

The Annual Complaints Report Solihull Children's Services

1 April 2010 – 31 March 2011

**Prepared by Sam Jones
Complaints Manager
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1. Purpose of Report

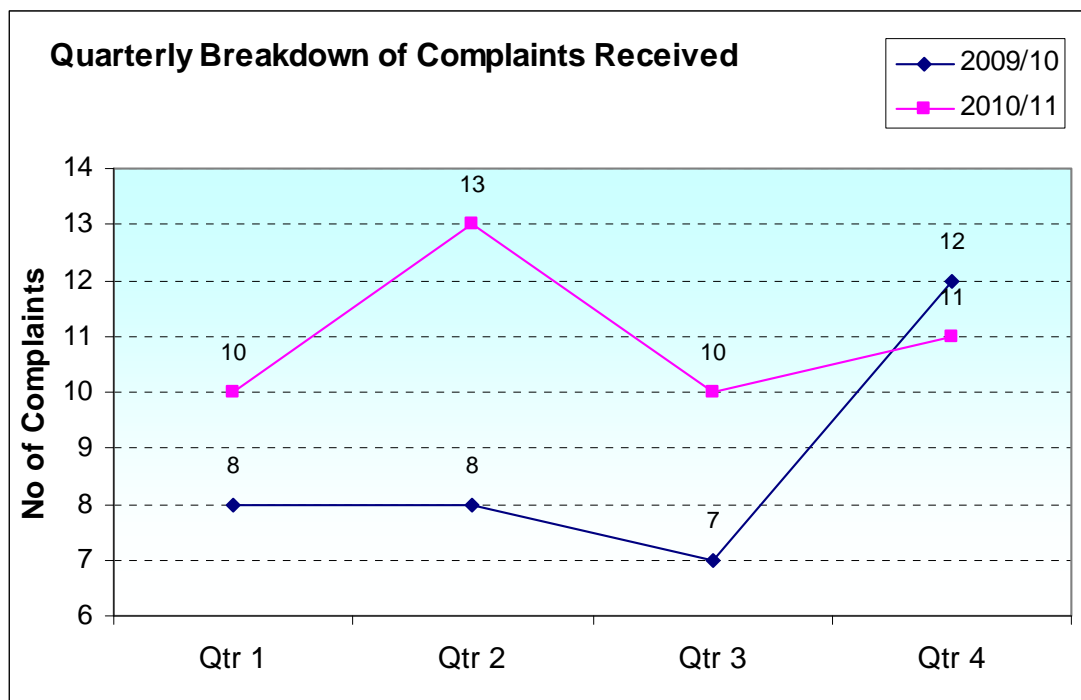
- 1.1 This report provides a summary of Children's Social Care complaints received during the financial year 2010/2011.

2. Summary of Findings

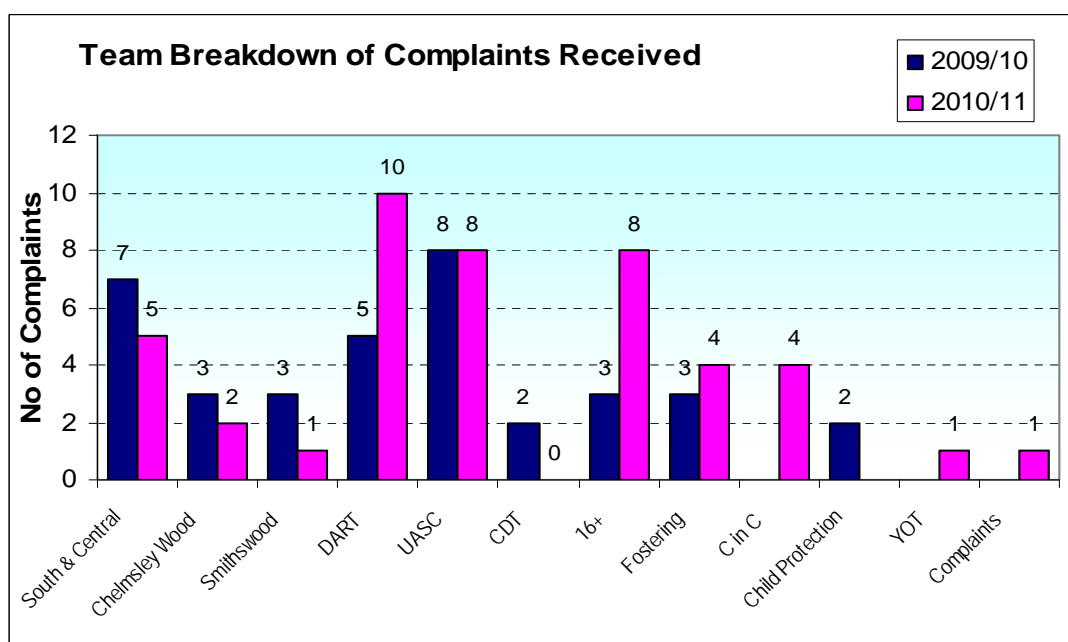
- 2.1 During the financial year a total of 44 complaints were received. Many of the complaints received identified more than one issue of concern which we recorded separately to ensure all aspects were addressed. In total a 100 issues of concern were raised within the 44 complaints received. This compares with 36 complaints in 2009/10 which covered 142 areas of concern. The overall rate of complaints has increased by 22.2%, however the number of issues of concern have reduced by 29.6%
- 2.2 The majority of complaints were managed at stage one of the complaints process with 42 out of the 44 (95%) handled and resolved at stage one. Of the remaining two complaints, one was handled and resolved at stage two, while a further one has been progressed to stage three, which will be concluded in the financial year 2011/2012.
- 2.3 50% of our complaints were made by adults and 50% of the complaints were made by young people receiving a service from us.
- 2.4 The majority of complaints received related to one or more of the following:
- a **Service inefficiencies** (47.1%), with the largest proportion (20.6%) relating to failure to communicate in an effective and timely manner. There was also a significant number of complaints in relation to delays (8.8%) in processing case management activities.
 - b **Standards in Provision** (29.4%), with the largest proportion relating to placements (14.7%). There were also 2 complaints (5.9%) related to support provided to care leavers.
- 2.5 Complaints relating to failures in communication, continues to be a key theme, with levels of complaints remaining similar to 2009/10 (18.2%). The reduction in numbers of complaints relating to staff conduct from 21.2% in 2009/10 to 8.8% in 2010/11 is a positive result of the proactive management of complaints by first line managers and the investment in training in the year to address these issues.
- 2.6 In response to the one stage three complaint, a learning action plan has been developed covering:
- a Procedures and quality assurance processes in relation to keeping families informed on progress and outcomes of Section 47 investigations.
 - b Revised procedure and training on stage one complaints to ensure complainants are contacted to discuss issues of concern.
 - c Staff reminded on procedures on case recording of contact with families including unplanned visits.
- 2.7 Other actions being implemented include training rolled out to all Team Managers and Assistant Team Managers covering responding to complaints, developing

3. Overview of complaints for Children's Services

3.1 The following information provides an overview of the complaints received in the last 12 months and where appropriate comparison with information from 2009/10 to demonstrate the trends over time.



3.2 During the financial year a total of 44 complaints were received, this compares with 36 complaints in 2009/10. The overall rate of complaints has increased by 22.2%.



Team Breakdown of Complaints Received		
	2009/10	2010/11
CSWT South & Central	7	5
CSWT Chelmsley Wood	3	2
CSWT Smithswood	3	1
Duty, Assessment & Referral Team	5	10
Unaccompanied Asylum Seeking Children Team (UASC)	8	8
Children's Disability Team	2	0
16+ Team	3	8
Fostering Team	3	4
Children in Care Team		4
Child Protection	2	
Youth Offending Team		1
Complaints Team		1
Total	36	44

*The above table **includes** any complaints later withdrawn; this is so we can see the number of complaint received in total.

- 3.3 The 16+ Team saw the largest increase in complaints between 2009/10 to 2010/11 rising from 3 to 8 (167% increase). Similarly the Duty, Assessment and Referral Team also saw a large increase in levels with a doubling of complaints from 5 in 2009/10 to 10 in 2010/11.
- 3.4 Of the DART referrals 8 (80%) were resolved at stage 1 by first line managers, while one complaint was resolved at stage 2. The remaining DART complaint was referred to stage 3 for review. This level of complaints with in DART might be expected given the nature of the work in DART and this being both the first point of contact, relatively short term and usually undertaken at times of crisis for a family. The number resolved at stage 1 is indicative of these issues being listened to and addressed. All complaints to other teams, including the 16+ Team were resolved at stage 1 by first line managers with the exception of one complaint to the UASC Team which was resolved at stage 2.

Method	Amount – 2009/2010	Amount 2010/2011
Letter	43%	17%
Email	26%	23%
Leaflet	14%	15%

Communication from Advocate	9%	4%
Telephone	6%	11%
Unknown	3%	13%
Internet forms	N/A	2%
Meeting / Face to Face	N/A	2%

3.5 55% of our complaints were made by females and 45% by males. We currently do not collect any other information regarding ethnicity; however, we have now improved our system so that we can detail this when it is available in the future.

4. Complaints Management and Timescales

4.1 The statutory guidelines for complaints within Children's Services state the timescales within which complaints should be responded to:

- a **Stage 1** – Complaints should be responded to within 10 working days. An additional 10 working days can be taken for more complex complaints, or if an advocate is required.
- b **Stage 2** – Complaints should be responded to within 25 working days, this can be extended to a maximum of 65 working days. The complainant then has 20 working days to request that their complaint progresses to a Stage 3 Review Panel.
- c **Stage 3** – The Local Authority has 30 days to convene and hold the Stage 3 Review Panel. The panel has 5 days to issue its findings and the LA has 15 days to respond to the findings.

These regulations place a duty on the Local Authority to act without delay when dealing with a complaint.

Complaints Management - Response Times		
	Number	%
Stage One		
0 - 10 working days	11	30.6%
10 - 20 working days	14	38.9%
Over 20 working days	11	30.6%
Stage Two		
0 - 25 days	0	
25 - 65 days	0	
Over 65 working days	2	100%

*In the above table, complaints that have been withdrawn have **not** been included in addressing whether a complaint was responded to within the statutory timescales.

- 4.2 This highlights that overall, 69% of complaints at Stage 1 were responded to within the statutory timescales.
- 4.3 We have received a number of complex complaints in the last financial year, at times requiring assistance from Legal. Some complaints have been delayed as service areas have tried to facilitate meetings with the complainant prior to responding in writing, so that complainants understand that their concerns are being taken seriously. It also enables the manager responding to fully understand the concerns being raised. A common factor in a response to a complaint being delayed is where a 3rd party provider is involved and it is necessary for Commissioning and Contracting to write to the 3rd party addressing the concerns raised, await their response, before our service area are able to respond to the concerns. At times these responses are not detailed enough to be able to answer the complainant, so further clarification has to be sought.
- 4.4 The two stage 2 complaints took longer than the statutory timescales to resolve. One complainant withdrew their complaint at Stage 2, therefore there is no timescale included for it above.
- 4.5 We have looked at the complaints to examine the reasons as to why it took over 65 working days for a response to be sent, therefore, being outside the statutory timescales. In one case, the complexity of the case made it difficult to respond within the timescales, however in the second case delays were incurred due to the investigating officer's availability. The degree of complexity is dependant on a number of issues these may include: the individual number of issues of concern, the amount of work that must be done to "unpick" the issues, if the complaint covers more than one division and or third parties.
- 4.6 As a result, we have undertaken the following actions to ensure we respond within statutory timescales in future:
- a External investigators are contacted on a two weekly basis for an update as to the progress of their investigation.
 - b Enlarged the pool of investigators providing far more choice and expertise being made available to carry out investigations in a much tighter timeframe.
- 4.7 The remaining complaint that escalated to Stage 3 was dealt with at Stage 1, within timescales. The Stage 2 response was 5 working days over the timescales due to the complexity of the matter. The Stage 3 will be in 2011/2012, within timescales. T
- 4.8 In addition, we have also responded to the underlying training need in relation to complaint responses at stage one by the Team manager or Assistant Team Manager. The Complaints Manager and the Head of Children in Care & Care Leaving Services jointly delivered training to all Team Managers and Assistant Team Managers. Within the training they covered the statutory arrangements for children services complaints and guidance on how to manage complaints. Through a case study approach there was also a focus on how to responding to complaints, developing empathy and preparing written responses. The impact of this training has already seen an improvement of timescales and management of responses to complaints received since April 2011. In addition, we have strengthened the management oversight on complaints within all Children's Social Work Teams by

5. Issues raised within Complaints

- 5.1 When we log complaints onto our system, we are able to choose an issue that is relevant to that complaint, e.g. staff rudeness, delay, etc. This helps us and the relevant service areas identify any patterns as to the issues within complaints that can inform how services can improve.
- 5.2 Up until September 2010, we were only able to register one issue per complainant, therefore, despite the fact that they may have raised more than one complaint. Our system has now been updated and we will be able to identify all relevant categories on complaints registered after September 2010. This will enable us to provide more accurate reports in the future.
- 5.3 For the 44 complainants who have registered formal complaints, the following categories were identified:

Categories	Number of Issues Raised 2010/11	% of overall complaints regarding that Issue
Inefficiency	8	13.6%
Rudeness	2	3.4%
Other (Staff Conduct Issues)	1	1.7%
Access to Service	2	3.4%
Unhappy with Service Offered	2	3.4%
Standard of Service	25	42.4%
Missed Calls	1	1.7%
Refusal of Service	2	3.4%
Contractual Agreements	1	1.7%
Delay	1	1.7%
Delay in Service	2	3.4%
Concern / Failure to Protect a Vulnerable Child	2	3.4%
Information recorded is incorrect	1	1.7%
Delay in Receiving Information	4	6.8%
Loss of Belongings	2	3.4%
Not kept Updated/Informed appropriately	1	1.7%
Unacceptable Timescales	1	1.7%
Laptop	1	1.7%

5.4 Analysis of issues raised in complaints can be aggregated into five broad categories:

- a Standards in Provision
- b Service Delays
- c Staff Conduct
- d Service Inefficiencies
- e Service Decisions

Areas of Complaints	2009/10	2010/11
Standards in Provision	-	29.4%
Service Delays	15.2%	-
Staff Conduct	21.2%	8.8%
Service Inefficiencies	39.4%	47.1%
Service Decisions	24.2%	14.7%
	100.0%	100.0%

5.5 Further analysis of Standards of Service Provision and Service Inefficiencies highlights where the main concerns are from the complaints received.

Breakdown Analysis of Complaints 2010/11			
			Of Total
Service Inefficiencies			%
	Assessment	1	2.9%
	Communication	7	20.6%
	Contact	2	5.9%
	Delays	3	8.8%
	Finance	1	2.9%
	Procedures	1	2.9%
	Quality Assurance	1	2.9%
	Total	16	47.1%
Standards in Provision			
	Placements	3	8.8%
	Foster Care	2	5.9%
	16+ Support	2	5.9%
	Quality Assurance	1	2.9%
	Other	2	5.9%
	Total	10	29.4%

- 5.6 The majority of complaints received related to one or more of the following:
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6. Compliments Received by Service Areas

- 6.1 There were 15 compliments registered in 2010/11 financial year for Children's Services. We are developing our approaches to secure further intelligence from compliments by further enhancing our intelligence from compliments to support sharing good practice. A redesigned customer satisfaction survey has been introduced from April 2011.

Service area	Amount 2010/2011	Amount 2009/2010
CSWT South & Central	3	3
Fostering	1	3
Unaccompanied Asylum Seeking Children Team	1	2
Children in Care	2	0
CSWT Smithswood	2	1
16 + Team	1	1
Duty, Assessment & Referral Team	0	2
CSWT Chelmsley Wood	0	3
Total	10	15

7. Responding to Complaint Recommendations

- 7.1 Complaints are an integrate part of understanding where our services are not meeting the needs or expectations of our service users and where we can make improvements to the way we work and the quality of services. The Complaints Manager, the Head of Children in Care & Care Leaving Services and the Head of Children in Need Service, have this year updated our 'Learning from Complaints' form and it has been in use since January 2011. This new form, alongside the training provided will strengthen our approach to identifying both the learning from complaints and the resulting actions we need to undertake to improve the quality of services and support in both the services we provide and those we commission. The form now includes, in addition to the complaint details:
- a Any learning identified and indicating whether regarding policy, procedure, best practice, training, public information, etc.
 - b What action has been taken or is proposed, e.g. staff meetings, management meeting, policy / practice changes, workload issues, court delays, etc.
 - c Any additional resources or support that may be required.
- 7.2 The Complaints Manager will undertake a review of the progress on complaint recommendations 4 weeks after completion to ensure recommendations have been implemented.
- 7.3 The following provides some of the examples of positive learning received:
- a *'We discussed the importance of tone of voice and body language and I asked the worker to reflect on how things could have been different.'*
 - b *'The situation in the end came down to the view of an incident from two people. Both were listened to and asked to consider how we can avoid such a situation in the future.'*
 - c *'All social workers in the team to be briefed regarding sharing of court documents'*
 - d *'Following on from the first complaint a time table of visits was set up which provide a clear under standing of the level and frequency of support. This was part of a communication plan which in hindsight should have been drawn up at the beginning to assist R, his family and those who are offering support.'*
 - e *'We now have set up a weekly time table and we have a regular review of the situation to catch up with events and clarify plans for the future.'*
 - f *'The learning point I have taken from this complaint is that the DART service should confirm that parents are invited to contribute towards the review and that IRO should confirm their involvement in the meeting. Minutes of the meeting should be sent out to parents with the permission of the young person if appropriate. Both these issues have been fed back to the respective team.'*
 - g *'A communication strategy has been drawn up with the young person and parents to prevent any such difficulties in the future. '*

8. Review of Complaints Processes

- 8.1 During the last financial year, we have spent a significant amount of time carrying out a process review of the Children's Statutory Complaints Process. The purpose of this was to ensure that Children's Services have a detailed process outlining dealing with a complaint. The process now provides clear guidance on the roles of managers and the role of the Complaints Team. To support the new process, as already identified under 4.8 training has been rolled out to all Team Managers and Assistant Team Managers covering responding to complaints, developing empathy and preparing written responses.
- 8.2 To emphasize the importance of complaints as management information that support improving the way that we work, we have also embedded complaints into routine supervision discussions. Each team now routinely discuss both information and formal complaints on monthly basis.

9. Future Plans

- 9.1 We have a number of additional plans to improve our service in the future. The Process map is now available on the intranet for staff to access. This will:
- a Enable staff to easily access information on the statutory complaints procedure.
 - b Help staff to ensure that they fulfil their role and area of responsibility within the complaints procedure.
 - c Ensure continuity within the Council and the staff approach to complaints.
 - d Make timescales clear to staff and therefore more emphasis placed on timescales.
- 9.2 To reduce delays we will improve the communication between the complaints team and our investigators during the Stage 2 process, ensuring that reports and adjudicators responses are completed and sent within timescales.
- 9.3 Within this financial year we also had our Respond system upgraded and have had a further in-house training session with Respond in order to bespoke our system to our specific needs, this will result in more detailed reports being available in the future to fully understand the quantity and complexity of the complaints that we are now receiving.