

PENDOYLAN CHILDCARE

Complaints policy and procedure¹

It is the policy of Pendoylan Childcare to share our achievements, reflect on our work and look for ways to improve our service.

We welcome suggestions and constructive criticism from all who use our service.

We avoid the potential for escalation of issues by responding to, recording and resolving complaints quickly, effectively; and where possible in a positive and informal manner.

We do this by:

- Operating an effective quality assurance process that includes seeking the views of parents/carers and others who may use our service about the way we work.
- Applying a similar approach to all suggestions, concerns and complaints by keeping records of dates and actions taken as an audit trail.
- Responding to comments, suggestions, concerns and complaints within specific time scales in line with relevant legislation and in a confidential and sensitive manner.
- Implementing a set of effective policies and procedures to protect those who are involved with our service.
- Ensuring that all staff are familiar with the complaints policy and procedure and confidentiality is maintained at all times.

Concerns can be dealt with by:

- The person in charge Mrs Daniels.
- The Responsible Individual, Mrs Vaughan.

Any action taken in response to suggestions, comments and concerns is fed back either verbally, in writing or if appropriate by the person in charge placing a notice on the notice board about any changes made to operations as a result.

¹ This policy and procedure has been written in line with The Child Minding and Day Care (Wales) Regulations 2010 - and the principles set out in Listening and Learning: A guide to handling complaints and representations in local authority social services in Wales (ISBN 0-11-091240-3) WAG 2005 and any subsequent amendments. <http://wales.gov.uk/dhss/publications/socialcare/guidance/listening/listeninge.pdf;jsessionid=2MzvNbQPxK0pYvG29T1918dR2NKwxWvN6INwyfyS6PLTWLC32Jn8!-1962665969?lang=en>

How to make a complaint about the service you receive at Pendoylan Childcare:

In the event of a complaint please address your complaint to the Headteacher (nominated responsible individual) to resolve complaints.

In all cases a written record of complaints is kept, which includes the following information:

- Name of complainant.
- Nature of complaint.
- Date and time of complaint.
- Action taken in response to complaint.
- Result of complaint investigation.
- Information given to the complainant, including the date of response.

At any time during the process of the complaint being resolved, the complainant has the right to complain to CSSIW or, where relevant, the local authority which has arranged for the care of a child at the provision.

The role of CSSIW in the complaints process: CSSIW is happy to receive information about any social care service, but is not a complaints agency and has no statutory powers to investigate individual complaints between people and their service providers. They cannot make judgments on behalf of people or decide who is right or wrong.

When CSSIW receives information about a service they will consider it and inform the complainant they will take one of the following actions:

- Undertake an inspection of the service within an identified timescale (a copy of the focused inspection report is sent to the complainant).
- Consider the information within the next planned inspection of the service.
- Advise the complainant to contact an identified agency.
- Refer the complainant to the service about which the complaint was made for resolution under their own complaints procedure.
- Advise the complainant that their information has been recorded and there is no further action required from CSSIW.

See also: www.cssiw.org.uk

If the complaint is of a child protection nature: the Staff must be spoken to without delay and the Pendoylan Childcare child protection policy is implemented.

If the complaint is about the registered person/responsible individual (*where a committee managed provision, the chairperson/lead officer is informed in the first instance*): stage 2 of the procedure (see formal consideration) must be followed and the local office of Care and Social Services Inspectorate Wales **Address:** Welsh Government office, Rhydycar Business Park, Merthyr Tydfil CF48 1UZ (CSSIW) **Phone:** 0300 790 0126 is informed. CSSIW may ask for a verbal complaint to be followed up in writing.

How we respond to a complaint: in Pendoylan Childcare we aim to deal with complaints quickly and effectively 'in house' within the following process. This is called stage:

Stage 1: local resolution of a complaint (complaints are resolved within 14 days)

- The complaint is acknowledged within 2-3 days.
- The complaint is investigated. The Staff decide how best to do this in each case, but may involve:
 - Making arrangements for a meeting with all relevant parties to discuss the issues, when it is appropriate, and with the complainant's agreement.
 - Advising the complainant about the availability of advocacy² to assist during the procedure.
 - A written record is made of the investigation, any discussion (including any witness statements) and any decisions or agreements made at any meeting.
 - A written report and draft response is made for the chair of the management committee and presented within 7 days of receipt of the initial complaint.
- Complainant is sent a letter within **14** days of receipt of their complaint informing them that their complaint has been resolved, and of any action that has been taken as a result.
 - In certain circumstances, with the complainant's agreement, the 14 days can be extended for a further **14** days.
 - Complainant is also advised that if they are unhappy with this process or the outcome of the complaint they can contact CSSIW.
- Pendoylan Childcare makes a written record of outcomes of the investigation, and any action taken.
- A copy of the complaint record is kept for the Pendoylan Childcare records and a summary is made available for CSSIW at their request.

If your complaint is not resolved by the stage 1 process above, you may resort to stage 2 (or in some cases you may want to go to stage 2 from the start).

Stage 2: formal consideration of a complaint (stage 2) - when the complaint is dealt with by an agency outside (*name of provision*)

The formal consideration can begin if either:

- The initial discussion (stage 1) has not been resolved and the complainant requests a formal consideration or;
- The complainant wishes to go straight to stage 2 from the start.

This decision rests with the person making the complaint³.

- These types of complaints are resolved as soon as reasonably practicable, and in any

² Someone of the complainant's choice who can advise them and/or act on their behalf during the complaint procedure.

³ 7.1.1 *Listening and Learning: A guide to handling complaints and representations in local authority social services in Wales* (ISBN 0-11-091240-3) (WAG 2005).

event within **35** working days of the request for formal consideration.

- The outcomes of a formal consideration are confirmed in writing by the registered person/responsible individual to the complainant and summarise the nature and substance of the complaint, the conclusions and the action to be taken as a result.
- A copy of a written response is sent by the Staff to the appropriate office⁴ and to any local authority which has arranged for care for a child within Pendoylan Childcare.
- The time limit may be extended with the complainant's agreement.
- If the complaint has not been resolved within 35 working days of the request for formal consideration, the registered person/responsible individual notifies the appropriate office of the complaint and reasons for the delay in resolution.

Where complaints are subject to concurrent consideration: a complaint may be part of another wider investigation where another agency is also making an investigation, such as child protection or staff disciplinary process. In these circumstances, or where a complaint relates to any of the following matters:

- About which the complainant has stated in writing that they intend to take legal proceedings or;
- The registered person/responsible individual is taking, or proposing to take, disciplinary proceedings or;
- About which the registered person/responsible individual has been notified that an investigation is being conducted by any person or body in contemplation of criminal proceedings.

The registered person/responsible individual considers, in consultation with the complainant and any other relevant agency, how the complaint will be handled. In this case the registered person/responsible individual may decide to discontinue investigating the complaint subject to concurrent consideration if:

- It appears that to continue would compromise or prejudice the handling of the wider investigation.

In which case, the registered person/responsible individual:

- Informs the complainant of the decision to discontinue.
- Can resume the investigation at any time.
- Ascertains the progress of the concurrent consideration and notifies the complainant when it is concluded.
- Resumes consideration of the complaint where the concurrent consideration is discontinued or completed and the complainant requests that the complaint be considered.

At all times during any complaint investigation Pendoylan Childcare places safeguarding and protection of children as their highest priority.

⁴Of the body undertaking the formal investigation eg CSSIW

Signed Responsible Individual :

P. M. Vaughan

Date: 19/11/17

Next Review: Autumn 2019