

Complaints How to be Heard

How to be heard

Any member of the public, including a child, who has received, or was entitled to receive a service from Social Services, may make a complaint.

You may make a complaint on behalf of someone else, where that person:

- Is a child
- Has requested you to act on their behalf
- Lacks capacity
- Has died.

We aim for high standards but sometimes things do go wrong. Unless you tell us, we will not know that you are unhappy.

This factsheet explains how, with your help and that of the staff working with you, we can sort out your complaint. Guidance from the Welsh Government tells us how we must sort out complaints.

What is a complaint?

A complaint is:

- An expression of dissatisfaction or concern
- Either written or spoken or made by any other communication method
- Made by one or more members of the public
- About a public service provider's actions or lack of action; or
- About the standard of service provided

A complaint is not:

- An initial request for a service
- A formal review or appeal against a decision or determination
- A means to seek change to legislation or a 'properly made' policy decision
- A means for lobbying groups / organisations to seek to promote a cause

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Looking after your personal information

If you make a complaint, we will respect your right to confidentiality. Although we will need to share the information you give us with others who might be dealing with your complaint, we will only do this if necessary. We will not pass on any information unless we have to do so by law, and will only pass on as much as is necessary.

The complaint process

A complaint should usually be made within 12 months of becoming aware of the problem.

A complaint can be made in writing (letter or email) or orally (by phone or in-person).

There are **two stages** to the process.

Stage 1 - Local Resolution

We will acknowledge receipt of your complaint within **2 working days**.

In an attempt to resolve matters, we will offer to discuss your complaint with you (either face to face or by telephone). This discussion must take place within **10 working days** of the date of acknowledgement. Following the discussion, we will write to you within **5 working days**.

If you are not satisfied with our response, you can ask for it to progress to **Stage 2**.

Stage 2 - Formal Investigation

Within 5 working days of your request for your complaint to be formally investigated, the Complaints Officer will compile a formal written record of your complaint and the outcome that you would like to achieve.

The investigation will not start until we both agree on what is to be investigated.

The complaint will be investigated by an Independent Investigator (not an employee of Torfaen County Borough Council). An Independent Person will also be appointed for representations from Children Services.

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The Independent Investigator will investigate the complaint:

- by undertaking a fact finding exercise
- interviewing those concerned
- prepare a report for the local authority.

The local authority will consider the investigation report and determine whether or not the complaint is upheld and the action to be taken as a consequence. The Director of Social Services will then write to you.

The formal investigation must be completed within 25 working days (from the start date).

What can I do if I'm still not happy?

If you are dissatisfied with this response, you can ask the Public Services Ombudsman for Wales to look at your complaint.

Public Service Ombudsman for Wales

1 Ffordd yr Hen Gae, Pencoed, Bridgend, CF35 5LJ

Telephone: 0300 790 0203 (calls charged at local rate)

Fax: 01656 641199

Online: www.ombudsman.wales

Can I ask someone to help me with my complaint?

You have the right to an advocate (someone who will help you state your point of view). If you are under 18 we will usually find you an advocate. If you are over 18 we will tell you where to find one.

What if I'm not sure who to complain to?

You may have a complaint about a service we have arranged for you with another care provider, such as a residential care home, a home care agency, or a day service. Each organisation will have its own complaints process and we will usually

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send your complaint to them and make sure they deal with it. We will tell you exactly what we are doing.

If your complaint is about something we have provided jointly with another organisation, e.g. a package of care from both health and social care staff, we will look at your complaint together and usually send you one response.

To contact our Complaints Team

Complaints Team, Civic Centre, Pontypool, Torfaen, NP4 6YB

Telephone: 01495 762200

Email: corporatecomplaints@torfaen.gov.uk

Could I complain to anyone else?

The **Care Inspectorate Wales** (CIW) regulates all care services in Wales. You can complain directly to them about social care received from care homes and home care agencies, as well as services run by the Council.

Care Inspectorate Wales

Welsh Government Office

Sarn Mynach, Llandudno Junction, LL31 9RZ

Telephone: 0300 7900 126 Fax: 0872 437 7301

www.careinspectorate.wales

Email: ciw@gov.wales

Social Care Wales regulate professional social care workers and has the power to look into allegations of misconduct.

Social Care Wales

South Gate House, Wood Street, Cardiff, CF10 1EW

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Telephone: 0300 303 3444

www.socialcare.wales

Email: info@socialcare.wales

The **Children's Commissioner for Wales** can support and advise children and young people on their rights.

Children's Commissioner for Wales

Oystermouth House, Phoenix Way, Llansamlet, Swansea, SA7 9FS

Telephone: 0179 276 5600 / 0808 801 1000

Email: post@childcomwales.org.uk

www.childcomwales.org.uk

The **Older People's Commissioner for Wales** protects and promotes the rights of older people throughout Wales.

Cambrian Buildings, Mount Stuart Square, Butetown, Cardiff, CF10 5FL

Telephone: 03442 640 670

Email: ask@olderpeoplewales.com

www.olderpeoplewales.com/en/Home.aspx

Can I get advice or help?

The following organisations may be able to help you in making a complaint.

General Advice

Cwmbran Citizens Advice Bureau

45 Gwent Square, Cwmbran, Torfaen, NP44 1PL

Telephone: 01633 876121 Advice line: 03444 772020

Email: reception@torfaencab.org.uk

www.citizensadvice.org.uk/local/torfaen

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Mental Health

Advocacy Support Cymru

Charterhouse 1, Links Business Park, Fortran Road, St Mellons, Cardiff, CF3

0LT or Singleton House, Charter Court, Phoenix Way, Swansea Enterprise

Park, Swansea, SA7 9DD Telephone: 02920 540444 Fax: 02920 735620

www.ascymru.org.uk Email: info@ascymru.org.uk

Older People, Carers, Disabled People and Safeguarding

Age Cymru Gwent

12 Baneswell Road, Newport, NP20 4BP

Telephone: 01633 763330 / 01495 768620 www.ageuk.org.uk/cymru/gwent/

Email: ho@agecymrugwent.org torfaenadvocacy@agecymrugwent.org

Children with Learning Disabilities

Special Needs Advisory Project (Cymru)

10 Coopers Yard, Curran Road, Cardiff, CF10 5NB

www.snapcymru.org

Telephone: 0808 801 0608

Email: enquiries@snapcymru.org

Advocacy for Children and Young People

NYAS (National Youth Advocacy Service)

Freepost – NYAS, Tower House, 1 Tower Road, Birkenhead, Wirral, CH41 1FF

Telephone: 0808 808 1001

www.nyas.net

Email: help@nyas.net

This leaflet is available in Braille upon request.