

CHILDREN AND YOUNG PEOPLE'S DEPARTMENT ANNUAL STATUTORY COMPLAINTS REPORT 2014/2015

The report gives an overview of complaint trends, performance and areas for development.

1. Background

- 1.1 The Children Act 1989 Representations Procedure (England) Regulations 2006 and associated guidance "Getting the Best from Complaints" came into force on 1st September 2006 and underpins the Branch's Complaints Procedure.
- 1.2 The Regulations stipulate that an Annual Report is produced and presented to staff and appropriate Local Authority Committees. The report should also be available to the Regulator and the general public.
- 1.3 The Regulations provide a statutory framework for dealing with representations relating to statutory social services functions under Part 3 of the Children Act 1989; and certain functions under the Adoption Support Regulations 2005 and Special Guardianship Support Regulations 2005.
- 1.4 The Regulations stipulate who may make a complaint; this is generally the young person themselves or an adult with either parental responsibility or day to day care of the child. For any other person the Department has the discretion to decide whether they 'qualify' to make a complaint.
- 1.5 For representations regarding functions outside of the Regulations; or for a person who does not qualify to make a statutory complaint the Branch operates within the remit of the Corporate Complaints Policy and Procedure.

2. Applying the Regulations

- 2.1 The Customer Resolution and Information team have ensured that only those complainants who 'qualify' under the Regulations and wishing to make a complaint regarding statutory services under Part 3 of the Children Act 1989 have been given access to the Children and Young People's Departmental Representations and Complaints Procedure.
- 2.2 During the reporting period 25 complainants wanting to register a formal Stage 2 complaint have been given information and advice as to why they do not qualify and were relevant have been signposted to other procedures/processes.
- 2.3 During the reporting period 105 representations were made which did not meet the criteria of the complaint regulations; these were acknowledged, registered as comments or feedback and forwarded to appropriate managers to respond to.

3. Resolved at First Contact

- 3.1 Seventeen complainants had their complaint resolved at first contact by the Customer Resolution and Information Team without the need to formally register a complaint. These cases were generally about difficulties in contacting workers or receiving the outcome of a decision; and the Customer Resolution and Information Team were able to facilitate a response within the same day.

4. Alternative Resolution

- 4.1 Three complainants who initially wanted to register a formal Stage 2 complaint agreed that the proactive involvement of the Customer Resolution and Information Team via alternative resolution would expedite a more timely resolution.

5. Registered Complaints

- 5.1 Throughout the 12 month reporting period the following complaints were registered:

91	Stage 1 Complaints - Local Resolution	<i>[compared to 100 in 13/14]</i>
3	Stage 2 complaints - Investigation	<i>[compared to 2 in 13/14]</i>
0	Stage 3 complaint - Independent Review Panel	<i>[compared to 0 in 13/14]</i>

- 5.2 The Local Government Ombudsman has forwarded 1 complaints which were made prematurely to them and asked us to consider them under the complaints procedure.

The Local Government Ombudsman undertook enquiries/investigations into 5 complaints and found the following:

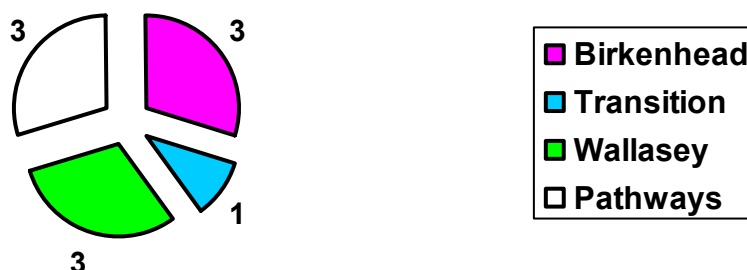
3 investigations complete - 2 = no fault found; 1 = outside LGO jurisdiction.
2 investigations ongoing – awaiting outcome

6. Stage 1 Complaints

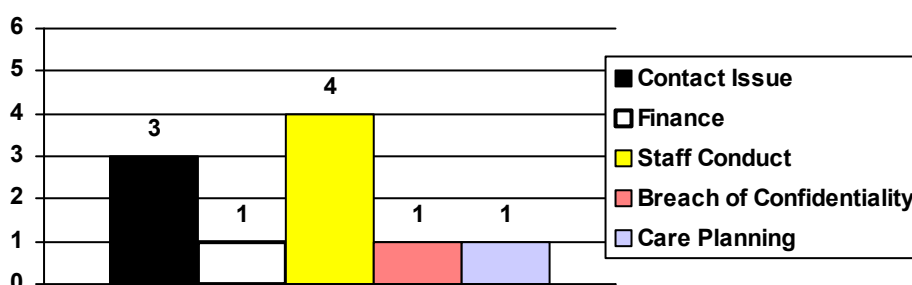
- 6.1 Of the 91 complaints registered at Stage 1 of the complaints procedure 10 were made by a child/young person (*compared to 10 in 13/14*) and 81 by an adult parent/carer (*compared to 90 in 12/13*). A breakdown of the stage 1 complaints is below:

6.2 **Stage One complaints made by a child or young person:**

District/Service with case responsibility



Reason for Complaint

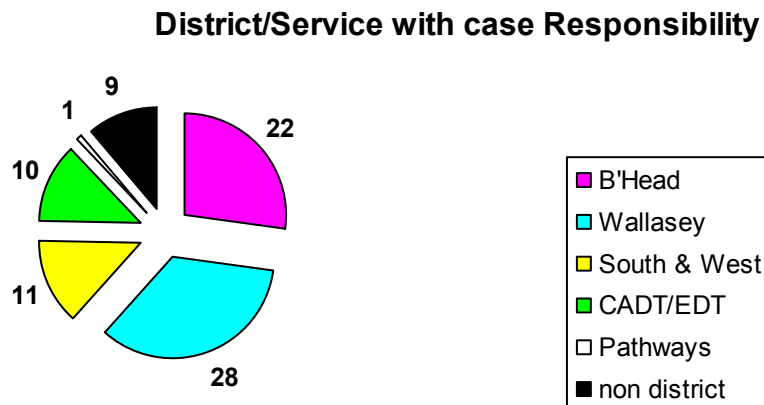


6.3 Stage 1 complaints made by the child/young person are handled by the Children's Complaints Officer with a focus on achieving resolution by working with the child/young person and the relevant manager.

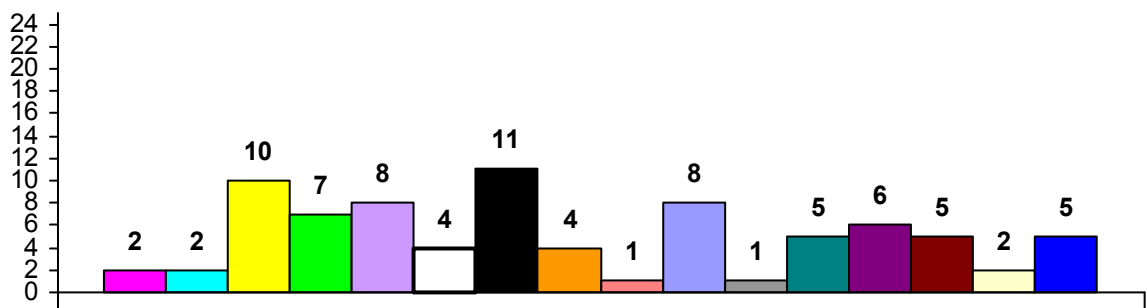
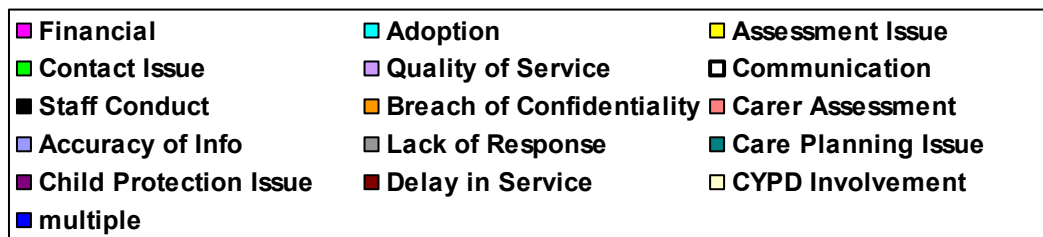
6.4 Independent Advocacy Services are available to all children/young people who make a complaint via the Department's contracts with Barnardos.

6.5 100% of complaints made by children/young people were resolved with the statutory timescale. The average time taken to complete/resolve the 10 complaints made by the child/young person was 7.1 working days (*compared to 19.7 working days in 13/14*).

6.6 **Stage One complaints made by an adult parent/carer:**



Reason for Complaint



6.6 Stage 1 complaints registered by an adult are dealt with by an appropriate manager within the District that holds case responsibility.

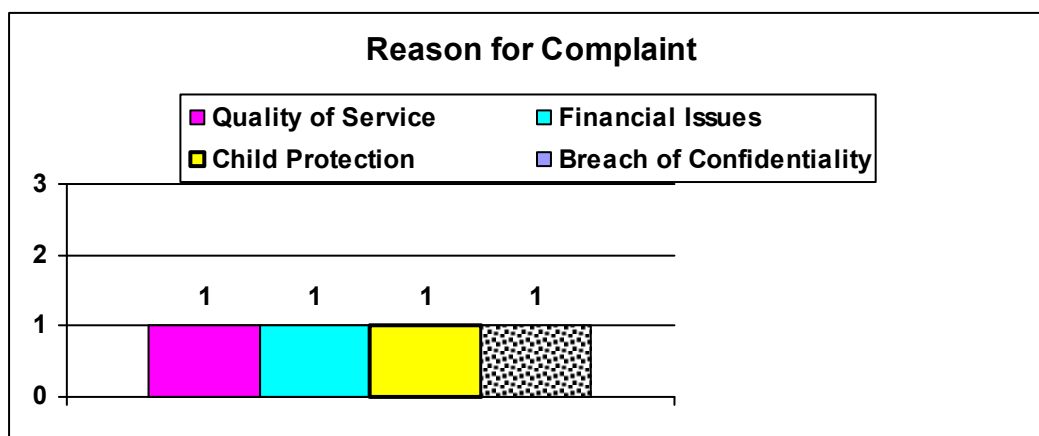
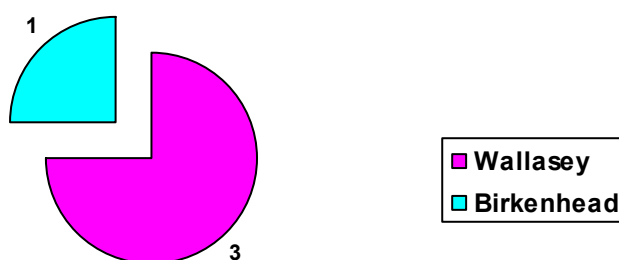
6.7 98% of stage 1 complaints were responded to within timescale. The average time taken to complete/resolve these complaints was 8.7 working days (compared to 10.7 working days in 13/14).

7. Stage 2 Complaints

One Stage 2 complaint was made by a young person; three stage 2 complaints were registered by adults with parental responsibility or day to day care of a child/young person receiving a service.

A breakdown of the complaints registered is below:-

District/Service with case responsibility



- 7.1 The ethnicity of all complainants who registered a complaint at stage 2 of the complaints procedure was white British, European, Irish or white other.
- 7.2 None of the complainants at Stage 2 of the complaints procedure was registered disabled.
- 7.3 The average time taken to complete the Stage 2 complaint investigations and provide a Departmental response was 60 working days (*compared to 65 in 2013/14*)
- 7.4 100% of Stage 2 complaint investigations were completed within the expected timescale of 65 working days.
- 7.5 All recommendations from Stage 2 investigations are action planned and reviewed by Performance Management Departmental Management Team to ensure the Department learns from complaints and to effect service improvement.

8. Stage 3 Complaints (Independent Review Panel)

8.1 No requests for an Independent Review Panel were received during the reporting period.

9. Learning from Complaints

9.1 Within the completed Stage Two investigations, there were 13 individual complaints, outcomes of these complaints were:-

- 3 were upheld (23%)
- 5 were partially upheld (38%)
- 5 were not upheld (38%)

9.2 The majority of recommendations made following these Stage 2 investigations were individual to the complaint. Recommendations for Departmental action have included:-

- To remind staff of the role of fathers even if children do not live with them.
- To remind staff about the importance of maintaining reasonable levels of communication with families.
- To consider implementing a working protocol between Specialist Services and MST.

10. Review of Effectiveness

The number of complaints received by children and young people continues to be low in comparison to the number of Looked After Children. Action taken following consultation with the Children in Care Council; including the provision of a freephone complaints number for children and links within the Right Side of Care website, has not resulted in a marked increase in the number of complaints received from children and young people. The Complaints Manager and Children's Complaints Officer continue to work with the Children in Care Council, Children's Involvement Officer, social care staff and independent advocates to ensure that all children know how to make their voices heard.

A Children In Care Council Conference took place in Summer 2015 and included a complaints workshop run by young people with the support of the Children's Complaint Officer. The target audience was professionals working directly with children and young people. The intention is that this will increase and improve awareness of how to support children and young people to make representations.

The vast majority of complaints are being resolved by Council staff or the Customer Resolution and Information Team at an early stage, preventing the need for resource intensive formal complaint investigations and providing the customer with a timely response. The Department believes that this approach is beneficial to all involved but will conduct a customer feedback survey during 2015 to gain customer views and suggestions for further improvements.

The Customer Resolution and Information Team is commissioning a new IT solution which will enable a wider range of representations to be recorded and reported on to enhance the information available to the department and assist with learning and development.