



Complaints Comments and Compliments for Children Services

**Children Families and Wellbeing Customer
Engagement Team
Revised July 2018**

The procedures outlined in this booklet are based on The Children Act 1989 Representations Procedure (England) Regulations 2006.

The Booklet cannot replicate all the regulations but is designed to outline areas of the procedure should you have cause to make a complaint, comment or compliment.

You can buy a print copy from the Stationery Office www.tsoshop.co.uk or from *Her Majesty's Stationery Offices* (HMSO). Or you can contact The Stationery Office, telephone 0870 600 5522, text telephone 0870 240 3701 (for people who are hard of hearing or have speech difficulties)

The Booklet is divided into 3 sections:

- Complaints
- Comments
- Compliments

Each area is individually covered.

Equal Opportunities

We are committed to giving an equal service to all.

This means we will not treat you any differently because of your: sex, colour, race, nationally, ethnic group, regional or national origin, age, marital status, disability, political or religious belief, sexuality or class.

Who oversees the Complaints Process

The Integrated Customer Engagement Team oversee this process and can be contacted at :

Integrated Customer Engagement Team

Ground Floor

Trafford Town Hall, Talbot Road

Stretford

M32 0TH

Telephone No. 0161 912 4416

Email: ICE@Trafford.gov.uk

ADVOCACY

Any looked after child or young person making a complaint has a right to have an advocate. The role of the advocate is to support the child or young person through the complaints procedure. The child or young person can choose the Advocacy & Engagement Officer as their advocate or they can request an advocate of their choice. The Advocacy & Engagement Officer will advise on this. The advocate will try to resolve the problem as quickly as possible.

COMPLAINTS

Under the regulations complaints are considered under 3 main headings

1. Local Resolution Procedure (Stage 1) where your complaint is recorded and every effort made informally to resolve the issues to your satisfaction)
2. Formal Investigation (Stage 2) where you remain dissatisfied with the Local Resolution Procedure and issues have not been resolved or in some circumstances where the matter raised is of such a nature that the Local Resolution Procedure would not be appropriate.
3. Review Panel Hearing (Stage 3) if you are dissatisfied with the outcome of the Formal Investigation you can request a hearing to decide whether the local authority adequately dealt with your complaint).

In relation to all 3 areas above an advocate *can* be arranged to assist you. This will be done by the Advocacy & Engagement Officer whose details are listed later.

WHAT IS A COMPLAINT

Under the regulations, a complaint can be made about the Local Authority's Children and Young People's Service discharge of, or failure to discharge, a relevant function or the way it has not provided a service to someone.

For example, a complaint may be about the quality of service, lack of a service, delays in providing a service or being refused a service. A complaint may also be about actions or decisions taken by staff that affects a service to you or any other matter that may cause concern.

ISSUES THAT WILL NOT BE CONSIDERED

The regulations provide that representations will not be considered in relation to certain matters. These include:

- Where court proceedings or disciplinary proceedings have commenced in relation to the substance of the complaint,
- Where a complainant intends to take legal proceedings with regard to the substance of the complaint.

- Where the Authority considers that the person making the complaint has insufficient interest in the child's welfare,
- where a complaint has been made later than 12 months from the time of the incident unless extenuating circumstances apply.

The Compliance & Governance Section will give you advice on such matters.

WHO CAN MAKE A COMPLAINT

The regulations provide that a complaint in respect of services that are provided or should be provided by the Children's Services can be made by;

- Any child or young person (or a parent or someone who has parental responsibility) who is not being looked after by them but is in need;
- Any local authority foster carer (including those placed through independent fostering agencies);
- Children leaving care;
- Special Guardians or a child or young person (or parent of his) where a Special Guardian Order is in force;
- Any person who has applied for an assessment in relation to adoption;
- Any child or young person who may be adopted, their parents or guardians, persons wishing to adopt a child;
- Any other person to whom arrangements for the provision of adoption services extend, adopted persons, their parents, natural parents, former guardians; such other persons as the local authority consider has sufficient interest in the child or young person's welfare to warrant his representations being considered by them.

MAKING A COMPLAINT

LOCAL RESOLUTION (STAGE 1)

Local Resolution is where local staff can solve most problems. You can speak to the person who provides the service to you. This could be a Social Worker, Care Worker, Support Worker or Residential Home Manager. You should expect the simplest problems to be sorted out quickly. They should write down your complaint and let you know what they are going to do about it

The Regulations give timescales. Local Resolution issues should be resolved within 10 working days. This can be extended in more complex cases to 20 working days if the person dealing with your representation needs more time to speak to people who may be on holiday or off work sick. You will be informed of this. However, where a request for an advocate has been received or where the authority needs to consider whether the person making the representation has sufficient interest in a child's welfare, the timescales begin after that determination.

All complaints that need to be investigated should be logged on Contact 360 Please use our online comment and complaints form which is on the Council Website <http://www.trafford.gov.uk/about-your-council/complaints/social-care-complaints.aspx>. Customers should be advised that online (via C360) is the quickest

way to get their complaint to us. You can also make your complaint direct to the Integrated Customer Engagement Team who will forward your complaint to the relevant service. Your complaint will be acknowledged within 3 working days and will provide information on how your representation will proceed in line with the timescales outlined above.

FORMAL INVESTIGATION (STAGE 2)

If you are concerned that the issues were not resolved under the Local Resolution Procedure or if your representation is considered so serious that a formal investigation should be undertaken then you can request such an investigation. The regulations provide that the Local Authority should make an effort to resolve matters locally before beginning a formal investigation.

You should direct your complaint to the Compliance & Governance Officer. We will acknowledge your complaint within 3 working days of receipt. An Independent investigator from outside Trafford Council will investigate the matter. The Investigating Officer will be assisted by an appointed Independent Person required by the regulations to oversee fairness in the investigation. The Investigator and Independent Person will arrange to see you and write down your complaint in detail.

At the conclusion of the investigation a report will be submitted to the Authority who will consider the report and a response will be sent to you with a copy of the report. The timescale for an investigation is 25 working days but this can be extended to 65 working days in complex situations. The timescale for the investigation will not commence until you have agreed with the Investigating Officer and Independent Person, the details of your complaint. A senior officer of the Local Authority will write to you regarding the Investigation Report and any recommendations it makes.

REVIEW PANEL HEARING (STAGE 3)

The regulations provide that you can request a Review Panel hearing into your complaint if you are not satisfied with the formal investigation (Stage 2) report and the Authority's response to it. You will need to put your request in writing to the Complaints Manager within 20 working days of receiving the Authority's response and a copy of the Investigating Officer's report.

You will need to give reasons for your request. We will acknowledge your request within 3 working days. The Panel hearing will be held within 30 working days of your request at a local Trafford venue.

The Panel consists of 3 Independent Persons, one of whom will be the Panel Chairperson. The Panel will not reinvestigate the complaint but will determine if the investigation was fair and reached reasonable conclusions and recommendations and that the Authority's response was appropriate and fair. The Panel will not consider substantially new complaints which have not first been considered at Stage 2.

The Panel will give their determination and recommendations and a copy will be sent to you within 5 working days. The Corporate Director (Children and Young People's Service) has 15 working days to consider the report and any recommendations the Panel make and will send you a full reply on acceptance or otherwise of the recommendations and any steps to be taken.

This is the end of the Complaints Procedure; however, it is always open to you to contact the Local Government Ombudsman if you still remain dissatisfied as, indeed, you can at any time in the process. However, you need to be aware that the Local Government Ombudsman will not usually investigate a complaint.

COMMENTS

If you have a suggestion or idea about how the service could be improved or how we could improve value then please contact us. We record comments and use them in reviewing our service

COMPLIMENTS

If you have been satisfied with the service you have received then please let us know. For example, you may wish to thank a member of staff who has been very helpful or you may consider that the service you have received has been very good. We will pass your compliment on to the people concerned. As with comments, all your views are important as we strive to develop better services.

If you want to make a complaint or comment or pay a compliment about our service, you can use the form at the end of this booklet.

HELP

We have arrangements to help you if you have difficulty using our service, for example if you have any type of access difficulty or if English is not your first language. We can also produce letters and reports in large print, in Braille or on audiotape or computer disc and can arrange an interpreter if needed.

Contact the Integrated Customer Engagement section if you need help:-

Tel: 0161 912 4416 - Fax: 0161 912 3424

COUNCIL POLICY MATTERS

There will be issues you may disagree with concerning matters that have been determined as Council Policy. These matters may be dealt with under the Council's Corporate Complaints Procedure. The Compliance & Governance Officer will give you advice on this matter as the need arises.

Useful Addresses

There are other organisations and people whom you might find useful in helping you either solve your problems or get advice and help in making a complaint. These are listed below:

Advocacy & Engagement Officer (Children's Rights Service)

Mark Bailey

2nd Floor

Trafford Town Hall

Tel: 0161 912 5094/5032 (between 8.30am and 4.30pm Mon – Fri)

The Advocacy and Engagement Officer provides advice and help to children and young people who are or who have been 'looked after' by the Council. They will support children and young people through the complaints procedure including the provision of an advocate.

Childline

Telephone: 0800 1111 (24 hours a day)

An independent Organisation offering a free, confidential helpline if you are worried or frightened or just need someone to talk to.

Children's Legal Centre

University of Essex,

Wivenhoe Park,

Colchester, CO4 3SQ

Tel: 0808 802 0008

Fax: 01206 877963 (Monday to Friday).

Email: clc@essex.ac.uk

Gives expert legal advice to young people.

Local Councillors / Members of Parliament

To find out who your local Councillor or Member of Parliament is, and how to contact them, contact Access Trafford on

Tel: 0161 912 2000

Fax: 0161 912 1354

Textphone for Hearing Impaired People 0161 912 2102

E-Mail: access.trafford@trafford.gov.uk

Local Government Ombudsman

PO Box 4771, Coventry CV4 0EH

Tel: 0300 161 0614 or 0845 602 1983

(Monday-Friday, 8.30am-5pm)

Fax: 0247 682 0001

E-Mail: advice@lgo.org.uk - Website: www.lgo.org.uk

This is an Independent Person who investigates complaints against Local Authorities.

Complaints

Name _____

Address _____

Telephone _____

E-Mail _____

Signature _____ Date _____

Which service do you want to tell us about?

What Happened?

What do you think we should do to put things right?

It would help us if you give the names of people from Children & Young People's Service that you have spoken to about this matter

Comments: *Please make any comments here*

Compliments: *Please make any compliments here.*