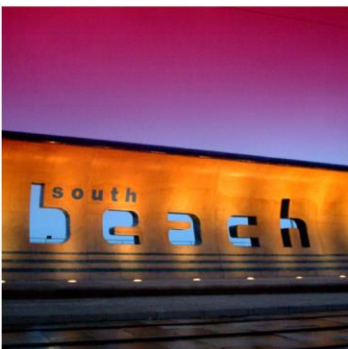


Children's Services Customer Feedback Procedure

Version 2.1 (September 2014) – updated address

Blackpool Council



Children’s Services – Customer Feedback Procedure

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Statement of Intent

The Children's Services Department is committed to ensuring fair access to effective, quality services. Where our service does not meet expectation, our Service Users or their representatives are encouraged (and in many cases entitled by law) to bring this to our attention so that we can take appropriate action.

This Customer Feedback Procedure sets out the way in which we fulfil our responsibilities and all staff are required to ensure that it is followed.

Sue Harrison

Director of Children's Services

Children's Services – Customer Feedback Procedure

1. Introduction

The Children Act 1989 Representations Procedure (England) Regulations 2006 requires all Local Authorities to establish a representations and complaints procedure for children and young people.

The Children's Services want to hear what people think about our services. We welcome feedback about the care we offer, what we do well and how we can be more effective in sorting out problems. By listening to people's experiences our aim is to improve the service we provide to the people who use them and the staff working in them.

This document outlines how Children's Services listens to the feedback we receive, how we respond and what we do to improve our services.

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2. LISTENING

Our customers can provide feedback about the service they have received in various ways:

- Letter – The Customer Relations Team, Children's Services, Blackpool Council, PO Box 4, Blackpool, FY1 1NA
- Telephone – 01253 477700
- Visit – Any Children's' Social Care reception
- Feedback forms – Available from Children's Social Care receptions - [See Appendix 1 Feedback Form](#)
- Email – customerrelations@blackpool.gov.uk
- Online form – www.blackpool.gov.uk/socialcarecomplaints

We will ensure that our services are accessible equally to all sections of the community who may be in need of them and will not inadvertently discriminate against particular groups. Particular account will be taken of factors such as disability, age, gender, religion, race and sexual orientation.

If customers feel or appear to be at any disadvantage in being able to express themselves, Children's Services will offer them the help and support they need to have their concerns listened to and understood. This may include translation or interpretation services or referral to sources of local independent advocacy and advice (Please see **2.7 'What is an Advocate?'**)

2.1. Compliments

Children's Services want to hear from people when we get things right. This helps us to understand what services people value. When we know what is working for our customers, we can develop as well as share good practice. This ensures we can achieve our aim to continue to learn and improve. Compliments also help us recognise and reward our staff when they "go the extra mile".

Compliments can be sent to the Customer Relations Team by any of the methods outlined above. When they receive a compliment, the Customer Relations Team uses the information to feedback to senior managers so they are aware of what their staffs are achieving. Where appropriate, the Customer Relations Team write to the service user to thank them for their valuable feedback.

See [Appendix 1 – Feedback Form](#) or visit the [website](#)

2.2. Comments

We believe that listening to our customers' comments helps us to improve the way we do things. We welcome any suggestions about how we might do things differently or better and are committed to taking seriously any suggestions for service improvements.

Like compliments, comments should be sent to the Customer Relations Team who will ensure the information is dealt with as appropriate. See [Appendix 1 – Feedback Form](#) or visit the [website](#)

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2.3. Complaints

There will be occasions when customers feel they wish to challenge a decision or complain when they feel they have received a poor service.

It is appreciated that customers may find it difficult to talk about their views or concerns. However, Children's Services want all customers to be reassured that their views will be taken seriously and that there will be no repercussions when they raise concerns.

Sometimes the issues raised will be treated as complaints and handled within this procedure. On other occasions, it may be more appropriate to use a different way to resolve things. For example when someone is at a risk of harm, then the Children's Safeguarding Procedure will be used. The decision regarding how a complaint will be processed will be made by the Customer Relations Manager. See [Appendix 1 – Feedback Form](#) or visit the [website](#). Please also see [Appendices 2, 3 and 4](#) for statutory, non statutory and foster carer complaints

2.4. Who can complain?

Complaints may be made by a person who receives or has received services from Children's Services or any person affected or likely to be affected by the Council's actions, omissions or decisions.

The complaint may be about the following:

- Any service or lack of service provision
- A failure to consider all relevant information when coming to a decision
- Staff attitude
- Delay or failure to respond to a request for service or an inquiry
- Failure to provide a suitable standard or level of service

There may be other issues you wish to complain about. The Customer Relations Team Manager will be happy to discuss whether these can be considered under these procedures. [Please also see eligibility in appendices 2, 3 & 4 relating to statutory, non statutory and foster care complaints.](#)

A representative of a person may also make a complaint. The representative must be acting on behalf of a person who had a right to complain where this person:

- Is unable to complain themselves because of: a physical incapacity or a lack of capacity within the meaning of the Mental Capacity Act 2005; or
- Has requested the representative to act on their behalf (proof must be provided in this instance); or
- Parent/guardian/carer of the child or young person

The Council may refuse to deal with complaints made without permission from the person who is the subject of a complaint or if it is felt that the representative is not acting in the service user's best interest.

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2.5. When does this complaints procedure NOT apply?

There are occasions when it is **not** appropriate to use this procedure. Below are some examples:

- When the initial contact is a request for a service
- When the issue raised regards allegations of or possible Safeguarding items
- When the issue is about something other than a social care provision – the Corporate Complaints procedure may be more appropriate – customer.first@blackpool.gov.uk or Tel: 01253 477477
- When it is a school or academy complaint – responsibility falls to the school or academy to deal with the complaint <http://www.blackpool.gov.uk/Residents/Education-and-schools/Blackpool-schools/Blackpool-schools.aspx>
- When the complaint is over 12 months old – unless the Council feels there are exceptional circumstances
- When the complaint is made by another organisation
- When the complaint is made by an employee of Blackpool Council relating to employment issues
- When the Local Authority is taking or is proposing to take disciplinary proceedings against any persons
- When a complaint has already been considered under these procedures
- When the complainant has stated in writing to the local Authority that they are taking, or intend to take, proceedings in any Court or tribunal
- When matters are raised that are already being considered by the Courts or decisions have already been made by the Courts
- The Local Authority has been notified that any person is conducting an investigation in contemplation or criminal proceedings or
- The Local Authority has been notified that criminal proceedings are pending
- The Local Authority decides that consideration, or further consideration of complaint would prejudice the conduct of any proceedings or investigation
- If a criminal Police Investigation is invoked
- If a complaint has already been investigated by the Local Government Ombudsman (Please see **3.4 Unresolved Complaints and Complex Issues**)
- If a complaint has arisen out of the alleged failure to comply with a request for information under the Freedom of Information Act 2000. Referral should be made by the enquirer to the Information Commissioner - www.ico.org.uk Tel 0303 123 1113
- If a complaint has arisen out of the alleged failure to comply with a request for information under the Data Protection Act 1998.

Occasionally, complaints may be made when other procedures are underway, for example criminal investigations or court proceedings. The Customer Relations Manager has the discretion not to

Children's Services – Customer Feedback Procedure

commence, or to suspend, complaints investigations if to proceed would compromise another procedure. The complaint investigation may, if appropriate, start or resume once the concurrent investigation is discontinued or completed.

Where a Court case is underway – challenges should be made by way of legal representative, or by way of self representation within the Court arena. The Council cannot overrule the Court's decisions and must adhere to the Court's direction and final outcomes. The Council is not allowed to interfere or prejudice the Court's final decision in favour of any involved parties. Court supersedes the complaint process. Independent Legal advice should be sought. Challenges to the Court's decisions should be made to the Court itself.

If at the outset or during the progress of a complaint, it becomes clear that the Council's disciplinary procedures need to be initiated, the relevant Manager reviewing the complaint issues will meet with the Head of Service and Human Resources. Once disciplinary procedures are underway, the complaint process is superseded. The reviewing Manager will write to the complainant and advise why the complaint process is either suspended or completed and provide any pertinent outcomes that can be disclosed without infringing the Data Protection Act or the Human Rights of the member of staff.

Once the disciplinary process is completed, any other outstanding issues can then be addressed via the complaint process. The Data Protection Act must be adhered to at all times with regard to disciplinary information.

Human Resources must feedback to the Customer Relations Manager when the disciplinary has been completed to allow the complaint process to re-commence as required or if appropriate.

2.6. Complaints about domiciliary and residential care

Domiciliary care providers and residential homes all have their own complaints procedure. However, the Customer Relations Team can help service users raise concerns with these private organisations, even if Blackpool Children's Services has not commissioned the care on their behalf, as they may already have contracts with the same agencies and organisations and must ensure service delivery is to the required contractual standard.

The Customer Relations Team will ensure that complaints about private agencies are fully investigated and responded to. Additionally, the Customer Relations Team passes on any complaints about private care providers to the Contracts Team which has scheduled meetings with the Care Quality Commission (CQC). Services offered by these agencies are regularly reviewed by CQC.

The Contracts and Commissioning Department is made aware of all provider complaints and all outcomes are followed up and reviewed in line with contractual agreements. Review meetings are held which look at complaints, performance management and subsequent lessons learnt to ensure improved practice is achieved.

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2.7. What is an advocate?

Advocates are independent and impartial and use their own experience as ordinary citizens to speak or act on behalf of the person they are advocating for. They support service users to help them look at the issues and the options they have as well as access information on their behalf. Each advocate's role is to ensure that the person at the heart of the issue, is fully involved, included and has their rights fully respected.

If an adult complaining on behalf of a child wants an advocate to help them with a complaint against Blackpool Children's Services, they can contact:

Blackpool Advocacy
Myriad House
6a Skyways
Amy Johnson Way
Blackpool
FY4 2RP

Tel: 01253 405959

Email: admin@blackpooladvocacy.co.uk

When Children raise a complaint, Blackpool Council automatically offer an advocate via NYAS:

National Youth Advocacy Service (NYAS)
Egerton House
Tower Road
Birkenhead
Wirral
CH41 1FN

Tel: 0151 649 8700

Web: www.nyas.net

This allows the young person to have an independent person who will ensure their voice is heard by the Council. Some young people do not want an advocate but the offer is always made. On some occasions NYAS make the contact to the Customer Relations Team to lodge the complaint on behalf of the young person and complaint discussions have already taken place with the Advocate.

A useful reference guide to children's views on complaints and advocacy can be found at www.ofsted.gov.uk or www.rights4me.org.uk.

As reported by the Children's Rights Director for England, in the Ofsted report for Young people's views on complaints and advocacy, the consulted children said, 'the top two sorts of help from an advocate were making sure their complaint got dealt with properly, and saying what the child wanted them to say to people. The next two most common sorts of help were the advocate giving the child advice, and explaining things to the child.'

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2.8. How anonymous complaints are handled

Anonymous complaints are handled in the same way as all other complaints at stage 1; although it is not possible to provide a response to the complainant. The Customer Relations Manager will ensure any issues that arise from anonymous complaints are dealt with appropriately, with outcomes held in file as evidence of work undertaken.

2.9. Protecting the vulnerable

Some complaints received by the Customer Relations Team may make reference to safeguarding concerns for a young person or persons at risk of harm. A young person at risk of harm in this context is usually understood to have needs for care and support (whether or not the Authority is meeting any of those needs) and as a result of those needs is or may be unable to protect himself or herself against abuse or neglect or the risk of it. Abuse and Neglect in this context is given to mean a violation of an individual's human and civil rights by any other person or persons (No Secrets DH 2000).

Whilst the details of the complaint will be considered, the safety of the service user is paramount and takes precedence over any other procedures.

Any complaint alleging abuse/neglect/risk of harm, will be immediately referred to the Duty & Assessment Team (Tel: 01253 477299, email: duty.assessment@blackpool.gov.uk).

When the Child Protection procedures are instigated, the complaints process is superseded. The Customer Relations Manager will write to the complainant advising that once the child protection procedures are completed, any other outstanding items can be addressed via the complaint process.

Duty & Assessment must feedback to the Customer Relations Manager when the child protection procedure has been completed to allow the complaint process to re-commence as required.

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3. RESPONDING

Blackpool Council Children's Services are committed to handling complaints in a timely manner. It is recognised that a clear plan of how a complaint will be handled from the start often means the complaint will be resolved satisfactorily and appropriately.

3.1. What happens when a complaint is received?

All other complaints, however communicated, should be passed to the Customer Relations Team. The Customer Relations Team Manager will consider the seriousness of the complaint, and ensure the complaint is acknowledged no later than 3 working days from when the complaint is received, within the Council. This is a statutory requirement. The complaint can be acknowledged either verbally or in writing.

A member of the Customer Relations Team will provide an acknowledgement of receipt. In some instances, a senior manager of the service involved will be asked to contact the customer to acknowledge the complaint, especially if this means the complaint can be resolved quickly.

The complaint will be sent to the relevant Head of Service who will review the details and appoint an appropriate member of staff to look into/investigate the issues. They will report their findings back to the Head of Service and draft a reply for final amendment/approval by that Head of Service.

3.2. Meeting with the complainant

It will be the appointed manager's responsibility to contact the complainant to discuss the details of the complaint and offer a meeting if necessary or appropriate. The manager will make the person aware that they can request an advocate ([Please see 2.7. What is an advocate?](#)) to support them throughout the complaints process, including at this first meeting, further discussions and or subsequent contacts.

The meeting is an opportunity for the complainant to explain what they feel went wrong and what outcome they would like as a result of their complaint. The manager will discuss how long it will take to deal with the complaint and how they will proceed in dealing with the issues raised.

If the complainant does not wish to meet with the manager, then the manager will contact them by phone to discuss the details of their complaint.

Once the manager has met or spoken with the complainant, they will endeavour to resolve these issues as soon as possible. If the matter can be quickly resolved without further investigation and the complainant is happy with this, then no further action is required. The Manager will make accurate and appropriate notes which will be held on file as a permanent record. They will also advise the Customer Relations Team of the outcome details. However, good practice dictates a written response is made and held on file for future reference.

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3.3. Responding to complaints

When someone makes a complaint about a service, they have the right to a response which explains how their concerns have been resolved and what action has been taken. Every response will be different but may include any of the following where appropriate:

- An apology
- An explanation of what happened
- An explanation of how it will be ensured the problem does not occur again (lessons learnt)
- Action taken to put things right

The service manager who contacts or visits the complainant is responsible for drafting the final response for the Head of Service. When the Head of Service is satisfied all efforts have been made to resolve the issues as far as is practicable, they will sign off the response or instruct the appointed Manager to sign off the response. No response letter should be sent out without the approval of the Head of Service.

3.4. Unresolved complaints and complex issues

If the complainant is not satisfied with the response from the service manager then they may request a meeting to clarify and find a way forward to resolution. This may take the form of telephone discussion, meeting or meetings. The aim is to build and maintain open communication with all our service users. However, only when all communication is exhausted, will stages 2 or 3 be considered, dependent on regulatory instructions followed by referral to the Local Government Ombudsman. (See Appendices 2, 3 & 4)

The Local Government Ombudsman can be contacted in the following ways:

- Visiting: www.lgo.org.uk
- Calling: The LGO Intake Team on 0300 061 0614, the helpline is open from 8.30am to 5.00pm, Monday to Friday.
- Texting 'call back' to: 0762 480 4323
- Faxing: 024 7682 0001
- Online form: www.lgo.org.uk/making-a-complaint
- Writing to: The Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH.

3.5. Unreasonable and persistent complaints

In some cases, Children's Services may have to refuse to deal with complainants who become aggressive or unreasonably persistent. In such circumstances, the Customer Relations Manager will write to the complainant explaining why they are being considered as an unreasonable and persistent complainant. The letter will explain what options the complainant has if they have any further issues. This may include limiting the contact to only one means such as phone, placing a time limit on any contact or refusing to register repeated complaints about the same issue. Please see [Unreasonable and Persistent Complainant procedures](#)

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3.6. Timescales for handling complaints

All complaints will be acknowledged either verbally or by correspondence within 3 working days of receiving the complaint.

The majority of complaints will be responded to within 15 working days, although this can be extended in special circumstances, for example due to staff leave, statutory holidays, staff sickness, and complexities of the individual case. Each complaint is individual and considered on its own merits.

If the Council is unable to respond within the anticipated timescale, contact should be made advising why together with a new anticipated date of response. The appointed Manager should make the Customer Relations Team aware of these details. The Customer Relations Team will then arrange for contact with the complainant.

However, wherever possible response dates should be met and adhered to thereby reducing unnecessary delay for complainants. If the timescale has to be extended, it is recorded in the monitoring reports as failing to achieve the original timescale.

Meeting timescales helps to improve trust in the relationship with the complainant and/or the service user and shows that Children's Services are committed to responding to complaints in a timely and appropriate manner.

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4. IMPROVING

Listening to feedback about our services can uncover new ideas to help improve the way we do things. Children's Services are committed to understanding our customers and using our knowledge of customers to improve and develop our services. It is our aim to raise levels of customer satisfaction by:

- Handling problems effectively
- Providing a prompt service
- Having professional, competent staff who treat people fairly
- Being friendly, polite and sympathetic to individual needs

We want our customers to:

- Tell us what's working
- Help us identify potential service problems
- Help us identify risks and prevent them from getting worse
- Highlight opportunities for staff improvement
- Provide information needed to review our services and procedures effectively

4.1. What happens with the feedback received?

The Customer Relations Manager produces monthly reports which track complaints and highlight areas for improvement. These reports are escalated to senior management and the Director of Children's Services, who use this information to drive change and help improve services where appropriate.

Trends and themes are interrogated and Service Managers and Heads of Service are responsible for recognising lessons learnt and implementing such, along with improvements, training and new business processes where applicable.

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5. Helpful Contacts & References

Customer Relations Team

Tel: 01253 477700

Email: customerrelations@blackpool.gov.uk

Address: Customer Relations Team, Blackpool Council, PO Box 4, Blackpool, FY1 1NA

Website link: www.blackpool.gov.uk/socialcarecomplaints

Children's Duty & Assessment Team

Tel: 01253 477299

Email: duty.assessment@blackpool.gov.uk

Out of Hours Help:

Tel: 01253 477600

Children in Care Councils (CiCC)

Web: www.education.gov.uk/aboutdfe/statutory

National Youth Advocacy Service (NYAS) – See 2.7 - What is an Advocate

NSPCC – Child Line

Tel: 0800 111 111

Web: www.nspcc.org.uk

Looked After children and care leavers entitlements information sheet

<http://www.education.gov.uk/childrenandyoungpeople/families/chidrencare/a00208882/leavers>

Blackpool Council – Fostering in Blackpool web page

<http://www.blackpool.gov.uk/Residents/Health-and-social-care/Adoption-and-fostering/Fostering-in-Blackpool/Fostering-in-Blackpool.aspx>

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Citizens Advice Bureau

Add: 6-10 Whitegate Drive
Blackpool
Tel: 0870126 4090

Police

Tel: 01253 293933
Add: Police Headquarters, Bonny Street, Blackpool

Care Quality Commission (CQC)

Tel: 03000 616161
Add: National Customer Service Centre
Citygate
Gallowgate
Newcastle upon Tyne
NE1 4PA
Email: www.cqc.org.uk

Lancashire County Council Social Care

Tel: 0845 0530 009
Web: www.lancashire.gov.uk

NHS Blackpool Complaint Team

Tel: 01253 651200

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Appendix 1

Children's Social Care Feedback Sheets

Please visit the Council's Website to obtain copies of the feedback forms:

Website link: www.blackpool.gov.uk/socialcarecomplaints

Or you can contact Customer Relations Team to request a paper copy.

Tel: 01253 477700

Email: customerrelations@blackpool.gov.uk

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Appendix 2

What is a Statutory Complaint?

A statutory complaint means a complaint as defined by the Children Act 1989 Representations Procedure (England) Regulations 2006.

These regulations say they should consider complaints and representations made to it by:

- Any child who is being looked after by the authority, **or**
- who is not being looked after but is in need
- A parent of the child
- Any person who is not a parent of the child or young person but who has parental responsibility for them
- Any local authority foster parent (this does not include complaints from foster carers in their own right, a separate procedure exists - please see Appendix 4)
- Such other people as the authority consider has sufficient interest in the child's welfare.
- Any child who has been adopted, or is awaiting adoption
- Persons wishing to adopt a child

About:

- Local Authority Support for Children and Families
- Care and supervision orders
- Effect of a care order
- Parental contact etc with a child in care
- Child assessment orders
- Orders for the emergency protection of children
- Adoption services

Where there are cross boundary implications, a complaint should be considered by the authority with statutory responsibility for the case.

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Appendix 2.1

Stage 2 Process for Statutory Complaints

Consideration of moving to a Stage 2 complaint will be made by the Council, once the complainant has met with the relevant Senior Manager and explored all other avenues of resolution. The Council cannot always resolve a complaint to the satisfaction of the complainant and this may be due to Government Regulations or unreasonable expectations. All parties must be clear in their communication at all times and checking of understanding is paramount in order to try and reach a mutually agreeable outcome.

If the complaint is **Statutory**, about Social Care as defined by the Children Act 1989 Representations Procedures (England) regulations 2006, at Stage 2, there will be an external investigation. This can be a lengthy process whereby an external investigation and/or an Independent Person if appropriate, will be appointed to review the complaint, the Council's actions and any other mitigating background information.

The entrance of a statutory complaint at stage two will be considered appropriate if any of the following apply:

- the complaint has not, in the complainant's opinion been satisfactorily resolved at stage one or at the meeting with relevant Senior Management and all other options have been exhausted.
- the complainant requests that the complaint is dealt with initially at stage two and the Customer Relations Team agrees
- The complaint is regarded as serious. This will include:
 - complaints of a serious breakdown in the service
 - complaints that allege that Service Users may have been physically, sexually or emotionally harmed or neglected – Safeguarding may take precedence
 - or may be at risk of such harm whilst in receipt of services provided – safeguarding may take precedence .
 - complaints alleging possible unlawful conduct – disciplinary procedures may take precedence
- Any complaint at the discretion of the Assistant Chief Executive of Children's Services or the Customer Relations Manager.

The external Investigator and/or the Independent Person will meet with the complainant to clarify and discuss whether further action can be taken to resolve the matter at Stage 1.

If resolution cannot be reached at this point, the External Investigator and/or the Independent Person will interview all relevant people, consult with Council records, Government regulations and finally compile a draft report. This report will be produced within 28 working days commencing from the

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start of the request for a stage 2 meeting. If timescales cannot be met, for such reasons as leave, sickness, prior arrangements of the External Investigator and/or the Independent Person, the complainant will be informed and a new timescale agreed with all parties. However, all reports must be completed within a 3 month timescale.

The External Investigator and the Independent Person will be employed by the Council specifically to be independent. They will make their response based on their findings from interviews with relevant staff, the complainant, using Government Regulations and Guides and all records held relating to the case.

Once the draft report is produced it will be circulated to all staff involved in the complaint in order that they can comment on its factual accuracy and its contents. The Customer Relations Team will arrange a meeting with the External Investigator and/or, the Independent Person and the Director of Children's Services, to decide the content of the Department's formal response and actions taken based on the recommendations – if there are any. The Customer Relations Team will then dispatch a copy of the report to the complainant.

The Director of Children's Services will write to the complainant with the Department's response to the Reports recommendations. All replies will include reference to the fact that if dissatisfied, the complaint has a right to request a review panel (Stage 3) to be convened or approach the Local Government Ombudsman.

Any actions agreed by the Department as a result of the complaint will be recorded by the Customer Relations Team. The Director of Children's Services will assign the actions to staff. All actions will be reviewed 6 months from the date of the report by which time they must be implemented and evidenced.

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Appendix 2.2

Stage 3 Process for Statutory Complaint

Should the complainant remain dissatisfied with the findings of the External Investigator and/or Independent Person, along with the subsequent response from the Council, they can request in writing, a Stage 3 Panel Review, within 28 days of receiving the Council's response.

This panel will review the work of the External Investigator and/or Independent Person, **not** the complaint issues.

The Panel will consist of:

- An independent person who is not an employee of the Council and who has not been involved with the investigation of the complaint at stage 2. They will chair the meeting.
- Two local Councillors (not involved with the complaint or known to the complainant).

The process for Stage 3 will commence:

- Write to the complainant to confirm or reject their request for a review panel.
- The letter will also inform the complainant of their right to present information to the panel and their right to have a friend or Advocate present (as long as they are not a Solicitor acting in their professional capacity). At this point information regarding Advocacy will be provided, as will assistance to access the service if necessary.
- Arrange with democratic services for the panel to meet within twenty-eight days unless exceptional circumstances exist e.g. the absence of key officers or the complainant, or at the specified preference of the complainant.
- Prepare for presentation to the panel a report, together with the appropriate documentation. and arrange for the documentation to be sent to all those attending the panel, ideally ten days prior to the panel meeting.
- Appoint an Independent Chair for the panel
- Notify the complainant of the date, time and venue of the panel. The venue must be accessible to the complainant and membership of the panel should where possible reflect the culture etc of the complainant.
- Offer to meet with the complainant prior to the panel to discuss the process.
- Attend the hearing and advise the panel on procedural matters and the complaints procedure.

The panel will examine the previous responses to the complaint and determine whether or not to uphold the complaint, in whole or part and may make recommendations regarding appropriate action

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arising from its decision. A Committee Administrator of the Democratic Services Department will act as Clerk to the panel, keeping a record of the proceedings.

The Customer Relations Team will advise the panel on procedural matters. The clerk to the panel will ensure that within twenty-four hours, the panel will send a written record of the panel's decision to the complainant, the Customer Relations Manager and any other relevant party.

The Customer Relations Team will discuss the decision and recommendations of the panel with the Director of Children's Services in order to formulate a response to the complainant which will be sent within twenty-eight days of the panel's decision. The Complainant will then be advised of their right to contact the Local Government Ombudsman should they remain dissatisfied.

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Appendix 3

What is NOT a Statutory Complaint

The Department also receives complaints not defined by law; these are non-statutory complaints. The Department will respond to these complaints as matter of good customer care.

However, all non-statutory complaints appertaining to general **policies and procedures** of the Council will be responded to using the Corporate Complaints Procedure via the Customer First Centre (link here to their feedback forms - Contact tel 01253 477477).

All other non-statutory complaint issues received from a child or young person will be acknowledged by the Customer Relations Team and passed on to the appropriate Manager to deal with. Advocacy support will be offered automatically. These will be dealt with as good customer care.

Appendix 3.1

Stage 2 Process for Non-Statutory Complaints

The process is the same at Stage 1 of the procedure, but differs at Stage 2 and 3. A non-statutory complaint will **not** be investigated by external investigators, but by a senior manager. The Director of Children's Services will be kept fully informed of the progress of the Stage 2 meeting and will review and sign off the response letter to the complainant. If the complainant remains unhappy at this stage, they will be advised to approach the Local Government Ombudsman. *(Please see 3.4 unresolved complaints and complex issues)*

Children's Services – Customer Feedback Procedure

Appendix 4

Complaints for Foster Carers – Please see [Blackpool Council Foster Care web page](#)

Complaints from Foster Carers on behalf of a child/young person

At the start of any placement the appropriate child care Social Worker and the Foster Carer should ensure that the child/young person has been provided with a Looked After by Blackpool booklet containing the feedback form on how to make a complaint. The Foster Carer and the child care Social Worker should explain to the child/young person in an age appropriate way that they have a right to make a complaint and how they make a complaint.

Where a child is able to inform the Foster Carer that they wish to make a complaint, the Foster Carer should assist the child/young person by contacting the Customer Relations Team. The complaint will then be responded to as per the Social Care Complaints Procedure.

Once the Foster Carer has contacted the Customer Relations Manager they will continue to support the child/young person as part of the placement but will not act as an Advocate in relation to the complaint. As per the Social Services Complaints Procedure, an Advocate will be appointed for the child/young person to assist them with their complaint.

Where a child is unable to complain due to their age or disability but the Foster Carer believes that is in the child's best interests to make a complaint the carer should raise any concerns with their Social Worker's Manager who, together with the appropriate child care Social Worker (when necessary), will address those concerns within fifteen working days.

If the Foster Carer does not receive a response or is dissatisfied with the response then they should contact the Customer Relations Team who will ensure that the complaint is processed as per the Social Care Complaints Procedure for children and young people.

Children's Services – Customer Feedback Procedure

Appendix 4.1

Complaints from Foster Carers in their own right

Foster Carer's may wish to complain about issues, which relate to their own treatment such as the usual fostering limit, payment of fees, training etc.

Initially Foster carers need to raise any concerns with their Social Worker's Manager who, together with the appropriate child care Social Worker (when necessary), will address those concerns.

If the Foster Carer remains dissatisfied then they should contact the Customer Relations Team.

As per stage 1 of the Complaints Procedure, on receipt of the complaint the Customer Relations Team will acknowledge the complaint and pass the complaint to the Head of Service concerned. They will appoint a suitable Manager who will respond to the complaint within fifteen working days unless the case is complex or requires more time due to leave etc..

If the Foster Carer remains dissatisfied she/he should be advised to contact the Customer Relations Team. The Customer Relations Team will arrange a meeting via the Head of Service, with the relevant Social Worker Team and any other relevant Managers, in order to clarify the complaint and seek a resolution. The Foster Carer may choose to have a friend or representative present at the meeting.

Where a resolution is not achieved then the complaint will be processed as per stage two of the Social Care Complaints Procedure. This involves the Customer Relations Team appointing an External Investigator and/or an Independent Person, to investigate the complaint and producing a report within 28 days of the complaint being registered. The Customer Relations Team will then arrange to meet with the External Investigator and/or Independent Person and the Director of Children's Services, to decide the content of the Director's formal response and the action to be taken in light of any recommendations made. A copy of the response and the report will then be sent to the Foster Carer.

If dissatisfied, the Foster Carer can proceed to stage 3 of the Complaints Procedure - the Review Panel. The Review Panel consists of two Councillors and an Independent Chair, whose role is to review the Social Services response to the complaint.

If the Foster Carer remains dissatisfied he/she will have a right to approach the Local Government Ombudsman.

Where a Foster Carer suspects that any member of staff has committed a criminal offence or may be abusing a child looked after by the Foster Carer, they should immediately contact the Duty and Assessment Team tel: 01253 477299 or email duty.assessment@blackpool.gov.uk . They also have the option of contacting the Police.

Children's Services – Customer Feedback Procedure

Appendix 4.2

Foster Carer Complaints concerning approval and termination

Having considered the recommendation of the Fostering Panel, the Director of Children's Services will write to the applicant informing them of his/her decision not to approve them, or to the Foster Carer to terminate them.

This letter will include the reasons for the decision and will inform the applicant/Foster Carer that they can make representations within 28 days of the date of this letter by writing to the Director of Children's Services. On receipt of any representation the Head of Service will refer the case back to the Fostering Panel for further consideration. The Head of Service will then make a decision as to whether approval should be given or the decision to terminate should be confirmed, taking into account any fresh recommendations from the Fostering Panel.

The Head of Service will then write to the applicant as soon as possible, informing them of their decision and the reasons for making this decision.

Complaints concerning approval or termination of approval will not be responded to as per the complaints procedure unless the complaint is of the opinion that the correct procedure was not followed.

If the matter is investigated in line with the complaints procedure and the complaint is upheld, the only resolution that is available is a recommendation to the Head of Service that the matter is referred back for the correct procedure to be followed.

The decision of the Head of Service regarding an applicant's approval, or a Foster Carer's continued approval or termination **cannot** be challenged through the complaints procedure.

Appendix 4.3

Complaints about Foster Carers

Complaints about Foster Carers will be processed as per the Children Act 1989, under the Complaints Procedure or, where appropriate, as per the Procedures for the Protection of Children in Public Care. If the complaint is responded to as per the Complaints Procedure Foster Carers will have the same rights as staff, where appropriate.

Where a child makes a complaint, details of the complaint should be recorded as above and passed directly and without delay to the Customer Relations Team, with a copy to the Duty & Assessment Team Manager. The complaint will then be responded to as per the Complaints Procedure if this procedure is appropriate for the details provided.

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Appendix 5

Member of Parliament (MP) and Councillor (Cllr) Enquiries

The Customer Relations Team will also administer and facilitate the enquiries made by MPs together with enquiries made by Cllrs via Member Services, per the Member's protocol. The process will mirror stage 1 of the Children Social Care Complaints process but will be responded to wherever possible within 5 working days, as mandated by the Chief Executive. Care must be taken regarding consent being provided to divulge personal, private and/or sensitive information. Member Services will be copied into all replies for Cllr Enquiries.

Reports will be provided to the Director of Children's Services and Heads of Service regarding the amount of enquiries lodged together with timescales achieved.

Children's Services – Customer Feedback Procedure

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Name	Title	Date
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