

Complaints Policy

Author/Contact:	Sarah Baker (Quality Assurance)
Approval/Ratified by:	Vanessa Miller (Head of Care/ Safeguarding)
Publication Date:	December 2020
Review Date:	December 2021

Policy Statement

The SWAAY organisation has always believed in the value of learning from mistakes. One of the most effective ways of passing on this philosophy to the young people in our care is to show them that complaints are dealt with positively and promptly; according to a process which is designed to identify what has gone wrong and which ensures that information gathered from the investigation of the complaint is used to improve matters going forward. Therefore, complaints are opportunities to learn and Complainants will always be treated with the respect, and will never be treated adversely because they have made a complaint. All complaints will be addressed without delay and the complainant is kept informed of the progress.

All complainants will be treated fairly and without discrimination or prejudice based on age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race (including colour, nationality, ethnic and national origin), religion or belief, background, sex, or sexual orientation.

Procedure

This procedure is to be followed when a young person has a complaint to lodge about their experience in SWAAY. In addition to this the complaints procedure can be used by parents/ carers, Social Workers, the placing authority, employees of SWAAY and members of the public including neighbours.

Young people will be informed about the complaints procedure in a variety of ways including the Children's Guide given to them upon admission. This will be in a format that they will understand. The complaints procedure will be available in communal areas of the home and school so they are easily accessible to the young people.

Informal Process:

Within SWAAY there are many forums which provide opportunities to resolve minor complaints informally for example in open meetings held at the home, the school, on the sports field and when the whole SWAAY community comes together as a Group. Young People or Staff can also call such meetings at any other time, to open up issues and resolve them quickly. In most cases, the complaint and its agreed resolution will be recorded in the minutes of the meeting.

Formal Process:

Complaints that cannot be resolved informally must be dealt with by making a formal complaint. In all cases the complaint must be dealt with in a serious manner, all those involved in the complaint must be kept informed of progress at least weekly; and the complaint must be fully responded to within 28 days. All residential complaints are sent to the Head of Care and will be responded to within seven days. If the Head of Care is unavailable then these are to be sent to the Operations Director who will respond within the same timeframe. All education complaints will be passed on to the Head Teacher and have an initial response within seven days.

If a complaint cannot be fully resolved by 28 days then this will need to go to Panel. The panel will consist of a director and a senior representative from each of the three disciplines within SWAAY which includes: education, therapy and residential. One member of the panel must be completely independent of the management at SWAAY. The complainant would be invited to attend the panel hearing and could be accompanied if they wish.

In the first instance anyone making a formal complaint (the Complainant) needs to complete the complaint form below. The form is designed to ensure that the correct procedure is followed and to allow for monitoring of progress towards resolving the complaint.

The completed form needs to be logged with the site manager who must enter the complaint in the site's Complaint Log then decide the best path for the complaint, inform the Complainant of their decision and assist them with the process towards a speedy and effective resolution. Any person who is the subject of a complaint is prevented by this process from being responsible for its investigation or resolution, so if the site Manager is the subject of the complaint, another Manager will be appointed by the Head of Department or Director to deal with the complaint. In addition to this the complaint and all outcomes must be recorded in a Complaint Chronology by the person leading the investigation.

Any member of staff may support the Complainant in instigating this procedure but the Complainant may start the procedure independently. If the Complaint Form is not available the written record of a verbal Complaint must include the following information:-

- The date of the complaint
- The date of the incident giving rise to the complaint
- The name of the Complainant
- The nature of the complaint
- Who has assisted the Complainant (where relevant)
- When they handed this to the site or home manager

Once a complaint has been received the following information will then be added to the complaint chronology by the relevant manager:-

- A reference (young person or site code date/month/year)
- Date received
- All actions taken to resolve the complaint
- The resolution (including whether the complaint was upheld)

A copy of this chronology will be stored in the young person's file along with the original complaint and any relevant documentation.

A copy of the findings of the complaint, and recommendations should be sent to the complainant and where relevant the person complained about. This should also be kept confidentially and made available for inspection on site.



Records of complaints and how they are resolved can also be used to identify trends developing across the organisation and can help in the design and implementation of improvements to resources and processes. Subject to the requirements of confidentiality, the final resolution of all formal complaints will be published at the next Senior Managers' Meeting.

If a young person wishes to raise a grievance which involves their placing authority, the young person should follow their complaints procedure. A copy of this will be kept in the young person's Safeguarding File.

A young person can request an advocate to support them with a complaint. This is something that will be arranged through their Social Services. In addition to this a young person can make a complaint directly to Ofsted. Stamped address envelopes are available at the home along with Ofsted's and ChildLine's telephone number.

Complaints made by an external person

Complaints by other people outside of SWAAY, such as a neighbour, family member, or other professional can be dealt with by negotiation and verbal agreements. It is essential that these are recorded in the same way as all formal complaints.

Complaints by staff to external agencies

There may be times when staff need to make complaints to external agencies involved in the young person's care.

If complaining to the young person's Placing Authority staff would need to follow their complaints procedure. A copy of the complaint should be sent to the Social Worker, the Complaints Manager, the Team Manager and the Independent Reviewing Officer. If the complaint has not been resolved within a 28-day period, then this can be escalated to the Director of Children's Services. If we are not satisfied with the response, this may be escalated by sending a copy to the safeguarding partners (local authorities, chief officers of police and clinical commissioning groups); or Ofsted.

Complaints to all other external agencies staff would need to follow their complaints procedure.



IF YOU WANT TO MAKE A COMPLAINT

Young people and staff have equal rights to complain about things if they wish to.

If you are not happy what can you do?

- If you have something that you're not happy with then please discuss this with a member of staff. You can also call a **house meeting**, discuss this in the **home meeting**, talk to your **key worker** and/or discuss this at the **group meeting**.

If you are still not happy what can you do?

- If you're still not happy or you want to make a formal complaint, then you can **get support from a staff member** who will be happy to help you fill out the complaints form. A copy of this form can be found on the next page. Once this form has been completed you can hand this to a member of staff who will pass this onto the manager for you.

How long with this take?

- Your complaint should be responded to within 7 days and should be dealt with within 28 days. You will be told what is happening whilst the complaint is being dealt with.

Is there anyone outside of SWAAY that I can complain to?

Whilst every effort will be made to help you resolve any problems or difficulties within SWAAY, there are also other options available to you should you need further help or support.

- You can **complain to your placing authority** and you should have been given a complaints policy from your social worker, if you haven't staff will help you get one.
- If you feel unable to speak up for yourself and would like someone to help you to put your views across we can arrange **an advocate** for you through your social services. Please speak to a member of staff and they will help you with this.

An Advocate can help you to get your views and feelings heard. If you need an Advocate, you can ask your Social Worker to get you one. Or the staff here will help you contact one. If you prefer to do this yourself here are some useful contacts:

hone: 0808 808 1001

Email: help@nyas.net

You are also encouraged to speak to the **Ofsted Inspectors** and can contact them directly using the telephone number and address below.

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD

0300 123 1231

enquiries@ofsted.gov.uk

There are also pre-stamped envelopes with this address on it so if you wish to complain you can do this without asking a member of staff. These can be found in the complaints folder.

- You can also call **Childline** on 0800 1111. This is a free phone number and you do not need any money to make this call.



- Another option is that you can speak to **The Children's Commissioner**. The Children's Commissioner for England is Anne Longfield OBE. She has a duty to promote and protect the rights of all children in England in accordance with the United Nations Convention on the Rights of the Child.

It is her job to make life better for all children and young people by making sure their rights are respected and realised and that their views are taken seriously. The Commissioner is supported in her work by a team of staff. Together, they are responsible for the rights of all children and young people until they are 18 years old, or 25 years if they have been in care, are care leavers or have a disability.

Children's Commissioner for England address:

Sanctuary Buildings
20 Great Smith Street
London
SW1P 3BT

020 7783 8330

<http://www.childrenscommissioner.gov.uk/contact-us>

We are always willing to help you with whatever complaints procedure you wish to use.



SWAAY COMPLAINT FORM

Reference:

Completed by Date

If completed by Young Person

Social Worker Placing Authority

Please write the nature and details of your complaint here:-

Name Signature.....

Assisted by..... Signature.....