

APPENDIX 1

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

Annual Report 2012 – 2013 Complaints and Compliments

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1. Introduction:

This report covers the complaints, representations and compliments received about children and young people services (C&YPS). It covers complaints made by children or young people. It also applies to parents, foster carers and people in which the local authority consider have a sufficient interest in the child or young person's welfare to warrant his/her representations being considered by them, under the complaints and representations procedures established through the Local Authority Social Services Complaints (England) Regulations 2006. '

The report sets out the types of complaints/compliments received and the effectiveness of our services in meeting statutory requirements, including timescales, independence and the processes set out in the regulations. However, services are striving towards improvements by using the lessons learnt from complaints to help inform change. The development of the new Customer Relations Management (CRM) system will link actions and recommendations to outcomes and this will assist in evidencing service improvements and having a more joined up service with all data being stored in one place, with integration to other line of business systems.

There are a number of different codes (attributes) which can be used to identify the nature of Children and Young People's Services complaints. Only those that relate to the specific data recorded over the reported year (1 April 2012 – 31 March 2013) are used here. Tables are included at the end of the report.

The requirements are set out in the Children Act 2004 and Every Child Matters guidance that govern the way in which C&YPS social services complaints are recorded and managed.

Stage 1 - Local Resolution

The complaints procedure requires complaints at stage 1 to be responded to within 10 working days (with a further 10 days for more complex complaints or additional time if an advocate is required); After this deadline the complainant can request consideration at Stage 2 if he/she so wishes. The Complaints Manager should inform the complainant that they have the right to move on to Stage 2 if the time scale has elapsed for Stage 1 and the complainant has not received an outcome. It may be that the complainant is happy to put this off for the time being (for example, if the reason that resolution is delayed due to a key person's availability, so this period can be extended with the complainant's agreement or request. If the matter is resolved, the local authority must write to the complainant confirming the agreed resolution and the Complaints Manager should be informed of the outcome as soon as possible. Otherwise, a letter should be sent by the local authority to the complainant (or a meeting offered, if this is more appropriate) responding to the complaint. Where the matter is not resolved locally, the complainant has the right to request consideration of the complaint at Stage 2. There is a time-limit in which a complainant must request this, which is within 20 working days so that momentum in resolving the complaint is not lost. The local authority is under a duty to operate expeditiously throughout the complaints handling process.

Stage 2 – Formal Investigation

The formal investigation is undertaken by an Independent Investigating Officer and Independent Person. The Head of Service adjudicates on the findings. The timescale for investigation is 25 working days. Where it is not possible to complete the investigation within 25 working days, Stage 2 may be extended to a maximum of 65 working days. All extensions should be agreed by the Complaints Manager. The important thing is to maintain dialogue with the complainant and where possible reach a mutual agreement as to what is reasonable where a response in 25 working days is not feasible.

Stage 3 – Review Panel

A Review Panel is managed independently of Children and Young People's Services and conducted by Havering's Democratic Services. The panel consists of an independent Chairperson and two independent members. The Panel will review the complaint within 30 working days of the complainants request to go to Stage 3. The complainant will receive a letter of finding and recommendations from the chairperson of the panel within 5 working days. The Group Director must consider the recommendations together with the Independent Person and formulate the Authority's response within 15 working days.

Complaints that relate to Children and Young People's Services that do not fall within the statutory requirements are recorded on the Council's Corporate CRM system.

2. Corporate Complaints:

The Corporate Complaints Procedure has been in existence since September 2008. All service areas complaints/compliments are recorded on the Corporate Customer Relations Management System (CRM) and responded within 10 working days. All complaints outstanding for more than 10 working days are reviewed by the Head of Service. All complaints outstanding for more than 20 working days are reviewed by the Group Director and Chief Executive.

The number of corporate complaints received from 1 April 2012 to 31 March 2013 was 49 in comparison with the previous year where there were 8. The reason for this high number was 39 parents made a complaint in relation to the closure of certain groups held at the Children Centre's. These complainants were not technically eligible to make a complaint under the Statutory Complaints Procedure, but could do so in relation to a service received by Children and Young People's Services e.g. a complaint against a children centre.

3. Members Correspondence:

Procedures for members correspondence from MP's and Councillors has been in effect since February 2010. These procedures ensure managers are directly accountable for Members enquiries in their area and set a challenging timetable for responding and dealing with

correspondence effectively, 10 working days. All correspondence not dealt with within 20 days is referred to the appropriate Group Director and the Chief Executive.

The number of Members correspondence in 2012/13 was 46 compared to the previous year 2011/12 when there were 36. The increase resulted from the proposed closure of some of the services within Children's Centres.

4. Pre Stage 1 Enquiries:

Since 2005 Children and Young People's Services have continued to be successful with the Pre Stage 1 Enquiry system. They deal with complainant's issues at an early stage, enabling the services to achieve a quick resolution. Although it is not a statutory requirement to resolve dissatisfaction at Pre Stage 1 this process has been found to be very effective in reaching a speedy resolution to concerns and avoid matters escalating into formal complaints.

The number of enquiries received at Pre Stage 1 in 2012/13 was 27 in comparison with the previous year 2011/12 where there were 29.

The majority of Pre Stage 1 enquiries were about welfare concerns and Quality of Service.

- Out of the 27 Pre Stage 1 complaints there were 7 enquiries recorded against welfare concerns. An example of a complaint against welfare concerns was the complainant had concerns in relation to a young person in the care of LBH.
- 6 enquiries were against quality of service. An example of a complaint against quality of service was where a complainant was unhappy that a social worker arranged a meeting but did not turn up

5 Pre Stage 1 Complaints escalated to a Stage 1 Complaint.

5. Stage 1 Complaints:

From 1 April 2012 to 31 March 2013 the Complaints Section recorded 43 Stage 1 complaints, compared to 48 in the previous year.

The majority of Stage 1 complaints were about quality of service, incorrect information and the alleged behaviour of staff.

- Out of the 43 Stage 1 complaints there were 21 complaints recorded against the quality of service – 7 was upheld (either fully or partially). It is evident that many complaints of this type arise because of the nature of the service interventions rather than the way issues are handled.

An example: One of the complaints that was upheld was where a complainant was unhappy about the fact the family have had various social workers

- 3 direct complaints and there were 6 complaints involved an issue relating to incorrect information – 0 were upheld (either fully or partially).

An example of a complaint against incorrect information is where a complainant claims her children's core assessment has incorrect Information on it.

- 5 complaints were against behaviour of staff - 0 were upheld (either fully or partially).

An example of a complaint against behaviour of staff was where a complainant was unhappy that the social worker contacted one of the child's parents as the complainant had sole custody

Of the 43 complaints:

17 were upheld (either fully or partially)

21 were not upheld

2 Withdrew

3 On-going

During 2012/13 43 complaints were received, 24 complaints were responded to within the 10 working days timescale, 10 complaints were responded to within 20 working days, 4 outside the timescale. 2 complaints withdrew and 3 are on-going and rolled over to 2013-14. Those complaints that were dealt with within 20 working days, or went outside of timescale the complaints team sent out relevant holding letters.

The majority of complaints were made by parents and only 2 were made by children/young people directly. The Children Advocacy Service made 6 complaints on behalf of young people.

5. Outcomes and Recommendation from Stage 1 Complaints – 2012-13

Below is a list of outcomes and recommendations which have come from the Stage 1 complaints. In all cases the complainant would receive an explanation and majority of cases would receive an apology. The apology may not be for the failure of the service but for how they felt the service was received.

Explanation Given	Change of social worker	Apology Given	Hours Increased
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6. **Stage 2 Complaints:**

From 1 April 2012 to 31 March 2013 there were 5 Stage 2 complaints that fell within the Statutory Complaints Process. This being an increase of 1 in comparison to the previous year (2011/12) when there were 4 Stage 2 complaints.

Within 2012-13 there was 1 Stage 1 request to go to a Stage 2 however this was dealt with locally.

2 Stage 2 Investigations have rolled over into the next financial year 2013/14 due to the complexity of the complaints, and remains on going.

1 Stage 2 complaint rolled over from 2011/12.

6. **Outcomes and Recommendation from Stage 2 Complaints – 2012-13**

Below is a list of outcomes, recommendations and lessons learnt which have come from the Stage 2 complaints. In all cases the complainant would receive an adjudication letter from the Heads of Service along with the Independent Investigators Officers and Independent Persons reports. In the adjudication letter it would address each individual complaint points and suggested outcomes or recommendations.

Explanation Given	To convene a face-to-face meeting with complainants to talk through how they might best work together with the Local authority in the future to ensure the child's best interests
Apology Given	To commission a children's advocate to undertake a piece of work with the young person & their parents
Pathway Plan to be completed	To consider using an alternative telephone contact with siblings
Meaningful participation work	Direct contact sessions to be supported where possible by the same contact workers
To produce a clear timetable for contact	To feedback to complainants that they have recently agreed to contact supervised by one worker and this is a positive step forward.

7. **Stage 3 Review Panels:**

- No Stage 3 Review Panel was held in 2012-13.
- One Stage 2 complaint has escalated to a Stage 3 Review Panel but this data will roll over to 2013/14.

8. Local Government Ombudsman complaints, enquiries and decision:

There were 5 complaints submitted, compared to 10 in 2011/12. The significant decrease is as a result of SEN complaints no longer falling under Children and Young People's Services. Please see the table below which sets out the details/outcomes:

Service Area	Ombudsman Discretion - no or insufficient Injustice	Premature Complaint	Outside Jurisdiction	Investigation Discontinued	No Maladministration after Investigation	Investigation with Local Settlement	Informal Enquiry
Duty and Assessment Team		1				1	
Looked After Children Team			1				1
Children with Disabilities Team		1					
TOTAL	-	2	1	-	-	1	1

9. Expenditure on Investigation of Complaints:

There are on-going costs attached to the delivery of an effective complaints service in line with government regulation. The major part of the costs are associated with the staff resource time spent receiving, handling and resolving complaints which include the hidden cost of social work staff. There are thus service and budgetary benefits from reducing complaints. A small budget is held separately to commission Independent People to carry out investigations and determine outcomes at the later stages. Expenditure in 2012/13 for independent people was £7,712.72 against a budget £14,460.

10. Compensation Payments:

The Council can provide compensation if, after a complaint has been investigated, or as an outcome of a Local Government Ombudsman's investigation (LGO), it is concluded that:

- the Ombudsman finds that there has been maladministration by the Council causing injustice to the complainant; and
- he would recommend that compensation should therefore be paid to the complainant.

Within 2012/13 Children and Young People's Services incurred compensation totalling £6,000.00 compared to £1,180.00 in the previous financial year 2011/12. The reason for this high compensation is due to a very complex complaint and this was the remedy advised by the Local Government Ombudsman.

11. Compliments:

In 2012/13 43 compliments were received, compared to 34 in 2011/12. 10 of these compliments were included in the Corporate Complaints regarding Children Centre's. Staff have been reminded the importance of making the Complaints Team aware of any compliments which they have received in relation to their Service. This also can include professional staff complimenting another staff member, altogether there were 10 internal compliments and 4 external staff compliments.

12. Future Actions to Learn and Improve from Complaints:

As a result of the annual review of complaints and compliments:

- To continue training/supporting new and existing staff.
- The complaints section to continue working with service teams by monitoring and reviewing the implementation of all recommendations made at Stage 1 and 2.
- Continuation of the internal Service Improvement Report which will examine more closely data in detail around themes, trends and gaps. This report will assist the service and highlight specific areas that need to be improved.
- The Head of Service will continue to monitor the effectiveness of the adjudication meetings with the Independent People on their investigation findings to identify any gaps in service and future needs.
- DPA awareness has raised the need for all data to be sent securely when sending correspondence via email.

TABLES RELATING TO 2012/13 COMPLAINTS AND COMPLIMENTS

13. Table 1 – Complaint Activity:

Complaint Stage	2011/12	2012/13
Corporate Complaints	8	49
Members Correspondence (from MP's & Cllrs)	36	46
Pre-Stage 1 Enquiries	29	27
Pre Stage 1 escalated to a Stage 1	-	3
Direct Stage 1 Complaints	48	43
Stage 1 escalated to Stage 2	2	5
Direct Stage 2 Complaints	1	
Stage 2 Withdrawn	1	-
A Stage 2 rolled over from 2011/12 into the financial year of 2012/13		1
Stage 2 escalated to Stage 3	-	1
Stage 3 Review Panel	1	-
Local Government Ombudsman	10	5
Compliments	34	43

14. Table 2 – Outcome of Complaints

Stages	Upheld (either fully or partially)	Not upheld	Withdrawn
Pre Stage 1	As this is not a statutory requirement this is not recorded.		
*Stage 1	17	21	2
**Stage 2	2	1	
***Stage 3	-	-	-

*Three Stage 1 complaints are still on-going due to the nature of the complaint.

** 2 Stage 2 investigations are still on-going due to the nature of the complaint.

***A Stage 2 complaint has escalated to a Stage 3 Review Panel but this data will roll over to 2013/14.

15. Table 3 – Response Times of Complaints

	Stage 1	Stage 2	Stage 3
Within 10 Working Days	24	-	-
Within 20 Working Days	10	-	-
Within 25 Working Days	-	1	-
Within 30 Working Days	-	-	-
Within 65 Working Days	-	-	-
Outside of Timescale	4	2	-
Withdrawn	2	-	-
On-going	3	2	1

16. Table 4 – Stage 1 Complaint's – Nature of Complaint against the Team:

	Children In Need	Family Link	Duty and Assessment Team	Children with Disabilities Team	Leaving Care	Looked After Children Team	Intensive Family Intervention Team	Safeguarding & Service Standards Unit	IFIT/ DAAT	St Kilda's Children Centre/ DAAT	TOTAL
Behaviour of Staff	1		1				2		1		5
Delay to Implement a Service	1	1									2
Quality of Service	3		4	2	5	3	1	2		1	21
Dispute Decision				1	3						4
Level of Service				1		2					3
Incorrect Information			2			1					3
Access to Information						1					1
Lack of Communication					1	1					2
Incorrect Assessment			1								1
Welfare Concerns						1					1
TOTAL	5	1	8	4	9	9	3	2	1	1	43

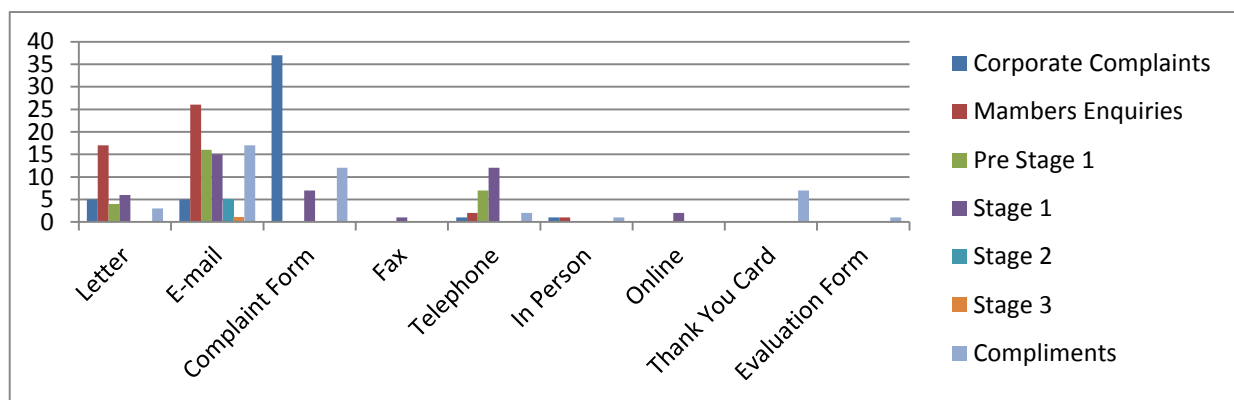
17. **Table 5 – Stage 2 Complaints – Nature of Complaint against the Team:**

	Looked After Children	Leaving Care	Children with Disabilities Team	Duty and Assessment Team	Total
Quality of Service			2		2
Dispute Decision		1			1
Incorrect Information				1	1
Level of Service	1				1
Total	1	1	2	1	5

18. **Table 6 – Compliments - Nature of Compliment against the Team:**

	Leaving Care Team	DAAT	YISP	CWDT	Adoption	LAC	Chippenham Road Children Centre	Rainham Village Children Centre	Elm Park Children Centre	St Kilda's Children Centre	Collier Row Children Centre	S&SU	Ingrebourne Children Centre	TOTAL
Level of Service			1						9	1	1	1	1	14
Help and Support			9	3	1		1		1			1		16
Professional Staff	1	1	1	1		1		1	4	1				11
Quality of Service										1	1			2
TOTAL	1	1	11	4	1	1	1	1	14	3	2	2	1	43

19. **Table 7 – How Complaints & Compliments were Received**



20. **Table 8 – Disability, Ethnicity and Age for both Complainant and Service User for Stage 1 Complaints**

