

Ealing Council

Children's Social Care

Statutory Complaints

Policy and Procedure

December 2025

Children

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1. Introduction

1.1 Ealing Council values the views of our service users and is committed to dealing effectively with any concerns or complaints about our services. If we have got something wrong, we'll apologise and try to put things right. We learn from complaints to help improve our services.

1.2 Wherever possible, it's best to deal with things sooner rather than later. If you have a concern, it may be quicker to raise it with the person you are dealing with first. If possible, they will try to resolve it there and then. When this is not possible, we will investigate your complaint in line with this policy.

1.3 Complaints about children's social care services are covered by a three-stage statutory complaints process. This is set out in [The Children Act 1989 Representations Procedure \(England\) Regulations 2006](#) and supported by statutory guidance in [Getting the best from complaints](#). Parts of the [Ombudsman's factsheet](#) on social care complaints are also replicated in this policy.

1.4 This policy takes into account the council's commitment and duties under the [Public Sector Equality Duty](#) and [Data Protection legislation](#).

2. Scope

2.1 This policy covers complaints concerning:

- children in need
- children looked after
- special guardianship support
- post-adoption support
- early help (if it was delivered under section 17 of the Children Act 1989)

2.2 The following areas tend to be exempt:

- child protection including S47 enquiries and conferences (these must be dealt with under the [London Safeguarding Children Procedures](#))

- assessments of potential foster carers and adopters
- foster carer registration
- section 7 and Section 37 court reports

2.3 Some children’s complaints fall under the council’s corporate complaints policy and procedures. [Ealing Council Corporate Complaints Policy](#)

2.4 We will tell you which complaints procedure your complaint will be considered under.

3. What may be complained about?

3.1 A complaint may arise because of many things relating to statutory children’s services functions such as:

- an unwelcome or disputed decision;
- concern about the quality or appropriateness of a service;
- delay in a decision making or provision of services;
- delivery or non-delivery of services including complaints procedures;
- quantity, frequency, change or cost of a service;
- attitude or behaviour of staff
- application of eligibility and assessment criteria
- the impact on a child or young person of the application of a local authority policy;
- assessment, care manager and review.

This is not an exhaustive list, and the Complaints Manager may seek legal advice as necessary.

In addition, the Regulations provide that the following new functions may be the subject of a complaint:

Part 4 of the Children Act 1989:

- the decision by the local authority to initiate care and supervision orders (Section 31);

- the effect of the care order and the local authority's actions and decisions where a care order is made (section 33)
- control of parental contact with children in care (section 34)
- how supervisors perform their duties where a supervision order is in force (section 35);

Part 5 of the Children Act 1989:

- matters that do not relate to the court and which are specifically actions of the local authority can be considered, regarding application for and duties in relation to child assessment orders (section 43); and
- matters relating to applications for emergency protection orders and decisions relating to the return of children who have been removed (section 44).

3.2 Where social work information or a social work report has gone to court, the child or young person can make a complaint about the report, for example its quality or accuracy, distinct and separate to the subsequent actions of the court. If this complaint is upheld, we will advise the child or young person what action we propose to take with regard to the court action.

3.3 With complaints about regulated services under the [Care Standards Act 2000](#) and where services are delivered on the local authority's behalf or through an internal service that is regulated, the local authority will need to satisfy itself that the complaint can be considered under this procedure.

In relation to adoption services, a complaint may be about the following:

- provision of adoption services;
- assessments and related decisions for adoption support services;
- placing children for adoption, including parental responsibility and contact issues;
- removal of children who are or may be placed by adoption agencies and in non-agency cases
- duties on receipt of a notice of intention to adopt
- duties set out in the regulations in respect of:

- a local authority considering adoption for a child
 - a proposed placement of a child with prospective adopters
 - placement and reviews
 - records
 - contact
- parental responsibility prior to adoption abroad

Under the special guardianship regulations 2005 the following functions may be the subject of a complaint:

- financial support for special guardians
- support groups for children and young people to enable them to discuss matters relating to special guardianship
- assistance in relation to contact
- therapeutic services for children and young people; and
- assistance to ensure the continuation of the relationship between the children or young person and their special guardian or prospective special guardian

4. Who can complain?

4.1 Our complaints process is designed to give a voice to children and young people. Complaints can also be made by or on behalf of a young person's family, where they hold parental responsibility (PR). People who can show a sufficient interest in the young person's well-being may also be able to complain. For example, and not excluding this may be:

- any child or young person (or a parent of his or someone who has parental responsibility for him) who is being looked after by the local authority or is not looked after by them but is in need.
- any local authority foster carer (including those caring for children placed through independent fostering agencies);
- children leaving care;

- special guardians
- a child or young person (or parent of his/her) to whom a special guardianship order is in force;
- any persons wishing to adopt a child;
- adopted persons, their parents, birth parents and former guardians; and
- 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.

4.2 Whilst anyone mentioned above may complain, we are governed by the [Data Protection Act 2018](#). This affects the information we can share with a complainant. So, we may be able to accept your complaint, but we may not be able to provide a detailed response without consent from those with parental responsibility (PR). Where a complaint is made on behalf of a child, the Customer Care Team will confirm, where appropriate, giving consideration to their age and understanding, that they are happy for this to happen and that the complaint submitted reflects their views. Where we cannot respond to a complaint, we will always ensure that we provide the information shared with us to the relevant teams for action as appropriate.

5. How to complain

5.1 Online via our portal: [What is a complaint? | Complaints | Ealing Council](#).

E-mail: complaints_childrens_services@ealing.gov.uk

Write to us at:

Customer Care Team

Perceval House

14-16 Uxbridge Road, Ealing, W5 2HL

5.2 In line with the statutory guidance [Getting the Best from Complaints](#), we define a complaint as “an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response”. This means that we may treat correspondence not received directly by the Customer Care Team as a complaint and provide a written response.

5.3 The Customer Care Team is the team responsible for managing complaints about children's social care services. If someone else, for example an elected member of the council such as the Cabinet Member or a member of the Council's senior leadership team such as the Strategic Director, receives the complaint, this will be passed to the Customer Care Team to handle. Where this happens, we share copies of any response to you with the member or officer you originally contacted.

5.4 At any stage during the process, if you are not happy with the way the service is dealing with your complaint you can contact the Statutory Complaints Manager.

6. Advocacy and Support

6.1 Children and young people under 18 years old are entitled to get independent and confidential support from a free independent advocate who can help you to make your complaint. We will usually offer this service at the point that we confirm we are dealing with your complaint. In Ealing we have commissioned [Coram Voice Advocacy Service](#) to support young people.

6.2 If you are 18 and over and need extra help to make your complaint, we will try to put you in touch with someone who can help. The Citizens Advice Bureau offer an impartial service and can advise you if you need any help with making a complaint. To find out more, please contact your local branch. Details are on the [Citizens Advice website](#).

6.3 For statutory guidance on advocacy provision please refer to [Get It Sorted: Providing Effective Advocacy Services for Children and Young People making a Complaint under the Children Act, 1989](#)

7. Timescales

7.1 We aim to acknowledge receipt of all complaints within two working days. We may request further information from you to help us understand your complaint.

7.2 Complaints about children's social care services are covered by a three- stage statutory complaints process (see below). The three stages are:

Stage 1 - Local Resolution 10 working days

Stage 2 - Investigation 25 – 65 working days

Stage 3 - Review Panel convened within 30 days

7.3 The council cannot normally accept complaints made more than 12 months after the date the matter occurred or the date the complainant was notified of the matter. However, the Customer Care Team/Statutory Complaints Manager will look at any complaints received after the 12-month time limit on an individual basis and determine whether the council can investigate the matter by offering a written response.

Stage 1: Local Resolution

7.4 A Stage 1 complaint will offer a response to your complaint from the department concerned. In most circumstances complaints should be considered at Stage 1 in the first instance.

7.5 We aim to respond to a Stage 1 complaint within 10 working days. An additional 10 working days may be required for more complex complaints or if an advocate is required. After this deadline of 20 days and where resolution cannot be achieved, or you are not satisfied, you have the right to request consideration of the complaint at Stage 2 within 28 days of receiving the Stage 1 complaint response.

Stage 2: Investigation

7.6 Consideration of complaints at Stage 2 is normally achieved through an investigation conducted by an investigating officer and an independent person.

7.7 Stage 2 commences either when you request it or where you and the local authority have agreed that Stage 1 is not appropriate. An Investigating Officer and an Independent Person is allocated to review your complaint providing a report to the Adjudicating Officer who makes a final decision and responds to the findings.

7.8 We aim to respond in writing to a Stage 2 complaint within 25 days or within 65 days if the complaint is more complex. Where we are unable to respond within this time, we will write to you with an explanation for the delay and the date by which you should receive a response.

Stage 3: Review Panel

7.9 Where Stage 2 of the complaint's procedure has been concluded and you remain dissatisfied; you can request further consideration of the complaint by a Review Panel made up of three independent people. You have 20 working days to make this request to the local authority/Complaints Manager.

7.10 The purpose of the Review Panel is to consider the complaint and wherever possible, work towards a resolution. The Review Panel will not reinvestigate the complaint, nor will it be able to consider any substantively new complaints that have not been first considered at Stage 2.

7.11 The Review Panel is made up of three panel members along with the Investigating officer, Independent Person, Adjudication Officer and the Customer Care Team. We aim to convene a Review Panel at Stage 3 within 30 working days. You will be notified of the Review Panel meeting date and location in writing at least 10 working days before the Review Panel meets and be invited to attend. You will be provided with all paperwork related to your complaint. You have the right to be accompanied by another person and for this person to speak on your behalf.

7.12 The Review Panel members will then have 5 working days to issue its finding upon which the Strategic Director of Children's Services will respond within 15 working days.

8. Withdrawing a Complaint

8.1 The complaint may be withdrawn verbally or in writing at any time by yourself. We will write to you to confirm the withdrawal of the complaint. In these circumstances, it is good practice for the local authority to decide whether we wish to continue considering the issues that gave rise to your complaint through our internal processes. We will then use this work to consider the need for any subsequent actions in the services we deliver.

9. Complaint Procedure

9.1 Your complaint will be assigned to the Customer Care Team who will assign it to the most appropriate team for a response. In some cases, they may suggest a meeting with the team manager/head of service to discuss your concerns. They may also suggest mediation or another method to try to resolve any disagreements.

9.2 If there appears to be an immediate solution to your complaint, we may ask you if you are happy to accept it. For example, when you ask for a service and we see straight away that you should have had it, we will offer to provide the service rather than investigate your complaint and produce a written response.

9.3 If you don't agree or this is not appropriate, we will start the investigation process. The Customer Care Team or appropriate manager will review the available evidence and case records, speak to the staff involved, and ask for comments from line managers. You will then be sent a response on behalf of children's services. Where the response is sent by the Customer Care Team, this will have been approved by the relevant team manager/head of service.

9.4 If during the investigation, we become aware of circumstances that could lead to a safeguarding risk, we will take advice. We may suspend the complaint until this risk has been reduced. We will inform you of this unless doing so would add to the risk identified.

9.5 Your complaint may involve third parties or children old enough to give or withhold consent for their personal information. Our response to you will only include information that relates to you and your involvement with children's services unless we receive a valid consent form.

9.6 The council may decide not to consider your complaint if it is outside the scope of the policy or if it would prejudice a current investigation:

- court proceedings;
- tribunals;
- disciplinary proceedings; or
- criminal proceedings.

9.7 Where we decide not to consider your complaint, we will write to you explaining why. Once the current investigation is complete you may resubmit your complaint as long as it is within one year of the conclusion of the investigation.

10. Resolution and Improvement

10.1 Once we complete the investigation, we will send a written response to you. It will state whether your complaint has been upheld, not upheld, partially upheld or we have been unable to make a finding. It will also provide details on what we plan to do to put things right where complaints have been upheld.

10.2 The focus of the complaints process is to provide a resolution, and we will do our best to achieve this for you. Where a particular outcome cannot be achieved through the complaints process, we will still do what we can to help.

10.3 For example, if you disagree with a professional opinion in a report. We cannot change the report, but we can ensure your disagreement is put on the record to be read alongside the report in the future.

10.4 We will explain how and why we came to our conclusions. If we find that we got it wrong, we will apologise and tell you how and why it happened. If we cannot meet the outcomes, you asked for, we will explain why.

10.5 We take your concerns and complaints seriously and try to learn from any mistakes we have made. They are shared on a regular basis with the children's services leadership team to ensure continual improvement within the department. At least once a year the council's Overview and Scrutiny Committee consider a summary of complaints received which includes lessons learned and improvements put into practice.

11. Conclusion of the Complaints Process

11.1 The Customer Care Team is committed to providing a good service that is fair to all who access it.

11.2 We recognise that some service users may find it hard to accept that we cannot help them. We will always explain our decisions and give clear reasons why we cannot help. In most cases, we will offer signposting advice to services or authorities who we believe are best placed to.

11.3 When we send a final response, we will make you aware of next steps or escalation. If you do not follow the escalation advice, we will re-iterate your options and explain that we will not

respond further. At this point, we will read and review any further correspondence for urgent or safeguarding matters but will not respond.

11.4 We are committed to dealing with all customers fairly, ensuring we provide high-quality services and a clear and timely response. In a minority of cases, some customers' behaviour is unacceptable or unreasonable, and this can impact on resources, affect the wellbeing of our staff or can hinder our service provision to others. On rare occasions, we may need to take proportionate action to limit our contact with these customers. The council has a separate policy for dealing with unreasonably persistent complainant and unreasonable customer behaviour. [Policy on dealing with unreasonably persistent complainants and unreasonable complainant behaviour](#)

12. Local Government and Social Care Ombudsman

12.1 Once we have dealt with your complaint, if you are not happy with the outcome you can refer your complaint to the Local Government and Social Care Ombudsman (LGSCO) and ask for it to be reviewed. The LGSCO provides a free independent service.

12.2 The LGSCO will not normally investigate a complaint until the provider has had an opportunity to respond and resolve matters. However, you have the right at any time to contact the Ombudsman at any stage regarding your complaint.

You can contact the Ombudsman at:

Website: www.lgo.org.uk

Address: Local Government Ombudsman
PO Box 4771 Coventry CV4 0EH
Telephone: 0300 061 0614