

Putting children and young people first

How to make a comment, compliment, or complaint about our work

**Children and Family Court
Advisory and Support Service**

An information booklet for people who use our services

September 2005

We believe that everyone has a right to be treated with respect, which means that we want to listen to you and your experience and views of our service. In order for this feedback process to be as effective as possible it is necessary for us as an organisation and you as a service user to work together in a mutually respectful way.

1 Introduction – about this booklet

1.1 This booklet is for our service users and gives information about our complaint and service user feedback procedure. It explains:

- what we can register as a comment or as a complaint;
- the procedure we follow once a complaint is made;
- the timescales;
- other steps that can be taken once our complaint procedure has been completed.

1.2 When we talk about service users, this means:

- children and young people involved in the proceedings;
- family members and other people, including foster carers, who have direct contact with us;
- people who are a party (except a local authority or voluntary agency) to the court proceedings;
- people who are involved in receiving our services before or after court proceedings.

1.3 If someone is a party to the court proceedings this means they are either the person:

- applying for the order at the court;
- responding to the application; or,
- appointed as a party by the court.

1.4 The word “staff” means all our:

- employees, including those on our ‘bank scheme’;
- agency staff working for us;
- self-employed contractors; and,
- volunteers.

- 1.5 We are aware that we work with families and individuals going through difficult periods of change and loss. Issues arising from separation, divorce, care proceedings or adoption, particularly when contact with a child is being considered, can produce strong feelings in adults and children.
- 1.6 So, the aims of our complaints procedure are to:
- resolve all complaints quickly, particularly those from children and young people;
 - be clear and open;
 - deal with complaints effectively and fairly; and,
 - keep the person who made the complaint and the person complained about informed about what's happening.
- 1.7 If you make a complaint it will not affect the way in which we work with you.
- 1.8 Any complaint we receive is always referred to the first stage of the process. This means your complaint will be referred to the manager of the person whom the complaint is about. All our regional offices can tell you who the manager is and how to contact him or her.
- 1.9 There may be times when there are serious allegations about child protection or domestic violence, when we may refer the matter to other agencies through our child protection procedures. This, or an allegation of misconduct, may lead to us postponing your complaint while we carry out an investigation or it may lead to us resolving your complaint under other procedures. Sometimes we will refer the matter to court for a directions hearing because of the seriousness of the complaint or the effect it may have on the proceedings. We will always explain our reasons for this to you.
- 1.10 We will not accept a comment or complaint if it is offensive, threatening or malicious.
- 1.11 If you have a comment, compliment or complaint about staff of CAF/CASS Cymru (Wales), please contact the CAF/CASS Cymru (Wales) National Office. The contact details can be found in section 13 of this booklet.

2 We want you to give us feedback about our services

- 2.1 We welcome feedback about all our services and want to hear from all users, whether they are children and young people, parents or relatives. We take account of the comments and compliments we receive to improve our training, staff appraisal and policy development.
- 2.2 It is helpful for us to know when things work well. Compliments may include feedback on individual pieces of work by our staff or on particular services we provide. It is best to tell the employee or contractor directly. It would be helpful if you could also tell their manager so that this can be part of the review of our work with our staff.
- 2.3 You are welcome to comment at any time on the ways we handle a case or the service we provide. Any comments should be sent to the member of staff, or to the manager. We like to hear suggestions of where we can improve practice.
- 2.4 On the conclusion of your case if you do not want to make a complaint but you want to give us feedback, you can have a feedback meeting with the practitioner and or their manager to review how your case was dealt with by CAFCASS. Such a meeting would be with a view to us sharing your and our learning and understanding about what happened in your case, and would not form a part of the complaints process.
- 2.5 If you make a complaint outside the timescales described in section 7 and we decide that we cannot register this as a complaint, we can record this as a comment about our services. This would then be used as part of our ongoing learning and review of the services we provide.

3 What you can complain about

You can make a complaint:

- 3.1 **If you think we have broken our service principles and standards.** All our staff and self-employed contractors have to work to our service principles and standards (for more details see section 14 of this booklet).
- 3.2 **About the behaviour of our staff.** We expect all our staff to be polite and professional and child centred in their work with individuals, families and other agencies.
- 3.3 **About factual errors in our reports.** We try to make sure that we get important facts, such as the names of people, addresses and dates correct in our reports, but sometimes we make mistakes. If, during the proceedings, we discover that we have got something wrong in a report, we will correct it and make sure we tell the court and everyone else involved about the correction. We can also put a note on our file, as we cannot change a court report once the court has considered it and the proceedings have finished.

4 There are some matters which are best dealt with outside our complaints procedures

- 4.1 If you are concerned about the opinion, judgments and conclusions in reports prepared by CAFCASS, the Court is the best place for you to raise this. You should discuss this with your legal representative, if you have one, or refer the matter to the court. Our practitioners can be asked by any party, or the court, to attend court, and can be questioned on their evidence and report.
- 4.2 If you are concerned about a decision made by a court. In these circumstances, it is best to ask your legal representative, if you have one, who will be able to advise you on what you can do. Alternatively the court staff may be able to assist.
- 4.3 As a matter of good practice we will always take notice of any complaint which you may make at any stage. However where complaints are made during court proceedings it is sometimes appropriate for us to inform you that the issue you wish to complain about either needs to be raised in the Court or that we need to wait until the outcome of the Court case. Provided that you have informed us of your issue of complaint within the timescales detailed in section 7 this will not affect the process of your complaint once your case has been completed in the Court.
- 4.4 If you have any query about personal data under the Data Protection Act 1998, you can find our procedure for making a subject access request on our website. This explains what you can do. We can also send you a copy of this on request.

5 Who can you complain about?

- 5.1 If you are a child or young person who has received a service from CAFCASS or if you are another service user, you can complain about any of our staff or practitioners, or about the organisation as a whole.
- 5.2 If your complaint is about a member of staff, we will tell them what the complaint is, and keep them informed right through the process. We will also give them a copy of all the documents related to the complaint.

6 Who can complain?

- 6.1 Any child or young person or other service user who comes into contact with us can make a complaint. If you are making a complaint and are not involved in the court proceedings as a party this will restrict what we can discuss with you. Because of court rules, anything relating to the court proceedings cannot be discussed with people who are not involved in the proceedings.

7 What are the timescales for making a complaint?

- 7.1 We will deal with all complaints fairly and as quickly as possible. For this reason, we have the following timescales for registering complaints from adults. We will welcome comments and learning points about our service at any time.
- 7.2 Our procedures for complaints from Children and Young People are detailed in section 8.
- 7.3 These are the timescales for adults wishing to make a complaint:
- We will register an appropriate complaint up to three months after the event about which the complaint is made.
 - When a complaint alleges there is a pattern of similar events, we will take account of those happening earlier than three months providing there has been an event within the three months preceding the date on which the complaint is lodged.
- 7.4 Complaints must be received within the timescales, although we are willing to consider circumstances such as serious illness as a reason to extend the timescale. We will always try to resolve complaints during the course of proceedings where we can. Other than this, any complaint received after three months will be treated as a comment about our services which we will examine and seek to learn from.

8 If you are a child or young person wanting to complain or give us feedback

We will always respond to a comment compliment or complaint from a child or young person, and deal with any issues as quickly as possible.

- 8.1 We know that it may be hard for you to complain so, if you are under 18, we will always offer you an independent advocate to help sort this out. This person will help you sort out what you want to complain about and, if you wish, either speak for you, or help you say what you want to happen. They are there to help you. If you are now 18 or over, you can still ask for this support if you think you need it.
- 8.2 When we were first in contact with you we gave you a leaflet about our services that explained different ways of letting us know what you thought of our service. If you still have this it may help you to decide how to begin to make your comment or your complaint. If you want to complain, give feedback or there's something that you don't understand, you can:
- Send us the return addressed card,
 - Write to us,
 - email us on feedback@cafccass.gov.uk,
 - phone us on 01823 340 205
- 8.3 If you ask them to, someone, for example a friend, foster-parent or relative, can always let us know if you want to make a complaint so that we can get in touch with you. So you might want to ask someone you know and trust to get in contact with us to let us know that you want to talk to us. Whatever way you do this, someone from CAFCCASS will be in contact with you as quickly as possible. We will always offer you the choice of who you would like to help you, as there may be a relative (usually not someone already involved in the proceedings) or a friend you would like to do this.
- 8.4 You might find information about children's services and agencies helpful. You can get details of agencies that provide this advice and support from our local offices. Here are some contact numbers and addresses:

Children's Rights Officers and Advocates

94 White Lion Street
Islington
London
N1 9PF
Phone: 020 7833 2100
E-mail: info@croa.org.uk

Children's Rights Alliance for England

94 White Lion Street
London
N1 9PF
Phone: 020 7278 8222
E-mail: info@crae.org.uk

National Youth Advocacy Service

99-105 Argyle Street
Birkenhead
Wirral
CH41 6AD
Contact Centre Telephone: 0151 666 9669
Head Office Telephone: 0151 649 8700
Head Office Facsimile: 0151 649 8701
Email: main@nyas.net

Young People can contact by:

Helpline: 0800 61 61 01
Weekdays 8:00 am - 8:00pm,
Saturday 10:00am - 4:00pm
Email: help@nyas.net

The Children's Society

Edward Rudolf House
Margery Street
London
WC1X 0JL
Telephone 0845 300 1128 (local rate)
Email: supporteraction@childrenssociety.org.uk
CHILD LINE
Free Phone: 0800 1111
<http://www.childline.org.uk/>

NSPCC

Weston House
42 Curtain Road
London
EC2A 3NH
Telephone 0808 800 5000
Email: help@nspcc.org.uk

Voice for the Child in Care

Unit 4, Pride Court
80 - 82 White Lion Street
LONDON N1 9PF
Telephone: 020 7833 5792
Fax: 020 7713 1950
Email: info@vcc-uk.org

9 How you can make a complaint – all Service Users

- 9.1 It is helpful if you put your complaint in writing initially. We can provide help with this if needed. We have a complaint form to help you be clear about the complaint and what you would like to see happen. If your complaint goes further than Stage 2 it will need to be in writing. We will always provide additional help to vulnerable adults, or any one with special needs who wishes to make a complaint, if requested to do so, at any stage.
- 9.2 It is important for you to be clear about what happened when making a complaint as the manager will need to agree with you what your complaint is about at the beginning of the procedure. Please try to give dates and examples of the behaviour about which the complaint is made. If you want to add anything later we will usually come back to Stage 1 and decide if it is appropriate to register this as a new complaint.
- 9.3 You can make your complaint to a line manager, contract manager or Regional Complaints Manager. If the complaint is received at another office we will give you the name and address of the right manager to deal with it and send your complaint on to them.
- 9.4 We will acknowledge your complaint within five working days of receiving it. Your complaint will also be entered onto our complaints database.

Stage 1 – Registering your complaint

Registering means we have accepted your complaint and that we will try and resolve it using the problem-solving stage.

- 9.5 If we decide that we are unable to register a complaint, the manager will write to you giving reasons for the decision. They will also suggest other ways in which the matter may be resolved, for example, returning the matter to court or referring it to another agency. We will also tell the person the complaint is about whether or not we are registering it.
- 9.6 If you disagree with our decision not to register a complaint, you can write to us within 10 working days to ask for the decision to be reviewed by a Regional Director. Your letter should explain why you consider the decision to be wrong.

The Regional Director will decide whether the manager's decision was right, and will tell you and the manager their decision.

- 9.7 If your complaint is not registered the Regional Director's decision is the last step of our procedure. If you are not satisfied with that decision, or the complaint procedure is completed for another reason, you may contact the Parliamentary and Health Service Ombudsman (The Ombudsman) through an MP. For an explanation of what the Ombudsman can consider, see paragraph 12.2 or contact your Citizen's Advice Bureau.

Stage 2 – Problem-solving

The problem-solving stage gives time for you to express your views, for us to listen to you and for you to be satisfied that we are considering your complaint. We always want to try and sort things out.

- 9.8 At stage 2 the manager will offer to meet you to understand what you consider to be wrong. They will also meet the person about whom you made the complaint. The manager will look for areas of agreement and any issues that can be corrected, and identify the different views and opinions. Explanation and information can often help sort out the issues.
- 9.9 We will finish stage 2 within 20 working days of receiving the complaint. We can extend the timescale when more time is needed. If we have to extend the timescale, we will tell everyone what the new timescale is.
- 9.10 We will write to you and to the person you complained about, and confirm with you any agreed solution and whether there are any remaining issues. If you are not satisfied that the complaint, or parts of it, have been sorted out at this stage, you can ask the manager for your complaint to move to stage 3. Your request will be forwarded to the Regional Complaints Manager who will decide whether it will proceed to stage 3.
- 9.11 The Regional Complaints Manager will consider:
- whether or not more could be achieved by carrying out an investigation;
 - how serious the complaint is;
 - if an investigation would be in the child or young person's best interests;
 - if evidence about the behaviour of a member of staff suggests that an investigation is needed.
- 9.12 If the Regional Complaints Manager decides not to have an investigation, they will write and give their reason for this. You can ask the Regional Director to review that decision. The Regional Director will look at the information the Regional Complaints Manager used to make their decision to see if they came to a fair and reasonable conclusion about your request for an investigation.

Stage 3 – Investigation

At the investigation stage we appoint an independent investigator, a person who is not an employee of CAF/CASS, to:

- **carry out an investigation;**
- **see the people and documents involved in the complaint;**
- **consider their findings in relation to the complaint; and**
- **make recommendations to the Regional Director.**

- 9.13 When they have completed their investigation, the independent investigator will write a report and send it, with a covering letter, to the Regional Director for the region where your complaint was made. Before they do this they will send you a copy of the part of their report about you and your complaint to check that you agree with what has been written. If you do not agree with what has been written, you can write to the Regional Director. The independent investigator will also send the relevant parts of the report to the other people involved in the complaint. The investigator will then send a copy of the finished report to the Regional Director.
- 9.14 If all or part of the complaint is upheld, the report will make recommendations. The Regional Director will send you a copy of the independent investigators report and a letter explaining what we will do. The Regional Director will also give a copy of the letter to the person about whom you complained.
- 9.15 We will finish stage 3 within 30 working days of the complaint being registered at stage 3. Where this is not possible, we will tell you and the person about whom you complained the reasons for this and the new timescales.
- 9.16 If you are dissatisfied with how the complaint investigation has been carried you can within 20 working days of receiving the letter, ask for the complaint to be moved to stage 4. You should write to National Complaints Manager (see details in section 13) explaining what part of these complaints procedures you think have not been followed properly. We can help you with this if needed. If you do not respond within this timescale, the complaint will not be taken further under our procedures.

Stage 4 – Complaint process review

The review stage looks at the way in which we have responded to your complaint to make sure that it has been dealt with correctly according to these procedures and has taken account of all the complaint issues. Before starting the review The National Complaints Manager may ask you to clarify which part of the process you think has gone wrong, in order to ensure that we address the points you are most concerned about.

- 9.17 A review is carried out by a review panel. This is made up of a board member with a Regional Director or Children’s Rights Director, to give professional advice and support. The Regional Director or Children’s Rights Director, will be independent of the region or regions in which the complaint was made.
- 9.18 There is no hearing in the review process but the review panel provides written conclusions through our National Office to send to you, to the person about whom you complained and to their line manager.
- 9.19 As this is the final stage, once the Review is completed, we can then take no further action under the complaints procedures. You can contact the Parliamentary and Health Service Ombudsman through an MP if you are still not satisfied with the outcome or the way in which we have handled your complaint. See paragraph 12.1 for more information about doing this.

10 Summary of the timescales for the complaint procedures

All timescales noted below refer to working days.

Complaint Stage	Action	Timescale in working days
Stage 1 – Registration The manager decides whether or not to register a complaint depending on the issues raised.	We acknowledge receipt of your complaint	5 days of receiving the complaint
	We let you know of our decision to register	10 days of receiving the complaint
	You can ask for the Regional Director to review a decision not to register your complaint.	10 days of the decision
Stage 2 – Problem-solving We focus on listening to the complainant, exploring issues, clarifying information, providing explanation and finding a solution.	Problem solving finished	20 days of receiving the complaint
	You can inform the Regional Complaints Manager if you are still not satisfied.	10 days from the end of Stage 2
Stage 3 – Investigation When problem-solving cannot find a solution we consider if an investigation into the complaint could help.	We let you know of our decision whether to investigate	10 days from being asked to investigate
	You can ask for the decision to be reviewed by the Regional Director.	10 days from being informed of the decision.
	Investigation finished	30 days from accepting the complaint at Stage 3
Stage 4 – Review If a complainant is dissatisfied with the process of an investigation or the way the complaints procedure has been followed, they can request a review of the way in which the complaint was handled.	You can ask for a review of the way in which the complaint was handled	20 days from the end of Stage 3
	We may ask you to clarify exactly what you want to be reviewed before we start a review.	We will begin the review process within 10 days of receiving your request or within 10 days of receiving your clarification of any issues.
	Review finished	30 days from beginning the Review process at Stage 4

11 How we monitor comments, compliments and complaints

- 11.1 Comments, compliments and complaints are an important source of information about our performance. We record all complaints and regularly check what happens so that we can learn from where we have got things wrong.
- 11.2 As part of our Annual Report to Parliament, we also publish general information about the numbers of comments and compliments and types of complaints we have received during the year. We include information about whether these were from children or adults, and of the numbers we sorted out at the different stages. No individual comments, compliments or complaints are identified in this report.

12 Other government departments and agencies involved in the work of CAFCASS

Office of the Parliamentary and Health Service Ombudsman (known as the Ombudsman)

- 12.1 If you are still dissatisfied once our complaints procedures have been completed, you can raise this with the Ombudsman through an MP. Local libraries and citizen's advice bureaux can provide the names and contact details for MPs. If you do not have an MP, e.g. if you live abroad, please contact the Ombudsman directly who will advise you on how best to proceed.
- 12.2 The Ombudsman deals with complaints from members of the public who think they have suffered injustice because of maladministration by government departments or some other public organisations such as CAFCASS. The Ombudsman can also investigate many of the administrative actions taken by courts, but cannot investigate the decisions made by a court or the actions of judges. This means that the Ombudsman can examine the way we work but cannot comment on the professional opinions contained in reports or the outcome of court proceedings.
- 12.3 Usually, the Ombudsman will only consider a complaint of poor administration once all internal complaint procedures have been completed and the organisation has had an opportunity to put things right. We will always tell you when a complaint cannot be taken any further through our internal procedures.

HM Inspectorate of Court Administration

- 12.4 From April 2005, HM Inspectorate of Court Administration (HMICA) has a legal responsibility under the Courts Act 2003 to inspect our work.
- 12.5 As part of its inspection programme, HMICA often asks service users for their comments on CAFCASS. This is usually carried out through questionnaires, supported by face-to-face or phone interviews.
- 12.6 Although some CAFCASS service users contact the Inspectorate directly about their complaints about us, HMICA does not investigate individual complaints. Where necessary, inspectors may tell people about our complaints procedure and tell them that they may be able to make a complaint. HMICA will give CAFCASS copies of all correspondence about a service user's complaint-related contact with the Inspectorate.

Her Majesty's Court Service

- 12.7 The Customer Service Unit (CSU) handles complaints and general enquiries about the Court Service. These are the crown and county courts, the Royal Courts of Justice, the Principal Registry of the Family Division, and magistrates' courts throughout England and Wales.
- 12.8 The Customer Service Unit is the final level of the Court Service complaints procedure, and provides a complaints service for court users where they have not been able to sort out issues at court level or at the area director's office. This procedure cannot be used if the person thinks that the court decision is unfair or does not agree with the decision of the judge. There is more information on the Court Service website at www.courtservice.gov.uk.

The Department for Education and Skills (DfES)

- 12.9 The CAFCASS Sponsorship Unit at the Department for Education and Skills, has arrangements with us for replies to Parliamentary Questions and ministerial correspondence about CAFCASS. This means correspondence to a Minister about operational matters is acknowledged and passed to CAFCASS for a reply.
- 12.10 Ministers are not able to comment on individual cases or about our staff. If complaints are made against us, officials will refer people to the complaints procedure.

13. Useful contacts

National Complaints Managers office:

6 Mendip House, High Street, Taunton, TA1 3SX Tel: 01823 340 205

Regional Complaints Managers

You can contact the Regional Complaints Managers through your regional office below.

Eastern Region

St Mary's House
90 Victoria Road
Chelmsford
Essex
CM1 1RD
Phone: 01245 255 660

South East Region

8th Floor
Wyndham House
189 Marsh Wall
London E14 9SH
Phone: 020 7510 7000

East Midlands Region

2nd Floor
New Enterprise House
St Helen's Street
Derby
DE1 3GY
Phone: 01332 866 480

South Region

1st Floor
Grosvenor House
Basing View
Basingstoke
RG21 4HG
Phone: 01256 392 770

Greater London Region

14th Floor
Archway Tower
2 Junction Road
London
N19 5HQ
Phone: 020 7210 4100

West Midlands Region

1 Printing House Street
Birmingham
B4 6DE
Phone: 0121 710 1830

North East Region

38 Saddler Street
Durham
DH1 3NU
Phone: 0191 383 9279

CAFCASS England National Office

8th Floor
Wyndham House
189 Marsh Wall
London
E14 9SH
Phone: 020 7510 7000
E-mail: <mailto:feedback@cafcass.gov.uk>

North West Region

6th Floor
Byrom House
Quay Street
Manchester M3 3JD
Phone: 0161 830 5733

Yorkshire and Humberside Region

1 Park Cross Mews
Park Cross Street
Leeds
LS1 2QS
Phone: 0113 394 7474

South West Region

6 Mendip House
High Street
Taunton
TA1 3SX
Phone: 01823 340 205

CAFCASS Cymru (Wales) National Office

Grosvenor Lodge
1 Grosvenor Road
Wrexham
LL11 1DB
Phone: 01978 368 479

The Parliamentary and Health Service Ombudsman

Millbank Tower
Millbank
London
SW1P 4QP
Phone: 0845 015 4033
E-mail:
OPCA.enquiries@ombudsman.gsi.co.uk

Citizens Advice

Myddelton House
115 – 123 Pentonville Road
London
N1 9LZ
Phone: 020 7833 2181

Law Society Children Panel:

Professional Competence Department
Ipsley Court
Berrington Close
Redditch
Worcestershire
B98 0TD
Phone: 0870 606 6575

Resolution first for family law (formerly Solicitors Family Law Association)

PO Box 302
Orpington
Kent
BR6 8QX
Phone: 01689 850227
E-mail: info@resolution.org.uk

14 CAFCASS Service Principles and Standards

In March 2003 we published our Service Principles and Standards. All CAFCASS staff work to these principles.

These are the principles:

- The interests of children are paramount.
- Respect for individuals, accountability and independence will be reflected in all practice.
- Unnecessary delay will be avoided.
- The views and needs of service users will be taken into account.
- Diversity and equality of opportunity will be valued and promoted through anti-discriminatory practice.
- Clear verbal and written communication will support and encourage openness appropriate to the needs of service users.
- Confidentiality, privacy and security of personal information will be respected and assured as far as possible.
- All practice will be compliant with family law, Court Rules, related case law and other relevant legislation.
- The service will be provided by practitioners who are suitably qualified and skilled.
- Commitment to working in partnership with Family Courts and other stakeholders through agreed protocols where appropriate.
- Commitment to continuous improvement of the service towards providing best value and uniform quality of service.

More information about can be found in the booklet "Service Principles and Standards". This can be obtained from any CAFCASS office or be downloaded from our website.

Making a complaint about CAFCASS

This form is to help us make a decision about whether or not to register your complaint. Please give as much information as possible about what happened. Please contact the Service Manager if you would like help in completing this form.

1. Your details

<i>Your name</i>			
<i>Address</i>		<i>Contact Phone</i>	
		<i>Email address</i>	
<i>Postcode</i>		<i>Your ethnic origin</i>	

2. Your complaint

<i>Who is your complaint about?</i>	
<i>What service is your complaint about?</i>	
<i>Who are you in contact with at CAFCASS?</i>	
<i>What is your relationship to the children?</i>	
<i>Are you a party to the proceedings?</i>	

<i>Tell us what was wrong</i>	<i>(Use another sheet of paper if necessary)</i>
<i>When did this happen?</i>	

What would you like to happen because of your complaint?

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Your signature	
Date	

Have you attached more sheets of paper or a letter? Yes / No

Thank you for completing this form. Please send to the CAFCASS Regional Complaints Manager at:

For CAFCASS use:

Line Manager	
<i>Are you registering this complaint at Stage 1?</i>	Yes / No
Your reasons:	

Manager's signature	
Date	