

Warrington Borough Council Adult Social Care Complaints Policy

Warrington Borough Council Adult Social Care department works to safeguard and promote the well-being and independence of adults with care and support needs living in Warrington. We treat all complaints seriously and recognise that the concerns raised can assist in improving how our department can work together to safeguard people. The reason we have a separate complaints policy just for adult social care is because a law, called the local authority social service and NHS complaints (England) regulations 2009, requires us to consider complaints about adult social care in the ways in which are laid out in this document.

If something goes wrong during your dealings with us, please tell us. You have the right to complain if you feel we have failed to achieve the standards required and expected of the work we do.

What is an adult social care complaint?

A complaint is an expression of dissatisfaction about the standard of service we have provided.

You can complain about things like:

- > failure to do something we said we would, or that we did inadequately
- > how we met your expectations
- > how we communicated with you
- > how long we took to deal with you
- > treatment by or attitude of a member of staff
- > failure to follow the appropriate administrative process.

This list does not cover everything, and we will advise you about what we can help with if it is not listed above.

What isn't covered by the complaints process?

There are also some things we wouldn't deal with through our complaint handling process. This would include where you are unhappy about a decision we have made, a previous complaint, or where there is a process better suited to considering the matter you have brought.

The following are not covered by our service complaints process:

- > an attempt to reopen a previously concluded complaint, or to have a complaint reconsidered
- > a request for information
- > issues that are in court or have already been heard by a court or a tribunal



This list does not cover everything, a complaints officer will advise you about the eligibility of the matter you raise.

Who can complain?

A complaint about any aspect of adult social care services can be made by an adult that receives services from our department, or with their permission, an appropriate representative such as a relative or carer. When a complaint is made on behalf of someone else, a consent form must be completed unless the person making consent has evidence that they hold Power of Attorney or Deputyship for health and wellbeing and/or property and finances, depending on the nature of the complaint. If the individual to whom the complaint refers lacks capacity to make their own decision, formal consent must be gained from their Power of Attorney/Deputy. We will only accept complaints from a representative under certain conditions. Either:

- > when the individual has consented, either verbally or in writing or
- > when the individual cannot complain unaided and cannot give consent because they lack capacity within the meaning of the Mental Capacity Act 2005, and
- > when the representative is acting on the individual's best interests: for example, where the matter complained about, if true, would be detrimental to the individual.

Complaints that are anonymously received cannot follow the formal complaint process. However, the details will be taken and passed to the relevant service lead or through the safeguarding process to investigate.

Complaints that are unclear or very general may be difficult to investigate and we may ask for more information to be provided by the complainant.

Joint organisation complaints

If a complaint relates to services provided by more than one responsible body, the different organisations must co-operate with each other in handling the complaint to make sure that the complainant receives a co-ordinated response. Each body must provide the other with relevant information and attend at any meetings that are reasonably required.

How do I complain?

You can submit a complaint online at: www.warrington.gov.uk/complaints

You can also submit a complaint by contacting us as follows:

By email: fw-customerservice@warrington.gov.uk

By phone on 01925 443322 or 01925 443111



We want to be able to understand your complaint well so that we can address it and learn from it.

It helps us to do this if you:

- > Tell us clearly and in detail what has gone wrong
- > Pass along any information we may ask for
- > Tell us what outcome you want having made your complaint
- > Let us know about any special requirements you have
- > Treat our colleagues that receive your complaint and speak to you about it in the same way you would like to be treated yourself; kindly, courteously and patiently

We will find it difficult to investigate a complaint made 12 months after the date the event you complain about occurred, so without a very good reason for this level of delay, we are unlikely to agree to consider a late complaint.

What happens after I make my complaint?

When you contact us, we will acknowledge your contact within three working days. The appointed investigating officer will then get in touch with you to seek to understand what your complaint is about. They will then agree with you the best way to consider it and a timescale in which to try to resolve it.

Your feedback about our services gives us a valuable opportunity to learn and improve. We will let you know what actions we will take as a result of our enquiries into the issues you raised.

Please be assured that the information you give us will be treated in confidence. We may ask for your consent to share information where necessary to resolve any issues you might raise.

Timescales

When things go wrong, we aim to put things right quickly.

When you make a complaint, our staff will carry out a triage assessment of the matters raised. This will result in a decision about the categorisation of the complaint. Our staff take into account factors such as the number of heads of complaint, the amount of information that will have to be researched to be able to reach a conclusion, the level of support a customer may need, and so on.

The categorisation will be low, medium or high.

For low complaints, we aim to resolve your complaint within 25 working days.

For medium, we aim to resolve within 45 working days.

For high, we aim to resolve within 65 working days.



These timescales are intended as a guide. If we think we will need longer to be able to complete an investigation, we will get in touch with you to discuss this first. Our intention with our timescales is to set a fair and reasonable expectation, and to be held to account according to that.

Advocacy

An advocate is a person who supports individuals and helps them to say what they want to say. They help the person to ensure that their views are heard, so that their problems can be addressed. This might include helping complainants to make a complaint where a complainant's circumstances meet certain aspects of the Care Act, Mental Health Act, or the Mental Capacity Act, they can have access to help from an independent advocate. A social care worker will help you with this and identify whether you meet the qualifying criteria.

Unreasonable complainant behaviour

We want to support people to complain where there is an eligible complaint, and it is a very good chance for us to learn and grow as an organisation, as well as to improve an individual person's experience of accessing our services. Where something has happened that has caused you to raise a complaint, we know of course that you may be frustrated and upset by the circumstances around this. Our staff aim to treat you with fairness and respect, and they ask for, and expect the same behaviour from you towards us. The great majority of our complainants have a constructive, courteous and respectful working relationship with our officers. Very rarely, complainants can become unreasonable in their behaviour, and this part of our policy outlines what this might look like, and what the council will do about it if it arises.

We won't tolerate racist, sexist, homophobic or other discriminatory language. We won't tolerate offensive, threatening, aggressive or violent behaviour towards us. If it arises, we will ask you to stop and may choose to take other proportionate action to ensure we can keep working effectively as well as to protect staff. Other examples of unreasonable behaviour include persistent contact after a complaint is closed, attempts to keep making the same complaint or frequent and lengthy contact and information that is being repeated. If this happens, and it is necessary and proportionate to do so, we will restrict access to our service.

Where we have identified your behaviour is unreasonable, we will explain why and ask that you stop doing it, whilst explaining that if it continues, we may choose to take action to restrict your contact. A manager will decide whether or not the circumstances require any restriction of access. They will record their decision and explain it to you, including how long a restriction will apply before the decision is reviewed, and what form the restriction will take.

What if I'm still dissatisfied?

You would be able to bring your complaint to the Local Government and Social Care Ombudsman if we have been unable to resolve your complaint.

You can contact them here:



Local Government and Social Care Ombudsman
PO BOX 4771
Coventry
CV4 0EH
Website: www.lgo.org.uk
Phone: 0300 061 0614

