



Aberdeenshire
Health & Social Care
Partnership

Aberdeenshire
COUNCIL



Aberdeenshire Health & Social Care Partnership And Aberdeenshire Integrated Joint Board

Complaints Handling Procedure

Issued: August 2017

This leaflet details the complaints procedure in relation to the Aberdeenshire Health and Social Care Partnership (AHSCP) and Integration Joint Board (IJB) and advises on how to make a complaint. It includes information about what you can expect from us when we are dealing with your complaint.

The Integration Joint Board (IJB) is a joint board of Aberdeenshire Council and NHS Grampian. It oversees the Aberdeenshire Health and Social Care Partnership (AHSCP).

The IJB manage adult health and social care services in Aberdeenshire.

Who your complaint should be directed to:

If your complaint is in relation to Social Care Services

And your complaint relates to the following, but is not restricted to this list:

- failure or refusal to provide a service
- inadequate quality or standard of service
- dissatisfaction with one of our policies or its impact on the individual
- failure of administrative processes
- delays in service provision
- treatment by or attitude of a member of staff
- disagreement with a decision made in relation to Health & Social Care services.

Or if your complaint is directly in relation to Aberdeenshire Integration Joint Board (IJB): e.g.

- Aberdeenshire IJB's policies
- Aberdeenshire IJB's decisions
- The administrative or decision-making processes followed by Aberdeenshire IJB in coming to a decision

You should contact:
By email: feedback.team@aberdeenshire.gov.uk
Aberdeenshire Council via website: https://online.aberdeenshire.gov.uk/apps/haveyoursay/
In writing:
Aberdeenshire Council
Feedback Team
Woodhill House
Westburn Road
Aberdeen
AB16 5GB
Telephone: 01346 58 58 63

If you complaint is about Health Services

- your care and/or treatment
- delays
- a failure to provide a service
- an inadequate standard of service
- a lack of information and clarity about appointments
- difficulty in making contact with us for appointments or queries

- treatment by or attitude of a member of staff
- scheduled or unscheduled ambulance care
- transport concerns, either to, from or within the healthcare environment
- operational and procedural issues
- your dissatisfaction with our policy

You should contact:
NHS By email nhsgrampian.feedback@nhs.net
NHS via website: www.nhsgrampian.org/feedback/
NHS in writing:
NHS Grampian Feedback Service Summerfield House 2 Eday Road Aberdeen AB15 6RE
By phone: 0345 337 6338

The NHS and Social Care complaints handling procedures have been aligned to provide clarity and consistency. If your complaint is in relation to both health and social care services, you do not have to contact each organisation. Your complaint will be shared as appropriate within the Angus Health & Social Care Partnership.

You only need to complain once, and can choose which organisation to contact.

We value complaints and use information from them to help us improve our services.

If something goes wrong or you are dissatisfied with our services, please tell us. This document describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.

Quick Guide to our complaints Procedure

You can make your complaint in person, by phone, by e-mail or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need a detailed investigation, we will tell you and keep you updated on our progress.

Stage one: early, local resolution

We will always try to resolve your complaint quickly, within **five working days** if we can.

If you are dissatisfied with our response, your complaint can be further investigated at Stage two.

Stage two: investigation

We will look at your complaint at this stage if you are dissatisfied with our response at Stage one. We also look at some complaints immediately at this stage, if it is clear that they are complex or need detailed investigation.

We will acknowledge your complaint within **three working days**. We will give you our response as soon as possible. This will be after no more than **20 working days** *unless* there is clearly a good reason for needing more time.

The Scottish Public Services Ombudsman (SPSO)

If, after receiving our final response on your complaint, you remain dissatisfied with our response or the way we have handled your complaint, you can ask the SPSO to consider it.

We will tell you how to do this when we send you our final response.
We will tell you how to do this when we send you our final decision.

What is a complaint?

Aberdeenshire Council and our Health & Social Care Partnership's definition of a complaint is:

'An expression of dissatisfaction by one or more members of the public about the Health & Social Care service's action or lack of action, or about the standard of service provided by or on behalf of the Health & Social Care service.

Aberdeenshire Integration Joint Board's (IJB) definition of a complaint is:

'An expression of dissatisfaction by one or more members of the public about Aberdeenshire Integrated Joint Board's action or lack of action, or about the standard of service Aberdeenshire Integrated Joint Board has provided in fulfilling its responsibilities as set out in the Integration Scheme'.

This list does not cover everything.

A complaint is **not**:

- a first time request made to either of these parties
- a request for compensation only
- issues that are in court or have already been heard by a court or a tribunal
- disagreement with a decision where a statutory right of appeal exists
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.

Who can make a complaint?

Anyone who is affected by the decisions made by the Aberdeenshire Health and Social Care Partnership (AHSCP) and Integration Joint Board (IJB) can make a complaint. This is not restricted to people who receive services through Aberdeenshire Health and Social Care Partnership (AHSCP) and Integration Joint Board (IJB) and their relatives or representatives. Sometimes a customer may be unable or reluctant to make a complaint on their own. We will accept complaints brought by third parties as long as the customer has given their personal consent.

Sometimes a customer may be unable or reluctant to make a complaint on their own. We will accept complaints from third parties, which may include relatives, friends and advocates. The third party should normally obtain the customer's consent. This can include complaints brought by parents on behalf of their child, if the child is considered not to have capacity to make decisions for themselves. As children over the age of 12 are seen as being able to speak for themselves.

However, in certain circumstances, the third party may raise a complaint without receiving consent, such as when there are concerns over someone's wellbeing. The complaint should still be investigated, but the response may be limited by considerations of confidentiality.

How do I complain?

When complaining tell us:

- your full name and contact details - phone number and your email address if this is your preferred method of contact;
- the full name, address and date of birth of the person affected if you are complaining on behalf of somebody else;
- as much as you can about the complaint;
- what has gone wrong;
- when did this happen;
- where did this happen;
- how you want us to resolve the matter.

Giving us this information will help us to clearly identify the problem and what we need to do to resolve matters.

Normally, you must make your complaint within six months of: the event you want to complain about; or finding out that you have a reason to complain, but no longer than 12 months after the event itself.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel the time limit should not apply to your complaint, please tell us why when you advise us of your complaint.

What if I remain dissatisfied?

After we have fully investigated, if you are still dissatisfied with the decision or the way the Integrated Joint Board have handled your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it. The SPSO are the final stage for complaints about public services in Scotland. This includes complaints about local councils and the NHS in Scotland.

The SPSO cannot normally look at complaints:

- where you have not gone all the way through the council's complaints handling procedure
- more than 12 months after you became aware of the matter you want to complain about, or
- that have been or are being considered in court.

The SPSO's contact details are:

SPSO
4 Melville Street
Edinburgh
EH3 7NS

Their freepost address is: FREEPOST SPSO
Freephone 0800 377 7330

Online contact www.spsso.org.uk/contact-us
Website: www.spsso.org.uk

Getting help to make your complaint

We must always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to ensure that all customers can access our services.

All members of the community have the right to equal access to our complaints procedure. It is important to recognise the barriers that some customers may face complaining. These may be physical, sensory, communication or language barriers, but can also include their anxieties and concerns. Therefore we understand that you may be unable, or reluctant, to make a complaint yourself

and customers may need independent support to overcome these barriers to accessing the complaints system.

We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

The Mental Health (Care and Treatment) (Scotland) Act 2003 gives anyone with a 'mental disorder' (including mental health issues, learning difficulties, dementia and autism) a right to access independent advocacy. This legislation says that independent advocacy must be delivered by independent organisations that only provide advocacy. They help people to know and understand their rights, make informed decisions and have a voice. The Scottish Independent Advocacy Alliance website has information about local advocacy organisations throughout Scotland.

Scottish Independent Advocacy Alliance

Tel: 0131 524 1975

Fax: 0131 550 9819

Website: www.siaa.org.uk

Customers who do not have English as a first language, including British Sign Language users, may need help with interpretation and translation services. Other customers may need other forms of communication support, including documents written in accessible language such as easy read format. Some may need support workers or advocates to help them understand their rights, and help them to communicate their complaints.

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help customers access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, please let us know and we will help

If you have trouble putting your complaint in writing please tell us in person, email us at feedback.team@aberdeenshire.gov.uk or call us on 01346 58 58 63 or NHS 0345 337 6338

The Model Complaints Handling Procedure

FRONTLINE RESOLUTION

For issues that are straightforward and easily resolved, requiring little or no investigation.

'On-the-spot' apology, explanation, or other action to resolve the complaint quickly, in five working days or less, unless there are exceptional circumstances.

Complaints addressed by any member of staff, or alternatively referred to the appropriate point for frontline resolution.

Complaint details, outcome and action taken recorded and used for service improvement.

INVESTIGATION

For issues that have not been resolved at the frontline or that are complex, serious or 'high risk'.

A definitive response provided within 20 working days following a thorough investigation of the points raised.

Responses signed off by senior management.

Senior management have an active interest in complaints and use information gathered to improve services.

INDEPENDENT EXTERNAL REVIEW (SPSO or other)

For issues that have not been resolved by the service provider.

Complaints progressing to the SPSO will have been thoroughly investigated by the service provider.

The SPSO will assess whether there is evidence of service failure or maladministration not identified by the service provider. In relation to social work decisions the SPSO can also look at professional decisions.