

CHILDREN, YOUNG PEOPLE AND FAMILIES DIRECTORATE

**Extract from minutes of Children, Young People & Families Overview
and Scrutiny Committee Complaints Working Group, Tuesday, 30
January 2007**

“It was noted that no comments had been received by Members of the Working Group from O&S Members on the Half-Year Complaints Report.”

AGENDA MANAGEMENT SHEET

Name of Committee	Children, Young People and Families Overview And Scrutiny Committee	
Date of Complaints Working Group	30th January 2007	
Report Title	Half Year Report on CYPF Directorate Complaints and Representations April – September 2006	
Summary	<i>This report comments on the operation and effectiveness of Children, Young People and Families Directorate Complaints and Representations procedures over the first six months of this financial year.</i>	
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Would the recommendation decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]	No.	
Background papers	Childrens Social Care Complaints Annual Report 2005-6 Complaints Task Group Report December 2006	

Children, Young People and Families Overview And Scrutiny Committee

Report to Complaints Working Group January 2007

Half Year Report on Children, Young People and Families Representations & Complaints April - September 2006

Report of the Strategic Director of Children, Young People and Families Directorate

Recommendation

Committee Members are asked to:

1. Note good performance and areas for improvement
2. Receive a full year review in July 2007
3. Raise issues for further consideration and comment with a member of the Complaints Working Group in advance of their meeting with officers 30th January 2007

1. Process

Further to the agreed recommendations from the Complaints Task Group to the Children, Young People and Families Committee in December 2006, the half-yearly report is now being circulated for consideration and comment to this Committee by e-mail, prior to the meeting of the formally constituted Complaints Working Group 30th January 2007. All comments and queries should be raised with Cllrs Ross, Wells or Dill-Russell in advance of their planned meeting with officers 30th January 2007.

2. Introduction

WCC has a corporate complaints procedure. It is an expectation that relevant Overview and Scrutiny Committees receive six monthly reports detailing the operation and effectiveness of the corporate complaints procedure within their area of responsibility, and provide Members and senior officers with anonymised information about the

numbers and types of complaint received, the time taken to deal with them and their outcome. This information should be used as a measure of performance and a means of quality assurance.

The services within this Directorate subject to the corporate complaints procedure are the Education Services. However, the corporate procedures are adapted to reflect how they link to the Schools Complaints Procedures. In effect, this means that school complaints are dealt with at Stage 1 by Head Teachers, at Stage 2 by the School Board of Governors, and only enter the corporate complaints procedures at Stage 3, when complaints are considered by the Directorate complaints officer.

Additionally, there is a separate 3 stage statutory complaints and representations procedure for handling complaints about childrens social care services, which imposes similar expectations for regular reporting to Members.

Summary data from all Directorates is then presented to the Resources, Performance and Development Overview and Scrutiny Committee, to provide the Council with an overview of how effectively complaints and representations are being handled across all Directorates.

NB: Concerns raised about school admissions are dealt with through a separate Admissions Appeals process, as are Exclusions, and are not reported on here. There is also a separate Special Educational Needs and Disability Tribunal.

3. Performance

Details of this Directorate's performance in handling complaints and representations over the six months April – September 2006 are attached.

Key points to note are:

- ♦ Nearly all complaints relating to Education services are resolved through the individual schools' complaints procedures. Only small numbers are formally considered under Stage 3 of the corporate complaints procedure.
- ♦ The majority of childrens social care complaints are resolved locally at Stage 1 of our complaints and representations procedures. This compares well with other local authorities, and reflects a consistent level of achievement over a number of years.

4. Progress 2006 - 2007

Progress towards the key areas we agreed to focus on this year has gone well:

- Launch and roll-out of the new childrens social care complaints and representations policy and procedures, as approved by Cabinet 12th October 2006, completed.
- Development underway of a range of supporting documents and guidance for customers to support the new childrens social care complaints procedures
- Developed the Independent Persons pool with Coventry and Solihull for Stage 3 childrens social care Review Panels, and putting in place mechanisms to firm up the recruitment, retention, payment and competency development process for IPs

Karen Smith, Customer Relations Manager
Craig Pratt, Principal Administrative Officer - Pupil and Student Services

Childrens Social Care Complaints And Representations Dataset 2006-7

1. Introduction

We must, by law, have an effective Representations and Complaints Procedure to enable our customers to challenge childrens social care decisions and actions, in compliance with the Children Act 1989, the Adoption and Children Act 2002 and the Health and Social Care (Community Health and Standards) Act 2003.

Service users, or those acting on their behalf, should have the right to express a view concerning services offered, provided, or not provided by the Children, Young People and Families Directorate. The procedure should be accessible to all sections of the community, robust in meeting timescales and in attempting to solve problems as close to where they happened as possible. We must, by law, produce an annual report to tell Members about how the representations and complaints procedure has been used.

Representations are any comments made about the availability, delivery and nature of services provided by us to individuals or groups. They are not just criticisms. We seek out and welcome this information – it is important to know when customers are pleased with the services they receive, to look at the suggestions for service improvement they put forward, and to try to resolve any problems they experience.

We encourage all staff to respond quickly and clearly to any concerns that are raised by individuals or groups. However, it may not always be possible to sort out problems in this way. Sometimes a more detailed investigation may be required. This report explains the different stages of the representations and complaints procedures and how they are managed. The statistics we have used are based on the information we have been given by teams and units across the Directorate.

The Three Stage Process

There are three stages within the Childrens Social Care Representations and Complaints Procedures:

Stage 1:

We aim to resolve most complaints as close as possible to where the problem first arose. Local teams and units are responsible for responding as quickly and clearly as possible to problems. We aim to answer complaints at this stage within 10 working days, and to resolve as many complaints as we can at Stage 1 of our process.

Stage 2:

If someone is not happy with the outcome at Stage 1 they have the right to ask for their complaint to be formally investigated at Stage 2. People can also request an investigation at Stage 2 without having the matter considered at Stage 1. We might decide that the problems raised are too complex or difficult to deal with at Stage 1, so may recommend that some complaints are progressed to Stage 2 straight away.

Stage 2 complaints are usually investigated by Investigating Officers independent of the Council. We aim to send a report of the investigation to the complainant within 25 working days, or agree a different completion date with them if necessary. The appropriate Service Manager within the Directorate is responsible for responding to the complainant, outlining what action, if any, will be taken in relation to the recommendations arising from the investigation.

Stage 3:

If a Complainant remains dissatisfied with the outcome and recommendations at Stage 2 they have the right to request an Independent Review Panel. They will be invited to make a submission to the Panel, which consists of three Independent People. The Panel will consider the complaint, whether it has been properly investigated, and why the complainant is dissatisfied with the outcome. The Panel will then make recommendations for resolution to the Director. The Director then has the responsibility of responding to the complainant.

Local Government Ombudsman:

When our complaints process has been exhausted, people may ask for their complaint to be looked at by the Local Government Ombudsman. They need to do this within 12 months of receiving our final response

2. Key Complaints and Representations Data

Data	HALF YEAR	2005/6	2004/5	2003/4
Compliments	11	15	36	14
Complaints Received:				
Stage1	38 (81%)	139 (88%)	79 (95%)	101 (81%)
Stage2	8	17	4	20
Stage3	1	2	0	4
Representations against policy	0	0	1	3
Complaints as % of open caseload on Care First		2.2%	1.2%	2.8%
Of those received:				
From ethnic minorities	6	16	6	6
From young people	2	21	7	15
From young people leaving care	0	2	0	3
About	0	2	0	0

Data	HALF YEAR		2005/6		2004/5		2003/4	
externally provided services								
Investigations completed in period:	40		123		61		95	
Stage 1	7		10		3		11	
Stage 2	1		1		0		4	
Stage 3								
Timescale compliance:	23%		31%		30%		26%	
Stage 1: In 14 days	33%		58%		45%		48%	
Within 28 days	42 calendar days		36 calendar days		47 calendar days		46 calendar days	
Average time to complete	0		21%		0		0	
Stage 2: In 28 days	43%		78%		100%		39%	
Within 3 months	100 calendar days		60 calendar days		52 calendar days		110 calendar days	
Average time to complete								
Number of complaints justified:	Upheld	Partly	Upheld	Partly	Upheld	Partly	Upheld	Partly
Stage 1	20%	32%	23%	26%	25%	30%	10%	28%
Stage 2	16%	66%	20%	40%		100%	18%	36%

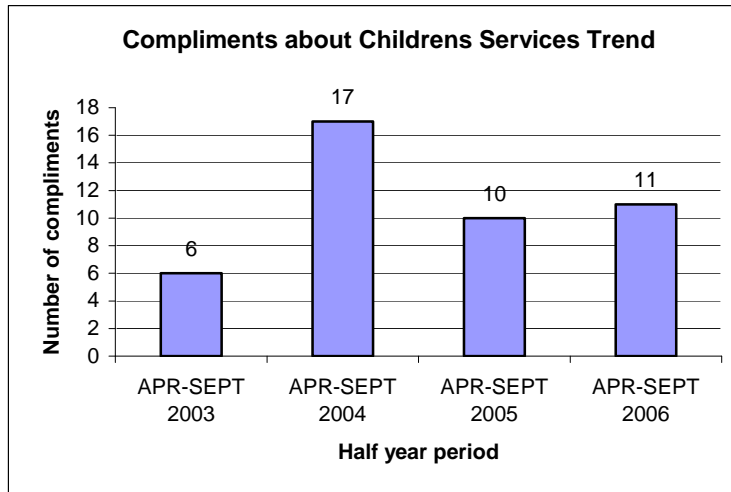
No adverse reports from LGO

3 complaints went to the LGO in this period, 2 were dismissed as No Maladministration and 1 was rejected under the Ombudsman's discretion.

3. Analysis

Compliments

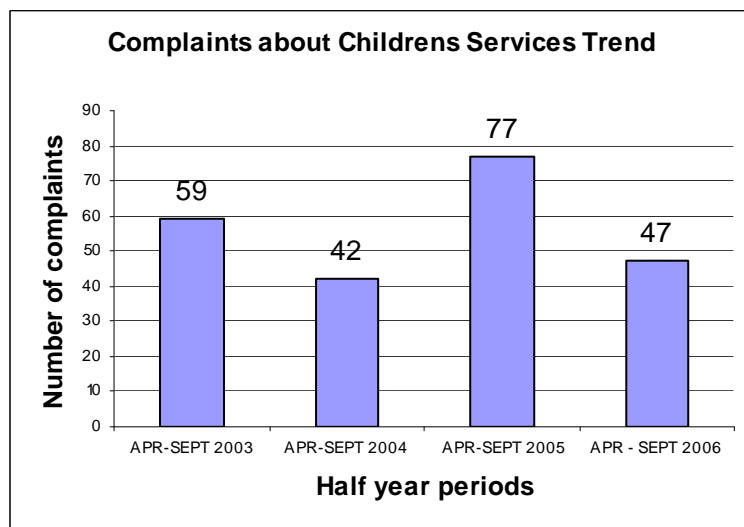
Historically, childrens social care services have always registered quite low numbers of compliments. This reflects the predominantly interventionist nature of child protection services, which are usually unsought and unwelcome to families. In the annual report we also suggested that this might reflect some failure to register compliments. There has been an increase in compliments registered, reflecting more effective registration practices, but there continues to be a surprising lack of compliments registered relating to non-interventionist services. Compliments are important indicators of positive customer satisfaction, and by virtue of the likely low levels for childrens social care services, are all the more important to identify positive care practices, service delivery methods, and support services which are valued by customers.



RECOMMENDATION: Further action is taken to strengthen registration processes, particularly in areas which would appear to lend themselves to possible compliments, such as fostering and adoption, children with disabilities, sessional support, and similar “support” activities relating to children in need.

Complaints

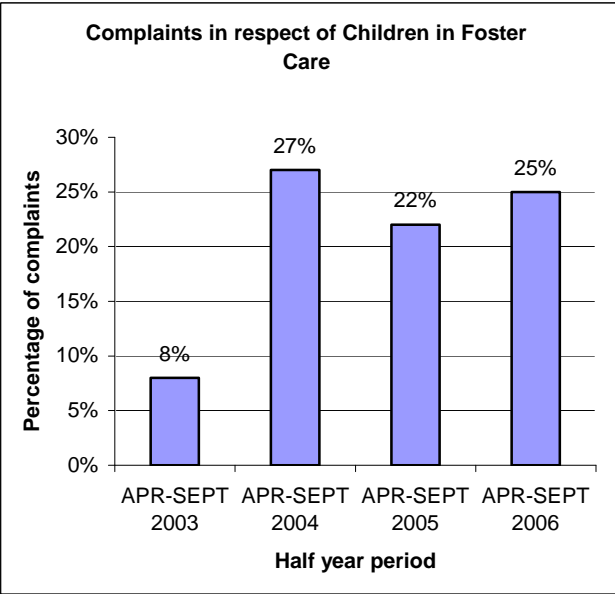
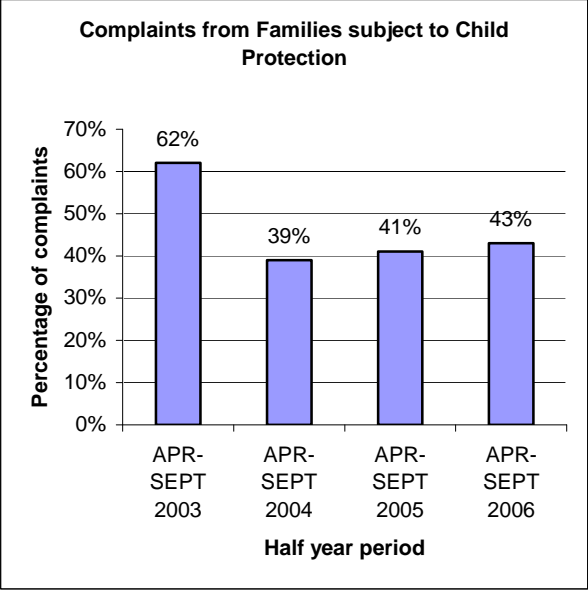
2005/6 saw a significant increase in complaints activity from the previous year (76%), but this now seems to have reduced back again to the levels of previous years. What has remained relatively high is the proportion of complaints which are moving on to Stage 2 and 3 of the complaints process.

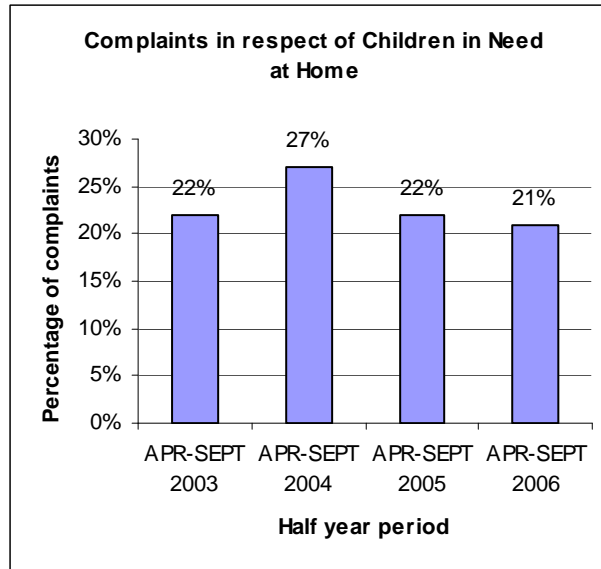


Some teams receive higher number of complaints than others, but these tend to be the larger teams with larger caseloads. There may be valuable lessons to learn regarding why some teams historically receive low levels of complaint registrations compared to others.

RECOMMENDATION: Managers compare relative performance for complaints management across teams and services to identify why some teams appear to have less customer dis-satisfaction than others. There may be lessons which can be shared about problem-solving processes, or alternatively improved registration of problem-solving activity in teams which is currently not being recognised. It is important to stress that registration of problem-solving activity is valuable because it demonstrates the accessibility of our complaints procedures and our willingness to openly and honestly reflect on our services and how they might be improved.

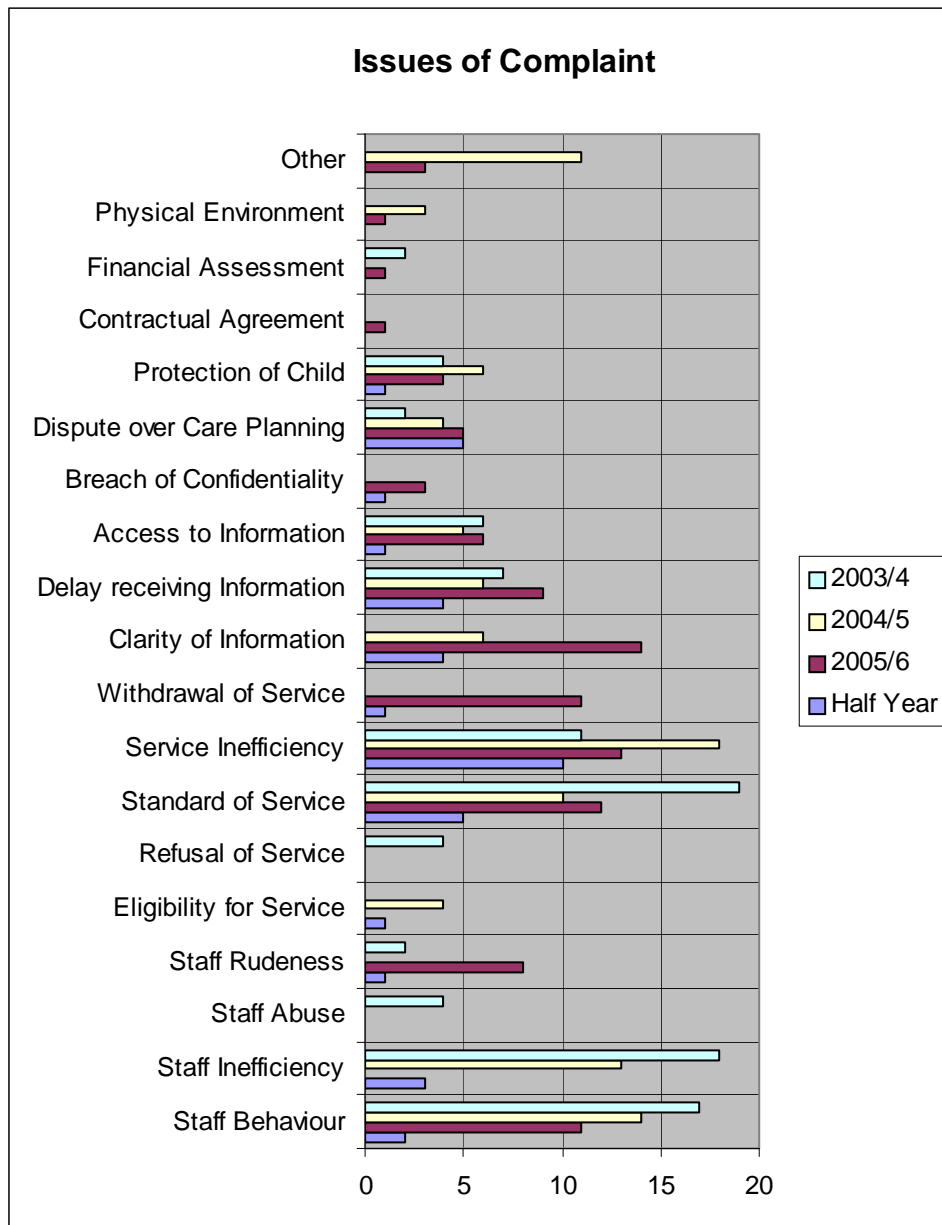
The link identified in the annual report between formal complaints and requests for access to records (because people do not have confidence in the accuracy of the information being used to support the investigative process) continues to be a significant element in not only the proportion of complaints moving to further stages in the complaints procedures, but also the time it is taking to resolve complaints. There is increasingly independent advice being provided to customers who are either involved or likely to be involved in court proceedings, or contemplating pursuing legal compensation, suggesting that pursuing a complaint, and access to records, can help them in their legal claim, and efforts to disrupt child care proceedings. For example, there are a number of websites advising this approach, such as www.socialservicesabuse.com , www.unity-injustice.5u.com , www.the-real-picture-of-uk-social-services.i8.com , www.pactsupportgroup.mysite.wanadoo





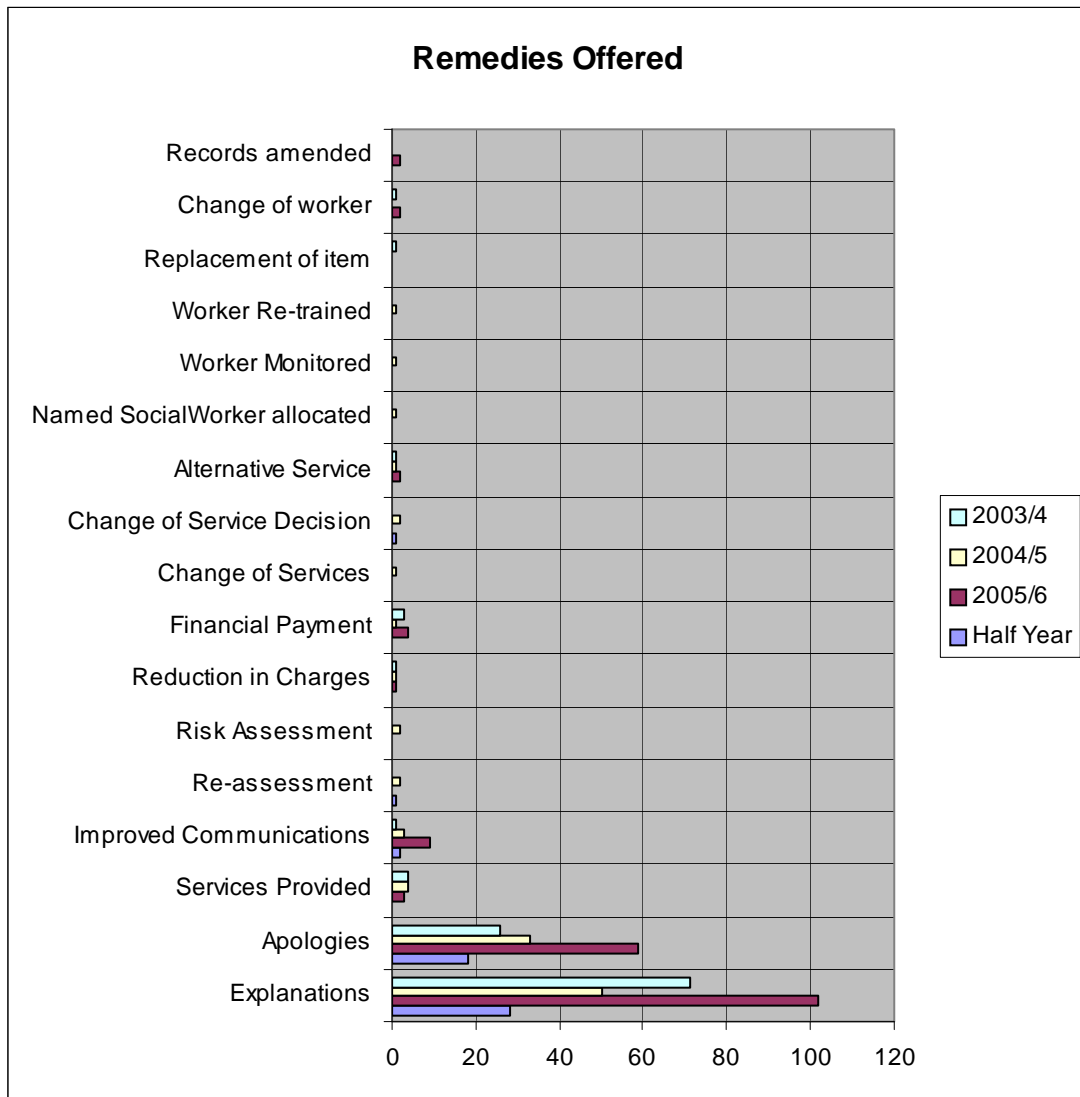
The graphs above illustrate the most common client groups who use our complaints procedures. Small numbers of complaints are also received from or on behalf of children with disabilities, looked after young people in residential care, and young people leaving care.

Most complaints, as would be expected, relate to child protection activity and investigations. However, there are also a significant proportion relating to young people in care, or receiving support at home. Social work support and care planning are significant areas of dis-satisfaction. The pattern of complaints activity has remained relatively consistent over the last 3 years. Young people are being enabled to access our complaints procedures, and support is being provided through the Advocacy support agreement with Barnardos.



Complaint issues are quite diverse, but important areas of dis-satisfaction are service standards, staff inefficiency, staff behaviour, and information/communication. There are consistently high levels of complaints focused on individual staff behaviour, but analysis shows that these are rarely upheld, and reflect more the “shooting of the messenger” when difficult and sensitive decisions are made and need to be communicated. An area of growing importance in clarity of information, where there are increasingly high levels of complaints.

Most complaints are resolved through providing clear explanations, and apologies where appropriate. It is worth noting that financial remedies are rarely used, and, despite the increase in complaints activity, particularly at Stage 2, most complaints continue to be effectively resolved at a local team level.



Childrens social care services continue to struggle to achieve the timescale targets for completing investigations. Improvements in average time to complete Stage 1s, achieved last year, have not been sustained.

RECOMMENDATION: Managers are asked to reflect on ways to improve timescale compliance at all stages of the procedure.

	Question	Very Satisfied	Fairly Satisfied	Neither Satisfied Dissatisfied	Fairly dissatisfied	Very dissatisfied
Number of surveys sent _32_	Kept regularly informed of progress of investigation	8%	33%	0	8%	50%
	Staff dealing with complaint were polite	17%	42%	33%	0	8%
Number of surveys returned _12_	Final response answered my questions	8%	17%	17%	17%	42%
	Response was clear	0	25%	33%	8%	33%
	Pleased with outcome	9%	0	27%	9%	55%

We have had a 38% return rate for our feedback questionnaire for Stage 1 investigations. Whilst this demonstrates that most people feel that staff dealing with their complaint were polite, many people were far less happy about the way their complaint was handled. Areas of particular concern are the number of very dis-satisfied people with how well they were kept informed about the progress of the investigation, the extent to which the response they received answered their questions, and how pleased they were with the outcome. Clearly, this feedback needs to be weighed objectively against other factors, including the small sample size, the correlation between these response areas and whether or not a complaint was upheld, and the likelihood that those who return feedback forms are more likely to be those who feel dis-satisfied with the process, which may be skewing results slightly.

RECOMMENDATION: Managers consider the need to improve their processes for keeping people informed of progress, and reflect on the clarity and comprehensiveness of their responses.

4. Sample of Compliments

WSSD/03310 From young person who is looked after, in praise of social worker in Bedworth " S has been really helpful to me, she supports me when

I go to court, helps me with family business, and recently stayed with me in hospital til late at night when I had frostbite.....”

WSSD/03323 From advocacy service on behalf of parents of a child with complex needs. “ C has worked closely with others and been very understanding of the parents views and feelings in respect to finding a suitable placement for P.....I would also add that C has kept me well informed as Ps advocate and has been willing to respond to suggestions throughout the search”

WSSD/03528 From parents of a child with disabilities about a respite break. “We would like to thank you so much for all the hard work you did to make it happen that A and I to have a short holiday together. It meant so much to me. As you know, L always has to come first. It was lovely just to be able to hold hands, and to sit in the front of the car instead of being in the back.....We relaxed knowing that everything would be ok.....”

WSSD/03504 From young adult accessing information about her adoption “Thank you for all your hard work going through and preparing your birth records. Your care and thoughtfulness in presenting it.....You made it all so much better. “

WSSD/03335 From prospective overseas adopter. “ Praise for S, saying looked forward to your visits and how sensitively S had dealt with the assessment process. Also said relatives and friends that S had visited for references had also remarked on the friendly and professional way S had undertaken the interviews....”

WSSD/03368 From a family helped to make a fresh start in a different locality due to fears about domestic violence “ I would like to thank you and your staff for all the help that I have received over the last few months..... I also believe from speaking to you and having all this help from Warwick social services that the way in which Warwick is run really works and x (other LA) should get some lessons from Warwick! After all, Warwick social services have changed my opinion on social services as a whole.Thank you again, your efforts will never be forgotten and you have helped pave the way for my family and I to have a safe fresh new start.”

5. Sample of Complaints resulting in Service Improvements

WSSD/02505, Parent about child protection:

Complaint: That the complaint procedure was not updated to reflect changes in ACPC complaints procedures and information should have been attached to the procedure to reflect that it was under review.

Action taken following Stage 2: Warwickshire’s Children’s Social Care Complaints and Representations policy and procedures have been amended to reflect the new regulations and national guidance which came into effect from 1st September this year, and were formally approved by Cabinet 12th October 2006.

As part of the overall review process a new Protocol has been developed to ensure a clear understanding of the relationship between the children's social care complaints and representations procedures and the complaints procedures of the Local Safeguarding Children Board.

WSSD/03008, Young Person about Care Planning

Complaint: Lack of information and support from Warwickshire Children's Services to the young person regarding his care plan.

Action taken at Stage 1: Assurances that a Social worker would visit in the next 2 weeks, and that the case would be better managed were given.

WCC/02028CYPF Parent about Child Protection:

Complaint that concerns about a family had been wrongly looked at under Child Protection, and that workers attitude had been unacceptable.

Action taken at Stage 1: Case reviewed and confirmed that support should have been considered under Children in Need, that Initial assessment had been unbalanced and unhelpful, and that way in which situation had been handled had led to distress for the family. Apology provided, Initial assessment was re-done, and worker spoken to about correct processes and communication issues.

WSSD/03444, Parent about Social Work Support

Complaint: The time it took for children's services to complete an assessment and for the family to receive the outcome.

Action taken at Stage 1: An apology was made and assurances given that the Department will strive towards meeting Government objectives to complete assessments in 7 working days. Assurance were also given that the time for completing assessments and send to families is getting shorter.

Karen Smith
Customer Relations Manager

1. Introduction

The Schools Complaints Officer receives calls from members of the public on a wide range of issues. However, certain factors make the monitoring of complaints within the department a complex task.

- Many of the calls received are not actually complaints. They are frequently questions, or often relate to an issue the caller feels the Directorate should be made aware of.
- Due to the nature of the calls received, they often need to be resolved at school level. While the Complaints Officer will often liaise between the complainant and the school, the actual outcome is often unknown.
- Many complaints are taken directly to schools and are effectively dealt with. The Directorate are only usually made aware of these complaints if they escalate and reach either Stage 2 or Stage 3 of the complaints procedure.

Due to issues such as those above, there have also been difficulties in comparing the level of complaints received regarding schools to other areas of the council.

In August 2005, a new database was introduced in order to log calls made to the Complaints Officer. Information stored includes personal details of the caller, details of the school concerned (where appropriate), details of the complaint, and any action taken. A clear distinction is also made as to whether or not the call is actually a complaint. Fields are also included to help produce complaints data in line with the corporate reporting system.

The new complaints database has resulted in the following:

Comprehensive recording of all calls received by the Complaints Officer
Improved audit trail
Easy analysis of complaints data
Consistency in reporting
Easy identification of trends / areas for concern
Easier comparisons of data from other areas of the council

In recent times, a greater emphasis has been placed on reconciliation between schools and those raising concerns. Less emphasis is being placed on the distribution of booklets explaining the complaints procedure. The focus instead is to promote informal resolution, encourage communication, and to emphasise the importance of parents and schools working together.

2. Complaints analysis

Data from the complaints database gives us the following information regarding all calls made to the Schools Complaints Officer in the period 01st April 2006 – 31st September 2006.

Total number of calls logged	211
Total number of calls classified as complaints	91

Of the 91 complaints received, 44 were concerned with primary schools, 40 with secondary schools, and 7 related to other general concerns.

The table below shows the 91 complaints broken down by broad subject area:

Conduct of staff	36
Bullying	14
School Policy	10
Health and Safety	4
Exclusion	3
SEN	3
Poor / Inadequate Service	2
Admissions	2
Harassment	1
Quality of teaching	1
Transport	1
Council Policy	1
Other / Unknown	13

Further tables are available by specific school, age and gender of student concerned (where applicable), time taken to resolve the complaint, and other fields used in the corporate monitoring of complaints. These fields and the tables above will be used to monitor future levels of complaints and to identify any significant trends.

Of the 91 complaints received, only 3 required investigation under Stage 3 of the School's Complaints Procedure. The other 88 were all resolved at school level.

3. Improvements made

Detailed reports on the number of complaints received, their origin, and their nature, are now passed to Area Officers each term. Appropriate action can then be taken where deemed necessary. The majority of complaints regarding staff conduct are dealt with under the school's personnel procedures with guidance offered by the area officers. Information on relevant complaints is also passed to the Anti-Bullying Co-ordinator, Race Equality Officer, and to the Directorate's the Health and Safety Officer.