

Appendix 1

Children Social Care Annual Complaints & Representations Report

April 2017 – March 2018

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1. Introduction

This report provides information on complaints for Thurrock Council Children's Social Care services for the period 1st April 2017 to 31st March 2018.

The complaints process provides the council with an additional means of monitoring performance and improving service quality and provides an important opportunity to learn from complaints made by service users and advocates.

By publishing the annual complaints report, the Council demonstrates its commitment to transparency and a positive approach to dealing with and learning from complaints.

2. Key facts

- There has been an increase in the number of cases being treated as Initial Feedback and being resolved without escalating to formal complaints
- There has been a significant reduction in the number of complaints being formally investigated at stage 1
- Performance in terms of responding to complaints has improved, with 83% of complaints being responded to within timeframe
- There is significant improvement in responding to MP, MEP and Members enquiries despite increased volumes being received

3. Background

The Children Act 1989 Representations Procedure (England) Regulations 2006 requires the council to have procedure for resolving complaints made by the children and young people it looks after or who are in need, and children leaving care, regarding the services provided to them under The Children Act 1989. Representations and complaints can also be made on behalf of such a child or young person by a parent, a person with responsibility, foster carer, Special Guardian or other person that the authority considers has a sufficient interest in the child's welfare to warrant his/her representations being considered by them.

The council must publish an annual report every year detailing numbers of complaints and representations, outcomes of complaints and compliance with timescales. It should provide a mechanism by which the local authority can be kept informed about the operations of the complaints procedure.

4. Complaints Procedure

Thurrock Council receives feedback/concerns which, following assessment does not constitute a formal complaint but still requires addressing. Those within scope of an 'Initial Feedback' are sent to the service with a request that swift action takes place to resolve the issue. This should negate the need for a formal complaint taking place, the Complaints Team monitor progress of all cases.



The formal complaints procedure is as follows:

Stage 1

The maximum amount of time for a stage 1 complaint is 20 working days and where complaints are deemed as complex however the standard timeframe is 10 working days.

If the complainant remains dissatisfied they can request escalation of their complaint to the next stage.

Alternative Dispute Resolution (ADR)

Alternative Dispute Resolution (ADR) commenced in Childrens Social Care Services in April 2017. The key focus is to reduce costs in appointing independent investigating officers but ultimately resolving complaints swiftly through mediation and conciliation. The Statutory & Corporate Complaints Manager assesses all social care cases where escalation is requested by the complainant. This approach has delivered positive outcomes resulting in no complaints for childrens services requiring external independent investigation.

Stage 2

All requests for stage 2 complaints should be made within 20 working days of receiving the first stage response. The Complaints Team will undertake an initial assessment of the complaint. In some instances an external investigator is commissioned and an Independent Person must also be appointed to the investigation to ensure that the process of investigation is open, transparent and fair.

At the end of the investigation a detailed report will be prepared. The report, which clearly sets out how and why any conclusions and recommendations have been reached, is sent to the complainant together with the response from a senior manager in Children's Services. The Independent Person will also provide a report, commenting on whether the investigation has been conducted in an impartial, comprehensive and effective manner. The investigation should be completed and the response sent within 25 working days or a maximum of 65 working days if the complaint is complex. If the complainant remains dissatisfied they can request escalation of their complaint to the next stage.

Stage 3

The request for stage 3 must be made within 20 working days of receiving the second stage response. This request is for a Review Panel to be convened within 30 working days. The Complaints Manager will assess the complaint in the first instance to determine if a Review Panel is the most appropriate way forward.

The Review Panel cannot re-investigate the complaint, nor consider any substantively new complaints that have not first been considered at stage 2. Its role is to review the process of the investigation, whether the recommendations are fair given the conclusions reached, whether the response of the Children's Service is reasonable and whether anything more could reasonably be done to satisfy the complainant.

All three panel members are independent of the council and will listen to any relevant information that the complainant wishes to present and will want to hear the perspective of other involved parties. They will also see any documents relevant to the complaint. At the end of the meeting the Review Panel will make recommendations to the Director of Children's Services for future action.

If the complainant is still dissatisfied they can refer their complaint to the Local Government & Social Care Ombudsman for consideration.

5. Advocacy for young people

Advocacy services are available for young people who may need advice, guidance and support should they wish to raise issues and/or register complaints; information on this service is publicly available on our web page.

6. Summary of Representations

A total of 183 representations were received in the reporting period, which is a decrease of on the previous year (212) as detailed below.

	2016/2017	2017/2018
Complaints – Stage 1	94	48
Complaints – Stage 2	2	0
Complaints – Stage 3	1	0
Initial Concerns / Issues	12	33
Compliments	57	46
MP enquiries	13	13
MEP enquiries	8	14
Members enquiries	23	28
Local Government Ombudsman enquiries	2	1
TOTAL	212	183

7. Complaints Received

Children social care received a total of 48 complaints in the reporting period. This is a decrease of 48 on the number of complaints (96) received for 2016/2017.

8. Complaints by service

Detailed below are the figures for the reporting period with comparable data for 2016/2017.

Service	2016/2017	2017/2018
Adoption	1	5
Finance	-	-
Child Protection	5	2
Disabled Children	11	3
Oaktree Centre	-	-
Family Support (Central)	5	10
Family Support (North East)	5	4
Family Support (South East)	9	1
Family Support (West)	-	2
Children Looked After	-	3
Fostering	5	1
Children & Families Assessment Team CFAT	-	7
MASH		1
Fostering Assessment	-	-
CEF	-	-
Permanence/Court Work	3	0
Through Care 1	6	3
Through Care 2	8	1
Aftercare Team	5	0
Adolescent Team	3	2
Children's Commissioning	-	-
Other	6	-
Initial Response	15	-
Leaving Care Team	4	0
Unaccompanied Asylum Seekers, outside agency	3	1
Continuing Care Team	1	-
Foster Care	1	-
Prevention & Support		2

9. Root causes and complaint outcomes

Details on root causes and complaint outcomes are further detailed on the service dashboards which are issued to the respective Strategic Leads.

10. Complaint Performance

The table below shows the stage 1 outcomes for the reporting period with comparable data for the previous year.

Complaint outcome – Stage 1	2016/2017	2017/2018
Upheld	9 (10%)	9 (18%)
Partially upheld	10 (11%)	11 (22%)
Not upheld	49 (53%)	28 (56%)
Withdrawn or cancelled	15 (16%)	2 (4%)
Out of jurisdiction/rejected	7 (8%)	-
In progress	2 (2%)	-

Complaint outcome – Stage 2	2016/2017	2017/2018
Upheld		-
Partially upheld	1 (50%)	-
Not upheld		-
Withdrawn or cancelled		-
Out of jurisdiction/rejected		-
In progress	1 (50%)	-

Complaint outcome – Stage 3	2016/2017	2017/2018
Upheld		-
Partially upheld	1 (100%)	-
Not upheld		-
Withdrawn or cancelled		-
Out of jurisdiction/rejected		-
In progress		-

It is positive to note that the volume of complaints deemed as not upheld is 56%. Strategic Leads receive service dashboards which outline key management information on how well their services are performing and managing complaints. This includes details on learning that has been identified from upheld/partially upheld complaints to ensure a continuous cycle of service improvements is applied across all services. Key learning has been identified as:

Communication: both in writing and verbally. Ensuring that telephone calls are returned swiftly, that reports are quality checked to ensure they are grammatically correct

Assessment/Decision making: Attention to detail with accuracy of reports.

Staff conduct: investigation outcomes either follow two routes; these are generally discussions by managers with affected staff or referral to HR in line with any disciplinary procedures.

11. Performance – responded to in time

	2016/2017	2017/2018
Stage 1 complaints - (20 working days)	64 (71%)	40 (83%)
Stage 2 complaints - (Non-complex – 25 days) (Complex – 65 days)	0 (0%)	-

There has been consistent improvement in the time taken to respond to complaints with this year's figure being 83%; however the Complaints Team will continue to monitor performance with services to ensure further improvements can be realised. This will include more robust challenges on those cases classified as complex to ensure where possible complaints are answered within the 10 working day period.

12. Learning from complaints

Complaints provide a vital source of insight about people's experience of social care services, and how those services can improve.

The complaints process enables us to identify service problems and make improvements to services we work in. It also helps us improve staff learning and enhance professional development.

Attached are some case studies where learning has been identified.

13. MP, MEP & Members Enquiries

MP, MEP & Members enquiries are received on behalf of services users. The timeframe for responding to these enquiries was reduced to 7 working days (from 10 working days) with effect from 1st September 2017. However, it is recognised that in some instances, particularly for complex cases, it is not always possible to meet this target and this has been identified as a work priority for the forthcoming year.

Number of enquiries received within the reporting period is outlined below together with comparable data.

	2015/2016	% responded to on time	2016/2017	% responded to on time	2017/2018	% responded to on time
MP	19	6 (32%)	13	7 (54%)	13	11 (85%)
MEP	5	0 (0%)	8	1 (12.5%)	14	13 (93%)
Members	34	27 (79%)	23	16 (70%)	28	26 (93%)

14. Compliments

The council welcomes compliments from its services users. Compliments help to highlight good quality service and give staff encouragement to continue delivering

services of the highest standard particularly at challenging times and when faced with competing demands.

The reporting period has seen a decrease in the number of compliments recorded compared to the previous year.

	2015/2016	2016/2017	2017/2018
No of compliments	117	57	46

15. Local Government & Social Care Ombudsman

The Local Government & Social Care Ombudsman cannot question whether a Council's decision is right or wrong simply because the complainant disagrees with it. The LGSCO must consider whether there has been fault in the way the decision was reached. If there has been fault, the LGSCO considers whether this has resulted in injustice and will recommend a remedy, this can be monetary and/or otherwise.

The reporting period has seen a decrease in the number of formal enquiries considered compared to the previous year.

	2015/2016	2016/2017	2017/2018
LGSCO enquiries received	4	2	1

This complaint related to delays in delivering the care package to a child known to the Disabled Children's Team. Prior to escalation to the LGSCO the case was considered under Alternate Dispute Resolution and the case was mutually concluded via the Complaints Manager and the complainant and authorised by the Director. However the complainant's solicitor continued to pursue the council but the LGSCO did not propose to investigate the matter further as it had already been concluded by the council.

16. Alternative Dispute Resolution

Alternative Dispute Resolution (ADR) has proved to be successful for the resolution of complaints without the need for formal investigation at the next stage of the council's complaints procedure.

No of escalations received	No of completed ADR's	No of those cases satisfactorily resolved
6	6	6

17. Work Priorities for 2018/2019

During the year 2018/2019 the Complaints Team will continue to focus on:

- Supporting services by undertaking the initial assessment of all feedback to determine if formal investigation is appropriate
- Continued monitoring of active complaints to ensure swift resolution where possible and supporting service areas wherever possible
- Ensuring all complaints responses are fit for purpose and in line with corporate standards
- Working with service areas and in consultation with staff to ensure timely responses to MP, MEP & Members enquiries
- Ensuring that learning from upheld complaints is evidenced and made publicly available on the council's You Said We Did section of our webpage.
- Continued close liaison with the Local Government & Social Care Ombudsman to ensure that enquiries are responded to and recommendations are actioned promptly.

Complaint case studies

Ms A complained that she was due contact in April and October. Every time it's due it is late, and has now been moved to the Oaktree Children's Centre, she was not advised of this, change until she contacted Social Services. She is not happy that contact has been moved to Oaktree as this is where she said goodbye to her son. She is never contacted by Oaktree regarding contact.

The complaint was subject to a full review, and all concerns were considered. It was recognised that there had been Service delays, and that Ms A had not received the notification explaining the rational for the changes. There were issues around timeliness of the letter but the issues were rectified.

After speaking with the manager from Oaktree, Ms A is now happy for contact with her son to take place there.

Ms H complained that the Social Worker turned up at her home without prior notice of the visit and without advising that there would be a second Social Worker present. She feels that she was questioned inappropriately regarding her friends Ms O's children.

The complaint was subject to a full review, and all concerns were considered. The investigation concluded that the Social Worker had tried to make contact to advise of the visit but was unable to do so, and so left a voicemail message. The social worker acknowledged that further attempts at contact should have been made and that Ms H should have been informed that a second Social Worker would be present. Both social workers were spoken with separately and both confirmed that Ms O's children were not discussed at the visit.

Social Workers are now regularly reminded about the importance of informing service users about proposed home visits and who will be attending before visits are carried out.

Contact was made on behalf of Ms S by an Independent Reviewing Officer (IRO). The issue raised is that Ms S would be turning 18 and the savings that she should have accumulated were not visible

The complaint was subject to a full review. The savings were located and have now been passed on to Ms S. Ms S has been spoken with and she is happy with the outcome.

The Service has concluded that there is a need to review the savings policy for Children Looked After. The policy is currently under review.