

businesscompanion

trading standards law explained

Part 6: Staff training

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Once you have your complaints handling procedure (CHP) in place and are following the principles of good practice, you must ensure that your complaints procedure is being followed by your staff. It is important that your staff are properly trained and feel empowered to deal with any complaints that may arise because, in consumer law, you are responsible for the actions of anyone acting in your name or on your behalf. It is therefore important that you take all reasonable precautions and due diligence to prevent a breach of consumer law from taking place. So, all relevant staff should understand the three-stage internal process as detailed earlier in this guide (and how it fits into their sector-specific regulations) as well as how the nature of a complaint and how a resident's service is funded affects how a complaint can be made. A resident and your staff should also be aware of the external bodies that can be approached to investigate a complaint further if they remain dissatisfied at the end of your care home's complaints process.

Roles and responsibilities

There are also expectations around the roles and responsibilities of particular staff members when implementing your CHP. For example, legal guidance in Wales requires care homes to designate a 'responsible individual' as part of their registration, and places specific requirements on them in terms of the oversight, quality and compliance of the service. This includes ensuring the service: listens to individuals; responds positively to any concerns or complaints; and has sufficient numbers of staff who are trained, competent and skilled to undertake their role.

To help care homes understand their responsibilities under consumer law, the CMA has issued the following compliance advice for staff training:

"Under consumer law you are responsible for the actions of anyone acting in your name or on your behalf. It is not enough to have an accessible and fair complaints handling procedure; it must also be followed in practice. You should therefore ensure that your staff are trained in and have a good understanding of your complaints handling procedure, how it works, their role and responsibility in reporting and resolving complaints raised with them, and their role in supporting people if they want to make a complaint. You should also highlight to your staff any behaviours that are unacceptable, e.g. intimidating complainants or threatening them with reprisals.

"You should also maintain effective oversight of the actions of local managers and speak to residents, encouraging open reporting of complaints. It is important that any learning from complaints is cascaded throughout your care home(s) and leads to improvements."

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[**> CMA final word**](#)

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