

# COMPLAINTS & SUGGESTIONS POLICY & PROCEDURE



## Introduction

All carers and children and young people have the right to complain and parents can also complain on behalf of children and young people. A summary of this procedure is provided to all children and their parents in the Foster Care Link Children's Guide.

No-one will be subject to any reprisal for making a complaint, and the person subject to the complaint will not take part in the consideration of it except when an informal resolution is attempted.

A complaint is a written (which encompasses text, audio or video) or verbal (either spoken or signed modes of language) expression of dissatisfaction or disquiet (in relation to which the person making the complain or 'complainant' asks for further action to resolve) about:

- the way Foster Care Link carries out its duties
- any failure to discharge its duties
- a disagreement with decisions made by Foster Care Link

Foster Care Link also values the suggestions of carers and children on how it can improve its services, and actively encourages users of its service to forward such suggestions for consideration by management.

It should also be noted that complainants can also directly contact Ofsted at any time if they have a complaint. Foster Care Link's local office details are:

Ofsted  
Aviation House  
125 Kingsway  
London WC2B 6SE  
Tel 0300 123 1231  
E-mail: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)  
Website: [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

## Suggestions

Suggestions are welcome from all parties on how Foster Care Link services can be improved. In the first instance, users should contact their liaison person at the agency. Foster carers should therefore contact their Supervising Social Workers. Such staffs have a duty to record such suggestions and pass them on to the Registered Manager. If a satisfactory response is not received users should write to the Registered Manager directly, or contact them via any other method.

The Registered Manager will liaise with the Directors on the implementation of any suggestions thought appropriate.

# COMPLAINTS & SUGGESTIONS POLICY & PROCEDURE



## Complaints: Interface with the Staff Disciplinary Procedure

If any allegations of misconduct by a member of staff are evident when a complaint is received, the matter must be investigated under the Foster Care Link's Disciplinary Procedure. The complainant must be informed of the decision to invoke disciplinary procedures.

The complainant should be advised, in writing, that the disciplinary procedure has been invoked. S/he should be informed that following the end of the disciplinary process, a full response to their complaint will be given.

Any other appropriate issues must be dealt with using this procedure.

If during the investigation of a complaint, issues of negligence or misconduct by a member/s of staff arise, the complaints process must be suspended and the disciplinary procedure invoked.

When this situation arises, the investigating officer must immediately bring the matter to the attention of the relevant senior manager. The complainant must be informed of the decision to invoke disciplinary procedures if these are initiated.

Any other appropriate issues must be dealt with using this procedure.

## Other Related Procedures

There may be circumstances where a complaint results in another procedure being used, for example, a child protection investigation or police involvement where a criminal offence is suspected. Such investigations may run concurrently with the investigation of a complaint and could result in the suspension of the complaint procedure if disciplinary issues emerge. Child protection investigation will also involve notification of instigation and outcome of the complaint to Ofsted.

Where the complaint involves another local authority or agency, Foster Care Link must ensure, as far as possible, that there is a coordinated investigation and response.

This procedure should be used for all eligible complaints and suggestions about Foster Care Link services. This would include complaints by foster carers, on their own behalf.

Where appeal mechanisms exist to challenge decisions they should be used. Specifically this refers to appeals against fostering approval or review decisions. If, however, a complaint is about non-application of processes use of this procedure is appropriate.

## Initial Contacts - Maximum Timescale - 6 Days

The person with a complaint (complainant) may express their dissatisfaction to:

- a supervising social worker
- a child's social worker
- the registered manager

# COMPLAINTS & SUGGESTIONS POLICY & PROCEDURE



- a director of Foster Care Link

In each case the officer must:

- take details of the complainant
- take full details of the complaint and the context in which the complaint is being made
- describe the procedure, inform the complainant about her/his rights to seek independent advice or advocacy and how to access such help
- ask the complainant what outcomes they expect as a result of their complaint
- explain to the complainant how the complaint must be dealt with and send a copy of the Complaints and Suggestions leaflet, if not already received

If the complaint is about a social worker, it is appropriate for the registered manager to deal with the complaint. The social worker should be informed about the investigation.

## **Investigation by Allocated Worker/line Manager - Maximum Timescale - 22 Days**

The allocated worker/director must:

- work out with the complainant who else needs to be consulted
- work out with the complainant an acceptable solution
- look into the complaint and come to a decision either that the complaint is full, partly or not justified
- meet with or write to the complainant to inform her/him of the outcome

If a meeting has taken place the outcome should be confirmed in writing. In either case the letter must inform the complainant of their right to use the next level of the procedure if they are not satisfied with the outcome.

They should be advised to contact the registered manager.

If the complaint is resolved, no further action is necessary.

If the complaint is fully or partly justified, the investigating officer must make arrangements for remedial action.

## **Second Level: Registration and Investigation - Maximum Timescale - 28 Days**

As far as possible problems should be sorted out at the first level.

Problems should be dealt with at the second level when:

- the complainant cannot accept the outcome of the first level investigation
- the complaint is serious enough to need formal investigation from the outset

The complainant may withdraw from the process at any time, although Foster Care Link may wish to continue with the investigation.

# COMPLAINTS & SUGGESTIONS POLICY & PROCEDURE



A member of staff or Director not directly responsible for providing a service to the complainant must carry out second level investigations. At no stage must any person who is the subject of the complaint take part in a level 2 investigation.

Where the complainant is a child, or where the issues are complex, the registered manager should seek the approval of the Directors for the appointment of an independent investigator from outside of Foster Care Link.

An independent investigator must be appointed in all cases where the subject of the complaint is the registered manager, registered person or other Director of Foster Care Link.

The appointed investigating officer must:

- work out with the complainant who else needs to be consulted
- work out with the complainant an acceptable solution
- look into the complaint, including interviewing relevant staff, and come to a decision either that the complaint is fully, partly or not justified
- meet with or write to the complainant to inform her/him of the outcome
- provide a written report on the investigation to the complainant, the registered manager and the Directors

The registered manager and Directors must consider the investigating officers report and write to the complainant to advise what action they propose to take as a result. The letter must inform the complainant of their right to use the next level of the procedure if they are not satisfied with the outcome.

If the complaint is fully or partly justified the registered manager and Directors must make arrangements for remedial action.

If the complaint is resolved, no further action is necessary.

## **Third Level: Registration and Investigation - Maximum Timescale - 35 Days**

Where complainants remain dissatisfied with the outcome following a level 2 investigation, they may request that an independent panel consider their complaint.

The registered manager or Directors must arrange for a panel consisting of three independent members to meet to consider the complaint within 28 days of receipt of a request for a panel hearing from the complainant.

The panel must consider the report prepared under level 2 and receive evidence from the complainant, the independent investigator and the staff and/or Directors of Foster Care Link.

The panel must advise the Directors what action they think should be taken in respect of the complaint.

The Directors must write to the complainant within 7 days of receiving the panel's recommendations to advise them what action if any the Directors intend to take. A copy of the panel's recommendations must be enclosed with this letter. The letter

# COMPLAINTS & SUGGESTIONS POLICY & PROCEDURE



should confirm that there is no further right of representation under this procedure and supply details of the address of Ofsted, if this has not already been done.

## **Recording and Monitoring of Complaints**

The administration department will keep a record of all complaints, the action taken in response to the complaint and the outcome of any investigation.

## **Independent Review Mechanism (IRM)**

The IRM is a review process which prospective or existing foster carers can use when they do not agree with a qualifying determination i.e. decision on approval, terms of approval, change in approval status. A separate document in the foster carers handbook details Foster Care Link's policy on this matter.