

# Department for Communities

## Making a Comment, Complaint, Representation or Compliment about Social Care Services- Children and Families



## We Want to Know What You Think

(April 2024)

---

### 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](http://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.

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 mental capacity to decide to make a complaint for themselves
- Has died

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

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

## **Can I ask someone to help me with my complaint?**

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.

### **Children:**

TGP Cymru offer Independent Professional Advocacy Services to children and young people living in Carmarthenshire and can be contacted on the following details:

TGP Cymru  
Cardiff University Social Science Research Park (SPARK)  
Maindy Road  
Cardiff  
CF24 4HQ  
Tel: 029 2039 6974  
Email: [admin@tgpcymru.org.uk](mailto:admin@tgpcymru.org.uk)  
Website: [www.tgpcymru.org.uk](http://www.tgpcymru.org.uk)

## **Adults:**

If you are an adult raising a complaint about children and family services and you need help to raise a concern, Llais, your voice in health and social care, can help you do this. Llais is an independent body, and its free advocacy service can provide information, advice and support to members of the public who may wish to raise a concern.

Llais can support you to raise a concern and give advice on the most appropriate course of action. You can contact your local Llais office at the following address:

Advocacy Service  
Llais – West Wales  
Suite 5, First Floor  
Ty Myrddin  
Old Station Road  
Carmarthen  
SA31 1BT

Tel: **01646 697610**

Email: **[westwalesadvocacy@llaiscymru.org](mailto:westwalesadvocacy@llaiscymru.org)**

Website: **[www.llaiswales.org](http://www.llaiswales.org)**

## **The complaint process**

A complaint or representation 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**.

Do not 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 do not have to write your complaint down. You can tell us your complaint and we will make a written note of it.

## **How will we deal with your complaint?**

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 'start date' of your complaint. The 'start date' is determined by whichever comes latest of the following:

- a) The date we acknowledge your complaint;
- b) The date on which an advocate is appointed to support you;
- c) Where you are representing a child in the complaint, the date when Carmarthenshire County Council decides that you have sufficient interest in the child's welfare in order to represent them.

Following the discussion, we will write to you within 5 working days.

## **Do all complaints have to go through Stage 1?**

No, if you would prefer, you have the right to ask us to consider your complaint at stage 2 without it having first been considered at stage 1. We also have the discretion to take your complaint directly to stage 2 if we think that it is inappropriate for it to be dealt with initially at stage 1.

## **What can I do if I am still not happy with the outcome of stage 1?**

You may ask for your complaint to be investigated by someone who is not involved with Carmarthenshire County Council at all, known as an independent investigator. This is known as **Stage 2** or **formal investigation**.

## **Stage 2 - Formal Investigation**

If your complaint is 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 or representing someone who is, 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 checking the facts
- By trying to find a way of solving the problem
- By writing 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.

## **Will all complaints be taken through the above process?**

Some complaints will not be taken through the above process and may be more suitable through the council's corporate complaints process. If this is the case, we will advise you at the time you make the complaint.

Some complaints cannot be taken forward, for example if you want to complain on behalf of the individual who has care and support needs, but they don't want to make a complaint we will not be able to take the complaint forward, unless they are assessed as lacking mental capacity to make that decision.

There are occasions where we may place your complaint on hold because there are other ways that the issues raised in your complaint are being considered. For example if the matter is being looked through safeguarding processes or consideration is being given to court proceedings. We will advise you if these circumstances apply, and when those processes are complete, we will contact you to see if you still wish to pursue the complaint.

### **What if I am 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 by getting 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: **SocialCareComplaints@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 am still not satisfied?**

You could ask Ombudsman Wales to look at your complaint.

### **Ombudsman Wales**

1 Ffordd yr Hen Gae  
Pencoed  
Bridgend  
CF35 5LJ

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

**Email:** ask@ombudsman.wales

**Website:** www.ombudsman.wales

### **Other useful contacts:**

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

Llewelyn House  
Harbourside Business Park  
Harbourside Road  
Port Talbot  
SA13 1SB

**Telephone:** 01792 765600

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

**Website:** www.childcomwales.org.uk

**Social Care Wales** regulates 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

**Telephone:** 0300 30 33 444

(Between 9am and 5pm Monday to Friday)

**Email:** [info@socialcare.wales](mailto:info@socialcare.wales)

**Website:** [www.socialcare.wales](http://www.socialcare.wales)

**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](mailto:socialcare@carmarthenshire.gov.uk)**