**West Sussex – Practice Guidance**

IROs are qualified social workers with at least five years’ experience, and who have acquired the right skills to carry out this role.

**Complaints and Representation**

**Definitions**

All the following must be recorded in order to gauge how a service is operating and to inform developments:

* A **compliment** acknowledges something the service or staff have done well and is celebratory in nature. The person making the compliment would like to see more of the identified behaviour.
* **Comments** can be viewed as ‘food for thought’ and can be identified by its lack of required formal outcome. Generally, comments are balanced and constructive and designed to affect change or review of an existing arrangement. People offering comments tend to do so when they are unhappy with something but do not wish to make a formal complaint. Comments must be handled sensitively as they can easily escalate into a complaint if the person perceives a poor response from staff. The person offering the comment would like to see a change in the identified behaviour.
* A **complaint** is a dissatisfaction with an identified behaviour or process that has caused the complainant a perceived significant harm or risk. The complainant is seeking a formal response and reversal of the identified action and may escalate the matter via the Complaints process if they are unsatisfied with the outcome of their complaint. The complainant wants to eradicate the identified behaviour in the future. There are different levels of complaint – please see guidance below.

**Supporting Children to make a Complaint**

* Complaints are a positive contribution to the monitoring of service provision and support managers to reflect on policies and methods of working with children in our care.
* A complaint is defined as “an expression of dissatisfaction, however made, with the standard of service provided by the home, or with something the home or a member of its workforce may or may not have done”.
* Staff will encourage and support children to advocate for their rights and is committed to facilitating the complaints process at all times. A service that fails to support this process is not the same as a service that has few or no complaints. The significant difference is that the staff in the service promote and provide opportunities for children in their care to offer feedback in a variety of ways. If we are not asking our children for their opinion of the care we provide, we are not promoting their right to complain.
* The Registered Manager will ensure that children are given information on their rights, the means of making complaints, procedures for dealing with complaints, and information on how they may access an advocate.
* Staff will provide accessible information about the Complaints procedure to each child, and ensure they understand how to complain, and who their complaint should be passed to.
* The Complaints procedure will include a Complaints Form that is accessible to the children in the service and support will be provided to enable the child to formulate their complaint if needed.
* However, complaints do not have to be provided in writing to warrant a response. Children may submit complaints verbally or in writing, in person, or via a complaints form. The process of writing down their complaint can sometimes be helpful to identify what the child wants to happen in response to their complaint.
* Staff will attend Complaints training every two years to ensure they are skilled at identifying complaints and can clearly differentiate between feedback, a compliment and a complaint.

**Anonymous complaints**

* The Registered Manager must ensure that children living in the Home are provided with opportunities to offer anonymous feedback on their experience of the service they receive. This may be via a Feedback box where anonymous comments can be posted, or electronically via ‘MOMO One’.
* The Registered Manager will actively promote the issue of complaints via a variety of methods, including the completion of Feedback questionnaires, discussion at Home meetings, CLA reviews and key work sessions or similar activities that are undertaken to consult with children.

**Responding to a complaint**

* On receipt of a formal complaint from a child, the Registered Manager or delegated senior member of staff will provide a formal written acknowledgement within 3 days. This response will be adapted according to the age and cognitive ability of the child and will include the date by which the child can expect the final response to be issued.
* If the complaint concerns significant risk or actual harm to a child, the Registered Manager must proceed by following the Safeguarding Policy in liaison with colleagues in the Multi Agency Safeguarding Hub (MASH) or the Local Area Designated Officer (LADO).
* When a complaint has been received from a child, the identified advocacy service for the Home will be informed as soon as possible, unless this is contrary to the child’s stated wishes.
* Complaints will be investigated by the Registered Manager who will seek to address and resolve the complaint at a local level. Complaints will be responded to quickly and sympathetically and wherever possible resolved by frank discussion with the complainant through negotiation and mediation.
* In the event the child remains dissatisfied with the response, the child will be supported and informed of their right to have their complaint escalated to a formal enquiry. This will be dealt with by Service Manager.
* Children may have representation on their behalf by another individual with whom they have given consent. This must be an adult whose role it is to advocate on their behalf.
* No staff member shall ever make reprisals for a child having made a complaint.
* The Registered Manager shall monitor and regularly review the complaints records in the home and take positive action on any repeat issues that are identified.
* The Registered Manager will ensure that OfSTED is informed of any complaint that involves staff and warrants a LADO consultation *(please see Practice Guidance ‘Allegations Against Staff and volunteers’ for more information).*
* Children who have made a complaint will be informed, in writing, of the outcome of their complaint within the timescales laid down in the relevant procedure.

**Responding to a compliment or positive feedback**

* Receiving any type of feedback from the children who use our services or their representatives is an important way to continue to develop our services to be as good as possible. For this reason, it is important to log any complaints, compliments or comments we receive in order to track any changes in practice that arise as a result.
* Keeping a record of all types of feedback also allows the service to acknowledge, recognise and celebrate when they have made a positive difference to an individual or their family.
* All compliments and complaints must be reported immediately to the Customer Relations Team, which is responsible for centralised recording and reporting, and can offer procedural advice.
* Positive feedback is an important motivator for staff working in front line services, and can make the difference to how someone perceives their role and workplace. Ultimately, recognising positive feedback can improve staff retention and service delivery, and create a culture where staff feel valued.
* Each service will ensure that all feedback, whether positive or constructively critical, is recorded clearly in a Feedback Log in the service. Each entry will indicate clearly who the information was shared with and how and whether there were any resulting changes in practice as a result.
* This process sits alongside the complaints procedure detailed above and is primarily for monitoring purposes. The Feedback Log enables services to provide evidence of consultation and that they are seeking the views of children who attend the service and others who are in contact with them. The Feedback log may be supplemented by hard copies of letters and cards that the service receive and Registered Managers should ensure any individual staff member who is recognised for their positive contribution is directly informed and acknowledged through an appropriate means (team meeting, supervision, appraisal).

**Reflection and learning from feedback**

* The Registered Manager should review all feedback on a regular basis, and ensure that the team are facilitated to reflect on their practice and learn from any complaints that are upheld in part or in full.
* Learning review forms should be completed following the conclusion of any upheld complaints by a designated staff member and used to structure a debrief session with staff.

**Links to related documents:**

Learning review form

Links to template letters

Complaints forms

Your right to Complain

WSCC Complaints and Representations Policy

Corporate Complaints Procedure <https://www.westsussex.gov.uk/media/8131/corporate_complaints_procedure.pdf>