

# Complaints Comments and Compliments about

## Children and Young People's Social Care



August 2010

# ● ● ● Complaints Comments

This booklet explains how Leeds City Council's Children and Young People's Social Care complaints procedure works. It will explain HOW to complain, WHO can complain and WHAT you can complain about. The complaints procedure also allows for you to make representations, comments or compliments. If you need help to do this, you may like to choose a friend, relative or some other person to act on your behalf (advocate).

The complaints procedure's main function is to ensure that when someone makes a complaint or representation, it is dealt with quickly and efficiently. It also allows Leeds City Council to see where services may need improving.

If you would like a leaflet in your language please write to:

**Stationery Store**  
**Children and Young People's Social Care**  
**Merrion House**  
**110 Merrion Centre**  
**Leeds LS2 8QB**

# and Compliments



## How to complain

- Verbally to any employee of Children and Young People's Social Care
- In writing to the Complaints Manager, either by letter or using a reply form at the back of this booklet (Children and Young People's Social Care offices)
- By phone to a Complaints Officer on ☎ 247 8627, 247 8679, 395 0392, 395 0537 and Minicom 247 5963
- By email to the Complaints Manager: [complaints.socs@leeds.gov.uk](mailto:complaints.socs@leeds.gov.uk)
- Young people can also text the Complaints Manager – 07891 271872

## Who can make a complaint?

- Any child or young person (or a parent of his or someone who has parental responsibility for him) who is being looked after by the local authority or is not looked after by them but is in need
- Any local authority foster carer
- Children leaving care
- Special guardians
- A child or young person (or parent of his) to whom a special guardian order is in force
- Any person who has applied for an assessment
- Any child or young person who may be adopted, their parents and guardians
- Persons wishing to adopt a child
- Any other person whom arrangements for the provision of adoption services extend
- Adopted persons, their parents, natural parents and former guardians
- Such other persons as the local authority consider has sufficient interest in the child's or young person's welfare to warrant his representations being considered by them

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The local authority has the right to decide whether or not a person making a complaint on behalf of a child is suitable to do so or has sufficient interest in the child's welfare.

Sometimes an adult will make a complaint that relates to a child but is not made on the child's behalf. The local authority will decide whether, in these cases, the adult has sufficient interest in the child's welfare to justify their own complaint being considered.

## **Advocacy support for young people making a complaint**

A child or young person is entitled by law to advocacy support that is independent and confidential.

The local authority will provide all children or young people making a complaint with information and advice on advocacy and appoint an advocate for them when asked to

## **What can you complain about?**

- **An unwelcome or disputed decision**
- **Concern about the quality or appropriateness of a service**
- **Delay in decision making or provision of services**
- **Delivery or non-delivery of services including complaints procedures**
- **Quantity, frequency, change or cost of a service**
- **Attitude or behaviour of staff**
- **Application of eligibility and assessment criteria**
- **The impact on an individual of the application of a local authority policy**
- **Assessment, care management and review**

There may be other things not on the above list that you can complain about. You should contact the Complaints Manager, who will advise you.

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If you want to make a complaint, it is often simpler for you to talk to a member of staff involved in providing a service to you. They may be able to sort out your complaint quickly.

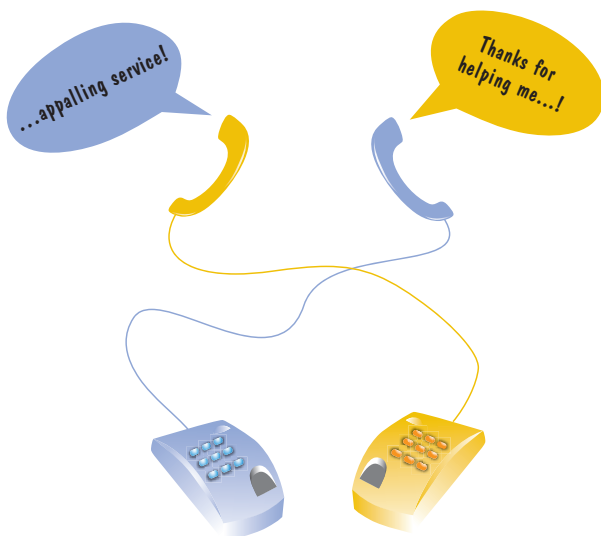
If you have tried to resolve your complaint, but are still unhappy, you can complain to the Complaints Manager. There is a form at the back of this leaflet for you to write your complaint, or you can email your complaint to us: [complaints.socs@leeds.gov.uk](mailto:complaints.socs@leeds.gov.uk)

If you prefer, you can talk to a Complaints Officer directly by telephoning any of these numbers.

 247 8627  247 8679  395 0392  395 50537

**Minicom: 247 5963**

If you receive day services, home care services or live in a care home or staffed house, you can complain to the Commission for Social Care Inspection. Their address is **OFSTED, Royal Exchange Buildings, St Ann's Square, Manchester M2 7LA** email: [enquiries@oftsed.gov.uk](mailto:enquiries@oftsed.gov.uk).



## When do you not have the right to complain?

- **If you do not meet the requirements of “Who Can Complain”**
- **If your complaint does not relate to the local authority or anybody acting on its behalf or**
- **The same complaint has already been investigated**

Local authorities do not need to consider complaints made more than one year after the complaint arose. This also applies to representations. However, the local authority can extend this time limit at its discretion.

The local authority can also decide not to accept a complaint if it feels the complaint may prejudice any of the following investigations:

- **Court proceedings**
- **Tribunals**
- **Disciplinary proceedings**
- **Criminal proceedings**

## Court Orders

The procedure outlined in this leaflet is not an appeals procedure. People who wish to appeal against Court Orders should approach the Court.

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## What will happen when I make a complaint?

When a complaint is received it is passed to the Complaints Manager, who decides whether it will be dealt with by the local authority. If the complaint is accepted, it is logged and moves to:

### ● Stage 1 – local resolution

The Complaints Manager will appoint an Investigating Officer to look into the complaint. This will usually be someone who manages the service area that has been complained about. The Investigating Officer will contact the complainant and attempt to resolve the complaint. This should happen within 10 working days. This can be extended by a further 10 working days.

If the matter is resolved, the Manager who looked into the complaint will write to the complainant confirming the agreed resolution.

If the complaint is not resolved at Stage 1, the complainant has the right to request their complaint goes to Stage 2, formal investigation.

### ● Stage 2 – formal investigation

At Stage 2 an Investigating Officer is appointed who does not work for the area that is being complained about. Where there are concerns about the vulnerability of the complainant and the seriousness of the complaint, an independent person who does not work for Leeds City Council will be appointed. They will meet the complainant to discuss and agree their complaint. The Investigating Officer will prepare a written report, which will contain:

- **Details of findings, whether it accepts the complaint or not, and what the conclusions and outcomes were**
- **What should be done to make things right, if the complaint is upheld**

The report will be passed to a senior manager, who will consider the contents of the report (this is called the adjudication). The senior manager will then identify:

- **The authority's response**
- **The decision on each point of the complaint**

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- **Any action to be taken with timescales**
- **The written adjudication response**

The Complaints Manager will then send the complainant:

- **A complete copy of the investigation report, and**
- **Any report from the independent person.**

A Stage 2 investigation should take no longer than 25 days, however, if this is not possible it can be extended to a maximum of 65 working days. If the complainant is not satisfied with the outcome of the complaint investigation, they can request a complaint Review Panel.

## ● **Stage 3 – review panel**

A review panel must be held within 30 working days of the complainant requesting one. The panel consists of three independent people who have no connection with the local authority.

The complainant has a right to attend the panel and can bring someone with them to speak on their behalf or for support. Other people who attend the panel are the Investigating Officer, the independent person, the Chief Officer responsible for the service complained about and the Complaints Manager.

The review panel will:

- **Listen to all parties, in order to find out what the desired outcomes are for the complainant and the authority;**
- **Look at all the information gathered during the Stage 2 investigation; and**
- **Obtain any further information that will help to resolve the complaint.**

The review panel does not:

- **Reinvestigate the complaint**
- **Consider any new complaints that have not been considered at Stage 2.**



The panel will then go into what is called a closed session, which means only the three panellists are there with the Complaints Manager. They will then discuss everything they have heard and read before coming to a decision. The panel has five days to produce a brief report, which will:

- **Recommend how the authority can make amends to the complainant, if appropriate**
- **Recommend any service improvements to the authority.**

After the review panel, the local authority must write to the complainant within 15 working days with its response to the review panel's findings and recommendations.

## **Local Government Ombudsman**

If the complainant is still not satisfied with the outcome of their complaint, they can contact the Local Government Ombudsman directly:

### **The Local Government Ombudsman**

**PO Box 4771**

**Coventry**

**CV4 0EH**

**☎ 0845 602 1983**

## **Complaints about services provided by other agencies on our behalf**

If you receive a service which is provided on the council's behalf by a voluntary or independent provider you should make your complaint in the first instance to the agency manager. If you feel unable to do this you can contact the Complaints Manager, they will make the complaint on your behalf. If you are not satisfied with the response you receive from the independent provider you can request that your complaint be looked at under Stage 2 of our procedure.

# Other Useful Information

You can also complain to:

- **Your Councillor**
- **Your Member of Parliament**

Organisations who may be able to offer help and support are:

- **Leeds Children's Rights Service** – ☎ 239 5589
- **Citizens Advice Bureau** – Advice Line ☎ 08701 202450
- **Leeds Advocacy** ☎ 244 0606
- **Leeds Mental Health Advocacy Group** ☎ 247 0452 or 247 0449
- **Leeds People First** ☎ 205 6530 – People with learning disabilities
- **Carers Leeds** ☎ 246 8338
- **Leeds Centre for Integrated Living / Advocacy Service** ☎ 214 3593
- **Voluntary Action Leeds** ☎ 270 0777 Fax 270 3095 Minicom 297 7941

Complaints about HEALTH SERVICES should be made directly to the hospital concerned. If you prefer you could speak to someone at the Independent Complaints and Advocacy Service, telephone number ☎ 0845 120 3734. They will be able to advise you about how to make an official complaint.

This leaflet is also available in large print, braille and on audio tape by telephoning ☎ 247 8627.

There are also complaints leaflets available for:

- **Adults with Learning Disabilities**
- **Deaf people who use British Sign Language (BSL)**
- **Children and Young People**

There are also complaints videos for:

- **Deaf people who use BSL**
- **As above with subtitles and voice-over**

☎ 247 8924 for copies.

# Reply Form

please complete both sides

You may ask a member of staff, or a relative or friend to help you complete this form. Please give as much detail as possible and continue on a separate sheet if you need to.

Name .....

Address .....

.....

..... Postcode .....

Telephone (daytime) ..... (evening).....

Today's date.....

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Please help us to provide better services for everyone by completing the section below. This information will be kept confidential. Please tick the boxes which apply to you.

## Ethnic origin

- |                                       |   |   |
|---------------------------------------|---|---|
| Bangladeshi <input type="radio"/>     | Indian <input type="radio"/>              | Mixed white & black African <input type="radio"/>   |
| Black Caribbean <input type="radio"/> | Pakistani <input type="radio"/>           | Other Ethnic Group <input type="radio"/>            |
| Black African <input type="radio"/>   | Vietnamese <input type="radio"/>          | White British <input type="radio"/>                 |
| Black Other <input type="radio"/>     | Kashmiri <input type="radio"/>            | White Irish <input type="radio"/>                   |
| Chinese <input type="radio"/>         | Mixed White & Asian <input type="radio"/> | White Other <input type="radio"/>                   |
|                                       |   | Mixed white & black Caribbean <input type="radio"/> |

## Gender

Male  Female

## Are you a disabled person?

Yes  No

## This is a:

Complaint  Compliment  Comment



**Please write your complaint, comment or compliment here:**

Please return this form to:  
**The Complaints Manager, Children and Young People's Social Care,  
Merrion House, 110 Merrion Centre, Leeds LS2 8QB**

**FOR OFFICIAL USE ONLY** Date received: