

LMC E9 Manage procedures within care services for making, responding to and learning from comments and complaints

Elements of Competence

LMC E9.1 Implement and review systems, procedures and practice for the receipt of comments and complaints

LMC E9.2 Ensure that lessons are learned from comments and complaints

LMC E9.3 Evaluate the effectiveness of complaints systems, procedures and practice

About this unit

This unit is for leaders and managers of care services. It is about managing the processes and procedures for making, responding to and learning from comments and complaints within your provision.

Scope

The scope is here to give you guidance on possible areas to be covered in this unit. You need to provide evidence for the areas that are relevant to the care service that you lead and manage, and a sound rationale for not providing evidence for the remaining items.

Comments and complaints may be: positive, negative, formal, informal, and can be made about the provision, its operations, yourself and your workers

People include:

- adults using care services, their families, carers, groups and communities
- children and young people using care services, their parents/carers, families, carers, groups and communities

Preferred communication methods and language including: people's preferred spoken language; the use of signs; symbols; pictures; writing; objects of reference; communication passports; other non-verbal forms of communication; human and technological aids to communication; pre-verbal utterances in infants and young children

Relevant others could include: other professionals who should contribute to the activity, people from within the provision who should contribute to the activity, people from outside the provision who should contribute to the activity

Workers could include: those supporting the people within your provision who are paid, unpaid, contractual or non-contractual

Your **knowledge and understanding** for this unit relates to: legal and organisational requirements for care services; employer and employee codes of practice and conduct within care services; the depth and breadth of understanding that will enable you to lead and manage care services effectively, support workers to perform competently, ensure the well being of all within your provision, critically evaluate, assess and intervene appropriately to resolve issues and conflicts; and the need to understand and work in collaboration with people, workers and relevant others within and outside your provision to ensure its viability into the short, medium and longer-term future

Values underpinning the whole of the unit

The values underpinning this unit have been derived from the key purpose statement, relevant service standards and codes of practice for health and social care in the four UK countries. To achieve this unit you must demonstrate that you have applied the principles required for the management of care services outlined in LMCB1

Key Words and Concepts

This section provides explanations and definitions of the key words and concepts used in this unit. In occupational standards it is quite common to find words or phrases used which you will be familiar with, but which, in the detail of the standards, may be used in a very particular way. **Therefore, we would encourage you to read this section carefully before you begin working with the standards and to refer back to this section as required.**

Abuse	Abuse is causing physical, emotional, sexual and/or financial harm to an individual and/or failing/neglecting to protect them from harm. This could be at a personal or institutional level
Comments and complaints	Positive and negative observations made about the provision, its operations, yourself and your workers. These can be informal and formal.
Evidence-based practice	Practice that is based on evidence drawn from people, workers, research, organisational and policy expertise
Governance	The way in which the provision is governed and directed as required by legislation, regulation, standards and guidance
Independent representation and advocacy	Where the views, wishes and concerns of the adult/child/young person are communicated by another person, either through someone independently representing their wishes, or someone acting as their advocate
Leadership	The ability to provide a model of best practice that is creative, innovative, motivating and flexible and supports people to follow by example and through respect
Management	The ability to lead and organise the effective running of the provision and to meet the overall service needs and those required by legislation, regulation, registration and inspection. Effective managers are able to solve problems, balance the needs of all within the provision, to manage competing demands and to cope under stress
Organisational requirements	Aspects of policy, procedure and practice that are required by the service and the provision
Partnership	Working effectively together with people, professionals, agencies and organisations to enhance the well being of people and support positive and improved outcomes
People	For adults, people includes adults using care services, their advocates, their families, carers, significant others, groups and communities For children and young people, people includes the children and young people using care services, their advocates, their parents/carers, their families, teachers, college lecturers, significant others, groups and communities
Positive outcomes	Beneficial outcomes for adults as specified in regulation and guidance for each of the countries of the UK and agreed as appropriate with and for each person within the provision. They include:

	<ul style="list-style-type: none"> • improved health, emotional well being and quality of life • staying safe and being free from discrimination and harassment • enjoying, achieving and making a positive contribution • exercising choice and control • achieving economic well being, dignity and respect <p>Beneficial outcomes for children and young people as specified in the regulation of each of the countries of the UK and as agreed with children and young people. They include:</p> <ul style="list-style-type: none"> • being healthy • staying safe • enjoying and achieving • making a positive contribution • achieving economic well being
Provision	The specific unit or part of the service for which you have leadership and management responsibilities
Relevant others	Key people within and outside the provision with whom it is beneficial to work and who can influence the provision and the outcomes for the provision and people within it
Resources	The assets of the provision: financial, human, physical and environmental
Rights	<p>The rights of:</p> <ul style="list-style-type: none"> • adults are those embodied in the United Nations Universal Declaration of Human Rights • children and young people are those embodied in the United Nations Convention on the Rights of the Child <p>These include rights under the social care codes of practice that everyone should be: respected (in terms of their beliefs, culture and values); treated and valued equally, not be discriminated against; treated as an individual; treated in a dignified way; socially included; included in activities; protected from danger and harm; cared for in a way they choose; have privacy and access to information about themselves and be able to communicate using their preferred methods of communication and language</p>
Service	The overall organisation, agency or service within which your specific provision resides and for which you are the manager
Take informed action against discrimination	Actions taken about discrimination on the basis of your knowledge of good practice, legal requirements and professional codes and in relation to information received and investigated
Workers	Those supporting people within the provision who are paid or unpaid, contractual or non-contractual

LMC E9.1 Implement and review systems, procedures and practice for the receipt of comments and complaints

Performance Criteria

You need to show that,

- a. you review systems, procedures and practices for receiving and responding to **comments and complaints** to ensure they comply with legislation, regulation, inspection and **organisational requirements**
- b. you implement systems, procedures and practices that ensure positive and prompt response to comments and complaints about the **provision**, its workers and services
- c. you ensure systems, procedures and practices for receiving and acting on comments and complaints are implemented and reviewed according to legal, regulatory, inspection and organisational requirements
- d. you ensure effective and efficient recording and reporting procedures are in place, implemented and reviewed for the receiving and acting on comments and complaints
- e. you ensure workers are trained and competent to deal with and respond to representations, comments and complaints
- f. you respond constructively to comments and complaints, ensuring that complaints are fully and openly investigated and that the outcomes are shared appropriately
- g. you ensure that **independent representation and advocacy** support is provided to enable people to make comments and complaints
- h. you ensure that **people**, their representatives/advocates, **workers** and **relevant others**:
 - know how, and feel able to make comments and complaints
 - are confident that their concerns will be taken seriously if they are unhappy with any aspect of the **provision**, its services and the **service**

LMC E9.2 Ensure that lessons are learned from comments and complaints

Performance Criteria

You need to show that,

- a. you set in place systems, procedures and practices to ensure that lessons are learned from comments and complaints and how they were dealt with
- b. you ensure that positive comments are recognised and shared appropriately with workers and relevant others
- c. you treat every comment and complaint positively and ensure complaints are used constructively within the provision
- d. you ensure that positive and negative comments and complaints are used as positive learning experiences:
 - for your own practice
 - for the provision
 - for staff training and development
 - to inform future practice

- to set in place procedures to avoid future complaints of the same nature
- e. you identify and ensure that changes made in response to comments and complaints are evidenced, recorded and reported

LMC E9.3 Evaluate the effectiveness of comments and complaints systems, procedures and practice

Performance Criteria

You need to show that,

- a. you critically evaluate comments and complaints received and your provision's systems, procedures and practices for dealing with them, in the context of legislation, regulation, inspection and organisational requirements
- b. you identify information and advice that could inform the evaluation and development of systems, procedures and practice for comments and complaints
- c. you work with people, workers and relevant others to identify:
 - what is effective about the comments and complaints systems, procedures and practice
 - what could be improved
- d. you ensure that information from comments and complaints is collated, reviewed and analysed to identify lessons learned about the effectiveness of the systems, procedures and practice and in line with performance **management** requirements and targets
- e. you use evidence to record, report and make recommendations for improvements and changes to comments and complaints systems, procedures and practice
- f. you disseminate the recommendations to appropriate individuals for action

Knowledge Specification for the whole of this unit

Competent leadership and management practice is a combination of the application of skills and knowledge informed by values and ethics. This specification details the knowledge and understanding required to carry out competent leadership and management in the performance described in this unit.

When using this specification it is important to read the knowledge requirements in relation to the expectations and requirements of your job role and the content of this unit

You need to provide evidence for ALL knowledge points listed below.

You need to show that you know, understand and can apply in your management practice:

Values

1. Legal and organisational requirements on equality, diversity, discrimination, **rights**, confidentiality and sharing of information in relation to managing procedures for making, responding to and learning from comments and complaints
2. Knowledge and practice that underpin the holistic person-centred approach which enable you to managing procedures for making, responding to and learning from comments and complaints, in ways that:
 - place the people's preferences at the centre of everything you do whilst considering their best interests
 - ensure people have access to information about themselves in a format that they can understand
 - provide opportunities for independent representation and advocacy
 - use a person's preferred communication methods and language
 - provide active support for people
 - recognise the uniqueness of people and their circumstances
 - empower people to take responsibility (within any restrictions placed upon them) and communicate their decisions about their own lives, as far as they are able
3. How to critically evaluate and **take informed action against discrimination** when managing procedures for making, responding to and learning from comments and complaints
4. How to support people, workers and relevant others to recognise and take informed action against discrimination

Legislation and policy

5. Regulation, inspection requirements, codes of practice and conduct, standards and guidance for employers and employees, relevant to:
 - your provision
 - your own roles, responsibilities and accountability
 - the roles, responsibilities and accountability of othersin relation to managing procedures for making, responding to and learning from comments and complaints
6. Current local, national, UK, European and international legislation, standards,

guidance and organisational requirements for the managing procedures for making, responding to and learning from comments and complaints within your provision, including:

- the need to achieve positive outcomes for people
- the need to safeguard and protect people from all forms of danger, harm and **abuse**
- employment practices for the provision and service
- your provision's **governance** arrangements
- data protection, recording and reporting
- making and dealing with comments and complaints to improve services
- whistle-blowing
- **partnership** and other types of working
- promoting your provision's services and facilities
- policies and procedures and regulations about responding to comments and complaints

7. Organisational requirements for recording and reporting on comments and complaints and the procedures to deal with and learn from these, including:
- how reports and records should be accessed, manually and through Information and Communication Technologies (ICT)
 - how to ensure that records and reports do not contribute to labelling and stigmatisation
 - the security requirements for different records and reports
 - the requirements for producing, finalising and sharing different types of records and reports appropriately and within required timescales
 - types of data, information and presentation methods appropriate to specific records and reports and the specific needs of people
 - the importance of identifying whether the source is based on evidence, fact or knowledge-based opinion
 - how and when to use evidence, fact and knowledge-based opinion to support professional judgement in records and reports

8. How to implement, evaluate and influence the future development of management policies, systems, processes and procedures on receiving, dealing with and learning from comments and complaints

Leadership and management theory and practice

9. How to critically evaluate and implement best practice using up-to-date knowledge of:
- literature related to receiving, dealing with and learning from comments and complaints within your provision
 - leadership and management methods, principles and approaches relevant to dealing with comments and complaints within your provision
 - government reports, inquiries and research relevant to receiving, dealing with and learning from comments and complaints
 - evidence and knowledge-based theories and models of good practice in receiving, dealing with and learning from comments and complaints
 - lessons learned for receiving, dealing with and learning from comments and complaints from successful interventions and serious failure of service and practice

<ul style="list-style-type: none"> the importance of experiences of people within your provision in terms of receiving, dealing with and learning lessons from comments and complaints
10. Performance management and quality requirements, procedures, criteria, methods and indicators relevant to receiving, dealing with and learning from comments and complaints
11. Methods of managing and developing practice in receiving, dealing with and learning from comments and complaint, about: <ul style="list-style-type: none"> how you consult with people, workers and relevant others how you promote the participation and involvement of people how you support, supervise and develop workers the impact on the provision of organisational behaviour group and individual processes how power relationships can be used and abused
12. How to plan and manage resources , for receiving, dealing with and learning from comments and complaints, and the implications for: <ul style="list-style-type: none"> the delivery of services the achievement of targets the achievement of positive outcomes
13. Different types of change and their implications for the leadership and management of your provision and service
14. How psychological, socio-economic, cultural and environmental factors of those within the provision can impact on the receipt and handling of comments and complaints
15. How and where technology should be used when receiving, dealing with and learning from comments and complaints within your provision
16. Knowledge and evidenced-based practice about: <ul style="list-style-type: none"> the effectiveness of comments and complaints systems, procedures and practices enabling people to use comments and complaints systems and procedures setting up and managing systems that promote the participation of people and workers in improving the provision and practice within it evaluating and reviewing policies and procedures for comments and complaints in ways that use the contribution of people and workers working with people, workers and partners to use what is learnt from comments, complaints and mistakes
17. How to promote a culture which promotes learning from comments, complaints and mistakes to improve the provision and practice within it
20. How to access training and development on receiving and responding to comments and complaints for workers
21. How to use comments and complaints within performance management and to inform future practice
22. Where and when to access independent representation and advocacy support for people who wish to make comments and complaints