

THE FOSTER CARER COMPLAINT PROCEDURE

Introduction

1. To ensure that the foster carer resource is managed in an appropriate and proper manner, The Placement (of Children) Regulations and Vol. 3 of the Children Act Guidance requires the introduction of a complaint procedure to respond to complaints from foster carers in a manner that can be demonstrated to be open and fair.

Definition of a Complaint

2. A complaint is an expression of dissatisfaction with a service provided by the department. This might be an inappropriate service, a decision making process, the standard or quality of a service, no service or an inadequate service.

3. Informal Resolution of Complaints

- 3.1 It is hoped that the people immediately concerned with a situation can resolve the majority of complaints informally. Foster carers are encouraged to discuss any concerns or complaints with either the fostering social worker or with the child's social worker, whichever is most appropriate according to the circumstances of the case and the nature of the complaint.
- 3.2 In those instances where the complaint relates to some issue around their approval as foster carers, it is open to the foster carer to ask for a review of their approval. This would be achieved by a meeting chaired by the appropriate team manager (Family Placement), which may lead to a reconsideration of the carer's situation by the Fostering Panel.
- 3.3 Where the complaint relates to an issue surrounding the placement of a child it is open to the foster carer to ask for a review of the child's placement. The review would normally be chaired by the appropriate team manager or independent review officer who would make a recommendation to the service manager.
- 3.4 Where matters cannot be resolved informally, foster carers have the right to put their complaint in writing to the Assistant Director (Children and Young People's Service) County Hall Glenfield LE3 8RL.

4. Formal Resolution – First Stage

- 4.1 Following receipt of a written complaint and completion of the normal Complaints Form, (SS547) the matter will be investigated by a senior member of the department normally at service manager level. Your letter should be acknowledged within seven days.

- 4.2 The investigation into your complaint should be completed within 28 days. The person carrying out the investigation will see you. You can have your representative present at this meeting.
- 4.3 The outcome of your complaint will be given to you in writing. You will also receive information about the process of the right to a review of the decision

This stage of informal resolution should be completed **within 6-weeks** from the official lodgement of the complaint although this period may be extended to 3 months with the agreement of the Assistant Director (Children and Young People's Service).

5. Formal Resolutions – Stage Two

- 5.1 If the foster carer still feels they have grounds for a complaint against the local authority's practice, the following procedures should apply. These are consistent with the arrangements and timescales for all Stage 2 complaints
- The foster carer will write outlining the basis of the complaint to the Assistant Director, Children and Young People's Service.
 - The Assistant Director will reply to the foster carer giving the name of a nominated complaint officer who will be designated to consider and investigate the complaint. The complaints officer will report to the Complaints and Commendations Service, and will not be from a section that is responsible for the foster carer or the child's placement or the complaints officer will be totally independent of the department.
 - The complaints officer will inform the Service Manager (Placements) that a formal complaint has been received and is to be investigated.
 - The complaints officer will notify the foster carers of the steps he or she intends to take to consider the complaint
 - Staff will allow the complaints officer access to files, other records and relevant personnel. If the foster child is directly involved in the complaint a reference will be made by the complaints officer to the Children's Rights Officer for his/her observations.
 - Following the investigation of the complaint, the complaints officer will meet with the foster carers to discuss the findings.
 - The complaints officer will submit a report with recommendations, including any final comments the foster carers may wish to make to the Assistant Director for decision.
 - The decision of the Assistant Director will be given in writing to the foster carer. Information about the process for the review this decision (Stage 3) will also be given.

6. Right of Review – Stage Three

- 6.1 If a carer remains unhappy about the response to their complaint, they have the right to have their complaint reviewed by a Stage 3 Panel.
- 6.2 The panel will be chaired by a county councillor and will hear representations from both the carer and a local authority representative. Carers who reach stage 3 of the complaints process will receive greater guidance about the stage 3 panel before they attend a hearing of the panel.

7. Complaint by Child / Young Person

- 7.1. It is important that children and young people who are being looked after by the Local Authority are satisfied with the service they receive.

Apart from what may be considered good practice, the Children Act 1989 provides in legislation for them to have this right.

The complaint has to be about services provided by Children and Young People's Service to children and their families. It can be made by either:

- (a) Children and young people looked after by the department;
- (b) Children and young people who are in need;

Or it can be made on behalf of the child or young person by:-

- (c) A parent;
- (d) Any person who is not a parent of his/hers but who has parental responsibility.
- (e) Any Local Authority foster carers;
- (f) Any other person the authority considers has a sufficient interest in the child's welfare to warrant his/her representations being considered by them.

Some children/young people may be unsure as to whether they wish to complain or not. It may be about something in the foster home that is worrying them and therefore they can share it with foster carer but this is not always the situation.

There is an independent **Children's Rights Service**. All children being looked after by Children & Young People's Service in either a foster home or residential home are informed of this service and of their right to use it. Social workers also have a duty to ensure the child for whom they are responsible knows of this service. Carers should help the children and young people in their care know about this service. Carers can contact the Children's Rights Service on behalf of a young person.