. If posted to the HF Mencap offices, the envelope containing the complaint should be marked 'To the Trustees of HF Mencap - Strictly Private & Confidential'. An acknowledgement by HF Mencap of this request will be made within 7 days.

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Stage Three

The panel will consider the complaint, normally within 21 days of the acknowledgment. The complainant will also have the opportunity to present the case to the panel and, in such instances; they are entitled to be accompanied by a person of their choice. The decision of the panel will be communicated to the complainant in writing 21 days.

Stage Four

If the complainant is not satisfied with the decision of the panel they can contact:

- For serious complaints, you may wish to contact the Charity Commission. For more information visit: <http://forms.charitycommission.gov.uk/contact-us/general-enquiries/report-a-concern-about-a-charity/> or the Local Government and Social Care Ombudsman: <https://www.lgo.org.uk/>
- Citizens Advice Bureau may provide advice on how to take your complaint further: http://www.adviceguide.org.uk/england/consumer_e.htm

Records

HF Mencap will keep a log of all complaints, comments, suggestions and compliments at the HF Mencap office.

Related policies

- Code of conduct
- Complaints procedure – accessible format
- Grievance and disciplinary
- Safeguarding
- Whistleblowing

References:

CQC (2013) Poor Care Survey. Available at: <https://www.cqc.org.uk/news/releases/one-nine-reluctant-speak-out-about-poor-care> (Accessed 16/08/2018).

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