

## APPENDIX 1

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

## Annual Report 2014 – 2015 Complaints and Compliments

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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
<b>Total</b>	<b>3</b>	<b>3</b>	<b>5</b>

## 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.

<b>Service Area's</b>	<b>Apr 14 – Mar 15</b>	<b>Apr 13 – Mar 14</b>
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
<b>TOTAL</b>	<b>70</b>	<b>42</b>

### 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.

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

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

### 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	
	<b>Apr14 Mar15</b>	Apr13 Mar14	<b>Apr14- Mar15</b>	Apr13- Mar14	<b>Apr14- Mar15</b>	Apr13- Mar14	<b>Apr14- Mar15</b>	Apr13- Mar14	<b>Apr14- Mar15</b>	Apr13-Mar14
<b>Stage 1</b>	<b>28</b>	20	<b>26</b>	17	<b>11</b>	2	<b>3</b>	3	<b>2</b>	-

## 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
<b>Total</b>	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.

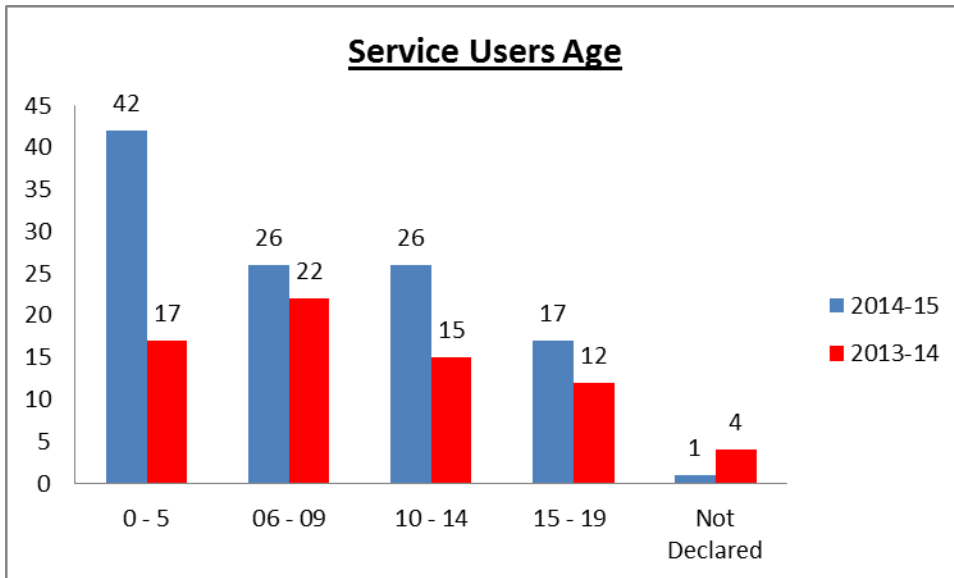
	Letter	E-mail	Complaint Form	Telephone	In Person	Online	Thank You Card	Evaluation Form
2014-15	8	24	12	26	0	-	0	0
2013-14	25	50	5	30	3	1	13	1

## 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.

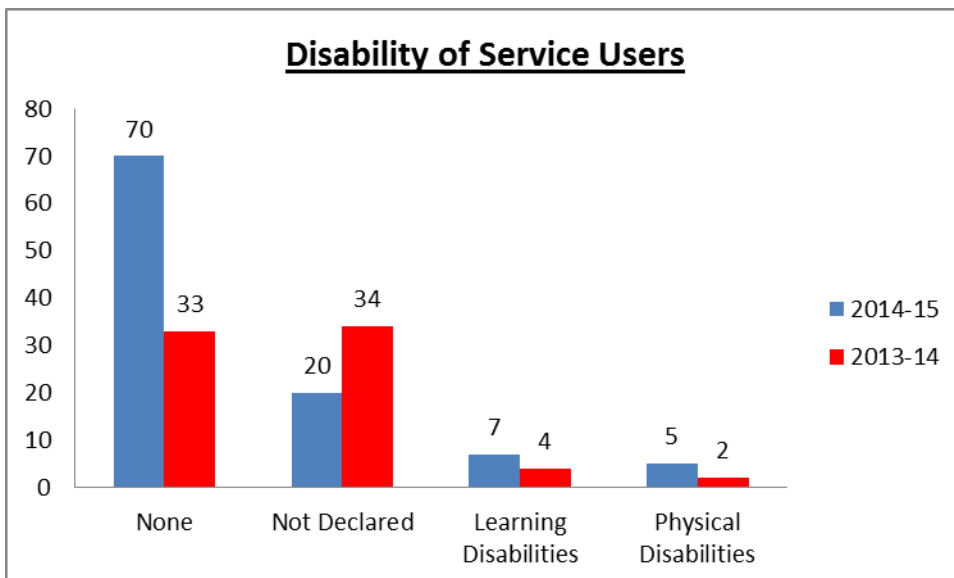
### 9.1 Age

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

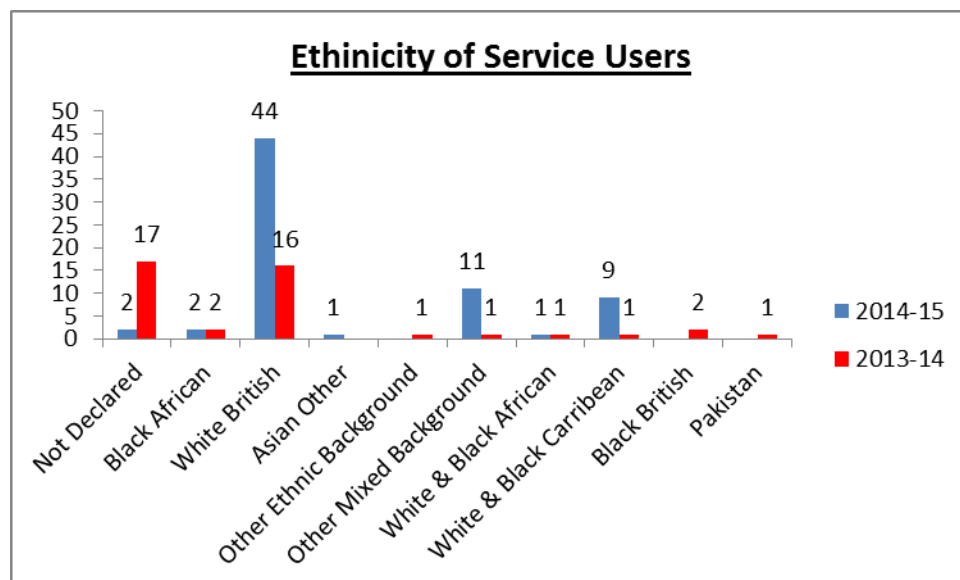
The number of children with a disability involved in the complaint is very low, with only seven having a learning disability and five with a physical disability. The number of 'not declared' has decreased from 2013/14 which reflects improved recording of disability status on files.





### 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

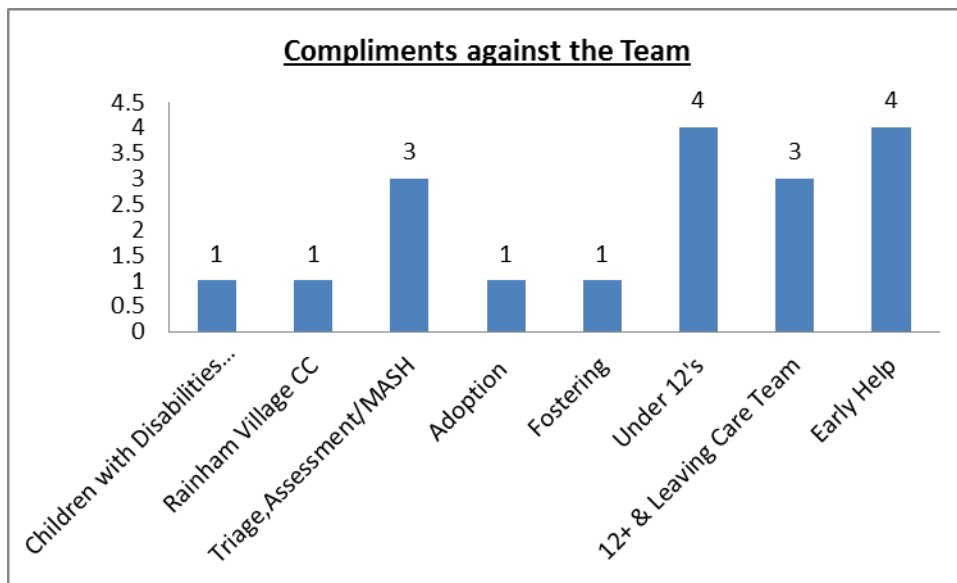
Of the 24 members correspondence received within Children's Services, 18 (75%) were responded to within timescale. This is an improvement to 2012/13 (67%), but efforts will still need to be made to try and improve on this figure for the following year.

	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"> <li>• Social workers to be reminded to provide concise and clear information.</li> <li>• Managers to ensure that communication is addressed through the PDR process.</li> </ul>	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"> <li>• Determination of S47 needs to be consistent.</li> <li>• Clear explanation/ information about process</li> </ul>	<ul style="list-style-type: none"> <li>• Process already in place that two senior managers sign off S47s.</li> <li>• Social workers to give clear and concise information about process</li> </ul>	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"> <li>• Information leading to an action/decision should be recorded in detail.</li> <li>• Information needs to be recorded accurately</li> </ul>	<ul style="list-style-type: none"> <li>• Work is already being undertaken to look at improved recording across the service.</li> <li>• Assessments to identify clearly fact from opinion and identify the source of the information.</li> </ul>	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"> <li>• Communication around changes in contact with families.</li> <li>• Communication gap when social worker leaves.</li> </ul>	<ul style="list-style-type: none"> <li>• To explore better communication re contact arrangements and case progression</li> </ul>	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"> <li>• Advice/support should be given prior to Special Guardianship Order</li> <li>• Details of funding should be made clear with specific dates.</li> </ul>	<ul style="list-style-type: none"> <li>• Manager to be appointed to oversee advice/support given to Special Guardians to ensure consistency and clarity</li> <li>• Specific dates should be included on funding rather than general time period.</li> </ul>	Adoption	On-going	<ul style="list-style-type: none"> <li>• Special Guardianship leaflet has been produced giving information and advice.</li> <li>• Practice Manager appointed to oversee Special Guardians.</li> </ul>