



CITY AND COUNTY OF CARDIFF

CHILDREN'S SERVICES

COMPLAINTS ANNUAL REPORT

1ST APRIL 2009 TO 31ST MARCH 2010

1 INTRODUCTION

- 1.1 Representation and Complaints Procedures in Social Services departments are a statutory requirement. They were introduced under the Children Act 1989

New Complaints Regulations came into force on the 1st April 2006 (listening and Learning). The representations procedures (Children) (Wales) regulations 2005 and the Social Services Complaints Procedure (Wales) regulations

- 1.2 It is a requirement of the Legislation to provide Senior Managers with information about the number of types of Complaints and the outcomes of Complaints.
- 1.3 This Annual report describes the Complaints and Compliments made to the services area under both the statutory procedures and the Council Corporate Complaints Procedures.

2. LISTENING TO SERVICE USERS

- 2.1 Everyone who makes a complaint about Children's Services has a right to be listened to properly and to have their concerns resolved quickly and effectively.
- 2.2 Despite our best intentions, things can go wrong with our service provision. Children's Services recognises this and the representations and complaints procedures provides one way for problems to be resolved and for services to be improved.

3. COMPLAINTS PROCEDURE

- 3.1 The Complaints Procedure has three stages and lays strong emphasis on the resolution for Complaints raised under the Children Act 1989 at the earliest opportunity.

STAGE 1 LOCAL RESOLUTION

Complaints should be resolved locally wherever possible. In the majority of cases the Children's Complaints Officer meets the Complainant in person, liaises with the service area and assists and preparing a timely response. The majority of complaints are dealt with this way and most are concluded without the need for a formal investigation.

Children and Young people who made a Complaint are all seen on an individual basis, normally with their advocate within 48 hours of making their complaint.

STAGE 2 FORMAL CONSIDERATIONS

Where an initial investigation has not achieved a resolution, Complainants have the right to make a formal complaint. The Council Commissions an Independent Investigator and an Independent Person to undertake and oversee the Complaint and the process. These investigations are subject to statutory response from the Council detailing findings, conclusions, recommendations and actions to resolve the Complaint.

STAGE 3 THE INDEPENDENT PANEL

If a complainant is not satisfied following a formal investigation they have the right to have their complaint reviewed by an Independent Panel who are wholly Independent of the Council. The panel consists of three people who will review the handling of the Complaint, the conclusions and recommendations of the Investigations and the Councils response.

3.2 COUNCILS CORPORATE COMPLAINTS PROCEDURE

This report also includes the Complaints made to Children's Services which fall into this category; this procedure also has two stages of investigation and an Appeal Process

3.3 THE PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW)

The P.S.O.W provides an external independent service, service to consider Complaints about all Local Authority Services including Social Services. The Ombudsman is concerned with maladministration and normally requires complainants to have used their Local Councils complaints Procedures before accepting a Complaint for investigation.

4 MAKING A COMPLAINT

- 4.1 Making a Complaint is not difficult and general advice about the procedure can be found in the Service Complaints leaflet, and the Councils website. Alternatively, service users can contact the Complaints unit (or the Councils Connect to Cardiff service) for help and advice there is a separate leaflet for Children's Complaints.
- 4.2 Translations of the representations and complaints procedure can be provided on request and the complaint unit can also arrange interpretation services when required.
- 4.3 Children who make a Complaint are made aware of the services of Tros Gynnel the Councils Independent Advocacy Service.

5 NUMBER OF COMPLAINTS

Use monthly BIMS Figures April 2009 – march 2010.

CARDIFF COUNCIL

SUMMARY OF COMPLAINTS - Monthly Information

		Mar 2009	Apr 2009	May 2009	June 2009	July 2009	Aug 2009	Sept 2009	Oct 2009	Nov 2009	Dec 2009	Jan 2010	Feb 2010	Mar 2010	Apr 2010
A	Number of complaints outstanding from previous summary	18	18	16	16	12	16	24	13	14	14	7	11	10	11
B (i)	Number of new complaints received for this period	16	12	14	12	11	14	7	8	16	5	9	15	16	19
B (ii)	From B (i) No. received from children and young people under 18	5	3	3	2	1	1	0	4	5	1	3	3	5	8
C	Number of complaints resolved during this period	16	14	14	16	7	6	18	7	16	12	5	16	15	18
D	Number of complaints outstanding at end of period	18	16	16	12	16	24	13	14	14	7	11	10	11	12
E	No. of Investigations requested (current complaints)	5	4	4	3	3	3	2	2	2	2	2	2	2	2
F	Number of complaints currently with the Ombudsman	2	2	4	2	4	2	2	2	2	2	2	1	0	0
G	Referrals to Children's Commissioner	0	0	0	0	0	0	0	0	0	0	0	0	0	0

6 STAGE 1 COMPLAINT

6.1 Of the 139 Complaints received 136 were resolved at Stage 1 the Local Resolution Stage.

Of the 36 Complaints made by Children and Young people 35 of these were resolved at Stage 1, the Local Resolution Stage. 1 Complaint has proceeded to Stage 2

6.2 The most common aspects of the Services Complained about where;-

- Quality of service
- Communication
- Information sharing
- Delays in Service Provision
- Employee Conduct
- Contact & Placement issues
- Changes of Social Worker
- Attendance at meetings
- Listening & involving service users in planning
- Non resident Parents

7 STAGE 2 COMPLAINTS

7.1 3 Complainants proceeded to Stage 2 of the Complaints Procedure

7.2 The causes of the Complaints were poor communication and information sharing, quality of services, attitude of staff, and decision making and planning.

All of the 3 Complaints Investigated at Stage 2 were resolved, and the recommendations made by the Independent Investigator were accepted by the Council.

8 STAGE 3 COMPLAINTS

3 Complaints went to Stage 3 Review Panel (the three Complaints were made by the same person).

9 Complaints to the Public Services Ombudsman for Wales.

There were 2 Complaints to the Ombudsman

10 Analysis of Complaints.

10.1 There was a rise in complaints for this period from 129 2008-2009 to 139 in 2009 - 2010

Complaints from Children & Young people have risen from 27 in 2008 – 09 to 36 2009 - 10

There were 3 Stage 2 Investigations in 2009 – 10 2 less than the year before 2008 – 09.

There were 3 Stage 3 Independent Panel reviews, for the period 2009 – 10. There was one Stage 3 recorded for the year 2008 – 09.

Comparison of Complaints with other Local Authorities

Requests were made to other Local Authorities in Wales to provide figures on their complaints. The table below details the information from those Authorities who have responded to this request for information.

Local Authority - Children	Stage 1	Escalated to Stage 2	%	Received directly at Stage 2
Merthyr Tydfil	22	6	27	1
Flintshire	40	4	10	
Ceredigion	10	1	10	1
Rhondda Cynon Taff	56	4	7	3
Wrexham	29	2	7	
Conwy	18	1	6	
Cardiff	129	3	2	
Blaenau Gwent	17	0	0	

10.2 RESPONSE TIMESCALES

There are statutory requirements in respect of the timescales to responding to complaints. A full response should be provided within 10 working days for Stage1, for Stage2 Complaints the time limit is 25 working days. Where there has been a need to extend these timescales, we have to obtain the Complainants permission first.

10.3 Where Complaints go over the 25 day limit, this is mainly due to the complexity of the matter under investigation and the need to interview staff and other agencies.

11 COMPLIMENTS

11.1 The service received 23 compliments in 2009-10 a rise of 4 from the previous year 2008-09

Excellent Service	5
Hard Work and Effort	7
Help and Advice	4
Quality of information	7
	23

12 LEARNING FROM COMPLAINTS

12.1 Information from Complaints represents an invaluable source of user feedback as it can highlight aspects of service delivery and performance and the information derived from Complaints can contribute to practice development, commissioning and service planning. Learning can take place at an individual level following resolution of a Complaint, or at the service level.

12.2 The following are some examples of appropriate action taken on issues raised as a result of a Complaint.

- Plans for children being made without involvement of children in the planning process. Independent reviewing officers were made aware of these concerns and are able to ensure that children understand and have the opportunity to participate fully in the planning process.
- Communication with service users. Staff have been made aware that they should whenever possible contact service users if they are unable to attend meetings or reviews.
- Contact with Non resident Parents, Staff need to consider non resident parents in the assessment or Investigation process.
- Passports for Children. On no account should staff advise service user's to book holidays prior to them having passports.
- Providing service user's with copies of assessments, reports and minutes within the given timescales.

1.3 ACCESS TO RECORDS REQUESTS

2009 – 10 77

2008 – 09 50

2007 – 08 100

14 FREEDOM OF INFORMATION REQUESTS

2009 – 10 52

2008 – 09 51

2007 – 08 30

FREEDOM OF INFORMATION

Service Area	Total No. of Requests handled by service area	Total number of SSA Requests 2009/10	Q1	Q2	Q3	Q4	% of SSA Requests answered within 20 working days	No. of MSA Requests	No. of MSA Requests answered within 10 working days	No. of Stage Reminders issued by service area
		Total								
Change, Partnerships & Improvements	17	0	0	0	0	0	N/A	17	17	
Legal Services	14	0	0	0	0	0	N/A	14	13	
Partnerships & Citizens Services	12	0	0	0	0	0	N/A	12	12	0
Communications	24	1	0	0	0	1	0%	23	3	3
Major Projects, Design, Development	16	1	1	0	0	0	100%	15	2	
ICT	27	9	2	1	4	2	100%	18	15	0
Democratic Services	34	10	3	1	2	4	70%	24	5	0
Culture Leisure & Parks – Jan 10 split to Direct Services (Leisure & Play) & Parks Operations)	45	23	6	6	7	4	91%	22	16	4
Adult Services	49	28	4	11	6	7	94%	21	20	14
Children's Services	49	30	7	10	9	4	100%	19	16	Not sending
Economy Enterprise & Infrastructure	59	40	9	6	15	10	95%	19	15	13
HANR	74	50	10	10	14	16	88%	24	22	21
Highways & Waste Management	109	84	19	18	13	34	95%	25	19	29
Schools & Lifelong Learning	120	103	31	19	29	24	73%	17	12	24
Finance & Property	162	126	38	25	34	29	89%	36	23	Not sending
Strategic Planning & Environment	189	152	40	34	36	42	97%	37	27	16
People & Organisational Development*	47	24	5	7	7	5	100%	23	15	0
TOTALS		681	175	148	176	182		366	252	