



Children's Social Care Complaints, Compliments and Comments Annual Report

1 April 2012 to 31 March 2013

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Introduction

Darlington Children's Social Care welcomes complaints, compliments and comments as a way of improving service delivery to children, young people and their families. The purpose of this report is to inform the service users, carers, the public, Council Members and Children's Social Care staff of the effectiveness of the Children's Social Care Complaints, Compliments and Comments Procedure (the Procedure). The report identifies topics and trends in relation to complaints information, makes suggestions for service improvements and identifies areas of organisational learning that have taken place in relation to people, policy and process.

The Law

The Council is required by law to have management arrangements in place for considering children's social care representations, including complaints, under the Children Act 1989. National legislative procedures for social care were amended in September 2006 with the introduction of the Children Act 1989 Representation Procedure (England) Regulations 2006 (the Regulations). It is a requirement of the Regulations that the Council publishes an annual report. In addition to the Regulations the Department for Education and Skills produced some comprehensive guidance for local authorities on managing complaints, called 'Getting the Best from Complaints'.

Key features of the Regulations include:

- A requirement for local authorities to appoint a Complaints Manager;
- A requirement for review panels to be retained by local authorities but with more robust arrangements for constituting and running them; and
- A 12 month time limit to make complaints.

Complaints and Information Governance Team

The Complaints and Information Governance Manager is appointed as the 'Complaints Manager' in accordance with the requirements of the Regulations. The Complaints and Information Governance (CIG) Team is independent of Children's Social Care operational line management. This ensures a high level of independence in the way children's social care complaints are managed within the Council.

Public Information

We are committed to making sure that everyone has equal access to all our services, including the Procedure. To help make the Procedure easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

The leaflet for children and young people was developed in conjunction with Connexions and young people to try and engage more young people in the process.

Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.

The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Children's Services Social Care Complaints Process

Stage 1 – Local Resolution

This initial stage allows Children's Social Care managers the opportunity to try and resolve complaints locally, usually within the team being complained about.

Stage 2 – Investigation

Stage 2 involves a full and formal investigation. An 'Independent Person' must also be appointed to oversee the investigation and report independently to Children's Social Care Services. Both the Investigating Officer and Independent Person produce reports, which are submitted to the Adjudicating Officer (the Assistant Director, Children, Families and Learning), who writes the final response to the complainant.

Stage 3 – Review Panel

A review panel is convened when the complainant is dissatisfied with the Stage 2 response. The panel consists of an independent chairperson and two individuals who are independent of the Council.

The Local Government Ombudsman

Although complainants can refer complaints at any stage to the LGO they will not normally investigate until the Council has conducted its own investigation and provided a response.

External Support to the Complaints Process

National Youth Advocacy Service (NYAS)

Children and young people who would like an advocate can contact NYAS directly. If they complain to the Council the Complaints Manager will provide them with information and advice about the advocacy service provided by NYAS. The DfES 'Get it Sorted' guidance states that more robust procedures should be put in place to ensure children and young people are aware of the advocacy service and that it should be easy to access; the Council is committed to these principles.

Independent Persons

The Council has signed up to a contract with Hartlepool Borough Council for the provision on independent persons.

Review Panels

The Council has also signed up to a contract with Stockton Borough Council for the provision of an independent chair and panellist service.

Complaints, Compliments and Comments received in 2012/13

- There was an increase in overall feedback, 77 representations compared to 63 representations in 2011/12.
- We received 63 complaints during 2012/13 (81.8% of all feedback), an increase from 49 complaints in 2011/12 and 44 in 2010/11.
- We received 13 compliments 2012/13 (16.9% of all feedback), compared to 14 in 2011/12.
- We received one comment in 2012/13 (1.3% of all feedback), compared to zero in 2011/12.

Breakdown of all complaints compliments and comments received

Service/Team	Complaints	Compliments	Comments
Children, Families and Learning*	-	-	1
Childcare Duty	7	1	-
Family Intervention Team (FIT)	2	-	-
Family Placement Service	5	-	-
Family Support**	-	1	-
Family Support (Area 2)	1	3	-
Family Support (Area 3)	1	1	-
Independent Reviewing Officer	-	1	-
Looked After Through Care	7	1	-
Learning Disabilities - Life Stages 0 - 25	3	1	-
Specialist Assessment and Intervention***	-	1	-
Specialist Assessment and Intervention Team (Area 1)	12	1	-
Specialist Assessment and Intervention Team (Area 2)	16	1	-
Specialist Assessment and Intervention Team (Area 3)	9	1	-
Total	63	13	1

* The comment logged to Children, Families and Learning related to historic matters and as such could not be logged to a particular team as it no longer exists.

** The compliment for Family Support was for a member of staff who volunteered to help organise an event related to, but outside of, their normal work duties.

*** The compliment for Specialist Assessment and Intervention was for the service manager rather than one of the area teams.

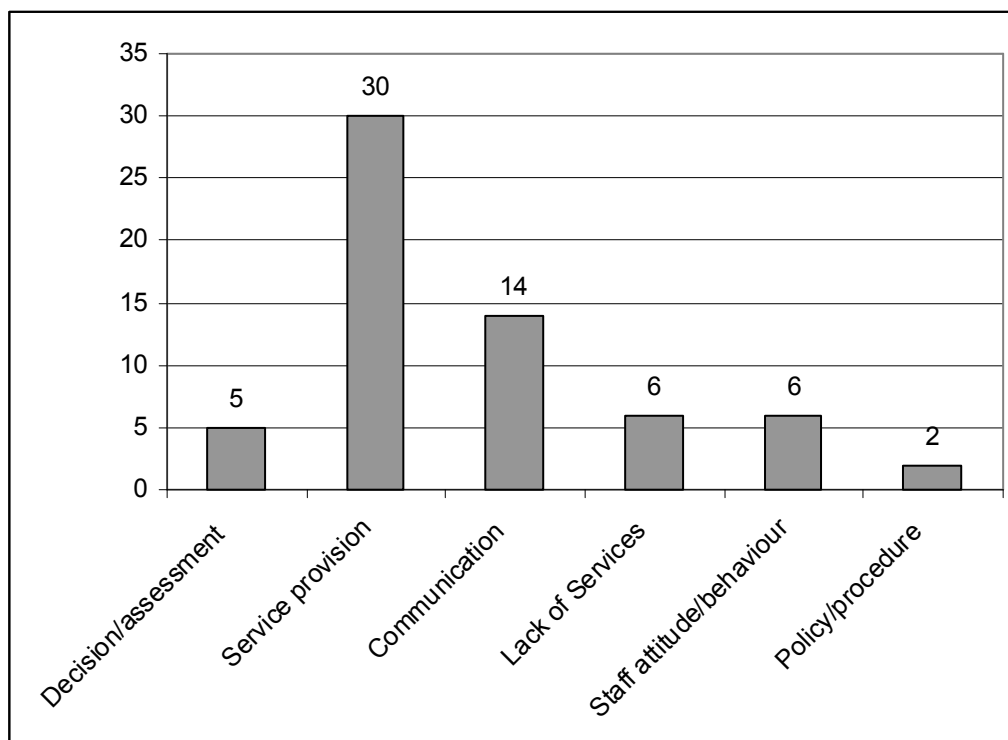
Non-qualifying complaints

In addition to the 63 children's social care complaints dealt with in accordance with the procedure a further eight were received which were not eligible to be dealt with

under the Procedure/Regulations. These included, for example, complaints about matters that would be more appropriately dealt with in court.

In all cases the individual was advised of the reasons why and advised of the most appropriate way to pursue the matter. In addition to the non-qualifying complaints received, the CIG Team received numerous contacts in relation to issues which were resolved outside of the complaint procedure.

Complaints by Issue 2012/13



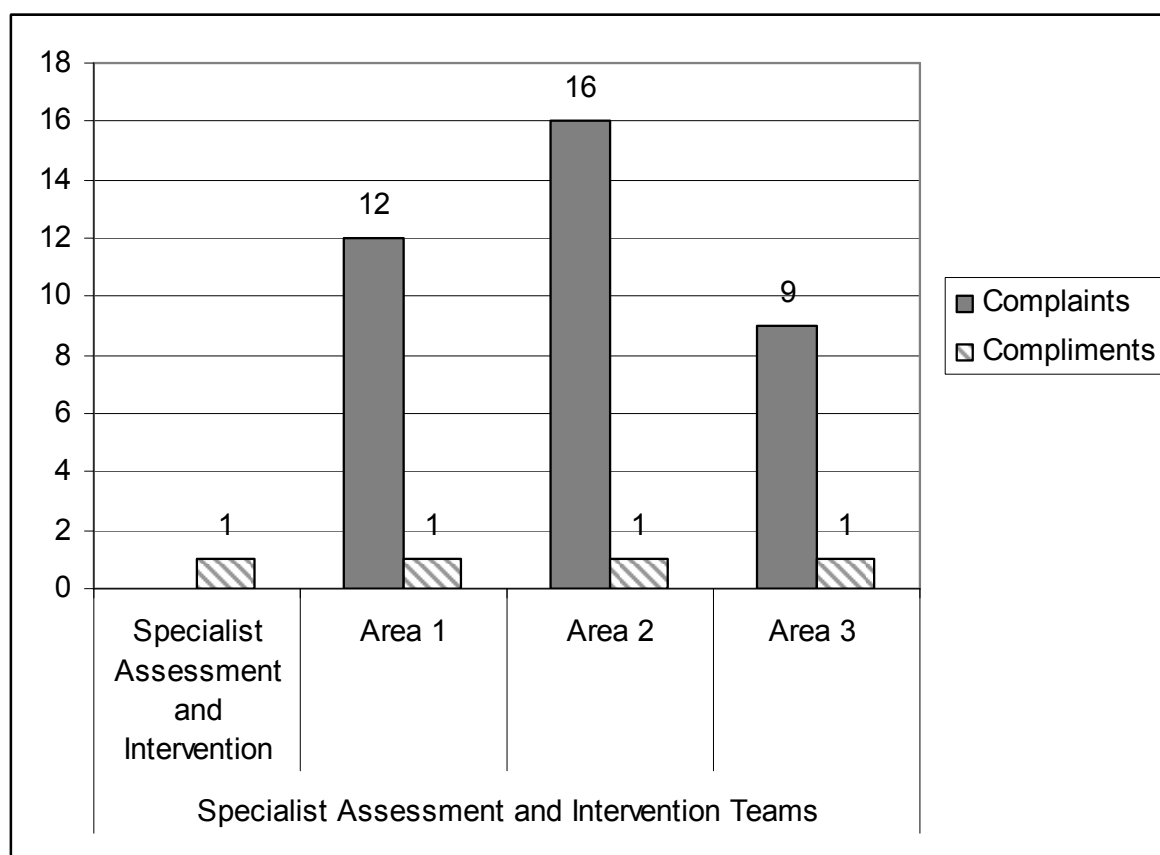
There was a significant increase in the number of complaints about Service provision compared to 20 in 2011/12.

12 complaints where the primary issue was 'communication' or 'service provision' related to communication around and the facilitation of family contact compared to 14 in 2011/12. Communication in relation to the facilitation of family contact accounted for 28.6% of all complaints in 2011/12 and remains a significant area of concern.

In a further 10 complaints received where the primary issue was not 'communication' the complainant did make reference to poor communication.

Breakdown of Stage 1 complaints and compliments by Service Area/Team

Specialist Assessment and Intervention Teams - Complaints and Compliments 2012/13



Overall 37 complaints were received by the Specialist Assessment and Intervention Teams; a significant increase from 29 in 2011/12. Four compliments were also received compared to two in 2011/12.

Outcomes of Stage 1 complaints responded to in 2012/13

	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn	Total
Area 1	2	4	4	0	2	12
Area 2	4	6	4	1	1	16
Area 3	2	5	2	0	0	9
Total	8	15	10	1	3	37

Childcare Duty Team - Complaints and Compliments 2012/13

The Childcare Duty Team received 7 complaints during 2012/13 a reduction from 9 in 2011/12.

The team received one compliment compared to two in 2011/12.

Outcomes of Stage 1 complaints responded to in 2012/13

	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn	Open	Total
	1	0	2	1	2	1	7
Total	1	0	2	1	2	1	7

Looked After Through Care - Complaints and Compliments 2012/13

The Looked After Through Care Team is comprised of what was the Children Looked After Team and the Leaving Care Team. The Looked After Through Care Team received seven complaints during 2012/13 compared to four in 2011/12.

The team also received one compliment compared to six in 2011/12.

Outcomes of Stage 1 complaints responded to in 2012/13

	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn	Total
	2	2	3	0	0	7
Total	2	2	3	0	0	7

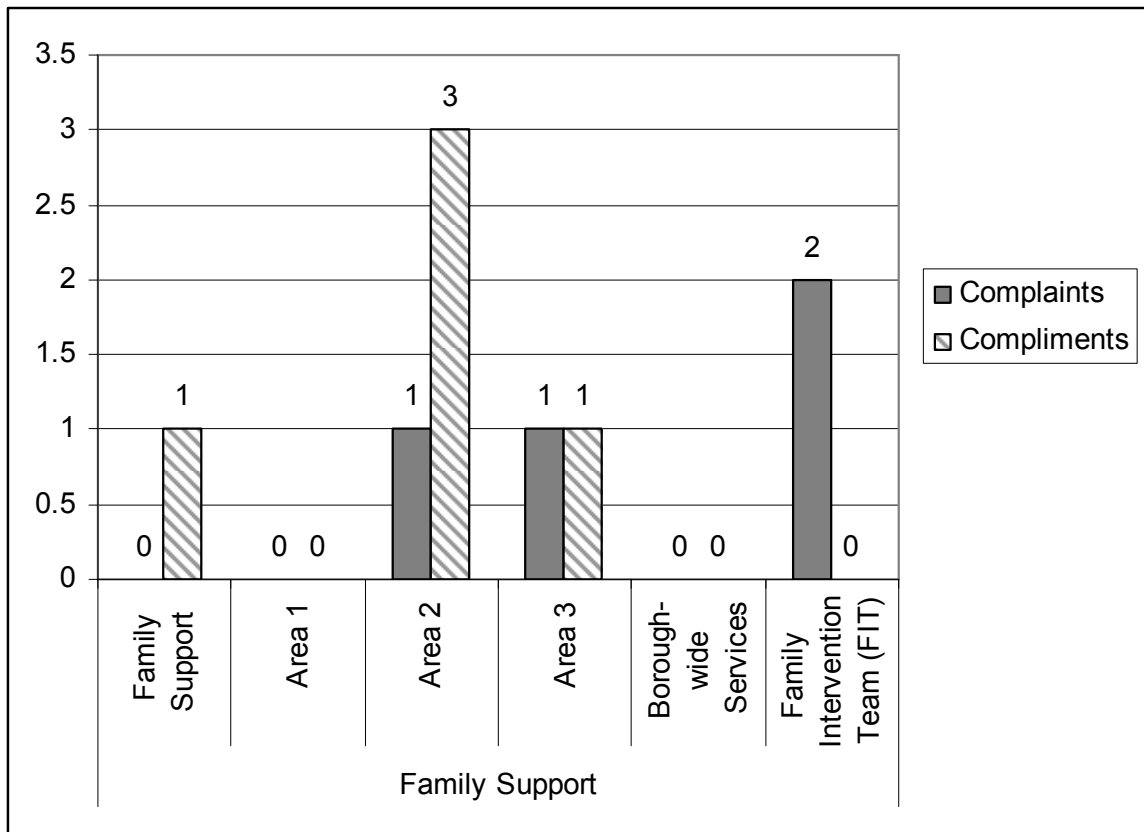
Family Placement Service - Complaints and Compliments 2012/13

The Family Placement Service received five complaints during 2012/13 compared to the one complaint received for the Family Placement Team during 2011/12.

Outcomes of Stage 1 complaints responded to in 2012/13

	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn	Total
	3	2	0	0	0	5
Total	3	2	0	0	0	5

Family Support - Complaints and Compliments 2012/13



Family Support received two more complaints than they did in 2011/12 and one more compliment. .

Outcomes of Stage 1 complaints responded to in 2012/13

	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn	Total
Area 1	0	0	0	0	0	0
Area 2	1	0	0	0	0	1
Area 3	0	0	1	0	0	1
Borough-wide Services	0	0	0	0	0	0
Family Intervention Team (FIT)	2	0	0	0	0	2
Total	2	0	1	0	0	4

Learning Disabilities - Life Stages 0 - 25 - Complaints and Compliments 2012/13

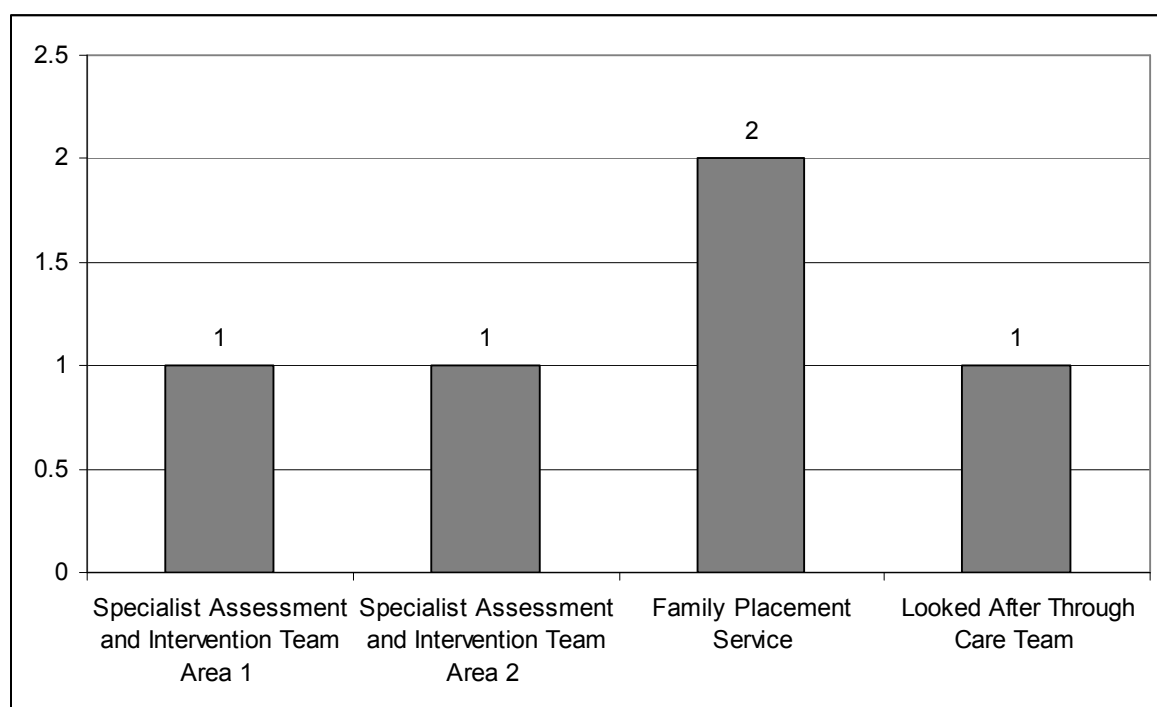
The Life Stages 0 - 25 team received two complaints during 2012/13 the same number they received in 2011/12. They also received one compliment the same number as in 2011/12.

Outcomes of Stage 1 complaints responded to in 2012/13

	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn	Total
	0	1	1	0	0	2
Total	0	1	1	0	0	2

Breakdown of Stage 2 complaints by Service Area/Team

Five complaints were escalated to Stage 2 in 2012/13 compared to three in 2011/12.



Outcomes of Stage 2 complaints responded to in 2012/13

The complaint for the Specialist Assessment and Intervention Team Area 1 concerned communication issues, the attitude/opinion of the social worker and the Local Authority's decision in relation to contact. The complaint was partially upheld.

The complaint for the Specialist Assessment and Intervention Team Area 2 concerned the dissatisfaction with the way in which a child protection investigation was undertaken. This complaint is currently under investigation.

One of the complaints for the Family Placement Service concerned post adoption support and was upheld. The other also concerns the level of support provided in relation to the adoption process; this complaint is still under investigation.

The complaint for the Looked After Through Care Team primarily concerned decisions around contact. This complaint was upheld.

Stage 3 Complaints

No complaints were escalated to Stage 3, nor were any Stage 3 complaints determined during 2012/13.

Local Government Ombudsman Complaints

No complaints were escalated to or determined by the Local Government Ombudsman during 2012/13.

Organisational Learning

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve the individual's complaint several service improvements were made following complaint investigations during 2012/13. Some examples of these are detailed below.

- Following two complaints for the Specialist Assessment and Intervention Team Area 1 the issue of communication was addressed and the importance of recording information in a timely and accurate manner was raised with staff.
- Following several complaints for the Specialist Assessment and Intervention Team Area 2 the issue of communication was also addressed.
- Following a further complaint for the Specialist Assessment and Intervention Team Area 2 it was agreed that the Family Placement Service would explore with foster care providers how to improve recruitment of carers from different cultural backgrounds.
- Following a complaint for the Specialist Assessment and Intervention Team Area 3 it was agreed that all staff would be notified that first and foremost all communications should be undertaken directly either face to face or via the telephone and that text messaging and emails are only to be used as a last resort.

It was also agreed that support should be given by managers to staff when asking them to deal with sensitive matters and that the manager's decision making should be clearly recorded.

Following this complaint specific training was also offered to all foster carers in respect of Section 47 Investigations.

- Following a complaint for the Family Placement Service it was recommended that staff need to send out a formal letter to adopters of children giving clear information about how to access the adoption support for which the Council remains responsible for 3 years after an adoption order has been made. It was also agreed the letter should include details of how to request for a review of the adoption support plan.
- Following another complaint for the Family Placement Service the issue of poor communication was addressed and a full review of Post Adoption Service provision was undertaken by senior children's social care managers and children's commissioning managers.

Further recommendations

The issue of poor communication should be properly addressed as it is a contributory factor in over a third of all the complaints received.

Performance against the Children's Social Care Complaints, Compliments and Comments Procedure

Timescales

Stage 1

The target for responding to a complaint at Stage 1 is 10 working days with a possible extension up to 20 working days if the complaint is complex.

- 42.6% of Stage 1 complaint responses sent out in 2012/13 were sent out within 10 working days. This is a significant increase in performance from 25.7% in 2011/12.
- A further 23.4% of Stage 1 complaint responses sent out in 2012/13 were sent out within 20 working days.
- In total 66% of Stage 1 complaint responses sent out in 2012/13 were sent out within the maximum 20 working day timescale an increase from 52.4% in 2011/12.
- The average Stage 1 response time in 2012/13 was 22 working days.

Stage 2

The target for responding to a complaint at Stage 2 is 25 working days, extendable up to a maximum of 65 working days.

- In 2012/13 no Stage 2 responses were sent out within 25 working days.
- Only one of the three Stage 2 complaints responded to in this period was completed within the maximum timescale allowed. The complaint was

responded to in 65 working days. An extension was agreed with the complainant.

- The other two Stage 2 complaints were responded to in 111 and 114 working days. In both cases this was agreed with the complainant.
- In total 33.3% of Stage 2 responses were sent out within 65 working days a decrease from 66.6% in 2011/12.

Stage 3

- There were no Stage 3 Review Panels held in 2012/13.

Performance against local performance indicators

Number of maladministration decisions by the Local Government Ombudsman in relation to Children's Social Care complaints.

Target: 0 – Actual 0 ✓