



<b>Report for: INFORMATION</b>
<b>Item Number:</b>  13

<b>Contains Confidential or Exempt Information</b>	NO
<b>Title</b>	Social Services Complaints Report on Looked After Children (October 2013 to December 2013)
<b>Responsible Officer(s)</b>	David Archibald
<b>Author(s)</b>	Maureen Attewell, Children’s Service Complaints Manager
<b>Portfolio(s)</b>	Leader
<b>For Consideration By</b>	Corporate Parent Committee
<b>Date to be Considered</b>	20 <sup>th</sup> March 2014
<b>Implementation Date if Not Called In</b>	Not applicable
<b>Affected Wards</b>	All
<b>Area Committees</b>	None
<b>Keywords/Index</b>	Looked After Children – Complaints

**Purpose of Report:**  
 This report with appendix provides information on complaints for Looked After Children for the period October 2013 – December 2013.

**1. Recommendations**

It is recommended that the committee: Note the report

**2. Reason for Decision and Options Considered**

No decision requirement

**3. Key Implications**

The Corporate Parent Committee has asked that it receive quarterly reports on complaints and advocacy about Looked After Children.

#### **4. Financial**

The Head of Finance advises that the cost of the complaints function is contained within the Children and Families budget.

#### **5. Legal**

Complaints about the provision of support for families and children are governed by:

- (a) The Children Act 1989 (as amended by the Adoption & Children Act 2002)
- (b) The Children Act 1989 Representation Procedure (England) Regulations 2006  
Guidance was issued in July 2006 by the DFES – ‘Getting the Best from Complaints – Social Care Complaints and Representations for Children, Young People and Others’.

The council has a duty to establish and operate a procedure for considering representations (including complaints) relating to the provision of services to children and young people that is compliant with the statute and regulations and is easy to access.

- iii Children and young people wishing to make a complaint have the right to access advocacy. Ealing Council arranges advocacy under contract with VOICE.
- iv For all stage 2 complaints, the local authority is required to appoint an Independent Person to ensure that the welfare of the child/young person remains paramount throughout a complaint consideration.
- v. In compliance with the 2006 Regulations the council’s complaints procedure provides for the department to report annually to committee on Social Services Complaints. The annual report for April 2012 to March 2013 was presented to Overview Scrutiny Committee on 16<sup>th</sup> January 2014.

#### **6. Value For Money**

- i. The cost and effectiveness of contracting external investigating officers and Independent Persons are monitored and reviewed regularly.

#### **7. Risk Management**

None

#### **8. Community Safety**

None

## **9. Links to Strategic Objectives**

The Children's Service is key to delivering the strategic objective:

**Children and young people: To create a great place for every child and young person to grow up.**

The statutory complaints process and the access to advocacy arrangements in place ensure that children and young people are heard. In doing so, the service is in place to:

- give children, young people and/or their carers an accepted means of challenging decisions
- to ensure complaints are acted upon, resolved quickly and within timescales as close to the point of service delivery as is acceptable and appropriate.
- to provide an additional means of monitoring performance and improving service quality.

## **10. Equalities and Community Cohesion**

The social care complaints procedure for children and young people has been subject of an Equality Impact Assessment and an improvement plan and action plan is to be devised in line with the Race Equality Scheme. The procedure has taken account of equalities legislation and one of the guiding principles is to ensure accessibility to all.

## **11. Staffing/Workforce and Accommodation implications:**

None

## **12. Property and Assets**

None

## **13. Any other implications:**

None

## **14. Consultation**

The Children's Management Team will manage consultation on any future changes.

## **15. Timetable for Implementation**

Not applicable

## **16. Appendices**

Appendix 1 Information on Stage 1 complaints

## **17. Background Information**

- i. An electronic copy of the children's complaints procedure is available from the Customer Care Unit and on the intranet. Complaints leaflets specifically for young people in care and/or who have recently left care are available at children's centres, libraries, colleges and youth clubs and health centres.

## **18 Detailed considerations**

### **18.1 The Complaints procedure**

The Social Care Complaints and Representations Procedure for Children and Young People has 3 stages:

1. Stage 1 where a response is prepared by the manager of the service within 10 working days (extendable to 20 working days in some circumstances)
2. Stage 2 where the complaint is subject to a formal investigation by an independent investigating officer and adjudication by the department within 25 working days (extendable to a maximum of 65 working days)
3. Stage 3 or Review stage where the adjudication at Stage 2 is reviewed by an Independent Panel consisting of 3 independent people and convened within 20 working days of receiving the request.

### **18.2 Monitoring**

- 18.2.1 There is a statutory and corporate requirement to record all complaints received. This is currently recorded on a computerised system (iCaseworks).

### **18.3 Complaints and Representations**

#### **18.3.1 Looked After Children    October 2013 to December 2013**

<b>Stage 1 (informal)</b>	<b>8</b>
<b>Stage 2 (formal)</b>	<b>0</b>
<b>Stage 3 (review)</b>	<b>0</b>

### **18.4 Stage 1 Complaints**

- 18.4.1.1 During the period of October 2013 to December 2013 there were 8 Stage 1 complaints made by or in respect of Looked After Children. Appendix 1 provides information on these Stage 1 complaints and advises as to whether upheld or not and of the outcome.
- 18.4.2 In this reporting period, 5 of the Stage 1 complaints were made a parent/relative of the child or young person, 3 by a young person.

- 18.4.3 Of the 8 complaints made from October 2013 to December 2013, 1 complaint was upheld and 7 complaints were not upheld.
- 18.4.4 100% of the complaints received were responded to within the statutory requirement

## **Stage 2 Complaints**

- 18.5.1 There were no complaints that proceeded to a Stage Two Complaint during this reporting period.

## **18.6 Stage 3**

- 18.6.1 There were no complaints that proceeded to a Stage 3 Complaint Review during this reporting period.

## **18.7 Advocacy**

- 18.7.1 The 2006 Regulations require all Local Authorities with social services responsibilities to provide advocacy services for children and young people who make a complaint under the Children Act 1989.

The legislation applies to all children. There is also a duty to record the take-up of advocacy services and to monitor the effectiveness and independence perception of services.

- 18.7.2 2 young people were offered Advocacy services for the period October 2013 – December 2013 to provide support with the complaints process.

## **18.8 Monitoring and quality assurance**

- 18.8.1 The CCU has a system which captures a range of complaints information, including the nature of the complaint, the action taken, the outcome of each complaint including whether there was compliance with the time periods specified in Regulations. The information captured from this monitoring is used in a number of ways including:

- The dissemination of this information to line managers
- Its use as a measure of performance and means of quality control; and
- Information derived from complaints about services subject to Statutory Regulation, or where services purchased under contract are concerned, to the person responsible for monitoring the contract.

- 18.8.2 The information collected during the monitoring of process and individual complaints provides invaluable feedback on performance management and operational matters such as how policies are interpreted by staff and service users. It helps to identify areas that need improvement and where training is required.

18.8.3 This is in addition to current practice of attending senior management meetings to highlight the importance of effective complaints handling in particular with regard to the statutory timeframe.

Report end  
10<sup>th</sup> March 2014