

Family Services Complaints, Compliments and Comments Annual Report 2013-14

This report summarises feedback recorded by Family Services in the form of complaints, compliments and comments received.

1. Background

1.1 The Children's Service is required to operate a separate statutory complaints and representations procedure in accordance with the Children's Act 1989. Any complaint which does not fall under these enactments is considered under the council's corporate complaints procedure and reported separately. Any representations made to the council about schools are routinely referred back to the school concerned to be dealt with under their own complaints policy, which is required in law.

2. Complaints procedures followed by Family Services

2.1 The Children Act 1989 Representation Procedure (England) Regulations 2006 sets out the way in which Local Authorities must handle complaints relating to social care.

2.2 The main objectives of the complaints procedure are to:

- recognise the rights of all service users to make complaints and representations and to have their views considered within a clear procedure as defined by law;
- ensure that council staff and all partner organisations work together so that every child facing problems and challenges, who wishes to make a complaint or representation, is well supported in reaching a satisfactory resolution.

2.3 The Children Act 1989 Representation Procedure (England) Regulations 2006 has 3 stages:

Stage 1: Local Resolution - where the relevant managers prepare a response within 10 working days (extendable to 20 working days) to try and resolve a complaint.

Stage 2: Independent Investigations - where the complaint is subject to independent investigation, overseen by an Independent person and then adjudication by the department within 25 days (extendable to 65 working days).

Stage 3: Review Panel - where the investigation and adjudication at Stage 2 are reviewed by a panel of independent people.

2.4 All other complaints received by the service that do not relate to social care are processed under the Council's Corporate Complaints Process as service complaints:

Stage 1: This is usually the line manager of the area subject to a complaint and a response is prepared within 10 working days

Stage 2: Investigation by a senior manager (usually Assistant Director) within the department, and responded to within 20 working days

Stage 3: Review – by a senior manager from another Directorate and is dealt with within 30 working days.

3. Overall number of complaints in 2013-14

3.1 Number of complaints received at each stage

Type of complaint	Stage 1	Stage 2	Stage 3	% Upheld
Statutory complaints	92	5	1	15%
Service Complaints	40	0	0	35%
Library Complaints	36	3	0	42%
Total	168	8	1	26%

3.2.1 Number of Statutory Complaints received, broken down by month that the response was due.

Reporting Period	Stage 1	Stage 2	Stage 3	Total
April	7			7
May	7			7
June	5	1		6
July	17	1		18
August	5			5
September	10	1		11
October	8			8
November	10			10
December	9	1		10
January	2	1	1	4
February	5			5
March	7			7
TOTAL	92	5	1	98

3.2.2 Number of Service Complaints received broken down by month that the response was due.

Reporting Period	Stage 1	Stage 2	Stage 3	Total
April	1			1
May	1			1
June	2			2
July	2			2
August	3			3
September	1			1
October	3			3
November	7			7
December	7			7
January	3			3
February	8			8
March	2			2
TOTAL	40	0	0	40

3.2.3 Number of complaints received by Libraries, broken down by month that the response was due

Reporting Period	Stage 1	Stage 2	Stage 3	Total
April	1			1
May	4			4
June	5			5
July	2	1		3
August	5			5
September	4			4
October	3			3
November	2			2
December	3			3
January	2	1		3
February	2	1		3
March	3			3
TOTAL	36	3	0	39

4. Stage 1 complaints

4.1 Breakdown of service complaints received by service area

4.1.1 Service Complaints (excluding Libraries)

Service Area	No. of complaints
Child Care Business Team	1
Children's Centres	4
Data & Systems Team	1
Intensive Family Focus	2
Youth Offending	2
Youth Support	1
Total	11

4.1.2 Libraries

Service Area	No. of complaints
Libraries	36
Total	36

4.1.3 Statutory Complaints

Service Area	Statutory complaints	Service complaints	Total
68 A	2	0	2
Adoption	1	3	4
Adolescent Resource	1	3	4
Children in Care Teams	43	7	50
Children in Need Teams	13	7	20
Corporate Parenting	1	0	1
Disabled Children Team	4	3	7
Fostering & Kinship Teams	6	4	10
Hospital Team	4	0	4
Referral & Assessment	12	0	12
Safeguarding	5	3	8
Total	92	30	142

4.2 Response Timescales (stage 1)

Reporting Period	Within time	Out of time	% on time
April	7	2	78
May	11	1	92
June	12	0	100
July	19	2	90
August	12	1	92
September	15	0	100
October	11	3	79
November	18	1	95
December	16	3	84
January	6	1	86
February	15	0	100
March	11	1	92
TOTAL	153	15	91

4.3 Outcomes of stage 1 complaints

Reporting Period	Complaint Upheld	Complaint partially Upheld	Complaint not upheld
April	3	0	6
May	3	3	6
June	5	3	4
July	5	3	13
August	4	2	7
September	4	4	7
October	2	3	9
November	7	2	10
December	6	5	8
January	2	1	4
February	3	8	4
March	1	2	9
TOTAL	54	36	87
%	26	22	52

4.5 Complaints received from young people

	No. received	No. responded to on time	No. upheld	No. Partially Upheld	No. not upheld
Social Care	23	19	7	6	10
EIP	1	1	0	1	0

Reason for complaint	No. received
Action of Staff	7
Decision	7
Communication	3
Poor Service	2
Data Protection	1
Financial	1
Foster Placement	1
Process	1
Report/assessment written	1

Team	No. received
Children in Care Teams	9
Onwards & Upwards	8
Residential Units	2
Fostering Teams	2
Hospital Team	1
Children in Need Teams	1

4.5.1 Of the 23 complaints received from young people, 11 of them used an advocate from Barnardo's Children's Rights Service. A further 7 of these young people were supported by other advocates as they do not live locally to Barnet.

4.5.2 We have focussed on increasing the feedback from our children and Young People in care, and some of the positive outcomes achieved by doing this is reflected in part 9.

5. Summary of Stage 1 complaints

5.1 The majority of complaints (58%) received by Family Services (excluding Libraries) were about Social Care. This is to be expected due to the nature of the work; many clients do not choose to be involved with Social care, and are therefore more likely to make complaints.

5.2 The service area with the largest number of complaints received was Children in Care (50). Of these, 14 were upheld, and 11 were partially upheld.

5.3 The most frequent reasons for complaints were:

- the complainant not being happy with a decision we have made
- the action of a particular staff member
- about receiving poor service.

5.4 The majority of the complaints about decisions and staff members were made about social care, whilst most of the complaints about poor service related to Libraries, and was in relation to IT facilities (see 5.8)

5.5 Social Care received 30 complaints about the action or attitude of staff. 10 of these were not upheld, 11 were partially upheld and 8 were upheld. In most of these cases, the complaint was linked to the parent not being happy about a decision or action being made by Social Care; for example six of these complainants also made it clear that they do not want social care involvement for their family, and may have made complaints about the worker to deflect from the attention on their family.

5.6 A further 30 complaints were made about a decision made by Social Care staff. In the majority of these cases (24) the complaint was not upheld, as the decision was made in accordance with either corporate procedures or statutory processes. However, there is evidence that clearer communication about how and why the decision had been made could reduce the number of complaints in the future.

5.7 Over the course of the year, 91% of Stage 1 complaints were responded to within 10 working days. This is an improvement on the previous year's performance (65%) and shows a commitment by staff and manager's to deal with complaints promptly. The performance dropped slightly after the Christmas period, but was still above the corporate target of 80%.

5.8 A large number of Stage 1 complaints received were from parents or other family members (54%), which is to be expected. We received 24 complaints from young people; this is more than the previous year. Fewer than half of these complaints were upheld. The increase in complaints is most likely to be related to the work done over the past year with staff to help ensure that young people are aware of their rights to use the complaints process. We also received 9 complaints from external professionals, mostly schools and health care workers and the majority were that they did not agree with a decision taken by Social Care. Only two of these complaints were upheld, but there is potential to improve communication between agencies to avoid future complaints.

5.6 The most common complaint received by Libraries service was regarding the computer facilities. These complaints were largely upheld because it was acknowledged that the facilities are not sufficient to provide a good service to users. This is now with the Head of Service and Library Service Managers and our contract provider.

6. Stage 2 Complaints

6.1 Service Complaints

We received three Stage 2 service complaints in this period; all of these were about the Libraries service, but there was no particular trend to these. One was about tree works that had been carried out on the Library grounds and the complainant felt it was too severe and had damaged the tree; this was not upheld as the work was checked by Barnet's Arboriculture Team. One was about the staff dress code, as the complainant felt that staff were inappropriately dressed; this was not upheld as the staff were found to be compliant with the Council's dress code. One was about the lack of toilets at Golders Green library and requested that a portable toilet be arranged outside; this was partially upheld as the toilets in the building had been out of action for some time, but it was not feasible to provide a portable toilet outside, and alternatives had been suggested to the complainant.

6.2 Statutory complaints

During this period we received four requests for stage 2 investigations under The Children Act. The Children Act requires the Local Authority to appoint an independent investigator for this stage. One of these complaints escalated to a stage 3.

- a. One complaint related to a child's finances which were being managed by the foster carers. This was escalated to Stage 3 (see part 7)
- b. One complaint related to a decision made in 2010 not to fund a trip abroad for the foster children and a kinship carer. The investigator recommended that we refund the money that was requested. The adjudicator disagreed with this, and offered the complainant part of the money. To date, the complainant has not confirmed if they will accept this, and no money has therefore been paid.
- c. One complaint was made by a young person who did not agree with social services involvement in their relationship, and did not agree with information sharing between Barnet and the NHS. Independent Investigators were appointed and met with the complainant, but they later stopped cooperating with the process, and so the investigation was withdrawn.
- d. One complaint was made by a parent who was not happy with the outcome of a referral that they made about their child who is in the care of their ex-partner. This investigation is still on-going.
- e. One complaint was made about the decision by Social Care to start legal proceedings against a family. Although these proceedings were later dropped, the family felt that they should not have started in the first place. This investigation is still on-going.

6.21 There are lessons to be learned from the Stage 2 investigations, whether they are upheld or not. Complaints c, d and e are all related to decisions that were made, and the complainant disagreeing with this decision. Whilst the complaints process found that there was not fault with the decision made, there could have been better communication with the complainant initially to help them understand the reason for the decision.

7. Stage 3 Complaints

7.1 Service Complaints

There were no stage 3 service complaints received this year

7.2 Statutory complaints

We received one request for a complaint to be escalated to the third stage under The Children Act complaints process. This involves convening a review panel of three independent persons, the two investigating officers, the adjudicator, and the complainant.

The complaint related to the finances of a child in foster care, including the use of allowances and benefits claimed by her foster carers. The complainant was a relative of the child, whom we considered had sufficient interest in the child to make the complaint.

The investigation and the review panel found that it was not possible to fully investigate the complaint, as it would involve an audit of the foster carers' accounts, which the Local Authority does not have the jurisdiction to do. However, the investigators and the panel members did consider that the foster carers had provided a high level of extra activities for the child, using the benefits claimed.

Further investigation by the Service Manager into the complaint found that we need to reconsider how we support/monitor foster carers in managing benefits claimed on behalf of foster children. The fostering service have now made changes to their service to include benefits as part of the supervision discussion that they have with foster carers.

The complainant was not satisfied by the outcome of the review panel, and took the complaint to the Local Government Ombudsman (LGO). The LGO has recently responded and his provisional findings are that the council:

- a) did not specifically check the use of the benefit but fulfilled its role as corporate parent as it was satisfied with the care of the child and that there were no financial problems. There was fault in the record-keeping but this did not cause injustice; and
- b) did consider properly his complaint at Stage 3 of the statutory complaints process.

8. Outcomes achieved in the last year

8.1 We have improved the timeliness of responses in this year from 65% in 2012-13 to 91% in 2013-14. This is attributed to staff and managers recognising the importance of responding to complaints promptly in order to resolve the issue and avoid escalation.

8.2 We have improved governance of complaints, which in turn has led to better response times. The Closing the Loop group meets every six weeks and is made up of representative from across the service. The group has worked to update complaints literature available to customers and encouraged managers to report complaints to the Complaints Manager so that they can be monitored.

8.3 We now have more detailed data available to provide better reports, and we have worked with Capita to implement a new customer services system to record complaints which will be available in the new financial year.

8.4 Through the more detailed information kept, we are now able to support managers to identify trends within service areas and make service improvements based on them. Service Managers are sent summaries of complaints and compliments received on a quarterly basis

8.5 We have new complaints, comments and compliments business cards available for all service users, and a new leaflet for young people. We have also updated the information on Barnet's webpage to make it more accessible.

9. Young People

9.1 We have actively engaged with children and young people to ensure that they feel able to feedback to the council. Following consultation with the Role Model Army, there is now a section on complaints on the Children in Care, and we have attended the Barnet Youth Board and Speak Out day which was useful in hearing first-hand how we can support children and young people to give us feedback.

Sample of improvements made as a result of complaints made by children and young people in our Care

- Following complaints that there was no semi-skimmed milk available for breakfast in a residential setting, as a result of other residents drinking all the milk after getting in late at night, staff put a process in place whereby staff would purchase semi-skimmed milk and keep in freezer and get out during the night so it was ready to use in the morning
- A complaint was made about bullying in a residential setting, which included an accomplice distracting staff. In addition to the bullying being dealt with via the behaviour policy, CCTV has now been installed in remote common areas.

10. Areas for development

10.1 Monitoring Service improvement as a result of complaints

We need to continue to ensure that there are positive outcomes from complaints. Service Managers now receive summaries of their complaints on a quarterly basis, and will be expected to identify service improvements as a result of these complaints. These improvements will be monitored by the Head of Service and reported to the Complaints Officer to record centrally.

Stage 2 investigation outcomes will be monitored by the use of an Action Plan which details changes which can be made to remedy the complaint and to prevent future complaints of a similar nature.

10.2 Ensuring commissioned service have effective complaints processes

We need to ensure that our service users have a clear process in place to make complaints about any provision, whether provided directly by the council or by a commissioned service, and that feedback is part of any contract

monitoring arrangements.

10.3 Ensuring that young people are able to engage in the complaints process

We will continue to promote use of the business cards and distribution of complaints leaflets to young people. We will also raise awareness of the complaints procedure to young people by attending events aimed at them such as Speak Out Day and creating relationships with placement providers.

11. Members enquiries

In 2013-2014, Family Service received 62 enquiries from elected members. In the majority of these enquiries, the Member was providing assistance to the resident by asking for explanation of cases and to ensure that decisions were made fairly and in line with the correct procedures.

55 of these enquiries were responded to within the corporate timescale of 10 working days, 32 of which were responded to within 5 working days.

Nine of these enquiries were also complaints. Where a member enquiry is also a complaint, the complaints process takes precedence and the member is kept informed of progress and outcomes.

12. Compliments

We formally recorded 102 compliments for Family Service in this year. Staff and managers are encouraged to send compliments to be recorded so that they can be shared with the Senior Management Team.

Social Care Team	No. of compliments recorded
Adoption and Fostering	7
Children in Need	16
CAMHS	1
Children in Care	2
Disabled Children	2
Hospital Team	3
MASH	1
Onwards & upwards	1
Referral & Assessment	4
Safeguarding	6
Total	43

EIP Teams	
Analysis, Performance & Strategy	2
Business Resources	1
Business Support & customer engagement	12
Child Care Business Team	6
Children's Centres	1
Data & Systems	1
Intensive Family Focus	6
Multi Agency Support Team	8
Youth Support Service	21
Total	52

13. Conclusions

13.1 The response rate for responding to complaints on time is much improved from the previous year, and we are now above the corporate target of 80%. This will help to improve customer satisfaction with the handling of complaints, and we need to continue to meet deadlines for responses.

13.2 We have raised awareness of the complaints process both amongst staff and amongst our service users. There is updated information on the staff intranet and the web site, as well as new printed literature, including a young person specific leaflet.

One of our focuses for the next year will be identifying service improvements that can be made as a result of complaint outcomes and monitoring any resulting action to ensure that changes are implemented.