

# ELHF Complaints Policy and Procedure

## Introduction

Edinburgh and Lothians Health Foundation is committed to providing an excellent service to NHS Lothian and the community, working in an open and accountable way that builds trust and respect. We have developed a complaints policy and procedure that explains our approach to receiving complaints.

## Our Aim

ELHF aims to resolve complaints quickly fairly and effectively. One of the ways in which we can improve the services that we provide is by listening and responding to the views of our community and stakeholders and, in particular, responding positively to complaints, and by putting mistakes right.

We aim to ensure that

1. Making a complaint is as easy as possible
2. We treat every complaint as a clear expression of dissatisfaction with our service which calls for an immediate response
3. We deal with each complaint promptly, politely and when appropriate confidentially
4. We will respond in the correct way – for example, with an explanation, or an apology or information on any action
5. We will learn from complaints and use them to improve the services that we offer
6. We review periodically our complaints policy and procedures.

ELHF recognises that many concerns raised will be informal, and we aim to deal with these quickly. In the first instance we would expect any complaint to be raised directly with a member of staff at ELHF. If concerns cannot be satisfactorily resolved informally, then the formal complaints procedure must be followed.

## Definition

A complaint is an expression of dissatisfaction with our services' whether justified or not; with the Charity itself, with a staff member or with a Trustee, that relates to ELHF and that requires a formal response.

## Purpose

ELHF complaint procedure is intended to ensure that all complaints are handled fairly, consistently and wherever possible resolved to the complainant's satisfaction

The Edinburgh and Lothian's Health Foundation's responsibility will be to

1. Acknowledge the formal complaint in writing
2. Respond within the stated period of time
3. Deal reasonably and sensitively with the complaint
4. Take appropriate action as required

The complainant's responsibility is to

1. Raise their concerns promptly and directly with the person concerned and if their concerns cannot be resolved satisfactorily informally then to follow the formal complaints procedure as detailed
2. Explain the problem as clearly and as fully as possible, including any action taken to date
3. Allow ELHF a reasonable amount of time to deal with the matter as detailed in the formal complaints procedure
4. Recognise that some circumstances may be beyond ELHF's control

## **Monitoring and Reporting**

The ELHF Trustees will receive an anonymised report of complaints made and their resolution. Where required, complaints will be escalated to the Trustees for review and recommendation

## **Principles of the Complaints Policy**

The ELHF complaints policy is based on a three stage process (as detailed in the Complaints Procedure. The Complaints Policy will apply to all services that the ELHF provides.

If at any time during the investigation of a complaints matters arise that warrant investigation under disciplinary proceedings, or through a criminal investigation, the complaints procedure will be suspended until those investigations are concluded. Similarly the complaints procedure will be suspended if a complainant is seeking legal redress.

Where a complaint is against a member of staff they should be informed of the receipt of a stage 1 formal complaint. A complete record of the entire process will be kept. A copy of all reports, transcripts of interviews and other relevant information will be made available to the Trustees involved in any investigation.

The Chair of the Trustees will be responsible for managing any complaints that are escalated to Stage 2. As with stage 1 of the procedure a complete record of the process will be maintained

ELHF may, at any stage of the formal complaints procedure, review a complaint and give a decision, without formal investigation, where a member of the Trustees deems the complaint to be deliberately repetitive or vexatious. Examples of such complaints being unsubstantiated to repetitive complaints against an individual or service, or where a complaint has previously been investigated and appropriate action taken.

When appealing against a previous decision the complainant will be asked to state why they are dissatisfied with how their complaint was handled.

## **Complaints Procedure**

### **Local Resolution**

Where practical a resolution will be sought at the time the complaint is raised

Such complaints will require little or no investigation and can be handled by those individuals directly involved in dealing with the charity business

Where deemed necessary the individual dealing with the complaint may contact the ELHF Director for advice and or ask for the complaint to be referred to the manager. This still forms part of the local resolution stage

Where a complainant remains dissatisfied with the response they have received or do not wish for their complaint to be handled in this way, then the complainant should be asked to make a formal complaint

The Charity will accept formal complaints in various ways such as, verbal / telephone call, e-mail and in writing (letter). The Charity wishes to make the process as easy and transparent as possible for the complainant

The main contact details for all complaint notifications (unless resolved at the departmental / ward level are as follows

The Director  
Edinburgh and Lothians Health Foundation

## **Stage 1**

The Charity is happy to receive complaints via the most convenient method of communication the complainant wishes to use EG face to face discussion, telephone, e-mail or formal letter.

In all examples the complainant should identify exactly what their complaint is and also state what they consider would help in resolving the issue

In all instances the complainant will receive an acknowledgement of the complaint within 3 working days of receipt and a response to the complaint within 5 working days (this may be longer in complicated cases but we will inform you of any delay)

The written response will also notify the complainant that they have 28 days in which to ask for the complaint and response to be reviewed (~Stage2); if they are dissatisfied with the response they have received

Occasionally the Charity may decide to move straight to Stage 2 of the complaints process if it is felt that the resolution may take longer or the complaint is more complicated.

## **Stage 2**

If you are dissatisfied with the Stage 1 response to your complaint then you can write to the chair of the Trustees stating the reason why you are dissatisfied with the outcome and ask for your complaint and the response to be given further consideration.

You can expect your request to be acknowledged within 3 working days of the receipt, describing the process the complaint investigation will follow. A stage 2 complaint will be co-ordinated by a Trustee of the Charity or other delegated senior member, who will respond within 20 working days with a full written response giving details of any right of appeal

ELHF's aim is to resolve all matters as quickly as possible, however, if a matter requires more detailed investigation, you will receive an interim response describing what is being done to deal with the matter, and when a full reply can be expected and from whom.

Your complaint should be addressed to the

Chair of the Trustees, Edinburgh and Lothians Health Foundation  
Waverley Gate, 2-4 Waterloo Place, Edinburgh, EH1 3EG

W: [www.elhf.co.uk](http://www.elhf.co.uk)

f [www.elhf.co.uk/facebook](https://www.facebook.com/elhf.co.uk)

Edinburgh and Lothians Health Foundation is an operating name of the Lothian Health Board Endowment Fund, Scottish Charity Number SC007342

## **Office of the Scottish Charities Regulator (OSCR)**

If a complainant remains unhappy with the Charity's response to their complaint they have the option to refer it to OSCR who are an organisation that will act as an ombudsman between parties

Investigations involving OSCR will be managed by The Chief Executive and Director of Finance. These senior staff will report their findings to the Chair of the Trustees

## **Support Organisations**

There are a number of support organisations who will help and give advice to individuals that do not feel confident or require support in presenting their complaint, for example Lothian advocacy

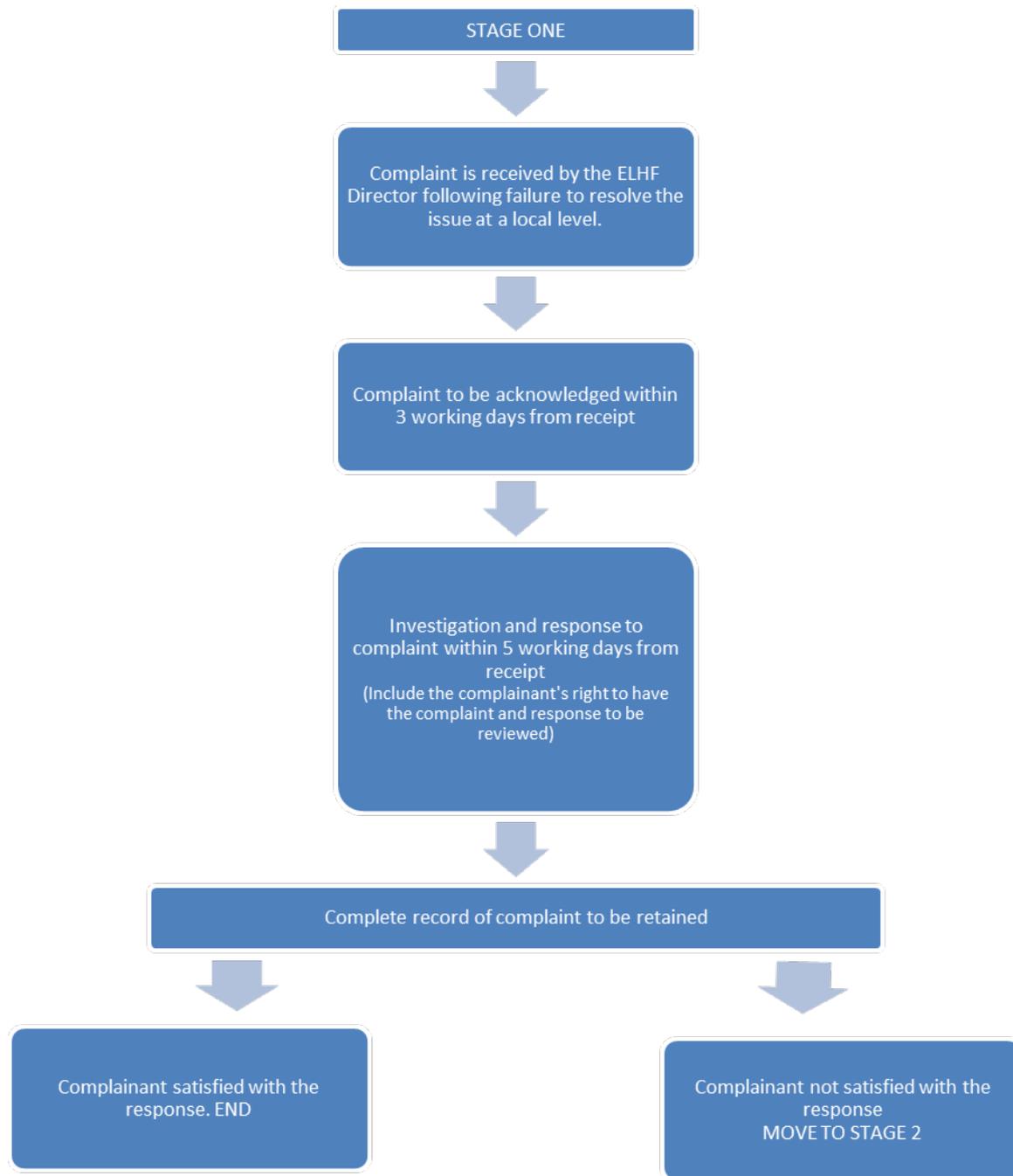
## **Confidentiality**

All complaints received will be managed confidentially throughout the entire process.

## Complaints Procedure Flowchart

### Stage 1

The formal complaints procedure should only be followed if the complaint cannot be resolved informally.



## Complaints Procedure Flowchart

### Stage Two

