

Complaints Procedure

A short guide for parents and carers

1. Kids values in action


Kids places a strong emphasis on providing the highest quality service possible. However, we realise that sometimes we get things wrong and that not everyone will be happy or agree with what we do.

We welcome and value all feedback, positive and negative, as this enables us to listen, learn and improve what we do and how. In short, your compliments, comments and complaints help us continue to improve and develop the services we offer to children, young people and their families.

This guide describes how you can make a complaint about Kids. There is a one-page summary on the last page that you can go to and see the main steps.

You can get a full copy of **Kids Compliments, Comments and Complaints Policy and Procedures** by emailing ASSK@kids.org.uk or asking a member of staff.

2. What is a complaint?

 We define a **complaint** as “*any expression of dissatisfaction or concern made to Kids about its products, services, action or inaction*”.

If someone has a concern or worry or says or shows they are unhappy with something about Kids – we treat it as a complaint.

We want you to feel safe and comfortable sharing any worries or concerns you might have about Kids – be it how the service is managed, the conduct of a member of staff or the care and support your children or family are receiving. We want you to let us know immediately, no matter how small you might think it is so we can address your worries and concerns quickly and effectively so you can enjoy and get the most out of our activities.

3. Who can complain?

Anyone who is:

- Receiving a service from Kids;
- Caring for or acting on behalf of someone who has a complaint;
- Has been refused a service which they think they may need;
- Has seen something that concerns them in the community (general public).

4. What can I complain about?

Anything that worries or concerns you or you are unhappy with. This can include things like:

- the quality and standard of any service we provide
- the care and support you or your family / children receive
- failure to provide a service
- the suitability of our centres, facilities or resources
- unfair treatment or inappropriate behaviour of staff
- conduct of other children, young people or parent carers
- administration processes such as referral to services or invoicing

Your complaint may involve more than one aspect of the above, more than one department, or be about someone working on our behalf. That's Ok, we will work through the concerns you have.

5. What can't I complain about?

There are some things we can't deal with through our complaint handling procedure. These include:

- a subject access request under Freedom of Information or Data Protection legislation
- an information breach
- an issue which is being, or has been, considered by a court or tribunal
- an attempt to have a complaint reconsidered where we have already given our final decision following an investigation.

If other procedures or rights of appeal may help you resolve your concerns, we will give information and advice to help you and/or refer you to the relevant Kids policy and procedures.

6. Can Kids refuse to deal with my complaint?

Yes. Under certain circumstances we may not be able to respond to a complaint including where:

- you have not identified yourself or provided your contact details;
- your complaint is not about Kids
- we don't have enough information to respond to a complaint;
- your complaint has been sent to us and other organisations as part of a bulk mailing or email.

However, Kids will still take the complaint seriously and deal with it appropriately, including contacting you where we are able to, to discuss the matter further.

We may restrict or deny further access to the complaint handling procedure if we consider your behaviour or that of your representative to be aggressive, abusive or unreasonable. We will make reasonable adjustment for a disability and will take this into account before making any decision to restrict or deny further access to the complaint handling procedure.

If we feel it is necessary to restrict or deny you or a representative access to the complaint procedure, we will advise you of this in writing. Reasonable attempts will be made to complete the investigation of your complaint, though contact with you or your representative may be restricted.

Please note: Kids reserves the right to move any legal, statutory or employment matters out of the complaints procedure and deal with these under the relevant internal Kids policy and procedures.

7. How do I complain?

You can complain in person, by phone, in writing (email or letter) or by completing Kids online Customer Complaint Form. *Go to Kids website (Kids.org.uk), to the Menu options at the bottom of the webpage, click on Feedback and Complaints and scroll down until you find the link to the on-line form.*

It is easier for us to resolve your worries and complaints if you raise them as soon as you become aware of the issue, and directly to the service or department concerned. Please talk to a member of staff or manager within the region or department you are complaining about so that they can try to resolve any problems on the spot.

When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- when the issue happened (dates)
- what has gone wrong
- how you would like us to resolve the matter.

8. Is there a time limit for making a complaint?

Yes. Normally, you must make your complaint within **six months** of the issue arising, or finding out that you have a reason to complain. In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

9. Can someone complain on my behalf?

Yes. We understand people are not always able or willing to complain for themselves. We will accept complaints from a third party representative such as a friend, member of the

family or advocate. We will ask you to give written authority to Kids for the third party to act on your behalf unless:

- you cannot complain unaided and cannot give consent because you lack capacity within the meaning of the Mental Capacity Act 2005;
- your representative is acting in your best interests – for example, where the matter complained about, if true, would be detrimental to you.

Third parties **must not** be a legal representative of the individual making a complaint.

10. What will happen if I complain?

Our complaint procedure has three stages:

Stage 1 - Frontline Resolution

We aim to resolve complaints quickly. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, and immediate action to resolve the problem. Where possible, you should raise your concerns with the relevant staff member. This can be done face-to-face, by phone, email, letter or on-line form.

- ✚ We will acknowledge Stage 1 complaints within three working days
- ✚ We will give you our decision at Stage 1 within fourteen working days, unless there are exceptional circumstances.

If you are not satisfied with the response we give at this stage, you can escalate the matter to Stage 2 of the complaint procedure. When writing to you with our final decision we will ask if you are happy with the complaint outcome. If you are not, we ask that you let us know within ten working days of writing / emailing you. Your complaint will then be sent to the next level manager for review.

Stage 2 - Complaint Investigation

Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed investigation. Our managers assess each complaint and determine the most appropriate management level for it – Stage 1 or Stage 2. Therefore, a complaint can be looked at this stage without first going through Stage 1.

When using Stage 2 we will:

- ✚ Contact you by telephone or email to confirm details of your complaint and the outcome you are looking for if this is not clear in your written/verbal complaint. If necessary, we will arrange a video or telephone call with you. You are welcome to have a friend or relative with you, but not your legal representative.
- ✚ Acknowledge receipt of your complaint within five working days and provide you with a summary of the complaint to ensure we have understood it correctly. We will also tell you who is dealing with your complaint.

- ✚ We will give you a decision as soon as possible. This will be no more than 28 working days unless there is clearly a good reason for needing more time. If our investigation will take longer than 28 working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.

If you are not satisfied with the response we give at this stage, you can escalate the matter to Stage 3 of the complaint procedure. When writing to you with our final decision we will ask if you are happy with the complaint outcome. If you are not, we ask that you let us know within ten working days of writing / emailing you. We will then ask you if you would like us to escalate your complaint to Stage 3.

Stage 3 – Appeals and Escalation

If you are not happy with the outcome of your complaint at Stage 2 or the way it was handled you can request that the complaint and any decision made about it is reviewed. The review will be undertaken by the next level manager or a member of Kids Executive Leadership Team.

You will be invited to attend a video call/meeting, Teams or Zoom, whichever is most convenient for you. You are welcome to have a friend or relative with you, but not your legal representative.

The review will send you a copy of its recommendations, and Kids Board of Trustees will receive a confidential summary of your complaint in order to monitor how the complaints procedure is working.

11. Can I take my complaint elsewhere?

Yes. If you are not happy with the way Kids has managed your complaint or the outcome, you can contact the following organisations. You will be given details of these in the *Complaint Decision Letter* you will receive from Kids.

- ✚ **Local Authority or organisation funding your service.**

- ✚ **Local Government and Social Care Ombudsman (LGSCO)** for services commissioned or funded by a public body such as a Local Authority or National Health Service.

<https://www.lgo.org.uk/> (there are links to an enquiry form and a complaint form on this page)

The LGSCO provides a free, independent service. [How to register a complaint - Local Government and Social Care Ombudsman](#)

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

- ✚ **Care Quality Commission (CQC) General Enquiries** if you or your children are receiving support within the home for health and personal care needs (domiciliary care).

[Complain about a service or provider - Care Quality Commission \(cqc.org.uk\)](https://www.cqc.org.uk/)

- ✚ **Ofsted General Enquiries** If your children are being supported by Kids early years, play and leisure or overnight residential services. [Complaints procedure - Ofsted - GOV.UK](https://www.gov.uk/guidance/complaints-procedure-ofsted) (www.gov.uk)
- ✚ **Fundraising Regulator** to complain about the way you've been asked for donations or how fundraisers have behaved. www.fundraisingregulator.org.uk/complaints
- ✚ **Charity Commission** – for any other types of complaint you have that are not covered by any of the above organisations. www.gov.uk/complain-about-charity

12. Getting help to make your complaint

We are committed to making our complaints process easy to use. In line with our equalities duties, we will always ensure that reasonable adjustments are made to help you access this and other services at Kids. If you have trouble putting your complaint in writing, or want this guide in another format, such as large font, please let us know. You can contact us by emailing complaints@kids.org.uk. Kids will, where possible, provide details of independent Advocacy Services who can support you in sharing a complaint with us.

13. Data Protection

We will always take steps to maintain the confidentiality of your personal information. We will only disclose it to people who need to look into your complaint, and, rarely, to others where we are legally permitted to do so.

Kids Complaints Handling Procedure – One Page Summary

Complaints Procedure

You can make a complaint in person, by phone, post, email or by completing a Customer Complaints Form on the Kids website. You can also have someone complain on your behalf if you put this in writing.

We have a 3 Stage complaint process. We will always try to deal with your complaint quickly but if the matter will need a detailed investigation we will let you know and up-date you on our progress.

Stage 1: Front line Resolution

We will acknowledge your complaint within 3 working days and try to resolve it quickly, within 14 working days, if we can.

If you are not happy with our response or the way we handled your complaint you can ask us to consider your complaint at Stage 2.

Stage 2: Complaint Investigation

We will look at your complaint at this stage if you are not happy with our decision at Stage 1. We also look at some complaints immediately at this stage if it is clear they are complex or serious or need detailed investigation.

We will acknowledge your complaint within 5 working days. We will give you a decision as soon as possible. This will be no more than 28 working days *unless* there is clearly a good reason for needing more time.

Stage 3: Appeals

If you are not happy with the outcome of your complaint or the way it was handled at Stage 2 you can request the complaint and decision is reviewed by KIDS Executive Leadership Team.

If, after receiving our final decision you remain unhappy with either our decision or the way we handled it, you can take the matter to an external organisation for consideration such as the local authority, Local Government Social Care Ombudsman, Care Quality Commission, Ofsted or Charity Commission.