

# Complaints, Compliments and Representation Procedure – Children’s Division

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## 1 Outcome

Children/Young people understand their rights to make suggestions about improving the care they receive, the running of the home, or to make representations and comments about their future plans.

## 2 Important Contacts

**Children’s Commissioner for England**

Dame Rachel de Souza  
20 Greatsmith Street, London, SW1P 3BT  
Telephone: 020 77838 330  
Email: [info.request@childrenscommissioner.gsi.gov.uk](mailto:info.request@childrenscommissioner.gsi.gov.uk)

**Ofsted**

Piccadilly Gate  
Store Street  
Manchester  
M1 2WD  
Tel: 0300 123 1231

**Children’s Commissioner for Wales**

Rocio Cifuentes  
Llewellyn House  
Harbourside Business Park  
Harbourside Road  
Port Talbot  
SA13 1SB  
  
01792 765600  
[post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)

Click [here](#) for contact details of CIW (Care Inspectorate Wales).

**Children and Young People’s Commissioner Scotland**

Bruce Adamson  
Bridgeside House  
99 McDonald Road  
Edinburgh EH7 4NS  
Office Number: 0131 346 5350  
Young People’s Freephone: 0800 019 1179

### **3 Representations**

1. Children and young people should be positively encouraged and supported to have their say and make suggestions about improving the care they receive, the running of the home, or to make representations and comments about their future plans. Various procedures in this Manual set out how children/young people will be engaged in decision making e.g. in the creation or review of their Care and Placement Plans.
2. As a general rule, staff should engage children/young people in the day to day running and routine of the home, and in activities that are being planned. At the monthly child/young people/community meeting, representation will form part of the agenda giving all children/young people an opportunity to share ideas and suggestions. If a child/young person feels that they are unable to discuss any issues in front of the group then a member of staff will assist the child/young person in having their views represented.
3. If decisions are made e.g. about an activity, that children/young people express concerns about or disagree with, staff should do all they can to ensure that a reasonable explanation is given, and that children/young People have the opportunity to opt out or be engaged in a different activity - if it is possible for them to do so.
4. This includes decisions about routine activities, such as meal preparation or bedtimes; Children/young people should have the opportunity discuss how decisions are made about these and other routines on a regular basis, and to make suggestions for change.
5. At all times, staff should avoid matters or concerns being escalated or becoming complaints, but should children/young people continue to be dissatisfied, they should be given the opportunity to make an informal or formal complaint - as set out below.

### **4 What is a Complaint?**

1. A complaint is an expression of dissatisfaction, however made, about the standard of service, the actions, or lack of action by the home towards an individual or a group.
2. A complaint should normally be made where all other reasonable methods of resolving the dissatisfaction have been tried and failed or where the complainant believes they would fail.
3. A complaint may be about:
  - (a) The lack of service;
  - (b) Being refused a service, including an assessment;
  - (c) The quality of a service;
  - (d) The attitudes or behaviour of staff;
  - (e) Decisions made by staff;
  - (f) Delays in dealing with problems or in providing a service.
4. The complainant should be advised that complaints can always be directed to the Regulatory

Authority or the Placing Authority.

5. Complaints or allegations of mistreatment or Significant Harm by staff must be dealt with by way of the Child Protection Referral Procedures, not as Complaints.

## **5 Implementing a Complaints Procedure**

1. The registered person must establish a procedure for considering complaints made by or on behalf of children/young people.
2. The procedure must provide that no person who is the subject of a complaint takes any part in its consideration or investigation, except at the informal resolution stage if the registered person considers it appropriate.
3. The registered person must ensure that a record is made of any complaint, the action taken in response, and the outcome of any investigation.
4. The registered person must ensure that no child/young person is subject to any reprisal for making a complaint or representation.
5. The registered person must notify the Regulator of any complaints made against the home and the action that was taken in response to each complaint.

## **6 Who May Make a Complaint?**

The following persons have a right to use the complaints procedure:

1. A child/young person;
2. A parent of a child/young person;
3. A person acting on behalf of a child/young person;
4. A neighbour living in the locality.

## **7 Informing Children/Young People about the Complaints Procedure**

1. Children/young people will be informed about the Complaints Procedures in a variety of ways; including the Children's Guide given to them before or upon admission. This must be in a format that the child/young person can understand. This must include the name, address and telephone number of the Regulatory Authority in the area where the home is based. Other relevant organisation and persons details should also be included.
2. Registered managers/Home managers must take all reasonable steps to ensure that children/young people feel comfortable with the making of comments or complaints, they are enabled to make a complaint or representation and are free from reprisals if they choose to

do so.

3. Complainants should be given any reasonable assistance they require or request, including being advised that they may ask someone else to make the complaint on their behalf.
4. They will also be given information and contacts details of Advocates they may contact, who may make complaints or advocate of their behalf or assist them in doing so.
5. The complainant must be advised that if they choose to complain directly to the Placing Authority, the Placing Authority must provide information and assistance.
6. The Children's Guide will provide advice to children/young people about how to use the procedures to their best advantage; and on the process of investigating complaints made by them. The child's/young person's parents and the Placing Authority must be given a copy of the complaints procedure. This complaints procedure is available to all persons working in the home.
7. Prior to placement the registered manager/home manager needs to request a copy of the Placing Authorities complaints procedure, which the child/young person has access too.
8. If they request it or it appears appropriate, they should be given information on additional advocacy or support networks which may help them use the procedures effectively; this should include providing contact details.

## **8 Receiving Complaints**

1. When children/young people indicate they wish to make a complaint, the person receiving it should do what they reasonably can to ensure that all other resolutions available have been tried, rather than resorting to the making of a complaint.
2. Where a person insists that they wish to make a complaint, staff or managers in the home concerned should still deal with the matter, if appropriate. If a complaint is made about the manager of the home or another person in Line management, it should be passed to a manager outside of the line Management Structure. No person who is the subject of a complaint will take any part in its consideration, other than at the local resolution stage (Stage 1), if appropriate.
3. If they wish to do so, complainants may direct their complaints to others outside the home, such as the Independent Advisor or the Head of Service. They may also direct their complaints to the Regulatory Authority or the Placing Authority. Complaints should preferably be put into writing, in a letter or using a Complaints Form; but other methods may be used, including the use of audio tapes or verbally.
4. If assistance is provided to complainants in recording or writing their complaints, the record/letter should indicate the name, status and contact details of the person providing the assistance.
5. Brief details of the receipt of all complaints must be recorded in the Complaints Log at the

location they pertain to.

## **8.1 Stage 1 – Local/Informal Resolution**

Timescale: 14/28 Days

1. If possible, the person receiving the complaint or their supervisor/line manager should resolve the matter as soon as reasonably practical and in any event within 14 days. This may be extended for a further 14 days with the agreement of the complainant. This assumes that the person receiving the complaint has the delegated authority to resolve the matter satisfactorily. If not, that the person can immediately pass the matter to a supervisor or Line Manager with an appropriate level of authority to resolve the matter satisfactorily.
2. If it is possible to resolve a complaint within 14 days, the person resolving it should do the following:
  - (a) Record a summary of the complaint and the manner in which it was resolved in the Complaints Log and in the Daily Record of any relevant child/young person;
  - (b) The Line Manager must confirm in writing to the complainant the agreed resolution.

## **8.2 Stage 2 – Formal Consideration**

Timescale: 35 Days (From the initial Complaint)

1. Where the person receiving the complaint cannot resolve it within 14 days, or a further 14 days if agreed by the complainant, it should be referred, for Formal Consideration, to the Head of Service.
2. Before undertaking the Formal Consideration, the Head of Service should clarify the substance of it with the complainant, put it into writing and give a copy to the complainant.
3. If the complaint relates to a child/young person in the home, the social worker should be consulted.
4. The Head of Service should attempt to resolve it as quickly as possible but within 35 days of the request for the Formal Consideration. This may be extended with the agreement of the complainant. If the complaint has not been resolved within 28 days the Regulatory Authority must be informed of the reason for the delay.
5. The complainant should be notified of the outcome of the complaint, preferably verbally, but always in writing. If the complaint was justified, the complainant should be told what, if any, remedial action will be taken and an apology offered.
6. Details of the outcome must be recorded in the Complaints Log, which must be countersigned by the registered manager/home manager. Copies of all records and correspondence relating to the complaint should kept as follows:

- (a) On any relevant child's/young person's file;
- (b) In the Complaints File held by the registered manager/home manager;
- (c) Copy of outcome must be sent to the Regulatory Authority;
- (d) Copy of outcome must be sent to the Placing Authority.

### **8.3 Stage 3 – Review Panel**

Timescale: 28 Days

1. If dissatisfied with the outcome of a Stage 2 Formal Investigation, complainants may request a Stage 3: Review Panel to consider their complaint; they may also ask that their complaint be passed to the Placing Authority or Regulatory Authority. To instigate a Stage 3 Review Panel, the complainant should notify the Head of Service either verbally or in writing; the notification will be confirmed in writing explaining the process and timescales for undertaking a Stage 3 Review Panel.
2. The Head of Service will ensure that:
  - (a) Senior managers and relevant social workers are notified and briefed as necessary until the matter is resolved;
  - (b) The complainant is clear about the process and timescales;
  - (c) The complainant has access to an independent advocate or representative;
  - (d) A Review Panel is established to consider the matter; the Review Panel will consist of 3 people that are independent of the matter being considered, one of the Panel members will be asked to Chair the Panel and report to the Head of Service on the recommendations that are made;
  - (e) Necessary arrangements are made for the Panel to be convened and conducted in a fair manner;
  - (f) The recommendations of the Panel are properly considered, involving senior managers as necessary, and that any decisions or actions are acted upon promptly;
  - (g) The complainant and his/her advocate/representative are briefed verbally and in writing of the outcome.

## **9 Compliments**

We welcome comments, both positive and critical about the service we provide, and actively seek information and feedback under our review and quality of care procedures. Routinely, we seek information through consultative questionnaires from all professional bodies, Children and their parents/carers who have knowledge about the service. The purpose of seeking this information is to give us the opportunity to learn, adapt and provide a better service.

## 10 Revision History

Date of next review: September 2024

Date of review: October 2023

Date of review: March 2022

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Date of review: June 2019

Date of review: June 2018

Date of review: May 2017

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Date of review: April 2016

Date of review: February 2016

Date of release: April 2015

Reviewed: September 2023

Signed:



Steve O'Gara  
Head Teacher  
September 2023



Andrew Sutherland  
Representative, Proprietor- Cambian Group  
September 2023