



Complaints Policy

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Summary of Changes

Section	Change
All	Adoption of the SPSO's new MCHP

Complaints Policy

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1.0 Arks Values

Arks values are true to the core purpose of the organisation and the services we deliver. They determine our behaviours towards one another and what we should expect in our relationships with one another. Working within the following values will guide and help us deliver our vision and mission of Ark being an organisation where everyone is equal:

Trust

We have confidence in our people to deliver excellent services and trust in them to do so. We will develop trusting and honest relationships and our customers will feel assured that they can rely on us to deliver.

Respect

We treat everyone fairly and we listen. We are respectful of each person with whom we come into contact and expect our people to respond professionally and treat others as they would wish to be treated.

Understanding

We will operate with empathy and compassion and approach each situation with an open mind. We will question and challenge to ensure we achieve the right outcomes for customers and our people.

Equality

We believe everyone is equal and expect our people to create positive experiences where everyone feels valued and included.

Integrity

We will do the right thing and take responsibility for our actions. We will work together to uphold the highest standards of behaviour and practice.

2.0 Purpose

This policy and its associated procedure explain Ark's complaints handling process.

3.0 Policy Statement

Complaints give us valuable information we can use to improve service provision and customer satisfaction. Our Complaints Handling Procedure (CHP) gives details of who can

make a complaint, how Ark will seek to resolve complaints and also how we record, report and learn from complaints. Ark has adopted the Model Complaints Handling Procedure developed by the Scottish Public Services Ombudsman.

4.0 Scope

This policy applies across all of the Ark group and the associated procedure provides examples of the types of complaint which may be received.

Ark's definition of a complaint is: 'an expression of dissatisfaction by one or more members of the public about Ark's action or lack of action, or about the standard of service provided by or on behalf of Ark.'

5.0 Legal/Regulatory Framework

This policy and associated procedure are written with regard to the following:

- Scottish Public Services Ombudsman Act 2002
- Care Inspectorate Guidance
- Mental Health (Care and Treatment) (Scotland) Act 2003

6.0 Responsibilities

6.1 Board of Management

As the governing body with responsibility for overseeing our work, our Board of Management, and Audit Sub-Committee on its behalf where appropriate, provides leadership and strategic guidance. It also ensures compliance with our policies and procedures. In relation to complaints, its role is threefold:

- to approve the adoption of the CHP
- to ensure that staff keep to this CHP and associated internal processes (through involvement with senior management or directly)
- to ensure that information and learning from complaints are used to improve our understanding of, and to steer, our policies and practices.

Particularly important is the Board of Management's role in developing and fostering a culture that values complaints. The Board of Management must ensure that recording and reporting of complaints is thorough and effective, so that reports to committee reflect a true picture of all complaints.

A Board of Management that values complaints will:

- support all staff in handling complaints locally, quickly and effectively, to reduce the potential for a complaint to escalate
- encourage frontline staff to be 'active listeners' and to understand and act on the information they receive
- set out how complaints data will be reported and used to promote continual improvement
- ensure that tenants and other customers are kept informed about how we have used feedback to improve services

6.2 Chief Executive

The Chief Executive provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective CHP, with a robust investigation process that demonstrates how we learn from the complaints we receive. The chief executive may take a personal interest in all or some complaints, or may delegate responsibility for the CHP to senior staff. Regular management reports assure the Chief Executive of the quality of complaints performance.

The Chief Executive is also responsible for ensuring that there are governance and accountability arrangements in place in relation to complaints involving contractors. This includes:

- ensuring performance monitoring for complaints is a feature of the service/management agreements and regular review meetings between Ark and contractors
- setting clear objectives in relation to this complaints procedure and putting appropriate monitoring processes in place to provide Ark with an overview of how the contractor is meeting its objectives

The Chief Executive has delegated operational management of this responsibility to the Head of Asset Management and will receive ongoing monitoring reports of complaints as part of Ark's complaints handling process.

6.3 Senior Leadership Team

On the Chief Executive's behalf, members of Ark's Executive and Senior Leadership Teams may be responsible for:

- managing complaints and the way we learn from them
- overseeing the implementation of actions required as a result of a complaint
- investigating complaints; and
- deputising for the Chief Executive on occasion.

They may also be responsible for preparing and signing off decisions for customers, so they should be satisfied that the investigation is complete and their response addresses all aspects

of the complaint. However, senior managers may decide to delegate some elements of complaints handling (such as investigations and the drafting of response letters) to other senior staff. Where this happens, senior managers should retain ownership and accountability for the management and reporting of complaints.

Senior Management will ensure that:

- Ark's final position on a complaint investigation is signed off by an appropriate manager or officer in order to provide assurance that this is the definitive response of Ark and that the complainant's concerns have been taken seriously
- it maintains overall responsibility and accountability for the management and governance of complaints handling (including complaints about contracted services)
- it has an active role in, and understanding of, the CHP (although not necessarily involved in the decision-making process of complaint handling)
- mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored, reviewed and reported at all levels in Ark; and
- complaints information is used to improve services, and this is evident from regular publications.
- within their area of responsibility every new customer has access to Ark's Complaints Handling Procedure Customer Facing Guide and that on an annual basis they are reminded about how to access the Guide or provided with a copy of the Guide

6.4 Complaints Investigator

The complaints investigator is responsible and accountable for the management of the investigation. They may work in a Care and Support Team or as part of the Priory Team, and will be involved in the investigation and in coordinating all aspects of the response to the customer. This may include preparing a comprehensive written report, including details of any procedural changes in service delivery and identifying wider opportunities for learning across the organisation.

Although a complaint can be made to any member of our staff, at the frontline stage ownership and accountability for the management and reporting of complaints in relation to Care and Support services will be retained by Care and Support and Operations Managers. In relation to complaints about Care and Support Services which are escalated to the investigation stage, ownership and accountability for the management and reporting of these complaints will be retained by Regional Managers.

In relation to Priory functions, although a complaint may be made to any member of staff, ownership and accountability for the management and reporting of all complaints, whether at frontline or investigation stage, will be retained by the relevant member of the Executive Team or senior manager.

6.5 Learning and Development Team

The L&D Team is responsible for ensuring all new staff receive training on the CHP as part of the induction process, and that refresher training is provided for current staff on a regular basis.

6.6 SPSO liaison officer

Our SPSO liaison officer's role may include providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on our behalf in response to SPSO reports, and confirming and verifying that recommendations have been implemented.

6.7 All Staff

All staff will be aware of:

- the Complaints Handling Procedure (CHP)
- how to handle and record complaints at the frontline response stage
- who they can refer a complaint to, in case they are not able to handle the matter
- the need to try and resolve complaints early and as close to the point of service delivery as possible; and
- their clear authority to attempt to resolve any complaints they may be called upon to deal with.

Training on this procedure will be part of the induction process for all new staff. Refresher training will be provided for current staff on a regular basis.

7.0 Related Policies & Procedures

Complaints Handling Procedure [G 12a]

Unacceptable Actions Policy [G32]

8.0 Equality Impact Assessment (EIA)

An Equality Impact Assessment has been completed in relation to the development of this policy.

9.0 Data Protection Impact Assessment (DPIA)

Arks existing complaints log and records are stored in restricted files within the general drive. There are no changes within this policy which have data protection implications and consequently a DPIA has not been completed.

10.0 Stakeholder Consultation

- Ark Board of Management
- Ark Senior Leadership Team

11.0 Monitoring and Review

11.1 Monitoring

Ark's Executive and Senior Leadership Teams will monitor implementation of this policy on an ongoing basis.

11.2 Review

This policy will be reviewed within 3 years from the date of approval by our Board of Management, in accordance with Ark's policy review framework.