Complaint or Negative Feedback

Standard Operating Procedure

Purpose and scope

This standard operating procedure (SOP) outlines the expectations around the management of negative feedback or a complaint that cannot be resolved immediately.

This SOP applies to all activities and staff members, including employees, contractors (where applicable), volunteers and interns of Spectrum Care.

Definition

A complaint is when an individual expresses their dissatisfaction about a situation (adapted from the Collins English Dictionary definition). At Spectrum Care, this can also be referred to as negative feedback. In the above definition the 'situation' must be something within the control of Spectrum Care. The 'individual' is a “customer” (or anyone external to the organisation) and can be any of the following:

- A person being supported
- An individual with a concern about the service a person being supported has received or is receiving (whānau, a friend, someone from another organisation or a member of the public)
- An individual with a concern about a Spectrum Care service, but not in relation to a specific person being supported (e.g. a neighbour about the noise or disturbance from a Spectrum Care property)

Exclusions

This SOP does ***not*** apply if:

- The issue is raised from a customer or someone external to the organisation verbally but is resolved immediately by the recipient of the feedback, and to the satisfaction of the individual providing the feedback. In this context, “immediately” means during the same conversation, or very soon after, for example, to clarify a misunderstanding.

- The issue is ***not*** raised from a customer or someone external to the organisation (as per definition above), but by one staff member against another staff member. These are followed up depending on whether or not there has been a negative impact on a person being supported.
  - If a person being supported ***has not been*** negatively impacted (e.g. a staff member raises an allegation about the communication style of another staff member, or the way in which they manage the roster), then this is managed by the relevant manager(s) seeking human resources input if required (and no need for quality team oversight).
  - If a person being supported ***has been*** negatively impacted (e.g. a staff member raises an allegation about another staff member abusing a person), then this is logged and managed as a critical or serious incident, with quality team oversight (as per *SOP-07Ab Investigation of a Critical Incident or Serious Incident*).

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Responsibilities

- All managers must make sure that their own staff members understand this SOP.
- All staff members must follow this SOP.

Procedure

1 If someone asks how to make a complaint or how they can provide feedback

If someone (e.g. a whanau member or person being supported) indicates that they would like to provide feedback or make a complaint, they should be supported to do so, using one of the many methods available. Spectrum Care's preferred method is via feedback@spectrumcare.org.nz as it promotes independence and captures the sender's own words. Once logged in the system, it is then passed on to the relevant service manager for follow up.

If it is not possible for the complainant to use email, or they were unaware that this was an option, the feedback can be provided directly to a member of the service delivery team. This can be done verbally, in writing (e.g. a letter or a completed easy read feedback form) or electronically by email. Alternatively, they can leave a message on 0800 OUTLOUD.

2 Receipt of feedback

The procedure varies according to who received the feedback, and how it was received. The complainant can be a person, a whanau member or individual as outlined above.

Staff member/manager receives feedback from complainant by email

If not possible to resolve the issue immediately, the staff member should:

- forward it as soon as possible to feedback@spectrumcare.org.nz

Staff member/manager receives feedback from complainant verbally

If not possible to resolve the issue immediately, the staff member should:

- explain that they will need to let the feedback team know, and check whether the complainant is happy with that
- document what was said in an email to feedback@spectrumcare.org.nz alternatively suggest that the complainant send their own email (to the same email address). This is preferable as it means the issue is captured in the complainant's own words. However, the complainant may not want to write it all out again if they have already verbally explained the problem, and they should not be made to do this, but it will be welcomed if they would prefer.

Staff member/manager receives feedback from complainant in written (hard copy) format

If not possible to resolve the issue immediately, the staff member should:

- explain that they will need to let the quality team know, and check whether the complainant is happy with that

- scan the feedback form or letter and send it to feedback@spectrumcare.org.nz clarifying any wording that may not be very clear (in consultation with the complainant)

3 Independent advocacy

- The complainant should be given the opportunity to access an independent advocate. The Spectrum Care template acknowledgement email (that goes to every complainant) includes the following wording:

  If you would like someone to assist you with this concern, you can contact an independent advocate provided under the Health and Disability Commissioner Act 1994 by phone on 0800 423 638, or by emailing advocacy@hdc.org.nz This service is free and independent of Spectrum Care.

- Alternatively, an independent advocate can be accessed through either of the following:
  - Personal Advocacy Safeguarding Adults Trust (PASAT)
  - Adult Guardianship & Advocacy Services Trust

4 Logging in feedback register

Negative feedback must be logged to comply with the Health and Disability Commission Code of Rights (Right 10) which states *"Every provider, unless an employee of a provider, must have a complaints procedure that ensures that— the consumer's complaint and the actions of the provider regarding that complaint are documented*."

The Quality Coordinator should:

- log the feedback in the feedback register (in the Logiqc® quality management system) and generate a reference number
- if the complainant has more than one issue, the business owner should be asked to confirm if each issue should be logged separately to facilitate accuracy of reporting and trend analysis
- if the feedback is about a staff member, the staff member should not be named in the register to protect their privacy, instead refer to staff by their role, example: CSW (community support worker), the follow up assigned to their line manager, and the access within Logiqc restricted.

5 Pre-acknowledgement and actual acknowledgement

The Quality Coordinator will:

- Forward the feedback to the relevant service manager as follows;
  - Copying:
    - the Chief Operating Officer
    - the Clinical Director
  - in the covering email (see appendix below):
    - confirming that the feedback has been logged
    - asking them to send an acknowledgement to the complainant as follows;
      - by replying to the original email from the complainant (to keep the correspondence together for easy reference)
      - within five working days of receipt (Right 10 requirement)
      - with the Logiqc® reference number in the subject line

- using the template wording (which can be adapted according to the circumstances)
- using an easy-read version if applicable

Notes:

- If the quality team receive feedback directly from the complainant (person being supported, whanau, or public), or from a person being supported (but sent via a staff member on their behalf), the above should still apply.
- If the complaint is ***about*** the service manager, the Quality Coordinator should seek advice from the Chief Operating Officer before sending the above.

6 Investigation and learnings

The service manager is responsible for:

- ensuring that the feedback is investigated within agreed timescales
- determining if the complaint is justified and if so, what actions should be taken, if any
- allocating the complaint to the relevant staff member
- supervising them to identify issues/gap and formulate an action plan and follow up until it is completed
- seeking input (via email) from human resources if they determine that a disciplinary process may be appropriate. In such cases the service manager should indicate this (via email) to;
  - The Chief Operating Officer
  - The Quality and Risk Manager
- where indicated (see appendix) completing and submitting *FORM-07Ab1 Investigation Report and Action Plan*
- advising the complainant on outcome of the investigation to ensure all issues are addressed
- ensuring that learnings are communicated to all relevant staff members and that any necessary training, re-training and/or guidance takes place.

7 Response and/or updates

The service manager is responsible for ensuring that the complainant receives a response or update within the timeframes set by the Health and Disability Commission Code of Rights (Right 10) as follows:

- within ten working days of the acknowledgement
- within every twenty working days thereafter
- continuing the previous email chain for easy reference
  - with the reference number in the subject line
  - using the relevant template wording (which can be adapted according to the circumstances)
  - making a reference to a phone conversation in the email if applicable
  - sending draft correspondence to the Quality and Risk Manager for review before sending (optional)
  - copying feedback@spectrumcare.org.nz in all correspondence sent.
  - Update Logiqc task alongside each correspondence

8 Closure (complaint and Logiqc tasks)

- Once the complaint has been resolved and/or a commitment to improve practice can be communicated to the complainant, a final response should be sent as per above.

- The complaint can be closed by the Quality and Risk Manager if the complainant:
  - agrees that the complaint has been resolved
  - does not respond within ten working days (as per the template wording).
- Once the complaint is closed as above, the Quality and Risk Manager will update the register and seek sign off from all parties.
- The Quality and Risk Manager to log improvement if applicable and follow up with service coordinator for the feedback process.
- The Quality and Risk Manager also upload final correspondence and confirm completion of the Logiqc tasks.

Internal audit

Note: The <> symbol indicates the content that will be included in our internal audit program.

References

https://www.hdc.org.nz/your-rights/the-code-and-your-rights/

Relevant HDSS Standard (where applicable): TBA

Related documents

Policies	Management standards	Other documents
POL-09 Complaint or Negative Feedback	MS- 09A Complaint or Negative Feedback	SOP-07Ac 0800 OUTLOUD
		SOP-07Ab Investigation of a Critical Incident or Serious Incident
		FORM-07Ab1 Investigation Report and Action Plan
		FORM-09Aa8 Feedback Form - Easy Read
		RD-09Aa1 Complaint Acknowledgement Letter
		RD-09Aa2 Complaint 10 Day Letter
		RD-09Aa3 Complaint Update Letter
		RD-09Aa4 Complaint Final Letter
		RD-09Aa5 Complaint Acknowledgement Letter EASY READ
		RD-09Aa6 Complaint 10 Day Letter EASY READ
		RD-09Aa7 Complaint Update Letter EASY READ
		RD-09Aa8 Complaint Final Letter EASY READ

Document linkages

Feature	Notes
Code of Rights	
Cultural implications	
Enabling Good Lives (EGL)	

Template last updated 25 October 2022

Appendix

When determining if the completion of an investigation form is required

Perceived risk level (to person being supported or organisation)	**Required action**
Low – a person's needs are partially met with minimal negative impact on their experience	• The service manager (or delegate) investigates the issue and takes action to resolve the complaint • The service manager works with the complainant to get an outcome
Medium – a person's needs not met with impact on their positive experience	As above, ***and*** • Completion of *FORM-07Ab1 Investigation Report and Action Plan*
High – a person's needs not met resulting in harm (includes self or others)	As above, ***and*** • Escalation to the Chief Operating Officer as soon as possible

Note: *FORM-07Ab1 Investigation Report and Action Plan* is not required if a person being supported has not been impacted. Example: feedback from member of public/ neighbour due to loud noise, lawn not mowed, parking related complaints etc.