



Complaints Policy

September 2022

1 Contact Details

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2 Introduction

Enhance Learning and Support (ELS) recognises that at times things can go wrong and there will be occasions when service users/customers/parents/carers are worried or concerned about issues arising from their experience accessing our service.

The service manager and the management team at ELS are committed to taking complaints seriously at the earliest stage and resolving them as quickly as possible. All concerns will be dealt with in a sensitive, impartial and confidential manner.

ELS is a private healthcare provider, we support vulnerable children, young people and adults across education, health and social care services, therefore our complaints policy is in line with the Independent Complaints Adjudication Service Code of Practice for Complaints Management.

Purpose and Scope

The scope of this policy is to ensure we have good complaints management and learning from complaints. Complaints are expected to be made as soon as possible, or 6 months of the incident or a series of associated incidents that have occurred, within 3 months of the last of these incidents. If a complaint is received into the service after this time scale, they will only be reviewed unless there are exceptional circumstances.

This policy does not relate to:

- Freedom of Information Act 2000
- Environmental Information Act Regulations 2004
- Parliamentary and Health Service Ombudsman

Our Complaints Policy will:

- Encourage resolution of problems by informal means wherever possible
- Be simple to understand and use
- Be accessible on request
- Involve management that will be impartial and non-adversarial
- Allow swift handling with established time limits for action and keep people informed of the process

- Ensure a full and fair investigation
- Respect people's desire for confidentiality
- Address all the points at issue and provide an effective response and appropriate redress where necessary
- Provide information to the senior management team so services can be improved

3 Accountability, Roles and Responsibilities

Overall responsibility and accountability for the management of complaints lies with the 'responsible person', the 'responsible person' in the first instance is the service manager, if a complaint comes into the service about the service manager the responsible person will be another member of the senior management team in ELS.

We have a process in place to make sure the responsible person or relevant senior managers regularly review insight from the complaints we may receive, along other forms of feedback on our care and service. We will always learn from complaints so that improvements can be made to our service.

ELS Senior Management

- Lead by example to improve the way we deal with compliments, feedback and complaints
- Understand obstacles people face when making a complaint, and taking action to improve the experience by removing them wherever possible
- Knowing and complying with all relevant legal requirements of a private healthcare service in dealing with complaints
- Making information available and easy read versions if required on request
- Making sure there is a strong commitment to the duty of candour so there is a culture of being open and honest when something goes wrong
- Making sure we listen and learn from complaints and improve services when something goes wrong.

Complainant (or person who makes the complaint)

The complainant will receive a more effective response to the complaint if they:

- Explain the complaint in full as early as possible
- Co-operate with ELS in seeking a solution to the complaint
- Ask for assistance as needed
- Treat all those involved in the complaint with respect
- Refrain from publishing the details of their complaint on social media and respect confidentiality

Responsible person (as above)

- Set the date, time and venue for meetings/Interviews to learn more about the complaint where necessary
- Collate any written statements or material relevant to the complaint
- Record the proceedings
- Notify complainant of the outcome

4 Who Can Make a Complaint

Any person may make a complaint to us if they have received (or are receiving) care and services from our organisation. If a complaint comes into our service from parents/carers that is from one of our educational customers, it may be in the first instance we refer them directly to the education organisation for them to deal and manage the complaint, this is due educational customers having their own policies and procedure around care and support for children and young people and their complaint procedure may differ to ELS.

If the person affected does not want to make or deal with the complaint themselves, they can appoint a representative to raise the complaint on their behalf. There is no restriction on who may represent the affected person. However, they will need to provide us with their consent for the representative to raise and discuss the complaint with us.

If the person affected is a child, or otherwise unable to complain because of a physical impairment or they lack capacity, then the complaint may be made on their behalf by a representative. If the complaint is brought on behalf of a child/young person, we will need to be satisfied that there are reasonable grounds for a representative to bring the complaint to us rather than the child/young person.

If at any time we see that a representative is not acting in the best interest of the person affected, we will assess whether we should stop our consideration of the complaint. If we do this, we will share our reasons in writing to the representative.

5 Timescales for Making a Complaint

Complaints are expected to be made as soon as possible, or 6 months of the incident or a series of associated incidents that have occurred, within 3 months of the last of these incidents.

If a complaint is received into the service after this time scale, they will only be reviewed unless there are exceptional circumstances outlined as:

- We believe there were good reasons for not making the complaint before the deadline, and
- It is still possible to properly consider the complaint

If we do not seek a good reason for the delay, or we think it is not possible to properly consider the complaint (or any part of it), we will write to the person who has made the complaint to explain this.

6 Complaints and other Procedures

We ensure anyone dealing with complaints are properly supported and have the skills to manage complaints.

Our complaints procedure consists of 3 stages:

- Stage 1 – Complaint raised into ELS and within the correct timescales
- Stage 2 – Concerns and complaints reviewed/investigated by the service manager or 'responsible person', they must not be involved in stage 1
- Stage 3 – Response to review/investigation of the complaint in writing to complainant

Complaint Handling

Promoting a just and learning culture – We will seek to see complaints as an opportunity to develop and improve our service. We will acknowledge when mistakes occur or things go wrong and will be accountable for them, learn from complaints, and acting on lesson learned.

Welcoming complaints in a positive way – We will actively seek and welcome feedback, acting on concerns and complains, recognising complaints as a positive way to improve services, encouraging and empowering to resolve concerns quickly.

Being thorough and fair – We will conduct a thorough, fair and objective investigation without bias or discrimination, obtaining comments from all staff involved in complaints and giving an open and honest answer to complainant.

Giving fair and accountable responses – We will explain what has happened and whether mistakes occurred, explaining whether complaints have or have not been upheld, identifying any learning from complaints and explaining actions taken to improve services.

Retention of Records

ELS will record complaints, including information about actions taken during the review or investigation of the complaint and outcome report. We will keep all interviews undertaken with staff who were involved in the complaint.

Any staff interviewed as part of the review/investigation will be informed prior to this being undertaken, we will keep records on letter's/emails sent. We will ensure our staff are given the time away from the posts to attend interviews.

How to Raise a Concern or Complaint

Complaints can come into ELS via telephone, email or in writing. Emailing or in writing is the preferred method as our team is based across services that work with vulnerable adults, young people and children and they do not always have access to their mobile phones, therefore telephone numbers have not been included as part of the contact details above, however messages can be left on our voicemail at our Head Office and will be picked up by one of the senior managers.

The service manager at ELS should be contacted in the first instance, then other members of our senior management team if the complaint is about the service manager. Contact details are above.

Complaint form is included as part of this policy as appendix 1, this can be completed and returned via post or email. If help is required in completing the form, please contact the Head Office.

Equal Opportunities

In accordance with equality law, we will consider making reasonable adjustments, if required, to enable complainant to access and complete this procedure, such as providing information in alternative format, assisting them in raising a complaint or holding meetings I accessible locations.

Resolving Complaints

At each stage of the process ELS will want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following.

- An apology in writing
- An explanation
- An assurance that measures will be taken to ensure we minimise the event recurring
- An explanation of the steps taken, or will be taken, to ensure that it will not happen again
- A finding that the complaint requires no further action
- An admission that the situation could have been handled differently or better
- An undertaking to review relevant policies or procedures
- A finding that there is insufficient evidence to reach a conclusion such that the complainant cannot be upheld

Withdrawal of a complaint, we will email the complainant stating that it is understood that the complaint has been withdrawn, and the matter is closed.

If a complainant wishes to withdraw their complaint at any point, they will be asked to do in writing. If the complaint is not withdrawn in writing, the service manager will send an email explaining that complaint has been withdrawn, and the matter is closed.

Policy written: 27th September 2022

Review date: 27th September 2025

Policy written by: Christiana Flynn

Job Title: Service manager Enhance Learning and Support/Reviewed by HR Manager

Appendix 1 – Complaints Form

Please complete and return form to the service manager who will acknowledge receipt and explain what action will be taken.

Your Name:
Customers/Service User Name (if relevant):
Your relationship to Customer/Service User:
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint including date incident occurred:
What action has been taken so far (including staff member who has dealt with it) or solution offered:

What actions do you feel might resolve the problem at this stage? What outcomes are you expecting?

Are you attaching any paperwork? If yes please give details.

Signature:

Print Name:

Date:

Official use only

Date acknowledgement sent:

By who:

Complaint referred to:

Date: