Procedure/Guidance
Issued/Reviewed: April 2020

Complaints Policy & Procedure

Table of Contents

Introduction and Summary 2
Philosophy 3
Scope 3
References 3
What is a complaint? 3
Who can complain? 4
Actions 5
The Procedures 6
Appendences 9

Introduction and Summary

This document details the formal policies and procedures for making and investigating complaints within Woodlands Limited.

It is the aim of Woodlands to listen to the children who live in our care and those people who are close to them.

We do this so that we can:

- Ensure they are safe and healthy
- Help them to enjoy their time here
- Ensure that their needs are met
- Help our services develop and improve

The complaints system provides a formal back up to what we try to do all of the time.

- Be open to different views
- Listen, in particular to the children who live here
- Seriously consider what we hear
- Act on this

Philosophy

Woodlands Ltd aim to ensure that young people in our care feel safe and well cared for. We acknowledge that at times young people may not be satisfied or happy with the service and may want to express their unhappiness about peers, the house, their carers, teachers, therapists or social workers.

Key principles of Woodlands complaint procedure are:

- To safeguard and promote the welfare of the young people.
- The procedure is clear and easy to use
- Complaints are resolved swiftly and satisfactorily
- Young people and complainants are treated with dignity and respect having their complaints taken seriously.
- No one should be afraid to complain
- The process of handling complaints is regularly monitored by the registered person and information is used to improve and develop the service.

Scope

- Young people will be provided with a young person's guide to the complaints procedure on admission to the home a complaints leaflet is accessible in the home at all times.

- A parents guide to the complaints procedure will be provided to all parties with parental responsibility for the young person prior to their child's admission to Woodlands.

- Social workers and their agencies will be provided with details of Woodlands complaints procedure.

- All Woodlands staff will have access to and have read the complaints procedure and will be provided with training in relation to the procedure.

References

RISCA and the Children Act 1989 (Regulatory Reform and Complaints) (Wales) Regulations 2006

Welsh Assembly Government guidance – Listening and Learning

What is a complaint?

Definition:

A complaint is:

Any written or verbal expression of dissatisfaction or disquiet about something that has happened to an individual child on which either they require a response or a response is required.

When a concern or issue is raised, a decision must be made about whether it is

- a complaint, which needs to be dealt with under the Complaints Procedure, or

- A matter which normal day to day good practice should seek to resolve.

Where a young person expresses concerns that are considered by the registered manager to fall short of a complaint, these should be noted in the young person's detailed record together with the actions taken and the result of these.

A complaint may be as a result of:

- A problem that has not been resolved
- Lack of action/communication
- The behaviour or actions of a member of staff
- A disagreement over a decision reached.
- The quality and /or appropriateness of services – their delivery or non-delivery

Who can complain?

- Any young person living in Woodlands Ltd
- anyone acting on the behalf of the young person
- Parents
- Staff

They should be encouraged to do so without fear that there will be any repercussions or that they will be penalised or discredited in any way.

There should be a commitment by staff at all levels to listen to and respect a young people's right to complain.

Young people resident in Woodlands Ltd have a variety of forums available to them to ensure that their voices are heard. These include:

- Community meetings
- Advocacy service
- Monthly Independent Auditor Visits
- Link worker sessions
- Therapy sessions
- Day to Day contact with Woodlands Education and care staff.

- Open access to parents/ social workers
- Complaints procedure
- School Council

It is the responsibility of the employee of Woodlands who is made aware of the young person's dissatisfaction, however this is raised, to report it to the relevant manager.

Actions

Woodlands aim to create an environment in which young people feel safe to talk and raise concerns. Link Workers play a key role in gaining the trust and confidence of a child and it is their role to act as an advocate and problem – solver.

Comments and complaints should be viewed positively as an opportunity for young people to express their views and challenge decisions. This will assist the company to develop services that respond flexibly and sensitively to the needs of the young people and their carers.

An age appropriate leaflet is available to help the young people to know what to do if they are not happy in our care. This leaflet must be given to the young person on the first day they arrive and time should be spent with their link worker going through the leaflet within the first week. This ensures the young person knows how to make a complaint and the forums that are available to them to express their dissatisfaction about the service.

Employees of Woodlands will be provided with training to ensure that they know how to implement the complaints procedure and to support the young person to complain if necessary.

Young people will be visited monthly by an independent Advocate and details of how to contact the advocate will be available to the young people. Staff members will support the young people to access the advocacy service if required. In the event of a young person making a complaint the staff member to whom the complaint is made will:

- Record it in the complaints record
- Decide if it is appropriate to resolved immediately
- If it is not appropriate report the complaint to the registered manager within 24 hours
- Attempt to resolve it if this is appropriate
- Record the outcome
- Record the young person's comments.
- Inform the young person of their right to complaint to CIW, placing authority and of their right to seek the assistance of the independent advocate.

The Procedures

Woodlands Ltd's complaints procedure has 2 stages, the company is committed to resolving any complaint as quickly as possible as we recognize that an early resolution at the initial stages of a complaint is most likely to produce a good outcome for the complainant as well as for the staff.

We acknowledge however that there will be times that it will not be possible to resolve a complaint at the initial stages or the complainant will not be satisfied with the outcome of the resolution and as such a second formal stage is integral to the procedure.

Stage one - Local Resolution

- Young people their representatives or a member of staff can make a complaint or representation in writing or verbally. On admission young people will be provided with paper and envelopes on which they can record a complaint confidentially and pass it to the Registered Manager for consideration.

- When a complaint or representation is brought to the attention of a member of staff or the registered manager it is the staff member's responsibility to record the details of the complaint in the designated complaints log and make reference to it in the young person's detailed record.

- The complaint must be reported to the Registered Manager within 48 hours of the complaint being made unless the complaint is a child protection matter when it must be reported immediately to the manager or on call manager. It is the responsibility thereafter of the Registered Manager to record the complaint in the designated complaints log which will be maintained in a locked cabinet to ensure confidentiality is maintained.

- The Registered Manager has a duty to consider at the outset, whether any allegation is being made of abuse to a child. If this is the case, the investigation of the complaint must be suspended, and a referral made in line with the locally agreed procedures for Child Protection to the Local Social Services Department. At this point the Registered Manager will report the matter to the young person's social worker and the Care and Social Services Inspectorate for Wales.

- Many complaints will be about matters that can be dealt with by the adults caring for the young person, for example issues about food, noise, arguments. Carers should attempt to resolve these matters without delay. At this stage problem solving and the role of mediation and conciliation or an apology will be effective in the early resolution of a complaint. Any resolution at this stage must be recorded on the complaints record sheet

as an outcome detailing how the complaint was resolved and by whom. The complainant must be encouraged to record their comments about the outcome of the complaint and transferred to the complaints log by the Registered Manager.

- It is the responsibility of the Registered Manager to follow up with the complainant following any resolution to ensure that they are satisfied with the outcome.

- If a complaint is not resolved at this stage it is the responsibility of the Registered Manager to work in partnership with the complainant to find a satisfactory resolution.

- The outcome of any complaint will be recorded in the complaints log and the complainant will be given the opportunity to record their comments about the resolution.

- Woodlands Ltd will ensure that complaints dealt with at the informal stage will be resolved as soon as is reasonable and within 14 days of the complaint being made.

- The Registered Manager will confirm in writing to the complainant the outcome of the local resolution stage the reasons for any decision and any recommendations together with an apology if appropriate, the complainant's right to request a formal investigation into the complaint and guidance on how to do so including details of how to contact Care and Social Services Inspectorate for Wales.

- Under exceptional circumstances the time limit of 14 days may be extended for up to a further 14 days with the agreement of the complainant. A written progress report will be provided to the complainant along with the reasons for the longer timescale. A copy of this will be sent to the complainant’s social worker, parents.

- Where it has not been possible to resolve a complaint within the 28 days the Registered Manager will inform Care and Social Services Inspectorate for Wales providing a progress report including details of the complaint, what steps have been taken to resolve the complaint.

- If a complaint has been made about a staff member it is the responsibility of the Registered Manager to record the details of the complaint and the outcome on the staff member’s personal file.

- Circumstances in which it may be inappropriate to resolve the complaint locally include those when the registered manager or responsible individual is the subject of the complaint. Additionally, where the issues outlined in the complaint appear to be so serious, it may be appropriate that Care and Social Services Inspectorate for Wales or any other relevant authority (i.e. police, social services) conduct their own investigation from the outset.

Stage 2 - Formal consideration

- The complainant has the right to request Woodlands Ltd give formal consideration of any complaint if they feel that their complaint was not resolved satisfactorily.

- At this point the Registered Manager will pass the details of the complaint to the Director providing a written progress report with details of the complaint and a record of the steps taken to resolve it at the local resolution stage and the complainants desired outcomes of the complaint.

- The complainant's social worker must be informed of the complaint being investigated under stage 2 of the procedures in writing within 48 hours of the complaint being reported.

- The formal consideration will usually take the form of an investigation however this is not the only option. Mediation and conciliation may be used at this stage. It is the responsibility of the Director to:

    1. Clarify the nature of the complaint
    2. Interview those concerned and find out the facts
    3. Find out how the complaint can be resolved
    4. Complete their work within the agreed timescales
    5. Attempt to resolve the complaint in a manner that helps both complainant and staff members move forward.
    6. Ensure the wishes and feeling of the young person are listened to and the young person is treated with dignity and respect throughout the process.
    7. Make constructive, proportionate and achievable recommendations
    8. Be objective and as open as possible about their methods and reasons for the conclusions.

- The complainant will be advised verbally by the Director of the outcome and resolution which will be followed up in writing.

- The report will be sent to the complainant's social worker the Care and Social Services Inspectorate for Wales, the parent or person with parental responsibility. A record will be maintained on the young person's case file.

- If in the exceptional circumstance the complainant is not satisfied with the outcome of the formal consideration of the complaint, information will be provided to the complainant of the options available including details of how to contact The Care Inspectorate Wales and the Children's Commissioner for Wales.

Appendences

Leaflet – child
Leaflet – parent