



*Quality. Integrity. Respect.*

## **Foster Carers' Complaints Policy and Procedure & Complaints relating to the Agency from other Parties**

### **Introduction**

Anglia Fostering Agency ("AFA"/"We/Our") is committed to resolving foster carers' complaints at an early stage wherever possible; working in partnership with carers to reach a mutually satisfactory outcome. Where this is not possible we will ensure that any complaint is investigated sensitively and fairly. We define a complaint as '*an expression of dissatisfaction concerning the service provided by AFA, or the actions of an individual providing that service*', for example a Director or employee of AFA.

Complaints will be dealt with as speedily as possible but the timescale will be such as to allow a thorough examination of any issues raised. Carers will be kept up to date as to the progress of their complaint and will be regularly updated on the timescale for resolution. You need to be aware that information relating to third parties, or where consent has not been given to share information, cannot be disclosed.

The AFA complaints policy and procedure complies with the statutory requirements as outlined in the Fostering Services (England) Regulations 2011, Regulation 18 which states that all independent fostering agencies must have 'a written procedure for considering complaints made by or on behalf of children placed by the agency, and by foster parents approved by the agency'. All complaints, including those resolved informally, will be acknowledged in writing stating the nature of the complaint, the action taken, any decisions made, who is responsible for carrying these out and the anticipated timescale for the matter to be concluded.

### **Complaints relating to the AFA Fostering Panel**

Foster Carers who wish to make a complaint or appeal against AFA Fostering Panel ("Panel") recommendations, or determinations made by the Decision Maker, should set out the grounds for their complaint or appeal in writing within 28 days of the date of the decision. The options for appealing the decision will be outlined in a letter sent by the Decision Maker and are detailed in **Section 1 (10) Representations/Independent Review Procedures of the AFA Policy and Procedures Handbook**. Copies of the procedures can be accessed through the AFA website or requested from Placement Managers.

### **Complaints relating to the Local Authority**

Under the Children Act 1989, Section 26(3) a foster carer has a right to complain to the case responsible Local Authority on behalf of the child or young person in their care. It can be difficult for children to make a complaint and if you as carer feel a child is not receiving the service or resource they need, or that they are being disadvantaged by actions or decisions the Local Authority has made, you should initially speak with the child's social worker or their line manager. If the problem is not resolved you should ask for details of the complaints procedures from the Local Authority. Prior to making a formal complaint you should however discuss available options with a Placement Manager. Children may have an independent visitor or a Children's Officer, if there are current legal proceedings, who can also make representations on their

behalf, as can an Independent Reviewing Officer. Following discussion, children and young people can also be supported to contact the Office of the Children's Commissioner at:

Sanctuary Buildings

20 Great Smith Street

London SW1P 3 BT

Tel. No. 020 7783 8330

Email: [info.request@childrenscommissioner.gsi.gov.uk](mailto:info.request@childrenscommissioner.gsi.gov.uk)

Website: [www.childrenscommissioner.gov.uk](http://www.childrenscommissioner.gov.uk)

Information about Local Authority complaints procedure is available from the relevant local authority's website.

Concerns relating to the safety or welfare of a Looked after Child should be discussed in the first instance with the child's social worker or their line manager and, if the child is felt to be at risk of significant harm, a referral should be made using the local Safeguarding Board's Inter Agency Child Protection Procedures. **(See Section 2 (2.3) Referring Concerns to Children's Social Care and Others in the AFA Procedures Manual)**. You should contact AFA prior to making contact with any Local Authority.

Complaints from a child or young person, or a foster carer on their behalf, relating to the service provided by AFA should be made using the route outlined in the children's guide.

### **Protected Disclosure ("whistleblowing")**

AFA aims to nurture an environment that is open and honest and where employees and foster carers feel able to raise concerns and draw attention to issues or deficiencies in service provision, practice or procedure, without fear of reprisal.

As a foster carer, you should follow **AFA's Protected Disclosure Policy in Section 2 of the Policies and Procedures Handbook** to raise concerns about any of the following:

- Failure to comply with legal obligations
- Criminal activity (for example theft, fraud)
- Safeguarding concerns
- Improper conduct
- Attempts to conceal any of the above

Alternatively and where appropriate, you may wish to contact the Regulatory Authority, Ofsted:

Tel. 0300123 3155.

### **Foster Carers Complaint Process**

If a complaint has been made that doesn't fall into any of the above categories and cannot be resolved, the following stages will apply:

#### **Stage 1 – Informal Resolution**

Complaints should be raised in the first instance with the Placement Manager or, if they are not available or you do not feel confident to discuss the complaint with them at this stage, contact should be made with their

line manager. A meeting will be arranged to discuss the complaint unless it is not practicable to do so, for example due to geographical considerations, in which case a confidential telephone conference call will be arranged. The Placement Manager, or their Line Manager as appropriate, will provide a written record of the meeting or phone call within 7 working days unless it is not practicable to do so, in which case you will be advised of the anticipated timescale.

If your complaint is about, or relates to, your Placement Manager, you should submit the complaint to their line manager or alternatively go directly to Stage Two.

## **Stage 2 – Formal Investigation**

If you are not happy with the outcome under Stage One as outlined above, you should write to a Director of AFA within 7 working days. Your letter should set out in detail the grounds of your appeal, or the grounds of complaint if it relates to your Placement Manager as detailed above, and how you would like the matter to be resolved.

Your appeal will be dealt with by an AFA Director or Senior Manager who will acknowledge your letter within 7 working days. Stage 2 of the complaints procedure should be completed within 28 days, unless there is reason to believe that any enquiries needing to be undertaken may take longer. In such cases you will be kept informed of progress and the proposed timescale for concluding the investigation.

As part of the investigation the Director or Senior Manager will convene a meeting with you to discuss your complaint, enabling you to provide further details and answer any questions. If it is not possible to arrange a meeting a confidential conference telephone call will be arranged. The Director or Senior Manager will be accompanied during any meetings or conference calls by another person (usually an AFA staff member); their role will be to record the key issues raised and they will not take part in the discussion. AFA wishes to reassure carers that no person who is employed by us will be involved in the investigation of any complaint if they are the subject of the complaint.

The Director or Senior Manager will set out his decision and findings in a report which will be sent to you within 14 working days of your meeting or call with him or her (unless it is not practicable to do so in which you will be advised of an alternative timeframe).

If you are dissatisfied with the outcome you may request that the complaint proceeds to Stage 3. AFA reserves the right to end the complaint at stage 2 where it is considered the findings are conclusive.

## **Stage 3 – Independent Review**

A request for an Independent Review should be made in writing to Human Resources. Your request will be acknowledged within 7 working days giving details of any review and the timescale, usually 28 days, for completion. Any extensions to this timescale will be conveyed to you in writing.

The Director will appoint a panel of up to three suitable people to review the complaint process. Typically, the panel will consist of individuals with foster carer or social worker experience and who are not current employees of AFA. Furthermore, they will have knowledge and experience relevant to the area of your complaint. The panel will consider the documentation available in relation to your complaint and any further relevant written representations set out in your grounds for requesting Stage 3 Independent Review.

The panel will produce a written report, which should detail outcomes and recommendations and this will be considered by a Director and a Human Resources representative to decide whether the complaint is upheld or not and what (if any) action is required to improve AFA's service, performance and or personnel. You will be notified of the decision within 28 days of the presentation by the Panel of its report to AFA, unless it is not practicable to do so, in which case you will be advised of an alternative timeframe. The decision will be final and you have no further right of appeal. There are no further stages of the complaints procedure. Should you remain dissatisfied, you may take advice from AFA's regulatory authority:

Ofsted

Piccadilly Gate

Store Street

Manchester

M1 2WD

Tel. 0300 123 1231

The Registered Manager of AFA will as a matter of course refer any serious notifiable complaints to Ofsted for information and advise them of the outcome of any investigation and the action points identified.

Although the AFA Fostering Panel ("Panel") has no designated role in the investigation of complaints. The Panel Adviser will inform Panel members of any complaints made at Stage 1 or above, as well as the outcome and recommendations.

### **Complaints relating to the Agency from other Parties**

#### **Stage 1 – Informal Resolution**

Complaints should be raised in the first instance with the Area Manager or Human Resources Manager.

A meeting will be arranged to discuss the complaint unless it is not practicable to do so, for example due to geographical considerations, in which case a confidential telephone conference call will be arranged. We will provide a written record of the meeting or phone call within 7 working days unless it is not practicable to do so, in which case you will be advised of the anticipated timescale.

If your complaint is about, or relates to, a Staff Member, you should submit the complaint to their line manager or alternatively go directly to Stage Two.

#### **Stage 2 – Formal Investigation**

If you are not happy with the outcome under Stage One as outlined above, you should write to a Director of AFA within 7 working days. Your letter should set out in detail the grounds of your appeal, or the grounds of complaint if it relates to a Staff Member as detailed above, and how you would like the matter to be resolved.

Your appeal or complaint will be dealt with by an AFA Director or Senior Manager who will acknowledge your letter within 7 working days. Stage 2 of the complaints procedure should be completed within 28 days, unless there is reason to believe that any enquiries needing to be undertaken may take longer. In such cases you will be kept informed of progress and the proposed timescale for concluding the investigation.

As part of the investigation the Director or a Senior Manager will convene a meeting with you to discuss your complaint, enabling you to provide further details and answer any questions. If it is not possible to arrange a meeting a confidential conference telephone call will be arranged. The Director or Senior Manager will be accompanied during any meetings or conference calls by another person (usually an AFA staff member); their role will be to record the key issues raised and they will not take part in the discussion. AFA wishes to reassure you that no person who is employed by us will be involved in an investigation of any complaint if they are the subject of that complaint.

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Manchester M1  
2WD

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