

The SENAD GROUP

Section 5 Adult Services Complaints Policy

Issue: February 2017
Reviewed: September 2018
Next Review: January 2019
Version: 4
Policy Ref: 519
Owner: MF

Equality Act 2010

SENAD and its Adult Homes and community services will make reasonable adjustments to accommodate complainants to ensure they have access to this policy.

Duty of Candour: Working openly and objectively with our service's users, their families and professional support

SENAD and its Adult Homes and community services will be candid with service users (residents) and their families in addressing complaints. We will be honest and transparent in how we communicate and apologise for mistakes we make, seeking to resolve complaints without undue delay or causing unnecessary distress to the service user and/or their family.

Where we disagree with a service user and/or their family and cannot agree a resolution, we will be objective and seek support for resolution with the social services or independent advocate.

1. Aims

SENAD, through its services, aims to provide a happy, safe and caring environment that will enable adults to lead safe and productive lives with confidence. This complaints policy is designed to allow adults who use our services and their families to raise issues of concern/complaint with the provision.

However there may be times when an adult, their parents/guardians or any other person who comes into contact with the provision may wish to make a complaint about any aspect of the service or home. We encourage comments from all, so that we may improve the service we deliver. We acknowledge that complaints do occur and respect those who do complain or comment and we seek to respond in a positive and open manner. There are **no** restrictions on the issues that a person can make a complaint about.

The policy will be available to adults in our care, parents and any interested person at individual establishments, the website or through SENAD Head Office.

Accessible user friendly formats of the complaints procedure will be available to all service users.

Complaints will be managed within the timeframes set out in this policy in the 4 stages of complaints resolution.

How complaints are received

All complaints by adults, parents/guardians or any other person are to be made to a member of the Care Home's staff or SENAD Community staff and will be recorded as a concern and passed to a member of the management team for response. **A complainant may contact our regulator CQC directly at any time if they so wish (see contact numbers later).**

A **central register** is kept of all complaints made and monitored regularly by the Senior Leadership Team.

The Senior Leadership Team (typically the Registered Manager or the Head of Service) decides who is best placed to investigate the complaint without bias.

Any person is entitled to make a complaint about any aspect of the provision or their experiences of it. This includes people who are not directly involved with the provision (e.g. members of the public). Their complaints or representations should initially be taken by the staff in the provision's office or with a manager and then they should proceed according to the procedures detailed in the following advice.

Adults may have difficulties with speech, language and communication. Therefore making a complaint may be a difficult task for them to manage themselves. Anyone reviewing a complaint from an adult or advocating on their behalf should take account of these difficulties and employ communication strategies suited to the adult's needs.

When a person needs to register a major complaint or representation, the member of staff who has worked with the person or parent making a complaint will contact a member of the Senior Leadership Team at the earliest opportunity (normally within 24 hours).

The Senior Leadership Team will consider the content of the complaint and decide on action to be taken. Where a complaint involves Adult Protection issues then the Adult Protection Officer who is a member of the Senior Leadership Team will be responsible for informing the Local Safeguarding Board and placing authority, including notifications to CQC or Adult Protection Services within 24 hours of receiving the complaint.

When an adult wants to make a minor complaint, this should be dealt with by talking to the Key Worker, Speech & Language Therapist (SLT),

registered manager, or, indeed, any staff member. All staff have a duty of care to the adults, and should be advocates for them.

Examples of (but not limited to) minor complaints are:

- A person is unhappy with the food that s/he has been served
- A person is unhappy with the variety of activities that are offered
- A person feels that the pillows that are offered are too lumpy

If the complaint is of a more serious nature it will be acted upon by a member of the Senior Leadership Team according to the procedures that follow. The person making a complaint also has access to outside advice and this right should be made aware to the person making a complaint by the person they are making the complaint to.

Examples of prima facie more serious complaints (these which should be referred to the Senior Leadership Team without undue delay) are:

- An Adult or their representative believes themselves to be the target for bullying by his/her peers
- An Adult or their representative believes themselves to be the subject of abuse or bullying by any adult (including their home setting)
- A person feels that the content of a trip or activity in which they were present (or had evidence of) was not fully matched to the need of the adult
- A member of staff fails to deliver a promised commitment to a parent/adult person/external professional

At all stages it must be made clear to the person making a complaint that there will be no reprisals against them as a result of making a complaint.

At all stages complaints should be made in confidential surroundings, the privacy and dignity of the complainant should be protected at all times.

1. Procedures for resolving complaints and timescales

Complaints and concerns received by staff will be acted upon by that member of staff or passed on to the relevant staff for action. **Staff need to consider behaviours as an indicator of a person's concern and where relevant record as a complaint on their behalf.** In either case appropriate 'Concern' form (or equivalent) needs to be completed and the complaint recorded in the Service/Home's complaint book.

There are four (4) stages to the complaints procedure as follows:

1) Informal stage: discussion between the complainant and a member of the Service's staff.

This is may be a minor complaint and one which can be dealt with very quickly by the member of staff concerned. This is typically done within 5 working days.

2) Formal stage: if the complainant is not satisfied, he or she can put their complaints in writing to the Registered Manager.

It is **not generally expected that a service user will complete documentation**. An adult advocate is available to do this for them. However where a person particularly wishes to complete their own documentation, they should be provided with the appropriate documentation.

Within 15 working days the Registered Manager must either inform the complainant of a decision, or tell the complainant when a decision will be made.

This stage will have included consultation with the person making a complaint.

Once the complaint or representation has been resolved the nominated member of the Senior Leadership Team will write to the person making a complaint, to outline the resolution.

Where a complaint or representation takes longer than 15 working days to resolve, records showing ongoing communication with the person making a complaint should be filed with the original complaint.

3) Reconciliation stage: if the complainant remains dissatisfied, the Head of Service (Principal or Executive Head) must try to resolve the matter.

Within 15 working days, the Head of Service must either inform the complainant of a decision, or tell the complainant when a decision will be made.

4) Proprietor stage: if the complainant remains dissatisfied, the Head of Service will refer the issue to SENAD, the proprietor.

A senior manager from SENAD will seek to resolve the complaint **within 15 working days**, or if this will take longer, inform the complainant when a decision will be made.

2. Staff complaints about other staff (non-safeguarding or Adult welfare issues)

Complaints from staff about other staff (i.e. grievances) will be managed through the staff complaints and grievance procedure set out in the staff handbook. A staff complaint about the practice of another employee concerning the welfare of an adult, parent/guardian or professional will be managed via the safeguarding procedures and/or this complaints procedure. See also Public Interest Disclosures - Whistle Blowing Policy 413 and Allegations of Abuse Against Staff 418.

3. Minor complaints

Minor complaints and representations made by adults and parents must be logged in **The Complaints Book** kept on site with a record of how they have been addressed. All entries should be signed and dated by the member of staff addressing the complaint. The Complaints Book should be kept in a locked cupboard when not in use. The central log of complaints kept for formal complaints also provides a central record of all minor complaints as well.

The Senior Leadership Team will review the contents of the Complaints Books on a regular rolling programme. Where there are inaccuracies or discrepancies discovered by the Senior Leadership Team, this will be investigated for the cause of the inaccuracies or discrepancies. More serious complaints and representations should be addressed to, and will be acted upon by, the Senior Leadership Team.

These will be made and recorded using the establishments' formal documentation. **It is not generally expected that a service user will complete documentation.** An adult advocate is available to do this for them. However where a person particularly wishes to complete their own documentation, they should be provided with the appropriate documentation

Examples of very serious complaints may be:

- A person believes that a member of staff has abused their position with a service user.
- A person believes that an act of abuse has been perpetrated by a staff member

4. Complaints about the Senior Leadership Team

Complaints and representations about the heads of establishment and/or the Senior Leadership Team should be made directly to the SENAD representatives Dr Mark Flynn, The Chief Operations Officer. He can be contacted as follows:

Email info@senadgroup.com or 01332 378 840

In Writing SENAD Group Ltd
1 St George's House
Vernon Gate
DERBY
DE1 1UQ

5. Unacceptable and Unreasonable Persistent Behaviour

Complainants may behave unacceptably, or be unreasonably persistent in their contacts and submission of information. This can impede the investigation of their complaint (or complaints by others) and can create resource issues. Such actions can occur while their complaint is being investigated or once the investigation has concluded.

The SENAD Group will not tolerate deceitful, abusive, offensive, threatening or other forms of unacceptable behaviour from complainants.

Persistent displays of the kind of behaviours described could result in a complainant being classed as unreasonable and thereafter certain restrictions applied to that individual. Such restrictions are applied to an individual complainant or individual and are not necessarily restricted to a specific complaint.

Such actions or restrictions could include:

- Restricting telephone calls to specified days and limited times.
- Limiting contacts to one form only (for example, a maximum of one letter a week).
- Requiring contact to take place with one named member of staff.
- Requiring the complainant to enter into an agreement about their future behaviour before proceeding.
- Managing contact with the help of an independent advocate.

Other suitable options could also be considered in the light of the complainant's circumstances.

In very exceptional circumstances, and if a complainant continues to behave unreasonably despite restrictions in place, the SENAD Group may regrettably decide to terminate contact with them and discontinue any further investigation into their complaint.

6. Care Quality Commission: The Adult Care Regulator

The provisions regulator is the **CQC** in England and they can be contacted directly as follows:

www.cqc.org.uk

National Customer Service Centre: Telephone: 03000 616161
Fax: 03000 616171

CQC National Customer Service Centre

Citygate
Gallowgate
Newcastle upon Tyne
NE1 4PA

SENAD ADULT SERVICES: *Complaints flow chart*

If you have a complaint or something you are unhappy about (Informal Stage)

Talk to your Key Worker/member of staff

Typically dealt with in 5 working days



If your Key Worker/member of staff is unable to resolve the matter (Formal Stage)

Write to the Registered Manager

Your complaint will be investigated within 15 working days



If you are still unhappy with the outcome (Reconciliation Stage)

Speak to the Head of Service (Principal/ Head of Service)

Within 15 days the Head of Service must inform of a decision or inform the complainant when a decision will be made



If the Principal/Head of Service is unable to resolve the matter (Proprietor Stage)

Inform a Senior Manager
T:01332 378840 or
info@senadgroup.com or
SENAD
1 ST George's House
Vernon Gate
Derby
DE1 1UQ

A Senior Manager will seek to resolve within 15 days or inform the complainant if this is likely to take longer when a resolution will be completed