



Complaints and Compliments

Annual Report for 2015/16

Covering the statutory complaints procedures for the Children and Young People's Service

Dawn Jones
Customer Experience Manager
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Analysis of representations dealt with under the statutory complaints procedure

1.0 Background

Every local authority with a responsibility for children's social care services is required to produce an annual report outlining the complaints activity for the service. This report covers the period 1st April 2015 to 31st March 2016. The statutory complaints function transferred from Doncaster Metropolitan Borough Council to Doncaster Children's Services Trust on the 2nd February 2015.

A permanent manager with responsibility for statutory complaints (Customer Experience Manager) was in post between the 1st April 2015 and the 12th June 2015. Two interim managers covered the role from July 2015 until a permanent manager was appointed on the 11th January 2016. A business support role was created in July 2015. A member of business support staff provided administrative support to this function for approximately 10 weeks until a permanent person was appointed to provide 0.5 FTE support from the 4th January 2016.

As a result of these changes and different working practices robust recording processes were not put in place until the fourth quarter and this is reflected in this report. In the first three quarters there is a record that complaints were received and responded to in most instances but a copy of each complaint and response was not held centrally in all cases and the history of repeat complainants was not captured.

2.0 An outline of the statutory complaints procedure

The majority of representations that The Trust receives regarding the functions of Children's Social Care fall under the statutory complaints procedure. The procedure is defined in *The Children Act 1989 Representations Procedure (England) Regulations 2006*. The statutory procedure allows for children and young people "to make representations, including complaints about the actions, decisions or apparent failings of a local authority's children's social services provision; and to allow any other appropriate person to act on behalf of the child or young person concerned or make a complaint in their own right" (Getting the Best from Complaints, DfE, 2006). Not all complaints regarding Children's Social Care fall under the statutory procedure, although the majority do.

The Customer Experience Manager confirms how a representation should be handled. If a contact does not meet the threshold to be dealt with as a Stage 1 complaint in the first instance it is dealt with as a "representation".

The statutory complaints procedure has three stages once a representation has been accepted as a statutory complaint.

2.1 Stage 1 - Local Resolution

The aim is to resolve as many complaints as possible by the local team at this early stage. The local Team Manager should discuss the complaint with the complainant and attempt to address the issues as quickly as possible. They should exchange

information and thinking behind decisions and try to agree a way forward. This should take up to 10 working days, with a maximum extension of up to 20 working days for complex complaints or due to staff availability.

2.2 Stage 2 – Investigation

When a complainant is not satisfied with the outcome of Stage 1, they may request a Stage 2 investigation. The investigation is conducted by an external Investigating Officer who is accompanied by an external Independent Person, whose role is to ensure that the investigation is open, transparent and fair. Both officers complete a report following the investigation which is passed onto a senior manager within The Trust (Adjudicating Officer) for the adjudication process. The Adjudicating Officer then considers the reports and responds to the complainant on behalf of The Trust. The Stage 2 process should be completed within 25 working days, although this timescale can be extended to 65 working days for complex complaints.

2.3 Stage 3 – Review panel

Following a full Stage 2 investigation a complainant can request that their complaint is considered further by a review panel. The panel consists of two independent persons, plus an independent chair. Following a review meeting, the panel make recommendations to the Chief Operating Officer who then makes a decision on the complaint and any actions needed, and sends a final response to the complainant on behalf of The Trust. The review panel should be held within 30 working days of the request. Within 5 working days of the review panel meeting, the Independent Chair will send a letter to the Chief Operating Officer, outlining the panel's findings and recommendations and the Chief Operating Officer will then provide The Trust's final response within a further 15 working days. The whole process should take a maximum of 50 working days.

3.0 Local Government Ombudsman (LGO)

At the conclusion of the three stages of the complaints process the complainant has the right to escalate their concerns to the Local Government Ombudsman for consideration.

The Customer Experience Manager can make an early referral to the Local Government Ombudsman at any stage of the complaints procedure.

4.0 The Complaints Service

The complaints service consists of a Customer Experience Manager and a senior business support officer (0.5 FTE). The service sits within the Practice Improvement and Quality Assurance Team which is located within the Safeguarding and Standards Unit. The children's advocacy service is located within the same team.

4.1 How Complaints have been received

For the first three quarters, where complaints have been logged, they were primarily received through the DMBC Contact Centre. Details of the complaints were either

collated by contact centre workers or received via the DMBC website and forwarded to the Customer Experience Manager within The Trust.

In the fourth quarter, the majority of the complaints were received directly by The Trust through telephone calls, feedback forms, letters, emails, through children's advocates or passed through by service areas. A small number of complaints also continued to be received through the Council's Contact Centre and DMBC website. The Customer Experience Service would verify details of complaint, when necessary, directly with the complainant.

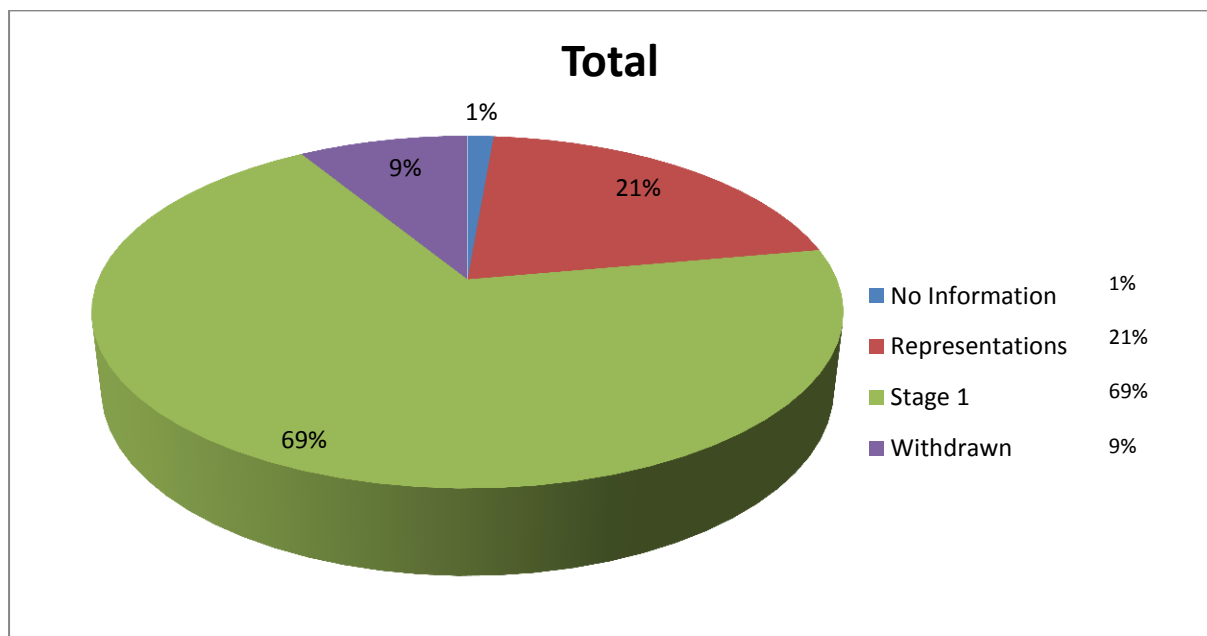
In the fourth quarter, the Customer Experience Manager has either met with complainants directly to capture their complaints or spoken to them on the telephone. On occasion, the Customer Experience Manager and the Team Manager have met with the complainant in order to seek early resolution.

4.2 Total number of individual complaints received

During the reporting year 149 contacts were logged as received. These were handled as follows:

- 103 were accepted as Stage 1 complaints (69%)
- 31 were dealt with as representations (informally) (21%)
- 13 were withdrawn (9%)
- 2 are logged as received but there is no information about how the representations were handled (1%)

Contacts Received – 1st April 2015 – 31st March 2016



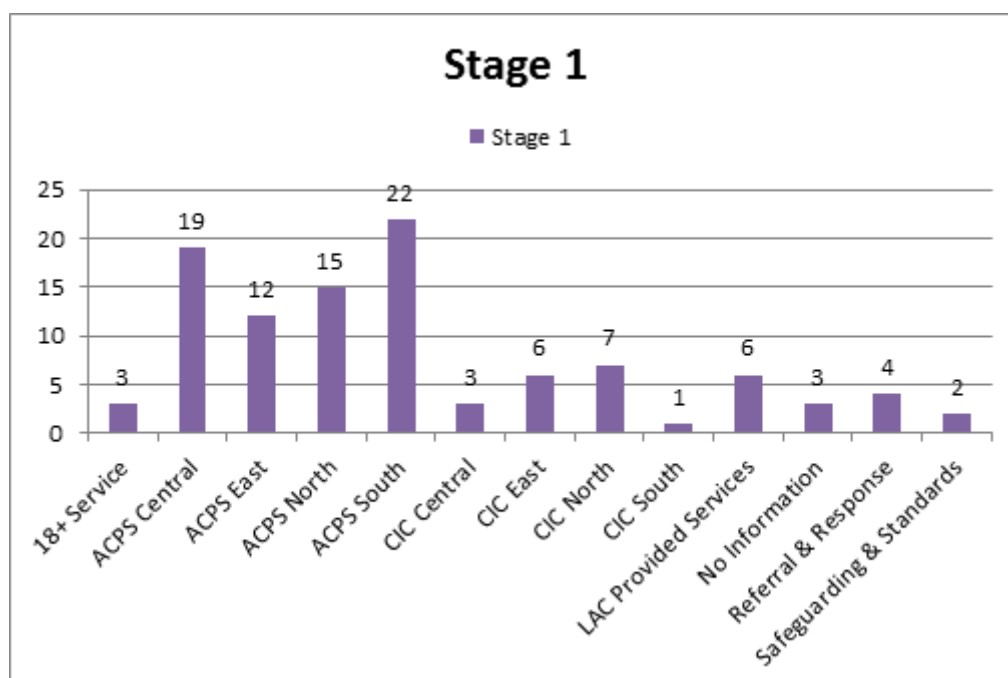
4.3 Who made complaints?

A large majority of the complaints recorded were made by adults who were expressing their dissatisfaction with the service provided by children's social care. The list of complaints for the first three quarters does not clearly identify those which were raised by children or young people.

In the fourth quarter, there were five complaints received from young people. Three were from children in care and two were from care leavers. These were made either with the support of a children's advocate or by using The Trust's feedback forms.

4.4 Breakdown of Stage 1 Complaints by Area

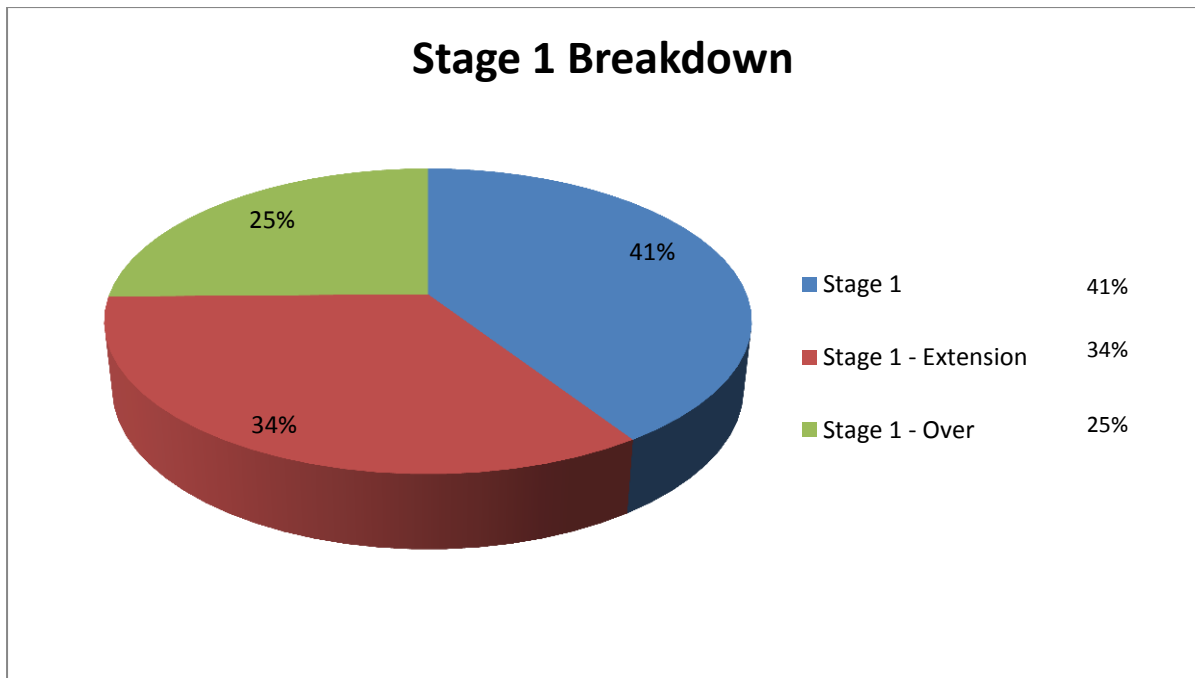
Below is a breakdown of the Stage 1 complaints received by service area:



4.5 Compliance with timescales - Stage 1

Below is a breakdown of the timescales to deal with the 103 Stage 1 complaints received between 1st April 2015 and 31st March 2016:

- Within 10 working days - 42 (41%)
- Within 20 working days - 35 (34%)
- Over 20 working days - 26 (25%)

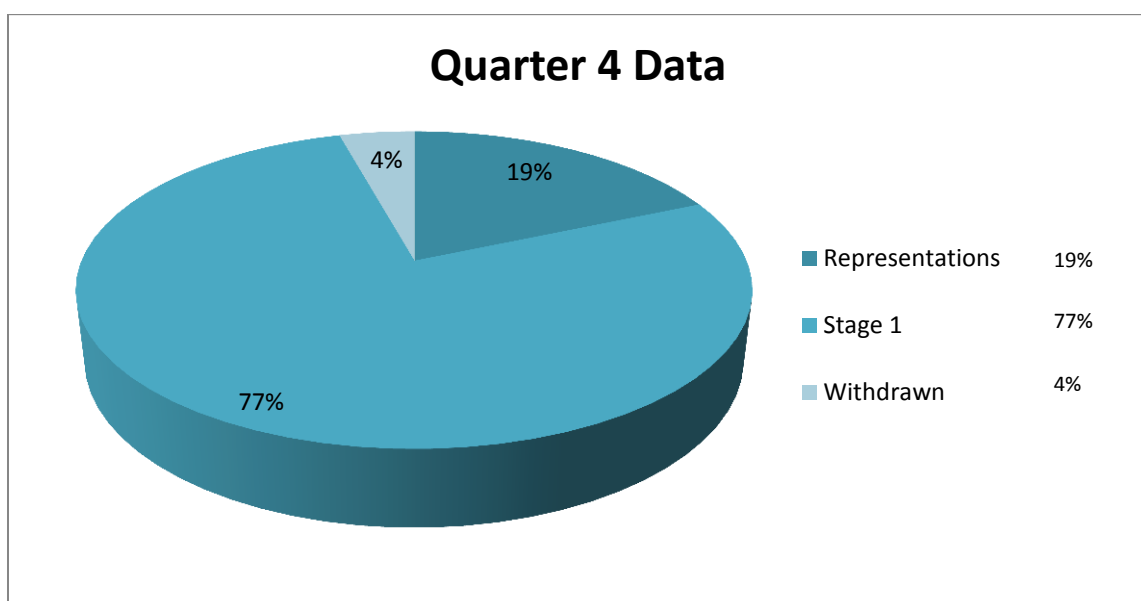


From 1st April 2015 to 31st March 2016, 75% of Stage 1 complaints were dealt with in timescale.

4.6 Quarter 4 Reporting

Of the 149 contacts received between 1st April 2015 and 31st March 2016, 70 (47%) of these were recorded in the fourth quarter when robust recording practices were put in place. These were dealt with as follows:

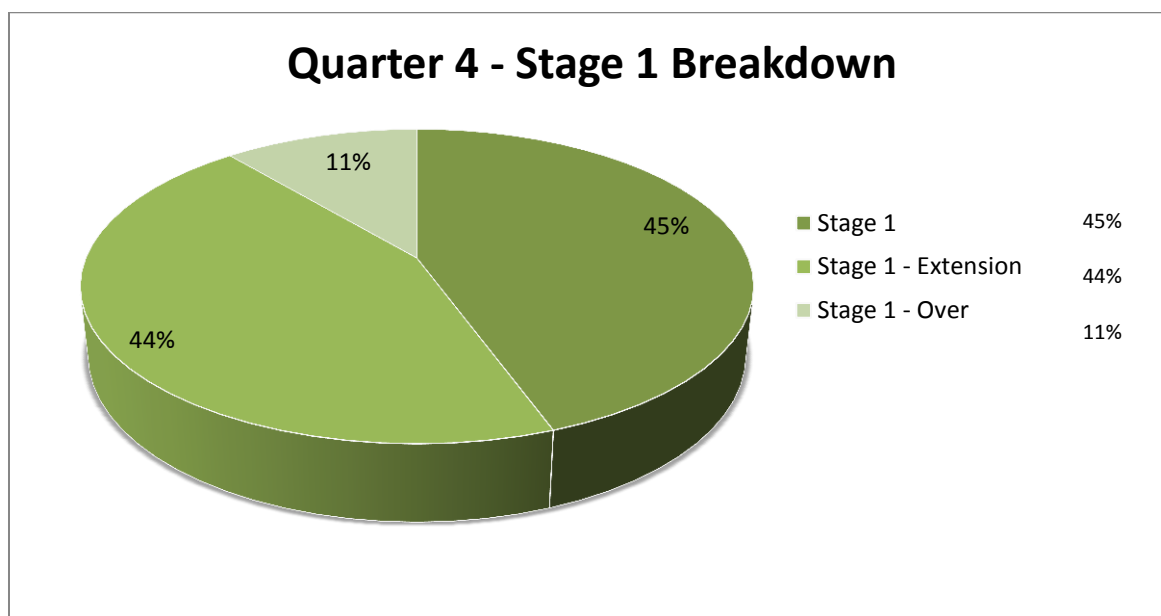
- 54 were accepted as Stage 1 complaints (77%)
- 13 were dealt with as representations (informally) (19%)
- 3 were withdrawn (4%)



4.7 Compliance with timescales - Stage 1 – Quarter 4

Below is a breakdown of the timescales to deal with the 54 Stage 1 complaints received during quarter 4.

- Within 10 working days - 24 (45%)
- Within 20 working days - 24 (44%)
- Over 20 working days - 6 (11%)



During quarter 4, 89% of Stage 1 complaints were dealt with within timescale.

4.8 Compliance with timescales, Stage 2

Six (5.8%) of the Stage 1 complaints received during the whole of the reporting period were escalated to Stage 2.

Timescales have been significantly exceeded for Stage 2 investigations during this reporting period. This has partially been caused by the need to change an Independent Person due to a conflict of interest and the personal circumstances of one investigator who was involved in a number of Stage 2 investigations as either the Investigating Officer or Independent Person. Complainants were kept informed of delays and chose to wait rather than change the person involved in investigating their complaint.

Breakdown of Timescales for Stage 2 complaints

| STAGE 2 - BY AREA | Complainant | Date TOR Signed | Date of Adjudication | Date Closed | No. of Working Days |
|-----------------------|-------------|-----------------|----------------------|-------------|---------------------|
| East Area | Person A | 25/05/2015 | 31/03/2016 | 06/05/2016 | 249 |
| East Area | Person B | 14/12/2015 | 05/07/2016 | 11/07/2016 | 150 |
| South Area | Person C | 22/01/2016 | 01/04/2016 | 15/04/2016 | 60 |
| LAC Provided Services | Person D | 03/02/2016 | 24/07/2016 | 07/07/2016 | 99 |
| North Area | Person E | 24/02/2016 | 27/06/2016 | 14/07/2016 | 101 |
| Central Area | Person F | 31/03/2016 | 27/06/2016 | 05/07/2016 | 66 |

4.9 Compliance with timescales, Stage 3

There have been no Stage 3 panel reviews during this reporting period.

5.0 Analysis in relation to the reasons for complaints being made is as follows:

As there are not complete records of complaints and responses during the first three quarters an overview of the main reoccurring themes complained about at Stage 1 over the year are reported on below. It is not possible in this reporting year to be specific about which the number of Stage 1 complaints were which were evidenced. This information will be available for 2016/17.

Actions of Social Workers/Service Area

This covered a range of topics about social worker behaviour from allegations about how a social worker spoke to them, feeling misled, feeling that a social worker was bias against them and misquoting them, lack of empathy and not being supportive of parents. There were a number of requests for social workers to be changed because of these alleged behaviours or because the complainant disliked the social worker.

In the majority of cases there was no evidence to support these allegations. There were a few occasions that apologies were offered in relation to tone of voice and an acknowledgement of the need to ensure that families clearly understood information. Managers confirmed that suitable guidance would be given and that the social worker would reflect on their practice going forward.

Actions of Social Workers/Service Area – Quarter 4

There were 24 complaints made in relation to actions of social workers/service areas. Of these 7 complaints were upheld or partly upheld. This will be tracked in the next annual report to ensure lessons learnt have been implemented.

Decision Making

Complaints were received about adoption decisions, that children were placed on child protection plans inappropriately, which parent a child was placed with and

services/resources identified to support a child including placements. These complaints were not upheld.

Decision Making – Quarter 4

There were 7 complaints received on decision making during Quarter 4. As advised above – these complaints were not upheld.

Information Contained within Assessments/Reports

A number of complaints were received regarding the quality of information contained within reports. On occasion, complainants also felt that these reports were biased against them or information was inaccurate. Two of these complaints escalated to Stage 2 and the lessons learnt and actions taken as a result of this will be reported and evaluated in the next annual report.

Information Contained within Assessments/Reports/Minutes – Quarter 4

There were 6 complaints received in the quarter 4 regarding the accuracy of information held within assessments, reports and minutes. One of these complaints was upheld and one partly upheld. Suitable management guidance was provided to the workers involved to ensure lessons were learnt from this feedback.

Poor Communication

Complaints were received about telephone calls not being returned, meetings being moved at short notice and allocated workers being difficult to contact. From the information available there was evidence that on occasion communication was poor and this was accepted by the Team Manager and addressed with individual workers.

Poor Communication – Quarter 4

There were 6 complaints received in quarter 4 about staff not communicating, returning calls or not keeping service users updated on developments. Five of these complaints were evidenced or partly evidenced. In some cases, workers were no longer employed by The Trust and where staff were still employees this was addressed in supervision. The next annual report will track if repeat complaints were received about individual staff who are still employees.

Breach of Confidentiality

In the information available there were two complaints that alleged that confidentiality was breached when social workers told families who had made the referral to social care. There was no evidence to support these allegations. This matter was not complained about in quarter 4.

Breakdown of Complaint Themes – Quarter 4

| Subject of Complaint | No. Received | No. Upheld/ Partly Upheld |
|--|--------------|---------------------------|
| Actions by Social Worker/Service Area | 24 | 7 |
| Decision Making | 7 | 0 |
| Information within Assessments/Reports | 6 | 2 |
| Poor Communication | 6 | 5 |
| Financial Assistance | 2 | 1 |
| Reports/documents not shared/returned | 2 | 1 |
| Delays in receiving services | 2 | 2 |
| Contact Arrangements | 2 | 0 |
| Safeguarding Issues | 1 | 0 |
| Inconsistent Information | 1 | 1 |
| Staff Turnover | 1 | 1 |
| Total | 54 | 20 |

6.0 Compliments - Quarter 4

Quarter 4 saw the reintroduction of the gathering of compliments from across the service from service users, external professionals and internal professionals. The Trust wishes to not only learn from feedback in relation to complaints but also recognise, celebrate and learn from good practice.

During quarter 4, there were 15 compliments received. These were from the following sources:

External – Children in Care

There were three compliments received from children in care – these were as follows:

“My social worker and I have a good relationship. He works closely with my college and my foster family. He shows an interest in what I do and has not let me down.”

“To a great social worker called C - you are a queen. I have had lots of fun.”

“Dear Queen M thanks for being a great social worker you are outstanding and amazing”

External – Service Users

There were two compliments received from service users. An example of a compliment is below:

“I felt at ease They are trying hard to help my granddaughter and I hope in the future things can improve for her.”

External – Professional

There were four compliments received from external professionals. Below are some examples of these compliments.

Extract from a compliment from CAFCASS:

“I have to say that I have been very impressed by your service and the work that has been done with this family. We are seeing a real shift in social care in Doncaster.....one of the differences is that there is not a 6 week cut off for family support service but that we do the work that is necessary in the time it takes. Your hard work is very much appreciated, and please pass on to your manager the Courts appreciation of that.”

Compliment from a Judge

In the summing up the Judge "commended the good work of the Social Worker"

Internal – Professional

There were 6 compliments received from internal professionals commenting on the work of staff from different service areas. Below are examples of two.

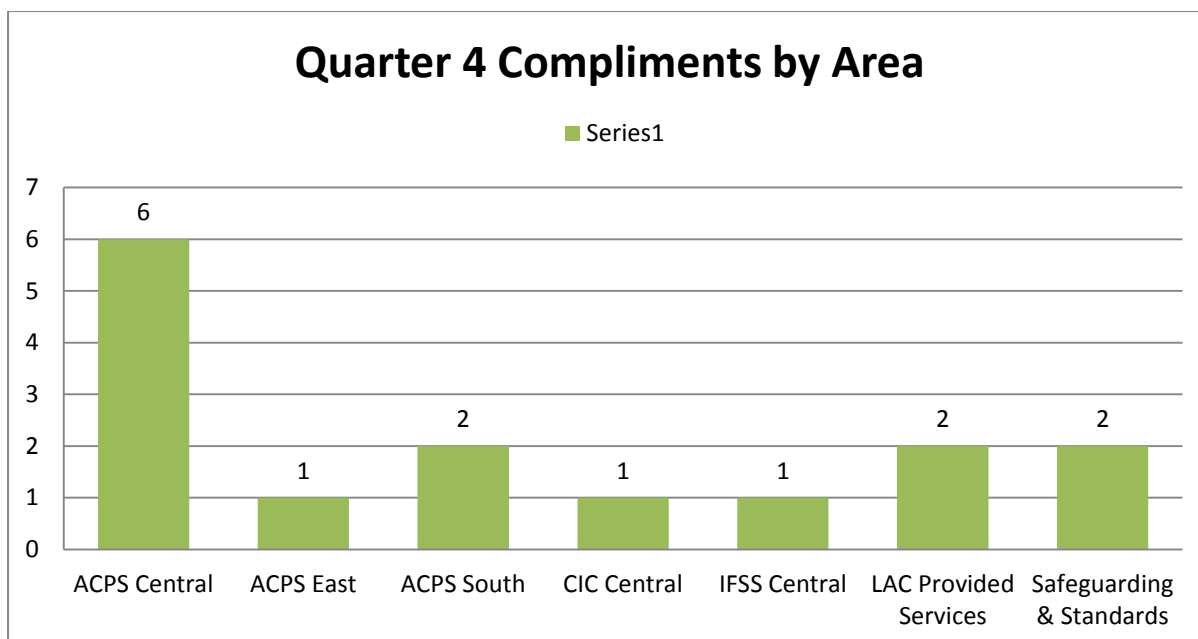
Extract from an Independent Reviewing Officer's (IRO) compliment:

“She has shown tremendous sensitivity towards him and in my opinion has really gone over and above what would normally be expected for a social worker in terms of supporting himShe has certainly gone the extra mile in trying to meet the child's needs"

Extract from a foster carer's compliment:

Foster carer reflected on the social worker's ability to “get down to the child's level” when speaking and listening to him. His patience when dealing with the child's initial difficulties in communicating and also commended the social worker for dealing with issues that arose quickly and returned her calls promptly.

Below is a breakdown of the service areas which received these compliments:



7.0 Effectiveness of the complaints function:

In the Annual Statutory Complaints Report 2014-2015 a number of points were made in relation to bring about essential improvements. These are responded to as follows:

- 1. Complaints handling; training for service areas will be delivered to better inform requirements of the statutory complaints process, enabling us to set standards in respect of dealing with complaints at Stage 1. Our hope is that by improving the quality of the responses and early resolution, a far more positive conclusion to the complaint will be achieved.**

From the fourth quarter direct support was provided to managers responding to complaints by quality assuring responses before they were sent. The practice introduced was that draft responses were submitted to the Customer Experience Manager who would reply with track changes, observations and omissions flagged up. The responding manager would then ensure that these were addressed before the response was sent. As a result of this managers are continuing to develop their skills in responding to complaints and the next annual report will identify if this has resulted in a reduction in repeat complaints or escalation.

The Customer Experience Manager supports managers by meeting with the complainant with them to encourage early resolution. Managers receive feedback on their verbal and non-verbal communication in relation to dispute resolution. Managers have been open to observing different ways of handling complaints meetings and have welcomed direct feedback on this matter.

The Customer Experience Manager undertook visits to operational team meetings across The Trust to ensure that all staff were aware of the statutory requirements in relation to dealing with complaints and representations raised by children and young people. The opportunity was also taken to talk to staff about sharing the compliments they receive to ensure that positive feedback from service users,

external agencies and internal professionals is also captured. Staff were advised that the culture of The Trust is to learn from all feedback and to ensure that good practice is also celebrated and shared.

Complaints and Representations is a standing item on The Trust's Induction. The Trust Induction is attended by all new staff.

Each time an operational manager joins The Trust they meet with the Customer Experience Manager as part of their induction.

The Customer Experience Manager provides on-going support and advice to managers on complaints and is often consulted on potential complaints.

2. A review of the way in which complaints are “gathered and monitored” by the Council’s Contact Centre, to improve the information available enabling the Trust to have a better “grip” on progressing complaints.

Discussions started in quarter 4 with the Council's Customer Service Team on how complaints are gathered and reported on. As a result of these discussions it was agreed that the functionality of the Council's recording system would be reviewed to see if it was a viable option for The Trust to use this to record details of complaints received and responded to. The progress of this option will be reported on in the next annual report.

3. The provision to teams and managers of “real time” performance information that can influence current work and behaviour rather than “historical” data.

In quarter 4, the practice of a calendar reminder was introduced in the respondent's diary ahead of the deadline to support timescales being adhered to. When a deadline is not adhered to this is brought to the attention of the line manager to support responses being sent out.

Monthly management reports were introduced in March 2016 to advise senior managers on performance data for their area. The information being provided is currently being reviewed to ensure it informs both historical and “real time” performance.

4. Improved adherence to the required timescales, reducing frustration and possibly avoiding escalation.

In quarter 4 there was clear evidence of improved adherence to required timescales. In the annual report for 2016/17 the issue of repeat complaints and the impact on complaint escalation will be covered in more detail.

From quarter 4 complainants consistently receive an acknowledgement of their complaint by either letter or email depending on how they submitted it. Complainants are advised when to expect a response to their complaint.

5. Build on the existing pool of independent investigators to carry out stage 2 investigations, resulting in a greater resource of knowledge and experience that will benefit the quality of independent reports.

There have been issues with the quality, timescales and cost of some of the Stage 2 investigations carried out in 2015/16 by the pool of independent investigators commissioned by The Trust. As a result of this, a contract was produced in quarter 4 to ensure all independent investigators work to the same required standard. The progress of this will be reported on in the annual report for 2016/17.

6. Training for Advocates in respect of complaints handling will be provided to ensure advocates better engage with children who have made a complaint.

Bespoke one to one training was provided for the advocates.

7. Recruit the appropriate level of Complaints Handling Resource

A permanent full time manager and 0.5 FTE business support officer were recruited in quarter 4.

8. A review of the governance arrangements with respect to complaints with the Doncaster Children's Services Trust.

Over the period there has been a good working relationship between the Customer Experience Team at The Trust and DMBC Complaints Team. Information has been shared to ensure that complaints received are handled by the correct organisation. Requests for information about historical complaints have been dealt with in a timely and professional manner.

Governance arrangements are in discussion as part of the service level agreement due to be reviewed.

9. Review of the processes required to highlight lessons learned and embed service improvements arising from complaints. Review of the electronic means by which children can make complaints to ensure access points to the complaints process are available for children. Work is in development for an App.

Information sharing from lessons learnt from complaints and compliments and how this feeds into service improvement is currently under discussion and will be reported on in the annual report for 2016/17.

An app called MOMO (Mind of My Own) was launched on the 1st January 2016. An evaluation of its use will be provided in the annual report for 2016/17.

10. Review the way in which compliments can be identified. At present very little is done gathering evidence of what the Trust has done well. It is just as vital that this information is gathered and lessons learnt.

Compliments have been actively gathered from quarter 4 and reported on. Staff have responded positively to this course of action.

11. Improve the way in which the complaints function engages with children. In September the complaints manager will meet with children's groups; this will enable children to be reassured that their concerns will be taken seriously and actions taken to rectify problems when they occur.

The Customer Experience Manager has been to visit the children's homes and has also attended the Children in Care Council. The Customer Experience Manager will work closely with the advocates to ensure children experience their concerns being taken seriously. The focus of the Customer Experience Manager going forward is to ensure that children feel heard and that this is evidenced to them through the matters that they complain about or provide feedback on. Every opportunity will be taken to engage with young people.

Each time a child or young person submits a feedback form to provide a feedback or a compliment they are written to and thanked for taking the time to share their feedback with us. Within responses to complaints they are also thanked for taking the time to tell us what they are unhappy with.

12. A business case is in development of the implementation of complaints management software.

Depending upon the review of the functionality of the option of adapting the Council's reporting system it is envisaged that there will not be a need for a separate reporting tool. This option would not only be cost effective but will also provide the Council with up to date information on how complaints are being handled.

13. A review of the SLA and Contract with the Council is underway; it is our intention to develop a joint protocol for dealing with historical complaints.

This was reviewed in the fourth quarter in line with the timescales for the SLA.

14. Complaints leaflets will be produced and circulated to children and adults to better advise them of our complaints process and capture concerns and compliments.

Feedback Forms (covering complaints) have been provided to all Trust reception areas and staff have been encouraged to pass these to service users when they said they wished to raise a complaint.

Each Children's Home has a stock of Feedback Forms and these are used by the young people.

Independent Reviewing Officers and Child Protection Chairs also ensured these were passed to families as required.

There has been an increase in feedback received via the Feedback Forms, demonstrating the increased use of these forms.

15. Measures have now been undertaken to ensure the inclusion of an Independent Person within Stage 2 investigations, meeting statutory requirements in the future.

For every Stage 2 investigation during 2015/16 an Independent Investigating Officer and Independent Person has been appointed and this will be included in the complaints procedure.

8.0 Summary

The development work undertaken by The Trust in the last quarter of 2015/16 and continuing into 2016/17 has ensured that systems and processes have now been put in place to ensure that going forward The Trust will be able to provide more in-depth information on complaints and representation. The next annual report will evidence lessons learnt from complaints and compliments and how these have informed improved service delivery.

Dawn Jones
Customer Experience Manager