



Children's Social Care Annual Complaints Report

1 April 2015 to 31 March 2016

Hammersmith & Fulham Council

1. EXECUTIVE SUMMARY

- 1.1 The Children's Social Care Statutory Complaints Procedure stipulates that an annual report must be produced for complaints made under the Children's Act 1989 Representation Procedure (England) Regulations 2006. The procedure further requires that the report should provide a mechanism by which the local authority can be kept informed about the operation of its complaints and representations procedure; should be presented to staff, the relevant management committee and be made available to the regulator and the general public.
- 1.2 This report provides information about complaints made between 1 April 2015 and 31 March 2016. It highlights how the Department has performed against statutory timescales and key principles; learning and service improvements that have been made as a result of listening and responding to complaints and plans for further developments.
- 1.3 From April 2015 to March 2016 the Complaints Team dealt with 51 statutory complaints, 41 of which were new complaints, received at Stage 1.
- 1.4 In total, 77% of statutory complaints were received and resolved at Stage 1 of the procedures. Seven complaints were processed at Stage 2 and five progressed to Stage 3 during this reporting period.

Year	Stage 1	Stage 2	Stage 3	Total
2015/16	41	7	4	51
2014/15	59	9	1	69
2013/14	39	2	1	42

- 1.5 Family Support & Child Protection and the Looked After Children and Care Leavers team continue to receive the highest number of new Stage 1 complaints. There have been decreases in all areas apart from Fostering and Adoption Service, which has seen an increase of 133%. The area that has achieved the biggest reduction in complaints is Children with Disabilities, with a reduction of 62.5%.
- 1.6 In the past year, the local authority has reduced the number of complaints that it has received regarding staff attitude and behaviour, eligibility and assessment. However, communication continues to be significant area for complaint, while child protection and change of worker requests have increased.
- 1.7 Since last year, the percentage of Stage 1 complaints being upheld or partly upheld has reduced from 59% to 42% and is now at its lowest figure in the past three years. Furthermore, our continued focus on local resolution means that a smaller proportion of complaints have escalated to Stage 2 than in 2014/15.

- 1.8 Although fewer complaints have been completed within statutory timescales compared with previous years, this is in the context of a period of significant change within the Customer Relationship Team. There has been considered effort to address performance through service development activities and this has resulted in improved performance throughout 2016/17, which is expected to continue.

2. STATUTORY COMPLAINTS PROCEDURE

- 2.1. The Children's Act 1989 Representations Procedure (England) Regulations 2006, Children (Leaving Care) Act 2000, Adoption and Children Act 2002 and the Health and Social Care Acts 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.
- 2.2. To facilitate the procedure in a fair and consistent way the local authority follows guidance provided by the Local Government Ombudsman (LGO) and contained in the publication 'Getting the Best from Complaints' which was produced by the department of Education.
- 2.3. The LGO provide practical information on how processes can be improved and the best way to deal with complaints positively and efficiently.
- 2.4. The complaints procedure has three stages and has a strong emphasis on resolving complaints at the first stage.

Stage 1 – Local Resolution

- 2.5. This is the most important stage of the complaints procedure and we aspire to resolve as many complaints as possible at this initial point. The Customer Relationship Team works in partnership with managers to ensure that quality responses are made within the stipulated timescales.
- 2.6. The timescale for responding to a complaint at this stage is 10 working days or 20 working days for complex cases or to allow time for appointing an advocate where a vulnerable person is involved.

Stage 2 – Investigation

- 2.7. This stage is usually implemented when the complainant is dissatisfied with the findings of Stage 1, where they have not received a response within the timescales or because the Department has agreed that Stage 1 is not appropriate.
- 2.8. Stage 2 is an investigation conducted by an external Investigating Officer together with an Independent Person who oversees the fairness and transparency of the investigation process. Investigators are drawn from pool of consultants. These individuals are appointed according to their experience and expertise.

- 2.9. Following an investigation, the findings and any recommendations are set out in a report to the Director of Family Services who would then provide a written response on behalf of the Council. Subsequently, the response and a copy of the report are sent to the complainant and relevant individuals within the Department. The Complaints Team monitor any recommendations to ensure that they are implemented.
- 2.10. The timescale for responding to a complaint at this stage is 25 working days or up to 65 working days for complex cases.

Stage 3 - Independent Review Panel

- 2.11. Where complainants wish to proceed with complaints about statutory social services functions, the Council is required to establish a complaints Review Panel. Complaints Review Panels are made up of three independent panel members (external individuals selected from the said pool of consultants) who are appointed by the Customer Relationship Manager. The panel makes recommendations to the Executive Director of Children's Services who then reaches a decision on the matter and any actions to be taken.
- 2.12. There are various timescales relating to Stage 3 complaints. These include:
- Organising the panel within 30 working days of the complainant's request
 - Producing the panel's report within 5 working days, detailing its recommendations
 - Sending the local authority's response to the complainant within 15 working days of the Panel's report.

Local Government Ombudsman

- 2.13. If the complainant is not satisfied with the outcome of the Independent Review Panel they have the right to take their complaint to the Local Government Ombudsman (LGO). Complainants can refer their complaint to the LGO at any time, although the Ombudsman normally refers the complaint back to the Council if it has not been considered under the relevant procedure in the first instance.

Advocacy

- 2.14. We observe best practice, in line with 'Getting the best from complaints', and provide children and young people with information about advocacy services and offer them help to obtain an advocate. Advocacy can be provided by friends, relatives, advocacy groups or legal representatives.

3. DEPARTMENTAL OVERVIEW

3.1. This section of the report provides an overview of statutory complaints activity across the Children’s Services Department.

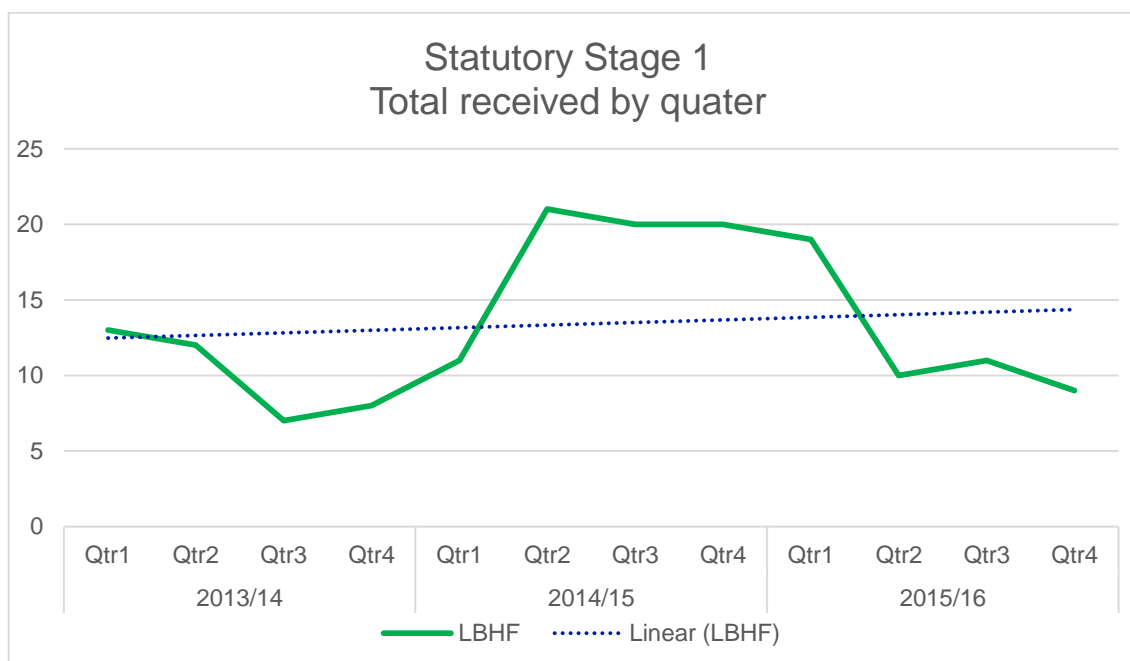
Stage 1

Number of complaints received

3.2. From April 2015 to March 2016 the Complaints Team recorded 41 statutory complaints at Stage 1 compared with 59 during the previous year and 39 in 2013/14.

Year	Stage 1
2015/16	41
2014/15	59
2013/14	39

3.3. This reduction in the number of complaints received is reflected in the graph below, which also shows the increased number of complaints that were received during 2014/15. However, the three-year trend line indicates that the average number of cases received has consistently been between 13 and 14 per quarter.

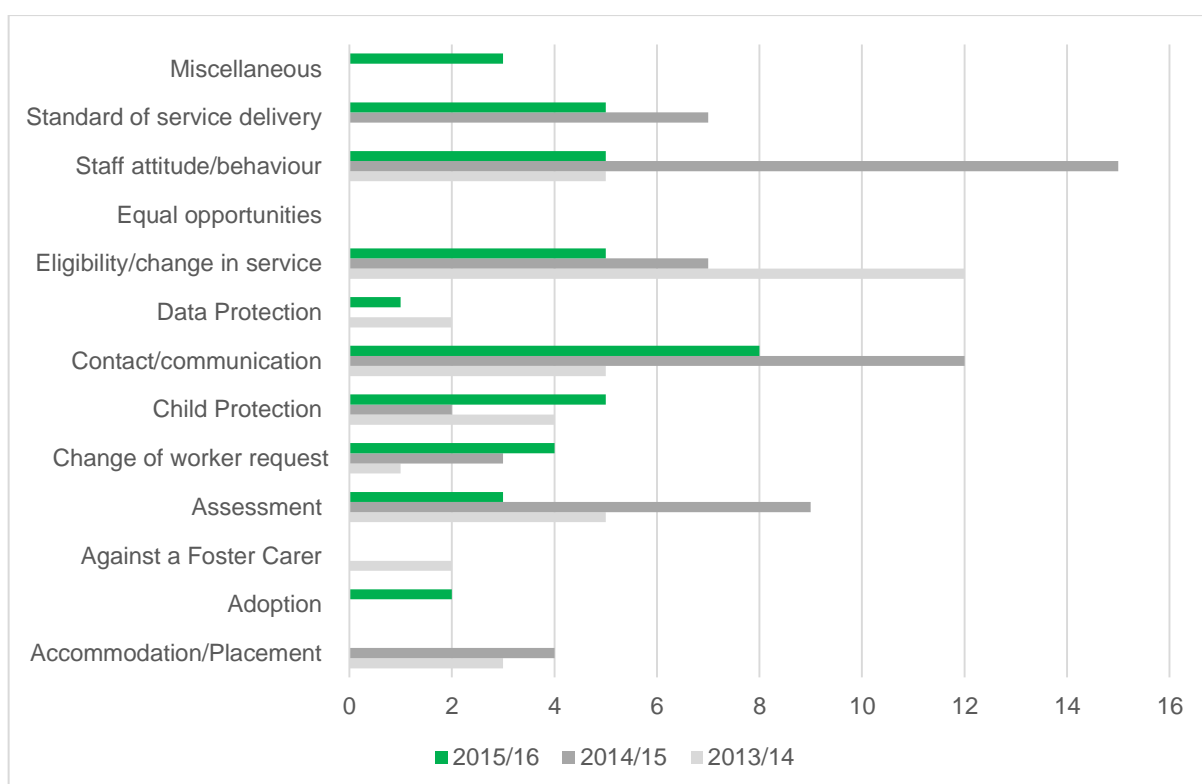


Category of complaints

3.4. The table below shows the number of complaints received in each category over the reporting period of April 2013 to March 2016.

Complaint Description	2015/16	2014/15	2013/14
	Number	Number	Number
Accommodation/Placement	0	4	3

Adoption	2	0	0
Against a Foster Carer	0	0	2
Assessment	3	9	5
Change of worker request	4	3	1
Child Protection	5	2	4
Contact/communication	8	12	5
Data Protection	1	0	2
Eligibility/change in service	5	7	12
Equal opportunities	0	0	0
Staff attitude/behaviour	5	15	5
Standard of service delivery	5	7	0
Miscellaneous	3	0	0
Total	41	59	39



3.5. We have reduced the number of complaints that we have received regarding staff attitude and behaviour, eligibility and assessment. Communication continues to be significant area for complaint, while child protection and change of worker requests have increased during the past year.

Outcome of complaints

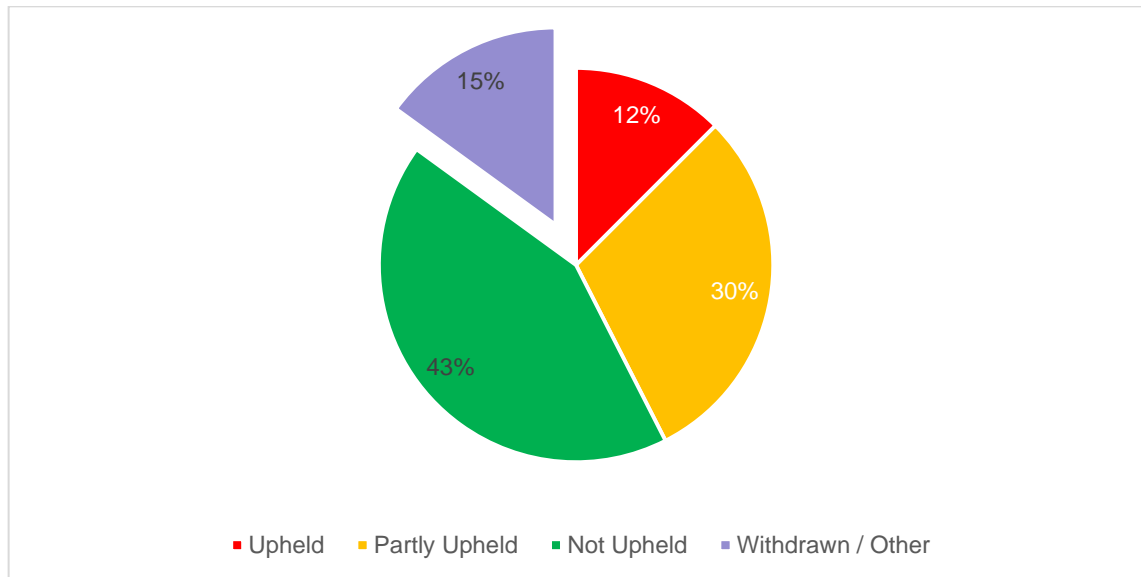
3.6. The table below compares the outcome of the complaints during the reporting period of April 2013 to March 2016.

Year	Upheld	Partly Upheld	Not Upheld	Withdrawn / Other	Total
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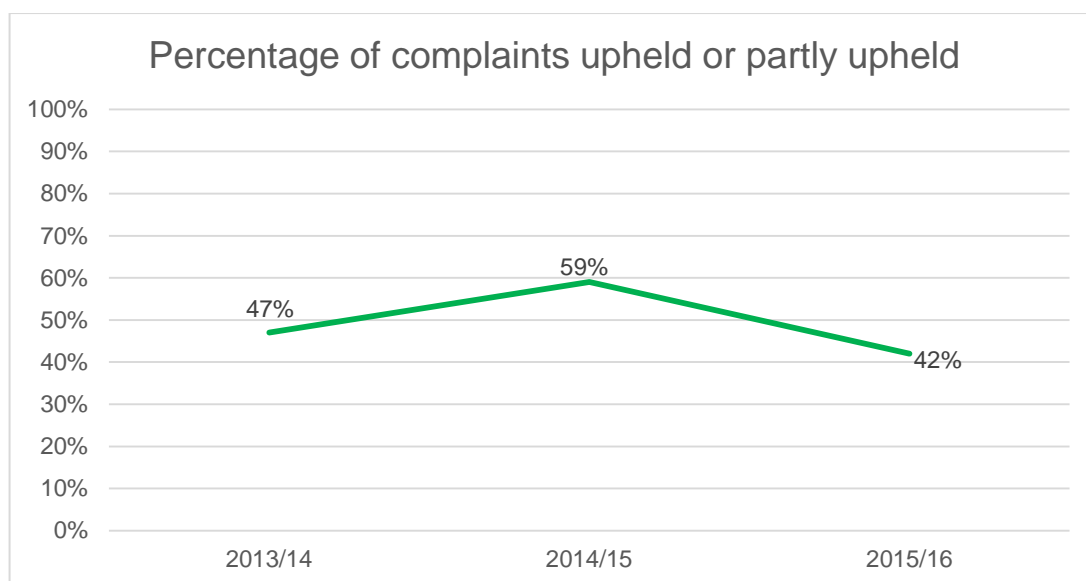
2015/16	5	12	17	6	40
2014/15	9	26	21	3	59
2013/14	3	14	16	3	36

One complaint was resolved upon receipt and there was therefore no outcome required from the complaints process

- 3.7. The pie chart below shows that, when the 15% of withdrawn complaints are removed, half of all complaints considered were either upheld or partly upheld.



- 3.8. Where complaints were upheld, either fully or partly, the Department offered apologies and advised complainants of actions that would be taken to prevent the incident from recurring.
- 3.9. Further analysis shows that, since last year, the percentage of Stage 1 complaints being upheld or partly upheld has reduced from 59% to 42% and is now at its lowest figure in the past three years:



Stage 2

- 3.10. Of the 41 Stage 1 complaints that we received in 2015/16, five complaints (12%) were escalated to Stage 2. This represents an improvement in performance compared to 2014/15, when 19% of complaints at Stage 1 were escalated to Stage 2.
- 3.11. Two complaints bypassed Stage 1 and entered the process directly at Stage 2. There were therefore a total of seven cases dealt with at Stage 2 during 2015/16, the outcomes of which are outlined below:

Year	Upheld	Partly Upheld	Not Upheld	Other	Total
2015/16	0	4	1	2	7
2014/15	0	5	4	2	11
2013/14	0	1	1	0	2

The two cases classified as 'other' consist of one that was judged to be outside of the jurisdiction of Children's Services and therefore an outcome was not possible, and another case that is still undergoing investigation at the time of writing.

- 3.12. While less cases were considered at Stage 2 this year, a greater percentage (57%) were partly upheld than in 2014/15 (45%). There have been no fully upheld Stage 2 complaints in the past three years.

Stage 3

- 3.13. A total of four cases have been considered at Stage 3 during 2015/16.
- 3.14. Three of these cases had escalated from Stage 2 complaints considered during the same year, representing an escalation figure of 57%. The

remaining complaint was escalated from a Stage 2 case that was considered in 2014/15.

- 3.15. The outcomes of the four cases dealt with at Stage 3 during 2015/16 are outlined below:

Year	Upheld	Partly Upheld	Not Upheld	Other	Total
2015/16	0	2	1	1	4
2014/15	0	1	0	0	1
2013/14	0	0	1	0	1

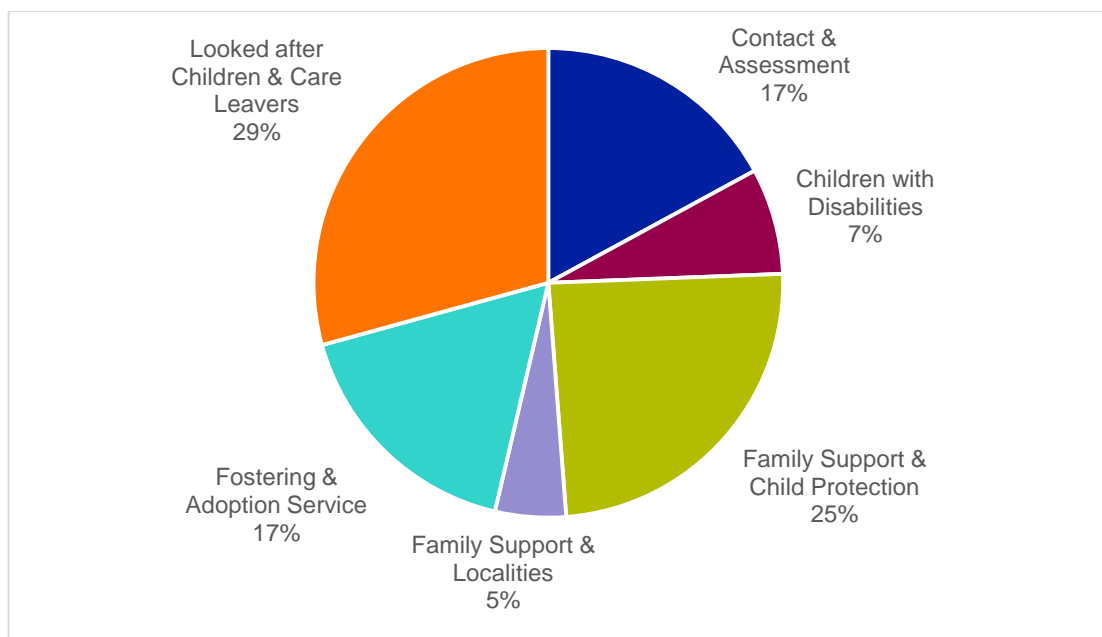
The case classified as 'other' is still undergoing investigation at the time of writing.

Local Government Ombudsman

- 3.16. If the complainant is not satisfied with the outcome of the Independent Review Panel they have the right to take their complaint to the Local Government Ombudsman.
- 3.17. During 2015/16 a total of four cases were referred to the Local Government Ombudsman. For three of these cases, the Ombudsman decided that an investigation was not necessary and closed the case. One case was investigated fully and, once this was complete, the Ombudsman was satisfied with all actions undertaken by the Local Authority.

4. SERVICE LEVEL ANALYSIS

- 4.1. This section of the report provides an overview of the number and types of statutory complaint received in each service area across the Children's Services Department.
- 4.2. The chart below demonstrates the distribution of complaints that have been received at Stage 1 across the department:



4.3. The table below provides the volume of Stage 1 complaints activity by service area:

Service	2015/16	2014/15	2013/14
	Number	Number	Number
Contact & Assessment	7	11	7
Children with Disabilities	3	8	4
Family Support & Child Protection	10	16	14
Family Support & Localities	2	5	1
Fostering & Adoption Service	7	3	5
Looked after Children & Care Leavers	12	16	7
Total	41	59	38

4.4. Family Support & Child Protection and the Looked After Children and Care Leavers team continue to receive the highest number of new Stage 1 complaints. There have been decreases in all areas apart from Fostering and Adoption Service, which has seen an increase of 133%. The area that has achieved the biggest reduction in complaints is Children with Disabilities, with a reduction of 62.5%.

Contact and Assessment

4.5. The Contact and Assessment Team received seven complaints during 2015/2016, of which, two were upheld or partially upheld.

4.6. Complaints were split into the following categories:

Complaint description	Number
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Assessment	2
Child Protection	1
Contact/communication	1
Data Protection	1
Eligibility/change in service	1
Miscellaneous	1
Total	7

Children with Disabilities

4.7. The Children with Disabilities Service received three complaints during 2015/2016, of which, one was partially upheld.

4.8. Complaints were split into the following categories:

Complaint description	Number
Change of worker request	1
Child Protection	2
Total	3

Family Support & Child Protection

4.9. The Family Support and Child Protection Team received ten complaints during 2015/2016, of which, two were upheld or partially upheld.

4.10. Complaints were split into the following categories:

Complaint description	Number
Change of worker request	3
Child Protection	2
Contact/communication	1
Staff attitude/behaviour	2
Standard of service delivery	1
Miscellaneous	1
Total	10

Family Support & Localities

4.11. The Family Support and Localities Service received two complaints during 2015/2016, neither of which were upheld.

4.12. Complaints were split into the following categories:

Complaint description	Number
Contact/communication	2
Total	2

Fostering & Adoption Service

4.13. The Fostering and Adoption Service received seven complaints during 2015/2016, of which, three were upheld or partially upheld.

4.14. Complaints were split into the following categories:

Complaint description	Number
Adoption	2
Eligibility/change in service	3
Staff attitude/behaviour	1
Miscellaneous	1
Total	7

Looked after Children & Care Leavers

4.15. The Looked after Children & Care Leavers Service received 12 complaints during 2015/2016, of which, seven were upheld or partially upheld.

4.16. Complaints were split into the following categories:

Complaint description	Number
Assessment	1
Contact/communication	4
Eligibility/change in service	1
Staff attitude/behaviour	2
Standard of service delivery	4
Total	12

5. COMPLIMENTS

5.1. Children's Services welcomes compliments from its users. Compliments help to highlight good quality service and give staff encouragement to continue delivering service of the highest standard. During the year, **five** compliments were received and passed to the Complaints Team. Some details of these include:

- Thanks expressed to the Localities Service, who "delivered a fantastic session on child sexual exploitation to a group of 15 sixth form students".
- Compliments paid to a Social Worker "who really cares and has not made any judgements on me. [The Social Worker says they are] going to do something and gets it done straight away."

5.2. As part of the Department's twice-yearly practice week, managers speak with up to 25 families, carers and young people to understand their experience and understanding of services. While not all responses are necessarily compliments, they do represent a significant opportunity for the service to hear directly from service users.

6. REPRESENTATIONS

- 6.1. In addition to formal complaints, the Department is required to collect figures on representations. Representations may not always be complaints; they might also be positive remarks or ideas that require a response from the local authority. Thus, enquiries or comments about the availability, delivery or nature of a service which are not criticisms are dealt with as representations.
- 6.2. The Customer Relationship Team recorded **10** representations that were made and successfully resolved during this reporting period. This is a considerable reduction compared with the **27** representations that were recorded in 2014/15.

7. RESPONSE TIMES

- 7.1. During this reporting year, Children's Services responded to 63% of Statutory Stage 1 complaints within the statutory timescales, compared with 64% in 2014/15. One complaint was withdrawn, one was resolved upon receipt, and one was outside of jurisdiction.
- 7.2. There were three Stage 2 complaints which were not completed within statutory timescale of 65 working days. Complaints that took longer than 65 days were kept informed on the progress of the investigation.
- 7.3. Although fewer complaints have been completed within statutory timescales compared with previous years, this is in the context of a period of significant change within the Customer Relationship Team. There has been considered effort to address performance through service development activities and this has resulted in improved performance in 2016/17, which is expected to continue.
- 7.4. The following tables gives a breakdown of the overall number of responses that met the statutory timescales at each stage. Complaints that were withdrawn, ended prematurely or still awaiting outcome are not included in these figures:

Stage 1

Response	2015/16	2014/15	2013/14
Within 10 days	10	18	20
Between 10 and 20 days	12	19	14
Outside of timescale	13	21	5
Total	35	58	39
Overall response rate	63%	64%	87%

Stage 2

Response	2015/16	2014/2015	2013/14
Within 25 days	1	1	0
Between 25 and 65 days	0	2	1
Outside of timescale	3	6	1
Total	4	9	2
Overall response rate	25%	33%	50%

Stage 3

- 7.5. It is more difficult to benchmark Stage 3 complaints against an overall statutory timescale, as the process is made up of two distinct phases, each of which should be completed within a set amount of time but with an unspecified and variable time between them. This is demonstrated by the table below:

	Action	Timescale
	Complainant requests review panel	Up to 20 working days after receipt of the Stage 2 adjudication
Phase 1 – 30 days	Complaints Manager acknowledges request	Within two working days
	Complaints Manager appoints Chair and confirms attendee and content of Panel papers with Chair	Within 10 working days of the complainant's request for Review Panel
	Local authority agrees the other Panellists and date for Review Panel	Within 30 working days of the complainant's request for a review panel
	Local authority circulates Panel papers	Within 10 working days of the date of the Review Panel
Phase 2 – 20 days	Review Panel produces its written report (including any recommendations)	Within 5 working days of the Review Panel
	Relevant Director issues his response	Within 15 working day of receiving the Review Panel's report

- 7.6. Allowing 25 days between agreeing a panel date and the panel taking place, the Stage 3 complaints process should be complete within a total of 75 days.
- 7.7. None of the four Stage 3 complaints undertaken in 2015/16 were completed within this timescale, with the average number of days it has taken to complete a Stage 3 investigation being 127 days.

Improving response rates

- 7.8. Significant work has been undertaken with the team to clear a backlog of unresolved cases and to address the reduction in the number of cases that have been completed within statutory timescales.
- 7.9. This work has resulted in an upwards trend of improved performance in throughout the first 3 Quarters of 2016/17. In Quarter 1 of 2016/17, 76% of Stage 1 complaints were responded to within timescale. In Quarter 2, this increased to 85%, and Quarter 3 followed this trend, with 100% of Stage 1 complaints answered within timescales. We expect to be able to maintain this improved performance throughout the final Quarter of 2016/17.

8. LEARNING AND ACTION TAKEN FROM COMPLAINTS

- 8.1. Learning from complaints is an important part of the Department's philosophy and managers responding to complaints/representations are encouraged to identify any shortcomings within the service and to inform the service user of any actions which will be taken to prevent a recurrence of the event which lead to the complaint.
- 8.2. A number of processes have been put in place to ensure that the Department learns from the complaints received. The Learning from Complaints Framework enables the Department to better evidence and monitor how the outcomes of complaints have led to service improvements.
- 8.3. On completion of Stage 2 investigations, the Customer Relationship liaise with the relevant Heads of Service to ensure that recommendations resulting from the investigation are implemented, that learning is recorded and complainants are updated where necessary. The same process is followed for any recommendations that arise from Stage Three Review Panels. In addition, the Director of Family Services always offers to meet with any Stage 2/3 complainant if their complaint is upheld or partially upheld.
- 8.4. Examples of specific service level changes that have been made as a result of learning from complaints are as follows:

Recommendation from complaint	Service level response
Further reflection in the service would be helpful to consider how we work with and engage parents of children who are in care long term and we want their stability and security to be maintained, including how parents are included in review process in an appropriate way.	When appropriate, parents are invited to attend LAC reviews, or the IRO will arrange to meet with them prior to or after the meeting. Where appropriate, parents receive copies of minutes and other relevant documents. Social workers also maintain a level of contact with parents which varies case-by-case in

	<p>relation to the level/frequency. This can be informed by the nature of the case, views of the child and significant events occurring. The learning is that we need to be explicit about how these decisions are arrived at and recorded and how parents are aware of the level of communication they receive to manage expectations and or anxieties.</p>
<p>That the level of contact is decided in the looked after children process as ordered by the court – the level of contact should be specified in the care plan which is reviewed at the statutory review.</p>	<p>This is scrutinised by the IRO. Any variations in the care plan outside of this process will require the IRO to be informed/canvased.</p>
<p>Managers should be reminded to check in supervision that looked after children review decisions are being implemented and the expectation that this is checked by the Independent Reviewing Officers should also be reinforced.</p>	<p>This is an area of focus in managers' meetings, managers' supervision and meetings that occur between the LAC and CLS service and the IRO's.</p> <p>Our focus is to ensure that recommendations become incorporated in to our care planning and, if we are not in agreement, we challenge these in the allotted time frame.</p>

- 8.5. A further area that is being worked on is a recommendation from a review panel that a system is put in place to ensure that there is continuity in information provided to adoptive parents in regard to support allowance payments.
- 8.6. Furthermore, the local authority is working on service level initiatives that should result in a reduction in the number of statutory complaints that we receive:
- **Focus on Practice** was launched in September 2014 and focusses on three areas: firstly, creating time for practitioners to work with families more intensively by reducing caseloads; secondly developing expertise through the provision of comprehensive training in evidence based approaches; and thirdly by changing the system conditions that reinforce and steer practice. The core objective of Focus on Practice is for

practitioners to use their professional expertise to help create positive change for families and better outcomes for children and young people.

- In December 2015 the authority was selected to take part in the '**Partners in Practice**' programme as part of an initiative led by the Department for Education to demonstrate exemplar authorities in social work practice. This includes proposals to further develop the practice system being implemented via Focus on Practice by:
 - Maintaining current clinical staff and expanding to ensure all teams have access to systemic family therapists / psychologists.
 - Establishing practice development programmes - Years 2, 3, and 4 of systemic family therapy training with the aim of building a cadre of dual qualified expert staff who will lead practice across the authorities. Over time, this will reduce the need for separate clinical posts and will result in a more highly skilled workforce undertaking higher intensity interventions.
 - Earlier identification of children and families who will need intensive services in the future using predictive modelling
- **Action for Change** is a programme that works with parents who have had one or more children removed from their care. Removing a child is probably one of the most contentious areas of social work practice, which could result in intense feelings of dissatisfaction with service provision. This proactive service aims to address this by providing support to adults (whose children have been removed) in accessing services to address issues identified within the Court process. A core function of the service is to provide intensive and assertive outreach on an individual basis, to assist this client group to make informed choices to effect positive change to their lives; with the overall aim to prevent unplanned pregnancies and future removals. Engagement is crucial to the success of this project; the service works with clients on a one-to-one basis providing intensive therapeutic activities and practical support. The interventions are shaped by systemic practice to explore and address the reasons for removals.

9. PLANNED DEVELOPMENTS FOR 2016/17

9.1. The main priorities for the Customer Relationship Team over the next twelve months are as follows:

1. to increase the capability and capacity of the team to meet increased demand and have a stronger focus on completing complaints within the statutory timescales
2. to increase the customer focus of the team
3. to continue to promote the complaints service across the department, ensuring that staff are familiar with the procedures and are fully equipped with effective complaints handling skills

4. to continue to work in partnership with advocacy services to ensure that vulnerable users are aware of their right to complain and know how to access the complaints procedure
5. to review and improve the management information and performance monitoring systems that the team uses
6. to review the information that is presented on the borough's website and the leaflets that are tailored for children and young people
7. to review the independent consultant pool for the investigating officers and independent persons.
8. increased focus on implementing recommendations from Stage 2 and Stage 3 complaints with evidence