



Safeguarding
Partnership
Board

Raising Concerns: a guide to making complaints, contributing comments or complimenting the Safeguarding Partnership Board

Oct 2014

DOCUMENT PROFILE

Document Status	Ratified by the Board 23/10/2014
Short Title	SPB Complaints and compliments
Document Purpose	A policy for anyone involved with/receiving services from Multi-Agency Child or Adult Protection services in Jersey.
Target Audience	The public, service users, paid and unpaid colleagues in statutory departments and non-government agencies who work with children or adults at risk in Jersey
Linked Procedures	Inter-Agency Child Protection Procedure , Safeguarding Adult Procedure , Escalation and Resolution of Professional Differences Procedure
Author	SPB Professional Officer – update P&P Officer
Publication Date	October 2014
Review Date	October 2016
Approval Route	CBG/SPB
Contact Details	SPB Tel. 01534 444 228 or safeguardingpartnershipboard@gov.je

Contents:

	<i>page</i>
1 <i>Introduction</i>	3
2 <i>Principles</i>	3
3 <i>Stage 1: Raising concerns</i>	4
4 <i>Stage 2: Local resolution</i>	4
5 <i>Stage 3: Investigation</i>	5
6 <i>Stage 4: Response 1</i>	6
7 <i>Stage 5: Response 2</i>	6
8 <i>Stage 6: Feedback</i>	6
9 <i>Complaints about professional misconduct</i>	7
<i>Appendix 1.</i>	
<i>Staged Raising Concerns procedure</i>	8

1. Introduction

- 1.1 The Safeguarding Partnership Board has a role in agreeing and monitoring the effectiveness of the multi-agency child and adult protection processes in Jersey. The Board does not get involved in individual cases on a decision-making basis, or in the complaints process for an individual agency. The SPB may be asked to review the processes involved in multi-agency child and adult protection services, but this policy does not affect the current decision-making of an individual; rather, it is used to learn lessons about how to work more effectively on a multi-agency basis in the future. The SPB, therefore, has a role in dealing with comments, complaints and compliments which may be made by persons concerned about how multi-agency child and adult protection procedures are working in Jersey.
- 1.2 This procedure should ensure that those who wish to make a complaint or representation have their concerns resolved swiftly and, wherever possible, resolved by the people who provide the service locally. Complaints and representations should be useful tools for indicating where services may need improving or how they could be improved. It should not be considered as a negative process, nor have the aim of apportioning blame.
- 1.3 A complaint may be generally defined as an expression of dissatisfaction or disquiet in relation to an individual child, young person or adult at risk, where there is multi-agency child or adult protection involvement; it requires a response. Representations may not always be complaints; they may also be positive remarks or ideas that require a response from one or more of the services in the child or adult protection system. Enquiries or comments about the availability, delivery or nature of a service which are not criticisms are likely to constitute representations, for example, people should be able to put forward ideas or proposals about the service they receive, or the way they are dealt with, without having this framed as a complaint.
- 1.4 This procedure does not apply when:
 - the complaint is in regard to a single agency issue, or to a specific person in relation to a specific case;
 - the complaint is about the decisions made by a court or other legal body;
 - the complaint is about disciplinary proceedings or other Human Resources processes;
 - the same complaint has already been dealt with at all stages of the procedure.

2. Principles

- 2.1 This procedure is based on the following principles:
 - that the people who use any of the child or adult protection services in Jersey are treated with dignity and respect, are not afraid to make a complaint and have their concerns taken seriously;
 - that, as far as is possible, there is even-handedness in the handling of complaints;
 - that any concerns about the protection of children or adults are referred immediately to the relevant social services team or to the police;

- that as many complaints as possible are resolved swiftly and satisfactorily at the local level;
- that fair process and adequate support are available for everyone involved in the complaint;
- that the complainant receives a full response without delay;
- that all services within the child and adult protection system monitor 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.

3. Stage 1: Raising concerns

- 3.1 If any person is unhappy with any aspect of the multi-agency child or adult protection services, they should first raise the concerns/complaint at the time with a member of staff from the relevant service who will be able to listen to the concerns and try to address them. If the person is unhappy about the result of this discussion, they should ask to speak to a senior member of staff within the department/service concerned. This is an opportunity to address concerns in a timely and prompt manner. Complaints or concerns are more likely to be resolved if they are dealt with when they happen and by those members of staff who are party to those complaints or concerns.

4. Stage 2: Local resolution

- 4.1 If a person still feels that their concerns are unresolved after speaking with senior staff, and wish to make a more formal complaint, they should be provided with a copy of this procedure Raising Concerns, a guide to making complaints, contributing comments or complimenting the Safeguarding Partnership Board and offered an informal discussion with the SPB Professional Officer about the procedure.
- 4.2 In all cases, the first formal stage of the procedure is to make a complaint either to the member of staff directly concerned or to the SPB Professional Officer, either verbally or in writing, who will attempt to resolve and answer the complaint.
- 4.3 If the complaint is addressed directly to the member of staff concerned a copy of the complaint must also be referred to the SPB Professional Officer. This first stage is called Local Resolution; in most cases the matter will be resolved at this stage.
- 4.4 Any complaints sent directly to a service or department in the child or adult protection system that the service believes would be more appropriately dealt with by the SPB should be copied immediately to the SPB Professional Officer. In order to ensure prompt initial response the service or department must send written acknowledgement of receipt to the person, prior to forwarding both the letter of complaint and the acknowledgement to the SPB Professional Officer.
- 4.5 The SPB Professional Officer/Business Manager is responsible for ensuring that complaints are date stamped on receipt. Any associated correspondence subsequently received will be similarly date stamped. The SPB Professional Officer/ Business Manager will send out a letter of acknowledgement within 2 working days. The complainant will be given the opportunity to meet with the

SPB Professional Officer, or delegate, at this stage if they wish to discuss the nature of the complaint face to face.

- 4.6 The SPB Independent Chair will be responsible for resolution and will be notified of the complaint by the SPB Professional Officer promptly, preferably on the day of receipt. On receiving notification of the complaint, the SPB Independent Chair is responsible for promptly instituting appropriate procedures.
- 4.7 Experience has shown that a telephone call to acknowledge a complaint is much appreciated by the complainant as it demonstrates how seriously complaints are taken. In a number of instances it may be possible to completely resolve a complaint on the telephone. Resolution by telephone must always be followed up by confirmation in writing.
- 4.8 Stages 1 & 2 are the informal resolution process.

5. Stage 3: Investigation

- 5.1 The formal resolution process involves stages 3 to 6.
- 5.2 The SPB Independent Chair is responsible for ensuring that the investigation of the problem raised by the complainant is carried out appropriately, and may delegate responsibility for this investigation to another individual (the **delegated investigator**). In exceptional circumstances, where very serious or wide-ranging allegations have been made, careful consideration should be given as to how best to ensure a transparent, informed and impartial investigation. In such instances, it may be appropriate to request the involvement in the investigation of one or more officers from another department or service area.
- 5.3 The SPB Independent Chair remains responsible for ensuring that the investigation is undertaken professionally and promptly, and that a satisfactory response is made to the person's complaint. The delegated investigator may wish to contact the person raising the problem by telephone or meet with them at an early opportunity. All verbal contact must be subsequently recorded in writing to the person.
- 5.4 Staff of any department or service against whom a complaint is made will be made aware of the details of the complaint by the most appropriate senior manager, dependent on the nature of the complaint. Staff will be supported, if appropriate, and given the opportunity to respond.
- 5.5 Complaints should be investigated within a constructive learning culture and be seen as an opportunity to gain knowledge from mistakes and, where appropriate, to identify additional staff training and development needs.
- 5.6 All correspondence received or sent, and written notes of contact with the person must be clearly date marked and signed. The SPB Independent Chair will retain a copy of the Summary of Complaint Letter along with the original complaint letter and supporting documentation. All correspondence relating to complaints will be filed and retained separately in the SPB Office. It will not be filed in medical, social work or other case records relating to the person.

6. Stage 4: Response 1

- 6.1 Many complaints are made worse by poor communication and a failure to manage the complainant's expectations. A single staff member only should communicate with the complainant, in order to avoid confusion and conflicting information; this will normally be the role of the SPB Professional Officer or the delegated investigator, as mutually agreed. On occasion, it maybe more appropriate, dependent on the person and the nature of the complaint, for someone closer to the case to act as the key contact point. Being realistic about target dates is a simple way to reduce frustration.
- 6.2 Wherever possible, the aim should be to complete the investigation and provide a formal response within 25 working days. If the investigation is not completed within this timescale, the complainant must be kept informed of progress by the SPB Professional Officer or agreed communicator. The complainant will be informed as to the reason for delay and the expected completion date. This will continue, at least every 20 working days, until the complaint is concluded.

7. Stage 5: Response 2

- 7.1 When the investigation is complete, the delegated investigator will draft a response to the person and send it to the SPB Independent Chair. This response should provide the following:
- the outcome of the investigation;
 - reasons for any failure in service provided;
 - steps to be taken to prevent a recurrence;
 - care should be taken to be sympathetic in tone and avoid technical terms;
 - (where appropriate), an apology and/or reassurance should be provided;
 - care should be taken to protect the right to privacy of any staff who are the subject of a complaint, and to protect the privacy of any other individuals who may be involved.
- 7.2 Prior to sending the final letter of response it may be helpful for the delegated investigator to telephone or meet with the complainant to advise them that the investigation has been completed, the outcome of the investigation and any outcomes or actions that will follow. This will help in ascertaining if the person is likely to accept the outcome of the investigation.

8. Stage 6: Feedback

- 8.1 Staff concerned in the investigation of the complaint, including those who were the subject of the complaint, will be informed by their manager of the outcome of the investigation, the response made to the person and of any action required in relation to the service or the individual staff member involved. One of the key benefits of complaints is the positive learning and improvement that

can take place as a result of hearing from users experiences of our services. It is therefore very important that staff are made aware of the nature of complaints and the actions taken to improve the service.

- 8.2 If a complainant remains dissatisfied with the outcome of the investigation, the SPB Independent Chair should ensure that every step has been taken to try to resolve the matter satisfactorily.

9. *Complaints about professional misconduct*

- 9.1 If a person believes that a professional in one of the child or adult protection services has been guilty of professional misconduct, they may write to the appropriate professional or regulatory body to make a complaint. If found guilty of professional misconduct, that professional may be prevented from practising in the future. The complainant may make a complaint to a professional body even if they have also made a complaint under this procedure. (However, if an investigation has already started under this procedure, the professional body may decide to wait for the outcome of this before deciding what action it should take.)

Appendix 1 – Raising Concerns procedure

It is important that all complaints or representations are appropriately dealt with and concerns are resolved swiftly.

Under this procedure, a complaint is defined as an expression of dissatisfaction or disquiet in relation to an individual child, young person or adult at risk, where there is **multi-agency** child or adult protection involvement; it requires a response. Representations, positive remarks or ideas should also receive a response.

