



Complaints Policy

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1. Policy

Great Oak Lodge's policy ensures the following.

- Children and others are supported to make a complaint should they wish and are supported to have their complaint addressed.
- Children know how to make a complaint about the care they receive.
- Complaint forms are easily accessible within the home.
- When children make a complaint, these are responded to appropriately, and children receive a written outcome.
- 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.

2. Statutory requirements

- The registered person must establish a procedure for considering complaints made by or on behalf of children.
- In particular, 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.
- The registered person must record any complaint, the action taken in response, and any investigation outcome.
- The registered person must ensure no child is subject to any reprisal for making a complaint or representation.
- The registered person must supply to HMCI, at HMCI's request, a statement containing a summary of any complaints made during the preceding twelve months and the action taken in response to each complaint.

3. Representations

- A representation allows a child to comment on the service they receive, such as to ask for changes and services they would like. People can, therefore, make representations without them being complaints. However, failure to deal effectively with a representation can lead to a complaint.
- Staff should encourage and support children to have their say and make suggestions about improving the quality of care they receive and the home's day-to-day running.
- The manager must respond to a child's representation within a reasonable timescale. If the child does not feel that a representation has been dealt with effectively, the representation may qualify as a complaint.



4. What is a complaint?

Great Oak Lodge defines a complaint as an expression of dissatisfaction with the services provided by the home.

5. Who may make a complaint?

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

- a child
- a parent of a child
- a person acting on behalf of a child
- a neighbour living in the locality
- a third party with links to the service or member of the public

6. Informing children about the complaint's procedure

- The manager will tell children about the home's complaints procedures in various ways, including the children's guide given to them before or upon admission. The guide must be in a format the child can understand and include the regulatory authority's name, address, and telephone number. It should also signpost children to details of people they can complain to, including their manager, independent reviewing officer (IRO), social worker, Children's Commissioner, NSPCC and Ofsted.
- The home should have an easy-to-understand notice of the in-house complaints process that children can access without requesting. The process can be displayed on notice boards with relevant contact details and include paper and envelopes to enable children to write their complaint and submit it to the manager.
- The manager should address the complaint as soon as it is received, ensuring a record of the complaint. The process is undertaken to resolve the complaint and any letters given to the children or others due to their complaint.
- It is in everyone's best interest that a complaint is considered by the manager as soon as it comes to light. If the complaint is from a child, we act on it as quickly and efficiently as possible.

7. The time limit for making a complaint

- Great Oak Lodge does not need to consider complaints made more than one year after the grounds to make the representation arose. In these cases, we must advise the complainant that we cannot consider their complaint.
- The time limit can be extended at the organisation's discretion if it is still possible to effectively and efficiently consider the complaint. Great Oak Lodge may also wish to consider such complaints if it would be unreasonable to expect the complainant to have



made the complaint earlier. For example, the child could not make the complaint or feel confident in bringing it forward in the years' time limit.

- Though not exclusive, possible grounds for accepting a complaint made after one year are:
 - genuine issues of vulnerability
 - Great Oak Lodge believes that there is still a benefit to the complainant in proceeding.
 - there is likely to be sufficient access to information or individuals involved at the time to enable an effective and fair investigation to be carried out.
 - action should be taken in light of human rights-based legislation.

8. Stages of complaint

8.1 Stage 1

Timescale: 10 working days

- The manager should resolve the matter within ten working days. This period may be extended for ten working days with the complainant's agreement. If the complaint is resolved within ten working days, the manager should:
 - Record a summary of the complaint and how it was resolved in the complaints log and the daily record of any relevant child.
 - Confirm in writing to the complainant the agreed resolution.
- The maximum time that stage 1 should take is 20 working days. After this deadline, the complainant can request consideration at Stage 2. If the complaint relates to a child in our care, the manager should consult the child's social worker.

8.2 Stage 2

Timescale: 25 working days

- Where the person receiving the complaint cannot resolve it within the timescale of stage 1 of the complaint, it should be referred to the head of service for formal consideration.
- Before formal consideration, the head of service should clarify its substance with the complainant, put it into writing, and copy the complainant. If the complaint relates to a child in our care, the manager should consult the social worker.
- The manager should attempt to resolve the complaint within 25 working days. This period may be extended with the agreement of the complainant.
- The complainant should be notified of the outcome of the complaint in writing. If the complaint was justified, the complainant should be told what, if any, remedial action will be taken, and an apology should be offered.



- Details of the outcome must be recorded in the complaints log, which the registered manager must countersign. We should keep copies of records and correspondence as follows:
 - on the child's file
 - in the complaints file
- If dissatisfied with the outcome of stage 2, the complainant may request a stage 3 review panel to consider their complaint. The request must be made within 20 days. The complainant may also ask that their complaint be passed to the placing authority or regulatory authority. The manager must send a copy of the outcome to the regulatory and placing authorities.

8.3 Stage 3

Timescale: 30 days to convene and hold the review panel

- To instigate a stage 3 review, the complainant should notify the head of service in writing. The notification will be confirmed in writing, explaining the process and timescales for undertaking a stage 3 review. The head of service will ensure the following:
 - Senior managers and relevant social workers are notified and briefed as necessary until the matter is resolved.
 - The complainant is clear about the process and timescales.
 - The complainant has access to an independent advocate or representative.
 - A review panel is established to consider the matter. The review panel will consist of three people who 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 made.
 - Necessary arrangements are made for the panel to be convened and conducted fairly.
- The panel will have five days to issue its findings; The panel's recommendations are appropriately considered, involving senior managers as necessary, and any decisions or actions are acted upon promptly. The complainant and their advocate/representative are briefed in writing on the outcome.

9. Recording and finalising children's complaints

- Complaints from children and their family members may be received verbally and in writing. A child-friendly explanation of how to make a complaint is set out in the children's guide. A copy must be available in a communal area where a child does not have to request this and be easy to understand. A staff member can complain on behalf of a child, provided the child gives consent. Any reprisals against a child who has made a complaint are forbidden.



- Each instance of the complaint must be reported to and overseen by the manager. Upon receiving the complaint, the manager will complete the appropriate sections in the complaints book for proper action. If the complaint relates to the manager, the child should be encouraged to contact the registered individual.
- Every effort will be made to resolve the complaint informally through negotiation and mediation. If this is unsuccessful, the matter must be pursued formally. A complete response to the child/family member must be given within ten working days. They must be kept informed of the progress being made during this time. Any person subject to a formal complaint must not take part in any response to/consideration of that complaint.
- If the manager is unable to resolve the complaint within the timescales of the process or is indeed the subject of any complaint, the child or a family member has the right to refer the complaint to the regulatory authority, details of which are as follows:

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Piccadilly Gate, Store Street, Manchester M1 2WD

Email: enquiries@ofsted.gov.uk

Tel. 0300 123 1231

- Once the complaint has been resolved, the manager will complete the relevant sections in the complaints book, signed off by the head of service.
- The manager is responsible for maintaining records relating to a complaint and using an appropriate complaints book to monitor the progress made in resolving the complaint.
- Records will include written complaints received and copies of statements from relevant parties during the investigation.
- Completed complaints will be reviewed regularly for any adverse trends in service quality as part of the monitoring of the home.
- A section is included in the complaints book allowing the child to comment on the outcome. This opportunity must be offered, and the child's comments must be recorded.
- We send a letter acknowledging the complaint and throughout the process.
- Before reviewing the complaints procedure, the children's views are sought and recorded that they agree to the changes and are happy with them.

10. External complaints

External people may need to complain regarding the home or the children in our care. In the first instance, the most senior staff on shift must hear the complaint and takes a written record.

Depending on the complaint's nature, the resolution could range from an immediate apology to further investigation. In the latter case, the manager must be informed, and the above complaints procedure must be implemented.



11. References

- Regulation 39: Complaints and representations, The Children's Homes (England) Regulations 2015
- Getting the Best from Complaints – Social Care Complaints and Representations for Children, Young People and Others