



MANCHESTER  
CITY COUNCIL

# Annual Complaints Report

**2018/19**

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 2018/19.

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 two stage 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 Advocacy Service, who work with the Feedback and Complaints Service to progress complaints.

The complaints process has no power to appeal or overturn a decision made by the courts.

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

#### 3.1 Response times

##### Summary

	Target response time	Complaints responded to	Responded within deadline
Stage 1 social care complaints	10 working days	152	69%
	20 working days		82%
Stage 2 social care complaints	25 working days	4	25%
	65 working days		100%
Stage 3 social care complaints	50 working days	4	100%
Stage 1 corporate complaints	10 working days	169	78%
Stage 2 corporate complaints	15 working days	16	75%
Ombudsman social care	28 calendar days	5	60%
Ombudsman non social care	28 calendar days	2	50%

##### Stage 1

A total of 152 social care complaints were responded to in 2018/19. This is a 29% decrease on the previous year (214 in 2017/18). Although our 20 day response times have remained the same at 82%, our 10 day response times improved slightly from 70% to 69%.

Of the 152 social care complaints we handled at Stage 1, 52 (33%) of these were upheld, or partially upheld, a 9% increase on the 24% of 2017/18.

A total of 169 non-social care complaints were responded to in 2018/19. This is a 41% increase on the previous year (108 in 2017/18), and our 10 day response times have increased from 56% on 2017/18 to 78% this year.

Of the 169 non-social care complaints we handled at Stage 1, 38 (22%) of these were upheld, or partially upheld, which is less than the percentage upheld in 2016/17 of 33%.

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.

##### Stages 2 and 3

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

All four social care Stage 2 investigations were completed within the permitted 65 working days, compared to 71% in 2017/18, and one was completed within our initial target of 25 working days.

There were four social care complaints that progressed to Stage 3. Two of these were upheld or partially upheld, and they were all completed within the deadline.

There were 16 non-social care complaints responded to at Stage 2, and five of them were upheld or partially upheld. Twelve of the responses were completed within the deadline of 15 working days, and 11 of these were completed within our initial target of 10 working days.

## Local Government and Social Care Ombudsman

The Council are given a timescale of 28 calendar days to provide a response to the Local Government and Social Care Ombudsman (LGSCO).

Total number of LGSCO complaints responded to by Children’s Services during 2018/19 was seven, an increase from the previous year’s total of four.

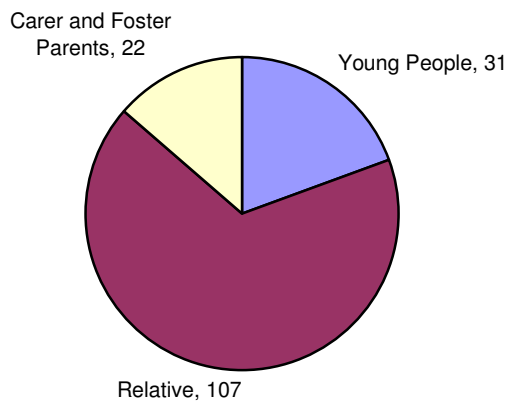
During 2018/19 we received 15 decisions from the LGSCO following their investigations. Of these, six were upheld. Regarding the upheld complaints, the Council were required to do the following to remedy to the complainant:

Decision	Complaint and Remedy
Case A: Upheld: Maladministration and Injustice	This was a free school transport issue. The Ombudsman’s decision was for a £100 payment and a review of the policy.
Case B: Upheld: Maladministration and Injustice	This was a social care issue involving the payment of Guardianship Allowance. The Ombudsman’s settlement was to agree all of the Stage 2 recommendations, mainly assess the complainant for the period concerned, then make appropriate payments; explain what the SGO allowance or any other payment is for; assess the family’s needs to ensure they receive everything they are entitled to; and pay the complainant £250 for the time and trouble regarding this complaint.
Case C: Upheld: Maladministration and Injustice	This involved the failure to properly assess and address a child’s needs while in the care of the Authority. The LGSCO’s settlement was for the Council to confirm key contacts while child remains in care, and to fund additional six months educational programme.
Case D: Upheld: Maladministration and Injustice	This was a school transport appeal. The LGSCO’s settlement was for the Council to hold a fresh Stage 1 appeal. This was because the LGSCO felt the Council did not consider all the information provided by the complainant for the first appeal.

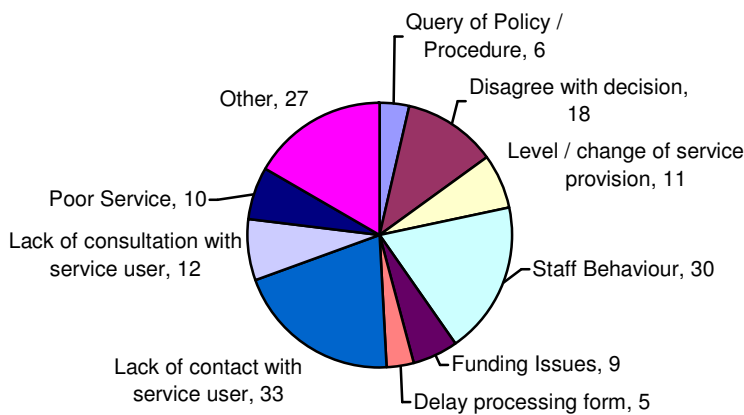
Case E: Upheld: Maladministration and Injustice	This complaint was about safeguarding concerns regarding the complainant's child. The LGSCO's settlement was for the Council to apologise for not contacting the complainant as agreed, following his call to the contact centre and to explain the current status of its involvement with the complainant's child's case.
Case F: Upheld: Maladministration and Injustice	This was a complaint about the termination of foster placement. The LGSCO's settlement was for the Council to apologise for not informing the IRO of a specific incident and for not holding a review meeting before its decision to end the foster placement.

### 3.2 Who complained and why?

Of the 160 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**

Although the number of complaints made by young people in their own right decreased from 41 in 2017/18 to 31 in 2018/19, the actual amount of complaints received from young people as a percentage of the total amount of complaints received increased from 18% in 2017/18 to 19% in 2018/19.

#### **Meeting the child or young person**

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. However, of the 31 complaints from children/young people that were responded to during 2018/19 only three appeared to involve the investigator discussing the complaint directly with the child/young person. This is a lower figure than 2017/18 and needs to improve.

#### **Themes**

The general themes of complaints from children and young people, responded to in 2018/19 were as follows:

- 6 Allowance/ payments issues
- 3 Delay in arranging passport or visa
- 7 Dissatisfied with placement or suggested placement
- 5 Unhappy with Social Worker / Personal Adviser - do not do what they say
- 3 Unhappy with \*SW/PA - lack of contact with them
- 2 Unhappy with \*SW/PA - not explained situation fully
- 5 Other

\* Social worker / personal advisor

#### **Advocacy Service**

During the course of making a complaint the child or young person is entitled to advocacy support that is independent and confidential. If a young person makes a complaint without advocacy support they are still offered the option of receiving advocacy support at the start of the process. The advocacy support is commissioned externally and is currently delivered by NYAS (National Youth Advocacy Service).

## 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	137	61%
MP/Councillor non social care enquires	10 working days	261	75%

During the reporting period the directorate responded to a total of 398 political enquiries. This was an increase of 13% on 352 in the previous year.

70% of these enquiries were responded to within the 10 day deadline for responding to enquiries which is 7% higher than 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

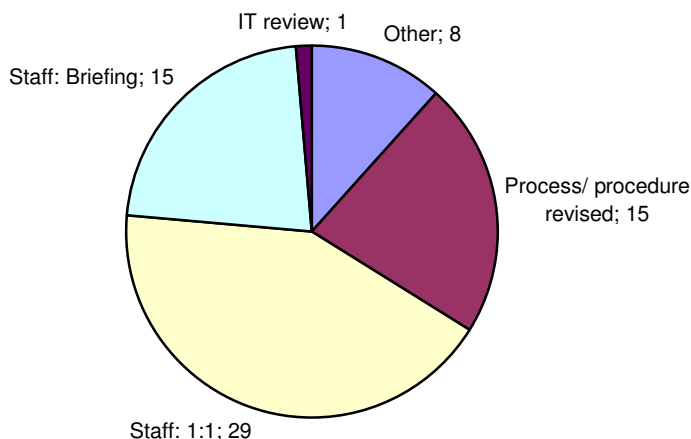
## 5. How we have improved our service as a result of complaints

### 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 2018/19 we recognised 68 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 2018/19 have been identified as:





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

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

We also 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, are closely monitored and evidence of their implementation is 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
A young person in care was concerned about lack of contact from her social worker and lack of support.	We ensured that telephone contact and visits are more regular moving forward. We also looked at the learning behind this and have measures in place to ensure that services are delivered more smoothly in future.
"I'm still waiting for response following annual review of Education, Health and Care Plan (EHCP)."	New processes have recently been put in place to manage the review arrangements and guidance has been provided to schools, however, there has been a 63% increase in the number of EHC plans held by the local authority since the introduction of the Children and Families Act and it will take some time to embed these processes and

	manage the increased workload.
“I was not consulted prior to our case with Children’s Services being closed.”	All social work staff within that Locality were briefed regarding parental engagement, with a specific focus on the engagement of fathers.
“The partner agency reports were not available to me before the Child Protection conference, and as I decided not to attend the conference I did not receive those reports.”	The Safeguarding and Improvement Unit raised these concerns with partner agencies about reports being given to parents ahead of conferences.
“I attended a stay and play group at a Sure Start Centre with my son. The group is meant for non-walking babies, and my son had started to walk, so I knew I may not be allowed to attend any longer but thought I’d go to say goodbye and to thank the staff. When I arrived the receptionist told me I couldn’t attend, and was reluctant to let me stay in the reception area to warm up. I feel this approach could be damaging for those more vulnerable than me.”	In future, if a family comes to the centre with the purpose of attending the Baby Group, with a child who is walking, they will be able to access the session. The outreach worker who runs the session will then discuss the appropriateness of the group with the family and ensure they are aware of the most appropriate groups. Should the family require additional support they will work out a plan with the family to support the family based on their priorities.
“My child’s social worker left the service but I wasn’t informed beforehand.”	We ask workers to let families know when they are leaving their post. We have raised this issue with team managers across the service to reiterate the need of this and to prevent this situation from happening again.

## 6. Compliments and customer feedback

During the year 1 April 2018 to 31 March 2019, Children’s Services received a total of 186 written compliments. This is the same as the previous year.

Some examples of compliments received are detailed below.

*The mother of a child we are working with praised the social worker: “she has been a brilliant support and it is good to have her on the end of the phone. We really appreciate her being there”*

*A parent praised an early help worker: “She was brilliant, she has helped out with emotional and practical support. She has given me advice and helped me through a really difficult time. I’ve been able to ring her when upset and she has been there for me”.*

*A parent praised an education caseworker: “thank you for all your hard work to help my child with the final few months in school. It’s been a struggle for him but he’s now finally left school and hopefully going to have a great future. Thanks to your help and support he’s feeling confident to go to college.”*

*"We are foster carers and would like to praise the children's social worker. What an absolute pleasure and breath of fresh air it is to work with her. She genuinely cares for the children, and is extremely professional. She is passionate about her job, and has the children's best interest at heart."*

*A young person sent a text message to an early help worker: "you don't know how thankful I am to have you in my life. Thank you so much, you are helping me become better and better each day. I can do this, and I will."*

*Praise from a school for a social worker: "I just wanted to say thank you for your support and hard work. You have kept me informed throughout the process and I have always felt like you have been doing your absolute best for this young person."*

*A young person said her social worker is the best she has ever had. She scored her 10 out of 10 and appreciates she has been there for her and feels she can trust her.*

*Praise from the Children's Guardian for a social worker: "During my investigations on this case I have been impressed with the practice of the social worker. She has worked closely with the parents to ensure that the child could remain within her birth family."*

*A parent praised an education caseworker: "I don't think parents in our circumstances can ever offer enough thanks for the work you and your colleagues do on our behalf."*

*A foster carer praised a social worker: "I'm very grateful for everything you did for this child. We definitely got the best outcome for her and I look forward to watching her grow into an even more amazing little girl than she is already."*

*A grandmother praised a social worker: "I'd like to thank you for having the trust in my daughter and working with her as a human being. We worked really closely with her, even on her dark days when nobody believed her, I feel you and me did. I'd like to thank all involved for getting her this far."*

## **7. Final comments**

Overall we note that timeliness of responses to social care complaints for 2018/19 has remained similar to last year's performance. However, the proportion of complaints where fault was found has increased. The number of social care complaints that progressed beyond the initial stage has decreased from the previous year.

Children's Services and the Feedback and Complaints Service will continue to work to improve our performance for responding to complaints. We expect the work carried out during the coming year will improve Children's Services' performance further and allow us to report even better results in the annual report next year.

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 Feedback and Complaints Service 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.

## **Guidance and Training**

- The content of our training briefings is updated regularly, to include changes made in internal practices directed by senior managers and to highlight areas of weakness and any recurrent themes in complaints. We provide briefings for new managers or those who would benefit from a refresher, and highlight the importance of effective complaints handling and good practice.
- As mentioned earlier in this report it is advisable to discuss the complaint with the child, either face to face or on the telephone, during an investigation. Guidance and training for 2019/20 will focus on ensuring this occurs much more often for complaints from children.

## **Performance**

- The target for responding to social care complaints within 10 working days will remain at 70% although we will still focus 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. Performance updates are reported quarterly to the Directorate's Leadership Team and also to the Council's Strategic Management Team.
- We have 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 complaint forms for children and young people 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 is displayed in all reception areas to help sign post customers who wish to make a complaint.