



Complaints and Representations Policy



Scope of this policy

This policy covers general and specific policies and the procedures relating to the handling of complaints relating to Following Whispers. It covers complaints made by a child, member of staff, family member or others involved with foster children.

This policy also provides the relevant information to enable foster carers and staff achieve Training Support and Development Standards 2.6 a & 2.6 b.

A separate procedure applies to allegations relating to child protection - see Child Protection Policy and Procedures and Managing Allegations Policy and Procedure.

Outcomes

Children know that their views, wishes and feelings are considered in all aspects of their care, are helped to understand why it may not be possible to act upon their wishes in all cases and know how to obtain support and make a complaint.

Children can take up issues in the most appropriate way with support, without fear that this will result in any adverse consequences. Children receive prompt feedback on any concerns or complaints raised and are kept informed of progress. **(NMS: 1.6)**.

The views of others with an important relationship to the child are gathered and considered (Standard 1) Foster carers receive the support and supervision they need in order to care properly for the children placed with them (Standard 21). Current and prospective foster carers are able to make a complaint about any aspect of the service which affects them directly. Records are kept of representations and complaints, how they are dealt with, the outcome and any action taken. These records are reviewed regularly so that the service's practice is improved where necessary **(NMS: 21.11)**

The fostering service is managed ethically, effectively and efficiently, delivering a service which meets the needs of its users (Standard 25).

Introduction

The scope of the local authority complaints procedures under the Children Act covers the range of local authority functions in relation to children looked after (i.e. in care or "accommodated") by the local authority. Persons entitled to have complaints considered are: a) Any child who is being looked after by the local authority, b) a parent of his or hers, c) Any local authority foster carer, d) Such other person as the local authority consider has sufficient interest in the child's welfare to warrant his or her representations being considered by them.

Almost invariably children placed with Following Whispers foster carers will be "children looked after by the local authority". As such the children placed with Following Whispers foster carers (and Following Whispers foster carers themselves) will be entitled to have complaints about the local authority's service for the child considered by the local authority. Our management team will ensure that each foster carer and each child (if of sufficient age and understanding) will know how and to whom to register a complaint, at the time of their placement with a Following Whispers foster carer.

The 2011 National Fostering regulation 18 (1-7) and the National Minimum Standards for Fostering Services (2011) incorporates the need for each agency to have a complaints procedure.

A particular feature of the Complaints Procedure is the appointment of an Independent Person or persons to be involved at all formal stages of the procedure (that is when a complaint is put in writing – see below).

Following Whispers aim is that most disputes will be resolved early and amicably by direct discussion. However, this will not prevent a child or foster care from making a formal complaint under these procedures.



At no stage will the registration of a complaint to Following Whispers prevent Ofsted being contacted (see end of this document), or a complaint being registered with the local authority, or vice-versa.

The Complaints Procedure

The complaints procedure contains the following elements:**Identification of a Person Responsible to Handle Complaints**

Within Following Whispers, a responsible person is defined as a senior member of Following Whispers staff with no direct line management involvement with the child, foster carer or support worker involved in the complaint. The responsible people will co-ordinate all aspects of Following Whispers complaints procedures.

These include:

- Recording the receipt of each complaint,
- Explaining the procedures to parties involved,
- Appointing or advising on the identification of an independent person at each stage of the consideration of a complaint
- Recording the outcome of each stage of consideration of a complaint.

Definition of a Complaint and Representation

A complaint for the purposes of this policy is any representation, both minor and major, by a child, staff member, family member and others involved with children living within the fostering household, whether verbal or in writing, relating to dissatisfaction with the service provided by Following Whispers. This policy does not restrict the nature of the issues a person may complain about. If a person does not wish to complain but feels strongly about a specific aspect of the fostering service, they are welcome to present their views as a representation. The same principles will apply as for complaints and similar process will be followed.

Recording Complaints

Oral complaints should be recorded in writing. The written version should be sent to the complainant who may comment on the accuracy of the written version. Any comments received should be considered by the agency that may then amend their records. In response to the established version of an oral complaint or in the case of a written complaints as soon as it is received the agency should sent to the complainant an explanation of Following Whispers's complaints procedure. Following Whispers will keep a register of all complaints received, which includes details of the complainant, date of complaint, nature of complaint, action taken and outcome of the complaint.

Identification of Independent Persons

The following Whispers responsible individual will identify independent persons to take part in all formal stages of the agency's consideration of a complaint. Following Whispers staff or persons engaged in any way in with the child, foster carer or support worker involved in the complaint, or the spouse of any such person are excluded from acting as an independent person under this complaint's procedure. In addition, for the purposes of this procedure, cohabiters and other adult members of offices families should also be excluded.

Once identified, the independent person should take part in all discussions, which the agency holds about the complaint. He or she should be allowed to interview the complainant and any other person involved family members, relevant members of staff if this is considered necessary to form an independent view. The independent person should be provided with all relevant papers relating to the complaint. He or she should also be given access to any other material, which he or she considers relevant. The independent person should provide written comments to the agency.

Alternative Channels for Complaints

At no stage, will the registration of a complaint to Following Whispers prevent a complaint being registered with the local authority or vice-versa.



Provision for Informal Resolution and Further Perusal

The procedures outline in the next section includes provision for both informal attempts such as negotiation, arbitration and mediation to resolve the complaint and for any complainant to have the matter pursued further if not satisfied with the proposed informal resolution.

Conflict of Interest

Following Whispers policy precludes any person who is the subject of the complaint from taking any responsibility for the handling of the complaint. This includes complaints against any manager within Following Whispers. If the complaint is against the Registered fostering manager, then Following Whispers will appoint a suitably senior independent person or persons to handle the complaint.

Prompt Referral of Child Protection Issues

If a complaint raises issues relating to child protection, these will be promptly (the same day as the complaint is received and verified) be referred to the relevant LADO and Local Authority social worker and handled under the agency Child Protection procedures

Accessible Formats and Children's Representatives

Simple to understand versions of this policy and procedure can be made available for children, including those with disabilities. In cases where children cannot easily access this due to their disability or stage of development, other methods will be used to communicate the key elements of this policy. In cases where for understandable reasons children are not able to complain themselves, Following Whispers encourages other relevant connected adults or children (e.g. parents, older siblings, foster carers, social workers, teachers etc) to do so with their consent.

Communication

The complainant will be kept informed about the progress of their complaint and the details of the outcome in an accessible format at the earliest opportunity.

Stages of Complaints Procedure

Stage 1 (Informal stage)

Following Whispers provides for round the clock communication with its foster carers. It is expected that carers will inform Following Whispers as and when, issues arise and that the need for the child to have independent support will be discussed.

Following Whispers acknowledges that some concerns raised by children are best dealt with by providing an independent advocate for the child. Foster carers and their support worker will discuss this option.

If the problem cannot be resolved informally and the child wishes to take it further, the child will set down the complaint in writing and it will be treated as a formal complaint under stages 2 and 3 below. The child will be given help to express her/his views clearly, with the help of the advocate if appointed.

Stage 2

The agency should consider the complaint and formulate a response within 28 days of its receipt, unless the complaint is withdrawn earlier. Before the expiry of the 28 days period the agency should inform the following persons:

- The complainant;
- If different, the person on whose behalf the: complaint was made unless the agency considers he or she is not of sufficient understanding or that it might be likely to cause serious harm to his or her health or emotional condition;
- The independent person; and



- Any other person whom Following Whispers Family Consultancy considers has sufficient interest in the case (e.g. in the case of a looked -after child, the local authority). The information should include the proposed result of the agency's consideration of the complaint. At the same time, the complainant should be informed of his or her right to ask, within 28 days, to have the complaint referred further to a complaints panel if he or she is unhappy about the agency's decision.

Stage 3

If the complainant does exercise his or her right and informs the agency (in writing and within 28 days) that he or she is dissatisfied, the matter should be referred to a complaints panel. The panel, which should conduct its business as informally as possible, should include an independent person (who may not necessarily be the same person who acted as independent person at the first stage). Within 24 hours of the panel meeting their recommendations and their reasons for reaching such recommendations should be recorded in writing. Notice of the panel's recommendations should be sent to:

- The Director of Following Whispers Family Consultancy;
- The complainant;
- The (original) independent person, if different from the independent person on the panel;
- Any other person whom the agency considers has sufficient interest in the case (e.g., the local authority).

Complaints comments Form

If you are unhappy about any aspect of the service provided by Following Whispers, please tell us. If you wish you can talk directly with your Following Whispersworker. Alternatively, you can talk to the relevant local authority social worker or independent reviewing officer.

You can also tell us by writing to Following Whispers Complaints Responsible Person and address the letter to:

Following Whispers
Addington Business Centre, Office 6
Addington Place
Ramsgate
Kent
CT11 9JG

Alternatively you can contact Ofsted;

Phone: 03001231231

Text: 60085

Email: enquiries@ofsted.gov.uk or by

Writing to: Ofsted, Royal Exchange Bulidings, St Ann's Aquare, Manchester M2 7LA

If you think nobody is doing anything you, you can call any of the following

Child Line: 08001111 or

Voice 02078335792 or

Complainants who are unhappy with a response to their complaint related to a Local Authority may also try to resolve matters via the Local Government Ombudsman: