

# **REPORT FOR: PERFORMANCE & FINANCE SCRUTINY SUB- COMMITTEE**

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<b>Date of Meeting:</b>	9 December 2015
<b>Subject:</b>	Children and Families Services' Complaints Annual Report 2014/15
<b>Responsible Officer:</b>	Chris Spencer, Corporate Director People Services
<b>Scrutiny Lead Member area:</b>	Policy Lead Member – Councillor Lynda Seymour Performance Lead Member – Councillor Janet Mote
<b>Exempt:</b>	No
<b>Enclosures:</b>	Appendix – Annual Report for Children and Families Services Complaints for period 2014/15

## **Section 1 – Summary and Recommendations**

This report sets out the statutory Children and Families Services' Complaints Annual Report for 2014/15.

### **Recommendations:**

None. For Information purposes only.

## **Section 2 – Report**

### **Financial Implications**

There are no specific budget issues associated with this report. All compensation payments are agreed by Service Managers and are funded within existing budgets.

## **Performance Issues**

There are no specific particular performance issues associated with this report.

## **Environmental Impact**

N/A

## **Risk Management Implications**

Risk included on Directorate risk register? No

Separate risk register in place? No

## **Equalities implications**

N/A

## **Corporate Priorities**

The Council's vision:

Working Together to Make a Difference for Harrow

- **Making a difference for the vulnerable**
- **Making a difference for communities**
- Making a difference for local businesses
- **Making a difference for families**

## **Section 3 - Statutory Officer Clearance**

The Corporate Director determined the report did not require Financial or Legal clearance.

## **Section 4 - Contact Details and Background Papers**

**Contact:** Peter Singh, Complaints and FOI Manager, Adults & Children's Complaints,  
020 8424 1161

**Background Papers:** None

## Annual Complaints Report for Children and Families Services 2014/15

<u>Section</u>	<u>Contents</u>	<u>Page</u>
1	Executive Summary	3
2	Summary of Activity	4
3	Outcomes for key actions in 2014/15	8
4	Priorities for 2015/16	8
5	Stage 1 Complaints	9
6	Stage 2 Complaints	15
7	Stage 3 Complaints	18
8	Ombudsman (LGO) Complaints	18
9	Escalation comparison over time	18
10	Compensation payments	19
11	Mediation and Alternative Dispute Resolution	19
12	Joint NHS and social care complaints	19
13	Learning Lessons/Practice Improvements	19
14	Compliments	19
15	Equalities Information	20
16	The Complaints Process explained	22

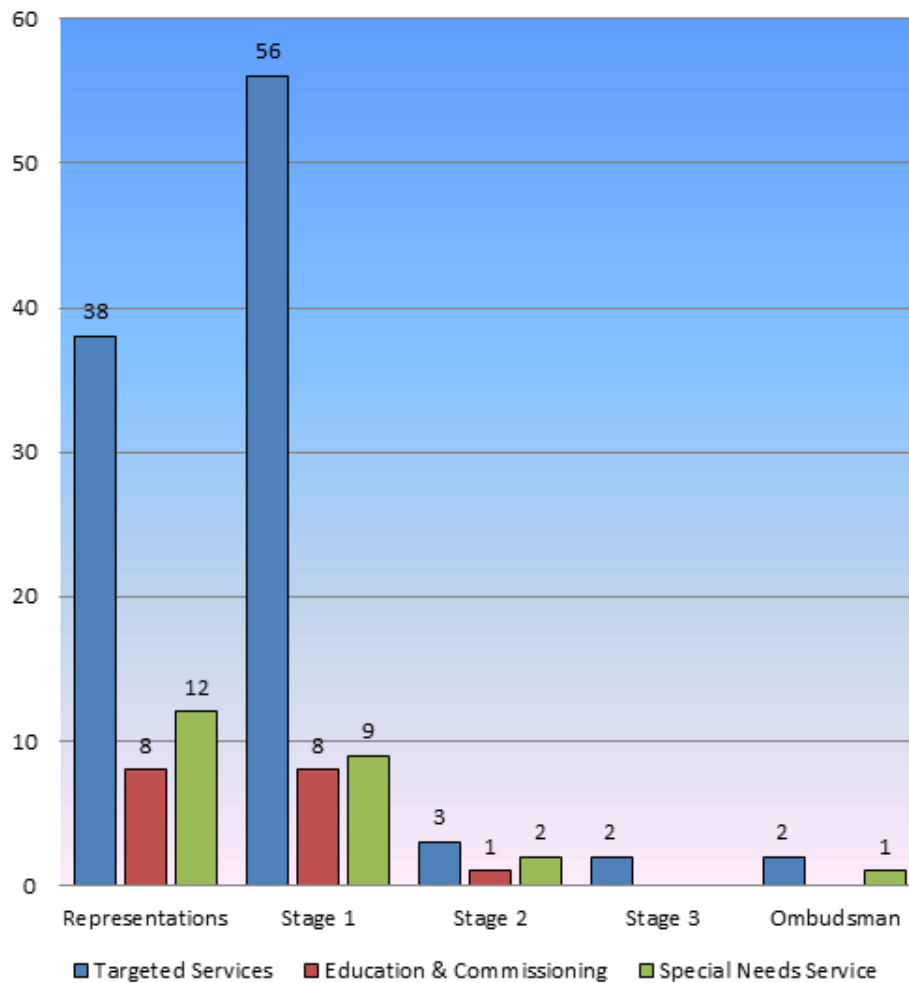
<b>1</b>	<p><b>Executive Summary:</b></p> <p>There were some 142 “transactions<sup>1</sup>” within the statutory complaints process during the year, i.e. representations, formal complaints and referrals to the Local Government Ombudsman. Given the nature of some of the work undertaken, such as child protection and looked after children, it is positive that numbers of complaints are so minimal. Thousands of service episodes are provided to children and young people each year, there were approximately 3,400 statutory service episodes alone, and many thousands of non statutory service episodes through Early Intervention, Youth Offending and Special Needs Services and through the Children’s Centres.</p> <p>Targeted Services Division statutory social work continued to attract the most complaints (71% of all transactions) which reflects the nature of the work undertaken by that service, where difficult decisions regarding children and their families sometimes leads to actions which are unpopular with service users, but necessary.</p>
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<sup>1</sup> The total of representations, Stage 1, Stage 2, Stage 3 & LG Ombudsman referrals within Children and Families Services.

	<p>This report contains both positive messages and indications of areas needing more work.</p> <ul style="list-style-type: none"> <li>• Of particular note is the high level of representations (58) which are received as potential complaints but resolved informally, to the satisfaction of service users. This is significant in showing that the Council is able to listen to concerns expressed and act promptly to resolve them. Whilst this is positive in terms of the service user's experience it also endorses that early resolution is more cost effective for the Council by avoiding escalation with associated costs of any investigations.</li> <li>• The proportion of stage 1 complaint responses sent within timescales has increased to 70% last year, up from 65% in 2013/14.</li> <li>• The relative escalation rate of complaints between stages of the process is low and reflects the successful efforts made by officers to understand and address concerns when they arise as complaints and representations. Escalation of stage 1 complaints to stage 2 fell to 8% from 14% in the previous year.</li> <li>• All of the key actions that were set for 2014/15 in the previous year have been met.</li> </ul>
<b>2</b>	<b>Summary of Activity:</b>
<b>2.1</b>	<p><b>Overall Complaint Activity:</b></p> <p>Between 1 April 2014 and 31 March 2015 the Council received:</p> <ul style="list-style-type: none"> <li>• 58 representations i.e. potential statutory complaints that did not lead to a formal stage 1 complaint;</li> <li>• 73 statutory stage 1 complaints;</li> <li>• six stage 2 complaints;</li> <li>• two stage 3 complaints (panel hearing);</li> <li>• three complaint referrals to the Local Government Ombudsman (LGO).</li> </ul> <p>Additionally there were 110 MP and Councillor enquiries managed by the Complaints Team, which is an increase of 28% for the number received in the previous year (86).</p>

- Timeliness of complaints response at an early stage typically prevents/minimises subsequent cost to Council in time and resources. The Council has made improvements and 70% of stage 1 complaint responses were sent in time (an increase from 65% in 2013/14), further work is being undertaken to improve this 2015/16.

Table 1: Number of Complaints by Service area: April 2014 to March 2015



Number of Complaint Transactions by Service area: April 2014 - March 2015

Service Area	Representations	Stage 1	Stage 2	Stage 3	Ombudsman	Total
Targeted Services	38	56	3	2	2	101
Education & Commissioning	8	8	1	0	0	17
Special Needs Service	12	9	2	0	1	24
<b>Total</b>	<b>58</b>	<b>73</b>	<b>6</b>	<b>2</b>	<b>3</b>	<b>142</b>

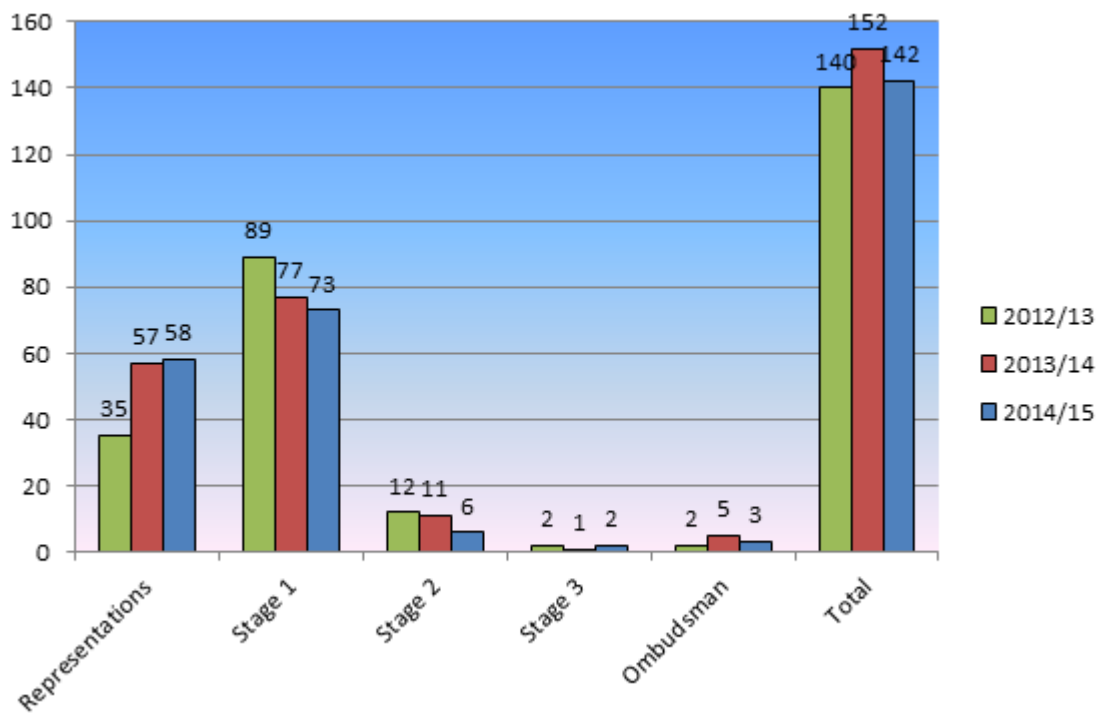
**Key message:** Overall the picture suggests a continuation of high quality investigative and governance standards.

**Analysis:** This year, there has been a reduction in the number of stage 1 complaints, down by four on last year, however, the number total representations increased by one to 58.

There were six stage 2 complaints, this represents an escalation rate of 8% of all stage 1 complaints and as such is a relatively low level of escalation. This compares favourably with the escalation rate of 14% in the previous year. Only two complaints progressed to a stage 3 panel hearing, which again is a positive indicator of sound resolution in the earlier stages of the process.

Of the three LGO referrals, two were not upheld by the Ombudsman. The remaining referral was only partially upheld because the council had missed the response timescale.

**Table 2: Comparison of Complaints over the last 3 years**



	Representations	Stage 1	Stage 2	Stage 3	Ombudsman	Total
2014/15	58 (41%)	73 (51%)	6 (4%)	2 (1%)	3 (2%)	142
2013/14	57 (38%)	77 (51%)	11 (7%)	1 (1%)	5 (3%)	152
2012/13	35 (25%)	89 (64%)	12 (9%)	2 (1%)	2 (1%)	140

**Analysis:** Active engagement with families and children has been positively welcomed. A significant and increasing number of issues continue to be resolved informally meaning the complainant chooses not to proceed with a complaint through a formal stage 1 process. Representations (potential complaints) have increased from 35 in 2012/13 to 58 in 2014/15. Stage 1 complaints have fallen from 89 to 73 per year over the same period. The total number of representations and stage 1 complaints, have increased from 124 in 2012/13 to 131 in 2014/15 which shows that Harrow residents are able to access the complaints process.

Overall the volume of complaints at stage 2 and stage 3 has fallen steadily over the past 3 years, from 14 in 2012/13 to 12 in 2013/14 and then to 8 in 2014/15, despite an increased demand on services.

**Key message:** Previous research (e.g. Jerry White, Local Government Ombudsman & Steve Carney, Head of Complaints, CQC) has suggested that Councils with high levels of stage 1 complaints/representations tended to receive good performance ratings and demonstrated a willingness to hear concerns, address them and improve services as a result.

**Key action:** To attempt to maintain the current balance of representations against actual complaints, as this demonstrates good early resolution for service users.

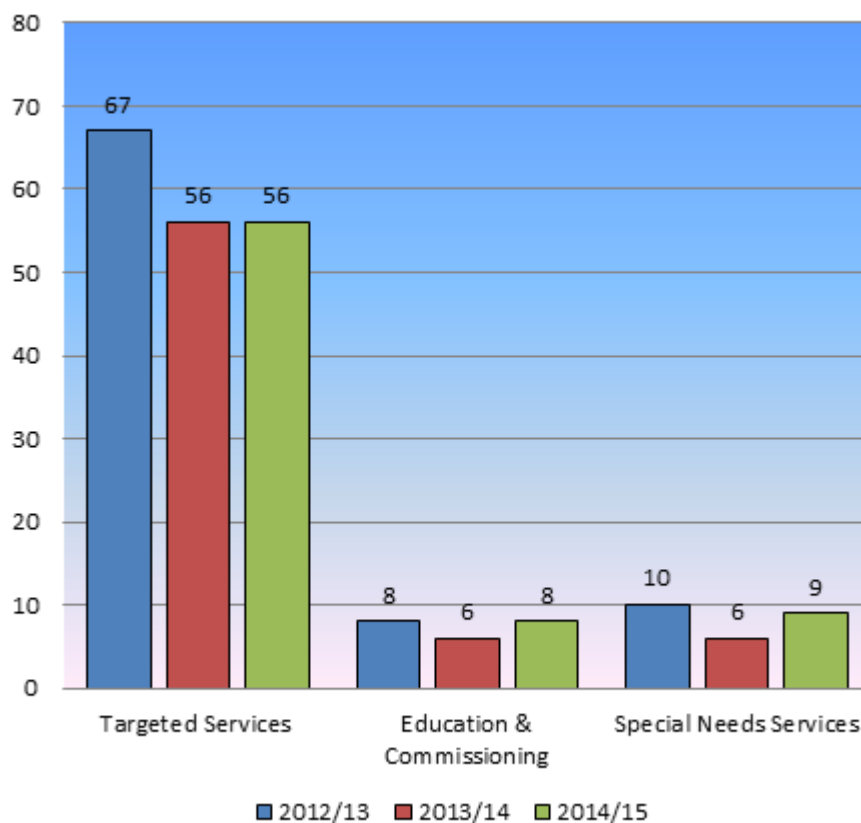
3	<b>Outcomes for key actions in 2014/15</b>
	<p>In the last annual report the following were identified as key focus areas.</p> <p><b>Key action:</b> Monitor trends in cases and escalations and reverse increasing levels of escalation from stage 1 to stage 2. Targeted Services to reduce stage 2 complaint numbers.</p> <ul style="list-style-type: none"> <li>• <b>Outcome achieved:</b> The proportion of stage 2 complaints that progressed to stage 2 from stage 1 fell from 15% in 2013/14 to 8% in 2014/15. The number of stage 2 complaints in Targeted Services fell from ten in 2013/14 to three in 2014/15. Trends in cases and escalations have been consistently monitored in weekly catch up meetings by the Complaints Team and as part of quarterly improvement board reports.</li> </ul> <p><b>Key action:</b> To attempt to maintain the current balance of representations against actual complaints, as this demonstrates good early resolution for service users.</p> <ul style="list-style-type: none"> <li>• <b>Outcome achieved:</b> The balance between representations and stage 1 complaints has remained relatively stable (57 representations and 78 complaints in 2013/14 and 58 representations and 73 complaints in 2014/15).</li> </ul> <p><b>Key action :</b> To flag to the Divisional Directors if any timescales are not met.</p> <ul style="list-style-type: none"> <li>• <b>Outcome achieved:</b> Divisional Directors are aware of timescales performance through quarterly improvements board reports. Improvements have been made by working more closely with Team Managers who have helped to drive improvements in performance.</li> </ul>
4	<b>Priorities for 2015/16:</b>
	<ul style="list-style-type: none"> <li>• To make further improvements to ensure that stage 1 complaints response consistently exceed the local target timescales of 75% for each quarter.</li> <li>• To further improve low levels of escalations of stage 2 complaints</li> <li>• To continue the core offer of training for front line staff and managers on complaint handling.</li> <li>• To further develop a culture and expectation of debriefing and learning after major complaint investigations.</li> </ul>



- To explore ways of raising awareness and encouraging take up of the complaints procedure from children and young people
- To update the complaints database to reflect the new teams within the People Directorate
- To update complaints literature specifically aimed at children and young people, but with active involvement of younger people in the design, text and production.

**5 Stage 1 Complaints:**

**5.1 Overall Activity:**



**Table 3 – Stage 1 Complaints**

	2012/13	2013/14	2014/15
Education & Commissioning	8	6	8
Targeted Services	67	56	56
Special Needs Services	10	6	9
Early Intervention Services	4	9	N/A
<b>Total</b>	<b>89</b>	<b>77</b>	<b>73</b>

**Key message:** There has been a fall in stage 1 complaints over the past two years due to the work carried out for the increased number of representations resolved, particularly within Targeted Services.

However, there were 110 MP and Councillor enquiries managed by the Complaints team, which is an increase from 86 in the previous year. The enquiries, on behalf of constituents, varied in nature and it is not possible to determine if they would have actually led a formal complaint. Nevertheless, the Complaints Team were able to assist in resolving issues and providing specific information to answer queries.

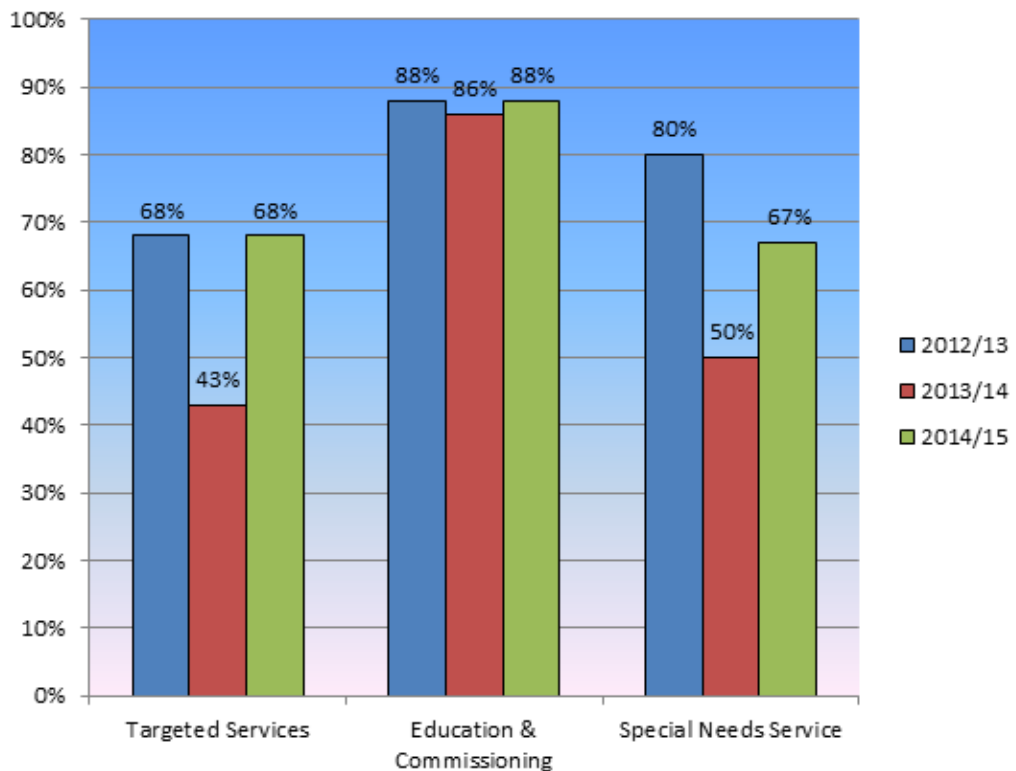
**Analysis:**

There have been a relatively consistent number of stage 1 complaints over the past three years.

Services within Early Intervention were transferred to Targeted Services in 2014. The table shows a fall in the number of complaints for the services within these two areas, which has been mainly due to the efforts made to resolve representations at an early stage, particularly within Targeted Services over the past two years.

Almost inevitably Targeted Services attract a higher level of complaints being a service area where families are most likely to be in conflict with, or challenge the Council about child care issues, e.g. child protection.

**5.2 Stage 1 Response Times**



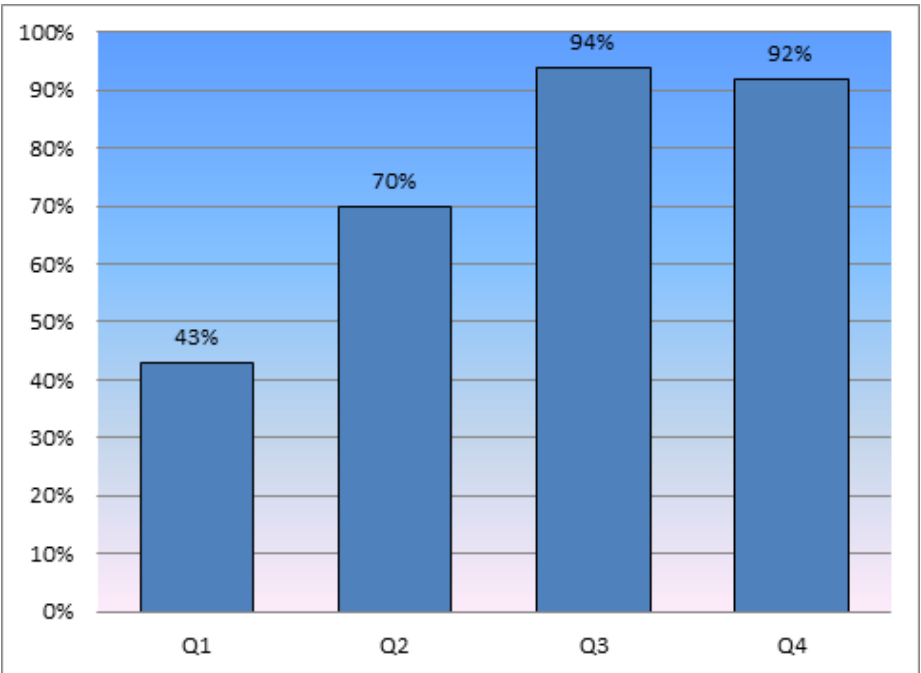
**Key message:** There has been an increase in the level of stage 1 complaints completed on time during 2014/15 compared to the previous year.

**Analysis:** Response rates for Targeted Services and Education & Commissioning increased back in line to the levels achieved in 2012/13. On time stage 1 complaints for Special Needs Service increased from 50% to 67%.

The overall level of on time complaints during 2014/15 was 70%, which is an increase from 65% in 2013/14.

A quarterly breakdown within the 2014/15 highlights the level of work carried out to make improvements, particularly in quarter 2 (70% up from 43% in quarter 1) and quarter 3 (94% up from 70% in quarter 2). There was little change in quarter 4, with an on time response rate of 92%. The performance in quarter 1 was due to the restructure of the complaints team and meant that the local target timescale of achieving 75% of responding to stage 1 complaints for the full year was not met. However, this target should be exceeded for the 2015/16 period.

The table below shows the on time stage 1 complaint response rates for each quarter, during 2014/15.



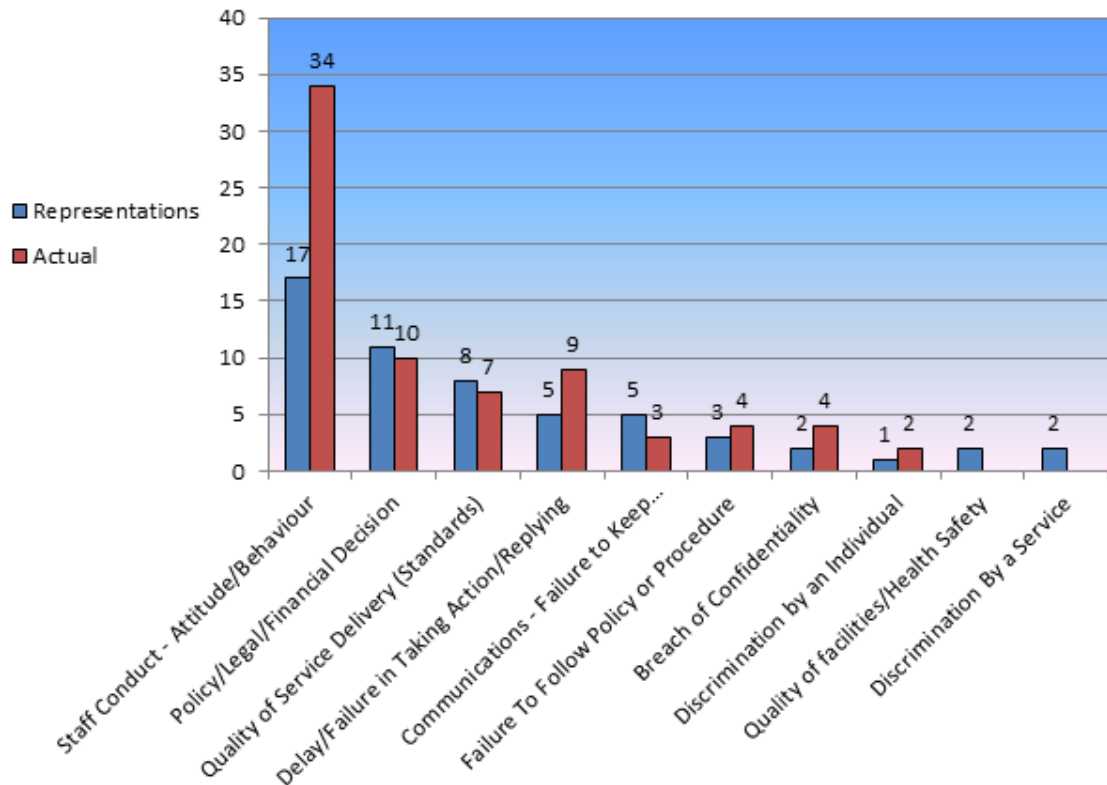
**Key action 1:** To exceed the 75% local target timescales for on time stage 1 complaints throughout 2015/16.

5.3 Stage 1: Nature of Complaints																																																																																						
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	<table border="1"> <thead> <tr> <th></th> <th>Targeted Services</th> <th>Education &amp; Commissioning</th> <th>Special Needs Service</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Allocation of Keyworker</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Breach of Confidentiality</td> <td>3</td> <td></td> <td>1</td> <td>4</td> </tr> <tr> <td>Change To Service - Withdrawal/Reduction</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Communications - Failure to Keep Informed/Consult</td> <td>5</td> <td></td> <td></td> <td>5</td> </tr> <tr> <td>Delay/Failure in Taking Action/Replying</td> <td>10</td> <td>1</td> <td>2</td> <td>13</td> </tr> <tr> <td>Discrimination by an Individual</td> <td>2</td> <td></td> <td></td> <td>2</td> </tr> <tr> <td>Discrimination By a Service</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Failure To Follow Policy or Procedure</td> <td>3</td> <td>1</td> <td></td> <td>4</td> </tr> <tr> <td>Level of Service (E.g. Opening Times)</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Loss or Damage to property</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Policy/Legal/Financial Decision</td> <td>5</td> <td>5</td> <td>1</td> <td>11</td> </tr> <tr> <td>Quality of facilities/Health Safety</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Quality of Service Delivery (Standards)</td> <td>14</td> <td></td> <td></td> <td>14</td> </tr> <tr> <td>Refusal To Provide A Service</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Staff Conduct - Attitude/Behaviour</td> <td>14</td> <td>1</td> <td>5</td> <td>20</td> </tr> <tr> <td><b>Total</b></td> <td><b>56</b></td> <td><b>8</b></td> <td><b>9</b></td> <td><b>73</b></td> </tr> </tbody> </table>		Targeted Services	Education & Commissioning	Special Needs Service	Total	Allocation of Keyworker					Breach of Confidentiality	3		1	4	Change To Service - Withdrawal/Reduction					Communications - Failure to Keep Informed/Consult	5			5	Delay/Failure in Taking Action/Replying	10	1	2	13	Discrimination by an Individual	2			2	Discrimination By a Service					Failure To Follow Policy or Procedure	3	1		4	Level of Service (E.g. Opening Times)					Loss or Damage to property					Policy/Legal/Financial Decision	5	5	1	11	Quality of facilities/Health Safety					Quality of Service Delivery (Standards)	14			14	Refusal To Provide A Service					Staff Conduct - Attitude/Behaviour	14	1	5	20	<b>Total</b>	<b>56</b>	<b>8</b>	<b>9</b>	<b>73</b>
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<p><b>Examples of complaints by category:</b></p> <p>Breach of confidentiality</p> <p>Communications etc</p> <p>Delay, etc</p> <p>Failure to follow policy/procedure</p>	<p><b>2014/15 examples</b></p> <p>Information shared with employer</p> <p>Not providing information of services during holiday periods</p> <p>Delay by residential care unit in forwarding on a clothing allowance for a young person leaving care</p> <p>Failure to consult over foster process</p>																																																																																					

	<p>Policy/Legal/Financial decision</p> <p>Quality of service delivery</p> <p>Staff conduct – attitude/behaviour</p>	<p>Unhappy with decision not to pay travel expenses</p> <p>Inaccuracies with assessment</p> <p>Social Worker was often late for appointments</p>
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**Analysis:** Overall there has been little change in the distribution of complaints. Given the nature of the work undertaken by child care teams the categories with the highest levels are as expected.

NB: The pattern of distribution across complaint categories is relatively similar in both representations and all formal complaints.



5.4 Stage 1: Complaints Outcomes													
Table 5:													
		Not Upheld			Partially Upheld			Upheld			Total		
		14/15	13/14	12/13	14/15	13/14	12/13	14/15	13/14	12/13	14/15	13/14	12/13
Education & Commissioning		5	5	7	2	0	1	1	1	0	8	6	8
Targeted Services		27	30	36	17	16	17	12	10	14	56	56	67
Special Needs		5	4	6	3	1	2	1	1	2	9	6	10
Early Intervention		N/A	2	2	N/A	5	1	N/A	2	1	N/A	9	4
Total		37	41	51	22	22	21	14	14	17	73	77	89
Total of overall Stage 1 outcomes, by percentage		50%	53%	57%	31%	29%	24%	19%	18%	19%			
<p><b>Key message:</b> There has been a positive shift in complaint outcomes in the past three years. A larger proportion of complaints have been upheld or partially upheld compared to those that have not been upheld.</p> <p>The shift in 2014/15 is in line with change in the previous year and reflects the work of the managers and staff within service areas and the complaints team for a more balanced and open approach to complaints, where concerns from service users are recognised and receive appropriate responses. The need to listen to complainants and adopt a less defensive approach when reflecting on practices and making decisions on the outcomes of each complaint, does appear to have led to an increase in service user satisfaction as borne out by a fall in stage 2 complaints.</p> <p><b>Analysis:</b> The overall proportion of stage 1 complaints that were either upheld or partially upheld has increased from 43% in 2012/13 to 47% in 2013/14 and then to 50% in 2014/15. In particular, this is due to the proportion of partially upheld complaints, which increased from 24% in 2012/13 to 31% in 2014/15.</p>													

<b>6</b>	<b>Stage 2 Complaints</b>			
<b>6.1</b>	<b>Percentage of Complaints escalating to Stage 2 (2014/15) Table 9</b>			
	Service	Stage 1	Stage 2	% escalation
	Education & Commissioning	9	1	11%
	Targeted Services	56	3	5%
	Special Needs	8	2	25%
	Total	73	6	8%
	<p><b>Key message:</b></p> <p><b>Analysis:</b> In general, escalation rates are at a relatively low level. Less than one in ten (8%) of stage 1 complaints went on to be considered at stage 2. The Council informs all complainants of their right to escalate their complaints at each stage of the complaints process.</p>			
<b>6.2</b>	<b>Escalations trend over time Table 10</b>			
	Service	Escalations to Stage 2		
		2012/13	2013/14	2014/15
	Education & Commissioning	13%	0%	11%
	Targeted Services	13.5%	17%	5%
	Special Needs	10%	16%	25%
	Early Intervention	25%	11%	N/A
	Total	13%	15%	8%
	<p><b>Key message:</b> There has been a significant fall in the escalation rate of stage 2 complaints from stage 1, as a result of efforts to improve satisfaction.</p> <p><b>Analysis:</b> There has been a reverse in 2014/15 of the trend for an increasing proportion of stage 1 complaints being escalated to stage 2 between 2012/13 (13%) to 2013/14 (15%). During 2014/15 only 8% of complaints were escalated to stage 2. This is seen as a result of the work carried out in resolving complaints earlier via informal resolution (representations) and because a larger proportion of stage 1 complaints are upheld or partially upheld. The Complaints Team has also offered further meetings after stage 1 to explain in more detail why complaints have not been upheld and to explore ways in which services can work with service users and their families to resolve any outstanding issues.</p> <p>Special Needs service are areas always prone to escalated complaints due to the nature of their work, for example, around school placements.</p>			

6.3	Stage 2 Outcomes 2014/15 Table 11			
	Service	Not Upheld	Partially Upheld	Upheld
	Education & Commissioning	1	0	0
	Targeted Services	1	1	1
	Special Needs	1	1	0
	Total [Grand Total = 6]	3	2	1
	<p><b>Analysis:</b> Stage 2 investigations in Harrow are conducted by an Independent Investigating Officer, shadowed by an independent person from a panel of external investigators.</p> <p>During 2014/15 half (3) of the stage 2 complaints were not upheld, two were partially upheld because one or two of the complaint points within the overall complaint, were upheld or partially upheld.</p> <p>Only one complaint was considered to be fully upheld. The Independent Investigating Officer concluded that the council assessment of need and subsequent provision of support did not match the service users needs. The recommendations of the report were accepted and implemented.</p>			
6.4	Stage 2 Response Times of known outcomes Table 12			
	Service	Within Timescale 2014/15 (2013/14)	Over Timescale 2014/15 (2013/14)	
	Education & Commissioning	(0)	1 (0)	
	Targeted Services	1 (2)	2 (3)	
	Special Needs	(1)	2 (0)	
	Early Intervention	N/A (1)	(0)	
	Total [Grand Total completed = 6]	1 (4)	5 (3)	
	<p><b>Context:</b> At stage 2, there is more emphasis on thoroughness than speed. The complaints team remind Independent Investigating Officers of the need to consider timescales.</p> <p><b>Analysis:</b> Of the six stage 2 complaint investigations, five were completed over the time limit, due to the following reasons:</p> <ul style="list-style-type: none"> <li>The complainant's delay in signing the statement of complaint. When this was provided eventually the timescales for stage 2 clashed with a</li> </ul>			



- pre booked holiday by the investigating officer
- The need to interview a member of staff who was on sick leave
  - The need to wait for a member of staff to return from annual leave planned before the stage 2 investigation commenced
  - The extra time required by the Investigating Officer to complete complex investigations delayed the response outcome for the remaining two cases.

**6.5 Stage 2: Nature of Complaints Table 13**

	Targeted Services	Education & Commissioning	Special Needs Service	Total
Allocation of Keyworker				
Breach of Confidentiality				
Change To Service - Withdrawal/Reduction				
Communications - Failure to Keep Informed/Consult				
Delay/Failure in Taking Action/Replying	1	1		2
Discrimination by an Individual				
Discrimination By a Service				
Failure To Follow Policy or Procedure				
Level of Service (E.g. Opening Times)			2	2
Loss or Damage to property				
Policy/Legal/Financial Decision	1			1
Quality of facilities/Health Safety				
Quality of Service Delivery (Standards)	1			1
Refusal To Provide A Service				
Staff Conduct - Attitude/Behaviour				
<b>Total</b>				<b>6</b>

<b>7</b>	<b>Stage 3 Complaints:</b>				
	<p>Only two complaints escalated to stage 3 during the year. Both cases were complex and within Targeted Services. In terms of management of the complaints:</p> <ul style="list-style-type: none"> <li>• Each panel did not uphold the complaint considered.</li> <li>• Panels were held within timescale.</li> <li>• Panel reports were produced and circulated to timescale.</li> <li>• The council response was sent out within timescale.</li> </ul> <p><b>Analysis:</b> A large amount of work and cost is involved in a stage 3 complaint. Panels are made up of three independent panel members who interview a number of people and consider written material before reporting their findings. This demonstrates that complex complaints are being fielded positively.</p>				
<b>8</b>	<b>Ombudsman (LGO) Complaints</b>				
<b>8.1</b>	<b>Complaints made to the LGO: Table 14</b>				
	Service	No finding against Council	Partial finding	Total	
	Targeted Services	1	1	2	
	Special Needs	1		1	
	<p><b>Analysis:</b> There were three complaints made to the Local Government Ombudsman (LGO) during 2014/15, down from 5 in 2013/14.</p> <p>The LGO concluded that in 2 cases that there were no reasons to suggest the Council had acted inappropriately. In the remaining case the LGO partially found against the Council because it had responded outside of the timescale in the stage 1 complaint response. The LGO did not find against the council on any other point.</p>				
<b>9</b>	<b>Escalation comparison over time: Table 15</b>				
		Stage 1	Stage 2	Stage 3	LGO
	2014/15	73	6	2	3
	2013/14	77	11	1	5
	2012/13	89	12	2	2
	<p><b>Analysis:</b> The escalation rate between stage 1 and 2 is at 8% this year which compares favourably with previous years.</p> <p>Overall only 4% of stage 1 complaints in 2014/15 went on to LGO referral,</p>				

	compared to 6% in 2013/14.
<b>10</b>	<b>Compensation/Reimbursement Payments:</b>
	Only one compensation award was made during the year, of a relatively modest amount of £1,000. During 2013/14 there were four such awards between £250 and £1,000. This indicates that 2014/15 has been a low year for significant errors being identified and an improvement on the previous year.
<b>11</b>	<b>Mediation and Alternative Dispute Resolution:</b>
	There were two examples of formal mediation meetings within the year. One of the mediation meetings was carried out to help a school and family resolve an issue. The second mediation meeting involved the children with disabilities team.
<b>12</b>	<b>Joint NHS and social care complaints</b>
	There were no joint investigations between harrow Council and NHS bodies during the year.
<b>13</b>	<b>Learning Lessons/Practice Improvements</b>
	<p>Examples of lessons learnt/practice improvements include the following:</p> <ul style="list-style-type: none"> <li>• The need for timely communication with children and families and good punctuality in attending meetings and home visits. Busy caseloads cannot be used as an excuse.</li> <li>• Up to date record keeping of case notes in a consistent timely manner</li> <li>• Social workers to be mindful of historical information available from other agencies when completing assessments but also to allow children and families an opportunity to challenge the accuracy of historic information</li> <li>• The need for more accurate and specific information on school placements. For example, the management of placements during the summer period as well as information contained on the Council website</li> <li>• A greater consideration of the experience and knowledge of investigating officers appointed to carry out stage 2 complaints in relation the subject matter</li> </ul>
<b>14</b>	<b>Compliments</b>
	<p>The majority of service users that compliment staff and the council provide their feedback through verbal communication in care meetings or by phone. Examples of some of the written compliments forwarded to the complaints team by staff include</p> <p><i>“Thank you for being very helpful, caring and understanding the situation”</i></p> <p><i>“The social worker found a solution for me and gave me a feed back. I had the</i></p>

	<i>best quality of service.”</i>		
	<i>“I was very impressed and thought the family really bought into the process in a positive way as a result of how it was chaired.” (from a Compass UK Officer attending a case conference)</i>		
<b>15</b>	<b>Equalities Information</b>		
<b>15.1</b>	<b>Equalities Information – Stage 1 Complaints</b>		
	Table 16	2013/14	2014/15
	Gender of Service User:		
	Male:	43 (55%)	31 (42%)
	Female:	30 (38%)	35 (47%)
	Unknown/Not Recorded	5 (6%)	1 (1%)
	More than one child	-	6 (8%)
	<b>Analysis:</b> No concerns noted		
	Table 17	2013/14	2014/15
	Ethnic Origin of Service User:		
	ASIAN OR ASIAN BRITISH		
	Afghani	2	
	Bangladeshi	1	1
	Indian	2	4
	Pakistani	3	3
	Sinhalese		
	Sri Lankan Tamil		
	Other Asian	2	4
	BLACK/BLACK BRITISH		
	African	4	8
	Caribbean	4	3
	Somali	1	
	Other Black	3	4
	OTHER ETHNIC GROUP		
	Arab		1
	Chinese		
	Iranian		
	Iraqi		
	Kurdish		
	Lebanese		
	Other Ethnic Group	3	2
	MIXED		
	White & African		1
	White & Caribbean	5	3

White & Asian	2	1
Other Mixed	5	5
WHITE		
Albanian		
British	11	15
Irish		2
Gypsy/Roma Traveller		
Irish Traveller		
Polish		
Romanian		
Serbian		
Other White	1	1
PREFER NOT TO SAY/NOT KNOWN	32	15

Table 18 Origin of Complaints	2013/14	2014/15
Service User	10	7
Parent/relative	59	59
Advocate	3	4
Solicitor	2	0
Friend/other	4	3

**Analysis:**

It is to be expected that most complaints are made on behalf of a child or young person. There has been a decrease in the number of complains received from young people. To address this, the Complaints Team have made efforts to increase awareness amongst children and young people and relevant gatekeepers of the complaints process to encourage more complaints. This includes meetings and discussions with the Children's Participation Co-ordinator and Youth Participation Workers, the Advocate and Disability Officer at Harrow Association for Disabled People who have a Service Level Agreement to provide an advocacy service for children and young people, social workers as part of complaints training and sessions at special schools. A special school will be commissioned to design a new complaints leaflet for children and young people, to replace the existing leaflet.

<b>15.2 Equalities Information – Stage 2 Complaints</b>			
	Table 19 Gender of Service User:	2013/14	2014/15
	Male:	6 (54%)	2 (33%)
	Female:	5 (46%)	3 (50%)
	More than one child	-	1 (17%)
	<b>Analysis:</b> No concerns noted		
	Table 20 Ethnic Origin of Service User:	2013/14	2014/15
	African		1
	Black or Black British	1	
	Other Black		1
	Caribbean	1	1
	Not Known	8	
	White & Black Caribbean	1	1
	Indian		1
	Not known/stated		1
	<b>Total</b>	<b>11</b>	<b>6</b>
	Table 21 Origin of Complaints	2013/14	2014/15
	Service User	2	
	Parent/relative	8	5
	Advocate	1	1
	Solicitor		

## **16. The Complaints Process explained:**

This report provides information about complaints made during the twelve months between 1 April 2014 and 31 March 2015 under the complaints and representations procedures established through the Representations Procedure (Children) Regulations 2006, and the Council's corporate complaints procedure.

All timescales contained within this report are in working days.

Text in quotation marks indicate direct quotations from the 2006 Regulations or Guidance unless otherwise specified.

## 16.1 What is a Complaint?

“An expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.”

However,

“The Children Act 1989 defines the representations procedure as being for ‘representations (including complaints)’.”

Therefore both representations and complaints should be managed under the complaints procedure (unlike for Adult social services, where only complaints need be captured).

## 16.2 Who can make a Complaint?

The child or young person receiving or eligible to receive services from the Council or their representative e.g. parent, relative, advocate, special guardian, foster carer, etc:

“The local authority has the discretion to decide whether or not the representative is suitable to act in this capacity or has sufficient interest in the child’s welfare.”

## 16.3 What the complaints team do:

- Letter-vetting
- Liaising with services to try resolve the issue informally
- Mediation
- Training
- Raising awareness / staff surgeries
- Learning facilitation and agreed actions monitoring
- Deliver a unique complaints support SLA to schools
- Advocacy commissioning and support

## 16.4 Stages of the Complaints Procedure

The complaints procedure has three stages:

**Stage 1:** This is the most important stage of the complaints procedure. The Service teams and external contractors providing services on our behalf are expected to resolve as many complaints as possible at this initial point.

The Council's complaints procedure requires complaints at stage 1 to be responded to within ten working days (with an automatic extension to a further ten days where necessary).

**Stage 2:** This stage is implemented where the complainant is dissatisfied with the findings of stage 1. Stage 2 is an investigation conducted by an independent external Investigating Officer for all statutory complaints and an internal senior manager for corporate complaints. A senior manager adjudicates on the findings.

Under the Regulations, the aim is for stage 2 complaints falling within the social services statutory complaints procedures to be dealt within 25 days, although this can be extended to 65 days if complex.

**Stage 3:** The third stage of the complaints process is the Review Panel under the statutory procedure. Under the corporate complaints process, the Chief Executive reviews the complaint.

Where complainants wish to proceed with complaints about statutory Children's Services functions, the Council is required to establish a complaints Review Panel. The panel makes recommendations to the Corporate Director who then makes a decision on the complaint and any action to be taken. Complaints Review Panels are made up of three independent panellists. There are various timescales relating to stage 3 complaints. These include:

- setting up the Panel within 30 working days;
- producing the Panel's report within a further 5 working days; and
- producing the local authority's response within 15 working days.

### **Local Government Ombudsman**

The Ombudsman is an independent body empowered to investigate where a Council's own investigations have not resolved the complaint.

The person making the complaint retains the right to approach the Local Government Ombudsman at any time. However, the Ombudsman's policy is to allow the local authority to consider the complaint and will refer the complaint back to the Council unless exceptional criteria are met.