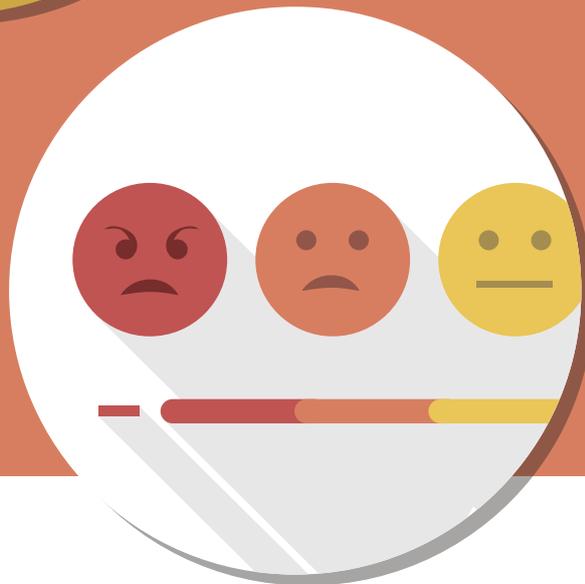
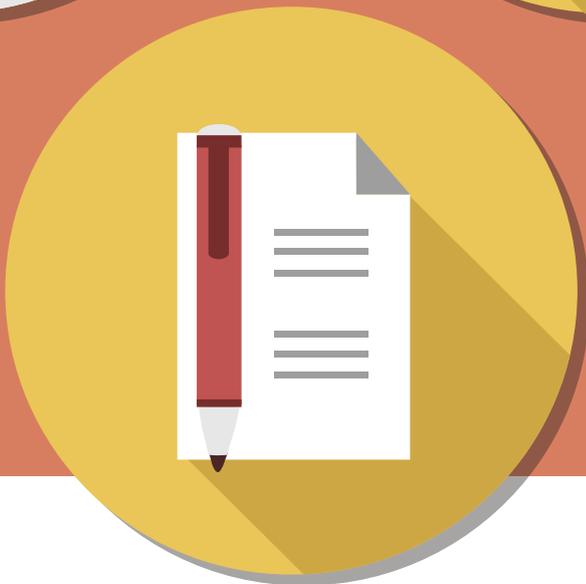


# MAKING A COMPLAINT TO ADULT SOCIAL CARE SERVICES



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# Raising a concern/complaint about Adult Social Services

## What are you unhappy about?

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Before you start it is important to be clear about what aspect of Adult Social Services you are unhappy about. Possible examples include:

- **Attitudes of staff**
- **Poor communication**



## What do you want to achieve?

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Think as specifically and realistically as possible about what you want to achieve through your complaint.

## Who do I raise a concern with? – Local Resolution

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Local resolution is the first stage of a complaint and aims to resolve a complaint at a local level.

- **Speak with the allocated social worker about any issues/concerns.**
- **If you feel uncomfortable with this then you can request to speak to their manager.**

# Formal Complaint – Adult Social Service Complaints Procedure

If your complaint hasn't been resolved by the social worker or their manager or, that they are serious concerns that require investigation, you might want to consider making a formal complaint.

## Are there time limits for making a complaint?

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You should make a complaint within **12 months of the event** or within **12 months from when you realise you have something to complain about**.



# How to complain

**Online:** [www.lancashire.gov.uk/council/get-involved/compliments-comments-complaints.aspx](http://www.lancashire.gov.uk/council/get-involved/compliments-comments-complaints.aspx)

**email:** [complaintsandfeedback@lancashire.gov.uk](mailto:complaintsandfeedback@lancashire.gov.uk).

Please ensure that your email contains:

- **Your full name**
- **Your postal address**
- **The date (where possible) and details of the complaint**
- **The service concerned where possible**

**Post:** Please send it to:

**Complaints and appeals team**

**Legal and democratic services**

**Christ Church Precinct, County Hall, Preston PR1 8XJ**

**Telephone:** For social care complaints you can speak to an advisor on **0300 123 6720**.



**TIP...** Tip: If you send a written complaint letter keep a copy for your records so that you can refer to it later.

## What should I put in my complaint?

- **Your contact details**
- **A clear description of what you are complaining about** and any queries/questions you would like answering
- **The outcome(s) you would like from making the complaint**, such as:
  - Changes in policies and procedures
  - Better information
  - An apology

Please see the next page for a complaints letter template



**TIP...** it might be helpful to keep a record of any telephone calls you make and keep copies of any letters you write or receive regarding your complaint.

# Sample letter

(Your Address)

(Complaints manager name)

(Address of where complaint is going to)

(Date of the letter)

Dear (Complaints Manager)

**RE: Adult Social Care Complaint**

I am writing to make a formal complaint about my experience of adult social care.

My complaint is that [Provide a description of what you are not satisfied with and any relevant dates]

This situation has caused me [describe the impact this issue has had on you, your family or others who have been affected by the problem]

The Points I would like addressing are [list the key things you want the complaint to look into and answer]:

- 
- 
- 

As a result I would like [describe what you think they should do to put things right.

Examples include an apology/an explanation / change in policies/ training]:

- 
- 
- 

I look forward to hearing your response within the appropriate timeframe.

Yours sincerely,

[Signature & Name]

# What will happen after I have made my complaint?

The complaints team will then make contact within **3 working days of receiving the complaint** and provide the name and contact details of the designated person who will deal with the complaint if this is known at that time.

## **The named person will then:**

- Contact you by telephone or arrange a personal visit
- Listen carefully to the complaint and find out what you want the outcome to be.
- Discuss the best way to deal with the complaint and a plan will be put together which both parties sign.
- Try and let you know what actions will take place as a result of their enquiries into your complaint.
- All complaints are treated confidentially and the person dealing with your complaint will be the only one aware of it.

## **Additional Information**

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- If the complaint is taking longer than agreed to investigate the person responsible for handling the complaint should contact you with a new timescale and an update about the complaint.
- All complaints should be resolved within **6 months** of the Complaints Manager receiving the complaint no matter how complex the complaint may be.

# Possible Outcomes

There are many possible outcomes, some of which may be;

- **give an explanation for its actions;**
- **request a reassessment of needs;**
- **reconsider an issue;**
- **change a decision;**
- **amend practice/procedures;**
- **consider financial redress; or**
- **make an apology.**

## What if I am not happy at the end of the complaints process?

If you are not satisfied with way your complaint was handled and investigated you have the right to proceed to the Local Government Ombudsman (LGO).

**The Ombudsman can be contacted at:**

LGO Advice Team

PO BOX 4771

Coventry CV4 0EH

**Tel: 0300 061 0614**

**Email [advice@lgo.org.uk](mailto:advice@lgo.org.uk)**

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



# Local Government Ombudsman

The Ombudsman is independent and their services are free and confidential.

The Ombudsman will not normally investigate your case unless you have already tried to resolve the problem using the complaints procedure unless it is very urgent or you are particularly at risk. Additionally if the local authority is taking more than 12 weeks to investigate the complaint and give you a satisfactory answer, the Ombudsman recommend contacting them as they may be able to look at the complaint without all stages of the complaints procedure being completed.

You should submit a complaint no later than a year from the date of the incident you are complaining about or from when you first became of the matter. The Ombudsman can extend this time limit e.g. if the local authority complaints process took longer than a year.

## Completing the Local Government Ombudsman (LGO) Form

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The LGO online form can be found on their website:

**[http://www.lgo.org.uk/forms/ShowForm.asp?fm\\_fid=62](http://www.lgo.org.uk/forms/ShowForm.asp?fm_fid=62)**

or you can e-mail or call them on 0300 061 0614 and request that a form be posted or emailed to you.

The LGO initially only ask for the final complaint response from the local authority when submitting this form, however they may ask for additional information if they investigate the complaint.

# Local Government Ombudsman

## Initial Assessment

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The Ombudsman will usually write to you within 5 working days of receiving your complaint to explain what will happen next.

An investigator will be assigned to the case and they will usually contact you as soon as possible to find out more information and to explain what will happen next. In some cases the investigator may have enough information to make a decision on the complaint without speaking to you.

The Ombudsman will also inform the local authority about the complaint, even if they decide not to investigate. They will send a copy of the complaint and the Ombudsman's decision statement.

## If you take your complaint to the Ombudsman, there are three main outcomes:

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- Not investigated, e.g. if there was no fault or no fault serious enough to warrant an investigation
- Investigation discontinued, e.g. following initial investigations no fault was found or the local authority agree additional action while the investigation is being completed
- Investigation completed



# If your complaint is investigated by the Ombudsman

The complaint will be allocated to an investigator in one of the investigation teams, and you will be informed of their name/contact details. The investigator, if they have not already done so, or if they need more information, may send the complaint to the local authority and ask for their comments and any other information we need.

When the Ombudsman has made a final decision they will write to you and explain the reasons for the decision. They will also send correspondence to the local authority.

## **Possible investigation outcomes:**

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- There was fault by the local authority concerned and the Ombudsman makes recommendations about how the body should put the matter right.
- There was fault found and the local authority had taken action to put the matter right by the time the Ombudsman complete their investigation.
- There was fault found but this did not cause significant injustice.
- There was no fault found.



# If you are unhappy

## **If you are unhappy with the Local Government Ombudsman's (LGO's) decision**

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Investigators have the Ombudsman's authority to make judgements on the complaints and come to decisions. However, if you disagree with the decision and explain why, a senior member of staff who does not manage the person involved and who has not been involved themselves will review whether the decision was reasonable.

The review is neutral. It will consider the comments and those of staff involved. It will not be a reinvestigation, although it can result in a reinvestigation.

The Ombudsman will not usually review the decision if you just express general dissatisfaction with it.



# Useful contacts

## **Age UK**

*Provide a number of service for older adults including advice, support and befriending service, depending on area*

Various Locations Across England

Tel: 0300 303 1234

Website: [www.ageuk.org.uk](http://www.ageuk.org.uk)

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## **Citizens Advice Bureau**

*Independent advice on a range of topics including money, legal, housing and other issues*

Various locations across England

Tel: 03444 111 444

Website: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

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## **CQC**

*Independent regulators of health and social care services in England.*

National Customer Service Centre

Citygate

Gallowgate

Newcastle Upon Tyne

NE1 4PA

Tel: 03000 616 161

E-mail: [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)

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# Useful contacts

## **Health Watch**

*Consumer champion for health and social care.*

Tel: 01524 239100

Email: [enquiries@healthwatch.co.uk](mailto:enquiries@healthwatch.co.uk)

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## **Information Commissioners Office**

*Independent advice and guidance about data protection and freedom of information.*

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113

Tel helpline: 01625 545 74

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

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**LCC – Lancashire Advocacy Hub**

Tel: 033 000 222 00

E-mail: [admin@advocacyinlancashire.co.uk](mailto:admin@advocacyinlancashire.co.uk)

Website: [www.advocacyinlancashire.org.uk](http://www.advocacyinlancashire.org.uk)