CHILDREN’S WISHES & FEELINGS STANDARD

POLICY & PROCEDURE

Xxxx Policy/procedure: | Issue date: | Version No: 1.0
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Status: Approved | Review date: | Page 1 of 21
## Policy Control/Monitoring

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<td>Approved by:</td>
<td>(Name/Position in Organisation)</td>
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<td>Accountability:</td>
<td>Chief Executive, Percy Hedley Foundation</td>
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<td>(Name/Position in Organisation)</td>
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<tr>
<td>Author of policy:</td>
<td>Barbara Bolam</td>
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<tr>
<td>(Name/Position in organisation)</td>
<td>Head of Residential Services</td>
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<tr>
<td>Date issued:</td>
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<td>All staff within Children &amp; young People’s Residential Services</td>
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<tr>
<td>Amendments/additions</td>
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<tr>
<td>Replaces/supersedes:</td>
<td>All previous residential policies and procedures</td>
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### Associated Policies: (insert hyperlinks)

- The Quality and Purpose of Care Standard
- Education Standard
- The Enjoyment and Achievement Standard
- The Health and Well-being Standard
- The Positive Relationships Standard
- The Protection of Children standard
- The Leadership and Management Standard
- The Care Planning Standard
- The Children’s Homes (England) Regulations 2015
- Promoting the Health and well-being of Looked After Children
- Working Together to Safeguard Children 2015
- The Children Act 1989 Guidance and Regulations March 2010

### Document status

This document is controlled electronically and shall be deemed an uncontrolled documented if printed. The document can only be classed as ‘Live’ on the date of print. Please refer to the staff login section of the internet for the most up to date version.

### Equality Impact Assessment

This document forms part of Percy Hedley’s commitment to create a positive culture of respect for all staff and service users. The intention is to identify, remove or minimise discriminatory practice in relation to the protected characteristics (race, disability, gender, sexual orientation, age, religious or other belief, marriage and civil partnership, gender reassignment and pregnancy and maternity), as well as to promote positive practice and value the diversity of all individuals and communities. As part of its development this document and its impact on equality has been analysed and no detriment identified.
Roles & Responsibilities

The following roles will have specific areas of responsibility for this policy:

*(add/delete as appropriate)*

<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibility</th>
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<tbody>
<tr>
<td>Chief Executive</td>
<td>Overall responsibility to ensure this policy conforms to current guidelines and best practice. Ensuring resources and infrastructure are available to allow its implementation. To achieve a safe working environment which includes Safe storage of medicines, correct documentation and safe administration.</td>
</tr>
<tr>
<td>Director of Human Resources</td>
<td>Ensure effective implementation of this policy. Ensure a current list of all policies is available to all staff. Review dates of policy reviews and notify accountable person of policy.</td>
</tr>
<tr>
<td>Department</td>
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</tr>
<tr>
<td>Head of Service/Head of</td>
<td>Support line managers to develop training needs analysis and develop training plan for staff identified as requiring training. Procure and evaluate training and development to enable staff to provide safe care with medication. Provide an overview to the exec team on current position of training and development across the organisation.</td>
</tr>
<tr>
<td>department</td>
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<tr>
<td>Training Development Officer</td>
<td>Provide framework for audit of medication policy and compliance. Provide audit report to Board. Monitor effectiveness of this policy with senior management team. Raise awareness of non-compliance with Head of Service.</td>
</tr>
<tr>
<td>Quality Manager</td>
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<tr>
<td>Health and Safety Manager</td>
<td>Monitor incidents and complaints and near misses in relation to this policy. Report to audit committee. Provide risk assessment training to staff to support this policy.</td>
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1. Introduction

In 1989, governments around the world promised all children the same rights by adopting the UN Convention on the Rights of the Child. The Convention stated what countries must do so that all children would grow as healthy as possible, learn, protected, have their views listened to and are treated fairly. The Convention has 54 articles in total. Articles 43-54 are about how adults and governments work together to make sure that all children have the same rights. The UNCRC and UN committee also recommended that ideally countries should ideally have an individual such as a Children’s Commissioner or Ombudsman responsible for Children’s rights.

The post of Children’s Commissioner was initially established by the Children Act 2004 and the remit strengthened through the Children and Families Act 2014. The Children’s Commissioner for England Anne Longfield has a legal duty to promote and protect the rights of all children in England with a particular focus on children and young people with difficulties or challenges in their lives and in particular those living away from home.

This document sets out the policy of Bradbury View in relation to the Communication, Consultation & Participation provided to children / young people accessing residential services.

2. Purpose

The purpose of this policy is to ensure that all children/young people will be empowered to have their say in matters affecting their lives and that they are encouraged to take an active role in the organisation and development of service delivery.

The home operates a Total Communication Approach which means that all methods of communicating are actively encouraged and accepted as being equal. It is recognised that different methods may be used on different occasions. The Speech and Language Therapy team will take the lead on assessing and recommending augmentative systems to support the development of communication in these situations. Signs, symbols and a range of voice output aids are used as needed.
3. Scope

This policy will apply to employees working within Children’s & Young Peoples Residential Services and employed by the Foundation under a contract of employment.

This document will be made available to all employees who are engaged in Residential Services who will then be expected to familiarise themselves with the principles covered within this policy.

4. Principles

The guiding principles of the policy are:-

- To help & support children/young people to take responsibility for their own lives wherever possible or support best interest decisions on their behalf if needed.

- We believe that all children/young people whatever their race, religion or abilities are consulted with around decisions that affect their lives and that their views are taken seriously.

- We believe children/young people must be involved in aspects of decision making in relation to the home and should have the opportunity to express their ideas or concerns using their preferred method of communication informally to staff. As advocates for children/young people, staff should support and encourage the children/young people in their care to express their views, wishes and feelings and to actively participate in any decision making both about themselves, including reviews, and about the home itself. Where a child/young person is unwilling or unable to speak for themselves, staff can act as their representative or take written comments from them to meetings.
5. Definitions / abbreviations

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<tr>
<td>IRO</td>
<td>Independent reviewing officers are a statutory requirement. They make an important contribution to the goal of significantly improving outcomes for looked after children. Their primary focus is to quality assure the care planning process for each child and to ensure that their wishes and feelings are given full consideration.</td>
</tr>
<tr>
<td>ADVOCACY</td>
<td>Advocates assist children/young people with making sure their rights are respected. They help to resolve complaints about health or disability services.</td>
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<tr>
<td>KEYWORKER</td>
<td>A keyworker is a staff member employed by the home to be a key person in a child/young person’s life.</td>
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<tr>
<td>REVIEW PROCESS</td>
<td>Duty and timescales for carrying out reviews. Including the statutory minimum frequency of when they should take place.</td>
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6. Monitoring & Review

Overall responsibility for the operation of the policy and procedure lies with the Registered Manager / Head of Residential Services. The effectiveness of the policy and procedure will be formally reviewed and monitored as a minimum on a 12 month basis to ensure that it continues to meet the requirements of The Foundation, the specific service area and that it reflects best practice and statutory legislation as appropriate.
7. WORKING PROFESSIONALLY- PROCEDURE

All staff are required to work with all children/young people and to treat them equally and fairly. Whilst it is natural that some staff members will work better with some young people, they are required to meet the needs of all young people and should not express favouritism or negative feelings towards a particular child/young person in any way.

Staff should:

- Aim to establish a caring professional home from home environment.
- Respect the individual’s needs for safety, nourishment and to be given opportunities for personal and social development.
- Respect each other’s rights and value each other’s contributions.
- Respect the individual’s right to remain independent as far as possible, which may include the right to make decisions that involve an element of risk.
- Encourage children/young people to investigate choices
- Not restrict a child/young person’s ability to choose an intervention unless it would put themselves or others at considerable risk.
- Be consistent in setting limits and boundaries.
- Seek ways to communicate accurately and effectively.

While staff are significant adults in the child/young person’s life, they must act as an appropriate role model and maintain professionalism at all times, striking a balance between developing close helpful and effective personal interactions whilst maintaining a proper professional distance and becoming over involved with children/young people. Children/young people must know that staff are the adults and the examples to both when they are in and out of the home and where authority should be based on positive interventions and on the creation of a good atmosphere within the home.

Staff should use their skills and experience to strike an appropriate balance between offering support and spending time with children/young people and maintaining professionalism with a purpose of achieving the best outcomes for children/young people, encouraging mutual respect of appropriate boundaries between them. Staff should try to avoid placing themselves in situations where they may be compromised by children/young people or where children/young people may misinterpret their words or interventions, and should offer each other support in all aspects of these requirements.
8. INTERACTING WITH CHILDREN AND YOUNG PEOPLE

Residential services provide homes for children/young people and at the same time places of work for adults. Residential Child Care Officers have a duty of care in common law for the children/young people whom they are working with (under 18 years of age) and must maintain the balance between the home and work environment while exercising the same degree of care that a ‘reasonable’ prudent and careful parent would exercise (Children Act 1989). Although the family may often have parental responsibility, staff take on the role of corporate parents and should aim to develop trust with children/young people, to get to know them and to offer support and encouragement in all aspects of their life, and whilst encouraging independence, offer a place for them to turn to when needed. At times children/young people may act defensively or display challenging behaviour; at these times staff must be consistent in offering support and showing that they are genuinely interested.

8.1 LISTENING

Children/young people may need encouragement, time and support to open up to staff.

Staff should:

- Listen actively and refrain from giving instructions, advice or passing judgemental comments.
- Foster independence by helping children/young people to explore their own solutions.
- Repeat key phrases or paraphrase/summarise to show listening and to check understanding of what has been said.
- Show interest, even if the conversation does not seem too important – this will build up trust.
- Try not to criticise as this will impact negatively on the young person’s willingness to talk.
- Use open questions that encourage the child/young person to talk rather than giving yes/no answers. A range of visual resources are available within the home, which are based at the child/young person’s level of understanding to support effective communication.
8.2 GIVING TIME

- Spend time with children/young people whilst they are in residential services.
- Share skills or activities with children/young people
- Try to stimulate and promote skills and interests that the children/young people have.
- Try new things together-learning together and hence making mistakes together can be fun and shows children/young people that staff are not infallible and that it is alright to make mistakes
- Ensure allocated key working sessions take place.

8.3 GIVING RESPONSIBILITY

Children/young people can make a positive contribution through being given appropriate and manageable responsibilities, the achievement of which may require staff support. This could include tasks such as cooking, setting/clearing the table. Children/young people should be encouraged to give their own evaluation of their progress, ideas for further improvements and the opportunity to work independently at times.

9. KEYWORKER ROLE

Each child/young person is allocated a keyworker and where possible a 2nd keyworker, before admission to Residential & Short Break Care Services. The keyworker takes primary responsibility for meeting the needs of the child/young person and ensuring that the requirements of the Care Plan are met.

The keyworker will spend time getting to know the child/young person and issues that are relevant to them so that they can produce a Personalised Care Plan, Risk Assessments and Positive Behaviour Management Plan (if appropriate). All documents will be reviewed and updated as per the quality assurance process that is in place.

The keyworker should act as an advocate for the child/young person ensuring that their views and preferences and any areas of concern are heard and acted upon. This should be done using their preferred method of communication. The keyworker will also be involved in maintaining contact with the child/young person’s family so that family members/significant others views can be sought on the service that is provided.
The keyworker will ensure that all appropriate records are kept up to date and in order and works to promote communication between the child/young person, their family, IRO, Social Worker, school and other professionals involved.

9.1 CONSULTATION / KEYWORKING SESSIONS - PROCEDURE

It will be the responsibility of the keyworker and individual staff members to consult with children/young people on a 1/1 basis. It will be the responsibility of the staff member to assess the child/young person’s presentation prior to the session taking place. The staff member will also need to consider the following:

- Allow plenty of time, interact at the child/young person’s pace.
- Take into account the religious, racial, cultural and linguistic backgrounds of children/young people and their families.
- Know and understand the child/young person’s communication method. Observe facial expressions, hand pointing or arm movements, eye contact, and smiles or frowns. Observe for signs of anxiety e.g. flushed face, and also signs of boredom or lack of interest. Sometimes a child doesn’t communicate because they aren’t interested in what you have to say!
- Adjust the tone and volume to match the child/young person’s needs and be aware of your physical position in relation to them. They may need you to sit to the side to enable eye contact, or to be at their level if in a wheelchair.
- Repeat exactly what they have communicated to you, without rephrasing, disagreeing or adding an opinion.
- Be aware of environmental factors: minimise possible distractions.

Staff should:

- Encourage children/young people to contribute to the day to day running of the home and give feedback on the support they receive.
- Encourage children/young people to make choices about their leisure and social opportunities, likes and dislikes.
- All conversations should be based at the child/young person’s level of ability and understanding.
- Encourage children/young people to participate in the wider community.
• Be open to their opinions
• Always respect the privacy of a child or young person, and don’t share information without consent.
• Record all discussions / actions.

Keyworker/staff should also consult with parents/carers and relevant others e.g. the child/young person’s placing authority in order to seek their views / opinions on a regular basis where appropriate. This should include:-

• The care that children/young people receive and also the operation of the home.
• The adequacy of staffing within the home.
• Space / furnishings.
• Privacy and facilities available.

10. CHILDREN & YOUNG PEOPLE’S MEETINGS - PROCEDURE

Meetings between staff and children/young people act as a forum to discuss issues relevant to the organisation and smooth running of the home and are essential in ensuring children/young people’s views and wishes are considered and respected. Meetings, involving a member of the management team are held each week and can cover any relevant topics ranging from, the menu, outings/activities or updating the Children’s Guide. However, children/young people should be able to approach their keyworker or any staff member to raise concerns and staff will act as advocates when necessary.

An agenda will be on display prior to the meeting taking place. This will give children/young people the opportunity to contribute or if they are not going to be present. Meetings should take place in an organised and controlled manner at a suitable time for staff and children/young people to sit together. One person should chair the meeting and a member of staff should take the minutes. The minutes should be filed in the Children and Young People’s meeting file. Any actions or decisions made should be identified with timescales attached. These can then form a discussion in the next meeting.
11. ADVOCACY - GUIDANCE

Children/young people within the home have access to an independent advocate. This service is currently provided by NYAS (National Advocacy Service). They can offer support to children/young people if they feel:-

- They are not being listened to
- In need of some advice
- In need of help to talk to Social Services
- They are not being treated fairly
- Being told you have to move
- Having difficulties about school
- Not having the contact with your family that you want
- Experiencing the separation or divorce of parents
- Not feeling safe

If children/young people require more information or advice, they can contact the helpline on FREEPHONE 0808 808 1001 or send an email to help@nyas.net.

12. INDEPENDENT REVIEWING OFFICER (IRO) - GUIDANCE

An IRO will be identified when a child/young person becomes “Looked After” within residential services. The IRO will ensure that the child/young person is offered stable care that is sensitive and appropriate to each individual’s personal needs so that the child/young person is able to flourish and achieve. The IRO will be best placed to assess the care plan and the assessment of the child/young person’s needs. The plan must also demonstrate how the services provided have fully taken account of the child/young person’s wishes and feelings.

In order for the IRO to properly consider the care plan at each review, the IRO will need to be satisfied that the assessments upon which the care plan is based are comprehensive and adequate, involving the appropriate people and addressing the appropriate issues. The IRO could request evidence on which the plan was formulated, for example, copies of assessments or minutes of meetings.

It will also be the responsibility of the IRO to chair the review meetings. In order for the review meetings to be productive and sensitive to the needs of each child/young person, time and careful preparation will be necessary. It will be equally as important to ensure that the review is child-centred and only involves the necessary number of professionals involved with the child/young person. The review will need to be based at the child/young person’s level of ability and understanding.
The IRO is responsible for making sure that the child understands how an advocate could help them. It is recognised that some children/young people will feel sufficiently confident to articulate their wishes and feelings. However, there will be other children/young people who would require the support that an advocate could offer.

13. LOOKED AFTER CHILDREN REVIEW PROCESS – PROCEDURE

- The IRO must speak with the child prior to the review taking place.
- The IRO must speak to the social worker at least 15 working days before the review.
- The IRO requires access to any relevant reports/plans or background information, including the current care plan, the report from the social worker (this should be at least 3 working days prior to the review). The current health plan or medical assessment report and the current Personal Education Plan (PEP).
- The IRO should ensure that they have the views of parent/carers, or those with parental responsibility and significant others in the child/young person’s life if they are unable to attend the review.
- The young person, parents/carers should receive a consultation document at least 10 working days before the review.
- The first review of the child/young person should take place within 20 working days from when they became looked after.
- The second review should take place no more than three months after the first. The third and subsequent reviews no more than six months after the previous one.
- If the IRO is not satisfied that the local authority has complied adequately with all of the requirements of the review process they have the power to consider an adjournment.

13.1 There are statutory requirements that the IRO as chair of the review should consider as part of each review process:

- The effect of any change in the child/young person’s circumstance since the last review.
• That all actions identified at the previous review have been successfully implemented and if not why not.

• The legal status of the child/young person

• Contact arrangements

• Whether the placement is meeting the child/young person’s needs

• The child/young person’s educational needs, progress and development

• Leisure and social opportunities that have been made available to them.

• Health needs are met

• That the child/young person’s wishes and feelings have been considered and that the plan demonstrates this.

• Social worker visits have been carried out within timescales.

13.2 Following the review process it will be the responsibility of the IRO to:

• Produce a written record of the decisions or recommendations made within five working days of the completion of the review and a full record of the review within 15 working days.

• A full written record is distributed, including decisions within 20 working days.

• Within 10 working days, following the completion of the review it will be the responsibility of the social worker to update the care plan.

13.3 Between reviews, if the care plan continues to meet the needs of the child/young person there will be no need for any communication between the IRO and the social worker, or the child. However, in the event of any change/event in the child/young person’s life that is significant the social worker must inform the IRO. This will include:

• Any safeguarding concerns.

• Changes of allocated social worker

• Changes to contact arrangements

• Complaints
- Unexpected changes in the placement provision
- Where the child is excluded from school
- Missing from placement
- Significant health concerns, medical/illness/serious accident
- Panel decisions in relation to permanence.

A review will not be required for every change; however, it will be the responsibility of the IRO to determine whether the changes require a review to take place.

13.4 SHORT BREAK CARE REVIEW PROCESS – GUIDANCE

The planning and reviewing requirements have been modified for children/young people in receipt of short breaks. Their plans are reviewed less frequently. The first review for a child/young person in receipt of short breaks must take place within three months of the first placement day or as soon as practicable thereafter. Subsequent reviews must be at intervals of no more than six months. The local authority should not make any significant change to the care plan unless the change has first been considered at a review.

The role of the IRO for children/young people in receipt of short breaks is likely to be more limited than for children/young people looked after longer term. However, it is still the responsibility of the IRO/senior member of the Care Team to maintain close and active involvement.

14. WHO TO CONTACT INDEPENDENTLY – PROCEDURE

It is paramount that all staff members working with children/young people in residence and in receipt of short breaks at Bradbury View are given the opportunity to contact an independent person so that they can share any areas of concern that they may have.

Independent Contact details:

- IRO -
- ADVOCACY - FREEPHONE 0808 808 1001 email help@nyas.net.
- Children’s Commissioner Anne Longfield – 02077838330 email info.request@childrnscommissioner.gsi.gov.uk
- OFSTED - by phone: 0300123 4666 enquiries@ofsted.gov.uk
15. COMPLAINTS

Children/young people will be supported in raising complaints without bias, both relating to the home and to any other aspect of their treatment by the Foundation or any other agencies involved in their welfare. Children/young people have the right to make a complaint and for this to be recognised and dealt with appropriately. A child/young person wishing to make a complaint will be taken seriously by any staff member and their concerns written down immediately and handed to the registered manager for further intervention. If the complaint is in relation to the registered manager then it should be forwarded to Head of Residential Services Barbara Bolam or the Director of Education Lynn Watson.

The home has a complaints log where the child/young person’s concerns can be recorded – the log can act as a guide for staff receiving a complaint but is not prescriptive and staff will listen carefully to the child/young person. Where making a complaint about a member of the children’s workforce or another child/young person is believed to be incorrect, staff will respond appropriately to the complaint and follow the appropriate process to ensure this to be the case. Where complaints are in fact found to be unsubstantiated, the outcomes will be explained clearly to those involved.

Children/young people have the right to express opinions, air grievances and engage in discussion about their own care of the running of the home without everything they say being written down. While care will be taken to ensure that complaints are responded to appropriately, children/young people will also be encouraged to develop negotiating skills and to make their own choices in whether concerns are to be considered as complaints. We do not want to create an environment where children/young people are reluctant to express opinions because everything they say becomes a formality.

15.1 The home has a personalised Children’s Complaints Leaflet. This gives all children/young people information of who to contact if they have a concern. The leaflet is given as part of the Welcome Pack during the introduction process and there are leaflets located around the home. The leaflet is reviewed in the Children/young People’s meetings.

If staff become concerned that a Safeguarding issue is involved, they will complete the Safeguarding Log appropriately and follow the home’s safeguarding procedure. As in all Safeguarding issues, staff will have a duty of care to raise concerns. This applies when a complaint has been logged but then presents a safeguarding concern.
Complaint’s will be shared with the child/young person’s social worker and were appropriate their parents. The child/young person will receive updates and feedback on actions taken and offered further support if they are dissatisfied with the outcome.

It can be very difficult to decide the level of complaint; however, the important thing is to take complaints seriously and to ensure some kind of response is given. Children/young people can be significant in deciding how they want their complaint to be met. A response will always be given.

15.2 TYPES OF COMPLAINTS

The home has a child friendly complaints leaflet in place which is based at the children/young people’s level of ability / understanding. They are located throughout the home and easily accessible to children/young people using the service.

There are a number of ways by which a child/young person may make a complaint.

- Informally within the home; this will be recorded within the Complaints Log and dealt with by the registered manager or an individual or organisation who the young person chooses
- Formally through the Complaints Log; the concern will be raised with the Foundation and the appropriate procedures followed.
- Through external agencies: the advocacy service, Ofsted, NSPCC or others.

The home will cooperate with all investigations and services aimed at resolving the child/young person’s complaint. It is essential that the child/young person has access to supports beyond the home and will be encouraged to use these.

15.3 REPRESENTATIONS

At times staff or managers may be asked to represent a child/young person’s views, perhaps in making a complaint regarding the home or other aspects of their lives. Every effort will be made to support the child/young person and staff member and to ensure that the child/young person’s opinions are represented. Staff will be supported in representing children/young people and expected to do so; however it is possible at times that this may present a difficult situation and staff should ask for support from line managers or other professionals within the Foundation.
15.4 RECEIVING COMPLAINTS FROM OTHERS
FAMILY MEMBERS

Parents will be provided with the Foundation’s complaints policy upon the child/young person’s admission to the home and details of who to contact to make a complaint, both within and beyond the Foundation. Parents/carers and other relatives are welcome to discuss their child’s care within the home and will be actively encouraged to be involved in decision making where this is appropriate to the young person’s age and welfare. Parents have the right to raise concerns over their child’s care or welfare and will be listened to carefully when doing so. Where parents are dissatisfied by any aspect of their child’s care or welfare, they will be supported in making a complaint under the same procedures as outlined for young people making complaints.

When receiving a complaint from a relative staff will remain calm and helpful and refrain from challenging or arguing with the individual. The complaint will be recorded in the Complaint’s Log and the appropriate procedure followed. The complaint should be referred to the registered person or Barbara Bolam, Head of Residential Services as soon as possible. Reassure the individual that their concern will be dealt with and that they will receive feedback as soon as possible. Records should be kept in the Log Book and in the child/young person’s file as appropriate. The home will cooperate with any appropriate agency and organisation acting on behalf of the parent/s.

Any complaint received from a family member will not affect staff interaction with the child/young person and the home will strive to ensure that the young person receives any necessary support at this time. Again, where the complaint involves any safeguarding concerns, the appropriate procedures will be initiated.
## Monitoring & Compliance

The below table outlines the monitoring and compliance requirements of the procedure:

<table>
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<tr>
<th>Element Monitored</th>
<th>Lead Person</th>
<th>Tool</th>
<th>Frequency</th>
<th>Reporting Arrangement</th>
<th>Lead Person - Act on Recommendation</th>
<th>Lead Person – Dissemination of Lessons Learned</th>
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<tbody>
<tr>
<td>E.g Adherence to policy</td>
<td>Policy Author</td>
<td>Audit</td>
<td>Annually</td>
<td></td>
<td>Policy Author</td>
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