



Compliments, Complaints and Representations Procedure

Fostering, Adoption, Supported Accommodation, Children and Family Services and BFSWS

This Compliments, Complaints and Representations Procedure meets regulatory requirements but is also integral to the work of our services, which will ensure that complaints are dealt with in a manner that can be demonstrated to be open and fair.

This procedure outlines the process to be followed in the event of a compliment, complaint or representation. The Polaris community maintains that children, young people and families have a right to have their views listened to and taken into account.

The term 'service' used throughout the procedure refers to these individual services. The term 'foster parent' is preferred but it is recognised that 'foster carer' is also used in legislation and within the community.

This procedure forms part of the Polaris community Quality Management system ISO 9001.

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Associated documents:	Managing Allegations against Foster Parents/ Adopters Procedure
	Whistle Blowing Procedure
	HR Procedures for supporting staff/complaints

All companies are detailed in the current legal structure.

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Purpose

The Polaris community regard compliments, complaints and representations as an important tool to help monitor, evaluate and improve the quality of the service we give to children, their families, foster/adoptive parents and placing local authorities/trusts.

The Compliments, Complaints and Representations Procedure has been designed to:

- Be clear and easy to use.
- Ensure that the people, who use services are treated with dignity and respect, are not afraid to make a complaint, and have their concerns taken seriously.
- Ensure complaints are dealt with in a fair and impartial manner.
- Ensure that any concerns about the protection of children are referred immediately to the relevant Children's Social Care team or to the Police.
- Ensure that as many complaints as possible are resolved swiftly and satisfactorily at a local level.
- Ensure a fair process and adequate support for everyone involved in the complaint.
- Ensure that the child or adult making the complaint receives a full response without delay.
- Provide information about the child or adult's rights of access to other means of redress, such as Registering Bodies, Local Authorities/Trusts, or the relevant Ombudsman.
- Ensure that the organisation monitors performance in handling complaints, delivers what they have promised, learns from complaints and uses this learning to improve services for everyone who uses them.

Complaints may be made in connection with a failure to provide services that can be reasonably expected.

This Procedure is open to anyone for whom the service has agreed to provide a service or an appropriate representative on their behalf.

Compliments

The Polaris community values feedback of any positive experiences. It is important for us to know how well each service is performing on a local and strategic level. We take into consideration feedback obtained in planning and reviewing service delivery. If you would like to pay us a compliment, this can be done in a number of ways, including but not limited to; phone call or via letter or e-mail to the person who you wish to compliment and copy this to their Line Manager.

Staff within regions will gather these compliments from a range of sources and it is ultimately the Regional/Line Managers responsibility to collate all compliments and report on it in monthly reporting and in some services, compliments may be used to inform a periodic review of the quality of care.

Representations/Pre complaints

Representations are matters other than complaints, which give rise to some level of concern, which requires consideration. This process can be followed prior to the formal complaint process.

The Polaris community hopes that many of the issues that someone may be concerned about can be settled and resolved at the earliest opportunity and responded to by the local manager prior to embarking into the Complaints process, through discussion with the person they would ordinarily have most contact with, or through discussion with their line manager.

It is strongly recommended that the Registered Manager/Head of Service, endeavours to resolve any concerns or issues raised at the earliest opportunity preventing the need for it to be considered as a complaint and investigated via the complaints process.

Any issues dealt with without the need to escalate to a complaints process must still be recorded along with any actions and outcomes using the agreed local procedure, for services using Charms, the progress action 'Representation' must be used.

Where a concern has been raised, in the event that such discussion does not resolve the matter a copy of this Procedure should be provided to the complainant.

Definition of a Complaint

A complaint is defined as 'the expression of dissatisfaction concerning the service provided by the service, or of the actions of an individual providing that service'.

We recognise that sometimes raising a concern may not be enough and that you may wish to take the matter through our complaint's procedure.

If feedback or comments indicate that, the service may not have followed correct procedure or regulation this will be considered as a complaint.

In deciding whether an issue is an allegation or complaint, advice can be sought from the Head of Safeguarding/Central QA/ QA Manager for the service. This will determine whether the complaints procedure should be invoked, and an appropriate response provided.

If the complaint is against a member of staff with your service including concerns about casual staff, HR should be consulted and kept informed. The Head of Safeguarding/ Central QA/QA Managers may be consulted if required.

An allegation may relate to a person who works with children who has:

- behaved in a way that has harmed a child; and/or
- possibly committed a criminal offence against a child or related to a child; and/or
- Behaved towards a child in a way that indicates that they may pose a risk of harm to children.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

NB: **England, Wales & Scotland** follow a **3-stage** complaints process.

BFSWS follow the same 3 stage process but if the complainant remains dissatisfied with the outcome of their complaint at the end of Stage 3 they can then refer the matter to MOD Safeguarding Partnership Board for consideration.

Northern Ireland follow a **2-stage** process - all countries implement a representations/pre-complaints process before these stages begin - see flowcharts below.

Flowchart Process for Complaints

England/Wales/Scotland (see separate flow chart for Northern Ireland)

Representations & Pre-Complaints Process

The Registered Manager/Head of Service will make every effort to resolve any concerns or issues raised at the earliest opportunity and will only initiate the complaints process where appropriate.

Complainant satisfied with outcome?

YES → Resolved

NO → Complainant advised of option for next stage.

Stage One

Formal Problem Solving – completed locally

Attempt to resolve locally – clarification, explanation, negotiation, mediation, practical action by allocated person in consultation with complainant.

Response – determined within 10 working days of complaint being made, (or maximum of 20 working days by agreement with the complainant) and outcome letter sent to complainant (Please see Appendix 1 Stage 1 Outcome Letter Template). Record of complaint should be kept on Charms/Incident Portal/ local system used by the service.

Complainant satisfied with outcome?

YES → Resolved

NO → Complainant advised and consulted regarding option for next stage

(Complainant to request to progress stage 2 within 20 working days Giving reasons why they are not happy with the stage 1 outcome and wish to progress to stage 2).

Stage Two

Independent investigation

(by a person who has been identified by the Registered Manager/ Head of Service and who had no prior involvement with the complaint nor management responsibility for the service in question).

The chosen Investigating Officer once appointed will contact the complainant within 5 working days to arrange a time to discuss the complaint and formulate a clear 'statement of complaint' that can be investigated.

The statement of complaint should usually be completed within 10 working days of the complainant's first discussion with the investigating officer. The reasons for any delay in completing the statement of complaint must be noted in the investigation report.

Investigation undertaken and report completed (within 20 working days from the date the statement of complaint is agreed with the complainant; complainant kept informed, and their agreement sought if more time required). *In Wales additional regulations apply, specifically a requirement to inform CIW of the complaint and the reasons for the delay if it is not possible to complete this stage in 35 days.

The Registered Manager/Head of Service reviews the final report, providing the outcome to the complainant within 7 working days of receiving the final report. The final report will be included as part of the outcome letter (Please see Appendix 2 Stage 2 Outcome Letter Template). In most circumstances, the full report will be shared with the complainant, but the RM/HOS will make a final decision on what is shared.

Record all documents and actions on Charms/Incident Portal/local system used by the service.
Complainant satisfied with outcome?

YES → Resolved.

NO



Complainant has 20 working days from receipt of the outcome of stage 2 to explain why they are not satisfied with the outcome and to request progression to Stage 3

Stage Three

The RM/HOS ensures that an initial response to the complainant is given within 24 hours/ next working day. As part of the initial response, there should be a conversation with the complainant to clarify reasons for moving to Stage 3.

The RM/HOS should ensure that the written confirmation to the complainant is sent in writing of the request to move to Stage 3 within 10 working days. This confirmation should include the name of the Senior Leader who will review the complaint and the timescale for completion.

Once appointed, a Senior Leader will review the complaint within 20 working days of receiving the request by the RM/HOS to proceed to Stage 3. The timescale will usually commence after the expiry of the initial 10 days for the confirmation of the appointment of the Senior Leader.

The complainant will need to be kept informed by the RM/HOS of any delays in responding to the complaint should more time be required by the Senior Leader to consider the information provided.

The Senior Leader dealing with the complaint within Polaris will be independent of the service and will have had no prior involvement in the complaint.

The Senior Leader will share their report with the RM/HOS in conclusion of the 20 working days. The RM/HOS will respond to the complainant within 10 working days of receiving the report.

All Complaints must also be added to the Incident portal, the local technician is responsible for updating this portal until a point of closure.

Northern Ireland (2 stage process not 3 as above)

Pre-Complaints Process – Problem Solving

The Registered / Senior Manager will make every effort to resolve any concerns or issues raised at the earliest opportunity and only initiate the complaints process where appropriate.

Complainant satisfied with outcome?

YES → Resolved

NO → Complainant advised of option for next stage.



Stage One

Independent Investigation

By an independent person who has been identified by the Registered Manager/Head of Service

Investigation undertaken and draft report submitted within 20 working days

The Registered Manager/Head of Service reviews the final report, provides the outcome to the complainant within 8 working days of receiving the final report. The final report will be included as part of the outcome letter (Please see Appendix 1 Stage 1 Outcome Letter Template). In most circumstances, the full report will be shared with the complainant but the RM/HOS will make a final decision on what is shared. Record all on Charms/Incident Portal.

Complainant satisfied with outcome?

YES → Resolved

NO → Complainant advised and consulted regarding option for next stage

Complainant has 20 days from receipt of the outcome of Stage 1 to explain why they are not satisfied with the outcome and to request progression to Stage 2



Stage Two

Complaints Review Panel

The Registered Manager/Head of Service to organise for a Panel to take place within 28 days of complainant's request for review of complaint

Independent Investigator's report provided to panel members

Complainant attends to make representations to panel

Panel makes initial response to complainant within 24 hours and written response within 28 days

Outcome of Complaints Review Panel is the final response the service

Record all documentation and actions on Charms/Incident Portal

Procedure Details

It should be noted that this complaints procedure does not replace child protection/allegations, grievance or disciplinary procedures. **Any complaint, which indicates that a child may have been harmed, or placed at risk of harm, must be dealt with under Child Protection/Allegations procedures.** If you are unsure whether to use the allegations procedure or the complaints procedure, advice can be sought from the local Quality Assurance Manager in the first instance thereafter the Head of Safeguarding or Central QA can be available for further consultation and advice.

Interaction of this procedure with other procedures or court/tribunal proceedings

Depending on the nature of the complaint and who the complainant is raising the complaint against will determine which procedure will be evoked. There are times when complaints are made to a Local Authority/Trust which include a service within Polaris. In these circumstances the service will support the Local Authority/Trust in their investigation and response, but the Local Authority/Trust procedure will take precedence. This complaint will still need to be recorded appropriately at a local level.

If the complaint concerns any matter about which is currently being dealt with under child protection/allegations, grievance or disciplinary procedures, or through any court or tribunal the service may decide it is not appropriate for complaint to be progressed further. A record of any decisions made should be kept for reference.

The child or adult making the complaint will be informed of this decision in writing, with an explanation of the reasons, and may resubmit the matter for consideration within one year of the conclusion of the other proceedings. The complaints procedure cannot be used to consider or investigate matters that have been dealt with by the Courts or via other procedures.

Eligibility and Timescales

Who can make a complaint or representation?

- Children, young people and adults who are in receipt of services from any service within the Polaris community.
- In addition to the above, their advocates, anyone with parental responsibility or their representatives including local authorities and trusts that commission services.
- A complaint can be made up to 12 months from the event giving rise to it. This time limit can be extended at the discretion of the Head of Service for the service.

- Factors which will be taken into account in this decision include:
 - Whether or not it was reasonable to expect the complainant to have made their representations within this timescale, and
 - Whether or not it is still possible to consider the complaint effectively and fairly, despite the passage of time.
 - This decision and the reasons for such a decision will be provided in writing to the person making the complaint.
 - Where the complainant is a child, or was a child at the time of the matters cited, the discretion to refuse to consider the complaint is unlikely to be applied.

If the complainant wishes to remain anonymous, then the service may be unable to investigate the situation. If there is any indication of a child being at risk, the information will be passed on to the relevant Local Authority /Trust/ Ofsted (England)/CIW (Wales)/DHSSPS (Northern Ireland) and to the Local Authority/Trust and The Care Inspectorate (Scotland).

Information about how to complain

A copy of this procedure must be given to:

- Children upon placement, this can be for e.g., via the Guide for Children
- Applicants who are requesting to foster/adopt
- Foster/Adoptive parents on approval by the fostering/adoption service
- Local authority/trust social services staff on placement of a child.
- Children and their families upon allocation of a service
- All parents and carers whose children attend an education or residential setting within Polaris
- On request, parents of children in a foster/adoptive home or equivalent.
- On request, an identified individual acting on behalf of a child.

Complaints by Foster/Adoptive Parents

The Complaints Procedure cannot address the question of the applicant's suitability to foster/adopt, but only whether due process has been followed.

Complaints about an assessment of suitability to foster/adopt discontinued at the end of Stage 1 (England and Wales only).

Applicants to foster/adopt who receive written notice that the service has decided that they are not suitable to foster/adopt, and has therefore discontinued their assessment, may make a complaint under this procedure if they believe that a particular aspect of their assessment has not been conducted appropriately.

Complaints about Refusal or Amendment of Approval as a Foster Parent

This is a separate process to the complaints procedure and is governed by Fostering Services Regulations. (See separate procedure about terminations of approval). Applicants who foster and receive written notice that the service does not propose to approve them, are able to submit written representations to the relevant identified Agency Decision Maker (ADM) for his/her determination following further consideration by the relevant fostering panel, or, in England and Wales, to request a review by an independent review panel, through the Independent Review Mechanism (IRM).

The same options are available to approved foster parents who receive written notice that the service proposes to change the terms of their approval (number, age range and needs of children to be placed) contrary to their wishes, or to terminate their registration as foster parents with the service because it is considered that they are no longer suitable to foster.

Complaints about adopters or concerns about approval as an adopter

During the assessment of the prospective adopters (this applies from Stage 2 of the assessment process only), the applicants who wish to adopt will be informed that the agency does not recommend their approval. The applicants are able to request that their application is still considered by the adoption panel. If the panel do not recommend suitability, the applicants can then submit a written representation to the relevant identified Agency Decision Maker (ADM) for his/her determination following further consideration by the adoption panel, or, in England and Wales, to request a review by an independent review panel, through the Independent Review Mechanism (IRM).

If a complaint is made against an approved adopter, then the adoption agency may carry out a review of their suitability under the adoption agency regulations. If the outcome of the review is that they are no longer suitable to adopt, then the review can be considered by the adoption panel. If panel do not recommend continued suitability, the adopters can then submit written representations to the relevant identified Agency Decision Maker (ADM) for his/her determination following further consideration by the adoption panel, or, in England and Wales, to request a review by an independent review panel, through the Independent Review Mechanism (IRM).

If the concerns relates to a serious complaint about a prospective adopter or an adopter notifications must be made to Ofsted under the adoption agency regulations.

Complaints by Children

It is important that children are satisfied with the service they receive.

The complaint has to be about services provided by the service. The complaint can be made

by the child themselves or on behalf of a child by:

- A parent;
- Any person who is not a parent of him/her but who has parental responsibility;
- Any other person the Local Authority/Trust with responsibility for the child considers has a sufficient interest in the child's welfare to warrant his/her representations being considered.
- A member of staff

Some children may be unsure as to whether they wish to complain or not. It may be something in the home that is worrying them for our "looked after" children our Children's Guide (used by some of the services) provides information about how to make a complaint. The Guide also contains contact information for children to enable access to independent support and advice. For all other children we promote talking to key staff - some pupils are non-verbal or struggle with communication, in this situation, we suggest they raise concerns any way they feel they can.

Where a child may not be able to easily access such written information, it is the responsibility of the service to ensure that alternative modes of communication regarding this information are implemented to enable all children to make a complaint or make representation should they wish to do so.

Where a child uses this procedure, the Polaris Community shall ensure that they are aware that they can call upon independent support. For our "looked after" children they can request an advocate to accompany them to any meetings in relation to their complaint or representation.

When a "looked after" child makes a complaint directly to the service, the service will respond appropriately and the placing authority/trust social worker must be informed. An early decision shall be taken as to whether to follow the Local Authority/Trust Complaints Procedure or the Polaris Complaints Procedure. The service will endeavor to ensure that each child has a copy of their own local authority's/trust's Complaints Procedure.

A complaint or representation should be made to the placing authority's/trust's Complaints Manager under the following circumstances:

- Decisions or plans made by the child's placing Local Authority/Trust;
- A failure by the Local Authority/Trust to implement such decisions or plans;
- Regarding an employee of the Local Authority/Trust.

Children will always be assured that their complaint or representation is being taken seriously and their views are being listened to. The same applies to anyone making a complaint. No one who lodges a complaint shall be subject to any reprisal for making a complaint or representation. The service will be particularly aware of the vulnerability of any child who complains and will make every effort to ensure that they are not subject to any pressure or reprisal.

It is clearly understood and accepted that a child/vulnerable adult may need and wish for some assistance and support in making his/her complaint and, where appropriate, the service will seek to arrange this, through advocacy or other appropriate services. It will be clearly and carefully explained to a child that the service's attitude toward him/her will not be negatively influenced by virtue of a representation or complaint having been made and that standards of service provision will be unaffected.

Every opportunity shall be made for any complaint or representation to be resolved at an early stage. At the outset, the complainant should be asked for their desired outcome. If the representations/pre complaints process has not resolved the issue and the complaint has been accepted as grounds for investigation the following formal process will then begin:

Stages of complaints

Stage 1: Local Problem Solving (England/Wales/Scotland only – Northern Ireland proceed straight to independent Investigation).

A complaint is considered as made on the date on which it is first received by the service. Complaints may be submitted in writing or given verbally. Where given verbally, this must be recorded in writing by the recipient, dated and a copy sent to the complainant and this action recorded.

The recipient of the Complaint is required to immediately inform the Registered Manager/Head of Service (or other appropriate manager for the service) who will take a decision whether to accept the complaint and within 3 working days of being informed will provide written acknowledgement to the complainant about their complaint and of their decision to take the complaint forward or not.

Complaints will in the first instance be investigated within the service to resolve the complaint informally. The Registered Manager/Head of Service or other appropriate manager for the service will identify the most appropriate person to respond to the Complainant (if not themselves) and that person will then lead on the complaint at this stage and will keep the Senior Manager updated.

The Registered Manager/Head of Service or other appropriate manager should conclude complaints being dealt with at Stage 1 within 10 working days of being notified of the complaint. This timescale may however be extended by mutual agreement by a further 10 working days if it is felt the Complaint can be satisfactorily dealt with but more time is needed.

If the matter is resolved the Registered Manager/Head of Service will keep the relevant QA Manager duly informed. The Registered Manager/Head of Service or other appropriate manager will provide a clear written response to the complainant this should, as far as possible, answer all issues raised by the complainant, be as helpful as possible and apologise for any shortcomings in the service found and what action the service intends to take as a result of the investigation into the complaint, the clear content of this letter will be instrumental in minimising complaints progressing to Stage 2 and this will be copied to the QA Manager for the service.

If the complaint cannot be resolved at Stage 1 the complainant will be informed of his/her right to pursue the matter further through the Head of Service and asked to do so within 20 working days.

If the Complaint is considered sufficiently serious to warrant a more formal investigation, if there are a number of complaints, or it is particularly complex and/or indications suggest that an Independent Person should be appointed due to potential or actual conflict of interest Stage 2 of the Complaints process should be implemented.

All documentation associated with the complaint must be uploaded to the relevant section of Charms/incident portal/system used by the service by the person that dealt with the complaint.

Stage 2: Formal Investigation (this is stage 1 for Northern Ireland – refer to NI Flowchart above).

NB: Only when a complaint cannot be considered at Stage 1, due to the complaint being about senior managers, will a complaint progress straight to Stage 2.

The complainant should contact the Registered Manager/Head of Service or appropriate manager for the service in writing or verbally, providing reasons why they are not satisfied with the outcome of Stage 1 of the Complaints procedure and that they wish to proceed to Stage 2 (this must be requested by complainant within 20 working days).

The Registered Manager/Head of Service would then make contact with the complainant to explain their role, advise on the process and agree next steps within 5 working days of receiving the request. They will also identify the appropriate person to act as the 'investigating officer'.

This will be somebody who has had no previous involvement with the matter concerned. This may be an appropriate manager from within the service or an external contracted individual with relevant qualifications and experience. The Registered Manager/Head of Service will determine who should be assigned to investigate. Any such appointment will be made known to and discussed with all parties prior to the commencement of the investigation. In appropriate circumstances, local authority/trust social workers will be informed of the complaint and of the progress of the investigation and outcome.

No one who is the subject of, or who has been involved in seeking to resolve, the complaint at Stage 1 will be responsible for any investigation conducted under Stage 2.

The chosen Investigating Officer once appointed will contact the complainant within 5 working days to arrange a time to discuss the complaint and formulate a clear 'statement of complaint' that can be investigated.

The statement of complaint should usually be completed within 10 working days of the complainant's first discussion with the investigating officer. The reasons for any delay in completing the statement of complaint must be noted in the investigation report.

The beginning of the 'Stage 2' timescales begin when the 'statement of complaint' is agreed by the complainant. If a complainant raises new aspects to be considered these can be considered at stage 2 if appropriate without the need to return to Stage 1.

In some circumstances the task of an independent investigator may be one of ensuring that the complainant is aware of his/her right to complain. Where appropriate this could include making the complainant aware of their right to seek advice from a solicitor, member of parliament, local Councillor, local government ombudsman and various voluntary organisations which seek to represent the interests of children in public care and their parents.

The independent investigator will have access to:

- Content and context of the complaint made;
- The policies and procedures within that particular service;
- Relevant file records (written consent to be provided by the complainant where the investigating officer is external to the Polaris community).

The complainant may bring a support person to any meeting convened and they should confirm in advance that they will be doing so providing details of who they will be bringing. The role of the support person is to listen and provide support to the complainant and not to ask questions. In the case of a child, they may attend with an advocate. The Registered Manager/Head of Service should ensure that the person leading the investigation is briefed to ensure that the complainant is adequately supported in the meeting and that notes are taken and kept.

All persons relevant to the complaint should be informed of the complaint and interviewed by the investigating officer in order to provide explanation of their account of the matters complained against.

A meeting may be proposed involving both those complaining and those complained against, should this be deemed helpful in resolution of the complaint received. However, this is not recommended where any persons involved are likely to feel intimidated.

On conclusion of the investigation a written report will then be prepared by the person undertaking the investigation (the investigation & report completed within 20 working days where possible from the agreement of the statement of complaint), and sent to the Head of Service which will incorporate the process of the investigation, findings of each point of the complaint (i.e. whether upheld or not upheld) recommendations of any actions required and learning outcomes.

The Registered Manager/ Head of Service will review the draft report for quality purposes and provide feedback to the investigating officer as appropriate and seek to understand any areas that require further clarification. The Registered Manager/Head of Service will then provide a written response to the complainant outlining the findings and summarising outcomes and recommendations within including a copy of the investigation report (this should be completed within 7 working days from report being received from the

investigating officer). In most circumstances, the full report will be shared with the complainant but the Registered Manager/Head of Service will make the final decision on what is shared.

This should, as far as possible, answer all issues raised by the complainant, be as helpful as possible and apologise for any shortcomings in the service found and what action the service intends to take as a result of the investigation into the Complaint.

The response to the complainant will state whether each aspect of the complaint has been **upheld, partially upheld or not upheld**.

Fully Upheld

The investigation of the complaint has found that:

All elements of the complaint are found to be accurate and there is sufficient and/or consistent evidence to support this.

The standard of service provided to the complainant fell below service and/or regulatory requirements and/or has had a negative impact upon the complainant.

Recommendations are made to lead to service improvement and to capture learning.

Partially upheld

The investigation of the complaint has found that:

On the balance of information a proportion/number of elements of the complaint are found to be accurate and there is sufficient and/or consistent evidence to support this.

On the balance of information a proportion/number of elements of the complaint are not upheld and this is due to absence of evidence or because information has been found to be factually inaccurate.

In relation to some aspects of the complaint, the standard of service provided to the complainant fell below service and/or regulatory requirements and/or has had a negative impact upon the complainant.

Where complaints are partially upheld consideration is given to the relative weight of the elements of the complaint that are upheld.

Recommendations are made to lead to service improvement and to capture learning.

Not upheld

The investigation of the complaint has found that:

On the balance of information, there is insufficient evidence to support the complaint and/or the complaint has been found to be factually inaccurate.

On the balance of information, there is insufficient evidence that the standard of service provided to the complainant fell below service or regulatory requirements.

Consideration is given to recommendations for service improvement and learning is captured. Where the Complaint is in regards to the conduct of an employee of service, the HR Business Partner should be consulted during the investigation.

Those who are subject of the Complaint should be informed in writing of the outcome of the Complaint together with any actions arising and a copy of the investigation report.

Stage 3: Review by Senior Leader (this is Stage 2 for Northern Ireland - please refer to NI flowchart)

If the complainant continues to feel that their complaint has not been dealt with to their satisfaction, Stage 3 may be implemented. The Registered Manager/Head of Service should explain the option of progression to Stage 3 to the complainant. The complainant should inform the Registered Manager/Head of Service preferably in writing, that they wish to progress their complaint to Stage 3, within 20 working days of receipt of written confirmation of the outcome of Stage 2, providing reasons why they are not satisfied with the outcome of Stage 2 of the procedure.

The Registered Manager/Head of Service will acknowledge this request within 10 working days, with an explanation of the Stage 3 process. The Registered Manager/Head of Service will notify the Chief Executive Officer, Managing Director, and Responsible Individual in writing of the complaint.

A Senior Leader will review the Complaint within 20 working days. The complainant will need to be kept informed by the RM/HOS of any delays in responding to the complaint should more time be required by the Senior Leader to consider the information provided.

The Senior Leader reviewing the complaint will complete a written report of their findings, which will include:

- The process and adequacy of the investigation prior to Stage 3;
- Findings on each of the complaints being investigated;
- Conclusions / outcomes reached;
- Recommendations of actions required / learning outcomes to be considered.

Following completion of the review by the Senior Leader, the Registered Manager/Head of Service will inform the complainant.

Withdrawal of a Complaint

The complaint may be withdrawn either verbally or in writing by the complainant. The service must write to the complainant to confirm the withdrawal of the complaint. In such circumstances, it is good practice for the service to give consideration as to whether it wishes to continue to consider the issues that gave rise to the complaint and any consequent learning outcomes.

Monitoring and Quality Assurance

The Head of Service /QA Manager for the service) and the Registered Manager shall keep a register of all complaints that records details of complaints and their resolutions and will include this detail in the quality of care review report if applicable to your service or equivalent reports required for your service. Details of any investigation into a complaint that is upheld regarding a foster parent/prospective adopter/ member of staff will be made available for information to our Fostering/Adoption Panel/HR/Central QA as appropriate.

All services should keep a record on their database (e.g. Charms) of **all** complaints, details of who made the complaint, timescales (start/end dates), what was the outcome, whether the complaint was upheld, not upheld, has the outcome been shared with the relevant people and is this evidenced?

NB Fostering Services are required to complete the Ofsted Data Set, which also requires this information. It is essential that all information including dates/ lessons learnt etc. are captured for monitoring and reviewing purposes.

Protected Disclosure (Whistleblowing)

The Polaris Community aims to nurture an environment for children, foster/adoptive parents and staff and all others who want to raise issues and draw attention to gaps in service provision without fear of reprisal. There is a Whistleblowing Policy for reporting circumstances that may arise where foster/adoptive parents or employees feel unable to raise concerns directly with the service.

Guidance on Abusive, Unreasonable, Persistent or Vexatious Complainants

Polaris Community is committed to working with all complainants equitably, fairly and objectively.

We do not expect staff to tolerate unacceptable behaviour by complainants. Unacceptable behaviour is behaviour, which is abusive, offensive or threatening which may include:

- Using abusive or foul language on the telephone or face to face;
- Sending multiple e-mails*
- Leaving multiple voicemails*

*the term 'multiple' here denotes receiving either form of contact consistently and over a period of time.

In the event that the relevant stages of complaint have been adhered to and fully completed and this has been relayed to the complainant, the Head of Service should consider whether the complainant is now 'inappropriately persistent or vexatious'.

Features of a persistent or vexatious complainant may include:

- A person who makes the same complaint repeatedly (with minor differences) but never accepts the outcomes;
- A person who seeks an unrealistic outcome and persists until it is reached;
- A person with a history of making other unreasonably persistent complaints.

'Getting the Best from Complaints – Social Care Complaints and Representations for Children, Young People and Others' – DfES 2006

The same standard of response must always be provided to the complainant, and the service will always be committed to anti-discriminatory practice.

Where a situation becomes unworkable, or the procedure has been fully implemented, the Registered Manager/Head of Service will advise the complainant of the reason that they may be considered as an unreasonably persistent complainant and why the behaviour falls into this category and any other recourse to action that may be available to the complainant.

Where the complainant's Complaint is closed, and the complainant persists in communicating about it, the Registered Manager/Head of Service may decide to terminate contact with the complainant in agreement with the Head of Safeguarding.

Reflect on practice

The Polaris community welcomes the opportunity to reflect on practice and service provision and share learning across the Polaris community to provide a safe and positive experience for children. The complaints procedure should offer a useful tool for indicating where our services may need improving; conversely, compliments can indicate to us what we are doing well.

Contact Details:

Please use the email address or phone number below to contact us and you will be directed to the appropriate person:

Email: contactus@polariscommunity.co.uk

Telephone: 01527 556480

Additional Information for staff and workers who are the subject of or involved in a complaint

It is never pleasant to know that a complaint has been received about you or your practice. No matter how confident you are about your work standards, it is bound to shake you to know that a complaint has been made.

Your managers appreciate that and will all work as sensitively as possible to look at what has been said, and identify when a complaint is justified and when it is not. The company will ensure members of staff are fully supported both professionally and personally through what can be a stressful and anxious time.

Whilst complaints can often be difficult to respond to and deal with, they do provide services with an opportunity to reflect, listen, learn and make practice improvements

Your line manager will answer your questions and keep you informed.

I have just heard that a complaint has been made about me/my work – what will happen?

Under the Procedure, the first aim is to address and resolve complaints locally. This means a manager will speak with the complainant informally and try to resolve the issue before it becomes a formal complaint. If this is not possible and the complainant wishes to make their complaint formal, then this would initially be dealt with under Stage One of this procedure although if necessary will progress to stages Two & Three.

I know that I have made a mistake in this case – what should I do?

If you are aware that there is some substance to the complaint, the best thing is to tell the manager handling the complaint straight away. Everyone makes mistakes sometimes, and we can all learn from these experiences, painful though it may be at the time.

Your manager may have to involve HR if it is determined that the issues raised are significant enough and/or there was a breach of standards of conduct. You will be advised and supported by the HR Business Partner with regards to the process from this point forward.

Each complaint must be investigated before conclusions are drawn. All complaints will be dealt with fairly, sensitively and appropriately.

Employee Assist Programme

Any employees who wish to access EAP can contact: 0800 756 0834 .

Further information can be found here:

<https://theexchange.rewardgateway.co.uk/SmartPage/EAP>

Fostering Only

You can also access 'The Fostering Network':

England (open to members of The Fostering Network only)

020 7401 9582

Northern Ireland

028 9070 5056

Fosterline Scotland

0141 204 1400

Fosterline Wales

0800 316 7664

Confidentiality:

Any staff and workers who are the subject of or involved in a complaint must ensure confidentiality is maintained at all times.

[Review Dates](#)

November 2024- Statement of Complaint timescales added and reference to MOD Safeguarding Partnership Board for BFSWS

June 2025 - Additional Information added for AfA on 'Complaints about adopters or concerns about approval as an adopter'

[Appendices](#)

Appendix 1 -Stage 1 Complaint Outcome Letter Template

Appendix 2- Stage 2 Complaint Outcome Letter Template

Appendix 1 - Stage 1 Complaint Outcome Letter Template

Confidential Addressee Only

Complainant Name
Complainant Address

Date

Dear [Complainant Name]

Subject: Stage 1 Complaint Investigation
Name of Investigator:

Further to the investigation of your complaint at Stage 1 of the Polaris Complaints and Compliments Procedure, I am writing to you to confirm the details of the matter you raised on the (date to be added).

My observations are as follows:

Response to finding, recommendations and actions to be undertaken.

I hope you are satisfied with this outcome and that the matter is now resolved. Should you be dissatisfied with the outcome of the investigation and/or this response and wish to have your complaint considered further at Stage 2 of the procedure, you must write to me within 20 days of the date of this letter and I will make the necessary arrangements.

Yours sincerely

(Name and Title)
E-mail address

Appendix 2 - Stage 2 Complaint Outcome Letter Template

Confidential Addressee Only

Complainant Name
Complainant Address

Date

Dear [Complainant Name]

**Subject: Final Report of Stage 2 Complaint Investigation
Independent Investigator:**

Further to the investigation of your complaint at Stage 2 of the Polaris Complaints and Compliments Procedure, I enclose a copy of the Investigating Officer's full report.

I have read the report and discussed it in detail with the Investigating Officer. My observations are as follows:

Response to finding, recommendations and actions to be undertaken.

This concludes my response on behalf of Polaris to your complaint at Stage 2 of the Complaints and Compliments Procedure.

If you have any queries please do not hesitate to contact me and/or [Name and contact details]

Should you be dissatisfied with the outcome of the investigation and/or this response and wish to have your complaint considered further at Stage 3 of the procedure, you must write to me within 20 days of the date of this letter and I will make the necessary arrangements.

Yours sincerely

(Name and Title)
E-mail address