

Fife Council Guidance - Child Friendly Complaints

What is a Child Friendly Complaint?

A Complaint is an expression of dissatisfaction by a child (under 18 years old) about Fife Council's action or lack of action, or about the standard of service provided by or on behalf of the Council. Child Friendly Complaints are underpinned by the UNCRC and follow specific guidance and founding principles.

★ Article 12: Be listened to and taken seriously



★ Article 3: Have their best interest at the heart of decisions



Guidance & Founding Principles

This guidance should be used whenever a child is involved in a complaint.

This is when:

- A child raises a complaint directly.
- An adult raises a complaint at the request of a child.
- An adult raises a complaint about all matters which affect a child.

When dealing with complaints by or about concerning issues affecting children, it is important to uphold the key principles listed below.

Please note: Any safeguarding/child protection concerns should be addressed via existing protocols.

These principles have been developed based on the views, experiences and voices of children and young people, as well as discussions with professionals who have a responsibility for complaints:

We will:

1. Maintain a **culture of positive and trusting relationships**.
2. View complaints from children as positive, valuable **feedback**.
3. Actively involve the child by taking a **problem-solving approach** to **increase resilience**.
4. Provide children and young people with age-appropriate **access to information** about complaints processes.
5. Discuss feedback with the child.
6. Provide appropriate support for children who need assistance to make a complaint - this may include an independent advocate where appropriate.
7. Record and act upon **themes** from complaints.

Staff should be **well trained** and have access to training in listening to, and dealing with, complaints from children – SPSO are currently developing this work.

Fife Principles sit alongside the broader principles outlined by the SPSO ([Access principles here](#)).



Children's Rights within the UNCRC

Not all of the rights under the UNCRC are referred to in the principles, just those most applicable to complaint handling. UNCRC rights are interrelated and interdependent. This means that they are designed to support one another and, wherever possible, children should realise all of their rights under the UNCRC equally. Where there is any potential conflict between the rights of any children involved, or the wider rights of anyone else involved in the process, a careful balance should be reached.

Child Friendly Complaints Process

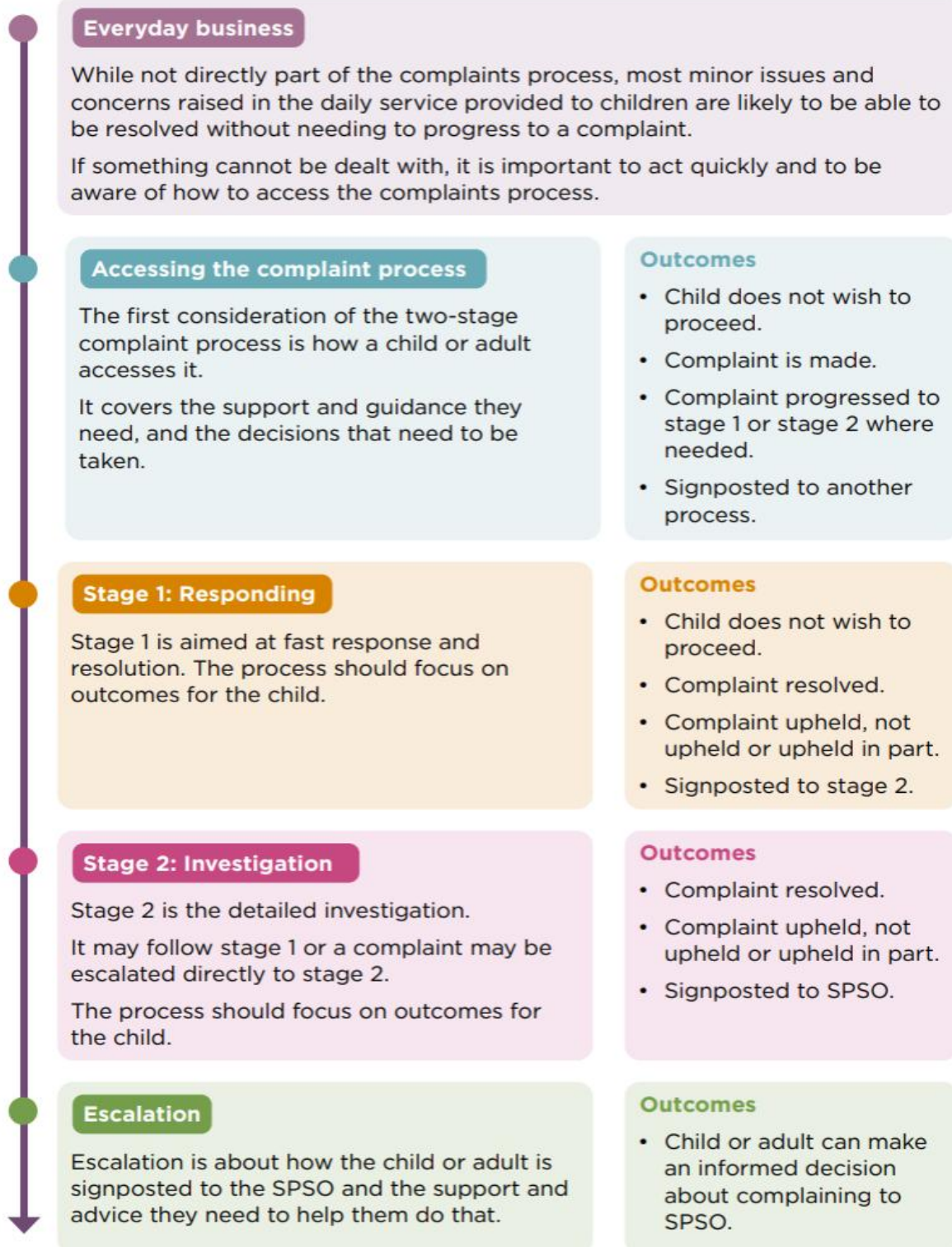
Each directorate within Fife Council will have their own detailed processes for handling complaints, but an outline of dealing with Child Friendly Complaints can be found below. See full SPSO Guidance for more information ([Access guidance here](#)). Investigatory Interview Guidance can be accessed here ([Access guidance here](#)).

A series of FAQs have been produced by SPSO for further guidance & these can be accessed here ([Access FAQs here](#)).

Fife's Full Complaints Guidance

There is further guidance available within the intranet page on complaints handling ([Access intranet here](#))

Overview of Child Friendly Complaints Process



Child Led: Child makes a complaint

Everyday business

- Have conversation with the child.
- Provide immediate response or action.
- Check whether the child is satisfied with the outcome.
- If not, offer the complaints process in a way that feels **safe and manageable**.
- **Make a written record** of the conversation and any actions or outcomes.

Accessing the complaint process

- Ask the child whether they would like to nominate someone to support them, or would like to be signposted to advocacy.
- If that person is not a member of staff, ask the child to nominate a member of staff to be their point of contact.
- Have **first discussion** with the child to understand their complaints and decide next steps.
- If the child wants any adult supporting them to act on their behalf, seek their **informed consent**.
- Consider whether **contact needs to be made with responsible adult/s**.
- **Make a written record** of the key points discussed and share this with the child.

Stage 1: Responding

- Consider stage 1 complaints through the normal process.
- Give due weight to the views of the child and consider their **best interests**.
- Have an **outcome discussion** with the child to explain the outcomes reached.
- **Make a written record** of the outcome and share this with the child.

Stage 2: Investigation

- Carry out full investigation into the complaint.
- Give due weight to the views of the child and consider their **best interests**.
- Have an **outcome discussion** with the child to explain the outcomes reached.
- **Make a written record** of the outcome and share this with the child.
- Provide a decision letter, if the child wants one.

Escalation

- Explain that the SPSO are the independent final stage of the complaints process and provide materials to explain the process of complaining to the SPSO.
- If the child would like additional support to complain to the SPSO, ask them to nominate someone to support them and/or consider signposting for independent advocacy.

Child Led: Adult Makes a complaint on behalf of a child

Everyday business

- Have conversation with adult and child.
- Provide immediate response or action.
- Check whether the child is satisfied with the outcome.
- If not, offer the complaints process in a way that feels **safe and manageable**.
- **Make a written record** of the conversation and any actions or outcomes.

Accessing the complaint process

- Ask the child to nominate a member of staff to be their point of contact.
- Have **first discussion** with the child to understand their complaints and decide next steps.
- If the child wants any adult to act on their behalf, seek their **informed consent**.
- Consider whether **contact needs to be made with responsible adult/s**.
- **Make a written record** of the key points discussed and share this with the child and their supporting adult.

Stage 1: Responding

- Consider stage 1 complaints through the normal process.
- Give due weight to the views of the child and consider their **best interests**.
- Have an **outcome discussion** with the child to explain the outcomes reached.
- **Make a written record** of the outcome and share this with the child and their supporting adult.

Stage 2: Investigation

- Carry out full investigation into the complaint.
- Give due weight to the views of the child and consider their **best interests**.
- Have an **outcome discussion** with the child to explain the outcomes at this stage.
- **Make a written record** of the outcome and share this with the child and their supporting adult.
- Provide a decision letter, if the child or their supporting adult wants one.

Escalation

- Explain to the adults involved that the SPSO are the independent final stage of the complaints process and provide materials to explain the process of complaining to the SPSO.
- Ensure this option is explained to the child in a way that feels **safe and manageable**.

Adult Led: Adult complains about an issue which affects a child

Everyday business

- Any children affected have the right to provide their views, so the two stage process below should be followed.

Accessing the complaint process

- Clarify and agree the adult's complaints through the normal process.
- **Ascertain ownership of the complaint.**
- Clarify the adult's relationship to the child and **consider whether contact with any responsible adults is needed.**
- Ask the adult whether the child is aware of the complaint and explain their right to provide their views.
- Ask the child whether they would like to nominate someone to support them (this can be the adult complaining).
- If that person is not a member of staff, ask the child to nominate a member of staff to be their point of contact.
- If the child has ownership of the complaint, seek their **informed consent** to decide how and whether to proceed.
- Have **first discussion** with the child to understand their views on the complaints being raised.
- **Make a written record** of the discussion and share this with the child.

Stage 1: Responding

- Consider stage 1 complaints through the normal process.
- Give due weight to the views of the child and consider their **best interests.**
- Give decision to adult through normal process.
- If the child wishes, have an **outcome discussion** with them to explain the outcomes reached.
- **Make a written record** of the outcome and discussion and share this with the child.

Stage 2: Investigation

- Carry out full investigation into the complaint.
- Give due weight to the views of the child and consider their **best interests.**
- Provide decision letter to adult through normal process.
- If the child wishes, have an **outcome discussion** with them to explain the outcomes reached.
- **Make a written record** of the outcome and discussion and share this with the child.

Escalation

- Explain to the adults involved that the SPSO are the independent final stage of the complaints process and provide materials to explain the process of complaining to the SPSO.
- Ensure this option is explained to the child in a way that feels **safe and manageable.**