



**Children's Services Overview
& Scrutiny Committee
1 November 2012**

REPORT

Subject Heading:

Social Care and Learning (Children and Young People's Services) Annual Complaints and Compliments Report 2011/12

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SUMMARY

The report provides information about the numbers and types of complaints handled by the Children and Young People's Service during 2011/12 and how they were dealt with to minimise the impact of justifiable concerns and to reduce the likelihood of future complaints.

RECOMMENDATIONS

To note the content of the report and the attached appendix 1 that sets out the position for 2011/12.

REPORT DETAIL

1.0 Introduction

The separate Appendix 1 contains the summary report on the position regarding service complaints handled in relation to the Children and Young People's Services during the period 1 April 2011 to 31 March 2012. It also shows the compliments received.

2.0 Key Issues

The reason for reporting complaints on Children and Young People's Services separately is because they are handled under specific regulations that individually define the statutory process into 3 formal stages (Stage 1, 2 and 3). Havering introduced an informal Pre Stage 1 process in 2005 to support a better complaints practice and avoid complaints escalating to statutory processes.

Some of the key messages that arise from the report during 2011/12 are that:

- The overall number of complaints are around 133 (36 matters raised by MP's and Councillors).
- The Pre Stage 1 process (29) has been very successful in resolving many initial concerns, with none moving from that stage to the formal stage 1 process.
- Matters raised through a Councillor or MP are monitored through their own individual corporate processes (page 4 of appendix 1, see table 1 on page 10).
- The overall number of Stage 1 complaints has decreased by 15. The reason for the decrease is that in 2010/11 there were numerous of complaints in relation to the reduction of service user's packages of care. There has been a consistent approach with complaints made by the Children's Advocacy Service (pages 5-6 of appendix 1, see table 1 - 4).
- The number of Stage 1 complaints, that escalated to a Stage 2 complaint had decreased in 2011/12 by 2 (page 7 of appendix 1, see tables 1, 2, 3 and 5).

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- There was one Stage 3 complaint for the financial year 2011/12 This Stage 3 complaint had rolled over into 2011/12 (page 7 of appendix 1, see tables 1, 2, 3 and 6).
- For 2011/12 34 Compliments were received, these are in relation to the good work Children and Young People's Services have carried out (page 8 of appendix 1 and tables 1 and 7).
- 10 complaints were submitted to the Local Government Ombudsman (LGO). The outcomes from these complaints were: 1 referred back as a premature complaint and investigated locally as a statutory Stage 1 complaint. 3 outside LGO jurisdiction, 1 informal enquiry, 3 investigations discontinued, 1 complaint was investigated by the LGO and no maladministration was found and 1 LGO Discretion – no or insufficient injustice.
- Most complaints are initiated by parents and very few by children and young people.
- The majority of complaints relate to the quality of service, alleged behaviour of staff and disputed decision (on appendix 1, pages 5 & 6 provides examples).
- A number of future actions have been identified as a result of the Annual Complaints and Compliments Report 2011/12. These are set out on page 9 of the appendix 1. Most are continuous development matters, but with one or two specific new actions. Key is the continuation of a staff training programme.

3.0 Future Arrangements

Currently, the Council has a corporate complaints model that captures non social care complaints, principally education, children services activity. Attached to that are separate regulated processes, for the Children's Social Care and Adult Social Care (inc. health aspects) Service. These complaints systems are statutory and have separate defined and differing regulated processes.

IMPLICATIONS AND RISKS

Financial implications and risks:

The Children's Complaints Service has a small annual operational budget of £14,460. That includes the need on occasion to commission Independent People, which is the least predicable cost associated with the service.

There are no new financial implications or risks arising from this report.

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:

There are no new HR implications or risks arising from 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, including those relating specifically to matters of equality of treatment, to be registered for review and action where required.

The Council regularly monitors complaints against a range of equality indicators, such as ethnicity. 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 alternative languages and formats on request.

BACKGROUND PAPERS

Appendix 1 attached which draws on the electronic and paper recording systems held within the Social Care and Learning Directorate.