

Southend-on-Sea Borough Council

Report of Corporate Director for People

to

Cabinet

on

20th September 2016

Report prepared by: Charlotte McCulloch – Customer Service
& Complaints Manager

**Compliments and Complaints relating to Children's Social Care Services
People Scrutiny Committee - Executive Cllr James Courtenay
A Part 1 Public Agenda Item**

1 Purpose of Report

- 1.1 To fulfil the local authority's statutory duty to produce an annual report on compliments and complaints received about its children's social care function throughout the year.
- 1.2 To provide statistical and performance information about compliments and complaints received from April 2015 to March 2016 at all three stages of the statutory process.

2 Recommendation

- 2.1 **That the Department's performance during 2015/2016 be noted.**

3 Summary

- **8.3% increase in the number of compliments in 2015/16 compared to the previous year**
 - **39% increase in the number of Stage 1 complaints**
 - **87% of Stage 1 complaints responded to within 20 working days**
- 3.1 The number of statutory complaints has increased this year in comparison to 2014/15.
 - 3.2 The number of stage 1 complaints responded to within 20 working days was 87% compared to 93% in 2014/15 and 100% in 2013/14.
 - 3.3 6 complaints escalated to stage 2 in 2015/16, an increase from 4 in 2014/15.
 - 3.4 7 complainants approached the Local Government Ombudsman in 2015/16.

3.5 65 compliments were received in 2015/16, a percentage increase of 8.3% compared with last year.

4 Background

4.1 The statutory process has three stages. Stage 1 affords an opportunity to try to find a local resolution usually at team manager level. At stage 2, the Department commissions an independent investigation of the complaint and the response is made by the Head of Service. At the third stage, the complaint is referred to an Independent Review Panel of three independent panel members with one member acting as Chair. At each stage, a more senior officer responds on behalf of the Department, with the Corporate Director responding at the final stage.

4.2 Some complainants welcome an independent investigation of their concerns; for others, the process can seem unwieldy. The regulations encourage consideration of alternative dispute resolutions where appropriate and with the Complainant’s agreement. The Complaints Manager encourages and supports Team Managers to resolve complaints at the earliest stage.

4.3 If complainants remain dissatisfied at the end of the three stages, they may refer their complaint to the Local Government Ombudsman.

5 Compliments received in 2015/2016

5.1 The Department recorded 65 compliments about Children’s Social Care in 2015/16 compared with 60 in 2014/15. This is a percentage increase of 8.3% compared to last year.

The table below shows the number of compliments received in 2015/16 in comparison with previous years.

Apr 10 – Mar 11	Apr 11 – Mar 12	Apr 12 – Mar 13	Apr 13 – Mar 14	Apr 14 – Mar 15	Apr 15 – Mar 16
12	25	41	44	60	65

6 Number of complaints received in 2015/2016

6.1 Stage 1

6.1.1 The Department received 85 statutory complaints directly at stage 1 in 2015/16 compared with 61 in 2014/15. This represents an increase of 39%. Complaints are always welcomed and viewed as a way to improve practice and Managers are informed of any emerging trends in complaints.

6.1.2 93% of complaints were resolved at Stage 1 which is consistent with the figure from the previous year which was 93.3% in 2014/15

6.1.3 The table below shows the number of Stage 1 complaints received in 2015/16 in comparison with previous years.

Apr 10 – Mar 11	Apr 11 – Mar 12	Apr 12 – Mar 13	Apr 13 – Mar 14	Apr 14 – Mar 15	Apr 15- Mar 16
55	58	60	38	61	85

6.2 Stage 2

6.2.1 A total of 6 complaints reached Stage 2 of the complaints process in 2015/16, an increase from 2014/15 when 4 complaints were escalated to Stage 2.

6.3 Stage 3

6.3.1 2 complainants requested to pursue their complaint to Stage 3 this is an increase from 0 in 2014/15.

7 Complaints by category

7.1 Complaints were categorised by the main issues raised. Appendix 1 shows the causes of the complaints.

The 3 categories with the highest percentage of complaints were:

- Quality of service 29.4%
- Staff conduct / Employee Behaviour 23.5%
- Communication 21.2%

These 3 categories represent 75% of all complaints received. Appendix 2 shows the outcomes of these categories.

After thorough investigation of all complaints at stage 1, 69% of complaints were not upheld which has reduced in comparison to 79% in 2014/15 and 76.3% in 2013/14.

7.2 Complaints about Social workers/staff have reduced to 23.5% compared to 26.2% in 2014/15. However complaints regarding communication has increased from 13.1% in 2014/15 to 21.2% in 2015/16. Social workers have been reminded of their responsibilities about returning calls, responding to correspondence promptly and that regular communication is key to positive working relationships with service users.

It is apparent that many Complainants still believe that it is the Social Worker alone who makes decisions regarding child protection procedures and agreed actions. Work needs to continue to ensure that Service Users and their families understand the role of the Social Worker. There is a need for Social Workers to be more conscious of ensuring that explanations about difficult decisions are given in the context of wider policies when discussing and meeting with Service Users.

7.3 Complaints about the Quality of Service has increased from 24.6% in 2014/15 to 29.4% in 2015/16. The Complaints Manager has worked

closely with social work teams to highlight good practice and provide early identification of emerging trends.

7.4 The table below shows the percentage of complaints in each category in 2015-2016 in comparison with the previous year.

Category	2013-14 % of total	2014-15 % of total	2015-16% of total
1. Staff conduct / employee behaviour	7.9	26.2	23.5
2. Providing a service	5.3	6.6	4.7
3. Quality of service	34.2	24.6	29.4
4. Communication	31.6	13.1	21.2
5. Incorrect information given	10.5	0	0
6. Council decision making	5.3	11.5	8.2
7. Policy or procedure	5.3	14.8	8.2
8. Other	0	3.3	3.5
9. Service not provided	0	0	1.2
	100%	100%	100%

8 Response times and the Department’s performance

8.1 Stage 1

8.1.1 Stage 1 statutory response times: 10 working days, with a further 10 days for more complex complaints or additional time if an advocate is required.

8.1.2 The complexity of complaints has continued to increase, which has affected the ability to respond within the 10 working days. In 2015/16 51% of Stage 1 complaints were responded to within 10 working days compared to 73.7% in 2014/15 71% in 2013/14, 80% in 2012/13.

8.1.3 The percentage of stage 1 complaints responded to within the statutory timescale of 0–20 working days in 2015/16 was 88% compared with 93.4% in 2014/15 100% in 2013/14.

8.1.4 The table below shows response times for stage 1 complaints received in 2015/16 compared with 2014/2015 and 2013/2014

Response Performance	2013/14 % of total	2014-15 % of total	2015-16 % of total
Within 10 working days	71	73.7	51
10 – 20 days	29	19.7	37
Over 20 days	0	6.6	12
Withdrawn	0	0	0

Appendix 3 shows the response performance.

8.2 Stage 2

8.2.1 Stage 2 statutory response times:

A stage 2 complaint should be investigated and responded to within 25 working days, with a maximum extension to 65 working days.

6 complaints were pursued to Stage 2 in 2015/16. One of these complaints was not pursued by the complainant following the initial meeting with the Investigating Officer and Independent Person.

This year we were unable to complete any of the Stage 2 investigations within 65 working days. Due to the complexity of some of the cases and the availability of service users and investigating officers (who are now SBC staff) these timescales do represent a challenge.

Stage 2 complaints are subject to independent investigations involving interviews with the complainant and relevant members of staff, and the submission of a report to be responded to by the Head of Service.

Complaints at this stage are likely to involve an independent investigating officer, an independent person and an advocate.

The Stage 2 process starts as soon as a complainant decides to pursue their complaint to stage 2.

8.2.2 The table below shows response times for Stage 2 complaints received in 2014/15 compared with 2013/2014 and 2012/2013

Response Performance	2013/14 % of total	2014/15 % of total	2015/16 % of total
Within 25 days	0	0	0
Between 25 and 65 days	100	0	0
After 65 days or outstanding	0	100	100

8.3 Stage 3

8.3.1 Stage 3 statutory response times:

The recommendations from a Stage 3 Review Panel should be responded to within 15 working days of the date of the meeting.

8.3.2 2 complaints were escalated to stage 3 during 2015/16 this is in comparison to none in 2014/15.

8.3.3 One Stage 3 complaint was responded to within the timescale of 15 days.

9 Outcome status of complaints

9.1 Stage 1

The outcomes of these complaints are logged as either upheld or not upheld. In 2015/16, of the 85 complaints received, 26 were upheld (31%) and 57 were not upheld (67%) & 2 that are still ongoing.

Stage 2 & 3

There are often several points in a complaint at Stage 2 & 3 and these are addressed separately in a single response. The complaint may be upheld; not upheld; partially upheld, or inconclusive/no finding.

Stage 2 – Of the 85 complaints received 6 were moved to Stage 2, 1 was not progressed and of the 5 remaining this involved 44 separate issues. The following shows the outcomes of these issues

Upheld	Partially Upheld	Not Upheld	No Finding
13	6	19	6

Stage 3 – Of the 6 complaints that moved to Stage 2, 2 of these requested their complaint be escalated to Stage 3, this related to 10 separate issues.

Upheld	Partially Upheld	Not Upheld
1	3	6

10 Local Government Ombudsman

10.1 7 complainants approached the Local Government Ombudsman in 2015/16. However 5 of these complaints were either premature or out of jurisdiction of the LGO and referred back to the authority. The remaining 2 complaints were investigated by the LGO 1 was not upheld and 1 required no further action.

11 Developments in the complaints process

11.1 Senior Managers receive regular reports from the Complaints Manager which serve to highlight trends. There is also a facility available for managers to print Covalent reports at any time therefore ensuring that information is immediately available.

11.2 The Complaints Manager has delivered training to Children’s Social Care Staff to explain the complaints process and the role that the teams play in resolving complaints at the earliest possible stage.

11.3 The Complaints Manager offers ongoing support and advice to Team Managers on how to appropriately respond to complaints.

12 Areas for improvement / Learning from Complaints

- 12.1 Service Managers are being asked to ensure that families are aware of changes in their children's social worker. This will be achieved by implementing a new process whereby when a case is reallocated, a standard letter goes to the family giving the name of the new social worker, their phone number, name and phone number of admin[s] for the team and a duty number and the name of the team manager. The letter is sent to both parents
- 12.2 Team Managers have been reminded that when concerns are raised it essential that every effort is made to contact both parents to inform them of the concerns and offer an opportunity for them to be involved in the procedures.
- 12.3 All Social Workers and Team Managers have been reminded that all complaints should be brought to the Complaints Manager's attention as soon as possible to ensure that appropriate responses are provided within the statutory timescales.
- 12.4 Complaints about Communication issues continue to be an issue, it has been agreed for the Complaints Manager to attend the Service / Team Managers training day and to regularly attending the monthly management team meeting to help Service Managers identify areas for improvement in this area.

13 Corporate Implications

- 13.1 Contribution to Council's Vision & Corporate Priorities.
Complaints management is relevant to the Council's corporate priority of continuing to improve the outcomes for vulnerable children.

13.2 Financial Implications

The commissioning of independent people to investigate Stage 2 complaints incurs additional cost. The Department seeks to provide efficient resolution to complaints at the earliest stage possible, as well as securing value for money from Investigating Officers. Costs are met from the existing base budget.

13.3 Legal Implications –

The complaints process complies with statutory requirements.

13.4 People Implications

None.

13.5 Property Implications

None.

13.6 Consultation

The Advocacy Services and Representations procedure (Children) (Amendment) Regulations 2004 confer a duty on local authorities to provide information about advocacy services and offer help to obtain an advocate to a child or young person wishing to make a complaint. The Authority has a contract with the National Youth Advocacy Service.

In 2015/16 3 complaints (3.5%) were made by children/young people. This is a decrease from 9 (14.8%) in 2014/15. All children and young people wishing to make a complaint in 2015/16 were offered the services of an advocate.

13.7 Equalities and Diversity Implications

Customer groups making complaints included parents, carers, advocates, family members and young person's themselves.

The majority of complaints are made by females and the high percentage reflects the nature of the service that the primary parent dealing with children's care issues is generally the mother. However the number of males making complaints has risen to 28% this year from 19.7% in 2014/15.

The gender of complainants is shown in Appendix 3.

13.8 Value for Money

The complaint process continues to be implemented by 1fte post. We have reduced the use of external Investigating Officers for Stage 2 complaints and now use SBC Managers to undertake this role.

Improving systems in relation to managing compliments and complaints is a factor in a trend toward improving value for money and improving operational practice from lessons learned.

13.9 Community Safety Implications – none

13.10 Environmental Impact – none

14 Background papers – none

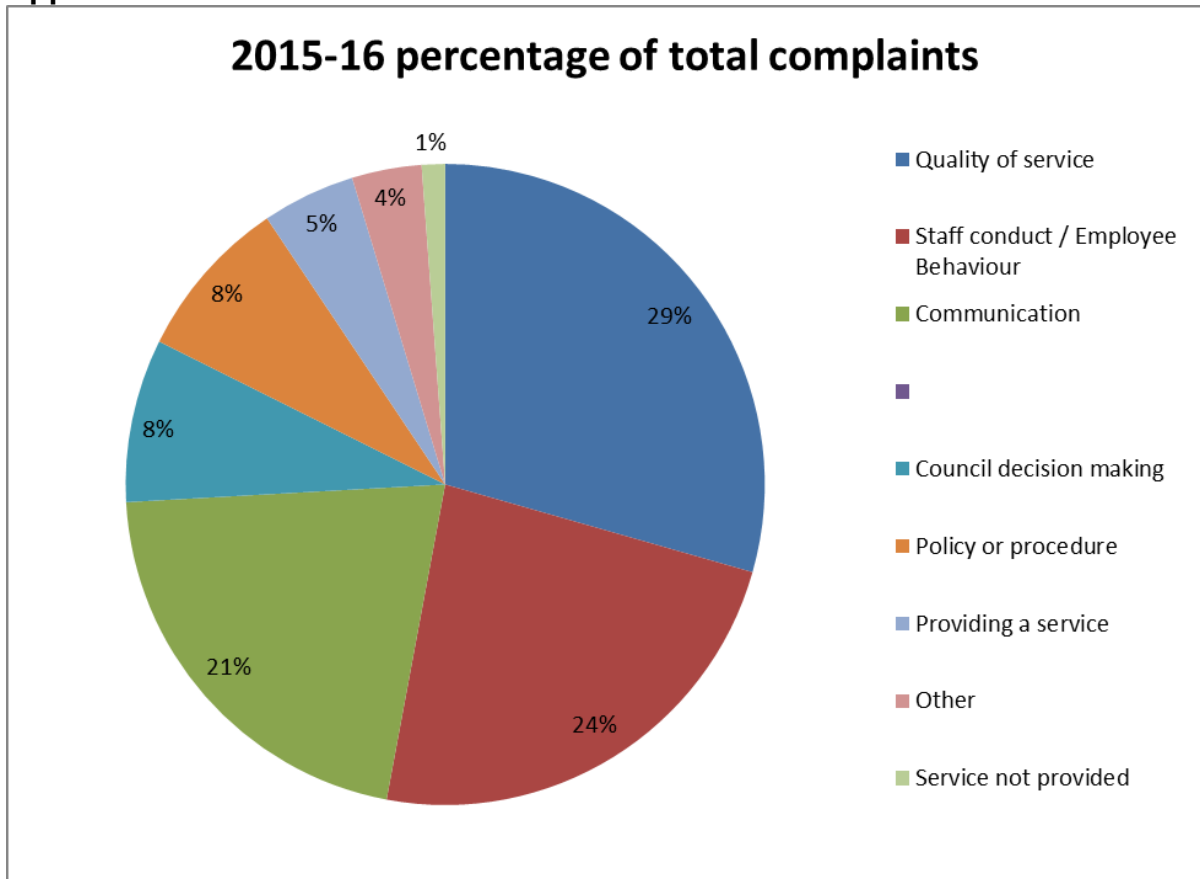
15 Appendices

15.1 Appendix 1: Percentage of complaints by cause

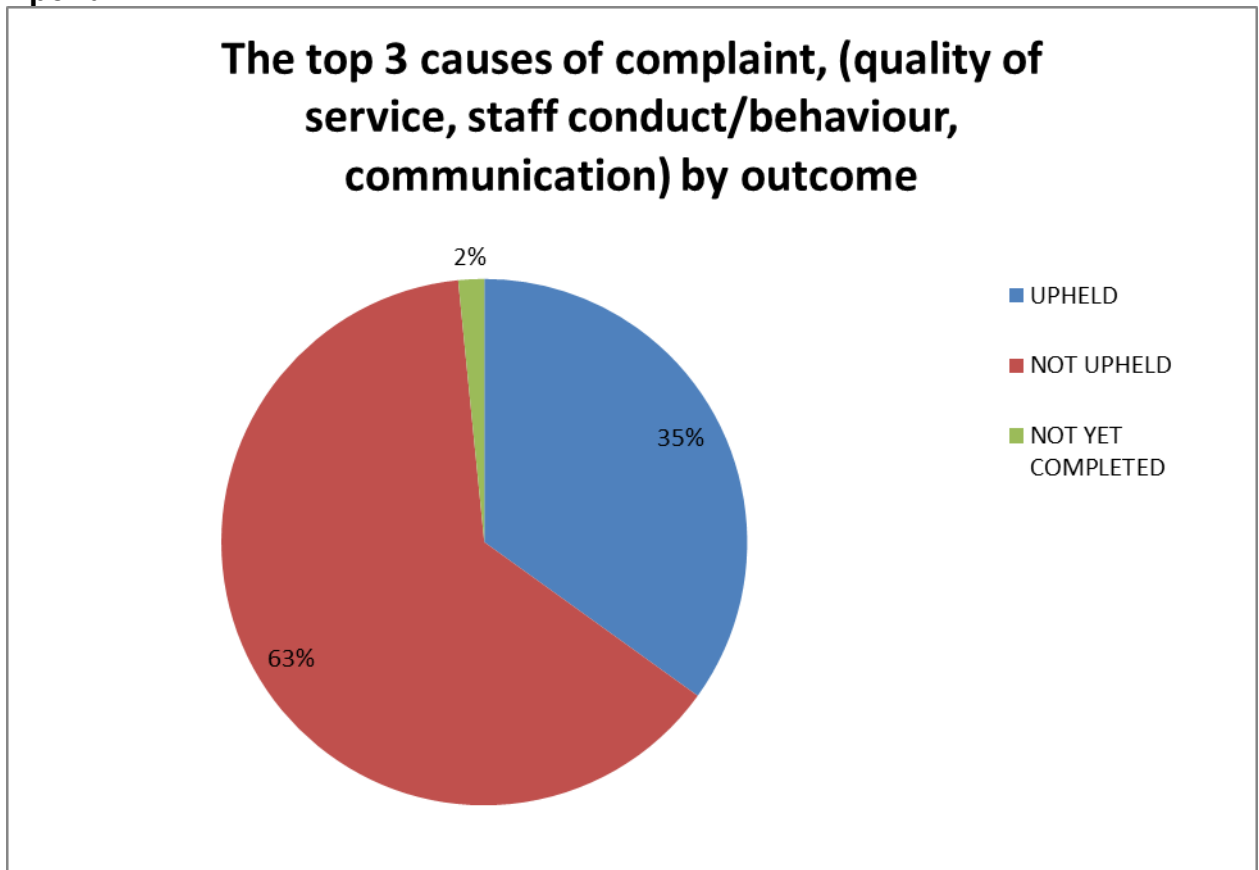
Appendix 2: Percentage outcome of the main causes of complaint

15.3 Appendix 3: Percentages of complaints responded to by timescale

Appendix 1



Appendix 2



Appendix 3

