

REPORT TO: Children & Young People's Policy & Performance Board

DATE: 7 September 2009

REPORTING OFFICER: Strategic Director – Children & Young People

SUBJECT: Comments, Complaints and Compliments relating to Child Care Services

WARD(S) Borough-wide

1.0 PURPOSE OF THE REPORT

- 1.1 To meet statutory obligation to publish an annual report.
- 1.2 To report and provide an analysis on complaints processed under the Statutory Complaints Procedure for Children and Young People during 2008-09.

2.0 RECOMMENDATION: That: the report is accepted as the mechanism by which the Local Authority is kept informed about the operation of its complaints procedure.

3.0 SUPPORTING INFORMATION

- 3.1 The regulations came into effect 1st September 2006
- 3.2 The aims of The Children Act 1989 Representations Procedure is for Children and Young People have their concerns resolved swiftly and wherever possible by the people who provide the service locally.
- 3.3 A complaint may generally be defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.
- 3.4 ***There are 3 categories to the representation process.***
 - i. Statutory Complaint - the complainant is eligible as stated in the Representations Procedure to make a formal complaint.
 - ii. Representation - where the complainant is not eligible under the Representations Procedure to make a formal complaint but their comments are noted and responded.
 - iii. Compliment – positive feedback
- 3.5 The formal complaints procedure has a process of 4 stages.

Stage 1: Aims to resolve the problem as quickly as possible (within 10 working days, or 20 if complex) at the point of service delivery.

Stage 2: If unhappy with response at stage 1 they can ask for the complaint to be

investigated by an Independent Person of the service area involved (within 25 working days, 65 if complex).

Stage 3: If still dissatisfied, can ask for a Review Panel to consider whether the complaint has been dealt with adequately. The Review Panel is made up of 3 independent people and should be held within 30 working days of request.

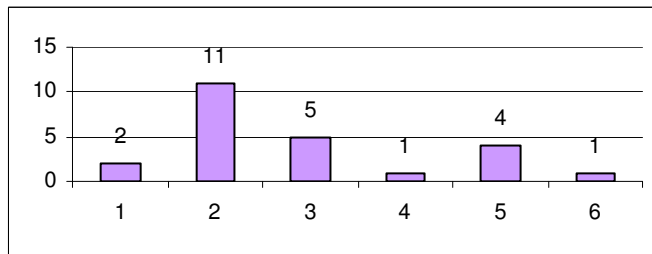
Stage 4: If still dissatisfied, has the right to refer self to the Local Government Ombudsman.

3.6 During 2008/09 Halton Borough Council extended a contract with Barnardo's to provide a Children's Rights Service, this is a mediation and advocacy service for children and young people. Two young people used the service this year.

3.7 **Statistical Data**

There were 24 Statutory Complaints made to the Local Authority in 2008/09.
(2007/08 there were 18 Statutory Complaints)

Types of Statutory complaints made



1	Service delivery	4	Council policy
2	Staff response	5	Assessment / Review Process
3	Statutory Requirement	6	Other

Five complaints are still ongoing into this financial year.

One is progressing through Stage 2 investigation.

One at the request of the complainant has been adjourned, pending Stage 3 Review.

One is on hold due to court proceedings.

Two at the complainant's request, do not wish to proceed to stage 2, there is ongoing mediation to resolve their issues.

The outcome of complaints

	Upheld	Partially upheld	Not upheld	Resolved	Totals
Stage 1	3	3	3	7	16
Stage 2	0	1	1	0	2
Stage 3	0	0	1	0	1
Ombudsman	0	0	0	0	0

One young person complained about having to move placement, this decision was reversed at Stage 1.

One young person complained about being unhappy in her placement, a move to a new one was organised.

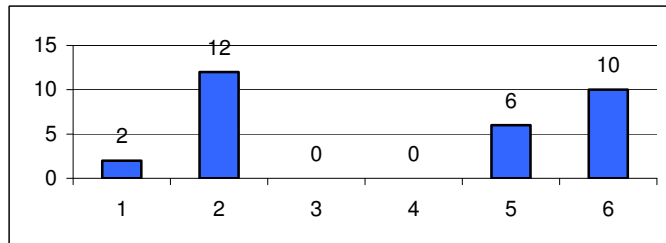
All Statutory Complaints were dealt with inside timescales, one of those being dealt with within the extended timescales at stage 2 due to the complexity and number of

complaints made by the complainant.

One complainant wrote to the Ombudsman but it was declined, as the complainant had not been through the local authority process. Due to additional information being needed, this complaint has now been logged in the next financial year

There were 30 representations made to the Local Authority in 2008/09.

The types of representations made.



1	Service delivery	4	Council policy
2	Staff response	5	Assessment / Review Process
3	Statutory Requirement	6	Other

There were 7 Compliments made in respect of Children’s Social Services.

4 compliments were in respect of the Children with Disabilities Team.

1 in respect of Child Care Team One.

1 in respect of the Young Peoples Team.

1 regarding Children in Care.

(2007/08 there were 12 compliments received)

3.8 Learning and Service Improvement

A complaint was received outside of timescale as stated in the Children’s Act 1989 Representations Procedure. Following an Ombudsman enquiry, clearer reasons for refusal to investigate a complaint should be given, and greater consideration of the individual case to ascertain any circumstances that would have prevented them complaining at the time.

4.0 POLICY IMPLICATIONS

4.1 The recommendation of a Stage 3 Review panel was to add clarification regarding the treatment of anonymous allegations. The work preparing the additional policy has now been completed and the following paragraph now forms a part of the Children in Need Procedures.

Members of the general public may seek to remain anonymous and Children's Social Care should assure the referrer that their identity would not be shared. The exception to this would be any member of the public seeking to refer a child/ren for whom they have parental responsibility, or a child/ren for whom they care. (It is expected that such a referrer has responsibilities for safeguarding and any concerns they have should be transparent in the interests of their own child/ren).

4.2 Following a representation, at the request of the Children’s mother a social worker left the children with a neighbour. The neighbour felt that there should have been some checks on her before doing this. The following paragraph now forms part of these procedures.

If Child/Children are felt to be at immediate risk and needs placing temporarily until next working day, other than if the child is made subject Police Protection Order to or Section 20 (voluntarily accommodated). The Emergency Duty Team, Social Worker needs to consider whether there are family or friends who are appropriate to care: -

- *Then permission of parent/Carer needs to be sought and negotiated.*
- *Checks made by the Police*
- *Checked made by Emergency Duty Team on carefirst & Integrated Children's System.*

Consider the need for written agreement to outline conditions i.e. where child is to stay and who can have contact with child.

5.0 OTHER IMPLICATIONS

5.1 No other implications identified

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children & Young People in Halton

The learning taken from comments, complaints and compliments ensures the ongoing development of services to provide better outcomes for children, young people and their families. The transparency of the process enables children, young people and their families to challenge our provision of services if they feel unhappy about any aspect of it and provides independent oversight if required.

6.2 Employment, Learning & Skills in Halton

Any findings from a comment, complaint or compliment relating to this priority will be used to inform the relevant service.

6.3 A Healthy Halton

Any findings from a comment, complaint or compliment relating to this priority will be used to inform the relevant service.

6.4 A Safer Halton

Any findings from a comment, complaint or compliment relating to this priority will be used to inform the relevant service.

6.5 Halton's Urban Renewal

Any findings from a comment, complaint or compliment relating to this priority will be used to inform the relevant service.

7.0 RISK ANALYSIS

7.1 A weak complaints process will fail individuals who want to use it, and the organisation from learning from complaints. Whilst complaints can result in changes for individuals, collectively they are a key source of information to help us develop the services we provide or commission.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 Five complaints were made by children and young people under the age of 18. Nineteen complaints were made by adults over the age of 18. The ethnicities of the complainants are all from the group, White British. No complainants provided any details regarding a disability.