

# FOSTERING SERVICE

## COMPLAINTS AND REPRESENTATIONS PROCEDURAL GUIDANCE

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## About This Document

Title	<b>Fostering Service – Complaints and representations procedural guidance</b>
Purpose	<b>Guidance for Foster Carers, Supported Lodgings carers and the Fostering Service regarding Complaints, Representations and Compliments</b>
Updated by	<b>Julie Macer-Wright, Fostering Service</b>
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## Version Control

Date Issued	Version	Summary of Changes	Created by
<b>March 2016</b>	<b>4.0</b>	<b>Updated embedded leaflets to current working documents</b>	<b>Rosemarie Cronin</b>
<b>March 2016</b>	<b>4.1</b>	<b>Updated contact numbers for Customer Services</b>	<b>Rosemarie Cronin</b>
<b>October 2021</b>	<b>4.2</b>	<b>Updated information from Barnardo's to Rethink Organisation for Advocacy</b>	<b>Rhianna Cooper</b>
<b>October 2022</b>	<b>4.3</b>	<b>Updated the new email address for Complaints</b>  <b>Updated the Data Protection Officers contact details</b>	<b>Corrie Castleman</b>
<b>August 2023</b>	<b>5.0</b>	<b>Updated to include supported lodgings carers</b>	<b>Julie Macer-Wright</b>

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## 1. Introduction and Legal Framework

**1.1** Complaints and representations can be made from children and young people who are looked after, as well as carers. It is important that these are dealt with appropriately and all the relevant people know how to make a complaint or representation.

**1.2** Throughout this guidance 'carers' is used to refer to both foster carers and supported lodgings cares

**1.3** The National Minimum Standards for Fostering (2011) state:

**25.11** The registered person has provided the service with a written policy and procedural guideline on considering and responding to representations and complaints in accordance with legal requirements and relevant statutory guidance.

**1.4** The Fostering Guidance (2011) state:

**3.38** Children who are looked after will sometimes feel, as all children may do, that they have been treated unjustly or that their views, wishes and feelings have not been respected. Their concerns may be minor and easily resolved through a conversation with their carers, in some instances they may be more significant. There are several options available to children and young people should they wish to complain more formally or do not believe they have had a proper response to their original concern. These are set out in the Children Act 1989 Representations Procedure (England) Regulations 2006 and related statutory guidance. The fostering service must ensure that it follows these regulations for all the children, for whom they provide placements.

**3.39** Children in care must know how to make a complaint or representation to the local authority, be given information by their social worker about how to make a complaint. They must be supported to do so if they wish by carers and staff of the fostering service, or by any independent person they choose to support them. It is in everyone's best interests if the complaint can be resolved informally, but staff and carers should not let their relationship with the local authority prevent them from continuing to support the child to a more formal stage in the complaints process, if the child wishes it.

**3.40** A child may also wish to make representations or complaints about the fostering service in general, about individual staff, about carers or their own care. Local authorities must have a procedure for dealing with complaints about the discharge of their children's social care functions. Fostering agencies are likewise required by regulation 18 to have a representations and complaints procedure.

**3.41** Standard 25 sets out the requirements for complaints and representation procedures for fostering services.

**3.42** Everyone involved with the fostering service, including children in foster care supported lodgings and their families should know about the complaints and representations policy and how to use it. Policies should promote informal resolution of any complaint and no person who is the subject of a complaint should then investigate it. A fostering agency must notify Ofsted and the responsible authority of any serious complaint about a foster carer (regulation 36 and Schedule 7 to the 2011 Regulations). There is no similar duty for a local authority fostering service, but they must keep written records about complaints and review these regularly (regulation 18 and standard 25).

## **2. Complaints, Comments and Compliments Policy for Essex**

**2.1** Essex County Council have a Complaints, Comments and Compliments Policy. This can be found on the [Essex County Council Website or www.essex.gov.uk/complaints](http://www.essex.gov.uk/complaints)

## **3. Data Protection Officers details**

“The law gives you a [number of rights](#) to control what personal information is used by us and how it is used by us.

If you wish to exercise any of these rights, you can contact our Data Protection Officer.

Data Protection Officer email – [DPO@essex.gov.uk](mailto:DPO@essex.gov.uk) or call on 0345 743 0430 (and ask to speak to the Information Governance Team)”

## **4. Essex Corporate Parenting Pledge**

**4.1** The Essex Pledge to children and young people in our care was written and agreed alongside the children and young people we look after.

**4.2** Children and young people said they wanted to be listened to and have their views, rights and confidentiality valued and respected. Essex Corporate Parenting Pledge states that they will do their very best to give young people

information about their rights and what they can expect when they are being looked after.

## 5. Complaints and Compliments from Children and Young People

- 5.1** Essex County Council wants to receive feedback from children and young people regarding the service they receive. This may be a comment, compliment, or a complaint.
- 5.2** Every child or young person in care has the right to complain about any aspect of their care and their experience of being looked after and responded to by Essex County Council.
- 5.3** Essex County Council has a duty to respond, and we need to manage complaints objectively and openly, as quickly as possible.
- 5.4** Customer Services have leaflets more suitable for children and young people which can be used to give feedback and all the relevant contact details should they wish to make a comment, compliment or complaint using a different route. An example of this can be viewed [here](#).
- 5.5** A young person always has the right to complain through Essex County Council's complaints procedures either direct or through our advocacy service, Rethink. Contact details are as follows:

### **5.6** Customer Services:

**Telephone:** 03330 139815 or 03330 139817

**Address:** Compliance and Complaints Team, Customer Services, County Hall, E2 Zone1, 19 Marker Road, Chelmsford, Essex CM1 1GG

**Email:** [ECC.Customerservices@essex.gov.uk](mailto:ECC.Customerservices@essex.gov.uk)

**Web:** [www.essex.gov.uk](http://www.essex.gov.uk)

### **5.7** Rethink Advocacy Service:

**Telephone:** 03007900559

**Address:** Rethink Saxon House, 27 Duke Street, Chelmsford, Essex, CM1 1HT

**Email:** [essexadvocacyservice@rethink.org](mailto:essexadvocacyservice@rethink.org)

**Web:** <https://www.rethinkessexadvocacy.org>

An information leaflet for young people about the Advocacy Service that Rethink support us doing, can be found [here](#).

### **5.8 Childline:**

**Telephone:** 0800 1111

**Web:** [www.childline.org.uk](http://www.childline.org.uk)

## **6. Fostering Service Procedures**

- 6.1** Foster carers and supported lodgings carers should be made aware of the complaints process for themselves as well as the process for the children and young people that they look after.
- 6.2** As part of the induction to new carers, the supervising social worker should inform carers of the process for complaints and compliments. This should be signed off as part of the TSD (Training, Support and Development) induction standards for foster carers.
- 6.3** Carers, if appropriate, should support children and young people to make representation. It will be part of their role as an advocate for the child or young person.
- 6.4** Information about complaints is available on the Essex County Council website and in local offices. The Customer Services Team can also be contacted at any of the phone numbers or email addresses, as above.
- 6.5** If the families of children who are looked after wish to make a complaint, they too can access the complaints process either through the Essex County Council website, by telephone or by using the leaflet available in local offices.
- 6.6** At statutory reviews, the Independent Reviewing Officer will also ensure that the child or young person knows how to complain or make a representation.
- 6.7** Children and young people can also ask their social worker to support them with a complaint, representation or compliment that they wish to make if this is appropriate.
- 6.8** The fostering service will try and deal with any complaints in a timely way and it is hoped that most complaints can be dealt with at stage 1 (Local Resolution).
- 6.9** The Fostering Service values the feedback received from carers, staff, children and young people. It is a useful way of evaluating our service and

promoting the areas that work well and working on areas where there are weaknesses.