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national youth  
advocacy service

# Complaints and Compliments Policy and Procedure

## Contents

1.	Specification .....	3
1.1.	Frequency of Document Review .....	3
1.2.	Review/Approval History for this document:.....	3
1.3.	Document Control:.....	3
1.4.	Linked Documents: .....	3
2.	Introduction .....	4
3.	What is a complaint?.....	4
4.	What is a compliment?.....	4
5.	How to complain or provide a compliment.....	4
5.1.	Stage One.....	4
5.2.	Stage Two.....	5
5.3.	Action taken when a complaint or part of it is upheld.....	5
6.	Appendix 1 – Complaints Flow Chart .....	10

# 1. Specification

## 1.1. Frequency of Document Review

Author:	Ruth Hale
Version:	2
Review Frequency	Annual
Review Date:	December 2022

## 1.2. Review/Approval History for this document:

Department	Action	Date
Legal	Review of existing complaints and compliments policy.  In reviewing the policy, the opportunity has been taken to format to NYAS policy standard	December 2021

## 1.3. Document Control:

Version	Author	Date	Version details	Reviewer	Date
1.0	Mary Mullin	November 19		Policy Committee and Exec Group	August 2020
2.0	Ruth Hale	September 2021		Policy Committee and Exec Group	December 2021
3.0					

## 1.4. Linked Documents:

Disciplinary Policy and Procedure	Located on the intranet
Whistle-blowing Policy	Located on the intranet

## 2. Introduction

The purpose of the Complaints and Compliments policy is to listen to feedback from our service users, partner organisations, self-employed contractors and third parties about their experience of NYAS to promote the satisfaction with our services and to identify areas where services can be improved.

The aim of this procedure is to ensure that all concerns and complaints are dealt with fairly, properly and quickly to ensure that learning from any complaint upheld in full or part is actioned appropriately and all compliments are shared and celebrated.

## 3. What is a complaint?

A complaint is any expression of dissatisfaction which requires consideration in accordance with our complaints procedure. Alongside this it is important to be aware of our confidentiality policy, safeguarding policy and whistleblowing policy. Any safeguarding issue will be responded in line with Government guidelines.

Where a self-employed contractor, volunteer or student has a complaint, efforts should be made to explore the issues and solutions with the individuals line manager in best practice meetings to escalating the matter where possible. Employees should refer to the grievance policy or whistle-blowing policy rather than the complaints policy for any matters to address concerns.

Where safeguarding concerns are raised about a NYAS employee, they will be subject to the process in respect of managing allegations against professionals and relevant parties such as Social Services, Police and HR may be involved to investigate the complaint. This will be managed under the Disciplinary Policy.

## 4. What is a compliment?

You may wish to provide positive feedback on the service you have received or observed. We would be delighted to hear from you and to share the feedback with our teams. All feedback will support our learning as an organisation to ensure we offer the best service we can to those we work with.

## 5. How to complain or provide a compliment

You may raise your wish to complain or compliment orally via the helpline or in writing email via [feedback@nyas.net](mailto:feedback@nyas.net). You can share your positive feedback through our services directly or through the [feedback@nyas.net](mailto:feedback@nyas.net) address.

Service users who make a complaint will be provided with advocacy support or will be signposted to other advocacy services. Employees who are subject to a complaint will be offered support via the employee assistance programme. Any reasonable adjustments, for example language line, will be arranged where required.

### 5.1. Stage One

All complaints received will be acknowledged in writing within two working days. Attempts should be made by the line manager to resolve the complaint internally and respond to the complainant in writing within 10 working days of the complaint being received. The line manager should discuss the content with the relevant parties and considering the documentation available to address the complaint if necessary. They

should then advise the complainant of the outcome of discussions and considerations, confirming this in writing and confirming any action to be taken, by whom and providing specified timescales.

If you are unhappy with the written response you have received following Stage 1 you must advise us in writing via the Complaints Officer within 14 working days.

If it is considered by the line manager that your complaint cannot be resolved informally they will inform you and the person you are complaining about. The complaint will then be considered formally by an investigating officer under Stage Two as outlined below.

## 5.2. Stage Two

Within 3 working days of your request to have a formal investigation, or the line manager recommending a formal investigation, the Complaints Officer will advise who is investigating your complaint. This is likely to be a second line manager within the organisation.

1. The investigator will:

- share the complaint with the relevant person you have complained about, or the person responsible for a process or department that you have complained about, inviting their written response to the complaint you have submitted if necessary contact you to clarify any of the details of the complaint.
- examine relevant information as appropriate including; case files, correspondence, supporting documents, log of reported issues.
- if necessary, interview the subject of the complaint and other relevant people.
- provide an outcome of the investigation within 21 working days.

The outcome of the investigation and a summary of findings and/or recommendations made and any actions NYAS intends to take in respect of any part of the complaint that is upheld and shared with relevant parties.

2. If it is going to take longer to complete the investigation, for example in a complex case or where key staff are sick or on annual leave, the Complaints Officer will tell you and keep you informed every 14 days about the progress of the investigation.

## 5.3. Action taken when a complaint or part of it is upheld.

1. Where part or all of a complaint is upheld the Executive Team will:

- identify what learning/action needs to be taken to ensure that the circumstances which led to the complaint do not reoccur
- consider whether disciplinary is an appropriate action if the complaint was in relation to the conduct of an employee. If such action is warranted the NYAS disciplinary procedure will be invoked.

2. The nature and outcome of all complaints will be collated by the Complaints Officer and reviewed annually by the Executive Team. Trends identified will be shared across the organisation and with trustees and learning achieved through an agreed action plan from the Executive Team.

## **PLEASE NOTE**

NYAS will not consider complaints raised more than three months after the conclusion of the case or service received ends or from the period of time which the complaint relates to. Where circumstances have prevented a service user/party to the proceedings from raising their concerns within this timescale the Executive Team will be asked to apply discretion in deciding whether to accept these complaints.

**Repeated complaints on the same issue will not be accepted.**

## **NYAS Legal Services**

**Please note that where NYAS have been ordered by the court to write a report and you do not agree with the recommendations or professionals' opinions please raise your concerns in court where they can be explored. These types of concerns can only be dealt with in court and not as part of the NYAS Complaint Procedure.**

If there are factual errors in the court report these will be corrected immediately and, where relevant, the correct information given to the court.

If the concerns relate to the NYAS caseworker's recommendations, professional judgement or report contents these will be drawn to the attention of the court together with NYAS' response. Other complaints relating to, for example, the performance or conduct of the NYAS caseworker or lawyer may also be relevant to court proceedings. The Investigating Manager will identify such complaints and decide whether they are drawn to the attention of the court.

The content and progress of family proceedings and the content of NYAS' court reports cannot be discussed with anyone who is not a party to the court proceedings

If your complaint is about a solicitor and you are unhappy with the outcome of NYAS investigation you may take up your complaint with the Legal Ombudsman - the independent complaints body for complaints about lawyers, at the conclusion of our consideration of your complaint. The Ombudsman is not able to consider your complaint until it has first been investigated by NYAS. If the complaint is still not resolved at the end of this complaints process you have the right to refer your complaint to:

The Legal Ombudsman (England)  
PO Box 6806  
Wolverhampton  
WV1 9WJ  
Telephone number: 0300 555 0333

The Ombudsman (Wales)  
1 Ffordd yr Hen Gae  
Pencoed  
CF35 5LJ  
Telephone number: 0300 790 020  
Email: [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

[www.legalombudsman.org.uk](http://www.legalombudsman.org.uk)  
Email: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

The time limits for The Legal Ombudsman to investigate complaints are:

1. within six months of receiving a final response to your complaint; and
2. six years from the date of act/omission; or
3. three years from when you should reasonably have known there was cause for complaint (if the act took place more than six years ago).

If your complaint is regarding the NYAS Contact Services and you remain unhappy with the outcome of NYAS' investigation, you may choose to take up your complaint with The National Association of Child Contact Centres (NACCC) – a charity which sets the National Standards to which Child Contact Centres must work. <https://naccc.org.uk/contact-us/>

If your complaint is about a social work professional you will need to contact Social Work England or Social Care Wales (SCW), Wales, by contacting them using the following details:

Social Work England  
<https://www.socialworkengland.org.uk/concerns/raise-a-concern/raise-a-concern-about-a-social-worker/>

Social Care Wales  
South Gate House  
Wood Street  
Cardiff  
CF10 1EW  
Email : [info@socialcare.wales](mailto:info@socialcare.wales)

If you are a child/young person you may wish to contact the Children's Commissioner for assistance and advice:

### **Children's Commissioner for England**

Sanctuary Buildings, 20 Great Smith Street, London, SW1P 3BT

Email: [info.request@childrencommissioner.gov.uk](mailto:info.request@childrencommissioner.gov.uk) Telephone: 020 7783 8330

### **Children's Commissioner for Wales**

Llewellyn House, Harbourside Business Park, Harbourside Road, Port Talbot, SA13 1SB

Email: [post@childcomwales.org.uk](mailto:post@childcomwales.org.uk) Telephone: 01792 765 600

### **NYAS**

You are able to log your concerns, comments and compliments about NYAS's services to Care Inspectorate Wales. You can do this by contacting:

Phone: 0300 7900 126

Email: [CIW@gov.wales](mailto:CIW@gov.wales)

Or in writing to:  
Care Inspectorate Wales  
Welsh Government office  
Sarn Mynach  
Llandudno Junction  
LL31 9RZ

Alternately you can raise a concern or compliment to your resident local authority complaints department.

## Annex A; Wales Services

Local Authority Area	Complaints office address
Torfaen	<p>Torfaen County Borough Council, Civic Centre Pontypool Torfaen NP4 6YB</p> <p><a href="mailto:corporatecomplaints@torfaen.gov.uk">corporatecomplaints@torfaen.gov.uk</a></p> <p>01495 742164</p>
Caerphilly	<p>Complaints and Information Team Social Services Penallta House Tredomen Park Hengoed CF82 7PG</p> <p><a href="mailto:sscomplaintsandinformation@caerphilly.gov.uk">sscomplaintsandinformation@caerphilly.gov.uk</a></p> <p>0800 328 4061</p>
Blaenau Gwent	<p>Complaints Officer, Social Services Department Blaenau Gwent County Borough Council, Anvil Court, Church Street, Abertillery NP23 6XB</p> <p><a href="mailto:social.services.complaints@blaenau-gwent.gov.uk">social.services.complaints@blaenau-gwent.gov.uk</a></p> <p>01495 357715</p>
Newport	<p>Corporate Complaint resolution Officers Newport County Council Civic centre Field Road Newport NP20 4UR</p> <p><a href="mailto:Complaints@newport.gov.uk">Complaints@newport.gov.uk</a></p> <p>01633 656656</p>
Monmouthshire	<p>Customer Relations Support Officer Monmouthshire County Council Innovation House Wales 1 Magor NP26 3DG</p> <p>Email / Epost: <a href="mailto:jessicafelton@monmouthshire.gov.uk">jessicafelton@monmouthshire.gov.uk</a></p> <p>01633 64 (4672) or 01633644644</p>



Cardiff	<p>Children's Complaints Officer County Hall Atlantic Wharf Cardiff CF10 4UW</p> <p><a href="mailto:socialservicescomplaints@cardiff.gov.uk">socialservicescomplaints@cardiff.gov.uk</a></p> <p>02920 873663</p>
Vale of Glamorgan	<p>Complaints Officer Resource Management and Safeguarding Vale of Glamorgan Council Holton Road, Barry CF63 4RU</p> <p><a href="mailto:AGreen@valeofglamorgan.gov.uk">AGreen@valeofglamorgan.gov.uk</a></p> <p>01446 704800 /07775634194</p>
Neath Port Talbot	<p>Complaints Officer, Social Services and Housing, Civic Centre, Neath SA11 3QZ, <a href="mailto:complaints@npt.gov.uk">complaints@npt.gov.uk</a></p> <p>01639 763445</p>
Swansea	<p>The Complaints Team Third Floor, Civic Centre Oystermouth Road Swansea SA1 3SN</p> <p><a href="http://www.swansea.gov.uk/complaints">www.swansea.gov.uk/complaints</a></p> <p><a href="mailto:complaints@swansea.gov.uk">complaints@swansea.gov.uk</a></p> <p>01792 637345</p>

## 6. Appendix 1 – Complaints Flow Chart

