

Children's Services Department

Annual Report on Social Care Complaints and Representations

2016/17

Executive Summary

The Annual Report is a public document, providing a mechanism by which the Children's Services Department (the department) can be kept informed about the operation and effectiveness of its complaints procedure and support learning from complaints. This document covers the reporting period 1 April 2016 to 31 March 2017.

The key findings within the report can be summarised as:

- This reporting period is the first complete period when Hampshire County Council's Children's Services Complaint Team (CSCT) was responsible for managing the Isle of Wight Council (IWC) Children's Services statutory complaint function. The 2016/17 Annual Report has a similar structure to those for Hampshire County Council. This is because from 25 January 2016 all statutory complaints for IWC's Children's Services have been recorded on the Hampshire County Council 'CSC Respond' database.
- There has been an overall increase in representations received in comparison to the previous reporting period (7%). Within this there has been a decrease in the number of representations managed as statutory Stage One complaints (39%).
- During the reporting period 30% of statutory Stage One complaints were responded to within the statutory timescales (10 working days with a possible extension to 20 working days).
- The average time taken for a stage one statutory complaint to complete is 13.4 days. This improvement is from 43.9 days taken in the previous reporting period however it still exceeds the statutory guidance.
- Of the complaints received in the reporting period 4 subsequently progressed to statutory Stage Two (1 of which was accepted at Stage Two on 28/03/17). At the end of the reporting period 3 of these complaints were waiting for allocation of an Investigating Officer and Independent Person.
- The majority of statutory complaints received were from parents (61%). The second largest group is young people. The majority of complainants receive a written response to their complaint. Since May 2016 this has been in the upheld/not upheld format (as already used for Stage Two and Stage Three complaints).
- Analysis of the nature of complaints, the social characteristics and the demographic of complainants is routinely carried out. There is no evidence of disproportionate representation of any vulnerable group.

The report also identifies 4 recommendations for CSCT or the wider Department to implement or monitor, as appropriate, during the 2016/17 reporting period:

The following recommendations have been identified for CSCT or the wider Department to implement or monitor, as appropriate, during the 2017/18 reporting period:

- Look to continue to widen the pool of independent providers willing to travel to the island for Stage Two investigations and Stage Three Review Complaint Panels
- Continue to monitor timescale compliance and build on good practise achieved in 2016/17
- Look to innovate and embed opportunities to resolve concerns before they enter the formal complaint process. This would be achieved by addressing some of the common issues that are indicators for reasons for complaints being made. These are known and can be further identified using the analysis contained in this report. In addition, expanding the appropriate use of the Case Concern approach to address and resolve matters will negate the need for them to enter the formal complaint process.
- Look to technology to further enhance working practises and provide efficiencies.

The full report follows.

1. Introduction

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

2. The Procedure

- 2.1 This report is focused on Social Care (statutory) complaints from or relating to children and young people, which are managed through the three-stage statutory process. These complaints relate exclusively to the Children and Families branch of the department. Non-social care (non statutory) complaints are responded to by the Nominated Complaints Officer within the Isle of Wight Council. These types of complaints are not included in this report.
- 2.2 In addition to the above, a separate complaint process is involved when responding to complaints that are specifically about the process, outcome or decision of Child Protection Conferences. The Children's Services Complaint Team (CSCT) has a specific role in Stage Two of the Local Safeguarding Children's Board (LSCB) complaint process.

3. Publicity and Information

- 3.1 Information about how to make complaints is available via the Council's website. Complaints can be lodged directly with the CSCT. Complaints can also be made verbally to Hantsdirect, where information is collected and the resulting e-form is then passed to CSCT.
- 3.2 The complaints leaflet 'Making a Complaint' was available during the reporting period. It explains how to make a complaint including for those who qualify under the statutory complaints process. These leaflets are shared as appropriate by children's services staff during visits to children and their families, through the NYAS advocacy service and are available in the children's services reception area in County Hall.
- 3.3 The Council's Corporate Complaints policy and procedure is followed for all other children's social care complaints where the nature of the complaint dictates that it is not a statutory complaint.

4. Data and Analysis

4.1 Children's Services Complaints 1 April 2016 – 31 March 2017

- 4.1.1. This reporting period is the first complete period when Hampshire County Council's CSCT was responsible for managing the IWC Children's Services statutory complaint function. The 2016/17 Annual Report has a similar structure to those for Hampshire County Council. This is because from 25 January 2016 all statutory complaints for IWC's Children's Services have been recorded on the Hampshire County Council 'CSC Respond' database.
- 4.1.2. Hampshire County Council's 'CSC Respond' database was fully operational during the reporting period 1 April 2016 to 31 March 2017.

4.2 Representations

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

Table 1a: Representations received

Type of representation	Number
Statutory	
Complaint	31
Pre-complaint (to statutory Stage 1 complaint)	0
Area initiated complaint	1
Refused	1
Total statutory representations	33
Other	
Professional to Professional Complaint	0
LSCB	1
LGO	2
Case Concern	6
Miscellaneous	1
Compliment	0
Hantsdirect handoff	0
Request for info	0
Ad Hoc	16
Total other representations	26
Total representations	59

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

Refusal reason	Number
Statutory	
Court Proceedings	0
No PR	0
Not in Best Interest/Age of Child/YP	0
Out of Time	0
Outside of Remit	1
Tribunal/Court Proceedings	0
Total statutory refusals	1

4.3 Number of complaints

There has been an overall increase in representations received in comparison to the previous reporting period (7%). Within this there has been a decrease in the number of representations managed as statutory Stage One complaints (39%).

- 4.3.1. Given the change in the way complaint data has been recorded (previous annual report was an amalgamation of two different processes and data collection methods) it is not possible to provide comparative data.
- 4.3.2. However Table 1a does illustrate a more varied approach to complaint management with 6 representations being responded to as case concerns. This illustrates a change to facilitating earlier resolution and therefore negating the need for matters to enter the formal complaint process. This approach is only considered when it is advantageous to the individual and/or in the best interest of the child concerned.

4.4 Timescale compliance

- 4.4.1. Depending on when it was received, a complaint can overlap reporting periods e.g. the response may be sent to the complainant in the current reporting period but it was received during the previous one. This accounts for any difference in numbers between tables in the report.
- 4.4.2. Table 2 on page7 relates only to statutory complaints, which are received directly to the Complaints Team or are forwarded by other recipients. Children's Services Officers sometimes respond directly to complaints they receive without the involvement of CSCT. In these instances teams are asked to provide the details of these to CSCT for inclusion in the relevant annual complaint report. Understandably and unfortunately, with the other demands placed on teams, this information is not routinely provided.

Table 2: Number of complaints received / progressed within reporting period (all complaints received in 2016/17 or completed in 2016/17)

Stage	Number	
Stage 1		
Total number of complaints	33	
- in 10 working days	10	(30%)
- in between 10 and 20 working days	20	(61%)
- in over 20 working days	3	(9%)
- average time to complete (days)	13.4	
Stage 2		
Total number of complaints	4	
- in 25 working days	0	
- in between 25 and 65 working days	1	(25%)
- average time to complete (days)	37	
Awaiting allocation at end of reporting period	3	(75%)
Stage 3		
Total number of complaints	2	
- in under 50 working days	1	(50%)
- in 50 working days	1	(50%)
- in over 50 working days	0	
- average time to complete (days)	38	

- 4.4.3. During the reporting period 30% of statutory Stage One complaints were responded to within the statutory timescales (10 working days with a possible extension to 20 working days).
- 4.4.4. 61% of statutory Stage One complaints were responded to within the upper time limit, but outside of the standard deadline of 10 working days. This is permissible within the guidance, though it is important that the 10 day extension is viewed as an exception rather than standard practise. 9% of statutory Stage One complaints were not responded to within the upper time limit of 20 days. This is an improvement from the 66% in the previous reporting period.
- 4.4.5. The average time taken for a Stage One statutory complaint to complete is 13.4 days. This improvement is from 43.9 days taken in the previous reporting period however it still exceeds the statutory guidance.
- 4.4.6. The timescale compliance and average time taken to complete statutory Stage One complaints was identified as an area of improvement from the previous annual report. As a result of efforts made by locality managers and CSCT a good level of collaborative working has been achieved and this is reflected in the improvement in timescale compliance. This aspect of complaint management will continue to be an area of focus.

- 4.4.7. Of the complaints received in the reporting period 4 subsequently progressed to statutory Stage Two (1 of which was accepted at Stage Two on 28/03/17). At the end of the reporting period 3 of these complaints were waiting for allocation of an Investigating Officer and Independent Person.
- 4.4.8. A further 2 requests to progress complaints were received, both from young people. In one the young person requested their complaint be placed on hold to wait the outcome of a Subject Access Request before continuing his complaint. The other young person has been reluctant to confirm his wish to go to Stage Two and therefore it has not been possible to engage with him in respect of the Stage Two process.
- 4.4.9. In respect of the Stage Two complaints the delays in completion were due to the availability of appropriate independent providers to undertake the Investigating Officer and Independent Person roles and workload pressure on CSCT.
- 4.4.10. The reason for delay in respect of both of the Stage Three complaints was because of the availability of the complainants, including several occurrences where the scheduled Complaint Review Panel had to be cancelled at short notice because of the complainants' unavailability. To adequately represent the timescales for the complaints that progressed to Stage Three, the start date has been recorded as the date the complainant agreed the date of the Stage Three Complaint Review Panel that actually went ahead.
- 4.4.11. The average time taken for CSCT to triage, analyse and process complaints was 5.1 days. This is a reduction from the previous reporting period (35.6). Whilst this reduction is welcome it exceeds the 3 working day target and is illustrative of the workload pressure within CSCT.

4.5 How complaints are made

- 4.5.1. The most popular method for making a complaint during the reporting period has changed from Complaint Form previously and is now via email (61%).

Table 3a: Method used to make complaints – how received

Method	Number
E-mail	20 (61%)
Letter	4 (12%)
Complaint Form	2 (6%)
E-Form	2 (6%)
Telephone (received by Hantsdirect)	4 (12%)
In Person	0 (0%)
Via LGO	0 (0%)
Text Message	0 (0%)
YP Complaint Form	1 (3%)
Total	33 (100%)

Table 3b: Method used to make complaints by young people – how received (subset of table 3a)

Method	Number
E-mail	6 (67%)
Letter	1 (11%)
Telephone	1 (11%)
YP Complaint Form	1 (11%)
Total	9 (100%)

4.6 Who Makes complaints

Table 4: Who makes complaints – received from

Received from	Number	Percentage
Parent/Adopter		
Parent	20	(61%)
Adopter	0	(0%)
Ex-Partner	0	(0%)
Partner	0	(0%)
Step-Parent	0	(0%)
Total Parent/Adopter	20	(61%)
Non-Parent Relative		
Grandparent	3	(9%)
Sibling	0	(0%)
Other Relative	0	(0%)
Total Non-Parent Relative	3	(9%)
Foster Carer/Prospective Foster Carer		
Foster Carer	1	(3%)
Private Foster Carer	0	(0%)
Prospective Adopter/Foster Carer	0	(0%)
Prospective Foster Carer	0	(0%)
Total Foster Carer/ Prospective Foster Carer	1	(3%)
Service user		
Service user (adult)	0	(0%)
Service user (young person)	9	(27%)
Total Service User	9	(27%)
Professional	0	
Head Teacher	0	(0%)
Health Staff	0	(0%)
Other Agency	0	(0%)
Other IWC Staff	0	(0%)
Other Professionals	0	(0%)
Total Professional	0	(0%)
Advocate	0	(0%)
Miscellaneous		
Birth Parent of Adopted Child	0	(0%)
Friend/Neighbour	0	(0%)
Other	0	(0%)
Total Miscellaneous	0	(0%)
Unknown	0	(0%)
Total	33	(100%)

- 4.6.1. The majority of statutory complaints received were from parents (61%). The second largest group represented in table 4 is young people. The majority of complainants receive a written response to their complaint. Since May 2016 this has been in the upheld/not upheld format (as already used for Stage Two and Stage Three complaints).
- 4.6.2. To support the new model there is a structured template letter available to assist managers when using upheld/not upheld to investigate and respond to Stage One complaints. This can be used, when and if appropriate, depending on the circumstances of the complainant. Other methods are used at the discretion of the manager involved including telephone calls and face to face meetings. In these instances the call/meeting is usually followed by a letter or email to the complainant confirming the outcome.

4.7 Nature of Complaints

- 4.7.1. Table 5a below shows the nature of the complaint received from both adults and young people during the reporting period.

Table 5a: Nature of complaints

Nature	Number
Application of Policy	0
Assessment Outcome	0
Assessment Process	2
Change of Placement Decision	2
Change to Service	0
Delay in Provision of Service	1
Finance	0
Funding	1
Non Fulfilment of Duty	9
Policy	0
Poor Communication	2
Professional Conduct	3
Quality of Service	9
Refusal of Service	2
Safeguarding	0
Other	2
Unknown	0
Total	33

- 4.7.2. Table 5a shows that the most frequent nature in respect of statutory complaints is Quality of Service and Non Fulfilment of Duty. Together these categories account for 54% of the total.
- 4.7.3. Table 5b on page 11 shows the nature of complaints made by young people with 44% being about Non Fulfilment of Duty. Complaints raised by young people provide an insight into young people's views of the effectiveness of the Council's corporate parenting role.

Table 5b: Nature of complaints by young people and children (subset of table 5a)

Nature	Number
Change of Placement Decision	2
Non Fulfilment of Duty	4
Professional Conduct	2
Quality of Service	1
Total	9

4.8 Service

Table 6a: Service complained about

Service	Number
Adoption/Permanence	0
Care Leavers	2
Child in Need	14
Children Looked After	7
Disabled Children's Team	6
Early Help Hub	1
Family Placement	1
Hantsdirect / Out of Hours	0
Independent Reviewing Service	0
Intensive Support Service (ISS)	0
MASH/CRT	0
Occupational Therapy	0
Not receiving a service	1
Reception & Assessment	1
Safeguarding	0
Specialist Residential Provision	0
YOT	0
Other/Unknown	0
Total	33

- 4.8.1. As would be expected, the largest number of complaints received concern core business areas for Children's Services (Children in Need, Children Looked After and Disabled Children) as set out in Table 6a above.
- 4.8.2. Complaints about safeguarding issues are appropriately aligned to the relevant service. Complaints about child protection conferences are managed in line with the LSCB complaint process.

Table 6b: Service complained about by young people (subset of table 6a)

Service	Number
Care Leavers	1
Child in Need	1
Children Looked After	6
Early Help Hub	1
Total	9

- 4.8.3. The service most complained about by young people was related to Children Looked After which suggests that the complaint process is accessible to young people for whom the Council is a corporate parent.

4.9 Resolution of complaints

Table 7a: Outcomes sought

Outcome sought - Statutory Stage 1	Number
Agreed Service Implemented	0
Apology	0
Apology & Explanation	1
Assessment / Review / Reassessment	0
Assurance of Non-Reoccurrence	0
Change Made to Contact Arrangements	0
Change of Social Worker / Worker	3
Compensation	0
Disciplinary Action Against Staff	0
Explanation	0
Financial Reimbursement	0
Improved Practise	0
Kept Informed by CS	0
Not Known/Specified	9
Other	2
Payment	0
Policy / Procedure Review	0
Remedial Action	0
Removal of Child Protection Plan	0
Request for Meeting	0
Request Fulfilled	18
Service Delivery	0
Training for Staff	0
Total	33

- 4.9.1 The main outcome sought was Request Fulfilled (55%). This covers broad matters for example provision of a specified action, for Children's Services to discontinue contact and for compensation. Knowing what outcome is sought is a good tool for resolution as whilst achievement of the desired outcome is not always possible (or desirable) it does provide 'common ground' for going forward and can also indicate the complainant's willingness to engage with Children's Services in respect of early resolution.

Table 7b: Outcomes sought by young people (subset of Table 7a)

Outcome sought	Number
Not Known	1
Not Specified	2
Request Fulfilled	6
Total	9

- 4.9.1 In common with adult complainants, the outcome young people are seeking is to have their specific request fulfilled.

Table 7c: Actual outcomes to complaints made

Actual Outcome - Statutory Stage 1	Number
Apology	1
Apology & Explanation	4
Assessment / Reassessment	0
Assurance of Non-Reoccurrence	0
Change of Social Worker / Worker	1
Complaint Refused	0
Complaint Withdrawn	0
Explanation	7
Financial Reimbursement	1
Meeting / Offer of a meeting	16
Other	2
Request Fulfilled	1
Not recorded	0
Total	33

4.9.3 The most frequent outcome for statutory complaints is the offer of a meeting with appropriate operational officer and/or manager. The next most frequent outcome is Explanation. This is the option selected on our database when no apology or remedial action is identified as a result of the complaint being made.

Table 7d: Actual outcomes to complaints made by young people (subset of Table 7c)

Actual Outcome - Statutory Stage 1	Number
Apology & Explanation	1
Change of Social Worker / Worker	1
Explanation	2
Financial Reimbursement	1
Meeting / Offer of a meeting	3
Request Fulfilled	1
Total	9

4.9.4 The majority of complaints are resolved at Stage One. After receiving a response to their original complaint, if a complainant remains dissatisfied and asks for their complaint to be escalated to the next stage of the process, in appropriate cases they are offered a visit from CSCT. During the reporting period, 1 visit was undertaken.

4.10 Local Government Ombudsman (LGO)

4.10.1 None of the statutory complaints received within the reporting period progressed to investigation by the LGO. However 1 complaint, received in the previous reporting period, was investigated by the LGO. The outcome/learning from this is covered later in the Annual Report.

5. Profile of complainants

5.1 It is helpful, in order to be able to support complainants, for CSCT to have a profile of who makes complaints. Collecting demographic data continues to be problematic.

Table 8a: Disability - all complainants

Disability	Number
Not Stated	32
No	1
Yes	0
Total	33

Table 8b: Disability – young people

Disability: complaints made by young people	Number
Unknown	8
No	1
Total	9

Table 8c: Gender – all complainants

Gender	Number
Not Stated	33
Male	0
Female	0
Male & Female	0
Total	33

Table 8d: Gender – young people

Gender: complaints made by young people	Number
Not Stated	9
Total	9

Table 8e: Age – all complainants

Age	Number
0 - 16	0
16 - 19	0
20 - 24	0
25 - 59	0
60 - 64	0
65 and over	0
Not Stated	33
Total	33

Table 8f: Age – young people

Age: complaints made by young people	Number
Not Stated	9
Total	9

Table 8g: Ethnicity – all complainants

Ethnicity	Number
Not Stated	33
Not Asked	0
White British	0
Other White	0
Asian/Asian British	0
Black/Black British	0
Mixed	0
Other Ethnic Group	0
Total	33

Table 8h: Ethnicity – young people

Ethnicity: complaints made by young people	Number
Not Stated	9
Total	9

5.2 The above tables contain data that is self reported by complainants. In respect of young people it is possible to confirm age and also identify legal status as recorded on ICS (Children's Services electronic records system) at the time of making their complaint.

Table 9a: Age of young people who make a complaint - sourced from ICS

Age Group	Number
Under 10yrs	1
11-16yrs	5
17-18yrs	3
Total	9

Table 9b: Legal status of young people who make a complaint - sourced from ICS

Status of YP	Number
Child in Care	6
Child in Need	2
Care Leaver	1
Total	9

6. Advocacy services

- 6.1 The opportunity to have an advocate is made known to children and young people when they make a complaint. During the reporting period the IWC had a contract with the The National Youth Advocacy Service (NYAS) to provide advocacy support. Of the 9 complaints made by young people 6 were made with the assistance of a NYAS advocate. In addition the involvement of a NYAS advocate in a longstanding complaint proved valuable in both supporting the young person to both express their ongoing concerns and also to understand what was being offered in resolution.

7. Learning from complaints and service improvements

- 7.1 Complaints can provide both opportunities for learning and indications that Children's Services practise is appropriate. In some instances specific areas for service improvement are identified. Of the 33 complaints received, the investigating manager identified specific learning opportunities in 2 of these. Both were the need for changes in individual practitioner practise.
- 7.2 In respect of some complaint learning, opportunities come to light that are related to the complaint but not identified as the result of fault. An example of this occurred in one of the complaints that progressed to Stage Two.
- 7.3 Learning identified at Stage Three has been taken forward by the service however it is not possible to publish the information in this report as it will be possible to identify the complainant from the information provided.
- 7.4 In other instances the resulting learning is directly attributable to errors identified as part of the complaint investigation. This was the case with the complaint that was investigated by the Local Government Ombudsman in the reporting period. Although the LGO did not make any specific recommendations as to how the learning should be implemented.
- 7.5 The learning from individual complaints is, as a point of good practise, usually included in the response letter to the complainant by the senior manager who also implements and monitors any required actions. However, the workload pressures

within CSCT and IWC Children's Services Department has impacted on the ability to progress some of the learning.

8. Effectiveness of the complaints procedure

- 8.1 Promoting a positive model of complaints handling helps to ameliorate some of the negativity naturally generated by complaints both for complainants and Children's Services staff. The current approach, whilst operating within the constraints of the guidance, is flexible and allows for an individual response to each complaint. Areas for improvement have been identified and are provided in Section 9. The unpredictability of complaint handling, in respect of demand and complexity, continues. This impacts and places demands on CSCT and on operational managers when investigating and responding to complaints, disseminating learning and addressing core causes of complaints.
- 8.2 Attention to the latter is crucial if overall numbers of complaints received and, subsequently, escalated (through the stages and to the LGO) are to be appropriately reduced in numbers. Whilst a proportionate reduction in numbers of statutory complaints in particular is desirable, the impact on Children's Services core business (of a reduction in numbers in both financial cost and operational manager time) is essential in the current climate.
- 8.3 Any representations that identify a safeguarding issue are immediately referred to back to the correct service for appropriate action. Once the safeguarding concerns have been reported, CSCT take management of any remaining matters that can appropriately be considered within the complaint process.
- 8.4 Difficulty in accessing suitable independent providers to fulfil the Investigating Officer (IO), Independent Person (IP) roles required to undertake Stage Two investigations has continued to be an issue. This is compounded by the workload pressure within CSCT. The complex nature of the majority of complaints that escalate to Stage Two and the time taken to complete investigations (caused in part on occasions by complainants themselves) is adding to the delays in escalating complaints.
- 8.5 The statutory guidance states that once a complaint has entered Stage One the local authority is obliged to ensure that the complaint proceeds to Stage Two (and subsequently Stage Three if that is the complainant's wish). This continues to be an issue in some cases as generally where resolution is possible this is achieved before complaints reach Stage Two. Therefore the complaints that progress usually do so because there is an unbridgeable distance between the view of the complainant and Children's Services, in terms of what parties believe is accurate in relation to events and possible in terms of resources and regulation. By definition these complaints are complex in nature and often unresolvable.
- 8.6 One indication of the complexity of complaint handling is the size of complaint record held on the CSCT database. A 'standard' complaint would usually generate 5 pieces of correspondence (termed as 'entries') from start to completion. Within the reporting period, a review of the size of files identified that:
- 16 complaints generated 10+ entries

- 5 generated 20+ entries
- 2 generated 30+ entries
- 4 had over 50 entries

8.7 Each entry represents either a piece of correspondence (such as email, letter, note of telephone call, reports) from or to CSCT in respect of the individual complaint, directly from the complainant, from colleagues, independent providers or the Local Government Ombudsman.

9. Recommendations

9.1 2015/16 recommendations – progress

- *Enhancements to Annual Report :- CSCT to continue to make use of Hampshire County Council's 'CSC Respond' database for recording all statutory representations and complaints in order to provide a greater breakdown and analysis of activity.*

Progress update:- This has been achieved however further refinements of both the complaint process for IWC Children's Services statutory complaints and the format of the annual report (including the provision of comparative data) would be desirable.

- *Improvement of timescale compliance and average time taken to complete to be a key area of focus as an area of improvement for 2016/17.*

Progress update:- This has been achieved. Consolidation of this improvement (especially given the pressures on services) requires that this remains an area of focus going forward.

- *Embed a high degree of collaborative working between locality teams and CSCT with regard to the management of statutory complaints.*

Progress update:- This has been achieved and has proved invaluable in appropriately addressing and, in particular, resolving matters that have become formal complaints. It has also proved key when concerns raised are responded to 'informally' (most being managed as Case Concerns) often enabling resolution negating the need for matters to enter the formal complaint process.

- *Look to capture more information in respect of learning from complaints both in terms of potential service improvements and complaint management.*

Progress update:- This has been achieved in part.

- *Look to continue to widen the pool of independent providers in respect of resourcing Stage Two investigations and Stage Three Review Complaint Panels.*

Progress update:- This has been achieved in part and the recently recruited independent providers have undertaken complaint work for IWC. However some issues in relation to travel to the IOW has meant in reality the number of available independent providers has stayed static.

9.2 Recommendations for 2017/18

- 9.2.1. The following recommendations have been identified for CSCT or the wider Department to implement or monitor, as appropriate, during the 2017/18 reporting period:

- Look to continue to widen the pool of independent providers willing to travel to the IOW for Stage Two investigations and Stage Three Review Complaint Panels.
- Continue to monitor timescale compliance and build on good practise achieved in 2016/17.
- Look to innovate and embed opportunities to resolve concerns before they enter the formal complaint process. This would be achieved by addressing some of the common issue that are indicators for reasons for complaints being made. These are known and can be further identified using the analysis contained in this report. In addition, expanding the appropriate use of the Case Concern approach to address and resolve matters will negate the need for them to enter the formal complaint process.
- Look to technology to further enhance working practises and provide efficiencies.

Appendix 1 - Glossary

Complaint

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

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

Case Concern

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

‘A concern that requires a manager’s response, however, is a matter that cannot appropriately be considered within the formal complaints process.’

Or

‘An operational / case matter which is current, has a ‘here and now’ impact and requires more immediate intervention.’

This is in contrast to a complaint which will nearly always have a historical element and, whilst significant, does not require immediate intervention.

Correctly identifying representations as concerns enables them to be passed swiftly to the appropriate Team Manager for action. The Team Manager has the discretion to respond in whatever medium they deem most appropriate i.e. letter, telephone call, meeting etc. If a non written response is selected the Team Manager assesses whether it would be appropriate to follow up with a written confirmation of the outcome to the customer. In all cases, the Team Manager provides the Complaints Team with a confirmation email and a copy of any written correspondence (with the customer) in respect of the outcome of the Case Concern.

In respect of Case Concerns the Complaints Team always sends an acknowledgment to the customer. In the acknowledgement it is explained why the matter they raise is being managed as a Case Concern and what action they need to take, should they remain dissatisfied (after having received the Team Manager’s response).

Pre-complaints

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

Area Initiated

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

Appendix 2 – The complaints process

Social care complaints process

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

Stage 1 – Local Resolution

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

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

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

Stage 2 – Investigation

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

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

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

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

Stage 3 - Review Panel

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

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

This is the end of the Department's complaints process

Local Government Ombudsman (LGO)

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

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