



lancashire  
safeguarding  
adults board

# Lancashire

# Safeguarding Adults Board

## Complaints Policy

## 1. Introduction <sup>1</sup>

This policy outlines our commitment to handling complaints concerning the work of the Lancashire Safeguarding Adults Board (LSAB).

For the purposes of this policy, a complaint is defined as an expression of dissatisfaction about an action or lack of action, decision or standard of service, undertaken by a person or body acting on behalf of the Safeguarding Adults Board.

## 2. Scope

This policy only applies to the LSAB, its processes, for example Safeguarding Adult Reviews, activity, publications, commissioned projects or campaigns.

Complaints from, or on behalf of an agency should follow the [Resolving Professional Differences \(Escalation Guidance\)](#), rather than a complaints process.

Complaints regarding the conduct or performance of an employee or volunteer of an LSAB partner agency will be referred to the agency responsible for the individual's employment.

Where a complaint relates to the work of the Lancashire Safeguarding Business Unit, the Senior Business Manager will consult with their line manager to assess if there is a conflict of interest and if it is appropriate for them to oversee and respond to the matter.

As Business Unit staff are hosted and employed by Lancashire County Council (LCC), complaints about the conduct of individual staff members will be referred to the relevant Head of Service and will follow the LCC process.

Complaints relating to the Independent Chair will be jointly considered by the Executive Lead of Statutory Partners namely, Lancashire County Council, Lancashire and South Cumbria Integrated Care Board and Lancashire Constabulary.

Individuals wishing to appeal a decision made by the LSAB will be considered as a complaint through the 2-stage process below.

## 3. How to make a complaint

Complaints can be made by email to: [LSBU@lancashire.gov.uk](mailto:LSBU@lancashire.gov.uk) or via post to the Lancashire Safeguarding Business Unit, Lancashire County Council, PO Box 78, County Hall, Fishergate Preston, Lancashire, PR1 8XJ.

Please ensure all communication contains:

- Your full name
- Your postal address
- The date (where possible) and details of the complaint.

We will seek to make the necessary reasonable adjustments in order to handle any complaint for example, for people whose first language is not English, we have access to a translation and telephone interpreting service.

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<sup>1</sup> Acknowledgment and thanks to Cumbria and Northamptonshire Safeguarding Adults Boards for sharing their documents.

## 4. Initial Assessment

The Lancashire Safeguarding Business Unit (LSBU) will consider whether a complaint is informal and if early resolution of an issue may be possible.

Where applicable, the Senior Business Manager, in consultation with the Independent Chair and with the agreement of the enquirer, would categorise this as a concern and look to resolve the matter quickly i.e. through discussion with all relevant parties. It is aimed this would take approximately 10 working days.

If the enquirer is clear that they wish to make a formal complaint then this complaints policy will be followed in full.

Where resolution is not possible through informal processes then complaints will follow this policy and process.

The Independent Safeguarding Adults Board Chair has overall accountability and responsibility for overseeing the complaints policy and application of the process and resulting outcomes.

## 5. Process

When a complaint is received, the LSBU Business Manager will assess if it meets the criteria for other statutory complaints processes (for example, Adult Social Care, NHS organisation or Police) and will liaise with relevant partners as required.

The LSAB complaints process will only be followed when other statutory complaints procedures are not applicable.

LSAB's position in relation to complaints 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 within the scope of this policy are dealt with through LSAB's process.
- *Efficiency* - The system has to avoid duplication or overlap with other existing measures. This would include both escalation processes and other complaints systems and processes.
- *Informed* - The system needs to be delivered by those with the expertise to provide a balanced and knowledgeable response.
- *Problem solving* - Experience indicates that a positive, solution focussed approach will minimise the number of formal complaints received.
- *Transparency* - The process for dealing with complaints will be open and transparent.

## 6. Time Limits

A complaint must be made no later than 12 months after the date on which the matter, which is the subject of the complaint occurred or, if later, the date on which the matter which is the subject of the complaint came to the notice of the complainant.

The time limit shall not apply if the Independent Safeguarding Adults Board Chair is satisfied that the complainant has good reason for the delay in making their complaint and notwithstanding the delay is further satisfied that it remains possible for the LSAB to investigate the complaint effectively and fairly.

## 7. The Procedure

The Lancashire Safeguarding Adults Board will adopt a 2-stage approach to handling complaints:

### **Stage 1**

Complaints from a person about an LSAB process, for example, a Safeguarding Adult Review, will initially be acknowledged by the Board's Business Unit in consultation with relevant others or Line Manager with a written response to the complainant within 28 days of receipt.

### **Stage 2**

If the complainant is unsatisfied with the response, they should write to the LSAB Business Manager for further consideration by the LSAB Independent Chair, who will consult with relevant parties before responding. The Independent Chair will provide a further written response within 28 days of the complainant contacting the Business Manager.

If it is not possible to respond within the timescales outline, the LSBU will write to the complainant to explain the reasons for the delay and outline when they can expect to receive the response.

Before sharing a response with the complainant, consideration will be given to any response which may contain sensitive, unexpected and/or potentially harmful information or which may be delivered at a sensitive time (such as the anniversary of a death).

## 8. Failure to resolve the complaint.

Where there is little prospect of achieving a satisfactory outcome, the complainant may want to consider contacting the Local Government Ombudsman. All written complaint responses will include details of how to contact them.

The Local Government and Social Care Ombudsman (LGSCO) provides a free, independent service and their Advice Team can be contacted for information and advice, or to register your complaint.

Contact details:

- Telephone: 0300 061 0614
- Web form: [How we can help - Local Government and Social Care Ombudsman](#) (there are links to an enquiry form and a complaint form on this page)
- By Post: The Local Government Ombudsman, PO Box 4771, Coventry CV4 0EH

The LGSCO will not usually investigate a complaint until the provider has had an opportunity to respond and resolve matters.

## 9. Record keeping

The LSBU will ensure records are kept of complaints received, are responded to and referred to partner agencies.

The Lancashire Safeguarding Adults Board has a legal duty to maintain the confidentiality of personal information and follow the principles of the Data Protection Act 2018 and the General Data Protection Regulations.

All information received as part of a complaint is recorded and stored on a secure server with limited authorised access. Information is retained in accordance with the LSBU's retention process which is in compliance with data protection legislation.

## 10. Unreasonable and or Vexatious Complaints

In a minority of cases, individuals may pursue their complaint in a manner that is seen as unreasonable or inappropriate and which could impede the investigation of the complaint and result in significant resource issues. These actions can occur either whilst the complaint is being investigated or once the complaint has been completed.

The LSBU Business Manager will escalate to the LSAB Independent Chair and the Executive Leads of the Statutory Partners for consideration and further action, referring to the local authority Handling Complaints Policy as required.

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