



Your voice on local health and social care

Isle of Wight LINK resolution of complaints

This resolution of complaints document sets out the way in which the IW LINK will deal with conflict and complaints.

In the first instance, wherever possible, complaints will be dealt with at LINK & Host organisation level. This paper guides the LINK on ways of resolving issues at a local level and also explains the process if a concern or complaint is so serious that it needs to be escalated.

Wherever possible, the LINK together with the Host organisation should address concerns via a variety of techniques which could include face to face communication, mediation or training. Only when all these avenues have demonstrably failed to reach a satisfactory resolution, will concerns be escalated to the Lead Officer at the relevant Local Authority.

Complaints can be raised verbally or in writing.

Complaints could be about a member of the Stewardship Group, task group, enter and view participant or general LINK participant.

Any complaint meetings should be held in an independent location where possible. Out of pocket expenses for the complainant will come from the LINK budget.

Complaints Receiver Group

The complaints receiver group will comprise of the current chair person, and all individuals from the SG wishing to participate. The group membership will work on a rotational basis, with the exception of when a complaint is about an individual whose turn it would be to be on this group. In this case, the next person on the rotational list will swap places with this SG member. If the complaint is about the chairperson, the vice-chair will take their place.

The complaints receiver group must **all** be in agreement with any action taken. If full agreement cannot be reached the complaint should be taken to the next SG meeting where a majority decision will be made.

Initial action

- The Host should contact the complainant to get as much information as possible to assess the best course of action. This should be done, where possible, face to face otherwise by telephone, within 5 working days of receiving the concern/complaint.
- Once the Host has compiled all information this will be forwarded to the complaints receiver group with a recommendation. The complaints receiver group will decide on the follow-up action to be taken.
- The complaints receiver group must decide if there is an issue/complaint that requires some form of action. If they feel that there are no grounds for the issue/complaint they must inform the complainant verbally of their decision and follow this up in writing. If the complainant does not agree the complaint will be

referred back to the Host who will decide whether or not the complaint should be referred to the Lead Officer at the relevant Local Authority.

- If they feel the issue requires further involvement they should contact the complainant to discuss which of the stages below to action.

Stage 1 Personal Resolution

- If possible, the first course of action should be to encourage the complainant to talk to the LINK participant/s and try to resolve the issue at a personal level. All parties involved must be agreeable to this process. Brief notes should be taken to keep a record of the complaint and what is agreed / not agreed upon.

Stage 2 Informal Host organisation supported meeting

- If the LINK participant/s is/are not willing to meet without a more formal role for the Host, the next step would be to organise a meeting between the individuals involved which is facilitated by the Host organisation.
- This meeting should be informal, this is basically personal resolution but with the Host organisation attending to help facilitate. Brief notes should be taken to keep a record of the complaint and what is agreed / not agreed upon.
- For information on preparation, organising and guidance on what to do during the meeting see section 2.

Stage 3 Formal Host Supported Meeting

- If the Informal meeting did not result in an outcome that was mutually agreed by all involved, the next step would be to move to a more structured formal meeting with the Host organisation.
- Before this meeting the Host Development Officer should talk to everyone involved in the informal meeting on a one to one basis to discuss their feelings following that meeting and to gather everyone's views on any possible solutions that could resolve the issue.
- For information on preparation, organising and guidance on what to do during the meeting see section 2.
- If, by the end of this meeting, a mutually acceptable resolution has been reached, the Host organisation should put this in writing to all parties involved clearly stating the outcomes and what has been agreed.
- The Host should monitor the situation to make sure that everyone involved is keeping to what they agreed.

Stage 4 External Mediation

- If, by the end of the stage 3 meeting, no mutually acceptable resolution has been reached external mediation by an independent facilitator should be offered, with costs incurred paid by the LINK..
- If all other options for local resolution have been exhausted the matter should be referred to the Lead Officer at the relevant Local Authority as soon as possible. The Local Authority will then assess the issue and the paperwork and either refer the issue back with further options that could be tried locally or will start their own formal Complaints procedure.

Vexatious complaints

Vexatious complaints will be managed by the Host and complaints receiver group in the first instance. If the individual continues with their vexatious complaint the Host will seek guidance from the Local Authority and/or seek legal advice to ensure such complaints / complainers are not detrimental to the work of the LINK.

Timescales

- Initial response to the concern/complaint should be taken, by the Host, within 5 working days.
- Personal Resolution / Informal Meetings should be organised, wherever possible, within 2 weeks.
- Formal Meetings should be organised, wherever possible, within 4 weeks.

Section 2

SUPPORTING GUIDANCE

Preparation

- It is important that the Host speaks to everyone involved before the meeting to gain as full as possible understanding of the issues and also, where possible, what outcomes the individuals would like to see.
- The meeting must be conducted in a sensitive manner and allowance be made for the physical and emotional state of all individuals involved.
- It is likely that a LINK participant may be personally embarrassed at the fact that concerns have been raised about them and the impact that this may have on their status.

Organising the Meeting

- The location and setting in which the meeting occurs is important – it will be important to establish if the person has any special requirements, for example access, communication or other support needs.
- Ensure that the discussion takes place in private.
- Aim to ensure the discussion encourages the LINK participant to comment, by putting them at their ease.

Setting the Ground Rules

- At the outset, explain the reason for the meeting and what it is hoped will be achieved. Keep this simple.
- Make it clear that everyone has a right to speak but the ground rules should include:-
 - there should be only one person speaking at a time.
 - everyone must be shown respect.
 - criticism should be constructive.
 - the emphasis should be on finding a way forward which is acceptable and achievable.
- The meeting should be approached with an 'open mind' - putting to one side any hearsay from others.

During the meeting

- The meeting should be started with introductions and the Host making an opening statement giving a general overview of the reasons for the meeting, setting positive aims for the meeting and setting the ground rules.

The Host, as the facilitator of the meeting, needs to ensure :-

- All individuals are given an opportunity to speak in turn without interruption.
- That comments that are derogatory, negative or place blame are reframed in a positive and acceptable manner.
- The meeting is safe for everyone to have their say whilst making sure that the agreed ground rules are maintained.
- The Host / independent facilitator listens and summarises the important issues and facts back for each person to make sure that they and everyone else has understood what has been said.
- In the summary clarify and prioritise the underlying issues based on what has been said.
- Encourage open discussion of each main issue.
- Encourage mutual understanding and direct communication.
- Encourage everyone involved to put forward ideas on what needs to happen to improve the situation.
- Encourage those involved to consider what they can offer towards the solution.
- In response to these suggestions the Host organisation / independent facilitator could suggest any training or support that is available that could aid the solution.

Record Keeping

The person being complained about has the right to see all documents relevant to the complaint on request in line with the Data Protection Act 1998 and Freedom of Information Act 2000. All notes will be taken on the assumption that they will be made available to all relevant interested parties.

All material relevant to the complaint and its outcome will be kept on file for three years.