Complaints (v4.0.0)

Date Reviewed: 12/08/2025 | **Next Review Date:** 12/08/2026

Person responsible for updating this policy: Nomagugu Johwa

Policy Statement

This 1st Healthcare Group policy is intended to comply with Regulation 16: Receiving and acting on complaints.

1st Healthcare Group accepts the rights of the service users, their families and advocates to make complaints and to register comments and concerns about the services received. It further accepts that they should find it easy to do so. Every service users and their families are provided with clear information on how to make a complaint and our staff are competent to always support individuals with making a complaint.

It welcomes complaints as opportunities to learn, adapt, improve, and provide better services.
1st Healthcare Group will comply with legislation, national guidelines, regulations and best practice when managing complaints and suggestions. In accordance with the Equality Act 2010, We will ensure our processes are fair and transparent and do not discriminate directly or indirectly, against those with protected characteristics.

This policy is intended to ensure that complaints are dealt with properly and that all complaints or comments by a service users or their relatives, carers, and advocates are taken seriously. It is not designed to apportion blame, consider the possibility of negligence, or provide compensation. It is not part of the company' s Disciplinary Policy or Grievance Process.

1st Healthcare Group believes that failure to listen to or acknowledge complaints leads to an aggravation of problems, service users dissatisfaction, and possible litigation. 1st Healthcare Group supports the idea that most complaints if dealt with early, openly, and honestly, can be sorted at a local level between just the complainant and 1st Healthcare Group. The complaints procedure is made available to the service users and families in their Service Users guide. A copy is always kept in their Care and Support plan in their homes and available in a format that can be understood.

ADASS has published a Good Practice Guide on Handling Complaints concerning Adults and Children in Social Care Settings. They have identified the following five principles:

- Ensure that the complaints process is accessible.
- Ensure that the complaints process is straightforward for a service users and their representatives.
- Ensure that an appropriate system is in place to keep a service users informed throughout the complaints process.
- Ensure that the complaints process is resolution-focused.
- Ensure that quality assurance processes are in place to enable organisational learning and service improvement from complaints and customer feedback.

Any complaints made by staff will be signposted to the Grievance policy if the complaint relates to them as an individual, or via the Whistleblowing policy where a protected disclosure is made.

Aim of the Complaints Procedure

We aim to ensure that the complaints procedure is properly and effectively implemented and that every service users can feel confident that their complaints and worries are listened to and acted upon promptly and fairly. Specifically, we aim to ensure that:

- Every service users, their carers, and their representatives are aware of how to complain and that 1st Healthcare Group provides easy-to-use opportunities for them to register their complaints.
- A named person will be responsible for the administration of the procedure.
- We will acknowledge a complaint in 3 working days.
- All complaints are investigated within 14 days of being made.
- All complaints are responded to in writing within 28 days of being made.
- Complaints are dealt with promptly, fairly, and sensitively, with due regard to the upset and worry that they can cause to both the service users and staff.

Responsibilities

Noma Johwa Registered Manager is responsible for following through with complaints. However, there may be a specific post with responsibility for complaints (For 1st Healthcare Group this is Samantha Nyathi - RI for 1st Health Care Group). Communication between this post and Noma Johwa Registered Manager should be clear and transparent so that Noma Johwa Registered Manager can demonstrate evidence of compliance.

If the complaint is concerning Noma Johwa Registered Manager then another manager or director on the senior management team will handle the complaint. Information on where to send the complaint or whom to speak to, if it involves Noma Johwa Registered Manager this is included in the complaints procedure in the service users guide.

Complaints From A Representative

If the service users directly affected does not want to complain themselves, they can ask someone else to make the complaint on their behalf and represent them throughout the process.

A representative can be anyone such as:

- A family member.
- A friend.
- An advocate.
- A legal representative.

There is no restriction on who may act as a representative and this list is not exhaustive.

1st Healthcare Group will support them by signposting the service users to an advocate if they do not have any other representation and are not happy to raise the complaint themselves.

1st Healthcare Group can only accept complaints from a representative In certain situations. These are;

- Where it is known that the service users has consented, either verbally or in writing (and this includes the willingness for us to share personal information with the representative).
- Where the service users cannot complain unaided and cannot give consent because they lack capacity in line with the The Mental Capacity Act 2005, and the representative is acting in the best interest of the service users.

If the service users does not consent to us discussing the complaint with their representative then we take this into account. We will explain to the person making the complaint that only the issues that directly affect them can be investigated. If we do not have consent to share personal information about the service users we will not be able to investigate any matters relating to the service users or share personal information about the service users which may leave some of their concerns unanswered.

If we receive a complaint where the service users directly affected does not have the capacity to consent to the complaint being made on their behalf, we first determine if the person making the complaint on their behalf has a legitimate interest in the person' s welfare and that there is no conflict of interest. We also need to determine if the

person making the complaint has a right of access to the personal information of the service users directly affected. E.g. Are they an attorney with authority to manage the property and affairs of the individual or are they a person appointed by the Courts to make decisions about such matters.

Complaints Procedure

Verbal Complaints

- 1st Healthcare Group accepts that all verbal complaints, no matter how seemingly unimportant, must be taken seriously.
- Front-line Care and Support staff who receive a verbal complaint are expected to seek to solve the problem immediately.
- If they cannot solve the problem immediately, they should offer to get their line manager to deal with the problem.
- Staff are expected to remain polite, courteous, sympathetic, and professional to the complainant. They are taught that there is nothing to be gained by adopting a defensive or aggressive attitude.
- At all times in responding to the complaint, staff are encouraged to remain calm and respectful.
- Staff should not make excuses or blame other staff.
- After discussing the problem, Noma Johwa Registered Manager or staff member dealing with the complaint will suggest a means of resolving it.
- If this course of action is acceptable, the staff member should clarify the agreement with the complainant and agree on a way in which the results of the complaint will be communicated to the complainant (i.e. Through another meeting or by letter).
- If the suggested plan of action is not acceptable to the complainant, the staff member or manager will ask the complainant to put their complaint in writing to Noma Johwa Registered Manager.
- The complainant should be given a copy of the 1st Healthcare Group complaints procedure if they do not already have one.
- Details of all verbal and written complaints must be recorded in the complaints book, the service users records and the home records.

Serious or Written Complaints

Preliminary steps:

- When we receive a written complaint, it is passed to the designated lead manager, Samantha Nyathi - RI for 1st Health Care Group, who records it in the complaints book and sends an acknowledgement letter within 3 working days to the complainant.
- The manager includes either a copy of this policy or details of the organisation' s procedure for the complainant in this letter.
- The designated lead is the named person who deals with the complaint throughout the process.
- If necessary, further details are obtained from the complainant. If the complaint is not made by the service users but on behalf of the service users, the consent of the service users, preferably in writing, must be obtained from the complainant where required.
- If the complaint raises potentially serious matters, advice could be sought from a legal advisor. If legal action is taken at this stage, any investigation by 1st Healthcare Group under the complaints procedure ceases immediately.

Investigation of the complaint by 1st Healthcare Group:

- Immediately on receipt of the complaint, Samantha Nyathi - RI for 1st Health Care Group will start an investigation and, within 14 days, should be in a position to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned.
- If the issues are too complex for the investigation to be completed within 28 days, the complainant will be informed of any delays.
- Where the complaint cannot be resolved between the parties, an arbitration service will be used.

- This service and its findings will be final to both parties. The cost of this will be borne by 1st Healthcare Group.

Meeting:

- If a meeting is arranged, the complainant will be advised that they may, if so desired, bring a friend, relative, or a representative, such as an advocate.
- At the meeting, a detailed explanation of the results of the investigation will be given, in addition to an apology, if deemed appropriate (an apology is not necessarily an admission of liability).
- Such a meeting allows the management to show the complainant that the matter has been taken seriously and investigated thoroughly.

Follow-up action:

- After the meeting or if the complainant does not want a meeting, a written account of the investigation will be sent to the complainant.
- If the complainant is not happy with the response they receive or if they have not received an answer within a reasonable time, they can complain to the Local Government &Social Care Ombudsman.
- The Ombudsman believes that up to 12 weeks is a reasonable time for a council or care provider to look at a complaint and reply to the complainant.
- The outcomes of the investigation and the meeting are recorded in the complaints book and any shortcomings in 1st Healthcare Group procedures will be identified and acted upon.
- 1st Healthcare Group management formally reviews all complaints at least every six months as part of its quality monitoring and improvement procedures to identify the lessons learned.

Vexatious Complainers

1st Healthcare Group takes seriously any comments or complaints regarding its service. However, there maybe occasions where a service users can be treated as 'vexatious complainers' due to the inability of 1st Healthcare Group to meet the outcomes of the complaints, which are never resolved. Vexatious complainers need to be dealt with by the arbitration service so that the repeated investigations become less of a burden on 1st Healthcare Group, its staff, and any other service users impacted.

Accessibility

1st Healthcare Group Policies and procedures are available in accessible formats, well publicised, readily available and accessible to each service users, their families, significant others, visitors, staff and others working at the service.

The Local Government & Social Care Ombudsman (LGSCO)

Investigate all complaints about adult care services, care provided by a council or care arranged directly with a care provider by:

- Someone paying with their own or family money.
- Someone using money provided by a council, via direct payment for example.

There is a step-by-step process for making an online complaint on the LGSCO website or a phone number to contact them.

A complaint should be made within 12 months of the problem. If left any longer the Ombudsman may not be able to help.

The LGSCO works to promote high-quality services for all people who use adult social care services. This is particularly the case where when investigating a complaint the LGSCO detect service failures by a care provider that may affect its registration status. An information-sharing agreement and memorandum of understanding set out how information is shared.

Local Authority-funded Service Users

Any service users part or wholly funded by

Cambridgeshire and Peterborough local authority.

Can complain directly to the complaints manager (adults) who are employed directly via Cambridgeshire and Peterborough local authority.

Relevant Contacts

Local Authority &Professional Contacts — Adults at Risk (Peterborough)

Role	Contact / Name
Designated Safeguarding Lead (Organisation)	**Noma Johwa** – Leads on safeguarding and whistleblowing within the organisation
Local Authority Complaints Manager (Adults)	Peterborough Adult Social Care Complaints Team — **Complaints Manager, Customer Services Team** safeguardingcambspeterborough.org.ukhealthwatchpeterborough.co.uk
Social Services Local Office (Adults)	Peterborough Adult Social Care – **Customer Services**, Sand Martin House, Bittern Way, PE2 8TY. **Telephone:** 01733747474 (Option 4) Peterborough City Councilfis.peterborough.gov.uk
Out-of-Hours Service (Adult Social Services)	**Emergency Duty Team**: 01733234724 ([Evenings, weekends &bank holidays]) Cambridgeshire County Council
Local Police HQ – Safeguarding &Criminal Concerns	**Peterborough Police** – Non-emergency: 101 / Emergency: 999 Cambridgeshire County Council
Local Safeguarding Adults Board (CPSAB)	Cambridgeshire &Peterborough SAB – Safeguarding procedures and guidance available online safeguardingcambspeterborough.org.uk

Guidance &Instructions for Staff

- All **adult safeguarding concerns** must be reported immediately to the **Designated Safeguarding Lead, Noma Johwa.**
- For formal **complaints about Adult Social Care services**, staff or service users can contact the **Complaints Manager at Peterborough Adult Social Care** via phone or email.

Formal Complaints – Adult Social Care
If service users, their representatives, or staff wish to raise a formal complaint about services provided by Peterborough City Council Adult Social Care, they can contact:

- **Complaints Manager, Adult Social Care**
  Sand Martin House, Bittern Way, Peterborough, PE2 8TY.
  Tel: 01733296331.
  Email: ASCcomplaints@peterborough.gov.uk

- In **out-of-hours emergencies** involving adults at risk, staff must ring the **Emergency Duty Team** on **01733 234 724** immediately.
- If a **crime is suspected or unfolding**, contact **999**; for non-urgent reports speak with the Police via **101** Cambridgeshire County Council.
- Practice adheres to the **Cambridgeshire &Peterborough Safeguarding Adults Board procedures**, available online via the CPSAB website.

Cambridgeshire County Council – Adult Safeguarding Contacts

Main Office Address

New Shire Hall
Emery Crescent.
Alconbury Weald.
Huntingdon, Cambridgeshire, PE28? 4YE.

Professional Referral &Support Contacts

Purpose	Contact Information
Adult Safeguarding (In-Hours Referral Team)	Tel: **03450455202** < br> Mon–Fri, 09: 00–17: 00. ≪ br> Email: **referral.centre-adults@cambridgeshire.gov.uk** < br> Submit referrals using the Cambridgeshire Safeguarding Adults online form. East Cambridgeshire District Council+4Cambridgeshire County Council+4St Neots Community Support+4
Out-of-Hours Emergency Duty Team	Tel: **01733234724** (Evenings, weekends, and bank holidays) Cambridgeshire County CouncilCambridge Children's Health
Online Safeguarding Adults Referral Form	Access via Cambridgeshire County Council or CPSAB website. Fastest method for submitting concerns.

The Parliamentary and Health Service Ombudsman (NHS funded service users)

Millbank Tower.
Millbank.
London, SW1P 4QP.
Tel. 0345 015 4033.

The Local Government &Social Care Ombudsman

10th Floor, Millbank Tower,
Millbank,
London, SW1P 4QP.
Advice Line Tel: 0300 061 0614 [for complainants].

Training Statement

All staff, during induction, are made aware of the organisation's policies and procedures, all of which are used for training updates. All policies and procedures are reviewed and amended where necessary and staff are made aware of any changes. Observations are undertaken to check skills and competencies. Various methods of training are used including one to one, online, workbook, group meetings, individual supervision and external courses are sourced as required.

Related Policies

- Accessible Information And Communication (Including Statement) (Domiciliary)
- Adult Safeguarding (Domiciliary)
- Consent (Domiciliary)
- Dignity And Respect (Domiciliary)
- Duty Of Candour (Domiciliary)
- Good Governance (Domiciliary)

Related Guidance

- Local Government and Social Care Ombudsman: Annual Review of Complaints
- Local Government and Social Care Ombudsman: How to Complain
- Raising a concern with CQC

Policy Legal Statement

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