

Making a complaint

Our complaints policy and procedure

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Introduction

We want people to be able to express their comments, suggestions and complaints about the performance of Healthwatch England in all areas of our work including the discharge of our legal duties and responsibilities.

We embrace feedback, from people using services, carers and relatives, local Healthwatch, private and voluntary organisations, statutory agencies, providers and the public. Complaints as feedback can act as an early indicator that a system is not working effectively, and analysing these trends can provide valuable insight and act as a driver for change.

The aim of our complaints procedure is to:

- Provide an appropriate, compassionate and timely resolution for all parties
- Promote a learning culture when things go wrong
- Drive improvements to the way we deliver our functions
- Uphold the principles of our values and behaviours
- Promote a positive culture and contribute to our overall effectiveness as a high performing organisation.

We will give full, fair, timely and appropriate responses to those who complain or give us other feedback. Healthwatch England will also try to find solutions to the issues that have given rise to the complaint and consider any new learning or insights about how to perform and deliver our responsibilities more effectively.

What is a corporate complaint?

A complaint is an expression of dissatisfaction regarding our actions, lack of action, or the standard of service provided, by us, or on our behalf. For example, this could be about the way in which we have dealt with a situation, the performance or conduct of staff, or how we apply our processes.

Who can complain to Healthwatch England?

Anyone directly affected by the way in which we have carried out our functions, or anyone acting directly on such a person's behalf (such as a carer or relative) may make a corporate complaint under this policy. A local Healthwatch may also make a complaint to Healthwatch England on its' performance or processes.

Complaints to Healthwatch England will be managed by the Strategy, Planning and Performance Manager and should be sent to complaints@healthwatch.co.uk.

What types of complaints will be considered?

Each complaint received by Healthwatch England will be carefully reviewed to see if it falls within the parameters of the complaints procedure.

Any complaint that falls outside the parameters will be signposted to the correct organisation that is best placed to handle the complaint.

The following are the types of complaints about Healthwatch England that may fall within the scope of the procedure:

- Administrative errors (including mistakes, delays)
- Unprofessional behaviour
- Failure to comply with standards
- Failure to follow proper procedures

Can we look into the issue?

There will be occasions where the issues raised cannot be considered under the complaints procedure. Where this is the case the Strategy, Planning and Performance Manager will explain why this is, along with who to contact.

Healthwatch England will ensure that the handover of the complaint to another team or organisation is handled seamlessly.

The following are the types of issues which **will not** fall under the scope of the procedure:

- Complaints about providers of health and social care. These will be referred directly to local Healthwatch who are best placed to gather information about service providers.
- Complaints about the action or inaction of the Government, Department of Health, NHS bodies, local councils and partnership organisations
- Complaints about local Healthwatch. These will be referred to the local Healthwatch or in some instances the council which commissions the local Healthwatch. However, complaints/feedback about local Healthwatch will still be of interest to Healthwatch England and inform the support provided to local Healthwatch.
- Complaints about employment (from Healthwatch England employees or former employees). These will be referred to our HR team.
- Concerns connected with contractual or commercial disputes involving Healthwatch England. These will be referred to Legal or Finance Commercial and Infrastructure Partners.

We will not consider any complaints where an investigation would not serve any useful purpose, or where to do so would not be an appropriate use of the complaints procedure having regard for the proper use of public funds.

Anonymous complaints will be carefully reviewed by Healthwatch England and the National Director will make a decision on what action to take.

We **will not** investigate complaints that we reasonably consider would be more appropriately dealt with by a referral to the:

- The Care Quality Commission
- Information Commissioner
- Parliamentary and Health Service Ombudsman
- Local Government Ombudsman
- Relevant professional body or association
- Tribunal or other legal process
- Local Healthwatch

Where a matter is being dealt with through another process in Healthwatch England, CQC or that of an external body, all issues raised will be dealt with as part of that process and not under the complaints procedure.

The complaints process

We expect in the first instance that all concerns about Healthwatch England will be addressed as soon as they arise. Healthwatch England will contact customer within seven days to identify and agree a satisfactory outcome and set an agreed timescale for the action to be completed. This process is also known as our First Line Resolution.

Investigation of complaints

We recognise that not all issues can be resolved quickly or informally and in some cases an investigation may be required. In this case the

Strategy, Planning and Performance Manager will liaise with the Head of function in the business areas about which a complaint is made in order to initiate an investigation

The Head of function, within that business area, will be responsible for investigating the complaint, unless the complaints impacts on them or is about a member of staff's conduct or behaviour, in which case the Healthwatch England National Director will agree the most appropriate investigator to assign to that complaint.

Where a complaint relates to an individual committee member, or to the National Director, then the Chair of Healthwatch England will be responsible for investigating the complaint. If the complaint relates to the Chair of Healthwatch England and then a member of the committee will be assigned as the investigator.

The Strategy, Planning and Performance Manager will act as the coordinating person to check if the CQC National Complaints Team have received a duplicate complaint and liaise with the CQC National Complaints Team if joint activity is needed.

Suspending or pausing the complaints process

In the following circumstances, the complaints procedure may be suspended, either because the law requires it, or it is in the interests of all concerned to allow another process or investigation to run its course before taking action under our complaints process.

Some examples include:

- Healthwatch England employees' disciplinary action
- A criminal or fraud investigation
- A child or adult protection investigation

The final decision to suspend the complaints sits with the Healthwatch England National Director.

In addition, where further information is needed, it may be paused until the information required has been received.

During the pause, if necessary, the Strategy, Planning and Performance Manager will contact the customer twice to ask them for the necessary information. If it is not received within the specified deadline, the complaint will be closed and the customer informed. Consideration will

be given in exceptional circumstances, dependent on the reason for the delay, to re-opening the case if the required information is produced.

Complaints received about Healthwatch England by the CQC

If the CQC National Complaints Team receive a complaint about Healthwatch England this will be passed to Strategy, Planning and Performance Manager to be dealt with under the Healthwatch England arrangements for the handling of complaints.

Learning from complaints

The Healthwatch England Executive Team will receive regular reports from the Strategy, Planning and Performance Manager, which will incorporate information on the progress in managing complaints within agreed timescales and confirming the implementation of any agreed actions; case studies that highlight particular themes that require common action or system wide changes; impact of the complaints process that has led to business improvement; and the detail and outcome of cases referred to the Parliamentary and Health Service Ombudsman.

Complaints will not be closed until business owners have confirmed actions have been implemented. To support wider business improvement the Strategy, Planning and Performance Manager will seek to cascade the learning from complaints through core communications

Our complaints process

Steps	Overview	Further detail
Accessing our service/can we look in to your case?		
1. Contact customer within three working days	Channels: telephone, email, letter, or social media.	<ul style="list-style-type: none"> • Make sure people know and understand what we do, manage expectations before progressing further with registering the complaint or concerns. • Establish if we can help the customer to resolve the issue straightaway.
	Complaints for us?	<ul style="list-style-type: none"> • Capture key elements of the complaint • Establish if, appropriate, what has gone wrong and the remedy sought. • Summarise what is being complained about. • Establish customers preferred method of communication
	Complaint not for us? Information/Signposting.	<ul style="list-style-type: none"> • Provide help and support in signposting the complaint to the appropriate body that can assist.
2. Is it appropriate for us to look in to?	Is the complaint/concern one we can look at?	<ul style="list-style-type: none"> • Strategy, Planning and Performance Manager to consult with Leadership Team and record the decisions onto the complaints log.
3. Out of scope? Explain why (within seven working days from receipt).	Decision communicated.	<ul style="list-style-type: none"> • If we cannot look in to the complaint/concern, Strategy, Planning and Performance Manager to explain why. • Strategy, Planning and Performance Manager to offer to help in another way i.e. forward to relevant business area or provide details of appropriate external agency.
4. First line resolution (within seven working days of receipt)	Details confirmed about what is in scope and subject to first line resolution.	<p>Strategy, Planning and Performance Manager</p> <p>To:</p> <ul style="list-style-type: none"> • Confirm details with customer • Liaise with business area / leadership team

		<ul style="list-style-type: none"> • Confirm what is needed and how quickly. • Provide updates to customer until action is completed. • Provide update to customer of resolution • Update customer records and close complaint.
<p>5. Investigation (within 30 working days)</p>	<p>When complaint received: liaise with business area to let them know a complaint has been triaged for investigation, and to gain investigator details.</p>	<p>Day one Strategy, Planning and Performance Manager to:</p> <ul style="list-style-type: none"> • Send confirmation to customer • Contact investigator and handover: complaint, supporting papers and the complaints investigation record template. • Pass on detail of investigator to customer so they know who will be in touch. <p>Day 10 & Day 15</p> <ul style="list-style-type: none"> • Strategy, Planning and Performance Manager to check with investigator on progress of investigation. <p>Day 15 -Day 20</p> <ul style="list-style-type: none"> • Investigator to complete draft report and investigation record and send to Strategy, Planning and Performance Manager <p>Day 20 -25</p> <ul style="list-style-type: none"> • Strategy, Planning and Performance Manager to: review draft report and action any recommendations at this stage if applicable. <p>Day 28 Strategy, Planning and Performance manager to:</p> <ul style="list-style-type: none"> • Contact customer, if appropriate, to let them know that investigation is being finalised and they will receive information shortly. • Or alternatively let the customer know of any delays, the reasons why and the new timeframe. <p>Day 30 Strategy, Planning and Performance Manager to:</p>

		<ul style="list-style-type: none"> • Send report and cover letter to customer. • Record any further contact from customer.
6. Learning and actions	Follow through with the business area on agreed recommendations.	<p>Strategy, Planning and Performance Manager to:</p> <ul style="list-style-type: none"> • Feedback final report and any learning from the complaint to the business area. • Have any of the recommendations been implemented or are scheduled to be implemented. Monitor compliance and track these on an individual basis and as agreed with the business area. • Update customer once recommendations have been implemented and update records.
7. Aftercare	General feedback on process.	<p>Strategy, Planning and Performance Manager</p> <p>To:</p> <ul style="list-style-type: none"> • Record any feedback from the customer. • The Strategy, Planning and Performance Manager will manage any conversations from a customer following the response and will carefully consider if, in the light of new information, a further review is required. If it is, then we may return to the investigator or business area for more information. If following assessment, we are satisfied that nothing further can be addressed by Healthwatch England we will inform the customer of their right to refer the complaint to the Parliamentary and Health Service Ombudsman.