

Individual Executive Member Decision

Title of Report:	Annual Report on Complaints Activity in Children's Social Care 2013-14
Report to be considered by:	Individual Executive Member Decision on 19 March 2015
Forward Plan Ref:	ID2960

Purpose of Report: To report on the statutory complaints process for 2013/2014.

Recommended Action: To consider and approve the report, including lessons learned and actions.

Reason for decision to be taken: Local authorities must, each financial year, publish an annual report in order to keep the local authority informed about the operation of its complaints procedure. The report should be 'presented to staff, the relevant local authority committee, and to the regulator and general public.'

Other options considered: None

Key background documentation:

- 'Getting the Best from Complaints' DfE - social care complaints and representations for children, Young People and Others.'
- Statutory guidance to accompany the Children Act 1989 Representations Procedure (England) Regulations 2006 (Statutory Instrument 2006/1738)

Portfolio Member Details	
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Implications

Policy:	The complaints policy for Children & Young People (Social Care) is compliant with the requirements of the relevant legislation.
Financial:	Non specific to this report
Personnel:	Non specific to this report
Legal/Procurement:	This report ensures the Council meets its legal duty to report and publish an Annual Report.
Property:	Non specific to this report
Risk Management:	Non specific to this report

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at http://intranet/EqIA			<input type="checkbox"/>
Not relevant to equality			<input checked="" type="checkbox"/>

Consultation Responses

Members:

Leader of Council: Councillor Gordon Lundie

Overview & Scrutiny Management Commission Chairman: Councillor Brian Bedwell

Ward Members: All Members

Opposition Spokesperson: Councillor David Allen

Local Stakeholders: None

Officers Consulted: Children's Services Management Team
Communities Directorate Leadership Team
Corporate Board

Trade Union: N/A

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
<p>If not subject to call-in please put a cross in the appropriate box:</p> <p>The item is due to be referred to Council for final approval <input type="checkbox"/></p> <p>Delays in implementation could have serious financial implications for the Council <input type="checkbox"/></p> <p>Delays in implementation could compromise the Council's position <input type="checkbox"/></p> <p>Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months <input type="checkbox"/></p> <p>Item is Urgent Key Decision <input type="checkbox"/></p> <p>Report is to note only <input checked="" type="checkbox"/></p>		

Executive Summary and Report

1. Introduction

- 1.1 This report contains a summary of the data produced by the Children's Social Care complaints procedure between 1 April 2013 and 31 March 2014. It highlights how the service has performed in relation to statutory timescales and key principles as well as in respect of learning and service improvements identified through the analysis of the complaints process in previous years.

2. Findings

- 2.1 During this period 87 initial contacts were received either from adults complaining on behalf of a child or by a child or young person accessing the complaints procedure on their own behalf. Of these 61 Complaints and 14 Representations were made by adults and 9 Complaints and 3 Representations were made by young people. This is directly comparable to 73 contacts received in 2012-2013.
- 2.2 Of the 87 complaints raised in 2013/14, 9 were upheld. This represents 13% of all cases where a decision was reached. 18 cases did not reach a conclusion, of which 14 were not completed and 4 were frozen due to litigation. This represents a drop of 18% from 2012/13 and 25% from 2011/12. However, for these earlier years issues rather than complaints were used to measure the figures.
- 2.3 95% of Stage 1 complaints were acknowledged within 3 working days, compared to 91% in 2013/13. In 6 cases this information was not recorded : if these all fell outside the 3 day period then only 88% of acknowledgements were within statutory requirement. 46% of Stage 1 complaints were responded to within 10 working days, compared to 59% in 2012/13.
- 2.4 A further 32% of Stage 1 Complaints were responded to within the 20 day period which is permitted by Legislation for responding to complex cases.
- 2.5 The key themes identified from complaints which were upheld were:
- Communication/Information
 - Standard of service delivery
 - Assessment/decision issues
 - Attitude of staff/staff conduct
- 2.6 In 2013/14, one Complaint was progressed to Stage 2.
- 2.7 No Complaints were referred to the Local Government Ombudsman during 2013/14.
- 2.8 Over 70 compliments were received ranging from comments from families, children, professionals and other partner agencies.

3. Lessons Learned and Actions

3.1 The Complaints report is considered by the QA Board, who will monitor and evaluate practise against the required lessons learned and actions. This will include identifying lead officers and timescales for any further remedial actions.

3.2 The actions relating to social work practise and administration practise cover 6 areas:

- Workers need to be clear with clients about the services which can be offered.
- The Complaints Manager and Team Managers need to be clear with complainants about which issues form the basis of a Complaint which can be progressed.
- Consideration needs to be given to why some complaints withdraw from the complaints process.
- Workers need to maintain openness with clients/family when recording information about them as helps to facilitate accurate recording and provides the client/family with reassurance.
- A consistent method for monitoring the progress of Complaints and Access to Records Enquiries needs to be implemented.
- The use of electronic calendar/task to keep track of allocated Complaints tasks

4. Conclusion

4.1 There has been a slight increase in the overall number of Complaints and Representations made during 2013/14. This slight increase does not appear to demonstrate a decrease in the level of service being provided, with only 13% of the complaints which were received during this year having been fully upheld. Analysis demonstrates that by far the greatest number of complaints received were not upheld. However, in 23% of the complaints made in 2013/14, the complaints investigation demonstrated that some aspect or aspects of the complaint should be upheld. This suggests that a more detailed focus on complaints which have been partially upheld could help to identify on-going issues with service provision.

Appendices

Appendix 1 – Complaints Report for Children’s Social Care which contains:

- Appendix A – Children’s Social Care Complaints Process
- Appendix B – Corporate Complaints Process
- Appendix C – How to Complain
- Appendix D - Advocacy Support