

**Children and Education Select Committee
Executive Summary
Children's Services Annual Complaints Report
2012-2013**

1 Overview

- 1.1 All local authorities with Children's Social Care responsibilities are required to maintain and operate a Children's Act complaints process in line with statutory guidance. The management of this process should sit outside operational Children's Services delivery and the responsible "complaints manager" should not report into Children's Service line management. The Authority must produce a statutory annual complaints report detailing complaints performance and activity.
- 1.2 In Surrey, the Children's Act Complaints Process is delivered by the Children's Rights and Participation Service. This service sits at arm's length from operational teams in the Resources Division of the Children, Schools and Families Directorate.
- 1.3 The Children's Act Complaints Process considers complaints from and on behalf of children and young people, and their carers who are receiving a service under the Children's Act. Complaints can for example be made about the type or quality of service, the provision or lack of provision, about staff interventions with users. Young people making complaints are entitled to an advocate. While the complaints team do, on occasions receive complaints that are in reality concerns of a safeguarding nature or about not Children's Act provision these are referred as appropriate and are not considered under this process.
- 1.4 The procedure operates a three stage process. Stage one is local resolution, where the matter is responded to by the team working with the family or as close to the point of delivery as possible. These complaints may be made to the operational team direct, via the contact centre or complaints team or Councillor or any other officer of the council. The statutory guidance expects that most complaints will be responded to within 10 working days at stage one or 20 working days for more complex cases. At stage two the process is managed by the complaints team who appoint an independent investigator and independent person to investigate the complaint and produce a report of their recommended findings. This stage can take between 1 to 6 months to complete. The third stage is a review panel hearing. The panel, which is made up of independent people will hear from the complainant and the service before reaching their recommended findings in the complaint. Finally, if the complainant remains unhappy they can refer the complaint to the Local Government Ombudsman (LGO) for their consideration. The LGO may investigate the complaint and can issue a public report of their findings.

- 1.5 Complainants are advised that they have the right to request their complaint is progressed through the procedure at the end of each stage should they remain dissatisfied.

2. Performance Summary

- 2.1 During the year 2012 – 2013, 274 complaints were recorded of which 39 were received direct from children and young people. This is a decrease when compared to last year, however overall, enquires (51) increased, which indicates that more young people are aware of the service and their right to complain. Of the 39 complaints recorded, 29 young people received formal advocacy support in bringing their complaint.
- 2.2 During the period 13 of the complaints escalated to the second stage of the process which is less than the 20 in the previous 12 months. There were no stage 3 Panel Hearings. There was also a reduction in enquiries and investigations by LGO when compared to the last two years.
- 2.3 During the period 47% of complaints were responded within 10 working days and 71% within 20 working days. The average time to respond to a complaint was 17.5 days. The response times have dropped slightly on last year's performance at both 10 and 20 days but this should be balanced against the reduction in progression through the process and referrals to the LGO.
- 2.4 The majority (77%) of complaints were made about services delivered at the front line of social work, with the majority of complaints made about child protection and court teams. A significant majority of all complaints made were about service quality or delivery. The vast majority of complaints are responded by way of an explanation. Together these results indicate that we need to work harder to ensure users understand interventions at an early stage. This will be a focus for the coming year.
- 2.5 38% of complaints received were recorded as not upheld, 25% as part upheld and 15% as upheld. Of the remaining complaint 4% were missing an outcome category and 18% were complaints that are excluded from this process.
- 2.6 Corrective action as a result of complaints learning is central to the complaint process performance. This year a majority of complaints were recorded as identifying no corrective actions. This will be explored further with operational teams in the coming year. Examples of specific changes made as a result of complaints include:
- Review of Local Authority's Contractual arrangements with Transport Providers.
 - Eligibility criteria for Children's Disability services revised and made accessible on website.
 - Kinship Care leaflet revised to ensure information about finance options is clear to carers.
 - Guidance to be developed to ensure contact arrangements between children or young people and their families respect cultural and religious needs.

3. Improvement focus for 2013 - 14

- 3.1 Accurate recording of complaints at the first stage of the process
- 3.2 Performance timescales at stage one
- 3.3 Service wide dissemination of stage two corrective action plans
- 3.4 Identification of learning from complaints at stage one

4 Recommendations

- 4.1 That the Committee notes the full report and its content
- 4.2 That the Committee note key learning arising from complaints during the previous fiscal year and changes made as a result

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Sources/background papers:

Surrey County Council Complaints Records 2012 – 2013

Statutory Complaints Report – Children’s Services 2012 - 2013

“Getting the best from complaints” DFES 2006

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