



# Hints and Tips for Responding to a Complaint at Stage 1

## BCP Council Children's Services

### Format of the response

This letter is written after you have looked into the complaints raised and is your response letter to the complainant. This should be written as a letter and not as a formal report, although the use of numbering or bullet points can sometimes make this letter easier to read.

It is expected that complainants are contacted directly by the manager and an offer to meet the complainant is made. This meeting can either be held after they have received a response letter or before and using the letter as written confirmation of the discussions held. Restorative practice is key in ensuring that complaints are resolved at this stage. **A meeting with the complainant is strongly suggested before the investigation starts where the investigating manager is not familiar with the case.**

**Recent Stage 2 complaint learning has suggested that a post investigation discussion with the complainant, prior to completion of the response letter, may be helpful in some instances. This would provide an opportunity to 'fact check' the information informing your response. Please give this consideration.**

Please make sure that any translation/diversity needs have been addressed.

#### Introduction

- Who you are and where you sit within the organisation, in relation to the issues.
- Where the complaint is in the complaints process i.e. stage 1 (explain in easy to understand terms).

#### What you have done

- What actions you have taken to look into the issues e.g. looked at records, spoken to staff, considered policies/procedures. (Please note when speaking to staff it is helpful to confirm a summary of the information discussed back to them by email to ensure accuracy of your notes.) This section should be written in general terms, it is not necessary to detail the documents or name the staff in this letter.

#### Your conclusions

- Whether or not you feel the issues raised are valid and why. If there are several complaints, it will be easier to number these and respond separately to each following the acknowledgment letter format. If only 1 or 2 issues, make it plain which issue you are referring to.
- Any proposals for change having considered the issues e.g. changes to plans, training, procedures, reminders to staff etc.
- Any redress? I.e. putting the person back to the position they were in prior to the issues that have been complained about. Think flexibly about recompense, time and trouble, distress etc.
- Consider whether an apology is appropriate. This need not be because an issue is valid, it could be for any upset or confusion caused. An apology can go a long way to making the person feel that they have been taken seriously and listened to.
- Thank the person for taking the time and trouble to bring these matters to your attention.

## Ending

This standard paragraph should be included in every stage 1 response letter. It can be adapted to meet the needs of individuals or to make it more personable depending on your relationship with the complainant. But it must include:

- Your contact telephone number
- How the complainant can progress their complaint
- Complaints Team contact details
- Complaints leaflet (or refer to one given earlier)

### The standard paragraph is:

***Thank you for raising your concerns with me, and I hope that you are satisfied that we have looked into them thoroughly. Please do contact me if you wish to discuss anything further. I can be contacted on (give your telephone number).***

***However, if you are not satisfied with my response, please contact the complaints team by telephone on 01202 118484 or by e-mail to [csccomments@bcpcouncil.gov.uk](mailto:csccomments@bcpcouncil.gov.uk) to discuss the next stage in the complaints process.***

***We are also eager to learn from you about your experiences of making a complaint. This will help us improve this service for people who want to complain in the future. If you want to give us your views, please use the contact details above to let us know.***

It is important to think carefully about the language used in these letters. They need to be jargon-free and understandable. The tone needs to be approachable, without being over-friendly and above all with no aggressive / defensive undertones.

This is to be used for general guidance when you are responding to a complaint raised at Stage 1 of the complaint's procedure. Obviously, each will be different depending on its nature and your relationship with the person complaining. All complaints are individual, so please adapt this guide to meet the needs of your complainants and their particular issues. Hopefully this will give a few hints and tips to consider that will make this difficult letter easier to complete.

**Please remember to send your response to the Complaints Team for quality assuring before it is sent to the complainant. You will therefore need to factor this into your timescales for response.**

## Use of Language (or what not to say)

The Plain language website is a really good resource. Below are a few examples but there are many more on the website. You may find the Plain Language Guidelines section particularly helpful.

## SOFTENING

**And this is 'softening', not 'changing' the message!**

**'The reality is that when we start pushing, people push back. The more we argue, the more they are forced into proving they are right'** *Shanbrome Mediation and Dispute Resolution*

Avoid	Replace with
Your complaint is unfounded I do not accept I do not uphold your complaint	I was unable to find any evidence to support...
I don't agree with you You are wrong / I disagree	Whilst I appreciate you might feel.... <i>or</i> I can understand that from your point of view it may seem as... However....
You refused	I am sorry that you were unable to accept the suggestion of....
You slammed the phone down	Unfortunately you ended the call before....
But you need to realise that	I hope you appreciate that....

All sentences that contain 'you' or 'your' need to be considered carefully as they can be seen as confrontational. **But** good practice would be to make the response personalised, so well thought-out use is recommended

## SIMPLER WORDS / PHRASES

**Many alternatives to other words can be found on the plain language website, 'In making your word choices, pick the familiar or frequently used word over the unusual or obscure.'** plainlanguage.gov  
[www.plainlanguage.gov/howto/wordsuggestions/simplewords.cfm](http://www.plainlanguage.gov/howto/wordsuggestions/simplewords.cfm).

Avoid	Replace with
Accordingly	So, therefore
Acknowledge	Thank you for
Amend	Change
Ascertain	Find out
Assist, assistance	Aid, help
Commence, initiate	Start, begin
Concerning	About
Discontinue, terminate	End, stop, cancel
Enable	Allow / help
Ensure	Make sure
Facilitate	Help, make possible
Frequently	Often

Implement	Carry out, start
In excess of	Over
In order that	For, so
In order to maximise our limited budget	To make best use of our money....
In respect of, pertaining to	About
In the event of	If
Persons	People
Refining the process	Look at how we can improve.....
Requested	Asked
Should you not be satisfied with my response	If you are not satisfied with.....
Undertake	Agree, promise, do
Utilise	Use

## Reminder Sheet

### The Complaints Process – Insurance Guidance

Please remember to:

- Notify the Insurance Team about potential claims  
(using the shared account [insurance@bccouncil.gov.uk](mailto:insurance@bccouncil.gov.uk) if the matter is not highly sensitive.)

Circumstances requiring notification:

- Injury or Property damage which is very serious, complex or high profile,
- Remarks that may be said to be libellous or slanderous,
- Financial losses flowing from statutory or other professional services,
- Deprivation of a person’s liberty, or
- Breach of privacy

When supplying copies of pertinent correspondence, please provide a brief on the circumstances as well as possible causes and any known losses. (Please do not enter special correspondence to obtain this information.) There should not be undue delay of several weeks in making the report.

Please avoid:

- discussing whether the Council owes a legal duty in the circumstances,
- acknowledging that a breach of a legal duty has taken place,

- agreeing the scope of injuries or damages, or
- accepting that those injuries or losses were caused by a breach of duty.

Why?

- The Council's insurer reserves the right to control the defence of civil liability claims for which they provide insurance cover.
- Both the complainant and the Insurer will expect that the authority will not do anything to prejudice their rights and position.

✓ Some features of good quality complaint handling:

Clear Remit

Clear Outcomes

Research

Thoroughness

Factual Focus

Balance

Realistic Outcomes

Respect Other's Rights

Professional Style

Controlled Emotions

Unambiguous Phrasing

Consultation

More Detail

For examples and advice, please see the Q&A document:

*Insurance Guidance for the Complaint Handling Process*



# Children's Services Complaints Team

## Complaint Escalation Procedure

### Summary

Author	Teresa Salmon, Children's Services Complaints Manager
Audience	Children's Services Complaints Team and Managers within Children's Services
Description	The purpose of this procedure is to encourage adherence to both the statutory

	and corporate complaint response timescales across the service.
Action	All those responsible for managing, investigating and responding to complaints should be familiar with these procedures

### Version Control

Draft Procedure	21-6-22
Implementation date	01.10.22
Ratified by SLT / QAG / date	01.10.22
Review date	01.10.23
Reviewer date	Teresa Salmon

## 1.0 Purpose and Rationale

- 1.1 The purpose of this procedure is to encourage adherence to both the statutory and corporate complaint response timescales across the service and to assist complaints officers in achieving this.
- 1.2 New complaints are assigned to Managers within Children's Services for investigation and response by the complaints team with a timescale between ten (statutory) and twenty (corporate) working days.
- 1.3 The timescale for the statutory complaint process is governed by the Children Act 1989 and as such it is essential that this is achieved. The statutory complaints process allows for a response timescale of up to twenty working days. However, this should be the exception not the norm, and should only be used in cases where a complete response cannot be provided within the initial ten working days. Therefore, ten working days is the desired timescale and will be quoted as such within these procedures.
- 1.4 Complainants have the right to escalate their complaint to Stage 2 of the statutory complaints process if the Stage 1 timescale is not met. Where the Council does not achieve timescales and the complaint moves to Stage 2, this causes unnecessary inconvenience to the complainant and is both time consuming and carries a financial implication to the Council.

Exceeding timescales can also attract criticism from the local Government and Social Care Ombudsman.

## 2.0 Procedure Detail

2.1 The Complaints Team, along with the Management Information Team, has developed an interactive complaint management spreadsheet.

2.2 The spreadsheet RAG rates open complaints based on the number of days between the complaint being received by the Council and the response due date as below:

<b>RAG rating</b>	<b>Corporate Complaints</b>	<b>Statutory Complaints</b>
Green	0 – 16 days	0 – 6 days
Amber	17 - 19 days	7 – 9 days
Red	20+ days	10+ days

2.3 This enables those managing complaints to have a clear line of sight on the status of open complaints. When complaints are allocated to the service for investigation and response the timescale is advised. A further reminder is sent to the service two working dates before the due date.

<b>Allocation of complaint</b>	<b>Timing</b>	<b>Action for SEND complaints</b>	<b>Action for CSC complaints</b>
Complaint shared with service for investigation and response with timescale	Within 3 working days of receiving complaint to complaints team	Email to Complaints and Improvement Officer (CIO) and Service Manager (SM)	Email to Team Manager (TM), SM
Response reminder to service	Two working days before due date	Email to CIO, SM	Email to TM, SM

2.4 Following this reminder being sent, should a copy of the response for QA not be forthcoming, the Complaints Team will use an escalation process for complaints that are going overdue as below:



<b>Escalation Type</b>	<b>Timing</b>	<b>Action for SEND complaints</b>	<b>Action for CSC complaints</b>
Escalation One	Due date	Email to CIO, SM	Email to TM, SM
Escalation Two	Due date + 3 working days	Email to CIO, SM, SD	Email to TM, SM, SD
Escalation Three	Due date + 5 working days	Email to CIO, SM, SD of both relevant service and QA.	Email to TM, SM, SD of both relevant service and QA.
Escalation Four	Due date + 8 working days	Email to QA SD to raise at next weekly SLT.	Email to QA SD to raise at next weekly SLT.

2.5 An email will be sent to the relevant service responsible for the complaint at the timing and to the audience indicated in the table above (TM = Team Manager, SM = Service Manager, SD = Service Director.) Complaints relating to the SEND service are sent to the Complaints and Improvement Officer (CIO) and Service Manager (SM) in the first instance before being escalated to the SM and SD. The CIO coordinates responses with the relevant TM within the service but remains the primary point of contact for the Complaints Team.

2.6 The email will be titled 'Escalation One – Complaint response for Mr x'. The email content will refer to this policy and will ask the service to send their response through to the complaints team for quality checks as soon as possible.

2.7 Escalation emails will be recorded on the complaint's spreadsheet in the escalation rating column as below, escalation level / date of escalation:

<b>Escalation Rating</b>
Escalation 1 – 21-6-22
Escalation 2 – 24-6-22
Escalation 3 - 28-6-22
Escalation 4 – 1-7-22

2.8 This procedure will remain under review and its effectiveness monitored.