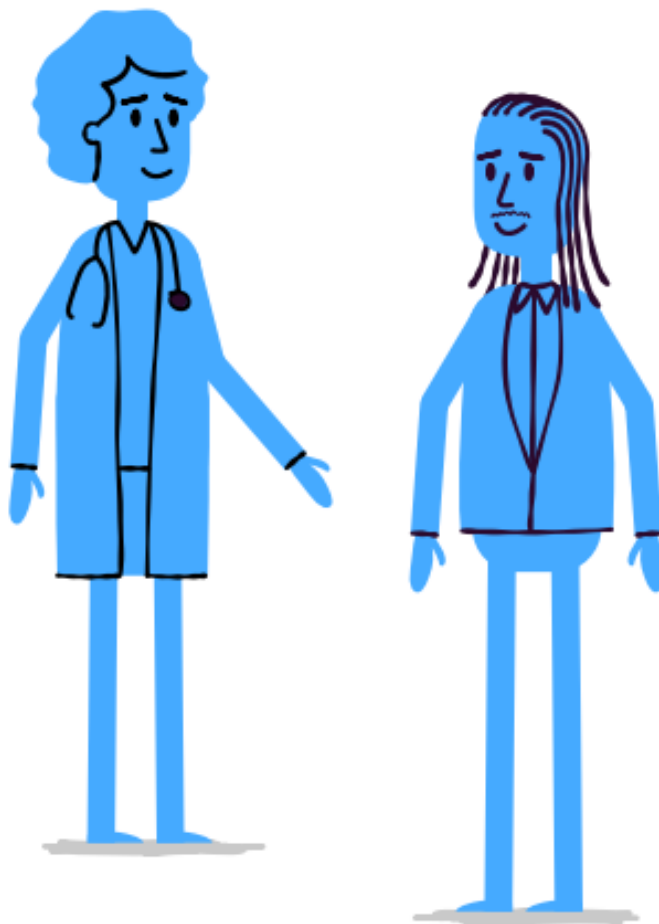


Complaints involving multiple service areas or organisations



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1 Welcome to this guide

This guide sets out what to do when you receive a complaint that involves multiple organisations.

This includes complaints involving:

- one or more other organisations delivering NHS care and services
- different areas of care, such as both NHS care and social care.

It also explains how to manage complaints within [sustainability and transformation partnerships](#) (STPs) and [integrated care systems](#) (ICSs).

This guide will help you manage complex complaints that involve several different areas of care or service. For example, complaints that span across very large organisations or systems.

It may also help you navigate complaints that are covered by more than one resolution route. For example, a concern that could be addressed through a complaint or a combined serious incident investigation.

This guide is one of the Good complaint handling series, designed to help you meet the expectations in the [NHS Complaint Standards](#). Read it alongside the [Model complaint handling procedure](#) and other [Good complaint handling guides](#).



Tip: Managing complaints that include social care

Each local authority has its own procedures for dealing with complaints about the services it commissions. If you are working with joint health and social care complaints, you need to factor this in when discussing and planning the investigation of the complaint.

For any complaint involving social care, see also the Local Government and Social Care Ombudsman's [guidance on complaint handling](#) and good administrative practice.

For complaints relating to adult social care, you may also find the ['Quality Matters' adult social care guides](#) helpful.

2 What standards and regulations are relevant to this guide?

- The Complaint Standards set out expectations to help you deliver good complaint handling in your organisation.
- The National Health Service Act 2006 sets out how local authorities and health bodies should handle complaints about health-related social services
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 set out what the law says you must do.

What the Complaint Standards say

Giving fair and accountable decisions

‘For complaints that involve multiple organisations, the lead organisation provides a single response to the complaint. This includes what the other organisations have done to look into the issues and the conclusions they reached. Where necessary, the response clearly explains how each organisation will remedy any mistakes it made.’

What the National Health Service Act 2006 (section 75) says

Councils and health bodies may pool money to integrate resources where health-related social services are involved. Written agreements between councils and health bodies are expected to set out how complaints are to be handled.

What the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 (section 9) say

There is a ‘duty to co-operate’: a legal requirement for organisations to co-operate in terms of ‘co-ordinating the handling of the complaint’ and ‘ensuring that the complainant receives a co-ordinated response to the complaint’.

Each body is required to agree which of the bodies should take the lead in co-ordinating the handling of the complaint and communicating with the complainant. They must provide relevant information to each other when reasonably requested and attend or be represented at any meetings reasonably required.

3 What you need to do

Where a complaint involves one or more other organisations (including complaints that cover health and social care issues), you must investigate in collaboration with those organisations.



Tip: Section 75

Familiarise yourself with any Section 75 written agreements your organisation has with local authorities.

All the organisations involved need to agree which of them will act as the 'lead organisation'. The lead organisation is then responsible for:

overseeing and co-ordinating the consideration of the complaint

making sure the person who raised the complaint receives a single, joint response.



Tip: Memorandum of understanding

Your organisation may find it helpful to establish an agreement or memorandum of understanding between local NHS organisations and relevant local authorities. This will help set out how complaints will be handled and define roles and responsibilities.

Which organisation receives the complaint?

Where more than one organisation is involved in someone's care, that person (or their representative) can complain to any of them. They do not have to contact each organisation separately.

- ➔ If your organisation is the one that receives the complaint, you need to contact the other organisations involved, carry out a joint investigation and provide a single joint response.
- ➔ If someone complains to you but your organisation is not responsible for the care or service they are complaining about, do not turn them away. Ask for the person's consent to share the information and details of the complaint with the right organisations.
- ➔ If the person does not give their consent, signpost them to the organisations they need to contact and provide their contact details.



Tip: Getting consent

Use our [sample consent form](#) to gain permission to share the person's details with other organisations.



Once you are satisfied that the person is able to give their consent, explain that you want to make sure that:

- ➔ their complaint is considered in a coordinated way
- ➔ they have a single point of contact
- ➔ they receive a single, joint response.

Agreeing the lead organisation and named contact



Once you have obtained consent, discuss the complaint with the other organisations involved and agree which will lead. Ideally, include the person who made the complaint in the discussions about who will lead.

The lead organisation might be:

- the one with the greatest responsibility for the service or care being complained about
- the organisation that has established the best relationship with the person
- the one that has more complaint-handling resources
- if several NHS organisations are involved, the main commissioning organisation or NHS England.

Once the lead organisation is agreed, they need to provide a single named contact (usually the lead complaint handler) to act as the person's key point of contact.

You will need to:

- ✓ provide the named contact's name and contact details to the person who raised the complaint
- ✓ explain how you will keep the person involved and informed
- ✓ make sure the person knows that independent support is available and signpost them to their [local advocacy provider](#).

Responsibilities of the lead organisation

If your organisation is named as the lead, you need to establish the practicalities of handling of the complaint from the outset - both within and between organisations.



Tip: Joint consent

Use a joint consent form to cover sharing personal information and any learning across all organisations involved. This means the person raising the complaint only needs to provide consent once. See the [sample joint consent form](#).

As the lead organisation, you need to make sure that:

- ✓ the roles and responsibilities of each organisation are clear and understood
- ✓ there is a clear understanding of the complaint and desired outcomes, which is shared with all parties
- ✓ there is a clear investigation plan and a realistic timetable (including for submitting all responses) agreed by all organisations and discussed with the person who made the complaint
- ✓ the person who raised the complaint is involved and updated on progress throughout the investigation.



Tip: Complaints involving social care

If a complaint involves social care, find out about the complaint-handling process of the relevant local authority and incorporate this into the plan.

You also need to:

- ✓ coordinate the complaint-handling process
- ✓ set up any meetings.

The regulations say that for every meeting, each organisation must provide relevant information and either attend or be represented.

As the lead organisation, when you receive the initial responses from all contributing organisations, you need to carry out the process set out in our [step-by-step guide](#).

Responsibilities of contributing organisations

If your organisation is not the named lead, you still have several responsibilities as a contributor. For example, you need to:

- ✓ develop a clear understanding of what role and responsibilities you have agreed with the lead organisation
- ✓ agree which matters you will investigate, together with key milestones and target dates

- ✓ as far as possible, meet these targets
- ✓ keep the lead organisation updated regularly (at agreed times) so they can update the person who made the complaint
- ✓ co-operate with any requests for meetings
- ✓ submit your response to the lead organisation so they can produce a single joint response
- ✓ respond promptly to any questions or requests for more information.
- ✓ respond promptly with any comments on the co-ordinated response.
- ✓ complete any actions set out in the final response to agreed timescales and share evidence of this with the key contact, so they can pass this on to person who raised the complaint.

Which standards are right for your organisation?

NHS organisations must carry out their investigations in line with the [Complaint Standards](#).

Social care organisations must carry out their investigation in line with the Local Government and Social Care Ombudsman's [guidance on complaint handling](#).

What to do if the organisations involved do not cooperate or agree

Providing a single, joint response on behalf of all the organisations involved is not always straightforward.

Some complaints involve separate issues and elements that lend themselves to separate investigation strands. In these cases, the lead organisation needs to set out the details and outcome of each investigation strand, then add a conclusion.

Other complaints require each organisation to agree the resolution and remedy. This can lead to tension and disagreement. There may also be times when an organisation simply fails in its duty to cooperate with the complaint-handling process.

Where these problems lead to an impasse, the lead person for the responsible organisation must follow these steps:

Step 1 Refer the situation to senior management in each organisation to try to resolve it.

Step 2 If the situation still cannot be resolved, write to the person who made the complaint and respond to the complaint as far as possible, explaining where, and why, you have been unable to provide a full response and why it has not been possible to reach an agreement.

Step 3 Then, tell the person to contact the Parliamentary and Health Service Ombudsman (for health service matters) or the [Local Government and Social Care Ombudsman](#) (for social care matters) if they want to take the matter further.

If you would like this document in a different format, such as Daisy or large print, please [contact us](#).

Let's make
complaints
count!

