



## **Cheshire West and Chester Council**

Childrens Social Care Complaints and Compliments

Annual Report  
2015 - 2016

## **Introduction**

This report provides information about the Childrens Social Care Compliments and Complaints received by Cheshire West and Chester Council during the period 1 April 2015 to 31 March 2016. It highlights how the service has performed against the statutory timescales and indicates where improvements or revisions to services have been identified as a result of compliments in highlighting best practice and through the process of listening and responding to complaints.

The Authority is required to produce an Annual Report for complaints made under the Local Authority Social Services complaints (England) Regulations 2006 and the report should be made available to the public.

The Council's Solutions Team which is part of the Information Governance service within the Governance directorate, was responsible for the coordination of Compliments and Complaints during this period. The wider functions of the team include case management of enquiries from the Local Government Ombudsman (LGO); Information Commissioners Office (ICO); Member of Parliament enquiries; Chief Executive Correspondence; and Requests for Information (RFI) under the Freedom of Information (FOI) Act 2000 and Environmental Information Regulations (EIR) 2004.

In accordance with statutory guidance, responses to complaints received by the Authority should be proportionate. Officers are encouraged to resolve matters locally at the first point of contact to avoid escalation wherever possible. Concerns raised with the service and resolved by close of play the following day are not counted as statutory complaints. They are not recorded centrally with the Solutions Team and are not subject to this report. Where this approach does not deliver a satisfactory outcome for the complainant, matters are then referred to the Solutions Team for consideration through the formal complaints procedure.

### **The objectives of this report are to:**

- be open and transparent about our social care complaints process
- meet our statutory obligation to produce an annual report
- provide clear and concise comparative data on compliments and complaints, including details of complaints broken down by subject and service area,
- provide a summary of customer profile and type of customer interaction
- identify actions for service improvements identified from complaints

### **Aspirations of Children and Families Services:**

- to keep children safe
- to ensure that children and families access help early
- to have the right services in the right place at the right time
- to listen to the views of children and families

## **Context**

The aim of the Council's Children and Families Services is to support and protect those children, young people and families who need care and support to enable them to develop their abilities to live as independent and fulfilled lives as possible. Sometimes people are

unhappy with the service we provide as an authority and we make every effort to ensure that we listen to their feedback and complaints, and that we learn from them.

Whilst considering this report it is important to see the overall picture of Childrens Social Care involvement in the Cheshire West and Chester area. During this period Children's Social Care teams dealt with 4,466 children, of these, 2,767 were new referrals. Of those receiving services 68 complaints were handled representing less than 2% of service users.

## **1.0 STATUTORY COMPLIANCE PROCEDURE**

### **1.1 The Childrens Social Care Complaints Procedure**

The Children Act 1989 Representations Procedure (England) Regulations 2006; Children (Leaving Care) Act 2000; Adoption and Children Act 2002; and the Health and Social Care Act 2003 require the local authority to have a procedure for resolving complaints and representations received by, on behalf of, or relating to children and young people.

Complaints are considered in accordance with the statutory social care complaints procedure and there is a strong emphasis on resolving complaints at the earliest opportunity.

### **1.2 Role of the Solutions Team**

The Solutions Team act as a central independent point through which complaints can be made to the Authority without the need to refer directly to the service. Complaints can be made via telephone; in writing; through the online social care complaints portal; or directly to the dedicated social care complaints email inbox. Complaints received directly by the service, that cannot be resolved within a day, are referred to the Solutions Team to be processed.

The Solutions Team, often in liaison with the service, will determine whether a complaint is eligible for consideration under the statutory framework or whether an alternative procedure (safeguarding for example) would be more appropriate.

The Solutions Team offer training, advice and support to service staff in their consideration of complaints and also perform a quality assurance role in the preparation of complaint responses. The Team will also liaise with complainants to keep them informed on progress with their complaints, and provide advice about the complaints process and the role of the Local Government Ombudsman.

### **1.3 What is a Complaint?**

A complaint is an expression of dissatisfaction or disquiet with the service that requires a response.

### **1.4 Who Can Make a Complaint?**

Anyone can make a complaint where they receive a service from Children's Social Care or where they are affected, or likely to be affected, by the Directorate's actions.

Complaints can also be accepted from individuals acting on behalf of a service user, for example an advocate or family member, where the service user has given consent. Where a service user's capacity to make informed decisions may be in question, the Solutions Team - in conjunction with the Service Team Manager - will look at whether the person pursuing the complaint is acting in the service user's best interests.

### **1.5 Stage 1 – Local Resolution Stage**

The majority of Stage 1 investigations are conducted by Team Managers from the relevant service. The investigation of a complaint is a managerial responsibility and should not be delegated to other staff. In the first instance complaints are allocated to the Senior Manager to appoint an appropriate Team Manager to investigate and draft a response to the complainant.

The initial timescale for providing a response is 10 working days, although this can be extended to 20 working days where the matter is more complex. The Solutions Team work with managers to ensure that quality responses are produced within the specific timescales. Decisions are recorded for each complaint upheld, not upheld or partially upheld. The learning outcomes and remedial actions are shared with the complainant within the written response.

### **1.6 Stage 2 – Formal Independent Investigation**

If the complainant is dissatisfied with the findings of the Stage 1 complaint investigation, or has not received a response to Stage 1 within the 20 working days allowed, then a request for a Stage 2 investigation can be made.

If the complainant indicates that they wish to progress to Stage 2 of the process then a meeting is held between the complainant and the Service Senior Manager. The aim of the meeting is, wherever possible, to resolve the complaint pre-stage 2. However, if a local resolution is not possible and the complainant indicates that they still wish to go to a formal Stage 2 investigation then the meeting will clarify what issues the complainant remains unhappy about.

Once the Stage 2 investigation has been agreed an Investigating Officer (IO) will be appointed. Investigators can be an officer from the service who has no previous knowledge of the complaint and no line management responsibility. However, there is a presumption in favour of the IO being appointed from the North West List of Independent People. The IO will lead, and has overall responsibility for the investigation and will prepare the main report.

A second person, the Independent Person (IP) will be appointed from the North West List of Independent People. The IP ensures that the process of investigation is open, transparent and fair. They work alongside the IO to provide an independent and objective view to the investigation. They see all the same relevant files as the IO and participate in all interviews and discussion relevant to the investigation. The IP reads the IO's report and produces his/her own report on the investigation, commenting on each complaint element and stating whether he/she agrees with the IO's findings.

There are 25 working days for the completion of the Stage 2 investigation, with an extension of up to 65 working days for complex cases.

Following an investigation the findings and any recommendations are set out in a report to the Director and the Service Team Manager. The Director must provide a written response to the report and this will be sent to the complainant, along with a copy of the report, within 10 working days of receiving the report. The Director may consider offering a meeting with the complainant to discuss the report and the response.

### **1.7 Fast track to the Local Government Ombudsman**

There will be some occasions when the Authority has the option to fast track the complaint to the Local Government Ombudsman (LGO) at the end of Stage 2. These are:

- a very robust Stage 2 report
- a complete adjudication at the end of Stage 2
- an outcome where all complaints have been upheld and
- the authority is providing a clear action plan for delivery and
- the local authority agrees to meet the majority or all of the desired outcomes presented by the complainant regarding social care functions

### **1.8 Stage 3 – Independent Review Panel**

Where complainants wish to proceed to Stage 3 then they have 20 working days from the date that they received notification of the department's response to the stage 2 report to request a Review Panel.

The Independent Review Panel consists of three independent people drawn from the North West List of Independent People, one of whom is appointed as Chair of the Panel.

Following the investigation, panel members have 5 working days to agree the report. The report has to be sent to the complainant within 5 working days and a copy is also given to the Director of Children's Services.

The Director has 20 working days from the day of the panel to write to the complainant with their response to the report. The letter should outline what the directorate intends to do as part of learning from the complaint. The letter will also indicate that if the complainant remains unhappy they can contact the Local Government Ombudsman.

### **1.9 Local Government Ombudsman**

Where complaints remain unresolved to the satisfaction of the complainant following the conclusion of the three stage process, a further referral may be made to the Local Government Ombudsman for consideration.

## 2.0 PERFORMANCE ACTIVITY

### 2.1 Summary of Complaint Activity

From April 2015 to March 2016 there were a total of 138 social care complaint representations made to Cheshire West and Chester Council. Of the 138 complaints representations received, there were 68 **valid complaints** progressed, with the remainder either ineligible (22), withdrawn (9) or resolved at a local level by the service (39). Of these 68 cases, 11 were escalated to a pre-stage 2 meeting as the complainant remained dissatisfied. Of these 11 cases, 4 were taken to a full stage 2 investigation stage, of which 1 has concluded with an outcome of 'partially upheld'. Two cases did not progress to a full stage 2 investigation (1 withdrawn and 1 resolved locally), and 5 cases are ongoing.

To provide some context to these figures, it is important to note that the number of complaints represent less than 2% of active cases. This is a reduction from last year when the number of complaints represented 3.6% of social care cases; this is despite an increase in the number of children and young people being supported by Children's Social Care.

### 2.2 Comparison with Previous Years

The table below shows the number of considered and progressed complaints for the year compared with the previous three years.

**Table 1: Total number of complaints considered**

Year	Total no. of valid complaints processed	Withdrawn/ not pursued/ other	Ineligible*	Total no. of complaints representations considered
2015-16	68	48	22	138
2014-15	85**	14	13	112
2013-14	60	15	8	83
2012-13	38	8	15	61

*\*Complaints not valid through the Social Care procedure, for example complaints that were being dealt with through court proceedings or the complainant was not directly involved with the child or does not have parental responsibility and is therefore ineligible.*

*\*\*total valid complaints 2014-15 reduced by 1 (as reported in 2014/15 Annual Report) as the outstanding case was later categorised as 'ineligible'.*

The overall figure of valid complaints represents a decrease of 21% in the number of complaints investigated by the Council compared to the previous year. However the total number of complaint representations handled by the Solutions team has increased by 23% from the previous year. There has been no significant change in the way the service is provided, and so the increase in representations is thought to be due to a change in culture in relation to complaints, whereby service users are more aware of their right to complain and are more likely to do so.

The Solutions Team have during this year started recording all 'routine business' enquiries that have been presented as complaints cases. Through improvements in first contact with potential complainants, routing them through to the correct

services for immediate responses, and closer working within the operational social work teams, the Solutions Team believe this has resulted in fewer customers pursuing formal complaints. There were 39 cases resolved locally via this process in 2015-16.

### 2.3 Numbers of Complaints - Observations

There are a number of contributory factors that have impacted upon the apparent quality of service delivery which have resulted in upheld complaints. Over the past 12 months it is fair to say that we have not got to the position of having a stable workforce. In line with national trends recruiting and retaining social workers remains a significant challenge to the Directorate. In addition the complexity of social work remains high and this in itself provides challenge.

The teams also actively promote the right to complain and the Council's customers are made aware at the start of their involvement with Children and Families Services about the Complaints Policy. It is widely believed across the directorate that there is an increased culture of complaint giving people an increased awareness of their rights. The Social Workers on their initial visit will give the family an information pack and discuss the complaints process with them. Within this pack is also information which advises services users how to have their say in general about their experience of the service they have received. As a service we are looking at how we can improve our service user engagement regarding their experience and how this can improve future service delivery and inform our training to staff. This will include a review of the pack provided to service users and how the service can record and action improvements from the comments/complaints that are received.

Teams discuss learning from complaints within team meetings and this ensures practice is improved and developed as well as making sure that the complaints process is on a social worker's agenda and seen as a learning opportunity.

### 2.4 Complaint Outcomes

The table below shows where a complaint has been upheld, partially upheld or not upheld at each stage of the complaints procedure. Where complaints are complex and raise a number of different issues, there is greater likelihood of some elements of a complaint being upheld, whilst others not, and consequently for the complaint to be classified as partially upheld overall.

**Table 2 - Stage 1 outcomes and comparisons with previous year**

Year	Upheld	Partially upheld	Not upheld	Outstanding	Total
2015-16	13 (19%)	28 (41%)	27 (40%)	0 (0%)	68
2014-15	15 (18%)	41 (48%)	29 (34%)	0 (0%)	85*
2013-14	6 (10%)	30 (50%)	24 (40%)	0 (0%)	60
2012-13	11 (29%)	16 (42%)	11 (29%)	0 (0%)	38

*\*total case numbers reduced by 1 (as reported in 2014/15 Annual Report) as the outstanding case was later categorised as 'ineligible'.*

This year, 60% of complaints have either been upheld or partially upheld which is a slight decrease from 66% of complaints either upheld or partially upheld in the previous year.

**Table 3 - Stage 2 outcomes and comparisons with previous years**

Year	Upheld	Partially upheld	Not upheld	Open cases	Withdrawn	Total
2015-16	0	3	0	2	0	5
2014-15*	1	3	0	0	0	4
2013-14	1	1	0	0	0	2
2012-13	0	2	0	0	0	2

\*14-15 figures amended to reflect outcomes in 15-16.

During this year, 11 complainants were unsatisfied with their 15/16 Stage 1 response and asked to move to Stage 2 of the complaints process. (There were 16 requests for escalation in 14/15).

Of the 11 cases escalated in 2015/16, 8 had 'pre-stage 2' meetings with Senior Service Managers, 1 case has arrangements in progress, with 2 cases currently in progress at the formal Stage 2 investigation. 5 cases were resolved at or prior to the pre stage 2 and were therefore withdrawn. 3 formal investigations have been completed in year, and all 3 were partially upheld.

Stage 2 cases are completed by two independent assessors who are not employed by the authority and can provide an insight into the operational issues of the authority and provide critical feedback regarding cases.

There is recognition nationally by the LGO of increased requests for Stage 2 complaints. There has also been a recognisable increase in the level of complexity of complaints received. Of the 11 requests for stage 2, one case cited 28 points that they were dissatisfied with, 25 of which were not upheld and 3 only partially.

A local review of stage 2 requests in a sample of North West authorities shows no significant change in the number of formal stage 2 complaints answered between 2014-15 and 2015-16. This same pattern is reflected in Cheshire West and Chester's figures.

The Solutions Team and Childrens Services Senior Management Team meet regularly to review management of the complaints and escalations to Stage 2 and 3. There is a clear commitment to resolve complaints at Stage 1 across the service in order to improve customer satisfaction with the complaint process, as well as reducing the costs associated with escalation.

### **Stage 3 outcomes and comparisons with previous year**

There was one 2014/15 complaints case escalated to stage 3 in 2015/16 with an outcome of 'partially upheld'. This was the first stage 3 case handled by the Council. As of August 2016, there has been one 2015/16 complaints cases escalated to stage 3 of the complaints process, aiming to be completed by October 2016. The service will ensure that the necessary provisions are made within its overall budget setting to cover any anticipated costs for potential cases.



Where complaints are escalated, the Northwest Regional Complaints Managers (NWRCM) provides a database of Independent Reviewing and Interviewing Officers. The officers provide a comprehensive report with a recommendation at stage 3 or a referral to the Local Government Ombudsman.

The NWRCM group have reported that a number of authorities have completed several stage 3 complaints over the last year and it is therefore expected that Cheshire West and Chester will likely follow a similar route in future years.

## 2.5 Breakdown of complaints received by Service Area

Table 4 below shows a breakdown of complaints received by each service area.

**Table 4**

Service Area	Numbers of Complaints Per Year			
	2015-2016	2014-2015	2013-2014	2012-2013
<b>Children in Need</b>				
Winsford	6	16	17	11
Chester	15	8	10	5
Ellesmere Port	19	13	7	6
<b>Children in Care</b>				
Winsford	7	5	5 + 1*	2 + 1*
Chester	4	18	10	3
Ellesmere Port	1	3	3	0
<b>Leaving Care</b>	6	5	3	4
<b>Children with Disabilities</b>	7	8	4	1
<b>Provider Services</b>				
Fostering	0	2	0	2 + 1*
Adoption	0	1	0	0
<b>Integrated Early Support</b>	1	1	1	0
<b>Safeguarding</b>	1	6	0	1 + 1*
<b>Contact and Referral Team</b>	1	0	0	0
<b>Total</b>	<b>68</b>	<b>86</b>	<b>60</b>	<b>38</b>

*\*multi-service 'shared' complaint covering two or more service areas*

The Children in Need (CIN) Team in Chester have had an increase from the previous year's 8 to cases to 15 this year. Of the 15 complaints received, 3 were upheld; 5 were partially upheld and 7 not upheld. No cases requested progression to stage two of the process. It is felt that the complexity of cases in the Chester area has led to an increase in the number of complaints received in this Locality. However, the increase in use of agency staff in the latter part of 2015-16 may also be a contributing factor.

The Children in Need (CIN) Teams in Ellesmere Port have also had an increase in the numbers of complaints from 13 to 19 cases. Of the 19 complaints received, 0 were upheld; 7 were partially upheld and 12 not upheld. 3 cases requested progression to stage two of the process, of which 1 was declined as ineligible, 1 was withdrawn and 1 has completed the stage 2 process with an outcome of partially upheld. This team received the highest number of complaints, but also the highest number of compliments (see section 3.1).

The Children in need Team in Winsford experienced a reduction in the number of complaints from 16 down to 6 which is positive and noted.

All teams have taken a proactive approach to making customers aware that they have the right to complain, which has contributed to the volume increase.

A further factor which can generate complaints is 'parental avoidance' where parents will not take responsibility for their own behaviour; do not want the involvement of Social Care; and seek to criticise the Social Worker(s) that challenge them. This is increasingly becoming a feature of the complaints we are answering, specifically those cases where social care have legally intervened to protect children or there are acrimonious relationships within families.

These complaints are dealt with as per the statutory process but customers may be informed that they are subject to 'managed contact' if their behaviour becomes persistent or unreasonable. This means that their contact will be dealt with via a single point of contact during the course of their complaint or until they moderate their contact/behaviour. It does not impact on their statutory rights to make complaints or receive services but reduces the impact of their behaviour on service provision.

Recent changes in case law and the national and media interests in adoption could explain the complaints in the Children in Care teams. The Council maintains a child-focussed approach to improve outcomes for children and on occasions this means that we issue care proceedings. There is a robust system for determining if this is appropriate and the cases are tracked for timeliness. Inevitably, the decision to issue proceedings will often lead to challenge. These are managed as sensitively as possible, although sometimes the complaint cannot be avoided.

## 2.6 Breakdown of complaints received by Subject

By their nature, complaints are specific to the circumstances of the individual and cover a wide range of individual experiences and often relate to more than one aspect of a service that has been received. Complaints received by the Authority have been classified on the basis of the 'primary' area of concern (subject) raised by the complainant.

Detailed below are the numbers that fall within each category:

**Table 5**

<b>Complaint Subject</b> (primary area of concern)	<b>2015-2016</b>	2014-2015	2013-2014	2012-2013
<b>Standard of Service Delivery</b>	<b>22</b>	23	31	16
<i>Inaccuracies in assessments</i>	0			
<i>Lack of support</i>	14			
<i>Failure to investigate concerns</i>	3			
<i>Issues with contact arrangements</i>	5			
<b>Social Worker</b>	<b>17</b>	27	20	10
<i>Allegations of Misconduct</i>	11			
<i>Issues with Attitude / Behaviour</i>	6			
<b>Communication</b>	<b>10</b>	25	3	6
<i>Lack of response</i>	7			
<i>Late / missing reports</i>	2			
<i>Cancellation of appointments</i>	1			
<b>Child Protection Issues</b>	<b>3</b>	1	0	1

Financial Issues	0	2	2	3
Accommodation/Placement Issues	6	3	0	0
Adoption	1	0	0	1
Fostering	3	3	2	0
Eligibility for Service / Unhappy with Social Care involvement	6	0	2	0
Data Protection Issues	0	2	0	1
<b>Total</b>	<b>68</b>	<b>86</b>	<b>60</b>	<b>38</b>

In previous years, complaint categories regarding 'standard of service delivery' and 'Social Worker attitude/behaviour' were high in volume, and did not have a further breakdown of the specific issues involved to aid learning and development of the service. Improvements in category recording and liaison with the customer have been used to better identify their specific reasons for complaining under these two categories, as well as complaints about 'communication' issues.

Standard of Service Delivery remained consistent this year, but high in the 'lack of support' sub-category. (3 not upheld, 7 partially upheld, (3 went to stage 2), 4 upheld.)

Lack of Support complaints were received about the following issues:

- Inadequate financial support
- Insufficient respite care
- Earlier intervention from social care required
- Lack of advice and assistance
- Ignoring concerns
- Insufficient contact from the service

In relation to complaints about Social Workers, there has been a positive reduction in complaint numbers. In addition only 7 of the 17 complaints received in this area were either upheld or partially upheld. A summary of the types of issues involved are:

- Attitude to needs
- Lack of support
- Lack of communication
- Preference shown for one parent over another
- Negative attitude of Social Worker

A significant difference in this year's figures is the reduction in complaints in relation to 'communication issues' this may be a positive result of learning from complaints where Team Meetings are used to review issues and take positive action towards improvement.

## **2.7 Complaint Response Times**

Of the 68 valid complaints, the department responded to 44 within the statutory timescales (20 working days).

The following tables give a breakdown of the responses that met the timescales at each stage of the complaints procedure, and a comparison with the previous three years.

**Table 6 - Complaint response times**

<b>Statutory time frames</b>	<b>2015-2016</b>	<b>2014-2015</b>	<b>2013-2014</b>	<b>2012-2013</b>
10 working days or less	<b>20</b>	16	20	11
20 working days or less*	<b>24</b>	25	20	16
Outside the statutory timescale	<b>24</b>	45	20	11
<b>Total</b>	<b>68</b>	86	60	38

\*(extension from 10 days for complex cases)

Overall, there has been an improvement in performance this year in meeting the statutory deadlines for complaint responses with 65% of cases answered in time.

This performance improvement is attributed to the improved working between the Solutions Team and Business Support Officers in locality teams to establish better monitoring of compliance with deadlines within the service, proactively highlighting due dates for draft and final responses, undertaking regular monitoring of caseloads, and following up cases when a slight delay in draft response is incurred. There is a close working relationship between the Director and Solutions Team. Where necessary the Solutions Team has assisted and worked with team managers in the service to offer challenge and ensure a quality response is produced on time.

The improved triage of complaints by the Solutions Team to redirect issues to be dealt with by the service as routine business where appropriate, rather than utilising the formal complaint process, has also contributed to the reduction in complaint responses outside of the statutory timescale.

More work is planned to improve compliance to a minimum standard of 85% within 2016/17.

The Authority remains committed to ensuring that the complaints process continues to develop and remains open, transparent and accessible to those who need to use it.

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

A service user may approach the LGO at any time. However, the LGO retains the right to refer all complaints by service users to the local authority where the authority has not had a chance to investigate a complaint through the formal complaints procedure. The LGO can also ask the local authority to reconsider a complaint where it feels that local consideration of the complaint has been inadequate. Alternatively, the LGO may call in a complaint to review and investigate directly.

The LGO's Review of Local Government Complaints 2015-16 contains the following headline messages:

- they received 19,702 complaints and enquiries, which is a similar level to the previous year
- they upheld 51% of detailed investigations, which has increased from 46% the previous year
- the area most complained about is education and children's services (53% upheld)

- they also saw the biggest increase in percentage terms (13%) in complaints and enquiries about education and children’s services

The most common recommendations made by the LGO for upheld complaints are:

- Apologies
- Financial payments
- Procedural change to improve services

In relation to Children’s Social Care Complaints, a statistic highlighted in the LGO report is that 68% of Safeguarding complaints are upheld, which is significantly higher than the overall average of 51% of complaints upheld.

The LGO stress that a higher volume of complaints does not necessarily mean a poorer standard of service. It may indicate a council’s open approach to listening to feedback and using complaints as early indicator of potential issues.

The number of cases referred to the LGO during this reporting period was:

Number of CSC complaints referred to the LGO in 2015/2016	6
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Referral of cases to the Local Government Ombudsman (LGO) has slightly increased from 5 cases in 2014/15 to 6 cases in 2015/16. This reflects the national position where complaint volumes have remained relatively stable compared to the previous year.

Of the 6 LGO closed cases referred in 2015/2016, 5 were not taken to investigation stage following assessment due to being ‘out of jurisdiction’, with 1 case upheld for maladministration and injustice for failure to progress to stage 2 of the complaints process.

## 2.9 Point of receipt for complaints within the authority

During the year, of the 68 complaint representations, 50 cases were received directly by the Solutions Team. A further 12 were received within the service area and the remainder via the Director/multiple contacts. A breakdown is shown in the following table which shows that the established systems for ensuring that complaints are directed to the Solutions Team for co-ordination are continuing to work well.

**Table 7**

Point of receipt	2015-16	2014-2015	2013-2014	2012-2013
Service Area	12	2	8	10
Solutions Team	50	82	48	24
Director	5	2	4	2
Chief Executive	0	0	0	1
Other	1	0	0	1
<b>Total</b>	<b>68</b>	<b>86</b>	<b>60</b>	<b>38</b>

## 2.10 Method by which complaints were lodged with the authority

**Table 8**

Method of receipt	2015-2016	2014-2015	2013-2014	2012-2013
Letter	12	18	14	17
Telephone/verbal	10	16	5	5
Email	43	29	15	3
Online complaints	2	22	20	8
Feedback form	1	1	6	5
<b>Total</b>	<b>68</b>	<b>86</b>	<b>60</b>	<b>38</b>

There has been a marked increase in the number of complaints received by email this year, which could be a reflection of increased awareness of the complaints service and a preference by customer to use electronic methods of communication.

The feedback form is part of the information pack previously mentioned in this report that is provided to customers by the Social Worker during their first visit and has an option for people to complete a form in writing; however this year has clearly seen email as the preferred option with 63% of complaints being emailed direct to the Social Care Complaints email address.

## 3.0 PROFILE/CATEGORY OF COMPLAINANTS

Equality data is not held by the Authority for Social Care complaints. We have, however, broken the data down by the complainant's profile according to gender for information.

**Table 9**

	2015-2016	2014-2015	2013-2014	2012-2013
Male	22	25	20	5
Female	37	45	35	27
Joint complaint	5	6	4	4
Other (non-individual)	4	0	1	2
<b>Total</b>	<b>68</b>	<b>86</b>	<b>60</b>	<b>38</b>

A summary of customer profile and type of customer interaction has shown the following:

**Table 10**

Person making the complaint	2015-2016	2014-2015	2013-2014	2012-2013
Child or young person being looked after or in need	1	2	4	2
Parent/s	55	57	43	23
Local Authority foster carer	3	5	0	1
Special guardian	0	0	0	0
Persons wishing to adopt	0	1	0	1
Persons with sufficient interest in child's welfare	3	10	6	8
Advocacy service	6	11	7	3
<b>Total</b>	<b>68</b>	<b>86</b>	<b>60</b>	<b>38</b>

We recognise that the number of complaints from Children and Young People is low which may mean that some complaints are not reaching us. The service will consider how to capture complaints from children and Young People and ensure that they are aware of their options to escalate matters if they choose to. However, the primary focus will continue to be on ensuring the early resolution of issues that are causing the child or young person concern.

#### 4.0 **COMPLIMENTS RECEIVED**

The Council welcomes positive or negative feedback from its users. A total of 46 compliments during the year, which represents a significant increase on the previous year's figures.

Year	2015-2016	2014-2015	2013-2014	2012-2013
No. of Compliments	46	14	20	21

A selection of compliments recorded is included below as examples:

*"I am writing this email as I would like to bring it to the attention of senior management of the social services department. XXXX was the case worker assigned to my XXXX of which the case was closed yesterday. I would like to express my thanks and in my point of view how professionally XXXX handled the case from beginning to end. A true professional in XXXX field of duty I wish XXXX well in helping other children and XXXX future."* – **Chester Children in Need Team**

*"We would like to take this opportunity to inform you of the recent service that we have received from Cheshire West adoption team and in particular our fabulous social worker XXXX. My name is XXXX and my husband is XXXX and we have a very positive story regarding adoption as follows;  
We first met XXXX at the start of our adoption journey back in June 2014, where XXXX led the 4 day training for all prospective adopters. XXXX passion for social work and XXXX dedication and hard work was clear to see from the outset. XXXX professionalism and people skills are excellent and we very much enjoyed the training, because of XXXX and all the support and advice XXXX gave XXXX was assigned to us for stage 2 of the process and we were delighted by the news and very much looking forward to working with XXXX. From XXXX hard work we were approved adopters within the 6 month timeline and only a few short months later a match for us was found within XXXX adoption team. XXXX ability to "do the right thing" and go above and beyond in all that XXXX does is a small part in what XXXX does on a day to day basis. XXXX even once sent an email reply to us at 5.30 am one morning! We have very recently had our adoption order granted, for picking up the phone to the order being granted has taken 15 months which is an incredible achievement from all involved. We just wanted to write to you to inform you of what an incredible job your team do and for XXXX to be recognised in some way. XXXX has made this process for us a smooth and seamless one as it could be and XXXX commitment to XXXX job is outstanding. Our XXXX is now in XXXX forever family and is thriving day by day and we just wanted to share our very positive adoption story with you. We really hope you will take the time to read this and do whatever you think is necessary to recognise XXXX in some way."* – **Provider Services – Adoption**

*“Don’t ever lose sight of how great you are at your job. I just wanted to say a massive thank you for all your help and support. You truly have been amazing.” - Provider Services - Fostering*

*“She has helped me become more confident regarding parenting and has taught me to be more consistent. XXXX has been an ear to listen when I have been feeling frustrated or confused and has given me excellent advice to tackle difficult situations. Her opinions have always been unbiased and she has encouraged me to follow my gut instincts. She has praised my achievements and taught me to focus on the important issues and let the minor ones go. XXXX is an amazing professional that has also become a good friend, she has helped me source the correct organisations, secure financial help and deal with the more complex issues of XXXX condition. My time with XXXX has been of huge benefit and a great learning curve.” – Children in Care Team- Ellesmere Port*

*“I am XXXX mum. Just to say my life has changed so much since XXXX became our social worker. Her passion for the job is amazing. XXXX has been our life she has also given me my son back. Her support has been immense her attitude understanding and support to each of us has been incredible, nothing is too much trouble. I don’t know where my life would have gone without her support. I wish I could do something for you all to say thank you. It takes special people to do a job like yours and I feel privileged to have had your support. I will never be able to forget how much XXXX has helped us.” - Winsford Children in Need Team*

Improving the capturing of positive feedback via compliments and sharing these regularly with teams helps to improve staff morale which can lead to improved attitude/behaviours and communication. This is a key part of how the service works, with a focus on team working and service improvement.

The importance of this was recently communicated to staff via a message from Gerald Meehan in his previous role as Strategic Director, emphasising that “it is just as important to recognise good practice and learn from it as well as dealing with complaints. If you receive a compliment please forward to the e-mail below on the global address book. All compliments for the service will then be logged and reported on to Management Team as well as complaints to provide the service with an accurate picture of what is working well, what isn’t and good practice so that we can improve and develop our service provision”. Social Workers are also asked to retain a copy of the compliment on their supervision file and send a copy to the Solutions Team.

#### 4.1 Breakdown of Compliments by Service Area

**Table 11**

Service Area	2015-2016	2014-2015	2013-2014	2012-2013
<b>Children in Need</b>				
Winsford	19	1	7	1
Chester	4	1	6	1
Ellesmere Port	2	7	4	13
<b>Children in Care</b>				
Winsford	1	0	1	0
Chester	3	0	1	1



Ellesmere Port	6	0	0	1
<b>Children with Disabilities</b>	3	0	1	0
<b>Provider Services</b>		0		
Fostering	4	1	0	3
Adoption	3	4	0	0
	0			
<b>Safeguarding</b>	0	0	0	0
<b>Contact and Referral Team</b>	0	0	0	1
<b>Total</b>	<b>46</b>	<b>14</b>	<b>20</b>	<b>21</b>

## 5.0 LEARNING AND SERVICE IMPROVEMENT

The Solutions Team will lead on an update to the Policy and Procedure Notes for Childrens Complaints handling in 2016-17, working with the service to ensure that the guidance available. The guidance will be current and of sufficient detail to allow all team managers in the service to be fully aware of the complaints procedure and understand their role and the responsibilities. In addition, and in response to the increasing number of stage complaints, the Solutions team will develop a Toolkit to support the Stage processes. This will include guidance for Social Workers who are involved with the investigation / panel, and a set of standard templates for use by the service and Solutions team in meeting the requirements of the complaints procedure with regard to reports and communication.

### 5.1 Learning from Complaints Cases

There have been a number of learning points from complaints cases which have led to service improvements, and the following examples highlight the changes made:

#### *Example 1:*

Partially upheld complaint received regarding a lack of communication from service regarding contact with children. As a result staff are encouraged to be creative in attempting to contact parents. Letterbox communication procedures were updated. In addition the need to ensure accurate addresses for birth parents was addressed in Data Protection training as well as the need to send copies of care planning minutes and reviews. Data Protection training was ongoing through 2015-16.

#### *Example 2:*

Partially upheld complaint was received from a young person who did not want to move as they were happy & settled. It was a GCSE year and they did not want to be unsettled. Team meetings were used to reinforce the importance of communicating thoroughly and also to be aware of stressful periods when considering options. Discussions took place within the team meeting that whilst we would implement processes in terms of family finding and agency carers in exceptional cases it would be raised with a Senior Manager.

#### *Example 3:*

The foster carer wanted a child moved on due to the child's behaviour as they felt it was unsafe to have another child in the house. Notice had been given but nothing has been done. The issue was raised in team meetings to ensure that social workers are aware of correct processes. Social Workers will now confirm the outcome of Resource Panels with carers on the day of their attendance, even if this

outcome is negative and that decision is being challenged. It was recognised that there should be effective communication between managers and the case was raised in the Senior Management Team to highlight the issue of sharing information consistently across the service.

*Example 4:*

Partly upheld complaint with regard to a five day delay in receiving a child's draft EHC plan. Clarification had been sought on how the decision had been made that the child would not benefit from another year at the current school. Also considered why the school were advised of the decision a couple of weeks before the family were formally notified. The service undertook a review of how they share information with families.

*Example 5:*

An upheld complaint highlighting telephone contact from a social worker where they had not explained their role, or the role of the Contact and Referral Team. As a result of the complaint, it was agreed that the induction procedures for new staff joining the Contact and Referral Team were updated to explicitly specify that all staff should explain their role, and that of their team, when contacting clients and gathering information in relation to contacts and referrals to the Local Authority.

## **5.2 Other Service Improvement Activities**

### Compliments analysis

The service has introduced a tracking process into the locality teams to manage and provide quality assurance to the complaints leaving the office, to ensure delivery of timely responses. Locality management teams actively review all complaints and themes which emerge on a fortnightly basis within our management teams which will continue as part of the planned improvements for monitoring compliance with complaints.

Complaints identified as complex should be reviewed by a senior manager before the draft is submitted for review by the Solutions Team. In addition the Director is informed of and keeps track of progress for all escalated complaints.

Letter templates continue to be used to assist managers to make sure that they have investigated all the appropriate areas of a complaint in a structured way and to support the delivery of standardised high quality response letters to complaints. This should ensure that no area of a complaint relating to a child or opportunity to learn is missed. The templates have also assisted new managers recently appointed in the teams. Existing templates will be reviewed as part of the Toolkit development.

All complaints continue to be forwarded to a Senior Manager to allocate within their service. This continues to improve accountability and oversight to streamline the process. Senior managers also approve all complaints before they are returned to the Solutions Team. Additional Local Government Ombudsman training sessions for Senior Managers and Business Support will be arranged now that the new structures for the service are in place.

To safeguard against a future escalation of complaints regarding 'communication' all Team Managers are to place 'good communication with service users' on the agenda of each Team Meeting.

Lessons learnt review sessions after stage 2/3 complaint outcomes known, with dissemination of relevant information and policy changes to the rest of the directorate.

## **6.0 FUTURE PLANS FOR COMPLAINT HANDLING**

The Authority continues to review and improve the approach to complaint handling, ensuring that the potential learning from complaints can better inform changes to working practice, policy and procedure, or training needs identification. The following actions have been identified for the current year to implement best practice and improve compliance rates across the Children's Social Care Complaints process.

- The Solutions Officer will work with the service to review and revise the Children's social care complaints policy and process and to look for opportunities to better align the process with the Council's other complaint handling procedures. As previously discussed, the aim will be to produce a toolkit to provide additional support and guidance for the stage complaints being received by the service.
- The Solutions Team will challenge the Learning Action Points within complaint responses where elements have been upheld or partially upheld with a view to ensuring that the identified action is broad enough to result in improvement through the service, and not just a specific direct action /remedy for each individual complaint.
- A regular review of Learning Action Points will now be undertaken by the Solutions Team on a quarterly basis. This will serve to highlight to the service the actions they have agreed to undertake, and the service will be requested to provide an update on those actions that have been implemented. The Solutions Team will challenge the Learning Action Points within complaint responses where elements have been upheld or partially upheld with a view to ensuring that the identified action is broad enough to result in improvement through the service, and not just a specific direct action /remedy for each individual complaint.
- The Solutions Team will continue to investigate the implementation of a new case management system for recording social care complaints. The aim is to identify a system that will result in improved workflow, reporting and caseload management.
- The Solutions Officer continues to act as co-ordinator for all complaints, providing an independent view, commenting and questioning where appropriate on the proposed response/outcomes, and working with the service to ensure the needs of the child/children are met effectively.
- The Solutions Team will continue to work with colleagues to identify effective ways to triage all correspondence to Director/senior managers and pull complaints into the system without delay.

End Report