

# **Acorn House Fostering Services**

## **Policy Statement**

### **Complaints**

#### **1. Underpinning Regulations and Standards**

The Fostering Services Regulations 2011

*Regulation 11 Independent Fostering Agencies – duty to secure welfare.*

*Regulation 18 Independent fostering agencies – complaints and representations*

National Minimum Standards for Fostering Services (2011) 1.6:

*“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 by Acorn House.”*

#### **2. Relevant Acorn House Documents related to this Policy**

Consultation and Participation Policy Statement

Safeguarding Policy Statement

Safer Care Policy Statement

Foster Care Review Format – Young Person’s contribution

Acorn House Complaints Leaflet

#### **3. Relevant National Guidance**

Further useful guidance and materials can be found at:

[www.voiceyp.org](http://www.voiceyp.org)

#### **4. Introduction**

Complaints are a form of consultation. At their most extreme, complaints raise safeguarding concerns that require immediate statutory investigation. At a lower level, they provide valuable feedback about how services to children and young people can be improved. All complaints should be treated seriously and proportionately. They should be reported and recorded clearly and quickly and passed on to the Registered Manager for their urgent consideration at the first opportunity.

## **5. Underlying Principles**

It can be very difficult for a young person to make a complaint about a service they are currently receiving. They may lack the confidence to speak out for themselves, or through previous damaging experiences they may be worried about reprisals. Alternatively, they may have had experiences where the complaints or concerns they have expressed have not been responded to appropriately, making them hesitant about raising issues again.

Nationally, the number of complaints made by young people in the Care system remains strikingly low.

For these reasons, Acorn House is committed to the following principles to respond to and investigate complaints:

- Issues raised about the quality of Care provided will be regarded as complaints, even if the complainant does not explicitly state that they wish to make a complaint. This is to ensure our investigation is timely and robust;
- All complaints will be taken seriously and investigated thoroughly, regardless of the initial indication. We know from many Serious Case Reviews into significant harm, that an apparently trivial piece of information can ultimately lead to significant harm being uncovered;
- All children and young people making complaints will be provided with access to advocacy to support them raising and progressing the complaint;
- All complaints will be investigated in a timely way, with appropriate feedback about the progress of the investigation provided to the complainant in a format of their choosing.

## **6. What is a Complaint?**

This procedure should be used to deal with complaints about the service provided by Acorn House, or by any of its employees in a fair and open manner. This includes:

- Complaints about inappropriate matching;
- Complaints about the actions or attitude of staff members; and
- Complaints about the actions or attitude of foster carers.

Acorn House will not normally accept any complaint which relates to matters which occurred more than 12 months before the complaint is made. However, the Registered Manager / Directors may agree to make an exception and accept the complaint if:

- There was a good reason for the delay; and
- In spite of the passage of time it is still possible to investigate the matter effectively and in fairness to all parties.

Any complaint, which relates to matters which are the responsibility of a local authority and which lie outside the control of the Acorn House must be promptly passed on to the appropriate local authority.

For example, some complaints may warrant consideration as an allegation, which requires statutory consideration and potential investigation. Alternatively, some complaints may generate concerns about the quality of Care provided by a foster carer, concerns which are best addressed through the foster carer review process once the complaint has been investigated.

## **7. Who can make a complaint?**

Acorn House will accept complaints from:

- Any child or young person who is, or has been, a foster child;
- The parent of a child or young person who is, or has been, a foster child;
- Any Acorn House Foster Carer;
- Any placing authority, school or external agency involved with a looked after child or young person;
- Any independent worker commissioned by Acorn House.

When a complaint is received from a person not listed above, the Registered Manager will decide whether it should be accepted. An anonymous complaint may be accepted if the Registered Manager feels that it is appropriate to do so.

## **8. The Complaints Process**

### **Stage One – Informal Resolution**

**The Supervising Social Worker will take the lead in Stage 1 supported by the Senior Practitioner (if applicable).**

When a staff member receives a complaint, they will initially pass it to the relevant Supervising Social Worker, who will attempt to resolve the matter informally with the complainant. However:

- If the complaint relates to the actions or decisions of the Supervising Social Worker, it should be passed to the Registered Manager and the matter moved on to stage 2; and
- If the complaint relates to the actions or decisions of the Registered Manager it should be passed to the Agency Directors and progressed immediately to stage 3.

The Supervising Social Worker and the Registered Team Manager will decide who should be informed that the complaint has been made. However, the following points need to guide the initial investigation process:

- The Directors / person responsible for HR matters should be informed in all cases.
- If the complaint relates to the service provided to a specific foster child or children, the local authority social worker responsible for each child should be informed.

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- If the complaint includes a serious complaint about a foster carer, notification must be sent to Ofsted and to a senior manager in each local authority responsible for a child placed in that foster home.
- If the complaint gives rise to concerns that a foster carer or member of staff has behaved in a way that has harmed a child, or may have harmed a child; or possibly committed a criminal offence against or related to a child; or behaved towards a child in a way that indicates they may be unsuitable to work with children then the Local Authority Designated Officer (LADO) must be informed. Ofsted should be informed of any such referrals made to the LADO.
- In circumstances where there is the potential for a statutory investigation, then investigation of the complaint may have to be delayed until the statutory investigation is complete to prevent evidence being contaminated or destroyed. A complaints investigation into a criminal act, for example, could profoundly compromise the evidence gathering. If in doubt, it is important to seek further advice.
- If the complaint has a potential impact on a foster carer's approval terms of registration, the Fostering Panel should be informed following the convening of an early foster carer review. For lesser matters, a 'Cause for Concern' meeting will be called with the carer. If a carer is the subject of three 'Cause for Concern' meetings in a twelve month period an early review will be called.

The Supervising Social Worker will discuss the issues with the complainant, and may ask them to put the complaint in writing. During the discussion, the social worker will try to clarify what action the complainant would wish to see Acorn House take in response to the complaint.

As soon as possible after this discussion and after consulting with the Registered Manager, the social worker will set out in writing any decision reached or action proposed, and will give or send a copy to the complainant, asking for a response as to whether the complainant is satisfied with this.

If the social worker cannot resolve the matter to the complainant's satisfaction within 10 working days, the complaint will proceed to stage 2. If the complainant has not yet put the complaint in writing, the social worker will ask them to do so now.

## **Stage Two – Formal Investigation**

### **The Registered Manager will take the lead in Stage 2**

If informal attempts to resolve the matter fail, the Supervising Social Worker will pass the written statement of the complaint on to the Registered Team Manager, who will acknowledge it in writing within 3 working days.

If the complaint has progressed directly to stage 2 without going through stage 1 (i.e. if it related to the supervising social worker who would otherwise take the lead in stage 1), the Registered Manager will ensure that the appropriate persons and agencies have been notified of the complaint as set out above.

The Registered Manager will make appropriate enquiries into the circumstances of the complaint and will arrange a meeting with the complainant to discuss the matter further.

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Within 25 working days of receiving the written statement of the complaint, the registered Team Manager will send the complainant a written response setting out their decision and any proposed action. This written response must include a statement that if the complainant is not satisfied, they may make a written request for the decision to be reviewed, and that any such request must be made in writing within 20 working days after the date on which they received the response.

### **Stage Three - Review**

#### **The Agency Director will take the lead in Stage 3**

If the complainant requests a review, the Registered Manager will immediately pass the request to the Director with all papers relevant to the issue, including the reports on previous attempts to resolve the complaint.

If the complaint has progressed directly to stage 3 without going through stage 1 (i.e. if it related to the Registered Manager who would otherwise take the lead in stage 2), the Director will ensure that the appropriate persons and agencies have been notified of the complaint as set out above.

Before making the final decision, the Director may commission an Independent Complaints Officer to investigate the matter. The Independent Complaints Officer will:

- Inspect any relevant records held by Acorn House;
- Arrange a meeting with the complainant;
- Discuss the issues with relevant Acorn House staff;
- Prepare a written report with recommendations; and
- Send copies of the report to the complainant and the Director.

This must be completed within 30 working days.

If the Director decides not to commission an independent report, they will read the relevant papers, and contact the claimant to confirm what action they would wish to see Acorn House take in response to the complaint.

The Director will respond to the claimant in writing –

- If an independent report was commissioned, within 15 working days of receiving the report; or
- If an independent report was not commissioned, within 25 working days of receiving the request for a review.

This will state that it is the final response from Acorn House, and will note that the complainant has the right to raise any serious concerns with Ofsted. If an independent report was commissioned, a copy will be enclosed with this response.

### **9. Monitoring and Review of Complaints Activity**

In order to identify any trends, the Registered Manager maintains a record of complaints containing the following:

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- The person making the complaint;
- The date of complaint;
- Nature of complaint;
- Action taken and outcome

This information is considered alongside management information regarding allegations to identify any concerning patterns and to determine appropriate actions to address these.

#### **10. Support for all parties during the investigation processes**

Acorn House recognises that complaints, at all levels, can be distressing both for the complainant and the person subject to a complaint. A complaint against a foster carer, for example, may result in the need for advocacy for the carer or the allocation of independent social work support. This may be a worker from within the agency or in extreme circumstances a 'nominated' independent worker. Equally, a complaint against a staff member may lead to additional support needs.

Any child placed in foster care may need support accessing and understanding the complaint processes, particularly where there is potential confusion regarding the nature of the complaint, whether, for example, it relates to care planning – in which case it may be best addressed through the responsible authority's complaints procedure – or the quality of Care received, in which case the Acorn House policy is probably the most appropriate channel to use. In any event, Acorn House is committed to ensuring clarity and support for children and young people throughout any complaints process.

#### **11. Contact Details for Ofsted**

As stated in Stage 3 of a Complaint Investigation, any complainant has the right to raise any serious concerns with Ofsted.

Their contact details are:

Ofsted  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

You can send Ofsted your question or comments via the Ofsted [Contact form](#), send an email to [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk) or call them on 0300 123 1231 – the general helpline is open Monday to Friday 8.00am to 6.45pm.

Acorn House has a Unique Reference Number that should be quoted to Ofsted – this is SC377311.