

Representations and complaints policy and procedure

Procedure Overview

We encourage staff to be always receptive and sensitive to representations and complaints made about our services, as they are integral to the work of the organisation. Any complaints relating to the service will be directed through the Representations and Complaints procedure:

Purpose/Objectives

We regard this procedure in a positive light and see it as an important tool to help monitor, evaluate and improve the standard of service we provide.

This procedure is designed to achieve the following objectives:

1. The complaints procedure should be clear and easy to use.
2. It should ensure that the people who use the service are treated with dignity and respect, are not afraid to make a complaint, and have their concerns taken seriously.
3. It should ensure, as far as is possible, even-handedness in the handling of complaints.
4. It should ensure that any concerns about the protection of children are referred immediately to the relevant Social Services Team or to the Police.
5. It should make sure that as many complaints as possible are resolved swiftly and satisfactorily.
6. It should ensure a fair process and adequate support for everyone involved in the complaint.
7. It should ensure that the child or adult making the complaint receives a full response without delay.
8. It should provide information about the rights of access to other means of redress, such as Registering Bodies.
9. It should ensure that the organisation monitors their performance in handling complaints, deliver what they have promised, learn from complaints and use this learning to improve services for everyone who uses them.

(Taken from: Getting the Best from Complaints 2006)

Scope

Complaints and representations may be made about any person who completes work on behalf of the organisation, about the services provided, and about a failure to provide services that are reasonably expected.

The Representations and Complaints Procedure is open to self-employed advocates, independent visitors, trainers, consultants, clients of the organisation, service Users, a person acting on behalf of a child, commissioners of services, and anyone else for whom we have agreed to provide a service.

This procedure is not open to members of staff, who have access to grievance procedure.

Procedure Details

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

Any representation or 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. It should be noted that this procedure does not replace child protection/allegations, grievance or disciplinary procedures.

If the complaint concerns any matter regarding which action is being taken or contemplated under child protection/allegations, grievance or disciplinary procedures, or through any court or tribunal (including the criminal court), and we decide that these actions may be affected by the consideration of the matter through the representations and complaints procedure, the matter will not be progressed through this procedure.

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.

Definitions and Abbreviations

Complaint: A complaint is a written or oral expression of dissatisfaction or disquiet in relation to concern about the quality or appropriateness of services, delay in decision-making about services, a failure to follow due processes, or about delivery or non-delivery of services, or a disputed decision.

Representation: A representation is a formal statement made to an authority, especially so as to communicate an opinion or register a protest (Oxford English Dictionary).

Both **Representations** and **Complaints** are dealt with in the same manner in this procedure and the terms are used interchangeably. The term 'representation' may be more acceptable to some people than the term 'complaint.'

Time Limit

Other than in the situation described above, the service will apply a usual time limit to the acceptance of complaints. **A complaint must be made no later than one year after the matters which are the subject of the complaint took place or 3 months following the completion of any engagement.**

If this time limit is exceeded, the company will exercise discretion in determining whether or not to accept the complaint for consideration. 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.

Who may make a representation or complaint under this procedure?

A representation or complaint may be made by:

- A customer i.e. Local Authority, private organisation or charity
- An Associate contracted with us (trainer, advocate, consultant or assessors)
- A volunteer
- A Family member impacted by the service
- Anyone else for whom we have agreed to provide a service for

Information about how to complain

A copy of our representations and complaints procedure is provided to all customers contracted with at the initial contract set up meeting. Those that work with us on a spot purchase basis are provided the policy and procedure upon request.

All complaints should be sent directly to complaints@reconstruct.co.uk unless the complaint is about the service director and this is sent to hr@reconstruct.co.uk

Allegations against staff

Reconstruct take all allegations made by children and young people very seriously. Any concerns shared by children, carers, professionals or staff towards colleagues or others need to be shared immediately with their line manager and/or the designated safeguarding lead.

If you would like to make a complaint against a member of staff/advocate/volunteer due an allegation, please refer to the **allegations policy**.

Complaints about the Service Director

With regard to complaints that are specifically about the Service Director, these can be sent to the hr@reconstruct.co.uk to review and find an appropriate Leader to hear the complaint.

Process

We have a two stage procedure for dealing with complaints:

Stage One Formal written response completed by the relevant Team Manager

Stage Two Formal written response completed by the Head service or Service Director or appropriate Leader

Stage One

Contact will be made in writing, or where made verbally will then be followed up in writing acknowledging receipt of the complaint within five working days, enclosing a copy of this procedure and listing the issues, as we understand them to be. If the complaint is not received via our contractor contact, ie. Via a social worker, parent, carer, we would inform our key contacts at the local authority of the complaint. If the issue was related to safeguarding matter, If the complaint was regards to safeguarding matter, procedures within our Safeguarding policy would supersede those in our complaints process.

The complaint will then be fully investigated. This will normally involve discussions with appropriate Team Manager, a full review of the file and speaking to those members of staff involved.

We will then provide a detailed written reply to the complaint, if appropriate, including suggestions for resolving the matter, within 10 working days of sending the acknowledgement letter.

Stage Two

Where a complainant remains dissatisfied with the response at Stage One, they may request that the complaint be reviewed by the Head of service. The request must be received within 7 working days of receiving the outcome in writing of the Stage One response, and the complainant must provide the reasons for their dissatisfaction with the response at Stage One.

The complaint and stage one response will be reviewed alongside all relevant information by the Head of service. A formal response will be completed within 20 working days of receiving the request for review.

If the complaint involves the Head of service, the complaint can be sent direct to the People Team for an appropriate Leader to review the complaint. This can be sent by email to hr@reconstruct.co.uk

This is the final stage in the complaints process.

How to make a complaint

You should outline your complaint providing as many factual details as possible and let us know what outcome you are hoping for. When we receive your complaint, we will:

- Acknowledge your concern within 5 working days. You will be told at this stage who will be dealing with your complaint. Usually it will be the relevant line manager who would investigate the initial complaint. This will of course be dependent on the nature of your complaint. You do have the right to request a different officer to investigate;
- Ask you to tell us how you would like us to communicate with you;
- Deal with your concern in an objective, open and honest way;
- If necessary, we will set out our understanding of your concerns and ask you to confirm that we've got it right;
- We'll also clarify what outcome you're hoping for.

The person dealing with your complaint will offer to see you. You can have a friend or union rep to accompany you to the meeting.

We will look at relevant evidence; this could include files, notes of conversations, letters, and emails. We will also talk to the staff or others involved and look at our policies, any legal entitlement and guidance.

We will aim to resolve concerns as quickly as possible and expect to respond in writing to you within 20 working days. If your complaint is more complex, we will:

- Let you know within this time why we think it may take longer;
- Tell you how long we expect it to take;
- Let you know where we are up to with the investigation.

You will be offered an interview and look at the most appropriate ways to try to resolve the problem. This should be done within 28 days unless a different timescale is agreed with you. We will always ensure that you are in agreement with the proposed way in which we aim to resolve your complaint.

Where the complaint is made by a service user, a record of the complaint and the outcome will remain within the service users file. We will ensure that the Local Authority commissioning a service for the user, is aware of the complaint and the outcome of any investigation.

Conclusion

We want all our stakeholders to be happy with what we do and how we treat them so we welcome concerns and will strive to prevent them becoming formal complaints. However, we will also take all complaints seriously and will always respond in a timely, clear and sensitive manner.

We will feed all concerns and complaints into our Quality Assurance Framework to make sure staff at all levels are aware of the learning and any actions needed. Any training issues identified will also be addressed.

Monitoring, Evaluation and Review

