



**Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr**  
**Bridgend County Borough Council**

## **Making a Comment, Complaint or Compliment regarding Social Care Services**

### **Complaints**

If you are unhappy with the care and support provided by Social Services, you have a right to complain. We aim for high standards but sometimes things do go wrong. Unless you tell us, however, we will not know that you are unhappy. Wherever possible, please let the person you have been dealing with know about your complaint for them to try to resolve it immediately. If this is not possible or if you remain dissatisfied, please contact our Complaints and Compliments Team who will help to resolve your concerns.

Please do not be afraid to complain. We will take your complaint seriously and will welcome all your comments. You may contact us in any way you choose, you do not have to write your complaint down.

This fact sheet explains how the Complaints and Compliments Team can help resolve your concerns. Guidance from the Welsh Government tells us how we must handle complaints.

## **Representations**

It is important to distinguish representations from complaints. Representations relate to certain matters under the Children Act 1989. In the main, representations are treated in the same way as complaints.

On contacting the complaints department, you will be advised on whether your issue will be dealt with as a complaint or a representation.

## **Looking after your personal information**

If you make a complaint, wherever possible we will respect your right to confidentiality. Although we will need to share the information you give us with others in order to address your complaint. We will only do this if necessary. To find out more about how we use your information as part of the complaints process, view our privacy notices at: <https://www.bridgend.gov.uk/media/9875/privacy-notice-social-services-and-wellbeing-dec-2020.pdf>. If you are unable to access the privacy notices online and you wish to receive a written copy, please contact the Information team on 01656 643565.

## **Who can make a complaint?**

Any member of the public, including a child, who has received, or was entitled to receive a social care service provided by Bridgend County Borough Council or a service commissioned by the Council, may make a complaint. You may make a complaint on behalf of someone else, where that person:

- Is a child
- Has requested you to act on their behalf
- Lacks mental capacity to decide to make a complaint for themselves

- Has died

However, we have a statutory duty to first decide if you have sufficient interest in the welfare of the individual and are suitable to act in their best interest.

In terms of who can make a representation, they include a child, their parent, foster carer or someone with parental responsibility.

## **Can I ask someone to help me with my complaint?**

You have the right to an advocate (someone who will help you state your point of view). If you are under 18, we will usually find you an advocate. If you are over 18, we will tell you where to find one. If you would like an advocate to assist you, please let us know.

Llais can also support as your voice in health and social care. Llais is an independent body. They provide information, advice and support to members of the public who may wish to raise a concern.

Llais can support you to raise a concern and give advice on the most appropriate course of action. You can contact your local Llais office in the following ways:

### **Advocacy Service - Llais – Cwm Taf Morgannwg Region**

**Address:** Ty Antur, Parc Navigation, Abercynon, CF45 4SN

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

**Telephone:** 01443 405830

## **How long do I have to make a complaint ?**

A complaint should be made within 12 months from the date that the concern arose, or in instances where this is not possible, the date on which the matter came your attention. We will consider extending this time limit if there are good reasons for the complaint not being made within these timescales.

## **The complaint resolution process.**

There are two stages within the complaints process:

### **Stage 1 – Local Resolution**

### **Stage 2 – Formal Investigation**

### **Stage 1 – Local Resolution**

Stage one of the complaints process is known as the ‘Local Resolution’ stage. Once your complaint is made, we will acknowledge receipt of your complaint within two working days. You will be contacted within 10 working days of the date of acknowledgement by the person looking into your complaint and they will offer to either meet with you face-to-face or discuss your complaint over the phone. The discussion will make sure we understand your complaint and what you would like to happen.

When the complaint has been resolved, we will write to you within five working days.

## **How does the Local Resolution process work?**

To try and resolve your complaint, we will offer to discuss the concerns you have raised (either face to face or by telephone). The person dealing with your complaint

may need to read the information we hold about you (or the person you are acting on behalf of) and ask questions before deciding on what actions need to be undertaken.

We may:

- Agree that the actions you have requested need to be undertaken.
- Apologise to you, acknowledging our mistakes and where we need to learn to ensure improvements are made.
- Need to explain things in a clearer way.

## **How long will Local Resolution take?**

This discussion will take place within 10 working days of the date of acknowledgement (whilst still 10 working days for a representation this can be from the date of acknowledgement, or when an advocate is appointed, or in certain cases when the Council has determined the person making the representation has sufficient interest to make the representation).

Following the discussion, we will write to you within 5 working days.

## **Do all complaints have to go through Local Resolution?**

No, we have the discretion to take your complaint directly to the formal investigation (Stage 2) if we think that it is inappropriate for it to be dealt with initially at local resolution.

## **What can I do if I am not happy with the outcome of the ‘Local Resolution’ stage?**

You can request that your complaint be investigated by a person working outside of Bridgend County Borough Council. This person is known as an Independent Investigator. This is known as Stage 2 or 'Formal Investigation'.

## **Stage 2 – Formal Investigation**

If your request is granted, within five working days we will write to you with a formal written record of your complaint.

Before the investigation can start, you will be asked to confirm that you wish for your complaint to be dealt with at Stage 2 of the process, as a formal investigation. The date that the content of the complaint is agreed will be the 'start date' for the complaint investigation.

At Stage 2, your complaint will be investigated by an Independent Investigator (not an employee of Bridgend County Borough Council). If you are under 18, we will also ask someone else who is independent of the Council, known as an Independent Person, to make sure your complaint has been handled well and fairly and that all parties have been heard.

The Independent Investigation will:

- Give you a summary of your complaint.
- Tell you about the investigation.
- Say whether the complaint is 'upheld', 'partially upheld' or 'not upheld'
- Explain what action should be taken, if any.
- Include a copy of the Independent Investigator's Report – if there is a reason we cannot include this, we will explain this to you.
- Tell you how to complain to the Public Services Ombudsman for Wales if you are still not satisfied with the outcome of your complaint.

We will then write to you to:

- Summarise the findings of the formal investigation report, including the decision to 'uphold', 'partially-uphold' or 'not uphold' your complaint.
- Explain if any actions need to be undertaken.
- Apologise where appropriate.

A copy of the formal investigation report will also be provided, unless there is a specific reason not to do so however, this will be explained to you.

### **How long will this take?**

The start date is the date on which the written record of the subject matter of the complaint or representation is agreed in writing. We will respond to you within 25 working days from the start date. If there is a delay, we will explain why.

### **Will all complaints be taken through the above process?**

Some complaints will not be taken through the Social Services Complaints Procedure as it may be more suitable through the council's Corporate Complaints Process. If this is the case, we will advise you at the time you make the complaint.

Some complaints cannot be taken forward, for example if you want to complain on behalf of an individual who has care and support needs, but they don't give consent to you making a complaint on their behalf. If this is the case, we will not be able to take the complaint forward, unless they are assessed as lacking mental capacity to make that decision.

There are occasions where we may place your complaint on hold because there are other ways that the issues you've raised need to be considered. For example, through

the safeguarding process or court proceedings. These processes would be classified as a 'concurrent investigation'. We will advise you if these circumstances apply.

If we are unable to progress your concerns at the time of any concurrent investigation, should you wish, you have the right to resubmit your complaint following the proceedings, no later than six months after the concurrent consideration is discontinued or completed.

Any complaint which involves the conduct of a Council employee will be addressed separately in accordance with the Council's internal HR procedures. The outcome of any internal investigation or any action taken cannot be shared with the complainant due to the Data Protection Act 2018. We will ensure that staff who are the subject of a complaint, or who may have a clear conflict of interest, will not handle or respond to the complaint. The member of staff will however be told about the complaint and asked for their views.

## **What if I am not sure who to complain to?**

Social services work closely with lots of other organisations. You may have a complaint about a service we have arranged for you with another care provider, such as a residential care home, a home care agency, or a day service.

Each organisation will have its own complaints process and, at Stage 1 we will usually send your complaint to them and make sure they deal with it. We will tell you exactly what we are doing. If you have already complained to the other organisation, and you are not happy with their reply, then we will then consider if it is appropriate to progress your complaint to Stage 2. If your complaint is about something we have provided jointly with another organisation, e.g., a package of care from both health and social care staff, we will look at your complaint together and usually send you one response.

## Compliments

If you are happy with the support, you or your family have received and would like to highlight positive practice, Bridgend County Borough Council encourage you to provide feedback in the form of compliments.

You can do this by telling the staff you have contact or communicate this with the Complaints and Compliments Team.

Unfortunately, our staff are not able to accept any form of gifts as an acknowledgement for the good work that they do.

## How do I contact you?

Contact the Complaints and Compliments Team in one of the following ways.

- By phone on - (01656) 642253
- By email - [SocialServicesComplaints@bridgend.gov.uk](mailto:SocialServicesComplaints@bridgend.gov.uk)
- By completing our online complaints and compliments form - <https://www.bridgend.gov.uk/residents/social-care-and-wellbeing/social-services-complaints/>
- By post – Social Services Complaints, Civic Offices, Bridgend, CF31 4WB
- By recording your representation on a tape, a video or a DVD and sending this to the Complaints and Compliments Team

## Could I complain to anyone else if I am still not satisfied?

If we have not been able to resolve your concerns via our complaints process, you have the right to refer your concerns for consideration by the Public Services Ombudsman for Wales.

## **Public Services Ombudsman for Wales**

**Address:** 1 Ffordd yr Hen Gae, Pencoed, Bridgend, CF35 5LJ.

**Email:** [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk)

**Website:** [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

**Telephone:** 0300 790 0203 (calls to this number will be charged at local call rate).

## **Other useful contacts:**

### **Care Inspectorate Wales (CIW)**

**Email:** [ciw@gov.wales](mailto:ciw@gov.wales)

**Website:** <https://www.careinspectorate.wales/>

**Telephone:** 0300 7900 126

**Address:** Welsh Government office, Sarn Mynach, Llandudno Junction. LL31 9RZ

CIW are interested in feedback on services but cannot investigate complaints.

### **Commissioner for Older People in Wales**

**Email:** [ask@OlderPeopleWales.com](mailto:ask@OlderPeopleWales.com)

**Website:** <https://olderpeople.wales/>

**Telephone:** 02920 786579

**Address:** Mount Stuart Square, Butetown, Cardiff, CF10 5FL.

**Children's Commissioner for Wales**

**Email:** [post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)

**Website:** <https://www.childcomwales.org.uk/>

**Telephone:** 01792 765600

**Address:** Oystermouth House, Charter Court, Phoenix Way, Llansamlet, Swansea, SA7 9FS.

**This factsheet is also available in Welsh.**

**If you would like this factsheet in any other language or format, please contact us via**

**Telephone (01656) 642253 or**

**Email:** [socialservicescomplaints@bridgend.gov.uk](mailto:socialservicescomplaints@bridgend.gov.uk)