

**REPORT TO:** Children, Young People and Families Policy and Performance Board  
**DATE:** 1<sup>st</sup> September 2014  
**REPORTING OFFICER:** Strategic Director, Children and Enterprise  
**PORTFOLIO:** Children, Young People and Families  
**SUBJECT:** Annual Report - Comments, Complaints and Compliments relating to Child Social Care Services  
1<sup>st</sup> April 2013 - 31<sup>st</sup> March 2014.  
**WARDS:** All

## **1.0 PURPOSE OF REPORT**

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

## **2.0 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 for Children Social Care.**
- 2. the Annual Report 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 4 categories to the representation process.
  - i. Statutory Complaints - the complainant is eligible as stated in the Representations Procedure to make a formal complaint.
  - ii. Representations - where a complainant is not eligible under the Statutory Complaints Procedure to make a formal complaint, but their comments are noted and responded to. If it is not a complaint under the Statutory Procedure then the Corporate Complaints procedure may apply. These will often be as complex and take as much time as a statutory complaint and are recorded as Customer Care issues.
  - iii. Customer Care issues – can also include advice and guidance, signposting, problem solving and early resolution to prevent complaint escalation.
  - iv. Compliments – 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).

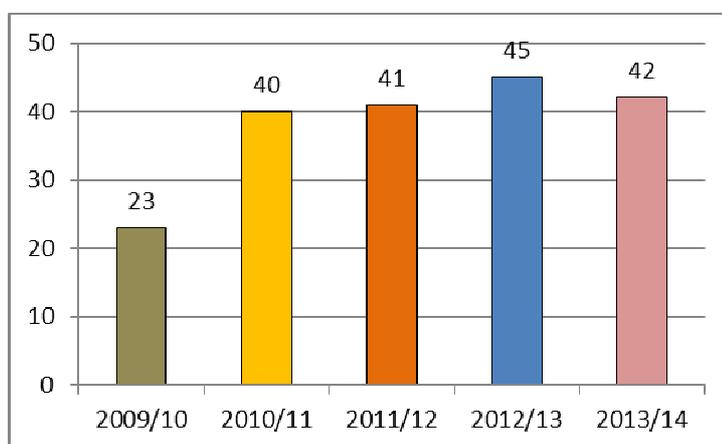
Stage 3: If still dissatisfied, a request can be made for a Review Panel to consider whether the complaint has been dealt with adequately. The Review Panel is made up of 3 independent people and should be held within 30 working days of request.

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 Enterprise Directorate, parents and families in working to resolve children's social care complaints.

#### 4.0 Annual Report 1<sup>st</sup> April 2013 – 31<sup>st</sup> March 2014

4.1 There were 42 Statutory Complaints made to the Local Authority in 2013/14.

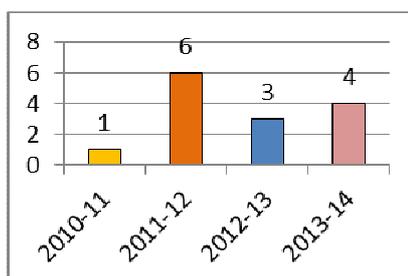


4.2 There are 3 less complaints than in the previous year a decrease of 6%, but comparable to previous years. The consistency in the numbers could indicate the procedure is embedded in practice, continues to be accessible to those using services and that those people feel able to express their views, which is positive.

#### 4.3 Complaints were made by:

- No complaints were received from care leavers this year, over the past two years there has been 1 per year.
- 4 Young People made a complaint this year, 3 out of 4 young people used an advocacy service; the fourth was referred by Customer Care to NYAS (National Youth Advocacy Service), who provide mediation and advocacy service for children and young people in Halton. 2 more young people than last year.

By year, the number of young people who have made a complaint.



- 1 complaint used an advocacy service, the Citizens Advice Bureau (CAB).
- 1 complaint was from a Foster Carer
- The remainder were made by parents or relatives.

#### 4.4 How complaints were made

2013-14			2012-13	
11	26%	Complaint Form	14	31%
6	14%	E-Mail	4	13%
7	17%	Letter	11	27%
18	43%	Telephone	12	27%
0	0%	Meeting	0	2%

There has been a decrease in the number of written complaints, and an increase in preference to speak to someone, evidence that service users are comfortable in making direct contact and having a conversation. This does give an opportunity to resolve issues before escalating into a complaint which could also be a consideration in the decreased number of complaints.

#### 4.5 Types of Statutory complaints made

Main categories	2013/14	2012/13	2011/12	2010/11
Staff	3 (7%)	1 (2%)	3 (7%)	17
Service (i.e. quality, lack of, over provision and client expectations)	22 (52%)	30 (67%)	25 (61%)	19
Assessment / Review Process	17 (41%)	14 (31%)	13 (32%)	3
Other	0	0	0	1
<b>Total</b>	<b>42</b>	<b>45</b>	<b>41</b>	<b>40</b>

4.6 Upon receipt of a complaint, the complainant will often state they wish to complain about the 'Social Worker' and previously these were categorised as complaints made about members of staff. However, we have found that complaint investigations can often conclude that staff were undertaking their statutory duties or acting within the required policies and procedures, and that was the root cause of their complaint. From 2011/12 we re-categorised complaints at closure instead of upon receipt. This enabled us to more accurately reflect the root cause of complaints.

4.7 Identified themes from complaints received in the year include:

- Communication between families and Social Workers.
- Accuracy when inputting information in reports and onto electronic systems.
- Confidentiality when sharing information within families.
- Information for Grandparents taking responsibility for grandchildren.
- Financial support ensuring entitlement to, and that allowances are accurate.
- Timeliness of actions being taken and forward planning for known events.
- Inadequate analysis in assessments and case recording

#### 4.8 The outcome of closed Stage 1 complaints

Stage 1	Upheld	Partially upheld		Not upheld	Totals
2013-14	16	7	62%	14	37
2012-13	4	12	36%	29	45
2011-12	8	7	39%	23	38

2010-11	6	4	13%
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25	35
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4.9 A complaint can be partially upheld where there have been a number of issues raised and some elements have been upheld, whilst others may not have been.

Table 4.8 identifies that of the complaints closed to date there has been an increase from 36% to 62% of complaints that were either upheld or partially upheld. A recurring theme in complaints being upheld is regarding communication and timeliness, for example: Telephone messages not being responded to or documents are not being sent out within an acceptable time frame. Complaints are resolved by means of taking action, providing an explanation and where appropriate offering an apology.

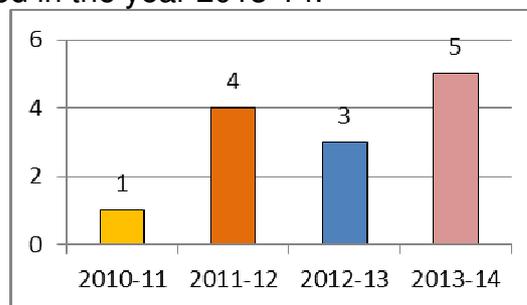
4.10 Overall, numbers of complaints received is small in comparison to the number of contacts Children’s Services staff have with families, therefore caution does need to be exercised in using complaints data to draw conclusions about overriding themes. The larger the volume of complaints the easier it is to give a bigger picture, to identify if there are single incidents or if there are any themes identified. Where similar complaints are made in small numbers, at best these identify trouble spots for Children’s Services to consider. The complaints upheld were single incidents however, as previously stated in 4.10 communication and timeliness is a recurring theme.

4.11 **Stage 2 Complaints**

We always aim to resolve complaints as early as possible. However some, more complex complaints require a more formal investigation under stage 2 of the complaints procedure. Here, an independent person is appointed to investigate the complaint.

4.12 It is not the role of the Independent Investigator to determine the level of service; this can only be achieved via an assessment. An Investigator’s role is to determine if all that could be done has been done and whether it is in line with policy, procedures or statutory requirements. In other words, has the work that has been good enough to justify the decisions made?

4.13 There were 5, Stage 2 complaint investigations commissioned in this financial year. 2 of those related to complaints received in the year 2012-13 with the remaining 3 from complaints received in the year 2013-14.



4.14 None of these stage 2 complaints progressed to Stage 3 Review Panel, 1 of the stage 2 complaint investigations is ongoing. Within each one of these there can be a number of elements to their complaints, some may have had the outcome of the stage 1 investigation overturned, there can be those where the outcome supports the council’s findings, overall there have been no major changes to the outcomes

4.15 **Stage 3 Review Panel**

A Stage 3 Review Panel was held in June 2013, and was the first held since 2009/10. 1 of the outcomes of the 6 complaints examined was changed to upheld. This complaint has progressed to the Local Government Ombudsman.

#### 4.16 **Local Government Ombudsman (LGO)**

As stated in 4.17, a complaint is currently being investigated by the LGO.

A response from the LGO was received in this period following a Stage 2 complaint investigation in the previous year. Halton had suggested to the complainant and their advocate that an early referral to the LGO be made, as an alternative to a Review Panel, as that would not be able to provide the outcome that was being sought. After initial enquiries the LGO chose not to investigate further stating that Halton, when assessing the family, considered all relevant information.

#### 4.17 **Timescales**

We aim to provide a response to complaints within 10 working days. This can be extended to 20 working days where, for example, a case may be particularly complex or there are other mitigating circumstances (eg a key member of staff is absent).

	<b>% within 10 days</b>	<b>% within 20 days</b>	<b>% over 20 days</b>
<b>2013-2014</b>	<b>43%</b>	<b>79%</b>	<b>21%</b>
<b>2012-2013</b>	<b>71%</b>	<b>96%</b>	<b>4%</b>

4.18 Whilst, inevitably, the operational pressures of child protection always take priority, the complaint timescales are a statutory requirement and this has not been met in 21% of the Stage 1 complaint responses. Clients are kept informed throughout the process and advised of the delay however when complaints are being received regarding communication and timeliness then further delays in the complaint responses can reinforce the complainant's perceptions and undermine the work to resolve their complaint.

4.19 Additional support will be offered to Managers in order to support compliance with timescales and quality standards by reminding managers when responses are due and reviewing draft letters to advise on content.

4.20 Of the completed Stage 2 investigations all were completed within statutory 65 working days timescale.

4.21 Home visits help to get a better understanding of complaints received. This gives the opportunity to clarify expectations and desired outcomes, and also helps illustrate that Halton Borough Council wants people to feel able to raise concerns and that we will aim to resolve them wherever possible. It also provides a foundation for managers to commence their investigation and so provide a full response to all the issues raised.

#### 4.22 **Other Customer Care Contacts**

"Customer Care Contacts" are those that do not fall within the statutory complaints procedure, but where staff spend time in talking with people to find out what the issues are, appropriately sign-posting them to other services and facilitating resolution of problems that sometimes can be resolved.

4.23 Of these Customer Care Contacts:

- There were 12 representations made to the Local Authority in 2012/13. This is 5 more than last year and these will often be as complex and take as much time as a statutory complaint.
- There were 48 recorded customer care contacts in relation to Children Social Care that were also responded to, this is 23 more than last year and represents a 92% increase. These were contacts, which were resolved at point of contact (e.g. liaising with Social Workers, provision of information, signposting). These contacts provide an early resolution, and can prevent a formal complaint.
- 21 MP enquiry responses have been facilitated slightly less than the 27 last year. Councillors and MP's write to the Director of Children's Services on behalf of their constituents. The Customer Care Manager helps co-ordinate responses to these enquiries, when enquiries relate to a child or young person and their family.

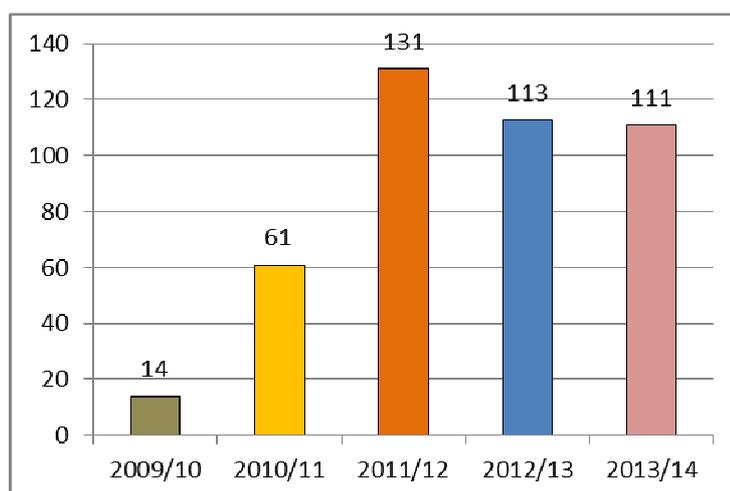
4.24 Whilst customer satisfaction surveys are sent to complainants, none were returned in the last year, this and other alternatives will be considered, to explore how satisfaction of the Customer Care procedures may be monitored in future.

4.25 **Complaints Handling Training**

No Complaints training was provided in this financial year. The Training Plan will be reviewed in 2014-15.

4.30 **Compliments received in the Children & Enterprise Directorate.**

There were 111 compliments this year, as the graph below illustrates. Numbers are comparable to the previous year, being only 2 less. This would suggest that forwarding this feedback is now embedded into working practice.



4.31 **Children and Families Compliments (Children's Social Care only)**

Year	Quarter 1	Quarter 3	Quarter 4	Total
2013/14	16	19	15	64
2012/13	11	18	26	72
2011/12	27	32	9	93

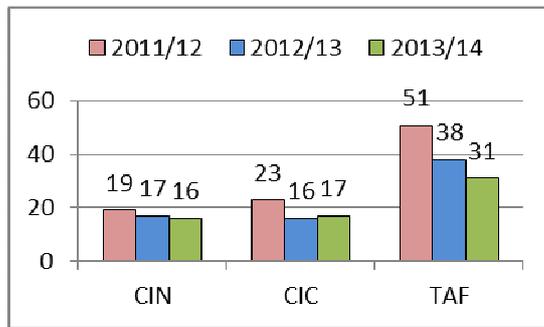
4.32 A separate compliments report has been compiled, but illustrative comments about Children Social Care include:

- *Inglefield is a lifesaver, the support we have been provided with over the years has enabled us to continue to care for P at home. (Service user)*
- *I would like to thank you for being a lovely and friendly Social Worker and for being there if we needed you. Sorry that you will not be our Social Worker anymore, hope you can help other families the way you help us. We don't know what could have happened if you had not got involved. Thanks again. (Service user)*
- *Thanks ever so much for all your help. I would not have my son at home without your help. (Service user)*
- *Thank you, your promptness, attention and attitude have been wonderful and is bringing us peace of mind. I feel like a weight has been lifted off my shoulders. (Service user)*
- *Young person - They get in in touch when they don't need to, just to see how I am. She persevered when I said I didn't like it, looking back she was right and I am very happy she did that. I always felt listened to and I could always go to him if I needed help, he always got things done. (Service user)*
- *Young Person - A card –  
Thank you for all the help you have given me,  
Hard times you've made easier,  
And being there when I needed you,  
Nightmare I have been sometimes,  
Know I need to change my attitude,  
You always listen when I am down,  
Over time I will get back in touch,  
U have helped me a lot over these years, thank you so much. (Service user)*
- *A huge thank you for all the help and support, I wouldn't be here today if it wasn't for you. You have done so much, you are an amazing person, I will never forget what you have done for me and my family. I'm going to miss you. (Service user)*
- *If the inspectors want to speak to us, I would really like to feed back that you do an 'ace' job! (Service user)*
- *Child - thanks for being there when things were bad in my life but with your help I've changed it around.(Service user)*
- *My family life has improved and I have learned strategies to cope with my sons behaviour. I feel calmer, more stress free and days out are more enjoyable. (Service user)*

#### 4.33 **Table showing Dispersal of Compliments by Division**

There has been a decrease in the overall numbers of compliments for Team around the Family Division and a percentage increase in the other two divisions. The numbers in Children in Need and Child Protection Division, and the Children in Care Division are however comparable to last year.

4.34



CIN - Child Protection and Children in Need  
CIC – Children in Care  
TAF – Team around the Family

4.35

### Learning and service improvement

Some complaints highlight issues that may impact on others in a similar situation. Learning from such issues help to inform the improvement or development of services.

4.36

It was agreed with Children Social Care in September 2013, that Managers responding to complaints would be asked to identify any learning from a complaint in a more structured manner. A proforma was devised and Managers are expected to progress and monitor any actions required. These will be reviewed and amended accordingly.

4.37

An adjudication report is produced for all Stage 2 complaints, which identifies the required remedies for the complainant, learning outcomes and service improvements for the Authority. Where there are elements of the complaints that are upheld the required remedies were adhered to but there were no key policy recommendations.

Improvements this year influenced by learning from complaints include:

- The Local authority has updated its procedure in relation to legal proceedings and continues to update its policies. The procedure in relation to financial assistance has been reviewed and shared with staff, to ensure staff gives accurate information to families from the onset.
- The Local Authority has produced a leaflet that outlines the Local Authority's duties and procedures for children being looked after by someone other than their parents. The leaflet also clarifies financial assistance, both in terms of caring for a child and also what financial assistance can be provided to families who are not eligible for legal aid.
- The managerial authorisation of court reports has been reviewed and is subject to on-going review via a legal issues meeting that is chaired by the Divisional Manager and is attended by Managers and the Local Authority Principle Solicitor.
- The process is being reviewed to ensure adequate cover is provided in the event of a client's usual Social Worker being unavailable.
- Reviewing of what information is communicated, and how, to ensure people are kept informed, clearly understand decisions made or actions taken. This will help prevent complaints resulting from misunderstanding, which traditionally has been a common theme in complaints.
- Administration processes has been revised regarding confidentiality and

sharing information.

- Where appropriate, individual issues identified through complaints are followed up by managers in staff supervision, to inform individual learning. More widely, learning from complaints is used to inform generic training and service development through the Operational Leadership Team.
- We receive notifications from the Local Government Ombudsman of cases they have investigated elsewhere in the country; they provide an opportunity to reflect on the consequences of processes not being applied, learn from them and develop our own practice. These reports are shared with the Senior Management Team to cascade to appropriate staff.
- Compliments are also a measure of awareness from our Service Users; it is their acknowledgment of the good developments and the positive effects on them.
- Our service users have interesting and informative contributions to make which help improve services in the borough. Halton Council does have a feedback system which records the complaints and compliments for the directorate with the aim of encouraging them to express their views however, the complaint and compliment form is one form. Feedback form staff is that this form is viewed only as a complaint form and so it has been requested that we review this with the aim of developing a separate form for compliments.
- Staff benefit from being the objects of compliments, knowing that they are noticed and that they are valued is powerful in motivating continued efforts. People strive to do more of what brings praise from others.

## **5.0 Action Plan 2014-15**

The number of complaints has remained static, this raises the following questions:

- Are we sure our service users know how to complain?
- Do staff know what to advise clients in respect of making a complaint?

The following actions have been identified:

- Explore ways of communicating and publicising the complaints and representations procedure to Young People, staff within Halton Council, Commissioned Services and Partner Agencies.
- Raise the profile of the Customer Care Manager and complaints within the Directorate.
- Review the recording of complaints at service level, and with commissioned services.

There have been complaints in relation to Data Protection, training on this topic will be delivered to staff.

## **6.0 POLICY IMPLICATIONS**

- 6.1 “Compliments, Comments and Compliments” is the guidance intended to detail the policy and procedure for each type of complaint and provide guidance on how to

respond when they receive a complaint. This document will be reviewed in November 2014.

6.2 Where identified through the complaints process, policies can be amended to improve service delivery.

6.3 It is important to continue to network, share practice and contribute to Regional policy and practice. The Complaints Manager attends the North West Complaints Managers Group bi-monthly. The network aims to raise standards for complaints management across the region to promote consistency of practice and to provide a source of mutual support.

## **7.0 OTHER/FINANCIAL IMPLICATIONS**

Investing in a timely and thorough complaint investigation and a written response at Stage 1 identifies potential savings for the Local Authority as this can prevent the complaints progressing to Stage 2. Costs are incurred in commissioning Stage 2 complaint investigations and in releasing staff to participate in these.

## **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 RISK ANALYSIS**

9.1 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 detrimental to their safety and well being.

9.2 Children Social Care Complaints are included within the Ofsted Inspections Handbook: Inspections of Services for Children in Need of Help and Protection,

Children Looked After and Care Leavers. Failure to meet the standards as prescribed in the Children Act 1989 Representations Procedure and the Guidance "Getting the Best from Complaints" can potentially impact on the overall findings of the Inspection.

9.3 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.

## **10.0 EQUALITY AND DIVERSITY ISSUES**

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

10.2 Children and young people under the age of 18 made 4 complaints. The ethnicities of these complainants were White British (source Carefirst) with 2 being female and 2 being a male.

10.3 Of the adults over the age of 18 years, there was an increase in male complainants to 16 (42%), a decrease in female to 22 (58%). None declared a disability.

10.4 Complaints from ethnic minorities remains low which reflects the demographics of the borough. 1 complainant did not state ethnicity, 1 was White Asian, 2 were other mixed background with the remainder being White British (Information sourced from Carefirst or complaint form).

## **11.0 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	Rutland House	Dorothy Roberts Customer Care Manager