

Sefton Council

# A Guide for making a Children's Social Care Complaint

(August 2022)



# Interactive Process Map for making a Children’s Social Care Complaint

The council must have a process in place for dealing with complaints from children and young people. This will ensure that voices are heard, and that services learn and improve as a result.

This map will help you navigate and understand each of the stages – if you click on the Information icon, a pop up will appear and provide you with further guidance.

**Pre Stage**

First of all we will try to sort out any problems and deal with concerns as quickly as possible. If we can’t do this, or if you want someone else to deal with it we will follow the stages below.

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## Stage 1 – Local Resolution

This Means solving, explaining, clearing up or settling your complaint directly with you.

- 1**  
Your Complaint is recorded by a Complaints Officer.
- 2**  
A Complaints Officer will review your complaint and talk to the relevant manager to discuss the complaint.
- 3**  
A Complaints Officer will send you a copy of the Complaints Procedure and Information about Advocacy Services who can support you through this process.
- 4**  
A Complaints Officer will send you a letter responding to your concerns raised in your complaint.

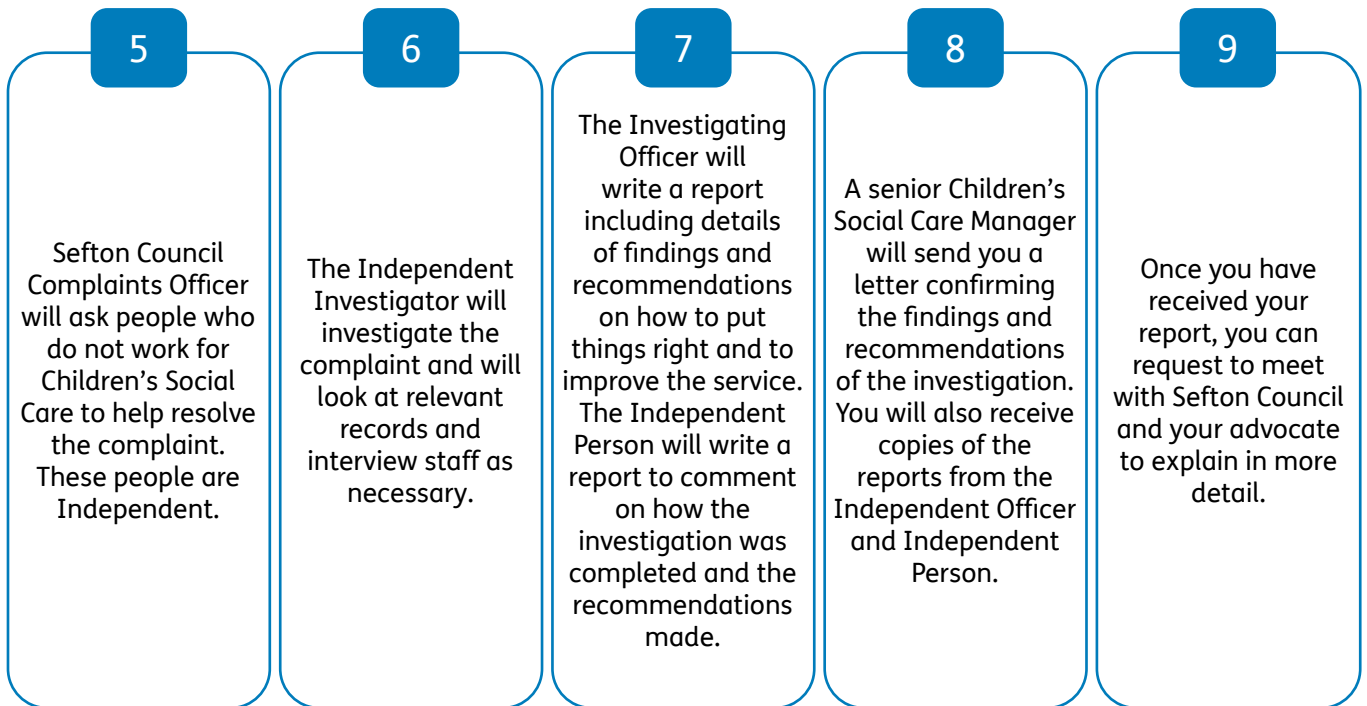
Sefton Council have 10 Working Days to respond.

You have 20 Working Days to respond.

If you’re unhappy with the response to stage 1, you can request for your complaint to be raised to stage 2 which is known as the Investigation stage.

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## Stage 2 – Investigation

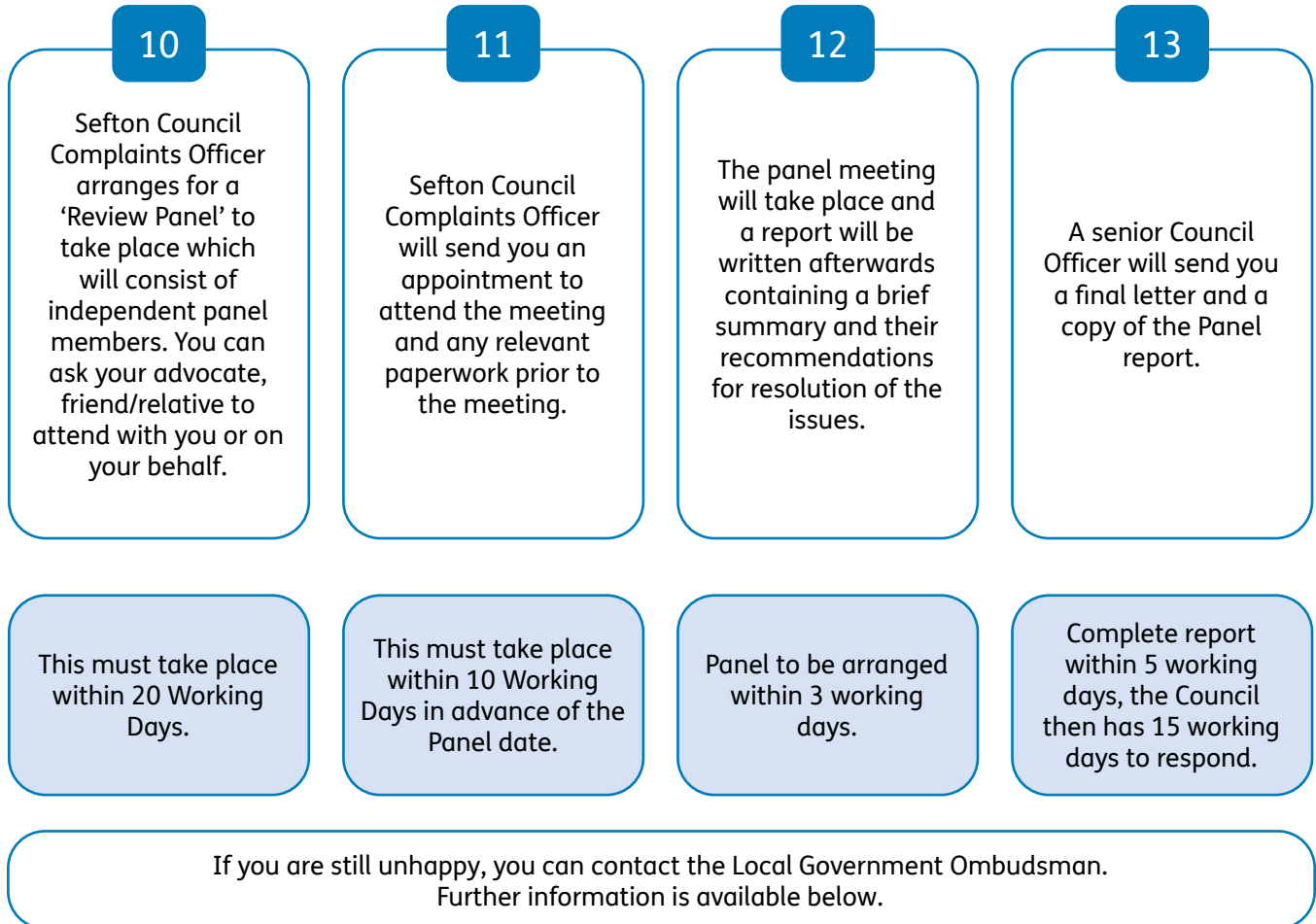


Sefton Council have 25 Working Days to respond.

You have 20 Working Days to respond.

- If you think that:
- the report or letter at Stage 2 was wrong or has missing information
  - the complaints procedure has not been followed
  - Children’s Services has not tried its best to sort out the complaint
  - you or your advocate can ask for the complaint to go to Stage 3.

## Stage 3 – Review Panel



### Referral to Ombudsman

If the complaint is still unresolved you may approach the Local Government and Social Care Ombudsman (LGSCO). The LGSCO is an external organisation authorised to investigate complaints where the council’s own investigations have not resolved the issues raised.

The LGSCO provides an impartial, independent, free service and every complainant has the right to approach the LGSCO at any time during a complaint investigation; however, the LGSCO will normally allow the council to consider the complaint first and will refer the complainant back to the council unless exceptional criteria are met.

[Local Government and Social Care Ombudsman.](#)

## Withdrawing a complaint

Your complaint may be withdrawn verbally or in writing at any time. The Complaint Officer must write to you to confirm the withdrawal of the complaint.

### End of process Map

## Receipt of Complaint

Your Complaint will be recorded on the Council’s database. This will be kept up to date until your complaint is resolved.

1. We expect to resolve the majority of our complaints at this point. Within three working days, you will receive an email containing your complaint reference number, contact details of a complaints officer and a timescale for the response to your complaint.
2. Link to Complaints Procedure: [Compliments, Comments, Complaints and Whistleblowing Policy \(sefton.gov.uk\)](#)
3. The Complaints Officer will work with the relevant managers to provide a response to resolve the complaint. This should be completed within 10 working days. This can be extended for a further 10 working days where necessary.

## Advocacy

The Complaints Officer will provide you with Information and advice for advocacy support if required. Advocates are independent from the council and can help a child/young person to express their views and make a complaint.

Link to Advocacy Service: [The National Youth Advocacy Service | NYAS](#)

The timescale for responding to a statutory complaint is initially 10 working days, this can be extended to 20 working days. In some circumstances, the investigation will take longer than this. The complaints officer will keep you informed of any delays to the expected completion date.

## Letter responding to your concerns

You will receive a letter to your home address or an email responding to your complaint. Your stage 1 complaint response letter will tell you who has investigated your complaint. The letter will explain the council’s response, whether your complaint has been upheld, and what the next process is if you are dissatisfied with the response.

## Independent Investigator and Independent person

The Complaints Officer will appoint somebody outside the Council or somebody in the Council who doesn’t work for Children’s Services to review your complaint. This person is called an ‘Independent Investigator’. The role of this person is to investigate your complaint from a neutral perspective.

The Complaints Officer will also appoint somebody called an Independent Person who will be involved in all aspects of your complaint and will ensure the child/young person’s interest is considered.

The Independent Investigator and an Independent Person will examine the council’s records and interview the council staff who were involved in your complaint.



## Independent Investigator – Report and Letter

After the Independent Investigator has completed their review (Investigation) they will write a report. They will write a report of their findings and may make recommendations.

The Independent person will also provide a report saying whether they think the investigation has been carried out appropriately.

The two reports will be sent to a senior council officer, and you will receive copies of both reports and a letter from Council commenting on them.

## Meeting

Once you have received your report and read it, you can ask for a meeting with the Council to discuss in person to clarify any points raised or ask questions about anything you are unsure about. The Council will try to work with you to resolve the complaint at this stage.

## Panel

The Panel should be arranged within 30 days of your request.

The purpose of the Panel is not to re-investigate your complaints, but to ensure the stage 2 investigation was carried out correctly.

The review Panel consists of yourself, the Panel Chair, the Independent Investigator, the Independent Person, two Independent Panel Members, the staff member who wrote your stage 2 response and the Complaints Officer. You can be accompanied by a person of your choice. The meeting will usually take place via Microsoft Teams.

You will be given your Panel documents at least 10 working days before the meeting takes place. The documents consist of the stage 1 and 2 complaints and responses, and any other documents the Panel Chair wishes to include. The meeting can take place without you if you do not wish to attend.

If you do not attend the Panel will take place without you.

## Final Report

After Panel, the Panel chair has 5 days to write a final report which will be sent to the council. The Council has 15 days to consider the report and respond to you. This letter from the council will include a copy of the Panel report.

If you are still not satisfied, you can make a referral to the Local Government and Social Care Ombudsman.

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### **Local Government and Social Care Ombudsman.**

