

SAFEBREAKS DEVON CIC

Complaints and Compliments Policy

Policy title	Complaints and Compliments Policy
Applies to	People receiving services, their families and representatives, commissioners, and members of the public
Policy owner	Managing Director
Complaints contact	complaints@safefbreaks.co.uk 01626 367726
Version	1.0
Date	March 2026
Next review date	March 2027
Approved by	Managing Director

Legal and Regulatory Framework

- **Care Act 2014:** Requires providers to have effective complaints procedures. Commissioners expect evidence of a functioning complaints process.
- **Equality Act 2010:** Complaints must be handled without discrimination. Reasonable adjustments must be made to enable people with disabilities or communication needs to raise concerns.
- **UK GDPR and Data Protection Act 2018:** Complaint records contain personal data and are handled in accordance with the Data Protection and Confidentiality Policy.
- **Health and Social Care Act 2008:** Establishes the expectation that care providers treat concerns and complaints seriously and use them to improve services.
- **Local Government and Social Care Ombudsman (LGSCO):** The external body with jurisdiction to investigate complaints about social care providers where the internal process has been exhausted.

1. Purpose

Safebreaks Devon CIC values feedback, both positive and negative, as essential to continuous improvement. We welcome complaints, concerns, comments, and compliments, and commit to handling them with transparency, respect, and fairness.

We support people and their representatives in raising issues in a safe environment. No one will be treated adversely for raising a concern or making a complaint in good faith.

2. Scope

- Adults in receipt of Safebreaks services
- Family members, friends, and authorised representatives
- Devon County Council and other commissioning bodies
- Members of the public who interact with our services

This policy sets out the responsibilities of both Safebreaks and its staff in receiving and responding to feedback.

3. Definitions

- **Comment:** An observation or suggestion about the service that does not require a formal response but is recorded and considered.
- **Compliment:** Positive feedback about a person, team, or service.
- **Complaint:** An expression of dissatisfaction with any aspect of Safebreaks' services, conduct, or decisions that requires a response.
- **Serious complaint:** A complaint involving a safeguarding concern, alleged financial misconduct, potential harm to a person, or a pattern of concerns suggesting a systemic failure.

4. How to Make a Complaint or Give Feedback

Feedback and complaints can be made in any of the following ways:

- **In person or by telephone:** speak to any Safebreaks staff member, your keyworker, or call 01626 367726
- **By email:** complaints@safebreaks.co.uk
- **In writing:** Managing Director, Safebreaks Devon CIC, Riviera House, Salisbury Road, Newton Abbot, Devon TQ12 2DF
- **Via feedback form:** available from any Safebreaks staff member or on request

We accept feedback from third parties acting on behalf of a service user where they have the person's consent or are acting in an authorised capacity.

Support to complain: If you need help making a complaint, including easy-read formats, interpretation support, advocacy, or communication assistance, please tell us and we will arrange appropriate support. Making a complaint should never be a barrier.

5. Complaint Handling Process

Stage	How raised	Timescale	Handled by	Recording
Informal resolution	Speak to any staff member or keyworker	3 working days	Frontline staff or team lead	Not recorded unless escalated
Formal complaint	Written complaint submitted to	Acknowledged within 3 working days.	Managing Director or	Recorded in complaints log

	Managing Director	Full written response within 20 working days.	delegated investigator	
Complex complaint	Formal complaint requiring multi-party investigation or involving serious concerns	Update every 14 working days. Final response within 40 working days.	Managing Director	Recorded in complaints log; safeguarding lead notified if relevant
Appeal	Complainant dissatisfied with formal response	Acknowledged within 3 working days. Decision within 20 working days.	Independent person at Managing Director level or above	Recorded in complaints log

Where additional time is needed beyond the stated timescale, the complainant is informed in writing before the deadline passes, with an explanation and a revised date for the full response.

20 working days is the standard for a substantive response to a formal complaint. This aligns with Devon County Council's expectations for commissioned providers and with the LGSCO guidance on reasonable timescales.

6. Safeguarding Concerns Raised Through Complaints

Important: Where a complaint reveals or suggests a safeguarding concern, the complaints procedure is paused and the Safeguarding Adults Policy takes precedence. The DSL is notified immediately. The complainant is informed that the matter is being treated as a safeguarding concern and will be handled under the safeguarding procedure. The complaint may resume after the safeguarding process is concluded if there are remaining elements that do not relate to safeguarding.

7. Confidentiality and Information Handling

- Complaint records are treated as confidential. Access is restricted to those who need the information to investigate and respond to the complaint
- The identity of the complainant is shared only where necessary for the investigation and with the complainant's knowledge
- Where a complaint involves a member of staff, that staff member is informed that a complaint has been made and is given the opportunity to respond. Their identity is not disclosed to the complainant without their consent unless required for the investigation
- All complaint records are processed in accordance with UK GDPR and the Data Protection and Confidentiality Policy

- **Retention:** Complaint records are retained for 8 years from the date of the final response. Records relating to complaints with a safeguarding element are retained for 30 years.

8. Staff Who Are the Subject of a Complaint

- A member of staff who is the subject of a complaint is informed promptly that a complaint has been received and of its general nature
- They are given a fair opportunity to provide their account before a response is issued
- They are informed of the outcome of the complaint
- A complaint does not automatically trigger disciplinary proceedings. Where the investigation finds evidence of misconduct, the matter may be referred to the Disciplinary Procedure separately
- Staff must not approach or contact the complainant directly during a complaint investigation. All communication is managed by the Managing Director

9. Escalation and External Routes

Appeal within Safebreaks

Where a complainant is dissatisfied with the formal response, they may request a review by the Managing Director. The Managing Director will acknowledge the request within 3 working days and provide a final written decision within 20 working days.

Complaint about the Managing Director

Where the complaint concerns the conduct or decision of the Managing Director, the complainant may write directly to the Safebreaks Board. Where no Board structure is in place, the complainant is advised to contact the LGSCO directly or to seek independent advocacy support.

External escalation

Where the internal process has been exhausted and the complainant remains dissatisfied, the following external routes are available:

Body	Contact details
Local Government and Social Care Ombudsman (LGSCO)	Website: lgsc.org.uk Telephone: 0300 061 0614
Devon County Council (for local authority-funded clients)	0345 155 1007
Information Commissioner's Office (data protection complaints)	Website: ico.org.uk Telephone: 0303 123 1113
Citizens Advice	citizensadvice.org.uk 0800 144 8848

10. Compliments and Comments

- Positive feedback is actively encouraged and equally valued. Compliments are recorded in the same log as complaints
- The person or team named in a compliment is informed and the feedback is shared at the next team meeting or supervision
- Compliments are used in staff recognition and annual appraisals
- Comments and suggestions are reviewed by the Operations Lead and used to inform service improvements. The person who made the suggestion is informed of what action, if any, was taken

11. Managing Unreasonable Complaint Behaviour

Safebreaks is committed to respectful dialogue and takes all complaints seriously. In rare circumstances, complaint behaviour may become unreasonable in a way that affects staff wellbeing or prevents the complaint from being progressed fairly.

Unreasonable behaviour includes: persistent contact that is disproportionate to the complaint; aggressive, threatening, or abusive language toward staff; repeated submission of the same complaint after a final decision has been given; and deliberately misleading information intended to manipulate the outcome.

Where complaint behaviour meets this threshold:

1. The Managing Director reviews the situation and confirms in writing to the complainant that their behaviour has been identified as unreasonable, with specific examples.
2. Contact may be restricted to a single named channel (for example, email to the Managing Director only) or to a set frequency.
3. Where all reasonable efforts have been made and the complaint has been fully investigated and responded to, Safebreaks may decline further engagement on that specific matter.
4. The restriction is reviewed every 3 months and lifted when the behaviour returns to an acceptable level.
5. The complainant retains the right to approach the LGSCO regardless of any restriction placed by Safebreaks.

Restrictions are applied only with the Managing Director's written authority and are not used to avoid legitimate complaints.

12. Monitoring and Learning

- All formal complaints, appeals, and their outcomes are recorded in the Safebreaks Complaints Log
- The Managing Director reviews the Complaints Log quarterly to identify patterns, themes, or systemic issues
- Learning from complaints is shared with staff at team meetings and incorporated into supervision and training
- A quarterly summary (anonymised) is presented to the Operations Lead. Significant complaints are reported to the Managing Director immediately

- This policy is reviewed annually or following any significant complaint or change in guidance from the LGSCO or Devon County Council

13. Related Documents

- Safeguarding Adults Policy
- Disciplinary, Grievance and Capability Policy
- Data Protection and Confidentiality Policy
- Dignity, Equality and Respect Policy
- Service Agreement (complaint contact details in Clause 11)

Change Log

Version	Date	Author	Summary
0.1	2025	Managing Director	Initial draft
1.0	March 2026	Managing Director	Full revision: timescales aligned to 20 working days standard; safeguarding link added; confidentiality provisions added; complaint about the Managing Director route added; staff subject-of-complaint protections added; retention period stated; unreasonable behaviour procedure strengthened; LGSCO URL corrected; house style applied