

Customer Relations Team

Children's Services Annual Report 2013 – 2014



EAST RIDING

OF YORKSHIRE COUNCIL

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I Context / Introduction

- It is a statutory requirement of the Children Act 1989 Representations Procedure (England) Regulations 2006 that the Local Authority publishes an annual report providing information regarding Children's Social Care complaints and representations. These are the 'Regulations' referred to throughout this report
- This report provides information about complaints and representations made relating to Children's Social Care services under the Regulations during the twelve month period between 1 April 2013 to 31 March 2014. In addition the report includes information relating to Children's Services corporate complaints and representations, Subject Access Requests (SAR), and Freedom of Information Requests (FOI)
- All timescales for complaints referred to within this report are in working days
- East Riding of Yorkshire Council Children's Services welcome complaints, compliments and comments as a way of improving service delivery to children, young people and their families
- The Customer Relations Team oversee the management of complaints and representations, SAR and FOI requests for children and adult services for the Local Authority, following Legislation / Regulations and statutory guidance ('Getting the Best from Complaints' DfES 2006)
- A review of the function and processes of the Customer Relation Team started in autumn 2013. New performance management and case recording systems have been introduced; further development will take place 2014/15
- Consultation with the young people of the Children in Care Council to re design the CSC complaint leaflet and understand their preferred methods of making a complaint has taken place this year, 2013/14; a new leaflet / form designed by young people will be implemented in 2014/15 and new ways of making a complaint explored inline with the Local Authority's developments in interacting with service users. For example, accessing online forms, through the Local Authority Facebook page

What is a Complaint?

- A complaint can be generally defined as an expression of dissatisfaction or disquiet, which requires a response
- Complaints can be made in person, by telephone, letter or email, or through an advocate
- Children and Young People in East Riding of Yorkshire known to Children's Social Care services can be supported in making a complaint by officers from the Children's Rights and Participation Team, who can provide an advocacy service

- Officers from Local Authority Children's Services will always look for opportunities to resolve concerns raised, as a positive alternative for the service user to entering a formal complaints process

What is a Representation?

- Representations are not always a complaint; they can be positive feedback – a compliment, or an enquiry or comment that is not a criticism, which requires a response

2 Executive Summary for 2013/14

Compliments

- 100 compliments received in 2013/14 in Children's Services compared to 130 in 2012/13, although it is felt that this is not an accurate reflection of the number of compliments actually received
- The number of compliments received continues to outnumber the number of complaints received overall
- Majority of compliments relate to quality of service provided and staff attitude and practice

Children's Social Care Complaints

- 85 complaints were dealt with and completed in 2013/14 – 66 new cases and 19 transferred from 2012/13
- 2013/14 saw an increase of 25% in new complaints received from 2012/13
- A high percentage (61%) of complaints (52) dealt with in 2013/14 were resolved at Stage 1
- Most complaints are made up of several parts: in 2013/14 60% of those resolved at Stage 1 were not upheld; of those that progressed to stage 2, 37% continued to be not upheld; of those that progressed to stage 3, 71% continued to be not upheld
- Of the 71 contacts received that did not progress to being a complaint, the majority were passed to and resolved by the relevant team
- Only one case progressed to the Local Government Ombudsman in 2013/14
- The majority of complaints received in 2013/14 relate to issues with service provision and decision making, or perceived attitude and behaviour of staff
- A significant number of Children's Social Care complaints were not completed within statutory timescales

Corporate Complaints

- There was a significant decrease of 32% in the number of corporate complaints received in 2013/14 – 25 in 2012/13 and 17 in 2013/14
- 66.67% were resolved at Stage 1 (10)
- No corporate complaints progressed to the Local Government Ombudsman in 2013/14

Subject Access Requests (SAR)

- Numbers received in 2013/14 remain similar to the previous year (23), although the increase in the complexity of cases these relate to in 2013/14 has been recognised as requiring greater effort and time to complete, creating pressure on manager's capacity and workload
- The Information Commissioner's Office audit carried out in December 2013 recognised good practice and changes being made, and commended the improvements in performance management and processing of SARs

Freedom of Information Requests (FOI)

- There has been a significant increase, 65%, in the number of FOI requests from 111 in 2012/13 to 183 in 2013/14 for Children's Services
- Monitoring of completion rates commenced in 2013/14 – Children's Services completed 164 (90%) of FOIs within statutory timescales. Of the remaining 19, the majority were due to the time taken to clarify with the applicant the exact nature of the request, or due to it being complex requiring a coordinated response across a number of departments
- Children's Social Care consistently receives the highest number of FOI requests in Children's Services each year. 2013/14 saw a 55% increase; 65 in 2012/13 to 101 in 2013/14
- There is a trend of increased complexity to the FOI requests received across all Children's Services

3 Complaints Procedures

3.1 Children's Social Care Complaints

The Social Care complaints procedure is a statutory process which allows service users or other people on their behalf, to make complaints about Children's Social Care Services. There are three stages to this process:

Stage 1 – This is the most important stage of the complaints procedure as it is an attempt to address the complaint as quickly and informally as possible at a local level. Complaints at Stage 1 should be responded to within 10 working days, with an extension of a further 10 days where necessary.

Stage 2 – a complaint usually progresses to this stage if the complainant is dissatisfied with the findings of Stage 1. This is a more in depth investigation conducted by a senior officer and an external Independent Person. The findings of this investigation are adjudicated by a senior manager in Children's Services. Complaints at Stage 2 should be responded to within 25 working days, although in certain cases this can be extended up to 65 days if the complaint is more complex or there are unexpected delays.

Stage 3 – If the complainant remains dissatisfied then the complaint can progress to this stage, the Review Panel, made up of three Independent People. The Review Panel make recommendations to the Director of Children, Families and Schools who

then makes a decision on the complaint and any action to be taken. The timescales for this stage are:

- Review Panel to be convened within 30 days
- The Panel's report to be produced within 5 days of the panel
- The Local Authority's response to be produced within 15 days of receiving the Panel's report

If the complainant remains dissatisfied then they can refer the matter to the Local Government Ombudsman (LGO), who is empowered to investigate where it would appear that the Local Authority's own investigations have not resolved the complaint. Complainants can refer their complaint to the LGO at any time, although the Ombudsman would normally refer the matter back to the Local Authority to be considered under the appropriate complaint procedure first before getting involved.

3.2 Children's Services Complaints

Complaints made about Children's Services other than under the Children's Social Care statutory procedure are dealt with under the Local Authority Feedback Policy - the Corporate Complaints Procedure.

Stage 1 – the same as the Children's Social Care procedure

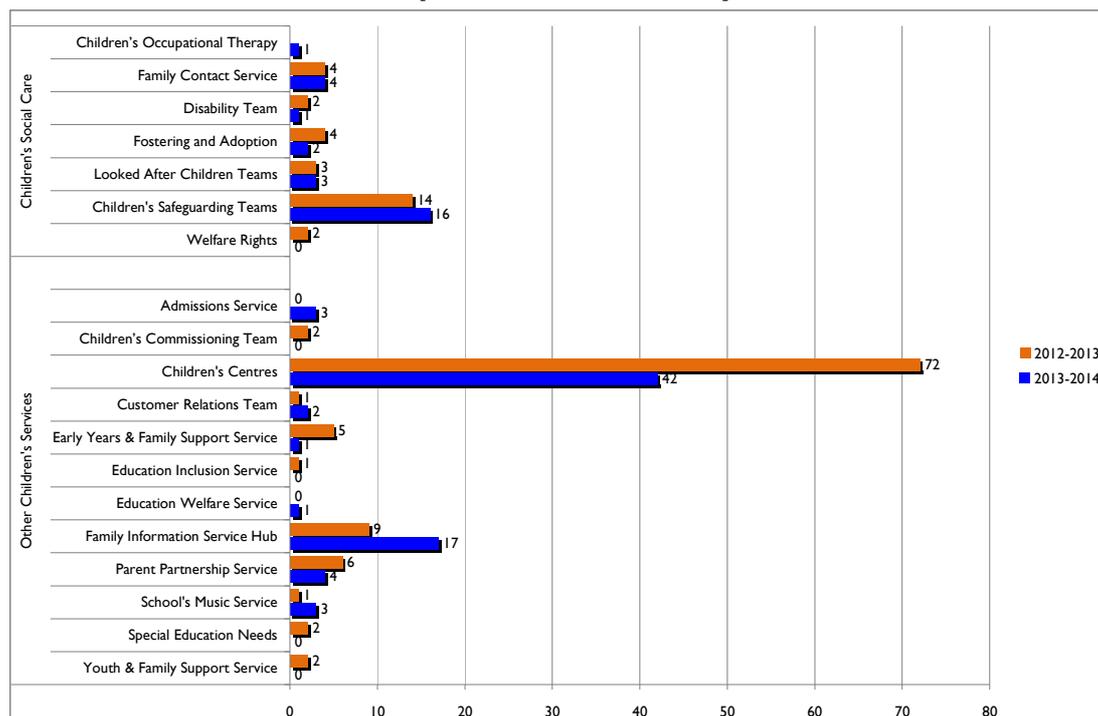
Stage 2 – if the complainant is dissatisfied with the findings of Stage 1 then a request for the matter to be considered by the Director of Children, Families and Schools can be made who will then provide a response within 10 working days

If the complainant remains dissatisfied then the matter can be referred to the LGO as with Children's Social Care complaints.

4 Compliments

- 100 compliments received this year in Children's Services compared to 130 in year 2012/13
- A slight decrease of 45 compliments received in 2013/14 for Children's Social Care Services from 47 the previous year
- Number of compliments received across Children's Services consistently outnumber the number of complaints received year on year
- Majority of compliments relate to quality of service provided and staff attitude and practice
- Awareness raising with staff regarding the logging and recording of compliments to take place in 2014/15 due to recognition that not all compliments are captured appropriately

Breakdown of Compliments Received by Team in 2013/14

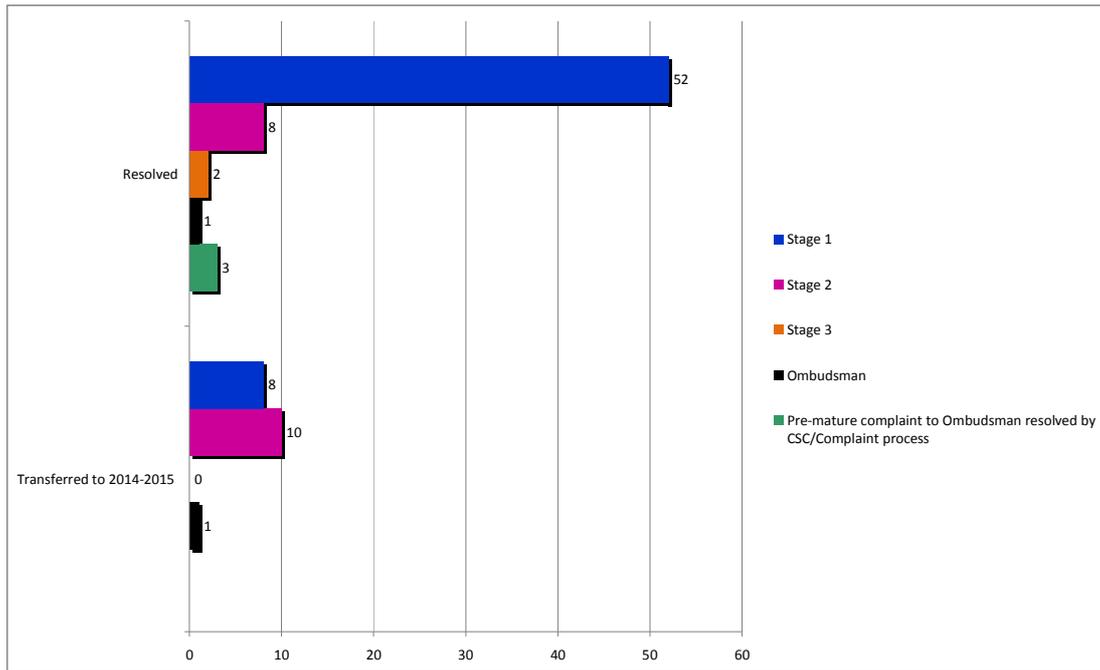


5 Complaints

5.1 Children's Social Care

- 66 new complaints were dealt with in 2013/14, an increase of 13 (25%) from 2012/13
- 19 cases were transferred from 2012/13, an increase of 14 from the cases transferred from the previous year
- 61% of complaints (52) dealt with in 2013/14 were resolved at Stage 1
- 19 cases are still being worked and transferred to 2014/15
- One case progressed to the Ombudsman in 2013/14. 3 cases went to the Ombudsman prematurely (by the complainant), who passed them back to the Local Authority to deal with
- The majority of complaints received in 2013/14 relate to issues with service provision and decision making, or perceived attitude and behaviour of staff
- A significant number of Children's Social Care complaints were not completed within statutory timescales

Children's Social Care complaints resolved at each stage 2013/14 and transferred to 2014/15



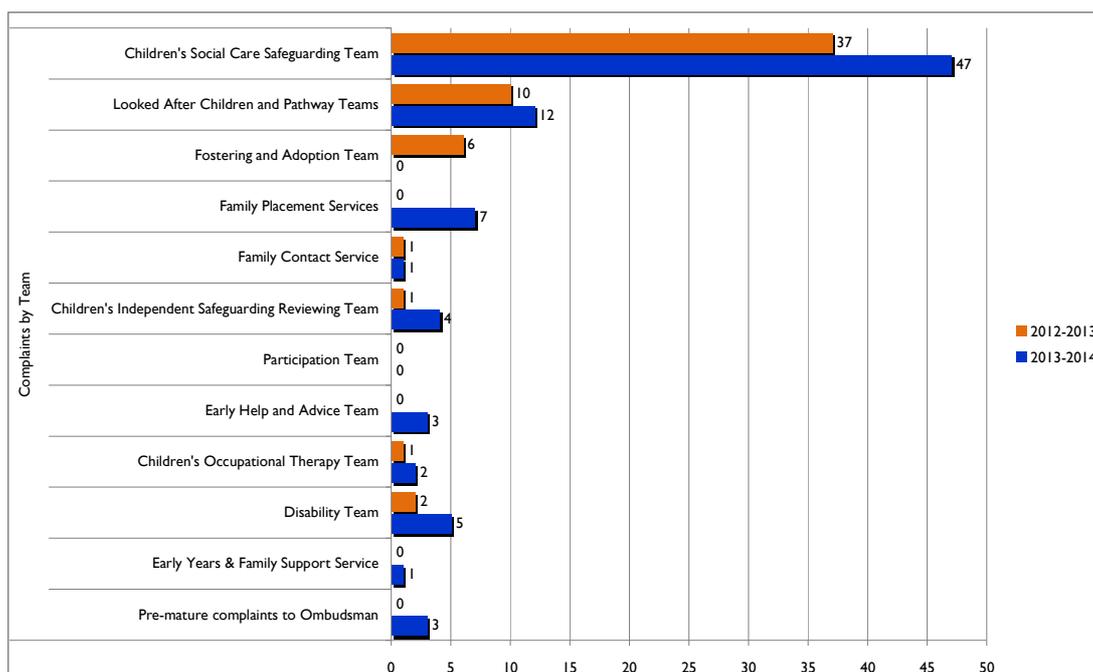
2013 – 2014

Total number of open CSC Cases	At 31/03/2014	1895
Total No LAC	At 31/03/2014	322
Total Number of CP	At 31/03/2014	140
Under 18 years old: Population Census	June 2012	63966

Total number of complaints dealt with	85	19 of which are from 12/13	%
% of complaints to CSC Cases			4.49
Number of complaints from Under 18 year olds		8	9.41
Number of complaints from LAC		7	8.24

	Transferred to 2014-2015	Resolved In 2013/14	% Resolved in 2013/14
Complaints Handled during 2013-2014			
Stage 1	8	52	61.18
Stage 2	10	8	
Stage 3	1	2	
Ombudsman	0	1	
Premature complaint to Ombudsman	-	3	
Total	19	66	

Breakdown of Children's Social Care complaints received by team 2013/14



Completion rates for Children's Social Care complaints

Of the complaints resolved in 2013/14 these are the number of days taken to complete at Stage 1 and 2 of the complaints process:

Cases dealt with at Stage 1 in 2013/14

Completed in less than 10 days	3
Completed between 10 and 20 days	11
Completed between 20 and 30 days	15
Completed in more than 30 days	23
Total	52

Cases dealt with at Stage 2 in 2013/14

Completed in less than 25 days	0
Completed between 25 and 65 days	2
Completed in more than 65 days	6
Total	8

It is recognised that an unacceptable number of Children’s Social Care complaints are not completed within statutory timescales. As part of the review of the Customer Relations Team more robust monitoring processes are being put in place. The complaints training for managers has been reviewed this year and delivered to Children’s Social Care managers, increasing the pool of investigators available to respond to a complaint; available capacity to respond to a complaint was recognised as a contributing factor to completion rates and has been addressed. Meeting statutory timescales will remain an area for development in 2014/15 along with improving the consistent quality of investigator’s reports.

However, it is acknowledged that a more thorough investigation at Stage 1, exceeding timescales, has in some circumstances resolved issues and prevented progression, or been at the request of the service user.

Outcomes of Children’s Social Care complaints completed in 2013/14

There were 52 complaints resolved at Stage 1 in 2013/14; in total there were 181 parts to these complaints. Of the 8 complaints resolved at Stage 2, there were 38 parts (only those not upheld at Stage 1 were investigated), and of the 2 resolved at Stage 3, there were 14 parts.

These are the outcomes:

Stage 1		%
Not upheld	109	60.22
Upheld	51	28.18
Partially upheld	10	5.52
No finding	11	6.08
Total	181	

Stage 2		%
Not upheld	14	36.84
Upheld	18	47.37
Partially upheld	2	5.26
No finding	4	10.53
Total	38	

Stage 3		%
Not upheld	10	71.43
Upheld	2	14.29
Partially upheld	2	14.29
No finding	0	0
Total	14	

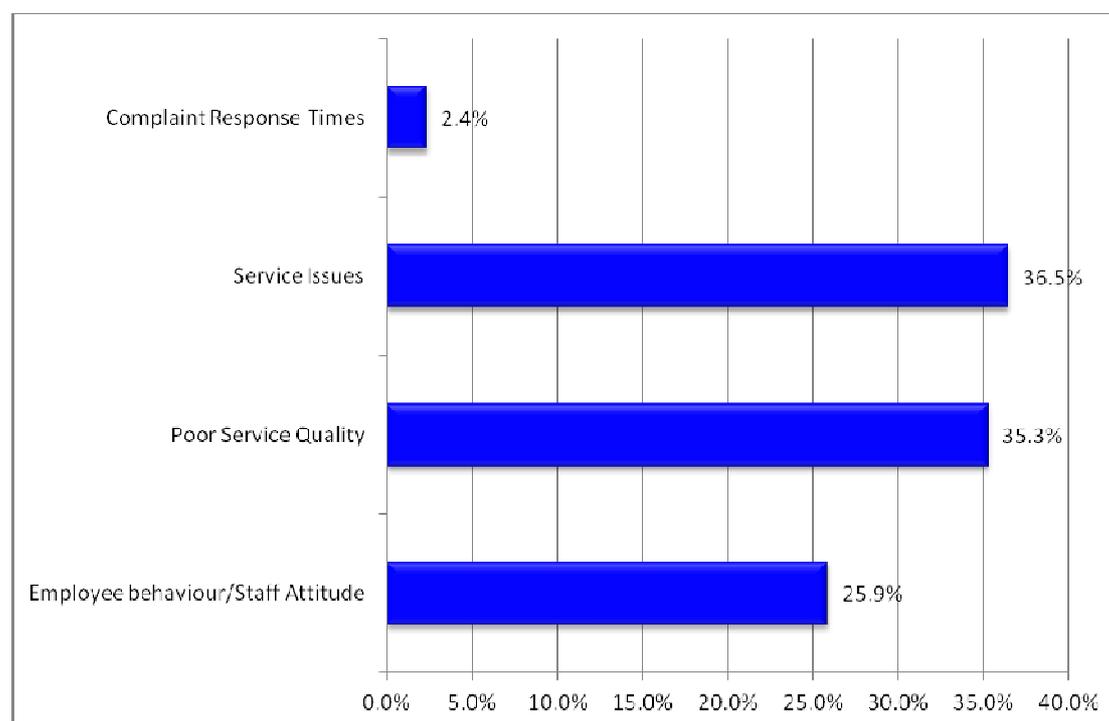
The data shows that although a small number of complaints (8) progressed to Stage 2 a significant percentage (47%) of those parts not upheld at Stage 1 were then overturned and upheld at Stage 2. This needs further exploration to gain understanding of the reasons why this occurred and will be included in the action

plan for 2014/15. At Stage 3 the data shows that the decisions made at Stage 2 appear sound with only 2 parts being overturned to being upheld.

Reasons for a Children’s Social Care complaint being made

There were 85 complaints dealt with during 2013/14; 19 of these were transferred from 2013/14. These were the underlying themes and reasons for the complaints being raised:

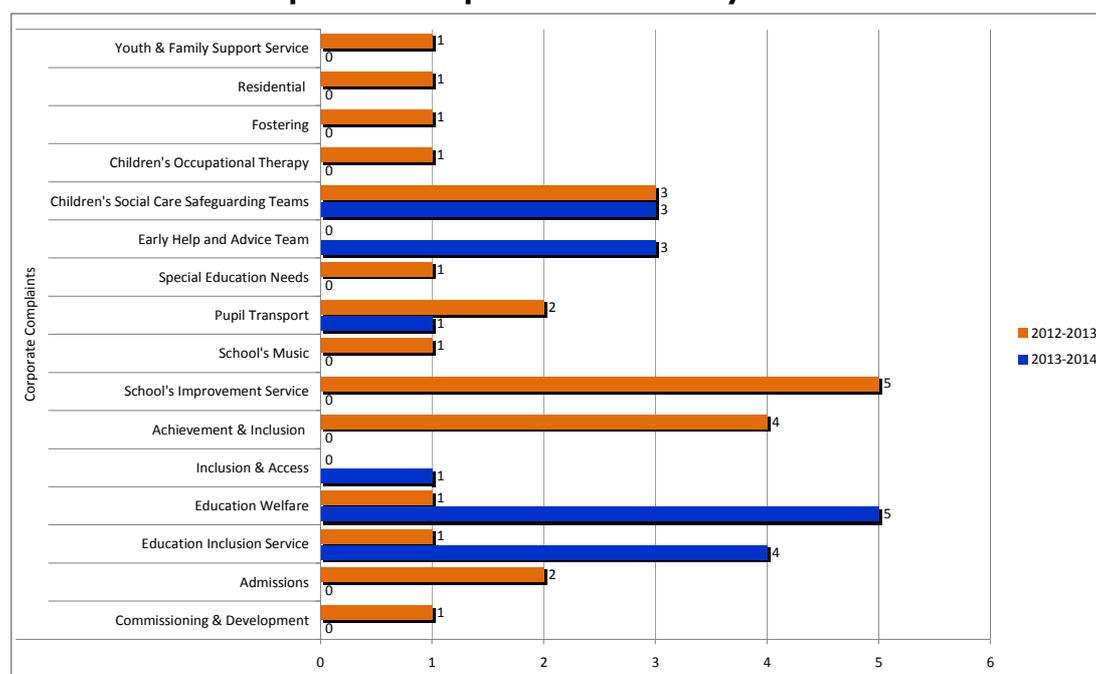
Employee behaviour / Staff Attitude	25.9%	22
Poor Service Quality	35.3%	30
Service Issues	36.5%	31
Complaint Response Times	2.4%	2
Total	100%	85



5.2 Children's Services Corporate Complaints

- 17 new corporate complaints were received in 2013/14 a decrease of 32% from the number received in 2012/13 (25)
- 15 of these 17 corporate complaints were resolved in 2013/14, with 2 cases still being worked and transferred to 2014/15
- 10 of these 15 corporate complaints (66.67%) were resolved at Stage 1 (1 of these was withdrawn)
- 5 of the 15 corporate complaints resolved in 2013/14 progressed and were resolved at Stage 2 (33.33%)
- No corporate complaints progressed to the Local Government Ombudsman in 2013/14

Breakdown of corporate complaints received by Team / Service 2013/14



Number of days taken to complete corporate complaints received in 2013/14 (nb one case was withdrawn)

Days taken	Stage 1	Stage 2
<10	5	1
10 - 20	2	4
20 +	2	0

Outcome of corporate complaints resolved in 2013/14

There were 10 complaints resolved at Stage 1 in 2013/14 (including the one withdrawn); in total there were 51 parts to the 9 investigated complaints. Of the 5 complaints resolved at Stage 2, there were 23 parts (only those not upheld at Stage 1 were investigated at Stage 2).

Stage 1

%

Invalid complaint	1	1.96
Unable to make judgement	1	1.96
Inconclusive	2	3.92
Not Upheld	38	74.51
Partially Upheld	1	1.96
Upheld	8	15.69
Total	51	

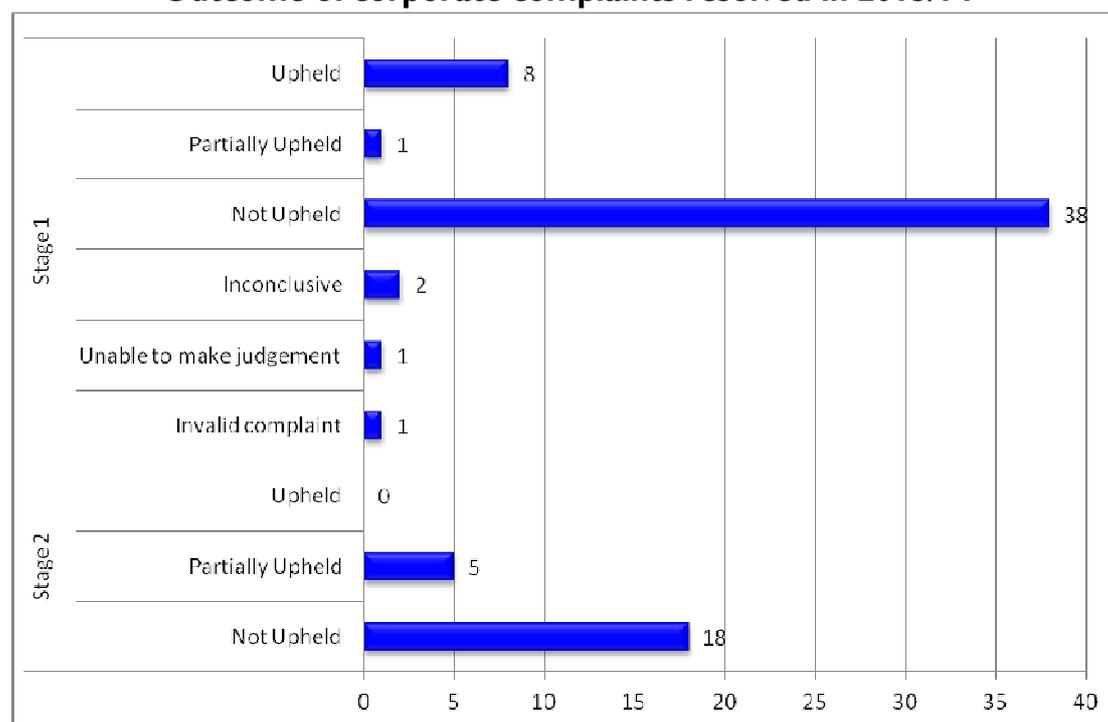
Stage 2

%

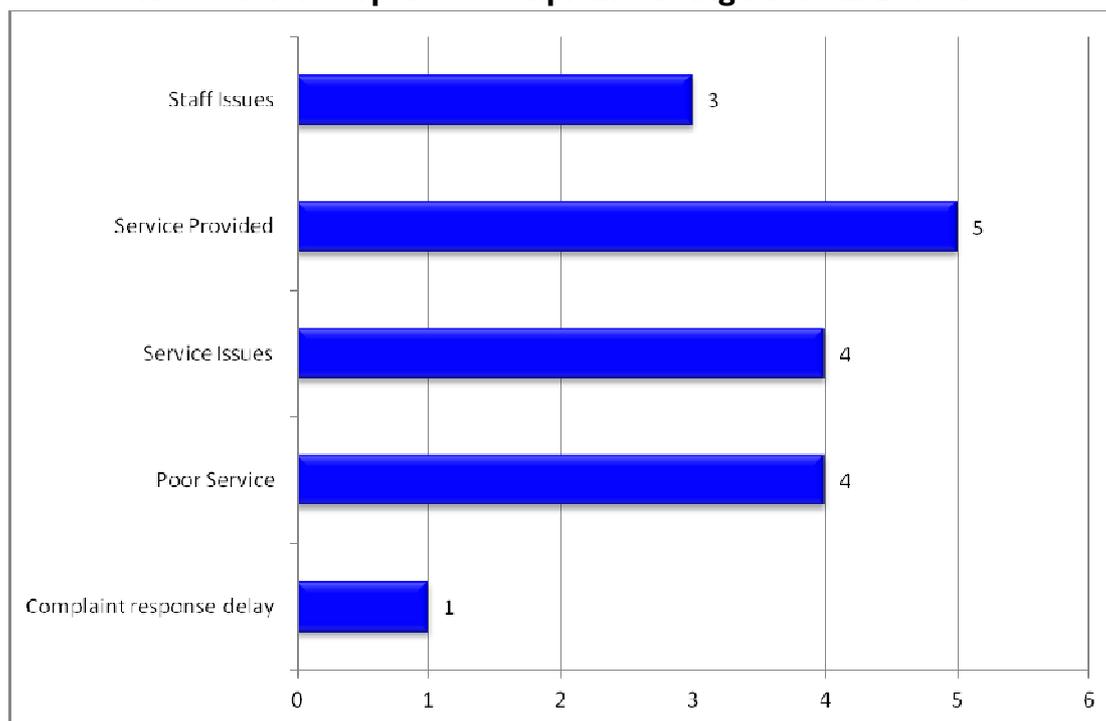
Not Upheld	18	78.26
Partially Upheld	5	21.74
Upheld	0	0
Total	23	

A significant percentage, approximately 75%, of the complaints made at Stage 1 were not upheld. Of those not upheld at Stage 1 that progressed to Stage 2, approximately 78% continued to be not upheld with none overturned to being upheld. This is a strong indication that the investigation findings and decision making at Stage 1 was sound and accurate.

Outcome of corporate complaints resolved in 2013/14



Reasons for corporate complaints being made in 2013/14



6 Contacts not progressing as a complaint

There were 71 contacts received by the Customer Relations Team that did not progress to a formal complaint. The majority of these were resolved by the relevant team. Other reasons for not progressing to a complaint included: legal proceedings / police investigations were taking place, the complainant did not meet the criteria under the Regulations to make a complaint, or there was no response / confirmation of complaints received, despite follow up from the Customer Relations Team.

The Local Authority do not investigate school complaints, however the Customer Relations Team have supported schools and complainants by advising on the process on request.

7 Learning Lessons

The statutory guidance **Children Social Care: getting the best from complaints**, issued by the Department for Education and Skills in 2006 tells us that 'Local Authorities should develop a listening and learning culture where learning is fed back to children, young people and their families who use their services – and fed into internal systems for driving improvement', and also 'it should give children and young people opportunities to tell the Local Authority about both their good and bad experiences of the service'.

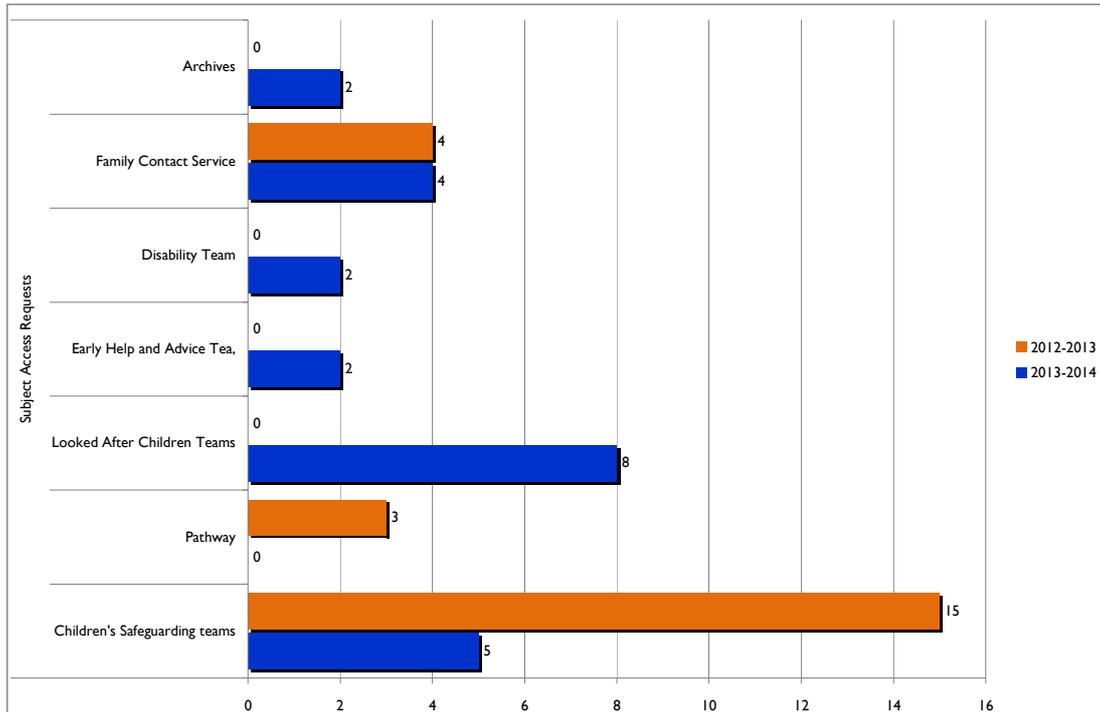
Complaints are a way of providing service managers with useful information in respect to how services are delivered, and can inform changes in future practice, policy and procedure. Feedback is gathered from the Investigating Officer/s and reviewed along with the recommendations and findings of the investigation reports.

The recommendations are monitored through Action Plans; a copy of which is sent to the complainant. These Action Plans contain details of the recommendations; include the nominated officer / service area responsible for each action and the timescale to be completed. An area for development in 2014/15 will be improving the completion rate of Action Plans, along with evidencing where lessons have been learned.

Some examples of learning from Children's Social Care complaints in 2013/14:

- There were a number of complaints from parents re the timescales they received the relevant paperwork prior to their child's Child Protection Conference. As a result Children's Social Care have set a performance measure for social work reports into conference
- Due to risk of a potential data protection breach, Children's Social Care meeting minutes will no longer be sent out as part of a Child Protection Conference pack. These will be available where appropriate from the relevant social worker / team on request
- A review of the process for highlighting and escalating to senior managers complaint investigations that are not completed within timescales has taken place and been implemented
- Children's Social Care complaints training was reviewed and delivered to managers to increase the pool of available investigating officers and improve the quality of investigations and reports
- Awareness raising took place for investigating officers to improve understanding that no complaint investigation should be deemed complete unless there is a written outcome sent to the complainant and the Customer Relations Team
- There was confusion around payments made to carers who were considering either to continue as foster carers or progress with a residence order. This resulted in payment arrangements being revised and fostering allowances now being paid for the maximum period of 24 weeks
- LAC siblings: there was an issue with coordination of information sharing especially family contact arrangements which resulted in a change of practice so that minutes of meetings are now sent to all attendees to avoid confusion
- Team manager supervision process and practice were revisited to improve case management oversight and decision making, due to themes of issues with poor case recording seen by investigators

8 Subject Access Requests (SAR) – Children’s Social Care



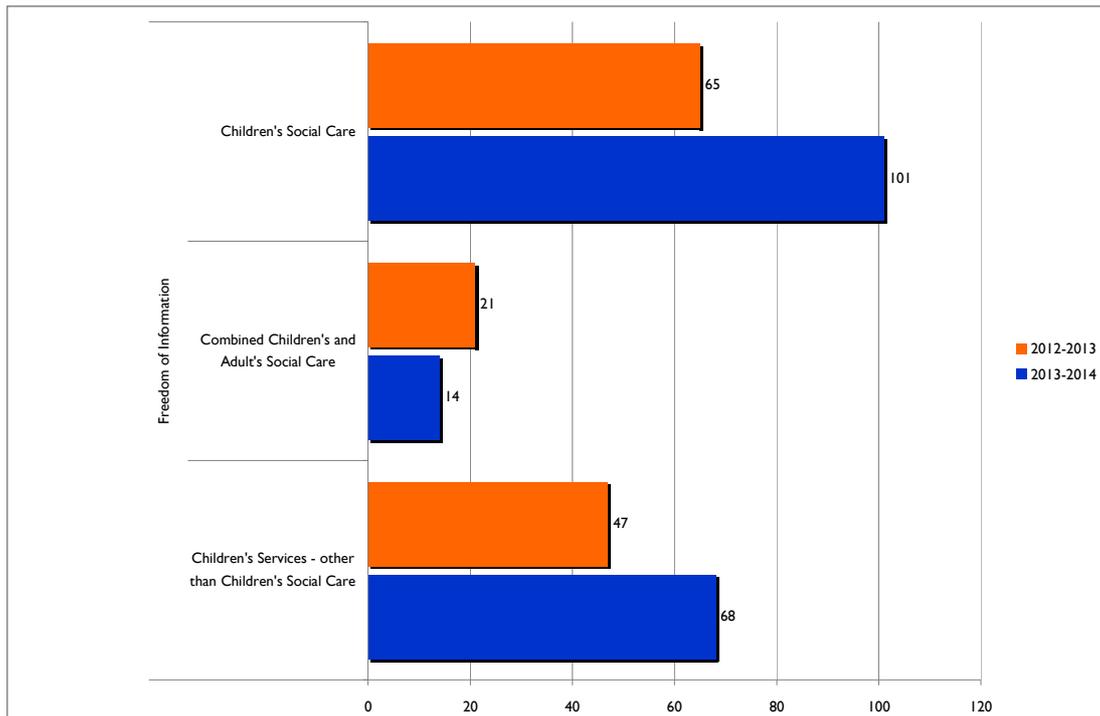
- Although 2013/14 has seen only a slight increase of 1 SAR (23 in 2013/14) to the previous year for Children’s Social Care cases; there has been a significant increase in the complexity of cases that needed reviewing to carry out these requests. This has meant increased workload for managers and capacity pressures
- There is a statutory timescale of 40 days for completion of a SAR. Of the 23 SARs received in 2013/14, 14 were completed within the 40 days (61%). There were extenuating circumstances for some of the remaining 9 SARs (39%) not being completed within the 40 day timescale, for example:
 - the children in question were subject to proceedings and it was felt that it was not in the children’s best interests to release certain information until these proceedings had ended
 - issues with locating historic files; a review and reorganisation of archived files that has taken place this year should reduce the chances of this reoccurring

However it is recognised that an improvement in SAR completion timescales will be an area for development for 2014 /15.

- The review of Customer Relations Team processes and performance management / data has led to increased performance in processing SARs and identified areas for improvement. In 2014/15, in addition to improving completion timescales, attention will be given to improving arrangements for redacting case records; improving the quality of records given to the service user making the request and ensuring the more efficient use of management time

- In December 2013 the Local Authority was subject to an audit from the Information Commissioner’s Office. The auditor acknowledged and commended the improvements in performance management and the processing of SARs, along with accepting that some SARs had needed to exceed allotted timescales for valid reasons relating to the welfare of the children concerned.

9 Freedom of Information Requests (FOI)



- Children’s Services overall have seen a significant increase, 65%, in the number of FOI requests from 111 in total in 2012/13 to 183 in 2013/14
- Monitoring of completion rates commenced in 2013/14 – Children’s Services completed 164 (90%) of FOIs within statutory timescales. Of the 19 not completed within statutory timescales, the majority of these were due to the time taken to clarify with the applicant the exact nature of the request, or due to the FOI being complex requiring a coordinated response across a number of departments
- Children’s Social Care consistently receives the highest number of FOI requests in Children’s Services each year. In 2013/14 there was a 55% increase in number from the previous year; 65 in 2012/13 to 101 in 2013/14
- There is a definite trend of increased complexity to the FOI requests across all Children’s Services requiring increased effort and officer time to meet the requests within timescales

- Improvements in Customer Relations Team processes and performance management systems has led to closer monitoring and management of FOIs in Children's Services; there is scope to develop this further in 2014/15

10 Areas for development in 2014/15

Issues and learning opportunities identified through reviewing the performance in 2013/14 have resulted in a number of areas for development for children's services in 2014/15. These are included in the table below and will be reviewed as appropriate throughout the year and then overall when completing the report for 2014/15.

Aim	Action	Desired Outcome
Increased recording of compliments in children's services	<ul style="list-style-type: none"> • Awareness raising with staff through supervision, staff meetings / briefings • Improve visibility on staff intranet • Explore new methods of capturing compliments – e.g., service users to be able to use e-forms / council facebook page 	<ul style="list-style-type: none"> • Accurate picture of compliments • Greater understanding of what services are working well • Improved recognition of exceptional staff performance
Increase number of investigating / adjudicating officers available to deal with complaints	<ul style="list-style-type: none"> • Review and deliver training programme • Training programme to be rolled out to managers across all Children's Services • Review level of support available to investigating officers from customer relations manager 	<ul style="list-style-type: none"> • Workforce equipped and confident to carry out complaint investigations • Increase capacity and reduce workload pressure on current staff available to carry out complaint investigations
Improvement in complaint investigations	<ul style="list-style-type: none"> • Closer monitoring of progression of complaint investigations by children's social care managers – through supervision / case management / responding to contact from Customer Relations Team • Analysis of 2013/14 	<ul style="list-style-type: none"> • Increased satisfaction with outcome of complaint investigation (both for service user and service) • Improved staff performance and confidence to carry out complaint

	<p>complaints to better understand themes and trends / recurring issues / why a large percentage of decisions were overturned at Stage 2</p> <ul style="list-style-type: none"> • Customer Relations Team to improve awareness raising process when issues arise – highlighting concerns at an earlier point with relevant line managers • Training for report writing • Refresher complaint training / individual support from customer relations manager for those managers who require it to gain better understanding of what constitutes a thorough investigation 	<p>investigation</p> <ul style="list-style-type: none"> • Standard of investigator’s reports will improve • Completion of complaint investigations within statutory timescales • Fewer complaints will progress to next stage. ‘Right first time’ • Improvement in number of complaints upheld / not upheld appropriately at the earliest possible stage • Reduced cost to Local Authority if fewer complaints progress • Improved public perception of the Local Authority
Improved use of action plans and lessons learned	<ul style="list-style-type: none"> • Managers to complete action plans in a timely manner; feeding back to complainant and Customer Relations Team as appropriate • Managers to complete lessons learned and effect resulting changes required 	<ul style="list-style-type: none"> • Improved use of action plans and lessons learned to inform changes in practice / service provision within agreed timeframes
Smarter use of performance data	<ul style="list-style-type: none"> • Customer Relations Team to continue to develop and refine performance management systems • Customer Relations Team procedures / processes to be finalised • Customer relations manager and Children’s Services managers to agree data set / information set / feedback required 	<ul style="list-style-type: none"> • Improved practice / performance of management of complaints, SARs and FOIs • Children’s Services managers to have an accurate picture relating to complaints, SARs and FOIs to address emerging issues and inform changes in service provision and practice

<p>Develop new methods of making a complaint</p>	<ul style="list-style-type: none"> • Consultation with service users to establish preferred methods • Ensure that how to make a complaint is included in new technology/developments the Local Authority is exploring. For example – the Council facebook page • Develop the use of e-forms both for service users and for internal processes • Launch redesigned Children’s Social Care complaints leaflet 	<ul style="list-style-type: none"> • Improved service user satisfaction • More efficient processes
<p>Meeting SAR statutory timescales</p>	<ul style="list-style-type: none"> • Review file retrieval process • Review redaction techniques available • Closer line management oversight from allocation • Explore a need for SAR training 	<ul style="list-style-type: none"> • Improved service user satisfaction • Meeting statutory timescales • Improved LA position in national ranking

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June 2014