

SCHEDULE 5

Complaints Procedure

Where Adult & Community Services has arranged for an external care provider to provide a care service, the person using the service has the right to use the Adult & Community Services complaints procedure or the one provided by the provider; plus if a comment, compliment or complaint is about a care home or a domiciliary agency, the service user can also contact the Care Quality Commission, formerly The Commission for Social Care Inspection. This information must be contained in the Providers Complaints Policy along with the contact details for the local Council office/s and The Care Quality Commission.

The Providers Complaints Policy / guidance must also give details on how the complaint will be managed and indicative timescales. The Complainant must be informed of how the complaint is being progressed.

It is the Council's expectation that the Provider will deal with complaints about their services using their complaints process; if the complaint is not resolved to the service user's satisfaction he/she can request that the complaint is then investigated within the Adult & Community Services formal process.

The learning and outcomes from complaints should be reflected in the organisations Annual Quality Assurance Report as actions taken to develop and improve the service.

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

In 2006, the Government began a consultation, called Making Experiences Count, on how to improve the way complaints are handled in NHS organisations and Local Authority Adult Social Care Services. The aim was to make complaints processes more friendly, more personal and more safe.

The underlying principle of the consultation was that the two separate systems within Health and Adult Care would be combined into one unified process, with much more flexibility to respond to people's complaints in a wide range of different ways.

The resulting changes to the law about how complaints will be handled are called the

The new regulations take effect from 1st April 2009.

The main features are:

- 1 Local organisations will be able to develop more flexible and responsive complaints handling systems that:
 - ◆ focus on the specific needs of the complainant
 - ◆ seek to reach speedy local resolution
 - ◆ facilitate co-ordinated handling of cross-boundary complaints
- 2 The 3-stage complaints procedure is replaced by a single local resolution stage of 6 months, to allow the agency / agencies good time to resolve the complaint. After this the

complaint may be referred to the Local Government Ombudsman.

- 3 Introduction of a statutory 3 working days timescale for written acknowledgement of the complaint.
- 4 When the complaint is acknowledged, offer the complainant the opportunity to discuss the complaint and how it might be handled.
- 5 There is an expectation that the customer or the person acting on their behalf, will have the opportunity to be much more involved in planning how the complaint will be handled, and will be kept informed of progress.
- 6 There will be more emphasis on the organisational learning from complaints that should take place, to make sure people's experiences help to improve services, where appropriate and necessary.
- 7 If the complaint involves two or more organisations, the person complaining should receive a co-ordinated response.

Data Protection

Sometimes Suffolk County Council will have to share information with other organisations or people outside Suffolk County Council so that a complaint can be investigated fully. The Service User will be asked before any information is shared.

For further information please go to the Suffolk County Council Website under Care and Health Customer Rights, Comments Complaints Compliments.

Customer Rights Team
Endeavour House, Russell Road, Ipswich, Suffolk, IP1 2BX.
Telephone: 01473 260711
Fax: 01473 216843
Email: customerrights@socserv.suffolkcc.gov.uk

This Schedule will be subject to review and updating as necessary due to the implementation of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.