



*Knowsley Council*

# **Have Your Say**

## **Adults Statutory Compliments, Complaints and Feedback**

### **Policy and Procedures**

**Reviewed August 2025**

## **1. Introduction:**

Feedback from residents and service users is important to the Council. You may want to suggest improvements or compliment us on getting it right.

When something goes wrong, we would like to hear your concerns. It is an opportunity to identify problems, learn from our mistakes, and take action to improve our services and the customer experience.

Complaints about Adult Social Care Services are dealt with under the Adult Social Care Complaints Procedure, which complies with the statutory requirement set out in the [Local Authority Social Services and National Health Complaints \(England\) Regulations 2009](#).

## **2. Before making a complaint:**

Sometimes, customers report ‘concerns’ regarding a social care service. This should be done by contacting the appropriate service, and concerns should be resolved informally and quickly without using the formal complaints procedure. Further information can be found [here](#).

If a complaint is received and resolved to the complainant’s satisfaction no later than the third working day, there is no need to engage the complaints process. For example, if a complaint was received from a customer who had not received a telephone call when agreed, immediate corrective action can be taken, the call is made, and the customer is satisfied, then it is not necessary or appropriate for this to be a formal complaint.

## **3. Who can complain:**

A complaint is defined as an expression of dissatisfaction about the actions, decisions or apparent failings of the council’s adult social care provision which requires a response.

A complaint may be made by a representative acting on behalf of a person who has died or is unable to make the complaint themselves because of:

- Physical incapacity, or
- Lack of capacity within the meaning of the Mental Capacity Act 2005, or
- Has requested that a representative act on their behalf

- Appropriate written consent must be provided in these instances

A complaint by a representative will not be considered if the council is satisfied the representative is not acting in the complainant's best interests. If this occurs, the council will inform the representative in writing of the reason for this decision.

#### **4. Help to make a complaint:**

You can ask a family member or a friend to make a complaint on your behalf. We'll need your permission to deal with another person before we accept your complaint.

Please let us know if you need any other support to file a complaint. We can tell you about the advocacy services provided locally to help you to have your say.

Where appropriate, you will be made aware and can request the provision of an independent advocate to support them through the complaints process.

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 advises service users or complainants as far as is reasonably practical have:

- Assistance to enable them to understand the procedure concerning complaints
- Advice on where they may obtain such assistance.

#### **5. What cannot be considered under the complaint's procedure:**

There is a 12-month time limit from the time the issue being complained about occurred to the time a complaint may be made. After this time, a complaint will not normally be considered. The 12-month time limit does not apply where the council is satisfied the complainant has good reasons for not making the complaint within the time limit and where it is still possible to investigate the complaint effectively and fairly.

Sometimes, a complaint is not dealt with under this policy. This includes when there is a separate appeal or review procedure. This may be an internal council procedure or external legal process through the courts. If this is the case, we will explain this when you first contact us and tell you what to do next.

### **Social Care Provider or Voluntary Agency complaints**

Where the Council has commissioned a service, the provider will have a complaints procedure of their own; however, the council will take the lead in ensuring the complaint is responded to.

If a complaint is sent to the Customer Liaison Team, we will inform the customer that we will contact the provider regarding the complaint. If they object, they need to contact us. The complaint will be sent to the provider, and they will be asked to investigate and respond. This will ensure that all provider complaints or concerns brought to the attention of KMBC will be investigated and responded to.

### **Service Users with Personal Budgets**

If the complaint relates to the employment of a carer whom a customer pays using their personal budget, the statutory complaints procedure cannot be used for this.

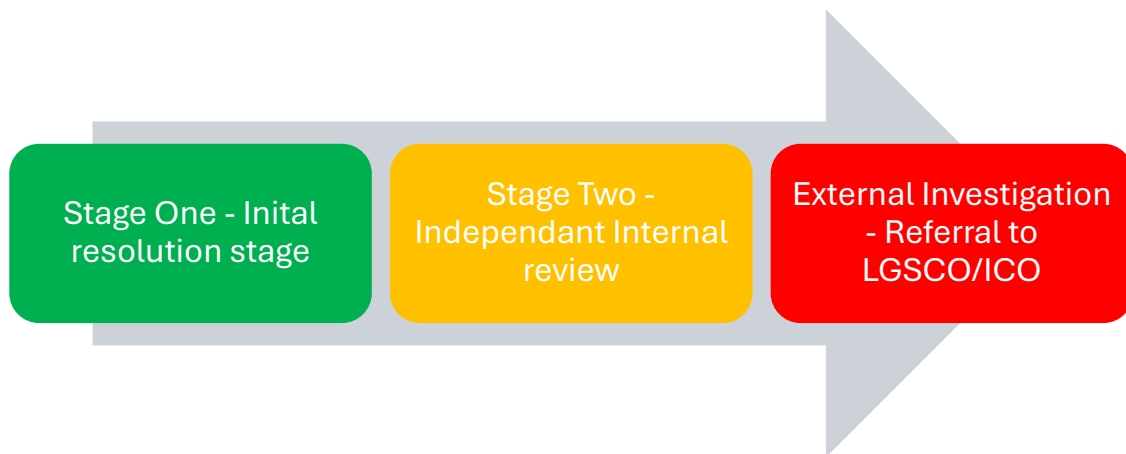
If the complaint relates to a provider that customers use and pay for using their personal budget, it needs to go directly to the provider involved. However, as the council is responsible for the quality of care in the borough, the complainant will be supported in making the complaint.

However, if a complaint relates to the service's assessment of a customer's needs and care management process or the way in which payments are managed by the finance team (in respect of either a customer's or carer's personal budget), this can be investigated and responded to using the complaints procedure.

## **6. Stages of the complaint's procedure:**

The Council Complaints Procedure consists of a two-stage internal process as illustrated below. Should you remain dissatisfied with the Council's final response to your complaint you also have the opportunity to pursue matters independently of the Council through the Local Government and Social Care Ombudsman. In the majority of cases the Ombudsman will not investigate a complaint until the

Council's own procedure has been exhausted.



### **Stage one**

This is the first stage, and we will acknowledge receipt of your complaint within 3 working days. Our acknowledgement can be made verbally or in writing and will include confirmation that your complaint has been received and the date or timeframe by which you can expect to receive a response.

The complaint will be passed to the service area, who will arrange for the investigation and a response within 15 working days from the date of the complaint.

If the complaint is going to take longer than 15 working days, you will be notified by the Customer Liaison Team and provided with the new expected response time

A response will be provided to you by email or letter depending on your preference. On some occasions a complaint may be resolved by telephone however, you will receive a follow-up email or letter confirming the details of the conversation. Every effort will be made to resolve your complaint at stage one.

### **Stage Two**

If you remain dissatisfied following our initial investigation, you can ask for your complaint to be looked at again by a senior officer.

We ask that that this is done within a reasonable timescale. We would expect a complaint to be progressed within 20 working days of a stage one response, however, this this can be extended in exceptional circumstances.

When requesting a review of your complaint, it is helpful for you to be clear in your reasons for progressing your complaint and what your desired outcome is.

We will appoint a senior officer to review your complaint independent of the service area you have complained about. The complaint will be acknowledged within 3 working days as at the initial stage.

In the review, we will look at how we dealt with your original complaint, and we will also respond to any further related issues that you have raised with us (although not new complaints). Our policy is to respond in full to you within 20 working days of receipt of your complaint, wherever possible.

If we cannot respond in full within the acknowledged timescale, we will provide you with a holding response providing you with the date you should expect a response.

There may be instances when the council will advise you to refer your concerns directly to the Local Government and Social Care Ombudsman (LGO) following the Stage One response. This will be clearly explained to you and will only occur when the council is satisfied that you have had an opportunity to have your queries considered and all issues raised by you have been addressed.

## **7. Next Steps**

There is no further right of appeal to the council following completion of a review at stage two of this policy. Within our final response, we will inform you of your right to take your complaint further if you remain dissatisfied.

## **8. Local Government and Social Care Ombudsman**

The Local Government and Social Care Ombudsman look at individual complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing public services. They are the final stage for complaints about councils and they are a free service. The LGO will not usually investigate a complaint until the council has had an opportunity to investigate and answer it first.

The Local Government and Social Care Ombudsman

PO Box 4771

Coventry

CV4 0EH

Phone: [0300 061 0614](tel:03000610614)

[www.lgo.org.uk](http://www.lgo.org.uk)

## 9. **Useful Information:**

The CQC is the independent regulator of health and adult social care in England. It ensures that health and social care services provide people with safe, effective, compassionate, high-quality care and encourages service improvement.

Their role is to:

- register care providers
- monitor, inspect and rate services
- take action to protect people who use services
- independent voice, publishing their views on major quality issues in health and social care.

More information can be found on the [Care Quality Commission website](https://www.cqc.org.uk).

## 10. **Submit a compliment, complaint or feedback:**

To provide an accessible service, customers can submit complaints, comments and compliments through a number of channels to the Customer Liaison Team.

Complete the online form at: [www.knowsley.gov.uk/contact-us/compliments-complaints-and-feedback](https://www.knowsley.gov.uk/contact-us/compliments-complaints-and-feedback)

Contact the Customer Liaison Team:

- Writing - Knowsley Council,  
Nutgrove Villa,  
Westmorland Road,  
Huyton,  
L36 6GA.
- Telephone - 0151 443 3231
- Email – [HYSadultscomplaints@knowsley.gov.uk](mailto:HYSadultscomplaints@knowsley.gov.uk)

## 11. **Managing Unreasonable Actions by Complainants**

Some customers act in ways we consider unreasonable when trying to resolve their complaints.

We take all complaints seriously and aim to resolve them fairly. Usually, we can work with complainants to reach a solution that works for both sides. However, if communication becomes difficult, we may need to take appropriate steps.

The Local Government and Social Care Ombudsman defines unreasonable actions as:

***Unreasonable actions are those which, because of the nature or frequency of contact with an organisation, hinder the organisation's delivery of services or consideration of complaints.***

We have a specific policy to address these situations and outline our approach, which can be found on our website: [www.knowsley.gov.uk/contact-us/have-your-say/policy-managing-unreasonable-actions-complainants](http://www.knowsley.gov.uk/contact-us/have-your-say/policy-managing-unreasonable-actions-complainants)