Knowsley Council

Have Your Say

Childrens Statutory Compliments, Complaints and Feedback

Policy and Procedures

Reviewed November 2026

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.

Local authorities are legally required to establish complaints procedures to deal with complaints about their social care functions. This policy produced in accordance with the requirements of the Children Act 1989 Representations Procedure (England) Regulations 2006 and government guidance, 'Getting the Best from Complaints'. The information below provides further detail on the statutory children's social care complaint procedure.

2. **What can be complained about**

The statutory children's social care complaint procedure is primarily to consider complaints by or about children; including complaints about the actions, decisions or apparent failings of a local authorities children's social services provision; and to allow any other appropriate person to act on behalf of the child or young person concerned or make a complaint in their own right.

The procedure covers complaints about council services to children in need or in care; about how the council applies to take a child into care; many complaints about fostering and adoption services and complaints about services to children leaving care. For further details about what is covered, please refer to the government guidance document 'Getting the best from complaints'.

3. **Before making a complaint**

If you are contacting Children, Young People and Families for the first time, please give us the opportunity to sort out the issue. We hope to resolve most complaints this way, as it lets us put things right quickly so that you receive the service you deserve. To find more information and support available, please click here.

4. Who can make a complaint:

The following people are entitled to access the statutory complaints procedure:

- Any child or young person who is being looked after by the local authority or is a child in need
- A parent, or someone who has parental responsibility, of a looked after child or child in need
- Any local authority foster carer (including those caring for children placed through independent fostering agencies)
- An eligible young person, relevant young person, former relevant young person or qualifying young person
- A person aged up to 24 who is or was a former relevant young person or qualified for advice and assistance under the leaving care procedures and whom the local authority may still assist in connection with education and training
- Special guardians
- A child or young person (or parent of his) for whom a Special Guardianship Order is in force
- Any person who has applied for an assessment for special guardianship support
- Any child, young person or adult who may be adopted, their birth family and adoptive parents
- Persons wishing to adopt a child
- Any other person to whom arrangements for the provision of adoption services extend
- Such other person as the local authority consider has sufficient interest in the child or young person's welfare to warrant his representations being considered by them

Where a complaint is received from a representative acting on behalf of a child or young person, the council should normally confirm where possible that the child or young person is happy for this to happen and that the complaint submitted reflects the child's views.

The council has the discretion to decide whether or not the representative is suitable to act in this capacity or has sufficient interest in the child's welfare.

Complaints by adults that relate to a child or young person but are not made on the child's behalf, the council has discretion to decide in cases where eligibility is not automatic whether or not an individual has sufficient interest in the child's welfare to justify his own complaint being considered. In reaching a decision, where possible the

Council may check with the child or young person that they are happy with the person making a complaint.

Complaints of a general nature, which are not concerned with an individual case, or if the complaint is about how the council has treated an adult, will likely fall outside the statutory definition; this however does not mean that the council is not able to consider the complaint. The council will review the complaint and ensure that it is dealt with in accordance with the appropriate procedure and the individual will be advised of this.

Complaints received anonymously will be considered by the service concerned and where required, the appropriate investigations and actions will be carried out.

Help to make a complaint

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

The regulations provide that representations will not be considered in relation to certain matters. These include but not exhaustive:

- Where court proceedings or disciplinary proceedings have commenced in relation to the substance of the complaint,
- Where a complainant intends to take legal proceedings with regard to the substance of the complaint.
- Where the Authority considers that the person making the complaint has insufficient interest in the child's welfare,
- where a complaint has been made later than 12 months from the time of the incident unless extenuating circumstances apply.

If your complaint falls outside the statutory complaint procedure, such as Special Educational Needs and Disabilities (SEND), Educational Health and Care Plans (EHCP), Early Help, or School Transport complaints, it will be processed under the Council's Complaints Procedure.

You will be informed of the procedure under which your complaint has been logged as part of your acknowledgement.

6. Stages of the complaint's procedure:

Stage 1 – Problem-solving and attempt to resolve issues

We will give your complaint to a manager to look into. Most problems can be dealt with quickly and informally at this stage, which is better for everyone. Statutory guidelines say we have to deal with your complaint within 10 working days.

If the case is more complex an extra 10 working days is allowed, to permit a more complete response.

If you are not happy with the outcome of your complaint, you can ask to go to the next stage.

Stage 2 – Formal enquiries and independent investigation

The complainant has 20 working days to request a Stage 2 Investigation from the date of the Stage 1 response.

The details of the complaint and the desired outcome should be agreed with the complainant.

The Complaints Manager will appoint an appropriate independent investigator. The investigator will then produce a report and the Adjudication Officer (Assistant Executive Director) should respond to this report within 25 working days from the date on which the written complaint was received.

An extension may be agreed with the complainant but the process should be completed within a maximum of 65 working days.

Stage 3 – Independent review panel

The complainant has 20 working days to request a Review Panel from the date of the Stage 2 response and the Panel must be convened within 30 working days of the request.

The Panel consists of 3 people independent of the local authority who will meet to consider whether the complaint was adequately dealt with at Stage 2.

The Panel must produce a written report including recommendations to the council within 5 working days of the Panel. The council has a further 15 working days in which to respond to the complainant on the Panel's recommendations

7. Next Steps

There is no further right of appeal to the council following completion of a review at stage three 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

www.lgo.org.uk

9. Submit a compliment, complaint or provide 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:
https://knowsleytransaction.mendixcloud.com/link/haveyoursay
Contact the Customer Liaison Team:

- Writing - Knowsley Council,
  Nutgrove Villa,
  Westmorland Road,
  Huyton,
  L36 6GA.
- Telephone - 0151 443 3231

10. 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