



May 2026

Compliments and Complaints and Representations Procedure

Purpose

Fostering Services Regulations require fostering agencies to produce written procedures for managing representations and complaints, and to make information about these available.

This Complaints and Representations Procedure meets regulatory requirements but is also integral to the work of our agency which will ensure that complaints are dealt with in a manner that can be demonstrated to be open and fair.

This procedure outlines the process to be followed in the event of a complaint or representation being made. First Steps Fostering maintains that foster carers and children placed and those who are significant to them have a right to have their views listened to, considered and where possible, used to shape the service.

The agency regard complaints, representations and compliments as an important tool to help monitor, evaluate and improve the quality of the service we give to children, their families, foster parents and placing local authorities/trusts.

This Representations and Complaints Procedure has been designed to:

- Be clear and easy to use and available.
- Ensure that the people who use services are treated with dignity and respect, are not afraid to make a complaint, and have their concerns taken seriously.
- Ensure complaints are dealt with in a fair and impartial manner.
- Ensure that any concerns about the protection of children are referred immediately to the relevant Children's Social Care team or to the Police.
- Ensure that as many complaints as possible are resolved swiftly and satisfactorily at a local level.
- Ensure a fair process and adequate support for everyone involved in the complaint.
- Ensure that the child or adult making the complaint receives a full response without delay.
- Provide information about the child or adult's rights of access to other means of redress, such as Registering Bodies, Local Authorities/Trusts, or the relevant Ombudsman.
- Ensure that the organisation monitors performance in handling complaints, delivers what they have promised, learns from complaints and uses this learning to improve services for everyone who uses them.

Complaints may be made in connection with a failure to provide services that can be reasonably expected.

The Representations and Complaints Procedure is open to anyone for whom the agency has agreed to provide a service or an appropriate representative on their behalf.

Compliments

First Steps Fostering values feedback of any positive experiences. It is important for us to know how well we are performing on a local and strategic level.

We take into consideration feedback obtained when planning and reviewing service delivery. If you would like to pay us a compliment, this can be done in several ways, including but not limited to; phone call or via letter or e-mail to the person who you wish to compliment and copy this to the Management Team or Responsible Individual.

Managers will ensure that compliments are discussed in supervision with the relevant member of staff to ensure that positive feedback is shared and can form part of staff appraisal processes.

Pre-Complaints Guidance

First Steps Fostering hopes that many of the issues that someone may be concerned about can be settled and resolved at the earliest opportunity and responded to by the manager prior to embarking into the complaints process, through discussion with the person they would ordinarily have most contact with, or through discussion with their line manager. It is strongly recommended that the Registered Manager endeavours to resolve any concerns or issues raised at the earliest opportunity to resolve the matter without the need for it to be considered as a complaint and investigated via the complaints process.

Any issues dealt with without the need to escalate to a complaints process must still be recorded along with any actions and outcomes using the progress action 'Representation'. Where a concern has been raised, if such discussion does not resolve the matter. A copy of the Representations & Complaints Procedure should be provided to the complainant.

Definition of a Complaint / Representation

A complaint may be defined as something that is 'formally complained about' and which requires a response. This might be an appropriate service, a decision-making process, the standard or quality of service, no service or inadequate service.

Enquiries or comments about the availability, delivery or nature of a service which are not criticisms but may be considered as a concern are likely to constitute a representation, e.g., comments about the service provision, allocation of resources or the nature of the services. This will enable First Steps Fostering to consider their delivery of services and are welcomed by the agency. It requires a response and could involve making some changes to how a service is delivered.

If feedback or comments indicate that the agency may not have followed correct procedure or regulation this will be considered as a complaint rather than a representation.

Representations may need to be considered as a complaint where this is an expression of dissatisfaction in relation to an individual child which requires an investigation to provide a response but may also be a comment or question about service provision.

Pre-Complaints and Representations Process

The Registered Manager will make every effort to resolve any concerns or issues raised at the earliest opportunity and will only initiate the complaints process where appropriate.

Complainant satisfied with outcome?

YES → Resolved

NO → Complainant advised of option for next stage.

Formal Complaints Process Stage 1

The Registered Manager will make every effort to resolve any concerns or issues raised at the earliest opportunity and will only initiate the complaints process where appropriate.

Response to be provided within 10 working days of complaint being made, and outcome letter sent to complainant. This is to be recorded on Intuitivecare.

Complainant satisfied with outcome?

YES → Resolved

NO → Complainant advised of option for next stage.

(Complainant to request to progress to stage 2 within 20 working days of receipt of the response giving reasons why they are not happy with the stage 1 outcome and wish to progress to stage 2).

Formal Complaints Process Stage Two Independent Investigation

The Registered Manager will identify a person who has no prior involvement with the complaint **directly** nor management responsibility for the service in question to complete stage 2.

This person is referred to as the Investigating Officer. The investigation is undertaken and report to be completed (within 20 working days from the date the statement of complaint is agreed with the complainant; complainant kept informed and their agreement sought if more time required).

The Investigating officer once finalised will share report with the Registered Manager or other appropriate manager to review and respond. Report shared with complainant and other parties, in whole or part, by an appropriate manager within First Steps Fostering. The outcome will be sent in writing to the complainant within 5 working days. The documentation and actions will be clearly recorded on Intuitivecare.

Complainant satisfied with outcome?

YES → Resolved

NO → Complainant advised of option for next stage.

(Complainant has 20 working days from receipt of the outcome of stage 2 to explain why they are not satisfied with the outcome and to request progression to stage 3.)

Stage Three Complaints Review Panel

Independent Investigator's report is provided to panel members. The complainant attends to make representations to the panel. The panel makes an initial response to the complainant within 24 hours and written response within 5 working days. The outcome of Complaints Review Panel is the final response from the agency. The complaints panel and meeting will be convened within 30 working days and will be comprised of three people. The panel will consist of a senior manager to chair the meeting, another 2 other individuals who are suitably qualified and not directly involved with day to day case management.

Complainants should be provided with information about the panel members in advance of the panel i.e., names, roles and relevant experience. Consideration should be given to the venue and whether this needs to be neutral whilst also establishing any specific requirements linked to mobility for example.

The complaints panel will consider any oral or written submissions and the process to date. All written materials and agenda must be made available to the members of the complaints Panel a minimum of 5 working days in advance of the Panel Meeting.

All documentation and actions are recorded on Intuitivecare.

N.B.

It should be noted that this complaints procedure does not replace child protection/allegations, grievance, or disciplinary procedures. Any complaint which indicates that a child may have been harmed, or placed at risk of harm, must be dealt with under Child Protection procedures.

Serious complaints of a safeguarding nature regarding a foster parent will be notified to the relevant placing Local Authority/Trust, to the Designated Officer in the Local Authority/Trust in which the foster parent resides (LADO) and to Ofsted. If the matter relates to a Child Protection issue or impacts on a child's health or immediate safety, this should be reported without delay to the relevant office during office hours, or to the Out of Office Duty Social Worker and to the Police.

Outcomes

The response to the complainant will state whether each aspect of the complaint has been upheld, partially upheld or not upheld.

Fully Upheld

The investigation of the complaint has found that: All elements of the complaint are found to be accurate and there is sufficient and/or consistent evidence to support this. The standard of service provided to the complainant fell below agency and/or regulatory requirements and/or has had a negative impact upon the complainant. Recommendations are made to lead to service improvement and to capture learning.

Partially Upheld

The investigation of the complaint has found that: On the balance of information several elements of the complaint are found to be accurate and there is sufficient and/or consistent evidence to support this. On the balance of information, a number of elements of the complaint are not upheld and this is due to absence of evidence or because information has been found to be factually inaccurate. In relation to some aspects of the complaint, the standard of service provided to the complainant fell below agency and/or regulatory requirements and/or has had a negative impact upon the complainant. Where complaints are partially upheld consideration is given to the relative weight of the elements of the complaint that are upheld. Recommendations are made to lead to service improvement and to capture learning.

Not Upheld

The investigation of the complaint has found that: On the balance of information there is insufficient evidence to support the complaint and/or the complaint has been found to be factually inaccurate. On the balance of information there is insufficient evidence that the standard of service provided to the complainant fell below agency or regulatory requirements. Consideration is given to recommendations for service improvement and learning is captured. Where the complaint is regarding the conduct of an employee of First Steps Fostering, HR advice should be sought during the investigation. Those who are subject of the complaint should be informed in writing of the outcome of the complaint together with any actions arising and a copy of the investigation report.

Interaction of this Procedure with Other Procedures

Children placed with foster parents approved by the agency are 'Looked After' by Local Authorities/Trusts (with some exceptions) who have their own complaints procedures. It is therefore important to note that this complaints procedure is not intended to replace the complaints procedures already established by Local Authorities/Trusts, and that placing Local Authority/Trust procedures may take precedence.

Complainants will be consulted about which procedure will be used if more than one may be invoked. If the complaint concerns any matter about which action is being taken or contemplated under child protection, grievance or disciplinary procedures, or through any court or tribunal (including the criminal court), and the agency decides that these actions may be affected by the consideration of the matter through the complaints procedure, the matter will not be progressed as a complaint.

The child or adult making the complaint will be informed of this decision in writing, with an explanation of the reasons, and may resubmit the matter for consideration within one year of the conclusion of the other proceedings. The complaints procedure cannot be used to consider or investigate matters that have been dealt with by the Courts or via other procedures. The rationale for refusing to progress with a complaint will be recorded on Intuitivecare.

Who Can Make a Complaint or Representation?

- Children, young people and adults who are in receipt of services from any setting within First Steps Fostering and/or their advocates, anyone with parental responsibility or their representatives including local authorities and trusts that commission services.

- A complaint can be made up to 12 months from the event giving rise to it. This time limit can be extended at the discretion of the Manager for the agency. Factors which will be taken into account in this decision include:
- Whether or not it was reasonable to expect the complainant to have made their representations within this timescale, and
- Whether or not it is still possible to consider the complaint effectively and fairly, despite the passage of time.
- This decision and the reasons for such a decision will be provided in writing to the person making the complaint and recorded on Intuitivecare.
- Where the complainant is a child or was a child at the time of the matters cited, the discretion to refuse to consider the complaint is unlikely to be applied.
- If the complainant wishes to remain anonymous, then the agency may be unable to investigate the situation. If there is any indication of a child being at risk, the information will be passed on to the relevant Local Authority /Trust/ Ofsted.

Information About How to Complain

A copy of the Representation and Complaints Procedure must be given to:

- Children upon placement alongside the Guide for Children and Children's Complaint Form.
- Parents upon placement in a parent and child placement alongside their guide
- Applicants to foster.
- Foster parents on approval by the fostering agency.
- Local Authority/trust social services staff on placement of a child.
- On request, parents of children placed, if not together.
- On request, an identified individual acting on behalf of a child placed or previously placed.

Complaints by Foster Parents/Prospective Foster Parents

The complaints procedure cannot address the question of the applicant's suitability to foster, but only whether due process has been followed. Applicants to foster who receive written notice that the agency has decided that they are not suitable to foster, and has therefore discontinued their assessment, may make a complaint under this procedure if they believe that a particular aspect of their assessment has not been conducted appropriately.

Complaints about refusal or amendment of approval as a foster parent is a separate process to the complaints procedure and is governed by Fostering Services Regulations. Applicants to

foster who receive written notice that the agency does not propose to approve them are able to submit written representations to the relevant identified Agency Decision Maker (ADM) for his/her determination following further consideration by the relevant fostering panel, or, to request a review by an independent review panel, through the Independent Review Mechanism (IRM). The same options are available to approved foster parents who receive written notice that the agency proposes to change the terms of their approval (number, age range and needs of children to be placed) contrary to their wishes, or to terminate their registration as foster parents with the agency because it is considered that they are no longer suitable to foster.

Complaints by Children

It is important that children who are being looked after by the agency foster parent(s) are satisfied with the service they receive. The complaint must be about services provided by First Steps Fostering. The complaint can be made either by:

- Children looked after or previously looked after by First Steps carers.
- Or it can be made on behalf of the child by: a parent; any person who is not a parent of him/her but who has parental responsibility; any other person the Local Authority/Trust with responsibility for the child considers has a sufficient interest in the child's welfare to warrant his/her representations being considered, a member of staff.

Some children may be unsure as to whether they wish to complain or not. It may be something in the foster home that is worrying them and therefore they can share it with the foster parent but that is not always the situation. Our Children's Complaints Procedure provides information about how to make a complaint. The Children's Guide also contains contact information for children to enable access to independent support and advice, OFSTED, and the Children's Commissioner.

Where a child may not be able to easily access such written information, it is the responsibility of the agency Supervising Social Worker to ensure that alternative modes of communication regarding this information are implemented to enable all children to make a complaint or make representation should they wish to do so. Where a child uses a complaints and representation procedure, the agency shall ensure that they are aware that they can call upon independent support. A child may elect for an advocate to accompany them to any meetings in relation to their complaint or representation. First Steps Fostering are committed to signposting children to local advocacy services in the area in which they are placed as required.

When a complaint is made directly to First Steps Fostering by a child in placement the agency will respond appropriately, and the placing authority/trust Social Worker will be

informed. An early decision shall be taken as to whether to follow the Local Authority/Trust complaints procedure or First Steps Fostering complaints procedure.

First Steps Fostering will endeavour to ensure that each child has a copy of their own Local Authority's/trust's complaints procedure. A complaint or representation should be made to the placing authority's/trust's complaints department under the following circumstances:

- Decisions or plans made by the child's placing Local Authority/Trust.
- A failure by the Local Authority/Trust to implement such decisions or plans.
- Regarding an employee of the Local Authority/Trust.

A complaint or representation should be made to First Steps Fostering under the following circumstances:

- Decisions or plans made by the First Steps Fostering.
- A failure by First Steps Fostering to implement such decisions or plans.
- Regarding a First Steps Fostering staff member or carer.

Children will always be assured that their complaint or representation is being taken seriously and their views are being listened to. The same applies to anyone making a complaint. No one who lodges a complaint shall be subject to any reprisal for making a complaint or representation.

First Steps Fostering will be particularly aware of the vulnerability of any child who complains and will make every effort to ensure that they are not subject to any pressure or reprisal. It is clearly understood and accepted that a child may need and wish for some assistance and support in making his/her complaint and, where appropriate, the agency will seek to arrange this, through advocacy or other appropriate services. It will be clearly and carefully explained to a child that the agencies attitude toward him/her will not be negatively influenced by virtue of a representation or complaint having been made and that standards of service provision will be unaffected.

First Steps Fostering understand that waiting for a resolution can be particularly difficult for children. When a complaint is received by or on behalf of a child, the Registered Manager will speak to the child within 2 working days either via telephone or face to face to discuss their complaint and to explain stages 1, 2 and 3. Children can expect a written response to their complaint from the Registered Manager within 10 days. If they are dissatisfied, children have 14 days to advise First Steps Fostering of the reason that they wish to progress to stage 2 via the Children's Complaint Form.

At stage 2 an independent officer will be assigned who will review the child's complaint and complete a report which will be shared with the Registered Manager. The Registered Manager will review the report and then respond to the child both by telephone and in writing within 15 days of receiving their complaint form.

The documentation and actions will be clearly recorded on Intuitivecare.

If the child remains dissatisfied, they will have 14 days to advise First Steps Fostering of the reason via the Children's Complaint Form and their complaint will be referred to the Independent Panel.

The independent Investigator's report is provided to panel members. The child may make representations to the panel themselves, via a trusted adult or advocate or they may request to speak to just one panel member as First Steps Fostering appreciate this process could be intimidating to a child. The panel will make an initial response to the child verbally within 24 hours and provide a written response within 5 working days. The outcome of Complaints Review Panel is the final response from the agency.

The complaints panel and meeting will be convened within 20 working days and will be comprised of three people. The panel will consist of a senior manager to chair the meeting (usually the Responsible Individual), another senior manager who has no connection with the complaint, and someone who is independent i.e., an individual with a relevant background and expertise who is not an employee of the agency.

Children should be told who is participating within their panel beforehand, this will include their name, job role and any background information that is relevant. Consideration should be given to the venue and whether this needs to be neutral whilst also establishing any specific requirements to make the child feel comfortable.

The complaints panel will consider any oral or written submissions and the process to date. All written materials and agenda must be made available to the members of the complaints Panel a minimum of 3 working days in advance of the Panel Meeting.

All documentation and actions are recorded on Intuitivecare.

As with adults, the outcomes of the complaints process for children are that the complaint is upheld, partially upheld or not upheld.

Withdrawal of a Complaint

The complaint may be withdrawn either verbally or in writing by the complainant. The agency must write to the complainant to confirm the withdrawal of the complaint. In such circumstances, it is good practice for First Steps Fostering to give consideration as to whether it wishes to continue to consider the issues that gave rise to the complaint and any consequent learning outcomes.

Monitoring and Quality Assurance

The Registered Manager shall keep a register of all complaints that records details of complaints and their resolutions and will also include this detail in the quality-of-care review report. Details of any investigation into a complaint or representation that is upheld regarding a foster parent/member of staff will be made available for information to the First Steps Fostering Panel/HR advisors as appropriate. The Responsible Individual and Registered Manager will reflect on compliments and complaints during supervision to understand themes and trends in order to shape service delivery.

Guidance on Abusive, Unreasonable, Persistent or Vexatious Complainants

First Steps Fostering is committed to working with all complainants equitably, fairly and objectively within the specified Stages of the Complaints and Representations Policy and Procedure. We do not expect staff to tolerate unacceptable behaviour by complainants.

Unacceptable behaviour is behaviour which is abusive, offensive or threatening which may include: Using abusive or foul language on the telephone or face to face; Sending multiple emails* Leaving multiple voicemails*

**the term 'multiple' here denotes receiving either form of contact consistently and over a period of time.*

In the event that the relevant stages of complaint have been adhered to and fully completed and this has been relayed to the complainant, the Registered Manager should consider whether the complainant is now 'inappropriately persistent or vexatious'. Features of a persistent or vexatious complainant may include:

- A person who makes the same complaint repeatedly (with minor differences) but never accepts the outcomes.
- A person who seeks an unrealistic outcome and persists until it is reached.
- A person with a history of making other unreasonably persistent complaints.

The same standard of response must always be provided to the complainant, and First Steps Fostering will always be committed to anti-discriminatory practice. First Steps Fostering will seek to understand the unmet need behind any vexatious complaints to support the complainant. Where a situation becomes unworkable, or the complaints procedure has been fully implemented, the Registered Manager will advise the complainant of the applicable reason that they may be considered as an unreasonably persistent complainant and why the behaviour falls into this category and any other recourse to action that may be available to the complainant.

Where the complainant's complaint is closed, and the complainant persists in communicating about it, the Registered Manager may decide to terminate contact with the complainant with agreement of another senior manager or Responsible Individual.