



Cafcass Cymru

A Guide to Complaints

May 2018

*Investigate once,
investigate well.*

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What you can expect from us

Cafcass Cymru is committed to dealing with and resolving complaints about the service it provides as quickly and as effectively as possible in a manner that is fair, open and transparent.

If you make a complaint it won't affect the service you get now or in the future.

If possible we would prefer to deal with any concerns you have as soon as you feel the service you are receiving is not what you expect. In the first instance, it's a good idea to talk with the Family Court Advisor dealing with your case: they may be able to address your concerns by discussing them with you and fully explain to you what is happening.

We can also explain to you what action Cafcass Cymru can or cannot take to look into the matter further.

The Cafcass Cymru complaints process is unable to change any decisions or agreements reached in Court. The Court will make the final decision and if you disagree with the outcome you may wish to consider exercising your right to appeal against the Court decision. The Court and/or your Legal Representative will be able to advise you on how best to do this.

What we expect from you

We believe you have the right to be listened to, heard, understood and respected. We consider our staff also have the same rights. We therefore expect you to be polite and courteous in your dealings with us. We will not tolerate aggressive or abusive behaviour, unreasonable demands or unreasonable persistence either verbally or in writing. In instances where our staff encounter such behaviour, Cafcass Cymru reserves the right to review the way we communicate with you in dealing with your complaint.

How to make a complaint

If you're not happy with the standard of service you have received or expect to receive from Cafcass Cymru, you can make a complaint. You can contact the Complaints Team in one of the following ways:

Phone: 0800 49 60 650 (9:00am – 4:30pm Monday to Fridays)

This is a dedicated Cafcass Cymru Complaints Phone Line and is a Freephone number for callers in the UK.

If you are based outside the UK, you can call **0044 300 062 5500**.

Email: MyVoiceCafcassCymru@gov.wales

Online: wales.gov.uk/cafcasscymru

Post: Complaints Team
Cafcass Cymru
Welsh Government
Sarn Mynach
Llandudno Junction
Conwy
LL31 9RZ

We will only be able to look at your concerns if you tell us about them within 6 months of the conclusion of Cafcass Cymru's involvement in your case. This is because it's better to look into your concerns whilst the issues are still fresh in everyone's mind.

We may exceptionally be able to look into concerns which are brought to our attention later than this. You will however have to give us strong reasons why you have not brought it to our attention earlier and we will need to have sufficient information about the issue to enable us to consider it fully. Regardless of the circumstances, we will not consider any concerns where our involvement was more than one year ago.

If you find it difficult to write a letter or explain your complaint to us then you can ask someone else (for example a friend or support worker) to make the complaint on your behalf as your advocate. You are also welcome to bring your advocate with you to support you at any meeting you may have with Cafcass Cymru at any stage of the Complaint investigation process. However, our discussions with you will take place within the parameters of the Family Court rules.

If you're expressing a concern on behalf of somebody else, we will need their agreement for you to take this action on their behalf. We will provide you with a form to do this.

What we can't deal with as part of our complaints process

There are times when Cafcass Cymru cannot deal with your concerns through the complaints process because they can only be addressed in the Court arena, such as dissatisfaction with the contents or recommendation of the Court report.

When you contact the Complaints Team, we will tell you if your concerns can be addressed by the complaints process or not. If Cafcass Cymru cannot look into the concerns you have raised, we will advise on other ways of taking these forward.

If you make a complaint, please be aware this will not necessarily lead to a change of Cafcass Cymru Officer working on your case. If work ordered by the Court is still being undertaken, it is not best practice to change the allocated officer and we would work towards finding a resolution that suits all parties involved. Changing an officer is only likely if it is ordered by the court when it is considered to be in the child's best interests.

How we will deal with your complaint

When you contact the Complaints Team to make a complaint, we will take the following steps:

Ensure the details we have fully capture the nature of your complaint.

If you contact us via the Complaints Phone Line you may be asked to provide a supporting written account to make sure we haven't missed any important details. If you contact us via email, online or letter, we will try to contact you by phone to discuss your complaint with you.

You will be advised in the first instance if your concerns fall within the Cafcass Cymru Complaints Policy. If they don't, you will be signposted to the relevant organisation that may be able to help you with your complaint, for example concerns relating to court reports need to be resolved in the Court arena.

Try to resolve your concerns at an early stage, known as Early Resolution

If they do fall within the Cafcass Cymru Complaints Policy, we will pass the details of your complaint to the operational area where your case is being heard. You will be contacted by a Manager from that area to discuss your concerns in greater detail and to see if your concerns can be resolved. The Manager may offer you a face to face meeting to discuss your concerns further.

If your concerns cannot be resolved at this stage, but they fall under our complaints policy, a formal investigation will be undertaken.

Prepare a plan outlining how we will respond to your complaint.

The Manager will define your complaint with you and we will send you a copy of the agreed issues of complaint to be investigated for your agreement. This will be in the form of a Complaint Response Plan.

Identify an appropriate Investigating Officer.

We will appoint an Investigating Officer from another operational area to investigate your complaint. This will normally be a Practice Manager or a Head of Operations who will not have had prior involvement in your case. The Investigating Officer may need to contact you to discuss aspects of your concerns in greater detail as part of their investigation.

Send out the complaint investigation findings report.

We aim to complete our investigation into your complaint and send you a copy of our findings within 30 working days of you agreeing the issues of the complaint to be investigated in the complaint response plan. If the concerns that make up your complaint are particularly complex, it may take us longer to complete our investigation. If this is the case, we will ensure you are kept informed of our progress, and will advise you of the time we think it will take to complete our investigation.

If your complaint involves a third party, it may be appropriate for the Investigating Officer to contact them as part of the investigation. The Investigating Officer will explain to you the reasons why they need to include a third party in their investigation and these reasons will be outlined in the complaint response plan and/or investigation findings report as appropriate.

How we deal with complaints from children and young people

Cafcass Cymru follows a similar complaints process to deal with concerns received from children and young people. However, we aim to speak with the child or young person normally within one working day to acknowledge receipt of receiving their complaint.

The Officer appointed to investigate the complaint is expected to provide their response normally within 15 working days.

Information for children and young people on telling us what they think, including making a complaint, can be found in the Information Pack sent, or given, to all children and young people. Children and young people are also able to make a complaint online at wales.gov.uk/cafcasscymru.

We can arrange advocacy provision for children and young people who want to make a complaint.

The Children's Commissioner for Wales can provide details of organisations children and young people can use to give them a voice. Their contact details are:

Email: post@childcomwales.org.uk
Website: www.childcomwales.org.uk
Post: Children's Commissioner for Wales
Oystermouth House
Phoenix Way
Llansamlet
Swansea
SA7 9FS
Freephone: 0808 801 1000

Another service available to children and young people is **Meic**, an advocacy and advice helpline that is confidential, anonymous and free. Their contact details are:

Freephone: 0808 80 23456
SMS Text: 84001
Website: www.meiccymru.org

Public Services Ombudsman for Wales

If you are not satisfied with the way we have dealt with or addressed your complaint, you may contact the Public Services Ombudsman for Wales (“The Ombudsman”). The Ombudsman is independent of all Government bodies and can look into your complaint if you believe you or the person on whose behalf you are complaining have:

- been treated unfairly or received a bad service through some failure on the part of the body providing it;
- been disadvantaged personally by a service failure or have been treated unfairly.

The Ombudsman expects you to bring your concerns to our attention first and to give us an opportunity to provide a response. You can contact The Ombudsman by:

Phone: 0300 790 0203

Email: ask@ombudsman-wales.org.uk

Website: www.ombudsman-wales.org.uk

Post: Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ

Social Care Wales

You can also contact Social Care Wales if you feel standards set out in the Code of Practice for Social Workers have not been met. It is suggested that you bring your concerns to our attention first to give us an opportunity to provide a response. You can contact Social Care Wales by:

Phone: 0300 30 33 444

Email: info@socialcare.wales

Website: www.socialcare.wales

Post: Social Care Wales
South Gate House
Wood Street
Cardiff
CF10 1EW

How we deal with concerns from local authorities

Concerns from a local authority will be referred to the relevant Cafcass Cymru Head of Operations and addressed in line with the requirements of the agreed protocol between Cafcass Cymru and The Association of the Directors of Social Services Cymru (ADSS Cymru).

‘How Do I..?’ – Quick guide to complaints for service users

As a quick guide, a summary of the most common types of complaints received from service users are set out below along with recommended action. But please remember, the Complaints Team are available should you have any questions about the procedure or need advice.

Phone: 0800 49 60 650 (9:00am – 4:30pm Monday to Fridays) (Freephone for callers in the UK. For callers outside UK, phone 0044 300 062 5500).

Email: MyVoiceCafcassCymru@gov.wales

Online: wales.gov.uk/cafcasscymru

Post: Complaints Team – Cafcass Cymru
Welsh Government
Sarn Mynach
Llandudno Junction
Conwy
LL31 9RZ

I WANT TO COMPLAIN ABOUT... FACTUAL INACCURACIES IN THE COURT REPORT	WHAT DO I DO?
<ul style="list-style-type: none"> I've found that the report has incorrect names/dates/ages... 	<p>In the first instance you need to contact the report writer to notify them that you've found factual inaccuracies which need to be corrected.</p> <p>You can also contact the Complaints Team to provide details of the factual inaccuracies you've identified.</p> <p>Please note that 'factual inaccuracies' does not cover any dissatisfaction you may have with the contents or recommendation of the report. These are matters that have to be raised in the Court arena.</p>
I WANT TO COMPLAIN ABOUT... THE SERVICE I'VE HAD	WHAT DO I DO?
<ul style="list-style-type: none"> I don't feel that my case is being handled well... The report was filed late at Court... The Family Court Advisor is difficult to get hold of / has failed to return my calls on several occasions... 	<p>Contact the Complaints Team in one of the following ways:</p> <p>Phone: 0800 49 60 650 (9:00am – 4:30pm Monday to Fridays) (Freephone for callers in the UK. For callers outside the UK, phone 0044 300 062 5500)</p> <p>Email: MyVoiceCafcassCymru@gov.wales</p> <p>Online: wales.gov.uk/cafcasscymru</p> <p>Post: Complaints Team – Cafcass Cymru Welsh Government Sarn Mynach Llandudno Junction Conwy LL31 9RZ</p>

I WANT TO COMPLAIN ABOUT... THE COURT REPORT	WHAT DO I DO?
<ul style="list-style-type: none"> • I don't feel that the contents of the report accurately reflect the situation... • I don't feel that the Family Court Advisor has included all the relevant information... • I feel that the report contains irrelevant information... • I'm unhappy with the report produced by the Family Court Advisor... • I'm unhappy with the report's recommendation... 	<p>In the first instance you should discuss these concerns with the report writer.</p> <p>If you are unhappy with the report, you or your legal representative must raise it in the Court arena. You will be given the opportunity to challenge its contents and recommendations. These are not issues that can be addressed by Cafcass Cymru.</p> <p>If you feel that information included in reports from other agencies e.g. Police, Local Authorities is inaccurate, you must contact those agencies to clarify and address your concerns.</p>
I WANT TO COMPLAIN ABOUT... THE CONTACT ORDER	WHAT DO I DO?
<ul style="list-style-type: none"> • I'm unhappy with the contact recommended in the Court report... • I'm unhappy with the arrangements set out in the Court Order... 	<p>Issues/concerns regarding contact arrangements have to be raised in the Court arena, not with Cafcass Cymru.</p>
I WANT TO COMPLAIN ABOUT... EVENTS DURING COURT HEARING	WHAT DO I DO?
<ul style="list-style-type: none"> • I'm unhappy with the evidence the Family Court Advisor gave at the hearing... 	<p>You or your legal representative must raise your concerns in the Court arena where you will be given the opportunity to challenge the evidence given.</p>
I WANT TO COMPLAIN ABOUT... MY CASE'S ALLOCATION	WHAT DO I DO?
<ul style="list-style-type: none"> • I want to change the Family Court Advisor allocated to my case... 	<p>This is not a matter that can be addressed through the complaints process.</p> <p>If you are unhappy with the allocation of your case, you will need to discuss this with the Court and the relevant Cafcass Cymru Practice Manager as it is not best practice to re-allocate a case whilst enquiries into your case are ongoing.</p>