

Unit 35: Develop Procedures and Practice to Respond to Concerns and Complaints in Adult Care

Level:	5
Unit type:	Optional
Credit value:	6
Guided learning hours:	52

Unit introduction

In a leadership role in adult care, you will find yourself responding to issues of complaints or concerns in the setting. These complaints or concerns could come from users of services in the setting, their family or friends, advocates, or other members of staff in the multidisciplinary team. It is essential that individuals making complaints are treated with respect and are advised clearly of their rights. They also need to be advised of the procedures for investigating and resolving the complaint and supported through the process. Complaints should be viewed as opportunities for development of the service.

This unit will give you the knowledge, understanding and skills required to develop, implement and review procedures and practices to address concerns and complaints. It covers the relevant regulatory requirements, codes of practice and guidance, and their impact on service provision.

Learning outcomes and assessment criteria

To pass this unit, learners need to demonstrate that they can meet all the learning outcomes for the unit. The assessment criteria determine the standard required to achieve the unit.

Learning outcomes		Assessment criteria
1	Understand the management of concerns and complaints in adult care	<p>1.1 Review the regulatory requirements, codes of practice and guidance for managing concerns and complaints</p> <p>1.2 Assess the links between the management of concerns and complaints, risk management and safeguarding</p> <p>1.3 Discuss why individuals may be reluctant to raise concerns or make complaints</p> <p>1.4 Analyse attitudes and approaches to ensure that concerns and complaints prompt continuous improvement of the service</p>
2	Be able to lead practice to address concerns and complaints in adult care	<p>2.1 Implement systems and procedures that address and respond to concerns and complaints within agreed time frames, in line with organisational requirements</p> <p>2.2 Support team members to understand systems and procedures relating to concerns and complaints</p> <p>2.3 Investigate concerns and complaints according to organisational policy</p> <p>2.4 Respond appropriately to concerns and complaints in line with organisational policy and procedures</p> <p>2.5 Review circumstances in which concerns, and complaints should be reported to other agencies, referring to relevant organisational policies</p> <p>2.6 Review the procedures regularly in line with regulatory and organisational guidelines</p>

Learning outcomes		Assessment criteria	
3	Be able to develop a person-centred approach to addressing concerns and complaints in adult care	3.1	Demonstrate a person-centred approach to addressing concerns and complaints
		3.2	Ensure information and support is in place to enable users of services and their carers to raise concerns and make complaints when they wish to
		3.3	Develop strategies in line with organisational requirements to make the concerns and complaints procedure accessible for all users of services
		3.4	Support users of services to raise concerns and complaints within own setting
4	Be able to review procedures for addressing concerns and complaints in adult care	4.1	Demonstrate organisational audit trail and review processes for concerns and complaints
		4.2	Show how own management practice has provided a culture where the organisation can learn from concerns and complaints
		4.3	Demonstrate how to use outcomes from concern and complaint investigations to make improvements to the service in own setting

Unit content

What needs to be learned

Learning outcome 1: Understand the management of concerns and complaints in adult care

Legislative framework

- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
- Equality Act 2010.
- Human Rights Act 1998.
- Data Protection Act 1998.
- Care Act 2014.
- Public Interest Disclosure Act 1998.

Regulatory guidance

- Care Quality Commission (CQC).
- The Parliamentary and Health Service Ombudsman.
- Local Government Ombudsman.
- Healthwatch England.
- Professional regulators (e.g. General Medical Council, Nursing and Midwifery Council).
- NHS Complaints Advocacy.
- Clinical Commissioning Group

Codes of practice

- Set out minimum standards.
- Promote dignity and respect.
- Safeguarding.
- Duty of care.
- Effective communication.
- Record keeping.

Policy development and service improvements

- Whistle-blowing policy for staff.
- Concerns, compliments and complaints policy.
- Equality and diversity.
- Advocacy and support.
- Risk management.
- Safeguarding policy.

What needs to be learned

- Developing transparency.
- Promoting effective communication channels.
- Empowering individuals.
- Partnership approaches.
- Audit and monitoring of service development.
- Meeting regulatory requirements.
- Identifying gaps in service

Learning outcome 2: Be able to lead practice to address concerns and complaints in adult care

Procedures for reporting concerns and complaints

- Clear process.
- Suitable timescales.
- User of services involvement.
- Independent reviewer.
- Facilitation of supportive process.
- Accessible.

Staff training

- Whistle-blowing policy.
- Induction training.
- Staff development.
- Supervision and appraisal
- Induction processes.

Investigation of concerns and complaints

- Confidential and sensitive.
- Accurate record keeping.
- Addressing immediacy of issues.
- Supporting safeguarding with prompt referral.
- Action plan with clear audit trail.
- Following organisational policy.

Responses to concerns and complaints

- Valuing, respecting and protecting employees/users of services who raise concerns or complaints.
- Whistle-blowing policy.

What needs to be learned

- Seeking out feedback.
- Actively identifying gaps in provision

Reporting concerns to other agencies

- Safeguarding of vulnerable adults.
- Multidisciplinary approaches.
- CQC reporting processes.

Review of procedures

- Identifying failures in service.
- Reviewing practices.
- Monitoring improvements.
- Open, transparent and learning culture.

Monitoring and review

- 'Intelligent monitoring'.
- Gathering and analysing information about service.
- Self-report on complaints handling.
- Leadership.
- Governance.
- Awareness.
- Investigation.
- Timeliness.
- Learning.

Learning outcome 3: Be able to develop a person-centred approach to addressing concerns and complaints in adult care

Person-centred approaches

- Person-focused and honest culture.
- Listening approaches.
- Regard for different views.
- Feedback groups/user of services meetings.
- Timely responses.
- Providing responses in writing.
- Offering apologies and providing support.

Regulatory requirements

- Care Quality Commission (CQC).
- Prescribed body under the Public Interest Disclosure Act 1998.

What needs to be learned

- Using the information from complaints in regulatory activities.
- Promoting safe, effective, compassionate and high quality care.
- Professional Standards Authority.
- Review of professionals in care.
- Inspections.

Accessibility

- Different languages.
- Different formats, e.g. audio, pictorial.
- User-friendly language.
- Accessible online.

Supporting users of services to raise concerns

- Advocacy.
- Accessible complaints procedure.
- Providing advice and support.
- Signposting to other agencies.
- Responses for family and friends.

Learning outcome 4: Be able to review procedures for addressing concerns and complaints in adult care

Audit processes

- Review themes and frequency.
- Audit trails.
- Regular review.
- Reporting concerns.

Organisational culture

- Learning lessons from complaints.
- Demonstrating changes.
- User of services involvement.
- Active participation groups.
- Proactive approaches.

Service improvement

- Staff development.
- Development of resources.
- Improved staffing.

What needs to be learned

- Improved user of services experience.

Essential information for tutors and assessors

Essential resources

There are no special resources needed for this unit.

Assessment

This unit is internally assessed. To pass the unit, the evidence that learners present for assessment must demonstrate that they have met the required standard specified in the learning outcomes and assessment criteria.

Assessment decisions for learning outcomes 2, 3 and 4 (competence) must be made based on evidence generated during the learner's normal work activity. Any knowledge evidence integral to these learning outcomes may be generated outside of the work environment, but the final assessment decision must be within the real work environment. Simulation may not be used as an assessment method for learning outcomes 2, 3 and 4.

Assessment of learning outcome 1 (knowledge) may take place in or outside of a real work environment.

The unit is assessed by a portfolio of evidence. Further information on the requirements for portfolios is included in *Section 4 Assessment requirements*.

Wherever possible, centres should adopt a holistic and integrated approach to assessing the skills units in the qualification. This gives the assessment process greater rigour, minimises repetition and saves time. The focus should be on assessment activities generated through naturally occurring evidence in the workplace rather than on specific tasks. Taken as a whole, the evidence must show that learners meet all learning outcomes and assessment criteria over a period of time. It should be clear in the assessment records where each learning outcome and assessment criterion has been covered and achieved.

Suggested resources

This section lists resource materials that can be used to support the delivery of the qualification.

Books

National Audit Office – *Feeding Back? Learning from Complaints Handling in Health and Social Care: Report by the Comptroller and Auditor General, Session 2007-2008 (House of Commons papers)* (Stationery Office, 2008) ISBN 9780102954296

Social Exclusion Unit – *A Sure Start to Later Life: Ending Inequalities for Older People: Final Report* (Office of the Deputy Prime Minister, 2006) ISBN 9781851128129

Wanless D – *Securing Good Care for Older People: Taking a Long-term View* (King's Fund, 2006) ISBN 9781857175448

Websites

www.cqc.org.uk

Care Quality Commission

www.careuk.com

Care UK – care homes

www.skillsforcare.org.uk

Skills for Care

www.scie.org.uk

Social Care Institute of Excellence

Other

Ministers, local government, NHS, social care, professional and regulatory organisations – *Putting People First: A shared vision and commitment to the transformation of Adult Social Care* (HM Government, 2007) PDF available online at: webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_081119.pdf

Pemberton S, Tombs S, Ming Ming Joiy Chan and Seal L – 'Whistleblowing, organisational harm and the self-regulating organisation' in *Policy and Politics*, 2012