

# Children's Social Care Customer Feedback

## Complaints, comments and compliments

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milton keynes council



## **Children’s Social Care (CSC) Customer Feedback Policy**

Our CSC Customer Feedback Policy reflects MKC’s commitment to valuing complaints, comments and compliments. Customer feedback provides a first-hand account of our service users views and experience, and can highlight problems we may otherwise miss. The information gathered can be used to improve service user satisfaction and our CSC Customer Feedback Policy is an integral part of the Council’s learning and development.

The Children Act 1989 S 26 (3) requires each local authority to establish formal procedures for considering complaints and representations in respect of services to children. The Children (Leaving Care) Act 2000 and the Health and Social Care (Community Health and Standards) Act 2003 introduced changes. The Adoption and Children Act 2002 amended the Children Act 1989 and widened the application of the procedure for making representations under that Act. It also imposed a duty (S.26A) on local authorities to make arrangements for the provision of advocacy services to children or young people making or intending to make representations.

The changes which apply from 1st September 2006 are introduced by The Children Act 1989 Representations Procedure (England) Regulations 2006. The Secretary of State issued statutory guidance “Getting the Best from Complaints” (under powers conferred by Section 7 of the 1970 Act.)

Our approach to handling feedback is led by the Children Act 1989 Representations Procedure (England) Regulations 2006 and the Council’s three key values; we are dedicated, we are respectful and we are collaborative.

A complaint about the discharge of or failure to discharge a relevant function (as defined under the Children Act) can be made by a person who the relevant function relates to, OR;

Where someone states they are acting on behalf of a child or young person in relation to functions under section 26(3)(e), (3b)(b) of (3c)(c) of the Children Act 1989 MKC will decide if the person has sufficient interest in the welfare of the child to warrant the complaint being considered. In consideration of this matter, where it is appropriate to do so, the views of the child will be sought.

Children or young people making their own complaints will be given information about advocacy support and assistance in obtaining an advocate if requested. The role of the advocate in the complaints procedure is to provide independent and confidential information, advice, representation and support.

## Complaints

As a guideline our general definition of a complaint is:

“A clear expression of dissatisfaction about a Council service (whether that service is provided directly by the Council or by a contractor or partner) including; the standard of service, action or lack of action, decision taken by the Council, or the way in which staff carry out their duties.”

The following are examples of complaints:

- When we have not provided a service to the standard stated.
- Not answering a service user’s/representative’s question or delivering a service.
- A delay in taking action without a good reason.
- Giving incorrect or misleading information.
- Staff who are rude or unhelpful.
- Not following our own policies, rules or procedures.
- A decision without consideration of all of the facts.
- Discrimination or harassment on the grounds of age, disability, gender, race or sexual orientation.

The complaints procedure is **not** an appeals procedure. Appeals against court orders must be made to the court. Complaints relating to court proceedings must be made within those proceedings and cannot be dealt with under the complaints procedure.

Complaints will **not** be considered, or further considered, in cases where:

- The complainant has stated in writing to the local authority that they are taking, or intend to take, proceedings in any court or tribunal.
- The local authority are taking, or proposing to take, disciplinary proceedings against any person.
- The local authority have been notified that any person is conducting an investigation in contemplation of criminal proceedings; or
- The local authority has been notified that criminal proceedings are pending.

The Council will advise a complainant in writing why a complaint has been excluded from these procedures and state what the ‘concurrent consideration’ is that has resulted in the exclusion.

At the conclusion of a 'concurrent consideration', the complainant may resubmit the original complaint, no later than one year after the concurrent consideration has been concluded or discontinued.

We want to resolve an issue before it becomes a complaint and seek **early resolution**:

When a service user contacts MKC because they are dissatisfied, all officers should take responsibility and ownership to resolve the issue(s) raised, at the earliest opportunity and as close to the point of service delivery as possible.

If we are unable to resolve a service user's dissatisfaction, there is a three stage complaints process to follow.

**Stage One:** Stage One complaints will be investigated formally by a manager within the service to which the complaint principally relates and in most cases problems can be sorted out quickly.

**Stage Two:** All complaints which are referred for escalation to Stage Two will be considered by the Corporate Customer Feedback Team to be clear exactly what was investigated at Stage One, and to ensure that the service user understands the investigations scope.

If a complaint is escalated to Stage Two, the Corporate Customer Feedback Team will appoint an Independent Investigating Officer and Independent Person to carry out the investigation.

**Stage Three:** All complaints which are referred for escalation to Stage Three will be considered by the Corporate Customer Feedback Team to be clear exactly what was investigated at Stage One and Two, and to ensure that the service user understands the Review Panel's scope.

A Review Panel is made up of an Independent Chair and 2 Independent Persons. The panel will review the Stage One and Two investigations and consider what should happen next. They will confirm their findings in writing within 5 working days of the panel being held.

**Time limit for making complaints:** We will not normally consider a complaint that is made more than twelve months after the service user/representative first became aware of the issue they want to complain about. This is in line with good practice as operated by the Local Government and Social Care Ombudsman.

**Withdrawing a complaint:** A complaint can be withdrawn in person, over the telephone or in writing at any time by the service user. The withdrawal of a complaint will be acknowledged in writing.

**Freezing decisions:** If a complaint is about a proposed change to a care plan, a placement, or service, the decision may need to be deferred (frozen) until the complaint is resolved. Consideration will be given to deferring a decision that will have a significant effect upon the life of an individual until the complaint has been resolved, having regard to the best interests of the service user.

**Complaints Resolution:** MKC aims to resolve complaints by putting things right where there has been a failure. Our approach will be fair and consistent across all the complaints we uphold.

**Alternative restorative approaches:** When dealing with customer dissatisfaction the focus will always be on resolution. This may mean that alternative methods to the complaints procedure above could be considered such as conciliation or mediation.

## Comments & Compliments

MKC is committed to providing high quality services. We are always looking for ideas on how to improve things and recognising when we have done things well. Comments and compliments are another form of customer feedback which provides an opportunity for identifying service areas strengths and weaknesses and learn and develop from this.

## Working together OneMK

This policy:

- Applies to all CSC staff and the staff of organisations who deliver services on our behalf.
- Applies to anyone affected by our CSC services who wishes to provide feedback.

We encourage service user's to tell us about their experience, good or bad, and/or suggest ways to improve our service delivery. This feedback can help us to:

- improve our performance
- improve our business processes
- re-design our services
- train and develop our staff
- enhance our reputation
- share good practice

Milton Keynes Council has based its CSC Customer Feedback Policy on 6 key principles:

1. **Accessibility** - Our policy is well publicised and easily accessible.

2. **Communication** - All customer feedback is acknowledged and as part of the complaints process Investigating Officers make early direct contact with the person making the complaint.
3. **Timeliness** - Our complaints process aims to resolve complaints as soon as possible.
4. **Fairness** - Our policy is clear about roles and responsibilities and complaints are dealt with in an open-minded and impartial way.
5. **Credibility** - Our policy is managed by the Corporate Customer Feedback Manager who has the independence and authority to ask questions, get at the facts and recommend changes in response to complaints. Learning from customer feedback has a high profile across the Council.
6. **Accountability** - There is an effective recording system for customer feedback so that this can be monitored to ensure consistency, lessons can be learnt and improvements made.

Customer feedback is regularly monitored to ensure timescales and satisfaction levels are met via quarterly reviews.

Information is provided in a clear and open way and there is a follow-up to ensure that any decisions made as a result of an upheld complaint is properly and promptly implemented.

[www.milton-  
keynes.gov.uk/complaints](http://www.milton-keynes.gov.uk/complaints)