

Putting things right

A guide on how to complain

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Part A: About this booklet

This booklet provides you with information about the Office of the Public Guardian (the ‘OPG’) and Court of Protection (the ‘Court’) complaints procedure.

A separate booklet about our service standards is available to download from our website and sets out both the OPG’s and the Court’s commitments to you and the level of service you can expect.

We want to know when we do not meet these standards or if you are dissatisfied in any way with the experience you have with us. This way we can put it right.

Part B: What this booklet does not cover

It is important to note that this booklet only deals with complaints about our published standards or the general standards of service we provide.

This booklet does **not** deal with complaints about the following.

- **Judicial decisions made by Court judges.** If you are dissatisfied with a decision made by the Court there is a formal appeals procedure that you should follow. Details are available from our website or you can call us - see contact details at Part F.
- **The level of supervision you have been allocated.** If you are unhappy with the level of supervision you are allocated you should follow the formal review process, details of which are available from the OPG.
- **The activities of others, for example a Court-appointed Deputy or an Attorney appointed under a Lasting Power of Attorney or Enduring Power of Attorney.** You can obtain information from the OPG about how to complain or raise a concern about an Attorney or Deputy.

Part C: Our service

We want to provide a high standard of service in all our dealings with you. We know how important it is to get things right for our customers and we are always looking to find better ways of working.

You can help us do this by telling us what you think. We welcome all your comments, whether they are compliments, suggestions or complaints. When you have a complaint we want to put things right for you, learn lessons where we went wrong and make sure we do not make the same mistake again.

Handling complaints

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Making a complaint may seem difficult, but our aim is to make it as easy as possible and to put things right. When you raise your concerns they will be dealt with in a sympathetic and professional way. We will:

- treat your complaint seriously and in confidence;
- not treat you differently from other people just because you have complained;
- not discriminate against you because of any disability, your colour, race, religion, age, sex or sexual orientation; and
- always acknowledge receipt of your complaint, tell you who is dealing with it and when you can expect our reply. We will also advise you if there will be any delays to this process.

Loss, worry and distress

If you or the client has suffered significant worry, distress or financial loss as a result of a mistake, unreasonable delay or poor complaints handling by the OPG or the Court, then you or the client may be entitled to financial redress. This could include reimbursement of reasonable direct costs such as postage, telephone, travel or professional fees.

In exceptional circumstances we may also be able to make a compensation payment for distress. While this is not intended to put a value on the distress suffered, it acknowledges that we may have contributed to it. Such payments are typically modest.

Part D: How to complain if things go wrong

If you think we have got something wrong or there is a problem with the service we have provided then we want to know. We try to deal with complaints as soon as possible and experience tells us that most complaints can be resolved quickly.

To help ensure that your complaint is dealt with in the quickest and most appropriate way there are two simple stages to the complaints process. You should follow these in order.

Stage 1

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In the first instance you should contact the person you have been dealing with or their manager. This will usually result in matters being put right. You should have received the person's contact details in your previous correspondence with them.

Please remember that we are always willing to call you back to save on your telephone bills.

When you contact us you can expect us to:

- make a note of your complaint;
- investigate it; and
- contact you within 15 working days, where possible, explaining what went wrong and the steps we have taken to rectify the problem.

We expect that most issues can be resolved at this point.

Stage 2

If our response in Stage 1 has not met your expectations and you are still not satisfied, you can make a formal complaint to the OPG.

To ensure that we understand the full details of your complaint and address all issues, you should, if possible, put your complaint in writing. You can do this using the form attached to this document, write us a letter or use our website.

If you are unable to put your complaint in writing, please call the OPG to discuss your complaint.

If you make a complaint with the OPG you can expect us to:

- formally record your complaint;
- investigate it;
- reply to you within 15 working days, where possible, explaining what went wrong and the steps we have taken to rectify the problem; and
- keep you updated on the progress of our investigation if a full resolution is not possible within the above timescale.

Part E: What to do if you are not satisfied with our response to a formal complaint

The impartial Adjudicator

If your complaint is still unresolved after **Stages 1 and 2** you can ask the impartial Adjudicator to look into your complaint. You must go through both stages of the OPG complaints procedure before taking your complaint to the impartial Adjudicator.

The Adjudicator's Office investigates complaints about specific organisations after that organisation's own efforts to resolve matters have failed.

Normally they would expect a complainant to contact them within six months of receiving the final correspondence from the organisation they are dealing with.

The Adjudicator's Office

8th Floor

Euston Tower

286 Euston Road

London NW1 3US

DX 146280 EUSTON 8

Phone Number: 0300 057 1111 or 020 7667 1832

(Switchboard/general enquiries)

Fax Number: 0300 057 1212 or 020 7667 1830

Website: www.adjudicatorsoffice.gov.uk

The Parliamentary and Health Service Ombudsman

If you are unhappy with any of the responses you have received to your complaint, you can ask your Member of Parliament (MP) or any other MP, to ask the Parliamentary and Health Service Ombudsman to investigate your complaint.

The Parliamentary and Health Service Ombudsman may occasionally look at complaints that have not first been seen by the Adjudicator. You will need to contact the Parliamentary and Health Service Ombudsman to see if this is appropriate for your complaint.

The Parliamentary and Health Service Ombudsman

Millbank Tower
Millbank
London SW1P 4QP

Phone Number: 0845 015 4033

Fax Number: 020 7217 4000

Email: phso.enquiries@ombudsman.org.uk

Website: www.ombudsman.org.uk

Part F: Contact us

Office of the Public Guardian and Court of Protection

Archway Tower
2 Junction Road
London N19 5SZ

Phone Number: 0845 330 2900

Fax Number: 020 7664 7705

Email: customerservices@publicguardian.gsi.gov.uk

Website: www.publicguardian.gov.uk

DX: 141150 Archway 2

Textphone: 020 7664 7755 (If you have speech or hearing difficulties and have access to a textphone, call us for assistance)

International Calls: +44 20 7664 7000

International Faxes: +44 20 7664 7705

Disclaimer

The OPG and the Court provides advice about OPG and the Court processes only, and cannot provide legal advice or services. We recommend that you seek independent legal advice where appropriate. Information in this publication is believed to be correct at the time of printing, however the OPG does not accept liability for any error it may contain.

Court of Protection

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