

TITLE OF REPORT: Annual Report on Children's Services Complaints and Representations, April 2014 – March 2015

REPORT OF: Strategic Director, Care, Wellbeing & Learning

Summary

This report fulfils the requirement to produce an annual report in line with the Statutory Children's Services Complaints procedure.

Cabinet considered the attached report on 14 July 2015.

Background

1. The Health & Social Care (Community Health and Standards) Act 2003 requires that Councils with Social Services responsibilities produce an Annual Report of their Statutory Children's Services Complaints Procedure. This annual report sets out details of the complaints and representations made during the period April 2014 – March 2015, (Appendix 2).
2. Information contained in the report provides a summary of the statistical information together with a review of the effectiveness of the procedure. Some examples of service improvement are also included together with details of future objectives.

Annual Report Complaints and Representations

3. This Annual Report is specifically about Children Act 1989 Statutory Complaints and Representations and covers the period from 1 April 2014 – 31 March 2015.
4. The complaints procedure derives from Children (Leaving Care) Act 2000, The Adoption and Children Act 2002, The Health and Social Care (Community Health & Standards Act) 2003 and The Children Act 1989 Representations Procedure (England) Regulations 2006, which came into force from 1 September 2006. These acts set down the procedures that Councils and Social Services have a responsibility to follow when a complaint is made.
5. The report focuses primarily on statutory complaints for Children's Social Care Services, with information on complaint related queries and compliments that are received about staff or services.

Operation of the Procedure

6. The procedure has three stages:
 - **Stage 1 Local Resolution** – response within 10 working days. 20 if the complainant agrees to an extension.
 - **Stage 2 Investigation** – formal response within 25 calendar days. Extensions to this must be negotiated with the complainant. Maximum is 65 working days.
 - **Stage 3 Independent Review** – Panel consisting of Independent Chair and Independent Panel members who consider the complaint. Full response by Director of Social Services within 20 working days.

Statistical Analysis

7. There was a 1% decrease in all formal recorded representations received, (196 from 197).
8. Over the period the number of complaints dealt with was as follows:
 - 45 statutory complaints were dealt with at Stage 1
 - 3 progressed to Stage 2
 - There was 1 Stage 3 Independent Review Panels held during 2014/15.
9. Complaint related queries (CRQ) require either advice or problem solving by either a Complaints Officer or by a Team Manager. All CRQs are required to be dealt with within 24 hours after the day of receipt. Between 1 April 2014 and 31 March 2015, CRQ's decreased by 11% (64 from 72).
10. 38% (74) of all representations to Social Care Customer Services were compliments about individual workers or teams.

General Issues

11. There has been a 32% increase in complaints received since 2013/14. (45 from 34). However, complaint related queries decreased by 11% which substantiates the increase of more formal issues being received.

The number of complaints, (45), is a very small proportion of social care activity, (2.62%), bearing in mind that in 2014/15, there were 1720 referrals for Children Services. During 2014/15, 3 Stage 1 complaints progressed to Stage 2.
12. The following key points may be of interest:

In 2014/15:

 - 62% (28) of complaints were regarding the Safeguarding & Care Planning Teams. This was an increase of 1%, from 2013/14.
 - 11% (5) of complaints were regarding the services provided by the Referral and Assessment Team.
 - The number of complaints about the Referral and Assessment Service remained at the same level as 2013/14.

- 8% of complaints were about the Looked after Children's Teams. 50% (2 from 4) of these complaints were from looked after children / young people.
- There were no complaints about staff conduct during 2014/15.
- In 2014/15, 42% (19), of complaints were not upheld after investigation. This is a 3% decrease from 2013/14.
- 3 complaints progressed to the formal investigation stage of the complaints procedure during 2014/15.
- All 3 complaints were regarding different areas of Children's Services.
- All 3 complaints investigations included the services of an Independent Person to oversee the complaint.
- 2 complaints have been responded to. The Independent Person fee for both complaints resulted in a total cost of £1413.41 to the Council.
- 1 of these complaints is to be considered by an Independent Review Panel.
- 51% (23) of complaints were resolved within 20 working days.

Learning from Complaints: Examples of Service Improvements

13. At the end of every investigation the Investigating Officer identifies whether a change to service, practice or procedure is necessary. This recommendation is shared with Social Care Customer Services. It outlines the necessary changes to prevent recurrence of the cause(s) of the original complaint.

Examples of changes that resulted are:

- The importance of timely and regular communication with families will continue to be highlighted during individual staff supervision sessions. This will ensure that any important information is shared and that family members feel included in any decisions taken that affect their children.
- Should there be any difficulties encountered when contacting either family members or others who are significant in the child's life / welfare, other means of contact should always be considered.
- That during meetings with family members, any agreement for particular tasks or actions should be clearly recorded to ensure that all parties understand what is expected of them. That children and young people are given an appropriate and reasonable time by which investigations into actions or behaviour by Foster Carers will be concluded. It is also important that appropriate communication is kept open between the child's fostering and care planning Social Workers during this time.
- When workers move to a different team or service, it is standard practice for them to retain responsibility for any cases which are going through the adoption process. However, when it was identified that workers were finding it difficult to maintain two roles, Managers were then instructed to always consider how the new workers existing workload can be appropriately managed to ensure that work in either area is not overlooked.
- When an adoption file is about to be closed, it is now necessary to ensure that all relevant information is sent to the adopter and that it is

also placed on the children's electronic case file. These actions can now be confirmed by an inclusion of a tick box on the services verification document. The case cannot be closed until all actions on this document have been completed.

Future Objectives

14. Objectives for 2014/15 are to:
 - a. Continue to meet regularly with Senior Managers from Children's Services to consider what further action needs to be taken to;
 - i. Resolve complaints at the earliest opportunity.
 - ii. Improve the number of complaints being investigated and resolved within statutory timescales.
 - iii. Ensure that the number of complaints progressing to Stage 2 and 3 remain low.
 - b. To assist the Children's Rights Officer in contacting all children who are currently being looked after by Gateshead Council, to gain their views and comments on the services they receive. All responses will be evaluated and appropriate action will be taken to resolve any concerns or queries. These views will also contribute to future service planning and delivery within Learning and Children.
 - c. Ensure that services receiving compliments continue to pass the details on to the Social Care Customer Services Team to ensure their teams get the recognition they deserve.

Recommendation

15. Committee is requested to:
 1. Consider and comment on the annual report;
 2. Indicate whether it is satisfied with the performance of Care Wellbeing And Learning in responding to complaints and ensuring that this results in continuous service improvement.