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# Complaints guidance

March 2021

### **Why your complaints policy is so important**

If we make a mistake, it’s important that we work quickly to put things right and learn from what has happened. Whether someone gives you a comment, a suggestion, feedback or makes a formal complaint about the work of Healthwatch, it provides a valuable opportunity to identify issues and to improve our work.

Having a clear complaints policy and process can help you:

* Create a positive experience by welcoming feedback and making it easy for people to raise concerns or make a complaint.
* Provide an appropriate, compassionate and timely resolution for all parties.
* Promote a positive organisational culture of learning and improvement.
* Give staff the confidence and freedom to offer fair remedies to put things right when needed, and to act to make sure any learning is identified and acted on to improve services.

# Who is the policy for? Any individual or organisation who is dissatisfied with any aspect of your service. You will have separate local guidance for complaints about other services and Healthwatch England provides guidance here: <https://www.healthwatch.co.uk/help-making-complaint>.

# What does this mean for your local Healthwatch?

It is important that if we make a mistake, we work quickly to put things right and learn from what has happened. We know from our work with the public what people expect when it comes to making a complaint. Your team should be empowered to provide:

* **Encouragement and reassurance:** Individuals should feel encouraged to give feedback and be provided with the information they need to do so. They should receive reassurance that if they need to make a complaint, the service they get from Healthwatch will not be affected.
* **Respect and involvement**: Individuals should feel listened to, respected, and involved throughout the process of making a complaint. They should be provided with the right support to make their complaint where appropriate.
* **A simple process with well trained staff:** The complaints process should be clear and easy to find. Staff should have the skills to listen and understand feedback and deal with it in an open and transparent way.
* **Assurance that all feedback is taken seriously, and changes made where needed:** Feedback should be taken seriously, and individuals who complain should receive an explanation of the steps Healthwatch will take to address the problem. It should also be made clear how Healthwatch uses people’s feedback to improve support.
* **Clear information on what to do if the individual or organisation is not happy with the outcome:** If an individual is unhappy with the result of their complaint, they should be given clear information about how to contact the local council or the Local Government Ombudsman.

Remember your Regional Managers are there to support you and you can approach them at any part of the process for assistance, particularly if you think that the complaint is likely to remain unresolved at team level and / or affect the reputation of Healthwatch (and potentially the trademark licence terms) and result in involvement with the Local Authority.

# Vexatious and malicious complaints

A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.

A malicious complaint is one that is made with the intention of causing harm

Even if someone has made a vexatious or malicious complaint in the past, it must not be assumed that any other complaint they make will also be vexatious or malicious. Each case must be considered on its merits, be investigated and evidence based, as appropriate in line with your agreed policy.

**How do I ensure our policy is relevant, regularly used and protects our brand and reputation?**

Your complaints policy and procedures should be published on your website, to make it accessible to any member of the public or organisation you work with to make a complaint if they need to. Consider the need for accessible formats such as Easy Read, and translation into other languages.

Your board will keep up to date as your policy and procedures should be reviewed on a regular basis by them and noted in board minutes; it is good practice to undertake reviews on no more than a three year review cycle.

All staff and volunteers should be aware of and understand the complaints process within your team. These are the people most likely to receive the complaint in the first instance, and it is important that they know what action to take. Ensure that as part of their induction, staff and volunteers become familiar with your complaints process, and encourage them to read the policy and procedures to refresh their knowledge on a regular basis, at a minimum following review by your Board.

**Do I have to use the template policy and procedures document?**

The important thing is you have a complaints policy that is accessible to all on your website. The key areas it should cover are:

1. Everyone who uses your service knows how to complain – for example the process is freely available and accessible on your website and on any leaflets you may have.
2. The process is easy to follow, and each stage is clear.
3. There are mechanisms in your process to keep the complainant informed of progress, demonstrate it is being taken seriously and you are working towards a resolution.
4. Always let the complainant know the outcome of their complaint – let them know they made a difference and their interaction with you was worthwhile.
5. Leave them feeling they would speak up again in the future – by handling their complaint fairly and demonstrating services were improved as a result of their involvement.

**How does this fit in to the Quality Framework?**

The Healthwatch Quality Framework sets out the key ingredients for running an effective Healthwatch. As part of your leadership responsibilities, handling complaints is covered within the **Leadership and Decision Making** domain.

**How does this fit in with our commitment to Equality, Diversity and Inclusion?**

Equality, diversity and inclusion should cut across all activity of Healthwatch and those involved in carrying out that activity. Handling complaints gives you the opportunity to help you monitor and demonstrate that you do not disproportionately affect people with protected characteristics or create or perpetuate inequality.

All feedback is important to ensure you are not discriminating or excluding any individual in your team or potential member of your team and are acting in an inclusive manner.