



HARTLEPOOL
BOROUGH COUNCIL

Children's and Joint Commissioning Services Annual Complaint Report 2017-2018



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1. Introduction

Welcome to Hartlepool Borough Council's Children's and Joint Commissioning Services Complaints, Compliments and Representations Annual Report. The report covers statutory complaints and compliments received for children's social care services and public health functions for the period 1 April 2017 to 31 March 2018.

The report outlines:

- Details of the complaints and compliments received over the reporting period;
- Actions implemented, any lessons learned and resulting improvements following enquiry into complaints;
- Performance in relation to handling of complaints.

2. Background

Complaints and compliments are valued as an important source of feedback on the quality of services. Each complaint is investigated and, where appropriate, redress made. Equally important is the work to learn lessons to prevent a repeat of failure in service quality and continually improve services.

2.1. What is a complaint?

A complaint is any expression of dissatisfaction about a service that is being delivered, or the failure to deliver a service. The Local Government and Social Care Ombudsman define a complaint as *"an expression of dissatisfaction about a council service (whether that service is provided directly by the council or on its behalf by a contractor or partner) that requires a response."*

A complaint can be made in person, in writing, by telephone or email or through the council's website. It can be made at any office. Every effort is made to assist people in making their complaint and any member of staff can take a complaint.

2.2. Who can complain?

A complaint can be made by:

- A child or young person
- A parent or carer
- Special Guardians
- Anyone who is or is likely to be affected by the actions, decisions or omissions of the service that is subject to a complaint.

3. Children's Social Care Complaint Framework

3.1. Complaint management arrangements

The statutory complaint function for children's social care sits within the Standards, Engagement and Development Team under the management of the Team Manager. The remit of the Complaints Manager's function is:

- Managing, developing and administering the complaint procedure.
- Providing assistance and advice to those who wish to complain.
- Overseeing the investigation of complaints that cannot be managed at source.
- Supporting and training staff.
- Monitoring and reporting on complaints activity.

3.2. The complaint regulations and procedure

The Children Act 1989 Representations Procedure (England) Regulations 2006 came into force from 1 September 2006. This procedure is for all representations received from children and young people, their parents, foster carers or other qualifying adults about social care services provided or commissioned by children's social care. The full detail of the complaints procedure is available on the Council's website.

The Regulations and Statutory Guidance '*Getting the Best from Complaints*' are now fully embedded into the children's social care complaints system and information derived from complaints is included in the annual monitoring of children's social care and reported to Ofsted.

A child, young people or their families/carers who make a representation is offered the services of an Advocate to enable their views to be effectively promoted.

There are three stages to the procedure.

» **Stage 1**

Local Resolution: The aim of stage 1 is to sort out the matter as quickly as possible. The complaint will be allocated to a manager who will contact the complainant to discuss the complaint. Stage 1 of the complaints procedure should be completed within 10 working days but if there are a number of issues to look into, this can be extended up to 20 working days. The complainant will receive a response to the complaint in writing.

» **Stage 2**

Investigation: This part of the procedure is used when the complainant remains unhappy after their complaint has been responded to at Stage 1 or the complaint is sufficiently serious enough to warrant a more formal investigation. Investigations are conducted by an Investigating Officer who must be independent of the service area and/or decision making being complained about. An Independent Person is also appointed at Stage 2. This is a statutory role and the Independent Person (who is external to the Council) works alongside the Investigating Officer with a remit to ensure that the process is open, transparent and fair.

Reports completed by the Investigating Officer and Independent Person are submitted to an Adjudicating Officer (usually the Assistant Director) for response.

The investigation and adjudication process should be concluded within 65 working days.

» **Stage 3**

Independent Complaint Review Panel: If the complainant is dissatisfied with the outcome at Stage 2, they may request that the issues are taken to a Complaint Review Panel (Stage 3). The Panel consists of an Independent Chair and two independent panel members. The Panel considers the complaint and can make recommendations to the Director of

Children's and Joint Commissioning Services within 5 working days of the Panel meeting.

The Director is required to make a formal response to any findings and recommendations of the Review Panel within 15 working days of receiving the Panel's report.

3.3. Referral to the Local Government and Social Care Ombudsman

If, at the end of the complaints procedure, the complainant remains dissatisfied with the outcome or the way in which their complaint has been handled, they may ask the Local Government and Social Care Ombudsman (LGSCO) to investigate their complaint. Complainants may also approach the LGSCO directly without accessing the complaints process. In these cases it is usual for the LGSCO to refer them back to the Council for their complaint to be examined through the relevant complaints process before they intervene.

4. Public Health Complaint Framework

4.1. The complaint regulations

The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 cover the statutory complaint handling arrangements relating to public health functions of a Local Authority. These regulations also cover the provision of services by a service provider where the complaint relates to public health functions for which the Local Authority Director of public health has responsibility for.

4.2. Complaint management arrangements

The statutory complaint function for public health also sits within the Standards, Engagement and Development Team under the management of the Team Manager.

5. Principles and outcomes

Good handling of complaints and representations involves:

- Keeping the complainant at the centre of the complaints process;
- Being open and accountable;
- Responding to complainants in a way that is fair;
- Being committed to try to get things right when they go wrong;
- Seeking to continually improve services.

Statutory complaints are underpinned by the following:

- A procedure that aims to be fair, clear, robust and accessible;
- Support being available to those wishing to make a complaint;
- Timely resolution following enquiry into complaints/representations;
- Lessons learnt following complaints and services improved;
- Monitoring being used as a means of improving performance.

6. Public information

Information about the complaints and representations framework is accessible via the Council's public access points and also the Council's website. Children, young people and carers are provided with factsheets explaining the procedure.

Information in other formats such as large print or Braille or translation in languages other than English are made available upon request.

7. Summary of representations

7.1. Compliments

Compliments are generally recognised to be an indicator of good outcomes for children, young people and families. They also serve to provide wider lessons regarding the quality of services.

During 2017/18, 8 compliments have been received relating to children's social care. These range from an expression of thanks and appreciation in the form of a thank-you card to written communication. In addition to this, verbal expressions of thanks and appreciation were received from families who have participated in providing feedback about newly qualified social workers and during 'practice week' engagement. Appendix 1 provides some examples of compliments received during the period.

7.2. Complaints received in 2017/18 – Children's social care

A total of 18 complaints were received. The number of complaints received has remained the same as the previous year. The year prior to that, the number of complaints received decreased by 8. Complaints that were either partly upheld or upheld are outlined in Appendix 2.

Of the 18 complaints received, 2 were received from care leavers, 2 were received from connected carers, 13 were received from a parent and one was received from a grandparent.

Of the 18 complaints investigated, 14 have been concluded and the 4 remaining complaints have been carried forward to 2018/19. Of these:

- 16 of the 18 complaints were responded to at Stage 1 in the first instance. Of these 16 complaints:
 - 12 complaints were resolved at Stage 1; and
 - 4 complaints progressed to Stage 2 where 2 remain ongoing and the other 2 have been resolved following the conclusion of Stage 2.
- 2 of the 18 complaints proceeded directly to Stage 2 without being first considered at Stage 1. In one of these, the Council exercised its discretion to accept for investigation outside of the 12 month statutory time limit for making a complaint. The Council has the discretion to investigate complaints outside of time limit if (a) it is still possible to investigate the complaint effectively and efficiently; and (b) it was unreasonable to have expected the complainant to have made the complaint earlier.

There were 2 complaints from 2016/17 that were carried forward to 2017/18. Both of these complaints concluded following consideration at Stage 2.

7.3. Advocacy services

Of the 18 complaints investigated, one of the care leavers chose to have an advocate to support them during the complaint process.

7.4. Complaints considered by the Local Government and Social Care Ombudsman in 2017/18

There have been no children's social care complaints considered by the Local Government and Social Care Ombudsman (LGSCO) in 2017/18. One complainant approached the LGSCO in 2017/18 about their complaint where he was referred back to the Council for consideration of the complaint in the first instance. The Council did not first consider this complaint at Stage 1, it progressed directly to Stage 2 and is included in the numbers reported above.

7.5. Complaints carried forward to 2018/19

Of the 18 complaints investigated in 2017/18, 4 complaints remained subject to investigation at Stage 2 as at 31 March 2018 and will be carried forward to 2018/19.

7.6. Complaints received in 2017/18 – Public Health

There were no complaints received in relation to Public Health during 2017/18.

8. Lessons learned

Lessons learned are an important aspect of the complaints framework. Appendix 2 outlines the context of some improvements that have been put in place as a direct result of complaints and representations received in children's social care.

9. Conclusions and way forward

9.1. Going forward

We continue to ensure that a person-centred approach is adopted for the handling and investigation of each complaint. We will continue to focus on ensuring we monitor that: complainants receive appropriate and timely feedback on complaints; appropriate apologies are offered; and any service improvement recommendations are delivered.

9.2. Action plan

Actions for 2018/19 are as follows:

- Continuing to raise awareness of and promote the complaints procedure for children's social care.
- Continuing to remind and encourage the workforce to inform the Standards, Engagement and Development Team when expressions of thanks have been received. These provide an indication of satisfaction with services and should be recorded and reported.
- Continuing to raise awareness of lessons learnt from complaints and ensure they are fed into policies, procedures and practice. There is an established Continuous Improvement Group in children's social care which is used as a forum to receive complaints statistical data and any learning from complaints is used as a driver for improvements.

Appendix 1: Examples of compliments received across Children's Social Care Services

"Both Z and I would like to say a MASSIVE Thank you for all your patience and hard work to get the outcome that was wanted by all concerned. You've been a true professional in all aspects of our dealings together. Once again from both of us, THANK YOU."

From parents about a Social Worker

"Thank you so much for believing me always being there for me and driving me and most importantly thank you for being you XXXX and also being a great care worker, lots of love AZ."

From a young person about a Care Worker

"H you are the best social worker ever. H you are the best because you moved me like I asked. Please keep in touch. Many thanks."

From a young person about a Social Worker

"We just wanted to say a huge thank you for your work and all the time effort and love you have put into our children."

From parents about a Social Worker

"I write to express my thanks for the brilliant and timeless work undertaken by CR on behalf of my grandson. I feel C went above and beyond her remit to solve K's problems and expect she will be doing so for some time. Please thank her for her tireless efforts."

From a grandmother about a Social Worker

"Thank you for all your support and guidance through a really hard time. You helped us in more ways than you will ever know. We will always be grateful for everything you have done."

From parents about a Social Worker

"I would like to take this opportunity to say a very big thank you to all the staff at Hartlepool Borough Council Children's Services as they have worked very hard on our case and I am grateful to them for all their help and for giving us the opportunity to prove ourselves, which I feel we did not have when we were dealing with Children's Services in X. I would also like to take this opportunity to reassure I have learned a lot from the work I have done and I now understand the importance of security and stability for my children, and will continue to work very hard to make sure that their needs are always put first."

From parents about Children's Social Care

Appendix 2: Examples of partly upheld or upheld complaints and actions taken/lessons learned in Children's Social Care Services

Details of complaint/Outcome	Lessons learned and where appropriate, actions taken
<p>The complainant (the grandparent of a child) was unhappy with minutes of a meeting. The complainant expressed that she did not consider that they accurately reflected what happened and/or what was said in the meeting.</p> <p>Concluded at Stage 1</p>	<p>The Team Manager provided an explanation and agreed to distribute an amendment note to all those who had been present at the meeting and asked that this be attached to and read in conjunction with the minutes of the meeting.</p>
<p>The complainants (the children's parents) were of the view that the children's social worker was overwhelmed with the complex needs of their children and family and, as a desired outcome, wished for a more senior social worker to be allocated.</p> <p>Concluded at Stage 1</p>	<p>The Head of Service explored with the complainants their views about the allocated social worker. It was considered that it would be helpful for a fresh start with a different social worker. A new social worker was allocated to the case.</p>
<p>The complainant (the parent of a child) expressed, amongst other things, his dissatisfaction that information he requested was not provided together with his view that he was excluded from a meeting about his daughter.</p>	<p>The Head of Service met with the complainant, read case records and explained what had happened to the complainant. The Head of Service reminded Team Managers about minimum timescales to share information with parents and discussed relevant issues with the Head of Safeguarding and Review Unit.</p>

Concluded at Stage 1	
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<p>The complainant (a care leaver) expressed her dissatisfaction with her social worker. The complainant stated that she had asked her social worker for some food but the food provided needed to be cooked. The complainant alleged she was homeless and had no means to cook the food provided.</p> <p>Concluded at Stage 1</p>	<p>The Team Manager discussed the practice issues raised with the Social Worker during supervision process.</p>
<p>The complainant (the children's grandparent), alleged that the Council failed to provide an appropriate level of financial and practical support since she was asked to look after her grandchildren.</p> <p>Concluded at Stage 2</p>	<p>The Investigating Officer made a number of recommendations which were endorsed by the Independent Person. These were accepted and implemented by the Adjudicating Officer.</p> <ul style="list-style-type: none"> • The complainant received the relevant payment to reflect the periods of time that she should have been recognised as a connected carer for the children. • An apology provided to the complainant for what happened. • Social Workers were reminded: <ul style="list-style-type: none"> - that where possible to be flexible when responding to carers who have other responsibilities; - to ensure that a formal response is provided to any correspondence received; - of the importance of assessments and minutes being distributed within specified timescales; - to familiarise themselves with the LGSCO's focus report entitled '<i>Family values: Council services to family and friends who care for others' children</i>' as well as the Council's Connected Carer's Policy. - to provide families and friends who are caring for someone else's child with accurate information including any public information.

The complainant (the parent of a child) expressed her unhappiness with communication via text message with the Social Worker given her particular circumstances and alleged failure to respond to telephone calls.

Concluded at Stage 1

The Team Manager agreed with the complainant that method of communication was not appropriate in the circumstances and face-to-face contact would have been best. An apology was provided for this.

The Social Worker was asked to meet with the complainant to devise a communication plan which detailed when the parent will receive updates and ensure contact numbers are correct and up to date.