



Cheshire West  
and Chester

# Adults Social Care Complaint Policy

<b>POLICY/PROCEDURE APPROVAL</b>			
Approved By	Jennifer McGovern	Position	Director of Adult Social Care
Signature		Date Approved	
Post Responsible for Reviewing		Date to be Reviewed	

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## **What is a Complaint?**

A complaint is “an expression of dissatisfaction by one or members of the public about the Council’s action or about the standard of service, whether the action was taken or the service provided by the Council itself or a person or body acting on behalf of the Council”.

Cheshire West and Chester Council has a Social Care Complaints Team that sits independent of the Adult Social Care Directorate to ensure we:

- Provide high quality responses within clear timescales
- Focus on the customer to resolve their issues
- Conduct robust investigations where necessary
- Challenge the Directorate on their complaint responses and outcomes where necessary
- Ensure effective and helpful responses focussing on remedies
- Maintain a system for capturing and taking action on any learning points
- Direct resources effectively and support continuous improvement.

The team is proactive in working with service managers to ensure timely and appropriate solutions to issues raised by our customers. The aim is to produce quality responses and help improve service by not making the same mistake twice, and to minimise the necessity for the Local Government and Social Care Ombudsman to be involved.

The Adult Social Care Complaint procedure is a statutory process and is to be followed when any member of staff receives a complaint from a service user, or someone who has applied for service, or their advocate or carers.

## **Legislation & Guidance**

The aim of the Council’s Adult’s Social Care Complaint Procedure is to:

- Acknowledge the importance and value of complaints and other customer feedback.
- Ensure complaints are handled in line with the Customer Code of Conduct
- Ensure complaints are dealt with in accordance with relevant statutory legislation and other legal requirements
- Adhere to relevant local and national policies and best practice guidance
- Provide a clear route by which customers can raise concerns about the service they have received
- Set out clear guidelines for staff to assist them in answering customer enquiries and complaints
- Ensure complaints are dealt with fairly, promptly and sensitively
- Learn from mistakes and use feedback from customers to continuously improve services.

The Complaint procedure is informed by:

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

The procedure does not apply to Personnel matters, or to people ineligible under the 2009 Regulations. The statutory complaint procedure is solely for complaints about Adult's social care services received from the Council or its commissioned providers. There are other more appropriate routes for non-social care complaints.

## **Process**

The agreed process for handling Adult's social care complaints is underpinned by 5 principles:

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

All communications from customers, whether they are categorised as a compliment, comment or complaint are recorded, so that information from them may be used alongside other measures of performance to inform future service delivery or business planning.

A detailed procedure document with guidance notes is available to support the Adult's Social Care Complaint process, and should be followed by all staff involved in dealing with complaints.

When communicating with customers, it is essential that communication is done in a way that is understandable to them.

All contacts should be considered with regard to whether the complainant should be offered an advocate to support them in the complaint process.

If people are of a different ethnic origin, it is essential to find out if English is their first language, if not it is important to find out if written and spoken communication is acceptable in English or whether this needs to be in their first language.

## **Responsibilities**

**All Staff:** Should be aware of the complaints process and how to access it. They should be clear about what their roles are within that process and what they can do and cannot do.

### ***Customer Relations Team:***

- Coordinate complaints across the whole service.
- Work with managers to ensure timely and appropriate solutions are delivered.
- Provide an impartial view and challenge separate from the operational service.
- Act as a quality assurance function for more complex complaints, and ensure each response is of excellent quality.
- Provide an effective recording and reporting mechanism so improvements can be made.
- Coordinate escalated complaints to the Local Government and Social Care Ombudsman.
- Monitor and report on complaint outcomes and compliance with recommendations.

### ***Senior Service Managers:***

- Provide a quality assurance check for complaint responses.
- Be aware of the process for unresolved or escalated complaint in particular, and what their roles are.
- Provide information as requested for any cases escalated to the Local Government and Social Care Ombudsman.

***Customer Relations Senior Manager:*** Liaise with Local Government and Social Care Ombudsman for escalated complaints.

## **Enquiries:**

[Socialcarecomplaints@Cheshirewestandchester.gov.uk](mailto:Socialcarecomplaints@Cheshirewestandchester.gov.uk)

## **Adult's Social Care Complaints Toolkit:**

[Adult Social Care Toolkit](#)