

TO: EXECUTIVE MEMBER CHILDREN, YOUNG PEOPLE AND LEARNING
DATE: 28 July 2015

ANNUAL REPORT – CHILDREN’S SOCIAL CARE COMPLAINTS, CONCERNS AND COMPLIMENTS

Director Children, Young People and Learning

1 PURPOSE OF DECISION

- 1.1 The purpose of this report is to present the annual report of the statutory complaints function for Children’s Social Care – attached as Annex 1, for approval by the Executive Member for Children Young People and Learning. The report will then be submitted to the Overview and Scrutiny Panel for Children, Young People and Learning and the Local Safeguarding Children Board.

2 RECOMMENDATION(S)

- 2.1 **That the Executive Member approves the report.**

3 REASONS FOR RECOMMENDATION(S)

- 3.1 The Representations Procedure Regulations 2006 state that Complaints Services should produce an annual report for consideration.
- 3.2 The Complaints Service performs an important role in assuring the quality of response to children and young people or parents and carers who make complaints. The annual report supports the continuing development and review of the service and learning from complaints.
- 3.3 The Annual Report will be submitted to the Overview and Scrutiny Panel for Children, Young People and Learning and the Local Safeguarding Children Board following the approval of the Executive Member.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None considered

5 SUPPORTING INFORMATION

- 5.1 The report provides an overview of the work of the Complaints Manager and identifies some of the key issues arising in terms of complaints. It also considers further developments to continually improve the way in which the Department responds to complaints in a positive manner. In addition to complaints the report identifies concerns and compliments that have been received by Children’s Social Care.
- 5.2 The Complaints Manager works closely with Children’s Social Care to ensure any complaints are resolved in a timely and satisfactory manner. In order to ensure positive outcomes, the Complaints Manager has regular meetings with senior

managers in Children's Social Care, and provides training for new Social Workers on the complaints process. Findings from complaints are considered in the development of policies and procedures and in the ongoing learning culture within Children's Social Care.

- 5.3 The Complaints Manager also attends and works within a regional complaints network so that good practice can be shared and there is a continuing focus on raising standards for complaints management practice across the region.
- 5.4 Overall, there were 47 complaints received during the period of 1 April 2014 to 31 March 2015 (46 in 2013/14). In March 2014 there were 775 open cases and 46 complaints represented 6% of the total open cases. In March 2015 there were 776 open cases and 47 complaints represented 6.1% of open cases showing that the volume of complaints have remained steady with only a marginal 0.1% increase this year.
- 5.5 Out of the total of 47 complaints that were received this year 15 complaints were deferred / declined, 11 were investigated under the statutory procedure; 21 were investigated under the Corporate procedure. This means that out of the 47 complaints received a total of 32 were investigated.
- 5.6 The nature of the complaints included the following:
 - Assessments / investigations
 - Communication
 - Staff decisions / conduct
 - Standard of service
 - Eligibility criteria
- 5.7 A concern is identified as issues that are raised and addressed without recourse to the statutory or corporate complaints procedure. During the year there were 31 concerns identified which were dealt with by Children's Social Care Managers and did not progress to formal procedures. This is an increase on the previous year where 28 concerns were identified. Dealing positively with concerns at this stage can often negate the need to progress to the formal procedure which reduces the need for Children's Social Care Managers to spend additional time on lengthy complaints.
- 5.8 There were 181 compliments recorded during the year which is an increase on the previous year where only 91 compliments were recorded. The compliments cover both Children's Social Care activity and activity within Strategy, Resources and Early Intervention. The report identifies some examples of the compliments made and they are from a range of individuals who have contact with the Department either as a service user or professional. It is important to ensure that compliments are recorded as they provide a good balance against the complaints made and highlight areas of good practice and positive outcomes. In the last year the ratio of compliments to complaints is 3.9 compliments to every 1 complaint.
- 5.9 It is important to note that while the number of complaints has not increased significantly there are an increasingly complex number of complaints which are costly, time consuming (for those making the complaint and those responsible for investigating the complaint) and can impact on the small amount of resource available.

- 5.10 The report in paragraph 4.9 identifies a range of learning from complaints and demonstrates the way in which the Complaints Manager is working alongside colleagues in Children's Social Care to ensure there is a mechanism for learning from complaints. This includes the use of learning from complaints form that a Manager or Service Head completes including identifying actions to be undertaken as a result of the complaint a positive outcome of learning from complaints includes the development of an information pack for independent investigators, an exemplar report, flowcharts and detailed guidance for carrying out investigations.
- 5.11 The cost of investigating complaints during the year has increased this year to £7,220; this is an increase on the previous year where £5,045 was spent on investigations. The reason for the increase in cost has been due to more complex complaints which require more extensive investigation.
- 5.12 Within this year there have been a small number of complaints from 3 children and young people. One complaint made by a young person with the use of an advocate was a very positive process and managed well between the Investigating Officer, Independent Person, the Advocate and the young person. It demonstrated sensitivity to the needs of the young person and was undertaken in a flexible way to accommodate the young person's emotional capacity to participate in the process. Whilst the outcome was that the complaint was not upheld, the young person was able to access a fair and transparent process and have their views heard with the support of an independent Advocate.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The Guidance on statutory complaints is issued under Section 7 of the Local Authority Social Services Act 1970 which requires local authorities in their social services functions to act under the general guidance of the Secretary of State. As such the Guidance does not have statutory force but the authority should comply with it unless local circumstances indicate exceptional reasons which justify a variation.

Borough Treasurer

- 6.2 The Borough Treasurer is satisfied that there are no significant financial implications arising from this report.

Equalities Impact Assessment

- 6.3 The Complaints Procedure is available to all those who meet the specified criteria for making a complaint using either the Statutory or the Local Authority Procedure.

Strategic Risk Management Issues

- 6.4 None identified in connection with the annual report. It should be noted that complex complaints are carefully managed with support from the Borough Solicitor where relevant to address and minimise risks with individual cases.

Other Officers

- 6.5 None identified

7 CONSULTATION

Principal Groups Consulted

7.1 None

Method of Consultation

7.2 Not applicable

Representations Received

7.3 Not applicable

Contacts for further information

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