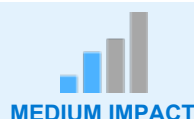




Review Sheet

Last Reviewed
05 Oct '21Last Amended
05 Oct '21Next Planned Review in 12 months, or
sooner as required.

Business impact



Changes are important, but urgent implementation is not required, incorporate into your existing workflow.

Reason for this review

Scheduled review

Were changes made?

Yes

Summary:

This policy will support staff dealing with complaints, suggestions and compliments that are received about the service. It has been reviewed with a new section added in relation to vexatious complaints and what the service should do should these arise. A new definition has also been included. References have been checked to ensure they remain current.

Relevant legislation:

- The Regulation and Inspection of Social Care (Wales) Act 2016
- The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017
- Compensations Act 2006
- Human Rights Act 1998
- Mental Capacity Act 2005
- Mental Capacity Act Code of Practice
- Social Services and Well-being (Wales) Act 2014
- Data Protection Act 2018

Underpinning knowledge - What have we used to ensure that the policy is current:

- Author: Welsh Government, (2021), *Statutory Guidance - For service providers and responsible individuals on meeting service standard regulations*. [Online] Available from: <https://gov.wales/sites/default/files/publications/2019-04/guidance-for-providers-and-responsible-individuals.pdf> [Accessed: 5/10/2021]
- Author: UK Government, (2017), *The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017*. [Online] Available from: <https://www.legislation.gov.uk/wsi/2017/1264/contents/made> [Accessed: 5/10/2021]
- Author: Care Inspectorate Wales, (2019), *Responsible Individuals*. [Online] Available from: <https://socialcare.wales/hub/hub-resource-sub-categories/responsible-individuals> [Accessed: 5/10/2021]
- Author: NICE, (2018), *Decision-making and mental capacity - Guidelines NG108*. [Online] Available from: <https://www.nice.org.uk/guidance/ng108> [Accessed: 5/10/2021]
- Author: Public Services Ombudsman for Wales, (2017), *Making a Complaint*. [Online] Available from: <https://www.ombudsman.wales/making-a-complaint/> [Accessed: 5/10/2021]
- Author: Local Government and Social Care Ombudsman, (2018), *Adult social care guides launched to help providers deal with complaints better*. [Online] Available from: <https://www.lgo.org.uk/information-centre/news/2018/jul/adult-social-care-guides-launched-to-help-providers-deal-with-complaints-better> [Accessed: 5/10/2021]

Suggested action:

- Encourage sharing the policy through the use of the QCS App
- Share 'Key Facts' with all staff
- Ensure the policy is discussed in planned supervision sessions with relevant staff
- Ensure relevant staff are aware of the content of the whole policy



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 The Oaks (Newtown) Ltd has an effective system in place to manage complaints, suggestions and compliments.

1.2 To ensure that the complainant feels free to complain without fear of reprisal and is treated with courtesy, respect and compassion, that our complaints and compliments process is fair and transparent and does not discriminate directly or indirectly because of:

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

1.3 To support The Oaks (Newtown) Ltd in meeting the following Lines of Enquiry:

Theme	Lines of Enquiry
Leadership-and-Management	LM11: Quality assurance
Leadership-and-Management	LM16: Whistleblowing
Leadership-and-Management	LM19: Complaints

1.4 To meet the legal requirements of the regulated activities that {The Oaks (Newtown) Ltd} is registered to provide:

- The Regulation and Inspection of Social Care (Wales) Act 2016
- The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017
- Compensations Act 2006
- Human Rights Act 1998
- Mental Capacity Act 2005
- Mental Capacity Act Code of Practice
- Social Services and Well-being (Wales) Act 2014
- Data Protection Act 2018



2. Scope

- 2.1** The following roles may be affected by this policy:
- All staff
- 2.2** The following Individuals may be affected by this policy:
- Individuals
- 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 Individual'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 learnt and the learning improves service quality and delivery.
- 3.3** To ensure that staff at all levels within The Oaks (Newtown) Ltd understand their roles and responsibilities with regard to handling complaints, suggestions and compliments.
- 3.4** To ensure that The Oaks (Newtown) Ltd has effective arrangements in place for dealing with complaints, including arrangements for:
- Identifying and investigating complaints
 - Giving an appropriate response to a person who makes a complaint (if it is reasonably practicable to contact that person)
 - Ensuring that appropriate action is taken following an investigation
 - Keeping records relating to the matters listed above
- 3.5** To ensure that The Oaks (Newtown) Ltd provides a summary of complaints, responses and subsequent action to the CIW within 28 days of being requested to do so.
- 3.6** To ensure that The Oaks (Newtown) Ltd analyses information relating to complaints and concerns and, having regard to that analysis, identifies any areas for improvement.



4. Policy

4.1 Complaints

- The Oaks (Newtown) Ltd understands complaints to be an expression of dissatisfaction requiring a response, communicated verbally, electronically, or in writing. Complaints may be made by any users of the service, their families or advocates acting on their behalf, with their consent or in their best interests
- The Oaks (Newtown) Ltd takes complaints seriously. It 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 The Oaks (Newtown) Ltd will achieve this. The detail of how the service will do this will be found in the associated procedures
- The Oaks (Newtown) Ltd 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
- Complaints or concerns 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

4.2 Seeking Views and Engaging with Individuals

The Oaks (Newtown) Ltd will seek out opportunities to obtain feedback from Individuals and stakeholders. The Oaks (Newtown) Ltd will act with sensitivity, integrity and professionalism by treating individuals who do complain or raise a suggestion with compassion, courtesy and respect. The Oaks (Newtown) Ltd will protect the Individual's right to confidentiality. The Oaks (Newtown) Ltd will ensure that alternative methods of communication are available so that the complaints and suggestions procedures are accessible for Individuals 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.

4.3 The Oaks (Newtown) Ltd understands that it can be difficult to separate a complaint from a concern. Therefore, The Oaks (Newtown) Ltd will follow this policy when any dissatisfaction arises with the service.

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

4.5 Safeguarding Concerns

Where a complaint or concern is raised that relates to an Individual being harmed or likely to be harmed, The Oaks (Newtown) Ltd will follow its Safeguarding Policy and Procedure in addition to the complaints procedure, seeking advice and guidance from the Powys Local Authority Safeguarding Adults Team. The Oaks (Newtown) Ltd will also notify the CIW in line with its statutory duty.

4.6 Roles and Responsibilities

All Staff

It is acknowledged that all staff working within The Oaks (Newtown) Ltd could 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 must:

- 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 Individuals or their representatives that is of concern needs immediate resolution, where possible, to their satisfaction. Personal Plans will be updated to reflect the planned changes to care and Mr Daniel Hart informed of the feedback. Failing to do this could result in a complaint
- Be clearly advised that, on presentation of a complaint, swift escalation to management is necessary and that purposefully withholding or concealing concerns expressed by Individuals or their representatives could lead to disciplinary action



The Oaks (Newtown) Ltd Responsible Individual (RI)

- The Responsible Individual at The Oaks (Newtown) Ltd has requirements under Regulation 77 to ensure that there are systems in place to record complaints
- The intent of Parts 16 to 20 of the Regulations is to ensure that a designated person at an appropriate seniority level holds accountability for both service quality and compliance. The regulations place specific requirements upon the RI and enable the service regulator to take action not only against the service provider but also against the RI in the event that the regulatory requirements are breached. The regulations in these parts are made under Section 28 of the Act
- The RI is responsible for overseeing the management of the service and for providing assurance that the service is safe, well-run and complies with regulations. The RI is responsible for ensuring that the service has a manager, sufficient resources and support. The RI is not responsible for the day-to-day management of the service (unless they are also the manager); this rests with the manager

The Oaks (Newtown) Ltd Management Team

- The Management team have responsibilities for ensuring compliance with this policy, regulations, improvement planning and having arrangements in place to provide relevant reports and information regarding complaints
- Mr Daniel Hart is the main point of contact for the receipt, investigation and management of complaints within The Oaks (Newtown) Ltd. However, this could be delegated to a senior member of staff within The Oaks (Newtown) Ltd who has the experience, knowledge and competence to investigate and manage complaints
- The Oaks (Newtown) Ltd will ensure that the procedure for raising a complaint is accessible and displayed prominently at The Oaks (Newtown) Ltd, on the website of The Oaks (Newtown) Ltd and within any Individual information and guides. Alternative languages and formats must be available on request

4.7 Compliments and Suggestions

The Oaks (Newtown) Ltd welcomes compliments and suggestions and recognises their importance in celebrating and recognising the success of its service and opportunities for improvement. It will engage with a wide range of stakeholders in addition to Individuals to support service development and improvement, and will share feedback with its staff.

4.8 The Oaks (Newtown) Ltd will ensure that this policy and procedure is in an easy to read format, well publicised, readily available and accessible to individuals using the service, their families, significant others, visitors, staff and others working at the service.

4.9 The Oaks (Newtown) Ltd will ensure that Individuals do not suffer discrimination, disadvantage, or the withdrawal or reduction of a service as a result of making representations or complaints.

4.10 The Oaks (Newtown) Ltd will ensure that consent will be gained and confidentiality maintained during the complaints process, unless there are professional or statutory obligations which would not make this possible, such as those in relation to safeguarding.



5. Procedure

5.1 Raising Complaints

A complaint can be received by The Oaks (Newtown) Ltd either verbally or in writing and can be made by:

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

The Oaks (Newtown) Ltd must ensure that Individuals are given information in an easy-to-read format on how to make a complaint and the process once a complaint has been made, including any agreed timescales.

Complaints, regardless of how they are submitted, will be acknowledged by The Oaks (Newtown) Ltd unless complaints are made anonymously.

5.2 Time Limits for Submitting a Complaint

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

The time limit, however, can and must 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 the delay in making the complaint

It is at the discretion of Mr Daniel Hart 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 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.

Step 4:

Formal acknowledgement of the complaint will be sent within 5 days of receipt to the complainant and this could be via letter or email. The Oaks (Newtown) Ltd 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 must state what the investigation will be focused on
- A time limit for the investigation to be concluded. This must be 20 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

- 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 Public Services Ombudsman for Wales and, in the case of children, the Children's Commissioner
- 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, The Oaks (Newtown) Ltd 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 the outcome was sent to the complainant
- Where complaints relate to an Individual, a copy of the complaint will be held in their care records so that the Individual can reflect on the recommendations
- Where complaints are raised verbally in person or by telephone, the log will include the date and time of the conversation/call and this must be followed up with written confirmation of the areas discussed
- Where a complaint indicates the potential abuse of Individuals, safeguarding policies will be followed as per Powys Local Authority's expectation and the necessary notifications made to the CIW
- Where complaints are to be shared as part of learning, the complaint must be anonymised so that there is no identifiable Individual information

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 Oaks (Newtown) Ltd. 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 taken against staff within The Oaks (Newtown) Ltd, 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 must remain confidential.

Responsible Individual Details:

The RI will have oversight of the complaints in The Oaks (Newtown) Ltd, as complaints will be reviewed during their monitoring visits to The Oaks (Newtown) Ltd. Their contact details are:

Mrs Jennifer Roberts

jennifer.roberts@oaksnewtown.co.uk

5.6 Unresolved Complaints

There are many bodies that can support or will need to be informed of unresolved complaints:

1. Care Inspectorate Wales

Individuals can escalate their complaint to the Care Inspectorate Wales via:

Welsh Government Office

Sarn Mynach

Llandudno Junction

LL31 9RZ

Tel: 0300 7900 126



Website: CIW@gov.wales

2. The Public Services Ombudsman for Wales and, in the case of children, the Children's Commissioner for Wales (for those Individuals who are funded by local authority-funded social services care or self-funded)

Individuals have the right to raise their complaint with the Public Services Ombudsman for Wales and, in the case of children, the Children's Commissioner. This is a free service and individuals can contact their Public Services Ombudsman for Wales and, in the case of children, the Children's Commissioner via:

Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae

Pencoed

CF35 5LJ

Tel: 0300 790 0203

Fax: (01656) 641199

Individuals must be advised that the Public Services Ombudsman for Wales (and in the case of children, the Children's Commissioner) will not investigate the complaint until the provider has had the opportunity to respond and resolve the matter in the first instance.

3. Clinical Commissioning Groups

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. Each health board or trust has its own concerns team. To find their details you can phone NHS Direct Wales on 0845 4647.

4. 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 Mr Daniel Hart.

For any external bodies managing complaints, The Oaks (Newtown) Ltd will work with the external body, providing information as requested within any agreed timescales expected.

5.7 Duty of Candour

Regulation 13 of The Regulated Services (Service Providers and Responsible Individuals) (Wales)

Regulations 2017 outlines the need for openness and transparency being shown in all aspects of the care and support provided. The Oaks (Newtown) Ltd will ensure that all issues are fully investigated with results shared and apologies provided where appropriate. The Oaks (Newtown) Ltd will also ensure that all staff are aware of the need to be open and transparent in their working, and will be encouraged to follow this policy.

5.8 Compliments

Receiving compliments is an opportunity to celebrate and recognise success. The Oaks (Newtown) Ltd will ensure that:

- All compliments are shared with staff and displayed in public areas to highlight good practice
- Compliments are anonymised, or permission sought before displaying
- Numbers of compliments received are logged as part of a quality assurance programme
- Verbal positive feedback from Individuals and relatives are also deemed as compliments and must be recorded and shared with colleagues
- Compliments form a core agenda item at staff, Individual and relative meetings

5.9 Suggestions

Suggestions can be made verbally or in writing, and are generally 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 must be documented and then the outcomes of such suggestions recorded to show consideration
- Staff must be encouraged to share their suggestions or suggestions received by relatives and Individuals with Mr Daniel Hart
- Mr Daniel Hart must consider implementing a suggestions system to encourage comments from Individuals, staff, and visitors

5.10 Audit and Evaluation

The Oaks (Newtown) Ltd will monitor, review and analyse all information received about the service as a



means of continuously reviewing performance, quality and safety.

The Oaks (Newtown) Ltd will also:

- Share themes and trends with Carers working for The Oaks (Newtown) Ltd
- Ensure that staff are trained to deal with complaints and understand the procedure for managing complaints

The Oaks (Newtown) Ltd will ensure that actions taken in response to complaints are reported on as part of the governance arrangements for the service. This will be via the Quality of Care Review and/or when requested by the service regulator within 28 days of being requested to do so.

5.11 Anonymous Complaints

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

5.12 Independent Advocacy

Individuals, or those acting legally on their behalf, must be supported to access support from independent advocacy providers where this is available locally.

5.13 Staff Training

The Oaks (Newtown) Ltd will provide staff with appropriate training in this complaints policy and understand how to respond appropriately to complaints.

5.14 Vexatious Complaints

Occasionally, The Oaks (Newtown) Ltd may receive complaints that are vexatious in that they cause considerable disruption to the work at The Oaks (Newtown) Ltd, 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).

The Oaks (Newtown) Ltd will ensure that it meets the requirements of the Equality Act 2010 to make 'reasonable adjustments' for disabled customers. In some circumstances, customers 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, The Oaks (Newtown) Ltd will consider the needs and circumstances of the Individual or complainant in the first instance and use this information to inform any decisions that are made.

Where appropriate, The Oaks (Newtown) Ltd will consider complaints to be vexatious but would not label an individual complainant as vexatious. Even if The Oaks (Newtown) Ltd decides that an individual's complaint about the service is vexatious, that does not preclude that person from making a formal complaint. The Oaks (Newtown) Ltd 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 The Oaks (Newtown) Ltd 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:

- The primary purpose and/or effect of the complaint is to disturb, disrupt and or/pressurise The Oaks (Newtown) Ltd, its staff or an individual member of staff
- The primary purpose and/or effect of the manner in which the complaint is made is to disturb, disrupt and or/pressurise the The Oaks (Newtown) Ltd, its staff or an individual member of staff
- 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.

The Registered Manager 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 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 Powys Local Authority's complaints team and Public Services Ombudsman for Wales will be shared with the complainant.



6. Definitions

6.1 Compliment

- A compliment is an expression of satisfaction about a service the Individual 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 'Upheld', 'Partially Upheld' or 'Not Upheld'

- 'Upheld' means that the complaint is agreed with
- 'Partially Upheld' means that the complaint has been partially agreed with
- 'Not Upheld' means that the complaint has not been agreed with

6.5 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:

- The receipt of complaints, suggestions and compliments is everyone's responsibility and therefore you must know what to say and how to respond. You need to be able to promote an open, honest and transparent service to encourage people to feel able to feedback and raise concerns
- You 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
- Any feedback received from Individuals or their representatives can influence positive change and quality delivery of care, and must be discussed with Mr Daniel Hart



Key Facts - People affected by the service

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

- You have the right to feel confident to raise a complaint or concern, make a suggestion or pay a compliment
- The process for you to raise a complaint or concern, make a suggestion or pay a compliment will be simple and you must feel listened to and understood
- Your complaints, concerns, suggestions and compliments will make a positive difference to future care at The Oaks (Newtown) Ltd



Further Reading

There is no further reading for this policy, but we recommend the 'underpinning knowledge' section of the review sheet to increase your knowledge and understanding.



Outstanding Practice

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

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



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 - WQQ03	To conduct an investigation into a complaint.	QCS
Complaints Procedure for Individuals - WQQ03	To inform individuals on the procedure for complaints.	QCS
Complaints and Compliments Register - WQQ03	To record Complaints and Compliments.	QCS
Complaint Acknowledgement Letter Template - WQQ03	To acknowledge a complaint.	QCS
Complaint Final Response Letter Template - WQQ03	To respond to a finalised complaint.	QCS

The Oaks (Newtown) Ltd
 LLanidloes Road, Newtown, Powys, SY16 1HL

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

The Oaks (Newtown) Ltd
LLanidloes Road, Newtown, Powys, SY16 1HL

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

Findings of Investigation (append interview notes to this form):

The Oaks (Newtown) Ltd
LLanidloes Road, Newtown, Powys, SY16 1HL

Proposed Response:**Approved by:****Response Provided by:****Method:** (attach any written communication to this form)**Date:**

The Oaks (Newtown) Ltd
LLanidloes Road, Newtown, Powys, SY16 1HL

Introduction

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

Our Individuals' views are important to us and help to ensure that 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 Powys Local Authority's Adult Safeguarding Team. The Safeguarding Team will decide how to investigate and monitor outcomes.

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 Mr Daniel Hart or Deputy Registered Manager
- Utilise available comments or suggestion boxes if you would rather make your suggestion that way
- If the suggestion is something that The Oaks (Newtown) Ltd, as a company, needs to consider you can send it to:

Manager - Mr Daniel Hart
The Oaks (Newtown) Ltd
LLanidloes Road
Newtown
Powys
SY16 1HL
07368559870

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.

The Oaks (Newtown) Ltd assures Individuals and their families that it will not withdraw or reduce services because someone makes a complaint in good faith.

Who Can Complain

Anyone affected by the way The Oaks (Newtown) Ltd provides services can make a complaint.

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

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

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.

How You Can Make a Complaint

You can complain:

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

Where someone complains verbally, we will make a written record and provide a copy of it within 5 working days

- By letter
- By email

Anonymous Complaints

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

Responsibility

Mr Daniel Hart has overall responsibility for dealing with all complaints made about the service.

We will provide as far as is reasonably practical:

- Any help you need to understand the complaints procedure
- Advice on where you may get that help
- Information about making a complaint in a way you can understand

The Responsible Individual holds accountability for both service quality and compliance and has a requirement to oversee the management of the service. Their details are:

Mrs Jennifer Roberts
jennifer.roberts@oaksnewtown.co.uk

The Oaks (Newtown) Ltd
LLanidloes Road, Newtown, Powys, SY16 1HL

How We Handle Complaints

The Manager or The Oaks (Newtown) Ltd 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 acknowledge a complaint within 5 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 **20 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

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.

Further Steps

At any stage during the process, if you are not happy with the way the service is dealing with your complaint you can contact the Service Provider at:

The Oaks (Newtown) Ltd
LLanidloes Road
Newtown
Powys
SY16 1HL
07368559870

Once we have dealt with your complaint, if you are not happy with the outcome you can refer your complaint to the Public Services Ombudsman for Wales and, in the case of children, the Children's Commissioner for Wales and ask for it to be reviewed. The Public Services Ombudsman for Wales and, in the case of children, the Children's Commissioner for Wales provide a free independent service.

You can contact them at:

Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ
Tel: 0300 790 0203
Fax: (01656) 641199

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

The Oaks (Newtown) Ltd services are registered with and regulated by the Care Inspectorate Wales. The CIW cannot get involved in individual complaints about providers, but is happy to receive information about services at any time.

You can contact the CIW at:

Care Inspectorate Wales National Correspondence
CSSIW
Welsh Government
Rhydycar Business Park
Merthyr Tydfil
CF48 1UZ
Website: <https://careinspectorate.wales/>

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

The Oaks (Newtown) Ltd
LLanidloes Road, Newtown, Powys, SY16 1HL

Date	Name of person making complaint/paying compliment	Summary of complaint/compliment	Action taken

The Oaks (Newtown) Ltd
LLanidloes Road, Newtown, Powys, SY16 1HL

[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 The Oaks (Newtown) Ltd.

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 20 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]
on behalf of The Oaks (Newtown) Ltd

The Oaks (Newtown) Ltd
LLanidloes Road, Newtown, Powys, SY16 1HL

[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 Public Services Ombudsman for Wales, whom you can contact at:

Public Services Ombudsman for Wales

1 Ffordd yr Hen Gae

Pencoed

CF35 5LJ

Tel: 0300 790 0203

Fax: (01656) 641199

Yours Sincerely,

[Insert name and job title]

on behalf of The Oaks (Newtown) Ltd