



# Sparkle

## ‘Putting Things Right’

### Policy- the

### management of

### concerns

|                                            |          |                |                                 |
|--------------------------------------------|----------|----------------|---------------------------------|
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## 1 Purpose

The purpose of this policy is to provide children, young people and their families with the opportunity to voice their concerns, be reassured that their concerns will be taken seriously and investigated appropriately and be provided with a comprehensive response which addresses their concerns.

The concern will be responded to promptly and fairly in respect of all parties and in responding to concerns, every effort will be made to respond in a manner which meets the needs of those raising the concern (e.g. language, support etc).

Where the complaint is upheld, errors will be acknowledged, an apology offered (where appropriate) and lessons learnt so that practice can change.

## 2 Scope

This policy applies to all Sparkle services and staff/volunteers employed or contracted by Sparkle.

The term **concern** should be taken to mean any complaint received which may be raised in respect of any service, decision and/or care and treatment received from Sparkle.

## 3 Principles

Sparkle will take all reasonable steps to enable Sparkle children, young people and their families to raise a concern in the most appropriate format. The process for managing concerns will be open, accessible and fair and will aim to:

- Ensure that people have their concerns dealt with effectively and openly
- Treat the person raising the concern with respect and courtesy
- Provide advice on the availability of assistance to pursue a concern, and where they may obtain it
- Provide a named contact throughout the handling of the concern
- Provide assurance that appropriate action has been taken as a result of them raising the concern and any lessons learnt.

### **3.1 This Policy is based on the principles of 'being open'.**

#### **3.1.1 Acknowledgment**

All concerns will be acknowledged within 2 working days of receipt, in writing using the Acknowledgement of Concern letter template (appendix 4). All concerns will be received with compassion and understanding by all Sparkle staff/volunteers.

#### **3.1.2 Truthfulness, timeliness and clarity of communication**

Information about the investigation must be given to the person raising the concern and/or their representatives in a truthful and open manner by an appropriately nominated person.

Written confirmation of the start of the investigation should be sent using the Investigation letter template (appendix 5), outlining that the investigation will take up to 20 working days to complete. If the investigation will take longer than 20 working days the Investigation Delay letter template (appendix 6) must be sent giving the reason for the delay.

However, where it is felt it would not be in the best interests of the person raising the concern or representative, to inform or involve them in the investigation:

- The rationale for that decision must be recorded within the Concerns database; and
- As circumstances may change, the decision not to involve the person must be kept under review throughout the investigation

#### **3.1.3 Proportionate and appropriate Investigation**

The principle of conducting a thorough and proportionate investigation into the concern and reassuring the person raising the concern and their families/representatives that lessons have been learned will help to prevent the incident from recurring.

#### **3.1.4 Apology**

Verbal apologies or a written apology should clearly articulate that Sparkle is sorry for any suffering or distress resulting from the concern. It is important to note that saying sorry is not an admission of liability.

#### **3.1.5 Confidential**

In line with the Data Protection Act, the details of the person raising the concern should at all times be considered confidential.

### **3.1.6 Staff involvement**

Information about the investigation must be given to the staff involved in a truthful and open manner although if imparting this information may jeopardise the investigation, then it is advised not to inform the member of staff.

Information given to the person raising the concern and the staff involved is based solely on the facts known at the time. The person undertaking the investigation should explain to those involved that new information may emerge as the investigation progresses and reassure them that they will be kept up to date throughout.

### **3.1.7 Continuity of access to services**

Those raising concerns are entitled to expect continued access to Sparkle and Serennu services and continue to be treated with dignity, respect and compassion.

## **4 Roles and Responsibilities**

### **4.1 Sparkle Board of Trustees**

The Sparkle Board of Trustees has overall responsibility for ensuring that concerns are dealt with in accordance with this policy. The Sparkle Team Lead will manage this on a day to day basis.

### **4.2 Investigating Officer**

An Investigating Officer will be assigned, where appropriate to investigate a concern. Any member of the Sparkle team can be assigned this responsibility. The role will require them to investigate the concern from the perspective of the complainant and the response provided by the relevant Sparkle service lead.

### **4.3 Concerns Lead Officer**

The Children's Centre's Family Liaison Officer will be responsible for receiving and recording all concerns, and for tracking the progress of any responses and investigations. Any concerns will be brought to the attention of the Sparkle Team Lead.

### **4.4 Responsibility of all Sparkle Staff**

All Sparkle staff will be required to:

- Adhere to this Policy
- Learn from concerns and implement improvements
- Co-operate fully and openly in the investigation of concerns
- Where requested and appropriate undertake the investigation of concerns.

## **5 Reporting mechanism - Monitoring the process**

It will be the responsibility of the Children's Centre's Family Liaison Officer to manage the concerns process.

When a concern is raised, this must be acknowledged in writing and recorded on the concerns database within 2 working days of receipt. The nature of the concern, the service it relates to and the required outcome should be recorded and passed to the appropriate service lead immediately. Any concerns which may adversely affect the reputation of Sparkle should be brought immediately to the attention of the Sparkle Team Lead.

Verbal concerns that can be dealt with as they arise (informally or formally) should be recorded on the Verbal Concerns Form (appendix 2) and a copy given to the person raising the concern. The concern, either informal or formal must be recorded on the concerns database.

An annual report regarding concerns will be provided to the Sparkle Board of Trustees which will include the date of concern, number of concerns, number of investigations, lessons learned and assurances that any appropriate remedial action is implemented, monitored and evaluated for effectiveness.

## **6 Notification of concerns**

A concern may be notified by:

- A person who receives or has received services from Sparkle
- Any person who is affected, or likely to be affected by the action, omission or decision of Sparkle
- A member of Sparkle staff.

A concern may be notified by a person acting on behalf of another person in the following circumstances:

- If the person is a child
- If the person lacks the capacity to raise a concern themselves
- If the person has requested another person to act on their behalf.

## **6.1 Informal concerns**

Concerns which are relatively minor and easy to resolve within a short time frame (within 2 working days) such as those that can be dealt with 'on the spot' will not require full adherence to this policy, however, these must be shared with and recorded by the Children's Centre Family Liaison Officer.

Staff must ensure that the person raising the concern is entirely happy with this approach and is aware of their right to have their complaint dealt with formally via this policy if they wish.

## **6.2 Formal concerns**

### **Time limits for notification of a concern**

A concern can be raised up to 12 months following the event occurring.

## **6.3 Receipt of concern**

Concerns may be received in writing, by email, by telephone and/or in person. Concerns should be directed to the Family Liaison Officer. Verbal concerns must be recorded on the Verbal Concerns Form and recorded in the Concerns database.

## **6.4 Acknowledgement of concerns**

All concerns should be acknowledged in writing within 2 working days of receipt.

If the concern is raised by a third party, consent must be given for them to act on behalf of the person for whom the complaint refers.

Appendix 4 contains the acknowledgement letter which should be sent to the complainant by the Family Liaison Officer.

Where a concern cannot be addressed informally by the Family Liaison Officer, the acknowledgment letter should identify the Investigation Officer and a named contact for the complainant during the course of the investigation.

## **6.5 Withdrawal of concerns**

A concern may be withdrawn at any time by the person who notified Sparkle of the concern. This can be made in writing, electronically, verbally in person or by telephone.

Even if a concern has been withdrawn, if it is felt that the investigation of the concern is appropriate, the Sparkle Team Lead can decide to continue with the investigation.

## **6.6 Concerns relating to children**

Children and young people are individuals and have their own views and opinions. Any child considered to have Gillick Competency is able to raise a concern on their own behalf regarding Sparkle services and/or staff.

Where a concern is notified by a child or young person, he or she must be reasonably supported and assisted to pursue their concern.

Where the concern alleges any safeguarding concerns, the Sparkle Safeguarding Policies and All Wales Child Protection Procedures must be adhered to.

## **7 Consent to investigate concerns**

It may be necessary to access personal information/records held when investigating the concern. Where this is the case, written consent will need to be sought. If the concern was taken via the telephone the complainant must be informed in the acknowledgement letter that their records may need to be examined so that they have the opportunity to indicate if they do not want this to happen.

In the event that consent is not given, the Sparkle Team Lead must decide on whether the issue raised is of sufficient seriousness to merit an investigation without access to personal records and determine whether it would be in the interests of Sparkle to continue to look into the matter. If not, there will be no investigation of the concern. This decision must be recorded before closing the matter.

## **8 Procedure for Investigating Concerns**

The investigation must address the concerns and the underlying causes of the issue. Therefore, on receipt of the concern, the Investigating Officer should, where possible, telephone the person raising the concern to seek a clear understanding of the nature of the concern. They will be required to explain the investigation process, clarify the expectations of the person raising the concern, offer a meeting and inform the complainant that the investigation will commence.

Advocates should be kept informed of any decision made on how the concern will be handled.



On occasions, a meeting alone may be sufficient to resolve a concern. If the offer of the meeting is accepted and is able to resolve the concern, no further investigation is required. However, the meeting must be followed up with a full written response based on the discussions and should include confirmation that the concern is now resolved. If any follow-up actions were agreed then the person who raised the concern must be told when they can expect to receive information about the outcome of these actions.

An apology, where this is appropriate, should be conveyed at the earliest opportunity and should be recorded. This may be by telephone and does not necessarily need to wait for the formal response letter to be issued.

All contacts with the person raising the concern should be noted and recorded on the concerns database, stating dates and times of contact.

As soon as it is evident that the investigation will not be completed within the 20 working day timescale, the Investigation Officer must issue a holding letter to the person raising the concern and, if appropriate, their advocate, explaining the delay and proposing a revised timescale.

At the end of the investigation, the Investigation Officer will ensure that all materials gathered within the process are passed to the Children's Centre Family Liaison Officer.

## **9 Storage and management of concerns files**

The concerns files will be maintained by the Children's Centre Family Liaison Officer who will ensure each concern has a separate case file containing all information pertinent to the concern. The concerns file is disclosable and must be retained for a period of 10 years.

## **10 Outcome of the Investigation Procedure**

The Investigation Officer will compile a response letter which should include:

- An apology where appropriate;
- A summary of what the concern was about;
- An explanation of how the concern was investigated;
- Copies of any relevant records used, where appropriate;
- The outcome of the investigation;
- An explanation of any actions taken and lessons learned;
- An offer to discuss the response to the concern or any further issues with the Investigation Officer;

- Where the complainant is unhappy with the result of the investigation, they may take their concern to the Sparkle Team Lead and if they remain dissatisfied, to the Sparkle Board of Trustees;
- Details of the Public Service Ombudsman for Wales.

If the final response was not completed within the agreed timescale, an apology and reason for the delay should be provided within the response.

If the person raising the concern is unhappy with the final response they must be informed immediately of their right to raise this with the Sparkle Team Lead in the first instance, and if they remain dissatisfied, with the Sparkle Board of Trustees.

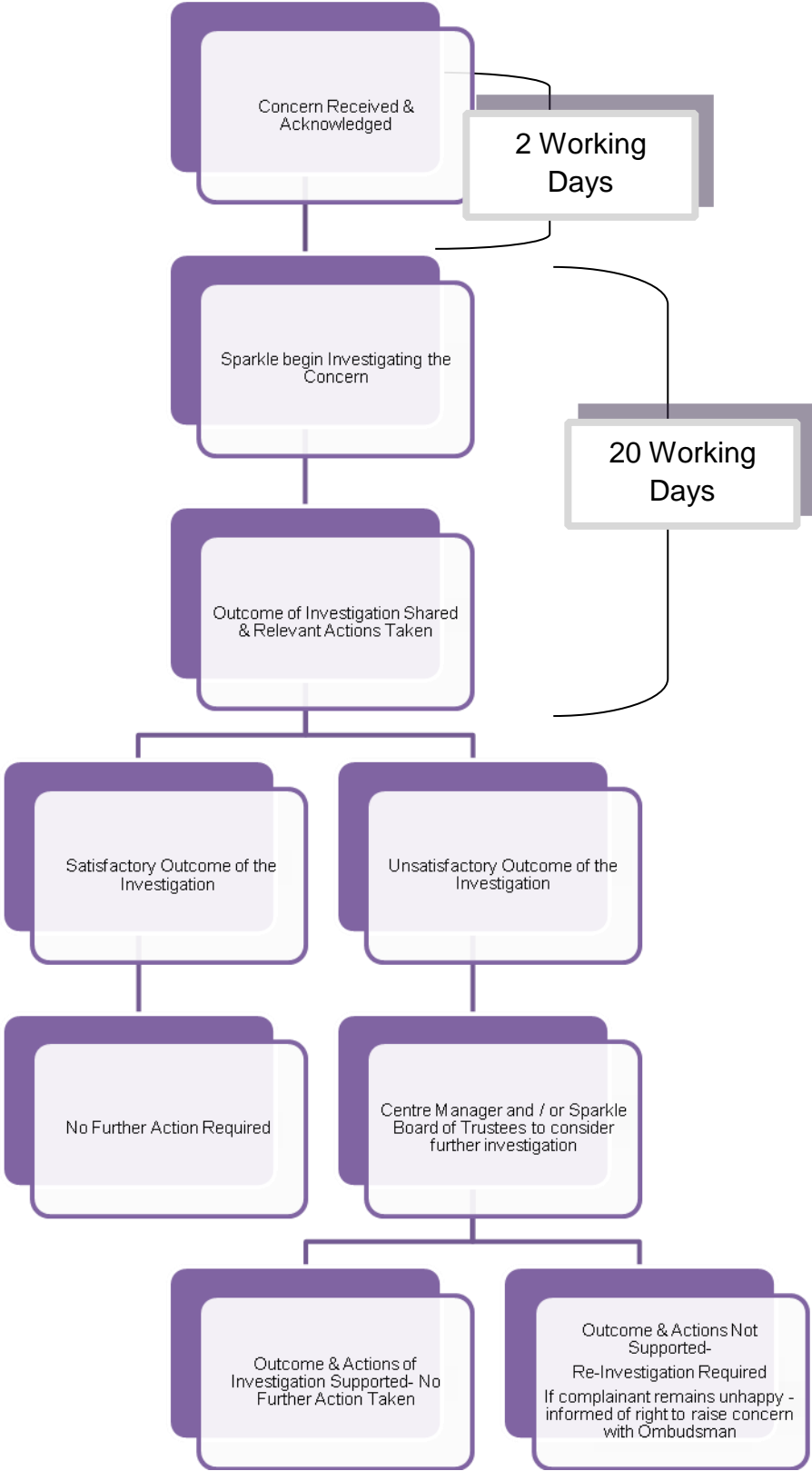
If it is felt that there is sufficient evidence to restart the investigation process this will be undertaken within a further 20 working day timescale.

## **11 Investigations undertaken by the Public Service Ombudsman for Wales**

If it is not possible to resolve a concern through local resolution, or the person is unhappy with the outcome received from Sparkle, the person raising the concern must be informed of their rights to refer the matter to the Public Service Ombudsman for Wales.

Contact details must be provided in writing to the complainant.

**Appendix 1: Sparkle Concerns Flowchart**



## Appendix 2: Recording a Verbal Concern Form

### Section 1: Details of the person raising the concern

|                                                                                                   |  |
|---------------------------------------------------------------------------------------------------|--|
| <b>Title:<br/>(Mr/ Mrs/Miss/ Ms/ Other)</b>                                                       |  |
| <b>Name in Full</b>                                                                               |  |
| <b>Date of Birth:</b>                                                                             |  |
| <b>Address &amp; postcode:</b>                                                                    |  |
| <b>E-mail address:</b>                                                                            |  |
| <b>Daytime contact number:</b>                                                                    |  |
| <b>Mobile number:</b>                                                                             |  |
| <b>If raising a concern on behalf of someone else, what is the relationship to the individual</b> |  |

Please indicate preferred method of contact: **E-mail**     **Letter**   

### Section 2: Raising a concern in relation to, or on behalf of someone else, eg the child/ young persons' details

|                                             |  |
|---------------------------------------------|--|
| <b>Title:<br/>(Mr/ Mrs/Miss/ Ms/ Other)</b> |  |
| <b>Name in Full</b>                         |  |
| <b>Date of Birth:</b>                       |  |
| <b>Address &amp; postcode:</b>              |  |
| <b>E-mail address:</b>                      |  |
| <b>Daytime contact number:</b>              |  |
| <b>Mobile number:</b>                       |  |

Details of Sparkle member recording the concern

|                                 |  |
|---------------------------------|--|
| <b>Name:</b>                    |  |
| <b>Role within Sparkle:</b>     |  |
| <b>Date form was completed:</b> |  |

**Section 3: Details of the Concern**

|                                                                        |  |
|------------------------------------------------------------------------|--|
| <b>Date and time concern occurred:</b>                                 |  |
| <b>Name of the Sparkle service, or person, the concern relates to:</b> |  |
| <b>Other persons involved in the concern:</b>                          |  |
| <b>Outline of the concerns-what went wrong?</b>                        |  |

|                                                            |  |
|------------------------------------------------------------|--|
| <b>What would be the preferred outcome of the concern?</b> |  |
|------------------------------------------------------------|--|

#### **Section 4: Authorising Consent**

I hereby agree that records relating to myself/ the individual I'm representing can be used in the investigation of my/their concern. I understand that access to those records will be limited to what is relevant to the investigation of the concern and will only be disclosed to people who need to know it in order complete the investigation.

|                                                                     |  |
|---------------------------------------------------------------------|--|
| <b>Name:</b>                                                        |  |
| <b>Date:</b>                                                        |  |
| <b>Signature:</b>                                                   |  |
| <b>If 'on behalf' please give relationship to the individual</b>    |  |
| <b>Please confirm that consent has been given by the individual</b> |  |

#### **Section 5: Outcome of the Concern (Sparkle office use)**

|                                                                                                     |  |
|-----------------------------------------------------------------------------------------------------|--|
| <b>Action taken: (including how this was communicated to the person raising the concern)</b>        |  |
| <b>Is the person satisfied that their concern has been dealt with? Any further action required?</b> |  |
| <b>Date concern passed to Family Liaison Officer</b>                                                |  |

### **Appendix 3: Guidance for Staff Handling Verbal Concerns**

- Remain calm and respectful throughout the conversation;
- Listen- allow the person to talk about the concern in their own words, sometimes a person just wants to 'let off steam';
- Don't debate the facts in the first instance, especially if the person is angry;
- Show an interest in what is being said;
- Obtain details about the concern before taking any personal details;
- Ask for clarification wherever necessary;
- Show that you have understood the complaint by reflecting back what you have noted down;
- Acknowledge the persons feelings (even if you feel that they are being unreasonable), you can do this without making a comment on the concern itself or making any admission of fault on behalf of Sparkle, for example "I understand this is frustrating for you"
- If you feel that an apology is deserved for something that was the responsibility of Sparkle, then apologise;
- Ask the person what action they would like taken to resolve the issue;
- Be clear about what you can do, how long it will take and what it will involve;
- Don't promise things you can't deliver;
- Give clear and valid reasons why requests can't be met;
- Make sure that the person understands what they have been told;
- Make sure the person is clear on the procedure and their rights.

#### **Appendix 4: Letter acknowledging a concern template**

Sparkle Reference:

#### **Private and Confidential**

Name

Address

Address

Date

Dear **Name**

We acknowledge receipt of your concern which we received on **date**.

We will now look at your concern and will be in touch shortly. If you have any queries in the meantime then please do not hesitate to contact me on **XXX**.

Yours sincerely

*(Insert FLO name),*

Family Liaison Officer



## Appendix 5: Investigation Letter Template

Sparkle Reference:

### Private and Confidential

Name

Address

Address

Date

Dear **Name**

Thank you for your letter dated **date** which was received on **date** and for taking the time to contact us about your concern/s relating to Sparkle. Please accept our sincere apologies for the distress and inconvenience that this has clearly caused you.

It is our aim, and a requirement under the Sparkle Putting Things Right for handling concerns Policy, that we will respond to your concern within 20 working days of commencing an investigation.

I trust you will be reassured that we are taking actions to fully investigate what happened and will keep you updated on progress. In the meantime **name** will be the Investigating Officer and your named contact in Sparkle whilst your concern is being looked into. If you would like to talk about any aspect of your concern, or if you have any special requirements, such as hearing or sight needs, please let them know by telephoning **number or emailing xxxx**.

We take confidentiality seriously, and it is important for you to know that in order to investigate your concern we will need to access personal records. If you are not happy with this, you must inform us immediately. If we do not hear from you within the next three days we will assume that you are happy for the investigation to continue on this basis. Please be assured that only the people immediately dealing with the investigation will be able to look at your notes.

We will now look at your concern, which may involve looking at relevant documents, speaking to staff and we may also ask to speak to you during the investigation, or ask you to attend a meeting.

After this time we will respond to you outlining our findings and the actions taken. The investigation will normally be completed within 20 working days from commencement.

This means you should expect a reply from us by **date**. If we are unable to respond within this timeframe, or further investigation is required, we will let you know.

If you have any queries about this letter, the investigation process or the concern you have raised, please contact **name IO**.

Yours sincerely

## Appendix 6: Investigation Delay Letter Template

Sparkle Reference:

### Private and Confidential

Name

Address

Address

Date

Dear **Name**

I am writing further to my letter dated **date**, in which I confirmed an investigation would be undertaken into the concerns you raised regarding **brief detail on concern**.

Unfortunately, a delay has arisen in our investigations due to **reason**. Please be assured however, that although we are not yet able to respond to you, I can confirm that the investigation is underway. We anticipate that we should be able to provide you with a comprehensive response by **date**.

Please accept my apologies for the delay, but please be assured that your concerns are receiving attention.

If you have any queries please do not hesitate to contact the Sparkle Investigating Officer on **contact number**.

Yours sincerely

## Appendix 7: Outcome and End of Investigation Letter Template

Sparkle Reference:

### Private and Confidential

Name

Address

Address

Date

Dear **Name**

Thank you for bringing your recent concern to our attention, and for discussing the outcome of the investigation on **date**.

To be completed in relation to the specific concern, including:

- An apology where appropriate;
- A summary of what the concern was about;
- An explanation of how the concern was investigated;
- Copies of any relevant records used, where appropriate;
- The outcome of the investigation
- An explanation of any actions taken and lessons learned;
- An offer to discuss the response to the concern or any further issues with the Investigation Officer;
- Where the complainant is unhappy with the result of the investigation, they may take their concern to the Sparkle Team Lead and if they remain dissatisfied, to the Sparkle Board of Trustees
- Details of the Public Service Ombudsman for Wales

After a thorough investigation regarding the points you raised, I would like to confirm, that any learnings identified have been documented and any remedial actions implemented. I would also like to reassure you that actions will be monitored for effectiveness.

I consider that this concern is now resolved, and trust that the outcome meets with your satisfaction. However, if you have any reason to disagree, or do not accept that your concern has been fully addressed, please contact me to discuss further options.

Yours sincerely

**Name of Investigating Officer**

**Title**