

Company Policies & Procedures



Complaints Policy

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V1	19/11/2025	Policy created
V2	24/08/2026	Amendments – Follow up Action

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KTM Care Ltd is a Care Service for All that specialises in Autism, supporting people under the heading of 'Domiciliary Care Agency' which is regulated by the Care Quality Commission (CQC). The company welcomes customers views on the services provided and will use these to improve upon them. The overall purpose of this policy is to provide a framework for dealing with complaints and comments to explain our procedures to customers who use our services.

KTM Care Ltd.'s definition of the word customer includes any individual or organisation that is being provided with a service or; has been provided with a service as follows:

- Service users (Children and Adults)
- Parents / Guardians / Advocates acting on behalf of service users'
- Local Authorities e.g. Education / Social Services / Commissioners

KTM Care's Complaints policy is intended to comply with Regulation 16 of the Fundamental Standard Regulations.

KTM Care accepts the rights of Service Users, families and advocates to make complaints and to register comments and concerns about the services received. It further accepts that they should find it easy to do so. Service Users and families are provided with clear information on how to make a complaint and our staff are competent to always support individuals with making a complaint.

It welcomes complaints as opportunities to learn, adapt, improve, and provide better services.

Our organisation will comply with legislation, national guidelines, regulations and best practice when managing complaints and suggestions. In accordance with the Equality Act 2010, we will ensure our processes are fair and transparent and do not discriminate directly or indirectly, against those with protected characteristics.

We aim to respond to customer feedback in a consistent and professional manner and use complaints, comments and compliments to shape our services.

1. Policy

This policy is intended to ensure that complaints are dealt with properly and that all complaints or comments by Service Users or their relatives, carers, and advocates are taken seriously. It is not designed to apportion blame, consider the possibility of negligence, or provide compensation. It is not part of the company's Disciplinary Policy or Grievance Process.

KTM Care Ltd believes that failure to listen to or acknowledge complaints leads to an aggravation of problems, Service User dissatisfaction, and possible litigation. KTM Care supports the idea that most complaints if dealt with early, openly, and honestly, can be sorted at a local level between just the complainant and the organisation. The complaints procedure is made available to Service Users and families in their Service Users guide. A copy is always kept in their care plan in their homes and available in a format that can be understood.

ADASS has published a Good Practice Guide on Handling Complaints concerning Adults and Children in Social Care Settings. They have identified the following five principles:

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- Ensure that the complaints process is accessible
- Ensure that the complaints process is straightforward for Service Users and their representatives
- Ensure that an appropriate system is in place to keep Service Users informed throughout the complaints process
- Ensure that the complaints process is resolution-focused
- Ensure that quality assurance processes are in place to enable organisational learning and service improvement from complaints and customer feedback

Any complaints made by staff will be signposted to the Grievance policy if the complaint relates to them as an individual, or via the Whistleblowing policy where a protected disclosure is made.

Aim of the Complaints Procedure

We aim to ensure that the complaints procedure is properly and effectively implemented and that Service Users feel confident that their complaints and worries are listened to and acted upon promptly and fairly. Specifically, we aim to ensure that:

- Service Users, carers, and their representatives are aware of how to complain and that the company provides easy-to-use opportunities for them to register their complaints
- A named person will be responsible for the administration of the procedure
- We will acknowledge a complaint in 5 working days
- All complaints are investigated within 15 days of being made
- All complaints are responded to in writing within 25 days of being made
- Complaints are dealt with promptly, fairly, and sensitively, with due regard to the upset and worry that they can cause to both Service Users and staff

Children's Services

KTM Care Ltd recognises the rights of children to make complaints and representations and to have their views considered within a clear procedure as defined by law.

We aim:

- To ensure that the children and young people our service comes into contact with are aware of how to make a complaint.
- To ensure all children, young people and adults facing problems or challenges who wish to make a complaint are well supported to do so.
- To offer advocacy service where appropriate.
- To provide a sensitive and customer-focused service for complaints and representations by offering help and advice to all complainants, members of the public and other interested parties.

Responsibilities

The registered manager is responsible for following through with complaints. However, there may be a specific post with responsibility for complaints. Communication between this post and the registered manager should be clear and transparent so that the registered manager can demonstrate evidence of compliance.

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If the complaint is concerning the registered manager then another manager or director on the senior management team will handle the complaint. Information on where to send the complaint or whom to speak to, if it involves the registered manager is included in the complaints procedure in the service user guide.

Complaints From A Representative

If the Service User directly affected does not want to complain themselves, they can ask someone else to make the complaint on their behalf and represent them throughout the process. A representative can be anyone such as:

- A family member
- A friend
- An advocate
- A legal representative

There is no restriction on who may act as a representative and this list is not exhaustive.

KTM Care Ltd will support them by signposting Service Users to an advocate if they do not have any other representation and are not happy to raise the complaint themselves. KTM Care can only accept complaints from a representative in certain situations. These are;

- Where it is known that the Service User has consented, either verbally or in writing (and this includes the willingness for us to share personal information with the representative)
- Where the Service User cannot complain unaided and cannot give consent because they lack capacity in line with the Mental Capacity Act 2005, and the representative is acting in the Service User's best interests

If the Service User does not consent to us discussing the complaint with their representative then we take this into account. We will explain to the person making the complaint that only the issues that directly affect them can be investigated. If we do not have consent to share personal information about the Service User we will not be able to investigate any matters relating to the Service User or share personal information about the Service User which may leave some of their concerns unanswered.

If we receive a complaint where the Service User directly affected does not have the capacity to consent to the complaint being made on their behalf, we first determine if the person making the complaint on their behalf has a legitimate interest in the person's welfare and that there is no conflict of interest. We also need to determine if the person making the complaint has a right of access to the personal information of the Service User directly affected. E.g. are they an attorney with authority to manage the property and affairs of the individual or are they a person appointed by the Courts to make decisions about such matters.

Complaints Procedure

Verbal complaints

- KTM Care Ltd accepts that all verbal complaints, no matter how seemingly unimportant, must be taken seriously

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- Front-line staff who receive a verbal complaint are expected to seek to solve the problem immediately
- If they cannot solve the problem immediately, they should offer to get their line manager to deal with the problem
- Staff are expected to remain polite, courteous, sympathetic, and professional to the complainant. They are taught that there is nothing to be gained by adopting a defensive or aggressive attitude
- At all times in responding to the complaint, staff are encouraged to remain calm and respectful
- Staff should not make excuses or blame other staff
- After discussing the problem, the manager or member of staff dealing with the complaint will suggest a means of resolving it
- If this course of action is acceptable, the member of staff should clarify the agreement with the complainant and agree on a way in which the results of the complaint will be communicated to the complainant (i.e. through another meeting or by letter)
- If the suggested plan of action is not acceptable to the complainant, the member of staff or manager will ask the complainant to put their complaint in writing to the registered manager
- The complainant should be given a copy of the company's complaints procedure if they do not already have one
- Details of all verbal and written complaints must be recorded in the complaints book, the Service User's file, and the home records

Serious or Written Complaints

Preliminary steps:

- When we receive a written complaint, it is passed to a member of the Senior Management Team (Registered Manager, Finance Director, HR and Operations Manager, Deputy Manager of service or Children's Operations Manager) who will record it in the complaints book and sends an acknowledgement letter within 3 working days to the complainant
- The manager includes either a copy of this policy or details of the organisation's procedure for the complainant in this letter
- The designated lead is the named person who deals with the complaint throughout the process
- If necessary, further details are obtained from the complainant. If the complaint is not made by the Service User but on the Service User's behalf, the consent of the Service User, preferably in writing, must be obtained from the complainant where required
- If the complaint raises potentially serious matters, advice could be sought from a legal advisor. If legal action is taken at this stage, any investigation by the organisation under the complaints procedure ceases immediately

Investigation of the complaint by the organisation:

- Immediately on receipt of the complaint, the complaints manager will start an investigation and, within 14 days, should be in a position to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individuals concerned

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- If the issues are too complex for the investigation to be completed within 28 days, the complainant will be informed of any delays
- Where the complaint cannot be resolved between the parties, an arbitration service will be used
- This service and its findings will be final to both parties. The cost of this will be borne by the organisation

Meeting:

- If a meeting is arranged, the complainant will be advised that they may, if so desired, bring a friend, relative, or a representative, such as an advocate
- At the meeting, a detailed explanation of the results of the investigation will be given, in addition to an apology, if deemed appropriate (an apology is not necessarily an admission of liability)
- Such a meeting allows the management to show the complainant that the matter has been taken seriously and investigated thoroughly

Follow-up action:

After the meeting or if the complainant does not want a meeting, a written account of the investigation will be sent to the complainant.

- Where a complaint relates to an externally accredited qualification, assessment decision, internal quality assurance activity, malpractice, maladministration, or the delivery of a programme accredited by an Awarding Organisation, the complainant must first complete KTM Care Ltd's full complaints procedure.
- KTM Care Ltd will investigate the complaint and provide a final written outcome in accordance with this policy.
- Only once the centre's complaints process has been exhausted and a final outcome has been issued may the complainant escalate the complaint to the relevant Awarding Organisation.
- Where the complainant remains dissatisfied following the completion of KTM Care Ltd's complaints process, they may refer the matter to the relevant Awarding Organisation in accordance with its published procedures. The Awarding Organisation will normally require evidence that the centre's complaints procedure has been completed before considering the complaint.
- If the complainant is not happy with the response they receive or if they have not received an answer within a reasonable time, they can complain to the Local Government & Social Care Ombudsman.
- The Ombudsman believes that up to 12 weeks is a reasonable time for a council or care provider to look at a complaint and reply to the complainant.
- The outcomes of the investigation and the meeting are recorded in the complaints book and any shortcomings in company procedures will be identified and acted upon.
- The company management formally reviews all complaints at least every six months as part of its quality monitoring and improvement procedures to identify the lessons learned.

Vexatious Complainers

This organisation takes seriously any comments or complaints regarding its service. However, some Service Users can be treated as 'vexatious complainers' due to the inability of the

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organisation to meet the outcomes of the complaints, which are never resolved. Vexatious complainers need to be dealt with by the arbitration service so that repeated investigations become less of a burden on the organisation, its staff, and other Service Users.

Accessibility

Policies and procedures are available in accessible formats, well publicised, readily available, and accessible to individuals using the service, their families, significant others, visitors, staff, and others working at the service.

The Local Government & Social Care Ombudsman (LGSCO)

Investigate all complaints about adult care services, care provided by a council or care arranged directly with a care provider by:

- Someone paying with their own or family money
- Someone using money provided by a council, via direct payment for example

There is a step-by-step process for making an online complaint on the LGSCO website or a phone number to contact them.

A complaint should be made within 12 months of the problem. If left any longer the Ombudsman may not be able to help.

The LGSCO works to promote high-quality services for all people who use adult social care services. This is particularly the case where when investigating a complaint the LGSCO detect service failures by a care provider that may affect its registration status. An information-sharing agreement and memorandum of understanding set out how information is shared.

Raising a Concern with the Care Quality Commission (CQC) - (Service Users/Members of the Public)

CQC does not handle complaints about service providers. They cannot make these complaints for the complainant or take them up on their behalf. This may seem confusing, but it is because CQC lacks the legal powers to investigate or resolve these issues. CQC advises that the provider's complaints procedure should be followed or that one should contact the local authority.

However, Service Users/members of the public and staff can provide feedback about their experience with the care service. CQC will use this intelligence alongside other forms of evidence gathering to determine if they need to take action against the provider.

If a crime has been committed or someone is in danger, the police must be contacted immediately.

Local Authority-funded Service Users

Any service user part or wholly funded by their LA can complain directly to the complaints manager (adults) who are employed directly via the LA.

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Relevant Contacts

Key Contact Information:

- **Adult Social Care (Essex County Council):**
 - **Phone:** 0345 603 7630
 - **Email:** socialcaredirect@essex.gov.uk
 - **Emergency/Out of Hours:** 0345 606 1212
- **Children and Families Hub (Child Protection/Support):**
 - **Phone:** 0345 603 7627
 - **Emergency/Out of Hours:** 0345 606 1212

The Parliamentary and Health Service Ombudsman (NHS funded Service Users)
Millbank Tower
Millbank
London, SW1P 4QP
Tel. 0345 015 4033

The Local Government & Social Care Ombudsman
10th Floor, Millbank Tower,
Millbank,
London, SW1P 4QP
Advice Line Tel: 0300 061 0614 [for complainants]

2. Equality & Diversity

KTM Care Ltd have a strong commitment to providing a fair and equal service, which respects and values diversity and ensures that customers are treated equally and that equality of opportunity exists without discrimination, irrespective of age, disability, sex, sexual orientation, race, religion or belief, gender reassignment, marriage or civil partnership, pregnancy and maternity.

If a complainant or a Senior Manager believes that a complaint involves discrimination or harassment it must be referred to the Registered Manager who will consider what action needs to be taken.

3. Confidentiality

KTM Care Ltd respects the privacy of information supplied through the complaints process and we use it to improve our services and resolve complaints. If a formal complaint is made against a member of staff, they will be given the opportunity to comment.

KTM Care Ltd may work with other professional bodies on behalf of customers who could include; private and / or public sector organisations / external contractors e.g. Social Services,

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Education, Day Centres, British Gas, Hospitals, GP's etc. when providing services to customers. It may be necessary to share information with these partners to be able to effectively resolve the complaint. If this is the case, we will only share information on a need-to-know basis and we will inform you of this information when responding to your complaint.

Anonymous complaints will be considered under the complaints policy and any anonymous complaint or comment that relates to vulnerable people or those who might be at risk will be investigated and acted upon immediately. However, in some circumstances it may not be possible to investigate an anonymous complaint. If a customer has concerns about giving their name they can speak to the Registered Manager or Deputy Manager who will endeavour to answer any questions about how the complaint will be handled.

4. Putting things right

Where we have made mistakes or have failed to meet our service standards, KTM Care Ltd will try to resolve the complaint satisfactorily, so that the customer can feel that they were back in the position they would have been before the complaint. Some complaints may be resolved by correcting our mistakes and in other cases we may consider a change to our procedures to prevent future difficulties of a similar kind.

In cases where the LGO has made recommendations, KTM Care Ltd is committed to following the advice and timescales of the LGO to the best of its ability, but reserves the right to appeal against the LGO's judgements / recommendations. By offering a solution, KTM Care Ltd does not necessarily accept that it has acted inappropriately.

In cases where the CQC has made recommendations, as a regulated Domiciliary Care Provider, KTM Care Ltd are committed to following the recommendations and timescales of CQC but reserves the right to appeal against the CQC's judgements / recommendations.

5. Related Policies

- Adult Safeguarding
- Children's Safeguarding
- Consent
- Dignity and Respect
- Duty of Candour
- Good Governance
- Grievance
- Whistleblowing

6. Related Guidance

Local Government and Social Care Ombudsman Annual Review of Complaints:
<https://www.lgo.org.uk/information-centre/reports/annual-review-reports>

Local Government and Social Care Ombudsman: How to Complain:
<https://www.lgo.org.uk/make-a-complaint>
[How we can help - Local Government and Social Care Ombudsman](#)

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Raising a concern with CQC

<https://www.cqc.org.uk/contact-us/report-concern/report-concern-if-you-are-member-public>

7. Training Statement

All staff, during induction, are made aware of the organisation's policies and procedures, all of which are used for training updates. All policies and procedures are reviewed and amended where necessary, and staff are made aware of any changes. Observations are undertaken to check skills and competencies. Various methods of training are used, including one-to-one, online, workbook, group meetings, and individual supervision. External courses are sourced as required.

8. KTM Care Ltd Contact Details

You can contact KTM Care Ltd at Head Office as follows:

KTM Care Ltd
8 Angora Business Park
Peartree Road
Colchester
CO3 0AB

Telephone: 01376 571152

Email: info@ktmcare.co.uk