

Oviva UK Complaints Policy

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1. Introduction

The policy outlines our commitment to handling complaints about contracted services delivered and subcontracted by Oviva UK Ltd. Where a service is commissioned by the NHS in England, Scotland, Wales or Northern Ireland, we will handle complaints in line with the Local Authority Social Services and NHS Complaints Regulations 2009.

2. Scope

This policy only applies to the handling of complaints related to Oviva-delivered services and those delivering services on behalf of Oviva. This would include all programmes, whether NHS commissioned or otherwise. It also applies to services whereby Oviva has subcontracted another provider to deliver services on our behalf. More information about the services provided by Oviva can be found on our website at <https://oviva.com/uk/en/our-programmes/>.

For the purposes of this policy, negative feedback is defined as an expression of dissatisfaction about an act, omission or decision, either verbal or written, and whether justified or not, which requires a response. A formal complaint is defined as a written or verbal expression of an escalation of dissatisfaction / negative feedback that has not been satisfactorily resolved.

Unless there is an imminent risk to health, a breach in agreement or the person giving feedback explicitly says they would like to make a complaint, all concerns and issues are received and treated as negative feedback.

3. Roles and responsibilities

The Clinical Services Senior Director has overall accountability for ensuring that the Oviva complaints policy meets the statutory requirements as set out in the appropriate NHS regulation. The Regulations permit the approval and signing of complaint response letters to be delegated appropriately. The Clinical Services Senior Director is responsible for the operational delivery of the Oviva UK complaints policy.

Roles and responsibilities are defined in the Oviva UK Complaints Procedure.

4. How to make a complaint

An expression of a concern or dissatisfaction can be made by all Oviva channels, this includes:

- By email: feedback@oviva.com
- By post: FAO Complaints Team, Oviva UK Ltd, Runway East, 20 St Thomas Street, London, SE1 9RS
- By telephone: 0207 622 4777
- By social media channels: [Facebook, TrustPilot, Twitter etc]
- Through our app
- Through the Oviva Website - <https://oviva.com/uk/en/contact/>
- Through a GP, Dietitian and / or Health coach
- Through a local commissioner

Please note, submissions to an individual's personal email address, social media or telephone will not be deemed appropriate - communications must come through an Oviva channel or associated registered NHS staff.

British Sign Language (BSL) users can talk to us via a video call to a BSL interpreter. This call needs to be booked in advance - please contact us via email or letter to arrange. We will seek to make the necessary reasonable adjustments in order to resolve all issues and concerns . For people whose first language is not English, we have access to a translation and telephone interpreting service. We can also communicate using alternative formats such as Braille.

All correspondence should include:

- Patient name or allocated identification number (ID numbers are only issued when you have been enrolled onto a programme).
- Who or what the concerns are about, including the names of staff if you know them
- Where and when the event(s) happened.

The subsequent management of your complaint by Oviva is outlined in the UK Complaints Operating Procedure

5. Who can make a complaint

A complaint can be made by 'a person who receives or has received services' or 'a person who is affected, or likely to be affected, by the action, omission or decision...which is the subject of the complaint'.

A complaint may be made by a representative acting on behalf of a person mentioned above who:

- a) **Has died** - the complainant would usually be the personal representative of the deceased. In order to respond to the personal representative, Oviva may need to request some formal documentation from this person such as a copy of a will (to demonstrate role as executor) or a lasting power of attorney, relating to health care.
- b) **Is a child** - Oviva must be satisfied that there are reasonable grounds for the complaint to be made by a representative of the child (rather than by themselves) and that the representative is making the complaint in the best interest of the child (a child is considered anyone up to the age of 18).
- c) **Has physical or mental incapacity** - In the case of a person who is unable to make the complaint themselves because of either physical incapacity or who lacks capacity within the Mental Capacity Act 2005.
- d) **Has given consent to a third party acting on their behalf** - In this case, Oviva will require the following information - this will be recorded as part of the complaint file.
 - i) Name and address of the person making the complaint
 - ii) Name and date of birth or address of the person who is subject of the complaint
 - iii) Consent form signed by the person who is the subject of the complaint
- e) **Has delegated authority to act on their behalf** - In this case, an example would be a registered Power of Attorney which must cover health affairs.

6. Time limit for making a complaint

A complaint must be made no later than 12 months after the date on which the subject of the complaint occurred or, if later, the date on which the complaint came to the notice of the complainant. The time limit shall not apply if Oviva is satisfied that the complainant had good reasons for not making the complaint within that time limit and, notwithstanding the delay, it is still

possible for a fair and effective investigation. If we do not see a good reason for the delay or we think it is not possible to properly consider the complaint (or any part of it) we will write to the complainant to explain this.

7. Complaints about more than one provider

When Oviva receives a complaint, which contains issues about more than one provider or organisation it will have a discussion with the complainant about who is best placed to coordinate the investigation and provide the response. Where it is agreed that Oviva will coordinate and respond on behalf of the providers, consent will be obtained to share the complaint as appropriate.

Where Oviva is not the lead organisation, it will fully cooperate with the organisation who has been identified as the lead. In this event we would liaise with that organisation to ensure appropriate consent is in place.

8. Acknowledgement

Where a complainant has specified the way in which they wish to be addressed all communication from the acknowledgement stage onwards will follow that request, including the use of pronouns.

An acknowledgement to a formal complaint:

- Must be within 3 working days;
- Will be in writing unless in exceptional circumstances where it may be verbal (if made verbally it must be followed up in writing as soon as is possible);
- Should include a summary of what the complaint is about and, where unclear, offer to discuss the desired outcome;
- When the complaint has been made verbally, it must include the written statement which has been recorded as the formal complaint;
- Will address any issues of consent; and
- Must include the name and title of the complaints handler who will be the point of contact for the complainant throughout the complaints process.

9. Complaints procedure

The feedback and complaints process, including how feedback is escalated into a formal complaint, is divided into 3 stages:

1. First line resolution
2. Issues / informal complaints
3. Formal complaints

See Appendix 1 for a detailed flowchart of the process.

9a. Complaints Procedure - First line resolution

Unless the patient explicitly states that they would like to make a formal complaint (if they do, refer to 9c), Oviva staff receiving negative feedback orally should take all reasonable steps to resolve the issue at the initial point of contact.

Where the issue has not been satisfactorily resolved and further response is required, Stage One of the complaints procedure will be followed.

9b. Complaints Procedure - Stage One: Complaint / Issue

All feedback received across our various feedback channels will be reviewed and collated and identified where further action is required.

Where investigation and response to the patient is required, the relevant Clinical Team Manager or Patient Support Manager will be assigned to action.

An investigation and written response to the complainant should be completed within 7 working days (3 working days for more urgent issues). The response provided to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, any action taken as a result of the complaint and resolution.

If the complaint is resolved verbally, details of the conversation should be recorded and sent to the

complainant.

If the complainant remains dissatisfied or the complainant requests to escalate the feedback, this should be logged as a formal complaint and actioned as outlined in Stage Two.

9c. Complaints Procedure - Stage Two: Formal complaint

Stage Two applies to feedback that has been escalated to a formal complaint or where a patient has explicitly stated that they would like to make a formal complaint from the outset. A senior staff member will be assigned as detailed in the Oviva UK Complaints Procedure. The complaint will be acknowledged in writing or via telephone by the person handling the complaint within 3 working days or as soon as reasonably practicable. The acknowledgement should say who is dealing with the complaint and when the complainant can expect a response.

The complaint will be fully investigated and a final definitive written response provided to the complainant within 40 working days. If this is not possible because for example, an investigation has not been fully completed, a progress report should be provided with an indication of when a full response will be given.

The response provided to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, any action taken as a result of the complaint and the outcome and/or resolution.

Should the complainant wish to appeal the final outcome of the complaint, the complaint will be escalated for further review by the senior management and leadership team.

If the complainant is not satisfied with the outcome they should be advised that they are able to appeal by contacting the Parliamentary and Health Service Ombudsman.

Parliamentary and Health Service Ombudsman
Millbank Tower
Millbank
London, SW1P 4QP
Phone: 0345 015 4033

11. Confidentiality and Personal Data

Oviva has a legal duty to maintain confidentiality of personal data which is handled in accordance with our Privacy Policy available here: <https://oviva.com/uk/en/legal/#privacy>

Appendix 1: Feedback and complaints process

