

Children's Social Care Annual Complaints Report

April 2014 – March 2015



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

Annual Complaints Report – 2014/2015

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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 2014 to 31 March 2015. The majority of complaints have been dealt with through the Statutory Social Care Complaints Procedure, and a smaller number through the Bexley Corporate Complaints Procedure.

Complaints are a valuable tool in helping to understand our residents' and service users' experience of service delivery and are central to identifying service improvements across the Council. This report, which shows the issues residents and service users raised formal complaints 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 core social care responsibilities as set out in the Children Act 1989. The legislation establishes an overall target for local authorities to respond to complaints within 10 working days at Stage 1.
- 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 at Stage 1.
- In 2014-15, we received 83 Stage 1 complaints about Children's Social Care Services. 30% of stage 1 complaints were resolved within the target 10 working days.
- Out of the 83 complaints received during the year, 18 progressed to stage 2; seven then progressed to stage 3; and four 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 in place to deal with complaints relating to the key social care responsibilities as defined in the Children 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, provides 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 procedure. 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 is held within 30 working days of the Stage 3 request. The Review Panel will then make recommendations to the Director of Children’s Social Care within 15 working days, who then issues the Council’s final response within 5 working days of receiving the Panel Hearing report.

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 2014 to 31 March 2015.

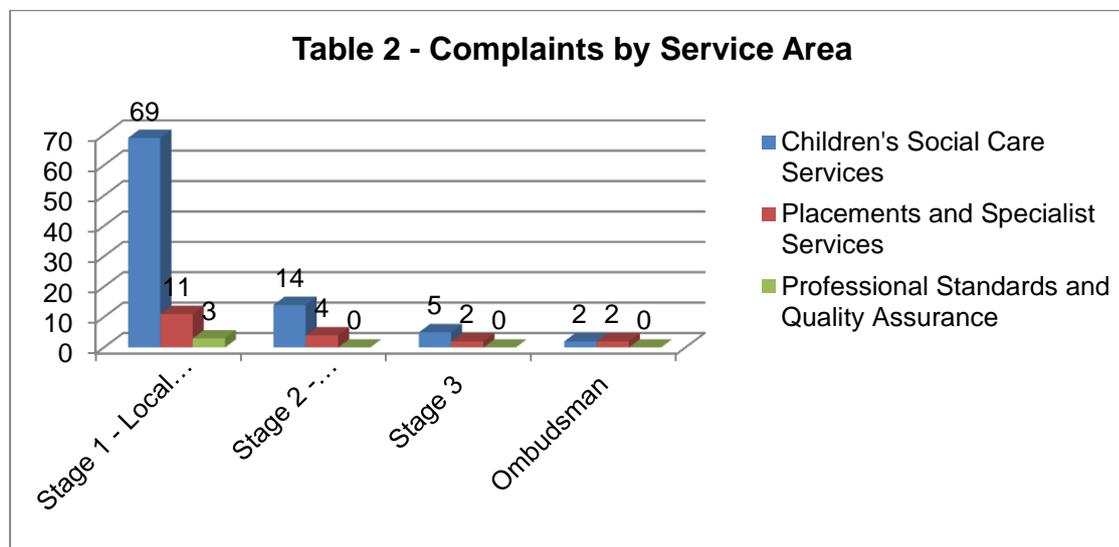
Table 1 - Complaints received					
Total	Stage 1 - Local resolution	Stage 2 - Investigation	Stage 3 - Panel	Ombudsman	Total
Statutory complaints	66	13	4	3	86
Corporate complaints	17	5	3	1	26
Total	83	18	7	4	112

Sourced by iCasework

The number of complaints has risen in 2014/15 compared to 2013/14 in which we had received 67 Stage 1 complaints, five Stage 2 and three Stage 3 complaints. However the number of Ombudsman complaints has reduced from six last year, to four in 2014/15.

2.1 Complaints by Service Area

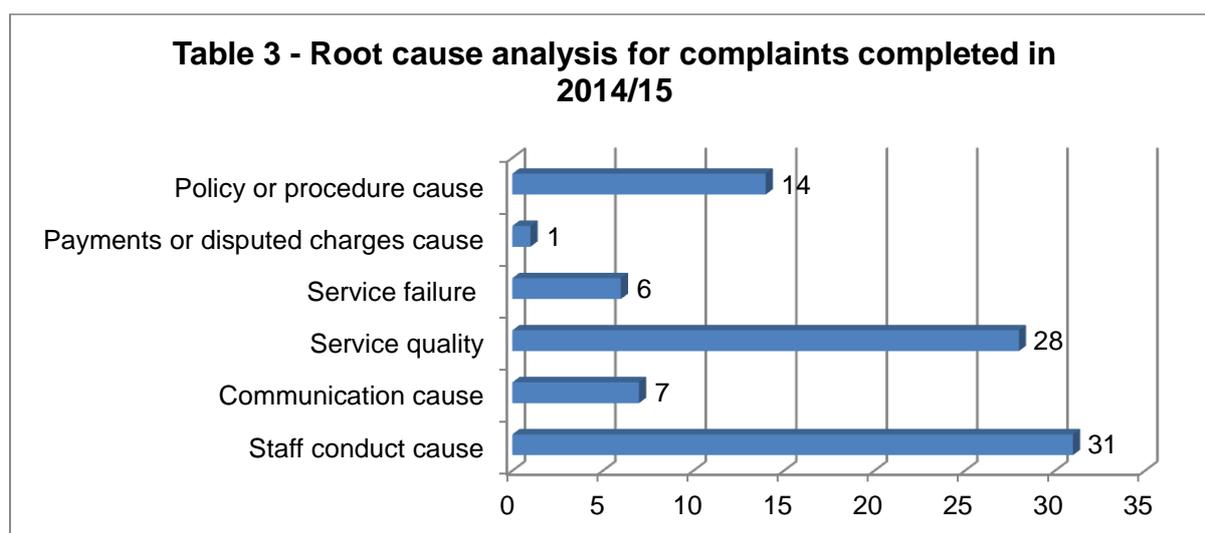
The table below shows the service area that the complaint related to within Children’s Social Care from 1 April 2014 to 31 March 2015.



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 2014 to 31 March 2015. *(Please note that the data below does not match the data in table 1 as it relates to complaints “closed” in 2014/15 and not complaints “received”).*



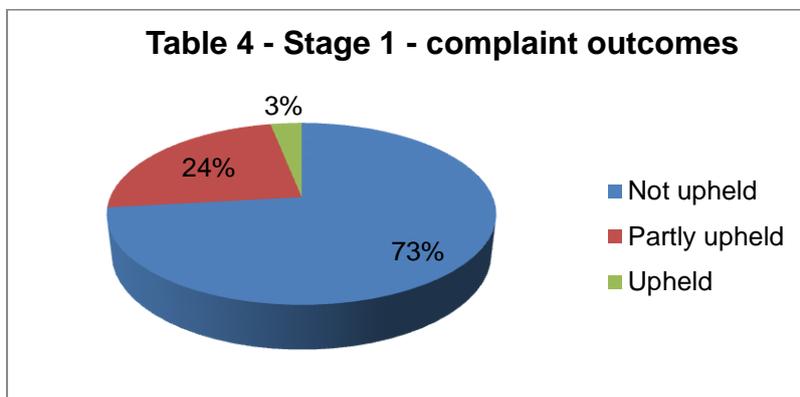
Sourced by iCasework

- The figures above show that the highest numbers of complaints were caused by ‘staff conduct cause’ and ‘service quality’, of which we received 59 complaints combined out of a total 87.

- 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 28 complaints were due to customers receiving a service that they felt was ‘not to the quality or standard expected’ and a further six 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. In cases where Bexley did not meet the required standards, lessons should be learnt to ensure these errors do not occur in the future.
- A total of 14 complaints were due to customers disagreeing with Bexley’s policies and procedures.

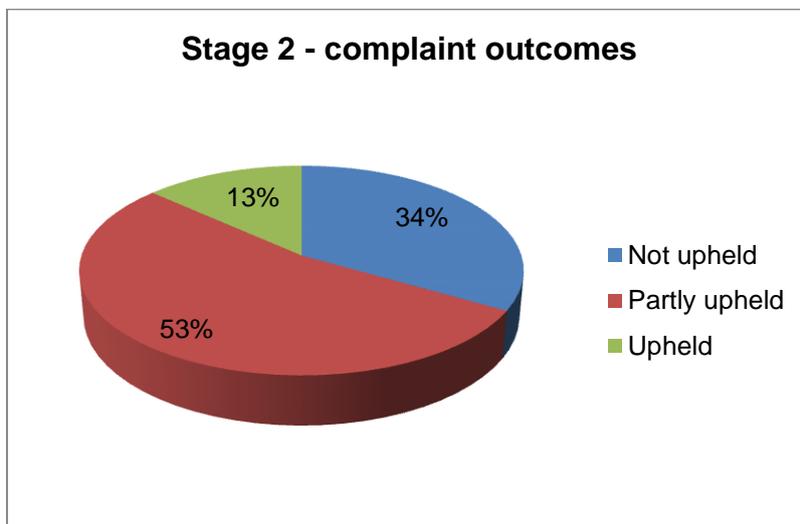
2.3 Complaint outcomes

The tables below show the number of Children’s Social Care complaints that were submitted from 1 April 2014 to 31 March 2015 that were upheld, partially upheld and not upheld.



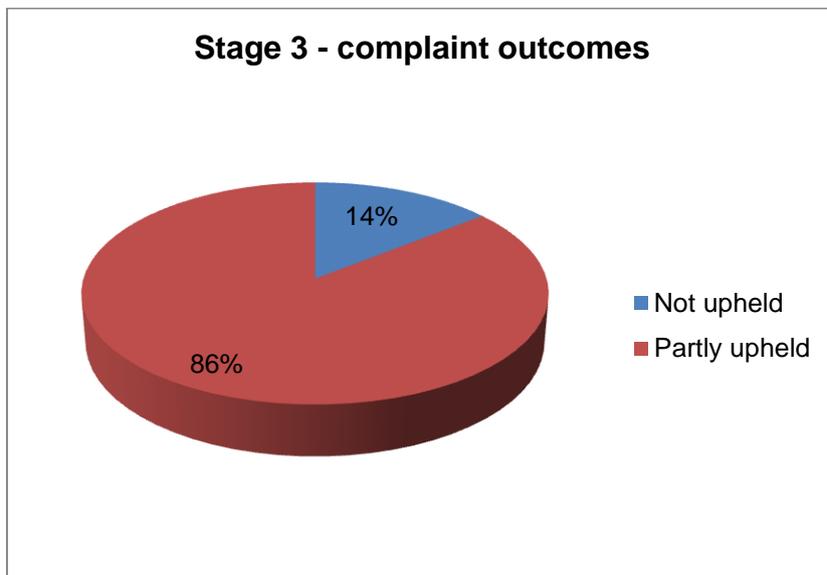
Sourced by iCasework

- 71 complaints were not upheld
- 23 were partly upheld
- Three were upheld



Sourced by iCasework

- Five complaints were not upheld
- Eight were partly upheld
- Two were upheld



- One complaint was not upheld
- Six were partly upheld

Sourced by iCasework

The tables above show that the majority of complaints at stage 1 were not upheld. 15 of these 97 complaints progressed to stage 2. 82 customers were satisfied with their response at Stage 1.

At Stage 2, five complaints were not upheld, eight were partly upheld and two were upheld in full.

Seven complaints progressed to Stage 3. Six complaints were partly upheld and one complaint was not upheld.

Please note that the figures above show the outcomes of complaints closed in 2014/15, and will not directly relate to all complaints received in the same period.

Based on investigations at Stage 2, it would appear that Children's Social Care failed to identify some errors during the Stage 1 investigation in some cases (i.e. in the cases progressing to Stage 2). Stage 1 investigations and responses will need further reviewing by Heads of Services 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 Complaints performance

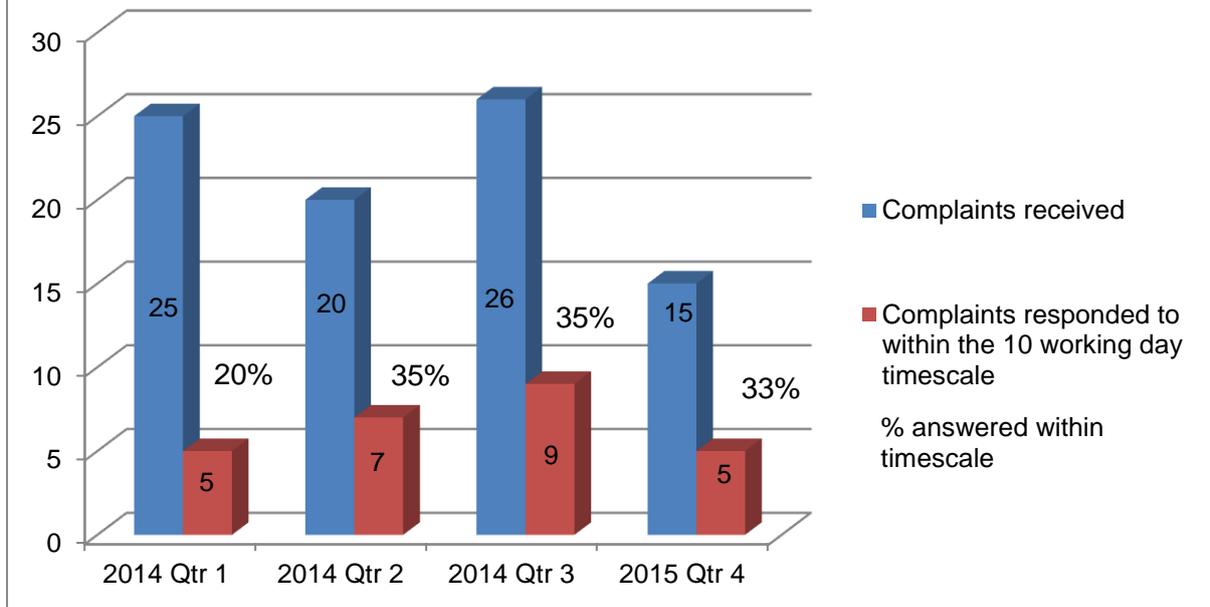
The table below shows the total number of complaints recorded in Children's Social Care from 1 April 2014 to 31 March 2015 and the percentage of how many Stage 1 complaints were responded to within target.

Out of 86 Stage 1 complaints that were submitted, 30% were responded to within target.

Statutory Stage 2 and 3 complaints are managed by the Complaints Team who coordinate and oversee the Stage 2 and 3 investigations. These complaints are commissioned by Bexley Council but the investigations and subsequent reports are undertaken by independent people.

Complaint performance improved in quarter two and in quarter three, with 35% of complaints responded to within target. The lowest quarter performance was quarter one, with 25 complaints received but only 5 answered within target (20%). In some cases, where it is determined appropriate at the outset, the Council can extend the response timescale to 20 working days for complex cases that need further investigation.

Table 5 - Stage 1 complaints responded to within target



Sourced by iCasework

2.5 Improving - Learning from complaints

Complaints provide a vital source of insight about people's experiences of social care services, and how those services can improve.

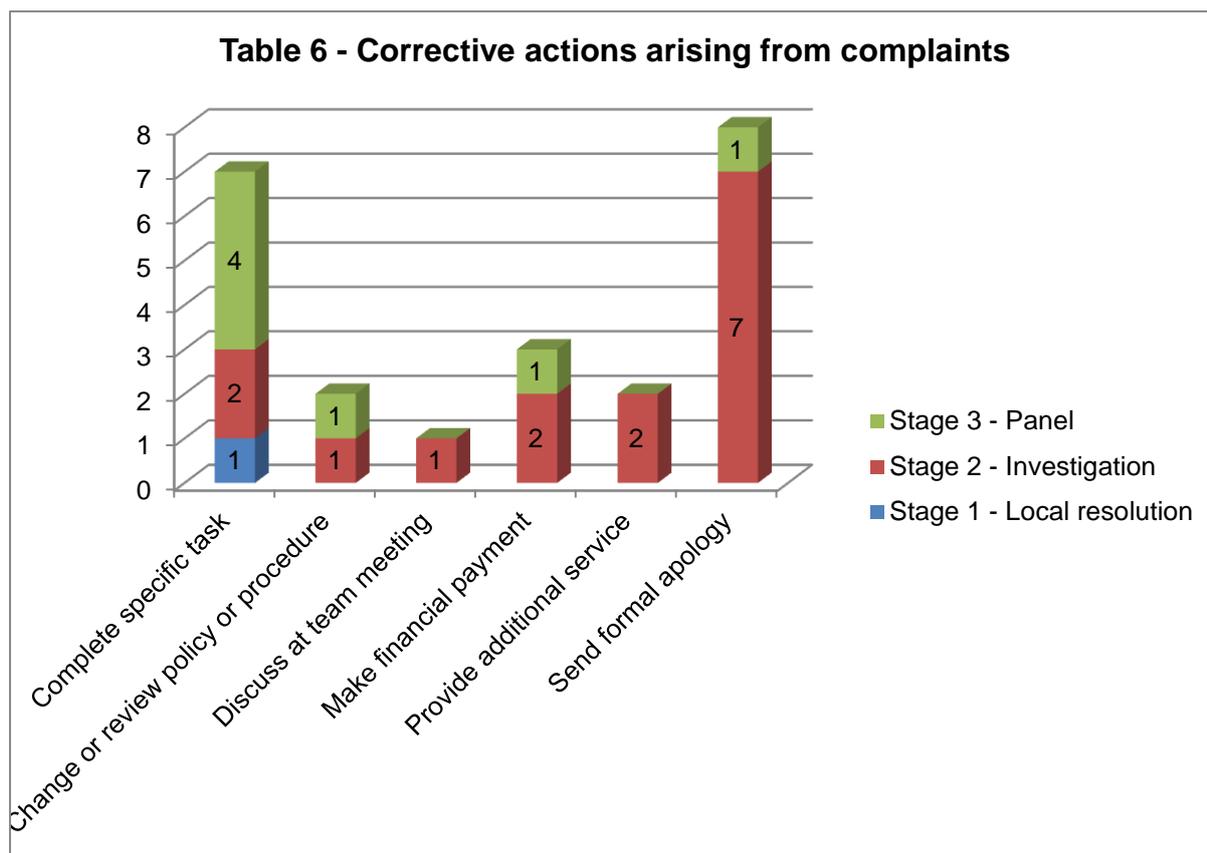
The complaints process enables us to identify service problems and to make improvements to the service. It also helps us improve staff learning and enhance professional development.

The following lessons have been learnt from Stage 3 complaints throughout the year, with changes already made based upon the learning, and include proposed changes for the future.

1. Policies and procedures relating to providers to be reviewed and staff made aware of any changes.
2. Review of Panel Hearings to be carried out.
3. Minutes of meetings procedures to be reviewed to ensure they are disseminated in a timely manner.
4. Lessons learnt from the outcome of complaints to be disseminated to social work teams to ensure future service is improved. This is to include better communication between social workers and service users.
5. Bexley Children's Services will review their procedures to further ensure confidentiality is adhered to in all situations.
6. Quality issues to be addressed, including improved case recording by social workers and ensuring case notes are factually accurate.

7. Review of policy and procedures to ensure information gathering is carried out within designated timescale.
8. Bexley Children's Social Care Service produces practice guidance and training for social workers on how to complete assessments.
9. Review of procedures surrounding social work visits to ensure the service user is fully supported at times of need.

The table below shows the corrective actions that arose from the complaints that were made from 1 April 2014 to 31 March 2015 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 the service area are informed of any outstanding tasks which ensures completion and assists in making sure that they are carried out within the timescales set.

2.6 Ombudsman's enquiries and complaints

This year, we received a total of four enquiries or complaints for Children's Social Care from the Local Government Ombudsman.

Out of the four complaints recorded, the Ombudsman's decision was that maladministration was found in two cases and in one of these cases, injustice was also found.

The two other cases were closed with the decision that the complaint was out of the Ombudsman’s jurisdiction.

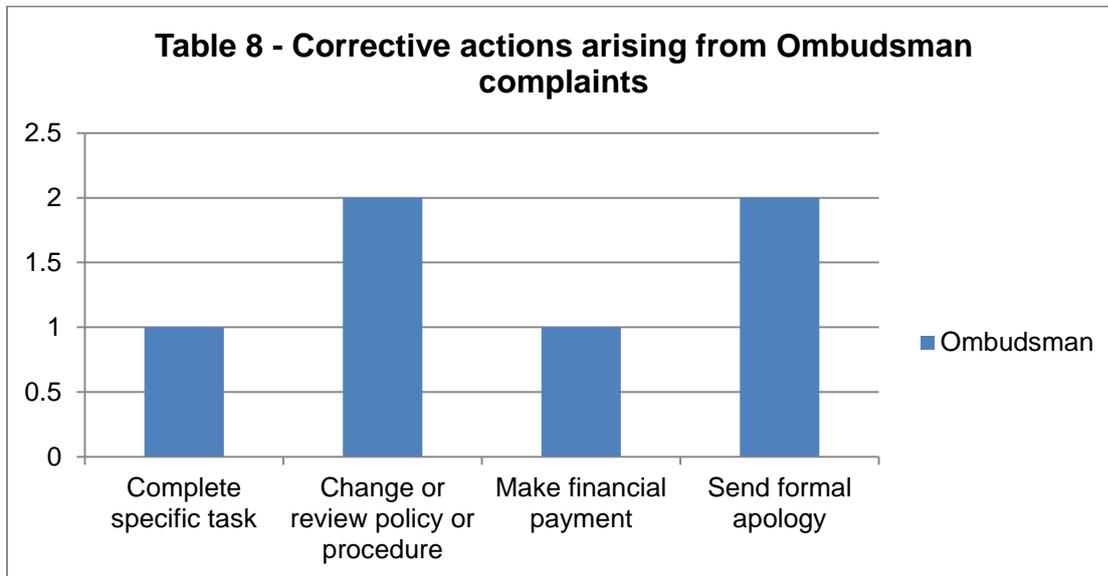
- 1) In the first case, in which maladministration and injustice was found, the Ombudsman found fault as the Council terminated the contract of a service provider instead of suspending them whilst it investigated the allegations that had been made against them. The Council should have also arranged the panel hearing to be held sooner. It was agreed that a remedy could be achieved by the Council sending a formal apology and that compensation would be paid.
 - 2) In the second case, in which maladministration but no injustice was found, the Ombudsman found fault in the way the Council dealt with a service provider after allegations were made against them as foster carers. It was agreed that a remedy could be achieved by the Council sending a formal apology. The Council was also asked to share further information with the service providers about how it has implemented the procedural recommendations so that they could see the Council had made improvements as a result of their complaint.
- 3 & 4) In two cases, the Ombudsman was unable to investigate as the complaints were for the Court to determine and therefore were out of the Ombudsman’s jurisdiction.

Table 7 - Complaints via Local Government Ombudsman (LGO)		
LGO	Number of decisions	Outcome
Complaints	4	1 x maladministration, no injustice 1 x maladministration and injustice 2 x out of jurisdiction
Total	4	

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 2014 to 31 March 2015 within Children’s Social Care.



Sourced by iCasework

2.8 Next Steps

We will continue to monitor progress with the improvements identified from the 2014/15 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.