

# Individual Executive Member Decision

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<b>Title of Report:</b>	<b>Annual Report on Complaints activity in Children's Social Care 2014-15</b>
<b>Report to be considered by:</b>	Individual Executive Member Decision
<b>Date on which Decision is to be taken:</b>	14 September 2015
<b>Forward Plan Ref:</b>	ID3017

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**Purpose of Report:** To report on the statutory complaints process for 2014/15

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**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.

**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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<b>Date Portfolio Member agreed report:</b>	

Contact Officer Details	
<b>Name:</b>	Rachel Brickman
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## Implications

<b>Policy:</b>	The complaints policy for Children & Young People (Social Care) is compliant with the requirements of the relevant legislation.
<b>Financial:</b>	None
<b>Personnel:</b>	None
<b>Legal/Procurement:</b>	None
<b>Property:</b>	None
<b>Risk Management:</b>	None
<b>Corporate Board's Recommendation:</b>	N/A

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"/>
<b>Outcome</b> (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)		
Relevant to equality - Complete an EIA available at <a href="http://intranet/EqIA">http://intranet/EqIA</a>		<input type="checkbox"/>
Not relevant to equality		<input checked="" type="checkbox"/>

## Consultation Responses

### Members:

**Leader of Council:**

**Overview & Scrutiny  
Management**

**Commission Chairman:**

**Ward Members:**

**Opposition  
Spokesperson:**

**Local Stakeholders:**

**Officers Consulted:** Children's Services Management Team  
Communities Directorate Leadership team

**Trade Union:** N/A

<b>Is this item subject to call-in?</b>	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>		

## Supporting Information

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### 1. Background

- 1.1 This report contains a summary of the data produced by the Children's Social care complaints procedure between 1 April 2014 and 31 March 2015. 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 71 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 54 complaints and 13 representations were made by adults and 4 complaints and no representations were made by young people. This is directly comparable to 87 initial contacts in 2013-14.
- 2.2 Of the 71 complaints raised in 2014/15, 6 were upheld, 17 were partially upheld and 36 were not upheld. In 6 cases no finding was made, in the majority of these cases the complainant was satisfied that their complaint had been addressed following an initial conversation. 3 complaints were directed to other agencies and a further 3 complaints straddled the year end cut of date.
- 2.3 95% of stage 1 complaints were acknowledged within 3 working days.
- 2.4 59% of complaints were responded to within 10 working days and a further 26% were responded to within 11-20 working days. Thus in 2014/15, 85% of stage 1 complaints were responded to within the 20 working day timescale specified in the Children Act (1989).
- 2.5 15% of the complaints brought in 2014/15 exceeded the 20 day period. The main reason for this was that there were a number of clusters of family complaints in which 3 or 4 different family members were submitting similar, but slightly different complaints, at slightly different times.
- 2.6 Unfortunately this clusters were received at a time when the Complaints Managers post was vacant, so although each aspect of all the complaints had been responded to, the dissemination of responses to all those concerned, did not always occur within timescales.

### 3. Lessons Learned and Actions

- 3.1 The Complaints report is considered by the Quality Assurance board, who monitor and evaluate practise against the required lessons learned and actions. This includes identifying lead officers and timescales for any further remedial actions.
- 3.2 During 2014 the Complaints Manager post was vacant until October 2014. Whilst this has caused some difficulties in managing the complaints service consistently at times, it has also prompted a re-examination of the systems which were in place within the complaints service.

- 3.3 As a result of this re-examination, new tools for capturing data have been introduced. These systems include electronic running records, a quarterly report and learning log which will be presented to the Quality Assurance Board.
- 3.4 Other areas of concern which became apparent towards the end of 2014/15 were delay in families receiving paperwork and complaint management. The number of complaints which include a concern around late paperwork will continue to be monitored in 2015/16.
- 3.5 When the Complaints Manager came into post a number of complaints appeared to be running well over timescales and left to drift. The complaints were re-examined and although individual complaints were responded to, a number of complaints involved several family members raising new complaints and re-visiting complaints that had already been addressed.
- 3.6 Lessons learned during 2014/15 were the need for professionals to be clearer about the fact that they are making professional decisions based on likelihood, probability and experience. That the decisions being made are in the best interest of the child and that decisions may not necessarily be in line with a parent's wishes.
- 3.7 A high number of the complainants state at some point during the complaints discussions, "I haven't been given a reason why". This would suggest that providing more written information might be beneficial, some preliminary work around this has been undertaken.
- 3.8 It is also important that professionals do not lose sight of the fact that many service users are not well versed in social work procedures and language and that as a result of this, it is important to give clear explanations particularly when different terminology might be used by different professionals to mean the same thing.

#### **4. Conclusion**

- 4.1 There has been a decrease in the overall number of complaints and representations made during 2014/15. It is likely that in part this fall reflects that fact that complaints were being addressed within the social work teams whilst the post of the Complaints Manager was vacant.
- 4.2 2 complaints were progressed to Stage 2 and 2 complainants made use of the Local Government Ombudsman Service.
- 4.3 Responses times have improved on those of the last financial year, with 85% of complaints now being responded to within timescales.

## **Appendix**

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Appendix A – Complaints Report Children's Social Care 1<sup>st</sup> April 2014 – 31<sup>st</sup> March 2015