



# Complaint Process

Worcestershire Safeguarding Adults Board

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## Document Control

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## **1.0 Complaint Process.**

Under the Care Act 2014 the Local Authority must set up a Safeguarding Adults Board (SAB), with core membership from the Local Authority, the Police and the NHS.

As part of its functions the SAB must decide when a Safeguarding Adults Review (SAR) is necessary, arrange for its conduct, and if it so decides, implement its findings.

The Local Authority is the lead agency, retaining the administrative function, and has responsibility for co-ordinating adult safeguarding arrangements. It also must ensure that collectively the members of the SAB have sufficient skills and experience to perform their role.

The Local Authority also has to arrange advocacy support where appropriate for the individual who is the subject of a safeguarding enquiry or SAR.

The responsibility for dealing with complaints against the process, or actions of the SAB falls to the Local Authority even though the Board itself is multi agency.

Worcestershire County Council in collaboration with the SAB Independent Chair has established a complaint process to deal with concerns about the procedural actions of the SAB and its members.

This process relates to the Safeguarding Adult Board, and Safeguarding Adult Reviews (SAR), it does not include S42 safeguarding enquiries, which will be dealt with under the Statutory Adult Social Care complaint process.

### **1.1 Complaint.**

A complaint can be made about general issues appertaining to the SAB such as:

- The conduct or decision making of the Independent Chair appointed by the Local Authority.
- The actions or omissions of a professional on the SAB, and how this has affected the overall decision making of the SAB dependent on what organisation the professional is representing.
- Conflict of interest in SAB/SAR members.
- Lack of administrative support.
- How learning has been taken forward and/or implemented.

Or specific issues about a SAR, such as:

- The decision to undertake or not undertake a SAR has been reached incorrectly or they feel that relevant information has been overlooked
- Whether proper policies and procedures have been followed.
- Failure to take account of all relevant evidence.
- The length of time taken by the SAB to conclude a review.
- Communication with the individual or their representative.
- Failure to fully involve the adult with care and support needs or their representative.
- Failure to appoint an advocate.

This list is not exhaustive, and complaints will be considered on a case by case basis.

A complaint will be accepted from:

- The adult with care and support needs.
- The alleged source of risk.
- An individual acting on the behalf of the adult with care and support needs or the alleged source of risk, where consent has been given.
- An individual acting on behalf of a deceased individual where they have sufficient interest to raise the complaint.
- A person acting on behalf of an individual who lacks capacity to provide consent, where it is considered in their best interest to accept the complaint.
- An individual who otherwise has sufficient interest in the case for their complaint to be considered reasonable.

## 1.2 Process

Where an individual wishes to make a complaint they should contact the Consumer Relations Unit, Consumer Relations Officer, Adult Social Care Services.

Their complaint can be made verbally, in writing, via email or via the online form.

Once the complaint is received, it will be acknowledged within 3 working days, and allocated to a suitable external investigator. The investigator will look into the complaint and produce a report within 25 working days, which can be extended depending on the complexity of the complaint.

Copies of the complaint, when received, will be shared with the Quality and Safeguarding Services Manager, and SAB Independent Chair, as well as any other organisation involved in the complaint.

The appointed investigator will have access to information relevant to the complaint held by the SAB, and to members of the Board who contributed to a decision or action which is the subject of complaint.

Once the investigation report is completed it will be sent to the Director of Adult Services (or their representative) who will send a formal response to the complainant, detailing the findings, whether the complaints is upheld or not, and what actions will be taken as a result of the complaint.

Where there is confidential or sensitive information involved, a decision will need to be made as to how much information can be shared with the complainant. At all stages the complainant will be kept informed of progress.

Response letters for appeals and complaints will also be forwarded to the Consumer Relations Officer for logging on their complaint database.

If the complainant is dissatisfied following the investigation they can pursue their complaint with the Local Government Ombudsman.

## 2.0 Process flow when complaint received

