

Adults Social Care Statutory Complaints Process April 2019



**London Borough
of Hounslow**

1. Introduction

This policy sets out how we handle Adult Social Care complaints, concerns, comments and compliments from our customers and complies with the requirements of the Care Act 2014.

We always aim to provide a high standard of care in all our services. Our customers' views are important to us and help to ensure our services are consistently meeting people's needs. If you are unhappy with any of our services, it is important that you let us know.

We want to hear what you think about the services we provide. We have a duty to help everyone who uses our services, or would like to use our services, to tell us about their experiences so that we can make improvements.

We want to hear from you with any:

- **Compliments** Tell us what we have done well
- **Comments** Tell us how we could improve
- **Concerns** Tell us what you are concerned about
- **Complaints** Tell us what we have done poorly

You can expect that we will:

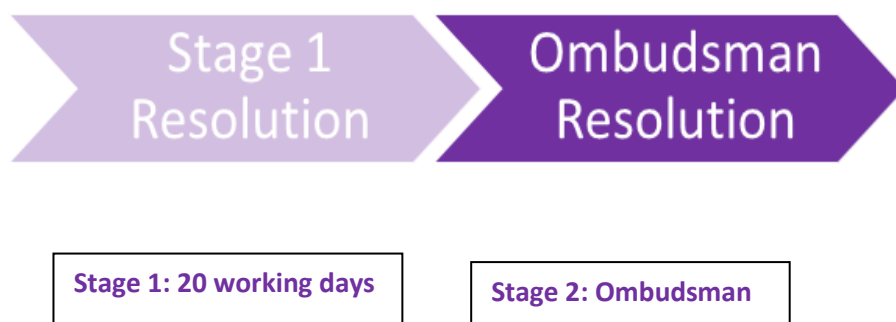
- want to hear what you have to say
- give you straight-forward answers to your questions
- consider what you tell us in a fair and non-judgemental way
- always prioritise your well being
- respond to your concerns and complaints in a timely and proportionate manner
- resolve as many complaints as possible in the way that you suggest
- not always be able to take the action you want
- seek to offer an alternative if we cannot take the action you want
- record your views and learn from your experience.

2. Concerns

We will try to resolve your complaint as soon as possible. In the first instance you can raise your complaint verbally with the worker, team or manager responsible for the service. If they are not able to resolve this by the end of the next working day, then please contact the Customer Relations Team to set out that you wish to raise a formal complaint.

3. Complaints

The Council has a one-stage complaint procedure that is designed to support the effective management of complaints about Adults Social Care.



If a complaint alerts us to possible abuse or neglect we will tell the Council's adult safeguarding team. The safeguarding team will determine whether a complaint should be treated as an adult safeguarding concern. Unless there is a conflict of interest the enquiry will be led by the team you would normally have contact with.

4. Making a complaint

We aim to handle complaints quickly, effectively and in a fair and honest way. We take all complaints seriously and use valuable information from investigating to help us improve the service we provide.

We can assure clients that we will not withdraw or reduce services because someone makes a complaint.

5. Who may make a complaint?

A complaint may be made by:

1. A person who receives or has received services from Adult Social Care;
2. A person who may be affected by the action, omission or decision of Adult Social Care

A representative may complain on behalf of the person receiving a service if they:

- have died
- cannot make a complaint themselves, or
- have given consent for the representative to act on their behalf

If a representative wishes to make a complaint on behalf of a person who lacks capacity (within the meaning of the Mental Capacity Act 2005) the Local Authority must be satisfied that this is appropriate. If we are unable to accept the complaint on these grounds, we will notify the representative in writing.

6. What may be complained about?

You can complain about the Adult Social Care service you are receiving provided by the London Borough of Hounslow. Some Adult Social Care services are now provided by private and voluntary organisations, not Hounslow Council and these providers have their own complaints procedure and are not covered by this policy.

For example, Hounslow Council isn't responsible if:

- you privately arrange and pay for own care. An example of this would be if you live in a private care home that you pay for yourself
- you get a direct payment from the local authority and use it to pay for care that you arrange yourself (please see further details explaining this below).

If you pay for your care with a direct payment from Hounslow Council

Direct payments are payments of money that a local council social services department makes to people to arrange their own care and support, instead of the local authority arranging the services.

If you have eligible care needs, the Local Authority can consider the option of arranging direct payments.

If you are not satisfied with the services paid for by a direct payment, you can complain to the care provider using their complaints procedure, and if this doesn't sort out the problem, you can contact the Local Government and Social Care Ombudsman who may be able to investigate the complaint.

If you pay for your own care services out of your own money

If you fund your own care with your own or family money and you need to make a complaint, you can complain to the care provider using their complaint procedure. If this doesn't sort out the problem, you can contact the Local Government and Social Care Ombudsman who may be able to investigate the complaint

Complaints outside the scope of this policy

There are some types of complaints that fall outside the scope of this Policy because there are other more suitable processes or organisations for dealing with them. These include:

- A complaint by another Local Authority, NHS body and other providers who provide services under arrangements with NHS bodies.
- A complaint by an employee of the Local Authority or NHS body about a matter relating to their employment
- A case that is under legal intervention or subject to court proceedings
- A complaint which is made orally and is resolved to the complainant's satisfaction the next working day after the complaint was made
- A complaint that has previously been made and resolved as above
- A complaint that has previously been investigated by the Local Authority
- A complaint which is currently being investigated by;
 - The Local Government and Social Care Ombudsman
 - The Parliamentary and Health Service Ombudsman
 - A complaint relating to information requested under the Freedom of Information Act and General Data Protection Regulations (GDPR) and Data Protection legislation

Complaints about hospital care, community care or mental health services

- If you have a concern, complaint or compliment about a community service such as community nursing, health visiting, physiotherapy or podiatry service, please contact:
Hounslow and Richmond Community Healthcare
Tel: 0208 973 3100
- If you have a concern or question about a mental health service, please contact:
West London NHS Trust
Complaints Manager
Tel: 020 8354 8174
Email: complaints@westlondon.nhs.uk
- If you have a concern, complaint or compliment about a hospital or the commissioning of a service, please click on the links below which will take you to their contact details:
- **West Middlesex University Hospital;**
<http://www.chelwest.nhs.uk/your-visit/information-for-patients/comments-and-complaints/comments-and-complaints>
- **Ashford and St Peter's Hospital;**
<http://www.ashfordstpeters.nhs.uk/complaints>

- **Charing Cross Hospital;**
<https://www.imperial.nhs.uk/patients-and-visitors/feedback-compliments-and-complaints>
- **Hounslow Clinical Commissioning Group;**
<https://www.hounslowccg.nhs.uk/contact-us/complaints.aspx>

7. How to complain, make a comment or a compliment

There are several ways that you can submit complaints, comments or compliments, including an online form on the Council's website, by e-mail and by phone. The contact details are as follows:

- Online: www.hounslow.gov.uk/complain
- E-mail: complaints.crt@hounslow.gov.uk
- Phone: 020 8583 3333
- In writing to:

Customer Relations Team
London Borough of Hounslow
Hounslow House
7 Bath Road
Hounslow TW3 3EB

Although we can take complaints by phone, we always encourage customers to submit their complaints in writing, so that we have all the details of the complaint, in your own words, which will avoid any possibility of misinterpretation by the person receiving the complaint.

If you have difficulty in making a complaint, such as a disability, please let a member of the Customer Relations Team know and they will make arrangements to assist you or you can appoint a representative to complain on your behalf.

8. Time limit for making a complaint

You should complain as soon as you can after the date on which the event occurred or came to your notice. We will accept complaints within 12 months of the incident. If you complain more than twelve months later, we may not be able to investigate properly. But we shall also consider whether you had good reason for not making the complaint sooner and whether, despite the delay, it is still possible to investigate the complaint effectively and fairly.

9. Complaint procedure

A complaint may be made verbally, in writing or by email or via the Council's website. If made verbally, a written account will be taken, and you will be provided with a copy.

Your complaint will be acknowledged as soon as possible in writing and within 3 working days. We will offer to discuss with you the manner in which the complaint is to be handled and the period within which the investigation is likely to be completed and when a response will be sent to you.

You may be offered a meeting to discuss your complaint.

We aim to respond within 20 working days.

If we are not able to send you a response within 20 working days, we will notify you in writing the reasons why this is the case and a revised response date when we expect to be able to respond to you.

10. Investigation and response

We will investigate your complaint in an appropriate manner and will aim to resolve it as quickly and efficiently as possible and we will keep you informed about the progress of the investigation.

Once we have investigated your complaint we will send you a written response which will:

- Explain how your complaint has been considered
- Detail the outcome of your complaint
- Confirm that any resolution offered has been carried out or will be carried out and when
- Inform you of your right to approach the Local Government and Social Care Ombudsman (LGSCO) if you are not satisfied with the response

11. Further steps

At any stage during the process, if you are not happy with the way the service is dealing with your complaint you can contact The Statutory Complaints Manager at:

Customer Relations Team
London Borough of Hounslow
Hounslow House
7 Bath Road
Hounslow TW3 3EB

Phone: 020 8583 3333

E-mail: complaints.crt@hounslow.gov.uk

Once we have dealt with your complaint, if you are not happy with the outcome you can refer your complaint to the Local Government and Social Care Ombudsman (LGSCO) and ask for it to be reviewed. The LGSCO provides a free independent service.

You can contact the Ombudsman at:

The Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

<https://www.lgo.org.uk/>

Phone: 0300 061 0614

NB: The LGSCO will not normally investigate a complaint until the provider has had an opportunity to respond and resolve matters.

London Borough of Hounslow Adult Social Care services are registered with and regulated by the Care Quality Commission (CQC). The CQC cannot get involved in individual complaints about providers, but is happy to receive information about services at any time.

You can contact the CQC at:

Care Quality Commission National Correspondence
Citygate
Gallowgate
Newcastle upon Tyne
NE1 4PA
Tel: 03000 616161

Web site: www.cqc.org.uk