

Annual Report 2009/2010

Children's Social Care Complaints Cambridgeshire County Council

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1. Executive Summary

This report contains a summary of Children's Social Care complaints received for the period 1 April 2009 to 31 March 2010. The report shows that:

In the period reported, a total of 140 complaints were received about children's social care services (compared to 52 complaints received for the same period last year). 140 complaints equate to 4% of the 3199 cases recorded as open at the end of the period.

The majority of complaints related to one (or more) of the following;

1. Communication issues
2. Failure to meet standards
3. Failure to provide services

Of the 140 complaints received, 11% were upheld, 21% were partially upheld, 42% were not upheld, 4% were withdrawn or not investigated (e.g. due to legal action), and 7% are ongoing. The outcome of the remaining 14% was not relayed to the complaints team, an issue that will be addressed in future reports as the result of more robust procedures. Notably, 28 of the 140 complaints (i.e. 20%) were lodged by 12 'multiple' complainants.

The majority of complaints were submitted by parents or carers (64%) or another relative of the child concerned (19%). 6% were submitted by a child directly, whilst a further 4% were received via an NYAS advocate. 7% came from someone unrelated to the child. And the remaining 4% were received from MPs.

A significant increase in the total number of complaints received (169%) has challenged our ability to respond within the 10 working day timescale. This is an issue which will be addressed through a review of processes and the delivery of complaints handling training to responding managers. A consistent emphasis on early, informal resolution of concerns is expected to significantly reduce the number of complaints, thus enabling swifter response to those that are received.

The numerous routes by which complaints are received has also been a challenge. The nature of email (for example) which enables complainants to copy a complaint to numerous recipients instantly has highlighted the need for specific guidance regarding how to respond to complaints from the various routes.

As with previous years, the number of complaints received directly from children and young people is relatively low (just 8 of the 140 received). By working in partnership with the advocacy agency NYAS, it is hoped that a higher proportion of complaints will be received from children themselves.

Whilst data regarding compliments was not collated for the 2009/2010 period, compliments are recognised as an important indicator of good practice and will be included in future reports. Both compliments and complaints are a valuable source of information from customers, which enable us to reflect on, learn from, and improve the services we deliver.

2. Complaints: A definition

A complaint can be described as an expression of dissatisfaction about a given situation. All complaints received by Cambridgeshire County Council are dealt with under one (or more) of the following procedures;

1. the statutory social care complaints procedure
2. the Schools complaints procedure
3. the Council's corporate complaints procedure

Complaints (received via any employee of Cambridgeshire County Council, at any level) are directed to the relevant department dependent on the nature of the complaint. Issues regarding the delivery of social care services are dealt with under the relevant social care complaints procedure. Similarly, complaints regarding the delivery of school related services are responded to according to the school's complaints process. For all other complaints, the corporate complaints procedure applies.

Whilst MP enquiries (previously dealt with by the complaints team) are now responded to by the Communications Team, the complaints team remains available to offer support where necessary.

3. Complaints Policy

The framework for complaints handling is laid out within the Children's Act (1989) Regulations 2006. The complaints process currently consists of three stages;

STAGE 1: Local Resolution

STAGE 2: Independent Investigation

STAGE 3: Review Panel

Complaints are received via a number of routes including telephone, letter, in person, online via our customer portal and (increasingly) by email. Cambridgeshire County Council aims to resolve all complaints at the earliest possible stage and at the lowest possible level. If a complaint cannot be resolved at Stage 1 or if it is of a particularly serious nature, it can be progressed directly to Stage 2 of the process.

In the event that a complainant has exhausted the Council's complaints procedure but remains dissatisfied with the outcome, they are entitled to approach the Local Government Ombudsman (LGO). As of 1st April 2009, a complaint lodged with the LGO before a Council has had reasonable opportunity to respond will not be

considered. The LGO will deem such complaints to be 'premature' and will direct refer them to the Council for processing in accordance to the Council's complaints procedure.

A summary of the complaints process and applicable timescales is provided in Appendix A.

ACTION

Cambridgeshire County Council's current complaints and representations policy (2007) will be reviewed during the first quarter of the new financial year to ensure clarity, consistency and quality practice. As part of this review, the Customer Care Manager will liaise with complaints colleagues from other Local Authorities in order to identify and incorporate examples of best practice, resulting in robust and effective procedures.

4. Management of the complaints process

During the 2009/2010 period the role of Customer Care Manager (for both Adults and Children's complaints) was shared by two complaints managers working a total of 42 hours per week – supported by one full time administrator. Following reorganisation in March 2010, Children's Services now has one dedicated Customer Care Manager (21 hours per week) and one full time Business Support Officer. As the Customer Care Manager can now focus solely on complaints about children's services, it is anticipated this will lead to more effective and efficient management of the complaints process.

During the reported period 93% complaints were resolved at Stage 1, compared to 83% in the previous period. 2.9% of complaints were progressed to Stage 2, which compares to 8% in the previous period. This suggests a significant improvement in the Council's ability to resolve complaints at stage 1.

When a request for Stage 2 is received, a meeting between the complainant and relevant managers is offered in the first instance. This often results in the matter being resolved in advance of a Stage 2 being progressed. Similarly, a meeting between the complainant and senior managers post Stage 2, often results in resolution prior to Stage 3. In the period 2009/2010 no complaints were progressed to Stage 3.

Of three complaints referred to the LGO, the ombudsman concluded that there was no further case to answer with respect to one and two were deemed premature complaints (1 of which is now being considered again by the LGO)

At present Social Care Complaints are recorded on the Respond database. However due to issues of functionality with this system, alternatives are currently

being considered which will better support the complaints process. It is anticipated that an improved system will be implemented during the second half of 2010.

ACTION

To further support the management of complaints, from 1st April 2010 statistics for Children's Social Care Complaints will be produced more frequently (i.e. on a quarterly basis). Quarterly reports will be generated in the month subsequent to the end of the relevant period (e.g. Statistics for April 1st to June 30th will be reported by July 31st). This will serve as a more frequent indicator of performance and enable identified trends to be responded to more swiftly.

5. Advocacy

In the event that a child wishes to complain about our services, they are encouraged to take advantage of support offered by the National Youth Advocacy Service (NYAS), the details of which are included in our complaints leaflet. Although very few of our complaints have been made by children on their own behalf, NYAS has also been involved in situations where the child has not complained themselves (e.g. due to disability) but the family have complained on their behalf.

ACTION

The complaints team will be liaising with NYAS to explore ways in which children and young people can be enabled to voice comments or concerns for themselves. It is hoped that this will result in a greater proportion of complaints received from this group and reflected in future reports.

6. Training and development

During 2009/2010, complaints team resources were shared between Adults and Children's Social care complaints, and the majority of (complaints team) training resources were devoted to training staff about the new Adults Social Care Complaints process. However, training regarding Children's Social Care complaints was presented to newly recruited Social Workers as part of the Council's Values & Principles training and is expected to become a regular module on the training and development programme.

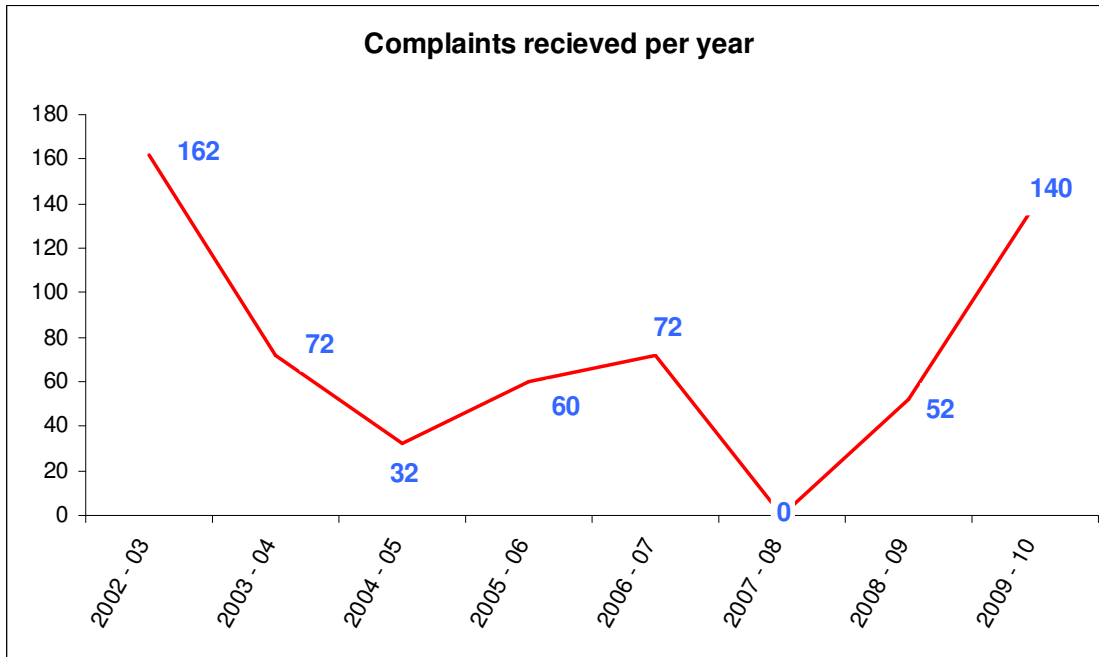
ACTION

Children's Social Care Complaints now has a dedicated team who can respond to training and development needs within the service. In response to the issues highlighted within this report, the Customer Care Manager will be delivering targeted training to specific teams within the next three months (then as needed) in order to

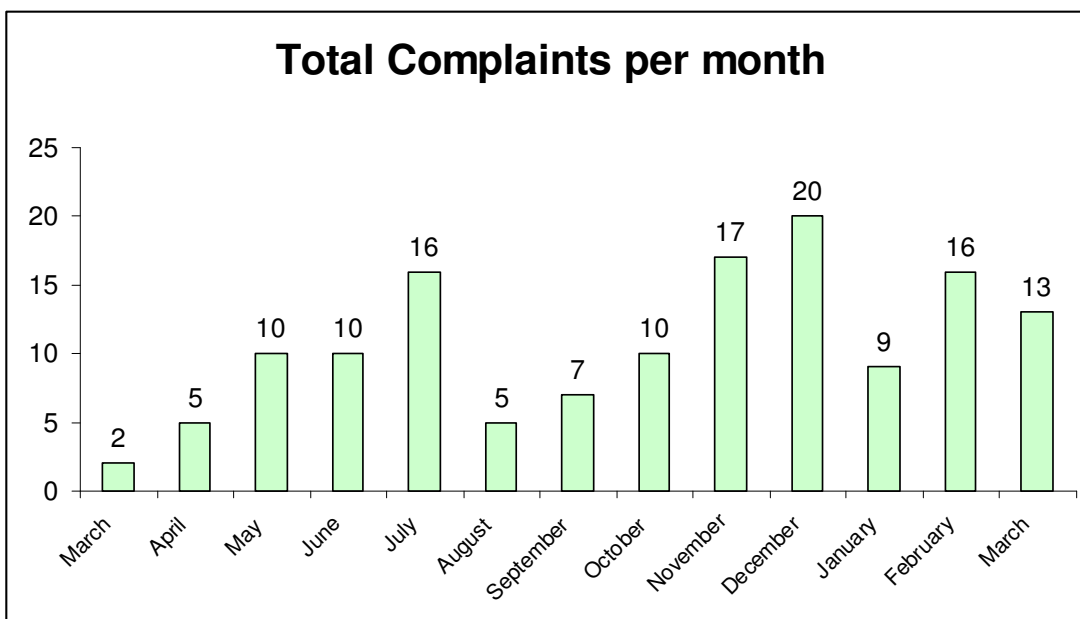
develop staff skills and knowledge with respect to complaints handling. In addition, the Customer Care Manager will be attending regular six monthly meetings with teams to discuss a proactive response to identified trends.

7. Analysis

NUMBER OF COMPLAINTS RECEIVED



Note: No data is available for the period 2007-2008



Although there has been a significant increase in the total number of complaints received this year (169%), this is not necessarily a reflection of falling standards in

service delivery. The increase may be due to greater awareness by service users of their right to complain or to service users having higher expectations of the service.

In addition, some customers accessing Children's Social Services do so as the result of statutory intervention due to concerns for a child or young person's welfare. These customers do not always welcome Social Service involvement and deem it to be intrusive or based on false information which results in complaints.

Consideration of complaint numbers should also take into account the following;

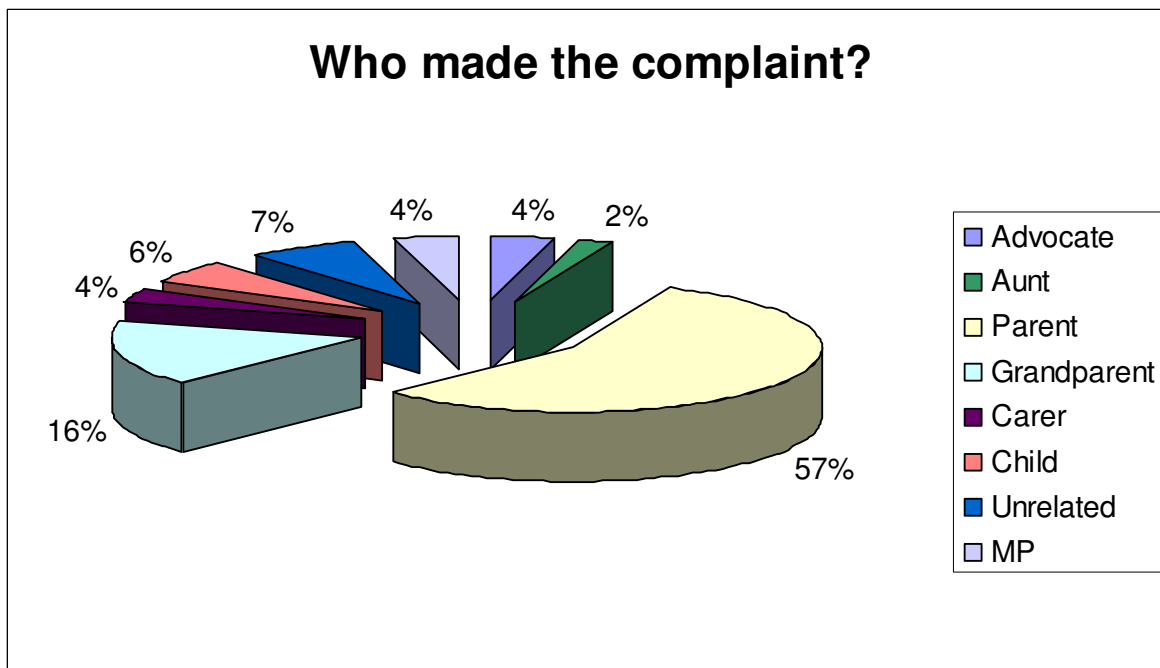
- a) the proportion of complaints compared to the number of children and young people receiving a service (4%).
- b) the proportion of complaints (i.e. 20%) lodged by 'multiple' complainants.
- c) staff vacancy rates at various times during the period, which may impact on quality of service provision and be reflected in the number of complaints received.
- d) Other pressures on the service which may affect service delivery (e.g. complexity and volume of open cases, the priorities of particular staff at a given time).

The specific impact of considerations which have a negative effect on the number of complaints is difficult to quantify. However, it is important to recognise and act to minimise potential impact.

ACTION

Where there is a significant increase in the number of complaints received, the Complaints Manager will liaise with the responding manager/s and Area Manager/s in order to identify the cause and agree potential solutions. This will result in effective management of the volume of complaints, whilst providing support for the teams concerned.

WHO ARE OUR COMPLAINANTS?



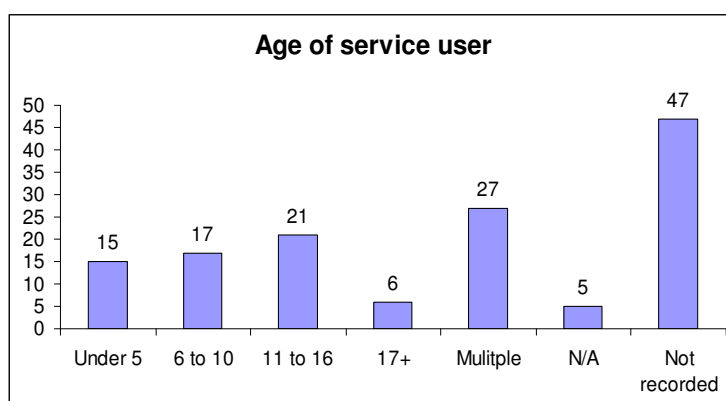
The majority of complaints are received from the parents or carers of children (61% in total). 23 were lodged by grandparents and 3 by another relative. Although there is no previous data to evidence the trend, it appears that the proportion of complaints from grandparents is increasing.

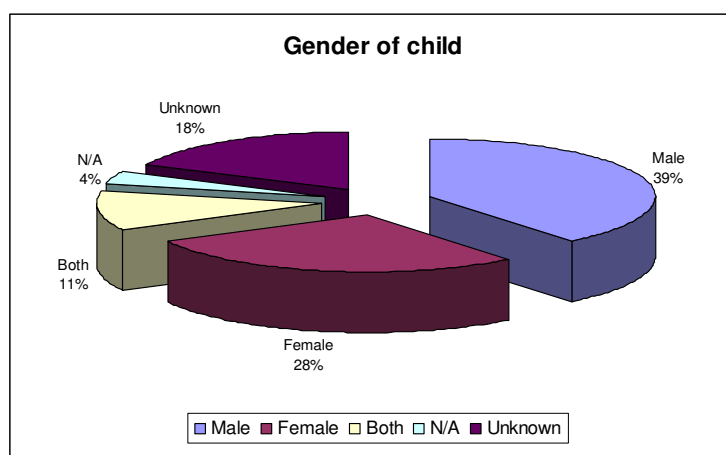
Very few of the total complaints received originated from the child or young person themselves (8) however a further 6 complaints were received from children and young people via a NYAS Advocate. The age of service users involved (and their ability to initiate a complaint) must be taken into consideration.

ACTION

As per point 5 above (Advocacy) the complaints team will be liaising with NYAS to explore ways in which children and young people can be enabled to voice comments or concerns for themselves. It is hoped that this will result in a greater proportion of complaints received from this group and reflected in future reports.

WHO ARE THE SERVICE USERS CONCERNED?





The ages and genders of service users are illustrated in the graphs above. 'Multiple' refers to those complaints where more than one child is referred to in the complaint. That 18% of complaints received are categorised as 'unknown' indicates that current practice needs to improve with respect to recording data. One explanation for the lack of data is that the feedback form currently used (SOC1014) records data for the complainant rather than the service user. It can be argued that data pertaining to the child is more relevant, as this could guide the Council with respect to allocating resources to specific services.

ACTION

As part of the review of current policy and procedure, the complaints manager will be reviewing what data is collected, how and why? Current systems will then be revised as necessary to ensure that relevant data is captured in an effective manner. This will enable more meaningful reporting which will in turn enable more effective allocation of resources.

Prior to the end of the reported period, the complaints team had already implemented a spreadsheet (for its own use) which has been adapted to enable capture of relevant data.

COMPLAINT BY ISSUE

Recurring themes in complaints at Stage 1 include;

1. Lack of communication (e.g. Customers not being informed/consulted in a timely fashion)
2. Standards not being met (Inaccuracies in records and reports).

3. Failure to provide services (e.g. allocated SW, respite)

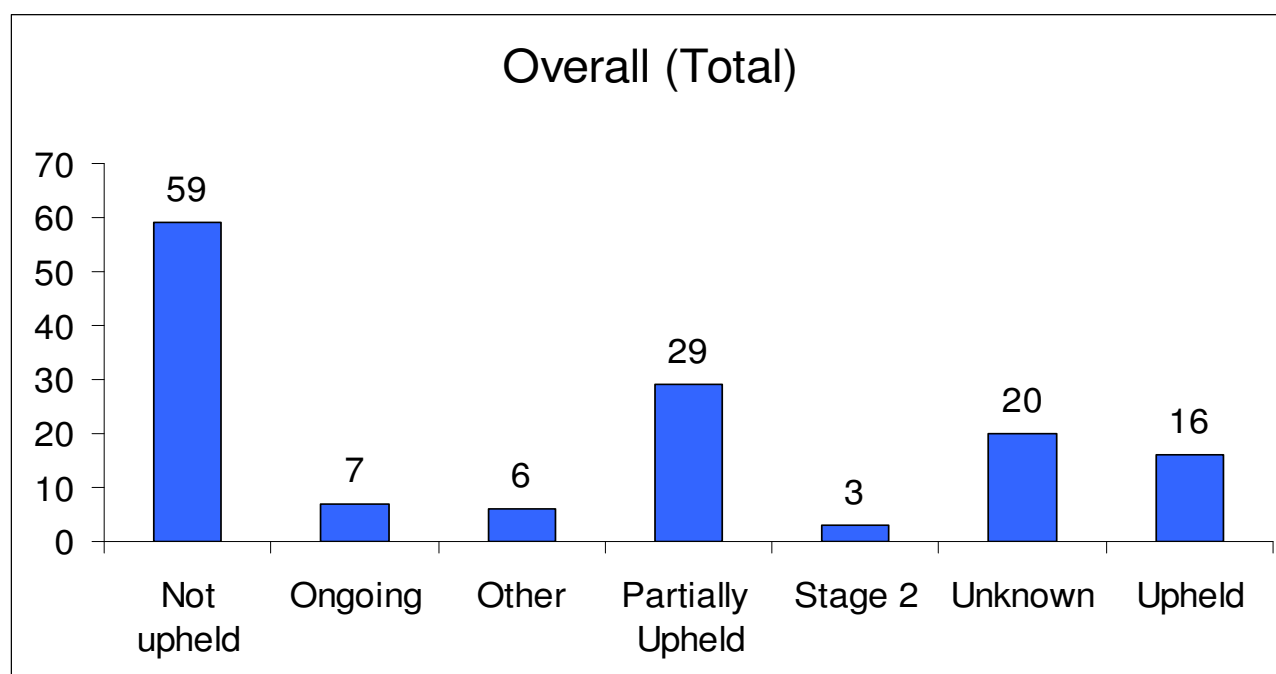
For the second consecutive year, communication issues have prompted the largest number of complaints. Customers report that staff have failed to explain situations and to keep them informed in a timely manner. A recognition of recurring themes and proactive response would significantly reduce the number of complaints received.

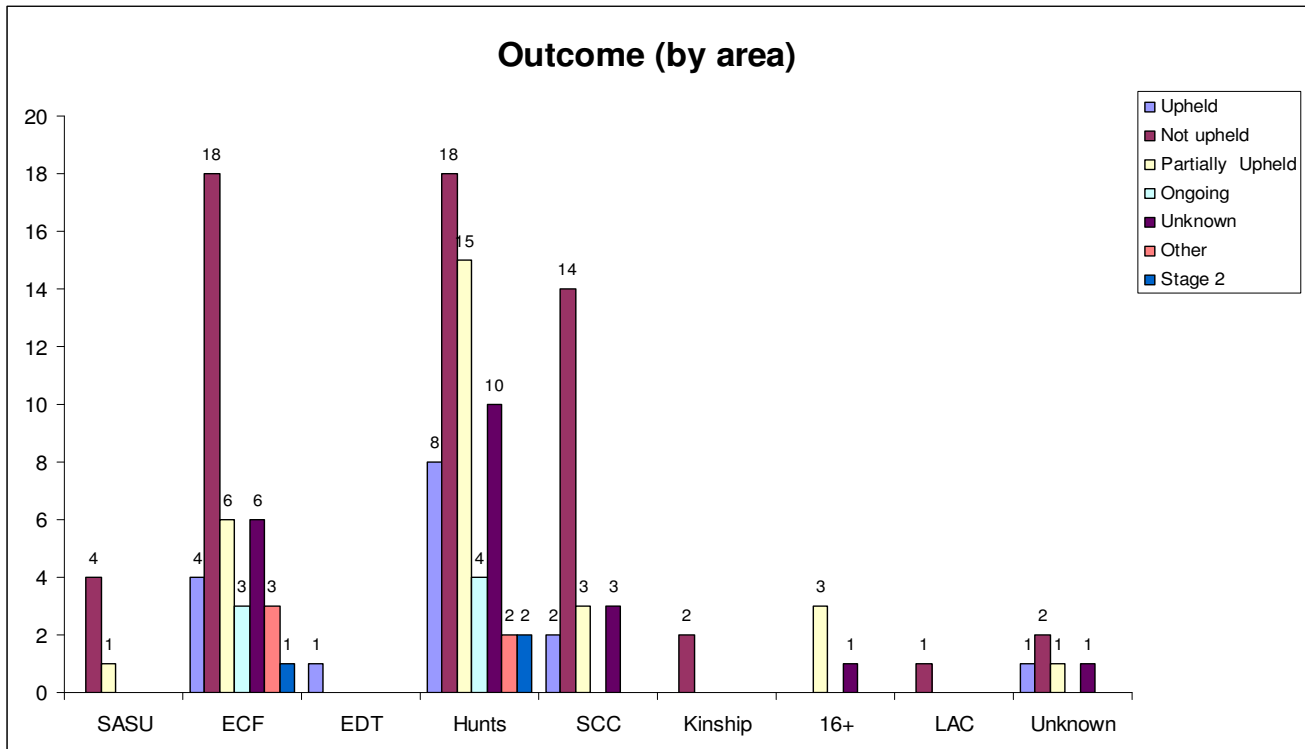
By addressing the most frequent issues of concern (e.g. communication) many complaints could be avoided altogether. However, if complaints do arise, the manner in which a team responds (and the quality of that response) significantly affects the outcome of the complaint.

ACTION

As previously mentioned, the complaints manager will be delivering targeted training to teams (within the next three months then as necessary) at which the recurring themes will be highlighted. The complaints manager will also be attending team meetings (6 monthly or as necessary) to discuss the nature of complaints raised and ways to address the issues.

OUTCOME OF COMPLAINTS



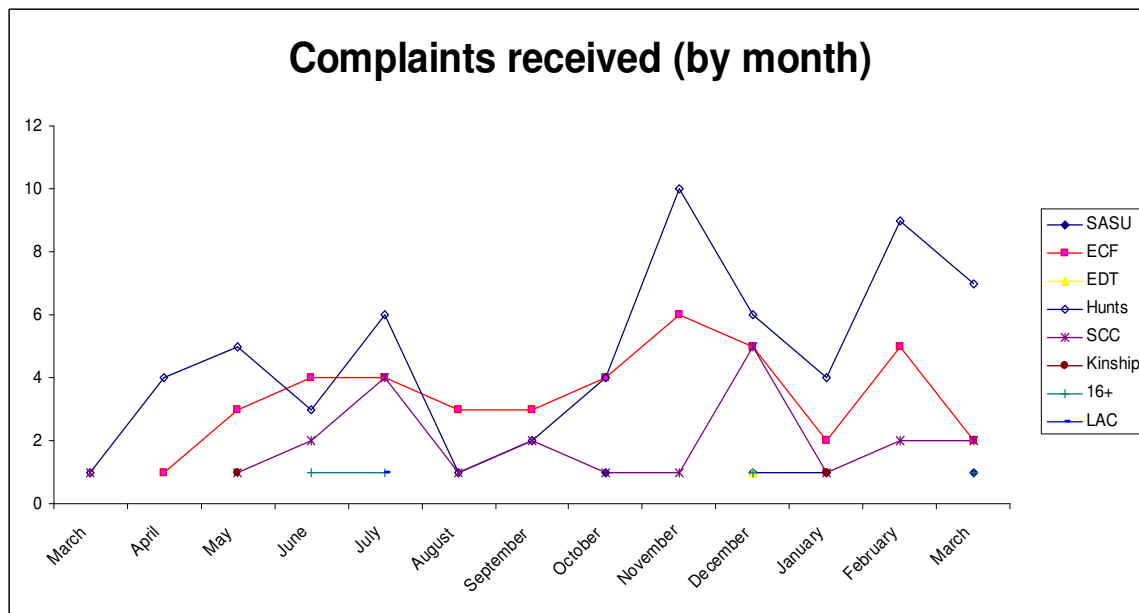
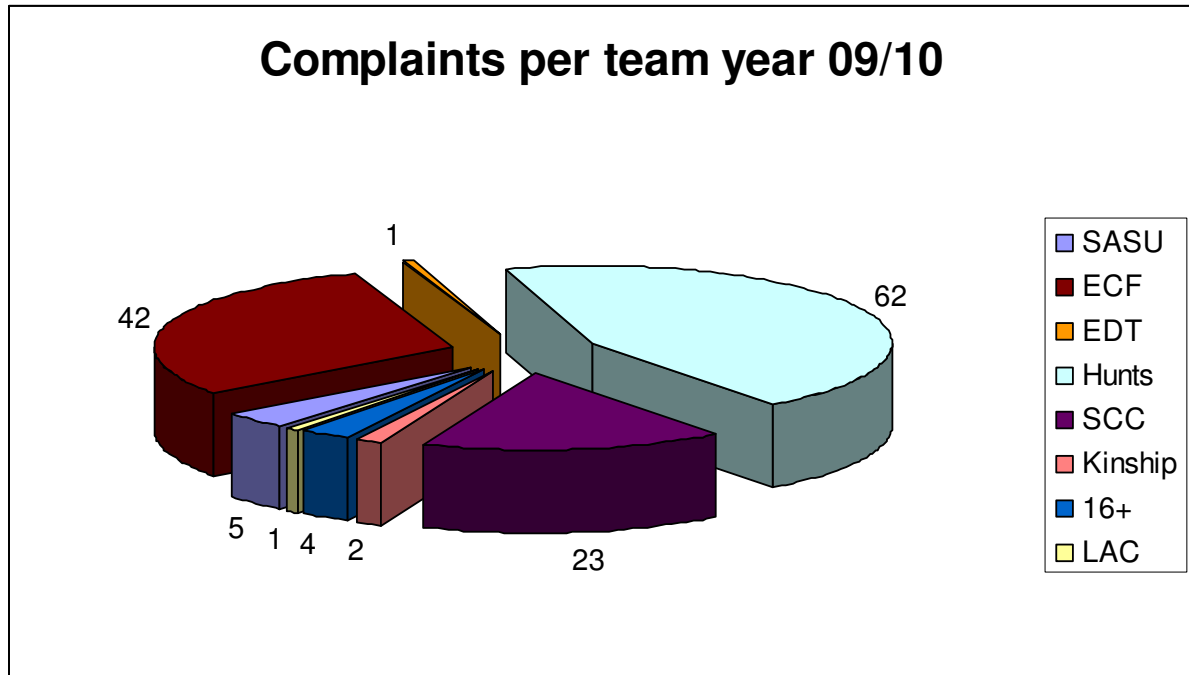


A relatively small proportion of complaints were upheld (11%) or partially upheld (19%). This compares to 9.6% (upheld) and 5.7% (partially upheld) for the previous year, which indicates a significant increase in the proportion of complaints which are partially upheld. Only one issue within a complaint needs to be upheld in order for that complaint to be categorised as such, and in a number of cases it was failure to clearly communicate with complainants (e.g. about policies and procedures) rather than poor practice which led to complaints being partially upheld.

ACTION

During delivery of training and attendance at meetings, the complaints manager will highlight those issues which lead to complaints being partially upheld (and upheld) so that the reoccurrence of these can be minimised. As a result, it is expected that the proportion of complaints which are partially or fully upheld will reduce over time.

BREAKDOWN BY AREA TEAM



SCC has attracted a significantly lower number of complaints compared to other areas (16%) which equates to less than 2% of open cases. This is in contrast to the 2008/2009 period when SCC dealt with approximately 57% of total complaints received. SCC tends to respond to complainants swiftly and effectively. This approach applied to service delivery may explain the teams low complaint numbers. It may also be that SCC's approach leads to many issues being resolved informally.

ECF received 30% of total complaints, which equates to around 4% of open cases. The team consistently responds to these in an effective and timely manner and the

presence of a single Business Support contact between ECF and the complaints team serves to enable this.

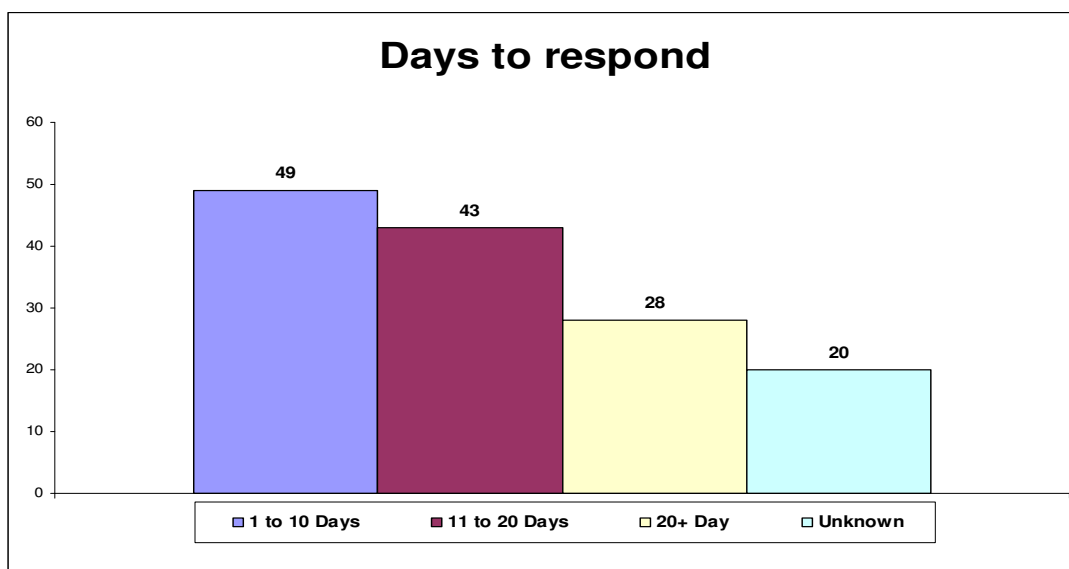
Compared to the other two areas, the Huntingdon team have dealt with the greatest number of complaints (44%) which equates to 6% of open cases. This volume of complaints has resulted in significant pressure on the team which has impacted on their ability to respond within a timely manner. Failure to respond within timescales serves to exacerbate the issue, as it leads to further complaints and additional work for all involved. This leads to less time spent on service delivery, which can also lead to further complaints.

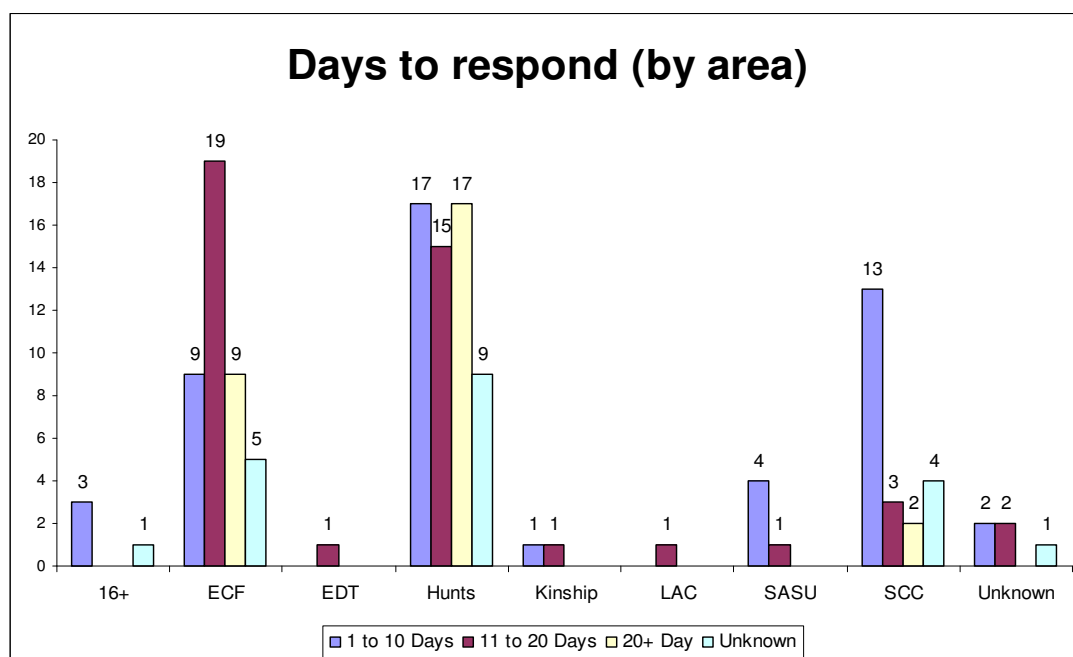
The number of complaints received regarding the Safeguarding and Standards Unit, EDT, Kinship, LAC and 16+ teams combined accounts for just 9% of total complaints. Of those complaints received, a high proportion is resolved at an early stage. This is to be commended.

ACTION

The complaints team now circulates (and will continue to circulate) a summary of complaints to all teams on a weekly basis. This enables managers to review the volume, nature and status of complaints being dealt with by each team, and to consider the impact of and implement a response to issues identified. Particular issues are highlighted by the complaints manager, who will liaise with the manager concerned in order to address any concerns.

TIME FRAMES FOR RESPONSE





The data above reveals that a significant number of Stage 1 responses are not being provided within the required 10 working day period. In a small proportion of cases this can be attributed to the complexity of complaints received.

A number of delays in response have been caused by staff workload or absence; however, the regulations state that a response can be delayed only if the complaint is of a particularly complex nature (and then only by another 10 working days maximum). Therefore workload or absence is not an acceptable reason for delay and respondents must prioritise their commitments accordingly. Furthermore, if a response is going to be delayed, the complainant can expect to be notified in advance of the due date. Despite the complaints team 'chasing' responses as a matter of course, there are occasions when teams fail to respond to the team and/or notify that the response will be delayed.

One issue which leads to delay is if the respondent initially identified is absent for any reason (either at the time of or subsequent to receipt of the complaint). This highlights the need to ensure that a 'second respondent' is identified who can progress the investigation and response in the event of absence.

Failure to provide a Stage 1 response within the 10 working day period, entitles complainants to request immediate escalation of their complaint to Stage 2. Stage 2 can be very time consuming for the area team and very costly to the service. In the period reported, the cost to CYPS of responding to complaints at Stage 2 was in excess of £7000. The average cost of a Stage 2 investigation is £1700 per case.

ACTION

Failure to provide responses within a timely manner will be discussed with the manager of the team concerned as necessary, in order to identify and address the cause for delays. It is expected that improvement in response times will be reflected in future reports.

Where possible, responding managers will notify the complaints team of who will respond to complaints in their absence. Where necessary, the area manager will identify an appropriate respondent.

8. Lessons learned

Cambridgeshire County Council views complaints as a valuable source of learning and improvement. In particular we have learned the value of customer input with respect to the clarity of processes and procedures. As a result, complainants have been invited to contribute (where appropriate) to the review of procedures regarding (for example) Child Protection Conferences. There are also plans to introduce a 'Pre-birth Protocol' for parents who intend to relinquish their child after birth, and foster carers have been encouraged to comment on the quality of information provided to them through out the fostering and adoption process.

In addition to the examples given, a number of actions for service improvement have been identified through out this report. Cambridgeshire County Council is committed to continuous learning and development and feedback from customers is crucial to this.

9. Conclusion

Complaints and compliments are a valuable source of information from which Cambridgeshire County Council can learn, develop, and improve. Whilst the past year has proved challenging with respect to the volume of complaints received and our ability to respond within specified periods, we are committed to addressing the issues and providing evidence of this in future reporting.

In order to develop a quality approach to management of compliments and complaints we will undertake the following;

1. A review and revision of current policy and procedure to ensure clarity, consistency and best practice.
2. Increased frequency of reporting (i.e. quarterly) to enable swift response to identified trends.

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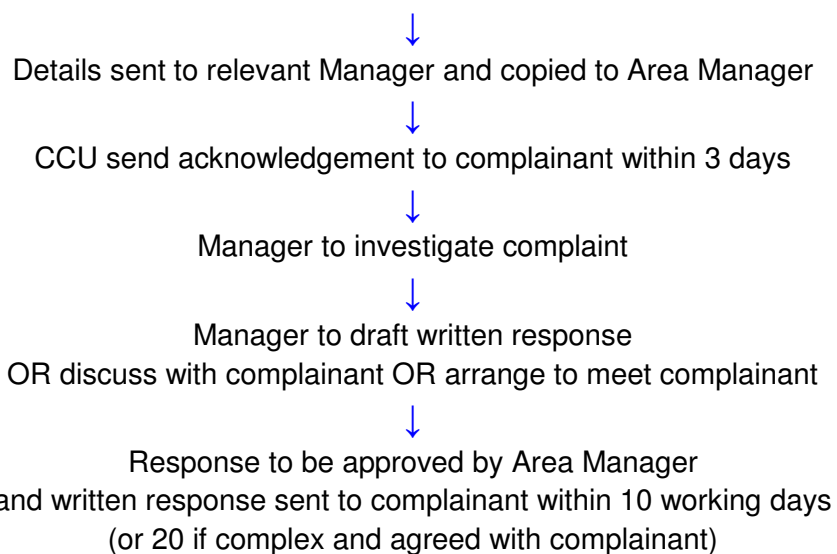
3. Liaison with NYAS so that children and young people are enabled to lodge comments and complaints about the service they receive.
4. Delivery of targeted training to enable a proactive and effective response to complaints.
5. More regular face to face contact (at meetings and training) between the complaints team and area teams to enable discussion and response to highlighted issues.

As a result of the above it is anticipated that procedures with Children's Social Care Services will be robust and effective, and that learning from comments and complaints will lead to real service improvements. The evidence of which will be reflected in future reports.

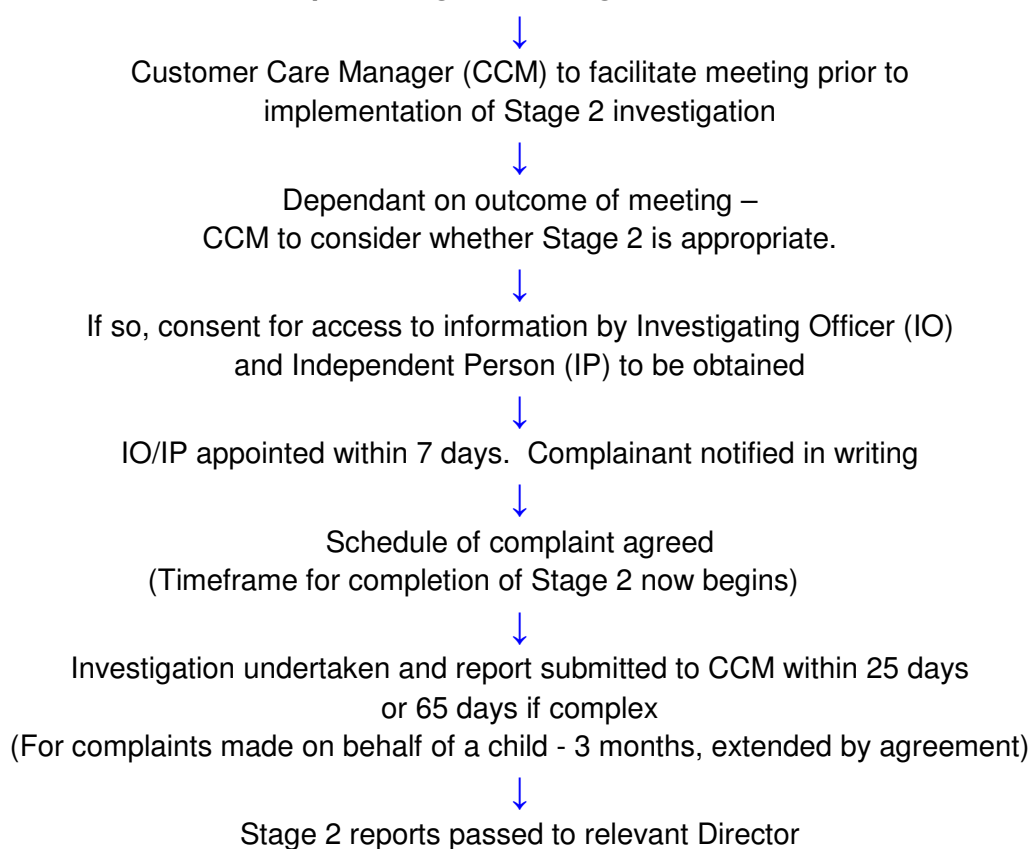
10. Appendix A

The Children's Social Care Complaints The Process

Complaint received by Customer Care Unit (CCU)



Complainant has 20 days to notify if dissatisfied (Request Stage 2 - must give reasons)



Director will confirm actions to be taken in writing and will decide if IO/IP reports will be released to complainant. Letter will offer meeting with Director and CCM to discuss

↓
**Complainant has 28 days from date of letter to notify if still dissatisfied.
Request Stage 3: Review Panel - must state reasons**

↓
CCM will acknowledge and ask for reasons in writing

↓
Panel of 3 Independent Persons will be appointed

↓
All information to date provided to Panel members and Director

↓
Panel meeting to be arranged within 28 days of request

↓
CCU to notify complainant at least 10 days in advance of date,
time, venue, agenda and attendees

↓
Complainant may bring up to 3 persons (in non legal capacity) for support

↓
A copy of all documentation will be provided to each attendee at least 5 days in advance.

↓
Panel meeting will be informal but structured. All will have opportunity to contribute

↓
After meeting, panel will convene in presence of CCM
(CCM will not participate in discussions or decision making)

↓
Panel conclusions and recommendations are agreed and sent to identified 'Chief Officer'
(Director level or above)

↓
If recommendations lie within responsibility of another Panel or Committee (e.g. LSCB or
Adoption Panel) Chief Officer may confer with relevant party.

↓
Chief Officer will decide on action to be taken. If complainant is a child, this decision must
be made with the Chair of the Panel

↓
Chief Officer will confirm their decision in writing within 28 days of receiving Panel
recommendations (copied to complainant and Panel members and those who received
recommendations)

↓
If complainant is a child, where possible the responsible Manager will meet with the child
(prior to the letter being sent) to discuss the decision.

↓
If complainant remains dissatisfied they can then approach the LGO

STAGE 3

