

# **Children's Services Department**

## **Annual Report on Social Care Complaints and Representations**

**2017/18**

## Executive Summary

The Annual Report is a public document, providing a mechanism by which the Children's Services Department (the department) can be kept informed about the operation and effectiveness of its complaints procedure and support learning from complaints. This document covers the reporting period 01 April 2017 to 31 March 2018.

The key findings within the report can be summarised as:

1. The total number of representations recorded by CSCT in the reporting period was 982. This represents a 12.3% overall increase from the number received in the previous reporting period

The number of statutory complaint show a reduction of 67 (down 25.9%) on the previous reporting period, against the number of corporate complaint received slightly increasing by five representations. The number of 'Other' representations has significantly increased (30.4%) on the previous reporting period's number, which also includes increases in the number of case concerns and 'ad-hoc' representations.

2. 54% (was 52% in 2016/17) of statutory Stage One complaints were responded to within the upper time limit, but outside of the standard deadline of 10 working days. This is permissible within the guidance, though it is important that the 10 day extension is viewed as an exception rather than standard practice. Four (as compared with 12 in 2016/17) statutory complaints were not responded to within the upper time limit of 20 working days.
3. The number of case concerns has increased significantly by 43 representations (30.9%) on the previous reporting period. This is attributable to an increase in the number of representations that could appropriately be managed and responded to as case matters/informal complaints. Case concerns are, in effect, case management issues which have been identified by CSCT. One characteristic of a case concern is that it requires more immediate attention and resolution than is afforded by the 10 day time limit for a formal complaint. This also illustrates a change to facilitating earlier resolution and therefore negating the need for matters to enter the formal complaint process. This approach is only considered when it is advantageous to the individual and/or in the best interest of the child concerned.
4. During the reporting period three complaints progressed to statutory Stage Two investigation (the same as in 2016/17). Of these three, one progressed to Stage Three. The remaining complaint investigations had also been completed by the end of the reporting period.

6. Resource issues resulted in 6 complaints (where the complainant had indicated a wish to progress their complaint) were unable to be progressed to Stage Two investigation within the reporting period.
7. Analysis of the nature of complaints, the social characteristics and the demographic of complainants is routinely carried out. There is no evidence of disproportionate representation of any vulnerable group.

The report also identifies 6 recommendations for CSCT or the wider department to implement or monitor, as appropriate, during the 2018/19 reporting period:

**Recommendation 1** - Review efficacy and therefore need for hard copy complaint leaflet/form.

**Recommendation 2** - Review resources required for Stage Two complaint escalation, specifically in respect of having sufficient Investigating Officers to escalate, within timescales, the increasing number of Stage Two investigations.

**Recommendation 3** - Identify how potential complaints could be resolved by the service prior to entering the formal complaints process.

**Recommendation 4** - Identify a more apt approach to effectively capture learning from complaints whilst minimising the impact on practitioners and their managers. This may necessitate reviewing how resources are utilised in other areas of complaint management by the Children's Services Complaint Team (CSCT).

**Recommendation 5** - Develop (with departmental leads) advocate information that can be shared with children and young people (Children Looked After and Children in Need) as appropriate.

**Recommendation 6** - Review the layout and content of the Annual Complaint Report to ensure that pertinent intelligence is captured whilst still complying with the statutory complaint guidance.

The full report follows.

## **1. Introduction**

- 1.1 The Children's Act 1989 *Representation Procedure (England) Regulations 2006* requires Children's Services Departments to operate and maintain a complaints procedure for social care complaints from children, young people or their representatives.
- 1.2 The statutory guidance, *Getting the Best from Complaints, DfES 2006* outlines the required procedures, which the Complaints Manager has responsibility for overseeing. The Annual Report is a public document, providing a mechanism by which the department can be kept informed about the operation and effectiveness of its complaints procedure and support learning from complaints.
- 1.3 To provide an overall picture of Children's Services complaints, some information about non statutory complaints has been included in the report.

## **2. The procedure**

- 2.1 Social care (statutory) complaints from or relating to children and young people are managed through the three-stage statutory process. These complaints relate exclusively to the Children and Families branch of the Children's Services Department (the department). Non-social care (non statutory) complaints are responded to under the three-stage corporate complaint process. These complaints tend to be predominantly about the Education and Inclusion branch of the department and include complaints about key services such as Special Educational Needs (SEN). The Access, Performance and Resources branch and Children and Families branch also generate complaints that require managing under the non statutory complaint process such as complaints about schools admission and the complaint process itself. The non statutory complaint process is used when a complaint is focused on policy and process i.e. compliance with policy, rather than direct intervention with children and their families.
- 2.2 In addition to the above, a third complaint process is involved when responding to complaints that are specifically about the process, outcome or decision of Child Protection Conferences. The Children's Services Complaint Team (CSCT) has a specific role in Stage Two of the Local Safeguarding Children's Board (LSCB) complaint process.
- 2.3 School complaints are managed through each individual school's complaint process. CSCT will advise on the general principles and processes if contacted by parents, carers, schools or governors and on occasions, young people. As in previous reporting periods the number of contact relating to school complaint continues to decline.

### **3. Publicity and information**

- 3.1 Both the generic complaint leaflet and the '*What Do You Think*' leaflet specifically designed for use by children and young people, remain available. However, the updated complaints pages on Hantsweb are now the primary source of information providing a comprehensive guide to making a complaint, comment or compliment about the Children's Services Department that falls within the statutory complaint process. During the reporting period advocacy was provided on a contractual basis to the department although this was not utilised by any of the young people who made a complaint in their own right.

### **4. Data and analysis**

#### **4.1 Children's Services Complaints 1 April 2017 – March 2018**

The 'CSC Respond' data base was fully operational during the reporting period 01 April 2017 to 31 March 2018. Data specifically relating to Hampshire County Council is separated from other data and extracted for reporting and analysis. Complaint records are held in compliance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA2018).

#### **4.2 Representations**

Table 1a below shows the totals for all representations received by or reported to CSCT in the reporting period. Definitions for each are shown in Appendix 1.

**Table 1a: Representations Received**

<b>Type of representation</b>	<b>Financial Year</b>	
	<b>2017/18</b>	<b>2016/17</b>
<b>Statutory</b>		
Complaint	131	173
Pre-complaint (to Statutory Stage 1 Complaint)	16	8
Area initiated complaint	12	18
Refused	33	60
<b>Total statutory representations</b>	<b>192</b>	<b>259</b>
<b>Non-Statutory</b>		
Complaint	88	80
Pre-complaint (to Corporate Stage 2 Complaint)	2	3
Area initiated complaint	7	12
Refused	19	14
<b>Total non-statutory representations</b>	<b>116</b>	<b>109</b>
<b>Other</b>		
Pre-complaint	76	85
Professional to Professional Complaint	7	21
LSCB	1	3
LGSCO	16	26
Case Concern	182	139
Miscellaneous	6	25
Compliment	6	4
HantsDirect handoff	1	3
Data Breach, FOI or SAR	0	0
Informal complaints	0	0
Request for info	0	0
Ad Hoc	379	200
<b>Total other representations</b>	<b>674</b>	<b>506</b>
<b>Total representations</b>	<b>982</b>	<b>874</b>

**Table 1b: Breakdown of representations subsequently refused (subset of Table 1a)**

Refusal reason	Financial Year	
	2017/18	2016/17
<b>Statutory</b>		
Court Proceedings	6	13
No PR	22	33
Not in Best Interest/Age of Child/YP	0	1
Out of Time	3	6
Outside of Remit	1	7
Repeat Complaint	1	0
<b>Total statutory refusals</b>	<b>33</b>	<b>60</b>
<b>Non-Statutory</b>		
No PR	0	3
Not in Best Interest/Age of Child/YP	0	2
Out of Time	0	0
Outside of Remit	14	7
Repeat Complaint	0	2
Tribunal/Court Proceedings	5	14
<b>Total non-statutory refusals</b>	<b>19</b>	<b>74</b>

### 4.3 Number of complaints

- 4.3.1 The total number of representations recorded by CSCT in the reporting period was 982. This represents a 12.3% overall increase from the number received in the previous reporting period.
- 4.3.2 The number of statutory complaint show a reduction of 67 (down 25.9%) on the previous reporting period, against the number of corporate complaint received slightly increasing by five representations. The number of 'Other' representations has significantly increased (30.4%) on the previous reporting period's number, which also includes increases in the number of case concerns and 'ad-hoc' representations.
- 4.3.3 The number of case concerns has increased significantly by 43 representations (30.9%) on the previous reporting period. This is attributable to an increase in the number of representations that could appropriately be managed and responded to as case matters/informal complaints. Case concerns are, in effect, case management issues which have been identified by CSCT. One characteristic of a case concern is that it requires more immediate attention and resolution than is afforded by the 10 day time limit for a formal complaint. This also illustrates a change to facilitating earlier resolution and therefore negating the need for matters to enter the formal complaint process. This approach is only considered when it is advantageous to the individual and/or in the best interest of the child concerned.
- 4.3.4 Children's social care services continue to register low numbers of direct customer compliments. As in previous years one of the reasons for this could be the large number of interventions which are unsought and often unwelcome by families. In addition, many compliments are delivered verbally and often not captured. Compliments are useful to identify areas which are valued by service

users. Unfortunately, the revised process, introduced five years ago, to encourage improved capturing and reporting of comments and compliments, does not seem to have had much impact. The number of compliments recorded by CSCT in 2017/18 was 6, an increase by 2 on the number received in the previous reporting period.

- 4.3.5 There has been a significant reduction in the number of 'statutory' refusals (45%) as demonstrated in Table 1b above. The majority of these refusals are still due to the individual not having Parental Responsibility. The number of 'non-statutory' refusals has also significantly reduced from 74 down to 19 (74.3%). The main reason being due to the request being outside the remit of the CSCT function.



#### 4.4 Timescale compliance

Table 2 below shows the total number of complaints responded to / progressed within the reporting period.

**Table 2: Number of Complaints Responded to / Progressed within Reporting Period (all complaints received in 2017/18 or completed in 2017/18)**

	Stage	Financial Year					
		2017-2018		2016-2017		2015-2016	
<b>Statutory complaints</b>	<b>Stage 1</b>						
	Total number of complaints	142		182		214	
	- in 10 working days	61	(43%)	75	(41%)	98	(46%)
	- in between 10 and 20 working days	77	(54%)	95	(52%)	109	(51%)
	- in over 20 working days	4	(3%)	12	(7%)	7	(3%)
	- average time to complete (days)	12.0		12.5		11.6	
	<b>Stage 2</b>						
	Total number of complaints	3		3		4	
	- in 25 working days	0	(0%)	0	(0%)	0	(0%)
	- in between 25 and 65 working days	0	(0%)	1	(33%)	0	(0%)
	- in over 65 working days	3	(100%)	2	(67%)	4	(100%)
	- average time to complete (days)	180		161		228.0	
<b>Stage 3</b>							
Total number of complaints	1		0		2		
- in under 50 working days	0	(0%)	0	(-)	0	(0%)	
- in 50 working days	0	(0%)	0	(-)	1	(50%)	
- in over 50 working days	1	(100%)	0	(-)	1	(50%)	
- average time to complete (days)	53.0		0.0		44.0		
<b>Non-statutory complaints</b>	<b>Stage 2</b>						
	Total number of complaints	84		79		113	
	- in 10 working days	44	(52%)	19	(24%)	56	(50%)
	- in between 10 and 20 working days	32	(38%)	42	(53%)	49	(43%)
	- in over 20 working days	8	(10%)	18	(23%)	8	(7%)
	- average time to complete (days)	12.0		16.0		13.7	
	<b>Stage 3</b>						
Total number of complaints	3		6		4		
- in 20 working days	0	(0%)	0	(0%)	1	(25%)	
- in over 20 working days	3	(100%)	6	(100%)	3	(75%)	
- average time to complete (days)	25.3		36.0		25.8		

\*Percentage calculated to zero decimal places

4.4.1 Table 2 shows the total of statutory and non-statutory complaints received, excluding area-initiated, refused complaints and any representations that did not fall into either the statutory or non-statutory categories.

4.4.2 Teams can respond directly to complaints received without involving CSCT. No data is collected in respect of these complaints and therefore a number of complaints across Children's Services are received and responded to but are not included in the data used for this report. This means that the number of complaint received by Children's Services is underreported.

- 4.4.3 Stage One of the corporate procedure (followed for non-social care complaints) is not directly comparable with the statutory complaint process. Stage Two of the corporate process is a more accurate alignment to Stage One of the statutory process. Please see Appendix 2 for an explanation of the social care and corporate complaints procedures.
- 4.4.4 All Stage Two and Three statutory complaints are managed by CSCT. This is also true of the majority of Stage Two complaints in relation to the non statutory process. CSCT work closely with the Corporate Information Compliance Team on complaints that reach Stage Three of the corporate process. CSCT also manage all complaints referred to the Council by the Local Government and Social Care Ombudsman (LGSCO). As can be seen in Table 2 above, during the reporting period, 97% (compared with 93% in 2016/17) of statutory Stage One complaints were responded to within the statutory timescales (10 working days with a possible extension to 20 working days).
- 4.4.5 54% (was 52% in 2016/17) of statutory Stage One complaints were responded to within the upper time limit, but outside of the standard deadline of 10 working days. This is permissible within the guidance, though it is important that the 10 day extension is viewed as an exception rather than standard practice. Four (as compared with 12 in 2016/17) statutory complaints were not responded to within the upper time limit of 20 working days. The timescale compliance is one indication of the high degree of collaborative working between locality teams and CSCT with regard to both statutory and non statutory complaints. The quality of responses produced by the manager (District Manager or equivalent) at the initial stages of the process is a significant contributory factor in positive resolution of complaints. However, timescale compliance remains a concern as the increasing demands on operational teams and CSCT as well as the complexity of a high number of the complaints received will continue to impact, potentially negatively, on timescale compliance.
- 4.4.6 During the reporting period three complaints progressed to statutory Stage Two investigation (the same as in 2016/17). Of these three, one progressed to Stage Three. The remaining complaint investigations had also been completed by the end of the reporting period.
- 4.4.7 Resource issues resulted in 6 complaints (where the complainant had indicated a wish to progress their complaint) were unable to be progressed to Stage Two investigation within the reporting period.

## How complaints are made and who makes them

**Table 3a: Method Used to Make Complaints - how received**

Method	Financial Year					
	2017-2018		2016-2017		2015-2016	
E-mail	159	(52%)	193	(52%)	165	(41%)
Letter	37	(12%)	62	(17%)	84	(21%)
Complaint Form	14	(4%)	26	(7%)	45	(11%)
E-Form	77	(25%)	45	(12%)	53	(13%)
Telephone	18	(6%)	39	(11%)	52	(13%)
In Person	0	(0%)	1	(0%)	0	(0%)
Via LGSCO	2	(1%)	1	(0%)	0	(0%)
Text Message	0	(0%)	0	(0%)	1	(0%)
YP Complaint Form	1	(0%)	1	(0%)	7	(2%)
<b>Total</b>	<b>308</b>	<b>(100%)</b>	<b>368</b>	<b>(100%)</b>	<b>407</b>	<b>(100%)</b>

\*Percentage calculated to zero decimal places

4.5.1 Table 3a above shows the method used to make the complaint received by CSCT directly or via recognized complaint 'routes' such as HantsDirect. The use of hard copy complaints forms continues to decline and now represents approximately 4% of total complaints received. Email still remains the most popular method for making a complaint.

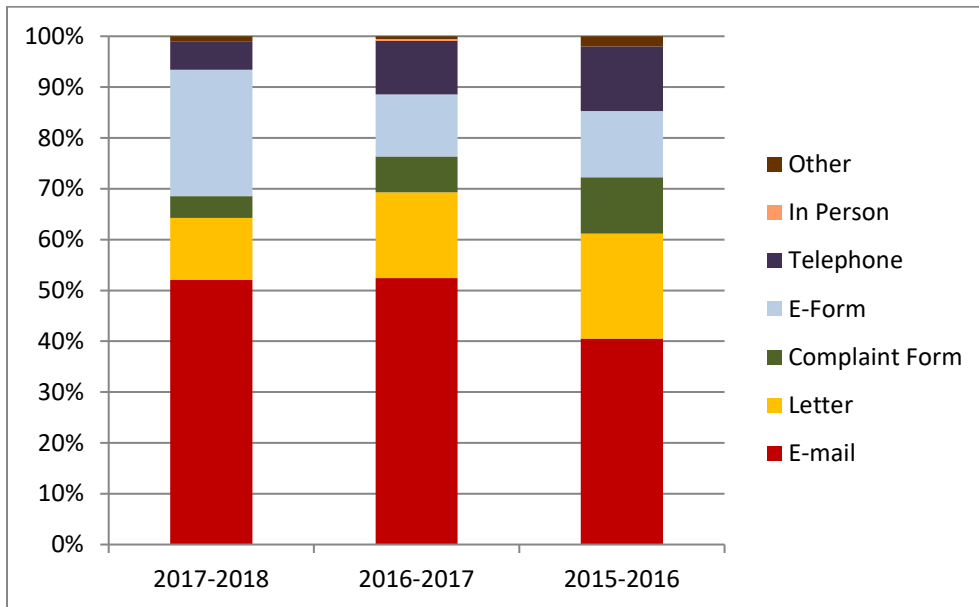
4.5.2 Table 3b below provides a breakdown of the methods used by young people to make complaints, with email remaining one of the most popular methods for young people to make their complaints.

**Table 3b: Method Use to Make Complaints Young People's complaints (subset of table 3a)**

Method	Financial Year					
	2017-2018		2016-2017		2015-2016	
E-mail	3	(1%)	2	(1%)	9	(2%)
Letter	3	(1%)	2	(1%)	1	(0%)
Complaint Form	2	(1%)	1	(0%)	2	(0%)
E-Form	2	(1%)	0	(0%)	4	(1%)
Telephone	1	(1%)	0	(0%)	0	(0%)
YP Complaint Form	1	(0%)	0	(0%)	1	(0%)
<b>Total</b>	<b>12</b>	<b>(5%)</b>	<b>5</b>	<b>(1%)</b>	<b>17</b>	<b>(4%)</b>

\*Percentage calculated to zero decimal places

**Table 3c: Method Used to Make Complaints (trends)**



4.5.3 Email and letter continue to be popular mechanisms for complainants to make their initial representation. Email continues to make up over 50% of the total methods used. Electronic submission of complaints includes those received via HantsDirect and those made directly by complainants accessing the complaints webpages. Complaints received electronically via HantsDirect can require further communication with the complainant to obtain necessary details. When HantsDirect take a complaint over the phone it is recorded by the agent on an electronic form before being sent to CSCT. This method is designated as ‘telephone’ in the tables above to distinguish it from other methods.

4.5.4 Complainants who make initial contact by phone are encouraged to put their complaint in writing. Care is exercised to ensure that individual complainants are able to do this. Where a specific need is identified (literacy levels, disability etc.), a member of CSCT will take details over the phone and then send this to the complainant for confirmation before initiating the complaint process. Complainants wishing to make a complaint verbally are also given the option of calling HantsDirect. Occasionally where a clear need is identified, CSCT will meet with a complainant to take their complaint verbally.

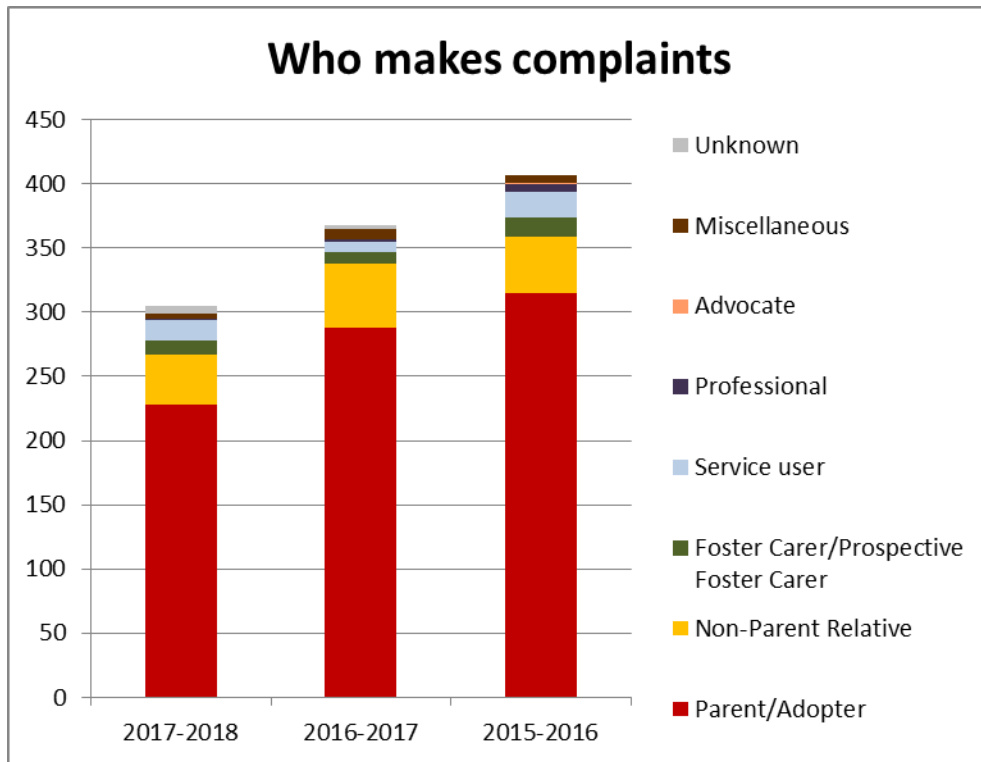
**Table 4a: Who makes complaints - received from**

Received from	Financial Year					
	2017-2018		2016-2017		2015-2016	
<b>Parent/Adopter</b>						
Parent	226	(73%)	276	(75%)	305	(75%)
Adopter	0	(0%)	0	(0%)	0	(0%)
Ex-Partner	0	(0%)	0	(0%)	0	(0%)
Partner	2	(1%)	4	(1%)	5	(1%)
Step-Parent	4	(1%)	8	(2%)	5	(1%)
<b>Total Parent/Adopter</b>	<b>232</b>	<b>(75%)</b>	<b>288</b>	<b>(78%)</b>	<b>315</b>	<b>(77%)</b>
<b>Non-Parent Relative</b>						
Grandparent	27	(9%)	40	(11%)	33	(8%)
Sibling	2	(1%)	2	(1%)	1	(0%)
Other Relative	10	(3%)	8	(2%)	10	(2%)
<b>Total Non-Parent Relative</b>	<b>39</b>	<b>(13%)</b>	<b>50</b>	<b>(14%)</b>	<b>44</b>	<b>(11%)</b>
<b>Foster Carer/Prospective Foster Carer</b>						
Foster Carer	12	(3%)	8	(2%)	14	(3%)
Private Foster Carer	0	(0%)	0	(0%)	0	(0%)
Prospective Adopter/Foster Carer	1	(0%)	1	(0%)	1	(0%)
Prospective Foster Carer	0	(0%)	0	(0%)	0	(0%)
<b>Total Foster Carer/ Prospective Foster Carer</b>	<b>13</b>	<b>(4%)</b>	<b>9</b>	<b>(2%)</b>	<b>15</b>	<b>(4%)</b>
<b>Service user</b>						
Service user (adult)	1	(0%)	3	(1%)	3	(1%)
Service user (young person)	12	(5%)	5	(1%)	17	(4%)
<b>Total Service User</b>	<b>13</b>	<b>(5%)</b>	<b>8</b>	<b>(2%)</b>	<b>20</b>	<b>(5%)</b>
<b>Professional</b>	0					
Head Teacher	0	(0%)	0	(0%)	0	(0%)
Health Staff	0	(0%)	0	(0%)	0	(0%)
Other Agency	0	(0%)	0	(0%)	0	(0%)
Principal Transport Officer (HCC)	0	(0%)	0	(0%)	0	(0%)
Other HCC Staff	0	(0%)	0	(0%)	1	(0%)
Other Professionals	1	(0%)	2	(1%)	5	(1%)
<b>Total Professional</b>	<b>1</b>	<b>(0%)</b>	<b>2</b>	<b>(1%)</b>	<b>6</b>	<b>(1%)</b>
<b>Advocate</b>	<b>0</b>	<b>(0%)</b>	<b>0</b>	<b>(0%)</b>	<b>1</b>	<b>(0%)</b>
<b>Miscellaneous</b>						
Birth Parent of Adopted Child	0	(0%)	0	(0%)	0	(0%)
Friend/Neighbour	3	(1%)	4	(1%)	5	(1%)
Other	1	(0%)	4	(1%)	1	(0%)
<b>Total Miscellaneous</b>	<b>4</b>	<b>(1%)</b>	<b>8</b>	<b>(2%)</b>	<b>6</b>	<b>(1%)</b>
Unknown	6	(2%)	3	(1%)	0	(0%)
<b>Total</b>	<b>308</b>	<b>(100%)</b>	<b>368</b>	<b>(100%)</b>	<b>407</b>	<b>(100%)</b>

\*Percentage calculated to zero decimal places

4.5.5 Most representations continue to be made by family members, the largest number from parents followed by grandparents, as demonstrated in Table 4a above and Table 4b on the following page.

**Table 4b: Who makes complaints - received from (trends)**



4.5.6 The proportion of complaints received directly from children and young people increased to 12 received in this reporting period (5 in 2016/17). Any complaint from a young person no matter how received is accepted and responded to as a priority. However the reasons for the low number of complaints received from young people remains un-researched and therefore unknown.

## 4.6 Nature of complaints

**Table 5a: Statutory Complaints - complaint nature**

Nature	Number of representations	
	2017/18	2016/17
Application of Policy	0	0
Assessment Outcome	12	11
Assessment Process	2	2
Change of Placement Decision	3	0
Change to Service	2	3
Child Protection Conference Outcome	1	0
Child Protection Conference Process	1	0
Delay in Provision of Service	4	4
Finance	1	3
Funding	2	0
Non Fulfilment of Duty	51	51
Policy	0	0
Poor Communication	9	24
Professional Conduct	31	74
Quality of Service	56	68
Refusal of Service	6	2
Safeguarding	2	1
Other	5	17
Unknown	4	1
<b>Total</b>	<b>192</b>	<b>261</b>

- 4.6.1 For statutory complaints the largest number for this period were related to the 'Quality of Service' provided by Children's Services staff working with them as can be seen in Table 5a above. In 2016/17, it was 'Professional Conduct' which has seen a significant drop (58%) in this reporting period. As with previous years, 'professional conduct' and 'non fulfilment of duty' still remain two of the three main causes of complaints.
- 4.6.2 The low number of complaints received from young people in the reporting period, as set out in table 5b below, means that any analysis is problematic. The department did though see an increase of 50% in complaints received from young people for this period compared to 2016/17. Also, by accepting quality of service and non fulfillment of duty as pertaining to similar issues, the data does illustrate that these continue to make up almost half of the complaints made by young people.

**Table 5b: Young People's Complaints – complaint nature (subset of table 5a)**

Nature	Number of representations	
	2017/18	2016/17
Assessment Outcome	1	1
Change of Placement Decision	1	0
Change to Service	1	0
Non Fulfilment of Duty	3	2
Professional Conduct	3	0
Quality of Service	2	1
Other	1	2
<b>Total</b>	<b>12</b>	<b>6</b>

4.6.3 Complaints purely about Children and Families policy and procedures come under the non statutory (corporate) complaint process. Table 5c below provides a breakdown of non statutory (corporate) complaints received into the department.

**Table 5c: Non-statutory (Corporate) Complaints - complaint nature**

Nature	Number of representations	
	2017/18	2016/17
Application of Policy	1	2
Assessment Outcome	8	6
Assessment Process	2	5
Change to Service	6	0
Child Protection Conference Outcome	1	1
Child Protection Conference Process	1	0
Delay in Provision of Service	14	29
Finance	5	7
Funding	2	3
Non Fulfilment of Duty	8	5
Out of Education	0	2
Policy	0	1
Poor Communication	15	6
Professional Conduct	5	2
Quality of Service	38	19
Refusal of Service	3	4
Safeguarding	3	0
Other	3	16
Unknown	1	1
<b>Total</b>	<b>116</b>	<b>109</b>

4.6.4 Non-statutory complaints include those made in relation to the SEN Service, School Admissions and Home to School Transport. The most common nature of non statutory complaints during the period, as set out in Table 5c above concerned 'Quality of Service', 'Poor Communication' and 'Delay in Provision of Service'. These themes made up 58% of non-statutory complaints received.

## 4.7 Service

4.7.1 In respect of statutory complaints, as would be expected, the largest number of complaints received concern core business areas for the Children and Families Branch as set out in Table 6a, namely 'Children in Need', disabled children and 'Children Looked After'. Complaints about safeguarding issues are appropriately



aligned to the relevant service. Complaints about child protection conferences are managed in line with the LSCB complaint process.

**Table 6a: Statutory Complaints - service involved**

Service	Number of representations	
	2017/18	2016/17
Adoption/Permanence	2	9
Care Leavers	3	2
CAST 1	22	1
CAST 2	11	0
CAST 3	4	0
CAST 4	5	0
Child in Need	66	149
Children Looked After	21	12
Disabled Children's Team	14	22
Early Help Hub	2	6
Family Placement	0	0
Family Support	1	0
HantsDirect / Out of Hours	0	1
Independent Reviewing Service	0	0
Intensive Support Service (ISS)	0	0
MASH/CRT	11	14
Occupational Therapy	1	1
Not receiving a service	2	1
Reception & Assessment	15	36
Safeguarding Team	1	0
Services for Young People / YSS	0	1
Specialist Residential Provision	0	2
YOT	0	1
Other/Unknown	11	3
<b>Total</b>	<b>192</b>	<b>261</b>

**Table 6b: Young People's Complaints – service involved (subset of table 6a)**

Service	Number of representations	
	2017/18	2016/17
Care Leavers	3	0
CAST 1	1	0
Child in Need	4	4
Children Looked After	2	1
Disabled Children's Team	0	1
Not receiving a service	1	0
<b>Total</b>	<b>12</b>	<b>6</b>

4.7.2 Of the 12 complaints received in this reporting period from young people a third concerned services for 'Children in Need', as can be seen in table 6b above. A further 25% were for services supporting 'Care Leavers' and 17% for 'Children Looked After'.

**Table 6c: Non-statutory Complaints - service involved**

Service	Number of representations	
	2017/18	2016/17
Adoption/Permanence	4	2
Care Leavers	2	2
CAST 1	3	0
CAST 2	1	0
Child in Need	8	14
Children Looked After	2	2
Complaints Team	4	1
Disabled Children's Team	8	5
Education	5	4
Early Help Hub	0	1
Early Years Services	1	0
Family Placement	2	1
HantsDirect / Out of Hours	0	0
Independent Reviewing Service	1	1
Intensive Support Service (ISS)	0	0
MASH/CRT	4	6
Non HCC	0	1
Not receiving a service	3	4
Reception & Assessment	5	4
Safeguarding	0	2
SAR	0	2
School Admissions Team	7	3
School Transport	14	10
SEN	40	39
Services for Young People / YSS	0	1
Other/Unknown	2	4
<b>Total</b>	<b>116</b>	<b>109</b>

4.7.3 In respect of non statutory complaints received, the SEN Service continues to receive the most complaints (34%) during this period, the majority relating to Education, Health and Care Plans (EHCP). Table 6c above provides a full breakdown of non-statutory complaints for the reporting period by service.

4.7.4 One of the complaints made by a young person in the reporting period was managed via the non-statutory complaint process.

## 4.8 Resolution of complaints

Table 7a: Statutory and Non-statutory Complaints - outcome sought

Outcome sought	2017-2018			2016-2017		
	Statutory Stage 1	Non-statutory Stage 2	Total	Statutory Stage 1	Non-statutory Stage 2	Total
Agreed Service Implemented	1	0	1	1	0	1
Apology	0	3	3	0	2	2
Apology & Explanation	8	0	8	15	0	15
Assessment / Review / Reassessment	1	1	2	4	0	4
Assurance of Non-Reoccurrence	1	1	2	1	1	2
Change Made to Contact Arrangements	3	0	3	1	0	1
Change of Social Worker / Worker	20	1	21	42	1	43
Compensation	0	0	0	0	1	1
Direct Payments / Personal Budget	3	0	3	0	0	0
Disciplinary Action Against Staff	1	0	1	1	0	1
Explanation	0	3	3	0	5	5
Financial Reimbursement	2	2	4	0	2	2
Improved Practice	0	0	0	0	0	0
Kept Informed by CS	2	0	2	1	0	1
Not Known	89	0	89	34	1	35
Not Specified	0	51	51	0	20	20
Offer of a School Place	0	0	0	0	1	1
Other	1	1	2	10	1	11
Payment	0	1	1	0	2	2
Policy / Procedure Review	0	2	2	0	2	2
Remedial Action	0	0	0	0	1	1
Removal of Child Protection Plan	1	0	1	1	0	1
Request for Meeting	0	0	0	0	0	0
Request Fulfilled	59	49	108	72	41	113
Service Delivery	0	1	1	0	0	0
Training for Staff	0	0	0	0	0	0
<b>Total</b>	<b>192</b>	<b>116</b>	<b>308</b>	<b>183</b>	<b>81</b>	<b>264</b>

4.8.1 Table 7a sets out the main outcomes being sought by complainants making statutory complaints. As can be seen, almost half of complaints made by adults during this reporting period did not state the outcome they were seeking (45%) when making a complaint (not specified and not known). This is an increase from the previous reporting period (20%), which meant more time had to be spent clarifying the complainants intended outcome in order to assist in resolving their concerns.

4.8.2 A re-occurring theme in respect of the outcomes sought by complainants is a change of social worker, however, there was a significant reduction (51%) in the number of requests for this outcome on the previous reporting period. This outcome also only made up 4% of the total outcomes sought in this reporting period, a reduction on the previous period (16% in 2016/17). Sometimes this is deemed by the service to be an appropriate response to the complaint although, as Table 8a illustrates, this is an uncommon actual outcome.

**Table 7b: Outcome Sought in complaint by Young People (subset of table 7a)**

Outcome sought	2017-2018			2016-2017		
	Statutory Stage 1	Non-statutory Stage 2	Total	Statutory Stage 1	Non-statutory Stage 2	Total
Apology & Explanation	0	0	0	2	0	2
Change of Social Worker / Worker	3	0	2	1	0	1
Kept Informed by CS	1	0	1	0	0	0
Not Known	3	0	5	1	0	1
Request Fulfilled	5	1	4	1	0	1
<b>Total</b>	<b>12</b>	<b>1</b>	<b>13</b>	<b>5</b>	<b>0</b>	<b>5</b>

4.8.3 Tables 7a and 7b set out the outcomes being sought by complainants, tables 8a and 8b provide a breakdown of the actual outcomes of the complaint process. As demonstrated, the most common actual outcome is an 'Explanation' from the department clarifying actions and decisions that the department has taken. These are different to the 'Apology and Explanation' responses, which often require some form of remedial action. These two outcomes make up 73% of all actual outcomes delivered within the reporting period, which was slightly down on the previous reporting period's position (78%).

**Table 8a: Statutory Complaints - actual outcome**

Actual Outcome	2017-2018		
	Statutory Stage 1	Non-statutory Stage 2	Total
Apology	0	1	1
Apology & Explanation	43	28	71
Assessment / Reassessment for a Service	2	0	2
Assurance of Non-Reoccurrence	1	0	1
Change of Social Worker / Worker	4	0	4
Complaint Refused	1	3	4
Complaint Withdrawn	2	1	3
Escalated to S3	N/A	3	0
Explanation	68	27	95
Financial Reimbursement	1	2	3
Management Action (Operational)	0	1	1
Management Action (Staff)	0	0	0
Meeting / Offer of a meeting	2	1	3
Other	0	0	0
Not recorded	1	4	5
Request Fulfilled	17	13	30
Training for staff	0	3	3
<b>Total</b>	<b>142</b>	<b>87</b>	<b>226</b>

**Table 8b: Actual outcome - Young People (subset of Table 8a)**

Actual Outcome	2017-2018		
	Statutory Stage 1	Non-statutory Stage 2	Total
Apology & Explanation	1	0	1
Change of Social Worker / Worker	1	0	1
Explanation	6	1	7
Other (meeting)	1	0	1
Not recorded	1	0	1
Request Fulfilled	1	0	1
<b>Total</b>	<b>11</b>	<b>1</b>	<b>12</b>

- 4.8.4 The visits/meetings carried out by CSCT also continue to prove an effective tool and there is continuing evidence of the significant value of the face-to-face contact with complainants. After receiving a response to their original complaint, if a complainant remains dissatisfied and asks for their complaint to be escalated to the next stage of either process, they are offered a meeting with CSCT. During the reporting period eight 'meetings' were undertaken and one of these was by conference call.
- 4.8.5 These visits continue to have a positive impact on the resolution of complaints, as has the quality of the majority of responses to individual complaints by the area teams. However, the trend from previous reporting period of complainants declining the offer of a meeting with CSCT and an increase in those wanting to progress their complaint to the next stage of the process has continued. This is attributable in some instances to the approach of complainants to the process, and/or their willingness to enter into discussion about resolution and /or informal mediation.
- 4.8.6 CSCT continue to prioritise timely communication with customers. The team also continues to assist complainants in making their complaints and, where necessary, understanding the response. At all times, CSCT is mindful that the welfare of the child is paramount and remains the central focus in relation to any complaint. On occasions this necessitates the decision being made (in consultation with the service) that result in a complaint from an adult not progressing because it would be detrimental to the child's welfare and wellbeing to do so. Whilst this is counter to the statutory guidance the decision is made in the best interest of the child and therefore takes priority. This is one example of the statutory guidance being 'out of step' with the considerations and changes of complaint handling in the present time.
- 4.8.7 There is a cost associated with the processing of any complaint. In monetary terms alone the cost of each statutory Stage Two investigation is between £3,000 and £5,000 depending on size and complexity. Each Stage Three Complaint Review Panel costs between £1,500 and £3,000. With some complaints, additional work undertaken by CSCT with the complainant has resulted in the cost of the Stage Two investigation being reduced.

## 4.9 Local Government and Social Care Ombudsman (LGSCO)

4.9.1 Table 9 below does not include school admissions appeals investigated by the LGSCO which are traditionally managed by Corporate Services.

**Table 9: Complaints referred to Children's Services by the LGSCO**

<b>Local Government and Social Care Ombudsman (LGSCO) complaints</b>	
Number of referrals received by CSCT from LGSCO in period	15
Number of final decisions received when referral was received outside of period	1
<b>Type of LGSCO referral</b>	
Education / Non Social Care (LGSCO Complaint)	4
Social Care (LGSCO Complaint)	5
LGSCO – Assessment (referred back for local resolution)	7
<b>Outcome</b>	
Not Upheld - No Evidence of Maladmin	2
Closed after initial enquiries - no further action	1
Upheld – Maladministration - Causing Injustice	2
Upheld – Maladministration - Causing No Injustice	0
Upheld – Other Remedy	3
Awaiting outcome	1

4.9.2 The LGSCO continues to use differing reporting categories, which continues to make direct comparison with previous years difficult.

4.9.3 The number of complaints received from the LGSCO has decreased by 11 (26 in 2015/16). In 5 instances the LGO upheld the complaint, finding fault (either with or without causing injustice) by the Local Authority.

4.10.3 Outcomes (recommendations) resulting from complaints made to the LGSCO vary. The apparent trend identified in the previous annual report has continued i.e. there appears to be an ongoing trend of financial recompense. This takes the form of either direct reimbursements (when monies that the LGSCO deemed should have been paid were not) or recompense for distress etc. The same complaint can also include other recommendations, whilst the remainder has outcomes that are non-financial.

## 5. Profile of complainants

5.1 It is helpful, in order to be able to support complainants, for CSCT to have a profile of who makes complaints. Tables 10a to 10d set out the characteristics of 308 complainants who were asked to provide this information, though not all complainants submitted these details.

5.2 During the reporting period four complainants had their contact with Children's Services restricted under the Unreasonable Contact and Customer Behaviour Guidance (URCCB), all having gone through due process.

5.3 An overview of responses were:

- The overlap with regard to age 16 is due to corporate style requirements but there was an increase in individuals identifying themselves in the 0-16 age category;
- A small percentage increase in number of respondents disclosing their gender on previous reporting period;
- No complainant submitted a response around potential disability; and
- Collecting demographic data in general continues to be problematic.

**Table 10a: Disability – all complainants**

<b>Disability</b>	<b>Number of representations</b>
Not Stated	308
No	0
Yes	0
<b>Total</b>	<b>308</b>

**Table 10b: Profile of Complainants – Gender**

<b>Gender</b>	<b>Number of representations</b>
Not Stated	295
Male	2
Female	11
Male & Female	0
<b>Total</b>	<b>308</b>

**Table 10c: Profile of Complainants – Age**

<b>Age</b>	<b>Number of representations</b>
0 - 16	10
16 - 19	5
20 - 24	2
25 - 59	0
60 - 64	0
65 and over	0
Not known	291
<b>Total</b>	<b>308</b>

**Table 10d: Profile of Complainants - Ethnicity**

<b>Ethnicity</b>	<b>Number of representations</b>
Not Stated	305
Not Asked	3
White British	0
Other White	0
Asian/Asian British	0
Black/Black British	0
Mixed	0
Other Ethnic Group	0
<b>Total</b>	<b>308</b>

5.4 **Representations from children and young**

5.4.1 Tables 10a to 10d provide a profile breakdown of all complainants, where as, Tables 11a to 11d below are a subset of Tables 10a to 10d and provide a breakdown relating specifically to children and young people.

**Table 11a: Disability – Young People**

<b>Disability: complaints made by young people</b>	<b>Number representations</b>
Unknown	12
No	0
Yes	0
<b>Total</b>	<b>12</b>

**Table 11b: Gender - Young People**

<b>Gender: complaints made by young people</b>	<b>Number representations</b>
Not Stated	4
Male	1
Female	7
Male & Female	0
<b>Total</b>	<b>12</b>

**Table 11c: Profile of Complainants – Age - Young People**

<b>Age: complaints made by young people</b>	<b>Number representations</b>
0 - 16	4
16 - 19	4
20 - 24	2
Not known	2
<b>Total</b>	<b>12</b>

**Table 11d: Profile of Complainants – Ethnicity - Young People**

<b>Ethnicity: complaints made by young people</b>	<b>Number representations</b>
Not Stated	12
Not Asked	0
White British	0
Other White	0
Asian/Asian British	0
Black/Black British	0
Mixed	0
Other Ethnic Group	0
<b>Total</b>	<b>12</b>

5.4.2 The above tables contain data that is self reported by the complainant. In respect of young people it is possible to confirm age and also identify legal status as recorded on ICS at time of making complaint.



## 6. Advocacy services

- 6.1 None of the twelve young people who made complaints involved an advocate from a recognised advocacy service with. However, one complaint was made with the support of the young person's Case Co-ordinator (young person was placed out of county) and the only complaint made by a young person that came under the statutory complaint process was made with the assistance of an (unnamed) adult.
- 6.2 None of the complaints made by young people progressed beyond the initial stage and one complaint was refused because it was out of time by a number of years with the named officers no longer working for Children's Services.

## 7. Learning from complaints and service improvements

- 7.1 Key learning points and service improvements identified from complaints received in 2017/18 were comparable to those for the previous period indicating a trend. A useful correlation can be drawn in respect of identified learning and the cause of a significant number of complaints:
- recording practice including recording of key decisions on case files and administrative slips such as cut and pasting and grammatical errors;
  - the importance of good communication and ensuring agreed actions are completed within agreed timescales; and
  - timely replies to communications from service users and correspondence (minutes and case paperwork) sent to service users as agreed.
- 7.2 The learning from individual complaints is, as a point of good practice, usually included in the response letter to the complainant by the senior manager who also implements and monitors any required actions. However, the continuing increasing workload pressures within CSCT and the wider department has continued impact on the ability to progress some of the learning.
- 7.3 Complaints can provide both opportunities for learning and indications that Children's Services practice is appropriate. In some instances specific areas for service improvement are identified.

### **Example 1** (statutory Stage One complaint)

Complaint relating to concerns raised about confidentiality. Investigating manager upheld the complaint finding that a "confidentiality agreement was not read out at the meeting". Manager address this omission with relevant staff to ensure error was not repeated.

### **Example 2** (statutory Stage Two investigation)

Specific leaning focused on the impact of "lack of cooperation between agencies" (in a highly complex case). In respect of the individual case this was achieved by

holding a multi agency meeting. The meeting addressed how the agencies and the complainant would work together to facilitate a multi-agency plan and approach to meeting the child's needs and how this could be maintained going forward in respect of collaborative working in all relevant cases.

**Example 3 (LGSCO complaint)**

Complaint where fault was found resulting in a financially focused recommendation. Additional learning was also identified and subsequently confirmed completed by SEN Service. This included Children's Services raising concerns with the appropriate Clinical Commissioning Group (CCG) and Department for Education (DfE) about other agencies not fulfilling statutory duties and reviewing arrangements for resolving disagreement between the County Council and other agencies.

**Example 4 (non-statutory corporate Stage Three investigation)**

Investigation relating to EHCP process. Learning identified and reminder provided to all relevant staff to:

- Inform applicants of any delays that are being experienced as early in the process as possible;
- Acknowledge all correspondence within the five day timescale;
- When personal data is requested, if this is not covered by a business-as-usual process then the team needs to make the customer aware of the Subject Access Request process;
- Change the wording of the feedback questionnaire so that it is clearer to applicants whether they can expect a response; and
- Alter the automated response to better manage customer expectations.

All aspects of learning were completed through a SEN Service briefing at training event.

## **8. Effectiveness of the complaints procedure**

- 8.1 Promoting a positive model of complaints handling helps to ameliorate some of the negativity naturally generated by complaints both for complainants and Children's Services staff. The current approach, whilst operating within the constraints of the guidance, is flexible and allows for an individual response to each complaint. Areas for improvement have been identified and are provided in Section 9. The unpredictability in respect of demand and complexity continues to impact on the resources of both operational managers and teams and CSCT when investigating and responding to complaints, disseminating learning and addressing core causes of complaints.
- 8.2 Attention to the above is crucial if overall numbers of complaints received and, subsequently, complaints escalated (through the processes and to the LGSCO) are to be appropriately reduced in numbers. Whilst a proportionate reduction in numbers of statutory complaints in particular is desirable, the impact on Children's

Services core business (of a reduction in numbers in both financial cost and operational manager time) is essential in the current climate.

- 8.3 Any representations that identify a safeguarding issue are immediately referred to the Referral and Assessment Team or the Local Authority Designated Officer (LADO) for appropriate action. After the safeguarding concerns have been addressed and if there are remaining matters that can appropriately be considered within the complaint process then CSCT resume management of the representation.
- 8.4 Difficulty in accessing suitable independent providers to fulfil the Investigating Officer (IO), Independent Person (IP) roles required to undertake Stage Two investigations has continued to be an issue. This is compounded by the increase in workload pressure within CSCT for this reporting period. The complex nature of the majority of complaints that escalate to Stage Two and the time taken to complete investigations (caused in part on occasions by complainants themselves) is adding to the delays in progressing complaints. CSCT are constantly reviewing the process, as new technology develops or changes in guidance and approach feeds through, to ensure that the most effective and efficient practice is delivered.
- 8.5 The statutory guidance states that once a complaint has entered Stage One the local authority is obliged to ensure that the complaint proceeds to Stage Two (and subsequently Stage Three if that is the complainant's wish). This continues to be an issue in some cases as generally where resolution is possible this is achieved before complaints reach Stage Two. Therefore, the complaints that progress usually do so because there is an unbridgeable distance between the view of the complainant and Children's Services, in terms of what parties believe is accurate in relation to events and possible in terms of resources and regulation. By definition these complaints are complex in nature at the point they reach the escalation stages of the formal complaint process.
- 8.6 The complexity of complaints continues to increase. An accurate indication of the complexity of complaint handling is the size of complaint record held on the CSCT database. A 'standard' complaint would usually generate five pieces of correspondence (termed as 'entries') from start to completion.
- 8.7 Each entry represents either a piece of correspondence (such as email, letter, note of telephone call, reports) from CSCT or to CSCT in respect of the individual complaint, directly from the complainant, from colleagues, independent providers or the Local Government Ombudsman.
- 8.8 Progressing complaints to Stage Two of the statutory social care complaints process has continued to be an issue even though capacity of suitable independent providers to take the Investigating Officer and Independent Person roles has again been increased. The complex nature of the majority of complaints that escalate to Stage Two and the time taken to complete investigations (caused in part on occasions by complainant themselves) is adding to the delays in progressing complaints. The statutory guidance states that once a complaint has

entered Stage One the local authority is obliged to ensure that the complaint proceeds to Stage Two and Three if that is the complainants wish.

## 9. Progress – 2016/17 Annual Complaint Report Recommendations

### Recommendation 1.

Consider proactive exploration of how potential complaints could be resolved by the service prior to entering the formal complaints process. This would optimise opportunities for local resolution and would require close monitoring of timescale compliance and continuing close positive liaison and cooperation with appropriate managers.

**Progress** - This happens on Ad Hoc basis (when CSCT is aware of the representation having been made) i.e. where the possibility of early resolution has been identified in respect of individual representations. This is evidenced in the increase in the number of Case Concerns and the parallel reduction in the number of formal complaints in this reporting period. However, as the opportunity for local resolution (before CSCT involvement/ matters are bought into the formal complaint process) remains a largely under utilised possibility this recommendation will be carried forward to the next Annual Report.

### Recommendation 2.

Investigate statistical neighbours to establish if the small number of directly received complaints from young people is comparable.

**Progress** - Enquires made of other local authorities suggests the relatively low use of the formal complaint by young people is not an uncommon occurrence shared with other authorities.

### Recommendation 3.

Develop (with Departmental leads) advocate information that can be shared with children and young people (Children Looked After and Children in Need) as appropriate.

**Progress** - This recommendation is incomplete and will be carried forward to the next reporting period.

### Recommendation 4.

Improve capture of complaints made directly to and subsequently managed by Districts, Teams and Services for inclusion in the Annual Complaint report

**Progress** - Whilst this data is informative in respect of complaint intelligence it is a lesser priority in respect of practitioners/managers and this has impacted on the achievability of this recommendation. The inclusion of 'Area Initiated' complaint data in the Annual Report has achieved this recommendation in part.

### Recommendation 5.

Add key questions about learning and its implementation (from individual complaint) to the email that is sent to the investigating/responding manager at the beginning of the process. This will enable more accurate capture of learning and its implementation. This information would be gathered by CSCT as part of the statutory Stage One or Corporate Stage Two process.

**Progress** - This proved impractical as correctly the focus of managers at the point of investigation is resolution and response within timescales. This recommendation requires revision and a more apt approach explored in order to effectively capture learning from complaints whilst minimising the impact on practitioners and their managers.

**Recommendation 6.**

Data relating to the use of Unreasonable Customer and Complainant Behavior Guidance is included in the 2017/18 Annual Complaint report. This will enable monitoring and scrutiny.

**Progress** - This has been achieved and included in the Annual Report.

## 10. Recommendations for 2017/18

10.1 The following recommendations have been identified for CSCT or the wider department to develop, implement or monitor, as appropriate, during the 2018/19 reporting period:

**Recommendation 1** - Review efficacy and therefore need for hard copy complaint leaflet/form.

**Recommendation 2** - Review resources required for Stage Two complaint escalation, specifically in respect of having sufficient Investigating Officers to escalate, within timescales, the increasing number of Stage Two investigations.

**Recommendation 3** - Identify how potential complaints could be resolved by the service prior to entering the formal complaints process.

**Recommendation 4** - Identify a more apt approach to effectively capture learning from complaints whilst minimising the impact on practitioners and their managers. This may necessitate reviewing how resources are utilised in other areas of complaint management.

**Recommendation 5** - Develop (with departmental leads) advocate information that can be shared with children and young people (Children Looked After and Children in Need) as appropriate.

**Recommendation 6** - Review the layout and content of the Annual Complaint Report to ensure that pertinent intelligence is captured whilst still complying with the statutory complaint guidance.

## **Appendix 1 - Glossary**

### **Complaint**

*Getting the Best from Complaints, DfES 2006* defines a complaint as:

‘an expression of dissatisfaction or disquiet, in relation to an individual child or young person, which requires a response’.

Within Hampshire Children’s Services, both the statutory and non statutory complaints processes use this definition.

### **Case Concern**

The definition of a case concern, as developed by the Complaints Team, is:

‘An operational / case issue which is current, has a ‘here and now’ impact and requires a ‘same day’ intervention.’

This is in contrast to complaints which will nearly always have a historical element and, whilst significant, do not require immediate intervention. Correctly identifying representations as concerns enables them to be passed swiftly to the appropriate team for action. The option to have their concern dealt with as a complaint is explained and remains an option at any point.

### **Pre-complaints**

Representations received by the complaints team that could become a formal complaint in the future, or where further clarification is needed from the originator before the matter can be responded to, are recorded as pre-complaints.

### **Area Initiated**

Complaints which are managed at a local level, that CSCT become aware of, and may have some input into.

### **Enquiries**

The complaints team is also involved with enquiries received by the Director’s Office, from MPs, Councillors and the Department for Education (DoE).

### **HantsDirect Handoff**

Calls made to HCC’s contact centre where the caller wants to speak to a manager but they are either unavailable or not found. Request is passed to CSCT who identify manager and ask for contact to be made within three days whilst also advising that if concern is not resolved a formal complaint can be made.

### **Miscellaneous**

Representations received by the team that do not fall within its remit are

recorded on Respond under 'miscellaneous'. These include disciplinary issues, non Children's Services complaints, complaints about other agencies and local authorities.

## **Appendix 2 – The complaints process**

### **Social care complaints process**

Social care complaints are managed under a three stage process. The full statutory process is contained within the guidance '*Getting the best from complaints*' <http://www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00152/>

#### **Stage 1 – Local Resolution**

The Department aims to resolve as many complaints as possible at Stage 1. Local teams are responsible for responding to these complaints, with support from the Complaints Team as required. Responses are from, or signed off by a senior member of staff at District Manager level.

The Complaints Team will receive and clarify complaints and encourage local teams to respond within the 10 day timescale (with a possible extension to 20 days).

Complaints need to be made within 12 months of the problem occurring.

#### **Stage 2 – Investigation**

If the complainant remains dissatisfied with the response they receive at Stage 1, they can ask for their complaint to be investigated at Stage 2. The complaint is then investigated by officers independent to the County Council (the Investigating Officer (IO) and Independent Person (IP)).

The IO, accompanied by the IP, conducts an investigation through meeting with the complainant, key officers and other relevant individuals. They produce a report of their findings to the Department. The Adjudicating Officer (normally the relevant Area Director) will send a response to the complainant within 25 working days, or if that is not possible agree to send the response within 65 working days.

The Complaints Team will commission the IO and IP and liaise with officers. They will act as a point of contact for all involved and advise on specific issues as they arise, ensuring adherence to the guidance.

Before a complaint is escalated to Stage 2, the complaints team offer a face to face meeting with any complainant who is dissatisfied at the conclusion of Stage 1.

### **Stage 3 - Review Panel**

If the complainant is dissatisfied at the conclusion of Stage 2 they can have their complaint heard by an Independent Review Panel. This is the final stage of the statutory complaints process.

The Review Panel consists of three independent providers, commissioned by the complaints team, who consider the handling of the complaint by the Department and adherence to the statutory complaints procedures. The panel convenes and hears directly or indirectly from the complainant. The Adjudicating Officer for Stage 2 and other key staff attend, along with the IO and IP. The Complaints Manager also has a defined role in the panel process. After sitting, the Panel Chair produces a report which is responded to by the Director of Children's Services.

This is the end of the Department's complaints process

### **Non-social care complaints**

Non-social care complaints are managed under the corporate process, which also has three stages. Stage 1 is local resolution. Complaints received by the Complaints Team have often already received a response under Stage 1. The Team then manage the complaint through Stage 2, which is roughly equivalent to Stage 1 for social care (response by senior manager). Any complaint that progresses to Stage 3 is independently investigated by a member of the Corporate Compliance team.

### **Local Government Ombudsman (LGO)**

When the complaints process has been exhausted, people may ask for their complaint to be looked at by the Local Government Ombudsman (LGO). They need to do this within 12 months of receiving the final response from the Department.

The LGO looks at complaints about councils (all departments) and some other authorities. Usually it is required that all complaints are taken through all stages of the Council's own complaints procedures before the LGO will consider the complaint, providing the Council with opportunities to resolve the complaint at an earlier stage. However, the LGO will make exceptions.