

We Want to Know What You Think

Fact Sheet 17

(August 2021)

Complaints

If you are unhappy with your care and support, you have a right to complain. We aim for high standards but sometimes things do go wrong. Unless you tell us, however, we will not know that you are unhappy. If you contact us, we will be able to work with you to put things right as soon as possible. This fact sheet 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.

Representations

It is important to distinguish representations from complaints. Representations relate to certain matters under the Children Act or Adoption and Children Act. In the main representations are treated in the same way as complaints, however this guide will point out where there are any differences in approach.

Looking after your personal information

If you make a complaint, wherever possible we will respect your right to confidentiality. Although we will need to share the information you give us with others in order to address your complaint. We will only do this if necessary. To find out more about how we use your information as part of the complaints process, view our privacy notices at: www.carmarthenshire.gov.wales/privacy-notice. If you are unable to access the privacy notices online and you wish to receive a copy please contact 01267 228703.

Who can make a complaint?

Any member of the public, including a child, who has received, or was entitled to receive a social care service provided by Carmarthenshire County Council or a service commissioned by the Council, may make a complaint.



For more information on social care services log onto:
www.carmarthenshire.gov.wales/socialcare

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

However, we will need to decide if you have sufficient interest in the welfare of the individual to act in their best interest.

In terms of who can make a representation, they include a child, their parent, foster carer or someone has parental responsibility.

The complaint process

A complaint should usually be made within 12 months from the date that the concern arose.

There are two stages in the complaints process:

Stage 1 – Local Resolution

Stage 2 – Formal Investigation

Stage 1 – Local Resolution –The first step in sorting out a problem is to contact someone involved in providing the service or, if you prefer, our Complaints and Compliments Team. This is known as **local resolution**.

Don't be afraid to complain. We will take your complaint seriously and will welcome all your comments.

We will acknowledge receipt of your complaint within 2 working days. You may contact us in any way you choose, you don't have to write it down.

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.

How will we sort it out?

In an attempt to resolve matters, we will offer to discuss your complaint with you (either face to face or by telephone).

- We may agree to do what you ask
- We may have to apologise to you for having made mistakes
- We may have to explain things better

The person looking into your complaint might need to read your file and ask questions before deciding on what should be done.

How long will it take?

This discussion must take place within 10 working days of the date of acknowledgement (whilst still 10 working days for a representation this can be from the date of acknowledgement, or when an advocate is appointed, or in certain cases when the local authority has determined the person making the representation has sufficient interest to make the representation). Following the discussion, we will write to you within 5 working days.

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

You may ask for your complaint to be investigated by someone who is not involved with the authority at all. This is known as **Stage 2** or **formal investigation**.

Stage 2 – Formal Investigation

If your complaint is serious or you are not satisfied with the way it has been resolved at **Stage 1** it can be progressed to **Stage 2**.

Within 5 working days of your request for your complaint to be formally investigated, we will write to you and make sure that we understand the details of your complaint and the outcome you would like to achieve. The date on which you have confirmed the detail of your complaint and the Independent Investigator has been commissioned is called the 'start date'.

The complaint will be investigated by an Independent Investigator (not an employee of Carmarthenshire County Council). If you are under 18 we will also ask someone who is completely independent of the Council, known as an Independent Person, to make sure your complaint has been handled well and fairly and that all parties have been heard.

The Independent Investigator will investigate the complaint:

- By talking to those involved and check the facts
- Try to find a way of solving the problem
- Write a report for the Council

We will then write to you to:

- State whether the complaint is upheld or not
- Explain what action will be taken, if any
- Apologise if appropriate. A copy of the report will also be provided, unless there is a specific reason not to do so, which will be explained to you.

How long will this take?

We will respond to you within 25 working days (from the start date). If there is a delay we will explain why.

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

Social services work closely with lots of other organisations. 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, at Stage 1 we will usually send your complaint to them and make sure they deal with it. We will tell you exactly what we are doing. If you have already complained to the other organisation, and you are not happy with their reply, then we will deal with your complaint at Stage 2. 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.

Compliments

If you want to, you can let us know when you are pleased with what we have done. You can do this by telling the staff you have contact with or get in touch with the Complaints and Compliments Team.

Our staff are not able to accept any form of gifts as an acknowledgement for the good work that they do.

How do I contact you?

Contact the Complaints and Compliments Team in one of the following ways.

- By phone on **01267 234567**
- By email **complaints@carmarthenshire.gov.uk**
- By completing our online complaints and compliments form available at: www.carmarthenshire.gov.uk/complaintsandcompliments
- By post (you do not need a stamp): Freepost RRZH-HXZC-AGLE, Complaints and Compliments Team, County Hall, Carmarthen, SA31 1JP
- By recording your representation on a tape, a video or a DVD and sending this to the Complaints and Compliments Team

Could I complain to anyone else if I'm still not satisfied?

You could ask the Public Services Ombudsman for Wales to look at your complaint.

Public Services Ombudsman for Wales

1 Ffordd yr Hen Gae
Pencoed
Bridgend
CF35 5LJ

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

Fax: 01656 641199

Email: ask@ombudsman-wales.org.uk

Other useful contacts:

Children's Commissioner for Wales

Oystermouth House
Phoenix Way
Llansamlet
Swansea
SA7 9FS

Telephone: 01792 765600

Fax: 01792 765601

Email: post@childcomwales.org.uk **Website:** www.childcomwales.org.uk

Older People's Commissioner for Wales

Cambrian Buildings
Mount Stuart Square
Butetown
Cardiff
CF10 5FL

Telephone: 08442 640670

Email: ask@olderpeoplewales.com **Website:** www.olderpeoplewales.com

The **Care Council for Wales** regulates professional social care workers and has the power to look into allegations of misconduct.

Care Council for Wales

South Gate House
Wood Street
Cardiff
CF10 1EW

Telephone: 0300 30 33 444

(between 9am and 5pm Monday to Friday)

Email: info@ccwales.org.uk **Website:** www.ccwales.org.uk

This factsheet is also available in Welsh.

**If you would like this factsheet in any other format
telephone 01267 228703 or**

Email: socialcare@carmarthenshire.gov.uk



For more information on social care services log onto:
www.carmarthenshire.gov.wales/socialcare