

Appendix 1

Complaints Process Summary

1. In addition to operating the Council's Corporate Complaints procedure, the Complaints Team also co-ordinates the procedures for investigating complaints under:
 - Children Act 1989;
 - The Children Act 1989 Representations Procedure (England) Regulations 2006;
 - Children (Leaving Care) Act 2000;
 - Adoption and Children Act 2002;
 - Health and Social Care Acts 2003; and the
 - Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
2. Such complaints are dealt with by the respective service teams under the Children's Services statutory complaints procedure, and the Adult Social Care statutory complaints procedure.
3. The purpose of the various complaint procedures is to ensure that:
 - There is a simple and effective way of raising a complaint;
 - Complaints are dealt with fairly and consistently;
 - The process encourages an open and transparent environment that people trust and engage with;
 - The complainant receives a comprehensive response within stated timescales;
 - The views and experiences of people who use Council services are heard, ensuring the organisation remains focused on the customer;
 - The organisation learns from complaints and seeks improvements to service provision and working practices.

Children's Service Statutory Procedure

4. Social Care complaints which concern the care of children and young people are co-ordinated by the complaints team but managed by the service through the three stage statutory complaints procedure:
 - **Stage 1 – Local Resolution** - where possible, the aim is to resolve complaints satisfactorily at this stage;

- **Stage 2 – Investigation** – where local resolution is not possible the complainant can request consideration of the complaint at Stage 2. Consideration of complaints at Stage 2 is normally achieved by an investigation conducted by an investigator and an independent person;
- **Stage 3 – Review Panels** - The final stage of the procedure involves an independent Review Panel. The Review Panel considers unresolved issues, with both parties being given the opportunity to put forward their respective cases. The investigating officer and independent person attend to answer any outstanding questions. The Review Panel deliver their findings and the Service Director will write to the complainant within 15 working days, with their comments and any action to be taken.

Adult Social Care Statutory Procedure

5. The Adult Social Care statutory procedure for dealing with complaints is a single stage process operated by the service, which concentrates on working with the individual to understand the nature of their complaint and agreeing a timescale within which to provide a response. Wherever possible the process should be undertaken within 20 working days although an extension can be requested where appropriate.
6. The Complaints team co-ordinates initial complaints and works with the service to ensure complaints are acknowledged and dealt with in a timely way.

Corporate Complaint Procedure

7. The Corporate Complaint Procedure is a 2-stage process:
 - At Stage 1 the complaint is dealt with by the relevant service team. This affords the service team an early opportunity to respond to and address any misunderstandings or breakdown in communication. Where the Stage 1 process fails to resolve the complaint, it can then be progressed to stage 2;
 - At Stage 2 the Complaints Team provides an investigation of the complaint independent of the service;
8. Where matters are not resolved under the above procedures, the Local Government and Social Care Ombudsman remains the final recourse for redress apart from the Courts.

Accessing the Complaints Procedures

9. The Council's website contains information on how to make a complaint. Information is given on the different complaints procedures adopted within the Council.

10. Complaints can be made via telephone call, e-mail, letter or by completing an online form. The method of contact used to make a complaint is logged on the complaints case management system. This allows the collection of data as to the methods preferred by service users and helps ensure that the process is easily accessible to users.

Advocacy and Support Services

11. Advocacy services for children and young people are delivered externally by County Community Projects (CCP). This organisation offers an advocacy function to children and young people to ensure that their views are heard and that they are able to make a complaint about the service they have received.

12. This service can be accessed in a number of ways. The young person / parent or carer can refer themselves directly to the service, a social worker can make the request directly or the Complaints Team can make the referral on behalf of the child or young person. Contact details are available from the Complaints Team or by accessing the [Advocacy Services](#) page on the council's website.

13. For adults seeking independent support and guidance on making a complaint in any of the Council's other service areas, they will be referred to The Advocacy People who provide an advocacy service in Wiltshire for people who do not have anyone they already know who can support them.