

**PORTSMOUTH CITY COUNCIL**

**SOCIAL CARE SERVICES FOR CHILDREN  
ANNUAL REPORT**

**COMPLAINTS AND COMPLIMENTS FOR THE  
YEAR 2009/10**

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# ANNUAL CHILDREN'S SOCIAL CARE COMPLAINTS REPORT

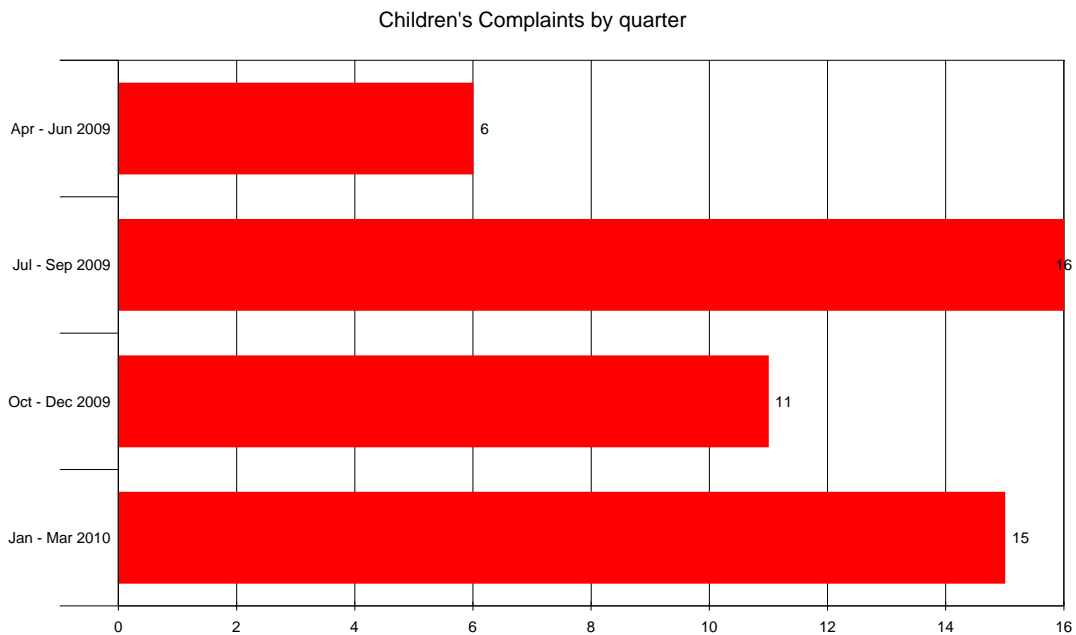
## SUBJECT: COMPLAINTS AND COMPLIMENTS 1 April 2009- 31 March 2010

### 1. PURPOSE

- 1.1 To provide an analysis of all complaints received during the period 1 April 2009 to 31 March 2010 for social care services provided to Children and to report on representations and compliments received.
- 1.2 To compare these to the previous 12 months and to report on complaints investigated at the external investigation stage of the procedure.

### 2. ANALYSIS OF COMPLAINTS

- 2.1 For the financial year 2009/2010, there were 48 complaints made about Children's Social Care, compared to 59 in the previous year. This represents a 19% reduction in complaints this year. The following bar graph shows the number of complaints received by quarter over the year from 1 April 2009 and 31 March 2010.



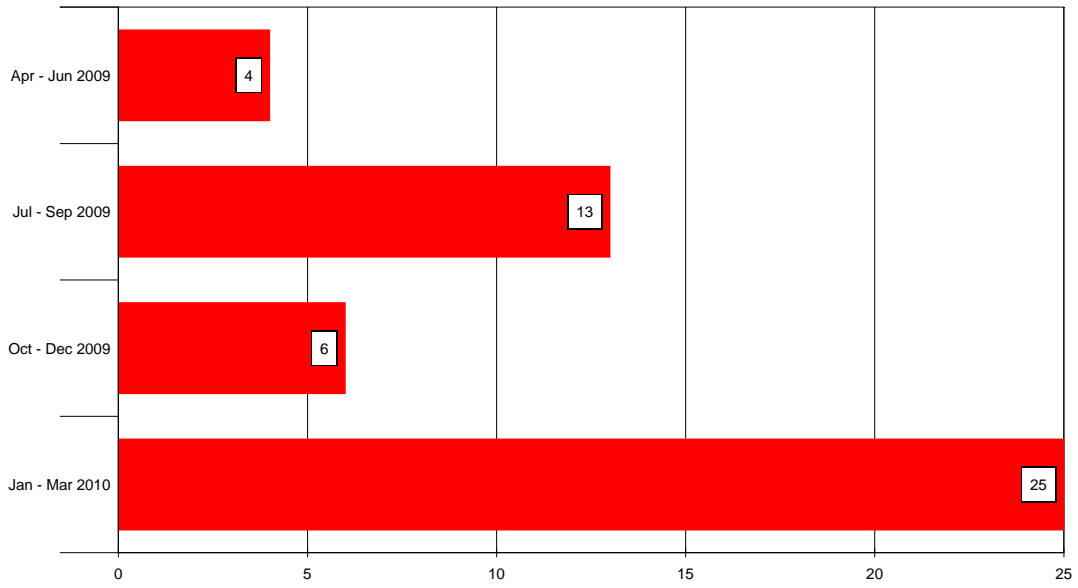
- 2.2 The number of Children's Social Care referrals in the financial year 09/10 was 3926, therefore the 48 complaints represent 1.2% of all the referrals made.
- 2.3 From April 2009, the Department of Health guidance on Adult Social Care complaints handling changed. However, the guidance has not changed for Children's Social Care, therefore we retain a three stage procedure for these cases.

- 2.4 The majority of complaints continue to be resolved at the early stage of the procedure through work by the team manager or senior manager. However, where resolution is not possible in this way, we commission an external investigator and sometimes an Independent Person, to look into complaints at Stage 2 of our procedure. For the financial year 09/10 the service paid external investigators £8,629.62.
- 2.5 If the matter remains unresolved after external investigation, then we may hold a Review Panel, which is Stage 3 of our procedure. For cases remaining unresolved, complainants can refer these to the Local Government Ombudsman for consideration.
- 2.6 The percentage of complaints requiring external investigation has increased slightly this year, at 8%. This still means that in the majority of cases, managers are successfully resolving complaints themselves. Although we aim to resolve as many complaints without external intervention, there are cases where we are unable to achieve this. Commissioning an external investigator is therefore often a positive move both for the complainant and the council.

<b>Year</b>	<b>Percentage of complaints requiring external investigation</b>	<b>Total number of complaints received</b>
2006/2007	15%	39
2007/2008	11%	46
2008/2009	5%	59
2009/2010	8%	48

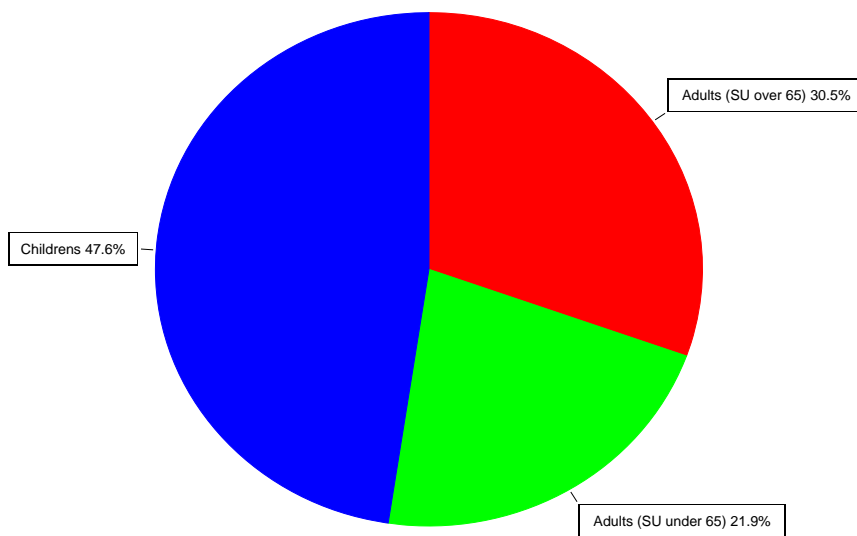
- 2.7 We also log comments that we receive, and we call these Representations. The total number of Representations that we received from April 2009 to March 2010 was 48, compared to 44 in the previous year. Representations are issues that can be resolved quickly without needing investigation, or comments that require action but are not complaints. If a Representation cannot be readily resolved then it will become a complaint.

Childrens Representations by quarter



2.8 To set the complaints figures in context, the pie chart below shows the number of complaints received not only by Children’s Social Care, but also by Adult Social Care for the last financial year. These figures also show the proportion of Adult Social Care complaints where the Service User was over 65 and under 65.

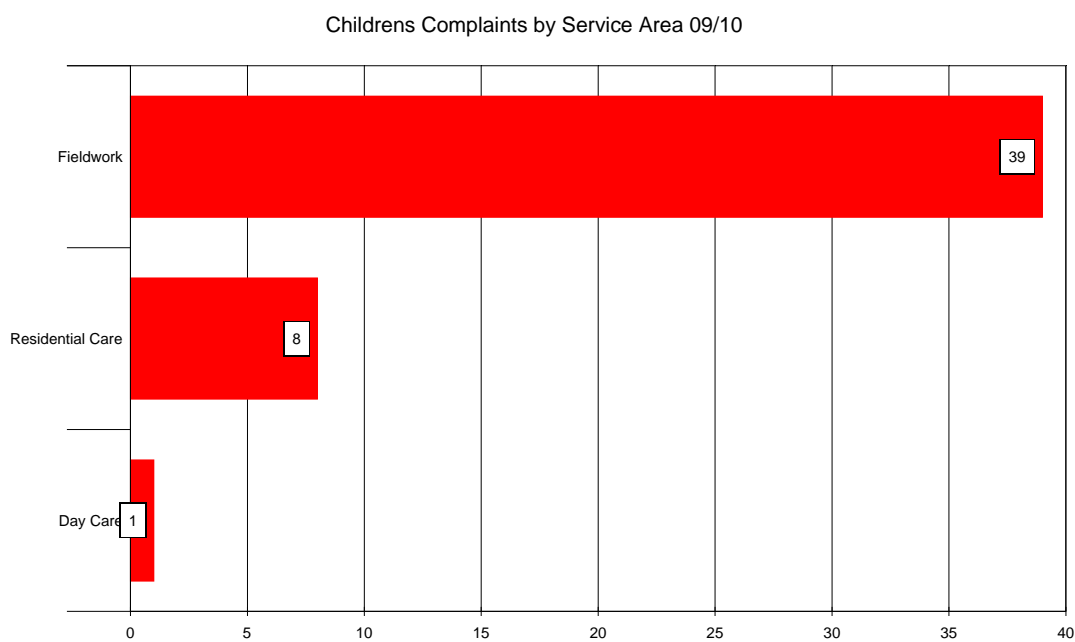
Complaints by Client Group 01/04/09-31/03/10



2.9 The proportions have stayed broadly the same this year, compared to last year:

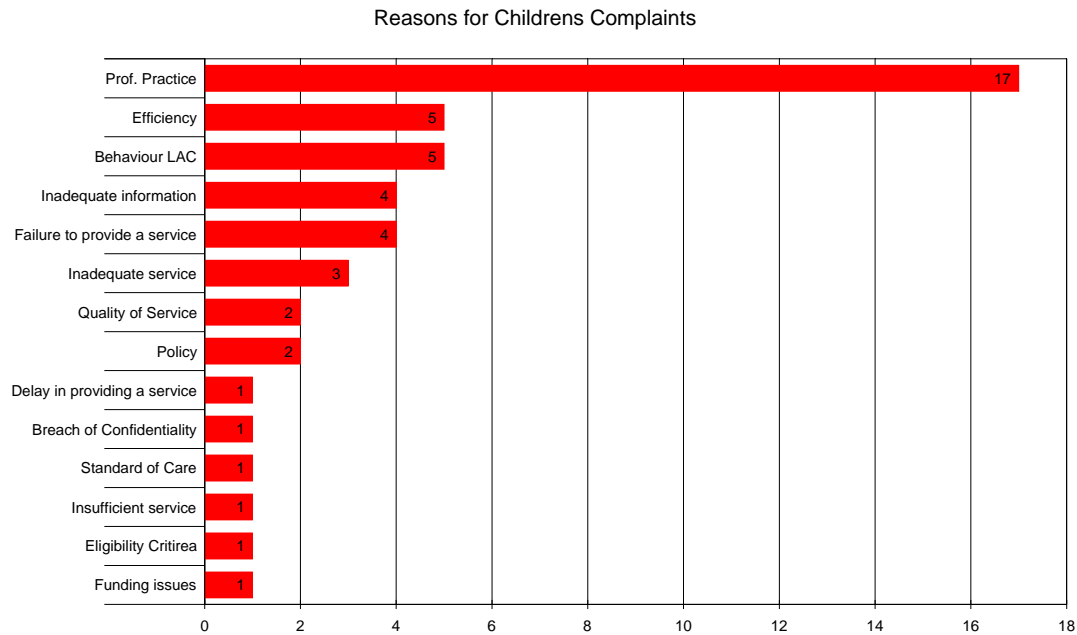
- 48% of complaints this year were about Children’s Social Care which is the same percentage as last year.
- 30% of complaints were about Adult Social Care (where the Service User was over 65) compared to 28% last year.
- 22% of complaints were about Adult Social Care (where the Service User was under 65) compared to 24% last year.

2.10 It is interesting to review how many complaints relate to the different service areas.



2.11 As in previous years, the greatest number of complaints received relate to fieldwork. By fieldwork we mean issues about social work and complaints for this service area clearly account for the vast majority of complaints. The second highest number of complaints this year were received for residential care and quite often (as can be seen on the graph below under the category of Behaviour LAC) these involve disputes between children living in our children’s homes.

2.13 It is also important to consider the reasons why complaints were made.



note: “Prof Practice” is an abbreviation for Professional Practice  
 “LAC” is an abbreviation for Looked After Child

2.14 As often occurs, the most common reason for Children’s complaints was Professional Practice. Examples of the complaints about Professional Practice are:

- Relative felt pressured by social worker to sign statement
- Child protection medical not as in depth as for other children previously
- Father had concerns about son’s health and wellbeing and was unhappy with how the social worker was dealing with them
- Mother-to-be felt that social worker did not present facts fairly at conference
- Social worker did not return phone calls
- Contact supervisor was texting and not concentrating on parents

### 3. PERFORMANCE

3.1 Under the complaints procedure, we aim to send complainants a full reply within 10 working days if possible, or if the matter is more complicated, the target timescale is 20 working days. We encourage staff to ensure their responses are proportionate to the time they have taken to investigate the matter and write the letter. The extent to which we have met the timescales can be seen here:

### 3.2 Children's Social Care

<b>Full Reply Performance</b> (working days)	<b>Financial Year 2008/2009</b>	<b>Financial Year 2009/2010</b>
0-20 days	76% (of which 39% within 10 days)	76% (of which 39% within 10 days)
20 + days	24%	24%

- 3.3 Performance has stayed the same this year for Children's Social Care. We have replied to 76% of complaints within 20 working days, and of those, 39% received their reply within 10 working days.

We are disappointed that performance has not improved this year, particularly the proportion being completed within 10 working days. We understand that staff in Children's Social Care have other work pressures but we also expect that the time taken to respond to a complaint is proportionate to the work required to provide the response. For example if staff need to be interviewed and a number of files examined, then we would expect this to take longer than if the matter is straight forward. We believe that a target of replying to 50% of complaints within 10 working days is reasonable and we will be working towards this in the next year.

The Complaints Managers are running regular training sessions for staff to encourage a positive attitude to complaints, to explain about the assistance that can be provided in complaints handling and to look at the benefits of timely responses for all involved. Attendance is also planned on a quarterly basis at the management team meetings, so we will ensure the importance of complaints is highlighted throughout the year.

## 4. COMPLAINTS REQUIRING EXTERNAL INVESTIGATION

- 4.1 If we have been unable to resolve a complaint in-house, we can commission an external investigator, plus Independent Person if necessary, to investigate the complaint. The investigators have full access to all the files and to any staff who need to be interviewed.
- 4.2 During the period, as we saw earlier, the number of Stage 2 investigations increased slightly as a proportion of all complaints received. We feel that Stage 2 investigations are a positive move in certain cases where the department feels they have done everything they can to resolve a complaint but the complainant remains dissatisfied.

- 4.3 Whilst complainants retain the option in Children's Social Care to take unresolved complaints to a Stage 3 Review Panel, we have not held any Review Panels in the past year.
- 4.4 One complainant referred their case to the Local Government Ombudsman this year and the decision was that, no or insufficient evidence of maladministration was found.

## 5. ADVOCACY

- 5.1 In our complaints leaflet we tell people that they can get help if they need it to make a complaint. This can be an informal arrangement with a friend or family member or more formally through an advocacy organisation.
- 5.2 In practice, none of the children or adults making complaints about Children's Social Care were made by an advocate on behalf of a service user. However, the department does have a continuing contract with the National Youth Advocacy Service (NYAS), and we advise all young people who complain that they can contact NYAS if they need support. Some complaints continue to be made by relatives on behalf of service users or by service users' friends or carers. Councillors and MPs also sometimes make complaints on behalf of their constituents.

## 6. PROPORTION OF COMPLAINTS UPHELD

- 6.1 It is interesting to review the percentage of complaints that were upheld at the first stage i.e. the proportion that were considered to be justified to some degree by the manager who responded and investigated.

Category	Childrens 08/09	Childrens 09/10
Not upheld	54%	56%
Partially upheld	29%	21%
Upheld	10%	15%
Other (withdrawn, straight to external investigation, etc.)	7%	8%

- 6.2 This shows that just over half of the complaints made were judged as not upheld by the manager dealing with them. However 36% of complaints for Children's Social Care this year were considered to be justified in some way, which is a similar level to last year's 39%. We therefore accepted that a significant proportion of Children's complaints had some foundation, and in some of these cases, actions will have been proposed to improve the situation for the future.

### **6.3 Examples of the types of improvements made or actions taken as a result of Social Care complaints are:**

- Website information updated in connection with access to advocates, as complaint had highlighted that the previous information was misleading
- All agency staff employed through Children's services are now recruited through the Council's temporary staff manager which means we no longer have the ad hoc arrangements being made.

## **7.COMPLIMENTS**

We also receive compliments and thanks for services we have provided. For the period 1 April 2009 to 31 March 2010, we received four compliments for Children's Social Care Services, which is slightly down compared to seven last year.

## **8. PERSISTENT COMPLAINANTS POLICY**

The council published its new Persistent Complainants' Policy in October 2008, which provides guidance on dealing with the small number of complainants who take up an unwarranted amount of council resources or impede the investigation of their complaint. In Social Care this year we have invoked the policy in connection with one complainant and have found it to be a very useful tool.

## **9. COMPENSATION PAID**

Sometimes it is appropriate to pay compensation to a complainant to resolve their complaint, or to acknowledge the time and trouble taken in making their complaint. As a result of complaints received in this period, we have made the following payments of compensation:

- £150 to a complainant towards the cost of them pursuing their complaint
- £500 to a complainant, comprising £350 for delay in investigating their complaint and £150 for time and trouble in making their complaint

## **10. TRAINING**

The Complaints Managers had been running half day training sessions called Positive Complaints Handling. Due to the good feedback received for these courses and the amount of material we aim to cover, we have now (from 2 July 2010) made this a full day course, which is available for all Social Care staff. Since September 2009, we have used a training tool which is in a board game format, called "Complaints Made Easy". This makes covering the subject of complaints handling more appealing and retains the participants' interest throughout the day. We provide a refresher on complaints handling, outline the recent changes in complaints legislation and generally encourage a positive attitude to complaints with avoidance of a blame culture. Nine sessions have been run to date and the feedback has been very encouraging. Further, the impact has been noted in the workplace where attendees have returned with renewed enthusiasm for complaints handling.

## **11. COUNCILLOR ENQUIRIES**

Another way in which service users may contact us is through their Councillor. If a complaint is made by a Councillor it will be included in the complaints figures shown earlier in this report. However, if it is an enquiry it is not included in these. In total for this period we recorded 12 Councillor Enquiries for Children's Social Care. The responses provided in respect of these, may have meant that for some people their issues were resolved and did not need to move on to become complaints.

## **12. SATISFACTION SURVEYS**

We usually send a survey form to complainants once their complaint has been closed. In the past year we have sent out only 27 surveys due to a technical problem with our database that remerged without us realising. Of the 27 surveys sent, only one was received back, so as a proportion this is a poor return (4%). There is therefore no significant data that we can take from surveys this year.

## **SUMMARY**

- Complaint levels have decreased by 19% since last year
- 8% of complaints reached Stage 2 of the procedure, which is a higher level than last year's 5%
- In terms of complaints about different client groups, we continue to see a return to the original pattern of approximately half complaints being for Adult Social Care and half for Children's Social Care
- The top Service Area for Children's Services was: Fieldwork which was the same as last year
- The reason stated this year for the greatest number of complaints was Professional Practice
- Performance on 20 day responses for Children's Social Care has stayed the same this year at 76%
- Performance on 10 day responses for Children's Social Care has also stayed the same this year at 39% of responses being sent within 10 working days
- Four investigations were carried out at Stage 2 of the procedure this year
- One complaint was referred to the Local Government Ombudsman
- 36% of Children's complaints this year were upheld to some degree, compared to 39% last year.
- Children's Social Care received 4 compliments this year which is less than last year's 7
- Social Care complaints team has found the new corporate policy on Persistent Complainants very useful and has invoked it once this year
- We have paid compensation to two complainants this year for time and trouble in making their complaint and also to one for delay
- Complaints Managers have continued the complaint training sessions for Social Care staff which are being very well received

The Complaints Managers will continue to support operational staff and managers in handling and responding to complaints in the future. We aim to continue to increase our learning from complaints, to disseminate good practice and to achieve more service improvements as a result.

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**Complaints Managers for Social Care**

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