



Dorset & BCP Safeguarding Adults Board

COMPLAINTS POLICY

Version 1.0 - Ratified by DBCPSAB	March 2022
Date of next review	January 2024

1. Introduction

We recognise that there may be an occasion when people are unhappy with the way they feel they have been treated or responded to and where any actions taken by the Safeguarding Adults Board (SAB) are or appear to be unsatisfactory. We hope this Complaints Policy sets out clearly how we will respond to any concern or complaint and we hope it is clear in explaining whether a complaint is a matter for the Safeguarding Adults Board or a matter for one of our partner agencies.

If you have any concerns or queries about a complaint it is important that you tell us about it so we can explain every step we will take to investigate the matter. Our aim is to always keep you informed about every stage in the Complaints process.

This Complaints Policy refers only to complaints which are specifically about the Dorset and BCP Safeguarding Adults Boards or process which is connected with the Boards, e.g., the process for agreeing Safeguarding Adult Reviews (SAR) or for publications or campaigns led by Boards.

2. The Process

When a complaint is received by us, the Business Manager will initially determine whether the complaint meets the criteria for us to investigate or whether there is another statutory complaint process to be used (for example, Social Care, NHS or Police complaints procedure etc.),

The Boards' complaints process will only be followed when other statutory complaints procedures are not applicable or after attempts have been made to seek resolution through initial discussion with the agency/ies and where this cannot be resolved.

The Boards' Complaints Policy is based on the following principles:

- **Viability** – The system for dealing with complaints has to be one that can be adequately resourced in order to provide a robust and timely response. It is essential that only complaints which are legitimately about the Boards (as defined in Point 1 above) are dealt with through this process.
- **Efficiency** – The system has to avoid duplicating or overlap with other existing measures. This would include both escalation processes and other complaints systems/processes. Therefore, if the complaint has been appropriately referred elsewhere and that process has concluded, the referral of the complaint would not be accepted. The Board will not consider a complaint for a second hearing or opinion
- **Informed** – The response needs to be delivered by those with the appropriate expertise to provide a balanced and knowledgeable viewpoint.
- **Problem solving** – A positive, solution focussed approach will minimise the number of formal complaints received.

3. The Procedure

In light of this, the Dorset & BCP Safeguarding Adults Boards' procedure in respect of complaints is as follows:

- Complaints from, or on behalf of an agency or individual will be dealt with in line with the guidance for dealing with disputes and conflicts of opinion as outlined in **Appendix 21** of the Multi Agency Procedures for the Protection of Adults with care and support needs in Bournemouth, Christchurch, Poole and Dorset [Safeguarding Adults Procedures \(myzen.co.uk\)](http://myzen.co.uk)
- Complaints from individuals regarding the conduct or performance of an employee/ volunteer of a Board partner agency will be referred to the agency responsible for that person's employment.
- Complaints from an individual about a board process, e.g., a Safeguarding Adult Review, will initially be acknowledged in writing by the Board, within 3 working days of receipt. This response will also set out a time frame for a more detailed response, which will take account of the time required to investigate the complaint.
- If you require an advocate to provide support, please contact us and we will provide you with details of how to access advocacy support
- A complaint should be current and refer to an issue which has occurred within the last 12 months
- It is important to note that if the complaint is being made on behalf of someone else, then the appropriate consents should be given
- If you are unsatisfied with the initial response, you should write to the SAB Independent Chair, who will consult with an appropriate senior statutory Board Member e.g., Director of Adult Social Services or NHS Director of Nursing or Police Chief Constable, before responding. The Independent Chair will provide a further written response within 14 days or will write setting out a different timescale if it is anticipated that the matter would take longer to investigate.
- Where you wish to appeal a decision made by SAB, for example a decision not to initiate a SAR, this will, in the first instance, be referred to the SAR subgroup to enable the subgroup to make a determination.
- Further information about the Safeguarding Adult Review (SAR) process can be found here [Safeguarding Adults Reviews - Dorset Council](#)
- If you disagree with the findings or recommendations of a SAR, you must write to the Independent Chair, setting out why you disagree. The Chair will request that a meeting of the SAR subgroup is convened within 2 weeks to consider your appeal. At the meeting the Chair of the SAR subgroup will agree a response which should be sent to the Independent Chair for her ratification and onward discussion with you. Should agreement not be reached at this stage, then you may refer your complaint to the Local Government Ombudsman
- The Board's Business Manager will decide who would be the most appropriate person to respond initially to a complaint. If the complaint is directly or substantially about the Business Manager, the Independent Chair will consult with the Director of Adult Social Services to identify another suitable colleague who can provide a more detailed written response.
- Complaints from an individual about the Independent Chair will be considered by the Executive Group of the SAB which will delegate the matter to an individual Executive Member to lead the complaint response.

- All written complaint responses will include details of how to contact the Local Government Ombudsman.
- The Board Business team will ensure that a record is kept of complaints received, responded to and those referred to partner agencies. Complaints and copies of responses will be securely retained in accordance with the principles of Data Protection Act 2018. The Complaints Record will be shared with the DBCP SAB Executive for the purposes of learning, analysing any themes, and for training.

4. Vexatious Complaints

In a minority of cases people may pursue a complaint in a way that is seen as unreasonable and may be unreasonably persistent in their contact. This can impede investigating a complaint which can result in significant resource issues and difficulty in achieving any resolution. These actions can occur either whilst the complaint is being investigated or once the complaint has been completed.

Some of the actions and behaviours caused by unreasonable and persistent behaviour are included in Appendix 1:

Where the Business Managers believe the complainant is behaving unreasonably, they will discuss this with the SAB Independent Chair and consider whether a vexatious complaint process needs to be followed.

5. Failure to resolve the complaint

Where there is little prospect of achieving a satisfactory outcome, the complainant may wish to consider contacting the Local Government Ombudsman [How to Complain - Local Government and Social Care Ombudsman](#)

Appendix 1 – Examples of vexatious complaint

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing insignificant or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.
- Abusive and bullying behaviour towards the Independent Chair and/or the business team.