



Complaints Annual Report Children Social Care Services 2018 / 19



Contents

1. Introduction	3
2. The Statutory Complaints Process.....	4
3. Complaints received	5
4. Customer feedback data.....	6
4.1 Number of Statutory Children Social Care complaints.	6
4.2 The teams the complaints are made about.....	6
4.3 How complaints are made and who makes them	6
4.4 What are the complaints about	7
4.5 Actions taken and learnings	9
4.6 Corporate Complaints	9
4.7 The Local Government & Social Care Ombudsman (LGSCO).....	9
4.8 How quickly do we respond to complaints	10
5. Compliments.....	11

1. Introduction

The report covers Children Social Care Services for the period 1 April 2018 to 31 March 2019, it details the complaints and compliments that have been formally recorded during this period.

The Children's Act 1989 require all local authorities with Children Social responsibilities in England and Wales to have a complaints procedure. The aim of The Children Act 1989 Representations Procedure is for Children and Young People to have their concerns resolved swiftly and wherever possible by the people who provide the service locally. 'Getting the Best from Complaints' provides guidance for local authorities on implementing the Children's Act and defines a complaint as being:

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.

Statutory complaints relate to the provision of Children Social Care and are handled in line with the national regulations referred to above, the key stages of which are set out in section 2 of this report: stage 1 - local resolution; stage 2 – investigation; stage 3 - review panel and section 4 - referral to the Local Government and Social Care Ombudsman.

Complaints about Children Social Care Services that do not fall under The Children Act 1989 Representations Procedure may be responded to under the Councils' Corporate Complaints Procedure these are investigated at stage 1, reviewed at stage 2 and customers may choose to progress their complaint to the Local Government and Social Care Ombudsman as a final stage. Some complaints may be addressed in accordance to internal HR procedures.

It is a requirement of The Children Act 1989 Representations Procedure for the local authority to have a designated officer who is responsible for the management of the procedure and who is independent of social care operational line management and of direct service providers. In order to contribute effectively to service development, the Complaints Management function is managed by the Principal Policy Officer based within the Policy, Provision and Performance Division in the Education, Inclusion & Provision Department.

There are other customer contacts which allow early resolution to prevent complaint escalation and this can include advice and guidance, signposting and problem solving direct with the customer. Another and very positive aspect is the recording and reporting of compliments and positive feedback received by the People (Children Services) Directorate.

This Annual Report is produced in line with national guidance and is designed to share information more widely with members of the public.

2. The Statutory Complaints Process

Halton Borough Council aims to address any concerns as quickly as possible and we aim to acknowledge complaints within 3 working days of being received advising the customer of how their complaint will be handled. We cannot promise to deliver the outcomes that complainants want, but we do make sure that complaints are dealt with as quickly and as thoroughly as possible.

STAGE 1 – the complaint will be allocated to the appropriate team manager who is asked to investigate the complaint. We always aim to resolve the problem as quickly as possible (within 10 working days) however, sometimes the complaint is complex so may take up to 20 working days.

If a complainant is dissatisfied with the response or investigation at Stage 1 and feels that the complaint is not resolved, they or their representative can request to go to Stage 2.



STAGE 2 - An external Independent Person is commissioned by Children's Services to further investigate the complaint. The Investigating Officer and Independent Person will aim to produce a report within 25 working days. However, if the case is complex, they can have a maximum of 65 working days in which to produce their reports. Once the reports have been finalised they are sent to the Adjudication Officer (usually the Head of Service) who will, after careful consideration of the reports, provide the complainant with a written response to their complaint.

If the complainant still remains dissatisfied with the decision/outcome following the independent investigation at Stage 2, they can ask to have their complaint reviewed by the Complaints Review Panel.



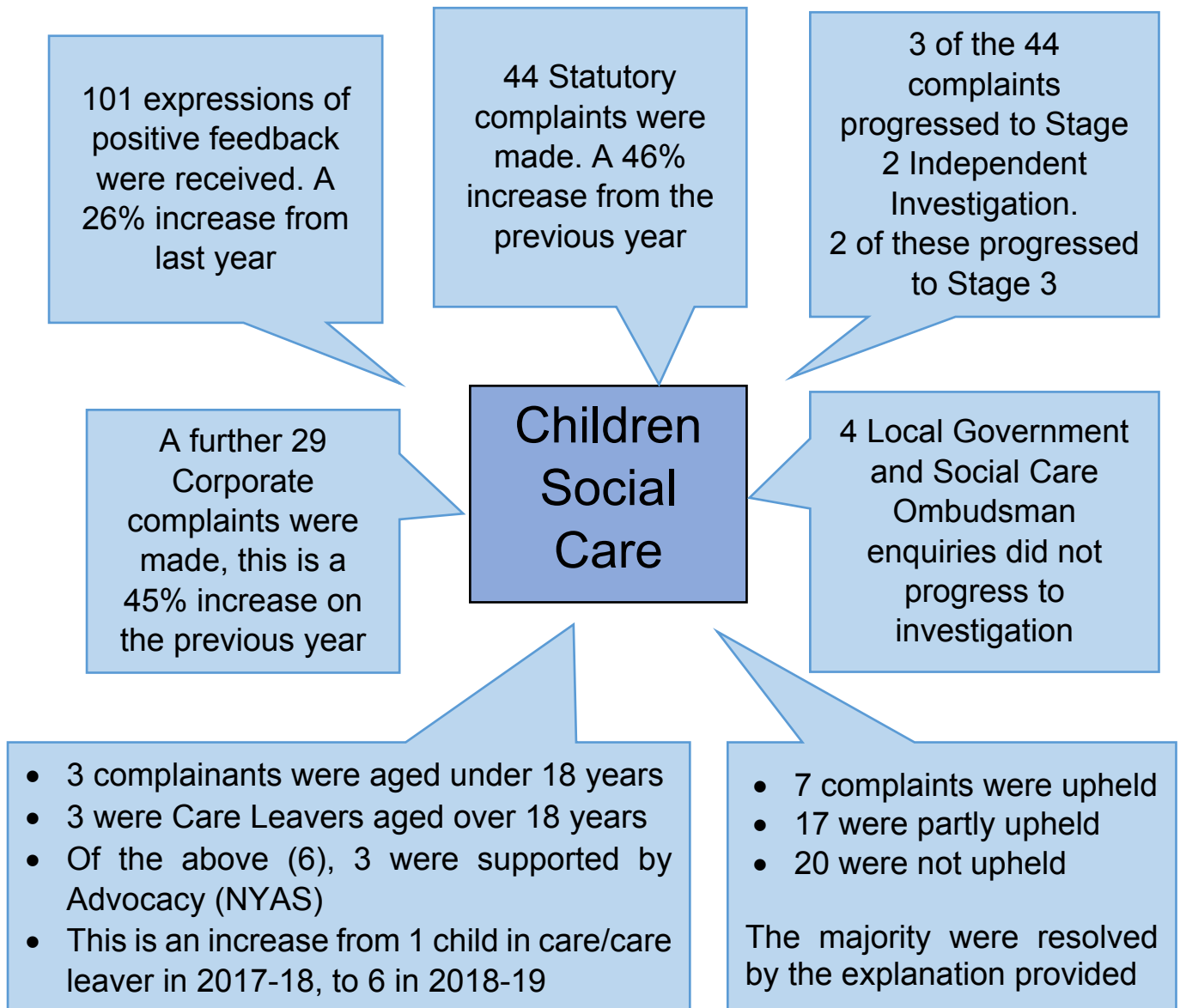
STAGE 3 -. The Complaints Review Panel is made up of three external people who will review the complaint, but they will not reinvestigate or consider new complaints. The complainant can attend the panel meeting if they choose to and can bring a friend or someone they can trust.



STAGE 4 – If a complaint cannot be resolved locally, it can be investigated by the Local Government and Social Care Ombudsman (LGSCO). A complainant has the right to self-refer their complaint to the LGSCO at any stage during the complaint process. However, the LGSCO normally allows the Local Authority the opportunity to process a complaint through every stage of the complaints procedure, before investigating it themselves.

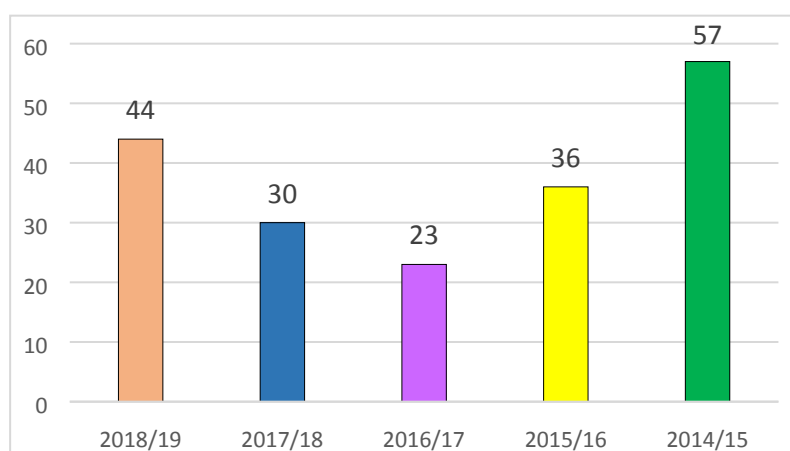
3. Complaints received

One of our challenges is to make sure that we respond to and manage rising customer expectations and demands, but also recognise the opportunities this presents. It's vital to continuous service improvement to know when things have gone right and when people are happy with the services they receive. However, on those occasions when things go wrong, complaints are equally valuable. They provide a chance to identify errors and to make sure the same mistake is not repeated in the future, we listen to feedback in order to continuously improve our services.



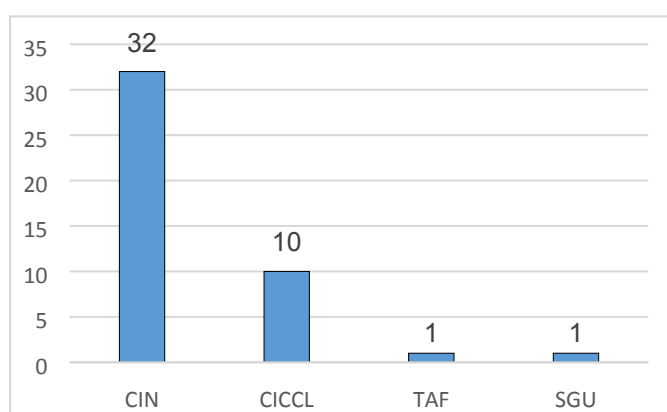
4. Customer feedback data

4.1 Number of Statutory Children Social Care complaints.



It is not always a negative thing to have complaints increase, it can evidence that clients know how to complain, that they have confidence in the process and are willing to engage in order to achieve a fair explanation of the facts. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Complaints represented less than 3% of open cases to Children in Need, Children in Care and Care Leavers at 31st March 2019.

4.2 The teams the complaints are made about

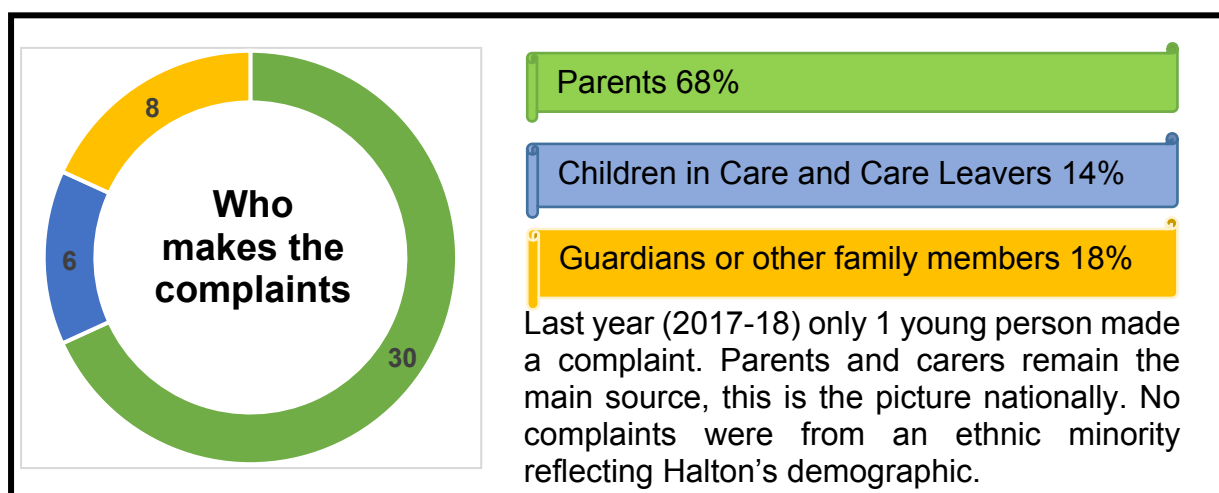


The greatest number of complaints is always with the Children in Need and Child Protection Division (32 of 44) which is to be expected as it is the frontline service dealing with a large number of cases with very difficult issues to address. The complaints were evenly spread across CIN Widnes (14) and CIN Runcorn (15), iCART also received 3 complaints.

4.3 How complaints are made and who makes them

There was an increased percentage in the number of letters received.

	2018-19		2017-18		2016-17		2015-16	
Complaint Form	5	11%	0	4%	1	19%	7	21%
Email	19	43%	19	64%	10	42%	15	25%
Letter	6	14%	1	3%	9	6%	2	17%
Telephone	14	32%	10	33%	2	30%	11	37%
Meeting	0	0	0	0	1	3%	1	0



Advocacy - in its broader sense is about empowering children and young people to make sure that their rights are respected, that their views and wishes are fully considered and reflected in decision-making about their own lives. Although the role of advocacy is not limited to assisting children or young people when they wish to make a complaint, the purpose of an advocate in the complaints procedure is to ensure that children and young people's interests are promoted effectively by a personal champion.

The provision of the advocacy service encourages children and young people to have their voices heard and their issues discussed at the point of service delivery rather than progressing to a complaint. Halton Borough Council commission National Youth Advocacy Service (NYAS) to provide an advocacy support service to Looked After Children and Care Leavers and they supported 3 complainants this year, none of those young people progressed their complaint.

4.4 What are the complaints about

Main categories	2018/19	2017/18	2016/17	2015/16	2014/15
Staff	1 2%	0	0	5 (14%)	7 (12%)
Service (i.e. quality, lack of, over provision & client expectations, customer care)	22 50%	12 (40%)	12 (52%)	18 (50%)	27 (48%)
Assessment / Review Process (disputed or delay in decision)	21 48%	18 (60%)	11 (48%)	13 (36%)	23 (40%)
Total	44	30	23	36	57

Staff - Complaints solely about staff conduct are dealt with outside of the complaints process as these types of complaint cannot progress to the Local Government and Social Care Ombudsman, the appropriate independent body is the Health and Care Professionals Council (HCPC) and so these types of complaints are investigated under internal HR procedures. Complaints about staff attitude or behaviour tend to be found inconclusive. This is due to a lack of evidence from both the complainant and the Council.

Service Provision is about how we have done things, it is about the quality of the service we have provided and include;

Communication - The nature of Children's Social Care means that often workers carry out difficult conversations with families and this can lead to complaints about communication resulting in a difference in recollection. Whilst 9 complaints were about communication 5 were not upheld, and these types of complaint are usually part of a multi-stranded complaint of which 4 were partially upheld. Staff are reminded to respond promptly as leaving messages and not responding back is an issue raised regularly as are expectations not being in line with what can be delivered, there is a need to communicate in order to address this mismatch.

Contact arrangements – There were 5 complaints received, 4 of which were either upheld or partially upheld. This included the location of the contact, staff sudden absence and changes made as a result of further court action.

Delays – there were 3 complaints all of which were upheld, these were due to staff absence which resulted in delays with work progressing.

Assessment and Review is about the process, have we done what we should have done in accordance to policy, procedure or regulations. There are of course the occasions where this will cross over into service provision and vice versa and it is a judgement call made by the Principal Policy Officer taking into consideration the main crux of the complaint and the desired outcome that determines the category.

Statutory Duty - complaints are received disputing the need for Children Social Care to be involved in carrying out assessments, these are rarely upheld due to the statutory duty placed on the Local Authority to investigate children safeguarding concerns, the service recognises this to be a stressful and worrying time for families.

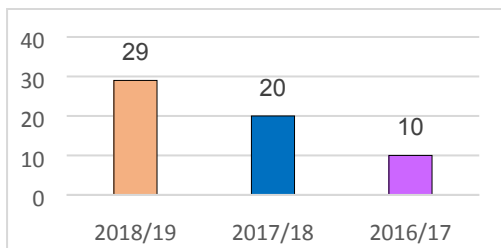
Factual Accuracy – this is usually when there is a disagreement over the content of an assessment or report, one was upheld on the grounds that it held old information however his circumstances had changed. We had another complaint of this nature however the complainant failed to identify what the factual inaccuracies were and so we could not progress this element, it is important that we establish the detail as there is a difference between factual accuracy and the opinion or analysis made by the worker involved. We do also have to consider the arena for reports to be presented, reports requested by courts should be challenged in the court arena.

Decision overruled – a complaint was upheld due to a manager overruling the decision of a social worker, this led on to further Children Social Care intervention when the complainant thought the case was closing hence the complaint being made. Management oversight provides second opinions and are included in the process, it is an important step especially when working in Children Social Care and dealing with children and family life. Often, there is more than one way to deal with an incident, this does not always mean one way is right and the other is wrong but they offer the opportunity of learning about alternative options from different sources so that children involved can have the best outcomes. This complaint evidenced this process working effectively.

4.5 Actions taken and learnings – Complaints are used by the Council as an opportunity to learn and improve, we try to ensure that the same issues do not reoccur. Everyone is capable of making a mistake no matter how well trained and motivated they are however, in the workplace the consequences of human error, an ‘action or decision which was not intended’ can impact on others, staff do not set out to get it wrong. No complaints were as a result of a deliberate deviation from a rule or procedure.

Where action has needed to be taken to address the complaint, it considers if this has an impact across all the services as opposed to just the team involved. Actions that were taken were specific to the individual complainants and the service they received. Some of these are discussed in team meetings to reaffirm what is good practice so the team are all reminded of the impact this has on children, young people and families.

4.6 Corporate Complaints - have increased by 45%



This procedure can be used for dealing with complaints from adults regarding Children’s Social Work Services when they do not fit the criteria for their complaint to be managed under the statutory procedure.

The Corporate Complaints Procedure is an internally determined procedure and is used to process complaints about issues such as a service provided directly to family members (other than the child). This stage is similar to Stage 1 of the Statutory Complaints Procedure in that the relevant Team Manager investigates and responds to the complaint. If the customer is not satisfied they can request to a Stage 2 internal Review undertaken by the Corporate Complaint Team who will send a final response, the final stage is for the complainant to approach the LGSCO.

4.7 The Local Government & Social Care Ombudsman (LGSCO)

Halton received 4 enquiries from the LGSCO, following complaints made to them, they declined to investigate further as there was no case to answer. The level of detail included in complaint responses can be seen to be a significant contributor to this and can evidence the robustness of decision making when dealing with complaints. The accurate definition of complaints by the Principal Policy Officer means that several issues are often identified within each complaint. This assists investigating managers to respond efficiently and accurately to each part of the complaint. Complaints that have been properly investigated and responded to resolves their complaint without the need to refer to the LGSCO.

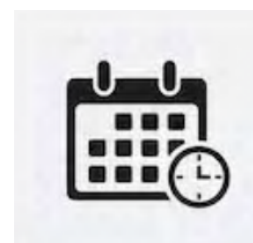


4.8 How quickly do we respond to complaints

	% within 10 days	% within 20 days	% over 20 days
2018-19	23%	66%	34%
2017-18	73%	91%	9%
2016-17	33%	83%	17%
2015-16	33%	70%	30%
2014-15	35%	75%	25%

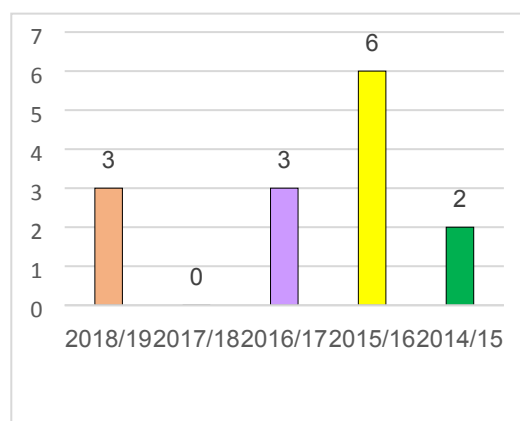
Performance has decreased this year in meeting the statutory deadlines for complaint responses with 66% of cases answered within timescales. Issues such as staff absence can leave managers unable to respond until the staff member has returned, there were a few requiring legal advice but in the main the decrease in meeting timescales is due to the length and complexity of complaints received requiring a more detailed investigation and response along with the Managers capacity to complete these complex investigations.

For all services there are times of pressure, if complaint handling at Stage 1 becomes difficult early action is essential, it is the effective Stage 1 handling that keeps Stage 2 cases to a minimum. The LGSCO will consider how quickly we respond to complaints and any delay can prevent us putting things right swiftly when there is evidence of fault.



The three Stage 2 complaints were all completed outside the 25 working day timescale due to the complexity of the complaint and facilitating an independent investigation. An investigation needs to be comprehensive rather than rushed to meet the deadline. Stage 2 remain low demonstrating effective Stage 1 responses.

One Stage 3 Review Panel was held beyond the 30 working days, it was rearranged due to the complainant's individual circumstances - this was the first Stage 3 since 2013.



Training – is being planned for 2019-20, the Principal Policy Officer is available to support and advise staff; to ensure that best practice is followed during a complaints investigation; and has provided targeted training with individual members of staff and managers on request as part of an induction process.

In addition complaints procedures and processes are updated when required and made available on Tri-x which is the Web based procedure Manual for Children Social Care staff.

5. Compliments

A separate report is compiled that records all the positive comments received and so this is a snapshot. The number of compliments has increased year on year, staff are reminded that it is important to report compliments as well as complaints as they too can be very helpful feedback and really give a flavour of what works well and what people using Children and Families Services really value.

Year	Total
2018-19	101
2017-18	80
2016-17	70
2015-16	77
2014-15	85

Team around the Family consistently show the highest percentage. Providing direct support within the family, instigates a higher number of compliments. Also, these services can work in conjunction with other teams such as Children in Need.

	18-19	17-18	16-17	15-16	14-15
CIN	31%	33%	18%	22%	20%
CIC	14%	14%	26%	20%	29%
TAF	55%	53%	54%	58%	51%

Staff benefit from receiving 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.

The service has been invaluable to helping us as a family, we will forever be grateful.

Thank you for being honest and explaining things, hope you keep at what you are doing cos you do it so well.

Thank you for always going above and beyond for us, I'm so grateful.

I really enjoy being part of the Children in Care Council, it gives us a say about things that matter, being a part of it has improved my confidence and allowed me to make friends, I know I am making a difference to lives of children in care.

