



Children's Social Care Compliments and Complaints

**Annual Report
2012 - 2013**

Point	Contents	Page
1.0	Introduction	3
2.0	Context	3
2.1	Legislation	3
2.2	Who may complain	3
3.0	Complaints procedures	4
3.1	Statutory Complaints Procedure in Bracknell Forest	4
3.2	The Local Authority Complaints Procedure	5
4.0	Overview of work	5
4.1	Number of complaint investigations	5
4.2	Timescales	7
4.3	Findings from complaints	7
4.4	Complaints by areas of service provision	8
4.5	Nature of complaints received	9
4.6	Commentary on complaints received	9
4.7	Involvement of young people in the complaints process	10
4.8	Learning from complaints in 2013	11
5.0	Cost of complaint investigations	12
6.0	Compliments	12
6.1	Breakdown of compliments	12
6.2	Some examples of compliments received	13
6.3	Distribution of compliments across the services	14
7.0	Development of policies and procedures	14
7.1	Staff training in managing complaints	14
7.2	Networking / sharing policy and practice	14
8.0	Member of Parliament enquiries	14
9.0	Areas for future development	15
10.0	Conclusion	15

1. INTRODUCTION

This annual report covers the period of 1st April 2012 through to 31st March 2013 and reports on complaints made by, or on behalf of children and young people who receive support / services from Children's Social Care in Bracknell Forest. It is a statutory requirement to produce an annual report which will be published on the Council's website.

The Complaints Manager has the key responsibility for managing the statutory process for complaints from children and young people (or their representatives) about the quality of that service. The purpose of this report is to provide an overview and analysis of all complaints and compliments received and to summarise the issues that have arisen, providing a mechanism by which the Department can monitor the quality and effectiveness of services and of its complaints procedure.

The report will be approved by the Executive Member for Children, Young People and Learning, and will also be presented to the Children and Young People and Learning Overview and Scrutiny Panel.

Complaints about school provision are dealt with under a separate procedure.

2. CONTEXT

2.1 Legislation

The arrangements for the statutory procedure and management of complaints from children and young people (or their representatives) are set out in *The Children's Act 1989 Representation Procedure (England) Regulations 2006*.

The legislation requires local authorities to appoint a Complaints Manager with the responsibility for:

- † Managing, developing and administering the complaints procedure
- † Providing assistance and advice to those who wish to complain
- † Overseeing the investigation of complaints that cannot be managed at source
- † Supporting and training existing and new members of staff
- † Monitoring and reporting on complaints activity/data

Legislation is supported by detailed guidance from the Department for Education, which has been taken into account in the Complaint Procedures published by the Local Authority.

2.2 Who May Complain?

All children and young people who receive or are entitled to a service have a right to access the statutory complaint procedure.

This includes all those who are in an adoptive placement or foster placement, who are the subject of a care order (under section 31 of the Children Act 1989), or who are voluntarily accommodated (under Section 20 of the Children Act 1989). It also covers disabled children who have services from Children's Social Care.

A parent / carer can also bring a complaint on behalf of that child or young person. The view of the child or young person will be sought wherever possible.

3. COMPLAINTS PROCEDURES

3.1 Statutory Complaints Procedure in Bracknell Forest

Responsibility for the service rests with the Director for Children, Young People and Learning. In order to provide independence from the line management of cases and the allocation of resources, this post is located in the Strategy, Resources and Early Intervention branch of the Department and reports to the Head of Performance Management and Governance.

The purpose of the statutory procedure is to enable the complainant to have access to independent consideration of matters raised.

Complaints Process using the Statutory Procedure:

Stage One: Local Resolution

This initial stage allows Children's Social Care Services the opportunity to try and resolve issues of dissatisfaction at local level with managers and staff who have responsibility for the case.

Stage Two: Independent Investigation

This is the next stage, when a complaint has not been resolved to the satisfaction of the complainant at the conclusion of Stage 1 and involves a full and formal investigation by an independent investigator. The independent investigator produces a report, which is submitted to the Chief Officer for their consideration.

The final decision rests with the Chief Officer regarding the outcome of the complaint. The Chief Officer will write to the complainant including a copy of the investigation report and the conclusions made.

Stage Three: Review Panel

A review panel is convened when the complainant is either dissatisfied with a Stage 2 investigation or the response from the Chief Officer.

The Panel will be made up of three people, all of whom must be independent of the Council.

Final Stage: The Local Government Ombudsman

Although complainants can refer complaints onto the Local Government Ombudsman (LGO) at any stage, the LGO will not normally look at the

complaint until the local authority has had a chance to complete all relevant stages.

3.2 The Local Authority Complaints Procedure.

Complaints not covered by the statutory procedure may be dealt with under the Local Authority procedure. These are often complaints made by parents, carers or other adults regarding the impact of a service on them personally. Liaison remains through the Complaints Manager.

Complaints Process using The Local Authority Procedure:

Stage One

Informal complaint to a member of staff at the first point of contact

Stage Two

Formal complaint to the appropriate manager or Chief Officer, who will initiate an independent investigation into the complaints made.

Stage Three

Formal complaint to the Director of the service area concerned; any complaint based on discrimination, victimisation or harassment goes straight to this stage.

Stage Four

Chief Executive to consider whether the complaint has been dealt with appropriately and if not may set up a review panel at the Chief Executive's discretion.

4. OVERVIEW OF WORK

The Complaints Manager maintains a list of on-going complaints that are currently under investigation. A report is sent to the Chief Officer Children's Social Care on a monthly basis and liaison meetings are held on more complex cases.

4.1 Number of Complaint Investigations

At the end of March 2013 there were 781 open cases within Children's Social Care for children and young people. All of these were potentially eligible to complain to Bracknell Forest Council.

Out of these there were a total of 37 complaints received during this period, 11 of which were deferred (see point 4.3 for further explanation) and 26 were investigated. This is higher than the figures from 2011 – 2012 where 24 complaints were received, as shown in the table below. Whilst there is a higher number of complaints this year (37) this has increased in proportion with the increase in the number of open cases (781).

Contacts and Referrals to Children's Social Care:

Period	Open Cases	No of Complaints
2011-12	683	24 (3.5%)
2012-13	781	37 (4.74%)

The following table shows the numbers of complaints in the past year, which have been dealt with using either the Statutory, or the Local Authority complaints procedure.

Comparative figures for 2011 – 2012 are shown in brackets.

Stage / Procedure Used	Number of Complaints
Stage 1 – Statutory Procedure	19 (11)
Stage 2 – Statutory Procedure	2 (3)
Stage 1 – Local Authority Procedure	16 (5)
Stage 2 – Local Authority Procedure	0 (3)
Stage 3 – Local Authority Procedure	0 (2)

Managers within Children's Social Care will always try to resolve problems or concerns before they escalate into a complaint and this ensures that wherever possible, complaints are resolved within stage one of the procedure. It is notable that there has been an increase in dealing successfully with complaints at this stage. Out of the 19 complaints received and investigated at stage one of the statutory procedures, only two progressed onto stage two.

All of the complaints using the Local Authority procedure were successfully dealt with at stage one this year. This reflects the good practice and swift responses of the managers involved.

Local Government Ombudsman	1 – Investigation Discontinued
-----------------------------------	---------------------------------------

One complainant approached the Local Government Ombudsman during 2012 – 13.

This was an early referral, as we had not had an opportunity to complete all of the stages of the investigation. The Ombudsman has deferred their involvement at this time; the complaint is currently at stage 2 of the statutory complaints procedure.

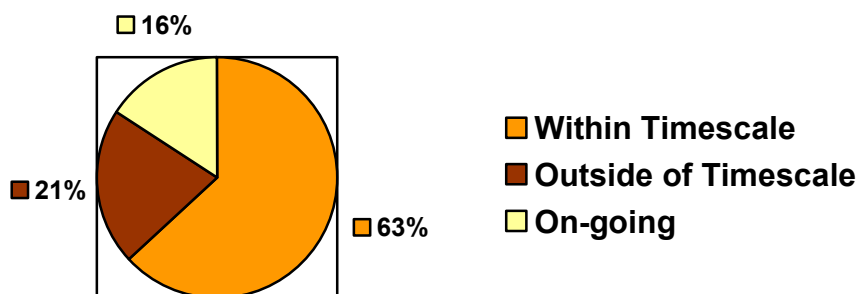
Concerns Received	20
--------------------------	-----------

There are also occasions where the Complaints Manager is contacted by members of the public with the intention of making a complaint, or wanting to discuss a concern they may have, or to make a general comment regarding Children’s Social Care. If such matters do not warrant progression onto stage one of either the statutory or corporate procedures, then these are logged as a ‘concern’.

4.2 Timescales

We always aim to resolve complaints within timescales, but there are times when it is necessary to re-negotiate the time required to investigate and respond. When this happens the Complaints Manager will contact the complainant and seek their agreement. Nevertheless there have been some challenges this year with keeping within deadlines for those cases within the Stage two investigation of the statutory procedure.

The following chart shows the breakdown of the complaints made throughout the period of April 2012 to March 2013 and whether timescales were met. It shows that 63% have been met, 21% outside of timescales, with 16% still within the investigation stage during the 4th quarter at the time of recording.



4.3 Findings from Complaints

The following findings were made in respect of the 37 complaints raised that have been finalised (at the time of reporting 2 had yet to be completed and were still under investigation at stage 2 of the Statutory Procedure).

At Stage 1 of the Statutory Procedures	6 Complaints were Not Upheld 4 Complaints were Partially Upheld 1 Complaint was Upheld
At Stage 2 of the Statutory Procedures	2 Complaints remain within investigation stage
At Stage 1 of the Local Authority Procedures	5 Complaints were Not Upheld 2 Complaints were Partially Upheld 2 Complaints were Upheld
Complaints Resolved Complaints Deferred	4 Complaints were resolved 11 Complaints were deferred

At times, we are able to resolve matters to the satisfaction of the complainant within the investigation stage and effectively shorten the complaints process. As shown in the table above, we had 4 such cases this year.

Similarly it may be necessary to defer a complaint. In these situations we will write to the complainant, explaining why their complaint has not been accepted, whilst informing them that they may have an opportunity to re-submit their complaint for consideration at a later date.

Some examples for this:

- † The department may be in the process of applying for a court order.
- † The complainant wants to make an appeal against a court order (they should approach the court for this).

Dissatisfaction about a Local Authority's management or handling of a child's case, even where related to a court order may be appropriately considered, for example; conduct of social work staff involved in court procedures. It is for the Complaints Manager to identify whether these may be considered.

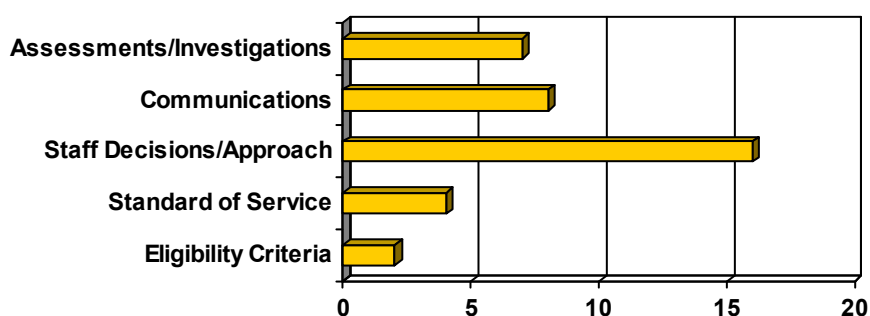
4.4 Complaints by Areas of Service Provision

The following table shows the service areas where complaints have been made. The area with the highest number of complaints is in safeguarding, which is to be expected given the nature of the work undertaken, as it often involves working with families who are unhappy to be receiving such services, nevertheless are required to do so to ensure effective child protection.

Service Area	Number
Learning Difficulties & Disability	2
Looked After Children	10
Safeguarding	25

4.5 Nature of Complaints Received

Complaints received are often complex and can cover a variety of issues. For the purpose of this report the primary issue has been identified in relation to each complaint, these are shown below:



4.6 Commentary on Complaints Received

The following are some examples of complaints received regarding some of the primary issues identified – as shown in the table above:

Regarding assessments / investigations

- a) Complainant is concerned with the inaccuracies within the assessment carried out.
- b) Does not agree with the content shown in the report.

Comments

The relationship between the family and the allocated social worker had become difficult. Although it is not always appropriate to change a worker when situations become challenging, on this occasion it was felt that a different style of intervention would be appropriate, therefore another social worker was allocated. Amendments to the assessment were also agreed / carried out where required. This complaint was partially upheld.

Regarding communications

- a) Complainant was concerned with the general lack of communication regarding the contact arrangements to see their children.

Comments

The complaint was quickly resolved to the satisfaction of the complainant. This was due to the swift intervention of the Team Manager, who carried out a face to face meeting with the family, allowing them to 'air' their grievances and openly discuss their concerns.

Regarding staff decisions / approach

- a) Complainant was unhappy with the way that they were spoken to at a meeting.

Comments

The complaint was not upheld. The Investigating Officer considered that the 'chair' was correct in conducting the meeting in a way which encouraged open and honest dialogue.

Regarding standard of service

- a) This complaint covered various issues within the department and the general standard of service received from Children's Social Care.

Comments

The complaint was partially upheld. This was a complex case and was ultimately responded to by the Head of Service; ongoing work continues with the family.

4.7 Involvement of Young People in the Complaint Process

Children and young people are informed on how to make a complaint when they first become 'looked after' and receive a child friendly leaflet which explains clearly what to do if they are unhappy. Information is also provided on how to contact the Complaints Manager within the 'Children's and Young Person's Consultation Booklet', which they receive before every LAC review. In addition, they may bring complaints to the attention of the Independent Reviewing Officer.

Laminated 'text' cards were first introduced during the period of 2011-12, developed with the support of the Child Participation Officer. They provide simple instructions on how to 'text' a complaint through to the Complaints Manager. This is currently being monitored as to whether this is a viable use of resources.

In some circumstances children and young people may require additional support to make a complaint. Help may be best provided by a relative or friend or by the provision of an advocate from an Advocacy Service who will be independent of the department. If this is required the Complaints Manager can approach the Child Participation Development Officer who will be able to provide advice about this and help secure a service where requested.

The majority of complaints are made by the parent / carer on behalf of the young person, but young people are encouraged to make their own complaints as well, and this has happened on a number of occasions. When a young person does choose to complain they are offered the support of an advocate as described above.

4.8 Learning from Complaints in 2013

At Bracknell Forest Council we recognise that the formal complaint investigation process is not to 'find fault' but to look at the practices followed in relation to the complaint issues at hand. This also provides a valuable source of information and we will use these experiences to:

- † Identify service problems and make improvements
- † Improve / adapt staff learning and enhance professional development.

To this aim, a 'learning from complaints' form has been devised – this is forwarded to the appropriate Manager or Head of Service for completion following the investigation and closure of a complaint. Within this document, the investigator can record any recommendations made.

The Manager / Head of Service agree an action plan and nominate who will undertake the action and the outcome achieved will be logged. It is not signed off until the action has been implemented.

Where a complaint has been difficult or complex, a learning from complaints meeting is held with Managers in Children's Social Care to ensure we are able to reflect and learn from the situation and put in place measures to reduce the risk of issues arising in the future.

Key Learning points and services improvements implemented during 2012 – 2013 include:

If parents have a learning disability, staff should be mindful of this when writing reports etc. Provide 'easy read' documents / correspondence wherever possible.

Ensure that written reports are forwarded to the parents in a timely manner.

That key family member's home address are regularly checked and updated on the system. Particularly when sensitive information is being posted.

It has been identified that we need clear guidance for parents and professionals that there is a separate policy in relation to 'what can be complained about' within the Child Protection Conference processes, as

determined in the Pan Berkshire Child Protection Procedures. The Complaints Policy has now been updated to take account of this.

5.0 COST OF COMPLAINT INVESTIGATIONS FOR 2012 – 13

When a complaint proceeds to stage 2 under the statutory procedures, it is the practice in Bracknell Forest that an independent investigator is appointed. The cost of this varies depending on the length and complexity of the investigation and whether an external investigator is contracted. In this year it should be noted that there have been two statutory stage 2 investigations, one of which was very complex.

The overall cost of investigations in 2012-13 was £2,500.

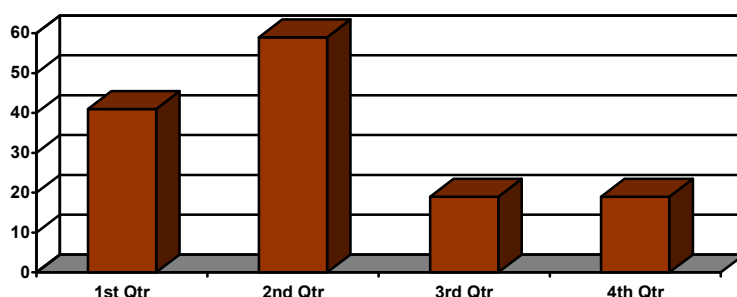
We have been able to keep the cost down compared to last year (which was £8,200) by delegating the services of an experienced investigator within senior management at Bracknell Forest Council; independent of Children's Social Care. Whilst this reduces the costs of an independent investigator, there are costs to the Council in terms of the time and resource of an experienced investigator who may be undertaking this work on top of their normal job role.

6.0 COMPLIMENTS

Compliments provide valuable information about the quality of our services and help identify where they are working well. For the period of 2012 – 13 we received 138 compliments. This demonstrates the high value that people receiving support place on the services they receive. A large majority of the compliments are made by parents or users of the services, but they are also made by a range of professional colleagues who work with Children's Social Care.

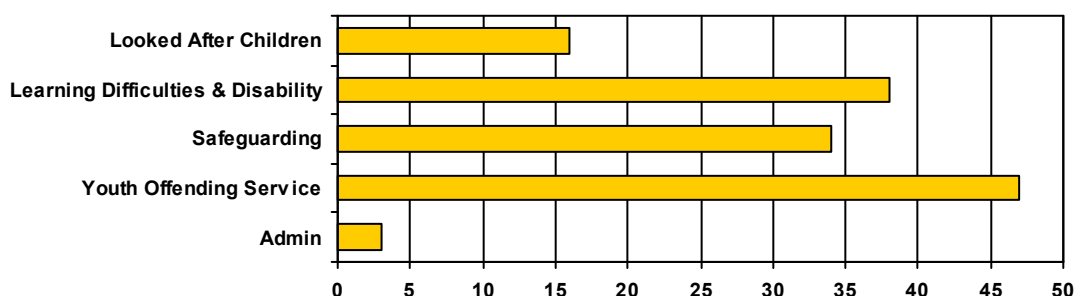
6.1 Breakdown of compliments

You will find the distribution of compliments recorded together with detailed breakdowns in the following tables.



Some examples of compliments received	138 in Total
<p>“We were very happy with the way the situation was handled and was dealt with by courteous, respectable, friendly professionals” – Parent</p> <p>“It was great to feel like a mother again; I didn’t realise how much of an impact I had on my child” – Parent</p> <p>“Well done you! I shall be using this for my training as a model final statement” – Solicitor</p> <p>“I want to thank you for the extra inch, extra mile you have gone. You have my true respect and gratitude” – Parent</p> <p>“Thank you for the outstanding support given to myself and my son. SW is truly an exceptional employee as well as an exceptional human being” – Parent</p> <p>“My parenting skills have improved – overall very satisfied” – Parent</p> <p>“Outstanding work – excellent report and presentation” – Chair of Adoption Panel</p> <p>“SW’s evidence given in court was superb – the Judge was impressed” – Counsel</p> <p>“The SW was commended for providing such an excellent provision within the care plan in a timely manner” – Solicitor</p> <p>“Commented on the professional experience and knowledge of the SW regarding the family finding process / adoption process and the impact on the child and potential adopters” – Court professionals</p> <p>“Family have made a point of thanking SW for all the support given and acknowledged the role played in helping the family build a more positive relationship” – Independent Reviewing Officer</p> <p>“Complimenting the SW on presenting difficult information at the conference so confidently, sensitively and eloquently as well as having the ability to engage with families” – Child Protection Chair.</p> <p>“A big thank you for getting us to this point in the Adoption process. We appreciate the long hours spent and all of the running you have had to do” – Potential adopters</p> <p>“Thank you everyone for looking after me and making my Larchwood stay fun” – Young person</p> <p>“My child’s behaviour and self esteem has improved since the YOS health worker has been working with them” – Parent</p> <p>“We were quickly contacted, thank goodness. We needed your help - I now don’t feel so lost.” – Parent</p> <p>“At a time of stress and upset for our family, we were greeted with extreme kindness and gentleness. We feel moved and blessed by our contact with everyone at social care. Thank you so much!” – Parent</p> <p>“The social worker put us at ease right away and was fully respectful – not sure how services could be improved!” – Parent</p> <p>“The service helped us to be a loving family and better parents.” – Parent</p> <p>“Admin were very helpful, efficient and professional.” - Parent</p>	

Distribution of Compliments Across the Services



7. DEVELOPMENT OF POLICIES AND PROCEDURES

7.1 Staff Training in Managing Complaints

Training is provided by the Complaints Manager on a quarterly basis and is available to all staff in Children's Social Care. This will continue to be provided, in particular targeting new staff as they begin their employment.

Bracknell Forest Council's Statutory Complaints Procedure for Children's Social Care has been revised and updated this year, intentionally aiming for a 'jargon free' revision for use by the public. There is also a version specifically designed for staff use, which incorporates letter templates for stage one, two and three responses to complaints investigated under this procedure. This will play an important role within the training process.

7.2 Networking and Sharing Policy and Practice

It is important to continue to network, share practice and contribute to regional policy and practice. The Complaints Manager attends the Southern Regional Complaints Managers Group three times a year. The network aims to raise standards for complaints management across the South East to promote consistency of practice and excels in providing a source of mutual support.

8. MEMBERS OF PARLIAMENT ENQUIRIES

MPs cannot make a complaint using the statutory complaints procedure on behalf of their constituent - they are able to make a generic enquiry on their behalf. However, if the enquiry is established as being a formal complaint, we will advise the MP to go back to their constituent and encourage them to forward the complaint direct to the Council themselves.

In view of this, enquiries from Members of Parliament are logged separately from statutory complaints. There were 29 enquiries made during the period of reporting.

9. AREAS FOR FUTURE DEVELOPMENT

Complaints provide an opportunity to consider practice and identify ways to improve on areas identified. In the coming year the Complaints Service will focus on the following areas for development:

- † Continue to deliver training to Social Workers and Managers to ensure the process is managed and understood.
- † Contribute to the ongoing development of the Quality Assurance Strategy which maintains an overview of the quality of services delivered and supports ongoing improvement and development.
- † Further develop the systems in place to secure Independent Investigators, and consider how to reduce the costs of investigations.
- † Distribute the revised Statutory Complaints Procedure to all relevant staff.
- † Provide a quarterly report to Children's Social Care Management Team highlighting issues of good practice, and areas for development.

10. CONCLUSION

The complaints function for Children's Social Care has met the requirements of the relevant guidance and regulations. Overall management of complaints is robust, managed well and undertaken with sensitivity.

Children's Social Care do not receive a high number of complaints, however the nature of those complaints that are received are often complex, and reflect the fact that families may be very distressed at the time of intervention.

Whilst a complaint may be distressing to the individuals affected, (which includes the staff involved) they are a valuable mechanism for ensuring the ongoing quality of our work. This ensures policies and procedures are followed appropriately and children, young people and families are receiving the best possible services in difficult and challenging circumstances.

The next report will cover the period from 1st April 2013 to 31st March 2014.

Sue Horton
Complaints Manager for Adult & Children's Social Care.