

Cumbria Safeguarding Adults Board Complaints Policy



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Acknowledgment and thanks to Northamptonshire Safeguarding Adults Board.

1. Introduction

This Complaints Policy only deals with complaints which are specifically about Cumbria Safeguarding Adults Board (CSAB), or a Safeguarding Board process, for example; Safeguarding Adult Reviews (SAR), the Safeguarding Adult Review process or about other publications or campaigns led by CSAB.

Where possible complaints will be dealt with informally through discussion with relevant parties and the complainant to resolve. Where resolution is not possible through informal processes then complaints should follow this policy and process.

2. The Process

When a complaint is received by CSAB, the Board's Business Manager will initially explore whether the complaint meets the criteria for other statutory complaints processes (for example, Adult Social Care, NHS or Police) liaising with relevant partners where necessary.

The CSAB complaints process will only be followed when other statutory complaints procedures are not applicable.

CSAB's position in relation to complaints is based on the following principles:

- **Viability** The system for dealing with complaints has to be one that can be adequately resourced in order to provide a robust and timely response. It is essential that only complaints which are legitimately about CSAB are dealt with through the Board's process.
- **Efficiency** The system has to avoid duplicating or overlap with other existing measures. This would include both escalation processes and other complaints systems/processes.
- **Informed** The system needs to be delivered by those with the expertise to provide a balanced and knowledgeable response.
- **Problem solving** Experience indicates that a positive, solution focussed approach will minimise the number of formal complaints received.
- **Transparency** The process for dealing with complaints will be open and transparent.



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3. The Procedure

CSAB's procedure for dealing with complaints is as follows;

- A complaint must be made not later than 12 months after the date on which the matter, which is the subject of the complaint occurred or, if later, the date on which the matter which is the subject of the complaint came to the notice of the complainant.
- The time limit referred to above does not apply if the Independent Chair is satisfied that the complainant has good reason for the delay in making their complaint and is further satisfied that it remains possible for the CSAB to investigate the complaint effectively and fairly, notwithstanding the delay.
- Complaints from, or on behalf of an agency can usually be resolved by following the **CSAB Escalation Guidance**, rather than a complaints process.
- Complaints from a person regarding the conduct or performance of an employee/volunteer of a CSAB Board partner agency will be referred to the agency responsible for that person's employment.
- Where a person wishes to appeal a decision made by CSAB (for example a decision to initiate a Safeguarding Adult Review) this will be considered as a complaint through the 2-stage process below.
- Where a complaint from a person is about a process which the CSAB's Business Manager has been involved with, the Business Manager will consult their line manager who will decide whether or not the Business Manager is too compromised to respond to the complaint. In those cases (and in all cases where the complaint is directly or substantially about the Business Manager), the line manager will consult with the Director of Adult Social Care to identify another suitable colleague who can provide a written response to the person.
- Complaints from a person about the Independent Chair will be considered jointly by the statutory partners of the Safeguarding Adults Board; Local Authority, Police and Clinical Commissioning Group executive members.

Cumbria Safeguarding Adults Board will adopt a 2- stage approach to complaints received;

Stage 1

Complaints from a person about a CSAB process, for example, a Safeguarding Adult Review, will initially be acknowledged by the Board's Business Manager in consultation with relevant others or Line Manager with a written response to the complainant within 28 days of receipt.

Stage 2

If the complainant is unsatisfied with the response, they should write to the CSAB Business Manager for further consideration by the CSAB Independent Chair, who will consult with relevant parties before responding. The Independent Chair will provide a further written response within 28 days of the complainant contacting the Business Manager.

4. Failure to resolve the complaint

Where there is little prospect of achieving a satisfactory outcome, the complainant may want to consider contacting the Local Government Ombudsman. All written complaint responses will include details of how to contact the Local Government Ombudsman.

'The LGSCO provides a free, independent service. The LGSCO Advice Team can be contacted for information and advice, or to register your complaint. Contact details are;

- Telephone: 0300 061 0614
- Web form: www.lgo.org.uk/adult-social-care/ (there are links to an enquiry form and a complaint form on this page)
- By Post: The Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH

The LGSCO will not usually investigate a complaint until the provider has had an opportunity to respond and resolve matters.'

5. Record keeping

The Board Office will ensure that a record is kept of complaints received, responded to and those referred to partner agencies. Complaints and copies of responses will be securely retained in accordance with the principles of data protection legislation.

6. Unreasonable and or Vexatious Complaints

In a minority of cases people may pursue their complaint in way that is seen as unreasonable and may be unreasonably persistent in their contact. This can impede investigating a complaint which can result in significant resource issues. These actions can occur either whilst the complaint is being investigated or once the complaint has been completed.

Where the CSAB Business Manager believes the complainant is behaving unreasonably, they will discuss this with their line manager and the CSAB Independent Chair referring to the local authority **Unreasonable Customer Policy** if necessary.

