

**REPORT TO:** Children, Young People and Families Policy and Performance Board

**DATE:** 5 September 2011

**REPORTING OFFICER:** Strategic Director, Children and Enterprise

**SUBJECT:** Annual Report - Comments, Complaints and Compliments relating to Child Care Services 1<sup>st</sup> April 2010-31<sup>st</sup> March 2011.

**WARDS:** All

## **1.0 PURPOSE OF REPORT**

- 1.1 To meet statutory requirement to publish an Annual Report.
- 1.2 To report and provide an analysis on complaints processed under the Children's Act 1989, Representation's Procedure.

## **2. RECOMMENDATION: That**

- 1. The report is accepted as the mechanism by which the Local Authority is kept informed about the operation of its complaints procedure.**
- 2. The Annual Report where applicable will evidence how feedback from service users has been used to improve service delivery.**

## **3.0 SUPPORTING INFORMATION**

- 3.1 The aim 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.
- 3.2 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.
- 3.3 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 a complainant is not eligible under the Representations Procedure to make a formal complaint, but their comments are noted and responded to. If it is not a complaint under the Representations Procedure then the Corporate Complaints procedure may apply.
  - iii. Compliment – positive feedback
- 3.4 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)

Stage 2: If unhappy with response at stage 1, a request can be made for the complaint to be investigated by an Independent Investigator/Person (within 25 working days, 65 if complex).

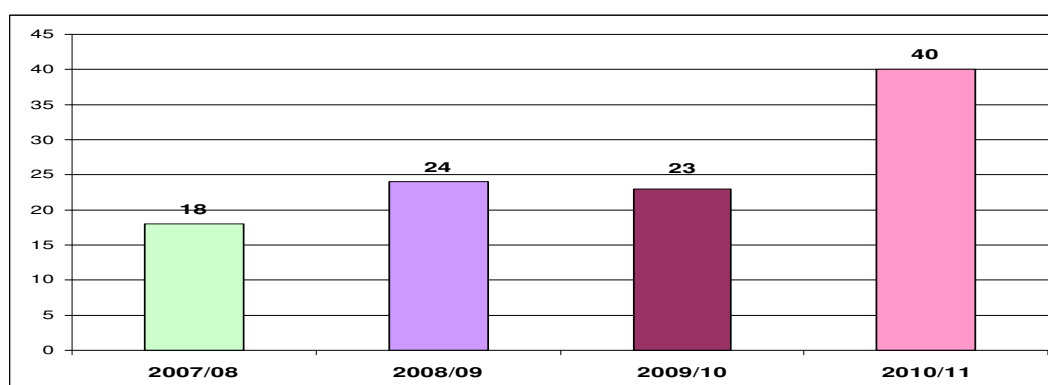
Stage 3: If still dissatisfied, a request can be made for a Review Panel to consider whether the complaint has been dealt with adequately. The Review Panel is made up of 3 independent people and should be held within 30 working days of request.

Stage 4: If still dissatisfied, the complainant has the right to refer self to the Local Government Ombudsman, they can do this at any stage of the complaint.

3.5 The Customer Care Manager has responsibility for the overall administration of complaints; liaising with relevant services across the Children and Young People's Directorate, parents and families in working to resolve children's social care complaints.

#### 4.0 Annual Report 1<sup>st</sup> April 2010 – 31<sup>st</sup> March 2011

##### 4.1 Statistical Data



**There were 40 Statutory Complaints made to the Local Authority in 2010/11.**

4.2 This is an increase of 17 statutory complaints, a 74% increase. This can be attributed to the:

- Customer Care Manager now being firmly established in post and raising awareness of the complaints process within the Children & Enterprise Directorate, offering advice and guidance to staff
- Delivering training sessions to front line staff
- Commissioning training for Managers by the Local Government Ombudsman Office.

4.3 At the 31<sup>st</sup> March 2011, there were a total of 911 open cases to Children in Need, Child Protection, Children in Care and Care Leavers. 4.4% made a complaint.

- 5 complaints came from young people, this is 1 more than last year.
- 1 complaint was from a child with a disability, the first recorded as such.
- 3 used an advocacy service with 2 of those using Action for Children who provide mediation and advocacy service for children and young people in Halton.

4.4 Feedback from young people who have accessed the complaints process include:

- understands the process and how to make another complaint if needs to
- happy with the process, feels listened to and consulted
- 2 complaints came from the same young person at different times.  
Demonstrates that the service was accessible and valued.

##### 4.5 Types of Statutory complaints made

The larger the volume the easier it is to give a bigger picture, to identify if there are single incidents or if there are any themes identified for example: staff, team, service area or system errors.

Main categories	2009-10	2010-11
Staff	14	17
Service	5	19
Assessment / Review Process	1	3
Other	3	1
<b>Total</b>	<b>23</b>	<b>40</b>

- The number of complaints made about staff has decreased from 61% to 43%
- The number of complaints made about services increasing from 22% to 47% this can include quality, lack of, over provision and client expectations.

Historically complaints made that were aimed at staff could have been as a result of staff adhering to the processes, greater thought is now given as to the context behind the complaint when giving it a category to report on.

4.6

#### **The outcome of closed complaints (5 are ongoing)**

Stage 1	Upheld	Partially upheld	Not upheld	Totals
2010-11	6	4	25	35
2009-10	1	1	21	23

- Upheld –there were 6 upheld complaints. Each were single incidents where processes were not followed by individual workers.
- Partially upheld – there were 4 partially upheld, each were single incidents and related to communication issues between workers and clients.
- Of all the closed complaints, 12 could be directly linked to Customer Care issues such as communication between clients and workers.

4.7

**Actions taken to resolve complaints at early stages** have resulted in low number of complaints progressing through the formal stages. No complaints received in the year 2010-11 have yet progressed to Stage 2 Investigation.

4.8

**Stage 2 investigations** - One was concluded in the year 2010-11, which was carried over from the previous year.

There were 3 elements to this complaint. The one element which was upheld was that the assessment and planning processes had not been good enough to justify a decision to refuse increased respite. Of note was that the External Independent Investigator, with agreement from all parties, undertook the role of Mediator and a further assessment was completed taking into consideration his findings. This did not change the outcome of the previous assessment which then resulted in the Stage 2 report then being produced. This complaint did not progress to a Stage 3 Review.

4.9

**Stage 3 Review Panels** - No complaints progressed to Review Panel during the year 2010-11

4.10

#### **Local Government Ombudsman Enquiries/investigations**

Five enquiries were received from the Local Government Ombudsman, responses were sent and none resulted in investigations being conducted by them.

4.11

#### **Other Customer Care Enquiries**

There were 3 representations made to the Local Authority in 2010/11 this is 14 less than last year. However there were an additional 26 customer care contacts in relation to Children Social Care that were responded to and this is 10 more than last

year. These were contacts, which were resolved by the Customer Care Team at point of contact. i.e. liaising with Social Workers, provision of information, signposting. These contacts can be seen as providing an early resolution preventing the making of a formal complaint.

4.12

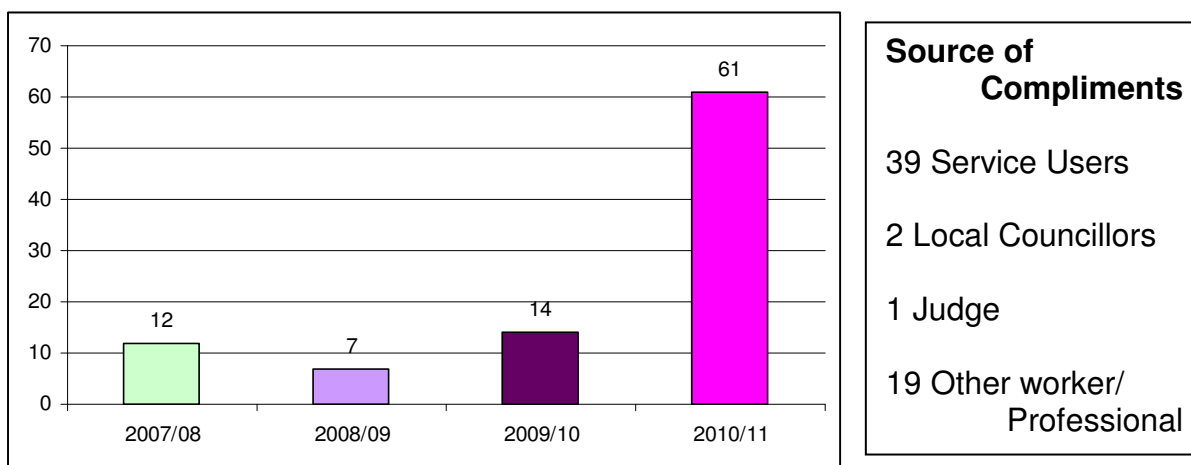
### Timescale Performance Compliance

One Statutory Complaint was not responded to within the extended timescale, these being either within 10 working days or within the extended timescales of 20 days. This extended deadline can occur where a key member of staff is absent, or the complaint is more complex, the complainant is kept informed of delays and it can also be extended with the complainant's permission, this is as per regulations.

4.13

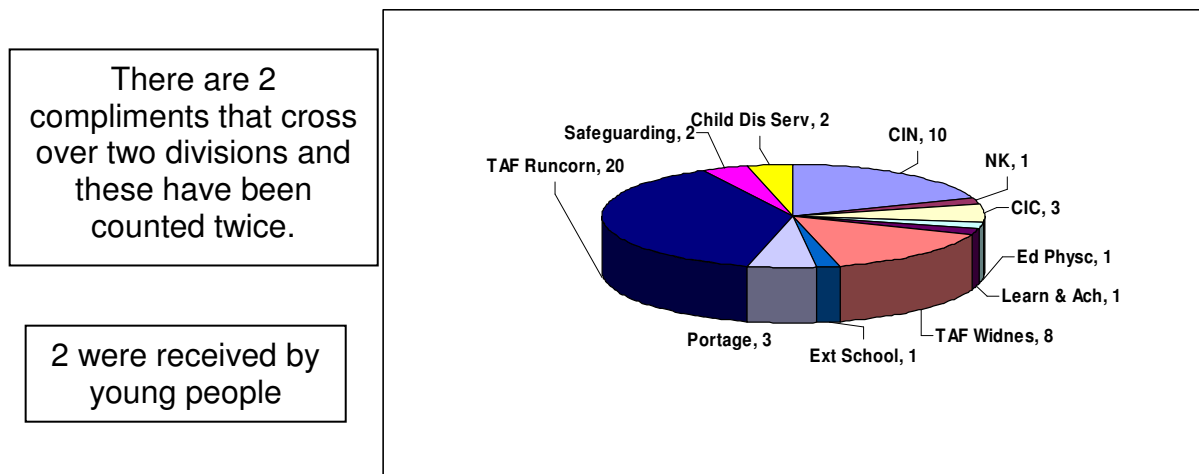
### There were 61 Compliments made in respect of Children's Social Services.

This shows an increase of 47 (77%), this may be due to training and raising awareness in the Directorate.



4.14

### Compliments by service area



### Comments included

- I think the range of activities put on was fabulous.
- Staff are always helpful and nothing seems too much trouble
- Thank them for their professionalism and kindness
- Judge stated they were the best reports he had read in 16 years
- It's nice to know they are not just here for the child, they are for us as a family
- From 12yr old – social worker is kind and has really helped me out
- From 16yr old – wanted to thank manager for taking time to see her and for staff for their work in arranging event.

- From a mother whose children has been removed by her previous authority area, due to lifestyle issues. On moving to Halton, the parents were helped to address these issues and the children are back with them. "I just want to thank the Social Services for helping and supporting us in the aid of reuniting our family back together. I know at first this was not going to happen because of the situation, but once we worked together, progress became very fast. To let you know that I now do believe that the system can and does work. I do believe that you have the children's needs as a priority, so really we both wanted the same outcome. It is also very good to have consistent and long standing Social Workers work with families to build up rapport and trust. Thank you for all your help".

#### 4.15 **Learning and service improvement**

Training was commissioned from the Local Government Ombudsman (LGO) Office for Principal Managers and Practice Managers within the Children's Social Care Division. The training lasted 1 day, 2 days were commissioned, 13<sup>th</sup> January 2010 and 10<sup>th</sup> March 2010. The training focused on carrying out an investigation of a complaint, and the expectations of the LGO. There was a 93% attendance and the feedback was excellent.

Communication issues in complaints are addressed via training for front line staff. 6 half day training sessions for Children's Social Care staff were provided by the Customer Care Manager in this year and this will continue to be run periodically. 76 staff have attended, this being an 87% attendance rate against the maximum number of places available. Feedback was also excellent.

The announced inspection of Safeguarding and Looked After Children took place in March 2011. The grading received; 'Outstanding' for 10 elements and 'Good' for 12 of the 22 criteria, places Halton Borough Council and its partners among the top performing local authority areas in the country. The inspection report highlights the robust systems in place locally.

#### 4.16 **The inspection highlighted the following comments regarding Complaints**

There are sound processes in place with respect to the reporting on and learning from complaints and compliments. The council has recognised the need to improve the use of the complaints procedure by young people and has taken steps to address this for example by including an increased customer care focus within staff training.

All children are given age appropriate information about how to complain as part of the pack they receive on becoming looked after.

There is active reporting on and learning from the issues and themes arising from complaints.

### 5.0 **POLICY IMPLICATIONS – How complaints and comments drive improvements**

5.1 Where identified through the complaints process, policies can be amended to improve service delivery. Over Night Stay Policy was under revision, and a complaint received by a family member regarding a child in care influenced this Policy.

5.2 A complaint was received regarding the use of a mobile telephone by a young people in residential care, a policy was created and approved by Senior Management Team in December 2010.

5.3 Where the complaints process has been used, issues are followed up by managers and used in supervision to inform individual learning, and more widely through training and quarterly reporting to Operational Leadership Team to inform service development.

## **6.0 RISK ANALYSIS**

6.1 Failure to implement an efficient service could result in the local authority being challenged for not dealing with complaints in a timely and efficient manner and could result in the customer not receiving a service which could then be detrimental to their safety and well being.

6.2 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.

## **7.0 EQUALITY AND DIVERSITY ISSUES**

7.1 No matter who complains they receive the same equality of access and provision.

7.2 Children and young people under the age of 18 made four complaints. The ethnicities of these complainants were White British (source Carefirst) with 3 being female and 1 being a male.

7.3 Nineteen complaints were made by adults over the age of 18 years, none declared a disability, 15 were female and 4 were male. 17 were White British (source Carefirst) with 2 not being known.

## **8.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **8.1 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.

### **8.2 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.

### **8.3 A Healthy Halton**

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

### **8.4 A Safer Halton**

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

### **8.5 Halton's Urban Renewal**

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

**9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Representation Procedure 1989	Chester 1 Grosvenor House	Dorothy Roberts Customer Care Manager