



Complaints

REGULATIONS AND STANDARDS

The Fostering Services (England) Regulations 2011

Regulation 18 - Independent fostering agencies – representations and complaints

Fostering Services: National Minimum Standards

STANDARD 1 - The child's wishes and feelings and the views of those significant to them

Contents

1. Who Can Make a Complaint?
2. What Can Be Complained About?
3. Can I get Help to Complain?
4. The Complaint Stages
5. Other Important Contacts

1. Who Can Make a Complaint?

A child, a parent or carer of a child, a foster carer or anyone else for whom the agency has agreed to provide a service can make a complaint under this procedure.

Individuals are also able to make complaints on behalf of others if it is considered they have "sufficient interest" to do so.

Children will be encouraged to take up issues in the most appropriate way and they will be supported to do this. If it is possible to identify a way forward with a complaint which is informal and therefore easily resolved, this should be the best way forward.

It is the responsibility of carers and staff to help children to deal with their complaints sympathetically and actively, whether the complaint is about the agency or the placing authority.

Anyone making a complaint is also able to withdraw their complaint at any stage.

2. What Can Be Complained About?

- A problem;
- The quality of service;
- The delivery or non-delivery of a service;
- The way in which the agency carries out its policies and practices.

All serious complaints will be notified to the Regulatory Authority.

If a child or carer is unhappy about a change in their Care Plan or their Placement Plan this should be brought to the attention of their Social Worker who may be able to resolve the matter. If this isn't the case the child's Independent Reviewing Officer may be contacted. It is the role of the Independent Reviewing Officer to make sure that looked after children are aware of the local authority's Complaints Procedure, which must comply with the Children Act 1989 and associated regulations, and to assist the child to access independent support and advice to enable them to use this procedure if they wish to do so.

3. Can I get Help to Complain?

Sometimes children and adults need help and support to make a complaint.

The child may have support from his or her parent, social worker, independent visitor or foster carer. As indicated above, a child who wishes to make a complaint about any aspects of his or her care should receive assistance to access independent advice and support from their Independent Reviewing Officer.

Foster carers may enlist the help of a supporter or advocate, or their supervising Social Worker, as appropriate, to make a complaint about the agency under this procedure or where appropriate, about the placing authority under the relevant local authority's Complaints Procedure.

4. The Complaint Stages

The agency is committed to resolving conflicts and concerns at an early stage - **Stage One** - wherever possible, but in the interests of transparency and a commitment to individual interests/rights, individuals are able to complain at **Stage Two** in the first instance if they so wish. The agency will ensure that complainants are kept up to date regarding the progress of their complaint. In the event that any complainant is not satisfied at any stage, they may and should avail themselves of the right to make a complaint to the Regulatory Authority.

STAGE ONE:

Stage One is an informal process which consists of a meeting between the complainant and the supervising social worker unless the complaint is about them, in which case they should proceed straight to Stage Two. This meeting will be scheduled once a complaint has been received in writing or recorded by means of other communication.

Part of this discussion may cover whether it would be more appropriate for the complaint to be directed to the local authority with responsibility for the child's placement under the local authority's complaints procedure.

A letter of resolution or outcome will be issued in response to informal complaints by the Fostering Manager, including details of how the matter was investigated, by whom and with the relevant facts to support the outcome.

STAGE TWO:

This stage will be activated if the complainant is not completely satisfied with the outcome of Stage One, or if at the outset they require that the matter be dealt with by someone other than an employee of the fostering agency. The complainant will be advised that they must put their complaint in writing to the Fostering Manager, who will then contact the complainant within five working days to advise that he/she has instructed an Independent Complaints Investigating Officer in relation to the complaint and will advise them of his/her name and the expected time frame for the investigation.

A report will be completed following the investigation, detailing how the matter was investigated, by whom and what outcome was reached with relevant evidence to support the report's conclusions.

STAGE THREE:

This is the final stage of the complaints process. If the complainant is dissatisfied with the outcome of the Stage Two investigation, they must confirm this in writing, including reasons for their dissatisfaction, to the Fostering Manager or a Company Director, who will undertake to arrange for the case to be reviewed by an Independent Panel within 28 days.

The panel will be made up of:

- A fostering panel member;
- A member of the Board of Directors;
- A manager or staff member of the service;
- An independent individual of such background and experience as required;
- A chairperson if none of the above can fulfil that role.

In any event no person implicated in a complaint, or a relative or close association of theirs, may sit on the panel or be involved in any investigation, and the panel will be constituted in such a way to afford true independent appraisal of the complaint.

The panel will consider the documentation available in relation to the complaint and any further written representations that the complainant wishes to make in relation to the investigation. The panel will reach a decision within 24 hours of meeting and the complainant will be advised of the outcome in report form to include any actions in order to resolve the situation within 7 days.

Complainants should be advised of their right to make representations to the **Local Government Ombudsman** if they are still not satisfied.

5. Other Important Contacts

Children's Commissioner for England

Children's Commissioner for England

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