

## **CODE OF CONDUCT AND COMPLAINTS**

### **Principles**

1. It is important that everyone taking part in a joint review knows how reviewers should conduct themselves.
2. They should have confidence in the ability of reviewers to do their job in a professional manner.
3. Where they feel reviewers have not achieved these standards, information should be readily available about the way in which their concerns will be handled.
4. These systems should work without unnecessary delays and in accordance with the procedures set out in this document.
5. The outcomes should be fair and explained in full to the person expressing the concerns.

**Information about the code of conduct and the complaints process should be made available to all those who are involved in a joint review.**

Reviewers are guided by eight general principles.

- 1. Keeping a service user and outcome focus in all that we do.** We spend a lot of time talking to people who use services and their carers about the links between social services and their quality of life.
- 2. Working in partnership with the council.** We ask the council to assess its own strengths and areas in need of improvement. We talk to staff at the frontline as well as managers and leading councillors.
- 3. Including all the stakeholders in the review.** We meet with important partners such as the health service, education, housing and the police. We also see other private and voluntary social care providers working in the area.
- 4. Giving evidence for all our judgements.** Our reports set out in detail the basis for judgements and the evidence on which they're made. We use fair comparisons with similar councils.
- 5. Applying a common, consistent approach to our reviewing practice.** The council is provided with details about our methods of work in advance. Arrangements are in place to ensure that we deliver the whole review in accordance with these commitments and with best practice.
- 6. Looking at the contributions of the whole council to social care.** The review looks at the overall priority given to social services, how well the council unites its services and how well councillors and officers work together.
- 7. Giving the council a clear agenda for future improvements.** To make a difference in practice, we try to ensure the council has a good action plan and the capacity to work on the areas needing improvement. We also follow up to see what progress has been made.
- 8. Being open about the results of our work.** The findings of the review are presented to public meetings of the council and our reports are available to all. We are challenging, where necessary but we also highlight those areas where the council is doing well.

## **What can you expect from the joint review team when it visits YOUR council?**

All reviewers undertake to meet the following standards of behaviour.

### **Keeping an open mind**

You can expect us to be even-handed and fair. We will be starting each joint review with information provided by the local authority itself. We will also have information from our colleagues in the Social Services Inspectorate for Wales, the Wales Audit Office and other public bodies. However, there will be no advance guesses or judgements made, unless there is firm evidence on which to base them. The joint review is intended to serve the whole community: there will be no political bias in our approach.

### **Valuing and respecting difference**

You can expect us to treat everyone with respect and consideration, regardless of the language they use, the religion they practice or the ethnic community to which they belong. We will provide help with communication to allow people to take full part in the review. We expect councils to arrange meetings taking mobility into account. Reviewers will welcome any advance requests for help.

### **Active listening**

You should not expect to get a lecture from a reviewer: in fact, you may do most of the talking! We will be listening carefully to what people have to say. Our job is to ask probing questions, to check out that we have understood the answers and to consider what has been said in an even-handed way.

### **Open and honest feedback**

You can expect us to give clear explanations about how we are making our judgements and to answer your questions frankly. By remaining open to

sharing our views, there should be no surprises when the findings or the final report arrive. Information will be withheld only where the public interest demands or where legal restrictions apply.

### **Sharing information**

You should expect us to be professional about the way we disclose information and its sources. We rely heavily on people's willingness to tell us their views. This means we must take proper care to protect them from any undesirable consequences. However, there may be times when you want us to pass on your comments. This can be done, although we will not be able to advocate on your behalf. We will take immediate action to ensure evidence of serious risk or wrongdoing is brought to the attention of the appropriate authorities.

### **Good manners**

You can expect us to be polite and respectful at all times. Even though we may be challenging in our questions, we take a supportive and constructive approach to our work. We will do our best to arrive promptly for meetings and to ensure that proper introductions are made. You can expect us to present ourselves in a business-like manner. We will carry official identification.

### **Gifts and hospitality**

You should expect us to meet our own expenses. Although hospitality may be intended as a friendly gesture, the public needs to know that our report is written entirely on merit. The provision of light refreshments is welcome on occasions, especially if it allows work to continue over a rest break or if it helps reviewers and service users enjoy a more relaxed discussion. Gifts cannot be accepted.

## **Conflicts of interest**

You can expect us to keep service users and their carers at the centre of everything we do. This means that we must not let our personal interests influence our work. If a reviewer has worked in a local authority area or is hoping to do so in the future, this has to be made known to lead managers in SSIW or WAO to consider if any potential conflict of interest arises. Similarly, if a close family member works there or receives a service, this will be declared.

## **Answering for what we do**

You can expect us to answer for everything that we say or do. We will not gossip. Everything will be 'official'!

## **And if you are not happy with what we have done**

You should expect us to deal quickly and fairly with any queries or complaints that you raise about our behaviour. In the first place, these should be brought to the attention of the lead reviewer. If you are still not satisfied, you can speak with the lead manager in SSIW or in WAO.

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Any complaints will be dealt with in accordance with either the National Assembly's or the Audit Office's codes of practice on complaints, copies of which are available on request.

## DEALING WITH VULNERABLE PEOPLE

### Introduction

Reviewers must be aware that they occupy a position of considerable power and privilege. At all times they must seek to use that position responsibly and with due regard for the interests of those with whom they work.

Reviewers must take special care in dealing with vulnerable people, to ensure that the legitimate need for information does not override the need of individuals for care and protection. Reviewers must be careful also not to lay themselves open to accusations of malpractice or abuse.

A vulnerable person has been defined as one “who is or may be unable to take care of himself or herself, or unable to protect himself or herself against significant harm or exploitation”<sup>1</sup>. In practice, reviewers should consider a wider range of people who are not able to take full responsibility for their lives, including making a choice about whether or not to be seen by reviewers. This includes all children and some adult users of services. Reviewers should manage their contacts with all service users to minimise the risk of harm or misinterpretation.

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<sup>1</sup> Law Commission, quoted in *In Safe Hands: The implementation of Adult Protection Procedures in Wales*. SSIW, September 1999.

### **Planning contact**

Contact with service users should be planned.

For individual interviews, reviewers should consult with social services staff in making arrangements. Staff should be asked to say whether there are any special factors that would make contact unhelpful or difficult. Reviewers should use their judgement in deciding whether to go ahead with interviews, with a presumption in favour of giving the choice to the service user. Service users should be given notice of interviews and should be made aware that they can choose whether to be seen or not. All service users should be given copies of the joint review leaflet in advance or at the outset of the interview.

For group settings (such as residential homes or day centres), reviewers should make every effort to ensure that service users are informed about the nature and purpose of the visit in advance and that individuals have the right to choose whether to speak to reviewers. Copies of the leaflet should be made available to all service users.

For unannounced visits, reviewers should see staff before seeing service users. They should ask staff whether there are special circumstances likely to affect contact with reviewers and should explain, or have staff explain, the nature and purpose of the visit before any individual contact with service users.

### **Interview settings and demeanour**

Reviewers should think about the right degree of formality and informality to be used, especially with children. They should also think carefully about the degree of privacy required, to allow service users to talk freely without danger of misinterpretation.

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Reviews are official events and contacts with service users should retain a certain formality. Reviewers should dress and conduct themselves in a manner appropriate to their role. It should be apparent to service users that reviewers are there for a purpose; therefore, what is said to reviewers matters and may be written down.

Interviews should take place in settings appropriate to the task. If this is in a person's home, it will usually take place in a living room or sitting room. It will rarely happen in a bedroom, unless this is unavoidable (e.g. because a service user is bed-bound or, in a communal setting, because of the need to observe conditions. Interviews in cars or in social settings are usually inappropriate.

Reviewers should avoid secluded contact in bedrooms or similar settings. Where possible, interviews should take place where they can be observed by a third party and where either party has the possibility of ready exit.

### **Conduct of interviews**

Reviewers should explain who they are and why they are there. They should carry official identification, ensure that the service user has seen the leaflet and understood its contents.

During the interview, the reviewer should gauge the reaction of the service user and be sensitive to:

- strong feelings;
- signs of disturbance;:
- any problems that may require additional attention.

If there are matters that go beyond the scope of the interview and need to be tackled the reviewer should explain this and refer the matter to the appropriate carer or staff member.

At the end of the interview, the reviewer should:

- thank the service user or carer for their contribution;

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- explain again the part played by interviews in building up evidence
- give the opportunity for comment or question;
- confirm what happens next.

### **Further contact**

Reviewers should make clear that they cannot pursue individual grievances or have contact outside the review. If service users do seek to contact them outside the review, they should report this to the lead manager and to the relevant social services or agency manager.

If the reviewers identify a cause for particular concern that cannot be resolved in immediate discussion with the relevant manager, the lead reviewer will raise this formally with the senior manager (normally the Director of Social Services). It is then for the senior manager to see that appropriate action is carried out.