



**Report for:  
INFORMATION**

**Item Number:**

<b>Contains Confidential or Exempt Information</b>	NO
<b>Title</b>	Social Services Complaints Report on Looked After Children (September 2017 to December 2017)
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<b>Portfolio(s)</b>	Leader
<b>For Consideration By</b>	Corporate Parent Committee
<b>Date to be Considered</b>	21 <sup>st</sup> March 2018
<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 1<sup>st</sup> October 2017 – 31 December 2017.

**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 2017 to March 2018 will be presented to Overview Scrutiny Committee in November 2018.

#### **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 objectives of supporting young people to be safe, healthy and prosper.

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 Team 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 (iCasework).

### **18.3 Complaints and Representations**

- 18.3.1 Clearly set out procedures mean that children and young people and / or their representatives are enabled to make a complaint or representation should they have a concern.

Complaints literature was recently reviewed and re written by the respective Children In Care Councils, designing and producing leaflets and looked after children information in the style, language and format they wanted. The changes came directly as a result of the CIC requesting this to happen.

The information is all provided in the LAC packs along with Coram Voice Advocacy information, literature and contact details. Additionally, the information is available via social workers and central teams such as the customer care unit.

The service aims to resolve issues at the earliest possible stage. This work is supported from within the CS by the team at Horizons multi agency hub supporting health, wellbeing, education, NEETs and EETs) who mediate

and work collaboratively with social work staff to consolidate issues, review and agree a resolution that is acceptable to the young person. The team at Horizons is seen as separate from the formal social work teams and this relationship is used to best advantage for the young people to bring closure to issues.

Additionally, complaints and wide ranging issues can be raised via the children in care councils and taken as issues to the Corporate Parent Panel or consideration.

### **Looked After Children Complaints October 2017 to December 2017**

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

#### **Stage 1 Complaints**

18.4.1 During the period of October 2017 to December 2017 there were 3 Stage 1 complaints made by or in respect of Children Looked After. This compares to 4 for the same period in 2016. 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, 2 of the Stage 1 complaints were made by the young person looked after by the authority via an advocate from Coram Voice and the third complaint was made by the parent after contacting the Local Government Ombudsman (LGO).

18.4.3 Of the three Stage 1 complaints made in this reporting period, none of them were upheld.

18.4.4 One of the complaints received was responded to within the required timescales. The second response was slightly delayed due to the investigating officer being unable, the Advocate was advised of this and agreed to an extension. The third response was sent directly to the LGO. The response was slightly delayed due to the investigating officer being off sick and unable to meet the deadline.

#### **Stage 2 Complaints**

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

#### **Stage 3 Complaints**

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 Alongside internal support, young people have unfettered access to advocacy and support via Coram Voice. This contact offers a wide-ranging support service and works to seek movement on case issues and resolution for the young person involved across CLA and CL in addition to CIN and CP. This range of support available ensures that the service emphasis on resolving dissatisfaction at an early stage is largely successful and means that formal complaints are relatively low.
- 18.7.3 The contract with Coram Voice was renewed in 2017 via the new Dynamic Purchasing System (DPS), this gave an opportunity to review contract quality standards and scope. The new arrangement also improved value for money by negotiating an improved rate per case, losing the standard per case administrative fee and travel costs. The service is commissioned utilising the range of guidance and legislation such as “Get it Sorted” statutory guidance concerning advocacy in complaints. A second advocacy provider was also successful during the DPS tendering exercise.
- 18.7.4 Access to Coram is direct with an initial agreement for 25 hours work in place. Further funding is requested as needed. From October 2017 to December 2017, Coram Voice sought approval to support 4 children and young people in a range of issues including: placement and accommodation requirements and decisions, access to suitable housing , education options, support in case conferences and reviews.

## **18.8 Monitoring and quality assurance**

- 18.8.1 The Customer Care Team (CCT) 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 31 December 2017