

North Wales Safeguarding Adults Board



Information for:

Adults at Risk, Carers and Advocates about Adult Protection Conference Complaints

This leaflet lets you know:

- Who can complain
- What you can complain about
- How to complain
- What to expect if you do complain

Who Can Complain?

- Any adult who is experiencing, or at risk of abuse or neglect, or their carer has a right to complain
- Any adult who has attended an adult protection case conference and is able to understand what is happening has a right to complain
- An independent advocate can also make a complaint on behalf of an adult

What Can You Complain About?

You can complain for 2 reasons, and **only** these reasons:

- 1) The adult who is experiencing, or at risk of, abuse or neglect (or an advocate on their behalf) or their carer, has grounds for making a complaint if they are unhappy with the manner in which they feel they have been treated during the safeguarding process.
- 2) They also have grounds for an appeal if they are not satisfied with decisions made during the safeguarding assessment, the case conference, or in relation to the safeguarding plan.

Other Complaints

You may be unhappy about something else that has happened or not happened. If so, the Local Authority's Complaints Department will be able to help.

How Do You Make A Complaint?

- Contact the Conference Chair within 10 working days of the conference. The Conference Chair is an independent person whose job is to make sure that adult protection conferences are run in a fair and open manner.

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What Happens Once I Have Complained?

- The Conference Chair will arrange to meet with you as soon as possible to talk about your complaint. They will try and sort things out. **This is Stage 1 – Informal Resolution.**
- If the Conference Chair has not been able to help and you are still unhappy, you and the Chair must agree about what you are still unhappy about and you will need to confirm this in writing. This will be the basis of your complaint.
- You will need to sign this complaint and this will be the start of the Formal Complaint process. **This is Stage 2 - Formal Complaint.**
- **Please note:** You should contact the NWSB Business Unit once you have received your acknowledgment letter; if contact is not made within the 22 day timescale you will lose your right to appeal.

An Independent Panel will meet to look at your complaint. This is called an Inter-Agency Conference Complaints Panel. **The Panel Meeting will take place within 22 working days of your letter being signed.**

Inter-Agency Conference Complaints Panel

- The Inter-Agency Conference Complaints Panel is made up of people from different agencies, for example, the Police, the Health Service . No one will have been involved in your case.
- You will receive an invitation to Inter-Agency Conference Complaints Panel, with all the details but you do not have to attend if you do not want to.
- The Inter-Agency Conference Complaint Panel will be held the same locality as the Conference.

If you do come to the Inter-Agency Conference Complaints Panel, you can:

- Give evidence to support your complaint. You can do this in writing, or you can just tell the panel why you are unhappy.
- You can bring someone with you to support you, for example a friend or family member or an advocate or legal representative.
- You can bring witnesses along to support your complaint.

If you do not come to the Inter-Agency Conference Complaints Panel:

- You can still send evidence to support your complaint.

Please let the Panel Chair know at least 5 days before the meeting if you want anyone else to come along, so that we can make sure the room is suitable, and so that we can plan the meeting properly.

The panel will consider:

- Whether the conference process followed the correct procedure. The procedure is set out in guidance called the 'Wales Safeguarding Procedures.
- Whether the decision that is being complained about follows reasonably from the proper observation of the procedures.
- Whether the decision that is being complained about follows reasonably from the information available to the original conference.

What Happens After the Inter-Agency Conference Complaints Panel?

- The panel will let you know, in writing, whether they think you have reason to complain or not. If they think you have reason to complain, they will 'uphold' your complaint, and tell you why.
- If the panel thinks you do not have reason to complain, they will 'not uphold' your complaint, and will tell you why, in writing
- The decision of the independent complaint panel will be made within 25 days of the date you signed your complaint

Panel Decision:

If your complaint is upheld the panel will ask for a new Adult Protection Conference to meet to reconsider the registration decision and category. This new Adult Protection Conference should take place within 15 working days of the Panel decision.

If You Are Still Not Satisfied:

In the case of North Wales Protocol for the Management of Complaints Relating to Adult Protection Conferences, the decision of the panel is final and there are no further avenues for appeal.

<http://www.northwalessafeguardingboard.wales/>