



Complaints and Compliments Policy

Kent and Medway Safeguarding Adults Board

Complaints and Compliments Procedure



1. The Purpose of the Complaints Procedure

- 1.1 The purpose of this procedure is to ensure a sensitive and professional multi-agency response to the management of complaints arising solely from the functions of the Kent and Medway Safeguarding Adults Board (KMSAB) in accordance with Section 43 of the Care Act 2014.

Partner agencies of KMSAB formulate their own complaints policies to ensure compliance within their organisations by all staff with the appropriate guidelines. If a complaint concerns the actions of a professional who is not employed by the local authority, this should be addressed to the relevant organisation or professional body that regulates the profession. In some circumstances this can be investigated by the Local Government Ombudsman (LGO).

Information will be provided for members of the public which details the timescales and information about the stages of the complaints process, including the involvement of the LGO or the Care Quality Commission. (See appendix 1 for LGO guidance).

- 1.2 Changes in the Care Act mean that the LGO now considers the Safeguarding Adults Board (SAB) to be an administrative function of the local authority for the following reasons:

- Local authorities are responsible for setting up SABs
- Overview & Scrutiny Committee and Health & Wellbeing Boards will monitor the work of SABs
- Local authorities have overall responsibility for coordinating adult safeguarding arrangements within their localities

As SABs can now be investigated by the LGO, it is the responsibility of the host local authority (Kent County Council) to examine complaints relating to their conduct. These can include the following:

- Complainant alleges KMSAB has not followed its own policies and procedures
- Complainant unhappy with the length of time taken by KMSAB to conclude a case
- Complainant says KMSAB failed to take account of all relevant evidence (including failure to involve the vulnerable adult/representative)
- Complaint is about the makeup of a Safeguarding Adults Review (SAR) and potential conflict of interest

- Complainant unhappy with decision of KMSAB or outcome of a serious case review

1.3 Safeguarding Adults Reviews (SARs) will take precedence if the issue being complained about does not constitute a criminal offence. If a complaint is received by an agency regarding an ongoing SAR or equivalent, (depending on the circumstances and in discussion with the Complaints Manager), no complaints investigation will be undertaken whilst there is any chance of compromising the review.

The complainant will be provided with an acknowledgement of receipt within three working days. Through utilising Kent County Council's Adult Social Care and Health directorate to facilitate complaints, default policies on response timescales do not apply and will be based on a case-by-case basis. The complainant will be consulted throughout the process in order to consider whether any residual issues should be progressed via the complaints procedure.

If the complaint relates to a number of areas of concern i.e. Adult safeguarding concerns together with professional or service concerns, then an agreed plan should be developed (in liaison with the complainant) setting out how the issues will be addressed and which procedure will be used to address each element of the complaint.

It is acknowledged that a complaint may concern something other than a SAR (i.e. complaint regarding a KMSAB policy) may occur, which will require investigation through the complaints process.

2. Complaints Procedure

2.1 The complaints procedure for KMSAB operates to standards which focus on (1) early resolution and (2) further challenge. Complaints submitted to the Board will adhere to the following two-step process:

Stage One – Early Resolution:

The complaint will be responded to by the Chair of the relevant working group to attempt to resolve the complaint early. This may be through clarifying the Board's statutory purpose, processes or criteria for SAR to resolve a misunderstanding. Responses will be approved by the independent Chair of the Board, and in all cases the response will then be reviewed by the Customer Care and Operations Manager of Kent County Council.

The Chair of the working group responsible for responding will be required to:

- Acknowledge receipt of the complaint within three days
- Inform the Board Manager of the complaint if not already involved
- Inform the Chair of the Safeguarding Adults Board of the complaint
- Inform complaints officers in other relevant agencies if necessary

- Act as point of contact for the complainant throughout the process
- Ensure that appropriate means of communication with the complainant are provided
- Provide advice about sources of advocacy, where required
- The timescale for resolution will be determined on a case-by-case basis

The professional responding to the complaint will also consider the lessons to be learned from the complaint and discuss with the Quality Assurance Working Group Chair and through the working group to the SAB. This will ensure that learning from complaints about the safeguarding process will be reported on and published by KCC.

Stage Two – Further Challenge:

If the complainant is not satisfied with the Board's response, the complaint will be sent to the Local Government Ombudsman for independent scrutiny. <https://www.lgo.org.uk/> Tel: 0300 061 0614

3. Process should a complaint be received

Should any agency receive a complaint which relates to the functions of KMSAB, they are to send the complaint to the KCC Adult Social Care Customer Care and Complaints team address on the complainant's behalf and acknowledge receipt to the complainant to advise that this has been forwarded to the following:

complaintsteamadults@kent.gov.uk

or

Customer Care and Complaints Team
Invicta House
County Hall
Kent County Council
Maidstone
Kent
ME14 1XX

Any compliments received in relation to KMSAB functions will also be sent to the same address.

4. Appendices

Appendix One: [Local Government Ombudsman guidance for Safeguarding Adults Boards](#)

Appendix Two: [Kent County Council - Comments, complaints and compliments policy](#)