

CSWS Compliments and Complaints Policy

Introduction

CSWS aims to offer the best possible personal service. Staff, Volunteers and Trustees need to be always aware of the needs and expectations of service users. On occasions where performance falls short, and a service user believes there is cause for complaint this will be managed sensitively by a CSWS Operations Manager, so that it does not become a significant problem. CSWS can learn and reflect on all aspects of feedback both positive and negative.

Policy Aims

The overarching aim of the procedure around complaints is equitable resolution of concerns or complaints and improvement in service quality wherever required, not apportionment of blame. The focus must be on resolving the complaint to the satisfaction of the complainant, whilst also being scrupulously fair to CSWS staff, Volunteers or Trustees.

- All compliments are valuable and gratefully received by our staff and volunteers.
- All will be noted and shared to ensure that services are provided to a level of quality acceptable to each individual carer taking a personal and very carer-friendly approach. Carers remain at the heart of all we do and are given a strong voice in shaping support and services, particularly service quality.
- Where there is cause for complaint, our aim is for this to be resolved informally whenever possible. This will preferably be by the complainant speaks directly to the person involved in the first instance. However, if they then wish to raise a formal complaint this can be actioned through an Operational Manager
- All complaints will be dealt with promptly and as far as possible at source, with the members of staff or volunteer involved. The issue should be discussed, any misunderstanding clarified, action taken, or a remedy proposed to the satisfaction of the service user. Verbal complaints should be recorded on CSWS's complaints schedule.
- If the complaint is resolved at this stage, the Operational Manager involved should offer to provide a letter on behalf of CSWS outlining the issue and decision reached and agreed. If, however, the complainant is unhappy with the outcome or wishes this to be resolved at a higher level, they may in such event put their complaint in writing to the Chief Executive.
- Following investigation by an Operational Manager or Chief Executive, if the complaint is not then resolved the complainant can ask for the complaint can be dealt with by a Review Panel, consisting of 2 Trustee Board members and an Independent Chair.
- After the Review Panel stage of the Complaints Procedure is exhausted, if the CSWS has viewed the matter as closed and whether the complainant's approach is habitual or vexatious then a further review will be undertaken by a Trustee panel drawn from the Board of Trustees. In this case, once notified, the CSWS may decline to respond any further to the complainant. This Complaints Policy and Procedure does not apply to staff complaints or grievances.

Data Protection Complaints

Under data protection law, individuals have the right to raise concerns directly with CSWS about how their personal data has been collected, used, stored or shared.

A data protection complaint may relate to:

- how personal information has been collected or used
- delays or issues in responding to a data rights request (e.g. Subject Access Request)
- concerns about data being shared incorrectly
- the security or accuracy of personal data
- any perceived failure to comply with data protection legislation

CSWS will treat any expression of concern about personal data handling as a data protection complaint, even where this is not explicitly described as such by the individual.

Who May Raise a Complaint or Give a Compliment?

Complaints and compliments may be raised by any user of our services or by someone acting on their behalf providing, they have the service user's full written consent. Complaints, including data protection complaints, may be made by any reasonable means, including in writing, by email, by telephone, in person, or via a member of staff or volunteer. CSWS will accept and act upon complaints received through any channel and will ensure that they are directed to the appropriate person for handling.

Procedure for Investigating and responding to a Complaint

Confidentiality

CSWS will conduct the complaints procedure preserving strict confidentiality. This is also expected from the complainant.

Timescales

A complaint must normally be received within three months from the causal action or omission. However, in certain circumstances CSWS does have discretion to extend the time limit where it is still possible to investigate the facts and refer to people involved. Verbal or telephone complaints can often be dealt with satisfactorily on-the-spot or within five working days. This preferred informal response will be proposed, and the complainant consulted to agree that this is an acceptable initial approach. If the complainant does not agree to their complaint being handled informally then they will be asked to put their complaint in writing for a formal investigation and a written response. All complaints will be acknowledged promptly. CSWS aims to acknowledge complaints within 5 working days and will always acknowledge complaints within 30 calendar days in line with data protection legislation. This letter will merely state that the complaint has been received and that a response will follow, or a meeting arranged. Once fully investigated, CSWS will respond to all written complaints in writing.

Where a complaint relates to the handling of personal data, it will be referred to the Data Protection Lead (DPL) or appropriate senior manager to ensure compliance with data protection law. All staff and volunteers must be able to recognise when a complaint relates to personal data and ensure it is recorded and escalated appropriately in line with this policy.

Resolution

The process of resolution must provide for a range of different options to review and respond to complaints (meetings, telephone conversations and letters). Response letters must cover all points

raised and give information about the option of a further Review Panel procedure if not resolved to the satisfaction of the service user. Letters should be succinct, jargon-free and conciliatory in tone. Each must be signed by the relevant Operational Manager, Chief Executive, Chair or nominated Trustee. CSWS expects high service standards. Where delivery or conduct falls short of reasonable expectations, it is within the remit of the Chief Executive to investigate, respond and act in the best interest of carers and the organisation to promote/adapt practice in the furtherance of good relationships with staff, trustees, and users.

Support for Staff

Staff involved in a complaint are entitled to be supported by a CSWS Trustee or a friend or another person of their choice. A complainant may not be accompanied by any person previously determined by the CSWS as a habitual or vexatious complainant.

Stage 1

We aim for most complaints to be resolved informally by the complainant speaking directly to the person or people involved at stage 1. This can be done either by telephone or in a face-to-face meeting. All complaints at this stage will be recorded and if resolved at this stage CSWS will provide a letter outlining the issue and the decisions reached. If an informal resolution is not possible then Stages 2 and 3 are available to complainants.

Stage 2

If a complaint is about a member of staff or a volunteer– a letter should be addressed to the Chief Executive – for contact details, please call 0300 028 8888. All such requests will be treated in strict confidence. If a complaint is about a Trustee or Chief Executive– a letter should be addressed to The Chair of the Board who will handle complaints at this level. If a complaint involves The Chair– a letter should be addressed to the Vice Chair of the Board. Any complaint concerning the Chief Executive or Chair will be considered jointly by a small panel of 3 separate members of the Board of Trustees.

Acknowledgement - the target timescale for complaints to be acknowledged in writing by the addressee is within 3 working days of receipt.

Internal recording - each complaint will be recorded on our formal complaints schedule and will be fully investigated by discussion with all individuals involved and a written response provided within 20 working days wherever possible. If these timeframes are delayed CSWS will ensure that the complainant is informed personally verbally or in writing and an explanation provided.

Stage 3

Review Panel: If a complaint is still not satisfied, arrangements can be made for a Stage 3 Review Panel. The Panel will comprise two Trustees of CSWS and an independent external Chair. All paperwork will be reviewed, and notes will be made on all meetings. This review will normally take place within 20 working days of a request. This is the final stage in the CSWS procedure. The complainant will be informed about the time and place of any meeting –normally 10 days in advance so they may attend accompanied by a friend or supporter if they wish. The Panel will let the complainant know the outcome of the Review and any decision/reasons in writing –normally within 7 days of the meeting.

Recording of Complaints.

If the complaint is related to personal data, once the internal complaints procedure has been exhausted, if the complainant remains dissatisfied, they have the right to raise their concern with the Information Commissioner's Office (ICO), the UK regulator for data protection. The ICO can be contacted via www.ico.org.uk.

A record of all complaints will be made by the CSWS and kept securely by the Chief Executive. The retention period for records of informal verbal complaints will be one year from the date of the initial record. The retention period for formal written complaints records will be three years from the date of the initial record. The retention period for complaints of a “Habitual or Vexatious” nature as determined by the CSWS will be indefinite, or for as long as the Board of Trustees shall determine for an individual case.

Verbal Complaints Form - the record of all verbal complaints will be numbered, dated, and logged including where this is resolved promptly without recourse to further action or formal investigation. The user’s file should clearly indicate the nature of the complaint/call, remedy proposed, action taken and note of conversation or meeting resolving/clearing the complaint.

Written Formal Complaints Form – the record of all formal complaints will be numbered, dated, and recorded. When appropriate a letter will be sent by CSWS to the complainant confirming that an investigation is complete, and the complaint closed.

All complaints logged, verbal and written, will be reported to the Board of Trustees at the next meeting, as well as an overall 6-monthly report on complaint activity. A progress report will be presented to the Board at full Trustees Board meetings to update the Board on any serious unresolved complaints.

Production History:

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Version 1	March 2008		Created	March 2008	
	March 2020	K Burke	Review		
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