

Report of the Deputy Director (Children's Social Care) to the Meeting of the Corporate Parenting Panel to be held on 7th September 2016.

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Subject:

Complaints Raised by Looked After Children and Young People

Summary statement:

This report summarises the issues raised by Looked After Children who have used the statutory complaints procedures to seek redress for their concerns. The report relates to complaints in the period 1st April 2015 – 3^{1st} March 2016.

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1. SUMMARY

This report summarises the issues raised by looked after children who have used the statutory complaints procedures to seek redress for their concerns. This report relates to complaints in the period 1st April 2015 – 31st March 2016. The Appendix A sets out some of the main issues raised by children and young people and the service improvements made to address their complaints.

2. BACKGROUND

2.1 The Children Act (1989) places a duty on all Local Authorities to establish and implement a procedure for dealing with complaints and representations for children and young people looked after by them. There is a designated Complaints Manager who administers and monitors the procedure for receiving and responding to children's complaints.

2.2 The procedures require that:

- Complaints are resolved informally at the point of service delivery wherever possible (stage 1) by a local manager. Complaints at Stage 1 must be addressed within 10 working days.
- Where resolution of the complaint is not possible at that time, the complaint will be investigated more formally by a senior officer and Independent Person (stage 2). Complaints at Stage 2 must be resolved within 25 working days.
- Where following consideration of the findings of a stage 2 investigation the complainant remains dissatisfied, the complaint will be considered by a Complaints Review panel (stage 3). Review panels at Stage 3 are to be constituted solely of Independent People

Where any part of the complaint has been upheld, the Council is required to ensure that this is resolved for the young person and that it considers what wider service improvements can be made.

3. REPORT ISSUES/HEADLINES

3.1 There were 848 Looked After Children and Young People on 31st March 2016. The majority are cared for in foster care placements or in children's home with some looked after by 'Family or Friends' or Placed with their Parents. Others are leaving care to live independently.

3.2 The Complaints Unit liaises closely with the advocacy project (VoiceAbility). There were no complaints referred by the advocacy service during 2015/16, although an advocate provided support to one of the looked after young people who made a complaint.

3.3 There are also arrangements to address issues for children at an early stage and many issues are successfully resolved without the need for children to use the complaints procedures. An example of this is the use of the "Moans and Groans" books in children's homes.

Complaints raised by children represent 6% of the total number of complaints received by the Children's Specialist Services, which is a lower proportion than in the previous financial year (11%).

- 3.4 Responding to complaints within the statutory timescales (67%) has reduced when compared to the previous financial year (83%) and as in the previous two years, there were no complaints from Looked After Children and Young People about child protection or their wellbeing.
- 3.5 One complaint exhausted the three stages of the Children Social Care complaints procedure.

4. OPTIONS

The overview of a robust complaint procedure is a key role for Corporate parents. The Panel need assurance, through this report, that the process is working effectively and that issues are being addressed.

5. CONTRIBUTION TO STRATEGIC PRIORITIES

- 5.1 A sound, robust and accessible complaints procedure contributes to children young people feeling safe to disclose any concerns in the knowledge that they will be treated seriously and sensitively.
- 5.2 Views from children and young people through complaints and compliments and lessons learnt from their complaints can contribute to the shaping of the services we provide.

6. NOT FOR PUBLICATION DOCUMENTS

None.

7. RECOMMENDATIONS

- 7.1 Members are asked to note the report and consider whether they wish to seek further information about issues raised.

8. APPENDICES

Appendix A: Complaints received from Looked After Children and Young People (1st April 2015 – 31st March 2016)

Appendix B: Children Social Care Background Information.

9. BACKGROUND DOCUMENTS

None

APPENDIX A

Bradford Children's Specialist Services

COMPLAINTS RECEIVED FROM LOOKED AFTER CHILDREN AND YOUNG PEOPLE (1st April 2015 – 31st March 2016)

1. Activity

- 1.1 The Complaints Unit recorded 86 new complaints against Children Services between 1st April 2015 and 31st March 2016. Of those, 78 were related to Specialist Services.

Six of the new complaints were made by young people compared to eight during the previous financial year. Two of the complaints were made by adults in relation to the time when they were looked after by the Authority and as such they have been included in this report. One of the young people was classified as "in need" and not looked after by the Authority. One looked after young person made two complaints. In essence, four (current and former) Looked After Young People made 5 complaints during 2015-16.

- 1.2 A lower proportion of complaints (6%) within Specialist Services was made directly by Looked After Young People than last year (7%). The number of complaints received from Looked After Young People represents 1% of the total of young people in care (as at 31st March 2016), which is the same proportion as in the previous financial year.

Children's Services – person making the complaint	15-16	14-15	13-14
Looked After Children	4	5	9

2. Who made the complaints?

Age	2015-16	2014-15	2013-14
<15	0	0	2 (22%)
15-18	2 (50%)	4 (80%)	6 (67%)
19-25	0	1 (20%)	1 (11%)
>25	2 (50%)	0	0
Total	4	5	9

Gender	2015-16	2014-15	2013-14
Male	1 (25%)	3 (60%)	5 (56%)
Female	3 (75%)	2 (40%)	4 (44%)
Total	4	5	9

Disabilities	2015-16	2014-15	2013-14
Physical	0	0	0
Learning	1 (25%)	0	0
No disabilities	2 (50%)	5(100%)	7 (78%)
Not stated	1 (25%)	0	2 (22%)
Total	4	5	9

Status	2015-16	2014-15	2013-14
Care order	2 (50%)	4 (80%)	5 (56%)
Voluntary Placement	1 (25%)	0	3 (33%)
Interim Care order	0	0	0
Other	1 (25%)	1 (20%)	1 (11%)
Total	4	5	9

Ethnicity	2015-16	2014-15	2013-14
White British	4 (100%)	3(60%)	5 (56%)
BME	0	2 (40%)	3 (33%)
Not stated	0	0	1 (11%)
Total	4	5	9

- 2.1 As in the two previous financial years, the average complainant was a Looked After Child between 15 and 18 years of age (when considering the age of the current looked after children not the historical complainants), who was under a care order and had no disabilities and for the first time since 2008, the average complainant was female.
- 2.2 When all the complaints received by the Department are considered (including those from parents, foster carers etc), there was also a majority of female complainants (57%).
- 2.3 The ethnic mix of complainants has not changed compared to the previous year and the youngest person making a complaint during this period was 15 and the oldest was 34 (historical complaint).

3. What was the complaint about?

Type of issues	2015-16	2014-15	20123-14
Communication	0	1	0
Challenging decisions	1	0	1
Child Protection	0	0	0
Information on records	1	1	0
Service Provision (general quality, failure to provide)	3	2	2
Staff (professional practice and attitude)	3	1	6
Total	8	5	9

- 3.1 There were 5 complaints made by Looked After Young People during this period and these included 8 issues.
- 3.2 Most of the issues were about service provision and staff (38%), followed by challenging decision and incorrect personal information on files (13%). Compared to the previous year there is a similar proportion of issues regarding service provision (40%) but there is an increase in issues about staff (20%).
- 3.3 As in the previous year, there was only one complaint about the accuracy of personal information held on records by Children Social Care.
- 3.4 There were no complaints about communication during 2015-16 compared to one in 2014-15 and the Department did not receive any complaints made by Looked After Children about child wellbeing. This type of complaints generally include issues such as harassment, assaults etc.
- 3.5 Following a different pattern to last year, most complaints were related to the Social Work teams, followed by the Looked After team and the Fostering and Adoption unit. As in the previous financial year, the Department did not receive any complaints from young people in care related to (in house or commissioned) residential units or the Youth Offending team.

Services	2015-16	2014-15	2013-14
Children's Homes	0	0	2
Children's Homes (commissioned)	0	0	1
Leaving Care	0	1	0
Social Work Teams	4	1	2
LAC	2	3	2
Fostering & Adoption Unit	2	0	2
YOT	0	0	0
Total	8	5	9

- 3.6 There were no complaints against Leaving Care during 2015-16.

4. How were the complaints made?

- 4.1 The most popular method to make a complaint was a phone call (2) with the other three complaints being received by e-mail, Council's website and letter.
- 4.2 Two of the young people used the Council's website or e-mails to make their complaint, whilst these methods were not used during the previous financial year.
- 4.3 There were no complaints referred by the advocacy service in 2015/16 but an advocate got involved and supported one of the young people.
- 4.4 All the complaints were made directly to the complaints unit.

5. Outcomes of complaints

- 5.1 Six complaints were closed at Stage 1 during this period. One was resolved and therefore, is not included in the table below.

OUTCOMES	Social Work	Homes	Leaving Care	Adoption/ Fostering	Commissioned	LAC	TOTAL
Upheld	0	0	0	0	0	0	0
Partially upheld	0	0	0	1	0	2	3
Not upheld	0	0	0	0	0	0	0
Withdrawn	2	0	0	0	0	0	2
TOTAL	2	0	0	1	0	2	5

- 5.2 Most of the complaints (60%) were partially upheld, compared to 50% in the previous financial year although contrary to the pattern of the last two previous years (0), there were two complaints that were withdrawn.
- 5.3 There were no complaints fully upheld or not upheld at all.

OUTCOMES	2015-16	2014-15	2013-14
Upheld	0	1	0
Partially upheld	3	3	6
Not upheld	0	2	2
Withdrawn	2	0	0
TOTAL	5	6	8

6. Response times

- 6.1 As in the previous financial year, the Department acknowledged all the complaints except one within the 2 required days.
- 6.2 During 2015/16 the Department responded to two out of the five complaints received from Looked After Children. One complaint was resolved and two were withdrawn. One complaint that was received in the previous financial year was also responded during 2015/16.
- 6.3 Two out of the three complaints were responded to within timescales (67%) which shows a decrease in performance compared to last year (83%).

- 6.4 The average time to respond to a complaint was 10 days, compared to 8 days during the previous financial year.

7. Learning from Complaints

- 7.1 Managers did not highlight any learning from the complaints made by Looked After young people at Stage 1.
- 7.2 The stage 2 investigation made the following recommendations:
- a) Bradford Adoption and Fostering Service should offer a timeframe of its support to service users in the future in order to ensure clarity regarding the ending of such intervention and support, and therefore not offer an open ended service.
 - b) Adoption Services should offer clearer directives via supervision in relation to what kind of support is available.
 - c) The Adoption Service offer consideration to ensuring that policies and procedures are updated to reflect these recommendations.
 - d) That an apology is offered to the complainant in relation to the possible mixed messages received in relation to how long the support was going to last.

8. Escalation

- 8.1 In contrast with the pattern of the last four financial years, one of the complaints made by Looked After Children escalated to Stage 2 and 3 of the Social Care Complaints Procedure. The complaint was responded to within statutory guidelines at both, stage 2 (within allowed extension) and stage 3 and the outcome of the stage 2 was partially upheld. The stage 3 was completed in April 2016, and therefore, its outcome will be included in the annual report for 2016-17.
- 8.2 The cost associated to the stage 2 investigation (one independent person) was £648. The cost related to the stage 3 review panel will be included in the next annual report.

9. Compliments

- 9.1 Children Services received 68 compliments of which 75% were from service users. Of those, 12 were made by young people which is a lower number than in the previous financial year (20). This reduction of compliments reflects the overall reduction of compliments received by Specialist Services during 2015-16 (from 72 to 68)

TYPE	Social Work	Leaving Care	CWDH	TOTAL
Impact on service user	0	5	0	5
Quality of service	0	7	0	7
Staff	0	0	0	0
Beyond job's remit	0	0	0	0
Total	0	12	0	12

- 9.2 Leaving Care received all the compliments (12) made by young people in care, usually through the exit interviews.
- 9.3 Following the same pattern as in the previous two years, young people were happy with the quality of the service they received (7) and the impact this had on their lives (5).

TYPE	2015-16	2014-15	2013-14
Impact on service user	5	7	8
Quality of service	7	11	21
Staff	0	1	0
Beyond job's remit	0	1	1
Total	12	20	30

APPENDIX B

CHILDREN SOCIAL CARE COMPLAINTS

Background Information as at 31st March 2016

Open Children Cases: **3,977** . This does not include any under 18's receiving services from Adults teams or some peripheral services like family centre parenting groups, exclusion projects, CAMHS, etc

Number of LAC: **848 mainstream (looked after full time)** .

Representations under Children Social Care complaints procedure between 1st April 2015 and 31st March 2016:

	From LAC	Total
Stage 1 complaints	5	86
Stage 2 formal investigations	1	4
Stage 3 review panels	1	4
Ombudsman	0	3
Pre-complaints	1	84
Compliments	12	68