



# Complaints and Representations

## Procedure

### *(L&D & Apprentices)*

Polaris will ensure **engagement** and **promotion of** this policy through the induction process and thereafter via signposting as appropriate. It is available to apprentices, online and searchable via our database of policies and procedures.

Support to implement this policy will be ensured via induction and **training** and via supervision.

This Policy is reflected within our recruiting process, training, and work with external employers and apprentices. All policies are routinely reviewed. **References to 'Staff' includes apprentices and volunteers.**

This Complaints and Representations Procedure meets regulatory requirements but is also integral to the work of our services, which will ensure that complaints are dealt with in a manner that can be demonstrated to be open and fair.

This procedure outlines the process to be followed in the event of a complaint or representation.

This procedure forms part of the Polaris community Quality Management system ISO 9001.

Procedure Owner:	L & D
Approved by:	Nicola Thomas
Date approved:	7/11/2024
Next review date:	7/11/2025
Version No:	01
	Whistle Blowing Procedure
	HR Procedures for supporting staff/complaints

All companies are detailed in the current legal structure.

## Purpose

The Polaris community regard complaints and representations as an important tool to help monitor, evaluate and improve the quality of the service we provide.

The Complaints and Representations Procedure has been designed to:

- Be clear and easy to use.
- Ensure that the people are treated with dignity and respect, are not afraid to make a complaint, and have their concerns taken seriously.
- Ensure complaints are dealt with in a fair and impartial manner.
- Ensure that any concerns about the protection of children are referred immediately to the relevant Children's Social Care team or to the Police.
- Ensure that as many complaints as possible are resolved swiftly and satisfactorily at a local level.
- Ensure a fair process and adequate support for everyone involved in the complaint.
- Ensure that the individual making the complaint receives a full response without delay.
- Provide information about the adult's rights of access to other means of redress, such as the relevant Ombudsman.
- Ensure that the organisation monitors performance in handling complaints, delivers what they have promised, learns from complaints and uses this learning to improve services for everyone who uses them.

Complaints may be made in connection with a failure to provide services that can be reasonably expected.

## Representations/Pre complaints

**Representations are matters other than complaints, which give rise to some level of concern, which requires consideration. This process can be followed prior to the formal complaint process.**

The Polaris community hopes that many of the issues that someone may be concerned about can be settled and resolved at the earliest opportunity and responded to by the local manager prior to embarking into the Complaints process, through discussion with the person they would ordinarily have most contact with, or through discussion with their line manager.

It is strongly recommended that the Manager/Head of Service endeavours to resolve any concerns or issues raised at the earliest opportunity preventing the need for it to be considered as a complaint and investigated via the complaints process.

Any issues dealt with without the need to escalate to a complaints process must still be recorded along with any actions and outcomes in supervision records.

Where a concern has been raised, in the event that such discussion does not resolve the matter a copy of this Procedure should be provided to the complainant.

### Definition of a Complaint

**A complaint is defined as ‘the expression of dissatisfaction concerning the service provided by the service, or of the actions of an individual providing that service’.**

We recognise that sometimes raising a concern may not be enough and that you may wish to take the matter through our complaints procedure. Where we refer to ‘Complainant’ we are referring to you if you are going through the complaints process.

## Flowchart Process for Complaints

### Representations & Pre-Complaints Process

The Manager/Head of Service will make every effort to resolve any concerns or issues you have raised at the earliest opportunity and will only initiate the complaints process where appropriate.

Complainant satisfied with outcome?

YES → Resolved

NO → Complainant advised of option for next stage.

### Stage One

#### Formal Problem Solving – completed locally

Attempt to resolve locally – clarification, explanation, negotiation, mediation, practical action by allocated person in consultation with complainant.

Response – determined within 10 working days of complaint being made, (or maximum of 20 working days by agreement with the complainant) and outcome letter sent to complainant. Record of complaint should be kept on file.

Complainant satisfied with outcome?

YES → Resolved

NO → Complainant advised and consulted regarding option for next stage

(Complainant to request to progress stage 2 within 20 working days Giving reasons why they are not happy with the stage 1 outcome and wish to progress to stage 2).

**Stage Two****Independent investigation**

(by a person who has been identified by the Manager/ Head of Service and who had no prior involvement with the complaint nor management responsibility for the service in question).

Investigation undertaken and report completed (within 20 working days from the date the statement of complaint is agreed with the complainant; complainant will be kept informed and agreement sought if more time required).

The Manager/Head of Service reviews the final report, provides the outcome to the complainant within 7 working days of receiving the final report. The final report will be included as part of the outcome letter. In most circumstances, the full report will be shared with the complainant but the Manager /HOS will make a final decision on what is shared. Record all documents and actions will be kept on file securely.

Complainant satisfied with outcome?

YES → Resolved.

NO



Complainant has 20 working days from receipt of the outcome of stage 2 to explain why they are not satisfied with the outcome and to request progression to Stage 3

### **Stage Three**

The Manager/HOS ensures that an initial response to the complainant is given within 24 hours/ next working day. As part of the initial response, there should be a conversation with the complainant to clarify reasons for moving to Stage 3.

The Manager/HOS should ensure that the written confirmation to the complainant is sent in writing of the request to move to Stage 3 within 10 working days. This confirmation should include the name of the Senior Leader who will review the complaint and the timescale for completion.

Once appointed, a Senior Leader will review the complaint within 20 working days of receiving the request by the Manager/HOS to proceed to Stage 3. The timescale will usually commence after the expiry of the initial 10 days for the confirmation of the appointment of the Senior Leader.

The complainant will need to be kept informed by the Manager/HOS of any delays in responding to the complaint should more time be required by the Senior Leader to consider the information provided.

The Senior Leader dealing with the complaint within Polaris will be independent of the service and will have had no prior involvement in the complaint.

The Senior Leader will share their report with the Manager/HOS in conclusion of the 20 working days. The Manager/HOS will respond to the complainant within 10 working days of receiving the report.

All Complaints must also be added to the Incident portal, the local technician is responsible for updating this portal until a point of closure.

If the complainant wishes to remain anonymous, then the service may be unable to investigate the situation.

The response to the complainant will state whether each aspect of the complaint has been **upheld, partially upheld** or **not upheld**.

### **Fully Upheld**

The investigation of the complaint has found that:

All elements of the complaint are found to be accurate and there is sufficient and/or consistent evidence to support this.

The standard of service provided to the complainant fell below service and/or regulatory requirements and/or has had a negative impact upon the complainant.

Recommendations are made to lead to service improvement and to capture learning.

### **Partially upheld**

The investigation of the complaint has found that:

On the balance of information a proportion/number of elements of the complaint are found to be accurate and there is sufficient and/or consistent evidence to support this.

On the balance of information a proportion/number of elements of the complaint are not upheld and this is due to absence of evidence or because information has been found to be factually inaccurate.

In relation to some aspects of the complaint, the standard of service provided to the complainant fell below service and/or regulatory requirements and/or has had a negative impact upon the complainant.

Where complaints are partially upheld consideration is given to the relative weight of the elements of the complaint that are upheld.

Recommendations are made to lead to service improvement and to capture learning.

### **Not upheld**

The investigation of the complaint has found that:

On the balance of information, there is insufficient evidence to support the complaint and/or the complaint has been found to be factually inaccurate.

On the balance of information, there is insufficient evidence that the standard of service provided to the complainant fell below service or regulatory requirements.

Consideration is given to recommendations for service improvement and learning is captured. Where the Complaint is in regards to the conduct of an employee of service, the HR Business Partner should be consulted during the investigation.

### **Withdrawal of a Complaint**

The complaint may be withdrawn either verbally or in writing by the complainant. The service must write to the complainant to confirm the withdrawal of the complaint. In such circumstances, it is good practice for the service to give consideration as to whether it wishes to continue to consider the issues that gave rise to the complaint and any consequent learning outcomes.

### **Monitoring and Quality Assurance**

The Head of Service /QA Manager for the service and the Manager shall keep a register of all complaints that records details of complaints and their resolutions and will include this detail in the quality of care review report if applicable to your service or equivalent reports required for your service.

### **Protected Disclosure (Whistleblowing)**

There is a Whistleblowing Policy for reporting circumstances that may arise where employees/apprentices feel unable to raise concerns directly with the service.

### **Reflect on practice**

The Polaris community welcomes the opportunity to reflect on practice and service provision and share learning across the Polaris community to provide a safe and positive experience for all. The complaints procedure should offer a useful tool for indicating where our services may need improving.

### **Contact Details:**

Please use the email address or phone number below to contact us and you will be directed to the appropriate person:

Email: [contactus@polariscommunity.co.uk](mailto:contactus@polariscommunity.co.uk)

Telephone: 01527 556480