

**This policy is available in different languages and in different formats such as Braille and audio. Please speak to the Home for further details.**

### **Statement**

Prestwick Care believes that if a resident wishes to make a complaint or register a concern they should find it easy to do so. It is the homes policy to welcome complaints and look upon them as an opportunity to learn, adapt, improve and provide better services. This policy is intended to ensure that the complaints are dealt with properly and that all complaints or comments from residents and their relatives and carers are taken seriously.

The policy is not designed to apportion blame, to consider the possibility of negligence or to provide compensation. It is not part of the home's disciplinary policy.

Prestwick Care believes that failure to listen to or acknowledge complaints will lead to an aggravation of problems, resident dissatisfaction and possible litigation. The home supports the concept that most complaints, if dealt with early, openly and honestly, can be sorted at a local level between just the complainant and the home. If this fails due to either the home or the complainant being dissatisfied with the result the complaint will be referred to the local authority and legal advice will be taken as per necessary.

### **The Fundamental Standards of Quality and Safety Expectations**

- Care and treatment must be provided in a safe way.
- Residents must be protected from abuse and improper treatment.
- Complaints must be appropriately investigated and appropriate action taken in response.
- Registered persons must be open and transparent with residents about their care and treatment (the duty of candour).

### **Rationale**

The aim of Prestwick Care is to ensure that its complaints procedure is properly and effectively implemented and that residents feel confident that their complaints and worries are listened to and acted upon promptly and fairly.

The goals of the home are to ensure the following:

1. Residents, their representatives and all staff are aware of how to complain and that the home provides easy to use opportunities for them to register their complaints.
2. A named person will be responsible for the administration of the procedure.
3. Every written complaint is acknowledged within 5 working days.
4. Investigations into written complaints are held within 28 days.
5. All complaints are responded to in writing by the home.
6. Complaints are dealt with promptly, fairly and sensitively with due regard to the upset and worry that they can cause to both staff and residents.

Wherever possible, complaints are best dealt with on a local level between the complainant and the home. If either of the parties is not satisfied by a local process the case should be referred to the local authority, in writing to:

Complaints and Customer Relations Team  
People Directorate  
Floor 4  
Civic Centre  
Barras Bridge  
Newcastle upon Tyne  
NE1 8QH

**Phone:** 0191 277 7427

**Email:** [complaintsadults@newcastle.gov.uk](mailto:complaintsadults@newcastle.gov.uk)

### **Advocacy**

Advocacy is about helping you to make sure that your views and wishes are heard; and that you have all the information you need to help you make choices and decisions. It is also about having someone on your side. If required advocacy services can be obtained by contacting the residents' social worker or making a referral via the Community Health and Social Care Direct on 0191 278 8377. Some residents may already have an advocate and their contact details can be found in the residents care plan. You can also contact:-

The local Ombudsman may be able to offer help and advice to a complainant and can be contacted by telephone on: 03000610614 or by visiting the website at [www.lgo.org.uk](http://www.lgo.org.uk)

Our Complaints Policy is also in picture format to enable residents to effectively follow same. See below.

### **Verbal Complaints**

1. All verbal complaints, no matter how seemingly unimportant, should be taken seriously.
2. Front-line care staff who receive a verbal complaint should seek to solve, the problem immediately.
3. If staff cannot solve the problem immediately they should offer to get the home manager to deal with the problem.
4. All contact with the complainant should be polite, courteous and sympathetic. There is nothing to be gained by staff adopting a defensive or aggressive attitude.
5. At all times staff should remain calm and respectful.
6. Staff should not accept blame, make excuses or blame other staff.
7. If the complaint is being made on behalf of the resident by an advocate it must be first verified that the person has permission to speak for the resident, especially if confidential information is involved. It is very easy to assume that the advocate has the right or power to act for the resident when they may not. If in doubt it should be assumed that the resident's explicit permission is needed prior to discussing the complaint with the advocate.
8. If the complainant wishes to raise a complaint involving the home manager this can be done by contacting the Operations Manager, Prestwick Care, Malhotra House, 50 Grey Street, Newcastle upon Tyne, NE1 6AE.

9. After talking the problem through, the Home Manager or the member of staff dealing with the complaint should suggest a course of action to resolve the complaint. If this course of action is acceptable then the member of staff should clarify the agreement with the complainant and agree a way in which the results of the complaint will be communicated to the complainant (i.e. through another meeting or by letter)
10. If the suggested plan of action is not acceptable to the complainant then the member of staff or, home manager should ask the complainant to put their complaint in writing to the home and give them a copy of the homes complaints procedure.
11. In both cases details of the complaints should be recorded in the complaints file.

## **Written Complaints**

### **Preliminary steps**

1. When a complaint is received in writing it should be passed on to the Home Manager who should record it on a complaints form and the complaints log and send an acknowledgement letter within 5 working days.
2. If necessary, further details should be obtained from the complainant. If the complaint is not made by the resident but on the resident's behalf, then the complainant must obtain consent on the resident's behalf, preferably in writing. Unless the resident lacks capacity to make an informed decision.
3. A copy of the homes complaint procedure should be forwarded to the complainant.
4. If the complaint raises potentially serious matters, advice should be sought from a legal advisor to the home. If legal action is taken at this stage any investigation by the home under the complaints procedure should cease immediately.
5. If the complainant is not prepared to have the investigation conducted by the home he or she should be advised to contact the Community Health and Social Care Direct and be given the relevant contact details.

### **Investigations of the complaint by the home**

1. Within 5 days of receipt of the complaint an acknowledgement of receipt of the complaint will be sent to the complainant along with the Company's complaints policy and the home should launch an investigation. Within 28 days the home should position to provide a full explanation to the complaint, either in writing or arranging a meeting with individuals concerned.
2. If the issues are too complex to complete the investigation within 28 days, the complainant should be informed of any delays.

### **Meeting**

1. If a meeting is arranged the complainant should be advised that they may, if they wish, bring a friend or a relative or representative such as an advocate.
2. At the meeting a detailed explanation of the results of the investigation should be given and also an apology if it is deemed appropriate (apologising for what has happened need not be admission of liability)
3. Such a meeting gives the home the opportunity to show the complainant that the matter has been taken seriously and has been thoroughly investigated.

### **Follow-up action**

1. After the meeting, or if the complainant does not want a meeting, a written account of the investigation should be sent to the complainant. This should include details of how to approach the Community Health and Social Care Direct or Ombudsman if the complainant is not satisfied with the outcome.

2. The outcomes of the investigation and the meeting should be recorded in the complaints log and any lessons learnt in the home procedures should be identified and acted upon.
3. The home should discuss complaints and their outcome at a formal business meeting and the homes complaints procedure should be audited by the home manager every six months.

### Appeals Stage 1

There are some situations where Prestwick Care has to take decisions that affect you or your relative personally. If you think that your complaint has not been properly considered by the Home Manager or that a decision is unfair, you have the right to appeal against this. You can do this by writing to: Tracey Garland, Operations Manager, Prestwick Care, Malhotra House, 50 Grey Street, Newcastle upon Tyne, NE1 6AE.

E mail: [tracey.garland@prestwickcare.co.uk](mailto:tracey.garland@prestwickcare.co.uk)





We prefer appeals in writing as we need an accurate record of your concerns, to make sure that all the issues you raise are fully investigated.

- Outline the reasons why you feel the decision that has been made was unfair;
- Provide any further information that you feel has not been previously considered;
- Supply any evidence in support of the complaint.
- The Operations Manager reviews the information available to them and any further information and evidence you have provided;
- A full and detailed investigation will be undertaken, including a review of the way your appeal has been handled.
- The Operations Manager responds to you directly to advise you of the decision they have made, in 7 days from the date of receiving the letter.
- We hope that your complaint will now be resolved.

### Appeals Stage 2

If you still think that your complaint has not been properly considered by the Operations Manager or that a decision remains unfair, you still have the right to appeal against this. You can do this by writing to: Eve Tierney, Director of Care, Prestwick Care, Malhotra House, 50 Grey Street, Newcastle upon Tyne, NE1 6EA.

When requesting a Stage 2 appeal you must explain why you feel stage 1 of the appeal has not been handled correctly and why the decision made should be reviewed. A full and detailed investigation will be undertaken, including a review of the way your appeal has been handled. This is the final stage of Prestwick Care internal procedures.

Policy signed off by: 	Date: Jan 2014
Reviewed by: 	Jan 2015
Reviewed by: 	Nov 2015
Reviewed by: 	July 2016

Reviewed by: <i>R. Jones</i>	September 2016
Reviewed by; Fiona Payne <i>F. Payne</i>	June 2017
Reviewed by; Fiona Payne <i>F. Payne</i>	June 2019
Reviewed by: Rachel Broll <i>R. Broll</i>	May 2020
Reviewed by: Rachel Broll <i>R. Broll</i>	June 2021
Reviewed by: Rachel Broll <i>R. Broll</i>	June 2022
Reviewed by: Rachel Broll <i>R. Broll</i>	Feb 2023

To be reviewed annually

Prestwick Care is committed to providing a high quality service and to constantly seeking ways to improve that quality. Your comments, compliments, suggestions or complaints are always welcome and we take pride in responding to them quickly, effectively and honestly. All comments, compliments, suggestions or complaints should be made to the Home Manager. If a complaint involves the home manager the complainant can approach the Operations Manager as outlined below. Complaints will be treated seriously and dealt with as soon as possible, and **within 28 days**.

All comments will be carefully considered and responded and responded to on an individual basis. Written complaints will be responded to by an acknowledgement letter within 5 days.

The Home Manager will then investigate your complaint and send the complainant a letter outlining the findings within 28 days. If the matter is complex and cannot be resolved within 28 days the complainant will be informed.

If the complaint cannot satisfactorily be resolved within the home, you have the right to appeal to Tracey Garland, **Operations Manager at: Malhotra House, 50 Grey Street, Newcastle upon Tyne, NE1 6EA or via email** [tracey.garland@prestwickcare.co.uk](mailto:tracey.garland@prestwickcare.co.uk)

If after referring the matter to the Operations Manager, you consider that the complaint has not been resolved you may contact the **Director of Care at the same address**.

If the complainant is still not satisfied with the outcome, the complainant may contact **Newcastle City Council** on 0191 277 7427 (9am-5pm) or via e mail on [complaintsadults@newcastle.gov.uk](mailto:complaintsadults@newcastle.gov.uk)

You can also write to them at: Complaints and Customer Relations Team, People Directorate Floor 4, Civic Centre, Barras Bridge, Newcastle upon Tyne, NE1 8QH.

If you require an Advocate, you can contact the residents social worker or make a referral via the Community Health and Social Care Direct on 0191 278 8377.

We view complaints as an opportunity to identify anything that is going wrong and to make it right. You can help us by keeping a look out for any problems and letting us know about them as soon as possible. Your comments and suggestions for improvements are always welcome.

## Picture Complaints Policy

If you are unhappy



You need to tell someone  
We will listen



We want you to be happy



Your complaint will be investigated by the  
Home Manager



Your complaint will be acknowledged  
within 5 days



Your complaint will be resolved as soon as possible, and usually within 28 days.



You will receive a written reply.



If you are still unhappy you may appeal to the Operations Manager and then Director of Care.



At any time you can contact Newcastle Council on 0191 277 7427 or the Local Government Ombudsman on 03000 061 0614.





**Remember**

Talk to us



We are here to help.



We want you to be happy here!

