

FCMS LTD	Date reviewed January 2018	Version No. 1
POLICY TITLE: COMPLAINTS REPORTING, HANDLING AND MANAGEMENT		

Policy Statement:

It is our policy at FCMS LTD that all complaints should be taken seriously. We will ensure that all complaints are acknowledged, documented, investigated, resolved and outcome communicated promptly to the complainant. Lessons learnt from the investigation will be communicated to all staff.

Purpose:

- To ensure that its complaints procedure is properly and effectively implemented.
- To ensure that service users, their representatives and carers are aware of how to complain.
- To ensure that service users and their representatives feel confident that their complaints and worries are listened to and acted upon promptly and fairly.

Scope:

All staff

Our promise

- We will co-operate in the same way with anyone acting on behalf of complainants as we would with the complainant themselves.
- We will co-operate fully with the relevant independent bodies such as local authority and CQC during any investigation and comply fully with the resulting decision, which will be binding on us.
- We will provide contact details and advise on the relevant body, if helpful. However, we welcome the opportunity to resolve your complaint through the above procedure first.

Sending us your feedback

We actively encourage feedback from our stakeholders, both good and bad, so we can continuously improve and ensure we're continuing to provide care that is of the highest quality.

If you have a complaint or compliment, please get in touch with us directly.

How to send a complaint

We take all complaints and concerns very seriously and aim to settle each one thoroughly and satisfactorily.

By email: info@firstchoicemedicalsolutions.co.uk

By letter: Complaints Team, FCMS Ltd, Unit 23 Ambition Broxbourne Business Centre, Pindar Road, Hoddesdon, EN11 0FJ

Online: Follow the link: <https://firstchoicemedicalsolutions.co.uk/contact-us>

By phone: 01992 879665

In person: FCMS LTD, Unit 23 Ambition Broxbourne Business Centre, Pindar Road, Hoddesdon, EN11 0FJ

Your complaint may be resolved by way of an apology, providing the service required or by providing an acceptable explanation of the circumstances after an investigation. See below for the full details of our complaints process.

Whistleblowing

If you want to raise an issue anonymously, please write to us or call us on 01992 879665

Our process for complaints

- All complaints and concerns received will be registered on our system and a reference number will be provided to the complainant.
- All complaints and concerns will be acknowledged within one working day of receipt, unless the complaint is made verbally, in which case, it will be acknowledged immediately.
- All complaints registered will be responded to in full by the investigator within 20 working days from the date of receipt. Occasionally, investigations may take longer, particularly if the complaint is complex. Should this be the case a holding letter will be sent after 20 working days and a final date given for a conclusion.
- All complaints and concerns registered with us will be investigated by the appropriate Manager.
- A full response will be provided to the complainant, which will include a full explanation of events, apologies and any remedial action taken as a result of the receipt of the complaint or concern.
- If the complaint is against an FCMS staff member, the company will ensure that the employee is fully informed of complaints relating to him/her. The employee shall be entitled to receive a copy of the complaint made against them. They will be afforded the opportunity to state his/her version of events and will be given seven (7) days to respond to First Choice Medical Solutions

Limited in writing. The company will take demonstrable action to ensure there is no reoccurrence of the act or omission complained of.

- The complainant may at any time request the company to provide them with an update as to the progress of the resolution of the complaint. The complainant will receive a written response from FCMS Ltd, detailing how the complaint has been resolved.
- Where there is evidence of malpractice or the complaint is an event that requires notification, FCMS Ltd will immediately notify the Care Quality Commission (CQC), the police, the Disclosure and Barring Service or Safeguarding as appropriate and where applicable alert the employee's professional body.
- If the allegation involves suspected abuse, FCMS will immediately suspend the employee involved pending investigation.
- The company will work with all parties applicable to an investigation and where necessary share findings of such investigations.
- A full written record of the nature of each complaint and details of the action taken as a result of the complaint will be kept on a secure database for easy access.
- The complainant at any time has the right to refer this matter for review to the Care Quality Commission – England.
- Should the complainant, remain dissatisfied with the resolution provided, they may refer this to independent review bodies.

Referring Complaints to External or Independent Bodies

At any time, if you are dissatisfied with the outcome, you may refer the complaint to one of the following bodies who will look into the case.

- The local authority
- The Care Quality Commission (CQC)

Complimenting Our Service

Compliments are valuable, welcome and important and when they are received, either verbally or in writing, they will be recorded. Compliments enable the company to:

- understand that our service is being provided to the carers' satisfaction
- provide positive feedback to our staff
- influence our organisational and service development
- inform our quality assurance programme

How to send a compliment

By email: info@firstchoicemedicalsolutions.co.uk

By letter: Complaints Team, FCMS Ltd, Unit 23 Ambition Broxbourne Business Centre, Pindar Road, Hoddesdon, EN11 0FJ

Online: Follow the link: <https://firstchoicemedicalsolutions.co.uk/contact-us>

By phone: 01992 879665

In person: FCMS LTD, Unit 23 Ambition Broxbourne Business Centre, Pindar Road, Hoddesdon, EN11 0FJ

Data Protection

To process a complaint, we will hold personal data about the complainant (except whistleblowers/ anonymous complainants), which the individual provides and which other people give in response to any investigations completed with regards to the said complaint. We will hold this data securely in accordance with Data Protective Act 1998 and only use it to help address the complaint.

The identity of the person making the complaint will only be made known to those who need to consider the complaint and will not be revealed to other people or made public. However, it may not be possible to preserve confidentiality in some circumstances, for example, where relevant legislation applies or allegations are made which involve the conduct of third parties.

Under the Data Protection Act 1998, individuals have a right to obtain a copy of their personal data. However, there are expectations to this right. We will normally destroy compliments and complaint files in a secure manner 6 years after the compliment has been made or the complaint closed.

Monitoring

Compliments and complaints are an important tool which, alongside data provided by employee exit interviews and customer feedback, will allow us to learn more about the services we provide. They offer a useful source of information about how individuals see our services and how we are serving them. We ensure that lessons learnt from complaints and compliments are shared with all staff.

Support for staff

1. FCMS Ltd will have arrangements in place to support staff who are involved in and/or are the subject of a complaint - a situation which could cause the individual/s concerned undue stress and anxiety.
2. Adequate training will be provided as FCMS Ltd recognises that staff training is important in the development and maintenance of a culture within our organisation which values and encourages the effective management of comments, compliments, concerns and complaints.
3. We will ensure all staff feel confident and have the correct knowledge about how FCMS Ltd and various statutory complaints procedures work.
4. We will ensure all staff have the necessary skills to respond to concerns and complaints at an early stage with courtesy and sensitivity.

Legal action by a person who has made a complaint

- If at any point during the complaints process the person who has made a complaint states that they have sought, or intend to seek, legal advice with regards to their complaint, the details should be passed to the FCMS Ltd's Legal Team and where appropriate the insurance brokers.
- The complaint investigation should continue unless otherwise advised by the FCMS Ltd Legal Team or insurance brokers.
- If during the investigation the person who has made a complaint decides to take legal action the complaints process may be halted to determine whether continuing with the complaint could prejudice the outcome of legal action.
- The complaints process should only be discontinued if it is reasonable to assume that the complaint will prejudice the outcome of legal action.
- The decision to discontinue the complaints process lies with the Director with responsibility for managing complaints once all of the information has been made available and advice has been sought from the Legal Team.

Habitual or vexatious complainants.

The vast majority of people who raise a complaint about the care or treatment they have received act entirely reasonably. However, some people may act inappropriately towards the staff involved in the investigation of their complaint. This can lead to significant staff time and resources being used in the management of that particular complaint. There are times when nothing further can reasonably be done to assist the person who has raised the complaint or to rectify a real or perceived problem. We do not expect staff to tolerate unacceptable behaviour, including behaviour which is abusive, offensive or threatening.

The decision to assess a person as a habitual and/or vexatious complainant rests with the FCMS Ltd management. Where complainants have been identified as habitual or vexatious and after all reasonable measures have been taken to assist the person, the registered manager has the right to notify the complainant of their decision not to investigate the complaint.

When all reasonable measures have been taken the registered manager or another manager with responsibility for managing complaints will write to the person informing them that FCMS Ltd has responded fully to the complaint they raised and has tried to resolve the matter. The complainant should be informed that there is nothing more that can be added with respect to that complaint and that the correspondence is now finalised.

If the complainant subsequently demonstrates a more reasonable approach, or submits a further complaint for which the normal complaints process appears

appropriate, the registered manager or nominated manager in their absence, can withdraw the habitual and/or vexatious assessment. However, in extreme cases, FCMS Ltd reserves the right:

1. To inform the habitual and/or vexatious complainant that future letters or other communications will be acknowledged but otherwise not responded to.
2. To take legal action.

Audit

Audits will be carried out to establish the following:

1. The number of complaints:
 - received
 - found to be upheld, partly upheld and not upheld
 - referred to the Police, Local authority or CQC.
2. A summary of the subject matter of the complaints received
3. Any general matters arising from the complaints or how they were handled
4. Lessons learnt will be used to improve and develop the service.

Responsibility

This policy will be reviewed regularly to ensure that it remains fit for purpose by the Registered Manager.

END OF POLICY