



MANCHESTER  
CITY COUNCIL

# Annual Complaints Report

**2015/16**

Children and Families (Children's)

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## **1. Introduction**

The Children Act 1989 and NHS and the Community Care Act 1990 require all Local Authorities with social services responsibilities in England and Wales to have a complaints procedure for people dealing with Social Care Services. *Getting the Best from Complaints* provides guidance for local authorities on implementing the Children Act 1989. The regulations require three internal stages to the complaints procedure: Stage 1 - Local Resolution, Stage 2 - Investigation and Stage 3 - Review Panel.

Part of the statutory requirement is the production of an annual report on complaints, which is available to members of the public, our staff, and our elected Councillors. This report contains information on social care complaints received about Children's Services in the financial year 2015/16.

Complaints which contain an element of social care fall under the statutory Children's Social Care guidelines, however, we also have responsibility for dealing other complaints and political enquiries which relate to customers who may be dissatisfied with services which are not related to social care. These non social care complaints will follow the Council's three staged complaints process. We have included in this report some information relating to the non social care complaints and political enquiries that we have dealt with.

## **2. What is a complaint?**

A complaint is defined as a written or verbal expression of dissatisfaction about the service provided by the Council.

We aim to acknowledge complaints within three working days and to send a full written response within 10 working days or 20 working days if the complaint is complex and relates to social care. In this case we will advise the complainant of the delay.

If the complainant requires clarity of any of the points in their complaint response, following investigation, they can return to the Council for further information.

We realise that young people may want to also complain, being important users of our services. All young people recording complaints against Children's Services are advised of the Children's Rights Advocacy Service, who works closely with Corporate Complaints Team to progress complaints.

There is no power for the complaints process to appeal or overturn a decision made by the courts.

### 3. The complaints we received and how we responded.

#### 3.1 How well we responded

##### Summary

	Target response time	Complaints responded to	Responded within deadline
Stage 1 social care complaints	20 working days	145	65%
Stage 2 social care complaints	65 working days	4	100%
Stage 3 social care complaints	50 working days	0	N/A
Stage 1 corporate complaints	10 working days	65	54%
Stage 2 corporate complaints	10 working days	1	100%
Stage 3 corporate complaints	10 working days	0	N/A
Ombudsman social care	28 calendar days	6	83%
Ombudsman non social care	28 calendar days	2	0%

##### Stage 1

A total of 145 social care complaints were responded to in 2015/16. This is a 24% decrease on the previous year (190 in 2014/15), and our 20 day response times have increased by 14% from 51% in 2014/15.

Of the 145 social care complaints we handled at stage 1, 59 (42%) of these were upheld, or partially upheld, a 7% increase on the 35% of 2014/15.

A total of 65 non social care complaints were responded to in 2015/16. This is a 55% increase on the previous year (42 in 2014/15), and our 10 day response times have decreased by 13% from 67% in 2014/15.

Of the 65 non social care complaints we handled at stage 1, 16 (25%) of these were upheld, or partially upheld, a 13% decrease on the 38% of 2014/15.

Where we uphold a complaint we acknowledge that the complaint is justified and provide an apology, and also make recommendations for service improvement. Customer feedback is important to us and we are committed to learning from complaints that have been upheld.

##### Stage 2

There were four social care complaints responded to at Stage 2. Of these, three were upheld or partially upheld.

The number of social care Stage 2 investigations completed within the permitted 65

working days remained at 100% and one was completed within our initial target of 25 working days.

There was one non social care complaint responded to at Stage 2. The complaint was partially upheld and completed within 10 working days.

The non social care complaint responded to at Stage 2 progressed to Stage 3. It was still partially upheld and was responded to within 10 working days

## Ombudsman

The Council are given a timescale of 28 calendar days to provide a response to the Local Government Ombudsman (LGO). Responses are often complex, lengthy and require a large volume of appendices to be collated, catalogued and returned to the LGO.

Total number of LGO complaints responded to by Children’s Services during 2015/16 was eight, a decrease from 11 the previous year.

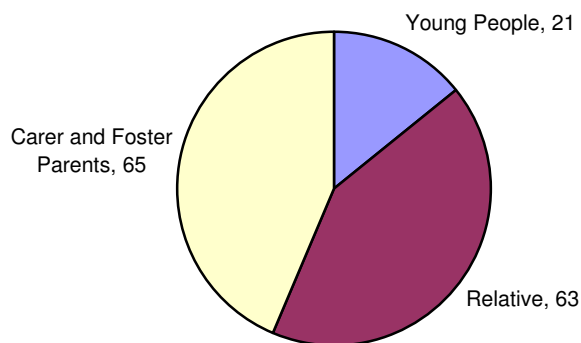
During 2015/16 we received 18 decisions from the LGO following their investigations. Of these, 11 were upheld. Of those complaints upheld, the Council were required to make the following payments or remedy to complainants:

<b>Decision</b>	<b>Complaint and Remedy</b>
Case A: Maladministration and Injustice	A complaint concerning a School Travel Pass led to the appeal process being amended. Also, the complainant was awarded free travel for academic year.
Case B: Maladministration and Injustice	Following concerns regarding how the Council reported information from the police in a Core Assessment, they amended the record. Also, the Council ensures its child in need assessments are shared with parents before they are signed off by the team manager, unless there is a safeguarding reasons not to.
Case C: Maladministration, No Injustice	A complaint concerning a School Travel Pass led to the Council ensuring that Appeal Panel members record their notes more thoroughly in future.
Case D: Maladministration and Injustice	Delays in implementing Looked After Children (LAC) review recommendations led to a £100 settlement for the complainant.
Case E: Maladministration and Injustice	A complaint regarding the handling of foster care placement led to the Council agreeing to consider changing the documents used for the ‘matching meeting’ to ensure they are in a clearer format.
Case F: Maladministration and Injustice	The Council have apologised for poor communication during a safeguarding enquiry. Also, the Council agreed to ensure such agreements are in writing to make the parent’s rights and responsibilities clear.
Case G; Closed without a final decision	Following an inappropriate decision not to carry out enquiries and assessment, as required, the Council’s Stage 2 response did not identify the full extent of fault or offer sufficient remedy. The complainant has since been paid £3145.30 compensation.

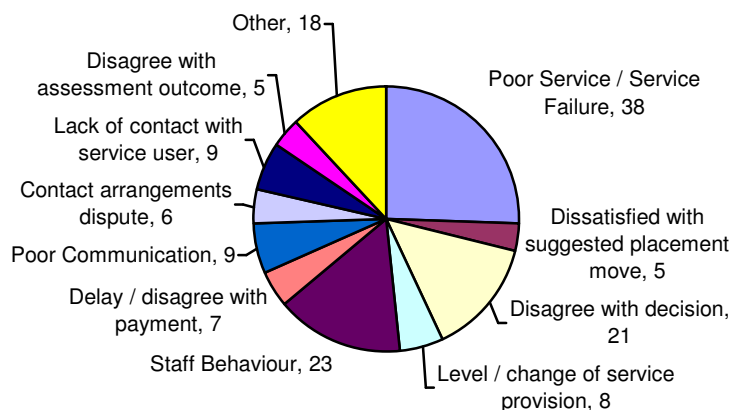
Case H: Maladministration and Injustice	The Council accepted it was at fault in not saving a copy of a Sec.20 agreement or telling the complainants about significant events while the children were in foster care. The Council apologised and paid £250 for avoidable stress and time and trouble.
Case I: Maladministration and Injustice	Due to delays in responding to a complaint at Stage 1 the Council agreed to consider its procedures and conduct staff training on complaints handling.
Case J: Maladministration and Injustice.	There was some fault and some issues of concern in the way the Council considered a prospective adopter. The Council agreed to offer the complainant the chance to have a meeting with the social worker to discuss a revised brief report and have their observations added before sending it to the next Panel.
Case K: Maladministration and Injustice	Delays in resolving a child's statement and in securing schooling led to an apology, £150 compensation, as well as changes to the process.

### 3.2 Who complained and why?

Of the 149 social-care complaints responded to, the complaints originated from the following:



The main areas of dissatisfaction from the social care complaints are summarised in the number of complaints for each category as below:



The reasons and proportions for each complaint theme above are similar to those across all Council services. We accept that people are sometimes dissatisfied with delays in the delivery of our service, and we continually strive to improve quality and efficiency in this area.

### 3.3 Complaints received from children and young people

The number of complaints made by young people in their own right decreased from 15% in 2014/15 to 14% in 2015/16.

#### Meeting the child

Although it is not always possible, and occasionally the child would prefer not to, it is advisable to discuss the complaint with the child, either face to face or on the telephone, during the investigation. Of the 21 complaints from children that were responded to during 2015/16 only 10 involved the investigator discussing the complaint with the child. This needs to improve in the coming year.

#### Themes

The general themes of complaints from children and young people, responded to in 2015/16 were as follows:

- 3 Allowance/ payments issues
- 2 Children's Home issue
- 9 Dissatisfied with suggested placement move
- 1 Unhappy with Social Worker - do not do what they says they will do
- 2 Unhappy with Social Worker - lack of contact
- 2 Unhappy with Social Worker - not explained situation fully
- 2 Other

#### Advocacy Service

During the course of making a complaint the child or young person is entitled to advocacy support that is independent and confidential. This service was originally provided in-house by the Children's Rights service. From November 2015 the advocacy support was commissioned externally by Coram Voice.

## 4. Political enquiries received and how we responded.

### Summary

	Target response time	Enquiries responded to	Responded within deadline
MP/Councillor social care enquires	10 working days	71	68%
MP/Councillor non social care enquires	10 working days	251	53%

During the reporting period the directorate responded to a total of 322 political enquiries. This was an decrease of 2% on 330 the previous year.

56% of these enquiries were responded to within the 10 day deadline for responding to enquiries which is the same as the previous year. The target for dealing with enquiries within 10 days is 96%

The majority of enquiries were seeking advice or support. The main themes for these enquiries were:

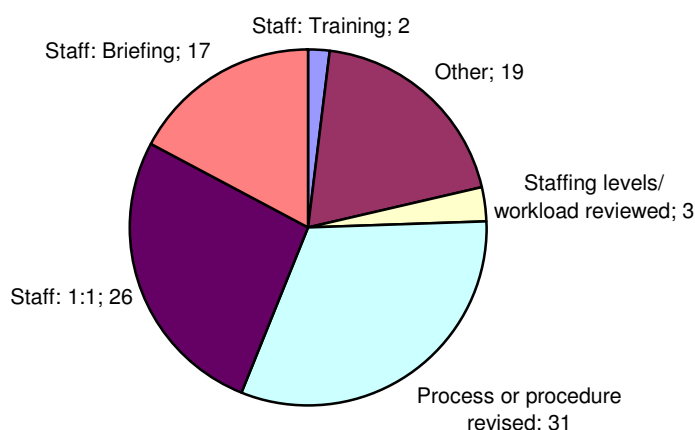
- Issues regarding school places
- Special Educational Needs
- Disagreement with social care decisions

## 5. How we have improved our service as a result of complaints

### 5.1 Learning actions from complaint investigations

We recognise that when things do go wrong, we need to learn from the mistakes to reduce the likelihood of the same thing happening again. From the information given in complaints and their responses, we identified actions and potential service improvements and allocated them to service managers to be implemented within a set deadline. During 2015/16 we recognised 98 opportunities for service improvement for the directorate as a result of complaints made about our services.

The outcomes, as a result of learning from the complaints the directorate received during 2015/16 have been identified as:



The actions and service improvements detailed above are the result of individual complaint issues raised at Stages 1 and 2.



Changes in processes or procedures are a common theme for service improvement. The other main themes of learning involves staff briefings and staff 1:1s, which relate to low-level issues and are often due to one-off mistakes rectified by discussion. .

We now categorise the learning actions depending on their severity and the implications for the service user. The actions that are identified as having major implications, such as those that require procedural changes or where something needs to be implemented across the whole of the city, will now be closely monitored and evidence of their implementation will be collated and fed back to senior Managers, with a clear line of responsibility for the actions required.

## 5.2 What you told us and what we did...

Other learning actions have been carried out throughout the year that are case-specific, and the following are examples of outcomes from complaint investigations.

You said	We did
There was an error in the Child In Need (CIN) assessment that we only found after it was signed off.	We will ensure CIN assessments are shared with parents before sign off (unless there is a safeguarding reasons for not doing so).
I have no written record of the Council's agreement that I would not have unsupervised contact with my sons while the Council investigated allegations.	Such agreements will now be in writing to make the parent's rights and responsibilities clear. This could either be by a Written Agreement or by a simple letter setting out what has been discussed and agreed with the parent.
We were not offered alternative fostering placements whilst being assessed for a child with specific needs. No system currently in place regarding retention payments	The Fostering Service completed a review of fostering payments and whether retention payments should be offered. A new payment scheme is now in place.
We requested our son's revised Education and Health Care (EHC) Plan so we could exercise parental choice in naming his high school, but the Local Authority delayed issuing the EHCP because of ongoing negotiations with a school.	The Statutory Assessment Team will now ensure that the deadline for issuing EHC Plans for secondary transfer will be adhered to even if there are ongoing negotiations and consultations with parents' preferred schools.

## 6. Compliments and customer feedback

During the year 1 April 2015 to 31 March 2016, Children's Services received a total of 120 written compliments. This is an increase from 93 in the previous year.

Some examples of compliments received are detailed below.

*An Independent Reviewing Officer was praised by foster care for supporting her two foster children: "She is approachable and always available, and I feel she always puts the young people in her care first and advocates on their behalf."*

*Praise for social workers from a parent: "They were both wonderful". The parent advised that their greatest fear was to be visited by Children's Services and they felt this was a negative thing until yesterday. He said the social worker was understanding, caring, sensitive and put their minds at rest but most importantly they felt that she listened to them.*

*Praise for a Family Intervention Project key worker: "Just a note to say how thankful we are for every single thing you have done for us... you gave me the confidence to turn things around and get my happy little gang back smiling again... you genuinely cared."*

*Praise for social worker from family member: "From the outset the social worker was not only professional in making my grandsons' welfare her priority but she did so with an open, honest, fair minded and considerate approach. Any concerns I had were listened to and processed... the communications between us never broke down...I felt as though I was part of a team in my efforts to protect my Grandsons..."*

*Praise for social worker: "The young person stated he felt the social worker and Children's Services helped his family". The social worker managed and developed a constructive working relationship with the family, including with the children, where engagement was good, and as a result there were no outstanding actions and the children were no longer at risk of significant harm.*

## **7. Final comments**

Overall we note that timeliness of responses to social care complaints for 2015/16 has improved on last year's performance. Also, the number of social care complaints that progressed beyond the initial stage was the same as the previous year at four, evidencing that the quality of responses at Stage 1 remains high. However, those complaints which were found to be at fault have increased.

There is an ongoing focus on improving our performance for responding to complaints. We are confident that the work carried out by Children's Services and the Corporate Complaints Team during the coming year will improve Children's Services' performance even further and allow us to report better results in next year's annual report.

To help us improve further we recognise the need to continually review our processes and improve the quality and timeliness of our responses. The following examples highlight the steps we are taking to improve this year:

### **Process improvements**

- The Complaints Team are working with Senior Managers to closely monitor the high risk complaints, and the learning required, through action plans and we are ensuring the actions are shared to ensure wider learning across the Council via communication bulletins.

### **Guidance and Training**

- Review of the content of the training courses offered as part of our Learning and Development programme. We run half-day courses to highlight the importance of effective complaints handling and good practice, and are reviewed to highlight areas of weakness and any recurrent themes in complaints.

## **Performance**

- The target for responding to social care complaints within 10 working days will remain at 70% although we will focus more on improving that performance. Our target for resolution within 20 working days remains at 96%.
- Complaints performance features as part of our Council's Performance Management Framework, and this allows themes of complaints, timescales, quality of responses and outcomes to be closely monitored on a frequent basis. Performance updates are reported quarterly to the directorate's Leadership Team and also to the Council's Strategic Management Team.
- We are developing a specific reporting framework for complaints made by children and young people, including care leavers, to ensure our performance in this area receives specific scrutiny not only internally, but by young people themselves.

## **Communication with customers**

- The Young Person's complaint forms have been revised to include contact details for Coram Voice, who have taken on the role of Children's Rights. The leaflets are made available to all children in contact with the service.
- The complaints-related information on Manchester City Council's internet pages is under constant review to improve clarity and access, particularly for Children.
- A poster has been developed to be displayed in all reception areas to help sign post customers who wish to make a complaint.