

Factsheet: making a **Social Care** complaint





**Introduction:**

If you’re unhappy with any service from Social Care, you have the right to share your concerns. You also have the right to be listened to and treated with respect and dignity during the process.

There are some examples below of what you can make a complaint to Social Services about;

**Social Workers Care Providers and Care Homes**

Bringing up your concern may help solve the problem or give you an explanation or apology. Sharing your experience can also help Social Services improve the care they give to others in the future.

This factsheet will guide you step-by-step through the complaint process. It aims to give you the information you need to move forward with your complaint, understand your options, and feel more confident in raising your concerns.

You can also make a complaint for someone else, but you’ll need their permission to do so (unless they’ve passed away or can’t give permission themselves).

In this guide you will find **information** and **tips** that you can look back at while going through the complaints process.

**Before You Make Your Complaint:**

Take some time to think carefully about exactly what you want to complain about. It could be one specific event or several things related to your care and treatment.

Trafford Council asks that complaints are made as soon as possible but no later than twelve months after the event happened event or twelve months from when you realised you needed to make a complaint.

**As your complaint may have lots of elements to it, it may be useful to use the box below to separate each issue:**

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**What do you hope to happen as a result of your complaint?**

When you make a complaint, some things you might get are:

* An explanation
* An apology
* Changes to rules or procedures

However, some things cannot happen through a complaint, like:

* Financial compensation
* Disciplinary action

If you want financial compensation, you’ll need to take legal action and speak to a solicitor. It’s important to involve them early if you go down this route.

Disciplinary action might happen after your complaint is investigated, but it’s not guaranteed. Social Services don’t have to tell you if they take disciplinary action.

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It’s helpful to think about what you want to achieve and what questions you want answered before making your complaint:

**Making a Complaint:**

There are different ways to complain, either formally or informally. If you feel comfortable you can **speak to a member of staff or their manager directly.** This is usually the quickest way to solve a problem.

**Following the Complaints Procedure for Trafford Council**

You might decide that making a formal complaint is the best choice for you. This could be because:

* You’ve already spoken to a staff member but feel the problem hasn’t been solved.
* You don’t feel comfortable talking about it directly with a staff member.
* You believe the complaint needs an investigation.
* Your complaint involves multiple issues.

You can make a formal complaint to Trafford Council in these ways:

* Filling in an online form.
* Calling them on the telephone - 0161 912 4416
* Sending an email - ice@trafford.gov.uk
* Writing a letter:

Integrated Customer Engagement Team - Adult Social Care
Trafford Council
Trafford Town Hall
Talbot Road
Stretford
M32 0TH

**All the details can be found on:** <http://www.trafford.gov.uk/about-your-council/complaints/social-care-complaints.aspx>

This includes a Complaints, Comments & Compliments Policy and an Easy Read Complaints Guide for Adult Social Care.

**Template Complaint Letter**

If you decide to write a complaint letter, it’s a good idea to keep a copy of everything you send so you can refer to it later.

**Here is a template you can use for your complaint letter (text in ORANGE is for you to change):**

 Your Name

 Address

 Telephone

The Complaints Manager

Name of the organisation or trust

Address of the organisation

Date

**PRIVATE AND CONFIDENTIAL**

To Whom It May Concern (or Dear **[Name]** if you know it),

I am writing to complain about the treatment I received from **[name of staff or people involved]** at **[name of the service or the place where the incident happened]** on **[date of incident or time period]**.

Now describe what happened, when and where. The more specific your information the easier it will be for the Complaints Team to deal with your complaint.

Explain what you have done, if anything, to attempt to resolve the issue already. For example, this could be a direct conversation you have had with the member of staff involved. Try to include dates, names and locations where you can.

I would like you to respond to the following points of my complaint:

1. Put here all the **specific** points that you are unhappy with, with the most important first.
2.
3.
4.

In your response, I would like you to answer the following questions I have:

1. Here you should ask **specific** questions you would like answered about the incident or the treatment you are unhappy with.
2.

As a result of this complaint, I would now like **[this is where you put the outcome you want to achieve], e.g.:**

1. An explanation of what happened and why
2. An apology
3. Action to remedy the problem or change things so that this does not happen again in the future

I would be grateful if you would please carry out a full investigation into my concerns and provide me with a response in line with your Complaints Procedure.

**Yours sincerely** should be used if you know the name of the contact and **yours faithfully** if you don’t.

Your signature

Print your name

If you would like other people to receive the response also, put this here, e.g.:

Cc. John Smith

**[Name of service and address here]**

**What Happens Next?**

* You should receive a letter acknowledging your complaint within three working days. This letter will let you know how long it might take to investigate and respond to your complaint. It will usually ask you to get in touch if you haven’t heard from them by that time.
* By the end of the deadline, you should get a response to your complaint letter. Their response should address the issues you raised and explain if they can meet your expected outcomes. If you don’t receive a response by then, it’s okay to send another letter or make a phone call.
* If you disagree with their response, you can write back with your concerns about their answer, or you can ask for a resolution meeting.

When you request a resolution meeting (by phone, email, letter, in person, or via Microsoft Teams), you should explain the issues that you feel have not been resolved. This meeting will involve the people from Trafford Council related to your complaint. You don’t have to attend this meeting alone; they will offer you a time and date that works for you.

**If you feel you don’t have a family member or friend to support you in this meeting, or if you think having an advocate would be better, please contact Advocacy Focus at 0300 323 0965.**



**Resolution Meetings:**

A resolution meeting gives the organisation a chance to answer your questions and provide more information or explanations in person or via Microsoft Teams. These meetings can feel a bit worrying, so here are some things you might want to discuss:

**Have to hand:**

* A list of issues you want to talk about
* The outcomes you hope to achieve from discussing these issues. Remember, having more than one outcome may improve your chances of getting what you want.

Be prepared to wait for a response after the meeting, especially if they need to investigate further.

While resolution meetings can seem intimidating, they are usually friendly, and the people leading the meeting have a lot of experience.

**What happens during a resolution meeting:**

* They should offer introductions as it is important that you know who is in your meeting and what role they will be playing.
* During the meeting, each problem or question should be discussed. You can also bring up any new questions that come up as you talk.
* At the end of the meeting some or all of your issues may have been addressed. If not, sometimes there may be a need for further investigation. You can ask at this point for a letter to be written or another resolution meeting if this is easier
* Once everything is finished, you’ll get a letter or an invite to another meeting explaining the decisions made on your issues.

**If you feel that your complaint hasn’t been handled properly, you can take this to the Local Government Ombudsman.**

**The Local Government Ombudsman (LGO):**

The Local Government Ombudsman is the final step for complaints about councils and some other organisations that provide local public services. They handle complaints about adult social care providers, like care homes and home care services.

The LGO advises that you should complete all stages of the organisation’s complaints process first. If your complaint hasn’t been resolved, or you haven’t received a response in a reasonable amount of time, you can take your complaint to the LGO.

Again, you need to submit your complaint no later than one year after the event or incident you are complaining about, or from when you first became aware of the issue. There are some exceptions to this rule, such as if you were unwell or if the local resolution took longer than a year.

The LGO is more likely to investigate complaints where the issues:

* Have had a serious or long-term impact on people’s lives.
* Affect many other people.

They are less likely to investigate complaints where:

* The issues have caused only minor irritation or upset.
* They cannot ask the organisation to do what you want.

You can complain to the LGO using the following link:

<http://www.lgo.org.uk/>

They also have a helpline if you would like to discuss your complaint with someone before submitting it:

**0300 061 0614**

**8.30am – 5.00pm Monday to Friday**

On this website you will be able to access their complaints form, along with a guide on how this should be completed.

**The LGO Process:**

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| **Step 1:** First, the Local Government Ombudsman (LGO) will confirm that they have received your complaint. If they need more information at this point, they will reach out to you using the details you provided.If you have already complained directly to the organisation involved, their Assessment Team will determine whether they should investigate your complaint further. The LGO will send you a letter explaining the outcome of this decision. They aim to decide whether your complaint will be investigated within **four weeks**. |

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| **Step 2:** If the Local Government Ombudsman (LGO) decides that your complaint needs more detailed review, they will pass it to the Investigation Team. You will be informed about the person who is handling your complaint. The LGO may reach out to you or the organisation for more information.When the LGO believes they have enough information to make a fair decision, they will share a draft decision with you. They usually provide copies of the information that the organisation has given them, but sometimes sensitive information cannot be shared.The LGO will then give you one last chance to comment or provide any additional information you want them to consider before they make a final decision. After the final decision is made, the LGO will write to you to explain their reasons. They will also send a copy of the decision to the organisation you complained about.LGO decisions are final, but there are procedures in place if you wish to challenge their decision or make a complaint about the service they provided.**Timescale:** The LGO states that it is hard to say how long the investigation will take since every complaint is different. The whole process can take many months from start to finish. |