

## Adult's Social Care Complaint Policy

Main aims, purpose and outcomes and how does it fit in with the wider aims of the organisation:

The Adult's Social Care Complaint procedure is a statutory process and is to be followed when any member of staff receives a complaint from a service user, or someone who has applied for service, or their advocate or carers. The policy is intended to ensure that all staff are aware of their responsibilities, and the process that must be followed when a adult's social care complaint is received.

Lead officer: Louise Finnan

Stakeholders: All officers of Cheshire West and Chester Council

Equality analysis is a valuable tool to help embed equality into everything we do

While process is important, equality analysis is essentially about outcomes

Lack of evidence of discrimination is not evidence of a lack of discrimination

It is not acceptable to say that a policy is applied uniformly to all groups and is therefore fair and equal. Applying a policy or procedure consistently may result in differential outcomes for different groups.

For each of the areas below, an assessment needs to be made on whether the policy has a **positive, negative or neutral impact**, and brief details of why this decision was made and notes of any mitigation should be included. Where the impact is negative, this needs to be given a **high, medium or low assessment**. It is important to rate the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

**High impact** – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

**Medium impact** –some potential impact exists, some mitigating measures are in place, poor evidence

**Low impact** – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little

discretion			
	<b>Neutral</b>	<b>Positive</b>	<b>Negative</b>
Target group / area			
<b>Race and ethnicity</b> (including Gypsies and Travellers; migrant workers, asylum seekers etc.)	The policy will be applied consistently to all groups.	All Council services are available in other languages and officers assess whether interpretation or translation is required to assist customers whose first language is not English	
<b>Disability</b> (as defined by the Equality Act - a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities)		Anyone making an Adult's Social Care complaint who needs additional support is offered an advocate. Additional support / reasonable adjustments as appropriate is provided during the complaint process following discussion with the individual and social workers to identify how best to support the complainant through the process.	
<b>Gender</b>	The Policy is applied consistently regardless of gender.		
<b>Gender identity</b> (gender reassignment)	Any particular concerns will be considered sensitively.		Training needs to be provided to staff to provide a better understanding of issues relating to gender identity.
<b>Religion and belief</b>	An individual's religion or belief will not impact on the application of the process, which is statutory and accessible to everyone who is eligible according to the statutory guidance.		
<b>Sexual orientation</b> (including heterosexual, lesbian, gay, bisexual)	An individual's sexual orientation will not impact on the application of the process, which is statutory and accessible to everyone who		

	is eligible according to the statutory guidance.		
<b>Age</b> (children and young people aged 0 – 24, adults aged 25 – 50, younger older people aged 51 – 75/80; older older people 81+. The age categories are for illustration only as overriding consideration should be given to needs)	The age of an individual is not a factor in the assessment of whether a complainant is eligible to make a complaint under this process.	Any young person acting as a representative to an adult complainant is offered access to an advocate to support them in the complaint process.  Any person who has stated a need for support will be offered additional support as appropriate  Where the complaints team or Adult's service recognise a need to offer support [through their contact with the complainant] this will be offered.	
<b>Carers</b>		Carers are able to access the complaint procedure with the consent of the complainant. However if the subject of the complaint is deemed to not have capacity to consent and the complaint is felt to be in their best interests, the complaint can be accepted into the process based on advice from the social worker.	
<b>Rural communities</b>	The policy allows for ongoing telephone / letter / e-mail / in person access, so there should be no adverse impact on this category.	The method of communication with the customer is at the customer's discretion.	
<b>Areas of deprivation</b>	The policy will be applied consistently and sensitively. Officers compiling complaint responses have access to information about the complainant's circumstances and		

	respond appropriately.		
<b>Human rights</b>	Some individuals may not be eligible to complain under the process and are not happy as a result, however eligibility is set by statute to protect the best interests of the individual.	Where possible the service will respond informally to those who are not eligible to complain formally, to provide information and support as appropriate to the situation and subject to any necessary permissions.	
<b>Health and wellbeing</b> (consider both the wider determinants of health such as education, housing, employment, environment, crime and transport, as well as the possible impacts on lifestyles and the effect there may be on health and care services)	Due to the nature of complaints, some complainants will state that they feel upset or stressed by their situation and the process.	Where complainants state that they feel upset or stressed by their situation and the process the Customer Relations Team will ask the Service / their Social Worker to assess what support they need and put it in place. They will also provide a leaflet explaining how to access other support e.g. advocacy that the service will explain to them. The Customer Relations Team will support the service in ensuring that reasonable adjustments are made to the response process (e.g. format, style, tone, language, or delivery of response) to ensure it meets the complainants needs. Where the complaints team identify immediate or urgent needs they will signpost to the appropriate safeguarding team.	
<b>Procurement/partnership</b> (if project due to be carried out by contractors/partners etc, identify steps taken to ensure equality compliance)		A number of Adult's services are provided on behalf of the Council by other organisations. These organisations have a complaint procedure in their own right, which can be followed in the first instance. However, the Council remains ultimately responsible for provision of service under contracted arrangements and if a	

		<p>complainant remains unhappy following a provider response, the Council can review the complaint directly.</p> <p>All officers within Adults services will have access to support from the Customer Relations team in ensuring thorough responses with appropriate remedies.</p> <p>Training on dealing with social care complaints has been added to the corporate training schedule for delivery at least twice a year. Customer Relations also provide ad hoc training for other groups. Additional / individual specific training can be arranged on request.</p>	
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**Evidence (see guidance note for details of what to include here):**

**Adult's Social Care Policy**

**Action plan:**

<b>Actions required</b>	<b>Key activity</b>	<b>Priority</b>	<b>Outcomes required</b>	<b>Officer responsible</b>	<b>Review date</b>
Training	Training to encourage on-going awareness of roles and responsibilities of officers in	High	All officers aware of process and their role within it.	Louise Finnan	Qtr 2 2017-18

	relation to the complaint process.				

<b>Sign off</b>	
Lead officer:	Louise Finnan
Approved by Tier 4 Manager:	Michelle Cross
<b>Moderation and/or Scrutiny</b>	
Date:	Virtual Moderation by People Directorate Equality Group October 2017
<b>Date analysis to be reviewed based on rating</b> (high impact – review in one year, medium impact - review in two years, low impact in three years)	Three Years