



# COMPLAINTS PROCEDURE

**2011 revision incorporating summaries of statutory  
procedures for Adult and Children's Social Care**

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# 1. Introduction

## **Our approach to customer service**

We want Kingston to be one of the very best places in which to live and work. In order to achieve this we are committed to providing high quality services in accordance with our agreed Customer Service Standards.

Our approach to customer service is to provide high quality advice and information in a friendly and professional way, and to answer your query and get it right first time.

We are committed to listening to our customers, residents and visitors and using this information to improve our services.

Sometimes things go wrong, or our performance is not as good as we would like it to be. We therefore have a complaints, comments and compliments procedure that provides feedback about our performance. We take complaints seriously and view them positively as a valuable source of information which we can use to improve our services.

## **Complaints procedure**

This procedure establishes a framework for dealing with complaints about the Council. Its purpose is to

- Clarify how the public can make a complaint or appeal against a decision
- Define the standards people can expect when they make a complaint, including assurance that their concerns will be treated fairly and sensitively
- Recognise the importance of complaints as a way of providing feedback and lessons to help improve services
- Set out how we will monitor complaints to ensure that we meet standards and use learning positively to implement improvements

## 2. Definition of a complaint

### What is a complaint?

The Council's definition of a complaint is as follows-

**A complaint is an expression of dissatisfaction with a council service which the user wishes to be treated as a complaint.**

**If in doubt, treat as a complaint.**

**A *council service* means any activity for which the Council is responsible either directly or indirectly by using a contractor or agent.**

By way of example, a complaint may be:

- failure to provide a service to a specified standard;
- neglect or unreasonable delay;
- an unhelpful attitude;
- failure to take account of relevant matters when making a decision;
- failure to inform customers of their rights;
- failure to follow agreed policies or procedures;
- failure to comply with Equal Opportunities legislation or
- disagreement with a council policy.

A complaint is not:

- a request for a service or for information;
- reporting a fault;
- offering a comment about a service;
- disagreement with a rule of law applied by the Council.

It is important that we record all complaints that fall within this broad definition so that we can maintain accurate statistics that are comparable across services and over time.

We want to make it easy for people to complain. National research shows that many service users do not complain when they experience unsatisfactory service. Therefore we try to make our complaints procedure accessible through publishing a complaints leaflet and through the 'report it' and 'contact us' links on the council's website.

We accept complaints by telephone, letter, fax, e-mail, personal visit, via a Councillor or an MP or any other means of communication. Complaints do not have to be in writing although for complex issues it can be helpful.

**If people have difficulty reading this document because of a disability or because English is not their first language, they can call our helpline on 020 8547 5000.**

We can also offer to help people fill in the complaint form or invite people to make their complaint in person. Contact the helpline on **020 8547 5000**.

Complainants can get advice on sorting out a problem or making a complaint by contacting any of the independent local organisations below:

Citizens Advice **0844 477 2020**

Kingston Race & Equality Council **020 8547 2332**

Kingston Voluntary Action **020 8255 3335**

Kingston Centre for Independent Living **020 8546 9603**

Age Concern **020 8942 8256**

People may also want to talk to their local Councillor or Member of Parliament to seek advice or ask them to make a complaint for them. To find the names and contact details of your Councillor or Member of Parliament people can: pick up a leaflet from the Guildhall reception; call our Information Line on **020 8547 5000**; or visit our website,

[www.kingston.gov.uk](http://www.kingston.gov.uk)

## Exceptions to the Corporate Complaints Procedures

There are a number of types of complaint that are **not** covered by these procedures. Often this is because there are separate legal appeal processes, for example:

- complaints where the customer has started legal proceedings or has previously taken the matter to a court or tribunal;
- complaints that involve an insurance claim against the Council or its insurers;
- adult social services complaints and adult safeguarding investigations covered by Department of Health procedures [http://www.dh.gov.uk/en/SocialCare/DH\\_120361](http://www.dh.gov.uk/en/SocialCare/DH_120361)
- children's services complaints covered by statutory procedures under the Children's Act 1989  
<http://www.legislation.gov.uk/ukpga/1989/41/contents>
- complaints seeking to overturn a planning decision which should be dealt with under the Town and Country Planning appeals procedure  
<http://www.legislation.gov.uk/uksi/2009/452/contents/made>
- school admissions issues that will be considered by an Admissions Appeals Panel  
<http://www.education.gov.uk/schools/adminandfinance/schooladmissions/a00195/school-admissions-codes-and-regulations>
- housing and council tax benefit appeals handled by the Benefit Appeals Tribunal  
<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/sscs/index.htm>
- complaints about parking penalties which have their own statutory appeals process  
<http://www.parkingandtrafficappeals.gov.uk/parkingappeals.htm>
- appeals relating to homelessness applications  
[http://www.kingston.gov.uk/browse/housing/housing\\_options/prevention\\_of\\_homelessness/your\\_guide\\_to\\_help\\_if\\_you\\_are\\_homeless.htm#what\\_if\\_i\\_disagree](http://www.kingston.gov.uk/browse/housing/housing_options/prevention_of_homelessness/your_guide_to_help_if_you_are_homeless.htm#what_if_i_disagree)

- complaints about councillors which are covered by separate procedures and handled by the Standards Committee  
[http://www.kingston.gov.uk/information/your\\_council/councillors/members\\_conduct\\_and\\_interests/standardscomplaints.htm](http://www.kingston.gov.uk/information/your_council/councillors/members_conduct_and_interests/standardscomplaints.htm)
- staff matters covered by the grievance, disciplinary and recruitment and selection procedures  
[http://inside.kingston.gov.uk/directorates/chief\\_executives/human\\_resources/rbk\\_life/Staff\\_information/Pages/default.aspx](http://inside.kingston.gov.uk/directorates/chief_executives/human_resources/rbk_life/Staff_information/Pages/default.aspx)

In addition, we will generally not investigate complaints relating to issues that are greater than 12 months old.

The Council's complaints procedure cannot review an issue that should be, or has already been, considered by a procedure elsewhere, for example by any of the procedures listed above. If there is disagreement about the decision or outcome of a statutory, regulatory or other procedure then the Council must follow the correct appeal route.

However, we can look into complaints about **how** we conduct statutory, regulatory or other procedures under the Council's complaints procedure. There should be a clear distinction between the outcome of a statutory, regulatory or other procedure and its administration. This is important because complaints can arise simply because the complainant does not agree with the outcome. We cannot review the outcome of decisions made under a statutory, regulatory or other procedure under the corporate complaints procedure, and this should be made clear to the complainant.

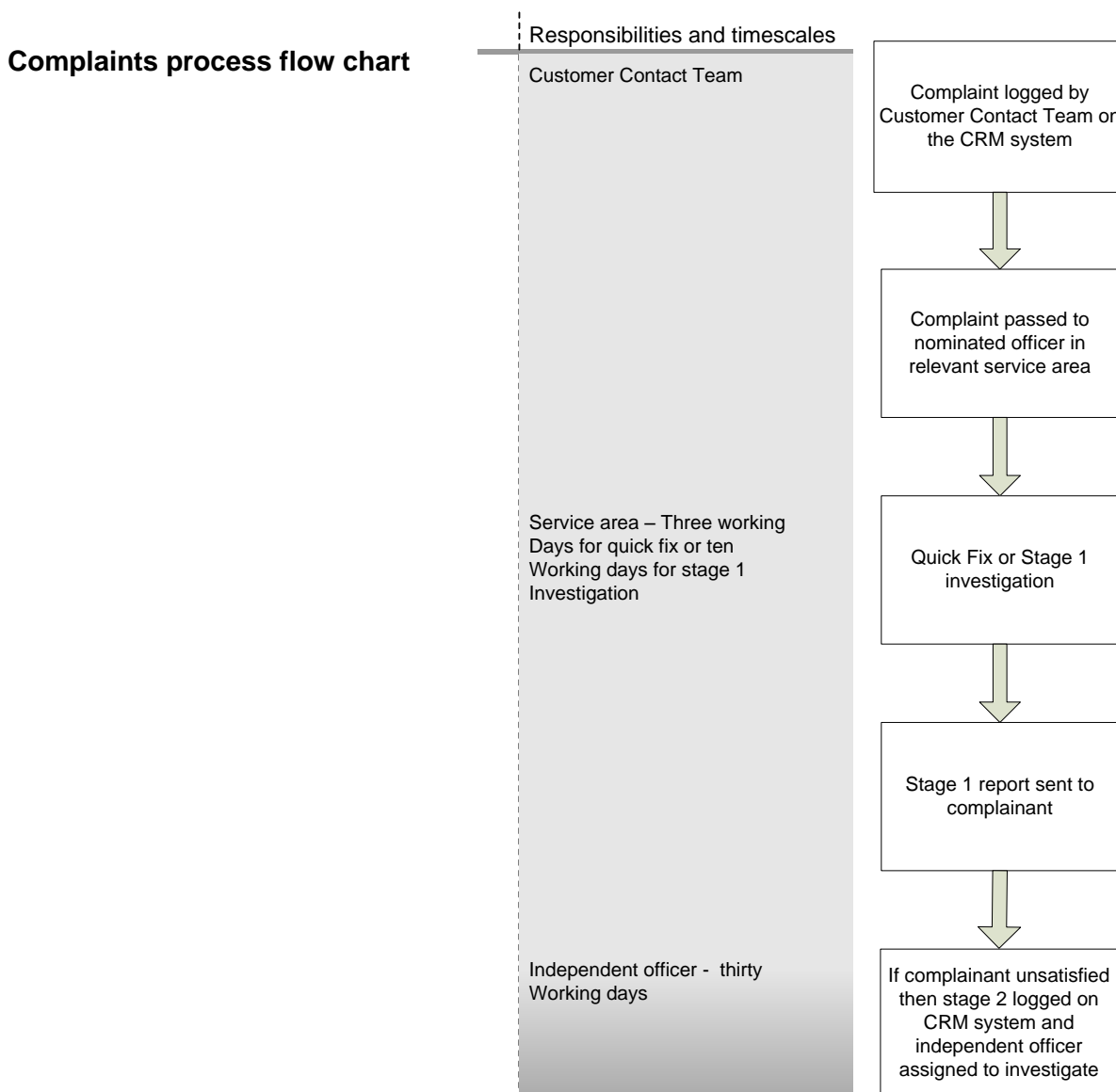
### 3. The Corporate Complaints Procedure

#### Overview

When a complaint is made to the Council it is logged by the Contact Centre on the Councils Customer Management System (CRM) and passed to a nominated officer in the relevant service area to respond. This will be either as a “Quick Fix” or as a stage 1 investigation. If the complainant is not satisfied with the response they receive at stage 1 they can request a stage 2 investigation where the issue is examined by an officer with no responsibility for the service involved in the complaint.

**Further detail on the stages the Councils Complaints Procedure follows is set out below.**

**The Strategic Business Complaints Team (SBCT) are available to provide advice and support at all stages of the complaints process. The team can be contacted on extension 5190.**



## Timescales and responsibilities

Stage	Timescale	Investigation / Co-ordination by	Supervised / signed off by
<b>Quick Fix</b>	3 working days	Service Team Member/ Customer Service Adviser	Service Team Member/ Customer Service Adviser
<b>Stage One</b>	10 working days	Team Leader/ Service Manager	Service Manager /Head of Service
<b>Stage Two</b>	30 working days	Pool of trained investigating officers drawn from Directorates and Strategic Business	Strategic Business to nominate (from outside the service complained of) Group/Service Manager to supervise and sign-off the stage 2 response
<b>Local Government Ombudsman</b>	As directed by LGO – usually 28 days	Business Analyst or Senior Business Analyst or Customer Contact Team Leader	Head of Legal Services

### Quick Fix

Our first priority should be to try and resolve the complaint - to promptly put things right if possible. This will be done through the customer contact centre or by the service which has responsibility for the subject matter of the complaint. If this can be done within three working days there should be no need for a more formal investigation.

When a formal complaints investigation is required, the procedure needs to be logical, fair and speedy. It is important to keep the complainant informed about what is happening throughout the process. Kingston has a 2 stage process as follows:

## Stage One

If the "Quick Fix" procedure does not resolve the complaint to the complainant's satisfaction it will be investigated more formally. The main purpose remains to resolve the complaint if this is possible. At this stage:

- The complaint will be acknowledged within 5 working days
- A full reply will follow within 10 working days. If the investigation is going to take longer than the 10 day target the complainant should be kept informed about delays and the reasons for them.

In most cases, work to resolve a complaint at Stage One should be carried out by the line manager of the service who should act as Lead Officer in attempting to resolve the issues presented. A more senior manager should be consulted if there are concerns about staff misconduct and it may be necessary to consult Organisational Development.

Similarly, the Lead Officer should consult colleagues and senior officers (including the Director) if the complaint or its resolution raise more complex or difficult issues. Advice is also available from Strategic Business and/or Legal Services.

The complainant should be given the opportunity to request a further investigation under Stage Two of the procedure only when all possibilities to resolve the complaint at Stage One have been exhausted. The complainant should be informed of the two stages of this procedure (see *Have your Say* leaflet), and at the conclusion of the Stage One investigation clearly signposted to the Stage Two process. More detailed guidance about the Stage One investigation process is set out in **ANNEX 1**.

## Stage Two

If the complainant is still unhappy after a Stage One investigation, she/he will have the right to request a Stage Two investigation, when the complaint will be investigated by an independent officer from another part of the Council. Once an investigator has been appointed he or she will complete a report with recommendations within 30 working days. All complaints at Stage Two will be overseen by a senior manager acting in a supervisory role. The supervising manager, who should also have no line-management responsibility for the issues under examination, will consider the stage 2 report and then write to the complainant to convey the outcome of the investigation, enclosing a copy of the report.

Stage Two marks the final investigation of a complaint by the Council. It is important, therefore, to ensure as much rigour and objectivity as possible.

Although the final report should normally be sent to the complainant within 30 working days, where complaints are particularly complex it may be necessary to extend this period. In such cases, the complainant should be kept informed about delays and the reason for them.

At the conclusion of the Stage Two investigation complainants should be clearly signposted to the Local Government Ombudsman process. More detailed guidance about the Stage Two investigation process is set out in **ANNEX 2**.

**ANNEX 3 contains detailed information on good investigative practice**

## Local Government Ombudsman

If the complainant is not satisfied with the Council's response to her/his complaint s/he may take it to the Local Government Ombudsman (LGO). The LGO is a free and independent service and looks into complaints about local councils. The contact details are as follows-

### The Local Government Ombudsman

PO Box 4771

Coventry CV4 0EH

Tel: 0845 602 1983

Fax: 024 7682 0001

Or send an enquiry by email to [advice@lgo.org.uk](mailto:advice@lgo.org.uk).

**Premature Ombudsman complaints** – in most cases the Ombudsman adopts a “Council First” approach whereby they will only adopt a complaint once the council's own complaints procedure has been exhausted. There are some exceptions, based mainly on the urgency of decision.

## Multi-Subject Complaints

Some complaints will include elements that fall within the responsibilities of different Service Groups. Where this happens, the officer in the Service Group in which the bulk of the complaint falls will be the contact point for the complainant.

This person will also be responsible for ensuring, through officers in the other relevant Service Areas that a co-ordinated response is made to the complainant within the proper timescales. The complaints 'team' in Strategic Business can assist with the coordination of a complex complaint if required.

## 4. Responsibility for complaints

All officers of the Council share responsibility for dealing with complaints in an open and positive manner in accordance with these procedures.

**Strategic Business and the Customer Contact team have specific responsibilities which are summarised below-**

<b>Customer Contact</b>	<b>Strategic Business</b>
Responsibility for ensuring that records are kept, timescales adhered to, and statistics collected quarterly on stage 1 & 2 and statutory complaints, and ombudsman enquiries	Responsibility for maintaining / updating the corporate complaints procedure; providing guidance and training to investigating officers; and ensuring awareness of staff generally about the complaints procedures
Responsibility for monitoring and reporting quarterly on complaints volumes, topics and trends and recommended service improvements as a result of learning from complaints	Responsibility for appointing investigating and supervising officers to undertake stage 2 investigations; and for monitoring to ensure they are carried out in accordance with the procedure; and that recommendations are implemented and lessons learnt
Compiling quarterly reports as necessary to service groupings, DMTs and the SLT	Liaison with the Ombudsman (LGO) over LGO investigations, and for co-ordinating responses to the LGO within 28 days
Providing data for the annual complaints review including on learning from complaints and assisting in other research (e.g. customer perceptions and benchmarking) to evaluate the effectiveness of the corporate complaints arrangements and identify improvements	Preparing in liaison with Customer Contact an annual review of complaints for presentation to SLT and the Policy and Resources Committee
	Undertaking investigations at stage 1 or stage 2 including complaints that involve several subjects/ service areas and more complex cases
	Responsibility for all stages of the statutory social care procedures, including- <u>Adults</u> : assessing the seriousness of new complaints and agreeing a resolution plan with relevant service managers; signing off final resolution plans and investigation reports <u>Children</u> : appointing investigating officers and independent persons at stage 2; and administering the review panel arrangements at stage 3

## 5. Special Considerations

### Legal Issues

Sometimes the proper way for a complainant or the Council to address particular issues is through the courts or other legal processes. Some complaints may already be the subject of legal proceedings and it may not be appropriate for them to be investigated separately using this procedure. The Lead Officer should seek advice where necessary from Legal Services and/or the Strategic Business Complaints Team (SBCT).

### Insurance

In some cases it may be appropriate for a complaint (or some element of the complaint) to be handled directly by the Council's insurers. If, for example, the complainant is alleging injury or damages because of faulty equipment, defective materials or poor practice by the Council, then the Insurance Department might have a role to play. The Lead Officer should consider the issues and seek advice from a line manager, Customer Services Manager or the Claims Manager in the Insurance Department where necessary.

### Fraud

If a complaint involves or implies allegations of fraud on behalf of a council officer or a Councillor the matter should be referred immediately to the Head of Corporate Governance.

### Statutory Complaints Procedures for Adults and Children's Services

Staff in Adults and Children's Services should be aware that there are statutory procedures for dealing with complaints in these areas. All complaints should be forwarded to the Complaints and Information Access Officer in Strategic Business (ex 4716). Further information on statutory complaints procedures can be found in **annex 8**.

### Adult Safeguarding Alerts

Every concern raised about an adult at risk of abuse is taken seriously. An adult at risk of abuse is someone over 18 years of age who may be disabled, ill or frail and unable to care for or protect themselves from significant harm or exploitation. Any complaint you receive that you think may involve an adult at risk of abuse should be reported immediately to the Adult Safeguarding Team. Further information on Adult Safeguarding can be found in **annex 8**.

### Complaints regarding schools and academies

Schools and Academies are autonomous organisations with their own complaint's procedure which sets out the process for making a complaint and how the school will respond. In the

first instance, complaints should be directed to the Headteacher, followed by the Governing Body. If a complaint involves a maintained school and it cannot be resolved through Governing Body investigation and response, it can be referred to the Council via the addresses below. On these occasions the Council 's role is to ensure that the complaint was properly handled.

## 6. Outcome of a complaint

### Judgement Categories

At the end of each stage of the procedure Lead or Investigating Officers should decide whether each separate issue raised by a complainant is 'upheld', 'partially upheld' or is 'not upheld'. In some cases this will involve a degree of subjective judgement but in all cases officers will be expected to make assessments impartially based on the interpretation of evidence. Senior managers, Group/Service Managers and Directors should be consulted, as appropriate, if some issues are particularly contentious.

Overall, the Council should be (and be seen to be) as consistent as possible in making such judgements. The following outcome statements should be applied to each part of the complaint:

- |                          |  |
|--------------------------|--|
| <b>Upheld:</b>           | This should be attributed where it is clear the Council or one of its agents has acted unfairly or inappropriately; for example - with unreasonable delay, failure to meet a standard or target or poor staff attitude.    |
| <b>Partially Upheld:</b> | This should be attributed where the Council or one of its agents has acted unfairly in part; for example - failed to make the right housing benefit assessment but did not act with undue delay in correcting the mistake. |
| <b>Not Upheld:</b>       | This should be attributed where investigations do not conclude that the Council or one of its agents has acted unfairly - for example; the housing benefit assessment was accurate and completed on time.                  |

### Deciding on the Outcome

As judgements will be made by those investigating a complaint, it will not always be possible to reach conclusions agreeable to all officers involved. For example, in some exceptional cases it may be that differing interpretations of evidence lead to varying conclusions.

At Stage One, the manager responsible for the service should make the final decision and should consult with more senior managers as necessary in order to reach a decision.

At Stage Two the final decision rests with the Director supervising the investigation and in whose name the final report will be signed off. In cases of contention, for example where the supervising service manager and the investigating officer disagree, the service manager

may wish to speak to the **Strategic Business Complaints Team (5190)** for advice before submitting the final stage 2 report for sign-off by the supervising Director.

## **Acting on the findings of investigations**

The findings of an investigation can identify actions that will prevent a repeat complaint, and improve the service. Learning from the complaint is often a key desired outcome for the complainant. The Strategic Business Complaints Team should ensure that recommended actions arising from a complaints investigation, either to remedy a complaint or to improve a service, are followed up and implemented, and that the consequent policy or procedure changes, training needs and resource implications are considered.

The Customer Contact Team will compile reports of the volumes, issues and learning from complaints in a quarterly report to the Strategic Leadership Team. The Customer Contact Team will also provide data on complaints to the Strategic Business Complaints Team for the Annual report to SLT and the Policy and Resources Committee.

## **Redress, Remedy and Reimbursement**

### **Upheld Complaints**

The policy on remedies and rights of redress may be relevant to complaints that are upheld wholly or in some substantive part. Consideration should always be given as to whether there is some practical action which could provide all or part of a suitable remedy; for example; undertaking the necessary repairs; effecting a transfer of accommodation or providing the benefit or service which may have been denied. All issues of financial redress need careful consideration and payments cannot be made unless the Council's Legal Services Department have been asked for advice and agreed to it.

### **Reasons for Payment**

In principle, the Council would agree that complainants should be put in the position they would have been in if things had not gone wrong. In some cases this will involve making payments to complainants as a means of redress. If the Legal Services Department consider that there are sufficient grounds for a payment, the cost will be met from the Directorate or Directorates concerned.

### **Basis for Payment**

The basis on which the Council will consider payment as a means of redress is that there must be clear evidence of quantifiable loss on the part of the complainant. A Stage Two investigation must be able to show that a complainant has incurred expenditure, or will incur expenditure, because the Council has got something wrong. For example, where the nature of the dispute with the Council was such that the complainant was justified in incurring expenditure on legal or professional fees, the expenditure must relate to costs that are quantifiable.

Exceptionally, the Council could consider some form of financial recompense for distress, inconvenience or 'time and trouble'. No such payments must be offered, or made, without the express agreement of the Legal Services Department. Any payments made should be based upon the latest 'remedies guidance' issued by the Local Government Ombudsman.

## The Ombudsman

Any other form of payment by way of compensation should only be considered in conjunction with the Local Government Ombudsman, either as a part of a Local Settlement or as the result of a full investigation by the Ombudsman where the Council is found to be at fault.

## 7. Recording and reporting

### Recording Essential Information

information about a case and that Directorates operate systems to provide statistical information for their managers and for corporate monitoring purposes. All complaints should therefore be logged by date, time and subject, noting the essential details, of the complaint. This should be done whether the complaint is received in writing or verbally.

The core information that needs to be maintained and collected quarterly by the Customer Contact Team includes:

- Number of complaints (Stage 1 and Stage 2) broken down into upheld, partly upheld and not upheld.
- Complainant details (address and equalities information) – this information should be obtained for all complaints reaching Stage 2 and where possible for complaints resolved at Stage 1.
- Numbers of Stage 1 and Stage 2 complaints resolved within the respective target response times of 10 working days at Stage 1 and 30 working days at Stage 2, and the average performance at each stage.
- Reasons for any complaints taking considerably longer than their target response times
- Numbers of complaints categorised by subject using a set of subject categories that reflect major activities and service groupings.
- Nature of complaint, broken down into the following categories:
  - **Quality** Complaints about the alleged failure to carry out a service to an appropriate standard.
  - **Delivery** Complaints about providers and/or arrangements made for the delivery of a service.
  - **Decisions** Complaints about how decisions on the provision of a service are made as well as those expressing disagreement with the outcome.
  - **Conduct** Complaints about the alleged failure of staff to adhere to appropriate standards of behaviour and to follow relevant policies and procedures.
- Lessons learned and changes to policy and procedure as a result of complaints.
- Reimbursements or remedy payments made because of a complaint.

## **Reporting**

The Customer Contact Team will record and collate the complaint performance data provided to it by service areas and prepare reports for corporate reporting.

Quarterly complaints performance data must be reported to DMTs and the SLT. These reports will contain details of lessons learned by the Council and changes made as a result of complaints.

The Head of Corporate Governance is responsible for collating a Council-wide summary report on complaints for each financial year for the Policy and Resources Committee drawing on the data and analysis provided by the Customer Contact team. This annual review will be published externally on our website.

## **Data protection**

Personal data from complainants may be used for monitoring purposes. All data will be anonymised and will be used in accordance with the 1998 Protection Act and other applicable laws

## 8. Complainants' behaviour

### Unreasonably persistent (vexatious) complainants

Vexatious complainants fall into two main categories:

- People who persistently complain about a number of different issues;
- People who persistently make the same complaint but who do not accept the findings of any properly conducted investigation into their complaint and/or are seeking an unrealistic outcome. This second category includes people who make the same complaint from slightly different angles or by different routes (for example involving their MP, a Member or writing to the Chief Executive or other senior officer).

The Council will look into complaints fully and fairly, but complainants have the responsibility to behave in a reasonable way. The Council may categorise people who behave as described above as vexatious complainants.

We will make this decision rarely and only following discussion between the Strategic Business Capability Lead, Legal Services, the Head of Corporate Governance and the Contact Centre Manager. The final decision will be made by the Head of Corporate Governance.

Overall, the number of vexatious complainants is not great. However, they can take up a disproportionate amount of time and resources. They can cause staff distress and can prejudice staff against reasonable complainants.

If the Council labels a complainant as vexatious, all further contact from that person will be screened through a named point of contact, or by a particular channel (for example in writing if telephone calls or emails become too frequent or abusive), and the complainant should be made aware of this in writing. The designated contact can decide whether a matter does have substance, or, if it does not, explain to the complainant that he or she has lost the right to be heard because of misuse of the process.

The decision to categorise a complainant as vexatious will be reviewed after a period of twelve months.

### Malicious complaints

The Council will support its staff against malicious or personal attacks. There is Health and Safety guidance "Caution Before Contact" for staff facing difficult or threatening situations available in the Occupational Health, Safety and Welfare pages on the intranet. Consideration should be given to adding such complainants to the Corporate Warning System.

### Anonymous complaints

The Council will investigate anonymous complaints if the officer receiving the complaint feels it is a reasonable complaint. Obviously we will not be able to advise the complainant of the outcome.

## Other behaviour

While the Council will investigate complaints fully and fairly, complainants have the responsibility to behave in a reasonable way.

The Council can decide to stop corresponding with a complainant or not to process individual complaints through either stage of the complaints procedure. We will make this decision rarely and only following discussion between the Head of Corporate Governance, Legal Services and the Contact Centre Manager. This may be justified if, for example, the complaint has been upheld but the complainant still wishes to pursue it, or if their behaviour is rude or inappropriate. Decisions will be taken on a case-by-case basis and the complainant must be notified in writing of this decision. In such cases a time limit should be placed on any ban at which time the action should be reviewed, and the complainant should be informed accordingly. Any ban should be limited to the specific issues where it is adjudged that the complainant has exhausted / abused the complaints procedure.

## 9. Equality & Diversity

The complaints procedure aims to provide a clear, simple and fair means by which all service users can make complaints. As part of our commitment to equality and diversity the complaints procedure should be accessible to all, and we welcome views from all sections of our community.

We can provide information in different languages and media to support those with particular needs or disabilities, and our leaflets and website have been designed to provide information in a straightforward and helpful way. Advocates or representatives can support complainants if they wish and we give details in our leaflets and on the website to help them to do so.

Complainants should be asked by the investigating officer to provide equalities information (but we cannot demand that a complainant provides this information if they choose not to). This information is kept confidential and is used for statistical monitoring purposes only. It will not influence the investigation or outcome of the complaint, but it may inform us of any support the complainant needs.

**ANNEX 4** contains detailed guidance on collecting monitoring data on complaints using all six equality strands.

## 10. Role of Councillors

### Advocacy

If Councillors are acting as advocates for a constituent they should be contacted and treated in the same way as any other complainant. If a complainant wishes to contact their Councillor at any point during an investigation, officers should provide contact details. If a Councillor passes on a complaint they should be kept informed of progress and any action taken and decisions reached.

It should be noted that where a Councillor is acting on behalf of a constituent in making a complaint the Data Protection Order 2002 (Processing of Sensitive Personal Data - Elected Representatives) can permit the processing and disclosure of some sensitive personal data to a Councillor, but we must be sure the complainant gives consent before releasing certain categories of information to a third party. To avoid misunderstanding we recommend getting written consent. Advice can be obtained from the Legal Services Department.

### Potential Conflict

There is potential for conflict between a Councillor's role as an advocate or supporter of a constituent and their role as a policy-maker and guardian of the public interest at large. Councillors can find themselves in difficult situations with the best of intentions; the issues are mainly about how their role can be perceived by those involved in a case. It is not possible to set definitive rules here but Councillors and Officers need to be aware of the issues and take appropriate steps to mitigate them in any case where they become important.

An example of conflict could be where Councillors may find themselves arguing against a council policy on behalf of a constituent because they think an individual's rights in the case warrant it or because they disagree personally with the policies involved and want to use the case as an example to support this position. The problem here is that a councillor can be seen to operate double standards – upholding a council policy by implication because they are seen as a policy-setter (even if they personally disagree with the policy) but arguing against it in a particular case as a constituency advocate.

There is also a potential issue of concern about the relationship between a Councillor and the complainant. For instance, is the complainant an ordinary local resident or a personal friend or colleague? The question again is one of perception. If there is any indication that the advocacy relationship is something more than a Councillor – constituent link then it will be difficult to argue that a Councillor's role is independent. There is an issue of perceived undue influence here that may have connotations of favouritism, especially if it can be reasonably seen that the level of a Councillor's involvement is greater in one case than another.

### Complaints about Councillors

There is a separate procedure for making complaints about Councillors which can be found via the following link:

[http://www.kingston.gov.uk/information/your\\_council/councillors/members\\_conduct\\_and\\_internets/standardscomplaints.htm](http://www.kingston.gov.uk/information/your_council/councillors/members_conduct_and_internets/standardscomplaints.htm)

## 11. Other enquiries that are not corporate complaints

### **Freedom of Information Act Enquiries**

All Freedom of Information Act enquiries must be responded to within 20 working days by law, allowing for delays in receipt of payment where appropriate. Guidance about the Freedom of Information Act (FOI) and the Council's related procedures on how to deal with requests under the FOI is available on the Intranet:

*Publications, Policies and Procedures – Freedom of Information*

In cases where a Directorate decides it is inappropriate to supply people with information they have requested under the FOI Act, applicants have a right of appeal. The appeal process will be conducted by Legal Services and a judgement on each case will be made by a Principal Solicitor. In the first instance therefore, investigators should contact John Newnham (Principal Solicitor).

In cases where the appeal is not upheld or particular elements are not upheld, the applicant has the right to take their case to the Information Commissioner rather than the Local Government Ombudsman.

The Information Commissioner can be contacted at:

Wycliffe House,

Water Lane,

Wilmslow,

Cheshire,

SK9 5AF

Telephone: (01625) 545700.

The Information Commissioner's web site can be found at: [www.ico.gov.uk](http://www.ico.gov.uk).

### **Enquiries under the Data Protection Act (DPA)**

Kingston has a separate policy concerning its obligations under the Data Protection Act. Requests for information under the DPA have a statutory response period of 40 calendar days, and will be dealt with by the Data Protection Officer. All officers receiving a request for information under the DPA will pass such a request on to the Data Protection Officer as soon as possible.

In cases where a Directorate decides it is inappropriate to supply people with information they have requested under the DPA, applicants have a right of appeal. The appeal process will be conducted by Legal Services and a judgement on each case will be made by a Principal Solicitor. In the first instance therefore, investigators should contact John Newnham (Principal Solicitor).

In cases where the appeal is not upheld or particular elements are not upheld, the applicant has the right to take their case to the Information Commissioner rather than the Local Government Ombudsman.

## 12. Contractors

### Rights of Redress

In principle, the same methods of investigation and means of redress should be carried out by the Council's contractors. Service users should not be penalised because the Council manages a service through a third party. The following agreed text is to be included in any relevant contract with the Council:

*“The Contractor shall deal as appropriate with any complaints received in a prompt, courteous and efficient manner. The Contractor shall keep a written record of all complaints received and of the action taken in relation to such complaints. Such records shall be kept available for inspection by the Authorised Officer at all reasonable times. The Contractor shall notify the Authorised Officer in writing of all complaints received and of the steps taken in response thereto within seven days of such complaints being received by the Contractor.*

*The Contractor must refer any complaints which he feels unable to deal with to the Authorised Officer within three days of receipt.*

*The Contractor shall comply with any request from the Council to facilitate an investigation into a complaint. The Contractor shall abide by any reasonable request from the Council to deal with the complaint raised.”*

### Management Information

Procedures must be put into practice to ensure the Council is kept informed of the number and type of complaints received by a contractor and whether, after investigation, they have been upheld or not.

Contractors should supply the Council annually with a random sample of complainant's names and address so that they can be invited to answer a questionnaire about how they think their complaint was handled. The survey will include a question about ethnicity. The information collected will help the Council and Contractor evaluate how complaints are managed and assess ways of improving performance.

## 13. Annexes

### Annex 1

#### Stage One – Problem Solving

**Resolution.** The primary objective here should be to resolve the situation presented by a complainant. The starting point should be to mediate with the complainant in order to rectify the problem(s) presented. The emphasis should be on reaching a resolution by, for example, explaining a misunderstanding about council policy, providing a service that has not been provided, acknowledging and apologising for a mistake and agreeing to improve performance in the future.

Not all resolutions at this point will be considered satisfactory by the complainant but the Council should always be clear at this stage about its own culpability and the extent to which it could have done things better or differently.

**Lead Officer.** In most cases, work to resolve a complaint at Stage One should be carried out by the line manager of the service who should act as Lead Officer in attempting to resolve the issues presented. A more senior manager should be consulted if there are concerns about staff misconduct and it may be necessary to consult Organisational Development

Similarly, the Lead Officer should freely consult colleagues and senior officers (including the Director) if there are particular difficulties to be overcome. Advice is also available on request from the Strategic Business Complaints Team and/or Legal Services.

**Other Complaints Procedures.** It is important to be clear from the outset that the Corporate Complaints Procedure is appropriate for the issues concerned. The Council follows several different statutory and discretionary procedures for some complaints and in some cases it may be more appropriate or even essential, to use other procedures. The Lead Officer responding to the complaint should consider this issue and seek advice from a line manager or the Strategic Business Complaints Team.

**Misdirected Complaints.** If a complaint is sent initially to the Director or another senior officer, the complainant should be sent an acknowledgement indicating that efforts to solve the problem will be made by the manager of the service or another appropriate officer - see Stage Two below.

**Verbal Responses.** If the complaint can be addressed and/or resolved verbally, details of the conversation(s) and the outcome should be noted and filed for future reference. It is particularly important to include verbal cases in the collection of quarterly management information. Note at least the subject, location, type and date of the complaint.

**Improving Performance.** Any recommendations for improving services as a result of investigating a complaint should be passed on to the appropriate senior manager or DMT for discussion and action – preferably in writing.

**Timescales.** A local resolution at Stage One should be attempted within 10 working days (two calendar weeks) with an option to extend the period if necessary. Where it is impossible

to respond to all the points raised by a complainant within the target time, a response could be given in stages rather than delay a reply until all the elements have been addressed.

**Moving to Stage Two.** The complainant should be given the opportunity to consider a further investigation under Stage Two of the Procedure only if all possibilities to resolve the complaint at Stage One have been exhausted. The complainant should be informed of the two stages of this procedure (see *Having your Say* leaflet).

## Annex 2

### Stage 2 - “External” Investigation

**Status of a Stage Two Investigation.** Complaints that cannot be resolved under Stage One or are otherwise deemed serious enough to require adjudication by an ‘external’ officer, should be investigated under Stage Two. This amounts to a formal investigation either to look again at the original issues anew or at any subsequent issues raised by the complainant that cannot be resolved at Stage One. The Stage Two investigation should either confirm that the original investigation was conducted properly or, if necessary, re-examine all or parts of an earlier investigation.

Stage Two marks the final investigation of a complaint by the Council. It is important, therefore, to ensure as much independence, consistency and objectivity as possible. Two Officers will manage each Stage Two investigation between them; a Group/Service Manager acting in a supervisory role and an officer who has attended complaints investigation training undertaking the investigation.

All complaints at Stage Two will be overseen by a manager at Group/Service Manager Grade (or another manager with equivalent seniority) acting in a supervisory role. The supervising Group/Service Manager should have no line-management responsibility for the issues under examination. It is quite likely, therefore, that the supervising Group/Service Manager may not work in the Directorate involved. A guide to the role of the Supervising Officer is given in Annex 7 below.

It is expected that Investigating Officers will have taken part in the Council’s training programme for Stage Two Investigating Officers. A list of Investigating Officers who have attended training will be maintained by the Strategic Business Complaints Team (SBCT).

Any Lead Officer who considers that a complaint should be investigated further under Stage Two or any case where a complainant reasonably requests that their complaint is investigated under Stage Two, should contact the SBCT in the first instance.

Investigating Officers will be appointed initially by SBCT by selecting from the list of trained Investigating Officers. The selected person will have no direct line management responsibility for the issues under investigation. The Investigating Officer will be contacted directly by SBCT and asked to undertake the Stage Two investigation. In exceptional situations e.g. where the current workload of the Investigating Officer means that investigation will be difficult, the Investigating Officer’s line manager should be consulted.

A Stage Two investigation should follow the applicable elements of the guidance given under Good Investigative Practice in Annex 3 below. The standard of investigation should also uphold the advice given in the Council’s training programme for Stage Two Investigating Officers.

The supervising Group/Service Manager should work with the investigating officer as the investigation proceeds and be available for consultation and advice throughout. When the investigating officer has completed a report about the case, the supervising Chief Office should check it over and resolve any outstanding matters with the investigating officer and 'sign off' the investigation into the complaint.

The investigation report should then be sent to the complainant with a suitable covering letter signed by the Group/Service Manager - see Good Investigative Practice in Annex 3.

A copy of the Stage Two report and covering letter should be sent to SBCT who will monitor the consistency and efficacy of investigative practice over time.

Reports on the processing of cases, the subjects of complaints and the quality of investigations will be presented annually to SLT and the Policy and Resources Committee.

Should a complaint involve particularly contentious issues or require advice from elsewhere in the Council, the Group/Service Manager and Investigating Officer should consult colleagues as necessary. In particular the Head of Corporate Governance or the Chief Executive is available to be consulted on any doubtful matters.

In some circumstances, it may be desirable for the covering letter to a Stage Two investigation to be signed by the Chief Executive. These issues should be decided on a case by case basis.

It is assumed that any legal issues will have been highlighted and dealt with appropriately at Stage One but the Investigating Officer at Stage Two should check this out again to be sure. See 'Special Considerations' in section 4 above.

It is assumed that any related insurance issues will have been highlighted and dealt with appropriately at Stage One but the Investigating Officer at Stage Two should check this out again to be sure. See 'Special Considerations' in section 4 above.

In some cases which involve more than one Directorate, it might be appropriate for the Head of Corporate Governance (or another Group/Service Manager from the centre) to act as the supervising Group/Service Manager. The SBCT can be consulted over this on a case by case basis.

**Improving Performance.** Recommendations for improving services as a result of investigating a complaint at Stage Two should be passed on to the appropriate senior manager or DMT for discussion and action. See **Record of Complaint** below.

**Timescales.** The final report and covering letter should be sent to the complainant within 30 working days (six calendar weeks). There is an option to extend the period if necessary. Where it is impossible to respond to all the points raised by a complainant within the target time, a response could be given in stages rather than delay full a reply until all the elements have been addressed. In any case, the complainant should be kept informed about delays and the reason for them.

**The Local Government Ombudsman.** If the complainant remains dissatisfied after this Stage, they can take their case to the Local Government Ombudsman and the Investigating Officer should explain how this can be done. Details and Ombudsman's leaflets are available through SBCT or the Legal Services Department.

### Good Investigative Practice

Investigating officers should act in accordance with the following guidance where appropriate. Some of the points made below will not necessarily apply to all investigations, particularly at Stage One where the emphasis is on 'problem solving'. Investigating officers should exercise discretion in keeping with the seriousness of the case when deciding how to conduct interviews with staff or other involved parties. Formal interview sessions will probably not be necessary in many cases but, where they are, the guidance below should be adopted.

#### 2. Appropriate Procedures

- a) Consider whether the complaint could be resolved without further investigation; for example, by providing a service that has not been provided or providing a service to a designated standard etc.
- b) If the complaint is about a proposed action by the Council, consider whether the action should be deferred while the complaint is investigated.
- c) Assess whether the complaints procedure is the most appropriate way of handling this complaint – see section 4 above. Discuss the alternatives with the complainant.
- d) The complainant's identity should be made known only to those who need to consider the complaint and should not be revealed to any other person or made public by the council.
- e) Check if there are any previous complaints from this person.

#### 3. Investigation Parameters

Make sure the following points are clear and contact the complainant directly to clarify any doubtful issues.

- a) Clarify the issues to be investigated.
- b) Clarify the outcome sought by the complainant.
- c) Explain the investigation process.
- d) Check that the complainant has a copy of the council's complaints leaflet, if necessary.
- e) Set out in writing your understanding of the complaint and agree this with the complainant.

- f) Check whether the complainant needs support of any kind (poor sight, hearing or a language difficulty can cause problems.) and make sure the complainant can understand discussions properly.

#### **4. Evidence**

- a) Be clear about the relevant legal and administrative background to the complaint.
- b) When examining documents, ensure that you see originals, not copies.
- c) Establish an accurate chronology of events.
- d) Deal with conflicts of evidence by seeking corroborative evidence. If this is not available, then as an exceptional measure, consideration can be given to organising a meeting between those with conflicting views.
- e) If appropriate, visit any site involved in the investigation.

#### **5. Interviews**

- a) Prepare a line of questioning for each person to be interviewed:
- use open, not leading questions,
  - don't express opinions in words or by your body language and
  - ask single, not multiple questions.
- b) Arrange the order of interviews so that where you need to establish what procedures are normally followed you do this first from more senior officers. End with the officers most directly involved in the complaint.
- c) Where an interview is likely to be contentious or confrontational, inform all those to be interviewed that a friend, colleague or a union representative (but not line-manager) can accompany them as an observer. Explain the complaint clearly to them.
- d) Consider whether you need a witness to sit in on a particularly difficult interview.
- e) Interviews should be conducted in as informal and relaxed a manner as possible, but persist in your questions if necessary. Don't be afraid to ask the same question twice. Make notes of each answer given.
- f) Try to separate hearsay evidence from fact by asking interviewees how they know a particular fact.
- g) At the end of the interview, summarise the main points covered by the interviewee and ask if he or she has anything to add.
- h) Write up a formal record of the interview while it is still fresh in your mind, preferably as soon as it is finished.

#### **6. Additional Guidance**

- a) Investigating officers must be objective. Their primary task is to establish the facts and find out what can be done to resolve the complaint.
- b) Identify the issues to be investigated from the written complaint and agree them with the officer requesting the investigation.

- c) You should normally seek to interview the complainant at the outset of an investigation. Where this is not possible, you should record the reasons why and in any case confirm the issues to be investigated, outline the process of the investigation and anticipated time scale.
- d) Obtain clarification of specific information where necessary and if possible ask what outcome the complainant would like to see.
- e) Write up an investigation brief:
- identify the people who might need to be interviewed,
  - locate files that need to be examined and
  - identify relevant policies, procedures and legislation.
- f) Notify Organisational Development staff of who needs to be interviewed, giving details of the complaint and their part in it.
- g) When conducting an interview it is good practice to
- make a record with an accurate summary of events and
  - make the record official by gaining the signature of the person interviewed.
- h) Should there be any difficulty in completing the investigation by the stated time the complainant should be advised of the reasons for delay and the revised completion date. It is good practice to keep in regular contact with the complainant throughout the investigation process, particularly if it is protracted.
- i) On completion of the investigation, prepare a written report. At Stage Two the report should be discussed and 'signed off' by the appointed Group/Service Manager. The report should include details of information obtained, conclusions drawn and recommendations for future action, together with a covering letter of response to the complainant. At Stage One the report may be contained within the letter of response.
- j) Those involved in the complaint investigation should be advised of the outcome of the investigation.

### Guidance on Equalities Monitoring

It is important to collect equalities information from a complainant to help monitor access to services and the use of the Complaints Procedure. It is recognised that this information may not always be readily available and not always straightforward to obtain. There may not be a readily suitable opportunity to ask the appropriate questions but every effort should be made, with tact and sensitivity, to record these details in accordance with the six equalities strands.

Please see **ANNEX 9** for the corporately agreed equalities strands and monitoring guide.

In conjunction with service areas, SBCT will contact a sample of people who have complained each year and ask them to complete a questionnaire about how they think their complaint was handled. The survey will include questions on the six equalities strands. Directorates will therefore be asked to provide contact details of a random selection of complainants each year.

The information collected will help the Council evaluate how well complaints are managed and assess ways of improving performance.

All service areas are expected to monitor equalities information and obtain the relevant information at some point during an investigation. One way of doing this unobtrusively is to include an equalities monitoring form (**ANNEX 9**) and return slip (and pre-paid envelope) with the written response to a complaint at Stage One. The slip should ask people to complete the form and any other information Directorates might like to collect about how effectively their complaint was handled. The following observations may help with conversations or written communications about equalities. It is service areas to decide how to best to collect the information. The Council's policy is:

*"... that everyone is treated equally and receives the best service possible. To ensure this is being done, we are looking at who is receiving our services and how they are delivered. We can then decide how to make improvements. To help us do this, we are asking people to complete the equalities monitoring forms ..."*

Information about equalities and the effectiveness of the Complaints Procedure will help the Council by:

- enabling us to find out how much our services are used by different ethnic groups,
- helping us check that we do not discriminate against particular sections of the community,
- making sure we can identify areas in the community where there may be a problem in the way we provide our services and
- enabling us to use the information we get to make improvements.

Complainants should be assured that the information collected will only be:

- produced in statistical form only to help the Council assess the effectiveness of equal opportunities policies,
- treated as confidential, so that the name or address of the complainant will not appear in any report and

- examined only by managers of the services and the Equal Opportunities Forum, which includes an officer from the Racial Equality Council.

## Annex 5

### Writing to a Complainant

1. There is no prescriptive style for responding to complainants but the following advice should be adopted.

- a) Letters should be in the first person, avoid jargon, be as clear and concise as possible, address all the points raised by the complainant and be signed by those who write them.
- b) Letters should conform to standards of plain English exemplified in guidance posted on the Intranet or circulated in the *Handy Guide to Plain English*.
- c) Letters should also contain consistent identification information like, references to dates of earlier letters, an officer contact name and number, a reference and/or file number etc.

**2. Acknowledgement Letters** All complaints should be acknowledged as soon as possible with a simple letter confirming receipt of the complaint within three working days. If a substantive response to the complaint can be provided within this period, it will not be necessary to send an acknowledgement letter. If it is known from the outset that the investigation is likely to take longer than the target time, this should be made clear in the acknowledgement letter. Acknowledgement letters should include:

- reference to the date the complaint was received by the Council,
- a brief summary of the issues to be investigated,
- an estimate of how long the investigation is expected to take,
- the stage of the procedure under which the investigation will take place,
- the name and number of a contact officer and (where appropriate),
- a copy of the Council's leaflet on complaints.

**3. Verbal Complaints** For complaints received over the phone or by personal visit, it is advisable to write a simple acknowledgement letter to confirm what was said. If this is not done, it is imperative to make a written note of the conversation.

**4. Misdirected Complaints** Complaints are not always directed to the appropriate Department or officer. In most cases it will be expedient to redirect the complaint immediately to be acknowledged and recorded. In some cases, letters received by the 'wrong' person can be more easily acknowledged before they are re-directed. In such cases the complaint can then be passed on with a copy of the acknowledgement letter as soon as possible.

**5. Holding Letters** A 'holding letter' should be sent if an investigation takes longer than expected. It should give a new estimated time by which the complainant can expect a substantive reply.

**6. Stage One Response Letter** For a Stage One complaint the letter can vary considerably. For instance, it may just confirm a conversation that has already resolved a complaint but it could also be the Lead Officer or Service Manager's analysis of the situation and include a proposal to resolve it. This may be rejected by the complainant on receipt and result in a further investigation at Stage Two.

**7. Stage Two Covering Letter** For a Stage Two complaint the covering letter from a Group/Service Manager should enclose a copy of the investigating officer's report. The letter should explain what decisions have been made and what action, if any, is to be taken. In some exceptional cases (to be determined at the discretion of a Group/Service Manager, Director or the Chief Executive) the complainant may be sent only a summary of the investigating officer's report.

## Annex 6

### Listening to a Complainant

<b>Don't pass the buck</b>	Try not to keep transferring an angry person from one place to another. Make sure you know the contact person for anything you cannot deal with yourself.
<b>Don't be flippant</b>	First impressions count. You and the Council may be judged on your immediate reaction.
<b>Treat all complaints seriously</b>	However small or trivial it may seem to you, the complaint will be an important problem for anyone who takes the trouble to make contact.
<b>Treat every complaint individually</b>	Even if you have already received several similar complaints the same day, it is probably the person's first chance to have their say.
<b>Be courteous and patient</b>	Be sympathetic and helpful, but do not blame other colleagues.
<b>Say who you are</b>	If you are unknown to the person, introduce yourself.
<b>Ask for their name and use it</b>	Anonymous complaints are acceptable only where there are special circumstances. Use your discretion.
<b>Take time to find out exactly what the problem is</b>	It is easy for someone to forget to tell you an important detail, particularly if they are upset or annoyed.
<b>Don't take the complaint personally</b>	To an angry or upset person, you are the Council and the only person to whom they can express their feelings at the time.

<b>Stay cool and calm</b>	Do not argue with the person – be polite and try to find out exactly what the person thinks is going wrong, or has gone wrong.
<b>Check you are being understood</b>	Make sure that the person understands what you are saying. Don't use jargon – it can cause confusion and annoyance to someone “not in the know”.
<b>Don't rush</b>	Take your time. Let people have their say, and let off steam if they need to. Listen carefully and sympathetically to their problems before replying and attempt to find a solution or offer a next step.

## Annex 7

### **Guide for Group/Service Managers Supervising Complaints at Stage Two of the Corporate Complaints Procedure (Not Applicable to the Statutory Social Services Procedure)**

#### **1. Stage One**

The primary objective under Stage One is to resolve the situation presented by a complainant. The starting point is to mediate with the complainant in order to rectify the problem. A Lead Officer should be appointed to do this and oversee the process of seeking a resolution. This may involve, for example, explaining a misunderstanding about a Council policy, providing information, providing a service that has not been provided, acknowledging and apologising for a mistake and agreeing to improve performance in the future. The Council has set a target of 10 working days for responding substantively to a complaint under Stage One.

#### **2. Referral to Stage Two**

A Stage Two investigation will take place in most cases only if all possibilities to resolve the complaint at Stage One have been exhausted. Some cases may have involved input from Senior Officers and/or Directors. A case may be taken up at Stage Two if:

- The lead officer investigating a complaint under Stage One considers that nothing further can be achieved at this stage. In doubtful cases the matter should be discussed with SBCT.
- A complainant may decide that the outcome of a Stage One investigation is unsatisfactory and request a Stage Two investigation. The Lead Officer should consult with SBCT in doubtful cases.

- The complaint is considered serious enough to bypass Stage One and require adjudication by a more senior officer outside the line-management system of the service area in question. The Lead Officer should always consult with SBCT in such cases.
- The complainant is appealing against a refusal to provide information requested under the Freedom of Information Act. These appeals will be overseen by Strategic Business.

### **3. Action at Stage Two**

#### **The Complainant**

The complainant should be informed of the two stages of the Council's procedure by the Lead Officer at Stage One. This can be done over the phone, in writing or through the Council's *Have your Say* leaflet.

#### **Scope of Investigation**

Stage Two marks the final investigation of a complaint by the Council. It is important to ensure that it is independent, consistent with previous good practice and objective. The Council has set a target of 30 working days for responding substantively to a complaint under Stage Two.

A Stage Two investigation will either look again at the original issues and any relevant new issues raised by the complainant that cannot be resolved at Stage One. The Stage Two investigation should either confirm that the original investigation was conducted properly or, if necessary, re-examine all or parts of the earlier investigation which may reach new conclusions and make different recommendations.

#### **Investigating Officer**

Each Service Area has nominated suitable officers to investigate complaints under Stage Two which form a pool of investigators who are appointed on a case by case basis by SBCT. SBCT will liaise with their line-manager to secure appropriate time to carry out the investigation.

The investigating officer at Stage Two should have no line-management responsibility for the service in question.

A copy of the case file will be sent to the Investigating Officer by the Lead Officer at Stage One and they will be given the name of the Group/Service Manager to supervise the case. Investigating Officers should contact the Group/Service Manager and discuss the case as soon as possible.

## **Group/Service Manager**

All complaints at Stage Two should be overseen by a senior manager at Group/Service Manager Grade or above acting in a supervisory role.

The supervising Group/Service Manager should have no line-management responsibility for the issues under examination. It is quite likely, therefore, that the supervising Group/Service Manager may not work in the Directorate involved.

The role of Group/Service Manager under Stage Two is to oversee the work of the investigating officer. The nature of this interaction will vary according to the profile and complexity of the case. The basic process is as follows:

The Group/Service Manager will be contacted by SBCT and asked to oversee an investigation. Basic details of the case, the timeframe and the name of the appointed investigating officer will be provided.

Once both officers have been appointed, SBCT will inform the complainant about who will be investigating their case and indicate when the investigation is expected to be completed.

The Group/Service Manager will be provided with a copy of the case file either by the Investigating Officer or by SBCT.

A meeting should take place between the Group/Service Manager and the investigating officer to discuss the case. The issue(s) to be investigated should be defined and the process of investigation agreed. For example, how the case should be approached, who will need to be interviewed, what information should be gathered, should the complainant be contacted to clarify the scope of the investigation, any legal ramifications etc.

The Group/Service Manager should be available to discuss the on-going investigation with the Investigating Officer thereafter. The Investigating Officer will provide a draft report into the issues raised by the complainant with conclusions and recommendations. The report should be sent to the Group/Service Manager. See the Complaints Procedure for further details.

If the investigation is likely to take longer than the 30 working day target time, then an appropriate 'holding letter' should be sent by the investigating officer to the complainant with a revised time for responding.

## **Investigation Outcome**

The Chief Office should consider the report and the appropriateness of the investigation process, the conclusions reached and any recommendations. A meeting between the Group/Service Manager and the Investigating Officer should take place to discuss any changes and resolve any outstanding matters.

The report should then be sent to the complainant with a suitable covering letter signed by the Group/Service Manager. The recovering letter can be written by the Group/Service

Manager or drafted by the investigating officer. See Good Investigative Practice and the Outcome of a Complaint in the full Complaints Procedure.

A copy of the Stage Two report and covering letter should be sent to the SBCT by the Investigating Officer.

SBCT will send a copy of the report and covering letter to the Directorate(s) previously involved at Stage One.

## **ANNEX 8**

# **The Statutory Complaints Procedures for Adults and Children's Services**

## **Adult Social Care Complaints Procedure Listening, Responding, Improving**

**Please note that the following is a summary of the statutory procedures for Adult and Children's Services complaints. Please contact the Complaints and Information Access Officer (CIAO) in the Strategic Business complaints team (4716) if you would like to see the full procedures.**

### **Introduction**

The government introduced new guidance and Regulations concerning complaints handling for both health and adult social care in April 2009. The aim of the new approach to complaints handling is to put things right quickly, to learn from the experience, improve services and prevent future problems.

The new approach has three principles:

- LISTENING - take a more active approach to asking for people's views.
- RESPONDING – deal with complaints more effectively.
- IMPROVING – use the information received to learn and improve.

All adult services staff must be aware that there is a complaints procedure and inform users of their right to complain should they express any dissatisfaction with the service.

If a service user or their representative wishes to discuss their dissatisfaction with someone outside of the service area concerned they should be given contact details of the Strategic Business complaints team – add contact details. The team is also available to members of staff for advice and assistance in dealing with complaints.

## What organisations does this procedure apply to?

Any organisation that provides or commissions NHS care or is a local authority that funds adult social services.

- Complaints concerning services provided on behalf of Adult Services either by third party providers or under “joined up” arrangements should be considered under this procedure.
- Complaints involving regulated services under the Care Standards Act 2000 and where services are delivered on RBK’s behalf or through an internal service that is regulated, consideration must be given to whether the complaint should be considered under this procedure.
- If a complaint involves two or more organisations, the person complaining should get one, co-ordinated response.

## What can be complained about?

Anything that concerns/involves the actions, decisions or an apparent failing of a local authority’s social services provision for adults.

Complaints can relate to:

- An unwelcome or disputed decision;
- Concern about the quality or appropriateness of a service;
- Delay in decision making or provision of services;
- Delivery or non-delivery of services including complaints procedures;
- Quantity, frequency, change or cost of a service;
- Attitude or behaviour of staff;
- Application of eligibility and assessment criteria;
- The impact on an individual of an application of a local authority policy;
- Assessment, care management and review;
- The quality/accuracy of social work reports used in court.

Issues of dissatisfaction (service failure) which can be resolved quickly and easily, within 72 hours, by the relevant team by giving an apology and/or putting right what has gone wrong need not be registered with the complaints team.

For example:

- MOW’s have arrived late
- Appointments cancelled
- Care Plan not sent out.

These service failures, however, must be recorded and it is the responsibility of teams delivering services to record and monitor all service failures that come to their attention, which must be sent to Customer Contact who are responsible for collating quarterly complaints reports for use by service groupings and DMTs.

## Who May Complain?

Any person who has requested or receives a service from Adult Services either directly or indirectly.

Any person acting on behalf of someone else described in 4.1 if they have been asked to act on their behalf or if they are not capable of making the complaint themselves (this includes a person who has died).

The Adult Services Senior Advisor has the discretion, following discussion with the relevant operational manager, to decide that the person is not suitable to act as a representative in the individual's best interests. In these circumstances the Senior Advisor will notify the representative explaining why no further action is being taken.

## Receiving a complaint

When a member of staff receives a complaint it must be sent immediately to the Complaints and Information Access Officer (CIAO) in the Strategic Business complaints team, who will assess the seriousness of the complaint, the likelihood of recurrence and risk factors.

The CIAO will send an acknowledgement letter to the complainant within 3 working days.

## Deciding how serious the issue is

The CIAO will assess the complaint to determine its seriousness and the risk of recurrence. This assessment will consider for example whether it is an isolated and readily resolvable issue with minimal impact and risk; whether the service has fallen below reasonable expectations in several ways, with some potential impact on service provision but unlikely to cause lasting problems; or whether there are significant or serious issues regarding standards, quality of care and safeguarding of or denial of rights that may cause long-term damage, and which require immediate and in-depth investigation and carry a high risk of litigation and/or adverse national publicity.

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### Categorise the risk

Seriousness	Likelihood of recurrence				
	Rare	Unlikely	Possible	Likely	Almost certain
Low	Low				
Medium	Moderate				
High	High				
	Extreme				

## Responding in the Right Way

On completion of the assessment the CIAO will contact the complainant (within 10 working days of receipt of the complaint) to establish the outcome they are seeking and discuss with them the options for dealing with their complaint.

The CIAO will also establish if the complainant has any communication needs that need to be addressed, e.g. language, sensory impairment and if they require the assistance of an advocate (SEE ANNEX 4).

The CIAO will then liaise with the relevant team manager or service manager, dependent on the category of risk, to discuss how the complaint will be dealt with and to initiate a Complaint Resolution Plan (CRP).

## Options for dealing with a complaint.

A variety of means can be used to resolve complaints which will depend on the issues of the complaint and the outcome of the risk assessment. The overall aim is to deal with the complaint quickly and effectively, giving complainants more confidence in the process and to find a satisfactory outcome.

As a general rule complaints will be dealt with according to the category of risk as follows-

<b>Stage / Category</b>	<b>Timescale</b>	<b>Responsibility</b>	<b>Response</b>
<b>Initial assessment of seriousness/risk and outcome sought by complainant</b>	10 working days	Strategic Business Complaints and Information Access Officer	SB to agree with team or service manager how complaint to be dealt with and Complaint Resolution to be initiated
<b>Low/ medium risk</b>	10 working days	Relevant team or service manager	Manager to respond to complainant and complete Complaint Resolution Plan (CRP)
<b>High/ extreme risk</b>	25 working days	Officer independent of service area to complete full investigation	Investigation report to be signed off by Executive Head of Adult Services. Response from Head of Service; recommendations and lessons documented in CRP

At any time throughout the process, for the lowest to most extreme risk, the use of mediation should be considered as a possible means of resolving the complaint satisfactorily.

## Resolution/Response

If it is established from the outset what the complainant is wanting as an outcome to their complaint then it should be possible to effect a resolution more quickly.

A response to the complaint must be made in writing, including confirmation of the outcome of a meeting where relevant. This must include advising the complainant to contact the CIAO if they remain dissatisfied with the outcome of their complaint.

For high/extreme risk complaints a detailed report will be completed by the Investigating Officer/Independent Person and sent to Strategic Business or The Adult Services Senior Advisor for sign off.

All avenues to reach a resolution must be exhausted before the complaint leaves the council when the complainant will be advised they can contact the Local Government Ombudsman if they wish to pursue the matter.

## **Recording and communication**

All officers who receive verbal complaints must make a record of the complaint, sending it immediately to the CIAO in the Strategic Business complaints team and place a copy of the complaint with the service user's case records.

The CIAO will initiate a Complaints Resolution Plan (CRP) updating it after discussion with the complainant, where necessary, and with the relevant team or service manager.

Once the officer responsible for dealing with the complaint is identified the CIAO will send them a copy of the CRP for completion as necessary.

When a complaint is identified as high risk the CIAO will write to the complainant advising how their complaint is to be dealt with, by whom and in what timescale.

On completion of the CRP, and where required in serious cases also the investigation report, must be sent to the Strategic Business complaints team and/or the Adult Services Senior Advisor for sign off.

On completion of a complaint that required a full investigation and subsequent report a letter of response will be signed by the relevant Head of Service and sent to the complainant together with a copy of the full investigation report as appropriate. The complainant will be advised to contact the CIAO if they are dissatisfied with any aspect of the response.

A copy of the final CPR and/or report will be sent to the relevant service area senior manager as they have responsibility for ensuring that all recommendations from complaints are carried out.

The senior manager will complete sections 6 & 7, "Learning & Senior Managers sign off" of the CPR sending it to the Strategic Business complaints team as this will form part of the quarterly complaints report to Adult Services, and the Directorate Management Team.

## **Adult Safeguarding**

If a complaint received by a complaints officer could indicate that an adult is at risk, the complaints officer must bring this to the attention of the relevant Safeguarding Adults & Mental Capacity Act Team (SAHCAT) coordinator or service manager immediately.

If a complaint is made to the Council that leads to a Safeguarding Adults investigation, the Council can decide not to commence the complaints investigation if this would compromise the investigation. The complainant would be informed of this course of action and the reason for this.

## **Complaints and appeals regarding the Safeguarding Adults process**

### **Complaints involving multiple agencies**

Complaints received from any source about the Safeguarding Adults practice and arising from the Safeguarding Adults process should be handled by the relevant complaints procedures of the organisation about which the complaint has been made. If more than one organisation has been named or is implicated in the complaint, the complaints officers from the named organisations must reach joint agreement with the complainant about how the complaint investigation will be taken forward.

If the complaint results from the experience of the adult protection/safeguarding process by the adult at risk, their carer, family member or personal representative and/or from a breakdown of inter-agency working, the relevant Safeguarding Adults Manager and the chair of the multi-agency Safeguarding Adults Professional Board must be notified of the complaint and the findings.

If the complaint is upheld a decision should be made by the chair of the SAPB, in consultation with relevant members, about whether a case review or a serious case review should be conducted to enable lessons to be learnt.

This procedure does not apply to:

- complaints or representations relating to services that are delivered by individual organisations as a result of strategy/case conference decisions – although these may form part of a protection plan review
- complaints about an individual professional.

These complaints will be dealt with by means of the internal complaints procedures of the relevant agency.

If differences or disputes arise from a complaint which involves different local authorities or health authorities, for example, between a host and commissioning authority, reference should be to senior managers within the respective organisations up to directorate level if disagreements cannot be resolved.

## **Appeals**

An appeal against the decisions made as a result of the Safeguarding Adults process, and including decisions about measures to be put in place to protect the adult at risk, may be made by the adult at risk, their carer, friend or personal representative including an advocate.

If an appeal is raised by any partner organisation it should be referred to the relevant Safeguarding Adults Manager and to the chair of the Safeguarding Adults Professional Board who will make a decision in consultation with relevant partner organisations about what action to take.

When considering what action to take as a result of an appeal the following should be considered:

- Whether there has been an obvious deviation from the Safeguarding Adults Planning and investigation process

- Whether there has been a flaw in decision making at the strategy meeting or case conference, that is, decisions made without key information having been presented or where key information has not been taken properly into account
- Whether one organisation had evidence that other organisations were involved in the issues but they were not brought into the decision-making process, for example, the role of the PCT and adult social care or CMHT staff in the support of a private/voluntary provider
- Whether there were issues about when new information was submitted to the Safeguarding Adults investigation following the outcome of a case conference
- Whether a conflict of interest has been identified in the make-up of the investigation team and/or the chair of the Safeguarding Adults strategy meeting and/or case conference.

The Court of Protection offers a potential route for the resolution of complaints or disagreements about the Safeguarding Adults process, for example, where decisions have been made on behalf of people who have capacity or there has been a failure to act in the best interests of an adult who does not have mental capacity.

The Ombudsman recommended that there should be an appeals process included within Safeguarding Adults procedures and they set out the conditions to consider an appeal as follows:

- When there has been an obvious deviation in the Safeguarding Vulnerable Adults planning and investigation process
- When there has been a flaw in the decision making made at a case conference or strategy meeting, that is, when a decision made without key information has been presented or where information has not been taken properly into account
- When one agency has evidence that other agencies were involved in the issues but have not been brought into the decision-making process, for example, the role of PCT and social services staff in the support of a private/voluntary provider
- When new information is submitted to the Safeguarding Vulnerable Adults investigation process following the outcome of the case conference
- When a conflict of interest has been identified in the make-up of the investigation team and or the chair of the Safeguarding Vulnerable Adults meeting

# Complaints & Representations Procedure for Children & Young People's Social Care

Legislation requires the appointment of a Complaints Manager (CM) who has overall management responsibility for the complaints process for children and young people. The CM will need to liaise closely both with service managers and with the teams in Strategic Business and Customer Contact who have corporate responsibilities for complaints.

## What is a representation?

Representation is the term used to include both compliments and complaints received by the Council. Although representations are often complaints, positive remarks or ideas that require a response from the Local Authority are included. For example, children and young people should be able to put forward ideas or proposals about the service they receive or the establishment they live in. Representations that are not complaints must be recorded and handled in the first instance locally. The relevant Manager must ensure that the issues raised are responded to setting out what action will be taken.

## What can be complained about?

Anything that concerns/involves the actions, decisions or apparent failings of a local authorities social care provision for children and young people.

Complaints can relate to:

- an unwelcome or disputed decision;
- concern about the quality or appropriateness of a service;
- delay in decision making or provision of services;
- delivery or non-delivery of services including complaints procedures;
- quantity, frequency, change or cost of a service;
- attitude or behaviour of staff;
- application of eligibility and assessment criteria;
- the impact on an individual of an application of a local authority policy;
- assessment, care management and review;
- the quality/accuracy of social work reports used in court;
- the decision by the local authority to initiate care and supervision orders;
- the effect of the care order and the local authority's actions and decisions where a care order is made;
- control of parental contact with children in care;
- how supervisors perform their duties where a supervision order is in force;
- matters relating to applications for emergency protection orders and decisions relating to the return of children who have been removed;
- provision of adoption support services;
- assessments and related decisions for adoption support services;
- placing children for adoption, including parental responsibility and contact issues;
- removal of children who are or may be placed by adoption agencies;
- removal of children in non-agency cases;
- duties on receipt of a notice of intention to adopt;

- duties set out in regulations in respect of: a local authority considering adoption for a child; a proposed placement of a child with prospective adopters; placement and reviews, records and contact;
- Special Guardianship Support Services.
- When the local authority fails to respond satisfactorily to a representation that is not a complaint.

Complaints concerning services provided on behalf of social services either by third party providers or under “joined up” arrangements should also be considered under this procedure.

With complaints about regulated services under the Care Standards Act 2000 (i.e. Fostering and Adoption) the CM and appropriate Strategic Manager will liaise in order to satisfy themselves that the complaint can be considered.

The same complaint cannot be made more than once by the same person if it has already been through all stages of the process. If in doubt officers should contact the CM or Complaints and Information Access Officer (CIAO).

## Who May Complain?

- any child/young person who is looked after, in need or leaving care;
- foster carers;
- Special Guardians, or a child or young person (or their parent) to whom a Special Guardian Order is in force;
- any person who has applied for an assessment under section 14F(3) or (4);
- any child or young person who may be adopted, their parents and guardians;
- persons wishing to adopt a child;
- any other person whom arrangements for the provision of adoption services extend;
- adopted persons, their parents, natural parents and former guardians.

When a representative acting on behalf of a child or young person makes a complaint, it should normally be confirmed that the child or young person is happy for this to happen and that the complaint submitted reflects his views.

The CM has the discretion, following discussion with the relevant operational manager, to decide whether or not the person is suitable to act as a representative for this child/young person.

The Local Authority will also receive complaints by adults that relate to a child or young person but not made on their behalf. The CM and Strategic Manager will decide whether or not an individual has sufficient interest in the child’s welfare to justify his own complaint.

Where the complaint relates to two or more local authorities the complaint should be dealt with by the authority looking after the child or in any other case where the child is ordinarily resident.

## How does the Process Work?

The Complaints and Information Access Officer (CIAO) is available to complainants if they wish to discuss their complaints with someone outside of the immediate service area concerned. The CIAO can be contacted on **0208 547 4716**. The CIAO is also available to members of staff for advice and assistance in dealing with complaints and offers a conciliation service where appropriate.

All staff must be aware that the local authority has a complaints procedure and inform users of their right to complain should they express any dissatisfaction with the service.

A copy of all responses must be sent to the Complaints and Information Access Officer (CIAO) in SBCT on completion of a complaint.

There are **three stages to the complaints process** which are summarised below-

<b>Stage / Category</b>	<b>Timescale</b>	<b>Responsibility</b>	<b>Response</b>
<b>Stage 1 Local Resolution</b>	10 working days	Local resolution by front-line management of service	Form CS015 to be completed by service and sent to CIAO
<b>Stage 2 Investigation</b>	25 working days	Investigating Officer and Independent Person to be appointed by CIAO who each prepare report on the complaint	Adjudicating Officer (usually head of service) considers reports and makes an adjudication; outcome and reports sent to complainant by CIAO
<b>Stage 3 Review Panel</b>	30 working days for Panel to be held	Panel made up of 3 independent people, appointed by CIAO, who produce a report with recommendations for resolution	Director of L&CS sends response to the report and its recommendations to the complainant

Where necessary the CIAO and/ or the CM can offer advice as to the most appropriate method of dealing with a particular complaint.

Where a complaint involves more than one service area or division, the Complaints and Information Access Officer, in liaison with relevant senior officers, will decide whether it is possible to provide a single, co-ordinated and comprehensive response to the complainant and if appropriate for all issues to be dealt with by using the statutory procedure.

The Local Authority has discretion to decide whether to consider complaints where to do so would prejudice court proceedings, tribunals, disciplinary proceedings or criminal proceedings.

## **Stage 1 Local Resolution**

Once it has been established that the complaints procedure is to be initiated the Complaints & Representations form must be completed with a copy sent to the CIAO immediately where it will be logged on the CRM system.

A suitable person must meet the child or young person to-

- Explain advocacy and how to get it
- Give them a leaflet explaining the process
- Offer for a member of the SBCT to meet with the child/young person

Local Resolution should be attempted within 10 working days although an extension is permitted where the local authority cannot provide a complete response, in which case it can implement a further 10 days' extension; or where the complainant has requested an

advocate, when the local authority may also suspend Stage 1 until an advocate has been appointed, provided that this suspension does not last more than 10 working days.

The total maximum amount of time that Stage 1 should take is 20 working days and the complainant has the right to move on to Stage 2 if the total Stage 1 timescale has elapsed without a response.

Every effort should be made to resolve complaints as close to the point of contact with the service user as possible (i.e. through front line management of the service). Staff at point of service delivery and the child/young person should discuss and attempt to address the complaint as soon as possible. They should discuss the issue and exchange information and try to agree a way forward. The Independent Review Officer can be involved in these discussions.

If the complainant is happy to await the outcome of the Stage 1 because the resolution is delayed the period of 20 working days can be extended with their agreement or at their request.

If the matter is resolved at Stage 1, a letter must be sent to the complainant confirming the agreed resolution and a copy of the resolution letter together with the completed Form CS015 must be sent to the CIAO as soon as possible.

Where the matter is not resolved locally, or the complainant is dissatisfied with the response, the complainant has 20 working days from the date of the response in which to request an investigation at Stage 2 of the procedure. Authority to extend this lies with the CM.

## **Stage 2 - Investigation**

A complaint may enter Stage 2 of the procedure if the complainant is dissatisfied with the Stage 1 response or in some instances a complaint that is sufficiently serious to require investigation may automatically be dealt with under Stage 2. If in doubt contact the CIAO for advice.

The CIAO must be informed immediately so that an Investigating Officer and an Independent Person can be appointed.

The CIAO will ensure that the issues of the complaint are clarified, meet with the Investigating Officer and Independent Person to plan how the investigation is to be carried out and to ensure that all those concerned in the process understand it. The CIAO will send a copy of the complaint to all involved unless doing so would prejudice consideration of the complaint.

The CIAO will also advise the Adjudicating Officer of the complaint and proposed timescale.

The investigation should be completed and the response sent to the complainant within 25 working days from the date on which the request was received. An extension to this timescale is allowed and possible reasons might include-

- Where the complainant involves several agencies or all or some of the matters concerned are the subject of a concurrent investigation (such as a disciplinary process);
- If the complaint is particularly complicated; or
- If a key witness is unavailable for part of the time.

Where it is not possible to complete the investigation in 25 working days the timescale may be extended to a maximum of 65 working days. All extensions should be agreed by the CM. Dialogue must be maintained with the complainant and where possible reach a mutual agreement as to what is a reasonable delay. The CIAO will write to the child/young person giving the reason for the delay and the date by which he should receive a response.

When the reports of the Investigating Officer and Independent Person are complete they should be sent to the CIAO who will review them prior to sending them to the Adjudicating Officer.

When the adjudication has been made a letter, signed by the Adjudicating Officer, should be sent by the CIAO to the complainant enclosing the investigation report, Independent Person's Report (if appropriate) and the adjudication. The letter must contain details of the complainant's right to have the complaint submitted to a Review Panel and that he has 20 days to make this request to the CM.

### **Stage 3 – Review Panel**

The complainant, if still dissatisfied following the conclusion of a Stage 2 investigation can, within 20 working days, request further consideration of their complaint by a Review Panel.

The Stage 3 Review Panel is the final stage of the statutory complaints process and involves a panel of three independent people and must be held within 30 working days of the receipt of a request for a review.

The CIAO in liaison with the CM will consider requests for a Review Panel on a case by case basis and appoint a Chair.

The Review Panel must produce a written report containing a brief summary of the representations and their recommendations for the resolution. The Director of Learning and Children's Services must send a response to the Panel's recommendations to the complainant. The complainant must be advised of their right to refer complaints (if still dissatisfied) to the Local Government Ombudsman.

## Equality Monitoring Form

Please help us to provide better services for everyone by completing this form. This information will be kept confidential. Please tick all of the boxes that apply to you.

### Ethnicity

What is your ethnic group?

**A White**

- British       Irish  
 Any other White Background

Please tell us.....

**B Mixed**

- White & Black Caribbean  
 White & Black African       White & Asian  
 Any other Mixed background

Please tell us.....

**C Asian or Asian British**

- Indian       Pakistani       Bangladeshi  
 Tamil       Korean  
 Any other Asian background

Please tell us .....

**D Black or Black British**

- Caribbean       African  
 Any other Black background

Please tell us.....

**E Chinese or other ethnic group**

- Chinese       Any other background

Please tell us.....

- F**       I prefer not to tell you my ethnic group

**Disability and Health**

Do you have a long-term physical or mental health condition or disability?

- Yes       No
- I prefer not to tell you

What is the nature of your disability, mental health or other health issue?

- Physical/Mobility       Sensory       Mental Health
- Learning Disability    Health Diagnosis
- Other – Please tell us.....
- I prefer not to tell you

**Gender**

- Are you?       Male       Female
- I prefer not to tell you

**What is your Age?**

- Under 16       16 – 25       26 – 35       36 -45
- 46 – 55       56 – 65       66 – 75       76+
- I prefer not to tell you

**What is your Religion or Belief?**

- Christian    Buddhist    Hindu       Sikh    Jewish       Muslim
- Atheist       Agnostic
- Other – Please tell us.....
- I prefer not to tell you

**What is your Sexual Orientation?**

- Heterosexual (Man & Woman)       Lesbian       Gay       Bisexual
- Other – Please tell us.....
- I prefer not to tell you

Thank you for taking your time to complete this form