



## Complaints Policy

Old Rayne Playgroup is committed to delivering a quality service to all its members. It aims to take effective action to ensure standards are upheld and welcomes being informed where they have not been satisfactory.

As a member of Early Years Scotland, the group believes a complaints procedure can contribute to the quality and effectiveness of the service. This policy document sets out a procedure for parents and carers to complain about any aspect of the group. Complaints should be made constructively and every effort will be made to resolve them at an early stage. It is in the best interests of all parents, carers, children and the group that complaints are dealt with fairly and confidentially.

### What is a complaint?

A complaint is anything a parent or carer wishes to call a complaint. This can be about any aspect of the running of the group. As there is no strict definition of what constitutes a complaint, if there is any doubt, the parent or carer will be asked directly if he or she is making a complaint.

### Open access

Whatever the circumstances, staff or committee members will have a duty to inform parents and carers of their right to complain, including a right to appeal. The group must supply a written copy of the complaints procedure to every service user and to any representative on request.

- The complaint will be fully investigated and acted upon.
- A complaint will always have a response.
- No member of staff or committee will be a judge in his/her own case.

Staff and committee members have the assurance that at all stages of the procedure they will be allowed to put their side of the case.

### Swift resolution of the complaint

The management group will, within 20 days after the date on which the complaint is made, or shorter period as may be reasonable in the circumstances, inform the person who made the complaint of the action (if any) that is to be taken.

### Appeals process

When a complaint is made, all parents and carers will be made aware that there is an appeals process. A parent or carer has the right to appeal if they are unhappy with the outcome of their complaint.

### Opportunities for representation

Persons making the complaint, i.e. the complainant, will have the right to have the assistance of a friend, relative or representative to give support at different stages of the complaints procedure.

## **Complaints process**

### **How to make a complaint**

Complaints can be made to group staff or committee members. There are two ways in which they can be made and heard: informally and formally.

If the group is registered with the Care Inspectorate and a parent or carer does not wish to follow Early Years Scotland's complaints procedure as outlined in this policy, they can complain directly to the Care Inspectorate by contacting their local office.

The group must supply to the Care Inspectorate at its request a statement containing a summary of the complaints made during the preceding 12 months and the action that was taken in respect of each complaint.

### **Informally**

The initial approach by a parent or carer may be on an informal basis. The staff or committee member will listen carefully and after discussing the situation with the parent or carer they should agree whether the matter:

- has been resolved satisfactorily.
- needs further investigation; if this is required the complaint should be resolved within 20 days. If delays are unavoidable the complainant will be informed of the delay, the reason for it and the revised timescale.
- should move to the formal complaint process.

### **Formally**

#### **Stage 1**

If the parent or carer wishes to make use of the formal procedure, then he or she should:

- put the concerns or complaint in writing to the Chairperson. The receipt of the complaint will be acknowledged within three working days.
- request a meeting with the group's chairperson or owner.
- at the meeting have a friend, relative or representative present.

The complaint will be investigated and responded to within a further seventeen working days. A confidential written record of the meeting will be made and actions agreed will be noted. Most problems should be sorted out at this stage; if not then the appeals process will be followed.

### **Appeals process**

#### **Stage 2**

If the parent or carer is not satisfied that the problem has been resolved, they should contact the same person the original complaint was sent to again in writing. If the parent or carer and group cannot reach agreement, an external mediator, acceptable to both sides, will be invited to listen to both sides and offer advice. A mediator has no legal powers but can help to clarify the situation.

The mediator will:

- help to define the problem.
- review the actions.
- suggest further ways which might resolve it.

- meet with the group if requested.
- keep an agreed written record of any meetings held and the advice given.
- keep all discussions confidential.

In certain circumstances it will be necessary to involve the local authority and/or Care Inspectorate if:

- a child appears to be at risk of any kind.
- there appears to be a possible breach of registration requirements.

Local Care Inspectorate office address:	Compass House, 11 Riverside Drive Dundee, DD1 4NY
Telephone:	0345 600 9527
Online Complaints Form:	<a href="http://www.careinspectorate.com">www.careinspectorate.com</a>

## Duty of Candour

The Duty of Candour Procedures (Scotland) Regulations 2018 underpins our commitment to openness and transparency which is vital to the provision of safe, effective and person-centred health and social care.

Honesty, trust and effective communication can be difficult to maintain and easy to lose when things have gone wrong. If this should happen, then we would like to have the opportunity to try and resolve any issues or concerns you may have.

### Procedure:

- When an unintended or unexpected incident that results in harm or death occurs we will be open and accountable.
- We will apologise if there are any misunderstandings or if something goes wrong, without delay.
- Old Rayne Playgroup will meet and discuss this with you as soon as possible when we are aware that an event has happened or harm has been confirmed.
- We will listen and respond positively to your complaints and discuss what actions will be taken to reduce the risk of this type of incident happening again to anyone else.
- We will provide an annual duty of candour report.
- All staff will be trained on our organisation duty of candour procedure to be able to identify harm whether it is unintended or unexpected
- understand what has gone wrong
- know who to speak to, to discuss concerns/issues.

The legislation requires care services and social work services to publish their own short duty of candour reports. The first reports will be due after April 2019. Even if there are no incidents to which the duty applied, a short report will still be required, as it must contain information about staff training on the duty of candour.

Old Rayne Playgroup will produce a report on meeting the duty of candour annually. The Care Inspectorate will be including a recording system on their e-form site. From 1 April 2018, a new question to their notification forms, "does this incident trigger the duty of candour?" Old Rayne Playgroup will be asked to collect data on how the duty is being implemented and help embed awareness. Old Rayne Playgroup will annually report and record these findings.

This report will include an assessment of how the duty was carried out and provide:

- a record of the number of unexpected incidents that have resulted in death or harm
- the nature of the incident
- a review of any policy and procedures reviewed and any changes made as a result of the incidents reported.

The Duty of Candour sets out a range of things that need to happen when unexpected or unintended harm has occurred.

You will find the online training resources information here:

<http://www.careinspectorate.com/index.php/duty-of-candour>

<http://www.knowledge.scot.nhs.uk/scormplayer.aspx?pkgurl=%2fecomscormplayer%2fdutyofcandour%2f>

<http://www.gov.scot/Resource/0053/00533470.pdf>