



# Complaints Policy

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## Revision History

<b>Date</b>	<b>Version</b>	<b>Summary of Changes</b>	<b>Section(s) Changed</b>
1.4.19	2.0	Change to council names	1. Introduction
24.4.19	3.0	Updated contact information for other organisations	14. Contact Information

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## Contents

	Page
1. Introduction	3
2. Scope	3
3. What is a complaint?	3
4. Who can make a complaint?	3
5. Time limit for making a complaint	4
6. How to complain: The complaint process	4
Stage 1	4
Stage 2	4
Stage 3	4
Stage 4	5
Responses	5
7. Anonymous complaints	5
8. Safeguarding adults	5
9. Confidentiality and consent	5
10. Joint complaints	6
11. Record keeping and retention	6
12. Unreasonable and vexatious complaints	6
13. Monitoring and evaluation	6
14. Contact information	6

## **1. Introduction**

Tricuro is a local trading company, wholly owned by Dorset Council and Bournemouth, Christchurch and Poole Council, providing care and support services to adults, their families and carers.

The company aims to provide high quality care and support and this policy confirms its commitment to dealing with complaints about the services provided.

Tricuro will treat complaints seriously and will ensure that complaints, concerns and issues raised by its clients or their representatives are properly investigated in an unbiased, transparent, timely and appropriate manner. This policy is intended to ensure that complaints are handled fairly, efficiently and effectively.

## **2. Scope**

This policy applies to all care and support services provided by Tricuro.

It does not relate to complaints by suppliers and partners relating to Tricuro's business or contractual relationships or to staff complaints about their employment.

## **3. What is a complaint?**

A complaint, or a concern, is an expression of dissatisfaction about an act, omission or decision made by Tricuro, either verbal or written, and whether justified or not, which requires a response. This can relate to any aspect of a person's care or support.

## **4. Who can make a complaint?**

Any person who is receiving or has received care and support services from Tricuro and has been affected, or is likely to be affected, by the action, omission or decision of Tricuro can make a complaint. This person is known as the 'affected person'.

A complaint may be made by a representative acting on behalf of an affected person who:

- has died: the person making the complaint must be the personal representative of the deceased.
- cannot make a complaint themselves due to physical incapacity or a lack of mental capacity within the meaning of the Mental Care Act 2005:
- has given consent for the representative to act on their behalf and this has been recorded.

A complaint may also be made by:

- a registered Power of Attorney for Health and Welfare

If the staff member or manager allocated to investigate the complaint considers that a representative does or did not have sufficient interest in the affected person's welfare, or is not acting in their best interests, the representative will be notified in writing. In some circumstances, a check may be made with the affected person that they are happy for the representative to make the complaint on their behalf.

If the affected person is not happy or able to make the complaint themselves and does not have a representative, Tricuro will provide information about local independent organisations who may be able to act as an advocate on their behalf.

## **5. Time limit for making a complaint**

A complaint must be made no later than 12 months after the matter which is the subject of the complaint occurred, or the date it came to the notice of the affected person.

At Tricuro's discretion, the time limit may not apply if there are good reasons for not having made the complaint earlier and it is still possible and practical to investigate the complaint fairly and effectively.

## **6. How to make a complaint: the complaints process**

Complaints can be made verbally in person or by telephone, or in writing by letter or email.

Tricuro aims to resolve complaints locally at stage 1 of the complaints process. Where this is not possible it will be escalated to the next stages as appropriate.

There are four stages in the complaints process, which are outlined below. The first three stages are internal, and the fourth stage is external.

### Stage 1

This is the initial and informal stage of the complaints process.

The complaint will be made to a staff member or manager at the service where the matter which is the subject of the complaint occurred. The local manager will consider and investigate the matter within 3 working days and confirm the findings and outcome to the person who made the complaint. This may be verbally or in writing, dependent on how the complaint was received.

If the complaint is not resolved, it will be escalated to stage 2 by the local manager or by the person who made the complaint.

### Stage 2

This is the first formal stage of the complaints process.

It will be acknowledged in writing within 3 working days, giving the name and contact details of the manager responsible for carrying out an investigation and consulting with the person who made the complaint. The findings and outcome will be confirmed in writing within 10 working days of the acknowledgement.

If the complaint is not resolved, it will be escalated to stage 3 by the manager or by the person who made the complaint.

### Stage 3

This is the second formal stage of the complaints process.

It will be acknowledged in writing within 3 working days, giving the name of the nominated senior manager who will be responsible for reviewing the complaint and carrying out a further investigation. The person who made the complaint will be consulted with and kept informed of progress. The findings and outcome will be confirmed in writing within 20 working days of the acknowledgement.

## Stage 4

This is the final and external stage of the complaints process.

If the complaint is not able to be resolved at stage 3, it can be referred by the person who made the complaint to the Local Government Ombudsman (LGO), who is entirely independent from Tricuro and who may investigate on behalf of the complainant. Contact details are given at the end of this document.

If the complaint is regarding a registered service (for example a care home or a care at home service) the Care Quality Commission (CQC) can be informed. The CQC will record the information although they are not able to take up complaints on behalf of complainants. Contact details are given at the end of this document.

If the complaint is regarding a service that has been commissioned by a local council or health commissioning body, the complainant can refer the complaint to the respective authority, who may make their own investigation. Contact details are given at the end of this document.

If the complaint is regarding a data protection matter, it may be referred to the Information Commissioner's Office

## Responses

Contact and responses to the person making the complaint will be by their preferred method of communication, wherever possible. If this is by email, security measures will be applied to protect personal information.

If the timescales outlined above cannot be met, the person making the complaint will be informed.

## **7. Anonymous complaints**

Anonymous complaints relating to vulnerable people or those who might be at risk will be investigated where there is sufficient information provided and acted upon as appropriate.

## **8. Safeguarding adults**

There may be occasions when a complaint highlights a possible safeguarding issue. Should this be the case, the matter will be referred to a senior manager immediately and referred to the safeguarding team for investigation.

The person making the complaint will be informed in writing.

## **9. Confidentiality and consent**

Complaints will be handled in the strictest of confidence and according to data protection regulations.

Information will not be disclosed to third parties unless the person affected or the person making the complaint has given consent to the disclosure of that information. Only in exceptional circumstances, such as where it is considered that failing to do so would put someone at risk, will information be shared without explicit consent.

## **10. Joint complaints**

Where a complaint involves more than one organisation, Tricuro will seek to work jointly with the other organisation and to agree a lead for the complaints process. The nominated manager in this instance will represent all organisations and will act as the main point of contact. Confidentiality and consent principles will apply as outlined above.

Where a complaint involves more than one service within Tricuro, responsibility for communicating with the person making the complaint will be co-ordinated and the nominated manager will act as the main point of contact.

## **11. Record keeping and retention**

Full records will be kept about how the complaint was managed, including details of the investigation, the outcome and any recommendations made to rectify or address any issues or problems identified.

This information will be kept securely according to data protection regulations. It will be retained according to Tricuro's Retention Policy.

## **12. Unreasonable and vexatious complaints**

There may be circumstances when a complaint or a series of complaints is pursued when Tricuro has taken all reasonable actions in response.

In such cases Tricuro will take proactive and decisive action to manage the situation, which may include:

- informing the person who had made the complaint that no further action will be taken in response to their complaints unless a new issue is reported;
- nominating a single point of contact for all future communication
- confirming the need to make contact through a third person such as a specialist advocate service.

## **13. Monitoring and evaluation**

Resolution of complaints is important and beneficial to Tricuro and to the person affected. Information from complaints provides useful learning, enabling Tricuro to improve services and to better meet the needs of its clients.

Tricuro will monitor and evaluate its complaints management to ensure its effectiveness in responding to and resolving complaints and to identify and correct any issues identified.

## **14. Contact information**

Tricuro Head Office, Beech House, 28-30 Wimborne Road, Poole, Dorset BH15 2BU

Telephone: 01202 797888 Email: [enquiries@tricuro.co.uk](mailto:enquiries@tricuro.co.uk)

Website: [www.tricuro.co.uk](http://www.tricuro.co.uk)

Local Government Ombudsman (LGO), PO Box 4771, Coventry CV4 0EH

Telephone: 0300 061 0614 or 0845 206 1983

Website: [www.lgo.org.uk](http://www.lgo.org.uk)

Care Quality Commission (CQC), Citygate, Gallowgate, Newcastle Upon Tyne NE1 4PA  
Telephone: 0300 061 6161 Email: [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)  
Website: [www.cqc.org.uk](http://www.cqc.org.uk)

Dorset Council, County Hall, Colliton Park, Dorchester DT1 1XJ  
Telephone: 01305 221061 Email: [adultaccess@dorsetcouncil.gov.uk](mailto:adultaccess@dorsetcouncil.gov.uk)  
Website: [www.dorsetcouncil.gov.uk](http://www.dorsetcouncil.gov.uk)

Bournemouth, Christchurch and Poole Council  
Website: [www.bcpccouncil.gov.uk](http://www.bcpccouncil.gov.uk)

Bournemouth and Christchurch residents:  
BCP Council, Town Hall, Bournemouth BH2 6DY  
Telephone 01202 458953 Email: [ACComplaint@bcpcouncil.gov.uk](mailto:ACComplaint@bcpcouncil.gov.uk)

Poole residents:  
Commissioning and Improvement – People Services, BCP Council, Civic Centre,  
Poole BHJ15 2RU  
Telephone 01202 261159 Email: [comments.adultsocialcare@bcpcouncil.gov.uk](mailto:comments.adultsocialcare@bcpcouncil.gov.uk)

Dorset NHS Clinical Commissioning Group (Dorset CCG)  
2<sup>nd</sup> Floor, Vespasian House, Barrack Road, Dorchester DT1 1TG  
Telephone 01305 213644 Email: [customer.careteam@dorsetccg.nhs.uk](mailto:customer.careteam@dorsetccg.nhs.uk)  
Website: [www.dorsetccg.nhs.uk](http://www.dorsetccg.nhs.uk)