

## COMPLAINTS POLICY

**Regulation:** 18 – Complaints

The Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011

**Outcome:** People using the short break care service at Leuchie House can be confident that their comments and complaints are listened to and acted on effectively.

**Authorised by:** Emma Jenson, Head of Care

**Issue Date:** January 2016

**Updated:** January 2020

**Review Date:** January 2021

### 1. Outcome statement

1.1 Leuchie House considers that a robust and accessible complaints procedure is an essential part of its responsibilities as an independent provider of short break respite care services to guests.

1.2 Guests, and their relatives and carers, using the service at Leuchie House will have access to a complaints procedure in the event they are unhappy with any aspect of the service being provided.

1.3 Guests' complaints and comments will be listened to and acted on effectively.

1.4 This policy outlines the different stages of the complaints procedure and aims to put the interests of guests, relatives and carers at the heart of everything we do.

1.5 The information gathered through dealing with complaints is considered important in improving the standard of service provided.

### 2. Making a complaint

2.1 Complaints made about Leuchie House can be made by anyone. Anyone means:

- guests

- relatives
- carers, and
- members of staff.

Anyone also can mean:

- visitors
- external stakeholders, or
- anyone associated with Leuchie House and dissatisfied with the service provided.

2.2 Leuchie House is committed to providing a quality short break respite care service. However, if any guest is unhappy with any aspect of the respite care service being provided, they will be invited to make a complaint.

2.3 If a guest wishes to make a complaint whilst they are in Leuchie House, staff will attempt to resolve the issue as soon as possible.

2.4 When a complaint is raised, the guest, relative or carer will be offered an opportunity to discuss their concerns in private.

### 3. **Information given to guests about how to complain**

3.1 Written information on the complaints procedure will be available for guests, and their relatives and carers, within the Leuchie House premises (see Appendix 1).

3.2 Information on how to make a complaint will also be available as a separate information leaflet.

3.3 Guests will be assured that they will not be discriminated against for making a complaint.

### 4. **Handling a complaint**

4.1 Complaints can be made:

- in person
- by telephone
- by fax
- by letter, and by e-mail.

4.2 All complaints, regardless of how they were made, will be investigated Leuchie House.

4.3 All complainants will receive a written acknowledgement of their complaint within three (3) working days of the complaint being received at Leuchie House.

4.4 Leuchie House will carry out a full investigation of the nature of the complaint and offer to meet with the complainant in order to resolve the issue/s.

4.5 A full written response will be made within twenty (20) working days of the complaint being received.

4.6 If a full response cannot be given within twenty (20) working days of receiving the complaint, the Chief Executive of Leuchie House will write to the complainant to explain the reason for the delay and agree a new timescale.

## 5. **Recording a complaint**

5.1 All received complaints whether written or verbal will be recorded.

5.2 Recorded details will include:

- when the complaint was received
- contact details of the complainant
- a description of the complaint
- details of the investigation carried out
- any actions taken, and
- whether or not the complaint was upheld.

## 6. **Anonymous complaints**

6.1 Leuchie House will note all anonymous complaints received and will carry out an investigation to the best of its abilities, with the information provided.

## 7. **Time limits**

7.1 Other than in exceptional circumstances, Leuchie House will not investigate complaints more than six (6) months after the cause for complaint has arisen.

7.2 Any complainant wishing to have a matter more than six (6) months old investigated by Leuchie House, will need to explain their reasons for not raising this within the six (6) months timescale.

7.3 It is the policy of Leuchie House to resolve complaints as close to a point in time to the complaint issue arising. The passage of time may well prevent a full and fair investigation taking place.

7.4 Where a complainant has provided good reason for not raising matters sooner, Leuchie House will consider the practicality of undertaking an investigation of long past incidents and of providing a meaningful outcome before activating the complaints procedure.

## 8. **Complaints and outcomes**

8.1 Leuchie House applies three (3) prescribed outcome headings for each element of formal complaints.

8.2 The three main outcomes are:

- Upheld – used where the facts giving rise to a complaint have been established and confirmed in the investigation undertaken by Leuchie House.
- Not upheld – used where the facts giving rise to a complaint have not been established in the investigation.
- Partially upheld – used where some of the facts giving rise to the complaint have been established.

8.3 Where a complaint is upheld or partially upheld, the outcome will be determined by the seriousness of the matters established through investigation.

8.4 Both the complainant and the person complained against (where applicable) will be advised of the outcome of the complaint investigation and any improvement action taken.

## 9. **Right of Appeal to the Chair of the Board of Trustees**

9.1 Complainants will be invited to submit an appeal to the Chair of the Board of Trustees if they are unhappy with the outcome conclusion of their complaint at Leuchie House. The contact details are:

Chair of the Board of Trustees  
Leuchie House Short Break Care  
Leuchie House  
North Berwick EH39 5NT

9.2 The Chair of the Board of Trustees will carry out an independent review of the complaint and decide either:

- that the action taken was adequate, or
- that a different course of action should be taken.

9.3 The chair of the board of trustees will provide an appeal response within 15 working days of an appeal being submitted.

## 10. **Care Inspectorate**

10.1 Complainants can contact the Care Inspectorate at any time. The contact details are:

3 C & D South  
Victoria Quay  
Edinburgh  
EH6 6QQ  
Tel: 0345 600 9527

E-mail: [enquiries@careinspectorate.com](mailto:enquiries@careinspectorate.com)

Website: [www.careinspectorate.com](http://www.careinspectorate.com)

10.2 Leuchie House will produce an annual summary of complaints received which will be provided to the Care Inspectorate on request.

## 11. **Learning opportunities**

11.1 Leuchie House will review all complaints received with a view to continuous quality improvement within the short break respite care service.

11.2 All complaints received will be used as a learning exercise to consider improving aspects of the service on offer to guests.

## 12. **All staff departments in Leuchie House**

12.1 Leuchie House operates a comments and suggestions system within all staff departments.

12.2 Departmental staff are invited to offer realistic comments and suggestions about how the service is run with a view to continuous improvement.

12.3 All comments and suggestions are considered equally and fairly. However, if any comment or suggestion is considered to be a complaint, the member of departmental staff will be invited to make a complaint using the complaints policy outlined above.

## **COMPLAINTS PROCEDURE - Information for Guests**

Leuchie House is committed to providing a high quality short break respite care service to all guests. All staff recognise that there may be occasions when guests may wish to comment or complain about some aspect of the service which has been offered or received. If you feel you wish to discuss an issue, or indeed make a complaint, we would kindly ask that you bring this to the attention of a member of staff as soon as possible. Complaints can be made in person, by telephone, by fax, by letter and by e-mail. This complaints procedure ensures that your complaint will be dealt with as quickly as possible. A copy of our full complaints policy is available on request. (However, please note that we are unable to investigate complaints more than six (6) months old.)

### **Verbal Complaints**

If you wish to speak to someone about an aspect of the Leuchie House short break respite care service, please try to do so as soon as possible, preferably before you leave Leuchie House. Staff will make every effort to resolve your complaint as quickly as possible. If your concerns are not resolved to your satisfaction, you will be advised on the process to make a formal written complaint.

### **Written Complaints**

All written complaints should be addressed to the Chief Executive, or Senior manager in her absence, Leuchie House Short Break Care, Leuchie House, North Berwick EH39 5NT. Please describe as fully as you can the nature of your complaint stating the following information:

- what you are unhappy about
- when the incident took place, and
- what staff were present at the time.

Your complaint will be acknowledged in writing within three (3) working days. The Chief Executive will carry out a full investigation of the nature of your complaint and offer to meet with you in order to resolve the issue/s. You will receive a full written response within twenty (20) working days of the complaint being received.

If a full response cannot be given within twenty (20) working days of receiving your complaint, the Chief Executive will write to you to explain the reason for the delay and agree a further timescale. You will receive a full written response within five (5) days of a conclusion being reached.

## **Right of appeal**

If you are unhappy with the outcome conclusion of your complaint, you may submit an appeal to the Chair of the Board of Trustees, Leuchie House Short Break Care, Leuchie House, North Berwick EH39 5NT. The chair will review your complaint and either decide that the action taken was adequate or that a different course of should be taken. The outcome of the chair's review will be communicated to you within 15 working days of your appeal being lodged.

## **Care Inspectorate**

If you are unhappy with our service, you may wish to contact the Care Inspectorate. The organisation that inspects Leuchie House as a short break care provider in Scotland. The address is:

3 C & D South  
Victoria Quay  
Edinburgh  
EH6 6QQ  
Tel: 0345 600 9527

E-mail: [enquiries@careinspectorate.com](mailto:enquiries@careinspectorate.com) Internet:

Website: [www.careinspectorate.com](http://www.careinspectorate.com)

Please be assured that Leuchie House will deal with all complaints confidentially. Following investigation, we will consider making changes to improve the service on offer to all guests.