

TITLE	Complaints, Concerns and Compliments Policy		
Policy ref	LG006P	Approval date	8th May 2024
Owner	Customer Operations Director	Planned review date	May 2027
Approved by	Customer Committee		

Version	Purpose/change	Author	Date
1.0	Previous policy effective May 2016	Head of Quality	May 2016
2.0	<ul style="list-style-type: none"> Policy now encompasses Complaints, Comments and Compliments What constitutes as a complaint is clarified and a range of exclusions specified Scope of complaints widened to specifically include volunteers Improved recording of KPIs and reporting to Exec and Board Time to reply to a stage 1 complaint reduced to 15 working days from 20 days Time to reply to a stage 2 complaint extended from 10 working days to 15 working days Stage 3 hearing panel can now include Chief Exec Recording of Compliments and Comments in a formal log Formal recording of learning from complaints with action log to capture outcomes Revised flow chart and resident information leaflets 	Head of Quality	May 2017
3.0	<ul style="list-style-type: none"> Updated terminology, i.e. Changing “Divisional” to “Regional” Information on Member-specific procedures for complaints and compliments Inclusion of process for logging compliments Updated information on how complaints are monitored and reported on at an Executive level Change from “comments” to “concerns” and definition added. Updated in line with the Housing Ombudsman’s Complaint Handling Code, including: <ul style="list-style-type: none"> Adoption of the single complaints definition Clarity of the channels to make a complaint, incl. social media Details regarding reasonable adjustments Adjustment of time scales for responses Making Stage 3 optional, rather than mandatory Objectives and scope clarified, separation of policy from procedure Clarification of how anonymous complaints and complaints with related insurance claims will be addressed Extension to include schemes that are members of ARCO and updated to comply with ARCO requirements Details of time limits for making complaints added Further information regarding managing complainant behaviour added, including when a complainant continues to pursue a complaint following conclusion of the TAS procedure. Addition of completion of a self-assessment annually, which is published on the abbeyfield.com website, and clarification of the role of the CQC. Addition of the rights of complainants where their care service is funded by the NHS or local authority, and the provision of information about the complaints procedure to prospective residents (in line with CMA consumer law guidance). 	Mary Boothman / Jen Conway	Dec 2020
4.0	Policy reviewed, particularly to align with revisions to the Housing Ombudsman’s Complaint Handling Code (issued March 22). Changes include:	Jen Conway	June 2022

	<ul style="list-style-type: none"> Refining Scope section to include potential exclusions due to insurance claims or Police or regulatory involvement Clarification that any 'expression of dissatisfaction' will be treated as a complaint under this policy. Clarification of what it means for a representative to be formally authorised to make a complaint on a resident's behalf. Update to time limits to state that the Director of Legal and Compliance will make the final decision as to whether a historical issue should be investigated. Removal of Stage 3, appeal to the TAS Board, to become a two-stage process Clarification that the person considering the complaint at Stage 2 will not be the same person that considered the complaint at Stage 1. Addition of timescale for a complainant to escalate a complaint to Stage 2. Addition of the Chair of the Quality Committee as the trustee with lead responsibility for complaints Addition of new service-level complaints procedure Further details on how unacceptable behaviour of complainants will be managed, including addition of a new procedure Minor updates to Addressing a Complaint procedure and accompanying appendices. Removal of section on 'The role of the Designated Person (Housing) 		
5.0	Addition to clarify that the complainant would be advised of the right to take their complaint to the Ombudsman if it is not accepted by Abbeyfield to section 3 (Scope) Removal of ARCO references, clarification of response extension process, renaming Quality Committee to Customer Committee and linking in new Responding to Compliments SOP.	Jen Conway	March 2023
6.0	Removal of the 56-day timescale which was an ARCO requirement. Change of name from TAS to ALS and change to registered address. Removal of references to member Societies	Jen Conway, Quality Manager	Aug 2023
7.0	Update following annual self-assessment, as well as amends to responsibilities.	Jen Conway, Quality Manager	Feb 2024
8.0	Following a Mazars internal audit, an action point was a review of the complaints policy due to a stage 1 complaint taking 22 days over target to complete. The complaint originated as a website negative review. The current policy makes no reference to negative website reviews, such as on carehome.co.uk. The proposed change to the policy addresses this issue.	Justin O'Brien, Resident Engagement Manager	April 2024

<p>1 Background</p>	<p>Abbeyfield is committed to the provision of a high-quality service to residents and others who access our services.</p> <p>We actively encourage complaints and compliments. Feedback – whether positive, negative or neutral – from residents, their friends and family members, and other stakeholders is an opportunity to learn about our strengths and to understand our weaknesses, and is key to ensuring that Abbeyfield is consistently meeting the needs of those using our services.</p> <p>Where an individual is dissatisfied with the level or type of service that they have received from Abbeyfield, it is important that they let us know. Abbeyfield</p>
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	<p>aims to use any complaints received as an opportunity to learn and improve our services.</p> <p>Abbeyfield has adopted the principles outlined in the Housing Ombudsman's Complaint Handling Code within this policy.</p>
<p>2 Objectives</p>	<p>The objectives of this policy are:</p> <ul style="list-style-type: none"> • To set out a consistent approach to handling complaints, compliments and concerns across Abbeyfield • To distinguish between complaints, concerns and compliments and to ensure each is addressed appropriately. • To clarify responsibilities for managing complaints, as well as concerns and compliments, within the organisation • To ensure complaints raised by residents, their representatives or other stakeholders are resolved promptly and fairly. • To enable a consistent organisational record of all centrally received feedback to be maintained. • To ensure that the learning from complaints and other forms of feedback is used to drive service improvements. • To help create a positive culture amongst staff and residents which encourages honest and timely feedback about our services.
<p>3 Scope</p> <p>3.1</p> <p>3.2</p>	<p>This policy is intended for residents, prospective residents, and their representatives, but it applies to any stakeholder, not covered by the exclusions outlined below, who wishes to give a compliment, raise a concern, or make a complaint about an Abbeyfield Living Society (ALS) service, or any other aspect of ALS.</p> <p>There are a number of exclusions from this policy, namely:</p> <p>Complaints about residents</p> <p>From time-to-time, a resident may make a complaint about another resident (e.g. for bullying or harassment), or ALS may receive a complaint from a member of the public regarding a resident's behaviour (e.g. for anti-social behaviour). Complaints about residents as a result of anti-social behaviour are not complaints about Abbeyfield's services and, therefore, are dealt with in accordance with the Addressing Anti-Social Behaviour SOP (R002P 10.1).</p> <p>Complaints and concerns from staff members</p> <p>Where possible employees should raise any concerns with their manager in the first instance to try and resolve matters informally. If this is not appropriate, employees can raise any formal concerns via the Grievance Policy. Where a staff member wishes to raise a whistleblowing concern, i.e. disclose information</p>

<p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p> <p>3.7</p>	<p>which relates to any suspected wrongdoing or dangers in the workplace, they should refer to the Whistleblowing Policy for further information.</p> <p>Complaints, concerns and compliments about Member Societies If a complaint or other feedback is received about a member Society, these will be passed to the relevant Society so they can be dealt with under their own policy.</p> <p>Complaints related to safeguarding If a complaint alerts us to possible abuse or neglect, the Safeguarding Adults or Safeguarding Children policies and associated procedures will be followed. In particular, the relevant local authority safeguarding team will be notified and they will take the lead to ensure appropriate investigations are carried out and outcomes are monitored.</p> <p>Complaints about other organisations Complainants will be informed if their complaint is about something which Abbeyfield is not responsible for (e.g. a complaint related to another organisation involved in an individual's care). In these cases, Abbeyfield will signpost to the complaints procedure of the correct organisation.</p> <p>Complaints and insurance claims In the event of a complaint relating to damage to or loss of property which has also resulted in a claim using Abbeyfield's content insurance, only the aspects of the complaint which are related to the service provided by Abbeyfield will be investigated under the complaints process.</p> <p>In the event of a complaint relating to a personal injury which has resulted in a public liability claim against Abbeyfield, instructions from Abbeyfield's insurers on the action to be taken will be followed. Where the individual who receives a complaint is unsure, advice from the Legal Team should be sought.</p> <p>Complaints involving the Police or external regulator Where the complaint has an external criminal (or other regulatory) element, it may be necessary for the complaints investigation to be paused and / or suspended. Circumstances where this may be necessary include where Abbeyfield is directed to halt further action into a matter by a competent authority (such as the Police), or where, at our discretion it is felt pausing or suspending our investigation is reasonable or beneficial. Any decision to pause or suspend a complaint investigation must be approved by the Customer Operations Director.</p>
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<p>3.8</p>	<p>In rare circumstances, Abbeyfield reserves the right to deal with a complaint differently (outside the normal complaints handling process) if required. A full record of the reasons why the complaint should be addressed differently will be made and the complainant informed accordingly. The complainant will also be informed of their right to take that decision to the relevant Ombudsman, as applicable.</p> <p>If there is doubt about how a matter should be addressed, the Customer Operations Director will make the final decision.</p>
<p>4 Policy 4.1</p>	<p>Definition of a Complaint</p> <p>In accordance with the Housing Ombudsman’s Complaint Handling Code, the term ‘complaint’ is defined here as:</p> <p><i>“an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.”</i></p> <p>Abbeyfield recognises that the word complaint does not have to be used in order for it to be treated as such. While this policy is aimed at residents or their representatives, the above definition is extended to cover an expression of dissatisfaction from any stakeholder affected by the standard of service, actions or lack of action from the Abbeyfield Living Society or those working for us.</p> <p>The expression of dissatisfaction may be as a result of when Abbeyfield (or someone working on our behalf):</p> <ul style="list-style-type: none"> • did something wrong • did something that should not have been done • failed to do something that should have been done • treated someone unfairly • failed to deliver what was promised. <p>Aside from the Exclusions given under ‘Scope’, Abbeyfield will treat any ‘expression of dissatisfaction’ as a complaint under this policy to ensure the identified issue is investigated and responded to appropriately. Where necessary, we will ensure individuals are aware that complaints are viewed positively and are welcomed by the organisation as an opportunity to improve.</p> <p>In line with the above definition, it is important to recognise that a request for a service is not a complaint. A distinction must be made between a service request from a resident (e.g. reporting a repair or an incident of anti-social behaviour) and dissatisfaction with the service received (e.g. complaining that a repair has</p>

<p>4.2</p>	<p>not been carried out even though it has been reported, or complaining that Abbeyfield has failed to deal adequately with anti-social behaviour reports). A service request may precede a formal complaint if appropriate action is not taken to resolve the issue for residents as early as possible. A complaint will be raised when the resident raises dissatisfaction with the response to their service request.</p> <p>Definition of a Concern</p> <p>While a complaint is an expression of dissatisfaction about something that has or has not happened, a concern is an expression of anxiety about something which <u>might</u> happen. A concern may be defined as “<i>an expression of worry or doubt over an issue considered to be important for which reassurances are sought</i>”. Whereas a complaint is more likely to be from an individual receiving our services, or their representative, as a result of dissatisfaction with the services they have received, a concern may be from any stakeholder, including a member of the public.</p>
<p>4.3</p>	<p>Definition of a Compliment</p> <p>A compliment can be defined as “<i>an expression of praise or admiration.</i>”</p>
<p>4.4</p>	<p>Making a Complaint</p> <p>Abbeyfield aims to make it easy for residents, and other stakeholders to make a complaint, by offering different channels through which a complaint can be made and by ensuring the procedure for making a complaint is known (including providing a copy of our complaints procedure to all prospective residents, and displaying information prominently in our services and on the abbeyfield.com website).</p> <p>Where a resident, or their representative, is dissatisfied with any aspect of the service provided by Abbeyfield, the first course of action should be to raise the problem directly with the relevant manager or individual concerned. All staff members are expected to seek to resolve any issue causing dissatisfaction immediately. In many cases, the issue causing dissatisfaction will be resolved and no further action will be required. See Addressing a Service-Level Complaint SOP (LG006P 10.2).</p> <p>However, where the issue cannot be raised or resolved locally, or the local response is deemed unsatisfactory, a formal complaint can be made using the procedure below.</p> <p>Residents and other stakeholders can complain:</p> <ul style="list-style-type: none"> • by email: by sending the complaint to complaints@abbeyfield.com, which is managed by the Complaints Officer.

- by telephone: 01727 857536
- by post, addressed to:
 Complaints Officer
 Abbeyfield
 Hampton House
 17-19 Hampton Lane
 Solihull
 West Midlands
 B91 2QT
- through an advocate or representative, who may use any of the channels outlined above. We will co-operate with anyone formally authorised to act on behalf of a complainant. By formally authorised, this normally means the resident has provided their written consent.

Complaints can also be made in person, by raising the issue with any staff member who is then responsible for providing support to the individual to make a formal complaint using any of the above options.

When making a complaint, complainants are asked to provide details of what went wrong, how they would like us to resolve the matter, and their contact information so a full response can be provided.

Where a complaint is received by telephone, Abbeyfield will make a written record of the complaint.

It is recognised that many residents and other stakeholders may choose to engage with Abbeyfield through our public social media channels, such as Facebook & 'X' along with online review platforms such as carehome.co.uk, google & TrustPilot.

Where a complaint is raised through these channels, the team who manage these channels, will provide an acknowledgment (if contact information has been provided) and pass the complaint to the Complaints Officer to be addressed through our complaint handling procedure. Where contact information is not provided, a response will be provided by the team inviting the complainant to reach out to Abbeyfield directly by email or telephone and these details will be provided by the Digital team.

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Where an expression of dissatisfaction is made publicly through these channels, confidentiality cannot be protected and, in some cases, the

<p>4.6</p> <p>4.7</p> <p>4.8</p> <p>4.9</p>	<p><i>feedback will need to be addressed as a ‘concern’ (see 4.19) as it will not always be possible to provide responses to the individual through these channels.</i></p> <p>Reasonable adjustments If the individual has difficulty in making a complaint using one of the options listed above, Abbeyfield will make all reasonable adjustments necessary to enable them to raise their complaint. All complainants will be treated in line with our Equality, Diversity and Inclusion Policy (LG016P).</p> <p>Anonymous complaints Abbeyfield welcomes feedback through a wide range of formats. Therefore, anonymous complaints will be investigated under the same procedure, but it will not be possible to provide an outcome letter to the complainant. Therefore, it is better where contact details are provided so that Abbeyfield can inform the complainant of the outcome of our investigation.</p> <p>Confidentiality All complaints are treated confidentially and in accordance with the requirements of data protection legislation. Information will only be shared with staff as necessary to the investigation.</p> <p>Time limits Complaints should be made as soon as they can after the date on which the issue giving rise to the complaint occurred or came to the complainant’s notice, and ideally no more than 12 months after that date. However, it may not be appropriate to exclude any complaints that concern safeguarding or health and safety issues. Any decision about whether to deal with a historical issue will be made by the Customer Operations Director.</p> <p>Handling Complaints In line with the Housing Ombudsman’s Complaint Handling Code, there are two stages to our internal complaints process. Abbeyfield aims to resolve the complaint at the earliest stage possible. The full procedure is detailed in the Addressing a Complaint SOP (LG006P 10.1).</p> <p>The principles of Abbeyfield’s complaints procedures are:</p> <ul style="list-style-type: none"> • Every complaint will be acknowledged in a standard and timely way. • Where there is uncertainty about any of the issues raised in the complaint, clarity will be sought from the complainant.
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<p>4.10</p>	<ul style="list-style-type: none"> • All complaints will be investigated by a staff member who is not directly implicated and has enough seniority and experience to deal with the issues raised by the complaint. The investigation is termed as ‘Stage 1’. • The name of the person dealing with the complaint (known as the ‘Investigating Officer’) will be provided to the complainant as early as possible. • The complainant will be kept informed of any delays to the expected completion date of the investigation. • Where additional complaints are raised during the investigation, these will be incorporated if the Stage 1 response has not been issued. Where the Stage 1 response has been issued, or it would unreasonably delay the response, the complaint will be logged as a new complaint. • Once the Stage 1 investigation has concluded, the findings will be communicated to the complainant, alongside any action taken and our proposals to resolve the complaint. • Details of how to escalate the complaint if the complainant remains dissatisfied will be provided. Complainants are not required to put their request to escalate their complaint to the next stage of the process in writing but will need to inform Abbeyfield if they remain dissatisfied and the reason(s) why. • If escalated, the complaint and its Stage 1 investigation will be subject to a full review by a Director (‘Stage 2’). The person considering the complaint at Stage 2 will not be the same person that considered the complaint at Stage 1. • Requests to escalate should be received within three months of the date of the previous response and will be subject to the same exclusions outlined under ‘Scope’. In the event that an escalation is received after three months, a decision will be taken by the Customer Operations Director. • Where the investigation (Stage 1) or subsequent review (Stage 2) identifies that Abbeyfield has failed to deliver a service to the expected standard, or that our complaint handling procedure has been inadequate, we will seek to redress the issues and apologise, when appropriate. • Details of the appropriate Ombudsman and their rights to refer a complaint to them, where applicable, will be provided to the complainant throughout the process. • Where care is funded by the NHS or local authority, the complainant will be informed that complaints may be made to the funder for them to investigate. • Following the conclusion of the complaint, the complainant will be asked for feedback on their satisfaction with the complaints handling process.
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<p>4.11</p>	<ul style="list-style-type: none"> • All complaints received and subsequently investigated will be recorded fully in the Complaints Log and a copy of relevant documentation kept. • Information related to complaints will be used to drive further service improvements. <p>Timescales</p> <p>It is our policy that all complaints are managed within the following timescales:</p> <ul style="list-style-type: none"> • Written acknowledgement within two working days of receipt of the complaint • Stage 1 decision - a full written response will be provided within 10 working days of the acknowledgement, or, if this is not possible, we will inform the complainant of the new response time, which will only exceed a further 10 working days with their agreement. If agreement cannot be reached, the relevant Ombudsman's details will be provided. • Stage 2 decision – a full written response will be provided within 15 working days from the request to escalate, or, if this is not possible, we will inform the complainant of the new response time, which will only exceed a further 10 working days with their agreement. If agreement cannot be reached, the relevant Ombudsman's details will be provided. <p>The Ombudsman Service</p> <p>Where applicable, Abbeyfield will inform complainants of their right to seek independent redress, through an Ombudsman scheme, should they remain dissatisfied with the outcome of our organisational complaints handling process. Details will be provided in the Complaints leaflet, and all communications with applicable complainants.</p>
<p>4.12</p>	<p>If the complainant is a tenant, leaseholder, or housing applicant, they can refer the complaint to the Housing Ombudsman Service.</p> <p>Where a complaint relates to a care service, the complainant can access the Local Government and Social Care Ombudsman (LGSCO).</p>
<p>4.13</p>	<p>Abbeyfield will co-operate with the relevant Ombudsman during any investigation and comply fully with the resulting final decision, which will be binding on Abbeyfield.</p> <p>The role of the Care Quality Commission (Care)</p> <p>A complainant making a complaint about a registered care service can also raise concerns directly with the Care Quality Commission (CQC). While the CQC does not have legal powers to investigate complaints from individuals</p>

<p>4.14</p>	<p>about care providers, they welcome information about services and use this information to inform their inspections.</p> <p>Putting things right Where a complaint identifies that Abbeyfield has failed to deliver a service to the expected standard, we will seek to resolve the complaint and to 'put things right'.</p> <p>The redress offered will reflect the extent of any failure in the service provided and the subsequent impact on the complainant as a result. Where fault is identified, Abbeyfield will apologise and take corrective action, including, where appropriate, making a compensation payment. Any identified failures related to our registered care services will be addressed in line with Abbeyfield's statutory duty of candour.</p> <p>Managing complainants' expectations and behaviour Abbeyfield will investigate complaints in an independent, impartial and fair way. However, in the event that a complainant's desired outcome is unreasonable or unrealistic, Abbeyfield will seek to explain the reasoning to the individual at the outset, while continuing with a full investigation of the issues.</p> <p>Abbeyfield believes that all complainants have a right to be heard, understood and respected and we will treat all complaints in the same way. If a complaint is accompanied by inappropriate behaviour (e.g. aggressive or abusive) from the complainant, Abbeyfield will seek to manage this behaviour separately in line with our Managing Unacceptable Complainant Behaviour SOP (LG006P 10.3). Actions to manage a complainant's behaviour may include warning the individual about their behaviour and requesting modifications, appointing a specific point of contact, or communicating only in writing. Any restrictions due to unacceptable behaviour will be agreed with the Customer Operations Director, be proportionate and in line with the Equality Act 2010.</p> <p>Where a complainant continues to pursue a case after having exhausted our internal complaints procedure and without presenting any new information, Abbeyfield will inform the individual that the complaint will not be investigated further and advise that they take the issue to the Ombudsman, as appropriate.</p> <p>Responsibilities The Chief Executive has overall responsibility for all complaints received at the organisation, delegated to the Customer Operations Director. The central complaints process is administered through the Complaints Officer, who has</p>
<p>4.15</p>	<p>4.16</p>

	<p>delegated responsibility from the Customer Operations Director. The Complaints Officer is the Customer Quality Manager.</p> <p>The Complaints Officer will direct all complaints received to the appropriate manager for investigation. Each manager is responsible for addressing complaints within their area of responsibility, unless there is a conflict of interest in which case another senior manager would investigate the issues raised.</p> <p>The Chair of the Abbeyfield Living Society’s Board’s Customer Committee is the trustee with lead responsibility for complaints within the organisation.</p> <p>Continuous learning and improvement</p> <p>Where a complaint investigation uncovers significant findings, Abbeyfield will undertake a review in line with our Learning Lessons policy (LG045P). The findings of lessons learnt exercises from complaints will be shared with the Corporate Health, Safety & Quality Committee and the Board, via the Customer Committee.</p> <p>Regular reports on the volume, category and outcome of complaints, as well as complainant satisfaction and compliance with set timeframes, will be provided to the Corporate Health, Safety & Quality Committee and the Board, via the Customer Committee. The Chair of the Customer Committee, who has lead responsibility for complaints, will decide what data is required by the Customer Committee to provide insight on Abbeyfield’s complaint handling performance.</p> <p>On an annual basis, the Complaints Officer will review the organisation’s complaints handling procedures in conjunction with the trustee with lead responsibility, and publish the results of the self-assessment to the Customer Committee, circulate to houses for display on noticeboards and place on Abbeyfield’s website. Data related to complaints will also be published in the organisation’s Annual Report.</p>
<p>4.17</p>	<p>Administering Concerns</p> <p>It is Abbeyfield’s policy that all concerns raised by residents, their representatives, or other stakeholders will be logged and acknowledged. Unless the concern was received anonymously, the individual will be thanked for bringing the issue to Abbeyfield’s attention.</p> <p>The Complaints Officer will then forward the concern onto the appropriate manager to enable a full investigation into the matters raised to be undertaken. There will be no further communication with the individual who raised the concern, unless specific circumstances require it.</p>

	If a concern alerts us to possible abuse or neglect, the procedure outlined in our Safeguarding Adults or Safeguarding Children policies will be followed. In particular, the relevant local authority safeguarding team will be notified and they will take the lead to ensure appropriate investigations are carried out and outcomes are monitored.
4.18	Administering Compliments It is Abbeyfield's policy that all compliments received by staff from residents, their representatives, or other stakeholders should be acknowledged and recorded. See Responding to Compliments SOP (LG006P 10.4) .
5 Finance, Value for Money & Social Value	Ensuring a comprehensive and effective complaints procedure is part of Abbeyfield's role in delivering social value. A failure to effectively manage complaints, and address the issues underlying them, will negatively impact Abbeyfield's finances.
6 Linked Policies	Anti-Social Behaviour (R002P) Compensation and Goodwill Payments (R004P) Disciplinary (S008P) Duty of Candour (DC033P) Equality, Diversity and Inclusion (LG016P) Grievance (S014P) Learning Lessons (LG045P) Safeguarding Adults (LG031P) Safeguarding Children (LG043P) Whistleblowing (LG038P)
7 Relevant Legislation / Regulation	The Regulatory Framework for Social Housing (England) Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 16 Consumer Standard: Tenant Involvement and Empowerment
8 Guidance	Housing Ombudsman's Complaint Handling Code (March 2022) Local Government and Social Care Ombudsman resources, including single complaints statement and good practice guide (July 2018) Housing Ombudsman's Unacceptable User Action Policy (August 2019)
9 Review	Every 3 years, subject to any regulatory or legislative updates.
10 Procedure(s)	
10.1	Addressing a Complaint
10.2	Addressing a Service-Level Complaint

10.3	<u>Managing Unacceptable Complainant Behaviour</u>
10.4	<u>Responding to Compliments</u>