

Guidance for Managing Complaints

1. Responsibility

Staff

All members of staff employed by the LMC are responsible for recording complaints and for following the guidance below.

The Management Team

Will be responsible for ensuring that trends are monitored, action is taken in line with this guidance and any complaints fed back to the board. Compliments and complaints will be considered as part of the Appraisal process of the staff involved in them.

The LMC Chairs

Will be responsible for dealing with complaints as appropriate.

The Chair of the Board of Management

Will be responsible for ensuring that appeals are dealt with promptly and in line with this guidance.

2. Recording

All concerns and complaints will be recorded so that they can be used to inform service improvements. This is regardless of whether they are minor issues dealt with on the spot or more serious complaints requiring investigation and a formal response.

Procedure for Dealing with Complaints

All staff and Committee Members involved in dealing with a complaint will follow the procedure set out below.

1. Record the Complaint

- 1.1 All complaints will be typed into the complaints log.
- 1.2 The log will be updated as the different stages of this procedure are followed.

2. Pass the Complaint to the Most Appropriate Person for Response

- 2.1 A complaint may be addressed to a specific individual or to the organisation in general. The person making the complaint will not always be aware of the most appropriate person to assist them in resolving their problem.
- 2.2 Each complaint will be considered, and a decision made on who is the most appropriate person to respond. This will ensure that a prompt and relevant response can be made, and that the complainant does not feel that they are being passed from pillar to post.
- 2.3 The following principles will be used when deciding who should deal with a complaint:
 - If the complaint is addressed to an individual and it is within their remit to give a full response, then they will deal with the complaint.
 - If the complaint is about a member of staff, it will be passed to their line manager for response.
 - If the complaint is about a member of the Senior Management Team, it will be passed to the CEO MD of the LMC.
 - If the complaint is about the CEO MD, it will be passed to the Chairperson of the LMC.
 - If the complaint is about an LMC member, it will be passed to the Chairperson of the LMC for the relevant constituency.
 - If the complaint is about a Chairperson of the LMC, it will be passed to another nominated director from a different LMC committee.
- 2.4 Once the complaint has been passed to the appropriate person, they will be responsible for:
 - Following the complaints procedure through to its satisfactory completion
 - Ensuring that the complaints log is duly updated to record actions and conclusion.

3. Acknowledge the Complaint

- 3.1 All complaints, whether made verbally, in writing or electronically, must be acknowledged in writing within 3 working days of receipt.
- 3.2 The acknowledgement must include:
 - The name and contact details of the person who will be dealing with the complaint.
 - Suggested next steps (This will normally include the offer of a discussion, either by phone or in person, to discuss the issues raised.)
 - The timescales for investigating and concluding the complaint. (In accordance with this guidance, this will normally be 25 working days from receipt of the initial complaint. If the complaint is complex or in need of substantial investigation, it may be necessary to highlight this at this stage and propose a more appropriate timescale to allow for this.)

4. Initial Discussion

- 4.1 An initial discussion with the complainant should take place (either by phone or in person) as soon as possible. Very often, a conversation will be all that is needed to get to the bottom of the problem and identify a resolution.
- 4.2 If a solution cannot be immediately identified, the conversation should be used to agree the next steps.
- 4.3 The next steps must be confirmed in writing.

5. Investigating the Complaint

- 5.1 The complaint must be investigated thoroughly and in a timely manner and the complainant should be kept informed of progress and particularly of any changes to the expected timescales for dealing with the issue.
- 5.2 The person investigating the complaint should seek assistance or advice from colleagues where necessary.
- 5.3 In some cases, it may become clear from the investigations that it is necessary to escalate the complaint to a more senior member of staff, to the Chair of one of the LMCs or to the Chair of the Board. Complaints about members of staff must always be referred to the correct level, particularly if it becomes apparent through the investigation that there may be disciplinary issues to be considered.

6. Concluding the Complaint

- 6.1 On concluding investigations, the person dealing with the complaint will write to the complainant. This communication will include:
 - Details of how the complaint has been investigated
 - A summary of the evidence considered
 - Any conclusions reached
 - What action the LMC will be taking as a result of its findings

7. Appeals

- 7.1 If a complainant expresses dissatisfaction with the outcome of a complaint, there will be a right of appeal.
- 7.2 All appeals should be made in writing to the Chair of the Board of Management.
- 7.3 The Chair may consider the appeal themselves or may choose to:
 - Appoint another member of the Board to investigate and consider the appeal
 - Establish a sub-committee of the Board to investigate and consider the appeal
- 7.4 Steps 3 to 5 outlined in the procedure above will be followed again as the structure for the appeals process i.e. acknowledging the appeal, initial discussion and investigating the complaint.
- 7.5 The complainant will be kept informed of progress and timescales.
- 7.6 Following investigation, a report will be presented to the Board for consideration which summarises the findings and sets out a recommendation for either rejecting or upholding the appeal. It will also set out any proposed actions.
- 7.7 The Board will make the final decision on whether to reject or uphold the appeal.
- 7.8 The complainant will be informed by the Board as in 6.1 above.
- 7.9 There will be no further right of appeal.