

Complaints Policy

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1. Introduction

This policy lays out 360 CRS's process for responding to complaints raised by any person, including employees, members of the public and external professionals.

This policy applies to all staff and children to keep them safe. It is designed to ensure that the complaints policy and operating procedure works to ensure that our practice of always acting in the best interests of our staff and the young people in our care remains paramount.

This policy will be made clear to children and young people in a way and at a level that they are able to understand. Where a parent, young person, or someone on their behalf expresses a wish to make a complaint, they should be given any other information or advice necessary to ensure they are able to access this policy and operating procedure.

A complaint is an expression of dissatisfaction with something or someone who has failed to deliver to expectations as set out in other operating processes pertaining to our service. Within this context, a complaint can be made by:

- A child/young person
- Parent or carer
- Person acting on behalf of a child/ young person
- A member of staff
- A member of the public

360 CRS will ensure that the complaints and compliments process at 360 CRS is fair, transparent and does not discriminate directly or indirectly because of the following:

- Age
- Being or becoming a transgender person
- Being married or in a civil partnership
- Being pregnant or on maternity leave
- Disability
- Race including colour, nationality, ethnic or national origin
- Religion, belief or lack of religion/belief
- Sexual orientation
- Sex

2. Definitions

Child: A Child is up to the age of 16 and **young person** is between 16 - 18 years old.

Complaint: A complaint is an expression of dissatisfaction, disappointment, or discontent. This could be in response to an act of omission, decision or act

Compliment: A compliment is an expression of satisfaction about a service the child/young person has received.

3. Roles and Responsibilities

It is acknowledged that all staff working within 360 CRS Limited could be presented with an individual wishing to raise a concern or complaint at any time; therefore, staff need to be able to manage this in a sensitive, structured and timely manner. In order to do this staff should:

- Receive guidance on the complaints policy and procedure as part of their induction process and have this knowledge refreshed routinely to ensure it is embedded.
- Have access to the complaint's policy and procedure.
- Be provided with the opportunity to reflect and learn from complaints as a means of developing and driving high quality care.
- Appreciate that any feedback from Children and Young People, or their representatives, that is of concern needs immediate resolution where possible, to their satisfaction.
- Be clearly informed that upon receiving a complaint, swift action is required and escalation to management if necessary. Purposefully withholding or concealing concerns expressed by Children and Young people or their representatives could lead to disciplinary action and dismissal.

4. Informing children and young people of the complaint's procedure

Children and young people will be informed about the home's complaints procedures in a variety of ways including;

- Verbally, in an appropriate manner.
- Within the children's guide. The guide must be in a format that the child/young person can understand and must include the name, address, and telephone number of the regulatory authority.

5. Making a complaint

Children and young people should be supported to make complaints using the format which is most appropriate to their needs and communication abilities.

- Verbally
- Written
- Advocated

Where a complaint or concern is raised that relates to a child or young person being harmed or likely to be harmed, 360CRS will follow its Safeguarding Policy and Procedures in addition to the complaints procedure, seeking advice from relevant stakeholders and escalating concerns as appropriate.

Email address and telephone numbers should be provided to external adults and professionals that wish to make complaints.

6. Receiving a complaint

Once a complaint is received, it is down to the individual to decide if its within their capacity and knowledge to action. A written record should be completed, and the Registered Manager should be made aware as a matter of course

All complaints should be acknowledged within 72 hours,

If the complaint concerns the Registered Manager, it should be reported to the Responsible Individual / Operations Manager (or designated deputy)

Complaints by staff, including those concerning children and young people, must be pursued via the Grievance Policy. If concerns remain, after following this route, staff must pursue the complaint via the Whistleblowing Policy.

7. Time Limits

The organisation does not need to consider complaints made more than one year after the grounds to make the representation arose. In these cases, the complainant should be advised that their complaint cannot be considered.

The time limit can be extended at the organisation's discretion if it is still possible to consider the representations effectively and efficiently. The organisation may also wish to consider such complaints if it would be unreasonable to expect the complainant to have made the complaint earlier. For example, where the child was not able to make the complaint or did not feel confident in bringing it forward in the year time limit.

Though not exclusive, possible grounds for accepting a complaint made after one year are:

- genuine issues of vulnerability.
- the organisation believes that there is still benefit to the complainant in proceeding.
- there is likely to be sufficient access to information or individuals involved at the time, to enable an effective and fair investigation to be carried out; and
- action should be taken in light of human rights-based legislation.

8. Procedure

Stage 1 of Complaint

Timescale: 10 working days

The individual should seek to resolve the matter within 10 working days. This may be extended for a further 10 working days with the agreement of the complainant. If the complaint is resolved within 10 working days, the individual should then ensure:

- There is a detailed recording of the complaint, its process and the manner in which it was resolved in the complaints log and the daily record of any relevant child.
- Confirm, in writing, the agreed resolution with the complainant.

The maximum amount of time that Stage 1 should take is 20 working days. After this deadline, the complainant can request consideration at Stage 2 if they wish. If the complaint relates to a child or young person in our care, the social worker should be consulted.

Stage 2 of Complaint

Timescale: 28 working days

Where the person receiving the complaint cannot resolve it within the timescale of Stage 1, it should be referred to the Responsible Individual / Operations Manager for formal consideration.

The Operations Manager should attempt to resolve the complaint within 28 working days. This may be extended with the agreement of the complainant to maximum of 65 days.

The complainant should be notified of the outcome of the complaint in writing. If the complaint was justified, the complainant should be told what, if any, remedial action will be taken, and an apology offered. The individual should then ensure:

- There is a detailed recording of the complaint, its process and the manner in which it was resolved in the complaints log and the daily record of any relevant child.
- Confirm, in writing, the agreed resolution with the complainant.

If dissatisfied with the outcome of Stage 2, the complainant may request Stage 3: A Review panel to consider their complaint. The request must be made within 20 days. The complainant may also ask that their complaint be passed to the placing authority or regulatory authority.

Stage 3 of Complaint

Timescale: 30 days to convene and hold the review panel

To instigate a Stage 3 review, the complainant should notify the RI / Operations Manager in writing. Receipt will be confirmed in writing with an explanation of the process and timescales for undertaking a Stage 3 Review. The RI / Operations Manager will ensure that:

- Senior managers and relevant social workers are notified and briefed as necessary until the matter is resolved.
- The complainant is clear about the process and timescales.
- The complainant has access to an independent advocate or representative.
- A review panel is established to consider the matter. The review panel will consist of 3 people that are independent of the matter being considered, one of the panel members will be asked to chair the panel and report to the Operations Manager on the recommendations that are made.
- Necessary arrangements are made for the panel to be convened and conducted in a fair manner.
- The panel will have 5 days to issue its findings.
- The recommendations of the panel are properly considered, involving senior managers as necessary, and any decisions or actions are acted upon promptly.
- The complainant and his/her/ their advocate/representative are informed in writing of the outcome.

9. Responding to a complaint

360 CRS recognises that complaints can be difficult and, at times, unpleasant, in the process of both reporting and receiving. Especially as the person(s) complained about will usually have a genuine belief that they have done their best for the complainant.

However, it is important to remember that most internal complaints are true expressions of worry, anxiety or concern made by, or on behalf of, an already vulnerable child or young person who may have found a good reason not to trust adults looking after them in the past, and whose instinctual reaction to a situation may lead to heightened anxieties and in some instances, heightened behaviours.

The most important element to this process is that the individual, with support from their colleagues, invests the appropriate amount of time at the earliest stage after a complaint has been raised in order to resolve it as quickly and informally as possible. Any and every complaint must be taken seriously, and a full and genuine response made in the knowledge that this process can only improve the service we provide.

360 CRS believes that complaints can be resolved with an effective solution when approached with a sense of immediacy, compassion and resolution. The more complex and difficult a resolution is likely to become, the more likely the quality of the relationship with the child or young person or staff member will be negatively impacted. It is therefore of paramount importance that all complaints are acted upon the day they are received.

All complaints will be managed in accordance with the Privacy, Confidentiality, and Data Protection Policies.

10. Complaint's log

Each home must keep a register of complaints, detailing the initial complaint, the investigation process, and the outcome.

11. Recording and finalising complaints

All recorded complaints will be stored electronically on ClearCare or centrally , if not relating to a child.

Once resolved a decision will be made on the best means of outcome delivery based on who the complainant is.

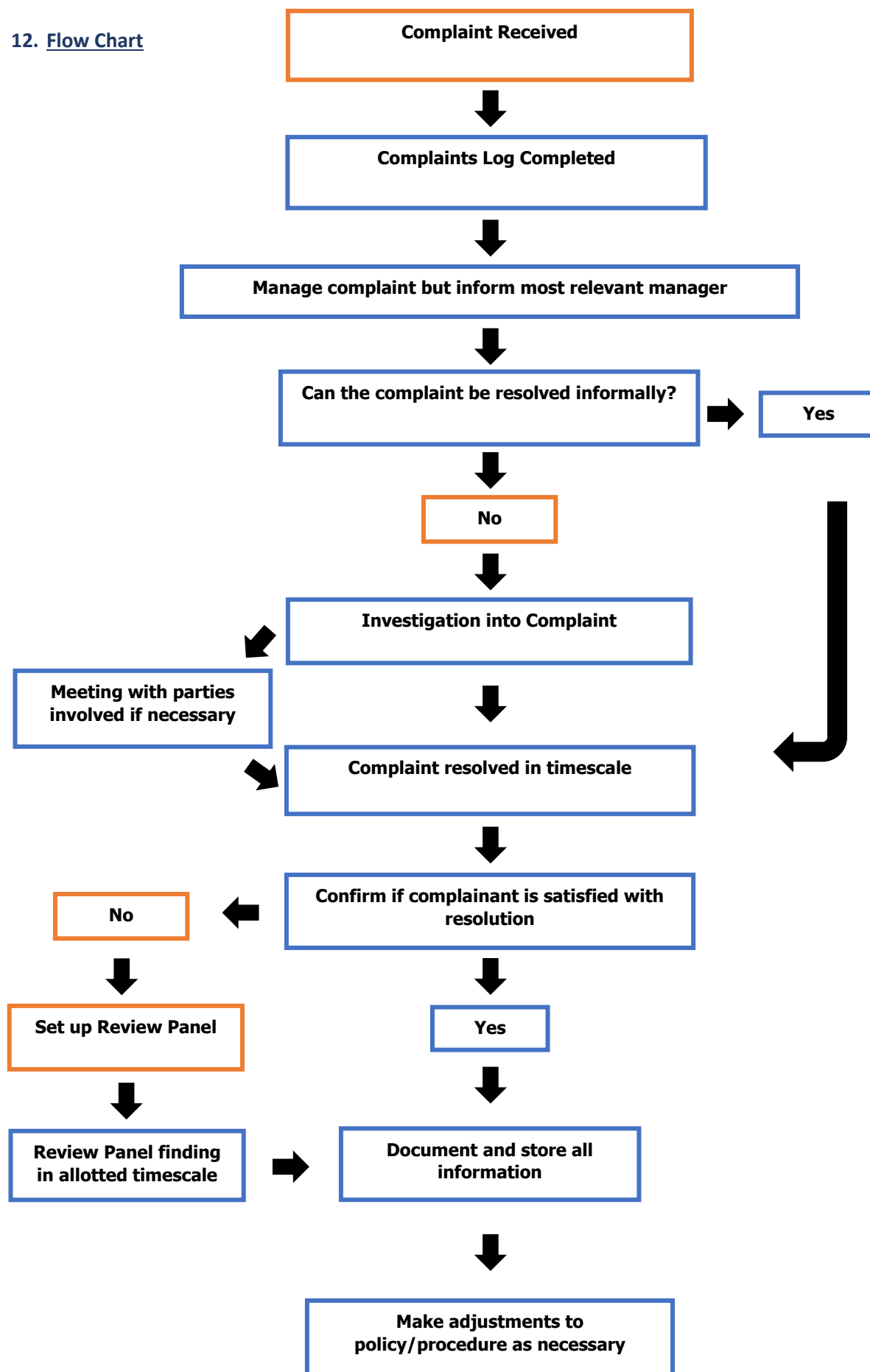
Examples are this are;

- Verbally
- Written
- Verbally and written

Every effort will be made to resolve the complaint informally, through negotiation and mediation. If this is unsuccessful, the matter must be pursued formally. They must be kept informed of progress being made during this time. Any person who is the subject of a formal complaint must not take part in any response to/consideration of that complaint.

Completed complaints will be reviewed on a regular basis for any adverse trends in service quality as part of the monitoring of the home.

A section must be included in the complaints log allowing for the child or complainant to comment on the outcome of the complaint. This must be offered on every occasion.

12. Flow Chart

13. Additional Information and Further Reading and Guidance to be Read in conjunction with this Policy:

Links to other policies and guidance

The Children's Homes Regulations (2015)
 HM Government: Working Together to Safeguarding Children (2018)
 The Human Rights Act 1998
 United Convention of the Rights of the Child (UNCRC 1991)
 The Children's Act 1989/ 2004

Reviews and Amendments

Date	Name	Comments
5.07.2023	Richard Ellis – Tole	Streamlined wording following registration visit
10.09.2024	Richard Ellis Tole	Reviewed