

POLICY COVER SHEET

Policy Name	Complaints policy
Owner	Healthwatch Salford
Contact	Sam Cook, Chief Executive
Approved by	Healthwatch Salford Board
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Aim of this policy

The aim of this policy is to deal with all complainants in ways which are demonstrably consistent, fair and reasonable.

The policy is for the information of Healthwatch Salford staff and volunteers; staff and volunteers in Healthwatch Salford's partner organisations and Healthwatch Salford Board Members as well as members of the public.

Healthwatch Salford is committed to providing a high-quality service to everyone we deal with. However, we recognise that there may be times when things go wrong. We value all types of feedback about our service and will use complaints to help us to learn and continuously improve our service. This policy tells you how to go about making a complaint about our service and what response you can expect from us.

About Healthwatch Salford

Healthwatch Salford is an independent organisation set up to:

- Provide information about health and care services in Salford - helping people to make choices about their care by providing evidence-based information about local services and supporting patients to choose the most appropriate service.
- Enable people to share their views about Salford's health and social care services to build a picture of where services are doing well and where they can be improved. Enabling people to speak out, including helping them to access NHS complaints advocacy services.
- Participate in Salford's health and social care system including contributing to the work of the Health and Wellbeing Board and Integrated Care Partnership.
- Provide feedback to organisations responsible for commissioning or delivering Salford's health and social care services, helping to shape the planning and delivery of NHS, public health and social care services. This will include scrutinising the quality of services, holding them to account, and representing the voice of the public and patients. Working in partnership with commissioners of NHS, public health and adult social care services.

Healthwatch Salford is a values led organisation and aims to provide a quality service at all times. However, if there is an occasion when you feel we have not done this, we would like to hear about it so that we can make improvements to our service.

The following procedure has been set up by Healthwatch Salford to ensure that your complaint is properly heard. You can use this procedure for registering a complaint concerning:

- Healthwatch Salford in general
- Individual Healthwatch Salford board members (including the chair)
- Healthwatch Salford staff



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What kind of complaint can be considered?

A complaint is any report of a negative or unsatisfactory experience an individual or organisation has received from Healthwatch Salford staff or as a result of its activities.

Grounds for complaint include:

- Dissatisfaction with standards of service (for example, the quality of information provided to you, either verbally or in written form, or the manner in which that information was provided).
- Deficiencies in standards of service (which might include problems with accessibility or the reasonable provision of information in appropriate formats).
- Dissatisfaction with the timescales for provision of a service by Healthwatch Salford.
- Discrimination, harassment, bullying and victimisation.
- Other deficiencies in the quality of your experience with Healthwatch Salford.

What kind of complaint can be excluded?

The nature of what we do means that we work in partnership or in association with other organisations, groups and individuals. We cannot respond to complaints about the public involvement work of our delivery partners. We therefore suggest that such complaints be addressed to the organisation, group or individual concerned. We can however support with complaints signposting to the relevant organisation.

Complaints made to Healthwatch Salford about employees need to relate to the actions of staff employed on the Healthwatch Salford contract or others working as representatives on behalf of Healthwatch Salford, such as volunteers.

How to make a complaint

Many concerns can be sorted out by discussing the problem with the Chief Executive or a member of staff, and we would encourage you to try this first by phoning 0330 355 0300. BSL users can text or WhatsApp on 07410 411559. You may also email the team using the feedback@healthwatchsalford.co.uk address.

If, however, this does not resolve the situation for you, you can make a formal complaint through Healthwatch Salford's complaints procedure as detailed in this document.



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Making a complaint: Stage 1

In the first instance, your complaint will be dealt with by Healthwatch Salford's Chief Executive. Therefore, please put your complaint in writing and address it to:

Sam Cook, Chief Executive Healthwatch Salford, care of The Old Town Hall, 5 Irwell Place, Eccles, M30 0FN Email: sam.cook@healthwatchsalford.co.uk Tel: 0330 355 0300.

It will help us if you can submit your complaint in writing (either by letter or email) with as much detail as possible, including any supporting documents or information. This helps us to understand the complaint more fully and to respond better to it. In addition, if you have any suggestions about how to resolve your complaint, please include them.

We treat all complaints seriously and you can expect to be treated with courtesy and fairness at all times. We will aim to resolve your complaint as quickly and as helpfully as possible.

The Chief Executive will acknowledge receipt of your complaint within five working days, and you will receive a response within 15 working days of the receipt of your complaint. If for some reason we are unable to respond within 15 working days, we will contact you to explain why.

The Chief Executive may discuss your complaint with any relevant parties (i.e., people directly involved in the complaint). However, we undertake to maintain full confidentiality beyond this and will not discuss you or your complaint with anyone else outside Healthwatch Salford, without your explicit permission.

We may need to request further information from you. In such instances, we will do so in writing, and you will be required to respond within 15 working days. Failure to respond within this timescale, without notification of the reason for any delay, may result in Healthwatch Salford being unable to resolve the complaint and the matter being considered closed.

A record will be made on the Complaints Log of how the complaint was resolved. A copy of the log and any correspondence will be kept on file. This constitutes a resolution of the complaint.

If the complaint is about the Chief Executive this will automatically be elevated to Stage 2 where the Chair will investigate and if necessary, refer to other members of Healthwatch Salford.



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Making a complaint: Stage 2

If you are not satisfied with our response at Stage 1, then you can request that the complaint be taken to Stage 2. At Stage 2, your complaint will be reviewed and responded to by the Chair of the Board of Directors/Trustees. They may choose to review it with other members of the board of Healthwatch Salford.

You can expect to receive an acknowledgement of your request to proceed to Stage 2 within five working days, and you will receive a response within 20 working days. Once again, if we are unable to do this, we shall contact you and let you know the reasons for the delay.

PART B: Dealing with abusive, persistent or vexatious complaints and complainants

Dealing with a complaint using the above process is a straightforward process, but in a minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for Healthwatch Salford. This can happen either while their complaint is being investigated, or once Healthwatch Salford has finished dealing with the complaint.

We will take action to protect staff from abusive, persistent or vexatious behaviour. If a complainant behaves in a way that is unreasonably persistent or vexatious, we will follow this policy.

Raising legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent complainant.

Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause them to be labelled vexatious or unreasonably persistent.

We are committed to dealing with all complaints equitably, comprehensively, and in a timely manner.

We will not normally limit the contact which complainants have with Healthwatch Salford staff or offices.

We do not expect staff or volunteers to tolerate unacceptable behaviour by complainants or any person who contacts us.



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Unacceptable behaviour includes behaviour, which is abusive, offensive or threatening and may include (but is not limited to):

- Using abusive, foul and/or threatening language on the telephone/voicemail/email.
- Using abusive, foul and/or threatening language face to face.
- Sending multiple emails.
- Leaving multiple voicemails.

Healthwatch Salford will not tolerate racist, sexist, homophobic or other discriminatory language, or offensive, threatening, aggressive or violent behaviour towards its staff and/or volunteers.

Definitions

We have adopted the Local Government Ombudsman's (LGO) definition of "unreasonable complainant behaviour" and "unreasonable persistent complaints":

For us, unreasonable and unreasonably persistent complainants are those complainants who, because of the nature or frequency of their contacts with an organisation, hinder the organisation's consideration of their, or other people's, complaints.

Examples include the way or frequency that complainants raise their complaint with staff, or how complainants respond when informed of our decision about the complaint.

Features of an unreasonably persistent and/or vexatious complainant include the definitions at Appendix One (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category).

Imposing restrictions

We will ensure that the complaint is being, or has been, investigated properly according to the Healthwatch Salford complaints procedure.

If the disruptive behaviour continues, the Chief Executive will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact us in future will be restricted. The Chief Executive will make this decision and inform the complainant in writing of what procedures have been put in place and for what period.



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Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, we will consider other options, for example reporting the matter to the Police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

We also have a duty to follow safeguarding and whistleblowing procedures.

New complaints from complainants who are treated as abusive, vexatious or persistent

New complaints from people who have come under this policy will be treated on their merits. The Chief Executive will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint. We do not support a “blanket policy” of ignoring genuine service requests or complaints where they are founded.

The fact that a complainant is judged to be unreasonably persistent or vexatious, and any restrictions imposed on our contact with him or her, will be recorded and notified to those who need to know within Healthwatch Salford and relevant commissioning organisations.

Record keeping

Adequate secure records will be retained by the Chief Executive of the details of the case and the action that has been taken. The Chief Executive will retain a record of:

- The name and address of each person who is treated as abusive, vexatious or persistent
- When the restriction came into force and ends
- What the restrictions are
- When the person and relevant departments were advised

The Chair of the Healthwatch Salford Board will be provided with a regular report giving information about customers who have been treated as vexatious/persistent as per this policy.

Review

The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the Chief Executive after three months and at the end of every subsequent three months within the period during which the policy is to apply.

The complainant will be informed of the result of this review if the decision to apply this policy to them has been changed or extended.



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If you need a copy of this policy in another format, please contact us:

Email: Feedback@healthwatchsalford.co.uk Telephone: 0330 355 0300

This policy is also available to download from www.healthwatchsalford.co.uk

Appendix One

An unreasonably persistent and/or vexatious complainant may:

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaint's investigation process.
- Refusing to accept that certain issues are not within the scope of a complaint's procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.



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- Submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.
- Combine some or all of these features.



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