

Complaints Policy

Midlothian Sure Start is committed to delivering a quality service to all its members, partner organisations and the general public. It aims to take effective action to ensure standards are upheld and welcomes being informed where they have not been satisfactory.

If a group or individual has a complaint about any service received from Midlothian Sure Start, it will be dealt with either informally or formally by Midlothian Sure Start.

All complaints will be lodged centrally and signed off by the Chief Executive or in the event of a complaint against the Chief Executive, by the Chairperson of the Board.

Midlothian Sure Start – Complaints Colliery Court, McSense Business Park 32 Sycamore Road Mayfield Midlothian EH22 5TA

Stage 1: Informal Complaint

1. The Complainant will approach the Manager/Service Lead and discuss their concern. The Manager/Service Lead will provide the Complainant with a copy of the Midlothian Sure Start Complaints Policy.
2. An agreement should be reached as to whether the complaint has been resolved satisfactorily and a letter sent to the complainant enclosing the Complaints Policy, confirming the outcome and next steps if required.
3. Any actions discussed should be recorded on an Action Plan which should be shared with Senior Management and relevant team members where applicable.
4. The complaint will move to stage 2 if a) there has not been a satisfactory outcome, or b) the Manager/Service Lead and/or complainant agree that the concern requires escalation. .

Stage 2: Formal Complaint

1. The complaint will be lodged with Midlothian Sure Start's Head Office who will write to the Complainant to acknowledge the complaint and inform the complainant that the process has been initiated (see Complaint Acknowledgement Letter template) within 10 working days. A copy of the Midlothian Sure Start Complaints Policy will be sent out.
2. Head Office will complete the 'Initial Complaint' form and lodge it with the Senior Management team, with a copy of the Complaint Acknowledgement Letter.
3. The Senior Management team will, within 10 working days, allocate an Investigator and hand the process over to them, and allocate a Complaint Number. If the complaint relates to the Chief Executive the Chair of the Human Resources sub-committee will appoint the Investigator.
4. The Investigator will meet with the following people and take minutes of the meetings:
 - a. The Complainant
 - b. The Staff member(s) involved
 - c. Any witnesses
5. The Investigator will consult relevant policies and procedures (in particular guidance relating to Child & Adult Protection), including the Health & Social Care Standards. They will also be guided by any Registration to a professional body (i.e., Scottish Social Services Council (SSSC)).

6. Relevant bodies will be informed of the complaint as required (for example, the Care Inspectorate, the Funder, the SSSC).
7. In most cases the investigation will be complete within 20 working days of the initial complaint. Where this is not possible the Investigator will write to the Complainant and inform them of the delay, and update the timeline. An update will also be provided to a member of the Senior Management Team.
8. When the investigation is complete, the Investigator will complete the Complaint Summary document and an Outcome Letter, for the Complainant. These will be submitted to a member of the Senior Management team for review before the Letter is sent to the complainant.
 - a. Any recommendations regarding disciplinary action shall be authorised by Senior Management and enacted by Managers/Service Leads with support from the HR function, where required.
 - b. Any recommendations regarding Gross Misconduct shall be the remit of Senior Management.
 - c. Any recommendations regarding improvements shall be the remit of Senior Management.
9. The outcome letter to the Complainant will be sent along with a copy of the Complaints Policy and the staff member(s) and their line manager(s) will receive a copy of the complaint summary document which will be shared with the Manager/team lead/ staff member/staff team.
 - a. If required, the Care Inspectorate, the Funder, Midlothian Council or SSSC will also receive a copy of the outcome letter, minutes and action plan.
10. The Manager/Service Lead/team will develop an improvement plan to address any recommendations made if required.
11. Any disciplinary issues that arise shall be enacted in accordance with the Disciplinary Policy.
12. All documentation relating to the Complaint will be filed centrally and kept according to Midlothian Sure Start's retention policy
13. A member of Senior Management will table key themes where relevant at the Quality Sub-Group meeting and/or the HR Sub-Group meeting, having redacted any identifying information.

Stage 3: Appeals

If a Complainant is dissatisfied with the outcome of the formal complaints process, they may lodge an appeal. The appeal should be lodged within 10 working days of receiving the Outcome Letter.

1. The Complainant can complete the 'Appeals Form' and forward it to the Chief Executive/The Board.
2. The Chief Executive/Chairperson of the Board will write to the Complainant within 10 working days to acknowledge receipt of the Appeal.
3. An Investigator will be appointed. This will be a different member of Senior Management or the Board.
4. The Investigator will review the documentation relating to the complaint. If they think that further interviews or investigation is required, they will undertake this.
5. In most cases the investigation will be complete within 30 working days of the initial complaint. Where this is not possible the Investigator will write to the Complainant and inform them of the delay, and update the timeline.
6. When the investigation is complete, the Investigator will inform the complainant of the outcome of their investigation.

Stage 4: Independent Arbitration

If at the end of Stage 3 the complainant remains dissatisfied The Board will commission an independent mediator. Their remit will not be to investigate and make a finding regarding the complaint, but rather to assist the Organisation and the Complainant to reach a resolution regarding the complaint. The complainant will be entitled to have a support person present at the Mediation meeting if they choose.

All documentation relating to an appeals process will be filed centrally alongside the original complaint and held in line with Midlothian Sure Start's retention policy.

Complaints to external bodies

The Care Inspectorate, Midlothian Council or NHS Lothian will generally encourage issues to be raised directly with the service in the first instance as often, issues can be resolved quickly once the service is aware of the problem. However complaints can be raised directly to the Care Inspectorate, Midlothian Council or NHS Lothian either following a complaint to the organisation or at the same time.

Care Inspectorate

The Care Inspectorate is the national organisation which regulates and inspects care services. The Care Inspectorate has a complaints procedure for dealing with any complaint regarding regulated services.

Further information can be found in the complaints section of the Care Inspectorate website (www.careinspectorate.com/index.php/complaints)

Complaints to the Care Inspectorate can be made by either:

- filling in a complaints form online
- contacting them on 0345 600 9527
- writing – Complaints, Care Inspectorate, Compass House, 11 Riverside Drive, Dundee, DD1 4NY
- emailing concerns@careinspectorate.gov.scot

NHS

The NHS is a national organisation that provides services to the community. Midlothian Sure Start receives funding from NHS Lothian and work closely with them in the community.

See more at: <http://www.nhsllothian.scot.nhs.uk/YourRights/ComplimentsConcernsComplaints/>

The NHS Lothian Patient Experience Team is based at:

Waverley Gate
2 – 4 Waterloo Place
Edinburgh
EH1 3EG

Telephone: 0131 536 3370

Email: feedback@nhsllothian.scot.nhs.uk

Midlothian Council

Midlothian Council is our funder. You can find more information at:

https://www.midlothian.gov.uk/info/670/have_your_say/316/complaints_compliments_and_comments

Freepost SC05613
Dalkeith
Midlothian
EH22 0BR

Telephone: [0131 561 5444](tel:01315615444)

Email: feedback@midlothian.gov.uk

See Also

Grievance Policy

Disciplinary Policy

Template Letter

Date of 1 st Issue	Revision	Agreed	Status	Responsibility	Review Date
27 th October 2021	6	27 th November 2021	Approved	HR Committee	September 2024

Midlothian Sure Start Appeals Procedure

Midlothian Sure Start – Complaints, McSense Business Park, 32 Sycamore Road, Mayfield, Dalkeith, Midlothian

Telephone 0131 654 0489

If you are unsatisfied with the response you have received you are entitled to appeal.

Please complete this form and return it within five working days of receipt of the attached written response.

I wish to appeal against the decision regarding my complaint.

Name

Address

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Postcode

Date written response received

Signed

Date