



**Children's Social Care
Complaints, Compliments
and Comments
Annual Report
2016/17**

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Introduction

Darlington Children's Social Care welcomes complaints, compliments and comments as a way of improving service delivery to children, young people and their families. The purpose of this report is to inform the service users, carers, the public, Council Members and Children's Social Care staff of the effectiveness of the Children's Social Care Complaints, Compliments and Comments Procedure (the Procedure). The report identifies topics and trends in relation to complaints information, makes suggestions for service improvements, where appropriate and identifies areas of organisational learning that have taken place in relation to people, policy and process.

The Law

The Council is required by law to have management arrangements in place for considering children's social care representations, including complaints, under the Children Act 1989. National legislative procedures for social care were amended in September 2006 with the introduction of the Children Act 1989 Representation Procedure (England) Regulations 2006 (the Regulations). It is a requirement of the Regulations that the Council publishes an annual report. In addition to the Regulations the Department for Education and Skills produced some comprehensive guidance for local authorities on managing complaints, called 'Getting the Best from Complaints'.

Key features of the Regulations include:

- A requirement for local authorities to appoint a Complaints Manager;
- A requirement for review panels to be retained by local authorities but with more robust arrangements for constituting and running them; and
- A 12 month time limit to make complaints.

Complaints and Information Governance Team

The Complaints and Information Governance Manager is appointed as the 'Complaints Manager' in accordance with the requirements of the Regulations. The Complaints and Information Governance (CIG) Team is independent of Children's Social Care operational line management. This ensures a high level of independence in the way children's social care complaints are managed within the Council.

Public Information

We are committed to making sure that everyone has equal access to all our services, including the Procedure. To help make the Procedure easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.

The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Children's Services Social Care Complaints Process

Stage 1 – Local Resolution

This initial stage allows Children's Social Care managers the opportunity to try and resolve complaints locally, usually within the team being complained about.

Stage 2 – Investigation

Stage 2 involves a full and formal investigation. An 'Independent Person' must also be appointed to oversee the investigation and report independently to Children's Social Care Services. Both the Investigating Officer and Independent Person produce reports, which are submitted to a senior manager who writes the final response to the complainant.

Stage 3 – Review Panel

A review panel is convened when the complainant is dissatisfied with the Stage 2 response. The panel consists of an independent chairperson and two individuals who are independent of the Council.

The Local Government Ombudsman

Although complainants can refer complaints at any stage to the Local Government Ombudsman (LGO) they will not normally investigate until the Council has conducted its own investigation and provided a response.

External Support to the Complaints Process

Advocacy

The Council commissions an advocacy service for children and young people who make a complaint. This is an independent service provided by NYAS.

Investigating Officers

While the Regulations do not require Investigating Officer's to be independent of the Council, we have signed up to a contract for the provision of Independent Investigating Officers.

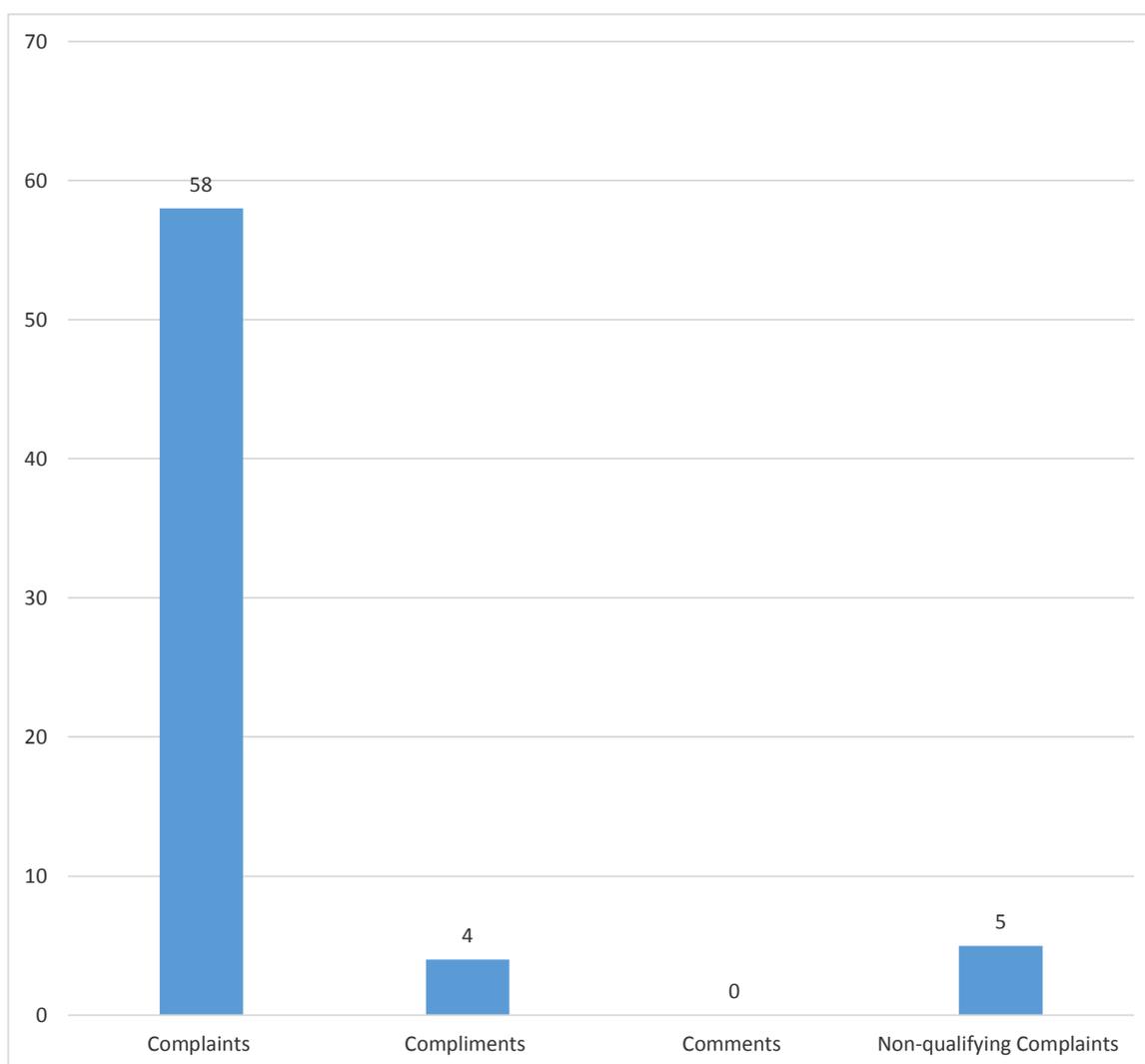
Independent Persons

The Council has signed up to a contract for the provision of Independent Persons.

Review Panels

The Council has also signed up to a contract for the provision of an Independent Chair and Independent Panellist service.

Total Complaints, Compliments and Comments received 2016/17



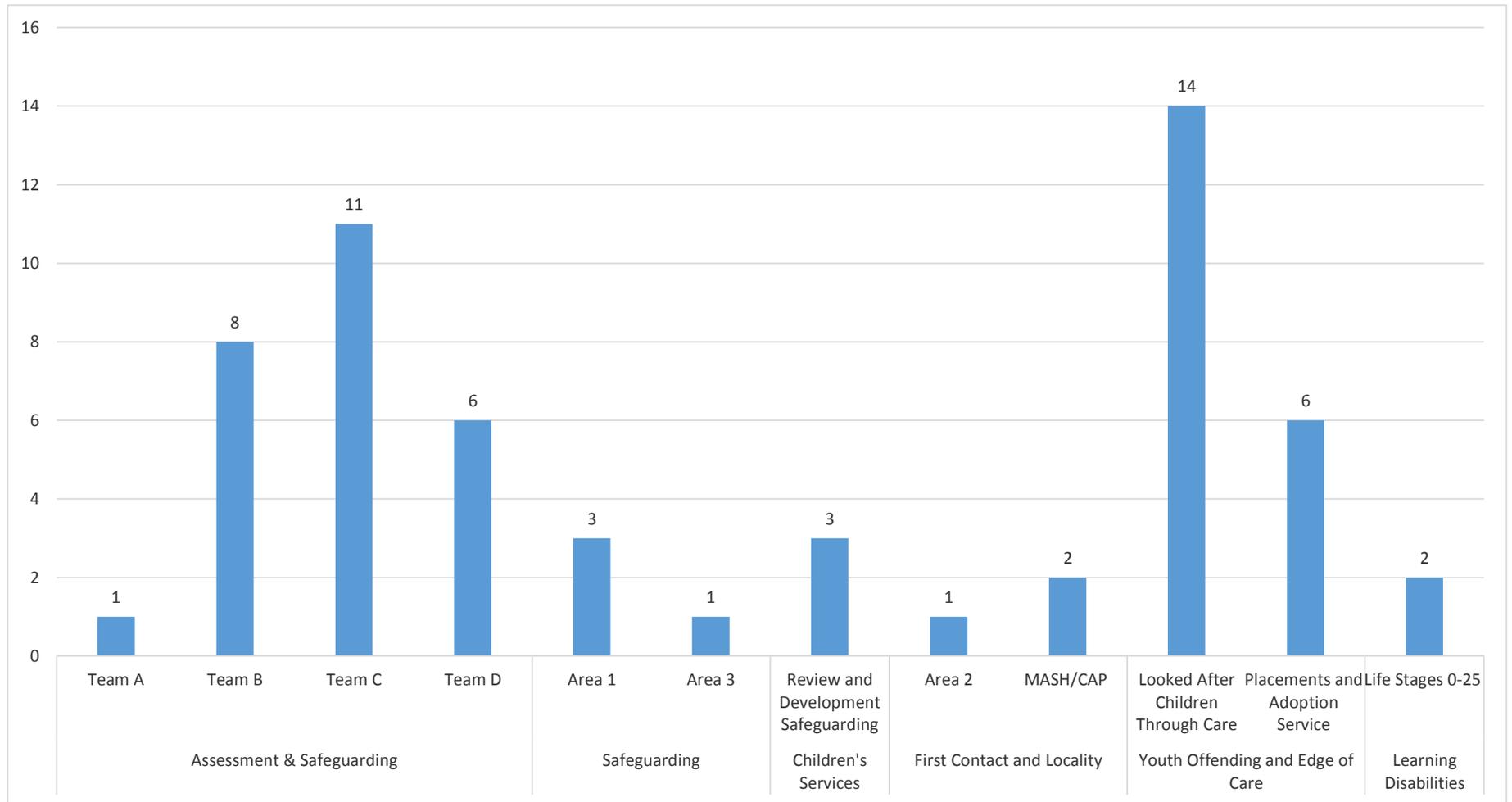
The Council received 58 complaints during 2016/17, an increase from 54 complaints during 2015/16.

The Council received 4 compliments during 2016/17, a decrease from 6 during 2015/16.

The Council received 0 comments during 2016/17, a decrease from 1 in 2015/16.

The Council received 5 non-qualifying complaints during 2016/17, a decrease from 9 during 2015/16. These included complaints about private law matters and the content of Section 7 Welfare Reports. In all cases the complainant was advised of the reasons why we could not investigate their complaint and the most appropriate way to pursue the matter.

Breakdown of Stage 1 Complaints by Service Area/Team



While it is not possible to make a comparison at team level following the change from 3 to 4 area teams, the Council received 30 complaints for the Assessment & Safeguarding / Safeguarding Area Teams, compared to 29 for Social Care & Youth Offending Area Teams during 2015/16.

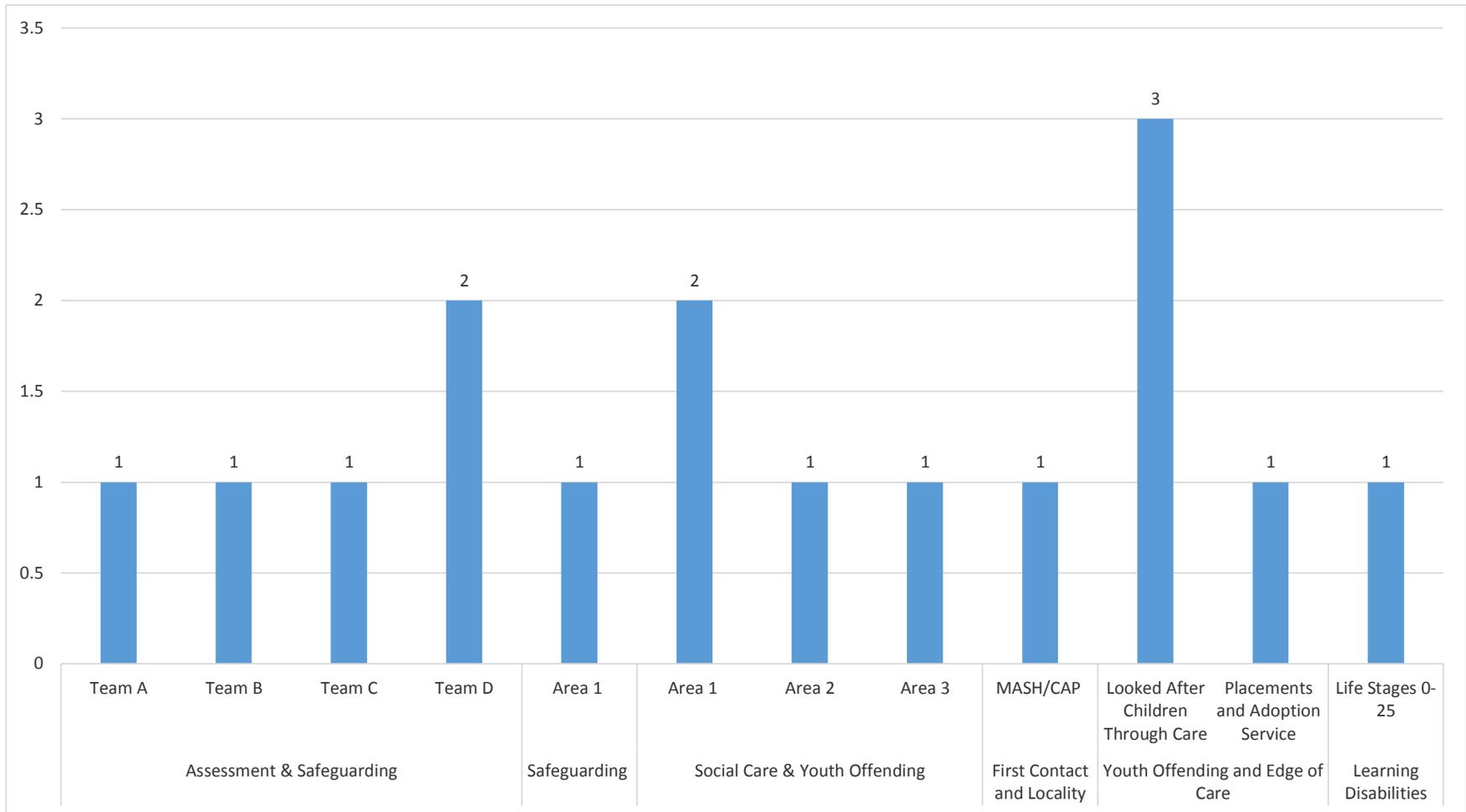
The Council received 2 complaints for MASH/CAP, a significant decrease from 10 in 2015/16.

The Council received 14 complaints for Looked After Children Through Care, an increase from 10 in 2015/16.

The Council received 6 complaints for the Placement and Adoption Service, a significant increase from 0 in 2015/16.

Breakdown of Stage 2 Complaints by Service Area/Team

16 complaints were considered at Stage 2 during 2016/17, an increase from 14 in 2015/16.



While it is not possible to make a comparison at team level following the change from 3 to 4 area teams, the Council received 10 Stage 2 complaints for the Assessment & Safeguarding / Safeguarding Area Teams / Social Care & Youth Offending Area Teams, an increase from 6 during 2015/16.

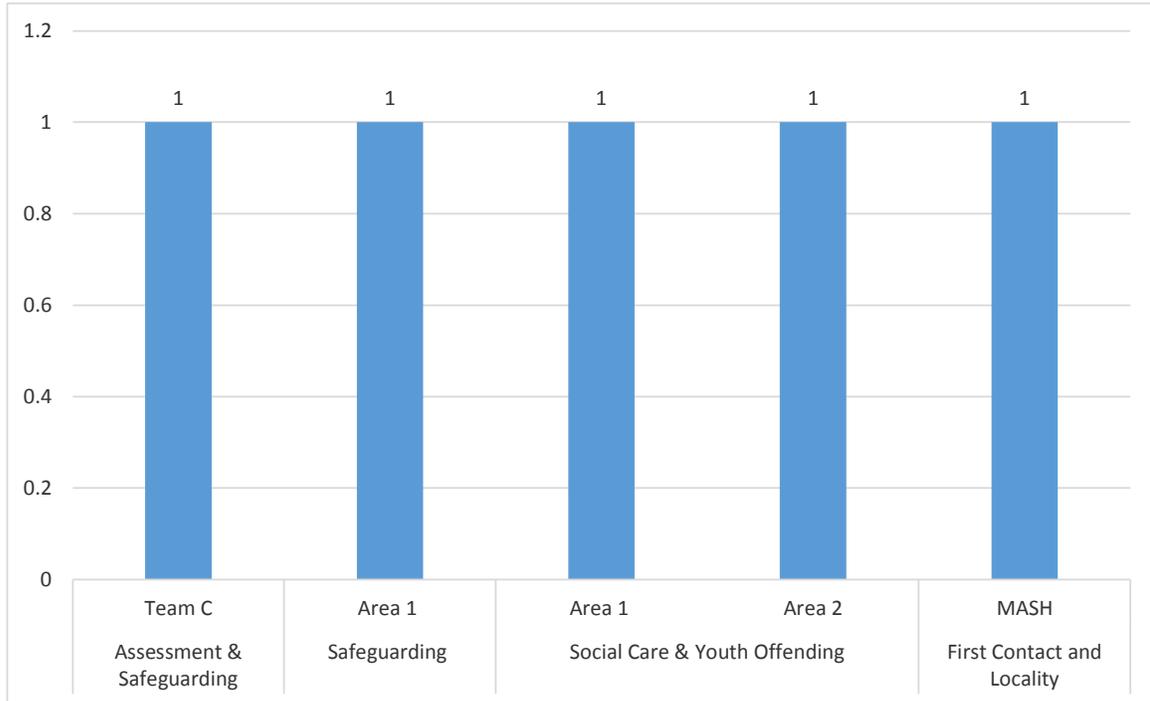
MASH/CAP received 1 Stage 2 complaint, a decrease from 4 in 2015/16.

The Looked After Children Through Care Team received 3 Stage 2 complaints, an increase from 1 in 2015/16.

Life Stages 0 – 25 Team received 1 Stage 2 complaint, a decrease from 3 in 2015/16.

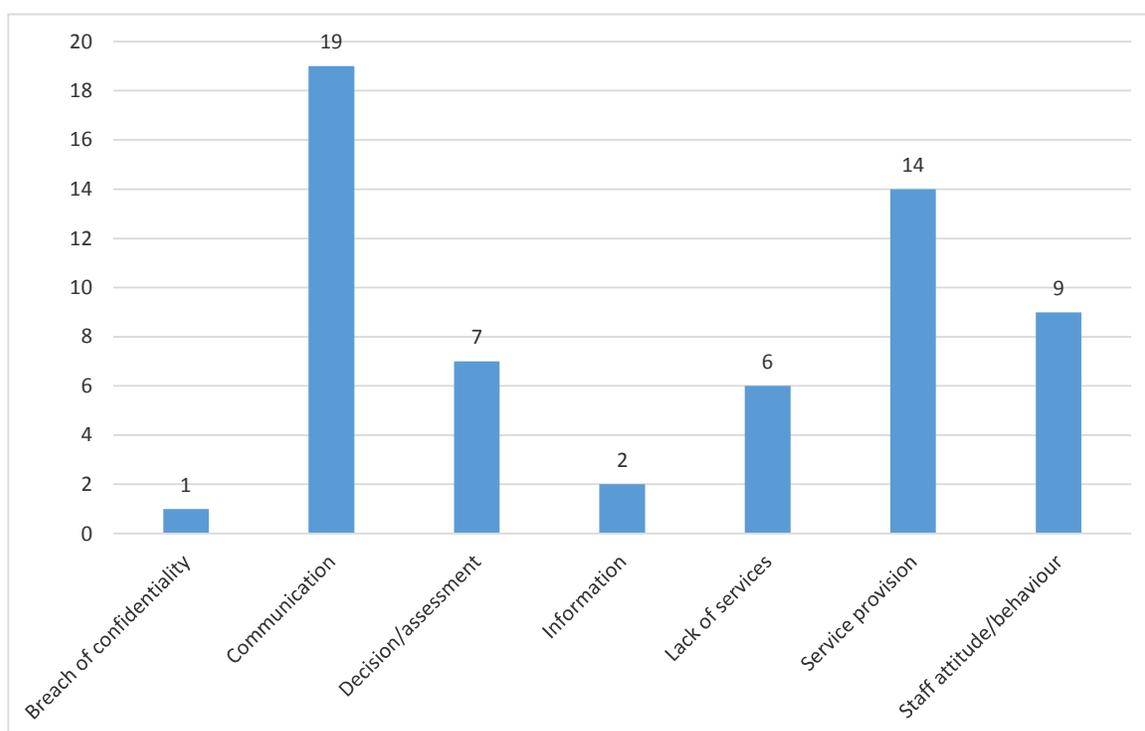
Breakdown of Stage 3 complaints by Service Area/Team

5 complaints were escalated to Stage 3 during 2016/17, compared to 3 in 2015/16.



While it is not possible to make a comparison at team level following the change from 3 to 4 area teams, the Council received 4 Stage 3 complaints for the Assessment & Safeguarding / Safeguarding Area Teams / Social Care & Youth Offending Area Teams, an increase from 2 during 2015/16.

Breakdown of complaints by Issue 2016/17



Communication was the most commonly complained about issue. The Council saw a significant increase in complaints about communication, compared to 9 in 2015/16.

The second most complained about issues was Service Provision. Having been the most commonly complained about issue for four consecutive years the Council saw a decrease in complaints about service provision, from 20 in 2015/16.

The Council received 9 complaints about Staff attitude/behaviour, the same number as in 2015/16.

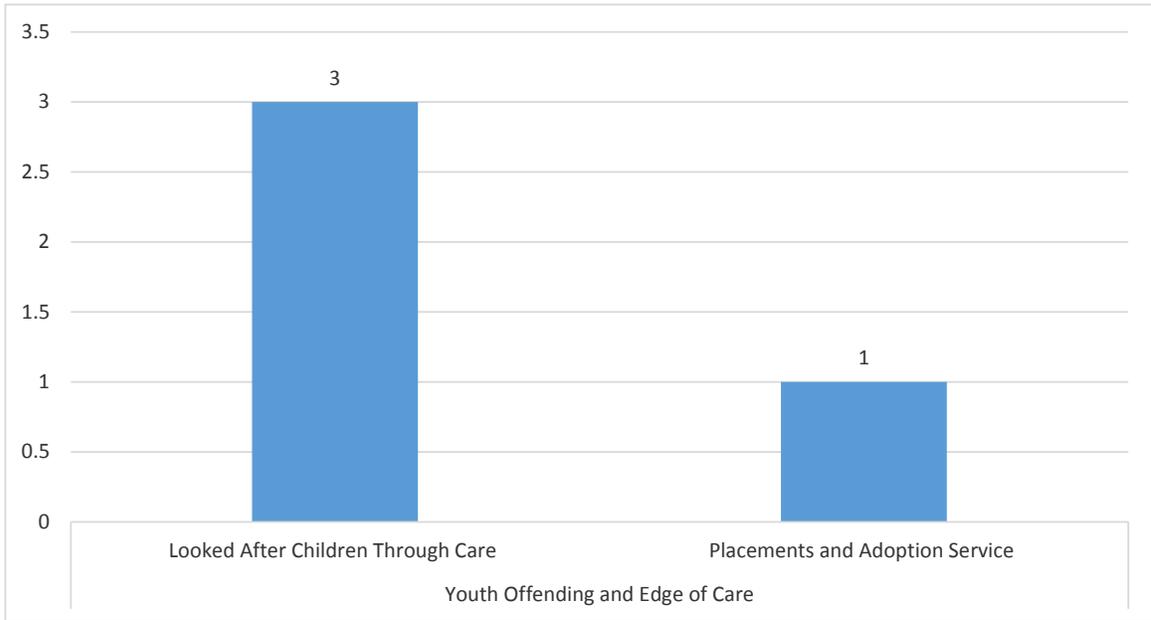
The Council received a further 7 complaints about a decision/assessment, a decrease from 8 in 2015/16.

The Council saw an increase in complaints about Lack of Services, from 4 in 2015/16.

Breakdown of Comments by Service Area/Team

The Council did not receive any comments during 2016/17, a decrease from 1 in 2015/16.

Breakdown of Compliments by Service Area/Team



Complaint Outcomes

Stage 1 - The below table shows the decisions reached on complaints during 2016/17.

Team	Escalated to Stage 2 as no Stage 1 response provided	Suspended (ongoing proceedings)	Withdrawn	Upheld	Not Upheld	Partially Upheld	Inconclusive	Total
Assessment & Safeguarding, Team A	0	0	0	0	1	0	0	1
Assessment & Safeguarding, Team B	0	1	0	0	4	2	0	7
Assessment & Safeguarding, Team C	0	0	1	2	2	4	2	11
Assessment & Safeguarding, Team D	0	0	0	1	2	0	0	3
Safeguarding, Area 1	0	0	0	0	1	2	0	3
Safeguarding, Area 3	0	0	0	1	0	0	0	1
Social Care & Youth Offending, Area 1	0	0	0	1	0	1	0	2
Social Care & Youth Offending, Area 2	0	0	0	0	1	0	0	1
Social Care & Youth Offending, Area 3	1	0	0	0	0	0	0	1
First Contact and Locality, Area 2	0	0	0	1	0	0	0	1
First Contact and Locality, MASH/CAP	0	0	1	0	1	0	0	2
Youth Offending and Edge of Care, Looked After Children Through Care	1	0	0	3	2	3	1	10
Youth Offending and Edge of Care, Placements and Adoption Service	0	0	0	2	1	2	0	5
Children's Services, -Review and Development Safeguarding	0	0	0	0	0	3	0	3
Learning Disabilities, Life Stages Service 0 - 25 Team	0	0	0	0	0	1	0	1
Total	2	1	2	11	15	18	3	52

Stage 2 - The below table shows the decisions reached on complaints during 2016/17.

Team	Withdrawn	Upheld	Not Upheld	Partially Upheld	Inconclusive	Total
Assessment & Safeguarding, Team C	0	0	0	1	0	1
Safeguarding, Area 1	0	0	0	1	0	1
Social Care & Youth Offending, Area 1	1	0	0	3	0	4
Social Care & Youth Offending, Area 2	0	1	0	0	0	1
Social Care & Youth Offending, Area 3	0	0	0	1	0	1
First Contact and Locality, MASH	0	1	1	1	0	3
Youth Offending and Edge of Care, Placements and Adoption Service	0	0	0	1	0	1
Learning Disabilities, Life Stages Service 0 - 25 Team	0	0	0	1	0	1
Total	1	2	1	9	0	13

Stage 3 - The below table shows the decisions reached on complaints during 2016/17.

Team	Withdrawn	Upheld	Not Upheld	Partially Upheld	Inconclusive	Total
Social Care & Youth Offending, Area 1	0	0	0	1	0	1
First Contact and Locality, MASH	0	0	0	1	0	1
Total	0	0	0	2	0	2

Local Government Ombudsman Complaints

3 complaints were referred to the LGO during 2016/17, the same number as in 2015/16.

0 complaints were determined by the LGO during 2016/17, compared to 5 in 2015/16.

Organisational Learning

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints several service improvements were made following complaint investigations during 2016/17. Some examples of these are detailed below.

Compliance with Complaints Process

It was agreed that with regard to social workers being reluctant to engage in complaints investigations once they have left the authority, the Local Authority would consider whether they can improve engagement via the Northern Regional Complaints Manager's Group (NRCMG) and the Children's Services' Directors' Group.

Social Care & Youth Offending, Area 1

It was agreed that the Local Authority would ensure more robust quality assurance of assessments and reports.

It was agreed that the Local Authority should ensure a clear explanation is provided for the purpose of meetings in future, in particular Family Group Conferences.

The importance of the use of objective language was raised with social workers.

It was agreed that in planning their intervention with a family the Local Authority would consider a communication plan for each person with parental responsibility, which would be proportionate to the needs and circumstances of each individual family. This was incorporated into the revised assessment forms.

MASH

It was agreed it would be reaffirmed with Managers and social work practitioners that parents who retain parental responsibility for the child should be fully engaged in the assessment process and visited irrespective of the child's living arrangements.

It was also agreed that a review of the current arrangements for the assessment of risk associated to Child Sexual Exploitation (CSE) would be undertaken.

Further recommendations

Children's social Care staff should work to improve performance against the Stage 1, 2 and 3 timescales set out in the Council's Children's Social Care Complaints Procedure.

Performance against the Children's Social Care Complaints, Compliments and Comments Procedure

The below performance measures are in relation to those complaints responded to during 2016/17.

Timescales

Stage 1

The target for responding to a complaint at Stage 1 is 10 working days, with a possible extension of up to 20 working days if the complaint is complex.

- 20.8% of Stage 1 complaint responses were sent out within 10 working days. This is an increase in performance from 13.2% in 2015/16.
- A further 27.1% of Stage 1 complaint responses were sent out within 20 working days.
- In total 47.9% of Stage 1 complaint responses were sent out within the maximum 20 working day timescale, an increase from 36.9% in 2015/16.

Stage 2

The target for responding to a complaint at Stage 2 is 25 working days, extendable up to a maximum of 65 working days.

- 0% of Stage 2 responses were sent out within 25 working days during 2016/17, as was the case in 2015/16.
- 12.5% of complaints were responded to within the maximum timescale allowed (65 working days), compared to 40% in 2015/16.
- 87.5% were responded to after 65 working days, compared to 60% in 2015/16.

Stage 3

- At Stage 3 the Review Panel should be held within 30 working days of the request. 50% of Review Panels were held within 30 working days, 75% were held within 31 working days and 100% within 36 working days, due to the availability of both staff and the complainant.
- The Review Panel should write to the Director within 5 working days of the panel. They did so in 75% of cases.

- The Director should write to the complainant within 15 working days of receiving the panel's response. The Director did not write to the complaint within 15 working days in response to any of the Stage 3 complaints determined during 2016/17.

Performance against key performance indicators

In relation to children's social care complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government Ombudsman. The Council did not receive any maladministration decisions during 2016/17, compared to two during 2015/16.