

# **REPORT FOR:           OVERVIEW & SCRUTINY COMMITTEE**

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**Date of Meeting:** 7 November 2017

**Subject:** Children and Families Services Complaints  
Annual Report 2016/17

**Responsible Officer:** Chris Spencer, Corporate Director People  
Services

**Scrutiny Lead  
Member area:** Policy Lead Member – Councillor Jerry Miles  
Performance Lead Member – Councillor Janet  
Mote

**Exempt:** No

**Enclosures:** None

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

This report sets out the statutory Children and Families Services Complaints Annual Report for 2016/17.

### **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**

None – it was determined that there was no requirement to include the item on the Directorate risk register or establish a separate risk register.

## **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.

## **Annual Complaints Report for Children and Families Services 2016/17**

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**Executive Summary:**

There were some 135 “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. During 2016/17:

- There were 4,238 Children in Need (CIN) throughout 2016/17 of which just over half were male compared to female. The CIN cohort’s ethnic breakdown is predominantly BME with just over a quarter of CIN being white ethnicity. On the last day of the year (31<sup>st</sup> March) a total of 1,994 children remained CIN with the rest having ceased throughout the year.
- For the overall CIN cohort, a total of 2,709 referrals were received in 2016/17 with the most common referral source being Police and Schools both accounting for 27% of referrals received. There were 2,873 assessments completed with just over half progressing for further action. A total of 1,106 S47’s were initiated in the period with 36.5% resulting in an initial child protection conference.
- There were 536 Child Protection Plans (CPP) active throughout 2016/17 of which over half ceased during the year with 227 children remaining on a CPP at the end of the year.
- A total of 370 Children were Looked After (CLA) throughout 2016/17 with 44% ceasing to be looked after during the year leaving 207 current CLA at year end.

Targeted Services continued to attract the most complaints (82% of all transactions). This reflects the nature of the statutory social work undertaken by that service, where difficult decisions regarding children and their families sometimes leads to necessary actions which are unpopular with service users.

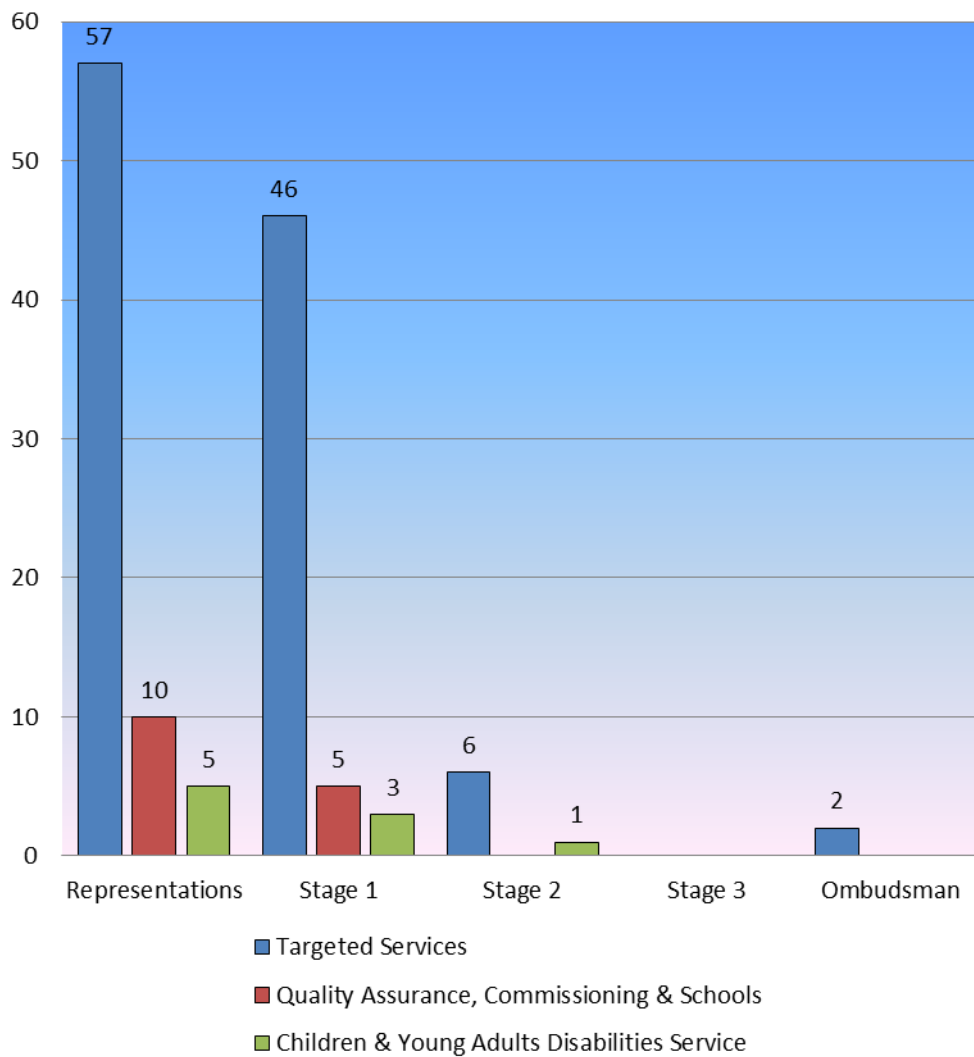
This report contains both positive messages and indications of areas needing more work.

- Of particular note is the high level of representations (72) 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.

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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.

	<ul style="list-style-type: none"> <li>• The proportion of stage 1 complaint responses sent within timescales has increased to 93% in 2016/17, up from 88% in 2015/16.</li> <li>• The relative escalation rate of complaints between the stages of the complaints 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 was 13%.</li> <li>• All of the key actions that were set for 2015/16 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 2016 and 31 March 2017 the Council received:</p> <ul style="list-style-type: none"> <li>• 72 representations i.e. potential statutory complaints that did not lead to a formal stage 1 complaint;</li> <li>• 54 statutory stage 1 complaints;</li> <li>• Seven stage 2 complaints;</li> <li>• No (zero) stage 3 complaint received (no panel hearings);</li> <li>• Two Local Government Ombudsman (LGO) complaints.</li> </ul> <p>Additionally, there were 65 MP and Councillor enquiries managed by the Complaints Team.</p> <ul style="list-style-type: none"> <li>• Timeliness of complaints response at an early stage typically prevents/minimises subsequent cost to the Council in time and resources. The Council has made strong improvements, 93% of stage 1 complaint responses were arranged in time (an increase from 88% in 2015/16).</li> </ul>
	<b>Table 1: Number of Complaints by Service area: April 2016 to March 2017</b>



Number of Complaint Transactions by Service area: April 2016 - March 2017

Service Area	Representations	Stage 1	Stage 2	Stage 3	Ombudsman	Total
Targeted Services	57	46	6	0	2	111
Education & Commissioning	10	5	0	0	0	15
Special Needs Service	5	3	1	0	0	9
<b>Total</b>	<b>72</b>	<b>54</b>	<b>7</b>	<b>0</b>	<b>2</b>	<b>135</b>

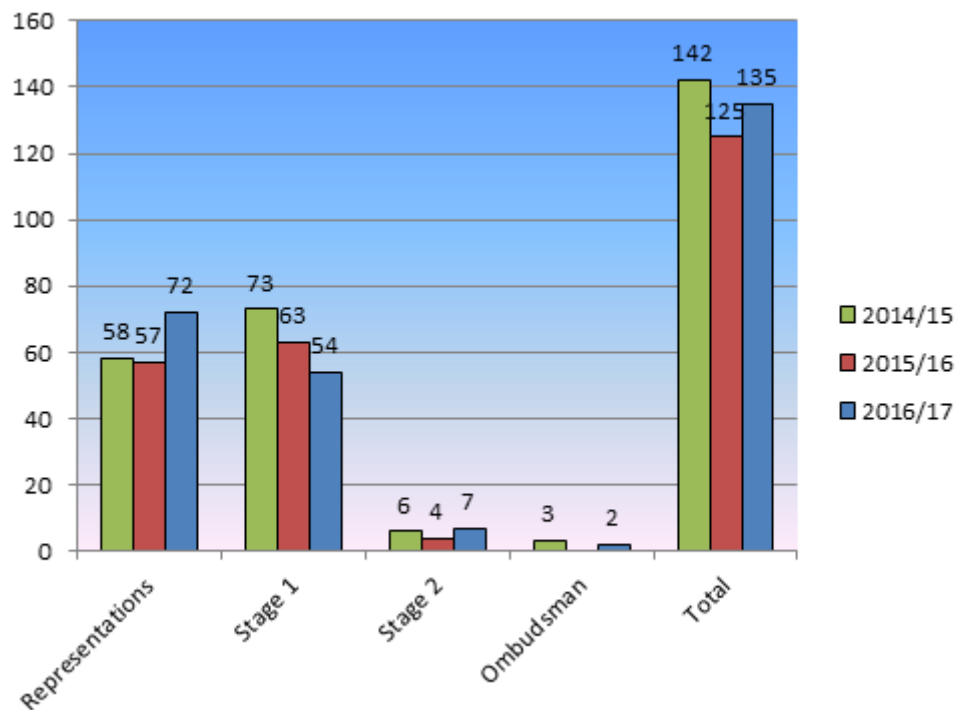
**Key message:** Overall the picture suggests a continuation of high quality investigative and governance standards.

**Analysis:** During 2016/17 there was a reduction in the number of stage 1 complaints, down by one on the previous year. However, the number of total

representations increased by 15 from the previous year.

There were seven stage 2 complaints. This represents an escalation rate of 13% of all stage 1 complaints and as such is a relatively low level. No (zero) complaints progressed to a stage 3 panel hearing. This is a positive indicator of sound resolution in the earlier stages of the process and compares with one for the 2015-16 period.

There were two new LGO referrals within the year, the LGO concluded that in both two cases that there was no evidence of fault with the Council.



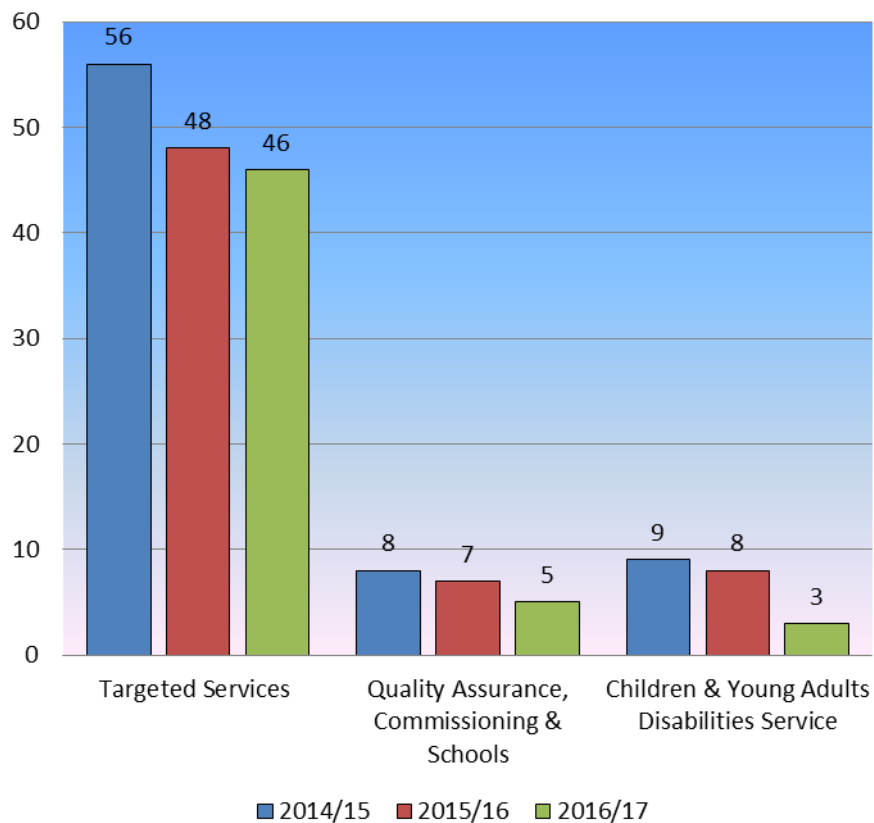
	Representations	Stage 1	Stage 2	Stage 3	Ombudsman	Total
2016/17	72(53%)	54(40%)	7(5%)	0(0%)	2(2%)	135
2015/16	57(46%)	63(50%)	4(3%)	1(1%)	0(0%)	125
2014/15	58(41%)	73(51%)	6(4%)	2(1%)	3(2%)	142

**Analysis:** There was an increase in the number of total complaints or 'transactions' in 2016/17 (135), compared to 2015/16 (125). This was mainly due to the larger number of representations (increase of 15 from the previous year). The fact that a significant proportion of issues continue to be resolved informally shows that active engagement with families and children has been positively welcomed

The number of Stage 1 complaints have fallen from 73 to 54 per year between 2014/15 and 2016/17, although stage 2 complaints and LGO complaints increased.

**Key message:** Previous research (e.g. Jerry White, Local Government

	<p>Ombudsman &amp; 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.</p> <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>
<b>3</b>	<b>Outcomes for key actions in 2015/16</b>
	<p>All of these outcomes have been met, for example, The proportion of stage 1 complaint responses sent within timescales increased to 92% in 2016/17, up from 88% in 2015/16. 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. 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.</p> <p>The Complaints team also offered more one to one training sessions for staff members in handling complaints and reflective discussions with care managers who were involved in complaints received to manage future situations where complaints may arise.</p>
<b>4</b>	<b>Priorities for 2015/16:</b>
	<ul style="list-style-type: none"> <li>• To ensure that on time Stage 1 complaint response rates continue to exceed the local target of 75%</li> <li>• To continue the core offer of training for front line staff and managers on complaint handling</li> <li>• To update the complaints database to reflect the new teams within the People Directorate</li> <li>• To review and update complaints literature and communications.</li> </ul>
<b>5</b>	<b>Stage 1 Complaints:</b>
<b>5.1</b>	<b>Stage 1 Complaints Overall Activity</b>
	<b>Table 3</b>



### Stage 1 Complaints

	2014/15	2015/16	2016/17
Education & Commissioning	8	7	5
Targeted Services	56	48	46
Special Needs Services	9	8	3
<b>Total</b>	<b>73</b>	<b>63</b>	<b>54</b>

**Key message:** Almost inevitably Targeted Services attracts a higher level of complaints. It is 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.

The table shows a fall in the number of complaints 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. The fall in the service may also be partly the result of an increase in the number of directly employed social workers compared to agency social workers. It could also reflect improvements within the service. The number of complaints for Education & Commissioning and for Special Needs Service has also decreased over the same period.

Additionally, there were 65 MP and Councillor enquiries managed by the Complaints team, which is a decrease from 90 in the previous year. This is attributable to the fact that there were fewer enquiries regarding school places. Possible explanations for this decrease include the schools expansions programme and a change in parental expectations particularly as media reports have highlighted that a relatively large proportion of children in London and the South East do not secure their first preference school for both

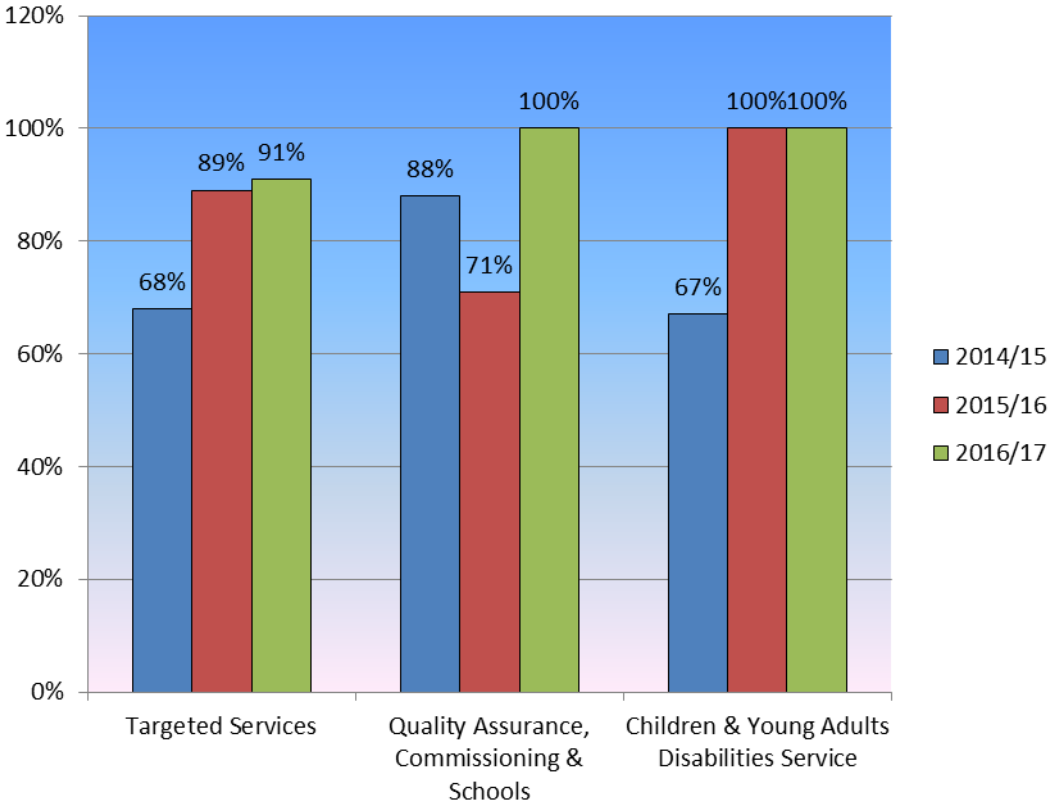


primary and secondary schools.

MP and Councillor 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.

**5.2 Stage 1 Response Times**

**Table 4**



**Key message:** There has been a further increase in the level of stage 1 complaints completed on time during 2016/17 compared to the previous year.

The overall level of on time complaints during 2016/17 was 93% which compares to 88% during 2015/16 and 70% during 2014/15.

**Analysis:** On time response rates for Targeted Services rose to 91% whilst complaints in the remaining two areas were all responded to on time.

**Key action 1:** To continue to exceed the 75% local target timescales for on time stage 1 complaints throughout 2017/18.

**5.3 Stage 1: Nature of Complaints**

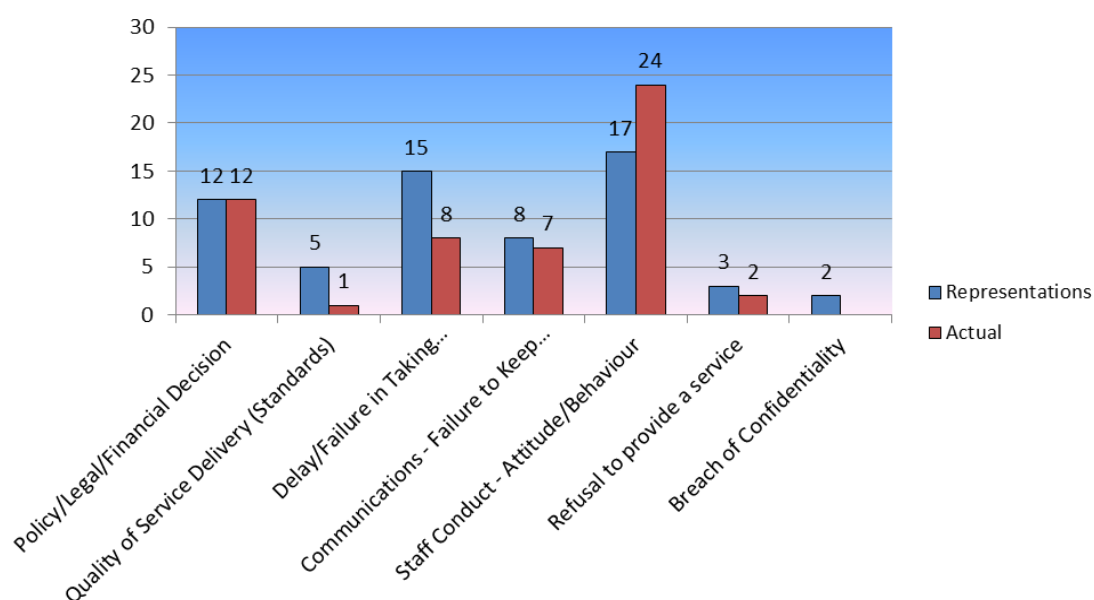
<b>Table 5</b>				
	Targeted Services	Education & Commissioning	Special Needs Service	Total
Allocation of Keyworker				
Breach of Confidentiality				
Change To Service - Withdrawal/Reduction				
Communications - Failure to Keep Informed/Consult	7			7
Delay/Failure in Taking Action/Replying	5	2	1	8
Discrimination by an Individual				
Discrimination By a Service				
Level of Service (e.g. opening times)				
Failure to follow policy/procedures				
Policy/Legal/Financial Decision	8	2	2	12
Quality of facilities/Health Safety				
Quality of Service Delivery (Standards)	1			1
Refusal To Provide A Service	1	1		2
Staff Conduct - Attitude/Behaviour	24			24
<b>Total</b>	<b>46</b>	<b>5</b>	<b>3</b>	<b>54</b>
<b>Examples of complaints by category:</b>	<b>2016/17 examples</b>			
Refusal to provide a service	Not being able to attend children's centre session			
Communications etc	Unhappy with communication regarding contact process between parents			
Delay, etc	The delay in support after the release of a young person from prison			
Failure to follow policy/procedure	Not receiving looked after child support due to incorrect classification decision on child			

Policy/Legal/Financial decision	Charter funds for leaving care were not provided on time
Quality of service delivery	Foster carer not providing the level of service expected by a young person
Staff conduct – attitude/behaviour	Unhappy with how Social Worker introduced themselves to child

**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.

**Table 6**



#### 5.4 Stage 1: Complaints Outcomes

**Table 7**

	Not Upheld			Partially Upheld			Upheld			Total		
	16/17	15/16	14/15	16/17	15/16	14/15	16/17	15/16	14/15	16/17	15/16	14/15
Education & Commissioning	3	5	5	2	1	2	0	1	1	5	7	8
Targeted Services	29	26	27	13	11	17	4	8	12	46	45	56
Special Needs	2	5	5	1	1	3	0	2	1	3	8	9
Total	34	36	37	16	13	22	4	11	14	54	60	73

	Total of overall Stage 1 outcomes, by percentage	63% 60% 50%	30% 22% 31%	7% 18% 19%	
	<p><b>Analysis:</b> : Managers and staff within service areas and the complaints team have worked towards a more balanced and open approach to complaints, where concerns from service users are recognised and receive appropriate responses. This includes 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. This has worked particularly well at the representation stage and resulted in a reduction of stage 1 complaints. However, some complainants have declined invitations to resolve matters quickly and informally at the resolution stage and asked for limited communication until a formal stage 1 response has been provided. This explains why the proportion of stage 1 not upheld outcome's has increased over the past three years.</p>				
<b>6</b>	<b>Stage 2 Complaints</b>				
<b>6.1</b>	<b>Percentage of Complaints escalating to Stage 2 (2016/17)</b>				
	<b>Table 8</b>				
	Service	Stage 1	Stage 2	% escalation	
	Education & Commissioning	5	0	0%	
	Targeted Services	46	6	13%	
	Special Needs	3	1	33%	
	Total	54	7	12%	
	<p>In general, escalation rates are at a relatively low level. Only 12% of stage 1 complaints went on to be considered at stage 2. The majority (six) of the seven stage 2 complaints were for Targeted Services, which reflects the difficult statutory social work undertaken by the service.</p> <p>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 to stage 2 trend over time</b>				
	<b>Table 9</b>				
	Service	Escalations to Stage 2			

		2014/15	2015/16	2016/17
	Education & Commissioning	11%	0%	0%
	Targeted Services	5%	8%	13%
	Special Needs	25%	0%	33%
	Total	8%	6%	12%
	<p>Whilst the escalation rate has increased during 2016/17 compared to 2015/16 the overall rate at 12% is still relatively low. Also as the total number of stage 1 complaints has decreased over the past three years any change in stage two numbers slightly skews the escalation rate when expressed as a percentage.</p>			
<b>6.3</b>	<b>Stage 2 Outcomes 2016/17</b>			
	<b>Table 10</b>			
	Service	Not Upheld	Partially Upheld	Upheld
	Education & Commissioning	0	0	0
	Targeted Services	3	3	0
	Special Needs	0	1	0
	Total [Grand Total = 7]	3	4	0
	<p>During 2016/17 three stage 2 complaints were not upheld and the remaining four complaints were only partially upheld, no cases were fully upheld. Examples of the reason for partial uphold were not explaining the process/not communicating closure of case; the delay in process in referring to the Adaptations team; because a Social Worker did not introduce themselves appropriately to child with an explanation of their work.</p>			
<b>6.4</b>	<b>Stage 2 Response Times of known outcomes</b>			
	<b>Table 11</b>			
	Service	Within Timescale 2016/17 (2015/16)	Over Timescale 2016/17 (2015/16)	
	Education & Commissioning	0(0)	0(1)	
	Targeted Services	5(2)	1(1)	
	Special Needs	1(0)	0(0)	
	Total	6(2)	1(2)	
	<p>At stage 2, there is more emphasis on thoroughness than speed. The complaints team remind Independent Investigating Officers of the need to consider timescales. Of the seven stage two complaint investigations during 2016/17, only one complaint was completed over the time limit due to a family bereavement for the Independent Investigating Officer.</p>			

<b>6.5</b>	<b>Stage 2: Nature of Complaints</b>				
	<b>Table 12</b>				
		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				
	Discrimination by an Individual				
	Discrimination By a Service				
	Failure To Follow Policy or Procedure	2		1	3
	Level of Service (E.g. Opening Times)				
	Loss or Damage to property				
	Policy/Legal/Financial Decision				
	Quality of facilities/Health Safety				
	Quality of Service Delivery (Standards)				
	Refusal To Provide A Service				
	Staff Conduct - Attitude/Behaviour	4			4
	<b>Total</b>				<b>7</b>
<b>7</b>	<b>Stage 3 Complaints:</b>				
	None (zero) of the seven stage 2 complaints escalated to stage 3 during 2016/17 highlighting satisfaction with the outcomes of the stage 2 response.				
<b>8</b>	<b>Ombudsman (LGO) Complaints</b>				
<b>8.1</b>	<b>Complaints made to the LGO</b>				
	<b>Table 13</b>				
	Service	No finding against Council	Partial finding	Total	
	Targeted Services	2	0	2	
	The Council received two new complaints from the (LGO) during 2016/17, in both cases the LGO found no evidence of fault against the Council.				
<b>9</b>	<b>Escalation comparison over time:</b>				

<b>Table 14</b>					
		Stage 1	Stage 2	Stage 3	LGO
	2016/17	54	7	0	2
	2015/16	63	4	1	0
	2014/15	73	6	2	3
	<b>Analysis:</b> The escalation between the complaints stages and LGO stage over the past three years has remained relatively low, highlighting good satisfaction rates, against a background of greater number of successful representations.				
<b>10</b>	<b>Compensation/Reimbursement Payments:</b>				
	There were no compensation awards offered by the Council in 2016/17, which was also the case during 2015/16.				
<b>11</b>	<b>Mediation and Alternative Dispute Resolution:</b>				
	<p>During 2016/17 five potential stage 2 complaints were resolved by the Complaints Team facilitating a meeting or mediation between complainants and Children's Services. For example</p> <ul style="list-style-type: none"> <li>• Meeting with parents and their Mencap advocate clarifying the post court guardianship and contact process. Misunderstandings regarding the process were clarified and also the parent was further informed on what to further raise with their own legal representative for information they should have received from them.</li> <li>• A conference call was arranged between the Lead Social Worker at Mental Health Hospital and Child in Need Team Manager to clarify and work together on joint processes to ensure best available options and considerations for involved young person.</li> <li>• Worked with housing to assist in finding suitable accommodation for a family who felt they were no longer able to stay where they were due to hostile environment with a neighbour. In addition, assistance and co-ordination was provided to apply for financial assistance for furniture and applicants from Children's Services and The Mayor's Fund.</li> </ul>				
<b>12</b>	<b>Joint NHS and social care complaints</b>				
	During 2015/16 there were no (zero) complaint investigations carried out jointly between Harrow Council and NHS bodies.				
<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>• Ensuring that a social work assessment is delivered securely in a</li> </ul>				

	<p>situation where non-involved spouse cannot intercept it.</p> <ul style="list-style-type: none"> <li>• When a family is being involved in a child protection investigation (particularly for the first time) ensuring that the process is entirely explained and that any outcomes to such assessments are communicated in a timely manner.</li> <li>• When a Social Worker is dealing with parents who may have an acrimonious relationship, ensuring no language or actions are used unnecessarily that may lead child to believe that the Social Worker is affiliated more with one parent over the other.</li> <li>• Being aware that even where personal information is omitted from information like a referral to make it anonymous in a social work assessment, being aware that individual detail within the referral itself could tip off an individual to who made the referral. In future, it was communicated that staff should be aware of the full context of the referral even with personal details redacted.</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. There were 23 written compliments sent to Children’s Services that were fed back to the Complaints Team during 2016/17 including the following:</p> <ul style="list-style-type: none"> <li>• I wanted to place on record my thanks for the extra care and commitment you put into this case. Your level of assistance to a young and immature youth facing very serious charges went far beyond the norm and your excellent, realistic and thoughtful report to court. [In reference to a member of staff from the Youth Offending Team]</li> <li>• An Aunt of a child in need wrote to state that that she was very appreciative of the work of two Social Workers and that she feels that they have gone above and beyond and have tried their hardest to engage and work with the child to get a good outcome</li> <li>• A teacher emailed with regards to an Education Lead officer that the role he holds is vital and in particular for families who are vulnerable. His expertise (teaching background) , knowledge of systems and caring and professionalism has really been a highlight.</li> <li>• The guardian of a child noted that a Social Worker had to complete a report and carry out this extra work over Christmas but it is a really good report. The detailed knowledge of the children's lives and inner worlds and the commitment to making the right decision for them really shines through and is basically pretty unanswerable. It will save time when it comes to the final hearing to have such a thorough, thoughtful document.</li> <li>• The child of a Foster Carer praised the Children and Families Fostering Team: Thank you for your hard work and especially in dealing with the many concerns both my parents have brought to you over the years. I am most grateful to you for passing on my father concerns with regards to a particular child. Thank you again for your ongoing support for young people and the foster families.</li> </ul>



	<ul style="list-style-type: none"> <li>• I was really impressed by (SW in CIN) calm, focused approach in both these cases at Conference. Both were inherited cases, and she has evidently worked directly with children, parents and professionals to disentangle and throw a clear light on concerns and risks. Whilst highlighting these, she also sees the strengths of both parents and young people.</li> <li>• Central London Community Healthcare NHS Trust commenting on a Social Worker stated that “during the initial conference at which there was a different chair and Social Worker, the mother was extremely hostile, volatile and fiercely oppositional to the entire Child Protection process. Attending the second conference two and a half months later I felt like I was in the presence of a different woman. The mother was happy to engage, willing to listen and clearly had a high level of respect and liking for you which she explicitly stated during the conference. My sense was that this was due to you being able to gain her trust and respect. However I think the thing that impressed me most was your very clear articulation of the boundaries of acceptable and unacceptable parenting. You were very definite to the mother about this, however you were able to deliver it in a way that, while being absolutely clear on limits was also non judgemental and honest.”</li> <li>• A parent fed back that a member of Safeguarding has been ‘lovely’ and ‘very supportive’ and very pleased with the way she has been positive in working with the child.</li> <li>• The Head and Deputy Head were full of praise for the speed and quality of the response to their referral from the MASH team, they were especially impressed with the way that an Officer had spoken to the parent and the way she combined the message of support with one of high expectations. They felt that the way that officer dealt with the situation and spoke to the mother has enabled them to now enter a dialogue with Mum that will address some of her anxieties and to move forward positively.</li> </ul>
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<b>15</b>	<b>Equalities Information</b>
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<b>15.1</b>	<b>Equalities Information – Stage 1 Complaints</b>
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	Table 15	
	2016/17	2015/16
Gender of Service User:		
Male:	24 (44%)	28 (44%)
Female:	30 (46%)	29 (46%)
Unknown/Not Recorded	0 (0%)	0 (0%)
More than one child	0 (0%)	6 (10%)

<b>Analysis: No concerns noted</b>			
<b>Table 16</b>			
Ethnic Origin of Service User:		2016/17	2015/16
ASIAN OR ASIAN BRITISH			
Afghani			
Bangladeshi		1	
Indian		2	2
Pakistani		2	2
Sinhalese			
Sri Lankan Tamil		2	2
Other Asian		2	3
BLACK/BLACK BRITISH			
African		4	7
Caribbean		7	8
Somali			
Other Black		1	2
OTHER ETHNIC GROUP			
Arab			
Chinese			1
Iranian			
Iraqi			
Kurdish			
Lebanese			
Other Ethnic Group		2	2
MIXED			
White & African		2	
White & Caribbean		5	2
White & Asian		1	3
Other Mixed		8	8
WHITE			
Albanian			
British		8	14
Irish		4	
Gypsy/Roma Traveller			
Irish Traveller			
Polish			
Romanian			
Serbian			
Other White			
PREFER NOT TO SAY/NOT KNOWN		3	7
<b>Table 17 Origin of Complaints</b>			
		2016/17	2015/16
Service User		2	5
Parent/relative		47	55
Advocate		4	3
Solicitor		1	0
Friend/other		0	0

<b>15.2 Equalities Information – Stage 2 Complaints</b>			
	<b>Table 18</b> Gender of Service User:	2016/17	2015/16
	Male:	3 (43%)	2 (50%)
	Female:	4 (57%)	2 (50%)
	<b>Table 19</b> Ethnic Origin of Service User:	2016/17	2015/16
	African		
	Chinese		1
	Other Black	1	1
	Mixed Background - Other	2	
	Other Asian	1	2
	Caribbean	1	
	White British	1	
	Unknown	1	
	<b>Total</b>	<b>7</b>	<b>4</b>
	<b>Table 20</b> Origin of Complaints	2016/17	2015/16
	Service User		
	Parent/relative	6	4
	Advocate	1	
	Solicitor		

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

This report provides information about complaints made during the twelve months between 1 April 2015 and 31 March 2016 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.

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

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

**Background Papers:** None