



## Compliments and Complaints Policy

<b>Director Responsible:</b>	<b>Sharon Stewart</b>
<b>Author:</b>	<b>Karen Gracie/Joanne McNally</b>
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## DOCUMENT HISTORY

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06/10/2010	L Currie	Draft Review Update	1.2
20/08/2013	L Currie	Policy Update	1.3
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## CONSULTATION AND RATIFICATION SCHEDULE

Name of Consultative Body	Date of Approval
Senior Management Team	August 2016
Regional Managers Forum	August 2016
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## CROSS REFERENCE TO OTHER POLICIES / STRATEGIES

This policy should be read in conjunction with:	Detail
Policy 1	
Policy 2	
Strategy 1	

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## **1. COMPLIMENTS AND COMPLAINTS**

Scottish Autism is committed to ensuring that its services are of the highest quality. We welcome feedback from all stakeholders in order that we can improve where necessary or recognise and learn from positive or outstanding experiences. A formal complaints procedure enables Scottish Autism to respond clearly and properly to complaints and to know when and why people are not satisfied with its services, so that it can improve them.

## **2. PROVIDING POSITIVE FEEDBACK**

Positive feedback about our services and staff is welcomed. If you wish to provide positive feedback, you can email [autism@scottishautism.org](mailto:autism@scottishautism.org).

You can also write to our Head Office: FAO Chief Executive, Scottish Autism, Hilton House, Alloa Business Park, Whins Road, Alloa, FK10 3SA

We will pass your positive feedback on to relevant staff and management, and ensure that the Director of Autism Services/ Principal of the School are also made aware of your feedback.

You can also contact the Care Inspectorate to provide positive feedback on any of our services (see Section 8 below for contact details).

## **3. WHAT IS A COMPLAINT?**

A complaint is an expression of dissatisfaction, either written or spoken. A complaint can be made by an individual or a group. You may wish to complain if you are not satisfied with the way you have been treated or the service you have received from Scottish Autism.

## **4. PRINCIPLES OF SCOTTISH AUTISM'S COMPLAINTS PROCEDURE:**

- Scottish Autism recognises that compliments and complaints are an important part of customer feedback.
- All complaints will be investigated fully and fairly.
- Complaints will be dealt with in confidence. The only exception to this is when others could be put at risk by matters referred to in the complaint.
- If the complainant is not happy with the result of the response to the complaint, there is the right to appeal.

## **5. WHO CAN MAKE A COMPLAINT?**

This procedure is for members of the public (for example service users, their parents or stakeholders) who have received a service from Scottish Autism.

This procedure does not cover complaints made by Scottish Autism staff, volunteers and trustees who need to follow agreed grievance, disciplinary or other internal procedures.

## 6. COMPLAINTS ABOUT SCOTTISH AUTISM

There are three stages that you can go through to try and resolve the problem.

### Stage one (Informal)

Speak to the individual(s) concerned or their line manager and try to resolve the complaint informally. The individual concerned is required to tell you their name and who their line manager is if you ask them, however, you can also refer to the list below to find out who is the appropriate manager for you to contact.

<b>Department</b>	<b>Job Title</b>
Chief Executive's Office	Chief Executive
Autism Services	Director of Autism Services
Education	Principal
Finance and Corporate Resources	Director of Finance and Corporate Resources
Human Resources	Director of Human Resources
Autism Practice and Research	Director of Autism Practice

### Stage two (Formally registering a complaint)

If you are not satisfied with the response you have received at stage one (informal) you should then use stage two of this procedure.

Outline the details of your complaint by letter, email, or audio tape and send it to the Chief Executive (CEO), Scottish Autism, Hilton House, Alloa Business Park, Whins Road, Alloa FK10 3SA.

If your complaint is about the CEO then please address your complaint to the Chair of the Board (marked private and confidential), and send it to Scottish Autism, Hilton House, Alloa Business Park, Whins Road, Alloa, FK10 3SA. The Board are ultimately responsible as Trustees of the organisation to look into your complaint.

Your complaint will be acknowledged by letter within seven working days from the date it is received. The letter will contain the following information:

- Name, address and telephone number of the person who will investigate the complaint.
- The date the investigation will start.
- What support you can receive during the process of the complaint, e.g. in terms of making information accessible, using interpreters etc.

You will receive, in writing from the person appointed to investigate, a full response to your complaint within 20 working days from the start of the investigation. The response will include the following information:

- Details of the investigation.
- A decision about whether the complaint was upheld or not.
- The reason for the decision.
- The redress, if appropriate, which will be offered to you e.g. an apology, additional help or directing to other sources of advice or support.
- Any other action that may be taken in light of the complaint.
- If it is not possible to provide a full answer to your complaint within 20 working days, the letter will outline reasons why and give a date by which a full answer is expected.

### Stage three (Appeal)

If you are not satisfied with the response to your complaint, then outline the reasons for your dissatisfaction by letter, email or audio tape within 7 working days of receiving the letter to the CEO (or the Chair of Board if it is about the CEO).

An Appeals Panel, normally of two members, will be convened to consider your appeal. The CEO will be responsible for ensuring the panel is appropriately representative. Panel membership will be restricted to people who have had no previous involvement in the complaint.

Members of the Appeals Panel will:

- read through the necessary papers
- speak to relevant individuals involved with the complaint
- make a final decision

The chair of the Appeals Panel will write to you within 28 working days of receiving your appeal, to confirm:

- the final decision about the complaint
- the reason for the decision
- if appropriate, the redress which will be offered to you e.g. an apology, additional help or directing to other sources of advice or support
- any action that may be taken in light of the complaint.

## **7. TIME LIMITS**

In circumstances where time limits cannot be met due to unforeseen circumstances, complainants will be notified in writing. The reasons for the delay with adjusted timescales will be supplied by the person responsible for handling the complaint.

## **8. ACCOUNTABILITY**

The CEO of Scottish Autism is responsible for the efficient operation of this procedure. Responsibility for carrying out investigations of complaints may be delegated to appropriate managers of Scottish Autism, under the authority of the CEO.

We acknowledge the right of our service users, carers/family and external partners to make complaints directly to the Care Inspectorate who regulate and inspect our services. We will make efforts to proactively promote this right by providing information directly to service users and their families. If individuals wish to make a complaint direct to the Care Inspectorate further information can be found on the Care Inspectorate website <http://www.careinspectorate.com/> or you can write to the Care Inspectorate at Compass House, 11 Riverside Drive, Dundee DD1 4NY or telephone 0345 6009527.

## **9. RECORDING COMPLIMENTS AND COMPLAINTS**

Each Director within Scottish Autism will be responsible for ensuring a record of all compliments and complaints relevant to their area is maintained by the Quality and Risk Manager. These will be reviewed by the Senior Management Team on a quarterly basis.

The Quality & Risk Manager will be responsible for collating information about compliments and complaints from Regional Managers, and furnishing the Board on an annual basis with details of the number received main reasons for compliments/complaints, outcomes and how any underlying problems have been resolved.

## **10. UNACCEPTABLE ACTIONS BY COMPLAINANTS**

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint coming to Scottish Autism. We do not view behaviour as unacceptable just because a claimant is forceful or determined. However, the actions of complainants who are angry, demanding or persistent may result in unreasonable demands on our resources or in unacceptable behaviour towards Scottish Autism staff. It is these actions that we consider unacceptable and aim to manage. We have grouped these actions under three broad headings:

- **Aggressive or Abusive Behaviour**

Violence or abuse towards staff is unacceptable. Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened or abused. We expect our staff to be treated courteously and with respect. It is not acceptable when anger escalates into aggression directed towards the organisation's staff.

- **Unreasonable Demands**

Complainants may make what we consider unreasonable demands on us through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant. We consider demands as unacceptable and unreasonable if they start to impact substantially on the work of the department involved, such as taking up an excessive amount of staff time to the disadvantage of other customers, services or functions.

- **Unreasonable Persistence**

We recognise that some complainants will not or cannot accept that Scottish Autism is unable to provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact us persistently about the same issue. We consider the actions of persistent complainants to be unacceptable when they take up what we regard as being a disproportionate amount of time and resources.

## **11. MANAGING UNACCEPTABLE ACTIONS BY COMPLAINANTS**

There are relatively few complainants whose actions we consider unacceptable. How we aim to manage these actions depends on their nature and extent. If it adversely affects our ability to do our work and provide a service to others, we may need to restrict complainant contact with us in order to manage the unacceptable action. We aim to do this in a way, wherever possible, that allows a complaint to progress to completion through our Complaints Process.

The threat or use of physical violence, verbal abuse or harassment towards Scottish Autism staff is likely to result in the ending of all direct contact with the complainant. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.

We do not deal with correspondence (letter, or electronic) that is abusive to staff. When this happens we tell the complainant that we consider their language offensive, unnecessary and unhelpful. We ask them to stop using such language and state that we will not respond to their correspondence if they do not stop. We may require future contact to be through a third party.

Scottish Autism staff will end telephone calls if the caller is considered aggressive, abusive or offensive. The staff member taking the call has the right to make this decision, tell the caller that the behaviour is unacceptable and end the call if the behaviour does not stop.

Where a complainant repeatedly phones, visits, sends irrelevant documents or raises the same issues, we may decide to:

- Only take telephone calls from the complainant at set times on set days or put an arrangement in place for only one member of staff to deal with calls or correspondence from the complainant in future.
- Require the complainant to make an appointment to see a named member of staff before visiting or that the complainant makes contact in writing only.
- Return the documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed.
- Take other action that we consider appropriate. We will, however, always tell the complainant what action we are taking and why.

Where a complainant continues to correspond on a wide range of issues, and this action is considered excessive, then the complainant is told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.

Complainant action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the complainant continues to dispute the decision of the Scottish Autism relating to their complaint. The complainant is told that no future phone calls will be accepted or interviews granted concerning this complaint. Any future contact by the complainant on this issue must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the complainant provides significant new information relating to the complaint.

The Organisation reserves the right to review contract arrangements for services that we provide due to unreasonable actions by complainants. This could result in the termination of contractual arrangements.

## **12. DECIDING TO RESTRICT COMPLAINANT CONTACT**

Scottish Autism staff that directly experience aggressive or abusive behaviour from a complainant have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this Policy. Decisions to restrict contact with Scottish Autism are only taken after careful consideration of the situation by the relevant Regional Manager or Head of Department.

Wherever possible, we give a complainant the opportunity to modify their behaviour or action before a decision is taken. Complainants are told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place.

### **13. APPEALING A DECISION TO RESTRICT CONTACT**

A complainant can appeal a decision to restrict contact. A Regional Manager or Head of Department who was not involved in the original decision considers the appeal. They advise the complainant in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

### **14. RECORDING AND REVIEWING A DECISION TO RESTRICT CONTACT**

We record all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry noting this is made in the relevant file and on appropriate computer records. A decision to restrict complainant contact may be reconsidered if the complainant demonstrates a more acceptable approach.

### **15. POLICY REVIEW STATEMENT**

This policy will be reviewed every three years or sooner if legislatively or operationally required.