

## Appendix A - Children and Young People Department Complaints Annual Report 2014-15

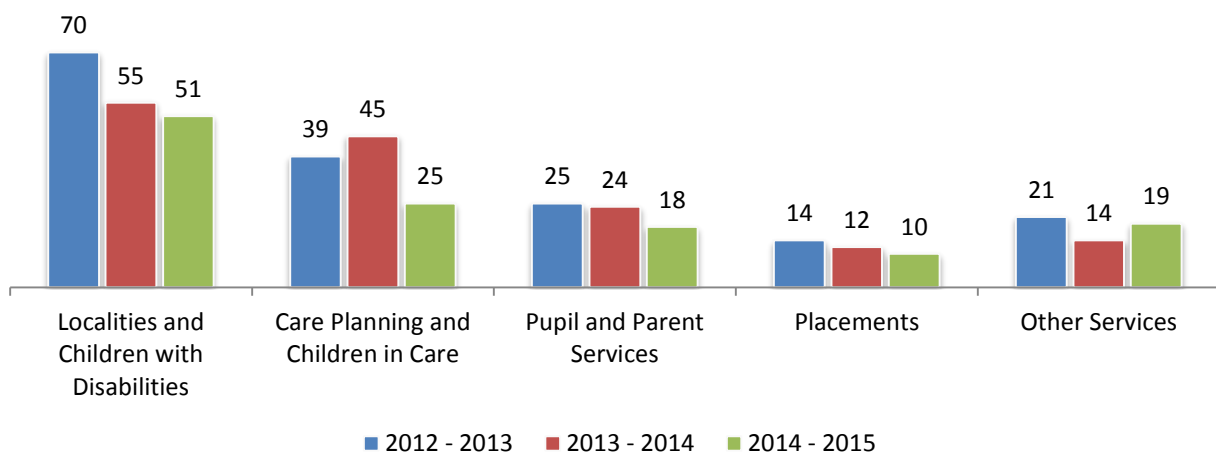
### 1. Introduction

This report provides an overview of complaints activity across the Department in 2014-15. Where appropriate, comparisons are also made with previous financial years. Appended to this report, is a further brief report, providing an overview of the advocacy support provided to young people who raised complaints about some aspect of the care or support they received during the year.

### 2. Headlines

- First stage complaint numbers reduced for the third year in succession – an indication of the Department's ability to resolve issues without the need for a formal complaint investigation
- 58% of first stage complaints were answered within the deadline – up by 12%
- The Department benefitted from several key service improvements that were identified through complaint investigations.
- 70% of customers chose to make their complaint on-line continuing the upward trend in channel migration seen in recent years
- New guidance was launched to raise awareness of complaint process to customers, staff and other stakeholders

### 3. Number of first stage complaints received



A total of 123 stage 1 complaints were received, 46 less than the previous year. Those listed under Pupil and Parent Services, and 'Other', came under the Corporate Complaints Procedure. The remaining complaints came under the statutory complaints procedure. Complaint numbers decreased for the third year in succession, and is a positive indication of the Department's effectiveness in resolving issues before they become formal complaints.

#### Breakdown of 'Other' services

Service	2012 - 2013	2013 - 2014	2014 - 2015
Youth Support Service	3	2	0
Safeguarding and Quality	3	3	5
Early Years and Family Support	2	4	9
Children's Commissioning	2	2	0
Alternative Education	0	3	0
School Improvement Service	0	0	4
Transitions (Children's)	0	0	1
BACES	11	0	0
Totals	21	14	19

The table below provides a more detailed breakdown of complaints received by service area and by quarter.

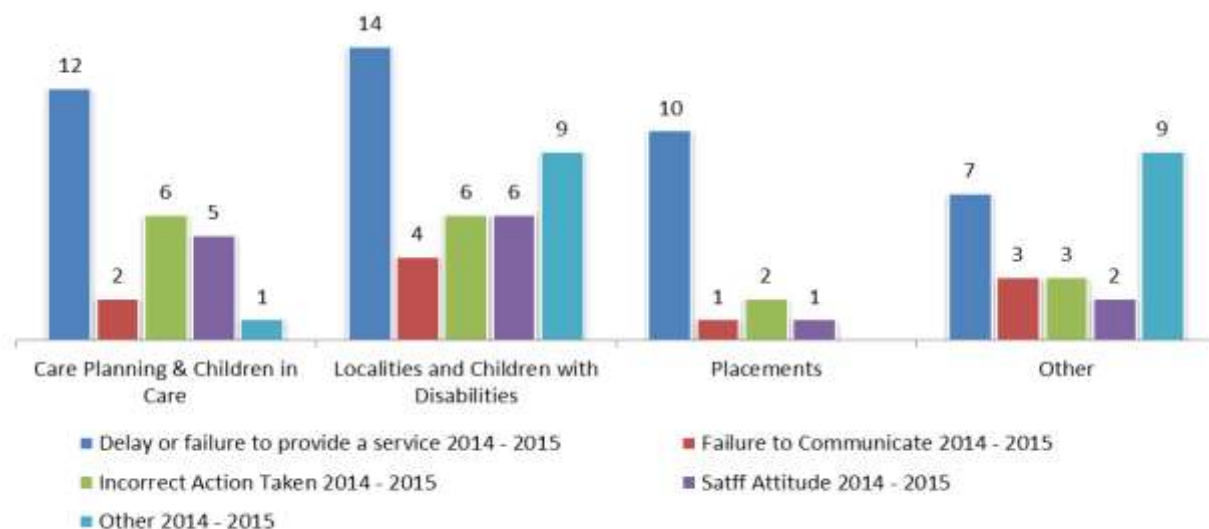
So far as Care Planning is concerned, it is not surprising that the Looked After Children Team attracted the bulk of complaints, in view of the highly sensitive nature of the issues that they deal with. Localities, is the largest of the service areas within the Social Care division, with the greatest degree of customer contact. Their large client base is reflected in the fact that they receive more complaints than other service areas. It should be noted that despite the challenges the Department faces concerning school places, Pupil and Parent services complaint numbers continued to reduce.

#### Breakdown of service areas for 2014 – 2015

Breakdown of Teams		Q1	Q2	Q3	Q4	Total
Care Planning and Children in Care	Family Adolescent (FAST)	0	1	0	0	1
	Family Assessment (FAIR)	1	0	0	0	1
	Looked after children	2	7	8	5	22
	Transitional Planning	0	1	0	0	1
Localities and Children with Disabilities	Brent Family front door	0	0	2	1	3
	Children with Disabilities	5	2	4	0	11
	Harlesden Locality	1	2	2	6	11
	Kingsbury Locality	1	6	5	2	14
	Kilburn Locality	0	1	1	2	4
	Wembley Locality	1	3	1	2	7
	Willesden Locality	1	0	0	0	1
Placements	Adoption	2	1	0	2	5
	Fostering Support	0	1	1	0	2
	Kinship	0	1	1	1	3
	Recruitment and Assessment	0	0	0	0	0
Pupil and Parent Services	Parent Partnerships	1	0	0	0	1
	School and Department Support	3	1	6	1	11
	School place planning	0	4	0	2	6
	Sensory and Communications	0	0	0	0	0

#### 4. Underlying reasons for complaining

Customers complain for many and varied reasons. For the purposes of analysis, we seek to categorise these reasons under a number of key headings. These include, poor communication, delay in or failure to provide a service, incorrect action taken and staff attitude. Complaints about delays or a failure to provide the service the customer was expecting accounted for half of the complaints received.



Examples of the types of issues that fall under each category, are listed below.

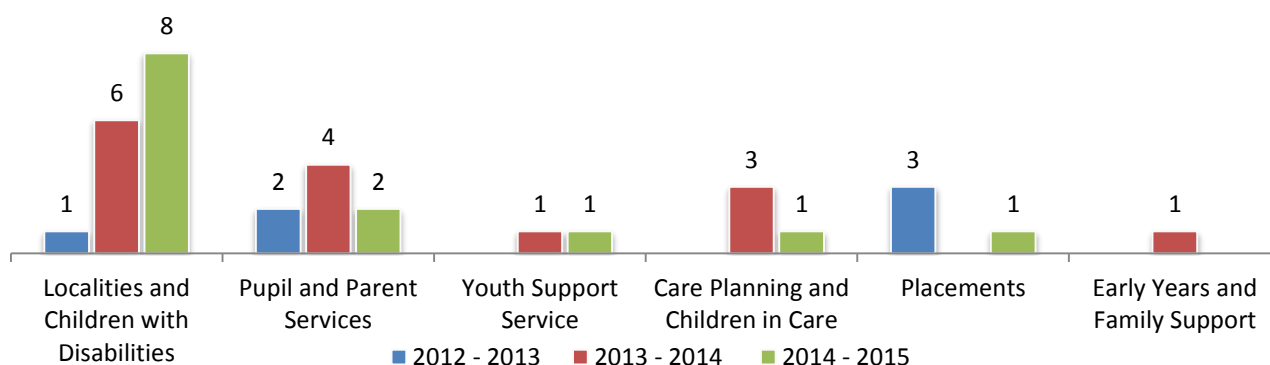
Alleged poor staff attitude - Much of the work of Localities staff involves them in taking actions in connection with highly sensitive child protection or child in need issues, which parents or carers are not in agreement with. These factors undoubtedly have some bearing on the fact that staff attitude is a common theme raised in complaints. One complaint that illustrates this concerned a mother, whose young son had been assessed as a Child in Need. The mother complained that the social worker had been rude to her and had used overly technical language about the processes involved when speaking to the mother, which placed her at a disadvantage. The investigation concluded that the mother had not raised her concerns with the social worker before, however the manager undertook to provide feedback to the social worker.

Delay in the payment of financial support – The complaint concerned a parent of a child with a disability, who complained that her direct payment package had been suspended without notice. The investigation revealed that the payments had been suspended because requested receipts had not been provided and that two warning letters had sent prior to the payments stopping.

Poor communication - A doctor complained about a social worker who failed to respond to several information requests the doctor had made in connection with a young person who was subject to child protection proceedings. The investigation was ongoing at the time of this report.

Incorrect action taken – A parent complained that a social worker had taken incorrect action in referring them to the Troubled Families programme. The complaint investigation identified that the family situation was such that they should not meet the relevant threshold and should not have been referred. An apology was given, and training delivered to relevant staff to enhance understanding of the programme.

## 5. Stage 2 complaints received



A total of 13 complaints escalated to the second stage, 2 less than the previous year, representing an escalation rate of just over 10%. Most of the escalation requests were received in the first quarter of the year. Various initiatives led by the Complaints Manager, with the support of DMT helped reverse the trend. The quality of first stage investigations was improved through the delivery of a bespoke training programme, and the introduction of a robust quality assurance process involving sign off of the investigation and response by the head of service. In addition resolution meetings were reintroduced, which involves the relevant Head of Service, and the Complaints Manager meeting the complainant, in an attempt to resolve outstanding issues without the need for a further investigation. In the last two quarters of the year, only two escalation requests led to stage 2 investigations being undertaken.

## 6. Lessons for the Department from complaints escalated to Stage 2

Four of the complaints investigated at Stage 2, resulted in the earlier decision being overturned. A summary of why the complaint escalated and why the stage 1 complaint outcome was overturned is given below.

The importance of applying the correct interpretation of regulations, was highlighted in a complaint, made by a women's refuge, on behalf of a woman with two young children, fleeing domestic violence. The complaint revolved around whether the Department had correctly assessed the 'No access to public funds' regulations. The stage 2 investigation revealed that it had not. The impact of the incorrect interpretation, on the refuge of the incorrect decision had been considerable, as they had had to support the woman through the provision of free accommodation and financial support until such time as the stage 2 complaint had been concluded. As the result of the complaint, further training was delivered to all relevant staff on the regulations.

The importance of addressing all the points raised in a complaint was highlighted through a complaint from a parent whose children were subject to child protection proceedings. The complainant had listed approximately 20 points within the original complaint. The Stage 1 response was brief and focused on one aspect of the overall complaint. The stage 2 complaint comprised of 17 points, of which several were upheld through the subsequent investigation.

Ensuring that the initial investigation is carried out in an impartial manner A complaint from foster carers who complained about the disorganised way in which three children were transported to the airport, revealed that much of the stage 1 complaint response, was largely taken from a statement made by the officer whose actions formed the basis of the complaint. Many of the officer's recollections, did not stand up to scrutiny, when looked at in detail as part of the subsequent stage 2 investigation. The officer's conduct was addressed through supervision, and a detailed procedure was developed specifically to cover the safe transport of children who are in the care of the Council.

## **7. Stage 3 Complaint Panels**

The statutory complaints procedure contains a third stage, which involves a Complaints Panel, overseen by three independent members, a chairperson and two other panel members. The Panel's role is to identify why the customer remains dissatisfied and to make recommendations to the Council concerning whether any further actions should be taken in order to resolve the complaint. Three panels were held in the year. All three complaints concerned the Localities and Children with Disabilities Service.

One complaint concerned what the complainant saw as a failure on the part of the service to respond appropriately to reports of alleged sexual misconduct on the part of the complainant's former partner. The inference being that the Department should have initiated child protection proceedings against the former partner. The stage 1 and 2 investigations concluded that the allegations had been thoroughly investigated at the time and there had been no evidence to support the complainant's view. The Panel agreed with the earlier findings. The complainant subsequently referred the matter to the Ombudsman, who declined to investigate.

A second case was from a parent of a child with severe autism. The nub of the complaint related to the number of hours of respite care that the Department had authorised. The complainant considered that more hours should have been provided in recognition of the family's particular circumstances. The stage 2 investigation had recommended that a fresh assessment of the care package be carried out. The Operational Director agreed to that recommendation. The Panel concluded that the care package was set at the right level.

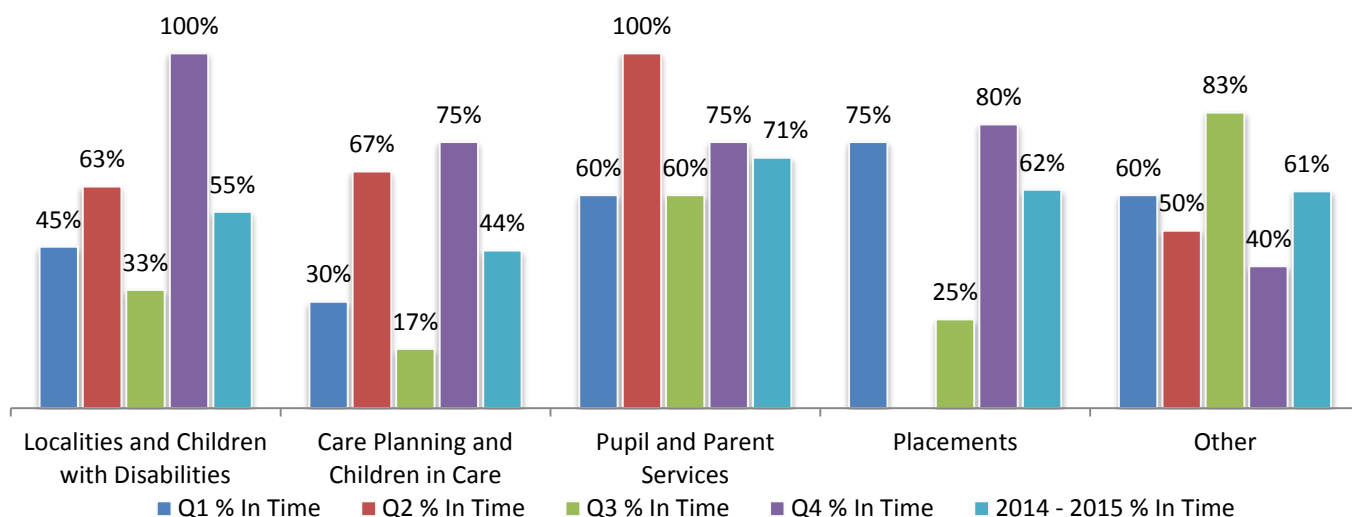
The third Panel concerned a complaint from the parent of a severely disabled young person. Following a review, the care package had been reduced. The parent complained that the review had failed to take account of key information. The original care package was reintroduced following the complaint investigation. The Panel concluded that the family had suffered a considerable amount of stress and anxiety and awarded compensation of £500.

## **8. Local Government Ombudsman decisions made during the year**

Five Ombudsman decisions were received during the year. Three of the decisions involved cases that had **not** been through the Council's complaints procedure. It is worth pointing out that the Ombudsman can decide to investigate a complaint – irrespective of whether the Council has had an opportunity to resolve the issue.

Two complaints related to primary school places that had been offered and subsequently withdrawn at short notice. The complainants were awarded £100 and £250 respectively. One complaint concerned a person's experience while in the care of the local authority some 10 years earlier. The Ombudsman declined to investigate on the basis that the complaint was out of time. One case concerned a young person with autism and learning difficulties. The Ombudsman considered that the Council had failed to provide the young person and the family with adequate support. The final decision concerned a complaint that had been through all three stages of the statutory complaints procedure. The Ombudsman criticised the Council for placing a young person (17 year old) who was seen to be vulnerable, in bed and breakfast accommodation while her homeless application was assessed. The young person was subsequently housed by another borough.

## 9. Percentage of first stage complaints responded to within timescale



The above graph represents response rates broken down by quarter and service area. The column on the far right, represents the overall performance figure for each service. As the graph indicates, there were performance issues for much of the year. Steps were taken by the management team, with the support of the Complaints Manager to address this problem. This included the Operational Director reviewing all open complaints at a weekly meeting with service heads. Quarter 4's performance showed a marked improvement which has been sustained into 2015-16, with 96% of complaints answered on time in quarter 1 of 2015-16.

## 10. Service improvements arising from complaint investigations

Issues raised through complaints or highlighted through investigations are helping to drive the Council's Service improvements agenda, and are proving to be a useful source of business intelligence. Some examples of improvements that came about as a result of the investigations conducted during the year are set out below.

Improved cultural awareness – An especially detailed stage 2 complaint investigation carried out in the summer of 2014, concerning the way the Department had managed a forced marriage case, resulted in a number of improvements in the way reports of this nature are now handled. This includes having clear guidance for staff to follow, concerning when documents should be translated or interpreters provided. The guidance contributed to an overall improvement in the quality of the service provided and a resulted in no further complaints on this subject being received.

Introduction of an appeals process where a reduction in a care package is proposed - A parent of a severely disabled child, complained that a recent assessment, that had resulted in the care package being reduced, had not been conducted properly and failed to take account of a number of factors. The stage 2 investigation supported this view. The previous package was reinstated, the parents received an apology and compensation. On a wider level, an appeals process was put in place which enables parents and carers to get decisions reviewed without having to resort to the complaints process. Staff have received training in the procedure and awareness of the procedure was raised in team meetings. The extent to which the appeals process has been taken up is currently being reviewed.

Improving the communication process - sending sensitive documents securely – An investigation into whether or not a particularly sensitive document containing personal information about the customer and his family, was lost in the post, resulted in the Department agreeing to produce a written policy covering the topic of when information should be sent by secure post. Guidance was also disseminated through team meetings, and has contributed to the Department improving its approach to data security and management.

Managing risk - An investigation that revealed shortcomings in the arrangements made to transport a group of looked after children to the airport, resulted in a number of improvements being introduced. A comprehensive procedure and supporting guidance was devised and circulated to staff and discussed at team meetings. Since the procedure was introduced, no further complaints of this nature have been received.

Improved information to parents/carers about Child Protection Conferences – A parent complained that they were placed at a disadvantage because of the lack of information available from the Department about the role of Child Protection Conferences and how the conference operates. As a result a new leaflet aimed at parents and carers which explains the process in a clear and straightforward way was produced and is also available via the Council's website.

Clarifying the circumstances in which foster carers will be reimbursed for costs they incur – Confusion over types of expenses that the Department would agree to reimburse led to a new, clearer policy being developed and circulated to all foster carers. The guidance helped enhance the breadth and quality of information the Department makes available to foster carers and resulted in a reduction in complaints about this subject.

## **11. Profile of complainants and diversity information**

The Department serves a large and diverse population, which is reflected in the profile of those who made complaints. Complainants are not compelled to provide equalities based information and the categories below represent those where a reasonable amount of information was provided.

Complaints from a young person – 27 social care-related complaints were either made by a young person (under 24) or were made on behalf of the young person by an advocate. The majority of these complaints were from people who were currently being looked after or who had been looked after previously. All of the complaints were successfully resolved at stage 1 or were resolved without a formal investigation having to take place. More details of complaints made by young people with the assistance of advocates, is set out in the Complaints Advocacy report which is an appendix to this report.

In terms of gender – 30% of complaints were from males and 70% female. No other classifications were recorded.

### Ethnicity of complainants

African	15%
Asian or Asian British Other	10%
Black or Black British Other	11%
Caribbean	21%
Indian	10%
Mixed Other	3%
Mixed White and Asian	2%
Mixed White and Black Caribbean	2%
Other	2%
Pakistani	2%
White British	16%

## **12. Raising awareness of the complaints process**

Two new complaint guides aimed at raising awareness and understanding of the complaints process were launched towards the end of the year. One is specifically focused on young people and explains their right to advocacy support when making the complaint. The guides were distributed to officers across the Department and are sent out with complaint

acknowledgements. Electronic copies are available on the Council's website. A communication strategy is being developed to ensure maximum coverage.

**Phillip Mears**

**Complaints and Freedom of Information Manager**

**August 2015**