



Complaints Policy and Procedure

Controlled Document

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Target Audience	All Open Road employees, volunteers, service users and third parties

Purpose

Open Road is committed to providing a high quality service to everyone we deal with. In order to do this we need to respect any comments or feedback we receive about our service, and also act on any negative feedback or comments we receive. We want to assist the complainant to resolve their complaint as quickly and as practicable as possible.

We listen to our complaints, treat them seriously, and learn from them so that we can continuously improve our service and therefore will respond in an effective and timely manner.

Open Road operates procedures which comply with the statutory framework for dealing with complaints set out in the Local Authority Social Service and National Health Service Complaints (England) Regulations 2009

What is a complaint?

A complaint is an expression of dissatisfaction, whether justified or not.

Our policy covers complaints about:

- The standard of the service we provide.
- The behaviour of our staff or volunteers.
- Any action or lack of action by staff or volunteers affecting an individual or group.

What our complaints policy does not cover

Matters that have already been fully investigated through this complaints procedure.

Who can make a complaint?

Complaints can be made by:

- Those who are or who have received services.
- Someone who is affected (or likely to be effected) by the action, omission or decision by an Open Road service.
- A representative of either of these, under certain conditions.

The complaint may be made by a representative of a current or ex-service user where:

- The current or ex-service user is a child or young person.
- There is documented evidence that the person receiving the service has given consent to the complaint either verbally or in writing.
- The person receiving the service is unable to complain without assistance and cannot give consent because they lack capacity within the meaning of the Mental Capacity Act 2005 and the representative is acting on the best interest of the service user.

Best interest means that the matter complained about, if true, would be detrimental to the service user.

This policy does not cover employees or volunteers wishing to make a complaint relating to their employment or volunteer role. In this instance employees and volunteers should speak to their line manager, HR or use Open Roads Grievance Procedure [HR012].

How to make a complaint

You can make a complaint to the addresses listed at the end of this document in a number of ways:

- By telephone
- By email
- In writing
- By fax

Whether it is an informal or formal complaint, it will help us to resolve a complaint quickly if you can give us as much clear detail as possible, including copies of any relevant documents and/or correspondence and stating that he/she is making a complaint in line with our procedure.

A complaint can be made up to 12 months after:

- The date the event occurred.
- The date the event came to the notice of the person making the complaint.

Accessibility

Open Road is committed to equal opportunities and our aim is to make our complaints policy easy to use and accessible to all of our clients. We have a Complaint Leaflet [CCPF001] available to simplify the process. Staff will provide information on the complaints procedure for anyone wishing to make a complaint.

Our standards for handling complaints

- We treat all complaints seriously, whether they are made by telephone, letter, fax, or email.
- We also treat anonymous complaints very seriously.
- You will be treated with courtesy and fairness at all times. We would hope too, that you will be courteous and fair in the dealings with our staff and volunteers at all times.
- We will treat any complaint in confidence as far as we possibly can.
- We will deal with any complaint promptly and will advise of the time scale in which you can expect to receive a response.

Informal/verbal complaints

Complaints should be made in the first instance to the Open Road centre responsible for the action or inaction which has led to the complaint.

Informal complaints need not to be in writing, and will be dealt with locally wherever possible. The complaint will be logged and the person making the complaint will receive a copy of the logged complaint within 3 working days.

If a client or member of the public has a complaint against an individual staff member or a group of staff at Open Road (i.e. an employee, volunteer or an individual member of the Management Team), that employee (or a representative of the group of staff) will attempt to discuss and resolve the complaint with that client or member of the public. If this fails to resolve the problem, or if you do not wish to discuss the matter locally, then the complaint should be raised with a member of the Senior Management Team, who will attempt to resolve the matter informally wherever possible.

Formal/written complaints

If the complaint is not dealt with to the satisfaction of the client or a member of the public within fourteen working days through the Informal Complaints procedure, then the matter can be formally raised in writing to either the Service Manager or Senior Management Team, stating the nature of the complaint.

Written complaints should include the following:-

- (a) who or what you are complaining about.
- (b) name of person(s) concerned.
- (c) date(s) of the event(s).
- (d) brief description of the event(s).
- (e) your expectation from the complaint e.g. apology or explanation.

The person making the complaint will receive acknowledgment of the complaint being made within three working days and kept updated in the progress of the investigation.

The complaint will be investigated as soon as possible, and written feedback will be given to the person making the complaint within 20 working days. In some circumstances additional time may be needed to investigate fully. This will be negotiated with the person making the complaint.

The investigating office will usually be a service manager or member of the Senior Management Team.

Any complaint which may ultimately involve the necessity of disciplinary action against an employee or volunteer will be thoroughly investigated and dealt with under our Disciplinary Policy [HR009].

Confidentiality

All complaints received will be dealt with confidentially and in accordance with the requirements of the Data Protection Act 1998. However there may be instances when we have a professional duty to advise other third parties of the complaint or any outcomes from it. Examples include where someone is at risk of abuse or a crime has been committed. We will discuss with you any further action that we may need to take as a result.

If you remain dissatisfied

If you are still not satisfied with the outcome of your complaint then you have the right to ask that it be reconsidered by the CEO or Chair of the Trustees. An appeal must be made in writing to the CEO or Chair of the Trustees within 5 working days receiving the written outcome.

A full review of the facts will be carried out and you will be informed of the decision in writing within 5 working days of the meeting.

If you are still dissatisfied with the outcome of the appeal, then you have the right to refer the complaint to the local authority which commission's the service. Each local authority has a complaints procedure, explained on their website. Open Road will support you to access this information if required.

If the local authority is unable to resolve the complaint, then you can take your complaint to the local Government Ombudsman (LGO). The LGO provides a free, independent service and can be contacted by:

Phone: 0300 061 0614
Email: advice@lgo.org.uk
Website: www.lgo.org.uk
Post: PO Box 4771, Coventry CV4 0EH

Remedies

When we get things wrong we will act to:

- a. Accept responsibility.
- b. Explain what went wrong and why.
- c. Put things right by making any changes required.

The action we take to put matters right in response to a complaint can include any combination of the remedies set out below.

The remedy chosen needs to be proportionate and appropriate to the failure in service, and take into account what people are looking for when they complain. An apology is normally appropriate, but other action may also be necessary.

- A sincere and meaningful apology, explaining what happened and or what went wrong.
- Remedial action, which may include reviewing or changing a decision on the service given to you.
- Provide service desired by you, immediately, if appropriate.
- Putting things right; for example change of procedures or prevent future incidents of a similar kind, either for you or others.
- Training or supervising staff; or any combination of these.

Recording complaints

We will record all complaints we receive so that we can monitor and review the types of issues, determine the best way to resolve them and how long we are taking to do this. This also helps us to consider any necessary actions and improvements for improving our service delivery.

Comments and compliments

Quality of service is an important measure of the effectiveness of our service delivery. Therefore we believe that learning from complaints is a powerful way of helping to develop Open Road and increase trust among the people who use our services. As well as learning from complaints we are also interested in other ideas you may have on how we might do things better. We would also like clients or members of the public to tell us when we do things well.

You can make your comments and compliments by telephoning or writing to any members of our staff, or you can email us. We will use your comments and feedback to help improve our service and the way we do things.

Contacting us:

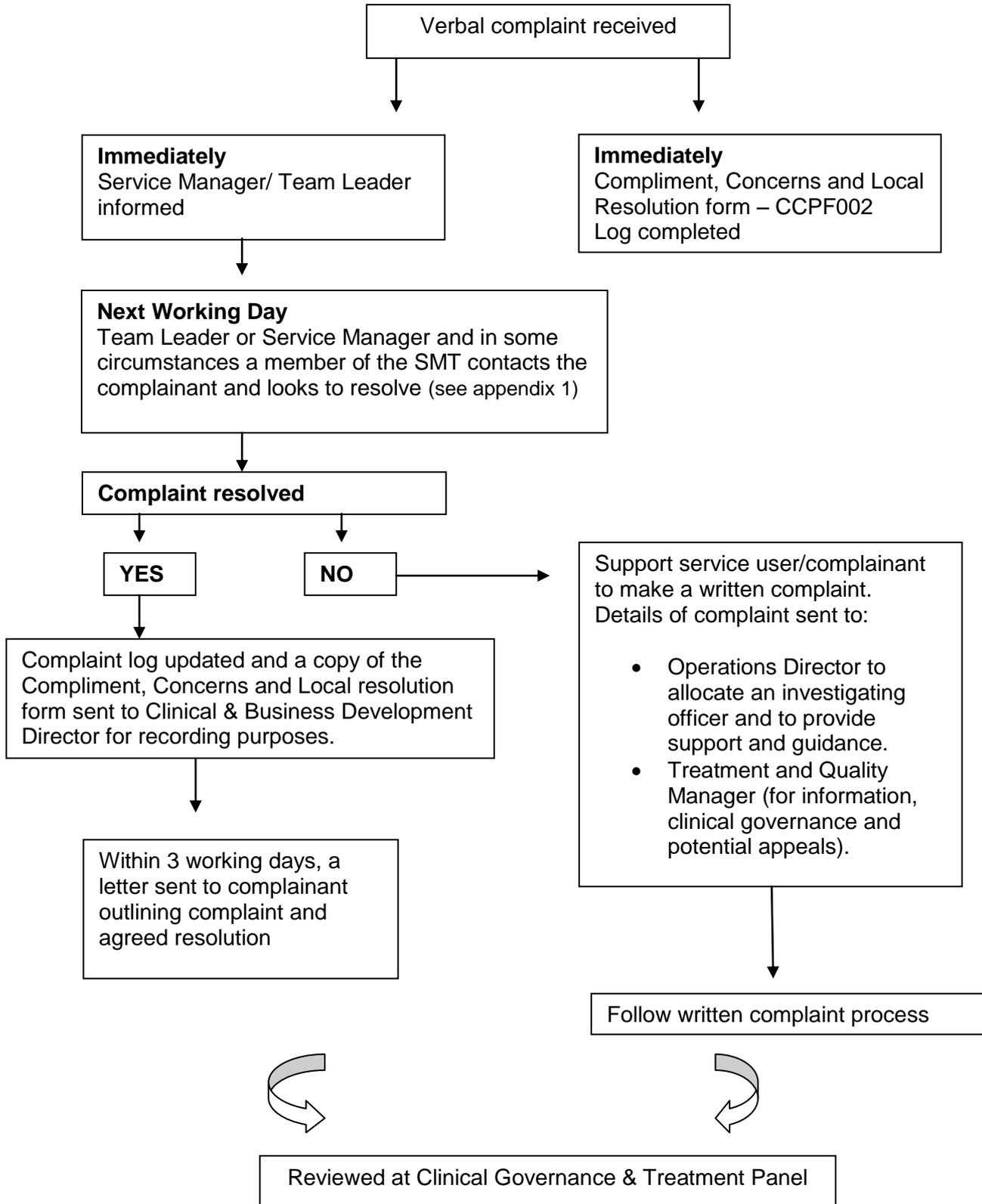
Please find below contact details for our Head Office. For contact details for each of our centres across Essex, please visit www.openroad.org.uk

Head Office
12 North Hill
Colchester
Essex, CO1 1DZ
☎ 01206 369782

✉ info@openroad.org.uk

Internal Guidance

Informal / Verbal complaints process



Formal / Written complaints process

