

19 January 2015		ITEM: 8
Children's Services Overview and Scrutiny Committee		
Children's Social Care Complaints and Representations Annual Report 2014/15		
Wards and communities affected: All	Key Decision: Non-Key	
Report of: Carmel Littleton – Director of Children's Services		
Accountable Head of Service: Andrew Carter - Head of Children's Social Care		
Accountable Director: Carmel Littleton – Director of Children's Services		
This report is Public		

Executive Summary

The annual report for Thurrock Council on the operation of the Children's Social Care Complaints Procedure covering the period 1 April 2014 – 31 March 2015 is attached as Appendix One. It is a statutory requirement to produce an annual complaints report on children social care complaints.

The children's social care complaints procedure is operated in accordance with the 'Getting the Best from Complaints' guidance 2006 as governed by the Children Act 1989 and the Children Act 1989 Representations Procedure (England) Regulations 2006, Children Leaving Care Act 2000 and the Adoption & Children Act 2002.

The report sets out the number of representations received in the year including the number of complaints, key issues arising from complaints and overall learning and improvement activity for the department.

A total of 263 representations were received during 2014-15 as detailed below:

- 107 Compliments
- 54 Stage 1 complaints received
- 2 Stage 2 complaints received
- 2 Stage 3 complaint received
- 59 Concerns and issues received
- 21 MP enquiries
- 16 Member enquiries
- 2 Ombudsman enquiries

1. Recommendation(s)

1.1 That Scrutiny Committee consider and note the report.

2. Introduction and Background

- 2.1 This is the annual report for Thurrock Council on the operation of the Children's Social Care Complaints Procedure covering the period 1 April 2014 – 31 March 2015. It is a statutory requirement to produce an annual complaints report on Children's Social Care Complaints and Representations.
- 2.2 The Children's social care complaints procedure is operated in accordance with the Council's policy on Complaints and Representations, the Children Act 1989 Regulations and 'Getting the Best from Complaints' guidance 2006 and the Council
- 2.3 The Children's social care complaints procedure operates in three stages. Stage 1 is referred to as local resolution where the Team/Service Manager responds to the complaint within 10 – 20 working days. Stage 2 complaints are investigated by an independent investigator and independent person. Stage 3 complaints are reviewed by a panel made up of three independent panel members. The panel make their recommendations to the Director of Children Services who then reaches a decision and any actions to be taken.
- 2.4 If a complainant is not satisfied with the outcome of the independent review panel, they have the right to take their complaint to the Local Government Ombudsman.
- 2.5 In the complaints leaflet, children and young people are advised of their right to advocacy when making a complaint or for support. This is in accordance with the Advocacy Regulations 2004. Thurrock Children's Services commissions Open Door Advocacy for this service.
- 2.6 Staff are encouraged to resolve issues at the first point of contact in line with good practice as outlined by the Local Government Ombudsman.
- 2.7 The complaints procedure provides Children's social care with an additional means of monitoring performance and improving service quality and provides an important opportunity to learn from complaints

3. Issues, Options and Analysis of Options

- 3.1 This is a monitoring report for noting, therefore there is no options analysis. The annual report attached as Appendix One includes consideration of reasons for complaints, issues arising from complaints and service learning and improvement activity in response.
- 3.2 The headline messages for this report are:

3.3 Summary of representations received in 2014/15

- 107 Compliments
- 54 Stage 1 Complaints received
- 2 Stage 2 Complaints received
- 2 Stage 3 Reviews
- 59 Concerns and issues received
- 21 MP enquiries
- 16 Member enquiries
- 2 Ombudsman enquiries

3.4 Compliments

Compliments are expressions of good feedback. The team recorded 107 compliments this year compared to 62 recorded last year and 60 recorded for 2012/13. Examples include:

I would like to take this time to thank you so much for your help with me and my son! Without it I would never have got where am I today, your advice and support has been extremely important during these difficult times and I'm just letting you know how important you have been to us through our time of need! Your continued support is greatly appreciated. Youth Offending Team

I really want to thank you for all the help and support that you gave us and X in the past. Even though I know her case is closed over there, if you would like I will send you updates so you can see how well she is doing and adjusting. Again as I have stated before; you and your family are more than welcome to come and visit (abroad) anytime you wish, just let me know and we'll get the spare rooms ready for you all. Again thank you. Adolescent Team

3.5 Complaints

The department received a total of 54 stage 1 complaints in 2014/15, which is a decrease of 15% on the number of complaints (62) received for 2013/14.

While there is a falling trend in terms of complaints numbers over recent years, this can be partly contributed to issues being resolved quickly or "on the spot" as concerns.

Two complaints progressed to stage 2 of the complaints procedure and were investigated by independently commissioned complaint investigators and both were partially upheld.

Two complaints progressed to stage 3 review and were partially upheld by the panel.

3.6 Concerns and Issues

The complaints team recorded 59 concerns and issues for this reporting period which were successfully resolved within the teams without the need to progress through the complaints procedure. If the concern cannot be resolved quickly, it is processed as a complaint.

3.7 Local Government Ombudsman

There were 2 cases received by the Ombudsman's office for this reporting year. Of these, two cases were referred to the council for investigation through the complaints procedure, both were concluded.

One case was a referral by the Ombudsman for the complaint to be investigated through the Council's complaints procedure. The matter was resolved at stage 1.

The second case was investigated and the outcome was no maladministration.

Further details on these cases are included in section 11 of the annual report (Appendix One).

3.8 Learning from Complaints

Complaints and feedback provide the service with an opportunity to identify things that can be improved. The learning from complaints is an essential part of the process. Examples of the learning received this year are shown below. Further details are shown in section 12 of the annual report (Appendix One).

To ensure that all notes and records of reviews/assessments are recorded on the children's social care record system

Whenever possible, Children's social care should put in writing and share with families, assessments and decisions so that they are able to reflect on them or take advice

That if parents are unable to attend a LAC review or Child Protection conference, that they are given the opportunity to meet with the chair outside of this, to ensure their views, wishes and feelings are shared and recorded

3.9 Future areas for development

A rolling program of visiting social care teams will continue during the period 2015-16. This will offer refresher training on complaint handling and lessons learnt from complaints.

The Complaints Manager will consider further ways of capturing feedback from children and young people and ensuring the complaints procedure is accessible for all.

Complaints activity and learning will continue to be reported to the department throughout the year and disseminated to all staff.

The Complaints Manager will continue to work closely with the Eastern Regional Complaints Manager Network and Public Sector Complaints Network regarding key national updates and development of complaint processes.

4. Reasons for Recommendation

- 4.1 It is a statutory requirement to produce an annual complaints report on children's social care complaints. It is best practice for this to be considered by Overview and Scrutiny. This report is for the purpose of monitoring and noting.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 This report has been agreed with the Children's social care senior management team. Consideration of complaints issues and learning and improvement arising from them are identified as an ongoing priority in the report.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 Thurrock's Children and Young People's Plan 2013-2016 sets out a vision for ensuring that 'every child has the best start in life'. Safeguarding and protecting the well-being of vulnerable child and young people is one of the priorities in the plan. This is reflected in the 'protection when needed' priority.
- 6.2 Feedback from children and young people is an important part of the service performance and quality framework. It enables the service to identify areas for improvement, to recognize the things that are done well and to help assess progress in meeting our priorities for children and young people.

7. Implications

7.1 Financial

Implications verified by: **Jonathan Wilson**

Chief Accountant, Corporate Finance

There are no specific financial implications arising from this report which the committee should note.

7.2 Legal

Implications verified by: **Lindsey Marks**
Principal Solicitor Children's Safeguarding

There are no specific legal issues arising from the report as this is just for members information.

7.3 Diversity and Equality

Implications verified by: **Rebecca Price**
Community Development Officer

Whilst there are no specific diversity issues arising from this report, Children's Services will consider means for capturing demographic information pertinent to those submitting complaints, concerns and/or issues in the future.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- None

9. Appendices to the report

- Appendix 1 – Children's Social Care Complaints and Representations Annual Report 2014/15

Report Author:

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Statutory Complaints & Engagement Manager

Adults, Health & Commissioning, Children's Services