

SUNBEAM FOSTERING AGENCY LTD

Comments, Compliments & Complaints procedure

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Legislation and guidance

The Fostering Services (England) Regulations 2011 regulation 18 sets out the statutory requirement for fostering agencies to establish a written procedure for considering complaints made by or on behalf of children placed by the agency and foster carers approved by them. If the complaint is about a service directly provided by the agency then the Complaints and Representations Procedure should be used. National Minimum Standard 25 states that fostering services should have a written policy and procedural guidelines on considering and responding to representations and complaints.

The Children Act Guidance and Regulations Volume 4: Fostering Services states that everyone involved with the fostering service, including fostered children and their families, should know about the complaints and representations policy and how to use it. Children and young people will still have the right to access to, and representation by, an independent advocate through their local authority and should be advised accordingly. Information about the complaints procedure must be included in the children's guide to the fostering service.

This is in addition to the requirement under section 26(3) of the Children Act 1989 for every local authority to establish a representations and complaints procedure. The placing local authority has a legal duty to investigate any complaint about its own services – including the social worker, care plan or contact arrangements – and the Adoption and Children Act 2002 amended the Children Act 1989 to require it to make an advocacy service available to that child to assist them to make a representation. The statutory framework is set out in the Children Act 1989 Representations Procedure (England) Regulations 2006 and the related statutory guidance.

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Complaints: social care complaints and representations for children, young people and others, DCSF 2006

Principles

Sunbeam Fostering Agency believes that foster carers, children and young people have a fundamental right to have their views heard and to be taken notice of in the development of the service. These views may be in form of a complaint about the service, constructive ideas for how to improve the service or in the form of a compliment about how a service was delivered.

All comments, compliments and complaints provide vital information to inform the future policy, planning and development of the service as well as identifying the areas of the service which are successful and valued. They help to identify any gaps in service provision and should lead to the development of better services. When something goes particularly well, or particularly badly, we need you to let us know that we can repeat successes and correct mistakes. Your comments and complaints are an essential part of this process.

Who can comment, compliment or complain?

Any child, foster carer, member of staff, family member or indeed any person who has had an involvement with Sunbeam Fostering Agency is entitled to comment about the quality of any of the services, whether positive or negative. A foster carer, relative or friend can also do so on a young person's behalf.

A comment or complaint may include such things as quality of communication, staff behaviour or attitude, decisions we have made, support for carers or children, or quality of care in the home.

If the matter is urgent e.g. a Child Protection issue, an allegation, or an incident involving the child's health and safety, call the office. If you ring outside of office hours your call will be diverted to the on call worker.

Complaints by or on behalf of children and young persons

Any looked after child or young person may complain about an aspect of their care to their placing authority, whose own complaints procedure will be available to the child via the social worker. However, if the complaint relates to an aspect of the service provided by Sunbeam Fostering Agency, agreement will be reached with the placing authority about which agency will investigate the complaint. When a complaint is made directly to Sunbeam Fostering Agency by or on behalf of a child, the placing authority social worker will be informed. Agreement will then be reached with the placing authority about which agency will investigate the complaint.

Complaints may be made by the child, foster carer, parent, social worker, friend, relative or Sunbeam Fostering Agency's staff member. The complaint may concern any aspect of the service received from Sunbeam Fostering Agency. Our **Children's Guide** contains written information on how to make complaints, including the availability of independent support and advice.

Children will be assured that their complaints will be taken seriously, investigated thoroughly and they will receive written notification of the outcome.

Children will be reassured that by making a complaint they will not be subjected to any form of punishment or reprisal.

Complaints by a foster carer

Complaints may be made to any Manager or to the Complaints Officer about any aspect of the service received from Sunbeam Fostering Agency. The complainant will receive written acknowledgment of the complaint and details of the planned investigation. All complaints will be investigated in accordance with the Stages set out below.

No person who makes a complaint will be subject to any form of recrimination or reprisal.

All foster carers at Sunbeam Fostering Agency are members of The Fostering Network who they can approach to seek independent advice and support.

COMPLAINTS PROCEDURE

Stage 1 - Informal Stage

We hope that most things someone is concerned about can be settled by speaking to the person they normally deal with, or by discussion with that person's immediate line manager, and this is the informal route we would like people to try first.

We would always encourage foster carers to talk with their supervising social worker or their line manager about any complaint that they have and to try to resolve the matter with them. Unless matters are urgent, we expect informal routes of resolution to be explored first.

Stage 2 – Formal Investigation

If someone is not satisfied with the informal response they get, or if they wish to complain formally to Sunbeam Fostering Agency, they can do so at any time to the Registered Manager who is the Complaints Officer at the address given below. They can call or put their concerns in writing if they wish.

The Complaints Officer (Registered Manager)
383 Broad Lane
Coventry
West Midlands
CV5 7AX

Tel: 02476 420 390

Receipt of the complaint will be acknowledged within seven working days, including an indication of whether it is planned to try to resolve the complaint via internal investigation or, in the case of potentially serious complaints, to move straight to the independent investigation stage.

The Complaints Officer will ensure that the complaint is properly investigated. This stage of the process should be completed within 28 days of the commencement of the investigation unless it is exceptionally agreed with the complainant this period may be extended. The Complaints Officer will ensure that there is a written report to include findings and recommendations for the resolution of the complaint which will be available to the complainant.

If the complainant is dissatisfied with the outcome they may request within 28 days of the date of the dispatch of the report to them that the matter be referred to Stage 3.

Stage 3 – Independent Investigation

A request for an independent investigation should be made in writing to the Complaints Officer who is the Registered Manager.

The request will be acknowledged in writing within seven working days, including details of the proposed investigation.

An Independent Person will be appointed to investigate the complaint. This person will hold a professional social work qualification and have relevant experience in foster care.

The Independent Person will interview persons involved in the complaint and will have access to all policies and procedures and, with relevant permission, access to the foster carer's and to the child/young person's, files and records. They will prepare a report of their investigation, including conclusions and recommendations for the resolution of the complaint. This report should be completed within 42 days of the acknowledgement letter, unless it is agreed with the complainant that this period may be extended.

The Complaints Officer (Registered Manager) will consider the Independent Person's report and write within ten days of its receipt to the complainant setting out their proposals for resolving the complaint.

Details of the investigation/proposed resolution will be available for information to the fostering panel.

This marks the end of the complaints process. If the complainant is not happy with the final outcome or indeed at any stage of the process, they can contact Ofsted.

Ofsted

Any foster carer or a child/young person may choose to contact our regulator, Ofsted, directly regarding any complaint/allegation concerning the standard of service provided by or a foster carer, or about the management of our service. Sunbeam Fostering Agency will co-operate fully with any investigation conducted by Ofsted.

OFSTED
Piccadilly Gate,
Store Street
Manchester
M1 2WD
Greater Manchester

Phone: 0300 123 1231

The Registered Manager will automatically refer any serious complaints against foster carers or staff to Ofsted, for information, and will advise Ofsted of the outcome of any investigation.

Remedies

If we make a mistake, we will apologise and try to take some practical action to put things right. We may ask the complainant to suggest what they would like us to do. We will always try to put them back to the position they would have been in but for our mistake. We will also try to ensure that the same mistake does not happen again.

For example, we may decide that one or more of the following can be done to put things right:

- Provide or change a service to the complainant
- Provide an explanation or information to the complainant
- Review service user literature (leaflets, website, posters and so on)
- Review a policy or procedure
- Arrange training or guidance for employees

Monitoring and quality assurance

All complaints, representations and allegations against foster carers are monitored by the Registered Manager and reported to the management group. Their outcomes are annually evaluated as a basis for informing future service provision. Comments and compliments are also collated, analysed and included in management reports. Information from these processes is shared with staff and the fostering panels.

Whistle Blowing

Sunbeam Fostering Agency has a **Whistle Blowing** Policy which outlines the procedure for reporting any circumstances within the fostering service which someone considers likely to significantly harm the safety, rights or welfare of children. Sunbeam Fostering Agency is an open and transparent organisation that encourages its foster carers to seek advice from outside organisations if they are not satisfied with the response to any serious complaint.

Representations

Foster carers and applicants to foster are entitled to make representations, in writing, or in person, to a Sunbeam Fostering Agency fostering panel in relation to their approval as foster carers - in instances where the agency makes a „qualifying determination“ in relation to one of the following areas:

- The agency proposes not to approve the applicants as foster carers;
- The agency proposes to change the foster carer's terms of approval;
- The agency proposes to terminate the foster carer's approval.

In these cases, the foster carer/applicant will receive a letter containing the qualifying determination and will have 28 days in which to confirm whether they wish to make representations or to refer their case for review to an independent fostering panel. The procedures in these instances are to be found in the policies on **Recruitment, Assessment and Approval of Foster Carers** and **Review and Termination of Foster Carer Approval**.

Related policies and documents

- Confidential Reporting (Whistle Blowing) Policy
- Recruitment, Assessment and Approval of Foster Carers
- Review and Termination of Foster Carer Approval
- Sunbeam Fostering Panel Policy and Procedures
- Children's Guide