



## Dorset & BCP Safeguarding Adults Board

### COMPLAINTS POLICY

Version 1.0 - Ratified by DBCPSAB	January 2022
Updated	July 2024
Date of next review	July 2026

## 1. Introduction

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 Safeguarding Boards, e.g. the process for commissioning Safeguarding Adult Reviews (SAR) or publications or campaigns led by Boards.

## 2. The Process

When a complaint is received by the Boards, the Business Managers will initially determine whether the complaint meets the criteria for another statutory complaints processes (for example, Social Care/NHS or Police complaints procedure etc.), liaising with the Board Chair and partners where necessary.

The Boards' complaints process will only be followed when other statutory complaints procedures are not applicable or after attempt 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 system needs to be delivered by those with the appropriate expertise to provide a balanced and knowledgeable response.
- **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' position in relation to 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](#). A copy of the procedure can also be requested via the Boards Business Team by telephone 01202 794300 or by postal address BCPSAB, c/o Adult Social Care Services, BCP Council Civic Centre, Bourne Avenue, Bournemouth BH2 6DY.
- 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, for example, a Safeguarding Adult Review, will initially be acknowledged by the Boards' Business Managers in consultation with their line manager, with a written response within 14 days of receipt.
- If the complainant is unsatisfied with the response, they should write to the SAB Business Managers for consideration by the SAB Independent Chair, who will consult with the appropriate senior statutory Board Member e.g. Director of Adult Social Care or NHS Dorset Chief Nursing Officer or Police Chief Constable, before responding. The Independent Chair will provide a further written response within 14 days of the complainant contacting the Business Managers.
- Where an individual wishes to appeal a decision made by DBCPSAB for example a decision not to initiate a SAR, this will in the first instance be re referred to the SAR subgroup to enable the SAR Subgroup Chair to make a determination.
- Further information about the Safeguarding Adult Review (SAR) process can be found here [Safeguarding Adults Reviews - Dorset Council](#). A copy of the procedure can also be requested via the Boards Business Team by telephone 01202 794300 or by postal address BCPSAB, c/o Adult Social Care Services, BCP Council Civic Centre, Bourne Avenue, Bournemouth BH2 6DY.
- Where a complaint from an individual is about a process in which the Dorset and BCP Business Manager(s) has/ have been involved, the Business Manager will consult their line manager who will decide whether or not it would be inappropriate for the Business Manager to respond to the complaint. In such cases (and in all cases where the complaint is directly or substantially about the Business Manager), the line manager will consult with the Director of Adult Social Care to identify another suitable colleague who can investigate and provide a written response to the individual.
- Complaints from an individual about the Independent Chair will be considered by the Executive Group of the DBCP SAB who 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 Office 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 legislation. The Complaints Record will be shared with the DBCP SAB Executive

#### **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 include:

- 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 on making 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.

Where the Business Managers believe the complainant is behaving unreasonably, they will discuss this with their line manager and the Dorset & BCP Independent SAB 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](#). You can also contact the Local Government Ombudsman via telephone on 0300 061 0614 or postal address via:

Local Government and Social Care Ombudsman  
 PO Box 4771  
 Coventry  
 CV4 0EH