

## **Action from the Children, Young People and Learning Overview and Scrutiny Panel 12 January 2015**

In answer to the query from the last meeting of the Children, Young People and Learning Overview and Scrutiny Panel, the main reason for a complaint to be declined under the statutory complaints procedure is that the person making the complaint is not a qualifying individual - this means that they do not have parental responsibility or guardianship of the child in question.

In this current year we declined 6 Complaints:

Q1 = 1

Q2 = 4

Q3 = 1

Another reason we can decline is if the event they wish to complain about is more than 12 months ago.

There are many more reasons given in the guidance for when we can decline a complaint and the following shows examples of what is listed in the procedure: (this is not an exhaustive list).

- Disciplinary proceedings.
- Criminal proceedings.
- Grievance proceedings.
- Complaints from staff about personal issues.
- Foster Carers on their own behalf (this is dealt with under the Corporate Procedure). However, they are able to support the 'looked after child' in making a complaint regarding services provided.
- Where an appeals process already exists.
- Complaints relating to independent providers (all independent service providers are required to have their own complaints procedure in place)
- Children's Social Care is in the midst of Court proceedings with the case in question.
- Where a Tribunal has made, is making, or is about to make a determination on the specifics of the complaint (in these instances it is usual to consult with the Legal Team for confirmation /clarification).
- Where the same complaint has previously been dealt with through all stages of the complaints procedure.