

DRAFT

General Procedures



Adults Children and Education

Learning from customer feedback – comments, concerns, compliments & complaints.

LAST REVISION DATE:

This procedure was last revised in:

May 2010

SCOPE:

This procedure covers both Social Care and Housing representations, comments, compliments and complaints.

LEGISLATION:

Children (Leaving Care) Act 2000

Adoption and Children Act 2002

Health and Social Care (Community Health Standards) Act 2003

Care Standards Act 2000

Children Act 1989 Representations Procedure (England) Regulations 2006

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

The Local Authority Social Services and National Health Service Complaints (England) (Amendment) Regulations 2009

CUSTOMER INFORMATION:

Have Your Say - leaflet (Housing & Social Care Services)

Have Your Say - leaflet (Children and Young People)

Have Your Say - leaflet (for people with learning disabilities)

Complaints Review Panel - leaflet

How To Complain To The Local Government Ombudsman – leaflet

Have Your Say – Poster (Housing & Social Care Services)

Have Your Say – Comment Card (Housing & Social Care Services)

FURTHER ADVICE:

Complaint manager

Senior Complaints & Information Advisor

INFORMATION:

None.

PERFORMANCE STANDARDS:

Housing Complaints – All stages - full response within 10 working days

Children’s Social Care Complaints - Stage 1 - full response within 10 working days

Children’s Social Care Complaints - Stage 2 - full response within 25 Working days

Children’s Social Care Complaints - Stage 3 - to be convened within 30 working days of request, panels report to be sent to the complainant and Director within 5 working days of the panel meeting, The directors response to be sent within 15 working days of receipt of the report.

Adults – All complaints will be risk assessed and graded as green, amber or red. A response timescale will be agreed with the complainant.

MONITORING & EVALUATION:

Annual report on complaints to the social services committee, plus monthly reports to the director and assistant directors.

Housing complaints - quarterly performance reports to housing departmental management team

DISTRIBUTION:

Intranet

Approved By: _____ (Director of adults, children and education)

Date: _____



CITY OF YORK COUNCIL

Social Care Services

Staff Guidance

Learning from Customer Feedback -

Comments, Concerns, Compliments &

Complaints Procedure

May 2010

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INTRODUCTION

This guidance sets out the obligations under the legislation, which requires all local authorities and health authorities to set up a complaints and representation procedure.

This procedure aims to:

- Ensure that people have their concerns resolved swiftly and satisfactorily.
- Be a positive aid to inform and influence service improvements, not a negative process to apportion blame.
- Develop a listening, responding and improving culture.
- Give people the opportunity to tell the authority about both their good and bad experiences.
- Be clear and easy to use.
- Ensure that people are treated with dignity and respect and are not afraid to make a complaint and have their concerns treated seriously.
- Ensure a fair process and adequate support for everyone involved in the complaint.
- Ensure that any concerns about the protection of vulnerable adults or children are referred immediately to the relevant team or the Police.
- Ensure that the people receive a comprehensive response to all concerns in a way and timescale that they are happy with, without having to use the word complaint.
- Enable the local authority when purchasing services in the independent sector to exercise its continuing duty of care.
- Secure sensible and effective links with other procedures.
- Safeguard the customers right of access to other means of redress, such as the Local Government Ombudsman (LGO).
- Ensure that the local authority monitors its performance in handling complaints and customer feedback, delivers what it has promised, learns from feedback provided by customers and uses the learning to improve services.

The procedure strives for greater empowerment of our customers to shape services and their own care, and reflects the council's aim to work in partnership with users and their carers.

If you wish to make any comments on the contents, please contact Cath Murray (complaint manager on ext 4080).

What is a complaint?

A complaint is an expression of dissatisfaction or disquiet about the actions, decisions, or apparent failings of a local authority's adult social services provision which requires a response.

An expression of dissatisfaction does not have to be logged with the complaints team when it is the first time the person has made staff aware of the problems and these can be resolved by the next working day. Where staff cannot resolve dissatisfaction within the timescale, or the person remains dissatisfied, the complaints team should be made aware as soon as possible.

All written complaints, received either by letter or on the freepost complaints form should be sent to the complaints team. However complaints can also be made verbally by phone or in person and staff should advise the person how to contact the complaints

team to make a complaint and offer to contact the complaints team on the persons behalf if the concern has not been resolved immediately or the person remains dissatisfied.

All complaints should be treated seriously and customers should be made aware of the complaint manager's role and their rights under the complaints procedure. You can do this by giving the customer a copy of the leaflet "Have Your Say" which includes a freepost form.

What is a concern?

A concern has the same definition as a complaint, but enables people who are uncomfortable with or do not want to use the term complaint to express their concerns to the authority and have them responded to. The aim is to ensure that the council can monitor the quality of service provision and learn lessons from negative feedback, where the customer does not want to make a complaint.

What is a Comment?

A comment is when a customer, or a member of the public wants to draw an issue to the attention of adult social services, or has an idea for improving services.

What is a Compliment?

A compliment is a positive comment or expression of thanks from a customer or someone representing a customer about the services they have received.

In addition to positive comments and expressions of thanks, on occasions staff may receive a commendation for work over and above their normal duties. For example this may be when a member of staff undertakes a piece of work which would not normally be within their scale, to resolve a problem quickly, or to support colleagues when a team is short staffed or has a heavy work load. This will not normally be for additional work, where the member of staff will receive money for additional duties.

Time limit for making a complaint

Local authorities need not consider complaints made more than 1 year after the date of the event which led to the complaint. However the decision not to accept complaints made after this time scale has elapsed, will be made on a case by case basis by the Complaint manager in consultation with other managers. The decision making process will take into account whether the complaint can still be investigated effectively and fairly, whether there can still be benefit to the complainant and whether there were genuine issues which prevented the complaint being made earlier.

If a decision is made not to investigate, the complaint manager will write to the complainant to advise them that their complaint cannot be considered, the reasons why they have reached this conclusion and of their right to contact the LGO.

Advocacy and support

Where appropriate the complaint manager will facilitate independent and confidential advocacy, provide advice and information regarding support available locally and make reasonable provision to support people who may be vulnerable or who may have

difficulties with communication. Advocacy will always be offered to children and young people making a complaint.

Disputed Decisions

In some circumstances, a decision may become the subject of a complaint. Following clarification, the complaint manager may recommend that the service postpones or “freezes” the implementation of a decision until the complaint has been investigated. This will be following discussion with relevant managers and a risk assessment will also be completed. Decisions will usually be made in favour of postponing the decision unless this will have a significant detrimental effect on the physical or mental well being of the individual. Where there are opposing views regarding postponing a decision, advice will be sought from the director and his/her decision will be final.

Regulated Services

Where a complaint is received about a service provider, the complaint manager will normally direct it in the first instance to that provider to respond to. However where the council completed the assessment that led to a placement and associated funding the complainant will have recourse to the council’s complaints procedure. This will not be the case for people who have made private arrangements and are self funding. However from the 1st October 2010 people who are self funding private care will be able to take their complaint to the local government ombudsman.

The council will have the responsibility for investigating complaints about social care functions and obligations and the care quality commission will be responsible for investigating complaints about compliance with regulations and national minimum standards.

Where the complaint manager receives complaints about services provided under the Care Standards Act 2001, they will liaise with the complainant to clarify whether they want the complaint to be passed on to the appropriate registered person. If the complainant is happy for details to be passed on the complaint manager will also forward relevant details to the care management team and the commissioning and contracting team.

The complainant can make a complaint about social services functions and regulations and standards and the investigations can be conducted at the same time. The complaint manager will liaise with relevant people and agencies to ensure that a seamless response to all parts of the complaint is provided.

Compliments and Commendations

It will be important for members of staff and team managers to ensure that the complaint manager is sent a copy of all compliments and commendations so that these can be recorded and reported appropriately.

The complaint manager will decide whether a compliment is a thank you or a commendation in consultation with the appropriate director.

Compliments

Compliments will usually be thank you cards or letters for a team, or one or more individuals within a team. Everyone who is thanked within the card or letter should be made aware that they have received a thank you by the team manager and the card or letter then forwarded to the complaint manager as soon as possible.

A record of this will be made and the number of thank you cards or letters received will be reported on in a public annual report, which is presented to councillors and made available to the director and assistant director.

It will be the responsibility of the team manager to decide whether it is appropriate to acknowledge receipt of the thank you to the person who sent it.

Commendations

Commendations are compliments awarded to staff for work above and beyond their usual duties and responsibilities. This may come to the attention of the council through a letter or comment from a customer or member of the public, or may be brought to the attention of a senior manager through a team leader or line manager.

A commendation for example may be achieved by a member of staff completing a piece of work which would not normally be within their scale. This may be to resolve a problem quickly, or to support colleagues when a team is short staffed or has a heavy work load. This will not normally be for additional work that has been taken on where the member of staff has received additional money for this.

Commendations should be brought to the attention of the complaint manager as soon as possible and where there is any doubt about whether this should be logged as a commendation or thank you the complaint manager will discuss this with the appropriate director.

Where it is agreed that a commendation for a member of staff is appropriate. The director will, where appropriate, write to the customer or member of public and thank them for bringing this to their attention and will write to the member of staff thanking them for their work.

The complaints team will:

- Make a record of the commendation including copies of letters from the Director.
- Send a note about the commendation and copies of letters from the director to human resources to be kept on the member of staff's personal file.
- Include numbers of commendations and relevant details about them in the public annual report.

Adult Social Care Complaints

Who Can Complain?

A person is eligible to make a complaint where:

- The local authority has a power or duty to provide or secure the provision of a social service for him/her and
- His/her need for such a service has (by whatever means) come to the attention of the Authority.

This definition also applies to a person acting on behalf of someone who meets the above requirements.

A complaint can be made by a representative where the complaint manager receives permission from the eligible person, usually in writing, giving their permission for the representative to make the complaint on their behalf.

A representative will also be able to make a complaint where the eligible person is not capable of making the complaint themselves, this includes when they have died.

The complaint manager will decide if a person is suitable to act as a representative, if it is decided they are not acting in the eligible person's best interests the complaint manager will inform them in writing that we will not accept the complaint under the terms of the Act and the reasons for this.

If a person is not eligible to make a complaint under the terms of the Act, they will always be able to have their complaint looked at under the council's corporate complaints procedure.

What may be complained 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 the complaints procedure.
- 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.
- Services provided under joint working arrangements with third party providers, or where a person's assessed needs are met by another agency. Such arrangements do not absolve the authority from their duty of care.
- The quality or accuracy of information or report provided to courts by a social worker.

This list is not exhaustive and the complaint manager will seek legal advice where necessary.

Assessment Tool

The department of health designed the following tool for complaints teams to assess the seriousness of complaints and decide the relevant action:

Step 1: Decide how serious the issue is

Seriousness	Description
Low	Unsatisfactory service or experience not directly related to care. No impact or risk to provision of care. OR Unsatisfactory service or experience related to care, usually a single resolvable issue. Minimal impact and relative minimal risk to the provision of care or the service. No real risk of litigation.
Medium	Service or experience below reasonable expectations in several ways, but not causing lasting problems. Has potential to impact on service provision. Some potential for litigation.
High	Significant issues regarding standards, quality of care and safeguarding of or denial of rights. Complaints with clear quality assurance or risk management issues that may cause lasting problems for the organisation, and so require investigation. Possibility of litigation and adverse local publicity. OR Serious issues that may cause long-term damage, such as grossly substandard care, professional misconduct or death. Will require immediate and in-depth investigation. May involve serious safety issues. A high probability of litigation and strong possibility of adverse national publicity.

Step 2: Decide how likely the issue is to recur

Likelihood	Description
Rare	Isolated or 'one off' – slight or vague connection to service provision.
Unlikely	Rare – unusual but may have happened before.
Possible	Happens from time to time – not frequently or regularly.
Likely	Will probably occur several times a year.
Almost certain	Recurring and frequent, predictable.

Step 3: Categorise the risk

Seriousness	Likelihood of recurrence				
	Rare	Unlikely	Possible	Likely	Almost Certain
Low	Low				
		Moderate			
Medium					
			High		
High				Extreme	

Grading Complaints

The complaints team then grades the complaints as:

Low	= Green	Can be resolved locally
Medium	= Amber	Needs a response from the Director

High = Red Needs a response from the Director

Complainants are contacted by the complaints team to design a complaints plan and agree an appropriate response timescale. Following the response a complainant can ask the LGO to investigate if they remain dissatisfied.

When a complaint is received the complaint team will:

1. Contact the customer to clarify their complaint, the outcomes wanted and agree how the complaint will be dealt with and the timescale for response. This will include confirming any support needed to make the complaint.
2. Acknowledge the complaint in writing within 3 working days and confirm how the complaint will be dealt with and the timescales for this. The customer will be asked to sign and return confirmation of the arrangements.

Green Complaints

1. Send copies of any correspondence, the complaint, a service improvement action plan and a memo to the responding manager explaining:
 - The agreed plan for dealing with the complaint and the timescale for the final response. It is expected that 95% of green level complaints will be responded to within 10 working days.
 - The need to send a copy of any correspondence or an email confirming the outcome and actions taken to the Complaint manager.
 - That in the event of delay, the responding manager must keep the complainant and the complaints team up to date on progress made and reasons for the delay and the date that a final response will be made.
2. Send a reminder to the responding manager to advise them that their response is due.
3. Close the complaint when a copy of the correspondence or email confirming the outcome and actions to be taken is received.
4. Send a satisfaction questionnaire and follow-up letter to the complainant after the response deadline has elapsed advising them to contact the complaints team if they remain dissatisfied and of their right to contact the LGO.
5. Record the time taken to resolve the complaint from the date the complaint was received to the date of the final response.
6. Remind the manager to return the Action Plan for Service Improvements.
7. Record when action has been taken.

Amber and Red Complaints

1. Appoint an appropriate investigating officer. The complaint manager will make a decision about whether this needs to be a manager who has no line management responsibility for the service being complained about, or someone external to the council.
2. Consider appointing an independent person to oversee the investigation process where the complaint is complex or the complainant is vulnerable.
3. Send copies of any correspondence, the complaint, the guidelines for investigating complaints and a the template for the report to the investigating officer explaining:
 - The agreed plan for dealing with the complaint and the timescale for returning the draft report for the Director's attention. It is expected that 95% of amber and red level complaints will be responded to within 25 working days.
 - The need to send a draft copy of their report to the complaint manager.
 - That in the event of delay, the investigating manager must keep the complainant and the complaints team up to date on progress made and reasons for the delay and the date that a final response will be made.
4. Send a reminder to the investigating manager to advise them that their report is due.
5. Liaise with the investigating officer to ensure the report is in an appropriate format and provides a thorough and logical response to each point of complaint.
6. Send a copy of the completed investigation report to the director and advise them of the timescale for sending their final response and ensure that any issues that need clarification are dealt with and the report is amended where appropriate.
7. Support the director in preparing a final written response and close the complaint when a copy of the response is sent.
8. Ensure that the appropriate managers are aware of the response to the complaint and any actions which are to be taken.
9. Send a satisfaction questionnaire and follow-up letter to the complainant confirming that a final response has been sent and advising that they can contact the complaints team if we can be of further help and of their right to contact the LGO
10. Record the time taken to resolve the complaint from the date of receipt to the date of the final response.
11. Remind managers about any actions which need to be taken and record on the file when information is received about any action which has been completed.

On very rare occasions the Investigating officer's report may be withheld, if it is felt that showing it to the customer would be harmful. The decision to withhold a report will be made jointly by the complaint manager and the director in consultation with the

Investigating officer and where appropriate independent person. In this situation a risk assessment will be completed and held on the file. Consideration must be given to whether it would be possible to provide the report if it were written in a different way, or if additional support could be provided, or whether it is feasible to only withhold part of the report. Careful consideration will also need to be given to how this will be dealt with if the complaint progresses to the LGO.

There will also be occasions when the investigation report needs to contain a confidential annex for the attention of the director and not to be sent to the complainant. This will be where the investigation uncovers information about service delivery which may involve additional issues or customers.

Children & Young People's Social Care Services

Who can complain?

Section 26(3) and 24D of the Children Act 1989 and section 3(1) of the Adoption and Children Act 2002 require the responsible authority to consider representations including complaints made to it by:

- Any child or young person (or a parent, or someone who has parental responsibility) 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 (including those caring for children placed through independent fostering agencies).
- Children leaving care
- Special Guardians
- A child or young person (or parent) to whom a Special Guardian order is in place.
- Any person who has applied for an assessment under section 14F(3) or (4).
- 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 and such other person as the local authority consider has sufficient interest in the child or young person's welfare to warrant their representations being considered by them.

Where a complaint is received from a representative on behalf of a child or young person, the local authority will, where possible, confirm that the child or young person is happy for this to happen and that the complaint received reflects their views.

The complaint manager in consultation with relevant operational managers will decide whether the person is suitable to act in this capacity and has sufficient interest in the child's welfare. If it is decided that a person is not suitable to act as a representative for a child, they will be informed of the decision in writing by the complaint manager and that no further action will be taken.

Complaints may also be made by adults relating to a child or young person, but are not being made on their behalf. The complaint manager in consultation with operational managers will decide whether the person has sufficient interest in the child's welfare for

the complaint to be considered. The child may also be consulted as part of the decision making process.

Anonymous complaints must be referred to the complaint manager and be recorded in the same way as other complaints. These complaints will fall outside of the scope of statutory procedure, however the complaint manager in consultation with other managers will decide how they should be dealt with. This may include investigating the complaint and considering areas for service improvement.

Where the complaint relates to 2 or more authorities, it will usually be considered by the authority looking after the child or in other cases the authority where the child was originally resident.

City of York Council staff will co-operate with other authorities in the investigation of complaints as defined by section 27 of the Children Act 1989.

What may be complained about?

Section 26(3) of the Children Act 1989 provides that all functions of the local authority under Part 3 of the Act may be the subject of a complaint. This may include:

- 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 the complaints procedure.
- Quantity, frequency, change or cost of a service.
- Attitude or behaviour of staff.
- Application of eligibility and assessment criteria.
- The impact on a child or young person of the application of a local authority policy.
- Assessment, care management and review.
- Services provided under joint working arrangements with third party providers, or where a person's assessed needs are met by another agency. Such arrangements do not absolve the authority from their duty of care.
- The quality or accuracy of information or report provided to courts by a social worker.

In addition the following functions may be the subject of a complaint:

Part 4 of the Children Act 1989

- The decision by a local authority to initiate care and supervision orders.
- The effect of the care order and the local authority's actions and decisions where a care order is made.
- Control of parental contact with children in care
- How supervisors perform their duties where a supervision order is in force.

Part 5 of the Children Act 1989

- Matters that do not relate to court and which are specifically actions of the local authority can be considered, regarding applications for and duties in relation to child assessment orders.
- Matters relating to applications for emergency protection orders and decisions relating to the return of children who have been removed.

- The quality or accuracy of information or report provided to courts by a social worker.

Adoption Services

- Provision of adoption support services (as prescribed in regulation 3 of the Adoption Support Services Regulations 2005) insofar as these enable adoptive children to discuss matters relating to adoption.
- Assessments and related decisions for adoption support services as prescribed in regulation 3 of the Adoption Support Services Regulations 2005 (Part 4 and 5 of the regulation 3 of the Adoption Support Services Regulations 2005).
- Placing children for adoption, including parental responsibility and contact issues (sections 18 to 29 of the 2002 Act).
- Removal of children who are or may be placed by adoption agencies (sections 30 to 35 of the 2002 Act).
- Removal of children in non-agency cases (sections 36 to 40 of the 2002 Act)
- Duties on receipt of a notice of intention to adopt (section 44 of the 2002 Act).
- Duties set out in regulations in aspects of:
 - A local authority considering adoption for a child (Part 3 of Adoption Agency Regulations 2005).
 - A proposed placement of a child with prospective adopters (Part 5 of Adoption Agency Regulations 2005).
 - Placement and reviews (Part 6 of Adoption Agency Regulations 2005).
 - Records (Part 7 of Adoption Agency Regulations 2005).
 - Contact (Part 8 of Adoption Agency Regulations 2005).
- Parental responsibility prior to adoption abroad (part 3 of Adoptions with a Foreign Element Regulations 2005).

Special Guardian Support Services

- Financial support for Special Guardians.
- Support groups for children and young people to enable them to discuss matters relating to special Guardianship.
- Assistance in relation to contact.
- Therapeutic services for children and young people.
- Assistance to ensure the continuation of the relationship between the child or young person and their Special Guardian or prospective Special Guardian.

This list is not exhaustive and the Complaint manager will seek legal advice where necessary.

The complaint manager in consultation with other managers will decide whether the consideration of a complaint may prejudice any concurrent court proceedings, tribunals, disciplinary proceedings or criminal proceedings.

Where it is decided not to proceed with the investigation of a complaint to avoid prejudicing other proceedings the complaint manager will write to the complainant and the reason for their decision and specify the concurrent investigation. When this investigation has been completed the complainant may re-submit their complaint within one year of the conclusion of the concurrent investigation.

The Procedure

Stage	Action	Timescale
1	Problem Solving - attempt by the first line manager to resolve the complaint without a formal investigation.	Full response within 10 working days. Can be extended to 20 working days in exceptional circumstances with the customers agreement
2	Formal Investigation - if the customer is not happy with the response at stage 1, or the response was not in time, they can request a formal investigation. This will be investigated by a senior manager who has no management responsibility for the service being complained about, or a person independent of the council. An independent person will be asked to oversee the investigation. The reports will be reviewed by the assistant director who will then send the complainant their written response.	Full response within 25 working days. Can be extended to 65 working days in exceptional circumstances.
3	If the customer is dissatisfied with the outcome of a Stage 2 investigation, a request can be made within 20 days for the complaint be considered by a complaints review panel.	Panel to be held within 30 days of the customer's request. The Panel will send a copy of their report to the director and complainant within 5 working days of the panel meeting. The director will then write to the customer within 15 working days of receiving the panel's report.
	The customer can also contact the LGO after the council's procedure has been exhausted.	

Stage 1 complaints

Stage 1 complaints can be made in writing, by phone, or in person. Where Stage 1 complaints are received the aim is to deal with these quickly and informally by problem solving. However where the complaint manager and complainant agree that it would not be appropriate to consider the complaint at stage 1 they can move this immediately to a stage 3 investigation.

On receipt of a stage 1 complaint the complaint manager will:

1. Acknowledge the complaint in writing within 3 working days and if necessary contact the complainant to clarify their concerns, ensure they understand the procedure and assess whether any support is needed to make the complaint.
2. Inform the customer in writing who will investigate the complaint and the timescales for this.
3. Send copies of any correspondence, the complaint, an action plan for service improvement and a memo to the responding manager explaining:

- The 10 working day timescale within which the customer should receive a final response and the date when this expires. (In exceptional circumstances and with the agreement of the complainant, this can be extended to 20 working days).
 - To respond directly to the complainant and to send a copy of any correspondence or an email confirming the outcome and actions taken to the complaint manager.
 - That in the event of delay, the responding manager must keep the complainant and the complaints team up to date on progress made and reasons for the delay and the date that a final response is likely to be made.
4. Send a reminder to the responding manager to advise them that their response is due.
 5. Close the complaint when a copy of the correspondence or email confirming the outcome and actions taken is received.
 6. Send a satisfaction questionnaire and a follow-up letter to the complainant after they have received their response advising them to contact the complaints team if they remain dissatisfied.
 7. Record the time taken to resolve the complaint from the date the complaint was received to the date of the final response.
 8. Remind the manager to return the action plan for service improvements.
 9. Liaise with the quality assurance team to ensure these plans are implemented.

Stage 2 Complaints- The Formal Investigation Stage

If a complainant wishes to pursue a matter that cannot be resolved at stage 1, or they have not received their stage 1 response in time, they can request a stage 2 investigation. Although the investigation process is formalised at this stage, it is still important to continue problem solving.

Where a customer requests a stage 2 investigation the complaint manager will:

1. Liaise with the assistant director and appoint an appropriate investigating officer who has no line management responsibility for the service being complained about.
2. Appoint an independent person to over see the investigation process.
3. Acknowledge the request in writing within 3 working days.
4. Inform the customer in writing how their complaint will be dealt with including the name of the investigating officer, independent person and assistant director providing the response and the timescale for this.
5. Inform the assistant director on completion of the stage 2 investigation who will then:
 - Meet with the investigating officer, complaint manager and where appropriate the independent person to clarify any issues within their reports and discuss the most

appropriate way to provide feedback to the customer. This can be done by a telephone conversation with the investigating officer and independent person if appropriate.

- Send their response with a copy of the investigating officer and independent persons reports within 25 working days from the date the complaint was received, explaining whether they agree with the reports and recommendations and explaining what action they will take and the timescales for completing this.
 - Send a copy of this letter to the complaint manager for the complaint file.
 - Consider meeting with, or making a telephone call to the complainant to explain their response.
 - Complete and return the action plan for service improvement.
6. Advise the investigating officer that if there is a delay they must keep the complainant and complaints team up to date regarding the progress made and give reasons for the delay and the date that the investigation reports will be completed. (In exceptional circumstances the timescale may be extended to 65 working days).
 7. Close the complaint when a copy of the response is received.
 8. Send a satisfaction questionnaire and a follow-up letter confirming that a final response has been sent to the customer and advising the complainant to contact the complaints team within 20 working days if they feel that the complaint has not been dealt with satisfactorily.
 9. Record the time taken to resolve the complaint from the date the stage 2 request was received to the date of the final response.
 10. Remind the manager to return the action plan for service improvements.
 11. Liaise with the quality assurance team to ensure these plans are implemented.

On very rare occasions the investigating officer's report may be withheld, if it is felt that showing it to the customer would be harmful. The decision to withhold a report will be made jointly by the complaint manager and the director in consultation with the investigating officer and where appropriate independent person. In this situation a risk assessment will be completed and held on the file. Consideration must be given to whether it would be possible to provide the report if it were written in a different way, or if additional support could be provided, or whether it is feasible to only withhold part of the report. Careful consideration will also need to be given to how this will be dealt with if the complaint progresses to a review panel or the LGO.

There will also be occasions when the investigation report needs to contain a confidential annex for the attention of the Director and not to be sent to the complainant. This will be where the investigation uncovers information about service delivery which may involve additional issues or other customers information.

Stage 3 Complaints- Complaints review Panel

If a complainant remains dissatisfied they can request that their complaint is considered by a review panel within 20 days of receiving their stage 2 response.

The complaints team will:

1. Acknowledge the request in writing within 3 working days.
2. Appoint the chair of the panel and confirm with them the attendees and content for the panel papers within 10 working days.
3. Arrange in consultation with the chair the appointment of the remaining panellists.
4. Arrange the date and venue for the panel to be held within 30 working days of the request being received.
5. Circulate the panel papers to all attendees 10 working days before the meeting is to be held.
6. Make a clerk available to take notes of the meeting.
7. The complaint manager will attend the panel meeting to advise on policy and procedure and the response times for the panel.
8. Contact the director of adult, children and education to advise them that their response is due within 15 working days from the date the panel's letter was received and to complete and return the action plan for service improvement.
9. Close the complaint when a copy of the response is received.
10. Send a satisfaction questionnaire and a follow-up letter confirming that a final response has been sent advising the complainant that they should now contact the LGO if they feel that the complaint has not been dealt with satisfactorily.
11. Record the time taken to resolve the complaint from the date the stage 3 request was received to the date of the final response.
12. Remind the manager to return the action plan for service improvements.
13. Liaise with the quality assurance team to ensure these plans are implemented.

Early Referral to The Local Government Ombudsman

Following the outcome of the adjudication process, if the complainant remains dissatisfied the complaint manager may refer them to the LGO without organising a stage 3 review panel. This will be for cases where it is considered that the council has had sufficient opportunity to consider the complaint itself and the process of a review panel would not result in a significantly different outcome.

The complaint manager can only consider this option at the conclusion of the adjudication process and the following safeguards must also be in place:

- All the parts, or significant parts of the complaint must have been upheld.
- The council has provided a clear action plan for service delivery and improvement.
- The council has agreed to meet all or the majority of the desired outcomes.
- The complainant agrees with this option.

Where this is the case, the complaint manager and complainant will agree a written statement of the complaint for release to the LGO. This will include the investigation and adjudication and the independent person's report where appropriate. The LGO will then consider the complaint and the council's actions and may at that point request the council to implement a stage 3 review panel.

Roles and Responsibilities

Investigating officer

To consider the complaint with the independent person where one has been appointed by:-

- Taking a lead in the investigation.
- Ensuring that the written record of the complaint is clear and accurately represents the complainants concerns and desired outcomes.
- Conducting interviews sensitively and thoroughly and ensuring that the information gained from these is recorded accurately.
- Conducting a thorough review of records held by the local authority and other agencies as appropriate.
- Reading and analysing relevant policies, procedures, good practice guidelines and legislation and where appropriate comparing this to practice in other authorities.
- Effectively communicating with the complainant, complaint manager and where appointed the advocate and independent person on the progress of the investigation and advising of any delays to this.
- Identifying solutions and recommend actions to resolve problems.
- Preparing an accurate and clear report of the investigation process, its findings and recommendations using language appropriate to the needs of the complainant. This will need to take account of the complainant's age, any disabilities or language barriers.
- Liaising with the adjudicating officer, complaint manager and where appointed independent person to clarify any points arising from the investigation report.

- Meeting with the complainant, and where appointed the advocate and independent person to explain the findings of the investigation and clarify any points arising from the investigation report.
- Working to tight timescales.

Independent Person

The independent person will not be an elected member, an employee of the local authority or a spouse or partner of an employee or elected member of the local authority. They can be a former employee or elected member, but a minimum of 3 years must have elapsed before this will be acceptable.

They will ensure the investigation process is open, transparent and fair by:

- Attending all interviews and meetings with the investigating officer.
- Reading the same records, policies, procedures and other documentation as the investigating officer.
- Liaising with the adjudicating officer, complaint manager and independent person to clarify any points arising from the investigation reports.
- Preparing an accurate and clear report of the investigation process, its findings and recommendations commenting on their view of the findings and recommendations, whether they are logical, fair and appropriate. Explaining where necessary the reasons they consider an investigation to be unfair or incomplete, using language appropriate to the needs of the complainant. This will need to take account of the complainant's age, any disabilities or language barriers.

Advocates

To provide independent, confidential information, advice, representation and support to the complainant by:

- Empowering and supporting the complainant to express their views, wishes and feelings, or with the complainant's permission speak on their behalf.
- To attend meetings and interviews with or on behalf of the complainant.
- Work in partnership with the complainant to seek the resolution of their problems and concerns.
- Support the person to pursue their complaint through every stage of the procedure and provide them with information about their rights and the options available.
- Help them clarify their complaint and the outcomes they would like.
- Help them understand the response to the complaint and the action which will be taken.

Further detailed guidance can be found in *Getting it Sorted: Providing Effective Advocacy Services For Children and Young People making a Complaint under the Children Act 1989*. Department for Education and Skills 2004.

Adjudicating Officers

This role will be fulfilled by a manager with sufficient seniority to make strategic decisions regarding service delivery and will therefore usually be the assistant director.

- The purpose of this role is to consider the points of the complaint the Investigating officer and where appointed independent person's findings, conclusions and recommendations and the complainants desired outcomes.

They should

- Liaise with the investigating officer, complaint manager and where appointed independent person to clarify any points arising from the investigation reports.
- Invite the complainant to a meeting either before or after writing their response to the complaint.
- Write to the complainant to explain the council's formal response to the complaint using language appropriate to the needs of the complainant. This will need to take account of the complainants age, any disabilities or language barriers and will include:
 - Their view on whether the investigation has been thorough and complete.
 - Their position on the findings of each point of the complaint.
 - Any action to be taken and the timescales for this.
 - Confirmation of the complainants right to request the complaint be considered at stage 3 within 20 working days
 - A reminder the complainant of their right to contact the LGO
 - The report from the investigating officer and where appointed independent person.
 - Circulation of the reports and response to staff as appropriate.

The adjudicating officer should also attend the complaints review panel if this becomes necessary. On rare occasions they may delegate the task of representing the council in the review panel to another member of staff with sufficient seniority to represent the council in this way. This is only acceptable if all the findings of the investigating officer where agreed with and they must still attend if requested by the chair of the panel.

The authority's representative should:

- Provide information to the panel to support the authority's position.
- Consider whether any other member of staff should attend to address specific issues and request their attendance through the chair.

- Keep staff involved in the complaint, but not attending the panel, informed of the proceedings.
- Act on any recommendations from the panel which the director has agreed to.

Complaint Manager

Managing the complaints procedure by:

- Overseeing receipt and investigation of complaints.
- Appointing investigating officers and independent people and review panellists as appropriate.
- Ensuring that there is no conflict of interest.
- Promoting local resolution.
- Making recommendations for action following an investigation.
- Maintaining records of complaints made, themes, outcomes and service improvements.
- Monitoring and reporting on timescales, themes and service improvement.
- Compiling an annual report on numbers of complaints, thank yous and commendations made, themes, outcomes, service improvements, compliance with timescales, details of advocacy provided, effectiveness of the delivery of the complaints procedure and statistical information on age, gender, disability, sexual orientation and ethnicity of complainants.
- Commissioning training for investigating officers, independent people and review panellists and providing appropriate support to them.
- Providing appropriate training and support to staff.
- Providing and ensuring that appropriate advice information and support is available to customers.
- Ensuring that information about the procedure is available and accessible.
- Liaising with the quality assurance teams to ensure service improvements are implemented.
- Ensuring that independent people, investigators and review panellists are CRB checked and have appropriate references and codes of conduct are in place.
- Completing and overseeing investigations for stage 3 housing complaints.
- Attending and advising on policy and procedure issues at review panels.

- Completing investigations and producing reports for the LGO when enquiries from their office are received.

Review Panellists

Will support the chair in taking an active part in the decision making process by:

- Reading the documentation in advance of the meeting.
- Attending the whole panel meeting and contributing to the consideration of the complaint by asking relevant questions and reaching conclusions on the way forward.
- Discussing conclusions reached with other panel members and the wording to be used in the report.
- Contributing relevant expert opinion based on specialist skills, knowledge, or experience.

Chair of Review Panel

The chair will be independent from the council and will be appointed by the complaint manager. Their responsibilities will be to:

- Chair the panel.
- Discuss with the complaint manager any specific needs of the complainant and ensure these are appropriately accommodated.
- Agree with the complaint manager who the local authority representative should be and request the attendance of any other person who may assist in understanding the complaint and its context.
- Ensure that everyone is treated with respect.
- Ensure that everyone is given the opportunity to contribute fully and appropriately and that the length of each part of the meeting is suitable.
- Ensure that a written report is produced providing a full response to the complainant and local authority within 5 working days of the panel.
- Ensure that any disagreement amongst the panellists are recorded and that a majority decision is reached where necessary.
- Be available to meet with staff from the local authority to discuss any recommendations if necessary.

Clerk To Review Panels

This role will be fulfilled by an officer who is not the complaint manager.

The clerk will be provided by the local authority to offer administrative support to facilitate the creation of the panel through to the production of the final recommendation to the council.

The clerk will:

- Organise the venue, facilities and refreshments.
- Organise the distribution of documentation.
- Take notes to facilitate the panel's decisions.
- Confirm whether the complainant wishes to bring any representatives or witnesses and provide appropriate assistance to facilitate this.
- Provide administrative support to the chair and panel to produce the final recommendations within 5 working days of the panel meeting.

Other Children's Services

All other children's services complaints will be dealt with through the corporate complaints procedure unless another route is available in legislation, for example the school admission appeals procedure.

Complaints to be managed under the corporate complaints procedure include general education and special educational needs issues, where the complaint is about the work of education social workers and services provided by the local authority. Complaints about the youth offending service will also be managed under the corporate complaints procedure where other procedures are not appropriate.

All schools should have their own three stage complaints process and complaints about the activity and actions of a school should be dealt with under the schools own procedure.

The complaints manager will provide advice and assistance to schools where the school requests this. In addition to some other authorities, where the schools procedure has been completed and the complainant remains dissatisfied, they may ask for their complaint to be reviewed independently by the complaints manager.

Following this independent review parents should be advised of their right to contact the secretary of state for education.

The Procedure

Stage	Action	Timescale
1	Problem Solving - attempt by the first line manager to resolve the complaint without a formal investigation.	Full response within 10 Working Days
2	Where the customer is not happy with the initial response to a complaint, or they have not received a response within the timescale they can request a formal investigation. This will be responded to by a senior manager from housing services.	Full response within 10 Working Days
3	If the customer is still unhappy with the response to the	Full response within

	complaint, then it is referred to either the director or the manager who has overall responsibility for handling complaints. (In housing this will be the complaint manager).	10 Working Days
	The customer may also be able to contact the LGO after the council has tried to resolve the complaint.	

Stage 1 complaints

Stage 1 complaints can be made in writing, by phone, or in person and should be logged with the complaints team to ensure these can be recorded for monitoring and reporting. Where stage 1 complaints are received the aim is to deal with these quickly and informally by problem solving.

The complaint manager will be responsible for the following tasks, but may delegate them to other appropriate managers:

1. acknowledge the complaint in writing within 3 working days and if necessary contact the complainant to clarify their concerns.
2. inform the customer in writing who will investigate the complaint and the timescales for this.
3. send copies of any correspondence, the complaint, an action plan for service improvement and a memo to the responding manager explaining:
 - the 10 working day timescale within which the customer should receive a final response and the date when this expires.
 - respond directly to the complainant and to send a copy of any correspondence or an email confirming the outcome and actions taken to the Complaint manager.
 - in the event of delay, the responding manager must keep the complainant and the complaints team up to date on progress made and reasons for the delay and the date that a final response is likely to be made.
4. send a reminder to the responding manager to advise them that their response is due.
5. Close the complaint when a copy of the correspondence or email confirming the outcome and actions taken is received.
6. Send a satisfaction questionnaire and a follow-up letter to the complainant after they have received their response advising them to contact the complaints team if they remain dissatisfied.
7. Record the time taken to resolve the complaint from the date the complaint was received to the date of the final response.
8. Remind the manager to return the action plan for service improvements.
9. Liaise with the service development team to ensure these plans are implemented.

Stage 2

If a complainant wishes to pursue a matter that cannot be resolved at Stage 1, or they have not received their stage 1 response in time, they can request a stage 2 investigation. Although the investigation process is formalised at this stage, it is still important for staff to continue to work with the customer and attempt to resolve their concerns.

Where a customer requests a stage 2 investigation the complaint manager will:

1. appoint an Investigating officer who will be a senior manager in housing services.
2. acknowledge the request in writing within 3 working days.
3. inform the customer in writing how their complaint will be dealt with including the name of the Investigating officer and the timescale for receiving their response.
4. send copies of any correspondence, the complaint, an action plan for service improvement and a memo to the responding manager explaining:
 - the 10 working day timescale within which the customer should receive a final response and the date when this expires.
 - respond directly to the complainant and to send a copy of any correspondence or an email confirming the outcome and actions taken to the complaint manager.
 - in the event of delay, the responding manager must keep the complainant and the complaints team up to date on progress made and reasons for the delay and the date that a final response is likely to be made.
5. Close the complaint when a copy of the response is received.
6. Send a satisfaction questionnaire and a follow-up letter to the customer confirming that a final response has been sent to them and advising the complainant to contact the complaints team if they feel that the complaint has not been dealt with satisfactorily.
7. Record the time taken to resolve the complaint from the date the stage 2 request was received to the date of the final response.
8. Remind the manager to return the action plan for service improvements.
9. Liaise with the service development team to ensure these plans are implemented.

Stage 3

If the person remains dissatisfied they can request that their complaint be investigated at stage 3. This will be investigated independently by the senior complaints and information advisor, or the complaint manager (or other appropriate manager)

The team will:

- Contact the complainant to clarify their complaint and gain any evidence supporting the complaint.
- Contact relevant staff and managers.
- Read relevant files, case notes, policies, procedures, legislation and good practice guidance.
- Consider the practice of other authorities where appropriate.
- Consult guidance for remedying complaints provided by the LGO and liaise with their office as appropriate.
- Produce a written report setting out their findings on each point and their recommendations to resolve the complaint and improve services.
- Send the report to the complainant and relevant staff and managers within 10 working days of clarifying the complaint. A satisfaction questionnaire will also be included.
- Send an action plan for service improvement to the appropriate senior manager.
- Remind the manager to return the action plan for service improvements.
- Liaise with the service development team to ensure these plans are implemented.

Other Procedures

On occasions complaints may be made which are more appropriate to be investigated under other procedures, for example grievance and disciplinary, child protection or vulnerable adult. Where issues of this nature are identified, the concerns will be referred to the appropriate person to deal with the complaint under the correct procedure. Any issues appropriate to the complaints procedures will continue to be investigated alongside any other investigation considered necessary.

If a complaint arises following a child protection conference about the work, performance, provision or non provision of services from a particular agency, these should be handled in line with that agencies complaints process.

Unreasonable and Unacceptable Behaviour

The council is committed to considering all complaints and learning lessons to improve services. It recognises that in doing this, it will on occasions come into contact with people who may be both angry and distressed and who may have difficulties with communication, disabilities or illnesses which make their contact with the council at these times persistent, strained or even hostile.

It is important at these times to consider the reasons for this behaviour and to ensure that support is available to both the complainant and staff to enable the complaint to be heard and dealt with in a fair and equitable manner.

Examples of unreasonable and unacceptable behaviour:

- The person repeatedly makes the same complaint with minor differences and does not accept the outcome.
- The person changes aspects of the complaint or continues to add to the complaint, hindering the investigation.
- The person regularly breaks appointments or will not allow appointments with staff which would progress the complaints process.
- The person makes repeated contact with staff in different departments through different routes, letters, faxes, phone calls, MP, councillor and media enquiries.
- Contact is frequent, lengthy, complicated and stressful for staff and repeats the same themes.
- The person will not allow the complaint to progress to the next stage, but continues to express dissatisfaction.
- The person is abusive, makes inappropriate or personal comments, makes threats, or uses aggressive behaviour including shouting or swearing at staff.

Where one or more of the above types of behaviour is present, the complaint manager will attempt to identify reasons for this and strategies to resolve any difficulties by talking to the complainant and members of staff and may choose to hold a planning meeting or complete a risk assessment.

If appropriate and not already in place the possibility of an advocate or other support will be considered to enable the person to express and pursue their complaint and understand what action is being taken.

Where further support is not appropriate or is unsuccessful the complaint manager will write to the complainant explaining what behaviour they are using which is unreasonable or unacceptable. They will also advise them of strategies to reduce the unreasonable or unacceptable behaviour so that the complaint can be pursued and services can continue.

This may involve:

- Identifying a key person, or team that the complainant should restrict their contact to.
- Agreeing times and frequency of contact.
- Requesting they provide clarification of the complaint and their desired outcomes.
- Reminding them that staff cannot enter into discussions about outcomes which have already been reached unless they allow this to be moved to the next stage.
- Requesting that they do not use inappropriate or abusive comments, shout or swear at staff, make threats, or use aggressive behaviour.

This letter will also advise them that if the unreasonable or inappropriate behaviour continues, it may become necessary for staff to discontinue the investigation of the complaint and discontinue their contact with the person.

If it becomes necessary to discontinue the investigation of a complaint and discontinue contact, this decision will be made in consultation with senior managers and a review of this must be held at least annually. The complaint manager will write again to the

complainant to advise them this action will be taken, explaining the reasons for this and when it will be reviewed. The letter will also advise the person of their right to contact the LGO and that any new complaints will be investigated through the normal procedure.

The letter will also remind them how they can contact the department providing services to them to discuss any day to day issues which arise and how to request new services if this becomes necessary.

A copy of the letter will be circulated to relevant staff and managers.

Where threats or aggressive behaviour is likely to put staff at serious risk, contact will be withdrawn immediately without notification. A risk assessment will be completed with senior managers and this will identify if contact can continue and how this should be done. In these cases the option of contacting the Police and or taking legal action should always be considered.

Good Practice For Investigating officers

General Points

Be aware of the timescale and the importance of providing a thorough investigation.

Work closely with the complaint manager (and independent person and advocate where appropriate) on all aspects of the investigation and report writing, including keeping the complainant informed of progress.

If the media is involved (local or national press, television or radio etc) maintain strict confidentiality and notify the complaint manager.

Consider the environment the investigations are conducted in – some places may be intimidating or distressing for children and young people in particular.

If appropriate, visit the establishment complained about unannounced to check normal practice.

Adhere to relevant conventions and legislation such as Data Protection Act, Health and Safety Act and the Human Rights Act and the United Nations Convention on the Rights of the Child.

Investigating officers should also work closely with all others involved in the investigation, especially where an independent person is involved.

Getting Started

Contact the complainant, ideally by phone, to offer a meeting in person. This meeting should explain the investigation procedure and;

- a. Confirm that the points of the complaint and desired outcomes are accurate and produce a written record, gain background information on each point of complaint.
- b. If any points change or more are added please advise the complaints team.
- c. Check whether the complainant needs any support during the process e.g. an advocate and discuss this with the complaints team.

- d. Allow the complainant to explain how he feels and express any strong emotions that he has. Accept how the complainant feels (acceptance does not mean agreement)

Read background on the complaint and the relevant legal and administrative policies and procedures.

Consider whether the complaint could be resolved without further investigation. Assess whether the complaints procedure is the most appropriate way of handling this complaint. Consider alternative possible procedures, for example alternative dispute resolution (such as mediation) or appeals to tribunals, legal action or police involvement. If the complaints procedure is not appropriate, discuss the alternatives with the complaint manager.

Planning the Investigation

Obtain the relevant documents, such as files, log books and timesheets, insist on seeing the originals, not copies, and obtain copies of all the documents needed;

Produce a chronology from the relevant sequent of events from the files and identify the names of the individuals most directly involved in the content of the complaint;

Identify a list of interviewees, notify them with as much notice as possible that you wish to hold interviews and supply them with relevant information on the complaint;

Arrange the order of interviews in a logical sequence as relevant to the particular complaint;

Inform all those to be interviewed that they may be accompanied by a friend or trades union representative, provided that this person is not within normal line management arrangements with the interviewee and that there are no issues of confidentiality;

Consider whether a witness of a particularly difficult interview is needed – this is also a good way of training new investigating officers;

Prepare the line of questioning for each interviewee.

Interviewing

Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it;

Interviews should be conducted in an informal and relaxed manner, while ensuring that due process is adhered to;

- a. Use open not leading questions;
- b. Do not express opinions in words or attitude;
- c. Ask single not multiple questions, i.e. one question at a time;

Try to separate hearsay evidence from fact by asking interviewees how they know a particular fact;

Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given;

Deal with conflicts of evidence by seeking corroborative evidence. If this is not available, discuss with the complaint manager the option of meeting between the conflicting witnesses;

Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record of their interview, ask if they have anything to add and ask them to sign the record as accurate. Return all notes and records to the complaint manager.

The Investigating Report

Draft the report and show it to the complaint manager. The complaint manager can advise on local practice. The draft report should include;

- a. chronology
- b. list of interviewees
- c. the complaints set out in a numbered list
- d. your analysis and findings for each point of complaint
- e. record of relevant policy, practice and legislation
- f. your recommendations and response to the complainant's desired outcomes
- g. any other relevant information; and
- h. a separate addendum of any other issues for the local authority

Consider comments from relevant persons such as the complaint manager, adjudicating officer and independent person and amend the report as necessary;

Notify the complaint manager that the final report is complete, they will then advise on what to do next.

This information was originally published in the Right to Complain and compiled with the help of the Office of the Commission for Local Administration (the Local Government Ombudsman).

Adults Children & Education



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INVESTIGATION REPORT ON COMPLAINT MADE BY:

Name:

Address:

If complaint is being made on behalf of a customer give details below:

Name:

Address:

In respect of (Service Unit):

Investigating officer (Name & Section):

Date Complaint Registered:

Date Final Response due:

Date of this Report:

Time Taken to complete (days):

Structure Of Report

The information contained in this report will be considered under the following headings:

The Complaint

- The background to the complaint.
Include additional information relevant to the complaint
- The points of complaint.
Use the bullet points of complaint as agreed in the confirmation of complaint
- The desired outcomes.
Use the bullet points from the confirmation

The Investigation Process

- The chronology of the handling of the complaint.
- The people interviewed in connection with the complaint.

Interviews:

Name	Title	Location	Date/s
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- The documents examined.

Findings Of The Investigation

State each point of complaint and put the findings and outcomes under each point of complaint.

The outcomes should come at the end of the findings for each point and should be in Bold before moving onto the next point of complaint and will be either:

- Upheld
- Not Upheld
- Partly Upheld
- Not proven

Summary Of Recommendations

This can include:

Apologies

Review of policy/procedure

Reminder to staff of policy procedure

Staff training

Payment for expenses, time and trouble, delays etc

Format For Independent Person's Report

Front Sheet

Local Authority

Complainant's name, address and telephone number

Independent person's name, contact address and telephone number

Investigating officer's name, address and telephone

HEADINGS

Summary of Complaint

Process of Investigation : (a) interviews, documentation

(b) quality, efficiency and chronology

Information obtained

Elements of complaint - upheld , partly upheld or not upheld

Conclusion

Recommendations

The Investigating Report

Draft the response and show it to the complaints manager. The complaints manager can advise on local practice. The draft response should include;

- i. the complaints set out in a numbered list
- j. the outcomes wanted to resolve the complaint
- k. the names and titles of the key people interviewed and a list of files, and documents read
- l. the analysis and findings for each point of complaint
- m. the recommendations and response to the complainant's desired outcomes
- n. if appropriate a separate addendum of any other issues for the local authority

Notify the complaints manager that the final response is complete, they will then advise on what to do next.

Private and Confidential

Name
Address

Ask for:
Extension:
Reference: H/

Date

Dear

Following your complaint, it was agreed that I would respond to your complaint.

My understanding of your complaint is that:

(type here summary of complaint – please use bullet points/numbers to list the different parts of the complaint as listed in the complaint plan.)

To resolve the complaint you would like:

(type here the things the customer would like to happen to put things right – please use bullet points/numbers to list the different things the customer wants as listed in the complaint plan.)

Review

(type here names of staff you may have contacted and list any documents you may have read)

(type here your response under each separate point of the complaint followed by whether that part of the complaint is upheld, not upheld or partly upheld or not proven)

Recommendations

(type here any recommendations you have following the complaint, use bullet points for each recommendation) **This can include:**

Apologies

Review of policy/procedure

Reminder to staff of policy procedure

Staff training

Payment for expenses, time and trouble, delays etc

If you are not satisfied with this response please contact Cath Murray, Complaints Manager, at 10/12 George Hudson Street, York YO1 6ZE or telephone 01904 554145.

Yours sincerely

(Full Name)
(Job Title)