**Oxfordshire Mind**

**Complaints, Concerns & Compliments Policy**

**September 2018**



Oxfordshire Mind 2 Kings Meadow Osney Mead Oxford

OX2 0DP

Tel: 01865 263730

Fax: 01865 263732

office@oxfordshiremind.org.uk [www.oxfordshiremind.org.uk](http://www.oxfordshiremind.org.uk/)

Registered Charity Number 261476 Company Limited by Guarantee 434362

### Version Control

|  |  |
| --- | --- |
| **Policy Owner** | Dan Knowles - CEO |
| **Policy Author** | Hanna Graham – Policy Advisor |
| **Policy Status *(in development, draft, or approved)*** | Approved |
| **Consultation dates** | **Service users** | TBC |
| **Employee forum** | TBC |
| **Approval date *(include all or some of this list as appropriate)*** | **Policy Working Group** | 26.09.2018 |
| **SMT** | TBC |
| **Board** | Nov 2018 |
| **Version number** | 1 |
| **Review date** | **Desktop** | Nov 2019 |
| **Full review** | Nov 2021 |

**Contents**

1. [Introduction 4](#_bookmark0)
2. [Definitions 4](#_bookmark1)
3. [Concerns 4](#_bookmark2)
4. [Complaints 5](#_bookmark3)
	1. [Who can complain 5](#_bookmark4)
	2. [What you can complain about 5](#_bookmark5)
	3. [What can be expected as a result of making a formal complaint? 6](#_bookmark6)
	4. [Confidentiality 6](#_bookmark7)
	5. [The formal complaints procedure; step by step 6](#_bookmark8)
	6. [Review of complaint – appeal process 7](#_bookmark9)
	7. [National Mind 7](#_bookmark10)
	8. [Recording & monitoring 7](#_bookmark11)
	9. [Learning 7](#_bookmark12)
5. [Advocacy Service 8](#_bookmark13)
6. [Compliments 8](#_bookmark14)
7. [Appendices 9](#_bookmark15)
	1. [Appendix 1 – Oxfordshire Mind Formal Complaint Process 9](#_bookmark16)
	2. [Appendix 2 Oxfordshire Mind – Post Complaint Action Log 10](#_bookmark17)
	3. [Appendix 3 – Compliment Log 11](#_bookmark18)

### Introduction

* 1. Oxfordshire Mind strives to provide high quality services to all service users however, we recognise that we will not always meet people’s expectations. It is very important for people to be able to raise a concern or complain and feel safe doing so. Oxfordshire Mind considers all feedback important. Listening to people’s experiences is a vital tool in gauging how well Oxfordshire Mind is providing services and how we can improve for the future.
	2. Whilst complaints are encouraged it is important not to see them as being about blame and punishment. The purpose is to enable everyone concerned to move forward, make any changes and to implement any learning that might be necessary.
	3. It is important that complaints are handled fairly for everyone involved. Having a complaints procedure is part of the organisation’s responsibility towards those who use our services, and to protect against bad practice. The organisation also has a responsibility towards workers and volunteers so that they are not victimised or unnecessarily blamed.
	4. Compliments are appreciated by workers and the organisation providing important feedback on what is valued by service users, or their family members/carers. Compliments inform best practice and service improvement.

### Definitions

* 1. The following are Oxfordshire Mind’s accepted definitions of a concern, complaint and compliment:
		+ **A concern** is an expression of worry or disquiet about a service which is usually current and can be addressed within a short period of time.
		+ **A complaint** is an expression of dissatisfaction with a service which has personally affected an individual. It requires a proportionate investigation and a formal response in order to promote resolution between the parties concerned. It is usually historic (i.e. happened in the past) and cannot be immediately remedied.
		+ **A compliment** is a positive comment received from someone who has come into contact with the organisation. It will contain sufficient detail to enable Oxfordshire Mind to understand what has been liked or valued by the person.
	2. The procedure included in this policy outlines the process which Oxfordshire Mind adheres to. The principles of good complaint handling as defined by the Parliamentary and Health Service Ombudsman (PHSO) are:-
		+ Getting it right
		+ Being customer focused
		+ Being open and accountable
		+ Acting fairly and proportionately
		+ Putting things right
		+ Seeking continuous improvement

### Concerns

* 1. If you have a concern about any aspect of the service, we ask that you first try to sort out the concern informally with those directly involved. For example, you could talk to a

worker, or raise the issue in a meeting within the Wellbeing Service, or at residents’ meeting if you live in a housing project. If you are unable to resolve the concern through talking to a worker, you can discuss the concern with the most direct manager of the service. The manager will ensure the concern is looked into and will give you a response.

* 1. You may wish to put your concern in writing to a manager either by email or letter. On receipt of the letter, the manager will look into your concern and will give you the option to go through the formal complaints procedure. Please note, all concerns and complaints received will be reviewed even if raised informally. The matter may be looked into by the person you contacted or another manager deemed suitable. As part of the process you may be asked what outcome you would like or hope for. You will receive a written response to your concern once this has been completed, usually within 14 days. This response will inform you of the outcome. If you are unhappy with the outcome you may raise the concern formally through the complaints procedure.

### Complaints

### Who can complain

* + - This policy and procedure is for users of our services, their family, carers and members of the public. It does not apply to workers who should use Oxfordshire Mind’s grievance procedure instead. For the avoidance of doubt: “workers” includes full-time workers, part-time workers, contractors and sessional workers, consultants, secondees, locums and volunteers (including Trustees).
		- Usually we will only investigate complaints that are either
			* Made within six months of the event, or
			* Made within six months of you realising that you had something to complain about, as long as that is not more than twelve months after the event itself.

### What you can complain about

* + - You can complain about any specific action (or lack of action) taken by Oxfordshire Mind. Examples might include a decision taken by a Mind worker or committee, the information we have published or provided, or any matter over which Oxfordshire Mind has control and for which it has some responsibility. The procedure cannot be used for matters not related to Oxfordshire Mind’s work or over which Oxfordshire Mind has no control or responsibility.
		- Oxfordshire Mind reserves the right to refuse to investigate a complaint in cases where the person making the complaint persistently refuses to follow the complaints procedure or is threatening, abusive or violent towards workers or Trustees investigating the complaint.
		- The procedure cannot be used to make complaints about a worker’s general character but can be used to complain about something they have done, or failed to do.
		- Once the complaints procedure is completed the matter will be considered closed and not re-investigated unless significant new information comes to light.

### What can be expected as a result of making a formal complaint?

* + - All formal complaints are taken seriously. The outcome may be that Oxfordshire Mind reviews or changes a decision or it may be that the complaint is not upheld. You will always be given a written response to your complaint.
		- For complaints which span organisations for example across the Oxfordshire Mental Health Partnership (OMHP) Oxfordshire Mind will work with these other organisations to ensure that the complaint is dealt with in line with our regulations. At the outset of a complaint an agreement will be made between the complainant and the organisations involved as to who will lead the complaint and coordinate a response.

### Confidentiality

* + - Your complaint will be treated in line with our Confidentiality and Data Protection Policy. It may well be necessary for the person investigating the complaint to speak with workers involved in Oxfordshire Mind services or with other service users. Any concerns about this should be raised at the meeting with the person conducting the investigation

### The formal complaints procedure; step by step

1. Put your complaint in writing and either send it to the complaints administrator at the Oxfordshire Mind office at 2 Kings Meadow, Osney Mead, Oxford OX2 0DP or email it to office@oxfordshiremind.org.uk. It is helpful if you say what outcome you want from the complaint. They will log your complaint in the complaints file and pass it to the most appropriate person. If you are not able to put your complaint in writing, or you need us to make a reasonable adjustment to enable you to raise a complaint you can phone the complaints administrator on 01865 263730. Alternatively you can contact an advocacy service – contact details at the end of this policy.
2. Oxfordshire Mind will send you a letter acknowledging receipt. This letter will include a statement of the complaint. This is important to make sure that we have a clear understanding of the matter to be investigated.
3. You then need to reply within 28 days by email or letter and inform the administrator whether you agree with the statement as set out in the letter from Oxfordshire Mind or whether you wish to amend it if it does not accurately summarise your complaint. It will not be possible to make further changes to the statement once it has been agreed.
4. After the statement has been agreed we will arrange a meeting between yourself and the appropriate manager appointed to investigate your complaint. You will need to make yourself available to meet with or contact the appointed investigator. You are welcome to be accompanied to the meeting (or any subsequent meetings) by an advocate or supporter but not by someone directly involved in the matter being investigated.
5. The person carrying out the investigation may also need to speak to other staff or service users before making a response to your complaint. We aim to write to you with our response within 28 days of the meeting.

### Review of complaint – appeal process

* + - If you are not satisfied with the response, you have the right to ask the Senior Management Team (SMT) of Oxfordshire Mind to review the complaint. If this is not appropriate, the complaint may be reviewed by the Chief Executive of Oxfordshire Mind. If you want to do this, you need to put your request in writing to the complaints administrator within 14 days of receiving the written response. You may be asked to meet with the person reviewing your complaint and they will aim to respond within 28 days after the meeting.
		- If you are still not satisfied with the response, you have the right to ask the Board of Trustees of Oxfordshire Mind to review the complaint. You will need to put your request in writing to the complaints administrator within 14 days of receipt of the review letter.
		- The Board of Trustees will be informed that a request to review the complaint has been made and will appoint a group to carry out a review. This group will consist of two or more Trustees. The group may need to meet any of those concerned with the complaint. They will come to a decision, inform the Chair of the Board of Trustees and will aim to write to you within 28 days of the group being appointed.
		- Please see appendix 1 to review the complaint process flow chart.

### National Mind

* + - If you feel that the procedures have not been followed properly, you may approach National Mind to ask that the procedure be reviewed. The role of National Mind will be to consider whether this Complaints Procedure has been followed, and not to adjudicate on the content of the complaint. If you wish to contact National Mind they can be reached at:

Mind to Mind

15 – 19 The Broadway London

E15 4BQ

Telephone 0844 481 6020 email: mindtomind@mind.org.uk

### Recording & monitoring

* + - All complaints including correspondence will be recorded by the complaints administrator for a period of six years. This information will be recorded separately from a service user’s personal file. The details will be reported to funders in line with contractual arrangements, and to Trustees on an annual basis (or sooner if necessary). Complaints will be reported regularly to the Senior Management Team, and formally reviewed quarterly. Personal information will be treated in compliance with our Confidentiality and Data Protection policy.

### Learning

* + - Any learning or actions agreed as part of investigating a concern or complaint will be fed back to the relevant manager and team to ensure any necessary changes needed are

implemented. (See appendix 2 for post complaint action log).

Reports produced quarterly for the SMT and annually for the board of Trustees will highlight any trends and themes including action taken.

### Advocacy Service

* 1. Getting Heard offers a confidential advocacy service to help resolve concerns people may have about their health and wellbeing or about people’s health and social care services. Getting Heard is free and independent from Oxfordshire Mind.

Getting Heard (in partnership with seAp) Barton Neighbourhood Centre

Underhill Circus Headington Oxford

OX3 9LS

Telephone: 0300 3435718 E: office@gettingheard.org W: [www.gettingheard.org](http://www.gettingheard.org/)

* 1. If a complaint is being made on behalf of a service user by an advocate it must first be verified that the person has permission to speak for the service user, especially if confidential information is involved. Oxfordshire Mind will obtain consent from the service user prior to discussing the complaint with the advocate.

### Compliments

* 1. Compliments are defined as positive comments, given by people who have come into contact with Oxfordshire Mind. All compliments are valued by Oxfordshire Mind as providing important feedback on what we do well and what is needed to provide best practice to our service users, or their family/carers.
	2. When Oxfordshire Mind receives a compliment, workers will log this as soon as possible using the compliment log (appendix 3). All logs received and copies of any thank you cards/emails should be sent to the relevant Quality Manager. These will be added to the

‘positive comments board’. The board should be updated every 6 months (no service user or general public identifiable information will be shown).

* 1. Compliments will be recorded on a monthly monitoring spreadsheet and will be reported quarterly to the SMT and annually to the board of Trustees. Feedback will be sent to staff via team meetings.
	2. **Appendix 1 – Oxfordshire Mind Formal Complaint Process**

**No** – Final appeal stage of complaint. Complainant will put in writing the reasons for appealing within 14 days.

The complaint will then be reviewed by members of the board of trustees. They will review the complaint and respond within 28 days

Resolved?

**Yes** – any action/learning passed on to relevant team. Complaint recorded by complaints administrator

**No** – Appeal process starts.

Complainant will write within 14 days of response letter. A member of the SMT will review the complaint and respond within 28 days after the meeting

Complaint received in writing and logged by complaints administrator



Complaint passed on to appropriate manager for investigation

Complainant needs to reply within 28 days to agree with statement of complaint or make amendments

Acknowledgment letter including statement of complaint sent out to complainant

After statement agreed, investigating manager will arrange a meeting with the complainant

The investigating manager may need to follow up with staff and/or other service users

Investigating manager will write a response to complainant within 28 days



Complaint resolved?

**Yes** – any action/learning passed on to relevant team. Complaint recorded by complaints administrator



* 1. **Appendix 2 Oxfordshire Mind – Post Complaint Action Log**

# Team/Service:

|  |  |  |  |
| --- | --- | --- | --- |
| **Area of Concern** | **Agreed Action** | **Lead** | **By When** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**Signed off by: Date**

Form comp

**Appendix 3 - Oxfordshire Mind Compliment Log**

## Date:

From:

Where did the compliment originate from?

* a service user
* family member, friend or carer of someone who uses our service
* external organisation – if yes which organisation
* other – please give details

Which service area is the compliment about? What is the compliment about?

* Staff member or team
* Service delivery
* Information
* Other

Details of the compliment: