

# Report of the Assistant Director (Children's Specialist Services) to the Meeting of the Corporate Parenting Panel to be held on 19<sup>th</sup> November 2014.

# D

---

## 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 1<sup>st</sup> April 2013 – 30<sup>th</sup> March 2014.

---

Julie Jenkins  
Assistant Director  
(Children's Specialist Services)

**Portfolio:**  
**Children's Services**

Report Contact: Irina Arcas, Complaints,  
Freedom of Information & Data  
Protection Manager  
Phone: (01274) 435269  
E-mail: [irina.arcas@bradford.gov.uk](mailto:irina.arcas@bradford.gov.uk)



## **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 2013– 30<sup>th</sup> March 2014. 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**

3.1 There are approximately 900 looked after children and young people. The majority are cared for in foster care placements, some in children's homes, some are looked after by 'Family or Friends' or Placed with their Parents. Others are leaving care to live independently.

3.2 The Customer Care & Complaints Unit liaises closely with the advocacy project (VoiceAbility). There were two complaints referred by the advocacy service compared to one in the previous year.

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 17% of the total number of complaints received by the Children's Specialist Services, which is a higher proportion than in the previous financial year (13%).

- 3.4 Responding to complaints within the statutory timescales (88%) has significantly improved in comparison with the previous financial year (60%).
- 3.5 There were no complaints from children and young people about child protection or their wellbeing during 2013-14, whilst four were received in 2012-13.

#### **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 addressed.

#### **5. CONTRIBUTION TO STRATEGIC PRIORITIES**

- 5.1 A sound, robust and accessible complaints procedure contribute 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 (April 2013 - March 2014)

**Appendix B:** Children Social Care Background Information.

#### **9. BACKGROUND DOCUMENTS**

None

## APPENDIX A

### Bradford Children Specialist Services

#### COMPLAINTS RECEIVED FROM LOOKED AFTER CHILDREN AND YOUNG PEOPLE (April 13- March 14)

#### 1. Activity

- 1.1 The Complaints Unit recorded 65 new complaints between April 2013 and March 2014. Nine of the new complaints were made by Looked After young people compared to ten during the previous financial year.
- 1.2 A higher proportion of complaints (17%) was made directly by Looked After young people than last year (13%). The number of complaints received from young people represents 1% of the total of young people in care (as in 31<sup>st</sup> March 2014), which is the same proportion than in the previous financial year.

Children's Services – person making the complaint	13-14	12-13	11-12
Child/young person	9	10	17

#### 2. Who made the complaints?

Age	2013-14	2012-13	2011-12
<15	2 (22%)	3 (30%)	2 (12%)
15-18	6 (67%)	7 (70%)	13 (76%)
19-25	1 (11%)	0	2 (12%)
<b>Total</b>	<b>9</b>	<b>10</b>	<b>17</b>

Gender	2013-14	2012-13	2011-12
Male	5 (56%)	7 (70%)	8 (47%)
Female	4 (44%)	3 (30%)	9 (53%)
<b>Total</b>	<b>9</b>	<b>10</b>	<b>17</b>

Disabilities	2013-14	2012-13	2011-12
Physical	0	0	0
Learning	0	1 (10%)	1 (6%)
No disabilities	7 (78%)	9 (90%)	13 (93%)
Not stated	2 (22%)	0	3 (18%)
<b>Total</b>	<b>9</b>	<b>10</b>	<b>17</b>

Status	2013-14	2012-13	2011-12
Care order	5 (56%)	5 (50%)	10 (6%)
Voluntary Placement	3 (33%)	1 (10%)	1 (6%)
Interim Care order	0	1 (1%)	0
Other	1 (11%)	3 (30%)	6 (35%)
<b>Total</b>	<b>9</b>	<b>10</b>	<b>17</b>

Ethnicity	2013-14	2012-13	2011-12
White British	5 (56%)	5 (50%)	6 (35%)
White- African	0	1 (10%)	0
White- Asian	1 (11%)	0	2 (12%)
Asian/ British- Indian	0	0	0
Asian/ British-Pakistani	1 (11%)	3 (30%)	7 (41%)
Asian/Bangladeshi	1 (11%)	1 (10%)	0
Asian/ Other	0	0	2 (12%)
Not stated	1 (11%)	0	0
<b>Total</b>	<b>9</b>	<b>10</b>	<b>17</b>

- 2.1 As in the previous financial year, the average complainant was a Looked After male between 15 and 18 years of age, who was under a care order and had no disabilities.
- 2.2 For the second consecutive year since 2008, the majority of complainants were male.
- 2.3 When all the complaints received by the department are considered (including those from parents, foster carers etc), there was a majority of female complainants (59%) contrary to the situation regarding complaints made by young people directly.
- 2.4 Slightly higher number of complaints from a white ethnicity compared to the complaints received between April 2012 and March 2013.
- 2.5 The total number of looked after children and young people younger than 15 was 701 and those between 15- 18 were 216 at the time of writing this report.
- 2.6 The youngest person making a complaint during this period was 13 and the oldest was 19. Like in the previous year, the average age was 15.
- 2.7 None of the young people had disabilities, whilst one young people with learning disabilities made a complaint during the previous year.

### 3. What was the complaint about?

Type of issues	2013-14	2012-13	2011-12
Communication	0	2	0
Challenging decisions	1	0	2
Child Protection	0	4	4
Service Provision (general quality, damage to property)	2	3	2
Staff (professional practice)	6	1	4
<b>Total</b>	<b>9</b>	<b>10</b>	<b>12</b>

- 3.1 There were 9 complaints made by Looked After young people during this period. Each complaint refer to one issue only.
- 3.2 Most of the issues were about staff (67%), followed by service provision (22%) and challengin decisions (11%). This a different pattern to the previous year when most of the complaints were about child wellbeing (40%), followed by service provision (30%), communication (20%) and staff (10%).
- 3.3 There was one complaint about decisions made by Children Social Care whilst there were none during the previous year.
- 3.4 There were no complaints about communication during 2013-14, whilst there were two in 2012-13.
- 3.5 Between April 2013 and March 2014 the department did not receive any complaints made by looked After Children about child wellbeing, whilst four were received in the two previous years. This type of complaints generally include issues such as harassment, assaults etc.
- 3.6 Compared to the previous financial year, there has been a significant increase in complaints about staff (from 1 to 6).
- 3.7 Similar number of complaints for Children's Homes, Social Work teams, LAC and the Fostering Unit in comparison with the previous year when, most of the complaints received were related the Looked After Children Team (4), followed by residential units (3 including one private provider),

Services	2013-14	2012-13	2011-12
Children's Homes	2	2	4
Children's Homes (commissioned)	1	1	1
Leaving Care	0	1	2
Social Work Teams	2	0	1
LAC	2	4	2
Fostering Unit	2	0	1
YOT	0	2	1
<b>Total</b>	<b>9</b>	<b>10</b>	<b>12</b>

- 3.8 The Youth Offending Team and Leaving Care did not receive any complaints during 2013-14, whilst the Youth Offending Team received 2 and Leaving Care 1 during 2012-13.
- 3.8 Social work teams and the Fostering Unit received two complaints each, whilst they didn't received any complaints in the previous financial year.

#### 4. How were the complaints made?

- 4.1 Most young people either wrote a letter (33%), or made their complaint face to face (33%) whilst none of the young in the previous financial year made their complaint face to face and 50% preferred to write a letter.
- 4.2 Like in the previous year, one young person used e-mail facilities to make a complaint. None of the young people used the Council's website.
- 4.3 There were two complaints referred by the advocacy service between 2013 and 2014 whilst one was referred during the previous year.
- 4.4 Nearly half of the complaints (45%) were made to front line teams directly, the rest were made to the complaints unit (33%) and VoiceAbility (advocacy service), whilst the complaints unit received most (60%) of the complaints during 2012-13.

#### 5. Outcomes of complaints

- 5.1 Eight complaints were closed at Stage 1 during this period.

OUTCOMES	Social Work	Homes	Leaving Care	Fostering	Commissioned	LAC	TOTAL
Upheld	0	0	0	0	0	0	0
Partially upheld	0	3	0	1	1	1	6
Not upheld	1	0	0	0	0	1	2
Withdrawn	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>8</b>

- 5.2 Most of the complaints (75%) were partially upheld, compared to 50% in the previous financial year. None of the complaints received during the last two years has been fully upheld.
- 5.3 Following the same pattern as in the previous year, there were no complaints withdrawn or fully upheld.
- 5.4 Significant reduction in the number of complaints not upheld from 50% in 2012-13 to 25% in 2013-14.

OUTCOMES	2013-14	2012-13	2011-12
Upheld	0	0	1
Partially upheld	6	5	6
Not upheld	2	5	5
Withdrawn	0	0	2
<b>TOTAL</b>	<b>8</b>	<b>10</b>	<b>14</b>

## 6. Response times

- 6.1 The Department acknowledged all the complaints within the 2 required days. Whilst during 2012-13 one of the 10 complaints received that year was not acknowledged on time.
- 6.2 The Department responded to 88% of the complaints (7) within timescales which shows a significant improvement in performance compared to last year (60%).
- 6.3 The average time to respond to a complaint was 16 days.
- 6.4 An extension of 10 working days was successfully used in six cases. All the extensions referred to a delay due to annual leave.
- 6.5. There was one significant delay (over 10 days) compared to two the previous year. In one case the response was sent after 33 days due to the manager's work commitments and annual leave.

## 7. Learning from Complaints

- 7.1 Managers dealing with complaints at Stage 1 highlighted the following actions as a result of the complaints made by young people.
- Reminder to team about discussing young people's personal issues in front of other young people.
  - Standard letter for all leavers from the home to acknowledge that they should take all their belongings when they leave and that if anything is left or stored it will be at their own risk.

## 8. Escalation

- 8.1 Following the same pattern as in 2012-13, none of the complaints made young people escalated to Stage 2 or 3 of the Social Care Complaints Procedure.

## 9. Compliments

- 9.1 Specialist Services received 109 compliments of which 74% were from service users. Of those, 30 were made by young people (28%) which is fewer than in the previous financial year (37).

TYPE	Social Work	Leaving Care	Placement Support	TOTAL
Impact on service user	1	7	0	8
Quality of service	1	19	1	21
Staff	0	0	0	0
Beyond job's remit	0	1	0	1
<b>Total</b>	<b>2</b>	<b>27</b>	<b>1</b>	<b>30</b>



- 9.2 Leaving Care received the highest number of compliments (27), usually through the exit interviews, followed by social work teams (2) and Placement Support (1).
- 9.3 Following the same pattern as in the previous year, young people were happy with the quality of the service they received (21) and the impact this had on their lives (8). They also complimented staff for going beyond their remit (1).
- 9.4 Reduction in the number of compliments received about the quality of service provided in comparison with the previous financial year (27). There were no compliments about staff whilst there were two in the previous year. One compliment was received about staff going beyond their remit, whilst none were received during 2012-13.

<b>TYPE</b>	<b>2013-14</b>	<b>2012-13</b>	<b>2011-12</b>
Impact on service user	8	8	8
Quality of service	21	27	15
Staff	0	2	1
Beyond job's remit	1	0	3
<b>Total</b>	<b>30</b>	<b>37</b>	<b>27</b>

**Irina Arcas**  
**Manager, Complaints, Freedom of Information & Data Protection Unit**  
**22<sup>nd</sup> October 2014**

## APPENDIX B

### CHILDREN SOCIAL CARE COMPLAINTS

#### Background Information

**Open Children Cases:** **4,183** \*. 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:** **886 mainstream (looked after full time) \***.

*\*As at 31/3/14*

#### **Total number of representations related to Children Specialist Services received between 1<sup>st</sup> April 2013 and 31<sup>st</sup> March 2014:**

Stage 1:	<b>52</b>
Stage 2:	<b>2</b>
Stage 3:	<b>1</b>
Freedom of Information Requests:	<b>101</b>
Pre-complaints resolved:	<b>28</b>
Compliments	<b>109</b>