

Suffolk Family Carers is committed to providing a quality, transparent and accessible service to everyone we work with. In order to do this we need you to tell us when we get things wrong. We want to help resolve your complaint as quickly as possible.

We handle any expression of dissatisfaction with our service, which calls for a response, as a complaint. **However**, we are aware that some complainants may not wish to follow the formal complaints procedure, because in their opinion, the complaint is not serious enough. Whether you decide to follow the formal complaints procedure, or simply let us know of something you are not happy about, we will take your comments or complaints seriously by listening and learning from them so that we can continuously improve our service.

What is a complaint?

A complaint is an expression of dissatisfaction, whether justified or not.

Our policy covers complaints about:

- the standard of service you should expect from us
- the behaviour of our staff in delivering that service
- any action, or lack of action, by our staff

Our complaints policy does not cover:

- comments about our policies or policy decisions
- dissatisfaction or complaints expressed with our policies or decisions
- matters that have already been fully investigated through this complaints procedure
- anonymous complaints

Our standards for handling complaints

We can receive complaints in writing (by letter or email) in person or by telephone. We treat all complaints seriously.

- You can expect us to treat you with courtesy, respect and fairness at all times.
 - We expect that you will also treat our staff dealing with your complaint with the same courtesy, respect and fairness.
- We will treat your complaint in confidence.
- We will deal with your complaint promptly. We will acknowledge receipt of a written complaint within 5 working days where we have a return address and you can expect to have a full reply within 28 working days. Occasionally we may not be able to send a full reply within 28 working days of receipt, for example if your complaint is very complex. If this happens, we will tell you the reason why and let you know when we will be able to reply in full, keeping you fully informed of progress.
- We will not treat you less favourably than anyone else because of your:
 - Sex or legal marital or same-sex partnership status: this includes family status, responsibility for dependants, and gender (including gender reassignment, whether proposed, commenced or completed)
 - Sexual orientation

- Colour or race: this includes ethnic or national origin or nationality
- Disability
- Religious or political beliefs, or trade union affiliation
- Unjustifiable factors, for example language difficulties, age, pregnancy and maternity.

Third Party Reporting

Complainants may wish to have a third party act on their behalf. A third party is any person or organisation acting on behalf of or making enquiries for the complainant. For example, third parties may include:

- advice organisations
- professionals such as social workers, community psychiatric nurses, doctors or solicitors
- family members or friends

Where a third party is helping a complainant with a particular complaint, we need written consent to that effect. Where we have this authority, we will endeavour to take all possible steps to keep the third party informed of progress on the complaint.

We do not need written consent if a MP or elected Councillor is helping a constituent with a complaint, and we can disclose information to them in response to their enquiries. Some lawyers and attorneys are legally empowered in certain circumstances to act on behalf of a complainant, and consent to disclose information is not required.

Confidentiality

All complaints received will be kept confidential and in accordance with the requirements of the General Data Protection Regulation Act 2018, subject to the need to disclose information as required by statutory authorities, and/or resulting from statutory, or legal obligations.

If you wish to complain about our handling or storage of your personal data, or simply make an enquiry about how we manage your personal data, please contact the Governance Secretary. Contact details are found on the 'contacting us' section of this web page.

Under General Data Protection Regulation, you can complain to us about the protection of your personal data under any of the following headings by:

- Asking us to rectify any wrong or incomplete information
- Asking us to withdraw your consent and for your details to be deleted
- Objecting to the processing of your information on legitimate grounds
- Objecting if you have been the subject of an automatic decision intended to evaluate certain personal aspects relating to you such as reliability and conduct
- Asking to receive compensation for any damage suffered by you should we accidentally misuse your data

We are happy to provide you with a record of the work we have undertaken with you, and of the personal details, you have given us.

Should we fail to give you a satisfactory response you have the right to complain to the Independent Complaints Ombudsman on <https://ico.org.uk/make-a-complaint/> or call the ICO helpline on 0303 123 1113

Please note that if you have not given us your consent to hold your contact details, and any relevant notes relating to the work we undertook with you, we will not be able to respond to your complaint.

How to complain to us

If you wish to make a complaint, you can do so by email, or letter, by phone or in person. If you are disabled, and need a reasonable adjustment to ensure you can register your complaint, you can contact us alternatively by:

- telephone
- asking a member of staff to help you in writing out your complaint

Our contact details are in the 'contacting us' section of this webpage

Service complaints procedure

We have a three-stage service complaints handling procedure, explained above. At each stage it will help us to resolve your complaint quickly if you can give us as much detail as possible, including providing any documents and correspondence and stating that you are making a complaint and that **you would like this to go through the formal process.**

Some complainants wish to make a complaint that can be resolved quickly by the project or service manager that does not require a full investigation i.e. a complaint that might involve the receipt of a payment. The choice is yours. Please be aware that if we do not have all the details required to deal with the complaint, we may contact you and ask you for further information.

Stage 1

This is the first opportunity for us to resolve your dissatisfaction. We expect the majority of complaints to be resolved at this stage. When we receive the complaint, we will contact a senior officer, usually the Contracts Manager or a Service Manager to respond to your complaint.

Stage 2

If you are dissatisfied with the response at stage 1, you may request a review. Please write to the CEO within four weeks of the receipt of the letter you received from us in answer to stage 1 of the complaint.

If you are still dissatisfied

Stage 3

Please write to the Chair of the Trustees within four weeks of the letter you received from the CEO in answer to stage 2 of the complaint

Timescales

Stage 1

We will acknowledge complaints within 5 working days of receiving each complaint. We will send a full response within 28 working days of receiving each complaint.

If you make a complaint in person to a member of our staff (at an event or meeting), we will record your complaint in writing within 3 working days, and acknowledge it within 5 working days thereafter. We will then deal with your complaint in accordance with our policy for written complaints.

Stage 2

If you were unhappy with the response to the complaint, please write to our CEO **within four weeks** of having received the letter from us. We will acknowledge the receipt of your complaint to the CEO within 5 working days. We will send a full response within 28 working days of receiving your complaint.

Stage 3

If you are still unhappy with the response to the complaint given by our CEO, you can contact our Chair of Trustees. Please write C/O the Governance Secretary **within four weeks of having received the letter from the CEO**, who will also acknowledge the receipt of your complaint within 5 working days. You will receive a response within four weeks of receipt.

Extending time limits

We aim to complete our investigation into all complaints received about our service within the timescales set out above. However, in a limited number of cases - for example, if a complaint is very complex or requires further breakdown, it may be necessary to extend the time limit to ensure we have all the information necessary to investigate it. If this is the case, we will keep you informed of progress with the investigation, the reasons for the delay, and inform you of next steps.

Remedies

When we get things wrong, we will:

- accept responsibility and apologise
- explain what went wrong and why, and
- put things right by making any changes required
- learn lessons from mistakes and change policies and practices where proportionate and sensible to do so

The action we take to put matters right (i.e. redress) in response to a service complaint can include any combination of the remedies set out in the list below. The general principle we follow is that complainants should, so far as possible, be put in the position they would have been in, had things not gone wrong.

The remedy applied needs to be proportionate and appropriate to the failure in service, and take into account what redress people seek when they complain. An apology is generally the most appropriate action, but other action may also be necessary in some circumstances.

List of remedies

- A full apology, explaining what happened and/or what went wrong.
- Remedial action, which may include reviewing or changing a decision on the service given to an individual complainant

- Provide the service required in first instance (immediately, if appropriate)
- Putting things right (for example a change of procedure to prevent future difficulties of a similar kind, either for the complainant or others)
- Training or supervising staff; or a combination of both

Recording complaints

We use the outcome(s) from your complaint investigation(s) to improve services. We value your feedback and expect to use it too:

- get things right in the future if we have not done so already
- become more customer focused
- be more open and accountable
- act fairly and proportionately
- seek continuous improvement

We will handle your information so that it is only processed and retained appropriately and legally, in line with General Data Protection Regulation.

Reasonable adjustments and alternative formats

Suffolk Family Carers is committed to equal opportunities. Our aim is to make our complaints policy easy to use and accessible. We will take reasonable steps to accommodate any reasonable adjustments you may have to enable you to access this policy or receive responses to complaints in other formats, and provide such assistance as you may reasonably require.

Contacting us

Please send all complaints and requests for review under our complaints procedure to:

By post: The Governance Secretary
 Suffolk Family Carers
 Units 6 and 8
 Hill View Business Park
 Old Ipswich Road
 Claydon
 Ipswich
 IP6 0AJ

By email: governance@suffolkfamilycarers.org

If you want to make a complaint then you should do so within three months of receiving our service. Waiting longer than that could affect our ability to look into your complaint. In some cases, a long delay will mean that we will not consider the matter at all.

Unfortunately, we are unable to investigate complaints raised in excess of 12 months (365 days) after the incident.

Vexatious and repetitive complaints and unreasonable or abusive behaviour

All complaints will be 'dealt with' in accordance with this policy. However, unreasonable or abusive complaints behaviour do happen from time to time. Difficulties in handling such situations can place strain on time and resources and can be stressful for staff who have to deal with these complex and challenging issues.

The Parliamentary and Health Service Commissioner defines unreasonably persistent complainants as "those who, because of the frequency or nature of their contact with an authority, hinder the authority's consideration of their or other people's, complaints".

Suffolk Family Carers defines these as complaints that cause or tend to cause, annoyance, frustration or worry, that can be accompanied with (but not exclusively to) unreasonable and abusive behaviour.

Vexatious or repetitive complaints

We sometimes receive complaints which can be deemed 'vexatious' or 'repetitive', that cause or tend to cause, annoyance, frustration or worry. Some of these complaints can be costly to handle; or responding to them may be a disproportionate use of our staff's time.

Deciding whether a complaint is vexatious requires us in each case to take into account the context and history of the complaint. We will consider whether the complaint is likely to cause unjustified distress, disruption or irritation. In particular, we will consider the following issues:

- Does the complaint seem obsessive?
- Is the complaint harassing or causing distress to staff?
- Does the complaint appear designed to cause disruption or annoyance?
- Does the complaint lack any serious purpose or value?

The concern we will address is whether a complaint is vexatious in terms of the effect of the request on us and not whether the applicant is personally vexatious.

For a complaint to be vexatious, we will consider whether there is a proper or justified cause for it. We will not only examine the complaint itself, but also its context and history. That context may include other complaints made by the applicant to us (whether complied with or refused), the number and subject matter of the complaints, as well as the history of other dealings between the complainant and ourselves. The effect a complaint will have are determined as much, or indeed more, by that context as by the complaint itself.

We will take into consideration the following factors (not an exhaustive list) when determining whether a complaint is vexatious:

- where the complaint requests information which has already been provided
- where the nature and extent of the complainant's correspondence with us suggests an obsessive approach to disclosure
- where the tone adopted in correspondence by the complainant is confrontational and/or haranguing and demonstrates that the purpose is to argue and not really to obtain information

- where the correspondence could reasonably be expected to have a negative effect on the health and well-being of our staff
- where the complaint, viewed as a whole, appears to be intended simply to re-open issues which have been disputed several times before, and is, in effect, the pursuit of a complaint by alternative means
- where responding to the complaint would likely entail substantial and disproportionate financial and administrative burdens for us
- where it is not a one-off complaint, but a case of the same complaints having been made repeatedly, or where on repetition, the particulars of the complaints have been varied making it difficult to know exactly what the complainant is seeking and making it less likely that the request can be satisfied

No single one of the above factors would lead to a finding, by itself, that a complaint was vexatious. However, based on the various factors, including the history and context of a complaint, the complaint may be vexatious.

Suffolk Family Carers recognises that not all complaints from a single source are vexatious just because some may have been so previously. This is particularly the case if the complaint seems to be stand-alone, specific, and straightforward. However, it is entirely appropriate and necessary, when considering whether a complaint is vexatious, to view that complaint in context - if, say, the complaint is part of a wider grievance and is, for example, linked to an individual's quest to hold Suffolk Family Carers to account for perceived shortcomings.

Complaints can sometimes become a vehicle for individuals to try to reopen previous issues. We recognise that people are not always satisfied with the responses they receive. However, continued complaints after the underlying complaint has been 'addressed', go beyond the reasonable pursuit of resolution.

Unreasonable Behaviour

Suffolk Family Carers understands that people may act out of character in times of distress or due to frustration. We do not view behaviour as unreasonable just because a complainant is forceful or determined. Staff make reasonable allowances for complainants' behaviour.

However, sometimes the situation between a complainant and Suffolk Family Carers can escalate and the behaviour of the complainant becomes unacceptable, for example becoming abusive, aggressive or threatening. Such abusive, aggressive, threatening or vexatious complaints are in the very small minority but we sometimes find ourselves in the position where we need to restrict or bring to an end communication and access to our premises or staff.

Our staff have the right to undertake their work free from abuse, threats and harassment, or vexatious and repetitive complaints. We expect all complainants to treat our staff with courtesy and respect. Suffolk Family Carers has a duty to protect the welfare and safety of staff and considers that violence, threats or abuse towards staff is unacceptable. In turn, we expect staff to treat complainants with courtesy, respect and fairness.

Behaviour where complainants harass, or are or have been, abusive or threatening on one or more occasions towards staff is unreasonable. With any threats or acts of violence causing direct contact with the complainant to be discontinued. Violence includes behaviour or language (written, oral, or in tone or otherwise) that may cause staff to feel afraid, threatened or abused.

- Examples of unacceptable behaviour includes but not exclusively threats, verbal abuse, derogatory remarks, rudeness, racist, sexist, homophobic, transphobic, disablist or other harassment based on personal characteristic or obscene remarks, repeatedly demanding disciplinary action be taken against staff, and where complainants are known to have recorded meetings or telephone conversations without consent.

We also consider that inflammatory statements and unsubstantiated allegations can amount to abusive behaviour.

Suffolk Family Carers staff will end a phone call if the caller appears aggressive, abusive or threatening. Staff will inform the complainant they consider their language offensive or their behaviour unacceptable and request they stop using such language or behaviour.

If an officer considers behaviour to be unreasonable they are advised in the first instance to refer it to their manager who may seek advice and guidance before determining future contact with the complainant, be that by telephone, in person, or electronically.

For vexatious complainants that may or may not have unreasonable or abusive behaviour accompanying the complaint; complainants will receive a letter confirming that no further correspondence will take place. To allow for a 'cooling off' period, Suffolk Family Carers will initially keep one form of contact open so that there is not a 'blanket ban' on contact for any individual.

Where unreasonable or abusive behaviour persists, Suffolk Family Carers will cease all contact with the complainant. A senior manager will write to the complainant confirming there is no further contact and that this applies to all Suffolk Family Carers contacts. A copy of this policy will be included and, if and where appropriate, a no-contact period specified.

- If further contact is necessary, the complainant or their nominated officer/s will be informed.
- If the complainant subsequently demonstrates reasonable behaviour, contact will be restricted.

However where the behaviour has been so extreme, that there is 'no way back' to a normal relationship with the complainant, the service manager, CEO, or Chair of the Trustee's will notify the complainant in writing that no further contact will be undertaken. This will apply to all Suffolk Family Carers contacts. A copy of this policy will be included with the complainant's nominated officer/s (if there are any) informed.

Suffolk Family Carers will record incidents of harassment or aggression and report these to the police as needed, Suffolk Family Carers may consider taking appropriate legal action against the complainant, if necessary, without warning.