

Complaints Policy and Procedures

Policy and Procedure	Complaints
Company	YouGlo Laboratories Ltd
Location	1 Harley Street, London, W1G 9QD
Email address	laboratory@youglo.co.uk
Author and Job Title	Dr Zahida Zahoor Director of YouGlo Laboratories
Responsible Directors	Dr Maryam Borumand and Dr Zahida Zahoor
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1. Introduction

This policy makes clear what people should expect when they complain. YouGlo Laboratories supports a culture of openness, honesty and transparency (in accordance with Duty of Candour).

YouGlo Laboratories believes in most circumstances the quickest and most effective way of resolving a concern or complaint is to deal with the issues when they arise or as soon as possible. This is best undertaken as close to the point of service delivery as possible. In circumstances where this is not possible, this policy describes the processes in place to ensure concerns and complaints are handled efficiently and investigated thoroughly.

YouGlo Laboratories staff members will access, acknowledge and investigate concerns or complaints. Importantly, staff will ensure that the complainant is listened to, is involved in the process and receives an open, honest and proportionate response to their complaint.

2. Aim of this policy

- To listen, to acknowledge mistakes, explain what went wrong and to consider prompt, appropriate and proportionate remedies to put things right.

- To provide a consistent approach to the timely and efficient handling of all concerns and complaints, establishing an agreed complaints plan with the complainant, with an emphasis on early resolution.
- Ensure organisational openness and an approach that is conciliatory and fair to people both using and delivering services.
- Respect the individual's right to confidentiality and treat all users of this policy with respect and courtesy
- Learn from concerns and complaints and use them to improve the quality of services and to prevent mistakes happening again

3. Definitions

A concern can be defined as a matter of interest, importance or anxiety. YouGlo Laboratories aims to investigate and resolve any concerns and complains within next working day. If a satisfactory response can't be provided quickly, the complaint will be informed and updated on the investigation process.

All concerns, whether resolved by the next working day or not, will be recorded and reported to Senior Management Team and will be reviewed, collated and analysed along with the data recorded from complaints.

A complaint can be defined as any expression of dissatisfaction, or a perceived grievance or injustice. YouGlo Laboratories aim to investigate and resolve any complaints within two working days.

A complainant can be defined as an individual who raises a complaint.

4. Roles and Responsibilities

Directors

Dr Borumand and Dr Zahoor are responsible for:

- Ensuring timely investigation and response to all complaints regarding their services
- Achieving complaint performance targets
- Implementing action plans arising from complaints
- Ensuring complaints are managed and actions completed
- Ensuring shared learning
- Ensuring appropriate training is in place for all staff

All staff

All staff members have a responsibility to respond to any concern or complaint raised to them by clients or visitors, with an emphasis on early resolution.

All staff members have a responsibility to deal with a concern or complaint in an open, constructive and non-judgemental manner. Where possible, the staff member will resolve the matter immediately or as soon as possible, or refer to a more senior member of staff on duty at the time.

All staff members have a responsibility to direct patients and carers to appropriate information regarding how to give feedback and how to raise a concerns or complaint.

5. Raising a concern or making a complaint

Information about raising a concern or making a complaint

Written information regarding how YouGlo Laboratories deals with concerns and complaints will be made available on the company website and on site.

How to raise a concern or make a complaint

Concerns and complaints may be made about any matter reasonably connected with the services offered at YouGlo Laboratories; this may be clinical or non-clinical.

Concerns and complaints may be made verbally (in person or via telephone) or in writing (letter or electronically). A concern or complaint may be raised with any member of staff.

Who may raise a concern or make a complaint

Concerns and complaints may be made by a patient, their representative, or any persons who are affected by or likely to be affected by the action, omission or decision of the company.

A concern or complaint may be made by a representative where the patient: has died; is a child; is unable to make the complaint themselves due to physical or mental incapacity (within the meaning of the Mental Capacity Act 2005); or has requested the representative to act on their behalf. This includes a Member of Parliament and other NHS bodies such as the local Clinical Commissioning Group (CCG) or NHS England.

In all circumstances where a representative is making a complaint, the complaint can be considered if the representative is a relative or other person who had or has sufficient interest in the person's welfare and the complaint is made in the best interests of the person on whose behalf the complaint is made.

In cases where a patient representative makes a complaint, consent will be obtained from the patient (or person legally responsible for the patient) for permission to access their health records for the purpose of the investigation (where required) and to release the details of the investigation to the representative.

If the patient has died or is unable to act for him/ herself the next-of-kin may be able to provide consent for the complaint to be investigated and details released. In these circumstances, YouGlo Laboratories will respect any known wishes that had been expressed by the patient.

In circumstances where a complaint is made by a third party when the patient has not authorised the complainant to act on their behalf, this will not preclude YouGlo Laboratories from undertaking a full and thorough investigation into the concerns raised. If the complaint raises concerns about patient safety or the conduct of staff, the relevant policies will be evoked. A response to the third party will be limited, including any matters of a non-personal or non-clinical nature and will not include the outcome of any investigations. The response to the complainant will explain why this is the case.

Concerns and complaints excluded from the scope of this policy

YouGlo Laboratories is not required to consider the complaint in the following circumstances:

- A complaint that is made orally and is resolved to the complainant's satisfaction by the end of the next working day
- A complaint of which has been investigated previously
- A complaint made by a responsible or professional body which may involve matters relating to employment

Concerns or complaints involving a vulnerable adult

Where it is known that the complaint involves a vulnerable adult, the executive lead for vulnerable adults will be informed and the most appropriate route of investigation agreed, this may not be the Complaints Procedure. Where it is known that the complaint involves a vulnerable adult, further guidance and assistance may be required from the local social services (refer to Safeguarding Policy).

Clinical negligence, personal injury or other claim

In circumstances where the complainant indicates a clear intention to bring legal proceedings for clinical negligence, personal injury or other claim, the use of the complaints procedure is not necessarily precluded. The Directors will discuss the nature of the complaint with the Litigation and Insurance Services, to determine whether processing the complaint might prejudice subsequent legal or judicial action. In the case where there are legal reasons why a complaint should not be dealt with under this policy, the complaint investigation will cease.

6. Time limit for making a complaint

A complaint should be made within 12 months of the date on which the matter occurred, or 12 months of the date on which the matter came to the notice of the complainant.

Where a complaint is made after this time, the complaint may be investigated if the complainant had good reasons for not making the complaint within the above time limits and given the time lapse it is still possible to investigate the complaint effectively and efficiently.

7. How complaints and concerns will be dealt with

YouGlo Laboratories aims to deal with concerns and complaints as promptly as possible using the following guidelines:

Confidentiality

- Information about a complaint will only be given to people directly involved
- Everyone involved will be advised of the need for confidentiality
- Information will be kept securely and only on an employee's file if they are disciplined.

Fairness and impartiality

- Fair treatment for all is paramount
- The process should be open and transparent (complying with Health and Social Care Act 2008; Duty of Candid Disclosure and Duty of Candour)

- The complaint will be handled fairly and in good faith by the Directors of the company
- Any person complained about has the right to know the details of any allegations against them
- Both parties will have the opportunity to give their version of events
- No judgments will be made or action taken until all relevant information has been assessed
- Both sides are allowed support or representation
- All allegations will be investigated before a decision is made
- Complaints must be substantiated before any disciplinary action is taken
- Complaints should be investigated and replied to within two weeks, all parties will be updated on the progress and when a full reply will be expected

Victim Protection

- People involved in a complaint will be protected from being victimised
- Victimisation will be disciplined
- Anyone found making malicious or false complaints will be disciplined

8. The complaints and concerns process

YouGlo Laboratories will first ensure the service user's health needs are being met. YouGlo Laboratories will aim to resolve the problem internally by talking to the person or individuals involved.

Seeking information

Staff will have access to Managers or the Senior Management Team to seek further guidance and advice if they

- Are not sure how to handle the problem
- Want to confidentially seek more information about what to do

Asking management to act

Staff will be encouraged ask supervisors or manager to act if:

- Think there is a chance of quickly stopping the problem before it develops
- Are likely to have an ongoing working relationship with the person you are complaining about
- Want them to talk confidentially to the person you are complaining about and convey any concerns
- Want them to bring you together with the other party to conciliate
- Want to discuss options and outcomes
- Need to protect others in the workplace

Making a formal complaint

A formal complaint will be made if:

- The staff member has tried to resolve the problem and failed
- The allegations are very serious
- The allegations have been denied and you want to substantiate them

- An individual wants the complaint investigated
- The individual has been victimised for complaining
- The individual is complaining against a senior person and an investigation will help to ensure they are not disadvantaged

The exact details and any evidence of the complaint will be required will lead to an investigation. Details will be sent to CQC and a formal discussion with Senior Management Team will be held within a week of submitting a complaint.

All form of complaints and concerns will be recorded and stored at YouGlo Laboratories, included but not limited to emails, meeting and verbal discussions. All documentation will be held confidentially and securely.

Asking for help elsewhere

If the complaint has not been resolved internally with a satisfactory the following organisations will be approached for guidance and advice:

- Equality and Human Rights Commission
- Care Quality Commission
- Health Service Ombudsman
- Legal services

Wherever practical YouGlo Laboratories Senior staff members will:

- Get an accurate report of the complaint
- Make no judgments
- Explain the complaint procedure to the staff member or service users
- Find out how the service users or staff would like it handled
- Decide who is the appropriate person to handle the complaint or appoint someone to investigate
- Reassure individual is protected from victimization
- Give options on support or representation
- Immediately remove any offensive material
- Convey concerns to the person you are complaining about and ask for their version of events
- Try to conciliate the parties to reach a satisfactory agreement for all
- Seek further information and interview any witnesses
- Find whether the complaint has substance
- Recommend an outcome including disciplinary action
- Consider staff education or training
- Monitor the situation if appropriate
- If appropriate inform other external professional organisations
- Try and resolve the concern or complaints efficiently as possible and in a timely manner

9. How complaint and concerns are resolved

All complains and concerns will be dealt with by YouGlo Laboratories fairly and honestly (complying with Health and Social Care Act 2008 and Duty of Candour).

The following action may be taken:

Agreement

Complaints can be settled by agreement between the people involved.

Not substantiated

If there is not enough evidence to decide if the allegations happened or were likely, no disciplinary action will be taken but YouGlo Laboratories may:

- Monitor the situation
- Consider staff education or training

Disciplinary Action

Cases regarding professional conduct, where a complaint is found to be justified this may require an internal disciplinary investigation to be undertaken. Such an investigation may also result in the involvement of professional regulatory bodies and/or police depending on the nature of the allegations. In such circumstances, the complainant will be informed that a disciplinary investigation will be undertaken.

The level of discipline will depend on:

- The severity and frequency of the discrimination or harassment
- The weight of evidence
- Whether the behaviour was intentional or malicious
- Existence of any prior incidents or official warnings
- Whether there are any mitigating circumstances

Discipline could involve:

- Counselling
- Apologising
- Warning
- Loss of promotion or wage increases for a period
- Demotion, transfer, suspension, probation
- Dismissal

An individual who is being disciplined may have legal representation or a member of a union present at the disciplinary meeting.

Anyone who is disciplined will have a record of the complaint and the outcome placed on their employee file.

Clinical negligence, personal injury or other claim

In circumstances where the complainant indicates an intention to bring legal proceedings for clinical negligence, personal injury or other claim, senior management team at YouGlo Laboratories will discuss the nature of the complaint with the insurance providers, to determine whether progressing the complaint might prejudice subsequent legal or judicial action.

In cases where there are legal reasons why a complaint should not be dealt with under this policy, the complaint investigation will cease. However YouGlo Laboratories will continue to investigate any issues arising within the complaint that are not part of the claim.

Documentation

A complete documentary record will be maintained for each concern or complaint. This will include all written or verbal contacts with the complainant, staff involved in the investigative process and all actions taken in investigating the complaint.

Information about complaints and all the people involved is strictly confidential, in accordance with Caldicott principles. Information is only disclosed to those with a demonstrable need to know and/or a legal right to access those records under the Data Protection Act 1998.

Complaints will not be filed on health records, but maintained in a separate case file, subject to the need to record any information that is strictly relevant to their health record. Complaints must not affect the complainants' treatment and the complainant must not be discriminated against. Any identified discrimination must be reported to senior staff.

Complaint files will:

- Be kept confidential
- Be stored securely
- Not be kept on employee files unless there is disciplinary action
- Be retained for 5 years

Change of Policy or Standard Operating Procedures

Where disciplinary is not relevant YouGlo Laboratories will seek guidance and advice from external organisations including CQC to amend relevant policies, procedure or Standard Operating Procedures (SOPs).

10. Complaint response

All complaints will receive a fair and honest response. The complainant may prefer to receive this via letter, email, at a meeting or in a telephone call. The latter will usually be followed up in writing or via email. The response will address all issues raised, provide a full explanation, an apology as appropriate, any decisions regarding remedy and actions that have or are planned to be undertaken to put the matter right. Where possible, the response will be in a format suitable for the complainant.

11. Harassment concerns

Violence, racial, sexual or verbal harassment will not be tolerated at YouGlo Laboratories, neither will language that is of a personal, abusive or threatening in nature. If staff should encounter this behaviour they should seek support from their manager and complete an incident form. Where appropriate, the complainant will be informed in writing that their behaviour is unacceptable.

In the event that the complainant has harassed or threatened staff dealing with their complaint, all personal contact with the complainant will be discontinued. The complaint thereafter can only be pursued through written communication.

12. Implementation

This policy will be made accessible to all staff. All staff members need to know how to react and what to do if someone makes a complaint as their initial response may help to resolve the situation quickly and/or provide reassurance to the complainant that their concerns will be dealt with appropriately.

Staff will receive training dependent on their level of responsibility in complaint management, as part of their induction training requirements at YouGlo Laboratories.

13. Monitoring and learning from complaints and concerns

Every complaint received should be regarded as an opportunity to learn and improve our services. This may involve a specific action plan being completed within an agreed timescales by complainant and/or staff members involved.

All complaints and concerns will be reviewed monthly by Senior Staff members to identify any trends which may indicate a need for further action. This may involve actions to improve staff performance or to evaluate lessons learnt.

This policy will be reviewed every three years and will be amended accordingly.



YouGlo Laboratories Complaints, Concerns or Comments Form

I would like to raise a complaint, concern or make a comment as a service user of YouGlo Laboratories.

Name:	Date of Birth:
Address:	Telephone [daytime]:
	Mobile Number:
	E-mail:

Complaints, Concerns or Comments relates to: Name of patient [if different to above]:	Date of Birth [if different to above]:
	Telephone [daytime]:
Address of patient [if different to above]:	E-mail:
	Mobile Number:

My complaints, concerns or comments are:
(please list the details of the event below including what services you used and when)

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What would you like to happen as an outcome

Date:

Signature:

If you wish you may also complete the form and email it to: laboratory@youglo.co.uk or post it to: YouGlo Laboratories, 1 Harley Street, London, W1G 9QD

*An Incident and Accident Form to be completed if appropriate