
**Bath & North East
Somerset Council**



*Bath and
North East Somerset*

Children's Service Complaints and Representations Procedure

Annual Report 2015 - 2016

1. Summary

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- 1.1 The following report provides Councillors, service users, parents and carers, managers and staff, with information about the handling of complaints and compliments in Bath and North East Somerset Children's Services. The report considers complaints, representations and compliments received between 1st April 2015 and 31st March 2016 and provides an analysis of outcomes, trends and learning from complaints.
- 1.2 Complaints against schools are dealt with by the school under the school's own complaints procedure and are not included in this report.
- 1.3 During the year a total of **109** complaints were received and recorded under the Children's Service statutory complaints procedure or the Council's Corporate Complaints Procedure. The report explains how these were resolved under the procedures. **Two** complaints were referred to the Local Government Ombudsman. **44** compliments or letters of thanks were recorded.

2. The Procedure

- 2.1 This report will consider feedback received about Children's Social Care Services under the statutory procedure which is set out in the Children Act 1989 Representations Procedure (England) Regulations 2006 and accompanying statutory guidance 'Getting the Best from Complaints'. It also considers feedback received about all other services provided directly by Children's Services under the Council's Corporate Complaints Procedure.
- 2.2 A description of the statutory procedure can be found at Appendix 1 and further information about the Corporate Complaints Procedure can be found at www.bathnes.gov.uk
- 2.3 The report considers all feedback which falls under one of the following headings: a complaint, a representation or a compliment:
 - A complaint can be generally defined as an expression of dissatisfaction or disquiet, which requires a response.
 - A representation is feedback which requires a response but it is usually dealt with straight away by the manager of the team and does not require further investigation. It has been found that this is often the way that children and young people want to raise a concern rather than making a formal complaint.

- A compliment is positive feedback about the service or an individual member of staff received from service users or other agencies.

2.4 The key principles of the Complaints Procedure are that:

- People who use services are able to tell the local authority about their good and bad experiences of the service.
- People who complain have their concerns resolved swiftly and, wherever possible, by the people who provide the service locally.
- The procedure is a positive aid to inform and influence service improvements, not a negative process to apportion blame.
- The Service has a 'listening and learning culture' where learning is fed back to people who use services – and fed into internal systems for driving improvement.

2.5 The Children's Service commitment to responding to the concerns of children and young people who are in care is set out in the Care Pledge. The Pledge has been endorsed by the Council's Corporate Parenting Group. It says:

We will work hard to sort out any problems or worries you have.

If we can't do what you ask, we will explain the reasons why.

We will make sure you know how to get an independent advocate - that's someone who will listen to you and work with you to get things changed.

We will make sure you have all the information you need to make a complaint.

We promise to always take your complaints seriously.

3. Complaints and Compliments data

3.1 Representations, complaints and compliments are received by the service team, Chief Executive, Strategic Director or the Complaints and Data Protection Team. Details of the complaint are recorded and monitored by the Complaints and Data Protection Team using the Respond3 database.

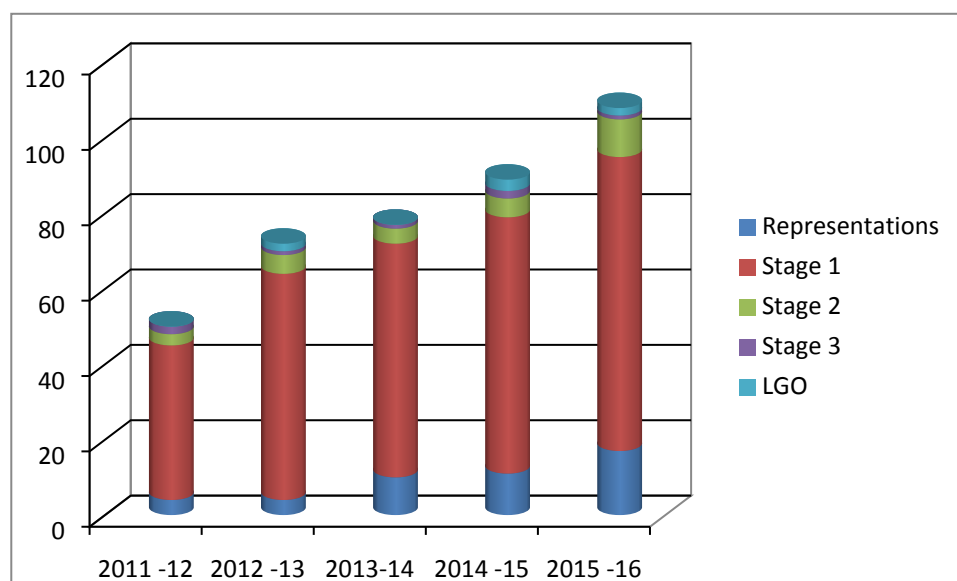
3.2 In the past five years there has been a year-on-year increase in the number of complaints and representations received. During 2015 – 16 the highest number of Stage 1 and requests for Stage 2

investigations were recorded across the service. The table below illustrates how the number of complaints has risen in the past 5 years.

3.3 Table 1: Numbers of complaints received and resolved

	Carried over from 2014 – 15	Received	Resolved
Representation	0	17	17
Stage 1 (Children’s Statutory Procedure)	3	59	56
Stage 1 (Corporate Procedure)	0	18	17
Stage 2 (Children’s Statutory or Corporate Procedure)	1	10	5
Stage 3 (Children’s Statutory Procedure only)	1	0	1
Referral to Ombudsman (regarding outcome of Children’s Statutory or Corporate Procedure)	1	2	3
Outside the scope of the Procedure	0	5	5
Total	5	111	105

3.4 Table 2: Comparison with previous years



3.5 During the year, 5 complaints were registered which were later found to fall outside either the statutory or corporate complaints procedure. This included a complaint which was made outside the statutory time limit, complaints which concerned nursery or school provision and couldn't be dealt with by the local authority. All complainants were advised why their complaint could not be considered by the local authority.

3.6 **Table 3: Complaints by Service Area**

	Rep	Stage 1	Stage 2	Stage 3	LGO
Children & Families Assessment and Intervention - Child in Need	2	3	1		
Children & Families Assessment and Intervention - Court & Child Protection	1	24	3		
Children & Families Assessment and Intervention - Duty	9	20	2		1
Children in Care & Moving on Team	1	9	2	1	1
Children Missing Education	1	2			
Connecting Families Service					
Child Protection Chairs and Safeguarding Administration Team					
Disabled Children's Team		1			
Integrated Working Team (Early Help)		1			
Early Years and Children's Centre Services	2	4			
Educational Psychology					
Family Placement Team		2			
Hospital Education					
Independent Reviewing Service					
Other					1
Principal Children & Families Social Worker					
School Improvement					
Schools Admissions and Transport	1	2	1		
SEN Team		8	1		
Virtual school					
Youth Offending Team		1			
Youth Service					
Service Area Total	17	77	10	1	3

3.7 There are a number of services which received no complaints during the year. The greatest concentration of complaints is in the front line services which is to be expected (Children and Families Assessment and Intervention Teams; Children in Care Moving on Team and the SEN Team).

3.8 **Table 4** (below) illustrates the broader themes drawn from the complaints and gives the number of complaints that were upheld or partially upheld in each category.

Category	Number of complaints	% Stage 1 complaints	Upheld or Partially Upheld	% of complaints upheld/ partially upheld
Attitude or behaviour of staff <i>includes issues with poor communication</i>	40	45%	14	35%
Assessment, Care Management or Review <i>includes delays in completing an assessment and perceived bias in assessments</i>	20	22%	4	20%
Quality of the service <i>Where the service did not meet service user expectations</i>	13	15%	7	53%
Delay in making a decision or providing a service	6	7%	3	50%
Unwelcome or disputed decision	1	1%	1	100%
Appropriateness of Service <i>Includes disagreement with the service being involved or failing to be involved with a family.</i>	9	10%	2	22%

3.9 The area which attracted the most complaints was 'Attitude or behaviour of staff' (45% of complaints). Examples of responses in this category where the complaint was upheld include:

Complaint – ‘I have raised concerns repeatedly, I have tried to get help and support. I even asked for the social worker’s manager to call me if the social worker is not available and yet still I receive no reply all the while my children are being left confused...’

Response – ‘On discussing the complaint and the dates you have presented, it is evident that the social worker has not responded to the phone calls and emails in a timely way which you feel has delayed actions for the children and resulted in you feeling frustrated and let down by Social Care’.

Complaint – ‘Child Protection Social Worker was never around when needed. Found it very difficult to work with her. Made decisions without me knowing. Never making it clear about things’.

Response – In a face to face meeting the manager acknowledged some of the concerns regarding the social worker’s practice and behaviour and confirmed this had been conveyed to the social worker. She also confirmed that she respected the complaints about contact and the Local Authority response to her children’s needs.

3.10 A number of complaints also concerned assessments. Examples of these complaints and the response include:

Complaint - the social worker takes everything that the children say at face value rather than being willing to check what they say with me. She bombards them with questions.

Response – The manager responded ‘The social worker is your children’s social worker and I would therefore expect that she takes anything they say seriously and perceives their interpretation as an accurate. I would expect any other social worker to do the same’. It was agreed however that in the circumstances that it would be best to allocate a new social worker to work with the family.

Complaint - A father complained that the social worker had said the assessment was informal. The social worker ‘did not explain what a formal family assessment was and ... did not ask permission or tell us he was going to do checks on us.

Response - the manager confirmed that she was clear that the social worker gained proper permission for the work he is undertaking. However, she also felt that he may not have explained clearly enough why he needed the information he was gathering and what he was going to do with it.

3.11 Analysis of the complaints which progressed to Stage 2 indicate that complainants consistently give their reasons as not feeling they have been able to get their point across during the Stage 1 process,

feeling they have been overlooked, feeling that the stress placed on the children or family by the situation has not been understood. One young person also said that he felt the letter was written to an adult and not to a child.

4. Learning from complaints

Stage 1 complaints

- 4.1 The complaints procedure, as set out in the statutory guidance, has two primary functions: it enables the service to put things right for the individual complainant when they have gone wrong; and it provides a tool to help improve and develop services and practice.
- 4.2 The examples of complaints above (Sections 3.10 and 3.11) illustrate the type of individual response that is given to complainants. Other responses included:
- Provision of a school place or change or change to allocated school
 - Agreement to record father's comments on his child's record.
 - Retrospective payment of fostering allowance and offer to pay travel expenses.
 - Agreement to undertake delayed parenting assessment within new timescale.
 - Provision of additional support to young person moving to a new flat.
 - Advising the complainant of a new secure online service for obtaining feedback for all young people in care known as MOMO (Mind of My Own). Consideration will be given to providing this service to families living within the foster home to give them the same opportunity to provide feedback or raise issues
- 4.3 As 40% of complaints were partially or fully upheld this also provides a valuable opportunity for learning for the service. Recommended outcomes which have a wider impact on the service included:
- Training for individual staff members and staff groups on issues including: Child Sexual Exploitation and handling challenging and sensitive situations.
 - Review of system for ordering equipment for children and young people through the same system as adult care in Sirona care and health.

- The Young Homelessness Service is considered for review and potential development. This would include ensuring that the young people's views are sought fully and that their childhood and family is considered when appropriate options are being explored. Developing clear information for young people experiencing homelessness about the options that are available, the potential timescales involved, explanation of priorities and where independent advice and support can be sought from.
- Clear guidance to be given to young people in Care moving towards the end of their care episode, planned or unplanned, who may be heading towards independent living and for those presenting as young homeless, about section 20 what this means and what this entitles them to.
- Consideration to be given by the Family Placement Team to capturing the needs of the family members of foster carers and consider whether additional support is required.

Stage 2 complaint investigations

4.4 Between April 2015 and March 2016, 10 requests for Stage 2 complaint investigations were received. One investigation was on – going from the previous year.

Table 5: requests for Stage 2 investigation by service area

Service Area	Action
CFAIT (Duty)	Carried over from 2014-15 Concluded in 2015 -16
Children in Care/ Moving on Team	Issue resolved without completion of investigation
Admissions and Transport	Request rejected Stage 1 response adequate
Children in Need Team	On-going on 31 st March 2016
CFAIT (Child Protect & Court Team)	Issue resolved prior to investigation
CFAIT (Child Protect & Court Team)	On-going on 31 st March 2016
CFAIT (Duty)	On-going on 31 st March 2016
CFAIT (Child Protect & Court Team)	On-going on 31 st March 2016
SEN	Request rejected. Stage 1 response adequate

CFAIT (Duty)	On-going on 31 st March 2016
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4.5 The Stage 2 complaint investigation which was concluded during the year led to a number of recommendations being made. These included:

- The policy on recording to be reviewed to include text messaging – staff to be made aware of the new policy.
- Information is developed for parents on the role and responsibility of Children’s Services in contact and residence matters.
- Service users attending meetings are advised in advance who else will be attending.
- Managers are reissued with guidance on responding to Stage 1 complaints.

4.6 The implementation of actions of these actions is the responsibility of the managers named on the action plan.

4.7 The conclusion of the remainder of the investigations will be reported in the next annual report.

Stage 3 Complaints

4.8 One Stage 3 Review Panel was held during the year. Several complaints which were not upheld at Stage 2 were upheld by the Stage 3 Review Panel and recommendations for further work were made. The majority of the recommendations related to the specific circumstances of the complainant, however, 2 procedural issues were raised:

- That the Service reviews joint working with partner agencies (mental health services)
- That the Service reviews the complaints process where partner agencies are involved (CAMHS)

4.9 Both recommendations were implemented following the Panel.

Complaints to the Local Government Ombudsman (LGO)

4.10 Three complaints were referred to the Local Government Ombudsman during 2015 -16. The decision of the LGO on each was:

Complaint 1 – the LGO concluded that the Council took appropriate action as a result of the investigation of Mr and Mrs X’s complaint about support and poor practice of social workers when they were foster carers for the

Council. However the investigation of the complaint under the statutory process was delayed and this amounts to fault’.

The Local Authority was required to pay the foster carers £250.

Complaint 2 - The Ombudsman will not investigate Miss A’s complaint about the actions of a social worker who produced a report for the court. The Ombudsman cannot investigate what happened in court and cannot therefore consider the content of the report.

Complaint 3 – The complaint is about the Council’s failure to plan, coordinate and deliver an education suited to a pupil with a long-term medical condition. My decision is that there is evidence of fault by the Council causing injustice.

The Local Authority was required to pay the young person £3,000.

Compliments

4.11 Once again members of staff throughout the service have received compliments from the young people and their families and also from colleagues working in a variety of different agencies. A total of 44 compliments were recorded.

4.12 Compliments reflect good practice and provide valuable information which can be considered alongside complaints to help establish where the strengths and weaknesses of the service are.

4.13 **Table 6** below sets out some of the most notable compliments which shows the range of issues and services covered:

From a young person about a social worker in the Connecting Families Team	M is a kind hearted person and only wants to help children. M can be difficult but she does it in the kindness and lovingness of who she is. M also helps as much as she can and Mostly talks to you as much as she can.
To a social worker in the Children in Care –Moving on Team	S was able to deliver K’s Life Story Book to his adopters when we visited his Nursery yesterday. The Book is really beautiful and was much admired by all. The Nursery staff were really impressed by it and said that had never seen anything like it before.
From a parent to Somer Valley Children’s Centre	I must again express my admiration for H and E who have made the Peasedown Messy Play

	group such a stimulating environment for children
From a parent about a social work in the Duty Team	NP said she wanted to say how brilliant K was. She had previously distrusted social workers and was wary of K initially, thinking she'd not be able to help. However, she said although K was firm and professional, she was absolutely amazing and she can't thank her enough for changing their lives for the better and in future, she would have no qualms about asking for a service. K has changed her view of social workers and she repeated how amazing she is.
From a parent about an Early Years Advisory Teacher	I'd like to highly commend the SEN department in BANES for its work. The ASAT, worked really hard with me to secure an appropriate placement, through somewhat trying circumstances and I really very much appreciated her support and advice.
From an adult previously in care to Bath and North East Somerset to the Data Protection Officer	I just wanted to express my thanks for your hard work in coordinating my file. It has made for interesting reading and I appreciate the time and effort that went into this, particularly given that many of the notes needed to be deciphered and re-typed.
From a Headteacher about a social worker in the Child Protection and Court Team	Throughout the two and a half hour meeting Z stuck to her guns, did not allow herself to be drawn into an argument and was steadfast about her view. I thought she maintained remarkable poise and was very professional. I have no doubt in my mind that Z's tenacity will lead to better outcomes for these children. I have met many social workers in my 30 year career in education and have to say that in my opinion Z compares highly with the best of them.

5. Complaint handling and Monitoring

Response to Stage 1 complaints

- 5.1 Compliance with timescales is monitored very carefully in recognition of the need to deal with complaints as swiftly as possible.
- 5.2 An acknowledgement of a Stage 1 complaint should be sent in 2 working days and a full response within 10 working days (w/days). This can be extended to 20 w/days when an advocate is requested or the complaint is particularly complex. This extension should be in agreement with the complainant.
- 5.3 In 2015/16, 92% of complainants were sent an acknowledgment within 2 working days. Late notification of complaints resulted in failure to meet the target of 95% acknowledgments sent within 2 days.

5.4 **Table 7 – Response to Stage 1 complaints**

	Response in 10 w/days	Response in 20 w/days	Response in excess of 20 w/days
2011 - 2012	35%	17%	48%
2012 - 2013	16%	31%	53%
2013 - 2014	32%	15%	53%
2014 - 2015	30%	16%	54%
2015 - 2016	20%	39%	41%

- 5.5 The number of complaints receiving a response within 10 working days is once again very low (20%), however, there has been a significant improvement in the number of responses which are sent during the 10 – 20 w/day extension period. As a result the number of complainants waiting for more than 20 w/days for a response to their complaint has dropped to 41%.
- 5.6 Closer analysis shows that the response times were particularly poor during the second quarter of the year but this had improved by the fourth quarter. The improvements need to be sustained during the year with particular emphasis on the number of responses taking longer than 20 working days.

Response to Stage 2 complaints

- 5.7 A stage 2 investigation followed by the adjudication should take 25 working days from the date the complaint is agreed with the complainant. This can be extended up to a maximum of 65 working days with the agreement of the complainant if the investigator requires more time.

- 5.8 The timescale of 25 working days is very challenging for the investigating officer and independent person as most investigations require a significant amount of reading and time spent interviewing staff and other agencies.
- 5.9. On complaint was concluded during the year. The time taken to complete this investigation was 155 w/days. There were a number of reasons for the investigation over running to this extent. This is an area needing improvement as a prolonged investigation can be distressing for the complainant and the staff.

Response to Stage 3 complaint

- 5.10 A Stage 3 Review Panel should be held within 30 working days of the request being received. The Stage 3 Review Panel held during 2015 -16 was not held within this time scale but again there were a number of contributory factors including the unavailability of the advocate

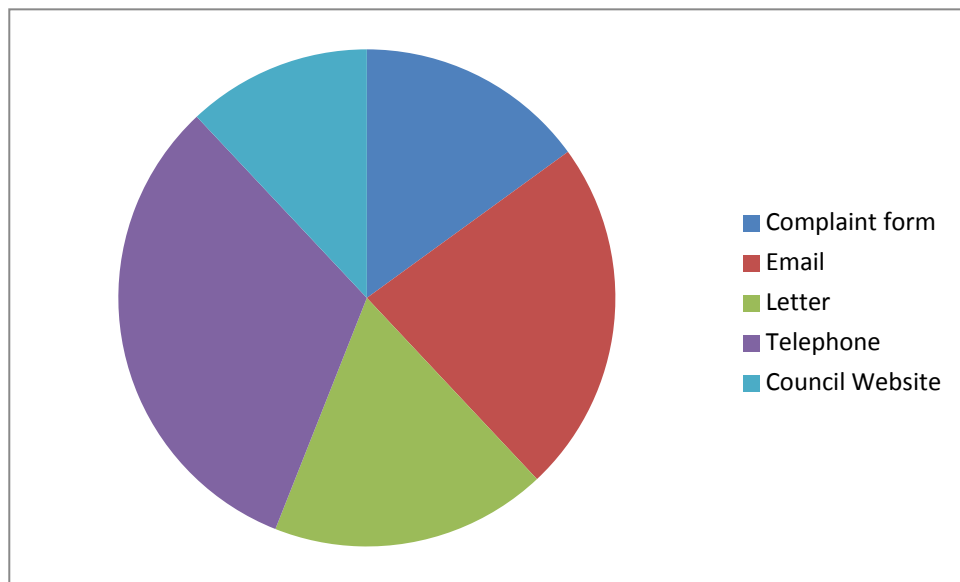
6. Accessing the procedure

6.1 Information for the public

- 6.1.1 Information about the Complaints Procedure should be given to all children and young people, their parents and carers at the initial contact. Workers are encouraged to check that the child/young person is aware of the complaints procedure when a case is transferred to them and throughout their time working with them.
- 6.1.2 The Independent Reviewing Officers will also ensure that all young people are made aware of their right to make a complaint at each review.
- 6.1.3 An information sheet is available on the Local Authority's website. The information can also be provided in large print and Braille and can be translated into other languages.
- 6.1.4 A complaint leaflet has been designed specifically for children and young people and is available on the website. It is also included in the Child in Care Pack which is given to each young person when they become 'looked after'.
- 6.1.5 A complaint can be made in a number of different ways e.g. by telephone, in person or by email as demonstrated in Table 8 below.

6.1.6 In February 2016 a new 'App' was introduced for young people who are In Care called MOMO (Mind of My Own). The App can be used to send a complaint to the Complaints Team. None have been received via the App yet but it is early days and the App is likely to become more widely used over time.

Table 8 – Methods used to make a complaint



6.2 Complaints made by children and young people

6.2.1 The statutory Complaints Procedure was first introduced to give children and young people a way of telling the Local Authority when they are unhappy about something that is affecting their life. It is important that the Service finds every means possible to enable children and young people to tell the Service when they are unhappy.

6.2.2. Of the 77 Stage 1 complaints, five were made by a young person (2 by the same young person). One complaint progressed to Stage 2 but the Investigating Officer and Independent Person were able to propose a way of resolving the complaint without needing to complete the full investigation which the young person was finding distressing. The young person was pleased with this outcome.

6.2.3 The remainder of the complaints were made by adults complaining about their own contact with the service or on behalf of children. The majority of complainants were parents, but nine were grandparents, five were other relatives, one was a special

guardian, four were foster carers and three were staff from other agencies.

6.3 Advocacy

- 6.3.1 Section 26A of the Children Act, 1989 requires the local authority to 'make arrangements for the provision of advocacy services to children or young people making or intending to make complaints under the Act'. The advocacy service commissioned by Bath and North East Somerset is 'Shout Out!' which is part of 'Off the Record'.
- 6.3.2 Information about the advocacy service is available to children and young people through their social worker, Independent Reviewing Officer and is in The Children in Care Pack. Children and Young People who become looked after are automatically referred to Shout Out and an advocate will contact the young person before their review to ask if they want any support. Advocacy support is also offered to children/young people to support them to attend a Child Protection Case Conference. Shout Out! will support any of these young people to make a complaint if they want to.
- 6.3.3 Shout Out has produced a wallet sized card on 'the Pledge' and this includes information about the Complaints Procedure Manager with contact details.
- 6.3.4 Two young people who made a complaint had the support of an advocate. The Complaints Team will always make young people aware of their right to support from an advocate but they sometimes chose someone they are working with such as a Young Homelessness Worker.
- 6.3.5 Parents and carers wanting to make a complaint do not have the same automatic right to an advocate as children and young people but Bath and North East Somerset has commissioned a specialist advocacy service at the Care Forum in Bristol to provide a service to those parents who meet their criteria.
- 6.3.6 Between April 2015 and March 2016 two parents used the advocacy service to support them with a Stage 1 complaint and a Stage 3 complaint.
- 6.3.8 Feedback collected by the advocacy service is always very positive and indicates that parents and carers who use the service feel well

supported with their complaint and achieve a better outcome than they would if they had pursued the complaint on their own.

6.3 Gender, ethnicity and disability

6.3.1 Complainants are invited to provide information about their ethnicity, gender and disability if they make a complaint using the complaint form (on line or paper format). If the complaint is made by any other method the complainant is not currently asked for this information.

6.3.2 This data can be a helpful indicator of the make-up of the population which is accessing the complaints procedure and whether there are complaints made by, or on behalf of, specific service user groups.

Table 9 – Equalities Monitoring

Disability	Disability		Ethnicity	Ethnicity		Gender	Gender	
	% Service User	% Complainant		% Service user	% Complainant		% Service User	% Complainant
Disabled	5	0	White British	21	24	Male	49	28
Not known/ Not declared	95	100	Black/British Caribbean	2	1	Female	33	61
			Black/ British African	1	1	Trans- gender	0	0
			Mixed White/ Black Caribbean	2	0	Male & Female	48	11
			Asian/ British Indian	1	1			
			White Other	1	0			
			Not known / Not declared	72	73			

6.3.3 The figures indicate that there is a significant difference in the number of women and men making a complaint. (61% to 28% respectively). 11% of complaints were made by more than one person and 48% of complaints concerned more than one person (usually siblings).

6.3.4 Improving equalities monitoring is an objective for 2015 – 16. The aim will be to generate more meaningful data that can be used to inform issues such as access to the complaints procedure.

7. An overview of the Complaints Procedure during 2015/16

7.1 The Complaints and Data Protection Team has three members of staff. All are part-time and work in the following roles:

- The Complaints and Data Protection Team Manager manages the complaints service and data protection service for People and Communities.
- The Complaints Officer is the first point of contact for complainants and works with them to ensure their complaint is understood before it is passed to the relevant manager. She also works with managers to assist them to respond to complaints in accordance with the procedures. The Complaints Officer also provides the administrative support for Stage 2 independent investigations and Stage 3 Review Panels.
- The Data Protection Officer deals with Subject Access Requests under the Data Protection Act 1998 and with requests from the Police under the 2013 Protocol for Disclosure of Information and from other Local Authorities (see 7.7 below).

7.2 During the year the Complaints and Data Protection Team has worked hard to ensure they have a comprehensive record of each complaint before it is passed to the manager for a response. They achieve this by talking with the complainant to make sure they have understood the complaint and the outcomes that they are looking for. Spending time at the beginning of the process in this way should improve the quality of responses Stage 1 complaints.

7.3 The Complaints and Data Protection Team Manager continues to provide quarterly monitoring reports on complaints against social care services and corporate complaints. Data is also provided to other services areas on request to help with service monitoring and planning.

7.4 The Complaints and Data Protection Team Manager delivers a session on Complaints and Data Protection in the induction programme for social care. She also attends management meetings throughout People and Communities to discuss the handling of complaints.

7.5 The Complaints and Data Protection Team Manager is currently the Chair of the South West Regional Complaints Managers Group and a member of the National Complaints Managers Group representing

the South West Region at meetings and events. She also links with complaints managers in 7 neighbouring authorities to operate a Register of Independent Investigators and Stage 3 Panel Members.

- 7.6 In addition to the complaints work, the team also deals with Subject Access Requests (SARS) under the Data Protection Act 1998. The numbers of contacts has remained very similar to the previous year with 119 pieces of work completed compared with 113 the previous year.

Table 10 – Requests for information

	Completed		On-going	
	2014 - 15	2015 - 16	2014 - 15	2015 - 16
Subject Access request	44	30	7	1
Advice and signposting	5	37	0	0
Information sharing (requests from police and other agencies)	64	43	0	5
Court Order	5	4	0	0
Response to Internal Review	1	0	0	0

- 7.7 There has been a decrease in the number of Subject Access Requests and the number of Information Sharing requests has also decreased. During the previous year, however, the number of requests was artificially inflated because of one large scale investigation by the Police. The number of requests in 2015 -16 is in line with the predicted figure.

- 7.8 The average time taken to respond to a SAR is 37 (calendar) days. The requirement under the Data Protection Act is that the response is provided within 40 days. Some responses can take longer than 40 days but the person making the request is kept informed of the reason for delay.

8. Areas for development in 2016 - 17

- 8.1 To continue to work with managers with the support of the Divisional Director to improve the response times for complaints at Stage 1.

- 8.2 To continue to support managers with the Complaints Procedure through individual support sessions and meetings and develop a programme to provide bespoke training as required.
- 8.3 To review the internal procedures for managers and staff and develop the internal web page to provide a resource for managers on all aspects of the Complaints Procedure.
- 8.4 To ensure that the outcome of individual complaints is captured and shared with the service in a format that can be incorporated into service planning and delivery.
- 8.5 To review the information on the website to ensure it is accurate and accessible for children, young people and their parents and carers.
- 8.6 To introduce a customer satisfaction survey in line with the survey used for the Corporate Complaints Procedure.
- 8.7 To support the implementation of the Caldicott Function Plan through the Data Protection Service.
- 8.8 To review equalities monitoring to ensure it provides data which informs improvement to the complaints and representations procedures.

Sarah Watts
Complaints Procedure Manager
June 2016

Appendix 1

Summary of the Complaints Procedure

Stage One – Local Resolution

The majority of complaints should be considered and resolved at Stage 1. Staff at the point of service delivery and the complainant should discuss and attempt to resolve the complaint as quickly as possible.

Complaints at Stage 1 should be concluded within 10 working days. This can be extended by a further 10 days where the complaint is complex or the complainant has requested an advocate.

If the complaint is resolved at Stage 1 the manager must write to the complainant confirming what has been agreed. Where the complaint cannot be resolved locally or the complainant is not satisfied with the response, the complainant has 20 working days in which to request a Stage 2 investigation.

There are some complaints that are not appropriate to be considered at Stage 1 and these can progress directly to Stage 2.

Stage Two - Investigation

Once the complainant has decided to progress to a Stage 2, the Complaints Manager arranges for a full investigation of the complaint to take place. The investigation is carried out by someone who is not in direct line management of the service or person about whom the complaint is made.

The complainant should receive a response to their complaint in the form of a report and adjudication letter within 25 days of making the complaint. This can be extended up to a maximum of 65 working days where the complaint is particularly complex or where a key witness is unavailable for part of the time.

The Adjudicating Officer should ensure that any recommendations contained in the response are implemented. This should be monitored by the Complaints Manager.

Stage Three - Review Panel

Where Stage 2 of the procedure has been completed and the complainant remains dissatisfied, he can ask for a Review Panel. The purpose of the Panel is to consider whether the Local Authority adequately dealt with the complaint in the Stage 2 investigation. The Panel will be made up of three people who are independent of the local authority.

The Panel should focus on achieving resolution for the complainant and making recommendations to provide practical remedies and solutions.

The complainant has 20 working days in which to request a Review Panel from receipt of the Stage 2 report and adjudication letter and the Panel must be held within 30 days of receiving the request.

If the complainant remains dissatisfied he can refer his complaint to the Local Government Ombudsman.

