
Complaints and Representations Policy



Catholic Care
Caritas Leeds



Introduction

Whilst Catholic Care tries to provide an excellent service at all times to those involved in our services, they acknowledge that their service may not meet everybody's expectations all the time. If anyone, whether they receive a service directly from us or are an external individual / organisation, wants to comment or complain about Catholic Care services, they should be able to easily and without fear of repercussion. Equally anyone who wants to make a positive comment should be able to easily.

All service users and staff members at Catholic Care should be clear about how to complain if they feel the need to. All concerns raised will be responded to within ten working days.

Anyone can make a complaint, service users and their families, staff members, other professionals and members of the public.

Complaints may be made either verbally or in writing. Where a complainant wishes to make a verbal complaint, a written copy must be made by the staff member receiving the complaint and read out to the complainant before it is recorded.

This policy covers complaints and what could be described as grumbles.

Procedures

Informal Stage

Generally, it is preferable that problems are resolved quickly and effectively by informal means, and every effort should be made to resolve a problem satisfactorily as near to the point at which it arose as possible, thereby avoiding the need for recourse to the more formal Complaints Procedure.

It is anticipated that all issues will be dealt with at this informal stage and recorded in a 'grumbles book' which is held at relevant homes and projects.

If, after discussion with staff, a service user, external individual or organisation is still not satisfied, they should be helped to make the complaint formal.

Formal Stage

Once a complaint is made, it should be passed to the relevant Senior Manager and the issue will be recorded in the Complaints Book. A written acknowledgement will be sent to the complainant.

If the complaint is against the Manager, the Senior Manager, or Head of Care, the Director should be contacted to deal with the complaint. If the complaint is against the Director the Chair of the Trustees Personnel Committee should be contacted to deal with the complaint or an independent Trustees if the Chair of the Trustee Personnel Committee is involved in the complaint.

The normal time limit for dealing with a complaint will be ten working days.

The complaint will normally be dealt with by the Registered Manager / Senior Manager as appropriate to the service, unless the complainant specifies that they wish some other person to deal with it.

The complainant may request a more senior person within Catholic Care to deal with the issue or may wish to be guided to make a complaint through the Local Authority complaints system or may wish to go straight to Ofsted/Local Government, CQC and Social Care Ombudsman. The complainant may also request or be offered an external and independent advocate to assist them with the complaint. Catholic Care will provide details of such a person on request.

The manager or person dealing with the complaint will wish to investigate the complaint and may well want to interview the complainant. The complainant can have a person (of their choice) accompany them to this interview if they wish but not acting in a legal capacity.

The appointed manager will notify the complainant of the decision in writing, including reasons for the decision. This notification should include details of the complainant's right to appeal against the decision.

If the complainant so wishes to proceed with the appeal, they must make a formal written request within ten working days from the date of the notification letter. On receipt of this request the Director (or Chair of the Board of Trustees in the case of the Director being involved in the complaint) will arrange an appeal within 10 working days, or as reasonably practical.

The complainant is entitled to make written submissions to the Appeal before the meeting and oral submissions during the meeting. They can be accompanied by another person not acting in a legal capacity to the meeting, who is entitled to make submissions on behalf of the complainant.

A written record will be kept of the proceedings.

The Director (Chair of the Board of Trustees in the case of the Director being involved in the complaint) will notify the complainant of the decision in writing within 5 working days.

If the complaint involves a child / vulnerable adult protection issue or an allegation against a staff member, then the matter will be referred to the Local Authority Safeguarding Board in line with the safeguarding policy.

If you are not satisfied with the outcome of the above procedure, you have the right to contact:

Adult Services

CQC
Citygate
Gallowgate
Newcastle upon Tyne NE1 4PA

Tel: 03000 616161
Email: enquiries:cqc.org.uk

Children's Services

Ofsted
Ofsted National Business Unit
Piccadilly Gate
Store Street
Manchester M1 2WD
Tel: 0300 123 1231
Email: enquiries@ofsted.gov.uk

Local Government and Social Care
Ombudsman
Tel: 0300 061 0614

Advocacy Services

Each individual service to refer to their service specific policies in relation to local advocacy services.

www.voiceability.org.uk provides information and signposting to relevant services for Young People, Elderly, Learning Disabilities and Mental Health.

Monitoring

Catholic Care, on a service basis, will record all representations received, action taken and the outcomes. These records are to be reviewed every six months by the Senior Manager. This will include both formal complaints and informal complaints (known as grumbles). There is a standard agenda item at Trustees' Meetings to monitor complaints. As part of the annual monitoring process we will undertake a 'Lessons Learnt Process' and share with staff.

A feedback form will be made available to complainants or their advocates (if they have one) to ascertain their views on the handling of their complaint.

Withdrawal of complaints

Complaints may be withdrawn orally or in writing at any time by the complainant or, by their advocate, when one has been appointed. The withdrawal of the complaint should be confirmed in writing (to complainant and also to the advocate if they have one) by the Manager dealing with the complaint.

Confidentiality

Complaints will be handled confidentially in line with information sharing protocols and data protection requirements.

Equality & Diversity Statement

Catholic Care aims to handle all complaints fairly and honestly regardless of who makes a complaint. We endeavour to treat all persons equitably and will not show bias to any particular individual or group.

Complaints that will not be considered

Catholic Care reserves the right to not consider, or further consider, complaints concerning any matter which is proceeding to a legal tribunal or court case.

Persistent Complainants

We will always try to resolve complaints as quickly as possible.

A persistent complainant is a stakeholder person, who when complaining about issues they consider to fall within the remit of the service, exhibit behaviours which are perceived to be obsessive, harassing and repetitive. They may also be characterised by the following key factors:

- People who frequently complain about a range of different issues, or the same issue, through a number of different channels, in the hope of achieving a different response, or to put pressure on a particular service.
- People who are seeking unrealistic outcomes in relation to the concerns raised. They may state that their intention is to persist until their sought outcome is achieved.
- People who persistently make the same complaint with minor differences but appear increasingly unable to accept the outcome of any investigation into their concerns and complaints.

The majority of complaints are dealt with through the complaints procedures without difficulty and the Complaints and Representations Policy will therefore apply to most complaints received by Catholic Care

Sometimes, however, complainants may be pursuing complaints in unreasonable ways. Catholic Care will manage complaints effectively through the above stages when the complainant is unreasonably persistent in pursuing complaints or otherwise acts unreasonably

It is important to distinguish between people who make a number of different complaints because they really think things have gone wrong as a result of a series of service failures, and people who are being unreasonably persistent or otherwise behaving unreasonably about the same issue displaying obsessive or erratic behaviour.

Sometimes, however, service users pursuing complaints or other issues may treat staff in a way that is unacceptable.

Whilst we recognise that some complaints may relate to serious and distressing incidents, the charity will not tolerate abusive, offensive or threatening behaviour and will take steps to protect staff who are subject to unreasonable behaviour.

Catholic Care will follow all of the steps outlined above to ensure that any complaint is investigated fully and fairly.

If there is a persistent complaint it will be managed as outlined within this policy. For persistent complainants who continue to complain about the same issue and there are no further avenues to follow, a letter from the Director explaining that further correspondence will not be entered into will be sent.

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