

Complaints and Compliments Policy and Procedure

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Person Responsible:	Stafford Devine
Position:	Quality Assurance Director
Equality Impact Assessment:	Yes
Applicable Legislation/Regulation/Code of Practice:	Fostering Services (England) Regulations 2011 (Regs. 18&36; Schedule 7) Children Act 1989; Guidance and Regulations Volume 4 Fostering National Minimum Standards: Std 25

1. Introduction

The Fostering Regulations 2011 (Reg 18) and National Minimum Standards (Standards 1 & 21.11) direct fostering agencies to establish and embed a procedure for considering complaints made by or on behalf of our children and foster carers. Team Fostering recognises the importance of an open and transparent complaints process and seeks to ensure children and carers have access to multiple processes that enable them to share their views, experiences, and concerns. The complaints process is an important element within our quality assurance arrangements and complaints are recognized as a source of learning and a driver for improvement.

2. Our Approach

Whilst it is essential to have a complaints process, we do not want anyone to feel they need to use it to resolve their worries or concerns. We want our children and carers to enjoy normal family life, and that does not typically include a complaints process. We want our children and carers to know that we are here for them and ready to listen when they have something to say.

Services work best when they are developed in collaboration with those that use them, and this all starts with conversations and building positive relationships. It is our belief, that if we maintain the conversation we will hear when children and carers have concerns and we will work with them to resolve the issues the earliest point. But

it is always the child or carers choice, and if they wish to access the complaints procedure, it must be accessible and responsive.

3. Our Process

We hope that most issues will be identified at an early stage and will be resolved through conversations and *informal resolution*. Children and carers will be supported to reach out to those who care for them and / or those who work most closely with them so they can share their views and together we will explore resolution.

We know that some issues are more challenging, but even if an issue requires escalating to more senior staff in the agency or within local authorities, we will discuss this with our children and carers and agree the path to resolution and demonstrate that the necessary steps have been taken. If children and carers can see that the right steps are being taken, then they may feel that accessing the formal complaints process is not necessary. It is our aspiration to avoid issues having to be escalated as this often adds delay and complexity. But at any time, children and carers must know that they can access the formal process and do so without any impact on our working relationships and the support we provide.

If this *informal resolution* process does not find resolution, or if a child or carer wish to use the formal process then the three-stage process set out below will apply.

3.1 Making a complaint

A child or carer can make a formal complaint at any time. This can be done in person, via a phone call or by writing a letter or email.

Carers and children are encouraged to discuss the complaint with their carer, SSW or Team Manager in the first instance. This will provide an opportunity to explore other means of resolution and clarify the best route through the formal process.

Once the discussion has taken place, or if a discussion has not been possible, the complaint should be confirmed in writing so that there is clarity about the issues and what outcome is being sought. Contact details are provided in Appendix 2.

All complaints should be addressed to the Team Manager for the relevant SSW.

If the complaint is about the Team Manager, the complaint should be sent to the Registered Manager.

Complaints about a Registered Manager or other senior managers should be sent to the Director for Quality Assurance, who will consider the complaint and identify who is best placed to resolve it.

Where necessary complaints can be directed towards Kathryn Hayes, Chief Executive Officer.

Complaints will be addressed by the most relevant person. Complaints directed towards more senior staff will be explored with less senior staff where this is the best route to achieving timely resolution. Complaints about individuals will normally be

addressed by their line manager. Where this is not possible, the decision will be discussed with the complainant and the rationale provided.

3.2 Withdrawing Complaints

Complainants can withdraw their complaint at any time. This may be because they no longer wish to pursue the complaint or because it has been resolved outside the formal process. Any relevant learning from withdrawn complaints will still be captured and used to support agency learning and improvement.

At any stages of this procedure all potential routes to resolution should be explored, and there is no presumption that the complaints process is the only means of securing resolution.

3.3 Further Information for Children's Complaints

Team Fostering has developed age-appropriate guides for children and young people about our complaints process. We will continue to work with our children to review this and ensure it provides them with the information they need to access the complaint procedure.

Children should be encouraged and supported to discuss their concerns with their carer in the first instance in order that their concerns can be addressed within their foster family. Where necessary children will be supported to speak with the SSW, their Local authority SW or to access independent advocacy.

When children wish to use the formal complaint process, we will work with them, their carer, and local authority social worker to ensure the right route is chosen. It may be that the complaint should be addressed by their local authority or another agency, and if so, we will help guide them to the right place and offer to support them through the process. However, where the complaint relates to Team Fostering services, we will address the complaint through this procedure.

3.4 Notifying Our Insurance Provider

Most complaints do not require notification to our insurance provider. However, at any stage of the complaints process, where there is a view that the complaint may result in a financial or reputational impact on the Agency the complaint should be shared with the CEO and the Agency's Insurance Provider. Action should be taken at the earliest opportunity in this regard and all complaints that escalate to stage 3 must be shared with our insurance provider at the point of escalation.

4. The Formal Complaints Process

4.1 Stage one

Stage one complaints will, in most cases, be addressed by the Team Manager for the child / carers' SSW. Exceptions to this include when the Team Manager has been directly involved in the issue and / or there will be a conflict of interest. Where this is the case the Team Manager must alert the Registered Manager who will decide how

the complaint should be resolved. The Registered Manager will discuss this with the Quality Assurance Director to ensure the best approach is taken.

Within 48 hours of the complaint being received, the Team Manager (or the allocated investigating officer) will speak directly with the complainant to ensure there is clarity about the issues and the desired outcome.

The Team Manager (or allocated investigating officer) will speak with all relevant people and read all necessary case records or communications. The enquiry should, where possible, involve gathering views and information from impartial people who were present or who might have a helpful perspective. This can help determine an objective view of the issue or incident and find a fair outcome and timely resolution.

Having gathered relevant information, the Team Manager (or the allocated investigating officer) will provide a written response to the complainant. This should be as soon as possible but must in all cases be completed within 28 days of the complaint being received.

It is good practice for the investigating officer to arrange to speak with the complainant to discuss the response and ensure the outcomes are understood. It will also provide the opportunity for any further action that can and should be taken to prevent the need for the complaint to escalate to stage two. This may require an update to the stage one response letter.

Where a complainant is not satisfied with the stage one response, the complaint will be escalated to stage two. The request for the escalation must be made within 7 days of the stage one response being received. The request will be reviewed by the Quality Assurance Director to explore any opportunities to find resolution before stage two. However, this will not delay the stage two process.

4.2 Stage two

Where there have been significant attempts to resolve the complaint informally, or where through conflict of interest, a stage one response is not felt to be possible or likely to achieve resolution, a complainant can request that their complaint be responded to under stage two in the first instance. Similarly, the receiving manager can seek to escalate a complaint to stage two where this is believed to be necessary or in the best interests of the child / carer or staff members concerned. Decisions to do this must be agreed by the Registered Manager and / or the Quality Assurance Director.

Stage two complaints will be allocated to an independent manager, who has not been directly involved in the issue or incident. The investigating officer will be allocated by the Registered Manager and / or the Director for Quality Assurance.

The stage two investigating officer will review all information completed at stage one including the outcome letter.

Within 7 days of being allocated to the complaint, the investigating officer will speak with the complainant to explore the issues which they feel have not been satisfactorily investigated or resolved in stage one.

The investigating officer will then review any records they feel is necessary and speak with any people they determine as necessary to address the complaint.

The investigating officer will provide a written response to the complainant as soon as possible and in all cases within 28 days from the stage two process starting.

The investigating officer will speak with the complainant to explore the response and ensure that any further actions are completed. This may require an update of the stage two response letter.

If the complainant is not satisfied with the outcome at stage two, they can request that the complaint be escalated to stage three. The request will be reviewed by the Quality Assurance Director to explore any opportunities to find resolution before stage tree. This will involve discussions with the complainant and / or their advocate. However, this will not delay the planning for the stage three panel.

4.3 Stage 3– Review Panel

The complainant must request a Review Panel within 7 working days of receiving the Complaints Officer's response, made at Stage Two.

The purpose of the Review Panel is to consider whether Team Fostering adequately dealt with the complaint at Stage 2 of the complaints process. The panel will consider the complaint and wherever possible, work towards a resolution by listening to all parties, obtaining any further information or advice that may help to resolve the matter and will be resolution focused. The Review Panel will not re-investigate the complaint and will not consider any substantively new complaint which has not been considered at Stage 2.

Detail on the Panel process is within Appendix 1.

5. Complaint Outcomes

Complaints often span several issues or incidents. It is good practice to explore these with the complainant so there is clarity about what needs to be investigated.

Each point of complaint will be highlighted in bold within the complaint response letter. The investigating officer will describe the action they have taken, summarise any key information and provide a conclusion.

For each point of complaint, the investigating officer will provide their determination. This will be that the point of complaint is:

- **Upheld** – Meaning that there is evidence to confirm that the complaint has been completely or substantially found to be correct.
- **Partially Upheld** – Meaning that there is evidence that significant elements of the complaint have been found to be correct, with other elements having been found to be not correct.
- **Not Upheld** – Meaning there is no evidence to substantiate the complaint.

- **Not Proven** – Meaning sufficient evidence was not found to reach a definite position. This may reflect difference of views or reported experiences, where one person’s account cannot be judged to be more accurate than another’s.

For each element of complaint that is upheld or partially upheld, the investigating office should apologise for any impact this has had on the complainant and set out what action will be undertaken. It is also good practice to acknowledge that the complainant might be unhappy that not all elements of their complaint have been upheld and to offer apologies for any upset, confirming that all aspects of the complaint will be considered as part of our quality assurance process.

5.1. Actions

For all areas of learning please complete the following:

Aspect of the complaint upheld or partially upheld	Action to be taken	Person Responsible	Date

6. Monitoring & Learning

Each complaint must be recorded on the relevant tracker. There is one for North East and One for Yorkshire and East Midlands.

The tracker should reflect areas of complaint that have been upheld or partially upheld, agreed actions and this should be updated once the actions are completed.

Proportionate learning events or actions should be undertaken.

Learning outcomes will be added to the Learning from Complaints Tracker and quarterly Learning from Complaints Reports will be completed and disseminated to staff / uploaded on the Learning from Our Practice Page on the website.

This will be included in the annual Team Fostering Impact Report.

7. Guidance on Abusive, Unreasonable, Persistent or Vexatious Complainants

Team Fostering is committed to working with all complainants equitably, fairly, and objectively within the specified stages of the of the Complaints and Compliments policy and procedure. However, our staff will not tolerate behaviour that is abusive, offensive, or threatening. This includes excessive levels of communication as this creates significant stress and prevents staff from spending their time with all the children and carers they work with.

If the relevant Stages of the complaint have been adhered to and fully completed and this has been relayed to the complainant, the Designated Complaints Officer should consider whether the complainant is now ‘inappropriately persistent or vexatious’.

Features of a persistent or vexatious complainant might include:

- A person who makes the same complaint repeatedly (with minor differences) but never accepts the outcome.
- A person who seeks an unrealistic outcome and maintains the complaint despite clear guidance that their desired outcome is not achievable.
- A person with a history of making other unreasonably persistent complaints.

The same standard of response must always be provided to the complainant, and the agency will always be committed to anti-discriminatory practice. Where a situation becomes unworkable, or the Complaints and Compliments procedure has been fully implemented, the Designated Complaints Officer will advise the complainant of the 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 complaint is closed, and the complainant persists in communicating about it, the Designated Complaints Officer may decide to terminate contact with the complainant in agreement with the Director for Fostering Services.

8. Compliments

Team Fostering's mission statement is "Putting Children's Futures First". We want our children to be happy, safe, and confident, to be ambitious to reach their potential, valued for who they are and supported to be fulfilled in their future lives. The culture of the Agency is characterised by high expectations and aspirations for all children, and we strive to offer and sustain the highest quality of care and services to our children/young people and our Foster Carers. We welcome the opportunity to reflect on practice and to share our learning across the agency.

The Complaints and Compliments procedure should offer a useful tool for indicating where our services may need improving and where they are working well. If you are a Foster Carer who has been pleased with the service provided by Team Fostering, or a member of staff or external service user impressed with the work undertaken by a carer, then please let us know so that we can celebrate and share your success.

For all compliments, please contact the Registered Manager for your area.

9. Complaints about how we gather or use your data

In compliance with the Data Use & Access Act 2025 there is a separate process for dealing with complaints about how we gather or use your data.

If you have a complaint regarding the way we collect or process your personal information you are required by the Information Commissioners Office (ICO) to raise the complaint with Team Fostering in the first instance. You can do this by emailing us at: dataprotectionofficer@teamfostering.co.uk

We will acknowledge your complaint within 30 days and follow our internal processes to resolve any Data Protection complaint that you raise. We will keep you updated of the progress we make in achieving a resolution, working toward a satisfactory outcome.



If you are dissatisfied with how we manage your complaint, you may then escalate the matter directly to the ICO:

Online : [Make a complaint | ICO](#)

Phone : 0303 123 1113

Appendix 1 – Panel Procedure Details

The Complainant will be asked to provide a clear, signed statement of the outstanding points of complaint and desired outcomes the complainant wishes the panel to consider. Once this has been received, the Designated Complaints Officer will formally accept the request for a Review Panel in writing. The Panel will be convened within 30 working days of receipt of the request.

Where attempts to secure a signed statement have failed, the Designated Complaints Officer may advise the complainant that the Review Panel might not be able to proceed and advise the complainant of their right to approach Ofsted (contact details are given below).

The Panel will be made up of three people, a Non-Executive Director of the agency, a Senior Manager that has not been involved in the case. Two of the three members of the Panel should be registered Social Workers. The Non-Executive Director will chair the Panel.

The attendees at Panel will normally be the Investigating Officer, and the Designated Complaints Officer. The agency will provide a minute taker for the meeting.

The complainant will be invited to attend the Panel Meeting and will be advised of their entitlement to bring a supporter or representative who may speak on their behalf. This person, however, must not be a Barrister or a Solicitor acting in a professional capacity.

Reasonable attempts will be made to meet the requirements of the complainant in the setting of a Panel date, however, should the complainant fail to attend on more than one occasion, the Panel will be held in their absence. The complainant may choose not to attend if they so wish. The complainant will be advised of their right to make any written submissions to the Panel.

The Panel papers will normally consist of:

- All correspondence at Stage One (if applicable) ▪
- The Stage Two investigation report(s) ▪ Team Fostering's response at Stage Two
- The complainant's request for a Panel or response to Team Fostering following Stage Two
- Records of any alternative resolution attempts
- Any policy, practice, or guidance relevant to the complaint.

The complainant may make specific written submissions for the Panel, and these must be provided to the Designated Complaints Officer five working days prior to the Panel date, in time to be included with the Panel papers. The complainant may request specific documents be included; however, the final decision will lie with the Panel Chair.

The Panel Chair may request any additional documentation they feel is necessary as part of the pre-panel pack of information. The Panel Chair will make the final decision in relation to any late submitted material. The Panel Chair may not request extra information after the review meeting has taken place as this does not give any

of the people who attended the chance to respond to that information.

The Panel Meeting

The Panel Meeting proceedings will be organised in three parts: the pre-meeting, the presentations, and deliberations.

The pre-meeting is for the Panel to meet in a closed session to discuss the order of business and to take any procedural advice. The Panel Chair may require the Designated Complaints Officer to attend. No deliberations will commence at this meeting.

The attendees will be requested to join the Panel and its administrative support for the presentations. The Panel Chair will manage the order of the presentations and the length of the presentations with the focus upon the needs of the Panel to meet their Terms of Reference. Where the complainant is a child or young person, the Panel Chair will ensure the process remains child or young person friendly and will ensure that opportunity is given for breaks as appropriate.

The Panel Chair will manage the conduct of all attendees. All attendees must ensure their language is accessible to the complainant. The Panel Chair has the discretion to suspend or defer proceedings should they feel the circumstances require this.

The complainant or their supporter, the Team Fostering representative and the Investigating Officer will normally be asked to make their presentations to the Panel outlining their perspective on the complaint and appropriate outcome. The Designated Complaints Officer may also be asked for input or may offer this to the Panel Chair. The Designated Complaints Officer may only input in relation to procedural issues concerning the management of the complaint to date.

The Panel Chair will ensure that the Panel Members have opportunity to ask questions of all present and may invite the attendees to ask questions or provide further clarification/information.

The Panel will then go into closed session to deliberate on their findings. The Designated Complaints Officer will be available should the Panel Chair require their attendance for procedural advice or clarification.

The Panel Findings and Response

The Panel will be recorded and alongside minutes will produce a summary report covering representations, its findings, and recommendations. The Panel will aim to agree unanimously using the standard of proof of 'balance of probabilities' based upon evidence and facts presented.

The Review Panel will share its written report with the CEO of the agency within 5 working days of the completion of the deliberations of the Panel. The Chair of the Panel will provide a response to the complainant, detailing Panel's recommendations along with any action plan the agency has developed to deal with

any of the issues raised. This will be completed within 15 working days of receipt of the report. Team Fostering will endeavour to ensure that information is provided in an accessible and appropriate manner, relevant to the individual's age and stage of development. The Designated Complaints Officer will inform the Team Fostering Insurance Brokers of the outcome of the Stage Three Panel Meeting, and discuss any future involvement, or implications for the future.

Should the complainant continue to believe that the agency's legal obligations are not being met they may make representation to Ofsted. Contact details are provided below:

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD
Enquiries@ofsted.gov.uk
0300 123 4666

Should a child or young person remain unhappy with the outcome of the complaints process; they may make representation to the Children's Commissioner for England on:

Children's Commissioner contact details:

Children's Commissioner for England
Sanctuary Buildings
20 Great Smith Street
London
SW1P 3BT
info.request@childrenscommissioner.gsi.gov.uk
020 7783 8330.

A child or young person can also contact Safety First - The National Advocacy Safety Net and Advice Service for Children and Young People to find out about your rights or to get support, or to be listened to. Safety First can be contacted on:

Freephone 0808 808 1001
WhatsApp +44 (0)7494788875
Text: 85258
Online Chat - help@nyas.net.
<https://www.nyas.net/safetynet/>

Appendix 2 – Contact Details

The Registered Manager for the North East Service is:

Martin Hanson

Team Fostering
Hedley Court
North Shields
NE29 7ST
Martin.Hanson@teamfostering.co.uk
T: 0191 2576806

The Registered Manager for the Yorkshire and East Midlands Service is:

Jubilee Chikosi

Team Fostering
Units 3&4 Shepcote Village
Sheffield
S9 1TG
Jubilee.Chikosi@teamfostering.co.uk
T: 0114 2617762

The Quality Assurance Director (and Designated Complaints Officer) for Team Fostering is:

Stafford Devine

Team Fostering
Hedley Court
North Shields
NE29 7ST
Stafford.devine@teamfostering.co.uk
T: 0191 2576806

The Responsible Individual for Team Fostering is:

Sandra Kennedy

Team Fostering
Units 3&4 Shepcote Village
Sheffield
S9 1TG
Sandra.kennedy@teamfostering.co.uk
T: 0114 2617762

The Chief Executive Officer for Team Fostering is:



Kathryn Hayes

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