

## Annual statutory complaints report 2014 - 2015

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 1 April 2014 to 31 March 2015. It is important to note that the statutory complaints function transferred from Doncaster Council to Doncaster Children's Services Trust within this period: the formal responsibility transferred on 2 February 2015; therefore this report reflects the complaints activity whilst the complaints function was being transferred to the Doncaster Children's Services Trust.

It is also important to note that the data quality captured when complaints are received is limited. In turn, this limits the insights available and therefore the strengths, weaknesses and lessons to be learned towards improvements. This, along with other significant challenges, has started to be addressed as outlined in the review summary at 10.0 below.

### 1.0 **The statutory requirements for dealing with children's complaints and representations are determined by the following legislation:**

The Children Act 1989, Representations Procedure (England) Regulations 2006. The Children & Adoption Act 2002 and Children (Leaving Care) Act 2000 and the accompanying guidance 'Getting the Best from Complaints' (DfES July 2006)

### 2.0 **The complaints procedure:**

2.1 The complaints and representations procedures enable young people and adults to formally raise concerns in regard to the service they receive.

2.2 The complaints procedure for children's social care has three stages:

- Stage one - local resolution.
- Stage two - independent complaint investigation.
- Stage three - independently chaired review panel.

### 2.3 **Stage one – local resolution:**

Stage one is intended to be a swift, focused resolution taking no more than 20 working days. Stage one offers the relevant service area the first opportunity for considering, responding and resolving the complaint. It is our hope that the majority of complaints can be dealt with at this stage.

### 2.4 **Stage two – formal independent investigation:**

Where a complainant is unhappy with the outcome of their stage 1 complaint, they can request a stage 2 complaint investigation. All stage 2 investigations are carried out by independent investigating officer (IO), together with an independent Person (IP). As a consequence of this investigation the IO will produce a comprehensive report into the individual complaints, resulting in the complaints either being upheld, partially upheld, inconclusive or not upheld. The IO will also make formal recommendations in respect of the investigation as a whole. The IP provides a formal report concerning the integrity of the IO's report.

In addition the Trust will provide a formal written adjudication in respect of the outcomes of the reports. This will in effect be the formal response on behalf of the Trust.

It is the expectation of the statutory guidance that the stage two investigations will be completed in a maximum of 65 working days.

## **2.5 Stage three – review panel:**

Where the complainant remains dissatisfied with the outcome of the stage two investigation, they can request a stage three review panel. The panel is made up of a chair and two wing members. The timescale for setting up the panel is 30 working days. It is the panel's responsibility to review the investigation but not to re-investigate the complaint. The panel will produce a formal finding, in writing, to the complainant within five working days. The Trust will then consider the panel's findings and produce a formal response to the panel's findings, which are forwarded to the complainant within 15 working days.

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

At the conclusion of the three stage process the complainant has the right to escalate their concerns to the local government ombudsman.

## **4.0 The complaints service:**

When the complaints function was transferred to the Doncaster Children's Services Trust the service was placed within the communications and marketing team as a customer service function. However, on review the decision has been made to transfer the function to be placed within the Quality Assurance team.

## **5.0 How complaints have been received:**

Primarily complaints are received via the Council's Contact Centre: details in respect to the complaints are collated by contact centre workers and forwarded to the complaints manager within the Trust. In addition, Trust workers receive complaints that are forwarded to the complaints manager.

### **6.1 Number of complainants: 39**

### **6.2 Total number of individual complaints received: 145**

## **7.0 Who made complaints:**

A large majority of the complaints made are from adults who are expressing their dissatisfaction with the actions of the service.

## **8.0 Compliance with timescales, stage 1:**

Unfortunately there are a large number of complaints that have exceeded the required timescales. However, work undertaken to clarify and better understand the nature of complaints does result in better outcomes. 36 complaints responded to within this period were resolved at this stage.

## **Compliance with timescales, stage 2:**

Time scales have been exceeded for stage 2 investigations; this is mainly due to the number of complaints made and the complexity of the issues being investigated. 2 complaints were responded to via Independent Investigation and resolved at this stage. 1 complaint from the previous year was completed and resolved within this year.

**Compliance with timescales, stage 3:**

One stage 3 panel review has taken place. This was started within the Council and was completed within Doncaster Children's Services Trust; time scales were exceeded; a formal acceptance of a breach of confidentiality was accepted. In addition a review of the LADOs Service systems and processes was undertaken.

9.0 Number of complaints received by team and the nature of the complaints made:

Service area:	Team:	Number of complainants	Number of individual complaints made	Poor Communication	Decision making	Actions of workers/service	Information within assessment report	Data breach	Request for a copy of core assessment	Error in recording	Decision to remove children from foster placement	Stage
Assessment and Child Protection	Central 2	4	18	x	x							
Assessment and Child Protection	Central 3	1	3			x						
Assessment and Child Protection	Central 3	1	3		x							
Assessment and Child Protection	Central 3	5	11	x		x	x	x				1 complaint escalated to Stage 2
Assessment and Child Protection	East 2	4	10	x		x		x	x			
Assessment and Child Protection	North 1	3	20			x	x					1 complaint escalated to stage 2, this started in the Council and concluded within the Trust.
Assessment and Child Protection	North 2	2	2	x	x	x						
Assessment and Child Protection	South 1	1	9	x		x				x		
Assessment and Child Protection	South 2	3	13	x		x						
Children In Care	East	3	13	x		x						
Children In Care	North	2	9	x							x	
Children in Care	Central	1	1					x				
Children In Care	18+ Service	1	1			x						
Children In Care	South	2	7		x	x						

Service area:	Team:	Number of complainants	Number of individual complaints made	Poor Communication	Decision making	Actions of workers/service	Information within assessment report	Data breach	Request for a copy of core assessment	Error in recording	Decision to remove children from foster placement	Stage
Referral and Response	Child sexual exploitation	1	7			x						
Referral and Response	Referral & Response	2	15		x							One complaint escalated to Stage 2
Fostering, Adoption and Children's Homes	Provider Services	1	1			x						
Safeguarding, Standards and Policy		1	1					x				
Complaints process		1	1									Delay in Stage 1
<b>TOTALS</b>		<b>39</b>	<b>145</b>	<b>8</b>	<b>5</b>	<b>12</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>	

## 9.1 Analysis in relation to the reasons for complaints being made are as follows:

21 complaints were made in respect to the decisions or actions of the services areas.

'Decision and actions' of the service have predominately been in respect of the service pursuing or not pursuing child protection issues. In addition quality of assessments and sharing the outcome of these has been a theme within the complaints raised. As a known issue, work has been undertaken and a new case audit process has been implemented. In addition a Manager was appointed in July 2015 to monitor and support the quality of assessments.

8 complaints were made in respect to communication.

The predominant issue within the complaints raised has been poor, slow or inaccurate communication. This issue is being fed back into the service areas: transparent, accurate and swift proactive communication is fundamental to the ideal of 'Working Together to Safeguard Children' and to the work undertaken by the Trust.

7 complaints were made in respect to data breaches or information recording.

A review of the systems and processes in respect to 'data protection' are ongoing with training being delivered to establish the importance of diligence in this area.

6 complaints were made in respect to the conduct of workers.

This is in respect to the attitude and tone of communication that service users experience when engaging with workers.

The Trust is currently in the process of adopting the 'Signs of Safety' method of working with families. As a consequence we have appointed a Signs of Safety Manager. In September of this year all operational managers will undertake training with respect to the required methodology, following this there will be a roll out of training to all operational staff. By adopting this approach we will enable a far more inclusive and transparent approach to assessing need and highlighting the risks when working with families. It is our hope that this will result in families being part of the solution rather than them feeling action is being taken against them.

## 10.0 Effectiveness of the complaints function:

Examining the distribution of the nature of complaints, the following are under consideration by the Trust in order to bring about essential improvements:

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.
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.
3. The provision to teams and managers of 'real time' performance information that can influence current work and behaviour rather than 'historical' data.
4. Improved adherence to the required timescales, reducing frustration and possibly avoiding escalation.
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.
6. Training for Advocates in respect of complaints handling will be provided to ensure Advocates better engage with children who have made a complaint.
7. Recruit the appropriate level of Complaints Handling resource.

8. A review of the governance arrangements with respect to complaints with the Doncaster Children's Services Trust.
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.
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.
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.
12. A business case is in development for the implementation of complaints management software.
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.
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.
15. Measures have now been undertaken to ensure the inclusion of an Independent Person within Stage 2 investigations, meeting statutory requirements in the future.

Progress with these improvements will be provided within the next annual report.

Sam Jones  
Interim Complaints Manager.  
04/09/2015.