



BEYOND LIMITS

Beyond the limits of conventional support

Complaints Policy

This document sets out Beyond Limits policy and procedure in relation to complaints. The policy can be used (if appropriate) when any of the people we support wish to make a complaint. It should also be used in relation to any external stakeholders including family members.

INTRODUCTION

This policy provides a framework which offers guidance to all Beyond Limits employees.

We encourage openness and transparency. We expect that complaints will be appropriately administered (in terms of confidentiality and information sharing) and aim to respond, rectify, and resolve any concerns as and if they arise. This complaints policy is for the people we support (if appropriate, please also refer to our easy read policy) as well as anyone who has contact with any aspect of Beyond Limits.

Please note that if a colleague wishes to make a complaint, they must refer to our Grievance Policy.

PURPOSE

Anyone can make a complaint, and we need to know if things go wrong. This is important because it will help us develop and learn from mistakes to provide the best possible services and support.

Beyond Limits have embedded a culture of continuous improvement and for this to be effective, we need to know when people feel unhappy or concerned so that we can make things better (now and for the future).

Our complaints procedure has been implemented to:

- **Encourage resolution, informally where possible**
- **Be easily accessible**
- **Be simple to understand and use**
- **Be impartial**
- **Be non-adversarial**
- **Allow swift handling with established time-limits for action and keep people informed of progress**
- **Ensure a full and fair investigation by an independent person where necessary**
- **Respect people's desire for confidentiality**
- **Address all points at issue and provide an effective response and appropriate redress**
- **Provide information to the leadership team so that services can be improved**

AIMS

This part of our policy seeks to clarify our aims regarding the effective implementation of this policy and in particular, the embedded procedures. It is important that we achieve these aims, and the points listed below because we must ensure continued good practice and promote an environment of transparency and accountability.

Our aims are to:

- **Seek positive resolution of problems by informal means**
- **Provide a transparent and informative service to the people we support, adult stakeholders and family members**
- **Ensure that concerns are dealt with quickly, fully, and fairly and within clearly defined time limits**
- **Promote and maintain good working relationships between all people involved with Beyond Limits and the community within which services are located**
- **Learn from our mistakes. Provide information to the leadership team so that services can be improved, focusing on maintaining safe and positive relationships**

WHO CAN COMPLAIN?

This policy is in place for all the people we support. However, it may be used by anyone who has a concern or complaint about any aspect of our services.

Beyond Limits wish to make it clear from the onset that anyone who wishes to make a complaint is entitled to be accompanied by an advocate or supportive individual. A complainant (i.e. the person who makes a complaint) may be accompanied at any stage of the procedures outlined in this policy.

We want the people we support to be confident and assured in the knowledge that their views and feelings will be taken seriously. Beyond Limits are committed to this principle and any attempt by any colleague to “cover up” concerns or ignore complaints will be taken extremely seriously.

HELPING PEOPLE TO EXPRESS THEIR VIEWS AND FEELINGS

It is essential that people we support are provided with every reasonable opportunity to express their views, wishes and feelings about the quality of support they receive.

It is the responsibility of each team leader/service leader to ensure that the people in their teams who receive support know their rights on how to make a complaint and how complaints will be handled. Their understanding of this should be recorded in their working policy alongside the details of anyone who might act as an advocate or a supportive individual. The preferred method of communication should also be recorded.

PROCEDURES

Colleagues must ensure that:

- **The views, wishes and feelings of the people we support are considered and recorded in relation to matters affecting their general support, safety, and welfare**
- **They help each person they support to express their views, wishes and feelings**
- **The people we support are not made to feel guilty or ashamed**
- **Positive relationships are maintained**

- **They do not adopt or use a defensive approach to hearing complaints or concerns**
- **They help each person we support to understand how their views, wishes and feelings have been acknowledged, with an explanation of why certain decisions are made**
- **They help each person we support to understand how their privacy will be respected**
- **Each person we support is actively encouraged to provide feedback to and raise issues with colleagues**
- **Each person we support is given and fully supported to use advocacy support, if appropriate**

Colleagues have a duty to be proactive in securing the views and wishes of the people we support. This should be considered and balanced against what is judged to be in their own best interest and in line with family members, if appropriate. All such matters must be recorded and retained in the persons working policy.

SUPPORTING PEOPLE TO RAISE ANY WORRIES OR CONCERNS

Each person we support, or their representative where appropriate must be clearly informed that they can use a wide range of means to let us know they are feeling unhappy. This might include

them speaking to their team leader or someone else from the management team or they may wish to speak to a senior service leader or a director. They may also wish to speak to someone outside of the organisation, e.g. their social worker, advocate, or any other person they feel comfortable with.

The people we support should also be informed they can get in touch with:

[Devon County Council](#)

[Plymouth City Council](#)

[Somerset Council](#)

[Cornwall Council](#)

[Dorset Council](#)

[CQC Care Quality Commission](#)

[Local Government Ombudsman](#)

If someone supported by Beyond Limits wishes to raise a complaint, this will be responded to and recorded through following the four stage complaints process below. This process can also be used for anyone who has contact with any aspect of Beyond Limits. Whilst it is hoped that most complaints can be resolved within stage one of the process, it is recognised that at times this will not be possible and as such, any such complaints such be escalated through the stages as appropriate.

Please note that all matters must be recorded, including an account of Stage One complaints that are resolved through discussion. Please discuss all complaints with your line manager who will advise on the appropriate course of action and how to make a record of them.

CIRCUMSTANCES WHERE THIS POLICY DOES NOT APPLY

Issues relating to allegations, disclosures or whistleblowing, criminal investigations, as well as colleague grievances must all be handled separately from this policy.

Please refer to our Safeguarding Policy, which includes guidance on raising concerns about the conduct and behaviour of a colleague. If in any doubt, contact your line manager or any member of the senior management team who will be happy to assist and advise.

This complaints policy is distinct from formal disciplinary proceedings, and this should be made clear to all concerned.

There may be occasions where a complaint gives rise to disciplinary procedures, which puts the complaints process on hold. If this occurs, the complainant should be informed. Any non-disciplinary aspects of the complaint should continue to be dealt with through the complaint procedure.

FOUR STAGE COMPLAINTS PROCESS

There are four stages of action. An initial informal stage and three formal stages.

Within the Informal Stage, primary responsibility rests with colleagues. This means that colleagues will seek every reasonable opportunity to resolve matters raised and make things better again.

Within the Formal Stages, responsibility rests with Beyond Limits management. This includes Senior Service Leaders, HR, Registered Manager and Directors, where appropriate.

Each of these stages will usually occur in order and it is not possible to return to previous stages.

It is stressed that most complaints are able to be resolved on an informal basis (Stage One).

STAGE ONE

Your complaint will be listened to, and we will try and make things better. We will make a record of everything you have said.

We will try to find a solution to your concerns, and we will ask what we can do to make things better.

There are many occasions where concerns are resolved straightaway without the need to submit a formal complaint.

You may decide to raise your concern with a member of your team or your team leader depending on what type of issue you have.

We will keep a record of any informal meetings regarding complaints. This is important because there may be occasions where issues appear to be resolved, but then resurface again later. Therefore, it is helpful to have an evidence-based “paper trail” to ensure that the process remains fair, and matters are addressed effectively.

There are no specific timescales for dealing with concerns at this stage. However, as at all stages, issues should be considered and dealt with as quickly and effectively as possible. Actions should be

recorded at any meetings, and it may be appropriate to evaluate the progress at a time that is agreed by all at the meeting.

The individual who raised the concern will be informed of any action to be taken. If appropriate, this might be in writing.

If the individual is dissatisfied with the response they have been given and would like to take their complaint further, they should be advised to put their complaint in writing and be referred to the next stage.

STAGE TWO

If the individual is still unhappy then the concern can be escalated to this stage. This stage formalises the complaint and involves one of the Service Leaders. The Service Leader will ascertain whether the informal (Stage One) has been used and if not why. Complaints at this stage will be acknowledged in writing by a Service Leader within 5 working days.

The Service Leader will investigate the complaint and review any relevant documentation and information. If necessary, they will interview witnesses and take statements from those involved.

The Service Leader will aim to respond in writing to the complainant within 15 working days to advise of the outcome. The response will determine whether the complaint has been upheld, the reasons why, as well as what action (if any) will be taken.

If the individual is dissatisfied with the response they have been given and would like to take their complaint further, they should be referred to the next stage.

STAGE THREE

This stage will be heard by a Senior Service Leader and usually involves complaints of a greater complexity or seriousness not able to be resolved informally or at a previous stage, or where an outcome is not to the satisfaction of the complainant. The complaint will be acknowledged in writing within 5 working days and the Senior Service Leader will respond in writing to the complainant within 15 working days to advise of the outcome.

This stage provides the opportunity for the designated Senior Service Leader to review the action taken to date and the decision reached. They will establish if anyone else should be contacted, this may include speaking to additional witnesses or reviewing written material not previously considered.

Whilst every effort will be made to respond to the complainant within the timescales set out in this policy, complaints at this stage may be complex and may require additional resources which will take more time to gather. If this is the case, the complainant must be written to and advised of any delay.

STAGE FOUR

If the complainant continues to feel dissatisfied, their complaint will be heard by a director.

This is the final internal stage and is aimed at providing an opportunity for complainants to have their complaint heard by a director. This stage will usually be for complaints relating to a conduct issue involving a senior member of staff or where a complainant seeks a final internal appeal of an earlier decision.

At this stage, the complaint will be acknowledged in writing within 5 working days and the response to the complainant will be within 20 working days.

Beyond Limits will make every reasonable effort to resolve complaints, as detailed in this policy. However, there may be times when a complainant continues to feel dissatisfied, having been through Stages One, Two and Three.

In such circumstances, the complainant can escalate their complaint to the commissioning authority.

Details of how to contact the relevant local authority are available through their websites. In addition, any colleague will be able to provide suitable advice about contacting such services. Furthermore, if the complainant has an independence advocate, they will also be able to provide suitable advice, guidance and support.

The Care Quality Commission can be contacted by clicking [HERE](#)

Beyond Limits will engage fully and appropriately with any such action. We are committed to being honest, open and transparent. This means that all appropriate information regarding the complaint will be provided for assessment and evaluation as requested by any external authority or commissioning board.

RECORDING AND MONITORING COMPLAINTS

A record of the investigation will be recorded with paperwork pertaining to it stored in the file of the person being supported, or the personnel file of the employee member involved. Any complaints received will be reported at the Leadership Meeting on a weekly basis. In the interests of confidentiality, only minimum information will be discussed in this meeting. All complaints will be recorded and held on the private drive of the organisation's server, under the file name CQC with access limited to senior employees.

The following information about complaints should be recorded:

- Name of complainant
- Brief description of complaint
- Whether the complaint is informal (Stage One) or formal (Stage Two onwards)
- Date of complaint and name of person who is going to investigate.

Once completed all records must be kept of the investigation, outcome and action taken and a record that the complainant has been informed. All evidence, investigation paperwork, and correspondence with the complainant must be kept in the most appropriate file (person we support or employee file).

CONFIDENTIALITY

Confidentiality is vital. All conversations and correspondence will be treated with appropriate discretion. Complainants have the right to know what use will be made of personal information and, accordingly, personal information will only be shared between employees on a need-to-know basis. Idle discussion of complaints is inappropriate and unacceptable.

EQUAL ACCESS, ACCOMPANIMENT AND REPRESENTATION

Appropriate steps should be taken to ensure that any individual can raise their concerns or submit a formal complaint. This includes the right to be accompanied or represented by a friend or relative at discussions and hearings and/or submit formal complaints that have been written by another individual on their behalf.

It is an expectation that equal respect will be granted to each person involved within the process and that differences between people will be respected and understood. Every opinion will be considered and formally acknowledged as part of the recording process.

YOU HAVE THE RIGHT TO BE LISTENED TO.

We want to know if you are unhappy about anything to do with your home or your team or if something else is making you unhappy.

We have a complaints procedure that always starts with a chat.

Having a chat about why you are unhappy is Stage One. If that doesn't work, you can use the stages below to make a formal complaint. At every stage, we will do our best to make things right again. You can also choose to have a trusted adult to support you through this process.

STAGE ONE

Staff will listen to your complaint and try to make things better. The person will record your complaint and all that has been said.

STAGE TWO

If you are still unhappy a manager will try and help. The manager will write it all down and investigate. If you are still unhappy the manager will help you with the next stage.

STAGE THREE

If you are not happy with what the manager has said, you can ask for your complaint to be heard by a senior manager. They will decide if your complaint has been treated fairly.

STAGE FOUR

If you are not happy with what the senior manager has said, you can ask for our complaint to be heard by a Director or you can contact an external agency who will help you.

