



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

1 April 2014 to 31 March 2015

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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, 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.

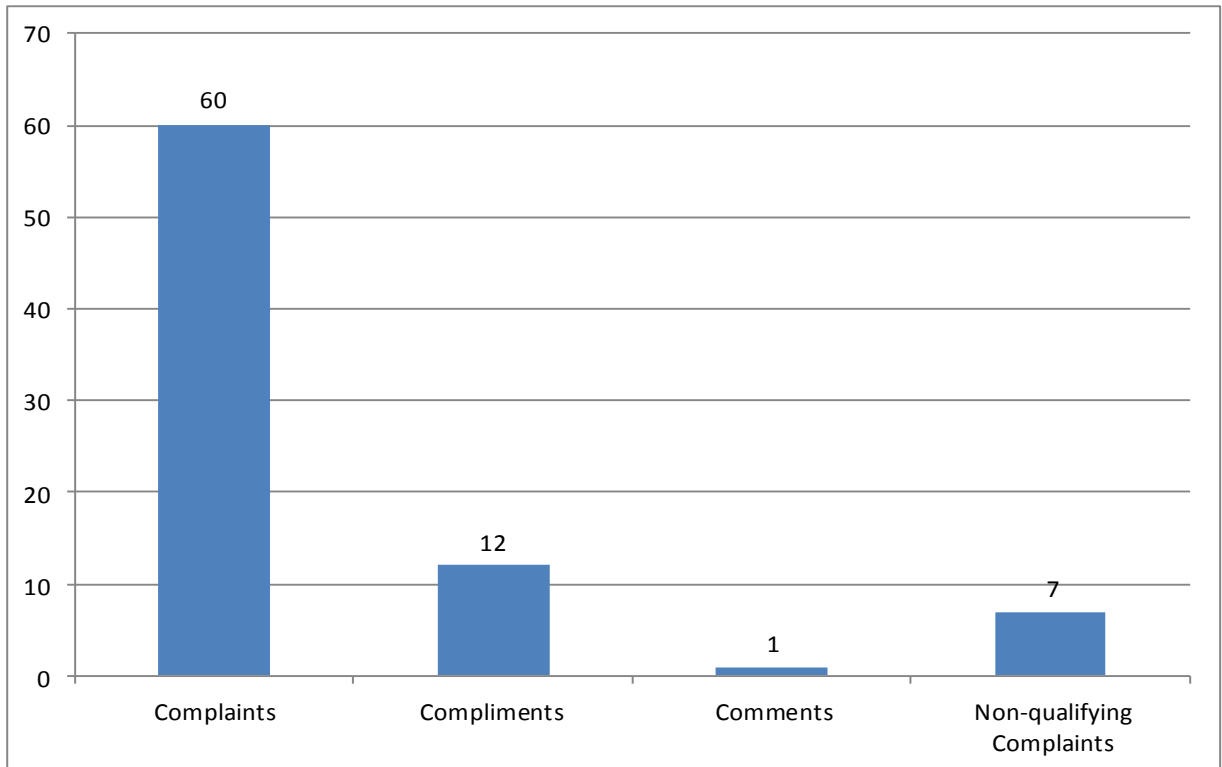
#### Independent Persons

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

#### Review Panels

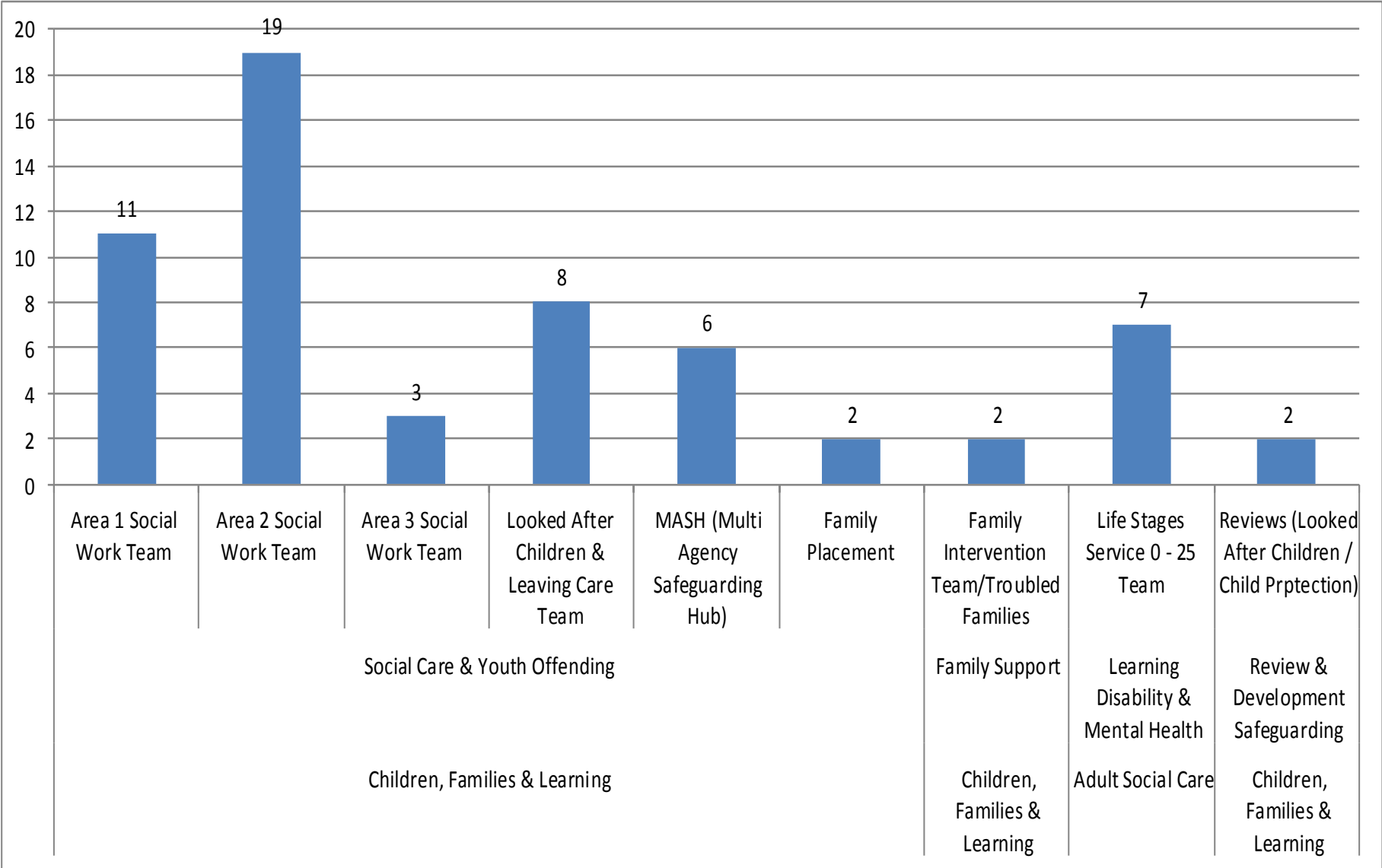
The Council has also signed up to a contract for the provision of an Independent Chair and Independent Panellist service.

## Total Complaints, Compliments and Comments received 2014/15



- We received 60 complaints during 2014/15, an increase from 46 in 2013/14 but less than the 63 complaints received in 2012/13.
- We received 12 compliments during 2014/15, an increase from six in 2013/14 but less than the 13 received in 2012/13.
- We received one comment in 2014/15, an increase from zero in 2013/14 back to the same level as 2012/13.
- We received seven non-qualifying complaints during 2014/15, an increase from six in 2013/14. These included complaints about matters that had been decided by a court and complaints about the content of Section 7 Welfare Reports and Section 47 Child Protection 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



11 complaints were received for Area 1 Social Work team, an increase from six in 2013/14.

19 complaints were received for Area 2 Social Work Team, a significant increase from eight in 2013/14.

Eight complaints were received for Looked After Children and Leaving Care Team, a decrease from 13 in 2013/14.

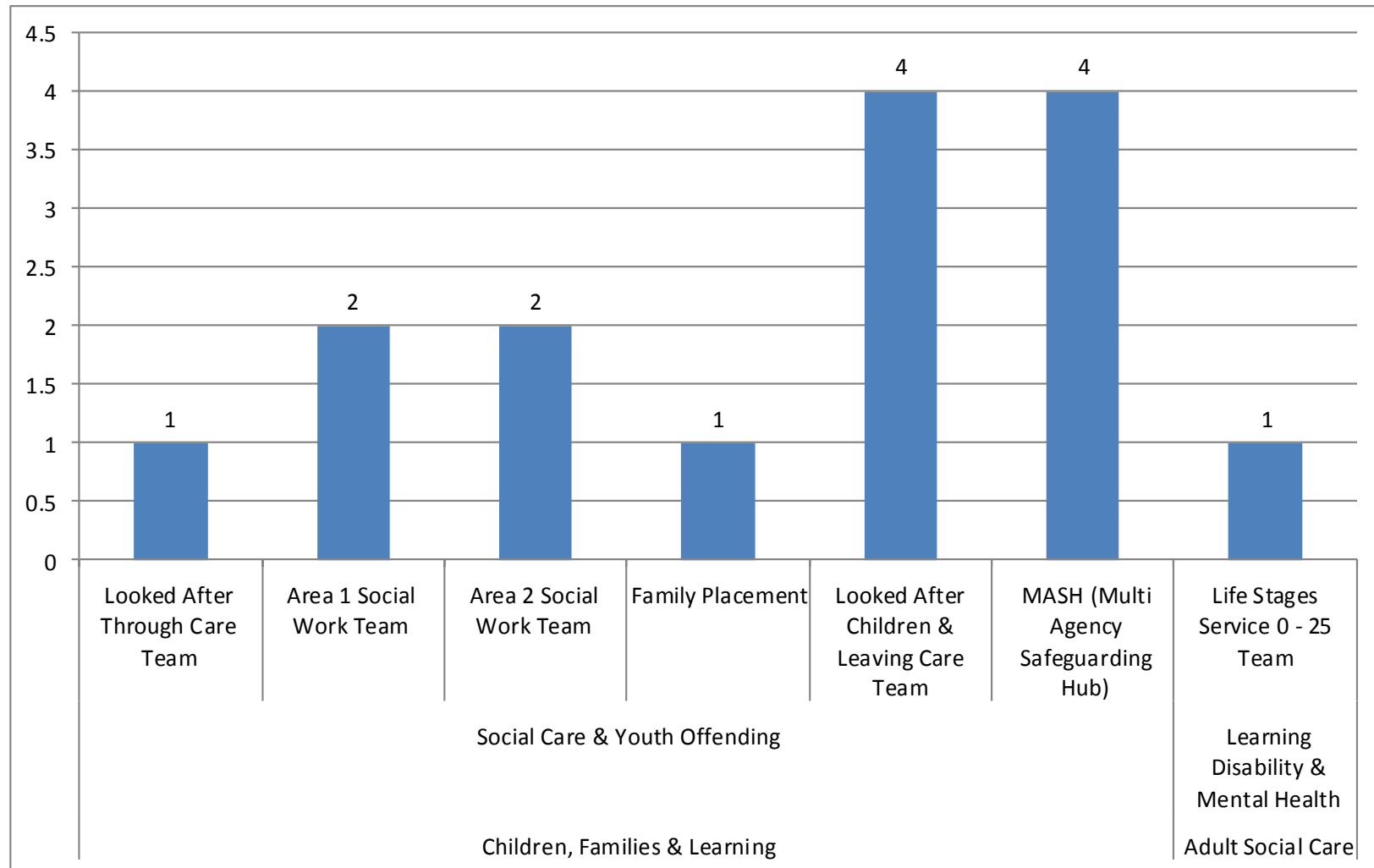
Seven complaints were received for Life Stages 0 – 25, an increase from one in 2013/14.

Six complaints were received for the MASH, a decrease from seven in 2013/14.



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

Fifteen complaints were escalated to Stage 2 during 2014/15, compared to nine in 2013/14 and five in 2012/13.



The Looked After Through Care Team formerly the Looked After Children & Leaving Care Team received a combined total of five Stage 2 complaints, an increase from two in 2013/14.

Area 1 Social Worker Team received two Stage 2 complaints, an increase from zero in 2013/14.

Area 2 Social Worker Team received two Stage 2 complaints, an increase from one in 2013/14.

Family Placement received one Stage 2 complaint, the same number as in 2013/14.

MASH received four Stage 2 complaints, an increase from two in 2013/14.

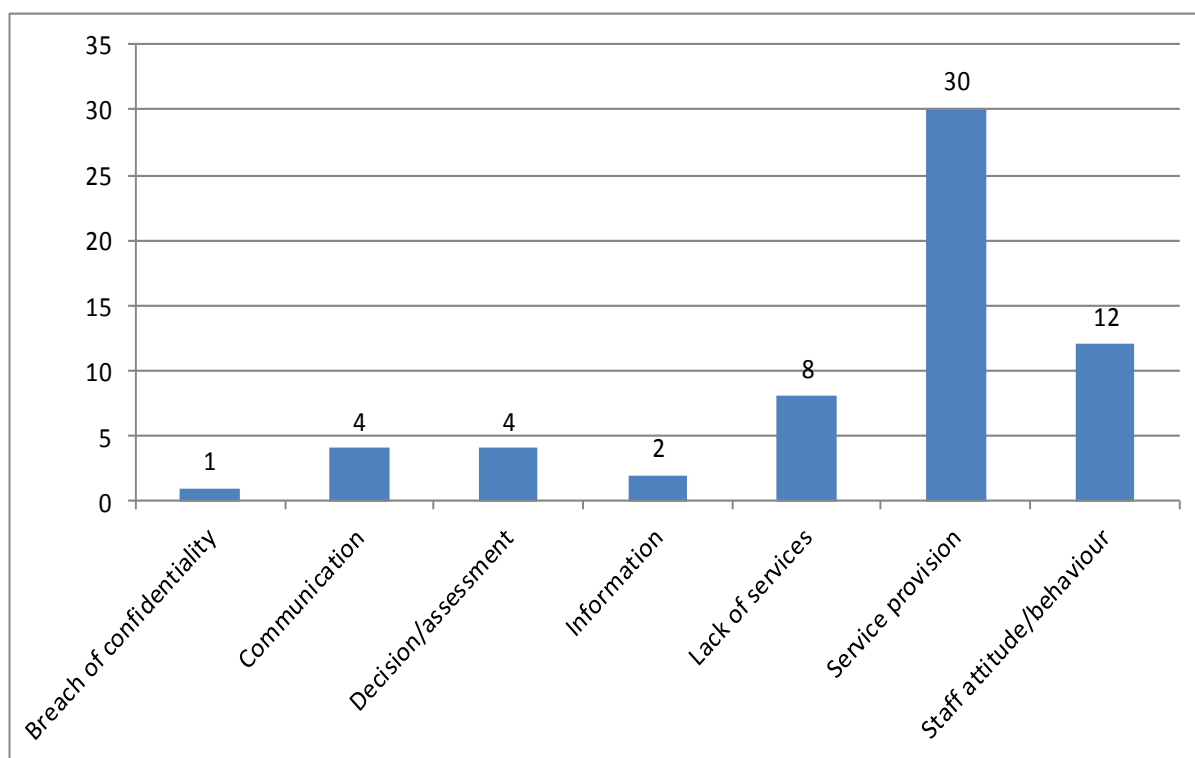
Life Stages 0 – 25 Team received one Stage 2 complaint, the same number as in 2013/14.

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

One complaint was escalated to Stage 3 during 2014/15, compared to none in 2013/14 and 2012/13.

This complaint was for Social Care and Youth Offending, Specialist Assessment & Intervention, Area 2.

### Breakdown of complaints by Issue 2014/15



A total of 61 issues were logged as a result of the 60 complaints received.

There was an increase in the number of complaints received about service provision, 30 compared to 21 in 2013/14. For the third consecutive year this remains the most common issue complained about.

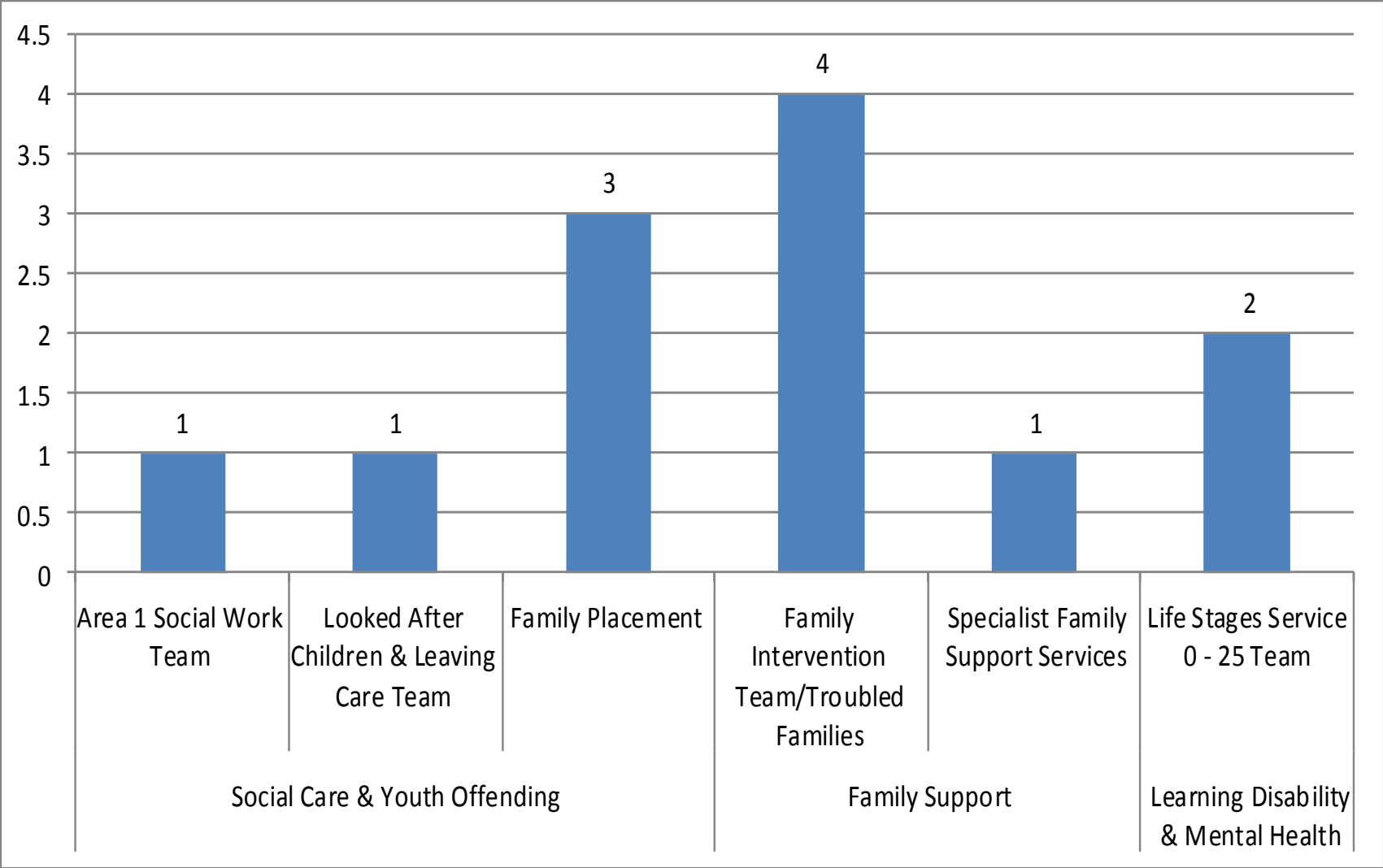
The second most commonly complained about issue remained staff attitude/behaviour, 12 complaints compared to nine in 2013/14.

There was a reduction in complaints about communication, four compared to seven in 2013/14.

### Breakdown of Comments by Service Area/Team

One comment was received for Children, Families & Learning, Social Care & Youth Offending, Looked After Children & Leaving Care Team.

**Breakdown of Compliments by Service Area/Team**



## Complaint Outcomes

The below tables show the decisions reached on complaints during 2014/15.

### Stage 1

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
People	0	0	0	0	0	0
Children Families & Learning	0	0	0	0	0	0
Social Care and Youth Offending	0	0	0	0	0	0
Child Care Duty	0	0	0	0	1	1
<b>Total for Child Care Duty</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>
Children in Our Care	0	0	0	0	0	0
Looked After Through Care Team	0	1	0	0	0	1
<b>Total for Children in Our Care</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
Specialist Assessment & Intervention	0	0	0	0	0	0
Area 1	0	0	1	0	0	1
Area 3	0	0	1	0	0	1
<b>Total for Specialist Assessment &amp; Intervention</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Total for Social Care and Youth Offending</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>4</b>
<b>Total for Children Families &amp; Learning</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>4</b>
<b>Total for People</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>4</b>
Services for People	0	0	0	0	0	0
Children, Families & Learning	0	0	0	0	0	0
Family Support	0	0	0	0	0	0
Family Intervention Team/Troubled Families	0	0	1	0	0	1
<b>Total for Family Intervention Team/Troubled Families</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Family Support</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
Review & Development Safeguarding	0	0	0	0	0	0
Reviews (LAC / CP)	0	0	1	1	0	2
<b>Total for Reviews (LAC / CP)</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>2</b>
<b>Total for Review &amp; Development Safeguarding</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>2</b>
Social Care & Youth Offending	0	0	0	0	0	0

Area 1 Social Work Team	0	1	3	0	3	7
<b>Total for Area 1 Social Work Team</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>7</b>
Area 2 Social Work Team	0	3	9	3	1	16
<b>Total for Area 2 Social Work Team</b>	<b>0</b>	<b>3</b>	<b>9</b>	<b>3</b>	<b>1</b>	<b>16</b>
Area 3 Social Work Team	0	0	2	1	0	3
<b>Total for Area 3 Social Work Team</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>3</b>
Family Placement	0	0	2	0	0	2
<b>Total for Family Placement</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>
Looked After Children & Leaving Care Team	0	2	3	0	1	6
<b>Total for Looked After Children &amp; Leaving Care Team</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>6</b>
MASH	0	5	0	0	1	6
<b>Total for MASH</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>6</b>
<b>Total for Social Care &amp; Youth Offending</b>	<b>0</b>	<b>11</b>	<b>19</b>	<b>4</b>	<b>6</b>	<b>40</b>
<b>Total for Children, Families &amp; Learning</b>	<b>0</b>	<b>11</b>	<b>21</b>	<b>5</b>	<b>6</b>	<b>43</b>
Adult Social Care	0	0	0	0	0	0
Learning Disability & Mental Health	0	0	0	0	0	0
Life Stages Service 0 - 25 Team	0	1	3	1	0	5
<b>Total for Learning Disability &amp; Mental Health</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>5</b>
<b>Total for Adult Social Care</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>5</b>
<b>Total for Services for People</b>	<b>0</b>	<b>12</b>	<b>24</b>	<b>6</b>	<b>6</b>	<b>48</b>
<b>Total</b>	<b>0</b>	<b>13</b>	<b>26</b>	<b>6</b>	<b>7</b>	<b>52</b>

## Stage 2

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
People	0	0	0	0	0	0
Adult Social Care	0	0	0	0	0	0
Children and Adults Learning Disability	0	0	0	0	0	0
Life Stages 0-25	0	0	1	0	0	1
<b>Total for Life Stages 0-25</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Children and Adults Learning Disability</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Adult Social Care</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
Children Families & Learning	0	0	0	0	0	0
Review & Development	0	0	0	0	0	0
Safeguarding						
Independent Reviewing Officer	0	0	0	1	0	1
<b>Total for Independent Reviewing Officer</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Total for Review &amp; Development Safeguarding</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>
Social Care and Youth Offending	0	0	0	0	0	0
Children in Our Care	0	0	0	0	0	0
Looked After Through Care Team	0	0	0	2	0	2
<b>Total for Children in Our Care</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>
Specialist Assessment & Intervention	0	0	0	0	0	0
Area 2	0	0	1	0	0	1
<b>Total for Specialist Assessment &amp; Intervention</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Social Care and Youth Offending</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>3</b>
<b>Total for Children Families &amp; Learning</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>4</b>
<b>Total for People</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>5</b>
Services for People	0	0	0	0	0	0
Children, Families & Learning	0	0	0	0	0	0
Social Care & Youth Offending	0	0	0	0	0	0
Area 1 Social Work Team	0	0	0	0	2	2
<b>Total for Area 1 Social Work Team</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>
Area 2 Social Work Team	0	0	1	0	0	1
<b>Total for Area 2 Social Work Team</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
Looked After Children & Leaving	1	0	2	0	0	3

Care Team						
<b>Total for Looked After Children &amp; Leaving Care Team</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>
MASH	0	0	1	0	0	1
<b>Total for MASH</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Social Care &amp; Youth Offending</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>2</b>	<b>7</b>
<b>Total for Children, Families &amp; Learning</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>2</b>	<b>7</b>
Adult Social Care	0	0	0	0	0	0
Learning Disability & Mental Health	0	0	0	0	0	0
Life Stages Service 0 - 25 Team	0	0	1	0	0	1
<b>Total for Learning Disability &amp; Mental Health</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Adult Social Care</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Services for People</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>8</b>
<b>Total</b>	<b>1</b>	<b>0</b>	<b>7</b>	<b>3</b>	<b>2</b>	<b>13</b>

### Stage 3

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
People	0	0	0	0	0	0
Children Families & Learning	0	0	0	0	0	0
Social Care and Youth Offending	0	0	0	0	0	0
Specialist Assessment & Intervention	0	0	0	0	0	0
Area 2	0	0	1	0	0	1
<b>Total for Specialist Assessment &amp; Intervention</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Social Care and Youth Offending</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Children Families &amp; Learning</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for People</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>



## **Local Government Ombudsman Complaints**

Two complaints were referred to the LGO during 2014/15. The LGO determined one of these complaints during 2014/15.

The first concerned the Council allegedly failing to properly financially support the placement of children with an individual prior to a Special Guardianship Order being issued.

The second concerned the Council failing to implement recommendations made following a Stage 2 investigation and a Stage 3 Review Panel. The LGO's decision was 'Upheld: Maladministration and Injustice'. The LGO recommend the Council apologise for this and pay the complainant a further payment of £100.

## **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 2014/15. Some examples of these are detailed below.

- Following a complaint for Reviews (Looked After Children / Child Protection) an administrative system was implemented to ensure that parental consultation documents are automatically sent out two weeks prior to all looked after reviews.
- Following a complaint for Area 2 Social Work Team it was agreed that refresher training would be provided for Social Workers regarding Private Law applications including Section 7 and 37 reports.
- Following the same complaint for Area 2 Social Work Team it was also agreed that Managers and operational staff should receive guidance regarding the expected timescales that are acceptable to the organisation when responding to service users.
- Following a complaint for Family Placement staff were reminded of the importance of effective communication and the requirement to keep parents with parental responsibility informed of progress in respect of their children was reinforced.
- Following a complaint for the Looked After Children & Leaving care Team it was agreed that Children's Social Care deliver mandatory training for its staff on the engagement of and communication with fathers during assessment and care planning work.
- Following a complaint for Life Stages Service 0 – 25 mandatory training was provided for staff in relation to the Looked After process.

## **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.

- 23.1% of Stage 1 complaint responses were sent out within 10 working days. This is a decrease in performance from 41.7% in 2013/14.
- A further 38.4% of Stage 1 complaint responses were sent out within 20 working days.
- In total 61.5% of Stage 1 complaint responses were sent out within the maximum 20 working day timescale, a decrease from 70.8% in 2013/14.

#### **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 2014/15 11.1% of Stage 2 responses were sent out within 25 working days. This equates to one complaint compared to zero in 2013/14.
- One more complaint was responded to within the maximum timescale allowed (65 working days). This complaint was responded to in 26 working days. An extension was agreed with the complainant.
- The other eleven Stage 2 complaints were responded to between 78 and 176 working days. The complaint that took 176 working days to investigate was a particularly complex complaint. In all cases an extension was agreed with the complainant.

#### **Stage 3**

- At Stage 3 the Review Panel should be held within 30 working day of the request. The Review Panel was held within 35 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 day of the panel. They did so in four working days.

- The Director should write to the complainant within 15 working days of receiving the panel's response. He did so in 24 working days.

### **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 1**