

National Guardian Office Complaints Process

Contents

Overview.....	2
The purpose of our policy.....	2
What is a corporate complaint?	2
Who can complain to the National Guardian's Office?.....	2
What we will consider as a complaint.....	3
What we cannot consider as a complaint	3
The complaints process	4
Confidentiality	4
Investigation of complaints.....	4
Complaints received about the NGO by the CQC	4
Learning from complaints.....	4
Next steps.....	5

Overview

The National Guardian's Office (NGO) views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person that has made the complaint. If an individual does wish to make a complaint, our complaints policy is set out below.

The purpose of our policy

This policy is intended to ensure that:

- The policy is clear and easy to use for anyone wishing to make a complaint
- Anyone can make a complaint about our work simply and quickly
- Complaints are investigated fairly and in a timely way
- Feedback about a complaint is given promptly
- Complaints are used as an opportunity to learn and improve

What is a corporate complaint?

A complaint is an expression of dissatisfaction regarding our actions, lack of action, or the standard of service provided by us. For example, this could be about the way in which we have dealt with a situation, the performance or conduct of staff, or how we apply our processes.

Who can complain to the National Guardian's Office?

Anyone directly affected by the way in which we have carried out our functions may make a corporate complaint under this policy.

Complaints about Guardians, or how a speaking up concern has been dealt with by an organisation, are dealt with under a separate policy which can be found [here](#).

In the first instance, individuals should contact enquiries@nationalguardianoffice.org.uk with the details of their complaint. Our office will then make a decision on how best we are able to support what has been raised. This will be communicated to the individual within seven working days of receiving the complaint.

In some cases, we may be able to support an individual without going through the official complaints process, or it may be that the issue raised does not fall into our Corporate Complaints policy. Any correspondence that does fall into the Corporate Complaints Policy will be investigated by the CQC National Complaints Team, in conjunction with the NGO.

What we will consider as a complaint

We consider a complaint to be any expression of dissatisfaction about the work of the NGO that requires a response. For example, an individual may wish to make a complaint if they believe:

- We have treated them unfairly or unreasonably
- They have received a poor service from us
- Our workers have behaved in a manner during the course of their work which is not in accordance with our code of conduct.
- We have not acted in accordance with our policies and procedures.

What we cannot consider as a complaint

There will be occasions where the issues raised cannot be considered under the complaints procedure. When this is the case, the NGO will explain why this is, and any recommendations of who to contact instead.

The following are the types of issues which **will not** be considered under our corporate complaints procedure:

- Requests for either comments or interventions in individual speaking up matters or cases, or requests for a remedy in those cases
- Disagreements with or suggestions for changes to the remit and scope of the NGO
- Matters related to contractual or commercial disputes involving the NGO
- Appeals regarding the handling of requests made under the Freedom of Information Act or the Data Protection Act.

We will not consider any complaints where an investigation would not serve any useful purpose, or where to do so would not be an appropriate use of the complaints procedure having regard for the proper use of public funds.

Individuals should contact us within a year of becoming aware of the issues relating to the complaint.

Anonymous complaints will be carefully reviewed by the NGO and the National Guardian will make a decision on what action to take.

We **will not** investigate complaints that we reasonably consider would be more appropriately dealt with by a referral to:

- Care Quality Commission
- Information Commissioner
- Parliamentary and Health Service Ombudsman
- Relevant professional body or association, such as GMC, NMC etc.
- Tribunal or other legal process.

Where a matter is being dealt with through another process in the NGO, CQC or that of an external body, all issues raised will be dealt with as part of that process and not under the complaints procedure.

The complaints process

We expect in the first instance that all concerns about the NGO will be addressed as soon as they arise. The NGO will contact the individual within seven working days of receipt to identify and agree a satisfactory outcome and set an agreed timescale for the action to be completed.

Confidentiality

All complaint information will be handled sensitively and in accordance with our legal obligations under the Data Protection Act.

Investigation of complaints

We recognise that not all complaints can be resolved quickly or informally, and, in some cases, an investigation may be required.

The Correspondence, Accountability and Governance Manager will act as the coordinating person and will liaise with the CQC National Complaints Team on all matters pertaining to the complaint and investigation of it. We aim to investigate all complaints within 30 working days, although this may take longer in some cases. Where we think an investigation is likely to take longer than 30 working days, we will update the individual on progress.

Complaints received about the NGO by the CQC

If the CQC National Complaints Team receive a complaint about the NGO, it will be sent to the NGO directly to decide on the handling, in line with this policy.

Learning from complaints

The NGO Senior Management Team will receive monthly reports from the Correspondence, Accountability and Governance Manager, which will incorporate information on the progress in managing complaints within agreed timescales and

confirming the implementation of any agreed actions; case studies that highlight particular themes that require common action or system wide changes; impact of the complaints process that has led to office improvement; and the detail and outcome of any cases referred to the Parliamentary and Health Service Ombudsman.

To support wider office improvement, the Correspondence, Accountability and Governance Manager will seek to cascade the learning from complaints to the wider office on a regular basis.

Next steps

If an individual is not satisfied with the NGO's response to their complaint, they are able to complain to the Parliamentary and Health Service Ombudsman. The NGO will liaise as appropriate with the PHSO as required.

Contact number: 0345 015 4033

PHSO Website: <https://www.ombudsman.org.uk/making-complaint>

Our Complaints Process

Steps	Overview	Further Detail
Accessing our service/can we look into your case?		
1. Contact individual within seven working days	Channels: telephone, email, letter or social media.	<ul style="list-style-type: none"> • Make sure individuals know and understand what the office can do and manage expectations before progressing further with registering the complaint or concerns. • Establish if the office can assist in resolving the issue straightaway.
	Complaints for the NGO?	<ul style="list-style-type: none"> • Capture key elements of the complaint. • Establish, if appropriate, what has gone wrong and the remedy sought. • Summarise what is being complained about. • Establish the individual's preferred method of communication.
	Complaints not for the NGO? Information/Signposting	<ul style="list-style-type: none"> • Provide help and support in signposting to the appropriate body.
2. Is it appropriate for the NGO to look in to?	Is the complaint/concern one the NGO can look at?	<ul style="list-style-type: none"> • Correspondence, Accountability and Governance Manager will look at details against our policy and

		make a decision on whether it can be looked at by the NGO.
3. Out of scope? Explain why (within seven working days of receipt)	Decision communicated	<ul style="list-style-type: none"> • If the NGO cannot look in to the complaint/concern, the Correspondence, Accountability and Governance Manager will explain why. • Enquiries team to look at another way to assist with the enquiry where appropriate.
4. Investigation (within 30 working days) ¹	Once a complaint is received and triaged, the NGO will liaise with the CQC National Complaints Team.	<p>NGO to acknowledge receipt of complaint within 3 working days.</p> <p>If in scope the Correspondence, Accountability and Governance Manager to:</p> <ul style="list-style-type: none"> • Contact CQC National Complaints Team with all relevant information relating to the complaint. • Send confirmation to individual that this has been done. • National Complaints to contact individual to agree details of complaints or request information. <p>Day 1</p>

¹ 30 working days is the maximum number in which the NGO will endeavour to investigate and issue a full response to a corporate complaint. If a decision on a corporate complaint is reached before this, the response will be communicated to the individual sooner.

		<p>Once the complaint has been agreed with the individual by the CQC National Complaints Team the investigation will commence.</p> <p>Day 10 & Day 15</p> <p>Correspondence, Accountability and Governance Manager to:</p> <ul style="list-style-type: none">• Check with CQC National Complaints Team on progress of investigation.• Update individual as needed on timescales. <p>Day 20 – 25</p> <p>Correspondence, Accountability and Governance Manager to review any draft report and liaise with National Guardian on any recommendations at this stage.</p> <p>Day 28</p> <p>Correspondence, Accountability and Governance Manager to:</p> <ul style="list-style-type: none">• Contact individual, if appropriate, to let them know that the
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		<p>investigation is being finalised and they will receive this shortly.</p> <p>OR</p> <ul style="list-style-type: none"> • Inform individual of any delays to a response, the reasons for this and a new timeframe. <p>Day 30</p> <p>Correspondence, Accountability and Governance Manager to:</p> <ul style="list-style-type: none"> • Send report and cover letter to individual • Record any further contact and follow up with individual.
<p>5. Learning and actions</p>	<p>Follow through with the NGO on agreed recommendations.</p>	<p>Correspondence, Accountability and Governance Manager to:</p> <ul style="list-style-type: none"> • Ensure that any recommendations are implemented or scheduled to be implemented and monitor compliance of these. • Update SMT on a quarterly basis on themes, outcomes and learning of corporate complaints.
<p>6. Aftercare</p>		<p>Correspondence, Accountability and Governance Manager to:</p> <ul style="list-style-type: none"> • Update the individual once recommendations have been

		<p>implemented and update records of this.</p> <ul style="list-style-type: none">• Record any feedback from the individual.• Consider any response by the individual to decide whether a further review is required into the corporate complaint.• Give the individual details of their right to refer their complaint to the Parliamentary and Health Service Ombudsman.
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