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Executive Summary

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.

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 the 71 initial contacts received, 54 complaints and 13 representations were made by adults and 4 complaints and no representations were made by young people. This is comparable to 87 initial contacts received in 2013-2014.

The complaints and representations received encompass multiple issues, the key themes of which can be identified as: -

- Service Provision
- Professionalism of staff
- Communication
- Confidentiality
- Contact
- Assessment
- Fostering
- Referral
- Care planning
- Delay in paper work
- Family problems
- Child Protection Measures
- Other
- Not known

This list is used throughout the year to track the nature of the complaints and is now monitored quarterly, with the most pressing concerns identified and included in a quarterly report which is presented to the Children's Quality Assurance Board. This enables any necessary changes to procedures to be discussed and implemented during the year.

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 off date.

95% of Stage 1 complaints were acknowledged within 3 working days.

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). These figures demonstrate an overall increase of 8% in the number of responses being provided within timescales when compared to the previous financial year.

The biggest improvement can be seen in meeting the 10 day timescale where the response rate has risen from 46% in 2013/14 to 59% in 2014/5.

15% of the complaints brought in 2014/15 exceeded the 20 day period. The main reason identified 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. Unfortunately these clusters were received at a time when the Complaints Manager 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. This was exacerbated on occasions by an unwillingness of complainants to engage effectively with the complaints process, a factor which can be seen to have significantly extended response times.

In 2014/15, 2 Complaints were progressed to Stage 2 and 2 complaints were referred to the Local Government Ombudsman.

Complaints Process

The framework for managing complaints is set out within the Children Act (1989), Regulations 2006 and consists of 3 stages: -

- Stage 1: Local Resolution

- Stage 2: Independent Investigation
- Stage 3: Review Panel

Although the Children's complaints process was designed with children in mind the majority of the complaints across the Country are brought by adults rather than children and young people. How more young people might be encouraged to make use of the complaints process is currently of widespread concern. West Berkshire is currently involved in a multi disciplinary piece of work looking at how the number of children and young people who are actively engaging with Children's Services can be encouraged to raise any concerns they may have. This work is still at an early stage, with a proposal and action plan being anticipated in the summer 2015.

The fundamental principles that underpin the Children's Social Care Complaints Procedure are: -

- Using clear and straightforward systems to capture complaints
- Ensuring that the complaints process is readily accessible to users
- Ensuring that Complaints are managed effectively at all stages of the procedure
- Making considered decisions as quickly as possible
- Using lessons learnt to inform service improvements

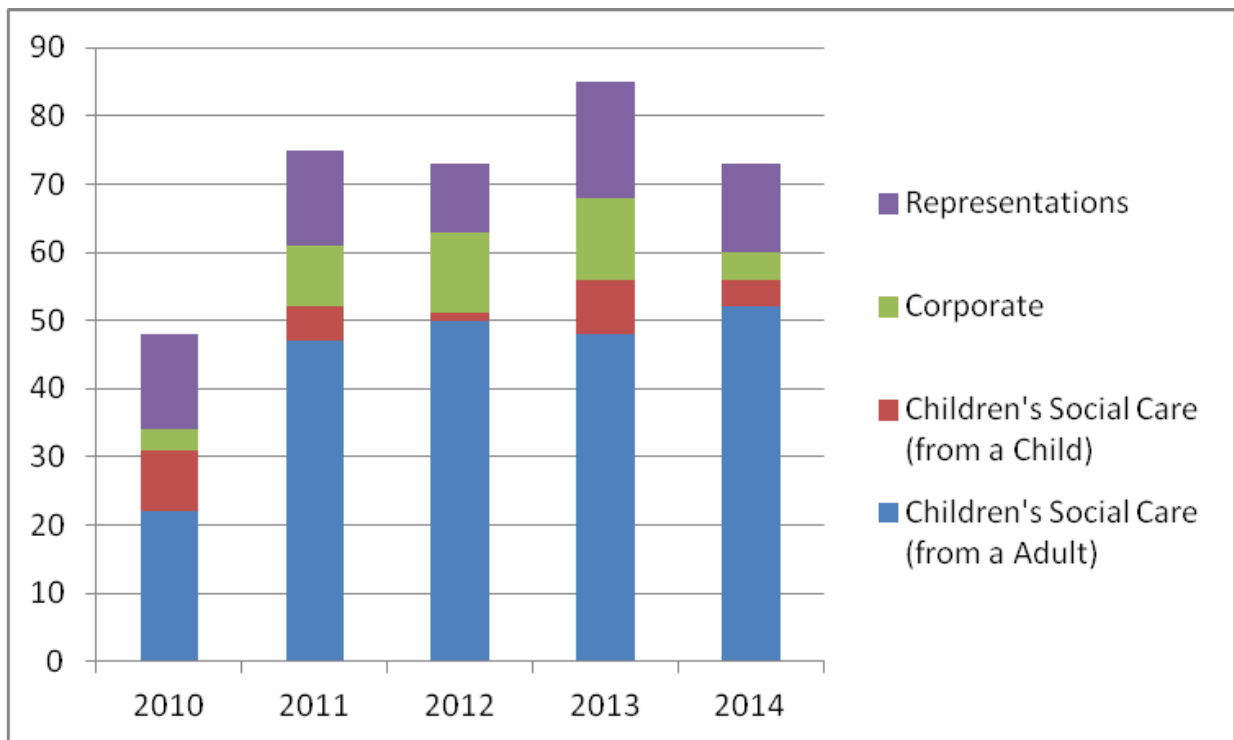
If having exhausted all reasonable avenues within the Council's complaints procedure, the Complainant still remains dissatisfied they may ask the Local Government Ombudsman (LGO) to consider their complaint. (A complaint lodged with the LGO before a Council has had a reasonable opportunity to respond will be deemed 'premature' and will be referred back to the Local Authority).

A summary of the Children's Social Care Complaints Process is at Appendix A.

Analysis

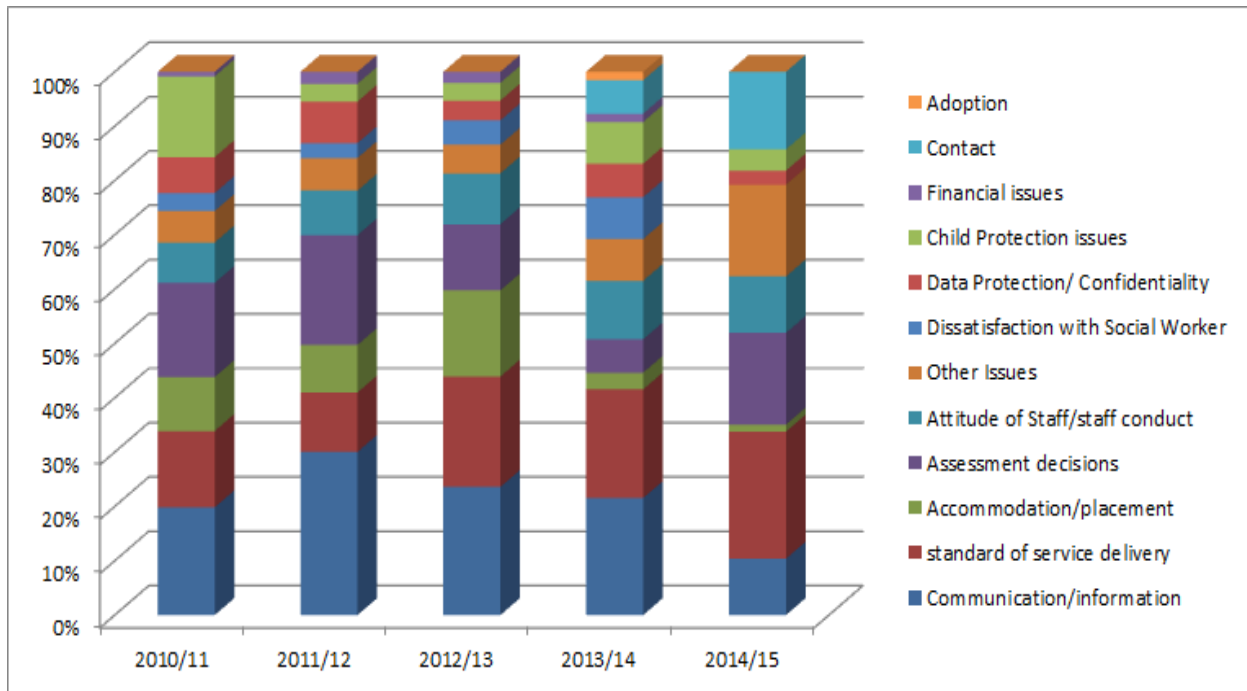
During 2014/15, 71 initial contacts were received. Of these 54 complaints and 13 representations were made by adults and 4 complaints and no representations were made by young people. This represents a significant fall in the number of complaints received in 2013-2014. (It is likely that this fall in the number is the result of complaints being dealt within the social work teams whilst the complaints post was vacant rather than a decrease in the number of concerns being raised).

Complaints and Representations for 2014/15

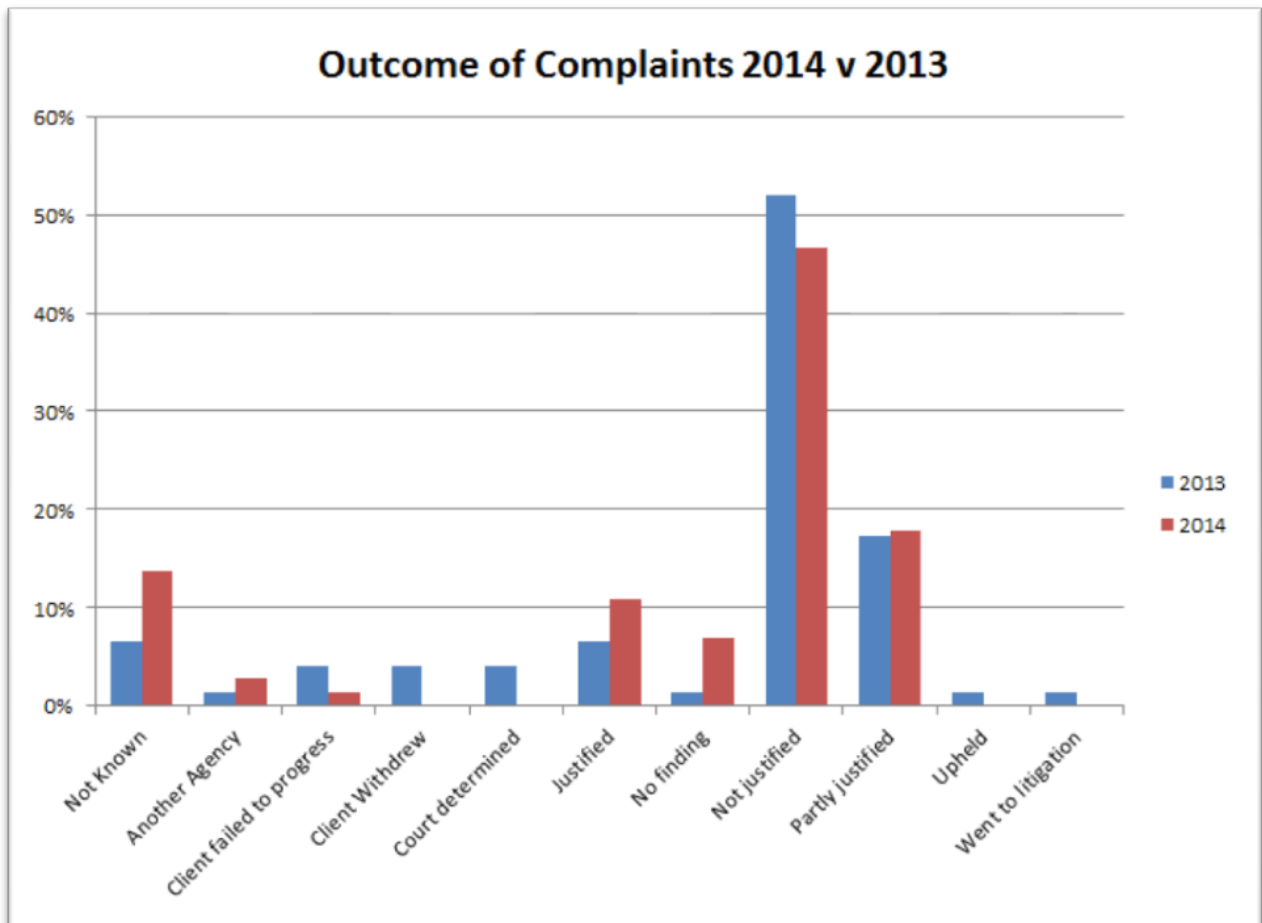


Of the Stage 1 complaints received in 2014/15, 2 progressed to a Stage 2 Investigation, compared to 1 in the previous year and 2 complaints were taken to the LGO, neither were found to be justified.

Key Themes for 2014/15



A significant number of the complainants who bring complaints are unhappy with court decisions – this is not an area which can be addressed through the Children’s Services complaints process.



Of the 71 complaints brought in 2014/15, 6 were found to be justified, 17 were judged to be partly justified and 36 were found to be not justified. In 6 cases no finding was made and 3 cases were referred on to other agencies. 3 further cases straddled the year end cut off point.

Advocacy

The advocacy service was offered to 2 of the young people who made complaints, each of these young people made use of this service.

Timescale for Responses to Stage 1 Complaints

95% of Stage 1 Complaints were acknowledged within 3 working days. This remains the same as the figure for 2013-2014.

In 2014/15, 85% of the complaints brought to the attention of the complaints service were responded to within the statutory 20 day timescale, 15% of complaint responses exceeded these timescales. Whilst there is still scope for improvement in meeting the 20 day timescale, there has been a 6% increase in the number of complaints which have been responded to within timescale compared to that which was achieved in 2013/14.

Stage 2 Complaints

In 2014/15, there were 2 Stage 2 complaints.

A considerable amount of effort is put into providing a full written response to stage 1 complaints and meeting complainants where necessary. Whilst this approach can be time consuming, the outcome is more satisfactory for the complainant. This approach does, however, rely on the complainant being willing to engage in dialogue and negotiation, as well as the issues which are being complained about being open for negotiation.

Compliments

“A is very young but takes on every task with passion and I can only see her growing and moving to be one of the best social workers I've seen for a long time. Thank you very much for all your hard work. I look forward to working with you in the future.”

“The feedback and communication from EDS and CAAS was excellent.”

“D is a really good social worker we couldn't have done better.”

“Thank you for working with us over the years, thank you for making us stronger as a family.”

“I just wanted to pass on my thanks and my appreciation for the service. I am a SENCo at a primary school and the service and conversions with all members of the team have been fantastic. “

“Thank you so much for all of the time and effort, both myself and the family involved really appreciate it.”

“We would like to take this opportunity to thank you for your help and support with this family. We feel that for the first time since our collective involvement with this family that our concerns have been truly listened to and taken seriously.”

“N has helped my daughter to overcome a hard period in her life. She demonstrated effective communication and empathy and great support. Thank you.”

“I wanted to email to say I was at Theale Library last Thursday to see ‘My Untidy Life’. I found the performances incredibly moving and the young carers involved should be very proud. “

Conclusion

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 the fact that complaints were being addressed within the social work teams whilst the post of Complaints Manager was vacant. 2 complaints were progressed to Stage 2 and 2 complainants made use of the LGO service.

Response times have improved on those of the last financial year, with 85% of complaints now being responded to within timescales.

The majority of complaints during 2014/15 were made by adults.

Lessons Learned and Actions

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.

As a result of this re-examination, new tools for capturing data have been introduced and the analysis and dissemination of the learning from complaints have been developed and piloted ready for introduction in 2015/16. These systems include electronic running records, a quarterly report and learning log which will be presented to the Children’s Quality Assurance Board. This will ensure that the learning from complaints is discussed regularly in a forum, which has the authority to effect change and that the learning and issues from complaints are more widely visible.

Other areas of concern, which became apparent towards the end of 2013/14 were: -

1. **Delay in families receiving paperwork.** Further investigation demonstrated that while meeting notes and plans were being produced in line with statutory timescales, these were then failing to be forwarded to families quickly enough. This concern was raised at the Quality Assurance board and a new system for distribution was agreed. The number of complaints which include a concern around late paperwork will continue to be monitored in 2014/15 to ensure that the new measure has been successful.
2. **Complaint Management.** 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. All complaints were consolidated and agreement sought as to which if any remained outstanding. As a result of this pattern, clusters of complaints are now identified as each complaint is logged so that a single consistent approach can be adopted so helping to avoid confusion and delay.

In addition the following areas were identified as lessons learned: -

- 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 these decisions may not necessarily be in line with a parent's wishes.
- 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 how this might be achieved for PLO meetings has been undertaken.
- 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. (for example, TAC group/ Core group)

Appendix A – The Children’s Social Care Complaints Process

Complaint Procedure and Escalation Process

