



Complaints Policy

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Record of policy review and amendments

Version	Date	Updated by	Summary of change	Issue date
1.0	01/09/15	June Rainford	Issued	
2.0	01/09/16	June Rainford	Review	
3.0	18/01/19	June Rainford	Amendments to contact details / email addresses	
4.0	09/04/24	Rob Jackson	Review of procedure process and overall policy	August 2024

WHY DO WE HAVE A COMPLAINTS POLICY?

- 1.0 MioCare welcomes feedback on any aspect of our work, including complaints, comments, compliments and suggestions. This policy covers complaints only.
- 1.1 Comments, compliments and suggestions are welcome through the following:
 - In person by talking with the relevant manager, team or service staff
 - By email to: ComplaintsMioCare@miocare.co.uk
 - In writing to: Ena Hughes Resource Centre, Ellesmere St, Failsworth, Oldham, M35 9AD
 - Via telephone to our main office (0161 770 8777)
- 1.2 Whilst we always aim to get things right first time, we know that on occasion we may not. If we make a mistake, we will be open and honest about it as soon as possible. We will tell you about our mistake, explain why we think the mistake was made, and tell you how we will do our best to ensure it doesn't happen again. This applies if you are a person we support, family member, partner or general member of the public. We will also give you this information in writing.
- 1.3 If you are thinking about making a complaint, but aren't sure if you want to, talk to any a MioCare member of staff. They can tell you more about how complaints are dealt with.
- 1.4 MioCare is positive about receiving complaints, and we view them as an opportunity for us to get things right in future. We are committed to learning and continuous improvement. We use information about mistakes and complaint information constructively to learn from, monitor and improve our performance.

2.0 WHO CAN USE THIS POLICY?

- 2.1 This policy is intended for people who use our services, family members, partners and wider members of the public.
- 2.2 We tell all the people who use our services and their family members about this policy when we begin working together.
- 2.3 If you don't want to make a complaint yourself, you can ask someone, such as a parent or friend, to make a complaint on your behalf. First, we will need to be sure you have asked them to raise your concern (we will need this in writing from you or verbal confirmation).

Then, we can talk with them about the complaint and agree the best way to communicate with you (as the complainant) throughout the process.
- 2.4 It's really important that information about making a complaint is as accessible as possible. Alongside this document, we also have an easy read version.

3.0 WHAT CAN YOU COMPLAIN ABOUT?

- 3.1 A complaint is an expression of dissatisfaction with any aspect of the work of MioCare.
- 3.2 The process is intended to be as clear, fair, consistent and timely as possible.

3.3 If you are a person receiving support from us today and have concerns about your own safety or protection (safeguarding concerns), please tell a member of staff or manager in your service immediately.

4.0 WHAT'S NOT COVERED BY THIS POLICY?

4.1 This policy is not for MioCare staff. Staff with a complaint should follow the relevant policy below:

- Whistleblowing
- Grievance
- Safeguarding
- Equality, Diversity and Inclusion
- Managing allegations of abuse by a staff member

5.0 KEY PRINCIPLES OF THIS POLICY

5.1 MioCare encourages people who use our services, their family members and partners to tell us if they aren't happy with our work. We will treat anyone making a complaint with dignity and respect. We will take your concerns seriously.

5.2 Our policy and procedures about complaints are clear, open and honest. We take extra care to make the complaints process as simple and straightforward as possible for the people we work with.

5.3 Complaints will be resolved as swiftly, and as far as possible, informally, by those who are responsible for the relevant area of work. Whenever there is a delay for whatever reason, we will let you know quickly and tell you when you will hear from us next.

5.4 Through the implementation of this policy and procedure, we will ensure there is a fair, clear and consistent process which sets out two stages for considering complaints. This includes, as far as possible, a consistent contact person who will update you throughout the process.

5.5 We will respect confidentiality throughout the process. Only those involved in looking into the complaint will know about it.

5.6 If you need help to make a complaint, please get in touch with us by any of the channels listed in section 1.1 of this policy and we will help you to find the right support needed for you to make your complaint.

5.7 If you need extra support as the result of a mistake we have made, we will help you get that support. If we cannot provide the help you need ourselves, we will help you source it elsewhere.

5.8 If you decide you want to withdraw your complaint, you can do so at any time.

5.9 A complaint about an employee working with people we support may arise via the complaints process. Following an initial Stage 1 investigation (in accordance with MioCare's complaints policy), the complaint may raise an allegation or concern about potentially harmful behaviour towards a person we support. Whenever this occurs, the Managing Allegations policy will then take precedence, thereby suspending the complaints process.

6.0 HOW TO COMPLAIN

6.1 Complaints can be made through the following routes:

- In-person by talking with the relevant manager, team or service staff;
- By email to: ComplaintsMioCare@oldham.gov.uk
- In writing directly to our Head Office: Ena Hughes Resource Centre, Ellesmere St, Failsworth, Oldham, M35 9AD
- Via telephone on 0161 770 8777
- Easy Read version

Regardless of your method of contact, we will follow the same process.

6.2 People making a complaint may choose to do so via MioCare's social media channels. If a complaint is made in this way it will be managed according to this policy.

7.0 MAKING SURE OUR COMPLAINTS POLICY IS EFFECTIVE

7.1 We want our complaints policy to be effective. We will monitor and review complaint information to make sure that the correct procedure has been followed.

7.2 All complaints will be logged and monitored through a central register, held by us at MioCare. MioCare's Board of Directors retain oversight of complaints as part of the organisation's governance. They, and the Senior Leadership Team, will make sure we are learning from complaints and making any necessary changes to the way we work.

7.3 This document may be reviewed at any time at the request of the Senior Leadership Team but will automatically be reviewed every three years or sooner in response to new national guidance and/or legislation.

8.0 PROCEDURE

8.1 MioCare has a two stage complaints procedure:

Stage 1: Local resolution

- Wherever possible, complaints will be resolved swiftly and informally by the relevant manager. If the manager is involved in the complaint, we will ask another independent manager.
- If a complaint is given verbally, the following information must be documented and given to the manager:
 - Date and time
 - Summary of details given
 - Names of individuals involved
 - Date manager is informed
 - Any immediate action taken
- Where a safeguarding concern is raised via a complaint process, MioCare's safeguarding policy will be followed. A staff member will talk about this with you if your complaint involves a safeguarding issue.
- It is our aim that all stage 1 'local resolution' complaints will be resolved within 10 working days after we receive the complaint. If we are unable to resolve the complaint in this timeframe, we will tell you as quickly as possible and let you know when you can expect to hear from us.

- We will write to you to let you know about the stage 1 outcome.

Stage 2: Appeal

- If you are not satisfied with the outcome of the stage 1 complaint, you can write to us to tell us why you are unhappy within 14 days of receiving written notification of the Stage 1 outcome.
- A relevant independent manager (appointed by the relevant senior manager) will be assigned to resolve the complaint appeal. This will initially involve considering reasons for the appeal and to decide if a further review is required.
- If a further review (known as an 'investigation') is required, an investigating officer will be appointed. We aim to complete the investigation as quickly as possible. We will keep you informed as our investigation progresses and tell you how long we estimate the process will take.
- We will give you our decision in relation to the appeal, including any findings and conclusions which led to the decision, in writing.

8.2 If you are not satisfied with the outcome of the stage 2 appeals process, you have the right to contact an external agency for further advice or information. External agencies that may provide further help are:

8.2.1 The **Citizens Advice Bureau** (contact the local bureau). Website: www.citizensadvice.org.uk

8.2.2 **Local Government Ombudsman**, PO Box 4771, Coventry, CV4 0EH. Tel: 0300 061 0614. Website: www.lgo.org.uk

8.2.3 **Information Commissioner's Office**. Tel: 0303 123 1113. Website: www.ico.org.uk

8.2.4 The **Care Quality Commission (CQC)** also provides contact details for further options of who can respond to complaints. CQC National Customer Service Centre, Citygate, Gallowgate, Newcastle upon Tyne, NE1 4PA. Tel: 03000 616161. Website: www.cqc.org.uk

8.2.5 The **Patient Advice and Liaison Service (PALS)** provides confidential advice, support and information on health-related matters. They provide a point of contact for patients, their families and their carers. Ask your GP or hospital for your local PALS telephone number or search PALS on the NHS website: www.nhs.uk

8.2.6 The **Parliamentary and Health Service Ombudsman** has a role is to investigate complaints that individuals have been treated unfairly or have received poor service from government departments and other public organisations and the NHS in England. Tel: 0345 015 4033. Website: <http://www.ombudsman.org.uk>

8.3 **Anonymous complaints**

Anonymous complaints will be considered under this policy and any anonymous complaint or comment that relates to those who might be at risk will be investigated and acted upon immediately, in accordance with the Safeguarding Policy. However, in some circumstances it may not be possible to investigate an anonymous complaint due to lack of identifiable information. If an individual has concerns about giving their name they can speak to an employee in the Quality and Compliance Team who can answer any questions about how the complaint will be handled.

8.4 Vexatious or persistent complaints

Complainants' behaviour is only considered unreasonable in exceptional circumstances and there must be documented evidence to support the decision. A complaint can only be treated as vexatious with the written agreement of the Director of Care and/or Managing Director.

If staff are found to be the victims of continuous, vexatious or malicious complaints, measures will be taken to stop the situation carrying on. The team member's concerns are to be listened to and they are to be offered advice and support from their Line Manager. This may include a decision to intervene from a Senior Leadership Team member or ultimately a legal resolution. If this action is required it is to be reported to the Managing Director and Board of Trustees.

For the purpose of this Policy, vexatious is defined as the unjustified, inappropriate or improper use of formal procedures that are likely to cause a disproportionate or unjustified level of disruption or distress.

9.0 CONFIDENTIALITY, GDPR AND DATA PROTECTION

- 9.1 This policy complies with the requirements of The Equality Act (2010) and is in accordance with MioCare's commitment to diversity and inclusion.
- 9.2 We will only tell those people involved in resolving your complaint about it. Sometimes we may need to share your complaint or concerns with other individuals to understand the situation fully.
- 9.3 After the complaint is resolved, we will keep a summary on record, using relevant data protection protocols. If you use our services and have a file, the complaint record will be placed on your file.
- 9.4 We use anonymised information from complaints to make sure we learn and improve our services.
- 9.5 The Information Commissioner's Office is the UK's independent authority set up to uphold information rights in the public interest, making people aware about their data protection and information rights. If you have a concern about MioCare's information rights practices, you can report it directly via telephone on 0303 123 1113 or on their website: <https://ico.org.uk/make-a-complaint/>

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