

For general release:

Meeting: Overview and Scrutiny Organisation Committee

Date: 19th July 2004

Report of: Director of Strategy and Governance

Subject: Complaints Update – Children, Families and Schools

Ward(s) affected: All

1. Purpose of the Report

- 1.1 The purpose of this report is to provide a summary of complaints and compliments information about Children, Families and Schools in the council year 2003/04.
- 1.2 Complaints received about schools management are not commented on within this report.
- 1.3 Complaints about Strategic Planning and Services to Schools are dealt with under the corporate complaints process.
- 1.4 Complaints about Children's Social Care are dealt with under the statutory complaints procedure.
- 1.5 The report gives information on cases dealt with under each procedure. In addition the report summarises recommendations made to heads of service as a result of investigations into complaints.

2. Recommendations

- 2.1 The Overview and Scrutiny Organisation Committee is asked to note the report.

3. Information / Background

The report gives information about complaints performance for each section, by quarter and by stage of complaint.

- 3.1 For corporate complaints the stages of complaint are:
 - Stage 1; dealt with by the department
 - Stage 2; an independent investigation by Standards and Complaints Team
 - Local Government Ombudsman, an external investigation

- 3.2 For Statutory Complaints dealt with under the Children Act 1989 the stages are:
- Problem Solve; dealt with by the department
 - Formal Investigation; carried out by an external Independent Investigating Officer
 - Independent Review Panel; carried out by a panel with an Independent Chair, two councillors and a member of staff unconnected with the complaint.
 - Local Government Ombudsman

4.0 Complaints Performance Information

4.1 Complaints dealt with under the corporate procedure for the Council year 2003/2004.

TABLE ONE

Corporate Complaints	Stage 1				Stage 2				LGO			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Pupil Support Services	0	0	2	0	0	0	0	0	0	0	0	0
School Admissions	0	0	0	0	0	0	0	0	0	2	3	0
School Org/Strategic Planning	0	0	0	0	0	0	0	0	0	0	0	0
Schools PFI	0	0	0	0	0	0	0	0	0	0	0	0
Student Support	1	1	2	0	0	0	0	0	0	0	0	0
Total for Strategic Planning & Services to Schools	1	1	4	0	0	0	0	0	0	2	3	0

4.1.1 All reported complaints were resolved at stage 1; no complaints progressed to stage 2.

- 4.1.2 The Ombudsman is prepared to consider complaints about schools admissions on the grounds that complaints are usually urgent, a quick remedy is normally needed and parents are therefore not required to complain to the authority in the first instance. Apart from urgency the LGO considers that the authority is not always well placed to consider some aspects of the complaint since the panel is independent.
- 4.1.3 There were five complaints made to the Local Government Ombudsman regarding schools appeals. The following table summarises the Ombudsman's decisions in relation to those complaints.

TABLE TWO

Complaint	Outcome	Decision
A change to admissions criteria was unreasonable and discriminatory	The ombudsman was satisfied that correct procedures were followed	No maladministration
A complainant felt that they were not given sufficient time to prepare their appeal	The complainant did not reply to the council response to the Ombudsman. The LGO decided not to continue the investigation	Ombudsman's discretion
A complainant felt that not all information had been taken into account at the appeal	The LGO found that the admissions process had not been followed correctly and that the appeal panel had not properly considered issues. The LGO recommended a second appeal should be held. The applicant was subsequently offered a place at the school of first choice.	Local Settlement
The complainant believed that that their application had been mishandled and that the council had acted unreasonably	During the course of the investigation the child was offered a place at the school of first choice. The LGO decided to discontinue the investigation.	Local Settlement
The complainant believed that the school appeal had not been held	During the course of the investigation the child was offered a place through the	Local Settlement

properly.	waiting list. The LGO discontinued the investigation.	
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4.2 Complaints dealt with under the Statutory Complaints Procedure for the council year 2003/2004.

TABLE THREE

Statutory Complaints	Problem Solve				Formal Investigation				Independent Review				LGO			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Child Protection	0	2	1	0	0	0	0	0								
Children's Rights	0	0	0	0	0	0	0	0								
Development Officers	0	0	0	0	0	0	0	0								
Reviewing Officers	0	0	0	0	0	0	0	0								
Total for Child Protection	0	2	1	0	0	0	0	0								
Children's Social Care	0	0	0	0	0	0	0	0								
Disabilities Team	0	0	0	0	0	0	0	2								
Children's Disability Outreach Team	0	0	0	0	0	0	0	0								
Residential Services	0	0	1	1	0	0	0	0								
Total for Disabilities Team	0	0	1	2	0	0	0	2								

Fostering and Adoption	2	2	1	1	0	0	0	0								
Accommodation	1	0	0	0	0	0	0	0								
Total for Fostering and Adoption	3	2	1	1	0	0	0	0								
Placement Team	0	0	1	0	0	0	0	0								
	Problem Solve				Formal Investigation				Independent Review				LGO			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Long Term Fieldwork/Leaving care	4	8	8	12	1	0	0	2			1				2	1
Asylum Seekers Team	0	0	0	0	0	0	0	0								
Duty & Assessment	8	8	5	2	0	1	0	0	1							
Emergency Duty Team	0	0	0	0	0	0	0	0								
Total for Referral & Assessment	8	8	5	2	0	1	0	0	1							
RU OK?	0	0	0	0	0	0	0	0								
Youth Crime/Preventative Services	0	0	0	0	0	0	0	0								
Total for Children's Social Care	15	20	17	17	1	1	0	4	1	0	1	0	0	0	2	1
Community &	0	0	0	0	0	0	0	0								

Family Services																
Family Support	0	0	0	0	1	0	0	0								
Family Centres	0	0	0	0	0	0	0	0								
Playlink	0	0	0	0	0	0	0	0								
Total for Family Support	0	0	0	0	1	0	0	0								
TOTAL CFS STATUTORY COMPLAINTS	15	20	17	17	2	1	0	4	1	0	1	0	0	0	2	1

- 4.2.1 During the council year 2003/2004 the Standards and Complaints Team recorded a total of 69 Stage 1 complaints about Children's Social Care. There is concern both nationally and locally that complaints are under-recorded. This is believed to be a cultural issue and one which is being addressed by increasing staff awareness and by making the Standards and Complaints Team better known and more easily accessible to young people in particular.
- 4.2.2 The above table 3 shows that 32 Stage 1 complaints were made against the Longterm Fieldwork and Leaving Care Team, the trend over the year indicates that numbers of complaints are increasing against this team. This may mean that more complaints are being made or more are being recorded.
- 4.2.3 There were 23 complaints made about the Duty and Assessment Team. The number of complaints made against this team has decreased throughout the year.
- 4.2.4 Formal Investigations (Stage 2) account for 10% of all complaints. This compares to approximately 8% nationally.
- 4.2.5 There have been 2 Independent Review Panels during 2003/2004. The first resulted in a number of recommendations that have been implemented and these included emphasising the need to pass on information on and to ensure the intended recipient has received that message and ensuring there is clearly defined liaison and understanding between schools and social care. The second panel considered that the complainant had received an appropriate response to the complaints raised.
- 4.2.6 There were three complaints made to the Local Government Ombudsman in relation to Children's Social Care. Two cases were considered to be premature complaints and the Ombudsman requested that each should be considered under the statutory complaint process. One case is currently being investigated; the second related to matters being consider through the courts and could not therefore be investigated further. The Ombudsman considered that the third case was outside his jurisdiction as it related to matters that should be addressed through the legal process.

4.3 Compliments

There were 4 compliments recorded for the department during 2003/2004.

Meeting/Date	Overview Scrutiny and Organisation Committee, 19 July 2004
Report of	Director of Strategy and Governance
Subject	Complaints Update
Wards affected	All

Financial implications None
Legal implications None

Corporate/Citywide implications None	Risk assessment Failure to identify complaints issues where there are recurring themes and emerging trends could result in unnecessarily high levels of dissatisfaction with council services among the public
Sustainability implications None	Equalities implications Equalities elements of complaints made to the Council to continue to be monitored and acted upon as issues arise.
Implications for the prevention of crime and disorder None	

Background papers None
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