

**Directorate for Children and Young People**

# **Social Care Representations for Children, Young People and Others**

**Annual Report  
April 2013 – March 2014**

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## 1. Introduction

The annual report is an opportunity for Lancashire County Council's children and young people's services to share information on compliments, comments and complaints from the social care aspects of services. The complaints procedure for children and young people is covered by The Children Act 1989 and the Department for Skills and Education produced guidance, '**Getting the Best from Complaints**', (2006) which outlines the procedures. For more information click [here](#).

## 2. Customer Feedback Service

The Customer Feedback Service (CFS) oversees the complaints process for children's social care (CSC). The team involved in complaint management are responsible for:

- Managing, developing, reviewing and administering complaints procedures and feedback
- Providing a statutory Complaints Manager function\*
- Keeping records of all complaints and the outcomes
- Promoting local resolution and liaising with complainants and the Designated Complaints Officers (DCOs)
- Exploring early intervention through disagreement resolution and mediation
- Appointment of Independent External Investigators, Independent People and review Panellists for complaints that progress
- Providing training for colleagues who deal with complaints
- Monitoring, reporting and quality assuring the complaints process
- Learning from complaints; identification of key themes and sharing best practice

\*This does not need to be provided by one person and can be delegated.

## 3. Complaints procedure

Children, young people, their parents and carers are eligible under The Children Act 1989 to make complaints. The procedure is open to those who are making a complaint on behalf of young person, where they are not able to make a complaint themselves or where they have asked the representative to act on their behalf such as an advocate. The Children's Society in Lancashire provides the advocacy service. In addition to meeting statutory requirements, the CFS aims to provide effective facilitation of the social care complaints procedures. This enables shared learning from complaints by identifying trends and any improvement changes to policy and / or processes that are necessary.

**'Getting the Best from Complaints'** defines a complaint as:

***“A complaint is a written or verbal expression of dissatisfaction about the standards of service provided by the Social Services Directorate, the actions of its staff, their failure to act, or delay in taking action, which affect a service user”.***

There are three stages to The Children Act 1989 complaints procedure:

- Stage 1** - Local resolution by the Designated Complaint Manager (DCO). To be done within 10 and 20 working days. This is where the vast majority of complaints are satisfactorily resolved.
- Stage 2** - Formal investigation by an External Investigating Officer (EIO) and Independent Person (IP) who are appointed to undertake a formal investigation. To be done within 25 and 65 working days. The IP is appointed to ensure the investigation is conducted out fairly and fully. The investigation report is received by the DCO, who acts as Adjudicator for the response.
- Stage 3** - A Review Panel is appointed and comprises three, independent panellists. Panels are chaired by an EIO and include two IPs. Panels to be held within 30 working. The Panel will consider whether the council has dealt with the complaint fairly and consider the investigation reports conclusions and recommendations. Findings are reported to the Director responsible for children and young people's social care.

As emphasis is on satisfactory resolution at a local level, mediation can be a valuable intervention to prevent the escalation of complaints to Stage 2 and 3. In 2013-14, mediation was used on six occasions and successfully prevented the escalation to Stage 2. Engagement with mediation does not affect a complainants statutory rights.

Once complainants have exhausted The Children Act 1989 procedures, they can opt to take their complaint to the Local Government Ombudsman (LGO), who will consider an investigation the complaint. [Website - Local Government Ombudsman](#)

The procedure for non-social care complaints is via the county council's corporate complaints procedure: To view this document click [here](#).

#### **4. What is important to complainants?**

In 2013-14, views from complainants and dialogue with EIOs confirmed the importance of:

- Prompt response to phone calls and letters

- Keeping complainants informed of progress
- Clear focus on the views and needs of children and young people
- Respect and acknowledgement of distress
- Willingness to engage with complainants as a priority
- Excellent communication with colleagues, services and agencies
- Satisfaction by complainants their views have been listened to and acted upon

In 2013-14, 22 complaints were received from children and young people compared to 11 in 2012 – 12. This increase is not necessarily a reflection of an increased level of dissatisfaction and could have arisen as a result of improving engagement and participation with children and young people by being more proactive via the Children in Care Council and also the work undertaken by the Children's Society in Lancashire.

## **5. Independent investigation**

For each complaint that is progressed to Stage 2, an EIO and IP are appointed. The use of independent people in complaints investigation aims to reassure complainants that the process is impartial. The IPs role is to verify that the investigation is open, transparent and fair.

EIOs are paid on a fee per case basis and IPs are deployed on a voluntary basis. Both have significant knowledge and experience of children and young people's social care practice and a list is maintained by the North West Managers Complaints Group who quality assure practitioners are up to date with CPD etc.

The Complaints Manager monitors the performance of EIOs and IPs. Following all Stage 2 investigations, feedback is sought from the DCO and others involved in a complaint and shared with EIOs / IPs.

## **6. Cost of complaint investigations 2013-14**

In 2013-14 there were 4 x Stage 2 investigations which cost £6500.

## **7. Advocacy**

There is a statutory requirement to provide advocacy for children and young people who are looked after and who wish to make a complaint. The Children's Society in Lancashire has been commissioned to provide advocacy services and the provision for East Lancashire has been sub-contracted to N Compass. Both organisations have experienced advocates who specialise in working with children and young people. During 2013-14, advocates were involved in supporting 20 complaints.

Much has been done to publicise, promote and raise the profile of the complaints procedure and that advice and support is available from advocates. Information is available on the internet [here](#)

## **8. Publicity and information**

Information on the complaints procedure and process is available on the CFS [website](#) and leaflets are widely available on advising how to make a complaint. Social workers, Independent Reviewing Officers, residential homes, advocacy services, Fostering and Adoption Services, Youth Offending Team, the Children in Care Council are all aware of the procedures and have access to publicity.

Publicity is reviewed and children and young people are encouraged to participate and be consulted, to ensure information is age appropriate.

Information can be made available to children, young people, their parents and carers in Braille, large print, CD on request to the CFS.

## **9. Local Government Ombudsman**

The Local Government Ombudsman (LGO) for England investigate complaints about local authorities which fall under their procedures. If a complainant remains dissatisfied with how a complaint has been dealt with by a local authority complainants can contact the LGO to ask for an investigation.

For 2013 -14, 22 enquiries were received from the LGO for the Directorate including:

- Three premature complaints which hadn't been put through the Children Act 1989 procedures
- Five complaints were not pursued as they were in relation to matters considered before the courts
- Three complaints were not pursued and the LGO was satisfied that the county council had investigated the complaint satisfactorily
- Two complaints were not pursued due to the time passed (12 months or more)
- Three complaints where it was decided the complaint was not significant enough to warrant an investigation
- Three complaints where an investigation began but was discontinued due to an early remedy being provided or there was no evidence of fault
- Three complaints where the county council was found to be at fault

The county council was ordered to pay a total of £500 for 'time and trouble' redress.

In one case where fault was found was the county council were instructed to pay for an appropriate Residence Order Allowance with a back payment of £44,600 being paid.

Themes investigated by the LGO were:

- Information provided to court
- Failure to pay residence order allowance
- Failure to respond appropriately to a referral
- Failure to support during relationship breakdown
- Contact arrangements
- Failure to investigate concerns about a child's welfare
- Delay in assessing and producing a SEN statement
- Failure to reimburse for incurred costs for an extension
- Conduct of a Child Protection Conference
- Social work practice
- Failure to safeguard a child
- Inaccurate records

## **10. MPs / County Councillor enquiries**

There are occasions when MPs and County Councillors become involved as a result of a constituent making a complaint. A 'priority correspondence' protocol exists on how to deal with complaints made by MPs / County Councillors. Enquiries often relate to a specific case, policy or a decision and in view of the sensitive nature of information and there are limits regarding what can be shared under the Data Protection Act.

In 2013-14 the following priority correspondence was received:

- 414 pieces of correspondence of which 131 were concerns relating to aspects of children's social care
- Of the 131, 18 complaints came under The Children Act 1989

## **11. Learning from Stage 2 and LGO complaint investigations**

The findings from Stage 2 investigations provide the opportunity for a dialogue among professionals; this enables and facilitates learning from complaints to reduce similar occurrences. The conclusions and recommendations from all Stage 2 and LGO investigations are shared with all senior managers who have a role in social care complaints handling.

In 2013-14, four Stage 2 investigations were undertaken on behalf of the county council and the following improvements were implemented:

- Sharing the findings of a report with all senior managers to learn today from events 25 years ago
- Reviewing the guidance on complaints made by CLA and redistributing
- Monitoring complaints from CLA, which are now escalated to the Head of Children Social Care to prevent delays
- Strengthened a guidance note on freezing and deferring decisions to ensure the statutory guidance is met; redistribution and promotion to management teams
- Advised teams that notes or minutes of all meetings connected with children and young people should go out within 10 working days of the meeting
- Reviewed of protocol for the North West local authorities safeguarding designated officers, to ensure early referral of pregnant women when moving into other local authorities where there are safeguarding concerns
- Liaised with the county council's Legal Services to ensure that advice is properly designated in documents to prevent inadvertent sharing in Subject Access Requests
- Remedies and redress have been implemented in two cases

As a result of LGO investigations in 2013-14, the county council has:

- Rewritten is Residence Order Policy; in January 2014 a change in policy was implemented regarding the payment of university fees for young people in the care of the local authority. Four young people had expressed a wish to attend university as part of their pathway plans and they were refused at Stage 1 and the four made a request for a Stage 2 investigation. As a result of one young person contacting the LGO, a remedy was provided so the investigation discontinued. The policy was subsequently changed to be implemented from 0

Lancashire is an active member of the North West Managers Complaints Group (NWCMG). The group meets bi-monthly and its aim is to provide a forum where statutory Complaints Managers can discuss, learn and share best practice regarding social care complaints. There are opportunities to develop and implement local practice standards, discuss performance and problem solve. The Group is also consulted on proposed changes to legislation.

## **12. Continuous improvement**

In 2013-14, there have been a number of developments to corporate systems, the most significant has been the replacement of the social care database, ISSIS with Liquid Logic. The new system is more efficient and able to handle larger volumes and multiple-users without losing efficiency.



In July 2014, a social care complaints handling system went live and this provides a database to manage complaints. It is more efficient as the need for manual reminders of timescales isn't needed.

Both of these improvements in technology have reduced administrative time spent monitoring complaints.

Four, '**Complaints Made Easy**' courses took place, which is aimed at CSC managers, Team leaders, IPs and others who are involved in complaints. Evaluation and feedback from participants suggests that the course had benefited attendees, with 75% saying their knowledge had improved regarding complaint handling.

*"I felt the course was really good and the knowledge I was given was very positive. I have fed this back to my team and can offer the support to my colleagues"*

*"I have increased awareness of using feedback provided, both negative and positive, to help evaluate practice and look at ways to improve it."*

The one day course provides an overview of The Children Act 1989, 'Getting the Best from Complaints' guidance and the work of the Customer Feedback Service.

### **13. Leadership and management of the C&YP complaints service**

In March 2014, the previous manager left the county council taking voluntary redundancy so another manager agreed to step into the role on an interim basis. This has provided an opportunity to review CFS processes, practice and to identify opportunities for continuous improvement and learning.

The top priority is to look at how the increase in Stage 2 investigations can be reduced; from 1 April – 31 July 2014, 10 Stage 2 investigations had been or were underway at an approx. cost of £25,000 compared to four in 2013-14 costing £6500.

The main reason for the increase is that since November 2013, the LGO has changed its practice regarding their investigations of complaints where a Stage 2 local authority investigation had not been carried out. The current practice is that early referrals are being refused and local authorities are instructed to carry out Stage 2 investigations prior to escalation to the LGO.

In an attempt to reduce expenditure on investigations, the following three remedies will be implemented:

1. As the emphasis is on local resolution at Stage 1, the CFS can strengthen its role to support DCOs by undertaking quality control of Stage 1 responses; this will ensure that all the points raised in a complaint are addressed prior to the response being sent.

2. Mediation has proven to be a positive intervention in reducing the escalation of complaints to Stage 2, so a second CFS team member will be trained in mediation to Level 3.
3. CSC team leaders, team managers and other relevant staff involved in complaints handling, should attend training. It is recommended that staff can attend as a refresh, particularly in those areas where the number of complaints is high and the number being progressed to Stage 2 is also high.

#### **14. County council transformation: a single service for social care complaints**

The county council is under pressure to reduce its expenditure and there is a need to reduce the workforce by 2,500 by April 2016. Both leadership teams of the Children and Young People and the Adult Services, Health and Wellbeing Directorate's agreed to merge the two separate services from 1 October 2014, providing one access point for members of the public who wish to make a complaint about social care for children, young people and adults.

#### **15. Contact us**

We can be contacted by phone / email / internet and letter:

Tel: 01772 - 530167

Email: [cypelluswhatyouthink.lancashire.uk](mailto:cypelluswhatyouthink.lancashire.uk)

Web: [www.lancashire.gov.uk](http://www.lancashire.gov.uk)

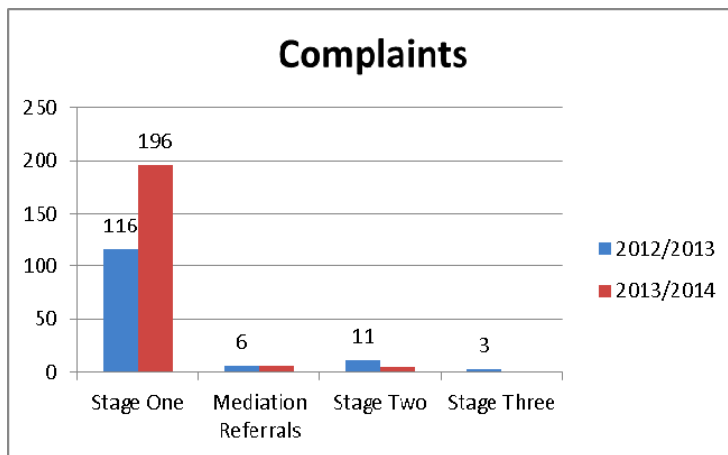
*Appendix 1*

**Performance**

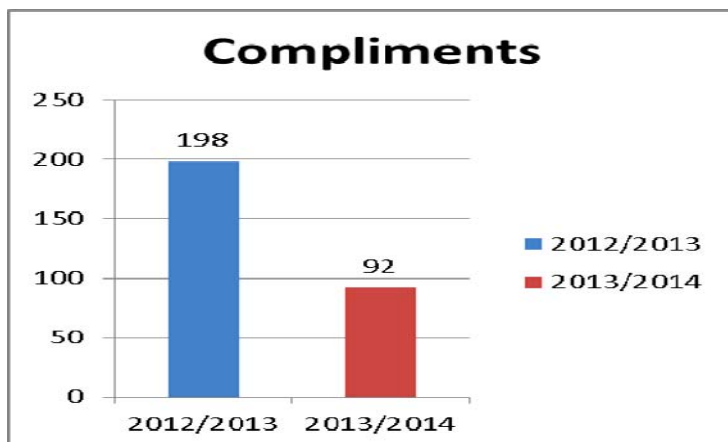
**How many complaints, compliments and comments were received?**

The total number of complaints, comments and compliments received in 2013/14 2014 was 196.

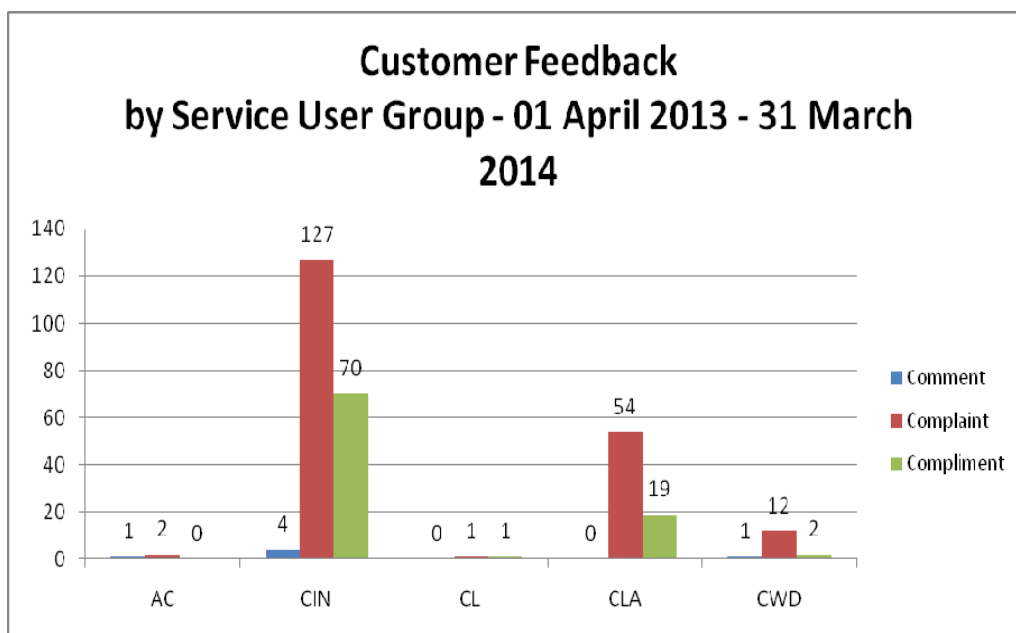
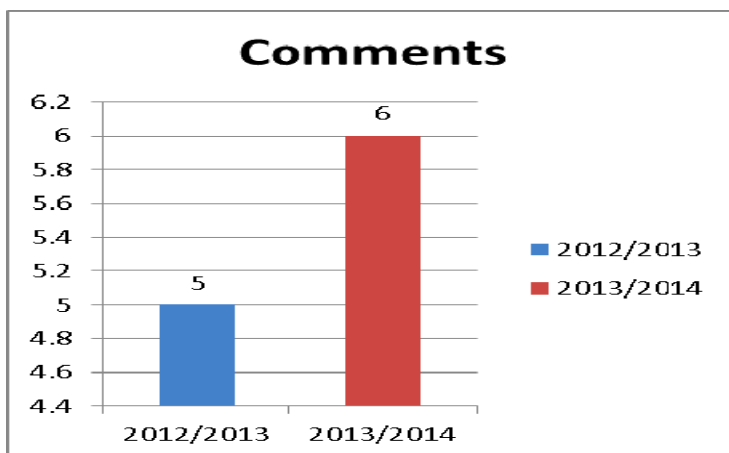
**Complaints 2012-13 and 2013-14**



**Compliments 2012 -13 and 2013-14**



## Comments 2012-13 and 2013-14



### Key

**AC=Adopted Child, CIN=Children in Need, CL=Child Leaving Care, CLA= Child Looked After, CWD=Child with Disabilities**

**Breakdown of comments, complaints and compliments 2013-14 and 2012-13**

**Breakdown of Feedback 2012 – 2013**

	<b>AC</b>	<b>CIN</b>	<b>CL</b>	<b>CLA</b>	<b>CWD</b>	<b><u>Total</u></b>
<b>Comment</b>	0	4	0	1	0	5
<b>Complaint</b>	1	53	1	51	10	116
<b>Compliment</b>	2	96	4	60	36	198

**Breakdown of Feedback 2013 – 2014**

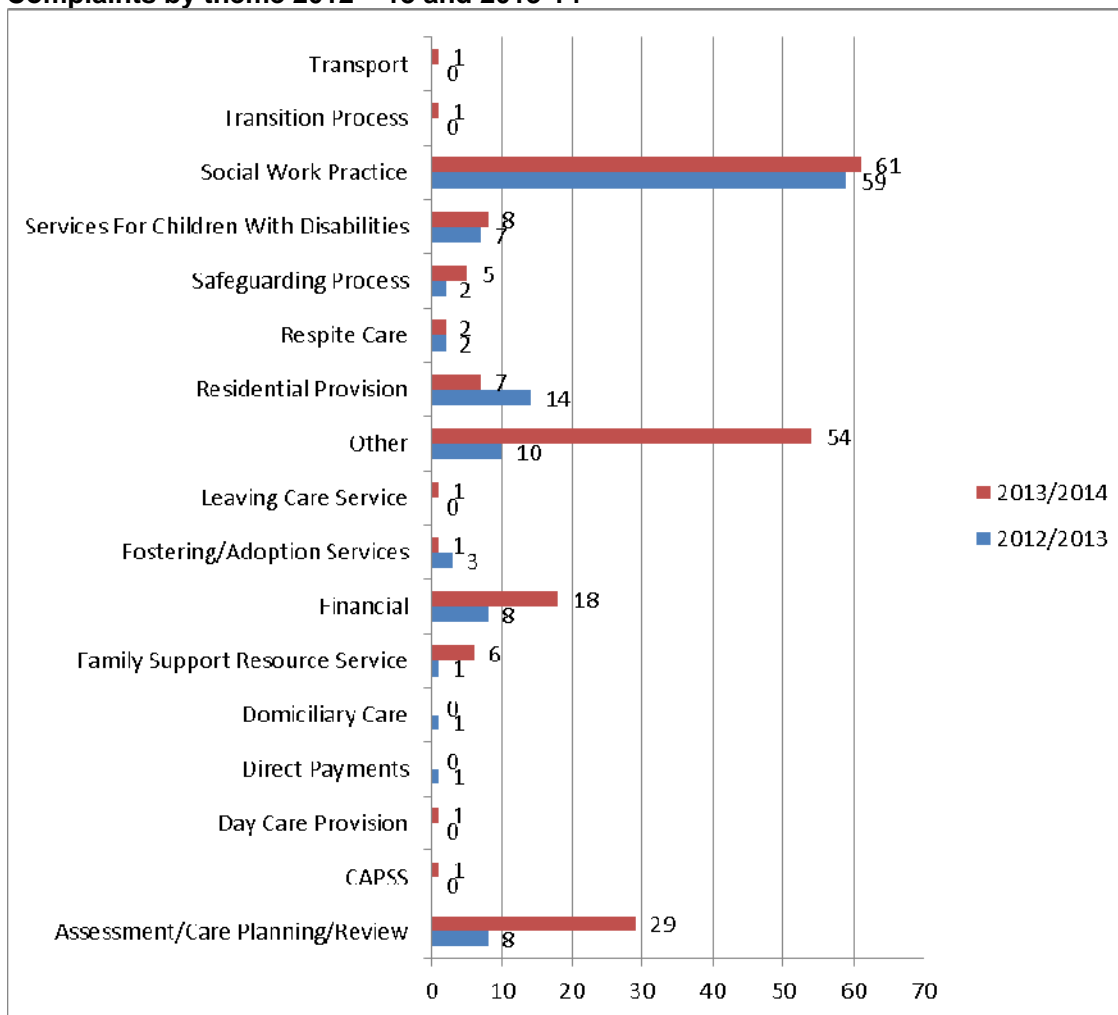
	<b>AC</b>	<b>CIN</b>	<b>CL</b>	<b>CLA</b>	<b>CWD</b>	<b><u>Total</u></b>
<b>Comment</b>	1	4	0	0	1	6
<b>Complaint</b>	2	127	1	54	12	196
<b>Compliment</b>	0	70	1	19	2	92
<b><u>Total</u></b>	3	201	2	73	15	294

**Key**

**AC=Adopted Child, CIN=Children in Need, CL=Child Leaving Care, CLA= Child Looked After, CWD=Child with Disabilities**

## What were complaints about?

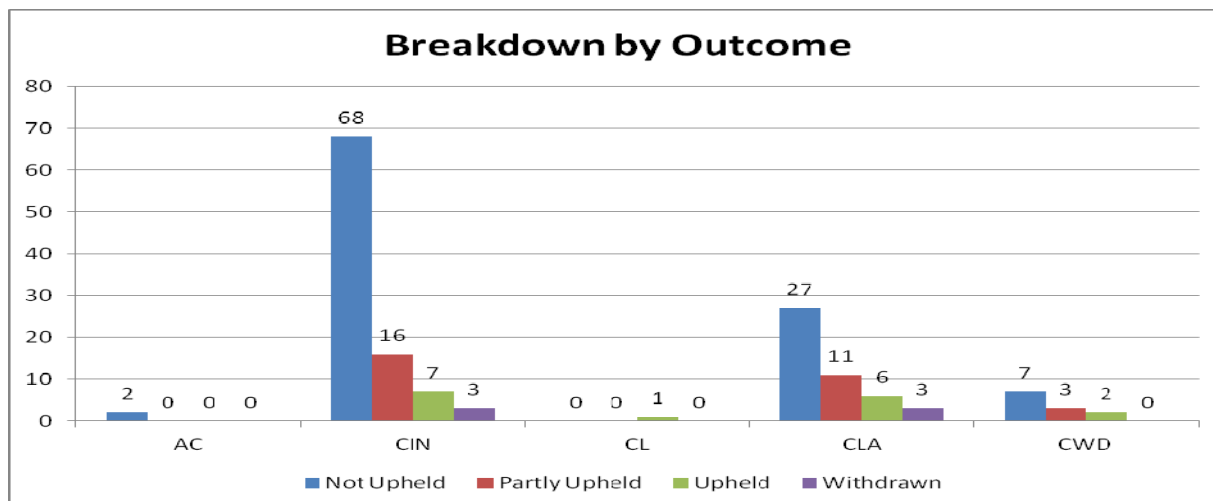
### Complaints by theme 2012 – 13 and 2013-14



The largest increase in complaints is with regard to social work practice, which has increased by 28% compared to 2013-13 from 98 to 125

Complaints have reduced for Respite Care / Fostering and Adoption and Children with Disabilities Services

**Table 4: Breakdown by Outcome 2013-14**



### Complaints and feedback

	2012-13	2013-14
<b>Complaints</b>	116	196
• External Investigations (Stage 2 CYP)	10	4
• Joint complaints	N/A	0
• Stage 3 Panels	3	0
• LGO	14	29
• Corporate*	51*	49
Comments	5	6
Compliments	198	92
<b>VIPs total</b>	371	414
• MPs	231	10
• other	140	73

**Table 5: Complaints volume by District 2013-14**

DCO Site	Comment	Complaint	Compliment	Total Feedback
Lancaster	1	24	3	28
<b>Fylde/Wyre</b>				
Fylde	0	10	3	13
Wyre	0	10	4	14
<b>Total</b>	<b>0</b>	<b>20</b>	<b>7</b>	<b>27</b>
<b>Preston</b>				
Preston	1	24	7	32
<b>Chorley/South Ribble/West Lancs</b>				
Chorley	1	16	6	23
South Ribble	0	19	3	22
West Lancs	0	11	7	18
<b>Total</b>	<b>1</b>	<b>46</b>	<b>16</b>	<b>63</b>
<b>Hyndburn/Ribble Valley</b>				
Hyndburn	1	21	34	56
Ribble Valley	0	4	5	9
<b>Total</b>	<b>1</b>	<b>25</b>	<b>39</b>	<b>65</b>
<b>Burnley/Rossendale</b>				
Burnley	2	29	18	49
Rossendale	0	4	2	6
<b>Total</b>	<b>2</b>	<b>33</b>	<b>20</b>	<b>55</b>
<b>Pendle</b>				
Pendle	0	13	0	13
<b>IDSS</b>				
IDSS	0	6	0	6
<b>Fostering</b>				
Fostering	0	2	0	2
<b>Acers</b>				
Acers	0	1	0	1
<b>Adoption</b>				
Adoption	0	2	0	2
<b>Totals</b>	<b>6</b>	<b>196</b>	<b>92</b>	<b>291</b>



*Appendix 2*

**Key facts**

- The total number of complaints received by the service for 2013-14 increased to 196 compared to last year's figure of 116; this is an overall percentage increase of 41%
- The total number of compliments received by the service was 92. This is a decrease over previous year's figures when the total number of compliments received was 198 and an overall percentage decrease of -115%
- 31 requests for Stage 2 investigations were received in 2013-14 with four proceeding at a cost of £6500
- There were 22 investigations by the LGO of which three were found to be at fault and £500 was paid as redress
- Mediation was used for six complaints and was successful in preventing escalation to Stage 2
- Within the overall number of complaints there has been a significant increase in the number of complaints received directly from children and young people who are in local authority care; in 2013-2014 it was 22 compared to the previous year, which was 11

## Compliments

SU No	Relationship to SU	Service User Grp	Feedback Method	Summary
2181886 & 2181884	Adoptive mother	Adoption	Verbal	She wanted me to know how excellent our adoption staff are in particular post adoption. Can you pass this message onto the staff.
902410	Judge	Children Looked After	Verbal	Rachael Hoyles & Charlotte Pike were commented by the Court on the 25/02/2014 regarding the final care plan for the Harrison-Lord children and the LA management of the care proceedings. I am most impressed that the Guardian considered the care plan to be of such a high quality that it was shared with OFSTED as part of the CAFACC inspection. This is great recognition of the hard work and focus on the children's needs by both of you.
2122291	Judge	Children Looked After	Verbal	Charlotte was commended by both the judge and the guardian in this case for her hard work which has resulted in what the judge believes to be the very best outcome for the boys:- which is placement with paternal grandmother on SGO with supervision order .
2062026	Social Worker	Child in Need	Email	<p>Over the past few months I have worked alongside Sarah Eckersley in the case of Robbie Womack. During this period Sarah has worked extremely hard to help create stability for Robbie and his siblings. Hazel, Robbie's mother, has also expressed her gratitude for the work Sarah has completed. I am aware the family have experienced a number of changes in workers and periods of disengagement. The Youth Offending Team have noted a more settled period for the family and it appears the motivation to engage with services has considerably increased. I am of the opinion this has been aided by Sarah's input.</p> <p>Martha Bell</p>

<b>SU No</b>	<b>Relationship to SU</b>	<b>Service User Grp</b>	<b>Feedback Method</b>	<b>Summary</b>
2126070, 2133767, 2133768 & 2133769	Parent - Mother	Child in Need	'Let us know what you think of us' - Leaflet	Mother wishes to say a big thank you to Angela Duffy, who help the family and made a huge difference. Angela is helpful and considerate lady and Helen feels lucky to have her working for them and LCC.
2075704 & 2075710	Parent - Mother	Child in Need	'Let us know what you think of us' - Leaflet	Mother wishes to say she feels the work with Lynne O'Neill has been very beneficial and Lynne explained in great detail about the affect of domestic violence on children and herself. She feels very supported throughout which was appreciated.
1067387	IRO	Child in Need	Email	IRO PAM COPE -I would like to highlight this case to the good practice panel. This case has been extremely challenging and you have evidenced your commitment to working in partnership with the family, (in some very difficult situations), whilst always keeping the children as your main focus. An easy option in this case would have been to remove these children and place them with foster cares where the outcomes would not have been as positive. Instead you have worked so hard to enable the children to remain within their own family where we know they will have the best chance possible to reach their full potential.
Unknown	Foster Carers	Child Looked After	Email	Foster Carers wish to say thank you to Samantha Haydock for all the support she provided to them whilst caring for 2 children both before and after the children moved.
Unknown	Foster Carers	Child Looked After	Email	Foster Carers wish to thank Barbara Everitt for all the support and assistance going above and beyond. She is kind and considerate and listens to our concerns and indeed acts on them quickly and efficiently.

SU No	Relationship to SU	Service User Grp	Feedback Method	Summary
2144515	Self child	Child in need	Text message	Text to Social Worker Annemarie Cliffe;  "I'm not good at all the emotiony stuff so texting this is easier that saying it when you were here but thank you so much for everything you have done for me, and everything you said before, you've literally done more for me than anyone and you yourself are such a beautiful person, I have enjoyed spending time with you, despite you thinking you're just an annoying social worker to me, and I will really miss you. Take care
2096367	Anonymous	Child Looked After	Email	Andreas.Feldhaar and the work he has undertaken on this case. Counsel was extremely impressed by the careful thought Andreas had given to all relevant issues and his ability to explain the reasons for his views on different issues. The other parties were pushing for a psychological assessment on this case (which would potentially have cost the local authority a lot of money) but this has been avoided as it was accepted that Andreas had undertaken a detailed and careful analysis of the issues in the case, so a further expert report is not in fact needed.
886126, 1996526, 908302 & 1129560	Parent - Mother	Child in Need	'Let us know what you think of us' - Leaflet	Mother wishes to say that without the support of her SW and her team, there would have been no stability at her home. Their continuous work in helping mother and her family to deal with the child's needs can only be applauded. Mother hopes this will continues.