

Report of the Deputy Director (Children's Social Care) to the meeting of the Corporate Parenting Panel to be held on 5 November 2018

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 2017 – 30th March 2018.

Jim Hopkinson
Deputy Director
(Children's Social Care)

Report Contact: Irina Arcas
Complaints Manager
Phone: (01274) 435269
E-mail: irina.arcas@bradford.gov.uk

Portfolio:

Children and Families

Overview & Scrutiny Area:

Children's Services

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 2017– 30th March 2018. 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. OTHER CONSIDERATIONS

Not applicable.

4. FINANCIAL & RESOURCE APPRAISAL

There are no financial issues arising from this report.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

There are no significant risks arising from this report.

6. LEGAL APPRAISAL

There are no specific legal issues arising from this report.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

There are no direct equal rights implications. All decisions on complaint investigations are made on the individual facts of the case taking into account the Council's complaints procedure.

7.2 SUSTAINABILITY IMPLICATIONS

There are no sustainability implications.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are no impacts on Gas Emissions.

7.4 COMMUNITY SAFETY IMPLICATIONS

There are no impacts on Community Safety.

7.5 HUMAN RIGHTS ACT

There are no impacts in relation to the Human Rights Act.

7.6 TRADE UNION

There are no Trade Union implications.

7.7 WARD IMPLICATIONS

Not applicable.

7.8 IMPLICATIONS FOR CORPORATE PARENTING

Monitoring, investigating and learning from complaints of children in care is integral to developing better services for our children.

7.9.1 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

There are no data protection and information security matters arising from this report.

8. NOT FOR PUBLICATION DOCUMENTS

Appendix B (to be tabled) is Not for Publication under the provisions of Paragraphs 1 (Information relating to an individual) and 2 (information identifying an individual) of Schedule 12A of the Local Government Act 1972 (as amended) and it is considered that, in all the circumstances the public interest in applying these exemptions outweighs the public interest in disclosing the information; it is in the overriding public interest that a young person who has made a complaint should have a right to confidentiality of process.

9. 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.

10. RECOMMENDATIONS

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

11. APPENDICES

Appendix A: Complaints received from Looked After Children and Young People (April 2017- March 2018).

Appendix B: Confidential information on complaints. **NOT FOR PUBLICATION**

12. BACKGROUND DOCUMENTS

None.

APPENDIX A

Bradford Children Social Care

COMPLAINTS RECEIVED FROM LOOKED AFTER CHILDREN AND YOUNG PEOPLE (April 17- March 18)

1. Activity

- 1.1 The Complaints Unit recorded 93 new complaints against Children Services between April 2017 and March 2018. Of those, 84 were related to Specialist Services compared to 115 in the previous financial year.

Three of the new complaints were made by young people. Another complaint was made by a professional in relation to a young person but there was not sufficient information to progress.

- 1.2 A lower number of complaints was made directly by Looked After young people than in last year. Considering the number of young people in care (986 as on 31 March 2018) the number of complaints received from looked after young people represents 0.4% of the total of young people in care, which is a lower proportion than in the previous financial year (0.6%).

Children's Services – person making the complaint	17-18	16-17	15-16	14-15
Looked After Children	3	6	4	5

2. Who made the complaints?

Age	2017-18	2016-17	2015-16
<15	0	1 (17%)	0
15-18	1 (33%)	1 (17%)	2 (50%)
19-25	2 (67%)	3 (50%)	0
>25	0	1 (17%)	2 (50%)
Total	3	6	4

Gender	2017-18	2016-17	2015-16
Male	2 (67%)	2 (33%)	1 (25%)
Female	1 (33%)	4 (67%)	3 (75%)
Total	3	6	4

Disabilities	2017-18	2016-17	2015-16
Physical	0	0	0
Learning	0	0	1 (25%)
No disabilities	2 (67%)	5 (83%)	2 (50%)
Not stated	1 (33%)	1 (17%)	1 (25%)
Total	3	6	4

Status	2017-18	2016-17	2015-16
Care order	1 (33%)	3 (50%)	2 (50%)
Voluntary Placement	1 (33%)	2 (33%)	1 (25%)
Interim Care order	0	1 (17%)	0
Placement order	1 (33%)	0	0
Other	0	0	1 (25%)
Total	3	6	4

Ethnicity	2017-18	2016-17	2015-16
White British	2 (67%)	2 (33%)	4 (100%)
BME	1 (33%)	4 (67%)	0
Not stated	0	0	0
Total	3	6	4

- 2.1 Contrary to last year, the majority of the complainants in 2017-18 were from white young people. The average complainant was a white male care leaver with no disabilities
- 2.2 The youngest person making a complaint during this period was 16 (compared to 14 in the previous year) and the oldest was 21. The average age was 20.

3. What was the complaint about?

Type of issues	2017-18	2016-17	2015-16
Communication	0	0	0
Challenging decisions	1	0	1
Child Protection	0	2	0
Information on records	1	1	1
Service Provision (general quality, failure to provide)	3	7	3
Staff (professional practice and attitude)	0	0	3
Total	5	10	8

- 3.1 There were 3 complaints made by Looked After Young People during this period, made up of 5 issues.
- 3.2 Compared to the previous year there were fewer issues regarding service provision. As in the previous year, there were no issues about staff.
- 3.3 There were no complaints made by looked After Children about child wellbeing, whilst there were 2 in the previous year.
- 3.4 Contrary to the last previous financial years, two issues were related to Children's residential units.
- 3.5 There was a reduction in the number of complaints against social workers, from 3 to 1.

Services	2017-18	2016-17	2015-16
Children's Homes	2	0	0
Children's Homes (commissioned)	0	0	0
Leaving Care	2	2	0
Social Work Teams	1	3	4
LAC	0	1	2
Fostering & Adoption Unit	0	0	2
YOT	0	0	0
Total	5	6	8

- 3.6 Leaving Care didn't receive any complaints during 2017-18, whilst it received one during the previous year.

4. How were the complaints made?

- 4.1 The most popular method to make a complaint was by letter (2), whilst e-mails were more popular during the previous year.
- 4.2 One complaint was received directly by the complaints unit, another one by front line teams and the third one was referred by Ofsted.

5. Outcomes of complaints

- 5.1 Three complaints (4 issues) were closed at Stage 1 during this period.

OUTCOMES	Social Work	Homes	Leaving Care	Adoption/ Fostering	Commissioned	LAC	TOTAL
Upheld	1	1	0	0	0	0	2
Partially upheld	0	1	0	0	0	0	1
Not upheld	0	0	1	0	0	0	1
Inconclusive	0	0	0	0	0	0	0
TOTAL	1	2	1	0	0	0	4

- 5.2 75% of the complaints were fully or partially upheld whilst in the previous financial year 40% of the complaints were partially upheld.
- 5.3 Contrary to the previous year (2) there were no inconclusive outcomes.
- 5.4 One complaint was not upheld.

OUTCOMES	2017-18	2016-17	2015-16
Upheld	2	1	0
Partially upheld	1	3	3
Not upheld	1	4	0
Withdrawn	0	0	2
Inconclusive	0	2	0
TOTAL	4	10	5

6. Response times

- 6.1 Two out of the three complaints were acknowledged within the two required days.
- 6.2 Two complaints were responded within timescales, which is the same performance as in the last year (67%). The third complaint was not responded in writing as the complainant had an issue with official letters. A manager visited and met with the young person instead.
- 6.3 The average time to respond to a complaint was 8 days, which is significantly less than the 15 days during the previous financial year.

7. Escalation

- 7.1 As in the previous year, none of the complaints made by Looked After Children escalated to Stage 2 or 3 of the Social Care Complaints Procedure.
- 7.2 The table below provide a comparison with the total number of complaints received by Children services during the same period.

	From LAC	Total
Stage 1 complaints	3	93
Stage 2 formal investigations	0	0
Stage 3 review panels	0	1
Ombudsman	0	8
Compliments	3	106

8. Compliments

- 8.1 Children Services received 106 compliments of which 23% were from service users (compared to 53% in the previous year). Of those, 3 were made by young people which is a lower number than in the previous financial year (15).

TYPE	Leaving Care	Social Work	LAC	Fostering	Homes	TOTAL
Impact on service user	0	0	0	0	0	0
Quality of service	0	0	1	0	0	1
Staff	0	1	1	0	0	2
Total	0	1	2	0	0	3

- 8.2 The Looked After Children team (LAC) received most of the compliments (2 compared to 11 in the previous year) made by young people in care. The third compliment was in relation to social work.
- 8.3 Contrary to the previous financial year when most of the compliments (11) were in relation to Leaving Care services, no compliments were received during 2017-18.
- 8.4 Contrary to the previous financial year, two compliments were received about staff whilst none were received in relation to the impact of services on the young person.

TYPE	2017-18	2016-17	2015-16
Impact on service user	0	8	5
Quality of service	1	7	7
Staff	2	0	0
Beyond job's remit	0	0	0
Total	3	15	12