



CHILDREN & LEARNING OVERVIEW & SCRUTINY SUB-COMMITTEE AGENDA

7.00 pm	Wednesday 9 September 2015	Committee Room 1- Town Hall - Town Hall
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Members 9: Quorum 4

COUNCILLORS:

Gillian Ford (Chairman)
Carol Smith (Vice-Chair)
Jason Frost

Nic Dodin
John Glanville
Joshua Chapman

Philippa Crowder
John Wood
Keith Roberts

CO-OPTED MEMBERS:

Statutory Members representing the Churches

Phillip Grundy, Church of
England
Jack How, Roman Catholic
Church

Statutory Members representing parent governors

Julie Lamb, Special Schools
Emma Adams, Primary
Lynda Rice, Secondary

Non-voting members representing local teacher unions and professional associations:
Margaret Cameron (NAHT), Keith Passingham (NASUWT) and Ian Rusha (NUT)

**For information about the meeting please contact:
Agatha Williams 01708 432436
agatha.williams@onesource.co.uk.**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

What is Overview & Scrutiny?

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements. Each overview and scrutiny sub-committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

The sub-committees have a number of key roles:

1. Providing a critical friend challenge to policy and decision makers.
2. Driving improvement in public services.
3. Holding key local partners to account.
4. Enabling the voice and concerns to the public.

The sub-committees consider issues by receiving information from, and questioning, Cabinet Members, officers and external partners to develop an understanding of proposals, policy and practices. They can then develop recommendations that they believe will improve performance, or as a response to public consultations. These are considered by the Overview and Scrutiny Board and if approved, submitted for a response to Council, Cabinet and other relevant bodies.

Sub-Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert witnesses, conducting research or undertaking site visits. Once the topic group has finished its work it will send a report to the Sub-Committee that created it and will often suggest recommendations for the Overview and Scrutiny Board to pass to the Council's Executive.

Terms of Reference

The areas scrutinised by the Committee are:

- Pupil and Student Services (including the Youth Service)
- Children's Social Services
- Safeguarding
- Adult Education
- Councillor Calls for Action
- Social Inclusion

AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

Apologies received from Isobel Cattermole.

2 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 MINUTES (Pages 1 - 4)

To approve as a correct record the Minutes of the meetings of the Committee held on 1 July 2015 and authorise the Chairman to sign them.

5 UPDATED STAFF STRUCTURE CHART

Revised and updated staff structure chart – to be tabled.

6 CHILDREN, ADULTS & HOUSING: LEARNING & ACHIEVEMENT (Pages 5 - 16)

Annual Complaints Report 2014/15; Complaints and Compliments;
Process Sheet attached.

7 CHILDREN, ADULTS & HOUSING: CHILDREN AND YOUNG PEOPLE'S SERVICES (Pages 17 - 36)

Annual Complaints Report 2014/15; Complaints and Compliments;
Process Sheet attached.

8 URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

9 DATES OF FUTURE MEETINGS

14 January 2016, 15 March 2016, 27 April 2016

**Andrew Beesley
Committee Administration &
Interim Member Support Manager**

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MINUTES OF A MEETING OF THE CHILDREN & LEARNING OVERVIEW & SCRUTINY SUB-COMMITTEE

**Committee Room 1, Town Hall
1 July 2015 (7.30 - 9.15 pm)**

Councillors Present: Gillian Ford (Chairman), Philippa Crowder, Nic Dodin, Jason Frost, John Glanville
Fredrick Thompson (representing Carol Smith) and Dilip Patel (representing Joshua Chapman)

Apologies Received: Councillors Carol Smith (Vice Chair), John Wood and Joshua Chapman
Ian Rusha (NUT), Phillip Grundy (Church of England), Julie Lamb (Special Schools) and Healthwatch Havering

The Chairman announced details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation. The Chairman also reminded all attendees to put their mobile phones and all portable devices to 'silent'.

1. DISCLOSURE OF PECUNIARY INTERESTS

There were no disclosures of pecuniary interests.

2. MINUTES

The minutes of the meeting of the Sub-Committee held on 29 April 2015 were agreed as a correct record and signed by the Chairman.

3. MATTERS ARISING

Education, Health and Care Plan (EHCP) would replace Statements of Special Educational Need (SEN) and Learning Difficulty Assessments (LDA). No new SEN or LDA's had been offered since 1 September 2014. The statutory assessment process needed to be co-ordinated across education, health and care. It was vital that the EHCP reflected the views, interests and aspirations of children, young people and their parents; an officer will provide an update at the next meeting.

4. ANNUAL REVIEW OF CORPORATE PARENTING PANEL

This item had been deferred from the previous meeting as the new municipal year had now commenced. The only change in membership was Councillor Carol Smith was now the Vice Chair. There were no other changes to the membership of the panel.

5. FUTURE AGENDAS

The Chairman asked members if they had any topics they wished to put forward for discussion as agenda items for future meetings. The following items were suggested: Teach First and SEN Training. The panel were asked to email any further topics to the Chairman and Committee Administration (Agatha Williams) for consideration.

6. LEADERSHIP AND MANAGEMENT, RECRUITMENT AND RETENTION

This item has been deferred due to the large amount of recruitment currently taking place. An office will provide an update to the next meeting.

The panel was asked to receive a presentation on LBH's vision on leadership and management in schools. The presentation also included findings from the December 2014 OFSTED report which showed that almost 25% of schools received a "Grade 3" (required improvement), this figure was much higher than the London or national schools. The number of schools awarded a "Grade 1" (outstanding), did not compare favourably with the London or national schools. The panel was informed that changes can take place over a short space of time i.e. one or two terms could have an impact on grades.

The panel was asked to note the 5 key areas for development:

- Resource management
- Senior leadership
- Middle leadership
- Support leadership
- Governor leadership

A discussion regarding how working with other partnerships and promoting innovative and flexible leadership could make a positive impact on failing schools and in some cases avert the need for special measures.

The panel asked a number of questions regarding the feasibility of achieving 100% success, buying into the strategy, the sustainability of sharing senior leadership, the timing of OFSTED inspections and the impact of the future requirement for secondary schools to reach 60% 5 A*-C grades. The officer informed the Committee that a review of OFSTED reports was underway which would review these figures and percentages, making them more attainable, also some inspection results appear inconsistent so will need to be investigated. The sustainability issues will be included in the final strategy document.

The possibility of working with other universities (apart from UEL) was discussed; the officer will investigate and provide an update to the committee.

The Chairman thanked the officer for his presentation.

7. SEN TRANSPORT

The panel received a presentation on SEN Transport. The officer informed the panel that Mary Pattinson commissions the service and Asset Management Services have had to make savings in the region of £600,000. This had impacted on travelling time i.e. longest journey had increased to 1.5 hours each way.

The panel discussed various saving proposals i.e. grants for converting family vehicle, school subsidising travel cost and the possibility of “cluster” pick up/drop off. The officer informed the panel that the number of cluster pick up had declined as more often than not, once an external assessment had been carried out the recommendation was for a door to door service to be provided.

LBH SEN Transport also provides services to Redbridge and Barking & Dagenham LA. Any additional costs recovered are put back into the service, thereby reducing the unit cost for LBH pupils. The fleet is also available for hire during the day and evening to maximise usage and increase revenues.

A number of questions and issues were raised i.e. concerns regarding journeys taking place during the extreme heat currently being experienced; faulty air conditioning on a particular vehicle; available data on missed registration and training of SEN Escorts. The officer informed members that Escorts were on hand and had been trained to cope with any issues that arose during the journey, however the officer would investigate and report back on: faulty air condition and data on the number of missed registrations due to unforeseen delays during the journey. The officer informed the committee of the following: the fleet had a replacement bus that could be used should any vehicle become un-roadworthy or require repairs; SEN Escorts were fully trained, but the department had to rely on temporary staff to cover absences.

The Chairman thanked the officer for his presentation.

8. ANY OTHER BUSINESS

- Meetings with schools

The Chair, Cabinet Lead and Head of Service, have met with 4 schools in a new process to meet with all Head Teachers and Chairs of Governing bodies. To date: 1 secondary, 2 primary and 1 special school have been invited to the Town Hall. The process is on-going.

Feedback from the school visited:

- Headteacher and a teacher have both been OFSTED trained – which assisted with the OFSTED inspection
- persistence absences – working with other schools on the best way forward
- have recently implemented changes to the curriculum
- ratio (55% boys, 45% girls) has distorted overall outcomes as nationally boys achieve lower results than girls
- developing networking regarding the EHCP with SENCO

- even with additional funding the delivery of EHCP is still proving a challenge
- staff briefings take place every morning
- no longer have learning objectives – now judged on how the school is managed overall rather than focusing on individual teaching lessons
- Governing Body needs to be challenging and supportive.

Further feedback/scrutiny will be provided once all assessments have taken place.

- Time of meetings – all future meetings will commence at 7pm.

Chairman

Date

CHILDREN & LEARNING OVERVIEW AND SCRUTINY COMMITTEE

9 September 2015

Subject Heading:	Children, Adults & Housing: Learning & Achievement Annual Complaints Report 2014/15
CMT Lead:	Isobel Cattermole
Report Author and contact details:	Veronica Webb, Senior Complaints & Information Officer Mercury House, Mercury Gardens Romford RM1 3SL Telephone: 01708 432589
Policy context:	Service Quality and Customer Service

SUMMARY

1. The Learning & Achievement report attached as Appendix 1 provides information on the complaints received during 2014/15. It should be noted that Maintained Schools and Academies have their own complaints procedure which are dealt with through their Governing Bodies and are not included within this report. Schools admissions and exclusions are dealt with through a statutory appeals process and also not included in this report.

RECOMMENDATIONS

2. That Members note the contents of the attached report for information.

REPORT DETAIL

3. There were four Ombudsman enquiries during 2014/15, two informal enquiries, one which the LGO decided was outside of her jurisdiction and one in which the LGO found maladministration with no injustice. This is in relation to a complaint in 2013/14 and the final decision being received in 2014/15.

4. The number of complaints received during 2014/15 dropped by 52% compared to 2013/14. The number of enquiries recorded, which are complaints referred back to the schools has increased by 71%. These consist of complaints that are referred back to schools to be taken through their own complaints procedure, but are recorded as an enquiry for monitoring purposes.
5. Of those complaints regarding education/schools, this ranged from parents complaining about welfare/safety of their child within the school, school holiday fines, adult education, school placements and decisions around SEN.
6. The current CRM system provides only limited reports and therefore the Complaints, Information & Communication Team have obtained information in relation to outcomes. Monitoring information in relation to age, disability and ethnicity is not available within corporate reports
7. Learning & Achievement responses to complaints were good during 2014/15 with 77% of complaints being responded to within the 10 day timescale, this dropped slightly compared to 2013/14 (93%) due to complex SEN complaints. Members' correspondence response times were also slightly lower in 2014/15 (91%) compared to 2013/14 (95%).
8. Compliments continued to increase slightly, up 15% in 2014/15. This is likely to be due to continued encouragement by the Service for these to be sent to the Complaints, Information & Communication Team to be recorded.
9. The main learning points from the report are to continue to improve recording especially around outcomes/recommendations/monitoring information and using complaints information as a tool to improve service delivery.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications or risks arising from this report, as it only notes details of previous complaints..

Legal implications and risks:

There are no apparent legal implications from noting this Report.

Human Resources implications and risks:

There are no direct HR implications or risks to the Council, or its workforce, that can be identified from the recommendation or contents of this report.

Equalities implications and risks:

The report demonstrates that there is a transparent and structured (both informal and formal) route for concerns or complaints, to be registered for review and action where required.

The Council is working towards improving the monitoring of the diversity profile of complainants and service users against relevant protected characteristics such as age, disability, ethnicity, etc, The Governing Body Support Unit is providing complaints training within schools and can explore how information can be obtained. In line with the Council's corporate policy on translation and interpreting services, this service also offers information in other languages and alternative formats on request.

The Service will continue to look at ways in which information can be obtained from schools in order to identify areas for improvement through the Governing Body Support Unit, as well as exploring other options.

BACKGROUND PAPERS

None

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APPENDIX 1

Children, Adults & Housing: Learning & Achievement

Annual Report 2014 – 2015 Complaints and Compliments

Prepared for:

Isobell Catermole, Group Director – Children, Adults & Housing

Mary Pattinson, Head of Learning & Achievement

Prepared by: Veronica Webb, Senior Complaints & Information Officer
Natalia Knock, Complaints & Information Officer

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Executive Summary

The number of concerns raised in relation to Learning & Achievement in 2014/15 were mainly in relation to schools and referred to the schools complaints process and not taken through the Corporate Complaints Procedure, but recorded as enquiries.

With the introduction of the Children & Families Act 2014 there was a restructure in Learning and Achievement with the creation of a new team – Children and Adults with Disabilities. The new legislation places new responsibilities on the Authority in providing an Education, Health & Care Plan for those with special educational needs or learning disability from early years to adulthood.

1. Ombudsman referrals

There were four Ombudsman enquiries during 2014-15, with one finding of maladministration but no injustice (this is in relation to a complaint in 2013/14, however final decision made in 2014/15); one outside the Ombudsman's jurisdiction and two informal enquiries.

	Apr14- Mar15	Apr13- Mar14	Apr 12- Mar13
Maladministration	1		
No investigation			2
No maladministration after investigation			
Ombudsman discretion			
Investigation with Local settlement		1	1
Outside Jurisdiction	1		
Investigation Discontinued			
Premature/Informal enquiries	2		2
Total	4	1	5

2. Total number of complaints

Within Learning & Achievement most enquiries received are in relation to schools which are referred back to the school to be taken through their own complaints procedure and these have increased significantly by 71%, but are recorded for monitoring purposes. Complaints overall have however decreased by 52%

	Corporate Complaint	Enquiry	Total
2014/15	13	48	61
2013/14	27	14	41
2012/13	8	20	28

2.1 Service Areas

The majority of complaints were in relation to 'Education & Schools' which were referred back to the local authority due to the dissatisfaction with how a matter was dealt with by the educational establishment.

Service Area's	Apr 14 – Mar 15	Apr 13 – Mar 14
Education and Schools	8	23
School Admissions	1	2
Special Educational Needs	1	-
Attendance, Behaviour & Traveller Support Service	-	2
Adult Education	2	-
School Catering	1	-
TOTAL	13	27

2.2 Reasons

Complaints reasons varied across services and was mainly in relation to 'behaviour of staff' or level of service which were linked to welfare/safety of child within a school, mainly bullying related, school holiday fines, adult education, school placement, decisions regarding SEN.

	Quality of Service	Behaviour/ Attitude of Staff	Level of Service	Lack of Communication	Safeguarding Issues	Council is Unreasonable
Apr 14 – Mar 15	-	3	4	-	-	1
Apr 13 – Mar 14	1	7	2	3	1	2
	Dispute decision	Challenge Council Decision	Unhappy with Service	Non Delivery of a Service	Policy Issue	Service Failure
Apr 14 – Mar 15	1	3	-	-	1	1
Apr 13 – Mar 14	3	4	3	1	-	-

2.3 Outcome

Corporate complaints at present do not provide reports on outcome, however through what has been extracted manually from the records, in the majority of cases an explanation was given.

2.4 Response times

Corporate complaints have decreased by 67% in 2014/15 compared to 2013/14. Out of the 13 Corporate complaints received in 2014/15, 10 (77%) of these were completed within timescale compared to 2013/14 (93%). This drop was mainly as a result of very complex SEN related complaints.

	Within 10 days		Outside of timescale	
	Apr14-Mar15	Apr13-Mar14	Apr14-Mar15	Apr13-Mar14
Corporate Complaints	10	25	3	2

3. Members' Correspondence

The number of members correspondence has dropped by 32% in 2014/15 and of the 47 members correspondence received, 43 (91%) were responded to within timescale.

	2014/15	2013/14	2012/13
Members Correspondence (from MP's & Cllrs)	47	62	50

4. How Complaints were received

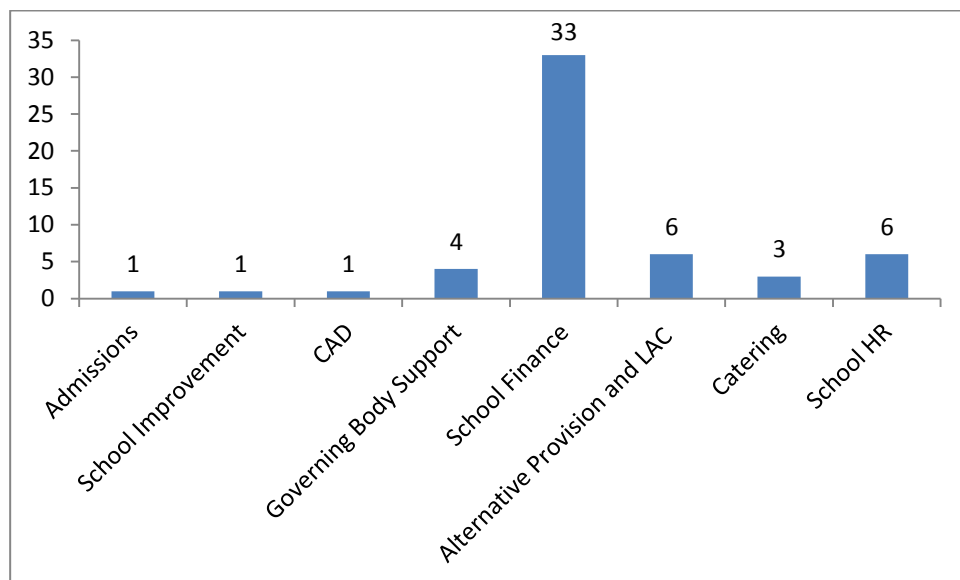
Although it has been possible to report on how complaints were received, again this is through manual extraction from records, as this report is not available corporately. Telephone is the preferred method of contact with email being the next preferred method.

	Letter	E-mail	Complaint Form	Telephone	Online
2014-15	3	4	-	5	1
2013-14	5	7	2	13	-

5. Compliments

There has been a steady increase of 15% in 2014/15 compared to 2013/14 in the number of compliments received. This is still being encouraged to be sent to the Complaints Team for logging. The high number of compliments received for School Finance was as a result of a survey being sent to schools from the team, which resulted in positive feedback.

	2014/15	2013/14	2012/13
Compliments	55	47	10



6. Conclusion

Information available through the corporate reporting does need to be explored, in relation to this report, as information is limited. The Service is looking to explore ways in which monitoring information is obtained and the Governor Support Service have provided

training on complaints handling to schools who choose to buy back into the Havering Education Traded Services – Governor Support Service.



Havering
LONDON BOROUGH

**PROCESS SHEET FOR COMMITTEE
REPORTS**

REPORT SUBJECT

Learning & Achievement Annual
Complaints Report 2014/15

MEETING AND DATE

9 September 2015

DEPARTMENT

Children, Adults & Housing

CHECKED FOR ACCURACY:

(content checked by person preparing the
report)

Veronica Webb

Senior Complaints & Information Officer

CHECKED FOR LEGAL IMPLICATIONS:

(give details, including name of Legal
Services staff member)

Stephen Doye

Legal Manager (Litigation)

**CHECKED FOR FINANCIAL
IMPLICATIONS:**

(give details, including name of Finance
staff member. In all instances Resources
must be made aware of the report but
otherwise deal in accordance with the
Financial Framework)

Rav Nijjar

Principal Accountant

**CHECKED FOR HUMAN RESOURCES
IMPLICATIONS:**

(give details, including name of HR staff
member. In all instances Corporate HR
must be made aware of the report)

Eve Anderson

Strategic HR Business Partner

CHECKED FOR IT IMPLICATIONS (if n/a
necessary)

Is an Equality Impact Assessment required for the proposals contained in this report (if so, it has it been undertaken, is reflected in the report and is listed as a background paper)

No
Andreyana Ivanova/Savinder Bhamra
Diversity Advisor

SIGNED

Veronica Webb

Author of Report or Head of Service(if author):

Date: 14 August 2015

READ AND APPROVED BY

Group Director/Assistant Chief Executive:



Date: 26/8/2015

Date and time received by Democratic Services

CHILDREN & LEARNING OVERVIEW & SCRUTINY COMMITTEE 9 September 2015

Subject Heading:

Report Author and contact details:

Policy context:

Children Adults & Housing (Children
and Young People's Services)
Annual Complaints and Compliments
Report 2014/15
Veronica Webb
Senior Complaints & Information
Officer
Tel: 01708 433589
Service Quality and Customer
Relationships

SUMMARY

The Children & Young People's Services Complaints Annual report, attached as Appendix 1 provides information about the numbers and types of complaints handled by the Children and Young People's Service during 2014/15, as well as Members' correspondence and how they were dealt with.

RECOMMENDATIONS

1. That Members note the contents of the attached report and the continued efforts made by the service to learn from complaints with the demands on the service through the increasing numbers of children coming under the responsibility of the local authority.
2. That Members note the recommendations identified from complaints and continued monitoring of these to ensure that actions are implemented to evidence service improvements.

REPORT DETAIL

3. Appendix 1 shows a high increase of Stage 1 complaints in 2014/15 compared to 2013/14 of 40%, which may be reflective of the increase in the number of children coming under the responsibility of Children & Young People's Services.
4. The increase in the number of Stage 1 complaints involving 'Under 12's' has doubled in 2014/15 compared to 2013/14 and '12+' and 'Leaving Care' have increased by 63% in 2014/15.
5. Although again for 2014/15 the majority of Stage 1 complaints were made by parents/carers/grandparents, there has been a slight increase in the number of children making the complaints directly in 2014/15. The main reason for complaint was 'behaviour of staff' and this may be reflective of the high turnover of staff within Children & Young People's Services, which may improve with stability in the workforce. 'Lack of communication' was the next highest involving children not in the care of their parents and was mainly around contact arrangements or placements.
6. The main outcomes 'explanation given' and 'apology', were linked to the 'behaviour of staff' and 'lack of communication and further clarification and understanding by the complainant was required and meetings held proved successful. Assessments/reviews were also undertaken as appropriate to resolve complaints at Stage 1.
7. The number of Stage 1 complaints responded to within 10 working days has improved by 29% in 2014/15 compared to 2013/14 and within 20 working days by 35%. However compared to the number of complaints response times are still low i.e. 40% within 10 working days and 37% within 20 working days. The statutory timescale allows for up to 20 working days which gives a 77% response time. However those complaints responded to outside of the 20 working days increased in 2014/15.
8. Of the nine Stage 2 requests, eight were successfully resolved through meetings with only one progressing to investigation.
9. The recommendation/outcome at Stage 2 was in relation to support for Special Guardians and clarification of roles between the Complaints Team and Service Area.
10. There were two Stage 3 Review Panels, one which involved complaint rolled over from 2013/14, the other requested in late 2014/15.
11. Where a complaint does not fall within the statutory framework they are recorded as Corporate complaints. Of the 17 complaints received, 65%

were responded to within timescale. There has been a slight increase in the number of Corporate complaints for 2014/15.

12. Expenditure for 2014/15 totalled £3,006.97 with £2,210.72 being costs for independent investigators and £796.25 for publicity/leaflets.
13. The most preferred method of contact for 2014/15 was by telephone with email the next. In previous years the way complaints and compliments received were recorded, however these will only include complaints in future as has been done in 2014/15.
14. Complaints relating to children between the ages of 0-5 increased by 60% and continued the trend from 2013/14. However in 2014/15 the next highest increase (42%) was among children aged 10-14, whereas in 2013/14 this was among children aged 6-9. The breakdown of ethnicity with 'White British' being reflective of the borough's population, however there was an increase in the number with 'mixed background' from 2013/14. Complaints involving children with a disability remained around the same level in 2014/15. 'Not declared' across age, disability and ethnicity has decreased in 2014/15 showing an improvement from 2013/14.
15. Members' correspondence has decreased slightly in 2014/15 to 24 with 18 (75%) being responded to within timescale compared to 67% in 2013/14..
16. Compliments have decreased by 54% in 2014/15 and staff will need to be reminded to send compliments to the Complaints Team to log. Most compliments were for the care and support given, with Early Help and Under 12s receiving the highest number of compliments.
17. Demand on Children & Young People's Services increased in 2014/15 as in 2013/14 with high levels of staff turnover within the Service. Complaints continue to increase and the Service has continued to use meetings successfully to resolve complaints.
18. Recommendations and actions identified as a result of complaints have been monitored and some actions have been implemented and others are being progressed.

IMPLICATIONS AND RISKS

Financial implications and risks:

There is a Complaints, Information and Communication team within the Directorate. This team addresses complaints received and manages associated resource implications, which are funded from within overall service budgets. There are no new financial implications or risks arising from this report, which is for information purposes.

Legal implications and risks:

There are no apparent legal implications from noting this Report. The complaints process is governed by the Children Act 1989 Representations Procedure (England) Regulations 2006.

Human Resources implications and risks:

The Children's Services department have identified actions to be followed through with the qualified workforce to ensure that the learning from the complaints received is firmly embedded into the training and supervision of social work staff and also addressed through the Council's Performance Development Review (PDR) process

Equalities implications and risks:

The report demonstrates that there is a transparent and structured (both informal and formal) route for concerns or complaints, including those relating specifically to bullying, harassment, unfair treatment and/or discrimination against young people, guardians, parents or carers, to be registered for review and action where required.

The Council monitors the diversity profile of complainants and service users against relevant protected characteristics such as age, disability, ethnicity, etc. This data is captured on the CRM system and forms part of the Complaints Annual Report.

In line with the Council's corporate policy on translation and interpreting services, this service also offers information in other languages and alternative formats on request.

We will continue working towards raising awareness on equality and diversity related issues and improving the access to our Complaints, Comments and Compliments policy and procedure.

BACKGROUND PAPERS

None

APPENDIX 1

Children, Adults & Housing: Children and Young People's Services

Annual Report 2014 – 2015 Complaints and Compliments

Prepared for:

Isobel Cattermole, Group Director – Children, Adults & Housing

Kathy Bundred, Head of Children and Young People's Services

Prepared by: Veronica Webb, Senior Complaints & Information Officer

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Executive Summary

The number of Stage 1 complaints rose significantly in 2014/15 with the changing demographics of the borough and the increase in the number of looked after children. Again during 2014/15 the changes in the complaints processes have proved successful in reducing the numbers of complaints progressing to Stage 2 with the continuation of meetings with the complainant.

Although there have been improvements in timescales being met, there still is an increasing number of complex complaints and this will need to be looked at in how we can deal with these in a more timely manner. The behaviour of staff and communication remain the most common causes of complaint and this will need to be the focus for improvement in the coming year.

It was highlighted that the Children's report structure and format needed changing by Members from the previous year's Children's Annual Complaints report and has noticeably changed and has provided a level of information to inform the service. Although this has been provided for this report, it has been noted that this level of information may not be available to Children & Young People's Services through the new CRM system which children's and adults complaints will be transferred over to. However the Complaints, Information and Communication Team will try and aim to provide this if not available through other means.

There have been areas identified through the report for Children & Young People's Services to take on board, and most of these areas, e.g. improvement of recording is already in the process of being actioned by way of regular auditing and feedback, team level reporting of data and continued support for staff on the use of the CCM recording system.

Introduction

The Local Authority Social Services Complaints (England) Regulations 2006' governs complaints, representations and compliments received about children and young people's services.

There are three stages covered within the regulations as follows:

Stage 1 – Local Resolution

Response times are 10 working days with a further 10 working days if required. If a young person requires an advocate this should be sought for them. If the complainant is not happy with the response at Stage 1 they can request to progress to Stage 2 within 20 working days of receiving the response.

Stage 2 – Formal Investigation

Response times are 25 – 65 working days. An Independent Investigator and Independent Person are appointed at this stage. The Independent Person must be external to the organisation. Following the independent investigation, the investigation report will be sent to the complainant, along with the adjudication letter giving the decision of the Head of Service. If the complainant is not happy with the response at Stage 2, they can request their complaint to be heard by a Review Panel within 20 working days of receiving the response.

Stage 3 – Review Panel

The Review Panel is managed independently of Complaints, Information & Communication Team via Democratic Services. The Panel must consist of three independent people, one of

whom is the Chair. The Panel must be held within 30 working days from request. Following the Panel Hearing, the recommendations will be issued to the complainant, independent people, advocate and Director within 5 working days. The Director must issue their decision within 15 working days on receiving the recommendations.

1. Ombudsman referrals

Of the three Ombudsman cases, one was referred back to the local authority as premature, one not investigated and one the investigation was discontinued. It should be noted that these figures will differ from those issued by Democratic Services as they include all contacts by the Local Government Ombudsman.

	Apr14-Mar15	Apr 13-Mar14	Apr12-Mar13
Maladministration			
No maladministration after investigation			
Ombudsman discretion			
Investigation with Local settlement			1
Outside Jurisdiction		1	1
Investigation Discontinued		1	
Premature/Informal enquiries	3	1	3
Total	3	3	5

2. Total number of complaints

There has been a significant increase in the number of Stage 1 complaints for 2014-15 compared with 2013-14, with only 1 escalating to Stage 2 compared to 5 in 2013/14. It should be noted that although there are two Stage 3 Review Panels and only one Stage 3 request, one was a complaint from the previous year.

	Enquiries	Stage 1	Stage 1 escalated to Stage 2	Direct Stage 2	Stage 2 withdrawn	Stage 2 dealt with internally	Stage 3 Requests	Stage 3 Review Panel's	Total
2014/15	27	70	1	-	-	8	1	2	109
2013/14	36	42	5	-	2	3	1	-	90
2012/13	27	43	5	-	-	-	1	1	82

2.1 Enquiries

There was a reduction in the number of enquiries in 2014-15 compared to 2013-14. These are recorded, but not included with any further breakdown of complaints information.

	2014/15	2013/14	2012/13
Enquiries	27	36	27
Enquires escalating to a Stage 1 Complaint	0	0	5

3. Stage 1 Complaints

There has been a large increase by 40% in Stage 1 complaints in 2014/15 compared to 2013/14. The service experienced an increase in the number of looked after children coming into the authority and child protection cases, which could have contributed to the increase. .

3.1 Service Areas

As stated above, the number of children coming into the borough has reflected in the number of complaints involving 'Under 12s' which has doubled in 2014/15 from 2013/14. It is also notable that there has been a significant increase in the number of complaints within the '12+ and Leaving Care Team' of 63%.

There are two complaints against the Preventative Team within Adult Social Care, however these were in relation to Occupational Therapy (OT) assessments for children. There is no longer a specific Children's OT based within Children's & Young People's Services.

Service Area's	Apr 14 – Mar 15	Apr 13 – Mar 14
Under 12's	30	15
Triage/MASH & Assessment Team	11	13
Children with Disabilities Team	2	3
12+ & Leaving Care Team	19	7
Safeguarding & Service Standards Unit (S&SSU)	2	-
Preventative Team	2	-
Adoption	3	1
Fostering	1	3
TOTAL	70	42

3.2 Reasons

The highest number of complaints in 2014/15 is in relation to 'behaviour of staff' and how complainants felt they were treated or spoken to and this will need to be addressed within training. However it should be also noted that there is a high turnover of staff with a high number of agency social workers and this may be difficult to achieve until the workforce is more stable. Although in the short term to medium term this could be addressed through 1:1 supervisions and the Council's Personal Development Review (PDR) process.

The next highest number of complaints was in relation to 'lack of communication'. This is mainly where children are no longer in the care of their parents and there is very little communication between the social worker and the parent, which may be about contact arrangements or being updated about a child's placement. 'Level of service' was the next highest and again this was around contact arrangements and the level of support around fostering placements. The focus however always has to be with the child and decisions based on the best interests of the child. This may not always be accepted by the parent.

	Quality of Service	Behaviour of Staff	Level of Service	Lack of Communication	Data protection	Non Delivery of a Service	Closure of a Service
Apr 14 – Mar 15	7	20	11	14	1	2	1
Apr 13 – Mar 14	9	19	6	2	-	-	-

	Dispute decision	Welfare Concerns	Incorrect Information	Incorrect assessment	Delay to implement a Service	Access to Information	
Apr 14 – Mar 15	5	1	4	2	1	1	
Apr 13 – Mar 14	-	-	3	-	1	-	

3.3 Outcomes

‘Explanation given’ and ‘apology given’ were the main outcomes and linked together. This was mainly where there was a lack of communication or miscommunication and it was acknowledged by the service the effect this had on the complainant as well as giving a clearer understanding of what happened. Meetings were also held which helped complainants to explain their experience of a particular process and to understand the responsibilities of the local authority in relation to Children’s Services. Also reviews/assessments were arranged where it was felt an appropriate outcome.

3.4 Response times

There has been an improvement in the number of complaints being responded to within 10 working days and within 20 working days by 29% and 35% respectively. However there is concern with the number of complaints that are taking over 20 days and outside of the statutory timescale, which has increased from 2013/14. Where these are occurring holding letters are being sent to the complainant, however the Complaints Team will need early notification from managers to advise when this is going to occur.

	Within 10 days		11-20 days		Over 20 days		Withdrawn		Rolled over to 2015-16	
	Apr14 Mar15	Apr13 Mar14	Apr14- Mar15	Apr13- Mar14	Apr14- Mar15	Apr13- Mar14	Apr14- Mar15	Apr13- Mar14	Apr14- Mar15	Apr13-Mar14
Stage 1	28	20	26	17	11	2	3	3	2	-

4. Stage 2 Complaints

The majority of Stage 2 complaint requests eight of the nine were dealt with internally through meetings which have proved effective again during 2014/15 with only one progressing to investigation. As outlined above where a meeting has taken place this allows the complainant to give their views on what has happened to them and why they were not happy with the response at Stage 1. Agreement with the complainant for various actions to be taken and followed up resolves the complaint for them.

4.1 Outcomes/Recommendations

The complaint that progressed to Stage 2 investigation did highlight a number of areas which required improvement in relation to Special Guardianship and the support provided. Also the clarification of roles between the Complaints Team and the Service area needed to be looked at in relation to appropriate decisions being taken about deferring ongoing work.

5. Stage 3 Review Panels

There were two Stage 3 Review Panels held during 2014/15. One of these was in relation to a complaint from 2013/14 and rolled over to 2014/15. The other was from the Stage 2 which escalated to Stage 3.

	2014/15	2013/14	2012/13
Stage 2 request for a Stage 3 with no Review Panel		-	1
Stage 3 Review Panel request which rolled over to 2014/15		1	
Stage 3 Review Panel	2		-

6. Corporate Complaints

Although the figure below shows 20 corporate complaints for 2014/15, three of these were logged against Children's Services incorrectly, therefore 17 corporate complaints were dealt with by the Service. Of the 17 corporate complaints, 65% were responded to within timescale.

	2014/15	2013/14	2012/13
Corporate Complaints	20	15	49

	Children's Centres	Fostering & Adoption	Under 12's	Triage/MASH & Assessment	Early Help	Children & Young People Services
Total	5	5	1	3	1	2

7. Expenditure

Expenditure for independent investigations has reduced in 2014/15 significantly. The cost for the independent investigators is in relation to two complaints from 2013/14 rolled over to 2014/15. The expenditure for the complaints leaflets also includes costs for design.

	Publicity/ leaflets	Independent investigators	Total
April 2014 – March 2015	£796.25	£2,210.72	£3,006.97

8. How Complaints were received

For 2014/15 the figures below only include how complaints were received and not compliments, although for 2013/14 these were included. In future only the way complaints were received will be recorded. Again 'e-mail' and 'telephone' is the preferred method for complainants during 2014/15. There has been a significant drop in the number of complainants contacting us by letter, but an increase in the number using complaint forms.

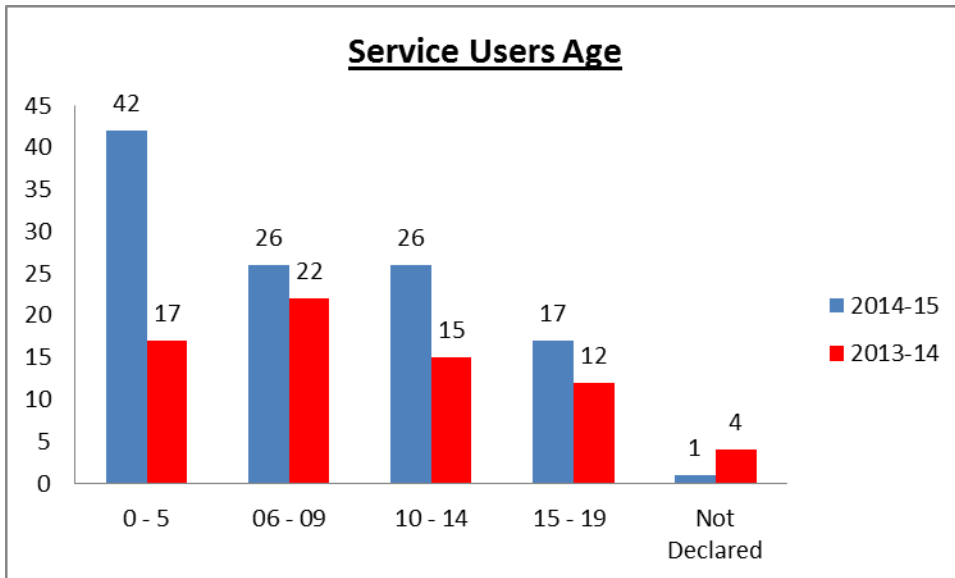
	Letter	E-mail	Complaint Form	Telephone	In Person	Online	Thank You Card	Evaluation Form
2014-15	8	24	12	26	0	-	0	0
2013-14	25	50	5	30	3	1	13	1

9. Monitoring Information

Where a complaint involves more than one child within the family unit, monitoring information for all children within the family that is involved in the complaint is included.

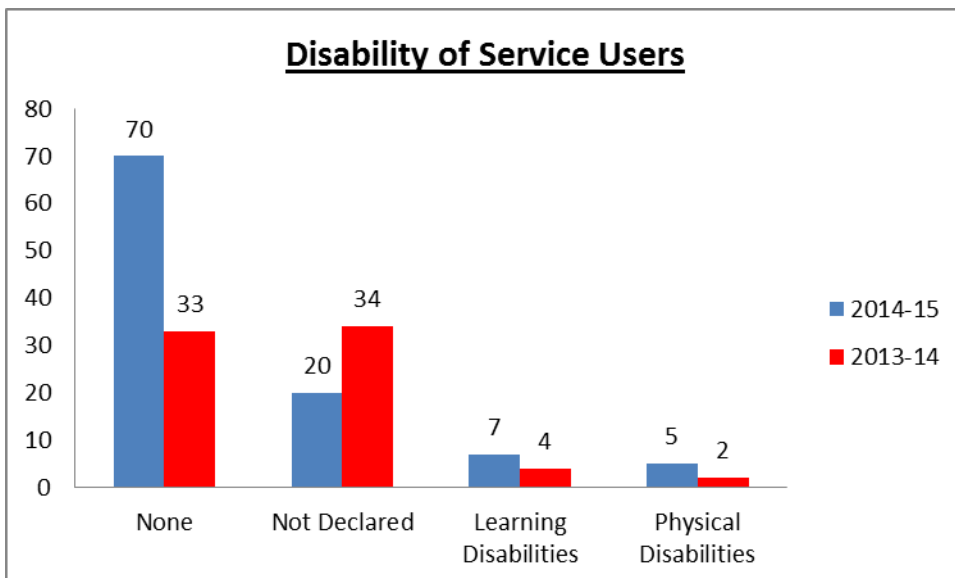
9.1 Age

Children between the ages of 0-5 has the highest increase of 60% during 2014/15 with children between the ages of 10-14 showing the next highest increase of 42%.



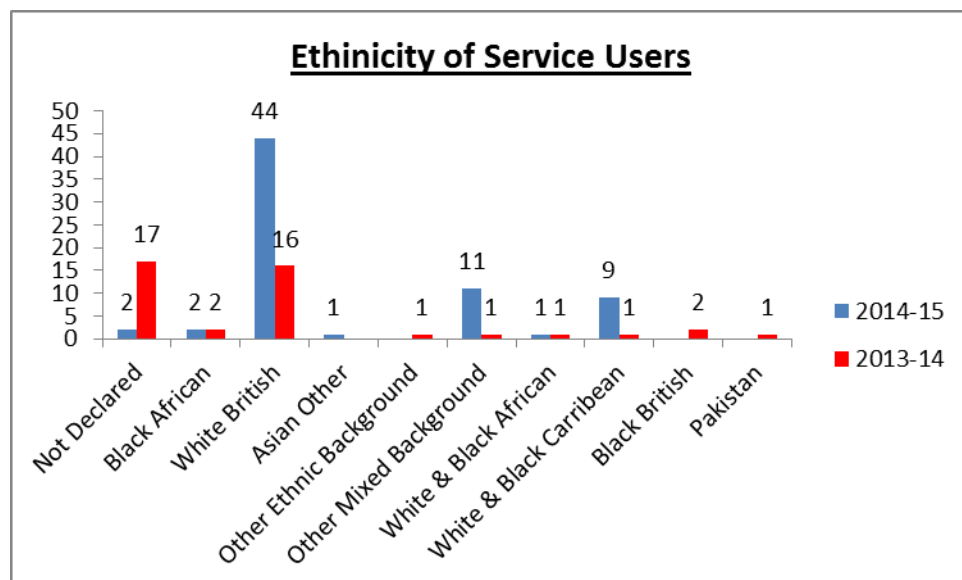
9.2 Disability

The number of children with a disability involved in the complaint is very low, with only seven having a learning disability and five with a physical disability. The number of 'not declared' has decreased from 2013/14 which reflects improved recording of disability status on files.



9.3 Ethnicity

The highest number of complainants are 'White British' which is reflective of the borough population with 83% being White British. The increase in those with 'Other Mixed Background' and 'White & Black Caribbean' could be partly attributed to changing demographics in the borough. Also 40% were recorded as not declared in 2013-2104 which makes comparisons difficult.



10. Members Correspondence

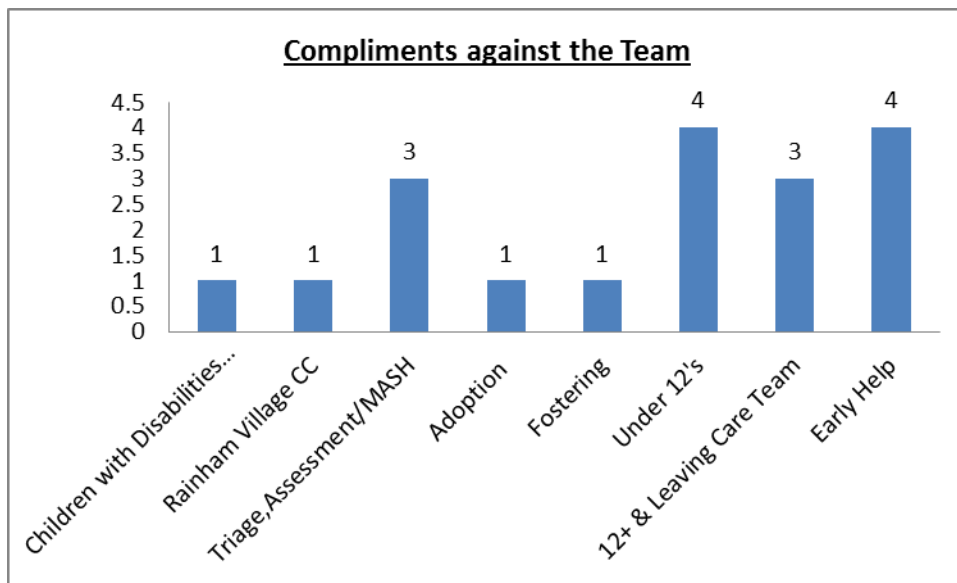
Of the 24 members correspondence received within Children's Services, 18 (75%) were responded to within timescale. This is an improvement to 2012/13 (67%), but efforts will still need to be made to try and improve on this figure for the following year.

	2014/15	2013/14	2012/13
Members Correspondence	24	27	46

11. Compliments

The number of compliments received is quite low across the service with a decrease of 54% in 2014/15 compared to 2012/13. This needs to be highlighted with the various teams to ensure that they are sending compliments to the Complaints Team to be logged. Early Help and Under 12s Team received the highest number of compliments in 2014/15.

	2014/15	2013/14	2012/13
Compliments	18	39	43



12. Conclusion

There has been an increase in the number of children coming into the service and within the local authority's care. This has put added demand pressures on the service at a time when there is a high level of staff turnover and the number of complaints has reflected this in the increase shown in 2014/15.

It has been identified that by using complaints information this can help inform the service and lead to improvements. However some areas of improvement especially around information leaflets have not progressed as quickly as we would have wanted, but are being progressed where possible.

Meetings with complainants who have wished to progress to Stage 2 have again been very successful during 2014/15 with many being resolved. However, it should also be noted that many of these meetings occur when complainants are not clear about what has happened to them and this gives them an opportunity to explain from their point of view. This has also helped the service in identifying where there are gaps in the process which can be addressed quite quickly.

The concern is with the high number of complaints regarding the behaviour of staff, and although these are mainly linked to decisions that may not be accepted, care will need to be taken that with the high turnover of staff that the Service is able to bring any staffing issues to be dealt with through relevant supervision sessions/training/personal development plan objectives.

13. Complaints Action Plan

Issues Identified	Lessons Learnt	Action to be taken	Department	Timescale	Review
S20 – parents not clear about process and implications	clear explanation/ information on possible implications needs to be given at early stage	<ul style="list-style-type: none"> Social workers to be reminded to provide concise and clear information. Managers to ensure that communication is addressed through the PDR process. 	Triage/MASH & Assessment	On-going	This has been difficult to establish due to the complexity and broadness of S20. Attempts to identify what other local authorities were doing on this did not prove fruitful.
S47 – parents not given sufficient information about process	<ul style="list-style-type: none"> Determination of S47 needs to be consistent. Clear explanation/ information about process 	<ul style="list-style-type: none"> Process already in place that two senior managers sign off S47s. Social workers to give clear and concise information about process 	Triage/MASH & Assessment	On-going	The leaflets are in the final stages of design.
Important information is not always recorded appropriately	<ul style="list-style-type: none"> Information leading to an action/decision should be recorded in detail. Information needs to be recorded accurately 	<ul style="list-style-type: none"> Work is already being undertaken to look at improved recording across the service. Assessments to identify clearly fact from opinion and identify the source of the information. 	All	On-going	Managers continue to carry out case file audits to ensure recording is appropriate.
Better communication around contact arrangements and case progression	<ul style="list-style-type: none"> Communication around changes in contact with families. Communication gap when social worker leaves. 	<ul style="list-style-type: none"> To explore better communication re contact arrangements and case progression 	All	On-going	Management arrangements were strengthened during 2014-2015 to assist in improving practice overall. Staff retention remains an issue but it is improving and ensuring better communication with families and better handovers is being addressed in supervision and through the Council's Personal Development Review (PDR) process.

Issues Identified	Lessons Learnt	Action to be taken	Department	Timescale	Review
Support for Special Guardians and clear advice/information regarding financial support and other support available.	<ul style="list-style-type: none"> Advice/support should be given prior to Special Guardianship Order Details of funding should be made clear with specific dates. 	<ul style="list-style-type: none"> Manager to be appointed to oversee advice/support given to Special Guardians to ensure consistency and clarity Specific dates should be included on funding rather than general time period. 	Adoption	On-going	<ul style="list-style-type: none"> Special Guardianship leaflet has been produced giving information and advice. Practice Manager appointed to oversee Special Guardians.

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Havering
LONDON BOROUGH

**PROCESS SHEET FOR COMMITTEE
REPORTS**

REPORT SUBJECT

Children & Young People's Annual
Complaints Report 2014/15

MEETING AND DATE

9 September 2015

DEPARTMENT

Children, Adults & Housing

CHECKED FOR ACCURACY:

(content checked by person preparing the
report)

Veronica Webb

Senior Complaints & Information Officer

CHECKED FOR LEGAL IMPLICATIONS:

(give details, including name of Legal
Services staff member)

Stephen Doye

Legal Manager (Litigation)

**CHECKED FOR FINANCIAL
IMPLICATIONS:**

(give details, including name of Finance
staff member. In all instances Resources
must be made aware of the report but
otherwise deal in accordance with the
Financial Framework)

Rav Nijjar

Principal Accountant

**CHECKED FOR HUMAN RESOURCES
IMPLICATIONS:**

(give details, including name of HR staff
member. In all instances Corporate HR
must be made aware of the report)

Eve Anderson

Strategic HR Business Partner

**CHECKED FOR IT IMPLICATIONS (if n/a
necessary)**

Is an Equality Impact Assessment required for the proposals contained in this report (if so, it has it been undertaken, is reflected in the report and is listed as a background paper)

No
Andreyana Ivanova/Savinder Bhamra
Diversity Advisor

SIGNED

Veronica Webb

Author of Report or Head of Service(if author):

Date: 14 August 2015

READ AND APPROVED BY

Group Director/Assistant Chief Executive:



Date: 26/8/2015

Date and time received by Democratic Services