

ADS Customer Complaints Procedure

Document Control

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Distribution:	'All Employees & Associates'		
Signed on behalf of ADS:			
Policy Owner:	Steve Cudmore	Head of Operations	28/10/2025
Approver:	Jane Sedgewick	Director	11/11/2025
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Initials			

The reviewer initials and add next review date to confirm the policy is still current if major revisions are NOT required.

Our arrangements for dealing with complaints is published on the ADS company website, containing details on how further information about those arrangements may be obtained. Any updates to this procedure must also be reflected in the website customer process.

Printed or downloaded copies are uncontrolled. The SharePoint version is the controlled master.

Change Log

Version	Date	Summary of change
V2.0		Change to policy review frequency; updated formatting; policy extended beyond NHS & LA clients and service users.

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1. Policy Statements

This Procedure defines the approach ADS and its subsidiaries (e.g., ThinkingThrough) take to addressing ALL service user complaints.

This policy is derived and interpreted from **The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009**; however, it applies to ALL customer complaints.

2. Purpose

The purpose of this Complaints Policy is to ensure that all service user complaints are handled promptly, fairly, and transparently. It provides a clear process for individuals to raise issues, supports timely resolution, and promotes continuous improvement in our services. By listening and responding effectively, we aim to uphold our commitment to quality, accountability, and respect for all stakeholders.

3. Scope

In Scope

This **ADS Service User Complaints Procedure** applies to any complaint made directly to it, or via a client (where a service package is commissioned via a 3rd party), concerning services provided by it, except for complaints listed below as ‘out of scope’ (see below).

Out of Scope

Where a complaint is determined to be out of scope ADS are not required under **The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009** to consider the complaint further.

Where a complaint specified below is part of, or relates to, another complaint which is not ‘out of scope’, nothing in this regulation prevents that other complaint being handled in accordance with these Regulations.

This process does not apply to:

- a. a complaint by another service
- b. a complaint made by an employee relating to that employment

- c. a complaint which has been made orally and has been resolved to the complainant's satisfaction not later than the next working day after the day on which the complaint was made
- d. a complaint whose subject matter is the same as that of a complaint that has previously been made and resolved in accordance with sub-paragraph (c)
- e. a complaint which has previously been investigated according to this process
- f. a complaint which is being or has been investigated by either a Local Commissioner under the Local Government Act 1974 or a Health Service Commissioner under the 1993 Act
- g. a complaint arising out of the alleged failure by a responsible body to comply with a request for information under the Freedom of Information Act 2000
- h. a complaint which relates to any scheme established under section 10 (superannuation of persons engaged in health services, etc.) or section 24 (compensation for loss of office, etc.) of the Superannuation Act 1972([21](#)), or to the administration of those schemes.

The Complaints Manager will notify the complainant in writing of the decision and the reason for the decision. This does not apply where the complaint 'has been made orally and has been resolved to the complainant's satisfaction not later than the next working day after the day on which the complaint was made'.

4. Related standards

Complaints associated with NHS & Local Authority contracts

This complaints procedure is derived and interpreted from **The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009** and should be viewed in conjunction with that legislation. Where there is uncertainty on how to interpret this internal procedure, the reader should default to the legislation. The legislation takes precedence over these internal procedures, and it is incumbent upon the named Responsible Person and Complaints manager to ensure that the administration of these internal procedures does not inadvertently deviate from the legislature.

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 applies to a complaint which is made directly to ADS about services provided by it under arrangements with an NHS body, or to a CCG in accordance with these Regulations about the services provided by ADS under arrangements with CCG; and is not deemed 'Out of Scope' (see below).

5. Roles and Responsibilities

Complainant

A complaint may be made by:

- a. a person who receives or has received services from ADS
- b. a person who is affected, or likely to be affected, by the action, omission or decision of ADS which is the subject of the complaint

- c. A representative acting on behalf of the complainant (above) who:
- i. has died
 - ii. is a child
 - iii. is unable to make the complaint themselves because of a physical incapacity; or a lack of capacity within the meaning of the Mental Capacity Act 2005(18)
 - iv. has requested the representative to act on their behalf.

Specific considerations when the 'complainant' is a representative

Where a representative makes a complaint on behalf of a child, ADS must not consider the complaint unless it is satisfied that there are reasonable grounds for the complaint being made by a representative instead of the child; and if it is not so satisfied, must notify the representative in writing, and state the reason for its decision.

Where a representative makes a complaint on behalf of a child; or a person who lacks capacity within the meaning of the Mental Capacity Act 2005; and The Responsible Person and Complaints Manager are satisfied that the representative is not conducting the complaint in the best interests of the person on whose behalf the complaint is made, the complaint must not be considered or further considered under these Regulations; and the responsible body must notify the representative in writing and state the reason for its decision.

If ADS receives a complaint which does not relate to a service it has provided but relates to another service outside of our organisation then this complaint can be passed to that organisation and closed internally.

Responsible Person (Jane Sedgewick)

Responsible for ensuring compliance with the arrangements made under **The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009**, and ensuring that action is taken if necessary, in the light of the outcome of a complaint.

- a. ensure that the administration of these internal procedures does not inadvertently deviate from the legislature.

NB: The role of Responsible Person will be taken on by the other ADS Director if the complaint is regarding the named Responsible Person.

Complaints Manager (Steve Cudmore)

The Complaints Manager is responsible for managing the procedures for handling and considering complaints in accordance with the arrangements made under **The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009**.

The functional aspects of the Responsible Person role are performed by the Complaints manager on behalf of the Responsible Person (see above).

Responsible for:

- a. The day to running of the complaint procedure
- b. Monitoring ongoing complaints to ensure that key milestones are met
- c. Ensure that the administration of these internal procedures does not inadvertently deviate from the legislature
- d. Ensuring that all employees have received an overview of the ADS Service User Complaints Procedure
- e. Overseeing and tracking the timely completion and conclusion of the complaint investigation and for capturing any remedial actions associated with the complaint.
- f. Assigning responsibility for the investigation and identification and implementation of appropriate remedial actions as appropriate.

NB: The role of Complaints Manager will be taken on by the named Responsible Person If the complaint is regarding the Complaints Manager.

All ADS Employees

A service user complaint may be received by any member of the ADS team; therefore, it is essential that all employees are familiar with this complaint procedure for service users and representatives of service users and are able to access copies of the procedure if required.

As required, all ADS Employees are responsible for:

- a. directing service users to the complaint procedure
- b. making a written record of a complaint where a complaint is made to them orally and provide a copy of the written record to the complainant and the complaints manager within 24 hours of receiving a complaint

6. Policy Details

Process Objectives

The handling and consideration of complaints

These arrangements for dealing with complaints must ensure that:

- a. complaints are dealt with efficiently
- b. complaints are properly investigated
- c. complainants are treated with respect and courtesy
- d. complainants receive, so far as is reasonably practical:
 - i. assistance to enable them to understand the procedure in relation to complaints; or

- ii. advice on where they may obtain such assistance
- e. complainants receive a timely and appropriate response
- f. complainants are told the outcome of the investigation of their complaint; and
- g. action is taken if necessary, in the light of the outcome of a complaint

7. Procedures

A complaint can be made to ADS either verbally or in writing. If a complaint is received verbally, a written copy of the complaint will be provided to the complainant (see scope for exceptions).

When making a complaint the complainant is requested to be as specific as possible including any information that may be useful and support the investigation, including any dates and times pertinent to the complaint.

ADS will email or phone the complainant to acknowledge the complaint which will explain how the complaint will be handled, how long the investigation is expected to take and when a response is likely, along with an offer to discuss the complaint.

Once ADS has completed the investigation the complainant will be sent a written response explaining how the complaint was considered and the conclusions reached in relation to the complaint and any remedial actions taken.

Receiving a Complaint

A complaint may be made orally, in writing or electronically.

Where a complaint is made orally, the person receiving the complaint must make a written record of the complaint and provide a copy of the written record to the complainant.

A complaint may be received by any member of the ADS team who is responsible for escalating that complaint to the Complaints Manager within 24 hours.

There is an optional Complaint Record Template which the employee or complainant may use to record the complaint.

Acknowledging a Complaint

ADS will acknowledge the complaint no later than 3 working days after the day on which it receives the complaint (or 3 days after receiving notification of the complaint if received via another service in relation to a complaint relating to ADS or ADS Ltd.)

The acknowledgement may be made orally or in writing.

The acknowledgement will include:

- a. an offer to discuss with the complainant, at a time to be agreed with the complainant where we can:

- i. explain how the complaint is to be handled
- ii. the time period within which the investigation of the complaint is likely to be completed
- iii. when the 'complaint response' is likely to be sent to the complainant.

If the complainant does not accept the offer of a discussion the Complaints Manager shall determine the response period and notify the complainant in writing of that period.

Investigating a Complaint

ADS must and will investigate the complaint in a manner appropriate to resolve it speedily and efficiently; and during the investigation, keep the complainant informed, as far as reasonably practicable, as to the progress of the investigation.

The Complaints Manager is responsible for overseeing and tracking the timely completion and conclusion of the complaint investigation and for capturing any remedial actions associated with the complaint. However, depending upon the nature of the complaint they may delegate responsibility for the investigation and identification and implementation of appropriate remedial actions.

Complaint Response

As soon as reasonably practicable after completing the investigation, the responsible body must send the complainant in writing a response, signed by the responsible person, which includes:

- a. A report which includes the following matters:
 - i. an explanation of how the complaint has been considered; and
 - ii. the conclusions reached in relation to the complaint, including any matters for which the complaint specifies, or the responsible body considers, that remedial action is needed; and
- b. confirmation as to whether the responsible body is satisfied that any action needed in consequence of the complaint has been taken or is proposed to be taken

Time Limited Response

Unless agreed between the complainant and ADS, the response period will be no longer than 6 months from the day the complaint was received.

If ADS does not send the complainant a response within 6 months from the day on which the complaint was received, the company must:

- a. notify the complainant in writing accordingly and explain the reason why; and
- b. send the complainant in writing a response as soon as reasonably practicable after the relevant period.

Data Capture and Monitoring

Throughout the complaint procedure the Complaints manager will ensure the following information is captured and monitored as a minimum for each complaint received:

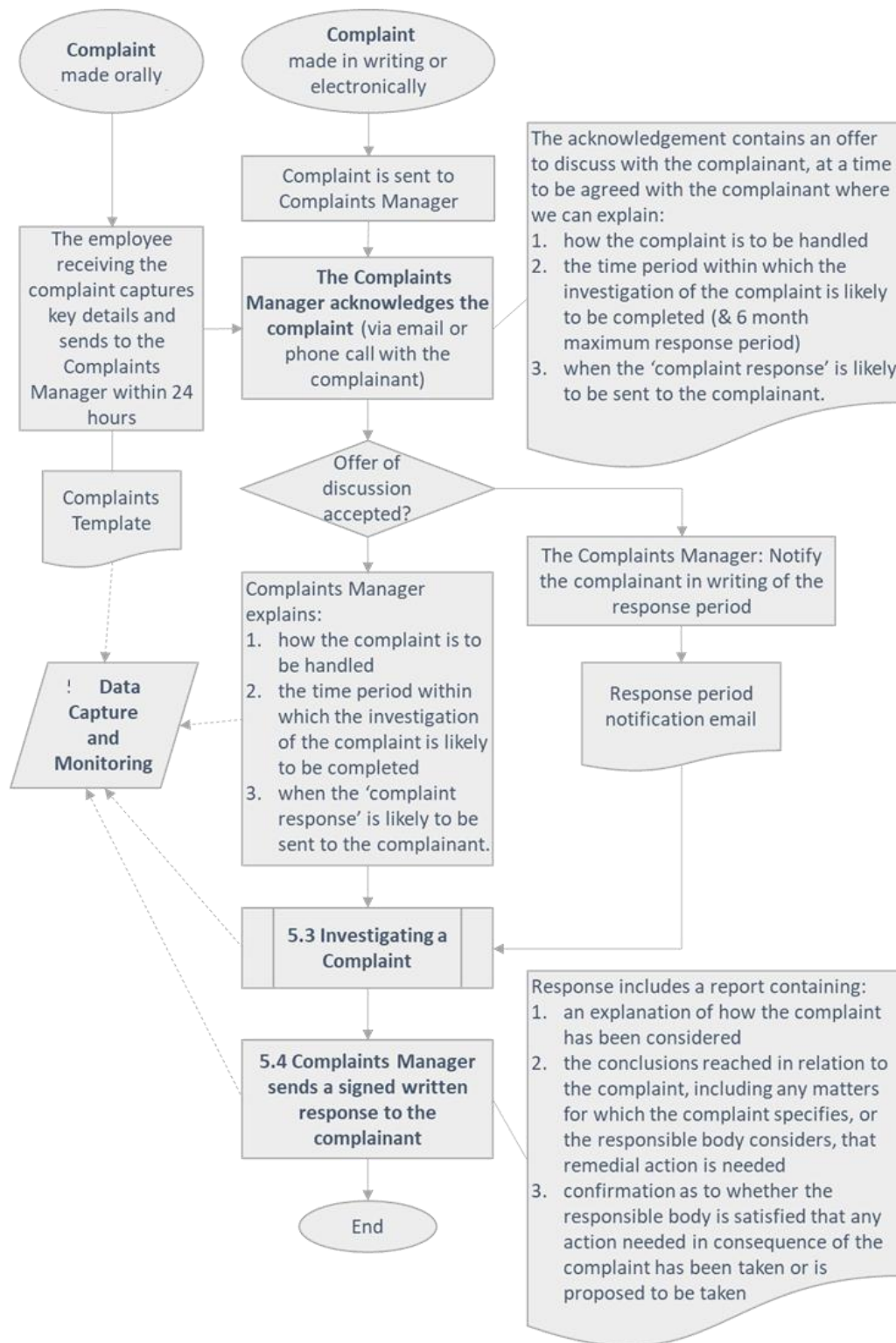
- a. The subject matter of the complaint
- b. The outcome of each complaint (including any remedial action taken)
- c. When the Complaints Manager informed the complainant of the 6-month maximum response period (or agreed to an extension to that period)
- d. When a report of the outcome of the investigation was sent to the complainant.

Communication

ADS can communicate with the complainant electronically where the complainant has consented in writing or electronically; and has not withdrawn such consent in writing or electronically.

Electronic signature requirements are satisfied if sent by the signatory and they have typed or produced their name in place of a signature.

Process Flow



8. Monitoring & compliance

Complaints Tracker: The subject matter of the complaint; The outcome of each complaint (including any remedial action taken); When the Complaints Manager informed the complainant of the 6-month

maximum response period (or agreed to an extension to that period); When a report of the outcome of the investigation was sent to the complainant.

Monitoring

The Complaints Manager is responsible for monitoring the achievement of this policy in respect of each complaint received and for identifying underlying

As a minimum the company must keep records of:

- each complaint received
- the subject matter and outcome of each complaint; and
- where the responsible body informed the complainant of either the response period or any amendment to that period
- whether a report of the outcome of the investigation was sent to the complainant within that period or any amended period.

Annual reports

Every year (measured ending March 31st) the Complaints Manager will prepare an annual report for the Responsible Person and Senior Management Team. This report will contain (as a minimum) the following information:

- the number of complaints received
- the number of complaints that were decided to be well-founded
- the number of complaints which have been referred to:
 - the Health Service Commissioner to consider under the 1993 Act; or
 - the Local Commissioner to consider under the Local Government Act 1974
- A summary of the subject matter of complaints that the responsible body received
- A summary of any matters of general importance arising out of those complaints, or the way in which the complaints were handled
- A summary of any matters where action has been or is to be taken to improve services as a consequence of those complaints.