

Children's Social Care Annual Complaints Report

April 2013 – March 2014



LONDON BOROUGH OF
BEXLEY

**London Borough of Bexley
Children’s Social Care**

Annual Complaints Report – 2013/2014

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1. Introduction

This report provides information on complaints about Children's Social Care services in the London Borough of Bexley from 1 April 2013 to 31 March 2014. The majority of complaints have been dealt with through the Statutory Social Care Complaints Procedure, and a small number through the Bexley Corporate Complaints Procedure.

Complaints are a valuable tool in helping to understand our residents' and customers' experience of service delivery and are key in identifying service improvements across the Council. This report, which shows the issues residents and customers felt strongly enough to complain about, will further assist the improvement process.

We have an established IT system in place to capture a range of complaints information including the nature of the complaint, the action taken, the outcome of each complaint and whether there was compliance with the time periods specified in the legislation.

By publishing the annual complaints report, the Council demonstrates its commitment to transparency and a positive approach to dealing with and learning from complaints.

1.1 Key facts

- We believe that dealing effectively with complaints is essential to providing good services and we use feedback from complaints to improve our services.
- The Children's Social Care statutory complaints process is used for all complaints relating to the Council's key social care responsibilities as set out in the Children's Act 1989. The legislation establishes an overall target for local authorities to respond to complaints within 10 working days.
- For complaints about Children's Social Care that are not to do with the core (legally defined) social care responsibilities, we use the Council's Corporate Complaints Procedure. Examples of these include a foster carer not being paid on time or a complaint about someone not receiving a response to a letter they had sent to their Social Worker. We have set ourselves a target of responding to these complaints within 10 working days.
- In 2013-14, we received 67 complaints about Children Social Care Services. 19% of stage 1 complaints were resolved within the target 10 days.
- Out of the 67 complaints received during the year, five progressed to stage 2; three progressed to stage 3; and six complaints were referred to the Local Government Ombudsman for resolution.

1.2 Background

There is a legal requirement under the Children Act 1989 for local authorities to have a procedure to deal with complaints relating to the key social care responsibilities as defined in the Children's Act 1989.

The Children's statutory complaints procedure has three stages (see below). Additionally, if a complainant remains dissatisfied, having exhausted these stages, they can ask the Local Government Ombudsman (LGO) to review their complaint.

Stage 1: This is the most important stage of the process. It is the stage where an effective resolution is most likely and, if achieved, is the most efficient use of resources. The complaint is investigated by the relevant Head of Service and should be responded to within 10 working days.

Stage 2: This is a more formal stage during which a complaint is investigated by two independent people; an Investigation Officer (IO) and an Independent Person (IP). A children’s service Deputy Director then formally adjudicates the complaint and responds to the report findings and recommendations of the IO and IP, to produce the local authority’s outcome at stage 2. The investigation is expected to be completed within 25 working days but can be extended up to 65 working days where this may be necessary.

Stage 3: This is the final stage of the statutory complaints procedures. A Review Panel consisting of three independent people will review a complaint that has gone through stages 1 and 2 as described above. The Review Panel will make recommendations to the Director of Children’s Social Care, who then issues the Council’s final response.

Once Stage 3 is complete, complainants can ask the LGO to review their complaint if they remain dissatisfied.

Corporate complaints received are generally fewer than the number of statutory complaints as they relate to complaints made by children and young people or their representatives that are not related to the key social care responsibilities as defined in the Children Act 1989.

2. Complaints received

The table below shows the total number of new complaints recorded in Children’s Social Care from 1 April 2013 to 31 March 2014. This is the first full year of recording complaints using the Complaints Management IT System (iCasework) and therefore the figures will not be directly comparable to previous years.

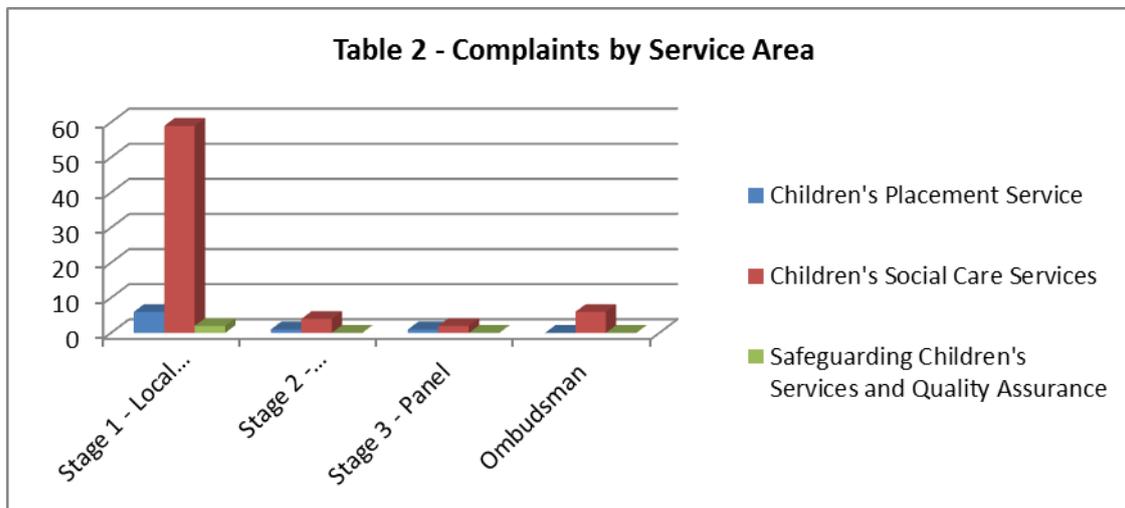
Table 1 - Complaints received					
Total	Stage 1 - Local resolution	Stage 2 - Investigation	Stage 3 - Panel	Ombudsman	Total
Statutory complaints	62	5	3	6	76
Corporate complaints	5	0	0	0	5
Total	67	5	3	6	81

Sourced by iCasework

London Borough of Bexley had a total of 13 Education and Social Care complaints (Local Government Ombudsman count method). In terms of cases directly referred by the Ombudsman to London Borough of Bexley, there were six that related to Children’s Social Care.

2.1 Complaints by Service Area

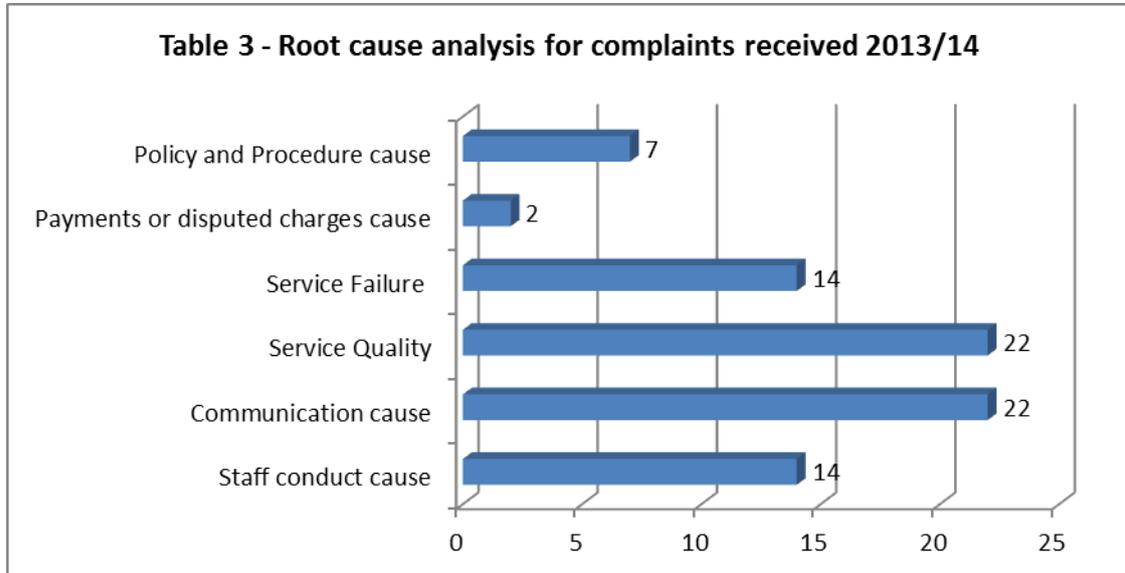
The table below shows the service area that the complaint related to within Children's Social Care from 1 April 2013 to 31 March 2014.



Sourced by iCasework

2.2 Causes of complaints

The table below shows the root causes of the complaint within Children's Social Care from 1 April 2013 to 31 March 2014.



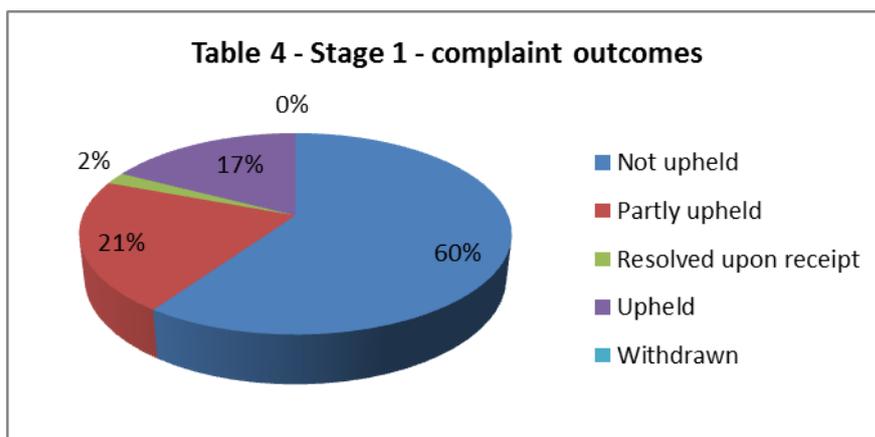
Sourced by iCasework

- The figures above show that the highest numbers of complaints were caused by 'communication cause' and 'service quality', of which we received 44 complaints combined out of a total 81.
- Service Quality causes include "product or service knowledge", "poor record keeping", "not to the quality or standard expected" and "incorrect information or advice given".

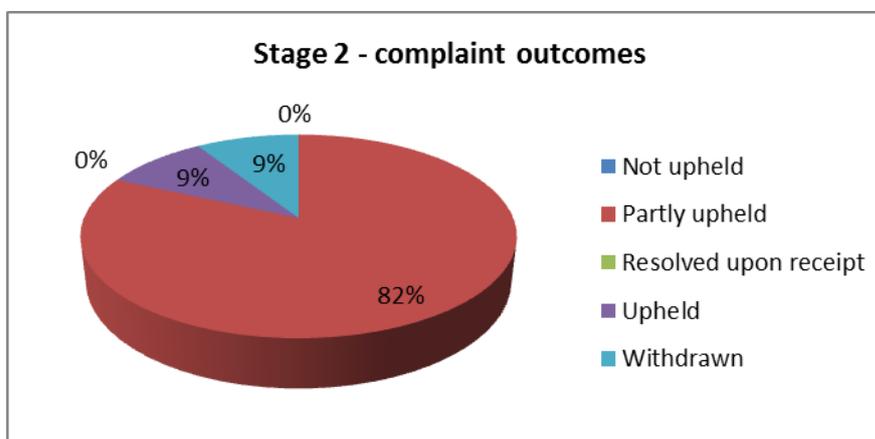
- Records show that eight complaints were due to customers receiving a service that they felt was 'not to the quality or standard expected' and a further eight where due to Bexley 'failing to do something'. This could be improved by better communication and keeping the customer informed of any changes that are being made.

2.3 Complaint outcomes

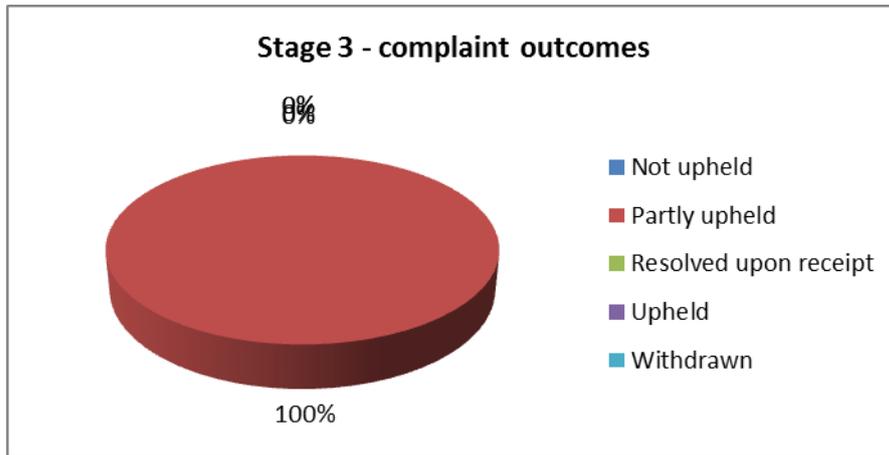
The tables below show the number of Children Social Care complaints that were made from 1 April 2013 to 31 March 2014 that were upheld, partially upheld and not upheld. Please note that the data below does not match the data in table 1 as it relates to complaints "closed" in 2013/14 and not "received".



- 31 complaints were not upheld,
- 11 were partly upheld and
- Nine were upheld.



- Nine complaints were partly upheld
- One was upheld
- One was withdrawn
- Note that four complaints were carried over from previous year



Sourced by iCasework

- All three stage 3 complaints were partly upheld

The tables above show that the majority of complaints at stage 1 were not upheld. Nine of these 31 complaints progressed to stage 2 and were then found partly upheld. All three cases that progressed to stage 3 were found partly upheld. Please note that the figures above show the outcomes of cases closed in 2013/14, and will not directly relate to all cases received in the same period.

Based on investigations at stage 2 it would appear that Children's Social Care were failing to identify the errors during the stage 1 investigation in some cases (i.e. the cases progressing to stage 2). Stage 1 investigations and responses will need further reviewing and changes made to ensure a more thorough investigation is carried out in every case, when dealing with stage 1 complaints in future.

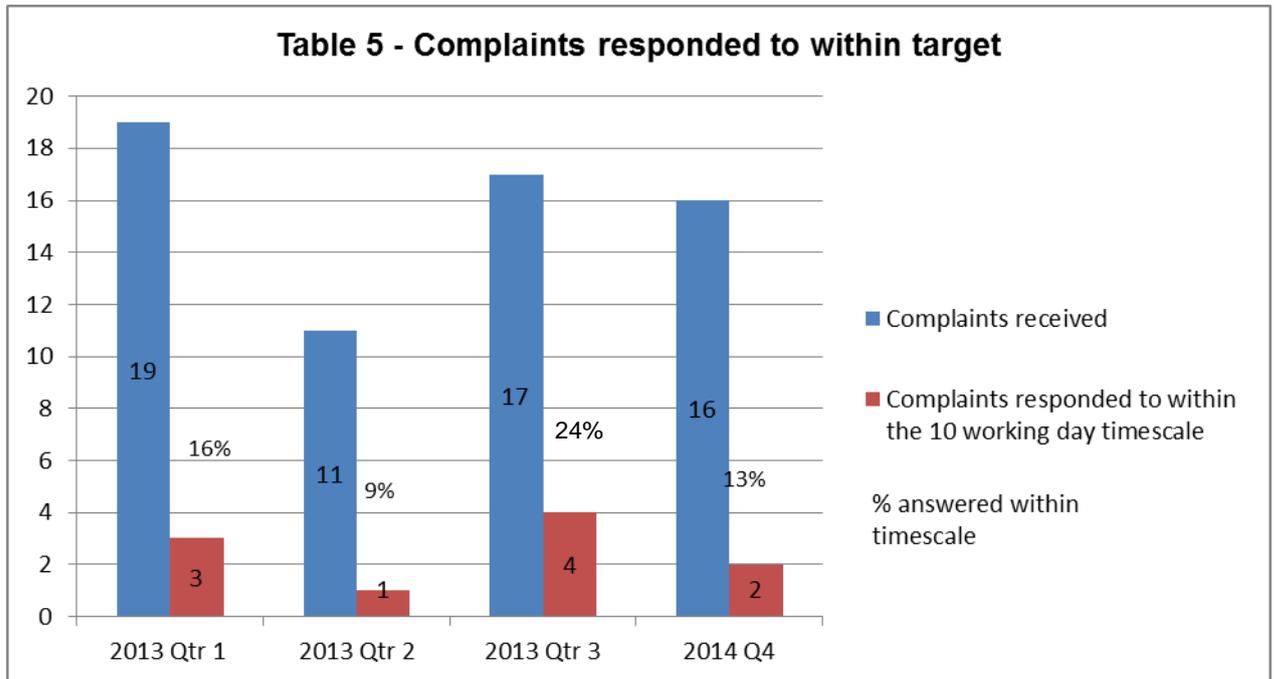
2.4 Complaint performance

The table below shows the total number of complaints recorded in Children's Social Care from 1 April 2013 to 31 March 2014 and the percentage of how many Stage 1 complaints were responded to within target.

Out of 63 complaints that were responded to, 14% were responded to within target. Four complaints were carried forward into the next reporting cycle, these being incomplete at year end.

Complaint performance improved in quarter three, with 24% of complaints responded to within target. During quarter four, the performance level dropped to 13%. The lowest quarter was quarter two, with 11 complaints received.

This is the first full year of recording complaints using the iCasework complaints management IT system and therefore the figures will not be directly comparable to previous years.



2.5 Improving - Learning from stage 3 complaints

Complaints provide a vital source of insights about some people’s experiences of Social Care Services, and how those services can improve.

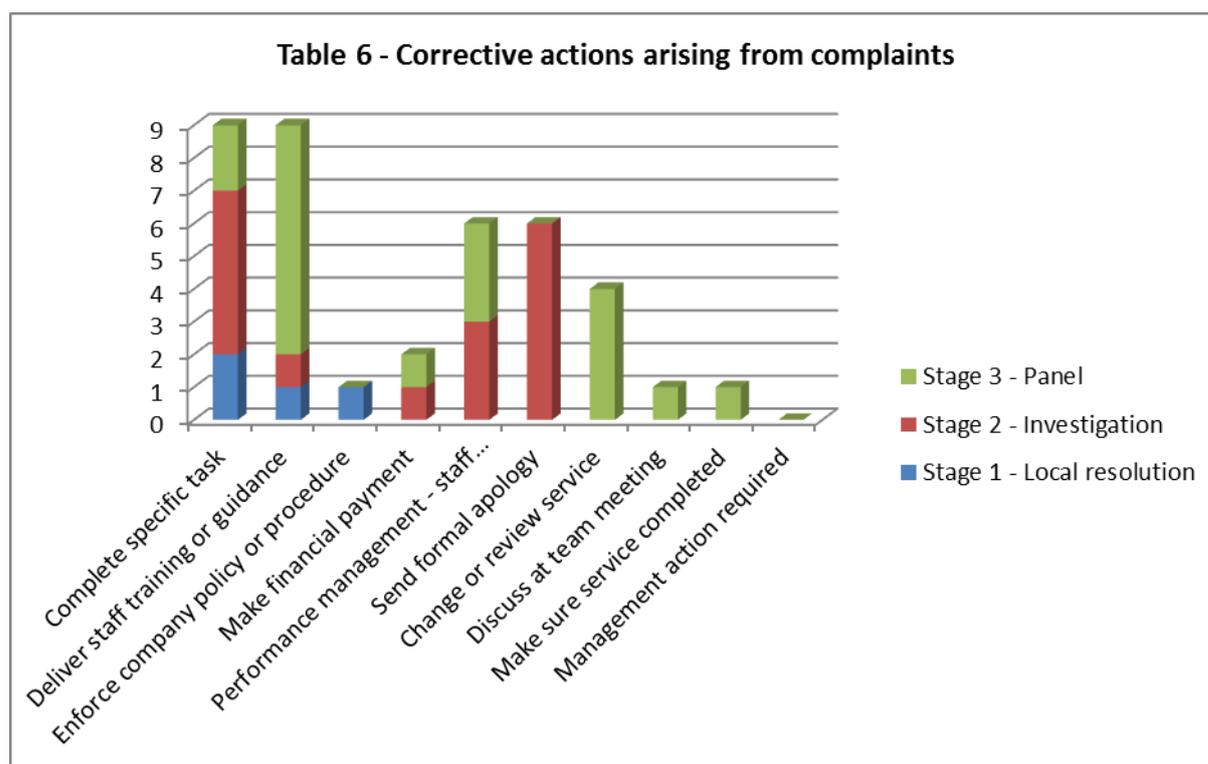
The complaints process enables us to identify service problems and to make improvements to the service. It also helps us improve staff learning and enhance professional development.

The following lessons have been learnt from complaints throughout the year, with changes already made based upon the learning, and include proposed changes for the future.

- Staff training delivered in respect of complaint handling – ensuring that staff responding to complaints understand the importance of addressing all issues raised by the complainant, being empathetic and recognise the validity of each complaint. When formal apologies are sent, outlining the changes that are going to be made within the service area in order to ensure these errors do not occur in future.
- Lessons learnt from the outcome of complaints to be disseminated to Social Work teams to ensure future service is improved.
- Policies and procedures relating to foster carers are being reviewed and staff made aware of any changes.
- A detailed review is being carried out for support services for hearing impaired and deaf children.
- Quality issues, including improved case recording by social workers and ensuring the case notes are accurate. This is picked up in the Council’s Improvement Plan for Children’s Services.

- Thorough and clear decision making that is evidenced within case files.
- Strategy meetings are to be held within three days and in line with child protection procedures for all allegations including those against carers.
- Procedures to be put in place to ensure that, in the future, care leavers and young people always have an opportunity to say goodbye to carers. This is especially the case for those who have been placed with the same family for a number of years.

The table below shows the corrective actions that arose from the complaints that were made from 1 April 2013 to 31 March 2014 within Children’s Social Care.



Sourced by iCasework

All corrective actions are recorded on our complaints management IT system, iCasework. This ensures that not only do we have an accurate record of any improvements that are identified during the complaints process, but that they are monitored to ensure completion and to assist in making sure that they are carried out within the timescale set.

2.6 Ombudsman’s enquiries and complaints

This year, we received a total of six Ombudsman enquiries or complaints for Children’s Social Care. However we have been advised by the Ombudsman that we had a total of 13 cases for Education and Social Care, seven of which we have not been informed of the outcome and therefore cannot report on. The Ombudsman does not separate Children’s Social Care statistics and instead reports on Education and Social Care as a whole.

We were advised by the Ombudsman that they had received 13 enquiries or complaints relating to Children’s Social Care and Education. The difference between an enquiry and a complaint is where the Ombudsman decided not to investigate the matter after their initial enquiries were made into the complaint. These figures show that we are in a similar position to our neighbouring boroughs: Havering had five complaints or enquiries from the Ombudsman; Sutton eight; Greenwich 17; Lewisham 20; and Bromley 23.

Out of the six complaints recorded, the Ombudsman’s decision was that ‘fault and/or injustice was found - remedy agreed’ in three cases.

- 1) On the first case, the Ombudsman found fault as the Council had not kept the complainant updated on plans that had changed. It was agreed that a remedy could be achieved by the Council sending a formal apology.
- 2) On the second case, the Ombudsman found fault as the Council delayed referring a child protection matter to the Police and agreed a remedy could be achieved by compensation being paid.
- 3) On the third case, the Ombudsman found fault because the Council did not pay the correct Foster Care amount and did not investigate the complaint in a timely matter. The agreed remedy was that the correct amount would be paid and also that compensation would be paid for the delay in responding.

In two cases the Ombudsman found “no power to investigate” - one case was for the Court to determine; the second case was not investigated because the complainant was not the child’s authorised representative.

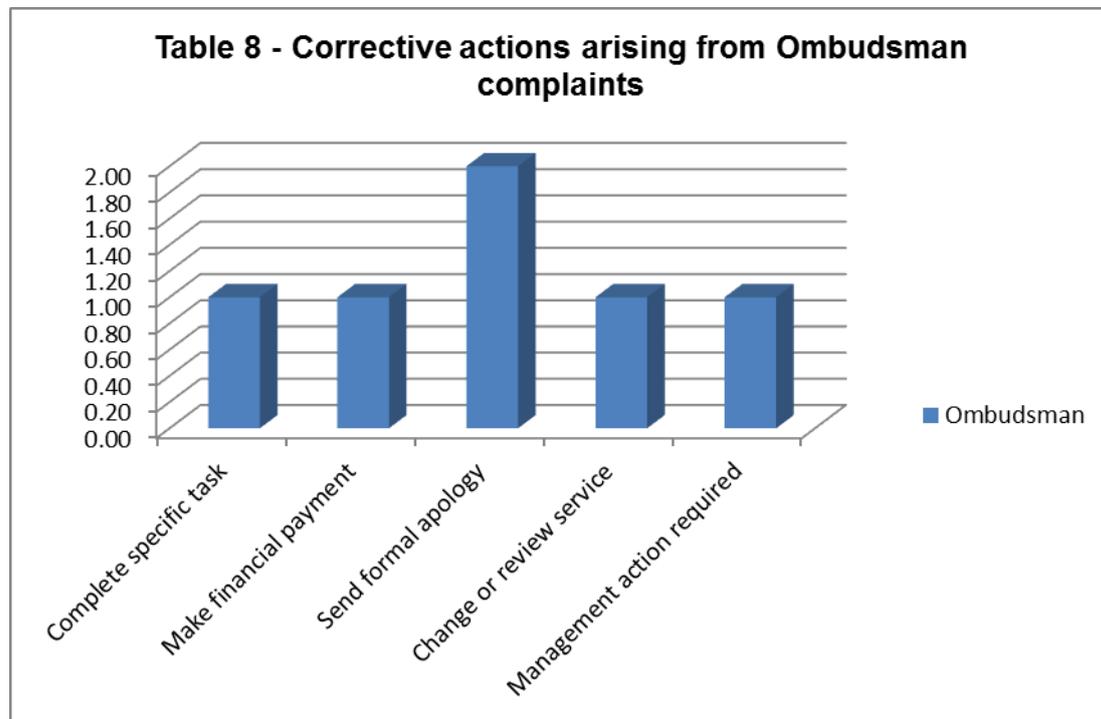
There was one case where the complaint was not justified. This was because the Ombudsman cannot require the Council to remove information from its files, as the complainant had requested.

Table 7 - Complaints via Local Government Ombudsman (LGO)		
LGO	Number of decisions	Outcome
Enquiries	3	2 x No power to investigate 1 x Investigation not justified
Complaints	3	3 x Fault found and remedy agreed
Total	6	

Sourced by iCasework

2.7 Improving – Learning from Ombudsman complaints

The table below shows the corrective actions that arose from the Ombudsman complaints that were received from 1 April 2013 to 31 March 2014 within Children’s Social Care.



2.8 Next Steps

We will continue to monitor progress with the improvements identified from the 2013/14 complaints analysis, and to ensure these are linked into the Council’s Improvement Plan for Children’s Services and the work of the LSCB.

We will also compare these findings with those of other authorities (particularly our neighbour authorities) to benchmark performance and further inform our improvement programme.