



ADULTS' SERVICES COMPLAINTS POLICY AND PROCEDURE

1. OUR POLICY

Purpose

To ensure that all complaints received by the Council regarding adults' services are handled in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, and in a manner that upholds the principles of good complaints handling as set out by the Local Government and Social Care Ombudsman.

Principles

Our complaint procedure is designed to ensure that complaints are dealt with openly, clearly, responsively, flexibly, proportionately, timely, resolution focussed and is accessible.

This means that when dealing with a complaint we will take into account the:

- complainants views;
- nature of the complaint;
- potential implications for the complainant;
- potential implications for the Council.

We will achieve this through a procedure that ensures:

- Concerns are taken seriously;
- Complaints are dealt with promptly and effectively;
- There is a full response and a clear outcome for complainants.

Aims

- To respond to expressions of dissatisfaction related to the actions, decisions or failings of the adult social care function.
- To learn from complaints, ensuring that this learning drives the improvement of services.

What is a complaint?

In general terms a complaint can be considered as:

In general terms a complaint can be considered as: *“an expression of dissatisfaction by telephone, personal visit or in writing, about the standard of service, actions or lack of action by the council or its own staff or those acting on its behalf, affecting an individual or group of customers.”*

Who can make a complaint?

Anybody in receipt of adult social care services or their representative can make a complaint directly to the Council. Where a complaint is received from a representative of a service user, the Council may request the completion of a form of authority to indicate that the representative has permission to act on their behalf.

Who can be complained about?

A complaint can be made about anything that is connected with the Local Authorities exercising of its social service function. This could be about:

- the quality or amount of service
- the charges for a service
- a decision
- the failure to follow correct procedure
- delay
- a service not being provided
- application of assessment & eligibility criteria
- attitude or behaviour of staff
- the impact for an individual of the application of a local authority policy

Complaints we cannot deal with.

- A complaint that is unclear, frivolous or vexatious.
- Where the events forming the basis of the complaint occurred more than 12 months ago.
- A complaint that has already been investigated and a final response issued.
- A complaint that has been withdrawn by the complainant.
- Where litigation or other legal proceedings are underway.
- Where the issues involved in the complaint are covered by the disciplinary policy or constitutes a grievance.
- Where there is a criminal investigation into the same matter.
- Service users and their representatives cannot raise issues about services that they arrange and pay for themselves.

Ways to make your complaint

Complaints can be made quickly and easily 24 hours a day, seven days a week via our website at www.hillingdon.gov.uk/get-in-touch. You can also view and check the status of complaints via our MyAccount service. Visit www.hillingdon.gov.uk/myaccount to register. If you need an adjustment to be made please call the complaint team. It is somewhat difficult to investigate a complaint submitted anonymously but where we have sufficient information to allow an investigation to begin, we will do so. Where possible, we will also respect a complainant's reasonable request for anonymity.

Learning from complaints

Following the closure of a complaint, if a failure to provide services to the required standard has taken place, the Complaints and Enquiries Team Manager will meet with the appropriate manager to identify what can be done to prevent this error occurring again.

2. THE COMPLAINT PROCEDURE

- **Informal Complaints**

We will always try to resolve enquiries/concerns by way of 'service requests' by talking through problems with you, without the need to go through our formal complaints procedure. We will aim to put things right and give you a timescale when we will respond to you, detailing the action we have taken.

If we are unable to resolve the complaint to your satisfaction then we will tell you how to proceed within the formal complaint procedure which is outlined below.

- **Formal Stage 1 complaint**

A complaint will be registered under Stage 1 of our formal complaints procedure when:

- we can't resolve the problem informally;
- you tell us that you want to make a formal complaint;
- we believe it is necessary to use the formal procedure to resolve or respond to the complaint;

We will acknowledge the complaint within 3 working days of receipt and tell you who is looking into it. As part of our consideration of your complaint, if it is felt necessary, an action plan will be produced in conjunction with the manager responsible for dealing with the complaint.

Complaints at Stage 1 will be investigated by the appropriate senior manager, from the service you have complained about, who was not directly involved in the reason for your complaint. Where there is a perceived or potential risk to a vulnerable person, a referral to the Safeguarding Adults Team will be considered.

We aim to give you a response to your complaint at Stage 1 within 20 working days but if this is not possible, we will write to you to let you know why there is a delay and the estimated time it will take to provide a full response. If you are not happy with the response you receive, you can escalate your complaint to the Local Government and Social Care Ombudsman (LGO).

- **Formal Stage 2**

The Local Government and Social Care Ombudsman is an independent watchdog which undertakes impartial and independent investigations and makes sure that all councils act fairly and follow their own policies and procedures. Complaints should be made in writing either by post to the LGO, P O Box 4771, Coventry CV4 0EH or through their website: www.lgo.org.uk. They can also be contacted by telephone on 0300 061 0614.

This procedure was revised in June 2023