



# **Children's Social Care Complaints, Compliments and Comments Annual Report 2015/16**

## Contents

<b>Introduction .....</b>	<b>2</b>
<b>The Law .....</b>	<b>2</b>
<b>Complaints and Information Governance Team .....</b>	<b>2</b>
<b>Public Information .....</b>	<b>2</b>
<b>Children's Services Social Care Complaints Process .....</b>	<b>3</b>
<b>Stage 1 – Local Resolution .....</b>	<b>3</b>
<b>Stage 2 – Investigation .....</b>	<b>3</b>
<b>Stage 3 – Review Panel .....</b>	<b>3</b>
<b>The Local Government Ombudsman .....</b>	<b>3</b>
<b>External Support to the Complaints Process .....</b>	<b>3</b>
<b>Total Complaints, Compliments and Comments received 2015/16 .....</b>	<b>5</b>
<b>Breakdown of Stage 1 Complaints by Service Area/Team .....</b>	<b>6</b>
<b>Breakdown of Stage 2 complaints by Service Area/Team .....</b>	<b>8</b>
<b>Breakdown of Stage 3 complaints by Service Area/Team .....</b>	<b>9</b>
<b>Breakdown of complaints by Issue 2015/16 .....</b>	<b>10</b>
<b>Breakdown of Comments by Service Area/Team .....</b>	<b>10</b>
<b>Breakdown of Compliments by Service Area/Team .....</b>	<b>11</b>
<b>Complaint Outcomes .....</b>	<b>12</b>
<b>Stage 1 .....</b>	<b>12</b>
<b>Organisational Learning .....</b>	<b>14</b>
<b>Further recommendations .....</b>	<b>15</b>
<b>Performance against the Children's Social Care Complaints, Compliments and Comments Procedure .....</b>	<b>15</b>
<b>Timescales .....</b>	<b>15</b>
<b>Stage 1 .....</b>	<b>15</b>
<b>Stage 2 .....</b>	<b>15</b>
<b>Stage 3 .....</b>	<b>16</b>
<b>Performance against key performance indicators .....</b>	<b>16</b>

## **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, where appropriate 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 a senior manager 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 Local Government Ombudsman (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.

#### Investigating Officers

While the Regulations do not require Investigating Officer's to be independent of the Council, we have signed up to a contract for the provision of Independent Investigating Officers.

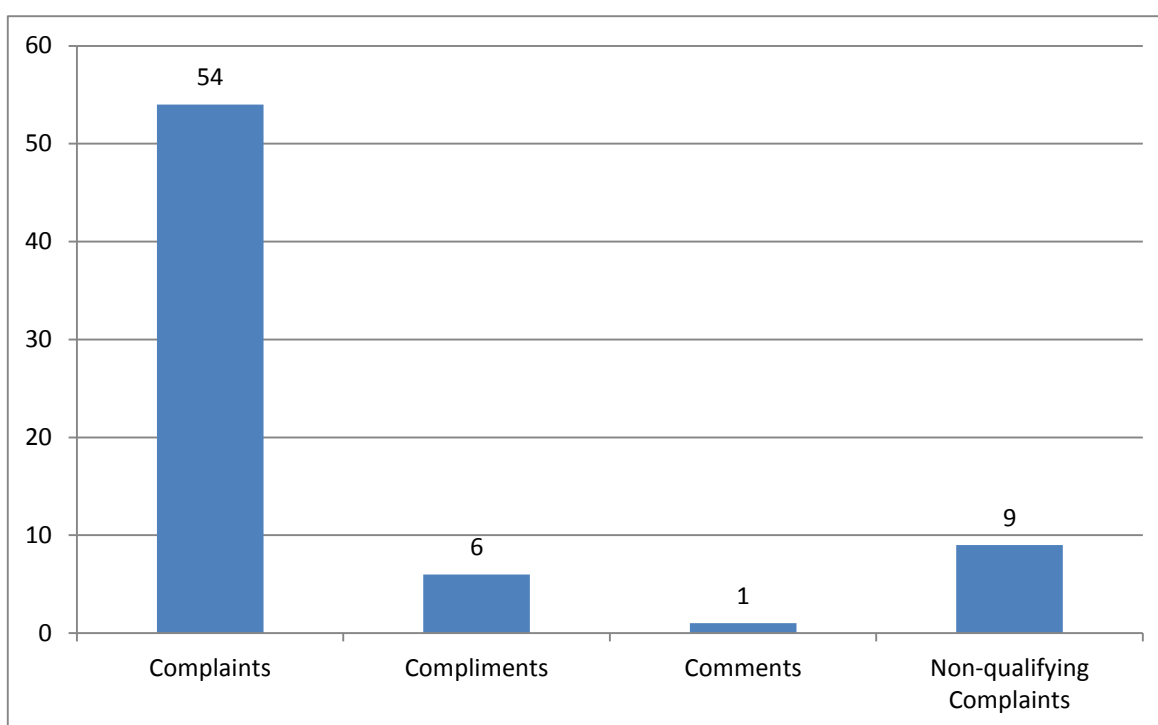
### Independent Persons

The Council has signed up to a contract for the provision of Independent Persons.

### Review Panels

The Council has also signed up to a contract for the provision of an Independent Chair and Independent Panellist service.

## Total Complaints, Compliments and Comments received 2015/16



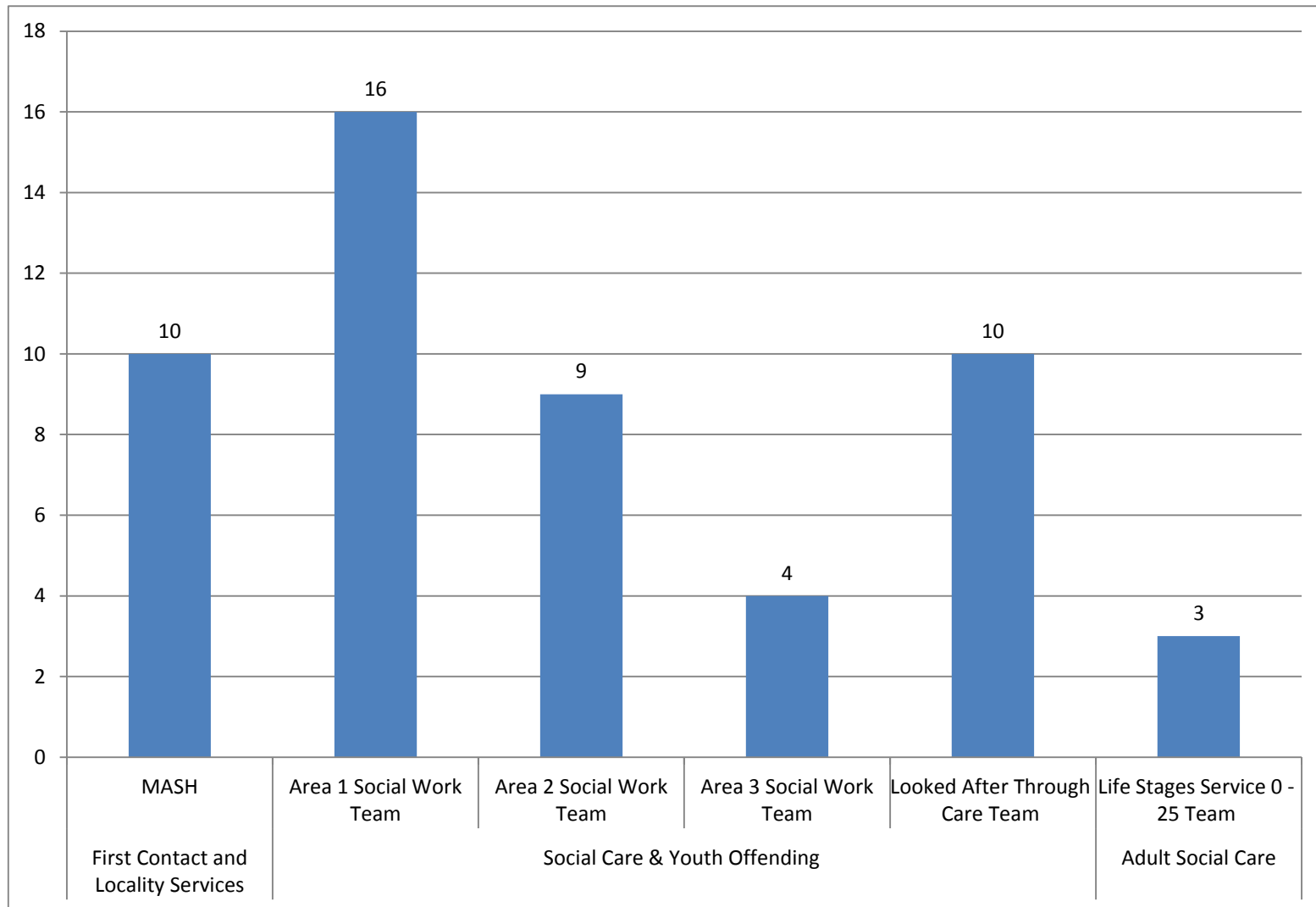
We received 54 complaints during 2015/16, a reduction from 60 in 2014/15.

We received 6 compliments during 2015/16, a reduction from 12 in 2014/15.

We received 1 comment in 2015/16, the same number we received in 2014/15.

We received 9 non-qualifying complaints during 2015/16, an increase from 7 in 2014/15. These included complaints about private law matters and the content of Section 7 Welfare Reports. In all cases the complainant was advised of the reasons why we could not investigate their complaint and the most appropriate way to pursue the matter.

### Breakdown of Stage 1 Complaints by Service Area/Team



*N.B. 2 complaints were escalated directly to Stage 2.*

10 complaints were received for the MASH, an increase from six in 2014/15.

16 complaints were received for Area 1 Social Work Team, an increase from 11 in 2014/15.

9 complaints were received for Area 2 Social Work Team, a decrease from 19 in 2014/15.

4 complaints were received for Area 3 Social Work Team, an increase from three in 2014/15.

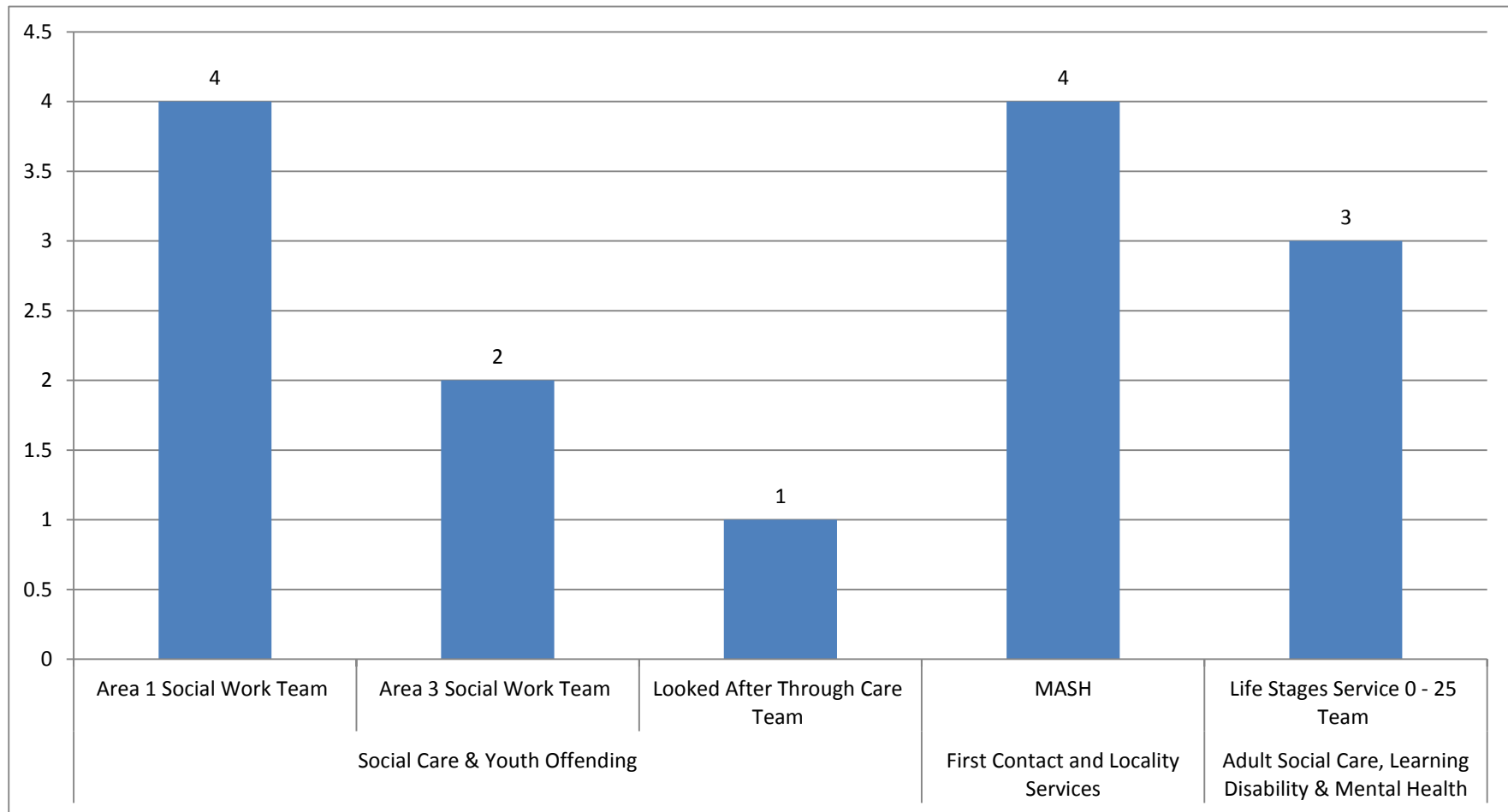
10 complaints were received for Looked After Through Care Team, an increase from eight in 2014/15.

3 complaints were received for Life Stages Service 0 – 25 Team, a decrease from seven in 2014/15.



### Breakdown of Stage 2 Complaints by Service Area/Team

14 complaints were considered at Stage 2 during 2015/16, a decrease from 15 in 2014/15. 12 were initially considered at Stage 1, while 2 were escalated directly to Stage 2.



Area 1 Social Work Team received 4 Stage 2 complaints, an increase from 2 in 2014/15. 1 of these was a re-investigation of the same complaint following the recommendation of the Stage 3 Review Panel.

Area 3 Social Work Team received 2 Stage 2 complaints, an increase from 0 in 2014/15.

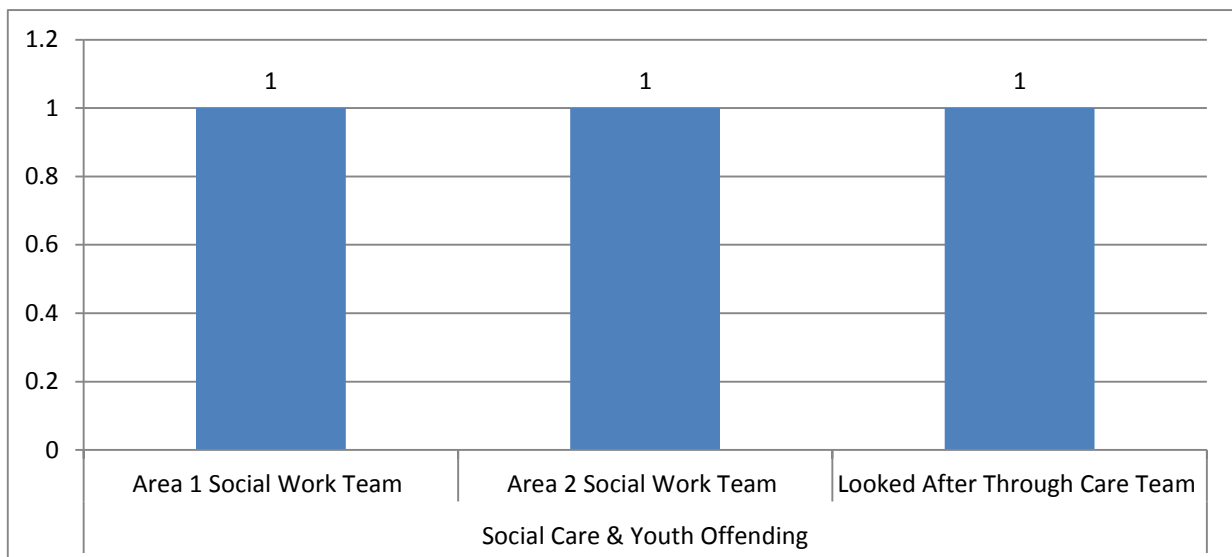
MASH received 4 Stage 2 complaints, the same number as 2014/15.

The Looked After Through Care Team received 1 complaint, a decrease from 5 in 2014/15.

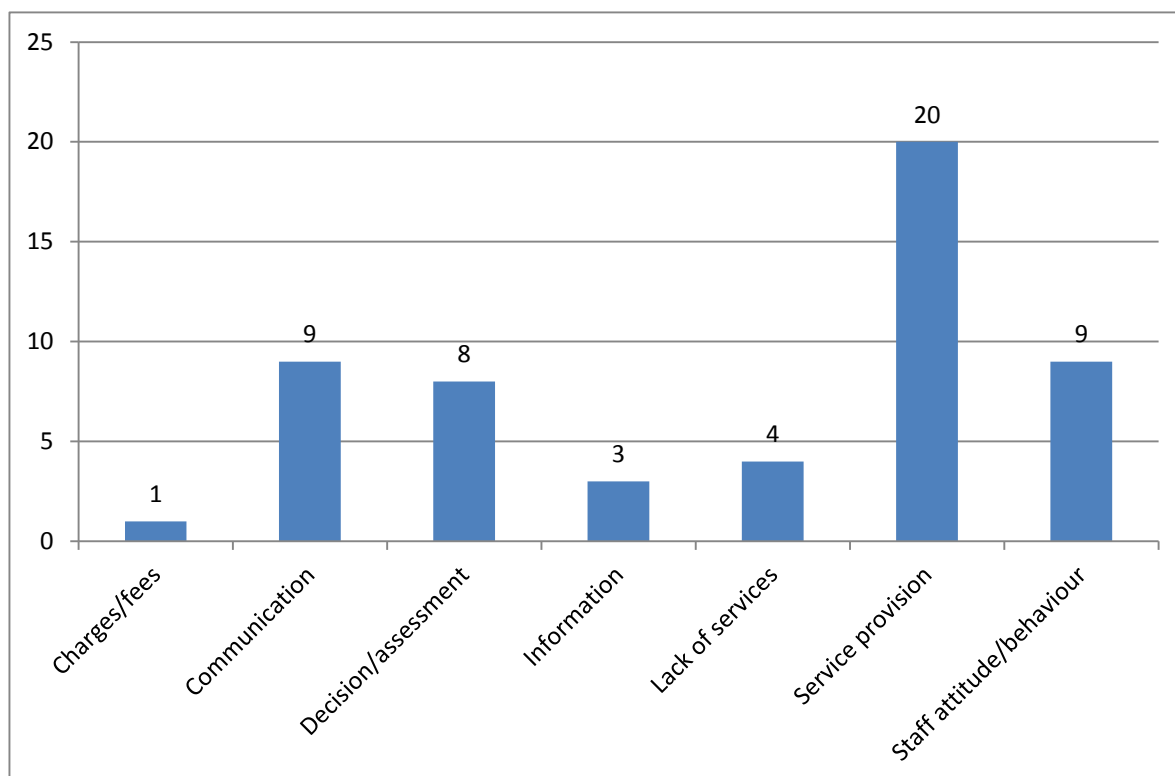
Life Stages 0 – 25 Team received 3 Stage 2 complaints, an increase from 1 in 2014/15.

### **Breakdown of Stage 3 complaints by Service Area/Team**

3 complaints were escalated to Stage 3 during 2015/16, compared to 1 in 2014/15.



### Breakdown of complaints by Issue 2015/16



While service provision remained the most commonly complained about issue for the fourth consecutive year, the Council saw a reduction in complaints from 30 in 2014/15.

The second most complained about issues were communication and staff attitude/behaviour. The Council saw an increase in complaints about communication from four in 2014/15 to 9 in 2015/16 and a decrease in complaints about staff attitude/behaviour to 9 in 2015/16 from 12 in 2014/15.

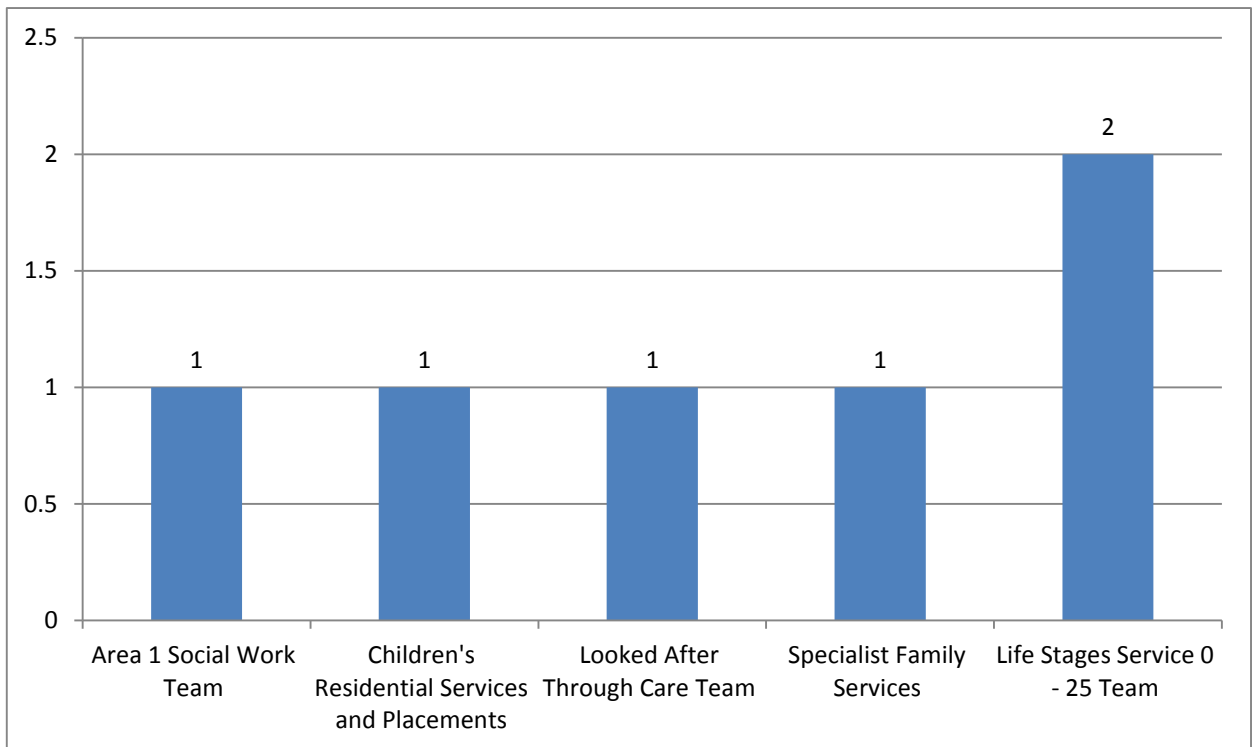
The Council received 8 complaints about dissatisfaction with a decision/assessment, an increase from 4 on 2014/15.

The Council received 4 complaints about lack of services, a decrease from 8 in 2014/15.

### Breakdown of Comments by Service Area/Team

1 comment was received for Children's Services during 2015/16, the same number as in 2014/15. This related to the outcome of the Ofsted inspection.

### Breakdown of Compliments by Service Area/Team



## Complaint Outcomes

The below tables show the decisions reached on complaints during 2015/16.

### Stage 1

<b>Team</b>	<b>Closed without response</b>	<b>Escalated to Stage 2 as no Stage 1 response provided</b>	<b>Inconclusive</b>	<b>Not Upheld</b>	<b>Partly Upheld</b>	<b>Upheld</b>	<b>Withdrawn</b>	<b>Total</b>
Family Intervention	0	0	0	0	0	0	1	1
Area 1 Social Work Team	1	0	1	0	7	1	6	16
Area 2 Social Work Team	0	1	0	2	1	2	5	11
Area 3 Social Work Team	0	1	1	1	0	0	0	3
Looked After Through Care Team	0	0	1	4	2	0	1	8
MASH	0	0	1	4	3	1	1	10
Life Stages Service 0 - 25 Team	0	0	1	0	3	1	0	5
<b>Total</b>	<b>1</b>	<b>2</b>	<b>5</b>	<b>11</b>	<b>16</b>	<b>5</b>	<b>14</b>	<b>54</b>

## Stage 2

Team	Early referral to LGO	Inconclusive	Not Upheld	On hold	Partially Upheld	Suspended (ongoing proceedings)	Upheld	Withdrawn	Total
Area 1 Social Work Team	0	0	0	0	1	0	0	0	1
Area 2 Social Work Team	0	0	0	0	1	0	0	1	2
Looked After Through Care Team	0	0	0	0	2	0	0	0	2
MASH	0	0	0	0	2	0	1	0	3
Life Stages Service 0 - 25 Team	0	1	0	0	1	0	0	0	2
<b>Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>10</b>

## Stage 3

Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Area 1 Social Work Team	0	0	0	0	1	1
Area 2 Social Work Team	0	0	0	1	0	1
Looked After Through Care Team	0	0	1	0	0	1
<b>Total</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>3</b>

## **Local Government Ombudsman Complaints**

3 complaints were referred to the LGO during 2015/16, compared to two in 2014/15. All 3 were for the Looked After Through Care Team.

5 complaints were determined by the LGO during 2015/16, compared to 1 in 2014/15.

Full details of those complaints determined by the LGO are included in the Cabinet reports of 8 December 2015 and 14 June 2016 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

## **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 individual complaints several service improvements were made following complaint investigations during 2015/16. Some examples of these are detailed below.

### ***MASH***

It was agreed that we would review the circumstances in which written agreements are used, their format and content. We also agreed to reinforce with managers and staff the need to ensure families are kept informed throughout our involvement and that safeguarding measures are implemented without delay.

Staff were reminded that before speaking to an adult about a child they must check the person has parental responsibility or that consent has been obtained from someone who has parental responsibility.

We agreed to ensure practice supervisors check the correct paperwork is used and that outcomes are being conveyed to those involved in the process.

It was agreed that the Council would carry out further staff training and a review of safeguarding policies and procedures to ensure information received by way of referrals is appropriately verified and that policies and procedures are sufficiently embedded amongst staff.

### ***Looked After Through Care Team***

Social workers were reminded to use their email out of office function when out of the office for extended periods of time.

### ***Area 1 Social Work Team***

We agreed to review the current policy and guidance regarding taking messages when social workers are out of the office to ensure it is fit for purpose. We also agreed to ensure staff update details of service users on the electronic system so that up to date essential details are always available to all staff.

### **Area 2 Social Work Team**

It was agreed that the council should carry out further staff training to ensure staff in children's services are clear that when making any decisions relating to children, that the welfare of the children is paramount and that they evidence that the making of the decision is in the children's best interests. It was also agreed that the family group conference service and its policies and procedures would be comprehensively reviewed to ensure that it is fit for purpose.

### **Life Stages Services 0 – 25**

It was agreed that to avoid inconsistency and to provide a base from which Early Support Team practitioners can scrutinise and evaluate their practice, good practice guidelines would be produced regarding home visits to families. Written information for parents with children under three years of age was also developed, clarifying the assistance available from the Life Stages Team, the Inclusion Team and the Special Educational Needs Team and informing parents of their rights, and the processes involved.

### **Further recommendations**

There are no further recommendations.

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

The below performance measures are in relation to those complaints responded to during 2014/15.

### **Timescales**

#### **Stage 1**

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

- 13.2% of Stage 1 complaint responses were sent out within 10 working days. This is a decrease in performance from 23.1% in 2014/15.
- A further 23.7% of Stage 1 complaint responses were sent out within 20 working days.
- In total 36.9% of Stage 1 complaint responses were sent out within the maximum 20 working day timescale, a decrease from 61.5% in 2014/15.

#### **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.

- 0% of Stage 2 responses were sent out within 25 working days during 2015/16, compared to 11.1% in 2014/15.



- 40% of complaints were responded to within the maximum timescale allowed (65 working days).
- 60% were responded to after 65 working days.

### **Stage 3**

- At Stage 3 the Review Panel should be held within 30 working day of the request. Two Review Panels were held within 35 working days of the request, one was held 40 working days of the request, due to the availability of both staff and the complainant.
- The Review Panel should write to the Director within 5 working days of the panel. They did so in two of the three complaints.
- The Director should write to the complainant within 15 working days of receiving the panel's response. The Director wrote to the complaint within 15 working days in response to all three complaints.

### **Performance against key performance indicators**

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

**Target: 0 – Actual 2**