



Customer Services Complaints & Comments Policy

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Signed:	John Biggin OBE (Chief Operating Officer)				
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Contents

1	Plain English Summary	3
2	Policy Statement	4
3	Context	5
3.1	Scope of Policy	5
3.2	Legislative Framework	5
3.3	National Guidance	5
3.4	Related The Forward Trust Policies	5
3.5	Key definitions	6
4	Roles and Responsibilities	7
5	Policy Implementation	10
5.1	Monitoring	10
5.2	Training and Dissemination of Information	10
6	Procedures for Reporting Complaints, Compliments and Comments	11
6.1	Promoting and Supporting the Customer Service Process	11
6.2	Routes to Making a Complaint	11
6.2.1	Care Quality Commission & Monitor: Complaints and Comments	12
6.2.2	Fundraising Standards Board: Complaints and Comments	12
6.3	Prison Complaints	12
6.4	Responding to Complaints	13
6.5	The Forward Trust Complaints Flow Chart	14
6.6	Timescales	15
6.7	Complaints Results and Findings	15
6.8	Unreasonably Persistent or Vexatious Complaints	15
	Stages of Complaint	17
6.9	Flow Chart for Staff logging Customer Service records on Ulysses	18
	Complaints Process:	18

Version Control

Version	Section / Para / Appendix	Description of amendments	Date	Amended By
5	Whole document annual review	Annual review – Update to office address Update to Feedback email address Update Prison PSI information	September 2021	Caroline Scott
6	Whole document annual review – no fundamental updates	Annual review	12 January 2023	Caroline Scott

1 Plain English Summary

The Forward Trust takes all comments and complaints seriously and seeks to ensure their satisfactory resolution and to learn from them to reduce the likelihood of recurrence.

This policy provides a framework on how to identify, receive, handle and respond appropriately to all complaints and comments from our service users or their representatives in line with best practice.

It is intended for use by all those employed by and working on behalf of (e.g. agency, bank and sub-contractors) The Forward Trust.

This policy also covers the appropriate management of compliments.

Valid at Time of Printing

2 Policy Statement

The Forward Trust is committed to giving its clients the best possible service, involving them in the planning of their care, and giving them opportunities to air any comments or complaints that they may have on the service or organisation as a whole.

We aim to ensure that all services users and, wherever possible, carers and members of the public have access to information on how to raise a concern or make a complaint or comment and to provide support for those involved throughout the process.

The underlying principles of this complaints system are:

- To get it right
- To be customer focussed
- To be open and accountable
- To act fairly and proportionately
- To apologise and to put things right
- To seek continuous improvement

We welcome complaints, and encourage people to make them, as they are an opportunity for us to improve our organisation and the services we provide. No person making a complaint shall be viewed negatively for doing so by anyone in the service and we will ensure that no complainant or their representative is subject to discrimination on any grounds in accordance with the Equality and Diversity Policy and the Equality Act 2010.

The Forward Trust is clear that complaints made are against the organisation and not individuals employed by or working on behalf of the organisation. This does not preclude the use of disciplinary procedures if an investigation identifies this to be appropriate. In this event, staff will be informed and The Forward Trust's Disciplinary Policy will be implemented.

This policy is designed to address complaints from anyone who accesses The Forward Trust's services or their representatives and not to investigate staff grievances, which should be handled separately. Complaints by members of staff relating to The Forward Trust should be dealt with under our Grievance Policy or Whistleblowing Policy.

The Forward Trust promotes informal resolution by all staff when receiving verbal concerns or complaints and all staff will be made aware of their own responsibilities in assisting early solutions to these. If an informal solution is agreeable to the complainant (known as Local Resolution), these will not be formally recorded as a complaint if they are resolved by the end of next working day. Complaints received in writing will be recorded regardless of time taken to resolve them.

Upon receipt of a complaint, we aim to provide an effective and timely process for the resolution of complaints. Complaints will also be examined to see if changes are required in one or more services. Where this is the case we will implement those changes, check they have worked, and keep the original complainant informed.

Addresses to which complaints can be made:

Director of Governance & Quality Assurance, Forward Trust, Unit 106 Edinburgh House, 170 Kennington Lane, Lambeth, London SE11 5DP

A freepost address is available on The Forward Trust's complaints and comments form.

3 Context

3.1 Scope of Policy

This policy must be applied by all The Forward Trust employees (including bank, agency and sessional staff), volunteers, and peer mentors within both prison and community settings.

It covers all comments and complaints made by any individual who may be considered a beneficiary of the service or a third party acting on their behalf. Complaints by members of staff relating to The Forward Trust should be dealt with under our Grievance Policy or Whistleblowing Policy.

3.2 Legislative Framework

- General Data Protection Regulation (GDPR) and the Data Protection Act 2018
- Health and Social Care Act 2012
- Equality Act 2010
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

3.3 National Guidance

- Listening, Responding, Improving: A Guide to Better Customer Care. (Department of Health, 2009)
- Care Quality Commission Regulation 16 – Receiving and acting on complaints
- CQC – A fresh start for the regulation & inspection of substance misuse services
- Prisoner Complaints Policy Framework Implementation Date: 01 August 2019
- Fundraising Standards Board (FRSB) – Code of Fundraising Practice

3.4 Related Forward Trust Policies

- Adverse Incident Policy
- Whistleblowing Policy
- Grievance Policy
- Disciplinary Policy
- Equality and Diversity Policy
- Confidentiality and Information Sharing Policy

3.5 Key definitions

A Complaint is an expression of dissatisfaction in any format from anyone who accesses The Forward Trust's services or from a third party requiring a response. With the agreement of the complainant and, if dealt with by end of next working day, these do not require to be formally registered. Where such a timely and satisfactory response has not happened, the complaint should be escalated to The Forward Trust Head Office where it will be formally registered.

A Compliment is specific positive feedback in any format from anyone who accesses The Forward Trusts services or from a third party requiring a response.

A Comment is any feedback, positive, negative or neutral, received by the service or The Forward Trust Head Office, that is not felt that it meets the threshold for a formal compliment or complaint. Negative comments may be escalated to complaint status at the discretion of a manager.

All feedback received can be reported to The Forward Trust by family, carers or other associated parties/professionals for example MP's, however full respect must be given to service user confidentiality and consent must be gained directly from the service user or using the guidelines with regards to confidentiality and consent (see Confidentiality and Information Sharing Policy).

4 Roles and Responsibilities

The Board of Trustees:

- Has overall responsibility for policies and procedures at The Forward Trust, so far as is reasonably practical.

Governance & Quality Assurance Framework:

- Monitor the procedures for reporting and investigating complaints and comments and scrutinise trends and serious cases.
- Review and disseminate learning from incidents to other relevant parts of the organisation.
- Highlight systemic or very high concern cases to the Board of Trustees.

Chief Executive:

- Is the 'Responsible Person' for complaints and comments received regarding The Forward Trust services.

Chief Operating Officer:

- The role of 'Responsible Person' is delegated to the Chief Operating Officer from the Chief Executive
- Ensure the appropriate development, implementation and monitoring of the systems and processes for reporting, investigation and management of all complaints and comments.

Director of Governance and Quality Assurance:

- The Director of Governance & Quality is the designated Complaints Manager
- Investigate complaints related to services or as directed/identified by the Chief Operating Officer or Director of Governance and Quality
- Undertake investigations into serious complaints.
- Highlight risks, poor practise and non-compliance to relevant management
- Resolve and plan remedial actions for upheld complaints
- Advise managers on how to improve processes and services
- Ensure service users are kept updated with developments regarding their complaint
- Liaise with complainants where required to explain outcomes and decisions, this may involve mediation
- Ensure that where complaints are externally reportable (e.g. to the CQC if the complaint involves an allegation of abuse) that this is completed in an appropriate and timely manner.
- Ensure the Governance Framework Meetings have appropriate information about complaints and comments, and any resultant investigations and improvement plans.
- Ensure complaint and comment trend reports, investigations and improvement plans are, reported to the Governance and Quality Assurance Review Meeting.

Clinical Nurse Managers:

- Investigate complaints related to clinical services or as directed by the Director of Governance and Quality
- Highlight clinical risks and poor practises
- Rectify issues and implement corrective processes regarding upheld complaints
- Liaise with complainants where required to explain outcomes and decisions, this may involve mediation
- Identify trends and report these into the Governance Framework Meetings and to the Director of Governance and Quality
- Advise employees and partners on how to improve clinical processes and services
- Ensure service users are kept updated with developments regarding their complaint

Governance Administrator:

- Performs the role of Deputy Complaints Manager and takes the lead in the absence of the Director of Governance & Quality Assurance
- Process incoming complaints and comments
- Ensure timely initial response is sent to service user
- Ensure service users are kept updated with developments regarding their complaint
- Maintain the Customer Services Ulysses system
- Ensure information governance principles are maintained during information sharing and storage/retention
- Act as the central liaison point for all parties dealing with complaints and comments
- Highlight any procedural non-compliance to the Director of Governance and Quality Assurance
- Identify trends and report these to the Director of Governance and Quality for submission to the Governance Framework
- Advise managers on how to improve processes and services

Regional Managers:

- Support the appropriate reporting and investigation of complaints and comments and appropriate development of improvement plans.
- Instigate and support complaint and comment reporting, ensuring a proportionate response to complaints as soon as possible and following investigation.
- Undertake investigations into serious complaints as directed by the Chief Operating Officer or Director of Governance and Quality Assurance.
- Supply appropriate information to the Director of Governance and Quality Assurance to record complaints, comments, investigations, and improvement plans.
- Monitor and report on the implementation of improvement plans with Regional Governance Meetings.

Service or Departmental Managers:

- Instigate and support reporting of complaints and comments through all available channels (including through prison and community-based routes).
- Ensure appropriate response to all complaints and comments, including identifying and meeting any support needs for involved individuals as far as possible.
- Participate in investigations into complaints as directed by their line manager.
- Log any complaints made via prison or other internal mechanisms.
- Report complaints and comments made within the service on a quarterly basis to Regional Governance Meeting.

All Employees/ Volunteers/Peer Mentors:

- Act with due care for their own safety and that of others who may be adversely affected by acts or omissions during work activities.
- Report any identified risks, concerns, or shortcomings relating to safety or to quality of care immediately to their line manager to prevent adverse poor service delivery.
- Co-operate fully with any investigation as a result of a complaint.

5 Policy Implementation

5.1 Monitoring

The Forward Trust will routinely and regularly monitor complaints, compliments and comments, requiring all services to report on these, or to declare no complaints for each quarterly report to the Governance and Quality Assurance Review Meeting who will analyse customer services reports and oversee subsequent investigations and actions.

The procedures for reporting, monitoring, and investigating complaints and comments will be monitored through the Governance and Quality Assurance Sub-Committee to ensure compliance with best practice standards.

An annual complaints report will be published at the end of each financial/reporting year (March), this report will provide the following information:

- Number of complaints received
- Number of complaints upheld
- Details of complaints referred to the commissioning authority
- Subject matter of complaints received
- Location/source of complaints
- Improvements action taken
- Trend analysis

This report will be made available to commissioners and regulatory bodies.

A breach of this policy could lead to adverse consequences in relation to client/staff safety and in other areas where a complaint is not reported or is reported but does not adhere to the process as outlined. In certain circumstances, a breach of this policy could also lead to disciplinary action.

5.2 Training and Dissemination of Information

To ensure implementation of this policy:

- All staff and volunteers will be made aware of the Customer Services Policy and responsibilities at induction
- Managers/Service leads are responsible for ensuring that all employees have access to:
 - This policy and procedure
 - Access to the Ulysses Customer Services System and guidance on the intranet
 - Complaints and Comments Forms
 - A programme of induction and training
 - Ulysses System Training and complaints reporting guidance on Governance Infosite
- The Forward Trust has set out clear disciplinary measures for failure to comply with these policies in the Staff Handbook.

6 Procedures for Reporting Complaints, Compliments and Comments

At any time clients, family members, independent advocates, professional workers, and anyone else, has the right to register a Customer Services form and have it properly considered by The Forward Trust. All clients, and the key agencies we work with, will be informed of this right, and of the procedure we follow.

In addition to this, individuals who use or have an interest in Forward Trust services may have the opportunity to complain or comment on the service through other routes such as local commissioners, prison establishments, and/or professional ombudsmen or regulators (e.g. CQC, FRSB). Where another procedure has been implemented, this should be followed and this procedure should be referred to for best practice considerations and guidance. The Forward Trust complaints team should be informed that an external procedure is being followed and of the key contents of the complaint, any further support needed, and the outcome.

6.1 Promoting and Supporting the Customer Service Process

The Customer Services process must be communicated to all clients on entry and widely advertised throughout the service. The customer services form should be made available in all practical areas and on request. This is has a freepost address.

It must be made clear to clients that making a complaint will in no way affect the fact that they are entitled to the best quality service we can give them. We welcome complaints and comments, and encourage people to make them, as they are an opportunity for us to improve our service.

No service user, or any other person involved in the investigation and resolution of a complaint will receive unfair treatment or be discriminated against on the grounds of age, colour, ethnic or national origins, religious and political beliefs, gender, marital status, sexual orientation or disability or being a trade union representative or prisoner.

At all stages, complainants have the right to be assisted in the process. This may include support in writing letters and/or being accompanied in meetings by an advocate of their choice (e.g. friends, family, another client, or an advocacy service such as the Citizens Advice Bureau). If the complainant is a prisoner, this may be subject to restrictions on visitors, but we will endeavour to arrange independent support on request, wherever possible.

6.2 Routes to Making a Complaint

Anyone wishing to make a complaint about anything that they may find unsatisfactory (e.g. the behaviour of other clients, staff or visitors, or an incident or situation that causes distress) can do so through a number of channels:

- By communicating with a The Forward Trust employee or submitting a The Forward Trust Complaint & Comment form
- Speaking with a Prison Staff (for our prison services) or submitting a (Comp1) complaint form
- By contacting the Prison & Probation Ombudsman
- By communicating with The Forward Trust Head Office

- Contacting the NHS Patient Advice & Liaison Service (PALS) or Health Watch (see their websites)
- By communicating with the relevant Commissioner (who purchase the service from The Forward Trust and to whom we are accountable)
- Contacting the FRSB (see their website www.frsb.org.uk/complaints/make-a-complaint)

Complaints can be made verbally (in person or by telephone, including through conversation with a member of staff or Wing Officer), or in writing (including by email).

Complaints can be made anonymously. It is helpful to us if complaints are made in writing and we know who has made the complaint, so we can establish the facts and keep the person involved. However, we recognise that people do not always feel comfortable being identified, and anonymity will not prevent us investigating and acting on the complaint.

6.2.1 Care Quality Commission & Monitor: Complaints and Comments

Although the Care Quality Commission do not manage individual complaints, where a service is registered with the CQC, individuals have the right to offer feedback about the service directly to the CQC who will record this information and use it as part of their intelligence based inspection process.

The Forward Trust is licensed with Monitor, like the CQC, Monitor do not manage individual complaints, however, service users who raise complaints or comments with Monitor will receive advice, support and key information of how to progress their complaint or comment.

The CQC and Monitor websites have further information on their complaint handling processes.

6.2.2 Fundraising Standards Board: Complaints and Comments

As a member of the FRSB we have committed to their fundraising promise which outlines how we will behave when doing our fundraising and ensures fundraising is legal, honest, open, transparent and accountable.

The FRSB website have further information on their complaint handling processes and Standards.

6.3 Prison Complaints

All complaints made by prisoners through the prisons own processes must be responded to in accordance with the instruction Prisoner Complaints Policy Framework Implementation Date: 01 August 2019. In addition to this, the complaint must be logged on the prisons complaints log usually managed by the in-house Business Hub, this includes all relevant details of the nature of the complaint, the investigation, and the outcome. Each service must report the details of these on Ulysses Customer Services module on a minimal quarterly basis for analysis prior to the Governance & Quality Assurance Review Meeting.

In addition to this, where a complaint is or may be of a serious nature (for example, relating to allegations of any illegal or unethical staff behaviour or service failure), the Director of G&Q must be informed immediately of the allegation to support the investigation process.

6.4 Responding to Complaints

Any staff member receiving a complaint should respond respectfully and non-defensively and inform the complainant what you intend to do as a consequence of their complaint. Initially it may also be a priority to clarify the specific nature and the desired outcome of the complaint.

The Line Manager should then be informed of the complaint and, wherever possible, a meeting should be arranged with the complainant to discuss and resolve the issue in person. During this meeting, it may be necessary to arrange an additional time to feedback to the complainant any actions that have been taken as a consequence of the complaint.

With the agreement of complainant and, if dealt with by end of next working day, minor verbal complaints do not require to be formally registered.

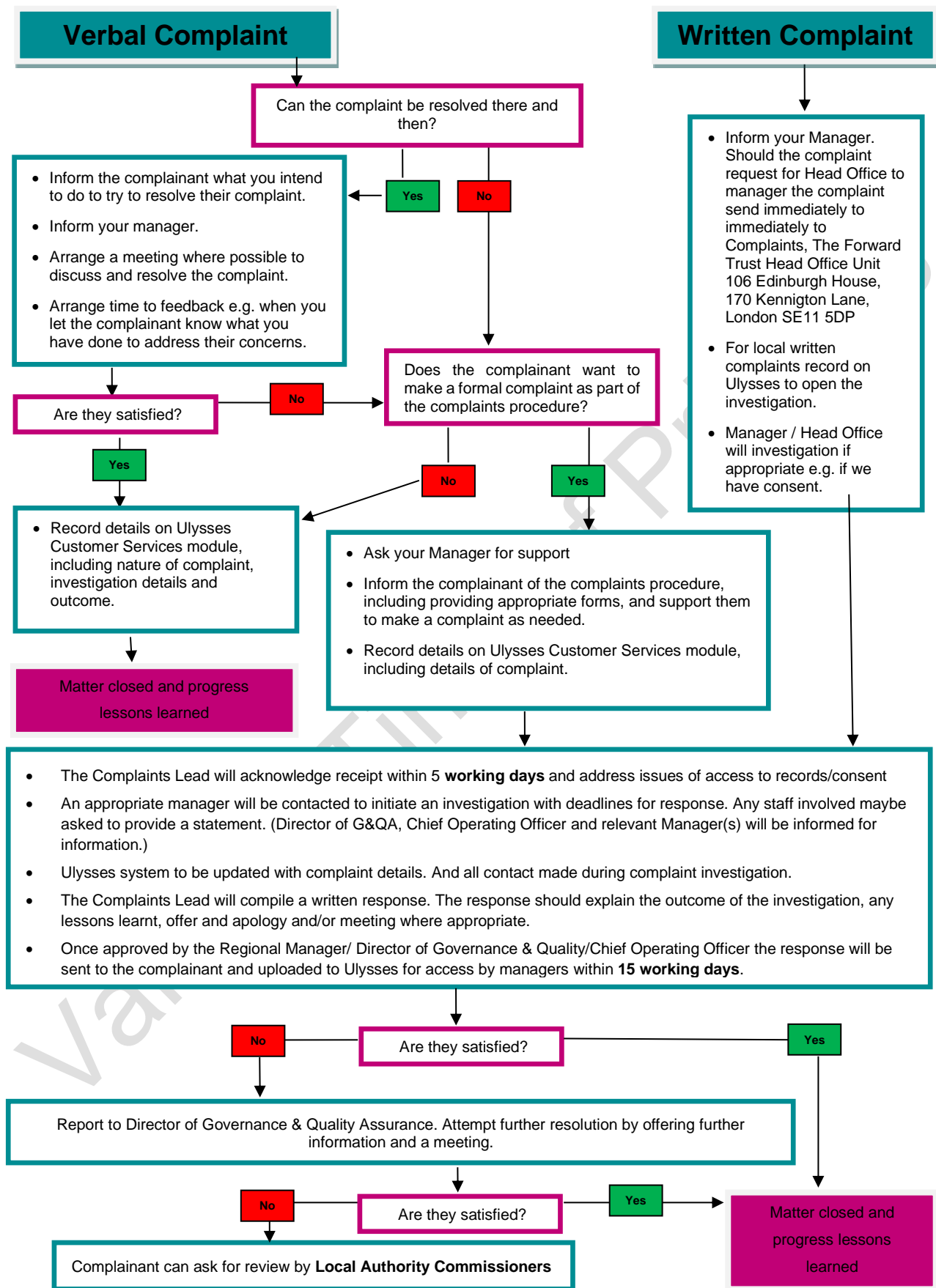
Where a timely and satisfactory response has not been possible and/or where the complaint is of a serious nature, it should be escalated to The Forward Trust Head Office where it will be formally registered and responded to.

Written complaints, or complaints escalated to Head Office, will be considered by the Director of G&Q and/or Chief Operating Officer who will arrange any further investigation that they may deem necessary. A written response will be sent to the complainant as soon as possible (at most five working days) acknowledging the complaint and detailing planned investigations or findings of investigations undertaken.

Where an investigation may be complex, require specific consent (i.e. for information sharing), or have legal implications, the complainant should be kept informed throughout the process.

Governance & Quality Assurance will conduct monthly quality checks on complaints and investigations completed. Feedback will be provided to Managers and for inclusion in the Regional Governance Meetings and central services Governance Framework. Improvements for managing complaints will be managed locally through Service Improvement Plans.

The Forward Trust Complaints Flow Chart



6.5 Timescales

Response to verbal, informal complaint – within one working day wherever possible.

Response acknowledging receipt of written and/or formal complaint - as soon as possible, and within 5 working days of receipt of the complaint.

Instigation of investigation where necessary - as soon as possible, and within 5 working days of receipt of the complaint.

Outcome of investigation – as soon as possible, and within 12* working days of receipt of the complaint.

Response to complainant – as soon as possible, and within 17* working days of receipt of the complaint.

6.6 Complaints Results and Findings

The results of any investigation into a complaint will be analysed by the Director of Governance and Quality to establish whether any changes need to be made to services as a result, or any other action taken, such as disciplinary processes against staff. Where this is the case the Chief Operating Officer has responsibility for ensuring that actions are taken.

The complainant will be informed of the results of the investigation in writing and, where practical and relevant, a further meeting will be arranged with the complainant to ensure they understand the findings of the investigation and to establish their satisfaction with this.

The Governance & Quality Assurance Sub-Committee will receive quarterly reports from the Director of Governance & Quality to highlight any emerging trends, very serious complaints, and/or requirements for organisation-wide changes.

The nature of all complaints and comments and any subsequent findings should also be communicated to local commissioners in quarterly reports where requested.

6.7 Unreasonably Persistent or Vexatious Complaints

It is important to differentiate between 'persistent' complainants and 'unreasonably persistent' complainants. Arguably many of the people who submit complaints are 'persistent' on the entirely reasonable basis that they feel the authority has not dealt with their complaint properly and are not prepared to leave the matter there.

A very small minority of complainants make or pursue complaints in an unreasonably persistent or vexatious way, which either can slow down the investigation of their complaint or can have significant resource issues for The Forward Trust.

Complaints may be deemed vexatious in any situation where physical violence has been used or threatened towards staff or their families/associates at any time. This will cause personal contact with the complainant to be discontinued and the complaint will, thereafter, only be pursued through written communication. All such incidents should be documented and reported in accordance with the Adverse Incident Policy.

When considering complaints that appear unreasonably persistent, it is critical that consideration is given, and efforts made to understand the complainant's circumstance, how and why they feel as

* Exceptions to this timescale include where a complaint is highly complex and/or involves additional consent considerations and/or has legal implications. Wherever these timescales are exceeded, a revised schedule and explanation should be provided to the complainant.

they do and what it is that would resolve the matter for them. It is important to ensure that we have given them the right opportunity to express their views and opinions and have listened and given appropriate thought and effort to resolving and explaining the position and our actions.

Examples of unreasonably persistent and vexatious behaviour are as follows:

- Making an unreasonable number of contacts with The Forward Trust, by any means, in relation to a specific complaint or complaints, often through different routes.
- Persistently seeking an outcome which we have already clearly explained is unrealistic for policy, legal or other valid reasons.
- Insisting on the complaint being dealt with in ways which are incompatible with the complaints policy and procedure or with good practice (e.g. insisting that there must not be any written record of the complaint).
- Making the same complaint repeatedly, perhaps with minor differences, after the complaints procedure has been concluded and insisting that the minor differences makes these 'new' complaints which should be put through the full complaints procedure.
- Threatening or aggressive or abusive behaviour in direct personal contacts with staff.
- Threatening, abusive or violent behaviour or actions directed at other people involved in the events which gave rise to the complaint.

Based on the circumstances and behaviour of the complainant and their complaint, restrictive actions will be tailored accordingly and the complainant informed about these and the reasons for them in writing, and where necessary, in person.

Actions that could be taken to restrict access and contact:

- Requesting contact in a particular form only (e.g. letters only)
- Placing restrictions on telephone calls to specific times and days of the week
- Requesting that the complainant enters into a contact agreement for their future contact with The Forward Trust or any of our services
- Placing restrictions on the amount of time we will spend investigating their complaints
- Where relationships have broken down, requesting that the complainant uses an appropriate advocate to act and contact the organisation on their behalf
- Requiring contact take place with one named member of staff only
- Banning the complainant from visiting any The Forward Trust building or service except by appointment
- Requiring any face to face contact to take place in the presence of an appropriate witness
- Letting the complainant know that the organisation will not reply to or acknowledge any further contact from them on the specific topic of that complaint

The decision to restrict or stop a complainant's access to The Forward Trust offices, services, and/or staff as a result of unreasonably persistent or vexatious complaints can only be taken by the Chief Operating Officer and will be reported to the Governance & Quality Assurance Sub-Committee in detail.

Stages of Complaint

Stage 1 – Raise your Concern to Forward Trust Central Services

If you are unable to make your complaint or raise your concern with the local service team or If you do not wish to do this, you can complain directly to our central Complaints Management Team via email to: forward.feedback@forwardtrust.org.uk

Or by writing to our Head Office:

ATTN: Governance & Quality Department

The Forward Trust
Unit 106 Edinburgh House
170 Kennington Lane
London SE11 5DP

Stage 2 – Formal Complaint

Make a formal complaint, providing key information, service location, dates of treatment, and any key information that you feel is useful to tell us.

We will write back to you within five working days, confirming that we have received your complaint and telling you how we will investigate it.

Stage 3 – We investigate and get back to you

We will investigate the complaint and send you a written report telling you our findings and what we intend to do about them. We will also invite you if appropriate (and any friend/advocate you wish to bring with you) to discuss your complaint and our response with the service manager.

If you are not satisfied with this response, we will send your complaint to the Chief Operating Officer of The Forward Trust.

This will take you to Stage 4.

Stage 4 - Appeal

The Chief Operating Officer will review your complaint and order any further investigations they see fit. They will then send you a final written feedback response to your complaint telling you our findings and what we intend to do about them.

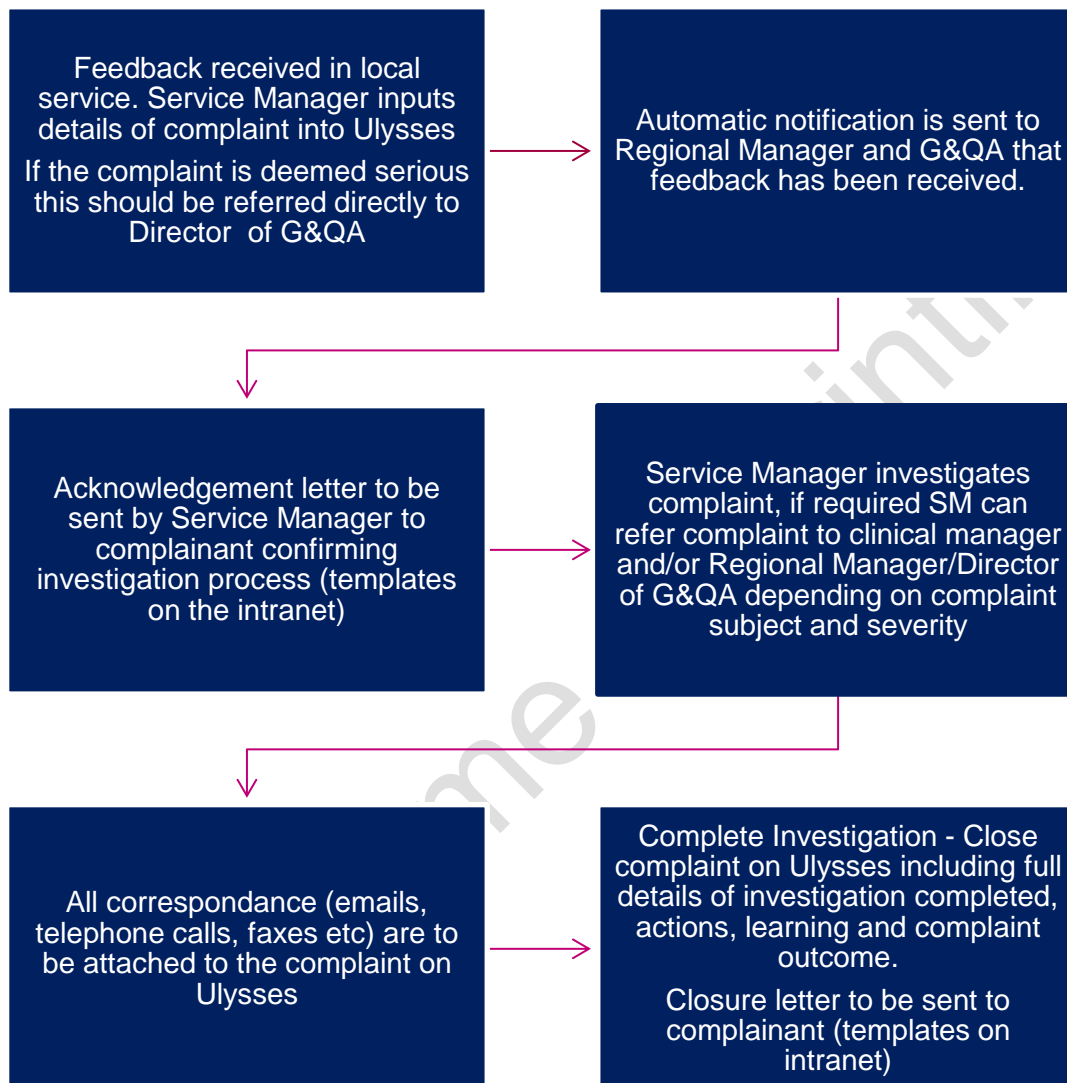
If you are still not satisfied with The Forward Trust's response, you may complain to the Commissioner (the organisation that paid for your treatments for).

This process is summarised in the diagram below:



6.8 Flow Chart for Staff logging Customer Service records on Ulysses

Complaints Process:



Please note response times/dates automated by Ulysses are, linked to our Customer Services policy. Should the complaint be made using the HMPS process these dates may differ.

Compliment/Comment Process:

