



**Review Sheet**




Last Reviewed  
24 Apr '24



Last Amended  
24 Apr '24



Next Planned Review in 12 months, or sooner as required.

Business impact	 <p>Minimal action required circulate information amongst relevant parties.</p>
Reason for this review	Scheduled review
Were changes made?	Yes
Summary:	This policy relates to the process for complaints, suggestions and compliments at Headway Suffolk. It has been reviewed with multiple updates to provide further clarity if a complaint relates to the Registered Manager and also to verify the process if a Service User feels a complaint has not been resolved to their satisfaction. Underpinning knowledge and Further Reading references have been checked and updated with a new Underpinning Knowledge reference added. For some customers, the reference number will have changed.
Relevant legislation:	<ul style="list-style-type: none"> <li>• Compensations Act 2006</li> <li>• The Care Act 2014</li> <li>• The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014</li> <li>• Human Rights Act 1998</li> <li>• The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009</li> <li>• Mental Capacity Act 2005</li> <li>• Mental Capacity Act Code of Practice</li> <li>• Data Protection Act 2018</li> <li>• UK GDPR</li> </ul>
Underpinning knowledge - What have we used to ensure that the policy is current:	<ul style="list-style-type: none"> <li>• Author: Local Government and Social Care Ombudsman, (2018), <i>Adult social care guides launched to help providers deal with complaints better</i>. [Online] Available from: <a href="https://www.lgo.org.uk/information-centre/news/2018/jul/adult-social-care-guides-launched-to-help-providers-deal-with-complaints-better">https://www.lgo.org.uk/information-centre/news/2018/jul/adult-social-care-guides-launched-to-help-providers-deal-with-complaints-better</a> [Accessed: 24/4/2024]</li> <li>• Author: CQC, (2023), <i>Regulation 16: Receiving and acting on complaints</i>. [Online] Available from: <a href="https://www.cqc.org.uk/guidance-providers/regulations/regulation-16-receiving-acting-complaints">https://www.cqc.org.uk/guidance-providers/regulations/regulation-16-receiving-acting-complaints</a> [Accessed: 24/4/2024]</li> <li>• Author: NICE, (2018), <i>Decision-making and mental capacity - Guidelines NG108</i>. [Online] Available from: <a href="https://www.nice.org.uk/guidance/ng108">https://www.nice.org.uk/guidance/ng108</a> [Accessed: 24/4/2024]</li> <li>• Author: Legislation.gov.uk, (2009), <i>The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009</i>. [Online] Available from: <a href="https://www.legislation.gov.uk/ukxi/2009/309/contents/made?view=plain">https://www.legislation.gov.uk/ukxi/2009/309/contents/made?view=plain</a> [Accessed: 24/4/2024]</li> <li>• Author: Parliamentary and health service ombudsman, (2022), <i>What to do before you come to us</i>. [Online] Available from: <a href="https://www.ombudsman.org.uk/making-complaint/before-you-come-to-us">https://www.ombudsman.org.uk/making-complaint/before-you-come-to-us</a> [Accessed: 24/4/2024]</li> <li>• Author: Local Government and Social Care Ombudsman, (2018), <i>Acting on compliments, feedback and complaints about adult social care - a good practice guide for adult social care practitioners</i>. [Online] Available from: <a href="https://www.lgo.org.uk/assets/attach/4355/Single%20comms2%20-%20v2.pdf">https://www.lgo.org.uk/assets/attach/4355/Single%20comms2%20-%20v2.pdf</a> [Accessed: 24/4/2024]</li> </ul>
Suggested action:	<ul style="list-style-type: none"> <li>• Encourage sharing the policy through the use of the QCS App</li> </ul>





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**Equality Impact Assessment:**

QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.



 **1. Purpose**

- 1.1 To ensure that Headway Suffolk has an effective system in place to manage complaints, suggestions and compliments.
- 1.2 To ensure that Headway Suffolk complies with any legal requirements, regulations, guidelines and best practice.
- 1.3 To support Headway Suffolk in meeting the following Key Lines of Enquiry/Quality Statements (New):

Key Question	Key Lines of Enquiry	Quality Statements (New)
CARING	C2: How does the service support people to express their views and be actively involved in making decisions about their care, support and treatment as far as possible?	QSC2: Treating people as individuals
RESPONSIVE	R2: How are people's concerns and complaints listened and responded to and used to improve the quality of care?	QSR4: Listening to and involving people
SAFE	S1: How do systems, processes and practices keep people safe and safeguarded from abuse?	QSS3: Safeguarding
RESPONSIVE	No equivalent KLOE	QSR6: Equity in experiences and outcomes

- 1.4 To meet the legal requirements of the regulated activities that Headway Suffolk is registered to provide:
  - | Compensations Act 2006
  - | The Care Act 2014
  - | The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
  - | Human Rights Act 1998
  - | The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
  - | Mental Capacity Act 2005
  - | Mental Capacity Act Code of Practice
  - | Data Protection Act 2018
  - | UK GDPR

 **2. Scope**

- 2.1 The following roles may be affected by this policy:
  - | All staff
- 2.2 The following Service Users may be affected by this policy:
  - | Service Users
- 2.3 The following stakeholders may be affected by this policy:
  - | Family
  - | Advocates
  - | Representatives
  - | Commissioners
  - | External health professionals
  - | Local Authority
  - | NHS



### 3. Objectives

- 3.1 To improve the quality of the Service User's experience.
- 3.2 To ensure that all complaints and suggestions are promptly addressed, resolved and shared within the agreed timescales to ensure that lessons are learned and that the learning improves service quality and delivery.



### 4. Policy

#### 4.1 Complaints

- 1 Headway Suffolk understands complaints to be an expression of dissatisfaction requiring a response, communicated verbally, electronically, or in writing. Complaints may be made by any Service User, their family or advocate acting on their behalf, with their consent or in their best interests
- 1 Headway Suffolk takes complaints seriously. We will aim to put things right that have gone wrong and learn lessons to avoid the problem happening again. This policy sets out the framework for how Headway Suffolk will achieve this. The detail of how Headway Suffolk will do this will be found in the associated procedures
- 1 Headway Suffolk will comply with legislation, national guidelines, regulation and best practice when managing complaints and suggestions. A systematic approach will be taken with all aspects of complaints and suggestions
- 1 Complaints made or concerns raised by staff will be addressed via the grievance process if the complaint or concern relates to them individually, or via the Whistleblowing procedure where a protected disclosure is made
- 1 Headway Suffolk understands its statutory obligations in respect of the Duty of Candour and will ensure it follows the agreed policy and procedure

4.2 Headway Suffolk will ensure that its complaints and compliments process is fair and transparent and does not discriminate directly or indirectly because of the following:

- 1 Age
- 1 Being or becoming a transsexual/transgender person
- 1 Being married or in a civil partnership
- 1 Being pregnant or on maternity leave
- 1 Disability
- 1 Race including colour, nationality, ethnic or national origin
- 1 Religion, belief or lack of religion/belief
- 1 Sex
- 1 Sexual orientation

The complainant will feel free to complain without fear of reprisal and will be treated with courtesy, respect and compassion. Headway Suffolk will ensure that the process for how to make a complaint and the feedback given to the complainant are provided in a way that meets the Accessible Information Standard and are in a format that the Service User can understand.

#### 4.3 Seeking Views and Engaging with Service Users

Headway Suffolk will seek out opportunities to obtain feedback from Service Users and stakeholders. Headway Suffolk will act with sensitivity, integrity and professionalism by treating individuals who do complain or make a suggestion with compassion, courtesy and respect. Headway Suffolk will protect the Service User's right to confidentiality. Headway Suffolk will ensure that alternative methods of communication are available so that the complaints and suggestions procedures are accessible for Service Users who experience difficulties with communication or whose first language is not English. Staff will undertake training on how to manage complaints in line with their roles and responsibilities.

4.4 Headway Suffolk understands that it can be difficult to separate a complaint from a concern and, therefore, Headway Suffolk will follow this policy when there is any dissatisfaction with the service.

4.5 A full record will be held of all complaints received regardless of the level of seriousness and means of communication. This approach allows an open and transparent culture around raising concerns in the



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earliest stage to allow resolution. A record of the complaint will also be held in the Service User's Care file and will be reported in line with contractual or regulatory requirements.

**4.6 Safeguarding Concerns**

Where a complaint or concern is raised that relates to a Service User being harmed or likely to be harmed, Headway Suffolk will follow its Safeguarding Policy and Procedures in addition to the complaints procedures, seeking advice and guidance from the Suffolk County Council Safeguarding Adults Team and escalating concerns in line with Suffolk County Council procedure. Headway Suffolk will also notify the CQC in line with its statutory duty.

**4.7 Roles and Responsibilities**

**All Staff**

It is acknowledged that all staff working within Headway Suffolk may be presented with an individual wishing to raise a concern or complaint at any time. Therefore, staff need to be able to manage this in a sensitive, structured and timely manner. In order to do this, staff will:

- | Be trained on induction and as a routine measure to ensure knowledge is embedded and refreshed around the complaints procedure
- | Have access to the complaints procedure
- | Be provided with the opportunity to reflect and learn from complaints as a means of developing and driving quality care
- | Appreciate that any feedback from Service Users or their representatives that is of concern needs immediate resolution, where possible, to their satisfaction. Care Plans will be updated to reflect the planned changes to care and Helen Fairweather informed of the feedback. Failing to do this may result in a complaint
- | Be clearly advised that, when presented with a complaint, swift escalation to management is necessary and that purposefully withholding or concealing concerns expressed by Service Users or their representatives may lead to disciplinary action

**Management Team at Headway Suffolk**

- | The management team at Headway Suffolk is responsible for ensuring compliance with this policy, regulations, improvement planning and for having arrangements in place to provide relevant reports and information regarding complaints
- | Helen Fairweather is the main point of contact for the receipt, investigation and management of complaints within Headway Suffolk. However, this may be delegated to a senior member of staff within Headway Suffolk who holds the experience, knowledge and competence to investigate and manage complaints
- | Headway Suffolk will ensure the procedure for raising a complaint is accessible and displayed prominently in Headway Suffolk, on the website of Headway Suffolk and in Service User information and guides. Alternative languages and formats will be available on request

**4.8 Compliments and Suggestions**

Headway Suffolk welcomes compliments and suggestions and recognises their importance in celebrating and recognising the success of its service and opportunities for improvement. We will engage with a wide range of stakeholders in addition to Service Users to support service development and improvement. We will share feedback with our staff.

**4.9 One Complaint, One Response**

Headway Suffolk will follow the [Local Government and Social Care Ombudsman best practice](#) and, where Service Users are receiving services from more than one organisation, it will ensure they can make a complaint to anyone and be provided with a single response following a joint investigation.



## 5. Procedure

### 5.1 Raising Complaints

A complaint can be received by Headway Suffolk either verbally or in writing and can be made by:

- | Service Users
- | Someone acting on behalf of a Service User and with their written consent, e.g. an advocate, relative, Member of Parliament
- | Someone acting on behalf of a Service User who is unable to represent his or her own interests, provided this does not conflict with the Service User's right to confidentiality or a previously expressed wish of the Service User

Headway Suffolk will ensure that Service Users are given information on how to make a complaint and the process once a complaint has been made, including any agreed timescales.

### 5.2 Time Limits for Submitting a Complaint

Complaints should be submitted within 12 months of the incident or concern arising.

The time limit, however, can and should be waived, if:

- | It is still practical and possible to investigate the complaint (the records still exist and the individuals concerned are still available to be questioned, etc.) and
- | The complainant can demonstrate reasonable cause for delay in making the complaint

It is at the discretion of the manager of the service if the time limit can be set aside.

### 5.3 Complaints Procedure:

#### Step 1

When a complaint is raised to staff, staff will make an effort to resolve it immediately to the satisfaction of the complainant.

#### Step 2

Staff will apologise for the fact that there was the need to complain in the first instance and explain the complaints process as described in the procedure steps.

#### Step 3

Staff will report the complaint to the most senior member of staff on duty and the complaint will be logged. If the complaint relates to that individual, the staff member will report the complaint to the member of staff who is next in line in seniority.

#### Step 4

Formal acknowledgement of all complaints received (whether verbal or written) will be sent within 3 working days to the complainant. This could be via letter or email. Headway Suffolk will have a local system in place to manage out-of-hours and weekend complaints received.

The acknowledgement will include:

- | An invitation to meet and discuss the complaint
- | Who will be investigating the complaint
- | How the investigation will be handled - the response should state what the investigation will be focused on
- | A time limit for the investigation to be concluded. This should be 28 days. However, some cases may take longer and the complainant will be made aware of this
- | The complaints procedure and contact details of bodies that can be accessed in the event of dissatisfaction with the outcome of the investigation

#### Step 5

Following a full investigation, a response letter will be sent and this will include the following:

- | A summary of the issue from the complainant's point of view
- | Details of the evidence and sources consulted in order to investigate the issue fully and fairly
- | A presentation of the findings for each issue clearly and concisely described
- | A conclusion, stating clearly whether the issue is 'upheld', 'partially upheld' or 'not upheld'; unless it is ineligible, in which case the reason for this will be given, e.g. out of time or out of jurisdiction
- | An explanation of the outcome and whether any remedial action or learning points arise from the investigation of that issue





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- | An apology where the issue is upheld and shortcomings or failings have been found
- | The complainant's rights if not satisfied with the outcome to refer to The Local Government and Social Care Ombudsman
- | A signature from the responsible individual or sent by email in their name

**Step 6**

The complaint will be closed once confirmation has been received that there is satisfaction with the outcome. In the event of dissatisfaction, Headway Suffolk will support the complainant to access further support. (Refer to section 5.6.)

**5.4 The Complaints Log**

A record will be held of all complaints raised and contain the following information:

- | Each complaint received
- | Subject matter and outcome
- | Details of any reason for delay where investigations took longer than the agreed response period
- | The date the report of outcome was sent to the complainant

Where complaints relate to a Service User, a copy of the complaint will be held in their care records so that the Service User can reflect on the recommendations.

Where complaints are raised by telephone, the log will include the date and time of the call and this will be followed up with written confirmation of the areas discussed.

Where a complaint indicates the potential abuse of Service Users, safeguarding policies will be followed as per local authority expectation and necessary notifications made to the regulatory body. Where Care is commissioned by Suffolk County Council, their reporting procedure for notifying them of complaints will be followed.

Where complaints are to be shared as part of learning, the complaint will be anonymised so there is no identifiable Service User information, in line with UK GDPR and data protection law.

**5.5 Investigations**

All investigations will be managed by using the following approach:

- | Investigating the fact
- | Assessing evidence
- | Review of records
- | Interviewing those involved

Where necessary, advice and support will be sourced via senior managers within the organisation. The complaint must be investigated by a member of staff with the knowledge, experience and seniority to undertake the investigation robustly.

Confidentiality of information will be considered at all times and staff will adhere to the confidentiality policies and relevant codes of practice.

If an investigation of a complaint results in disciplinary action against staff within Headway Suffolk, the complaint will continue to its conclusion. The complainant will be informed that the investigation has led to the disciplinary process, but the details of the outcome or ongoing investigation will remain confidential.

**5.6 One Complaint, One Response**

Where more than one organisation is involved in the Service User's Care, they, or their representative, will be able to complain to any of them and Headway Suffolk will contact the other organisations, carry out a joint investigation and provide a single joint response. Service Users must not have to contact each organisation separately.

If someone complains and Headway Suffolk is not responsible for the care or service complained about, rather than turning the complainant away, Headway Suffolk will share the concerns with the correct organisation(s). It will be necessary to obtain the individual's permission to do this. If the person prefers that their complaint is not shared with another organisation (or organisations), Headway Suffolk will signpost them to the right organisation instead and provide the person with their contact details. Headway Suffolk will follow [LGO guidance](#) for managing this.

**5.7 Who is Responsible for Complaint Resolution at Headway Suffolk?**

All efforts will be made by Helen Fairweather to resolve all complaints within Headway Suffolk. If a Service User does not wish to raise a complaint directly to management within Headway Suffolk, in the first instance, staff will try and sensitively establish their reasons why and aim to resolve and address any concerns that present.



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Headway Suffolk recognises the importance of Service Users being able to speak freely and raise a concern or complaint regarding anyone in the organisation, including the Registered Manager. Service Users are provided with information relating to who to contact in the event that this is necessary.

**Please see the Complaint Procedure for Service Users in the Forms section.**

**5.8 Anonymous Complaints**

Anonymous complaints will be investigated in the same way as named complaints. They will be logged and any corrective action necessary will be taken and also logged.

**5.9 Unresolved Complaints**

In the event that a Service User feels that their complaint is unresolved, there are many bodies that can support or will need to be informed to assist with this:

**1. The Care Quality Commission**

The Care Quality Commission will not investigate complaints on behalf of individuals but does like to be informed of any concerns regarding a care provider, such as poor care that has been seen or experienced. Information given to the CQC will help to prevent others from going through the same experience and can be fed back via:

- | Website [www.cqc.org.uk](http://www.cqc.org.uk)
- | Email [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)
- | Address: Care Quality Commission (CQC)  
National Correspondence  
Citygate, Gallowgate  
Newcastle upon Tyne NE1 4PA  
Tel: 03000 616161  
Fax: 03000 616171

**2. The Local Government and Social Care Ombudsman (for those Service Users that are funded by local authority-funded social services care or self-funded)**

Individuals have the right to raise their complaint with the Local Government and Social Care Ombudsman. This is a free service and individuals can contact their Local Government and Social Care Ombudsman via: The Local Government and Social Care Ombudsman

PO Box 4771  
Coventry CV4 0EH  
Tel: 0300 061 0614  
Email: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)  
Website: <https://www.lgo.org.uk/>  
Complaint form: <https://www.lgo.org.uk/complaint-form>

**Self Funded Care**

The Local Government Ombudsman (LGO) may investigate complaints from people who arrange their own care. Self funders will have the right to complain to an independent and impartial Ombudsman. Individuals must be advised that the Local Government and Social Care Ombudsman will not investigate the complaint until the provider has had the opportunity to respond and resolve the matter in the first instance.

**3. Parliamentary and Health Service Ombudsman (for Service Users that are NHS funded)**

Individuals have the right to raise a concern about a service that is NHS funded. This is a free service and individuals can make contact via:

- | Telephone 0345 0154033
- | Email [phso.enquiries@ombudsman.org.uk](mailto:phso.enquiries@ombudsman.org.uk)
- | Website [www.ombudsman.org.uk](http://www.ombudsman.org.uk)
- | Address: Parliamentary and Health Service Ombudsman, Millbank Tower, 30 Millbank, Westminster, London, SW1P 4QP

Helen Fairweather can also signpost individuals to Healthwatch and the local Independent Complaints Advocacy Service (ICAS).

**4. Integrated Care Systems**

Individuals can make a complaint about a health service they are receiving or have received and can discuss this with the commissioner of the service. Local contact details can be located [here](#).

**5. Local Authority Complaints Teams**

Individuals have the right to raise concerns and complaints about adult social care regardless of whether or





not they pay for their own Care or if the Council funds it. Individuals can make a complaint about organisations who provide services on the Council's behalf. The contact details for the Local Authority Complaints Team are:

Local Authority Complaints Team

### 6. Professional Bodies

If a complaint involves the serious misconduct of a healthcare professional, their relevant professional body can be informed and this is determined on an individual case basis in discussion with the Registered Manager.

For any external bodies managing complaints, Headway Suffolk will work with the external body providing information as requested, within any agreed timescales expected.

Decisions to raise complaints outside of Headway Suffolk will be fully respected and the Service User will be supported to raise their complaint with the commissioner of the service or to seek the support of an independent advocate or representative. Staff can also refer to section 5.6 for a further list of organisations that can be accessed.

Service Users can also be signposted to [Citizens advice guidance](#).

### 5.10 Vexatious Complaints

Occasionally, Headway Suffolk may receive complaints that are vexatious in that they cause considerable disruption to the work at Headway Suffolk, disproportionate cost and time to handle, and impact the wellbeing of staff (because of the way the complaint is made or because of its repetitive nature). Headway Suffolk will ensure that it meets the requirements of the Equality Act 2010 to make 'reasonable adjustments' for disabled Service Users. In some circumstances, Service Users may have a disability that makes it difficult for them to either express themselves or communicate clearly and/or appropriately. Where there is an indication that this may be the case, Headway Suffolk will consider the needs and circumstances of the Service User or complainant in the first instance and use this information to inform any decisions that are made.

Where appropriate, Headway Suffolk will consider complaints to be vexatious, but would not label an individual complainant as vexatious. Even if Headway Suffolk decides that an individual's complaint about the service is vexatious, that does not preclude that person from making a formal complaint. Headway Suffolk would still consider any such complaints in line with the usual procedures, as outlined in this policy. To help decide whether a complaint is vexatious Headway Suffolk will consider the full history and context of interactions with the individual making the complaint, and will look at both the nature of the complaint and the manner in which it is made. The particular issues that will inform a decision will include whether:

- 1 The primary purpose and/or effect of the complaint is to disturb, disrupt and or/pressurise Headway Suffolk, its staff or an individual member of staff
- 1 The primary purpose and/or effect of the manner in which the complaint is made is to disturb, disrupt and or/pressurise the Headway Suffolk, its staff or an individual member of staff
- 1 The complaint is otherwise clearly unreasonable

If at any point in the handling of a complaint a member of staff believes it meets the criteria to be deemed vexatious, it must be referred to the Registered Manager with a summary of why it is thought to be vexatious.

Helen Fairweather will consider the complaint, seek external advice if appropriate, and will either declare the complaint as being vexatious or not. Where a complaint is not deemed to be vexatious it will be returned to the appropriate point in the complaints handling process.

If a complaint is deemed to be vexatious, the Registered Manager will respond directly to the complainant explaining why it is thought to be so and will explain that the complaint will be closed with no further action. The Registered Manager will also consider if the making of a vexatious complaint also requires the application of a restriction on communication following unreasonable behaviour.

The decision to declare a complaint as vexatious will be recorded in the complaints register for future reference.

Any declaration that refers to the specific complaint being vexatious and any further complaints from the same individual will still be considered.

If any individual wishes to challenge a decision made in relation to this policy, and all attempts to resolve the complaint locally have been unsuccessful, details of the Complaints Team of Suffolk County Council and Parliamentary and Health Service Ombudsman (PHSO) will be shared with the complainant.

### 5.11 Compliments

Receiving compliments is an opportunity to celebrate and recognise success. Headway Suffolk will ensure



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that:

- | All compliments are shared with staff and displayed in a public area to highlight good practice
- | Compliments are anonymised or permission is sought before displaying them
- | The number of compliments received is logged as part of a quality assurance programme
- | Verbal, positive feedback from Service Users and relatives is also deemed a compliment and will be recorded and shared with colleagues
- | Compliments form a core agenda item at staff, Service User and relative meetings

**5.12 Suggestions**

Suggestions can be made verbally or in writing and generally are in response to seeking a means of changing practice for the better.

- | Suggestions are not complaints, but in some circumstances, if they are not considered or actioned, they could lead to a complaint
- | When suggestions are raised in meetings or as part of a conversation, these will be documented and then outcomes of such suggestions recorded to show consideration
- | Staff will be encouraged to share their suggestions, or suggestions received by relatives and Service Users, with Helen Fairweather
- | Helen Fairweather will consider implementing a suggestions system to encourage comments from Service Users, staff and visitors

**5.13 Audit and Evaluation**

Headway Suffolk will monitor, review and analyse all information received about the service as a means of continuously reviewing performance, quality and safety.

Headway Suffolk will also:

- | Share themes and trends with Care Workers working for Headway Suffolk
- | Ensure that staff are trained to deal with complaints and understand the procedure for managing complaints



**6. Definitions**

**6.1 Compliment**

- | A compliment is an expression of satisfaction about a service the Service User has received
- | Compliments are positive feedback that can be received verbally or in writing and can include expressions of praise, admiration, congratulation and encouragement

**6.2 Complaint**

- | A complaint is an expression of dissatisfaction, disappointment or discontent. This could be in response to an act of omission, decision or act
- | Complaints can be made in various ways and include:
  - | Verbally
  - | Electronically
  - | Local feedback channels
  - | Writing

**6.3 Self-Funded Care**

- | Self-funded care is defined as care that is paid for entirely by the person receiving it

**6.4 Vexatious Complaint**

- | A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted



### Key Facts - Professionals

Professionals providing this service should be aware of the following:

- 1 The receipt of complaints, suggestions and compliments is everyone's responsibility and therefore staff will know what to say and how to respond. Staff need to be able to promote an open, honest and transparent service to encourage people to feel able to feedback and raise concerns
- 1 Staff will be involved in quality improvement planning in response to themes from both compliments and complaints received by the service. Compliments will be recognised and celebrated and staff will be supported during any complaints investigations
- 1 Any feedback received from Service Users or their representatives can influence positive change and quality delivery of care and must be discussed with the manager



### Key Facts - People affected by the service

People affected by this service should be aware of the following:

- 1 You have the right to feel confident to raise a concern, make a suggestion or give a compliment
- 1 The process for you to raise a concern, make a suggestion or give a compliment will be simple and you will feel listened to and understood
- 1 Your concerns, suggestions and compliments will make a positive difference to future care at Headway Suffolk



### Further Reading

As well as the information in the 'underpinning knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

**LGO - Resources for Care Providers - For example, letter templates:**

<https://www.lgo.org.uk/adult-social-care/resources-for-care-providers>

**Parliamentary and Health Service Ombudsman - Principles of Good Complaint Handling:**

<https://www.ombudsman.org.uk/about-us/our-principles/principles-good-complaint-handling>

**Care Quality Commission - Complaints Matter Report 2014:**

[https://www.cqc.org.uk/sites/default/files/20141208\\_complaints\\_matter\\_report.pdf](https://www.cqc.org.uk/sites/default/files/20141208_complaints_matter_report.pdf)

**Local Government and Social Care Ombudsman (2019) - Caring about complaints - Lessons from our independent care provider investigations:**

<https://www.lgo.org.uk/information-centre/news/2019/mar/ombudsman-issues-good-practice-guide-for-care-providers>

**NHS England - What are integrated care systems?**

<https://www.england.nhs.uk/integratedcare/what-is-integrated-care/#ccg-e>



### Outstanding Practice

To be 'outstanding' in this policy area you could provide evidence that:

- 1 There is evidence of annual reporting as a means of commitment to transparency and quality. Prepare and publish an annual report detailing the numbers of complaints, compliments and suggestions and the actions taken as a result
- 1 Service Users are involved in the complaints handling process and future design of procedures. Their views influence future management decisions
- 1 All complaints are logged, investigated and the outcomes are fed back to the complainant within the agreed timescales
- 1 Trends in complaints are identified and tracked to improve service delivery
- 1 The wide understanding of the policy is enabled by proactive use of the QCS App



**Forms**

The following forms are included as part of this policy:

Title of form	When would the form be used?	Created by
Complaint Investigation Template - QQ03	To record a complaint and investigation.	QCS
Complaints Procedure for Service Users - QQ03	To be displayed in a prominent position at the Service and given to Service Users prior to admission	QCS
Complaints and Compliments Register - QQ03	To record compliments or complaints	QCS
Complaint Acknowledgement Letter Template - QQ03	To acknowledge a complaint received.	QCS
Complaint Final Response Letter Template - QQ03	To respond to a complaint when the investigation is completed.	QCS

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<b>Complaint Reference:</b>			
<b>Name: (Who does the complaint relate to?)</b>		<b>Date of Birth:</b>	
<b>Address:</b>			
<b>Date of Complaint:</b>		<b>Date Complaint Acknowledged:</b>	
<b>Name of Complainant:</b>		<b>Date Response Required by:</b>	
<b>If the complainant is not the Service User, what evidence was provided of the Service User's consent to complain on their behalf?</b>			
<b>Overview of Complaint</b> (attach the complaint letter or notes of verbal complaint to this form):			

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**Investigation Plan** (outline the planned activities to investigate the complaint):

**Findings of Investigation** (attach interview notes to this form):



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<b>Proposed Response:</b>	
<b>Approved by:</b>	
<b>Response Provided by:</b>	
<b>Method</b> (attach any written communication to this form):	
<b>Date:</b>	

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## 1. Introduction

We always aim to provide a high standard of care in all our services.

Our Service Users' views are important to us and help to ensure our services are consistently meeting people's needs. If you are unhappy with any of our services, it is important that you let us know.

If a complaint alerts us to possible abuse or neglect, we will tell the Local Authority's Adult Safeguarding Team. The Safeguarding Team will decide how to investigate and monitor outcomes.

## 2. Making a Suggestion

Often people feel more comfortable suggesting improvements than complaining formally. Suggestions can be made by anyone receiving services, or their friends/family. To make a suggestion you can:

- Speak to the Manager or their Deputy
- Utilise available comments or suggestion boxes if you would rather make your suggestion that way
- If the suggestion is something that Headway Suffolk as a company needs to consider you can send it to:

Registered Manager

Headway Suffolk

Headway Suffolk  
Epsilon House  
West Road  
Ipswich  
ENG  
IP3 9FJ

01473 712225

## 3. Making a Complaint

We aim to handle complaints quickly, effectively and in a fair and honest way. We take all complaints seriously and use valuable information from investigating to help us improve the service we provide. We treat all complaints in confidence.

Headway Suffolk assures Service Users and their families that it will not withdraw or reduce services because someone makes a complaint in good faith.

## 4. Who Can Complain

Anyone affected by the way Headway Suffolk provides services can make a complaint.

A representative can make a complaint for the affected person if they:

- Have died
- Cannot make a complaint themselves, or
- Have given consent for the representative to act on their behalf

If you are not happy about making a complaint yourself and you do not know someone who can talk or write to us on your behalf, we will be happy to find someone from an independent organisation to act as an advocate for you.

## 5. How You Can Make a Complaint

You can complain:

- In person
- By telephone
- In writing
- Through a member of our staff
- Through an advocate or representative

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*Where someone complains verbally, we will make a written record and provide a copy of it within 3 working days*

- By letter
- By email

## 6. Anonymous Complaints

We deal with anonymous complaints under the same procedure. However, it should be noted, if you provide contact details, we can update you on the outcome of our investigation.

## 7. Responsibility

The Registered Manager has overall responsibility for dealing with all complaints made about their service. We will provide, as far as is reasonably practical, support for Service Users, friends and family who wish to make a complaint but understand that they may wish to contact Headway Suffolk or Care Quality Commission directly.

This includes:

- Providing any help needed to understand the complaints procedure
- Providing advice on where you may get that help
- Providing advice and information in an accessible format about making a complaint in a way you can understand

If the complaint relates to the conduct of Helen Fairweather, you may feel more comfortable to direct your complaint to Helen Fairweather or Headway Suffolk.

There may be times where the registered manager and nominated individual are the same person. In order to conduct an investigation impartially, Headway Suffolk may enlist an external professional such as a health and social care consultant or alternative domiciliary care provider who is registered with CQC to complete this process on our behalf.

## 8. How We Handle Complaints

The Registered Manager or Headway Suffolk may ask one of the management team to investigate the complaint. That person will have enough seniority and experience to deal with the issues raised by the complaint.

We will formally acknowledge a complaint within **3** working days and give you the name and contact details of the person investigating it.

We will keep you informed about the progress of the investigation. We aim to have all complaints finished within **28 working days** unless we agree a different time scale with you.

When we have finished investigating, we will arrange to meet with you to discuss the outcome, and write to you with:

- Details of the findings
- Any action we have taken
- Our proposals to resolve your complaint

## 9. Time Limits

You should complain as soon as you can after the date on which the event occurred or came to your notice. If you complain more than twelve months later, we may not be able to investigate properly. However, we will consider whether you had a good reason for not making the complaint sooner and whether, despite the delay, it is still possible to investigate the complaint effectively and fairly.

## 10. Further Steps

1. At any stage during the process, if you are not happy with the way Headway Suffolk is dealing with your complaint you can contact Helen Fairweather at:

Headway Suffolk

Headway Suffolk  
Epsilon House  
West Road  
Ipswich  
ENG  
IP3 9FJ

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01473 712225

You can also contact your Local Authority Complaints Team to complain. You can contact the Local Authority Complaints Team at:

Local Authority Complaints Team

2. Once we have dealt with your complaint, if you are not happy with the outcome you can refer your complaint to the Local Government and Social Care Ombudsman and ask for it to be reviewed. The Local Government and Social Care Ombudsman provides a free independent service.

You can contact them at:

The Local Government and Social Care Ombudsman  
PO Box 4771  
Coventry CV4 0EH  
Tel: 0300 061 0614  
Email: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)  
Website: <https://www.lgo.org.uk/>  
Complaint form: <https://www.lgo.org.uk/complaint-form>

***NB: The Ombudsman will not normally investigate a complaint until the provider has had an opportunity to respond and resolve matters.***

3. The services of Headway Suffolk are registered with, and regulated by, the Care Quality Commission. The CQC cannot get involved in individual complaints about providers but is happy to receive information about services at any time.

You can contact the CQC at:

Care Quality Commission National Correspondence

Care Quality Commission (CQC)  
National Correspondence  
Citygate, Gallowgate  
Newcastle upon Tyne NE1 4PA  
Tel: 03000 616161  
Fax: 03000 616171

Website: [www.cqc.org.uk](http://www.cqc.org.uk)

**\*We can provide this policy in other languages or in other formats on request**

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Date	Name of person making complaint/giving a compliment	Summary of complaint/compliment	Action taken

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[Insert date]

[Insert name]

[Insert address]

**Our ref:** [Insert reference]

**Your ref:** [Insert reference]

**Our contact details:** [Insert name, email address and phone of person managing this complaint]

Dear [Insert title and name]

[Insert heading. For example, Complaint about..... ]

Thank you for bringing to our attention your concerns in [your letter/your email/our conversation] of [date]. I am sorry that you are not happy with the service provided by Headway Suffolk.

As I understand it, you are concerned that [Insert your understanding of the issues of concern, using a bulleted or numbered list if there is more than one point]. Please contact me straight away if I have misunderstood your concerns.

I would be happy to meet you to discuss the issues you have raised and our investigation procedures, if that would be helpful. [Suggest a date and/or ask them to contact you to arrange].

I am looking into the points you have made as a matter of urgency and shall be in touch with you with a full response by [insert anticipated response time – not longer than 28 working days].

Please do contact me again in the meantime if I can be of further assistance. My email and phone number are provided above.

Yours sincerely,

[Insert name and job title]



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[Insert date]

[Insert name]

[Insert address]

**Our ref:** [Insert reference]

**Your ref:** [Insert reference]

**Our contact details:** [Insert name, email address and phone of person managing this complaint]

Dear [Insert title and name]

[Insert heading. For example, Complaint about..... ]

My investigation into the concerns you raised on [Insert date] is now complete.

I will address each of the points as outlined in my earlier acknowledgement letter to you.

[Repeat each individual point of complaint and follow each one with what you found in the investigation. Put this as a numbered list if there is more than one issue.]

Point one, I have found that...  
Point two, I have found that...

## **Outcome**

As a result of your complaint, we have taken the following action (if not already mentioned above).

[action one]  
[action two]  
[action three]

I would like to thank you for bringing these matters to our attention. We welcome comments from people who use our services and aim to use these to improve our services.

If you are not fully satisfied with the way we have handled your complaint, you have the right to take your complaint to the Local Government and Social Care Ombudsman, whom you can contact at:

Tel: 0300 061 0614  
Email: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)  
Website: [www.lgo.org.uk](http://www.lgo.org.uk)

Yours sincerely,

[Insert name and job title]