

## Children's Social Care Complaint Policy

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

The Children'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 children'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

<b>Low impact</b> – 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)		Any adult making a Children's Social Care complaint who needs additional support is also 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. The Council will accept complaints on behalf of a pre-verbal child and from children in their own words, and will seek to respond using appropriate language and or/via verbal discussion.	All young people are offered an advocate to support them in the complaint process. NYAS is contracted to the Council to provide this support. Any adult who has stated a need for support will be offered additional support as appropriate  Where the complaints team or children'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. There is a standard pro forma for this. 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 child.	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 from the child.	
<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	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	

<p>and care services)</p>		<p>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 complainant's needs.</p> <p>Where the complaints team identify immediate or urgent needs they will signpost to the appropriate safeguarding team.</p>	
<p><b>Procurement/partnership</b> (if project due to be carried out by contractors/partners etc, identify steps taken to ensure equality compliance)</p>		<p>NYAS provide advocacy support to children who wish to complain and have a contract with the Council which should have been reviewed from an equality point of view at inception.</p> <p>All officers within children's and adults social 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 provides ad hoc training for other groups, e.g. training for officers on the Aspire team manager programme. Additional/individual or specific training can be arranged on request.</p>	

		<p>All staff dealing with social care complaints are being provided with a link to a toolkit providing guidance docs, policies, processes and templates.</p> <p>All drafts are quality assured by the Customer Relations team who act as a 'critical friend' to the service to ensure complaints responses are of a high standard.</p>	
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**Evidence**

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**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 relation to the complaint process.	High	All officers aware of process and their role within it.	Louise Finnan	Quarter 2 2017-18

<b>Sign off</b>	
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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