



## **Complaints Policy**

At Evolve Children's Therapy Services Ltd, we aim to develop practices and policies that promote and sustain the wellbeing of children and young people and adults.

We aim to offer support for staff, parents and other stakeholders to enable them to best meet the needs of children and young people and adults.

We aim to establish a consistent approach across all areas of our work that enables all individuals to learn and make progress.

We aim to ensure that our communication with all stakeholders is clear and appropriate.

### **Policy Statement**

Evolve Children's Therapy Service endeavours to provide the best service possible for all of its patients and families in an open and transparent environment. We welcome any feedback that we receive from patients, parents and other stakeholders, and we accept that not all of this will be positive. Where concerns or complaints are raised Evolve Children's Therapy Services Ltd intends for these to be dealt with:

- fairly
- openly
- promptly
- without prejudice

Evolve Children's Therapy Services Ltd differentiates between complaints and concerns.

### **Raising Concerns**

We recognise the Department for Education's definition of a concern as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought". (Best Practice Advice for School Complaints Procedures 2016). A written expression of worry or doubt may also be processed as a concern. A concern expresses a hopeful resolution to what you, at least, consider a problem.

The majority of concerns can be dealt with without resorting to the complaints procedure. Where you have a concern about any aspect of our service, you should raise this with your therapist or with the Evolve Children's Therapy Services Ltd via email, telephone or in person. They may be able to address your concerns straight away or arrange a meeting with you to discuss the issue.

All concerns will be dealt with confidentially, although the staff member may need to take noted if they feel that the matter may need to be taken further or it may arise again in the future. Any such notes will be kept in accordance with the principles of the Data Protection Act 1998. However, such notes would be able to be used as evidence if further investigation was required, or if the concern became a formal complaint.

## **Complaints**

Evolve Children's Therapy Services Ltd uses the Department for Education's definition of a complaint, "an expression of dissatisfaction however made, about actions taken or a lack of action". (Best Practice Advice for School Complaints Procedures 2016). It is generally something that expresses a desire for redress of a grievance.

In order to deal with complaints fairly, openly, promptly and without prejudice, Evolve Children's Therapy Services Ltd owners have approved the following complaints procedure which explains what you should do if you have any complaints about Evolve Children's Therapy Services Ltd. All members of staff will be familiar with the procedure and will be able to assist you.

## **Complaints that result in staff capability and disciplinary**

Evolve Children's Therapy therapists are contracted on a self-employed basis and as such If a complaint has not been resolved by speaking directly with the occupational therapist concerned and or owner of Evolve Children's Therapy Services Ltd, further action can be taken by contacting the organisation/commissioning body with which the therapist is contracted to work.

Formal complaints regarding a therapist's professional practice would be dealt with by the Health and Care Professions Council, who would consider whether the practitioner meets their own standards, and would also take account of any guidance or codes of practice produced by the professional body. The HCPC does not judge a particular event, but considers whether the event indicates that the practitioner is fit to practise or not. The HCPC may encourage complainants to use local complaints procedures first, if appropriate.

If at any stage of the complaint it is determined that staff disciplinary or capability proceedings are necessary in order to resolve the issue, the details of this action will remain confidential to the Owners of Evolve Children's Therapy Services Ltd. The complainant is entitled to be informed that the matter is being dealt with appropriately, but they are not entitled to participate in the proceedings and will not receive any detail about them or the outcome.

## **Complaints Procedure**

In order to ensure that complaints are dealt with efficiently and effectively, Evolve Children's Therapy Service has a two-stage process:

Stage 1:

### **Informal Stage**

- Complaint is acknowledged within 24 hours

- Addressed within 15 days
- Where dissatisfied with outcomes progress to stage 2

Stage 2:

- Formal Investigation involving commissioning body and professional representation where appropriate.

### **Timeline for complaints**

All timescales in this document refer to regular working days, i.e. excluding weekends, school holidays and bank holidays.

### **Timeframes**

Evolve Children's Therapy Services will endeavour to keep to the timeframes stated under each stage, but acknowledges that in some circumstances, this is not always possible due to the complexity of the issue being investigated or the availability of a particular individual to deal with the complaint. As soon as it becomes apparent that it is not going to be possible to complete any particular stage within the given timeframe, the person responsible for handling the complaint will contact the complainant and come to an agreed timeframe that works for all parties involved, this contact will be made within the procedure's timeframes. Evolve Children's Therapy Services reserves the right not to investigate complaints that have been made 3 months after the subject of the complaint took place, except in exceptional circumstances. In this context, exceptional circumstances mean that new evidence has come to light, where the complaint is of an especially serious matter or where there is reasonable justification for why the complainant has been unable to raise the complaint before this time. The owners of Evolve Children's Therapy Services will review the situation and decide whether or not to enact the Complaints Procedure.

### **Unreasonable complaints and serial / persistent complaints**

Evolve Children's Therapy Services will deal with all complaints fairly and impartially and will not normally limit the contact that complainants have with the company. **However, we will not tolerate unacceptable behaviour and will protect staff from behaviour which we deem to be abusive, offensive or threatening.**

Evolve Children's Therapy Services regards unreasonable complaints as follows:

- When the complainant refuses to detail the grounds of a complaint or the outcomes that they desire from raising the complaint, despite Evolve Children's Therapy Services best offers of assistance
- When the complainant seeks for their complaint to be resolved but refuses to engage with the complaints investigation process as set out in this policy
- When the complainant does not accept that some issues cannot be dealt with within the remit of this policy

- When the complainant specifies that they want the complaint dealt with in a specific way which is incompatible with the process outlined in this policy or with best practice
- When the complainant introduces information which they expect to be considered and commented on, or raises a significant number of detailed but unimportant questions, insisting on a full response, often immediately and to timescales defined by the complainant
- When the complainant seeks to have staff replaced who are dealing with the issues raised by making unjustified complaints about them
- When the complainant changes the nature of the complaint as the investigation proceeds
- When the complainant continues to raise the same complaint despite the matter being deemed to be concluded
- When the complainant will not accept the outcome of the investigation into the complaint despite the procedure in this policy being followed
- When the outcome sought by the complainant is unrealistic
- When the complainant submits frequent, complicated, lengthy and stressful contact with staff regarding the complaint by telephone, in writing or in person whilst the complaints procedure in this policy is being followed.

Complaints may also be considered unreasonable if the complainant's communications (by phone, in writing or in person) are:

- Aggressive
- Malicious
- Contain threats, are intimidating or are violent
- Use language that is abusive, offensive or discriminatory
- Knowingly false
- Published on social media and in newspapers containing unacceptable information

Complainants should restrict the number of communications with Evolve Children's Therapy Services whilst the complaints procedure is being followed as repeated correspondence, whether by phone, email or in person, is unhelpful and may hinder the outcome of the investigation.

The Owners will hold an initial informal discussion with the complainant before they apply an 'unreasonable' judgement. Should the behaviour continue, the Owners will inform the complainant in writing to explain that the behaviour is unreasonable and asking that they change it.

Evolve Children's Therapy Services may impose a limit on the number and type of contacts that a complainant can have with the company where it is deemed that communications are excessive. Where this occurs, it will usually be reviewed after 6 months. If there should be a serious incident of aggression or violence, this will be documented and the police will be immediately informed.

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