



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

1 April 2011 to 31 March 2012

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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 publish 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.

The Procedure

The Procedure was revised in January 2011 to ensure a consistent approach to complaints handling across the Council. The Procedure maintains three stages in accordance with the Regulations and aims to:

- (a) Make it as easy and accessible as possible for service users and their carers to raise complaints;
- (b) Foster an organisational culture in which complaints are accepted, owned and resolved as efficiently as possible;
- (c) Resolve complaints at the earliest opportunity;

- (d) Reduce the number of complaints referred to the Local Government Ombudsman (LGO);
- (e) Ensure high levels of customer satisfaction with complaints handling; and
- (f) Enable the Council to identify topics and trends in relation to Children's Social Care complaints and improve services as result.

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. These leaflets replace the Children's Services' '*Something to Say*' leaflet.

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, 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.

NYAS (North East Consortium)

The Council commissions an Independent Persons service from NYAS in conjunction with other local authorities in the North East for Stage 2 complaints investigations.

Stockton Borough Council

The Council also buys into an independent panellist service which is administered by Stockton Borough Council for Stage 3 complaints.

Complaints, Compliments and Comments received in 2011/12

- There was an increase in overall feedback, 63 representations compared to 52 representations in 2010/11.
- We received 49 complaints during 2011/12 (77.8% of all feedback), an increase from 44 complaints in 2010/11 and 25 in 2009/10. Putting this into context the Childcare Duty Team dealt with 9,664 contacts in 2011/12 an increase from 6,066 in 2010/11. There were also 209 looked after children in 2011/12 compared to 185 in 2010/11 and 145 in 2009/10.
- We received 14 compliments 2011/12 (22.2% of all feedback), an increase from six in 2010/11.
- We did not receive any comments in 2011/12, a decrease from two in 2010/11.

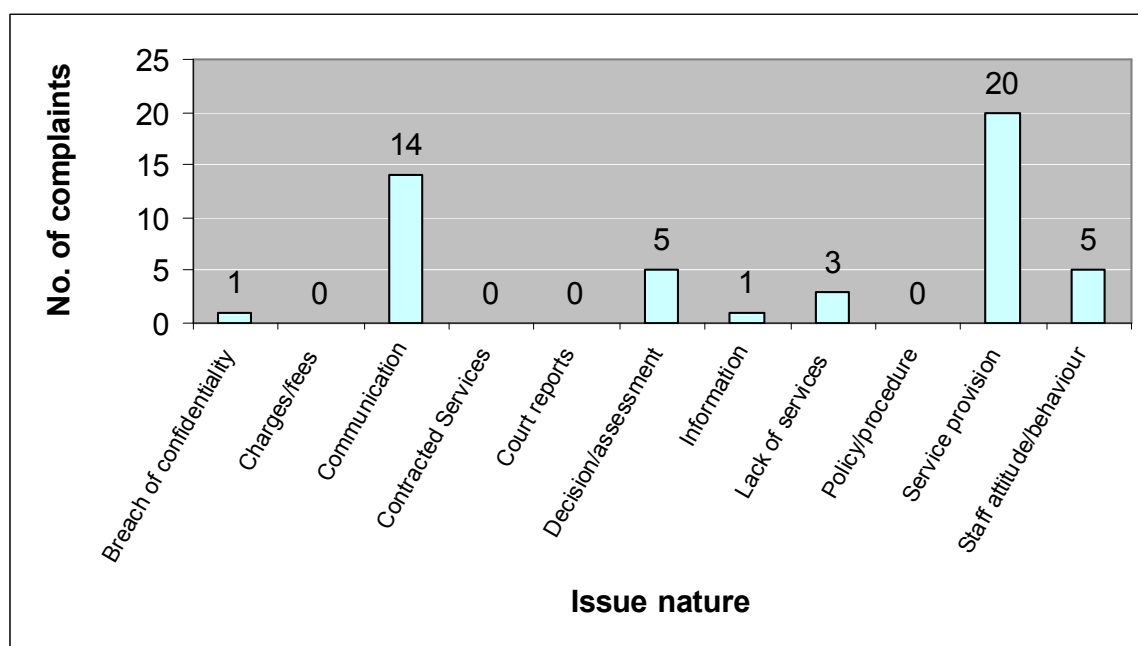
Total Complaints Compliments and Comments by Service Area

	Complaints	Compliments	Comments
Assessment and Intervention Teams	29	2	0
Childcare Duty	9	2	0
Children Looked After	7	6	0
Family Support	2	4	0
Life Stages Service – Disabled Children	2	0	0
TOTAL	49	14	0

Non-qualifying complaints

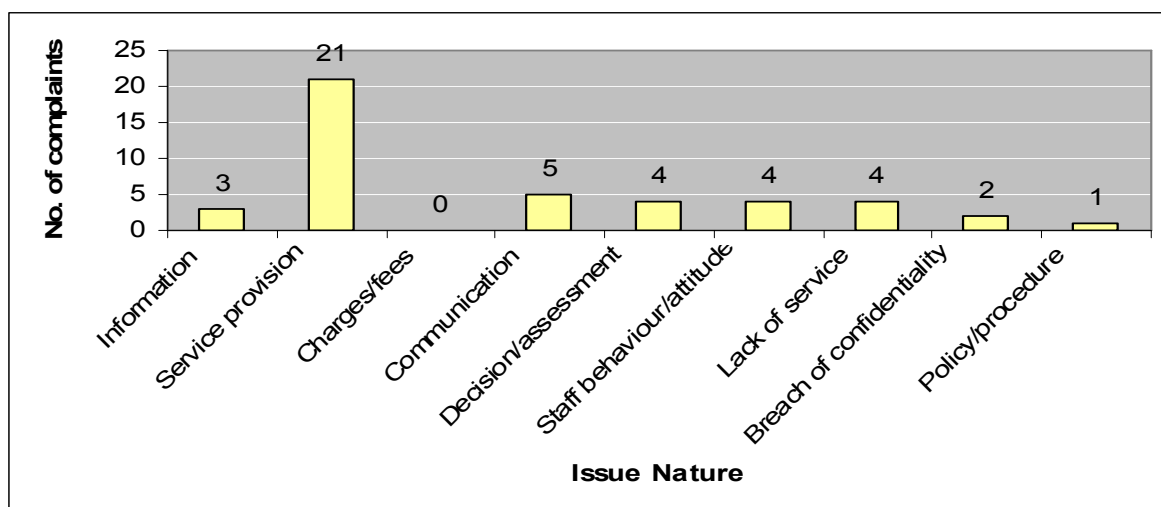
In addition to the 49 children's social care complaints dealt with in accordance with the procedure a further seven were received which were not eligible to be dealt with under the Procedure/Regulations. In all cases the individual was advised of the reasons why and advised of the most appropriate way 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 Nature 2011/12



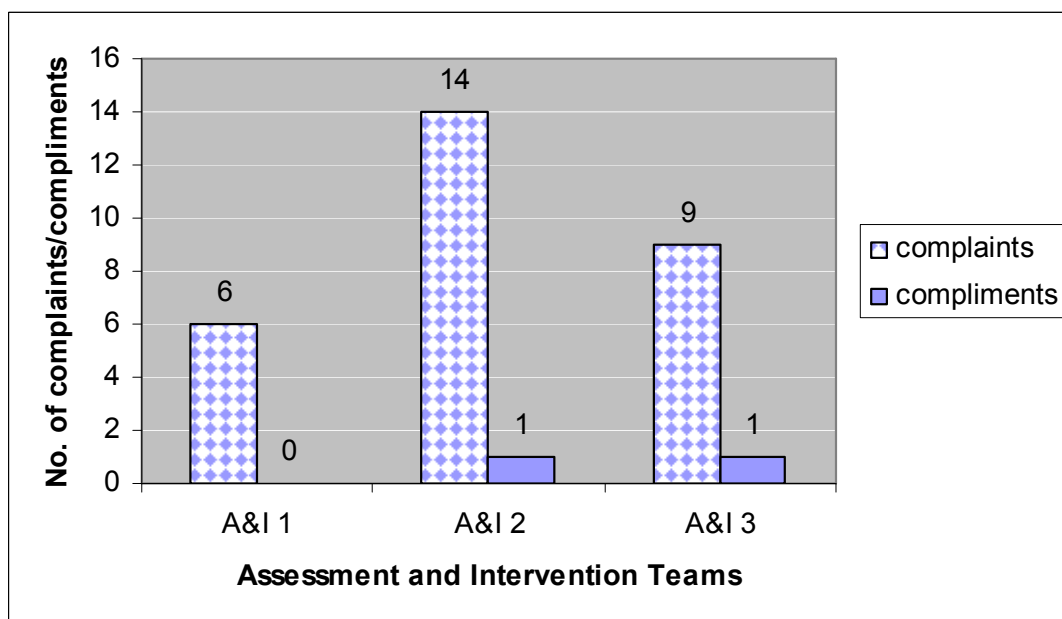
14 of the complaints recorded as being about 'Service provision' or 'Communication' related to the facilitation of family contact. This accounts for 28.6% of all complaints received.

Complaints by Issue Nature 2010/11



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

Assessment and Intervention Teams Complaints and Compliments 2011/12



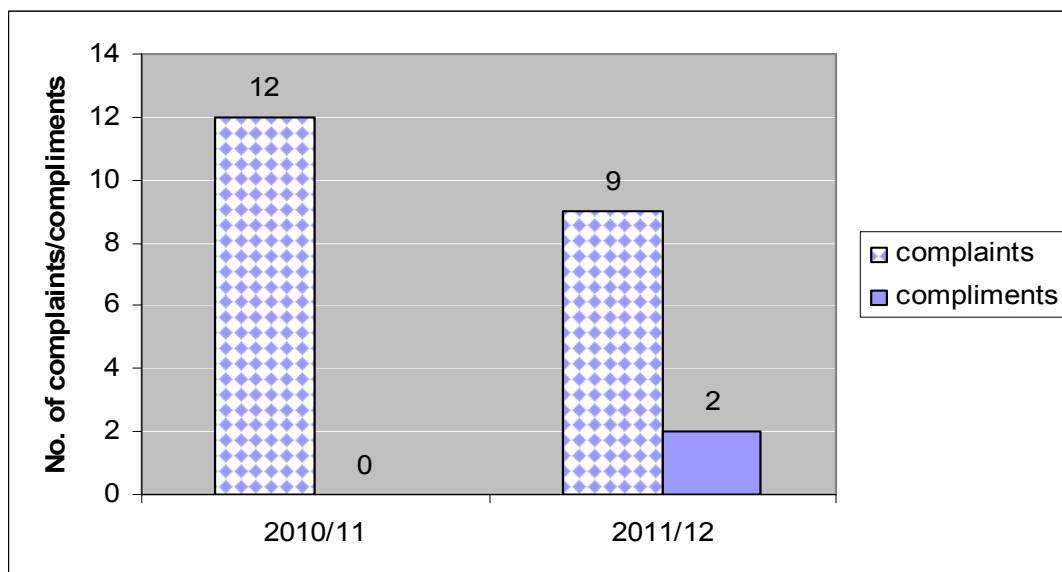
Overall there has been a slight increase in the number of complaints received by the Assessment and Intervention Teams from 26 in 2010/11 to 29 complaints in 2011/12. In 2010/11 there were two Assessment and Intervention teams; Children and Families East and Children and Families West. Children and Families East received 11 complaints and Children and Families West received 15 complaints. In 2009/10 the equivalent team was the Care Planning Team which received a total of 9 complaints. The increase in the number of cases referred to the Council over the past two years is likely to be a significant factor in the increase in complaints received.

**Assessment and Intervention Teams
Outcomes of complaints responded to in 2011/12**

Outcomes	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn
No. of complaints*	8	14	5	1	0

*includes two responses to complaints submitted in 2010/11 for Children and Families West Team

Childcare Duty Team Complaints and Compliments 2010/11 and 2011/12

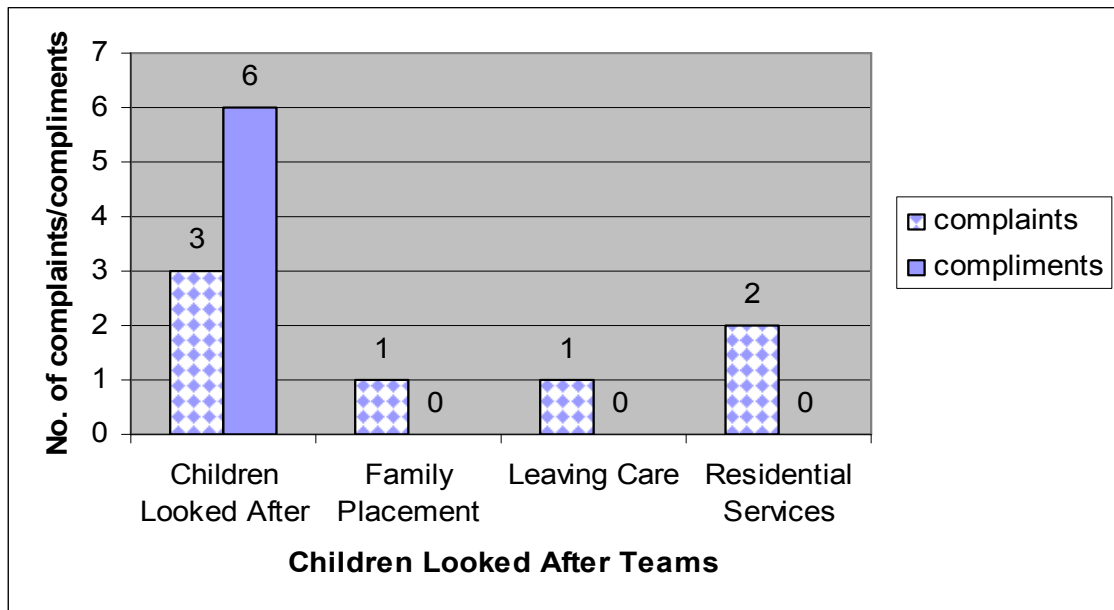


The Childcare Duty Team saw a reduction in the number of complaints received from 12 in 2010/11 to 9 in 2011/12. The team also saw an increase in the number of compliments received. This is commendable given the significant increase in contacts handled by the Childcare Duty Team over that period. 9,664 in 2011/12 compared to 6,066 in 2010/11.

**Childcare Duty Team
Outcomes of complaints responded to in 2011/12**

Outcomes	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn
No. of complaints	0	3	5	0	0

Children Looked After Teams Complaints and Compliments 2011/12

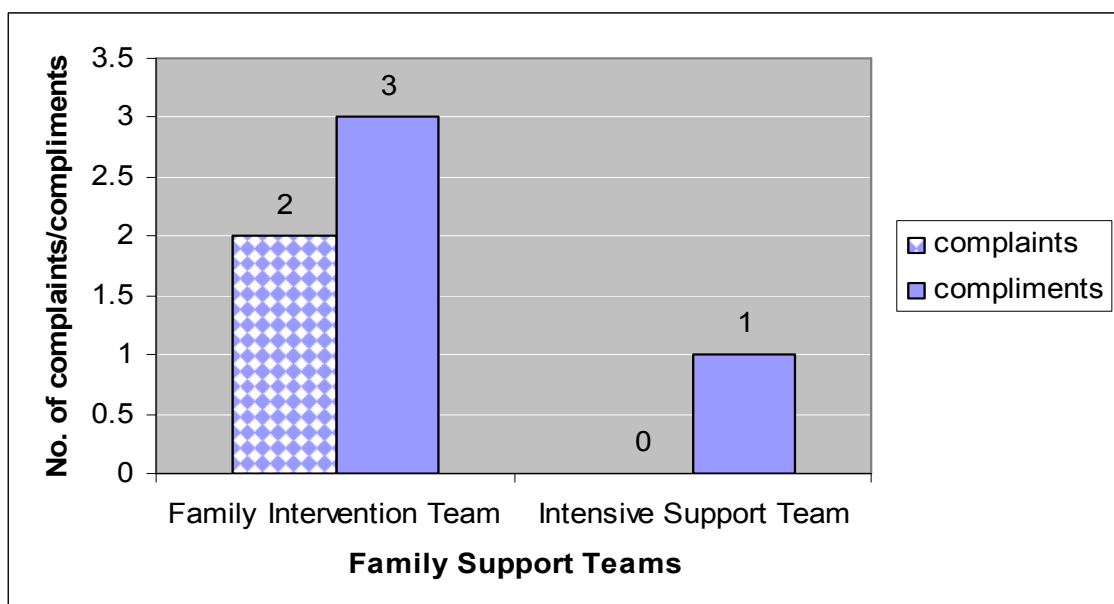


Since 2009/10 there has not been a significant increase or decrease in the number of complaints received by these teams. The Children Looked After Team has however seen an increase in the number of compliments received, from zero in 2009/10 and 2010/11 to six in 2011/12.

Children Looked After Outcomes of complaints responded to 2011/12

Outcomes	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn
No. of complaints	2	1	3	0	1

Family Support Complaints and Compliments 2011/12



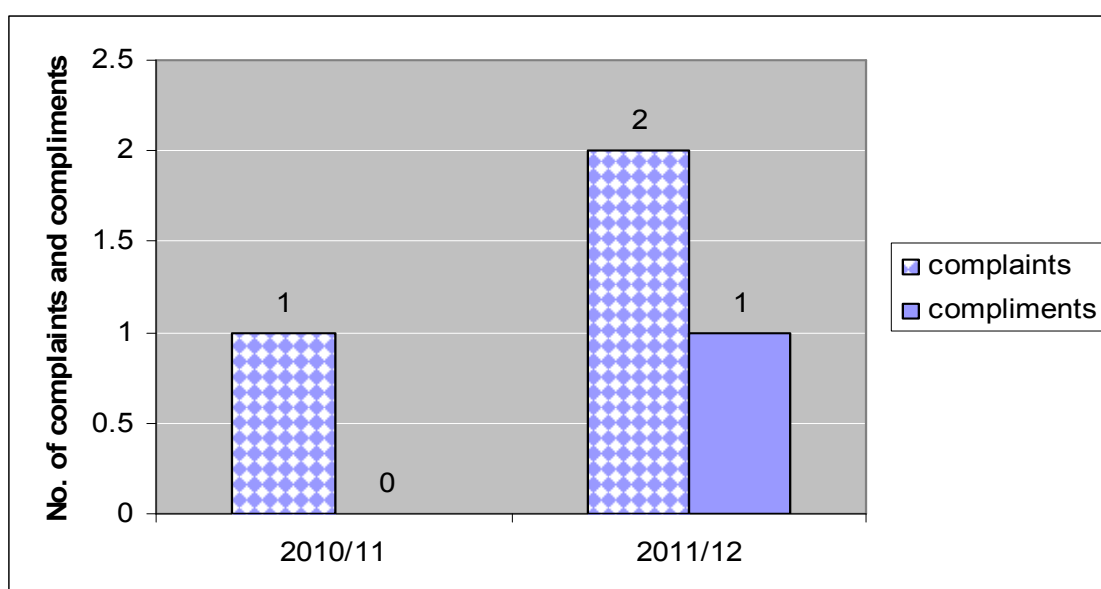
The Family Support Service incorporates a wide range of teams and services, however, the above teams are the only teams which include a social work function. Complaints for the Family Intervention Team have increased from zero in 2010/11 to two in 2011/12. The team has also seen an increase in compliments from zero in 2010/11 to three in 2011/12. The Intensive Support Team received the same number of complaints and compliments in this period as in 2010/11.

Family Support

Outcomes of complaints responded to in 2011/12

Outcomes	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn
No. of complaints	0	1	1	0	0

Life Stages Service Disabled Children’s Team Complaints and Compliments 2010/11 and 2011/12



Life Stages Services (Disabled Children Team)

Outcomes of complaints responded to in 2011/12

Outcomes	Upheld	Partially Upheld	Not Upheld	Inconclusive	Withdrawn
No. of complaints	0	3	0	0	0

Breakdown of Stage 2 complaints by Service Area/Team

Only three complaints were escalated to Stage 2 in 2011/12, compared to six in 2010/11 and eight in 2009/10 despite around a 50% increase in the overall number of complaints received compared to 2009/10.

- Two of these complaints were dealt with at Stage 1 during 2010/11. They were recorded against the Children and Families West Team. They were

from a young person and an adult involved in the same case. The complaints were submitted separately and both parties had an advocate. These were complex complaints with several issues around care planning decisions and communication. The outcome of both these Stage 2 investigations was Partially Upheld.

- The third Stage 2 complaint was first received as a Stage 1 complaint in 2011/12. It was recorded against the Assessment and Intervention Team – Area 2. This complaint was a straight forward complaint; a dispute over something a Social Worker had allegedly said regarding financial support. The complainant refused the gesture of goodwill payment offered at Stage 1. The outcome of this Stage 2 investigation was Partially Upheld and a similar payment was offered.

Stage 3 Complaints

No complaints were escalated to Stage 3 during 2011/12.

Local Government Ombudsman Complaints

One complaint was referred to the LGO during 2011/12. On contacting the care home the young person advised the LGO Investigator that they regretted having sent the complaint direct to the LGO and that they had not used the care home's own complaints process to try and resolve the matter. The Complaint Manager contacted the young person with details of the complaints procedure and information about advocacy, however, the young person did not want to pursue the matter further. The LGO's decision in relation to the complaint was 'Other reason not to initiate investigation'.

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 the majority of cases the actions taken were to resolve the individual's complaint. However, several service improvements were made following complaint investigations during 2011/12. Some examples of these are detailed below.

- It was recommended that the Council should produce information about Disabled Children's Services, including a clear guide on how to make a referral.
- It was recommended that the process for receiving referrals for the Disabled Children's Team be reviewed.
- It was recommended that social care practitioners within the disability service attend safeguarding training as needed.
- Staff were reminded to ensure foster carers are always informed of changes in social worker allocation.

- Staff were reminded to ensure that all relevant professionals are considered to attend Child Protection Conferences.
- It was recommended that efforts be made to improve communication.
- It was recommended that the process of applications for partner adoptions be reviewed in order to ensure that the system works more efficiently in the future.

Further Recommendations

Children's Social Care Services should review the arrangements currently in place for the facilitation of family contact; as issues arising from the provision of and communication in relation to this service account for 28.6% of all the complaints received during 2011/12.

At the time of writing the Council has brought the service 'in house' rather than 'spot purchase' from an external provider while we explore longer term options. It is intended that this will improve communication around contact arrangements and the level of service provided.

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.

- 25.7% of Stage 1 complaint responses sent out in 2011/12 were sent out within 10 working days. This is a significant decrease in performance from 55.6% in 2010/11.
- 51.4% of Stage 1 complaint responses sent out in 2011/12 were sent out within 20 working days. This is a significant decrease in performance from 81.5% in 2010/11.
- Of those complaints responded to in over 20 working days 52.9 % took over 30 working days and 35.2% took over 40 working days.
- One complaint took 61 working days, however, this was due to the complainant not attending meetings offered and difficulties making contact with the advocate.
- The average Stage 1 response time in 2011/12 was 23 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 2011/12 no Stage 2 responses were sent out within 25 working days.
- Two of the three Stage 2 complaints responded to in this period were completed in under 65 working days. Extensions were agreed with the complainant in both cases.
- One Stage 2 complaint responded to in this period took 86 working days. An extension was agreed and the complainant via their advocate and they were kept informed throughout the process.
- In total 66.6% of Stage 2 responses were sent out in under 65 working days an improvement from 42.8% in 2010/11.

Stage 3

There were no Stage 3 Review Panels held in 2011/12.

Equal opportunities monitoring

Six people returned Equal Opportunities Monitoring forms during 2011/12, an increase from two in 2010/11. The information provided is set out below:

- *Ethnic group*
British (white): 6 Any other white background: 0
- *Do you consider yourself to be a disabled person?*
No: 2 Yes: 3 (1 Mental Health, 1 Wheelchair user, 1 Other)
- *Age*
25-44: 4 54-64: 2
- *Gender*
Male: 3 Female: 2 (one not completed)

Performance against local performance indicators

- Percentage of those making a Children's Social Care complaint satisfied with the handling of these complaints.
Target: 67.5% - Actual: 16.7% ✗

Only one of the six people who returned a satisfaction survey during 2011/12 indicated they were satisfied with the way we handled their complaint. Despite the Complaints Manager having reviewed the timing of surveys being sent in order to improve the response rate there is still a low response rate. As such, while the information gathered does provide an indication of satisfaction, it is not possible to draw any meaningful conclusions from the data.

- Number of Stage 1 Children's Social Care complaints escalated to Stage 2.
Target: less than 6 – Actual: 3 ✓
- Number of Stage 2 Children's Social Care complaints escalated to Stage 3.

Target: less than 5 – Actual: 0 ✓

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

Target: 0 – Actual 0 ✓