



## **Uniq Health Care Limited**

### **Complaints Policy**

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# **Complaints Policy**

## **1 INTRODUCTION**

This policy outlines procedures and responsibilities within Uniq Health Care Limited ("the Organisation ") for handling any concerns, issues or complaints that may arise.

## **2. RELEVANT CQC FUNDAMENTAL STANDARD/H+SC ACT REGULATION (2014)**

- Regulation 16: "Complaints".

## **3. PURPOSE AND OBJECTIVES**

The purpose of this policy is to ensure that any complaints or concerns by service users are correctly managed.

Uniq Health Care Limited, although an independent body aspires to meet the principles set out in the NHS Constitution which are:

- The right to have any complaint made about our services dealt with efficiently and to have it properly investigated.
- The right to know the outcome of any investigation into a complaint.
- The right to take a complaint to independent review if the complainant is not satisfied with the way their complaint has been dealt with by us
- The commitment to ensure service users are treated with courtesy and receive appropriate support throughout the handling of a complaint; and the fact that they have complained will not adversely affect their future treatment.
- When mistakes happen, they shall be acknowledged; an apology made; an explanation given of what went wrong; and the problem rectified quickly and effectively.
- Demonstrating a commitment to ensure that the organisation learns lessons from complaints and claims and uses these to improve our services.

This policy serves to indicate how issues concerning service user concerns or complaints should be managed within the organisation.

#### **4 DUTIES AND RESPONSIBILITIES**

The CQC Registered Manager holds overall responsibility for ensuring the development, implementation and operation of this policy regarding complaints. This will include appointment of a designated Complaints Manager.

The CQC Registered Manager will also lead and oversee the process of the implementation of this policy, as well as monitoring its compliance and effectiveness.

Our designated Complaints Manager will be:

- Responsible for managing the procedures for handling and considering complaints.
- Ensuring that replies are drafted and signed by the CQC Registered Manager or other authorised person.
- Responsible for ensuring that action is taken if necessary in the light of the outcome of a complaint or investigation.
- Responsible for the effective management of the complaints procedure.

#### **4. POLICY STATEMENT**

Everyone has the right to expect a positive experience and a good treatment outcome. In the event of concern or complaint, service users have a right to be listened to and to be treated with respect.

As an authorised provider, Uniq Health Care Limited will manage complaints properly so user concerns are dealt with appropriately. Good complaint handling matters because it is an important way of ensuring our users receive the service they are entitled to expect.

Complaints are also a valuable source of feedback; they provide an audit trail and can be an early warning of failures in service delivery. When handled well, complaints provide an opportunity to improve service and reputation.

#### **Our Aims & Objectives**

- We aim to provide a service that meets the needs of our service users and we strive for a high standard of care;

- We welcome suggestions from service users and from our staff about the safety and quality of service, treatment and care we provide;
- We are committed to an effective and fair complaints system; and
- We support a culture of openness and willingness to learn from incidents, including complaints.

## **5.OUR COMPLAINTS PRINCIPLES**

- Service users are encouraged to provide suggestions, compliments, concerns and complaints and we offer a range of ways to do it.
- All complainants are treated with respect, sensitivity and confidentiality.
- All complaints are handled without prejudice or assumptions about how minor or serious they are. The emphasis is on resolving the problem.
- Service users and staff can make complaints on a confidential basis or anonymously if they wish, and be assured that their identity will be protected.
- Service users will not to be discriminated against or suffer any unjust adverse consequences as a result of making a complaint about standards of care and service.
- Formal responses sent will include a right to appeal - i.e. to the Parliamentary and Health Service Ombudsman for NHS bodies, or for the non-NHS sector the Independent Sector Complaints Adjudication Service or Healthcare Advisory Services (IHAS) if the complainant remains unsatisfied.

## **6.MANAGING COMPLAINTS**

- All staff are expected to encourage service users to provide feedback about the service, including complaints, concerns, suggestions and compliments.
- Staff are expected to attempt resolution of complaints and concerns at the point of service, wherever possible and within the scope of their role and responsibility.

## **7.RESOLUTION**

The process of resolving the problem will include:

- an expression of regret to the user for any harm or distress suffered;

- an explanation or information about what is known, without speculating or blaming others; considering the problem and the outcome the user is seeking and proposing a solution; and confirming that the service user is satisfied with the proposed solution.

Our staff will consult with their manager if addressing the problem is beyond their responsibilities.

## **8.IF THE COMPLAINT IS NOT RESOLVED**

Complaints that are not resolved at the point of service, or that are received in writing and require follow up, are regarded as formal complaints.

If the complaint is not resolved at the point of service, staff are expected to provide the complainant with the formal complaints policy.

Our designated complaints manager coordinates resolution of formal complaints in close liaison with the staff who are directly involved.

## **10. STAFF TRAINING**

All staff will be appropriately trained to manage complaints competently.

Regular reviews are conducted by the complaints manager to check understanding of the complaints process among our staff.

## **11.PROMOTING FEEDBACK**

Information is provided about the complaints policy in a variety of ways, including some or all of the following:

- On our website;
- Through our service user feedback brochure;
- Publicity about the service;
- Posters in reception;
- Discretely located suggestion boxes; and by staff inviting feedback and comments.

## **12. RISK ASSESSMENT**

After receiving a formal complaint, our CQC Registered Manager reviews the issues in consultation with relevant staff in order to decide what action should be taken, consistent with the risk management procedure.

## **13.ASSESSING RESOLUTION OPTIONS**

Formal complaints are normally resolved by direct negotiation with the complainant, but some complaints are better resolved with the assistance of an alternative disputes resolution provider.

The complaints manager will signpost the complainant to an appropriate external body if:

- The complaint is against a senior manager who will be responsible for investigating the complaint, resulting in a perception that there is a lack of independence; or
- The complaint raises complex issues that require external expertise.
- The complaint cannot be resolved internally to the service user's satisfaction.

## **14.TIMEFRAMES**

- Formal complaints are acknowledged in writing or in person within 48 hours.
- The acknowledgment provides contact details for the person who is handling the complaint, how the complaint will be dealt with and how long it is expected to take.
- If a complaint raises issues that require notification or consultation with an external body, the notification or consultation will occur within three days of those issues being identified.
- Formal complaints are investigated and resolved within 28 days.
- If the complaint is not resolved within that time period days, the complainant will be provided with an update.

## **15.RECORDS AND PRIVACY**

- The complaints manager maintains a complaints register.
- Personal information in individual complaints is kept confidential and is only made available to those who need it to deal with the complaint.
- Complainants are given notice about how their personal information is likely to be used during the investigation of a complaint.
- Individual complaints files are kept in a secure filing cabinet in the complaints manager's office and in a restricted access section of the computer system's file server.
- Service users are provided with access to their medical records in accordance with our Subject Access policy. Others requesting access to a service users' medical records as part of resolving a complaint are provided with access only if the service user has provided authorisation in accordance with the Subject Access policy.

## **16.OPEN DISCLOSURE AND FAIRNESS**

- Complainants are initially provided with an explanation of what happened, based on the known facts.
- At the conclusion of an inquiry or investigation, the complainant and relevant staff are provided with all established facts, the causal factors contributing to the incident and any recommendations to improve the service, and the reasons for these decisions.

## **17.INVESTIGATION AND RESOLUTION**

The complaints manager carries out investigations of complaints to identify what happened, the underlying causes of the complaint and preventative strategies.

Information is gathered from:

- Talking to staff directly involved;
- Listening to the complainant's views;
- Reviewing medical records and other records; and
- Reviewing relevant policies, standards or guidelines.

## **18.COMPLAINTS ABOUT INDIVIDUALS**

Where an individual staff member has been mentioned specifically by a complainant, the matter will be investigated by the relevant manager or supervisor, who will:

- Inform the staff member of the complaint made against them;
- Ensure that if possible the member of staff does not have any contact with the complainant during the investigation period, or afterwards if deemed appropriate;
- Ensure fairness and confidentiality is maintained during the investigation; and
- Encourage the staff member to seek advice from their professional association/body, if desired.

The staff members will be asked to provide a factual report of the incident, identify systems issues that may have contributed to the incident and suggest possible preventive measures.

Where the investigation of a complaint results in findings and recommendations about individual staff members, the issues are addressed through the Disciplinary or other appropriate process

## **19.REPORTING AND RECORDING COMPLAINTS**

The complaints manager prepares regular reports on the number and type of complaints, the outcomes of complaints, recommendations for change and any subsequent action that has been taken. The reports are provided to staff and senior management, and if appropriate, uploaded into personal portfolio for audit and appraisal.

The complaints manager periodically prepares case studies using anonymised individual complaints to demonstrate how complaints are resolved and followed up, for the information of staff, and for use in audit and appraisal.

Information about trends in complaints and how individual complaints are resolved is routinely discussed at staff meetings and clinical review meetings as part of reflecting on the performance of the service and opportunities for improvement.

Complaints reports are considered and discussed at monthly clinical review meetings and directors' meetings.

An annual quality improvement report is published that includes information on:

- The number and main types of complaints received, common outcomes and how complaints have resulted in changes;
- How complaints were managed—how the complaints system was promoted, how long it took to resolve complaints (and whether this is consistent with the



policy) and whether complainants and staff were satisfied with the process and outcomes; and

- The results of any service user satisfaction survey.
- The service promotes changes it has made as a result of service user complaints and suggestions in its general publicity.

## **20.MONITORING AND EVALUATION**

The complaints manager continuously monitors the amount of time taken to resolve complaints, whether recommended changes have been acted on and whether satisfactory outcomes have been achieved.

The complaints manager annually reviews the complaints management system to evaluate if the complaints policy is being complied with and how it measures up against best practice guidelines. As part of the evaluation, users and staff will be asked to comment on their awareness of the policy and how well it works in practice.