

## **Learning from our Customers**

### **The Annual Report reviewing comments and complaints made in**

**April 2009 – March 2010**



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Southampton City Council  
Children's Services and Learning Directorate

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## **1. Introduction**

- 1.1. This annual report provides analysis of comments/concerns, compliments, enquiries from Councillors and MPs, informal complaints (representations), formal complaints as well as Access to Personal Social Care files (Data Protection Act requests) and Freedom of Information Requests for the Children's Services and Learning Directorate.
- 1.2. The Children's Services and Learning Directorate's Customer Care and Complaints Team, is managed within the Commissioning Division. It manages the overview of Complaints, Access to Records and Freedom of Information Processes across both Children's Services and Learning and the Health and Adult Social Care Directorate.
- 1.3. The management of complaints forms part of a broader approach to the way the Directorate delivers customer care. The complaints function is a vital source of information, which assists in the development and delivery of future services.
- 1.4. This report encompasses statistics for all divisions within the Children's Services and Learning Directorate between 1 April 2009 and 31 March 2010.

## **2. Background**

- 2.1. The Children Act 1989 Representations Procedure (England) Regulations 2006 require local authorities with social care services to set up and maintain a complaints procedure. This procedure must operate according to specified timescales and methods of investigation and review. The guidance requires that a report be published annually. The published report should provide an overview to staff, the general public as well as the Council's Standards and Governance's committee.
- 2.2. It is important that users feel able to voice their opinions and feel confident that their feedback will be considered. The Children's Services and Learning Directorate encourages service users to comment about the service they receive.
- 2.3. This report helps to ensure that this feedback reaches senior and other managers within the Directorate to inform the way we deliver services to our customers.
- 2.4. Complaints are a valuable resource and the feedback and learning gained from them forms both an integral part of the quality assurance process. It also contributes to the overall development and monitoring of services. This feedback mechanism is continually evaluated to

ensure that we are developing services in line with our customers' needs and requirements. This is illustrated in Appendix 1.

### 3. Review of Children's Services and Learning contacts received in 2009/2010

- 3.1. A contact is defined as any communication received by the directorate's customer care and complaints team from a service user/member of the public regarding the services we provide.
- 3.2. Between 01 April 2009 and 31 March 2010, 441 contacts were received by the Directorate (see 3.3 Table 1)
- 314 Safeguarding Social Care
  - 76 School standards
  - 43 Safeguarding Inclusion Team
  - 8 Schools (the complainants were advised and helped to follow the complaints procedure of the school they were complaining about).

#### 3.3. Table 1: Shows Contacts received by Record Type

Number of contacts received by Record Type					
2008 - 2009			2009 - 2010		
Record Type	Number	%	Record Type	Number	%
Stage 1 Complaints (Social Care )	90		Stage 1 Complaints (Social Care )	131	
(All other)	24		(Inclusion + other)	40	
(Schools)	4	45.22	(Schools)	8	
Referrals	10	3.83	(Schools/LA)	2	41.04%
Representations	77	29.50	Referrals	8	1.82
MP/Cllr enquiries	56	21.45	Representations/comments	127	29.22
Compliments	48		MP/Cllr enquiries	89	20.32
			Compliments	35	7.80
<b>Total</b>	<b>309</b>	<b>100.0%</b>	<b>Total</b>	<b>441</b>	<b>100.0%</b>

The table shows a 42.72% increase in the number of contacts received in 2009/10 (441) compared to 2008/9. Whilst the number of referrals and compliments fell, contacts in other areas rose sharply

#### 3.4.

#### Table 2: Contacts - how received

Contacts - How received		
01/04/2009 to 31/03/2010		
How Received	Number	%
Complaint Form	8	1.8%
Email	114	25.9%
In Person	7	1.6%
Letter	165	37.6%
From Ombudsman's Office	4	0.9%
Tel	136	31.1%
Web Application	7	1.6%

<b>Total</b>	<b>441</b>	<b>100.0%</b>
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3.5. The number of formal statutory complaints received each month varied considerably. The greatest number of complaints (22) were received in October 2009 and the lowest (6) in April and December 2009. A comparison of the 2009/10 pattern against 2008/09 shows no discernable seasonal pattern relating to complaint. Therefore we cannot predict our busiest periods (see 3.6 Table 3).

3.6.

**Table 3: Monthly analysis**

SCC - Customer Care & Complaints Service													
Contacts received month by month													
01/04/2009 to 31/03/2010													
Type of Record	Apr 2009	May 2009	Jun 2009	Jul 2009	Aug 2009	Sep 2009	Oct 2009	Nov 2009	Dec 2009	Jan 2010	Feb 2010	Mar 2010	Total
Comment	0	0	0	0	0	0	1	17	0	4	1	1	24
Compliment	0	1	1	3	1	4	12	6	1	2	2	2	35
Corporate complaint	0	0	0	0	0	0	0	0	0	0	1	1	2
Correspondence/Enquiry	0	0	0	0	0	0	0	0	0	0	0	0	0
LGO Complaints	0	0	0	1	0	0	0	0	0	0	1	2	4
MP/Cllr Enquiry	14	6	4	8	2	8	7	11	8	4	7	10	89
Referral	0	0	0	1	0	0	1	2	1	0	3	0	8
Representation	7	11	9	9	3	10	10	7	10	8	13	7	104
School complaint	0	0	0	0	1	1	0	1	0	0	3	2	8
Statutory Complaint	6	14	12	19	13	17	22	15	6	8	21	14	167
<b>Total</b>	<b>27</b>	<b>32</b>	<b>26</b>	<b>41</b>	<b>20</b>	<b>40</b>	<b>53</b>	<b>59</b>	<b>26</b>	<b>26</b>	<b>52</b>	<b>39</b>	<b>441</b>

3.7. 35 compliments were recorded in total for the Children's Services and Learning Directorate.

- 23 Safeguarding Social Care
- 10 for Capital Assets & Infrastructure
- 1 for Safeguarding Inclusion services
- 1 for School Standards.

3.8. This is unlikely to be a true reflection of the number of compliments received by staff. All staff should be encouraged to send copies of compliments and letters they receive to the Customer Care and Complaints Team in order that they can be recorded and passed to the Executive Director. Alternatively, compliments could be measured as a local business metric.

3.9. **Definitions:**

- Social Care complaints are those investigated under the statutory regulations.
- All other complaints are investigated using the Southampton City Council Corporate complaint procedure.

- Referrals are requests for help which are passed to the relevant council directorates and partner services.
- Representations are enquiries, concerns or comments which can be dealt with and resolved within 24 hours. Any social care comments that cannot be resolved within this time automatically become statutory complaints.
- MP/Cllr Enquiries are enquiries / complaints on behalf of a constituent or request for information which need to be investigated.

3.10. Table 4 provides a breakdown of complaints by service area. Many complainants have complained about more than one service area, as part of their complaint.

3.11.

**Table 4: Stage 1 Complaints by Specific Service Area**

<b>Stage 1 Complaints for Specific Service Area</b>	
<b>Received between 01/04/2009 and 31/03/2010</b>	
<b>Specific Service Area</b>	<b>Number</b>
Safeguarding: Social Care	131
Safeguarding: Inclusion	11
School Standards	20
Young People and Community Support Services	4
Commissioning, Policy and Performance	0
Assets and Infrastructure	1
Schools (under Corporate Procedure)	2
Schools (advised to follow schools procedures)	8
LGO Complaints (not premature)	4
<b>Total number of formal complaints</b>	<b>181</b>
<b>Total number of issues subject to complaint</b>	<b>258</b>

3.12

**Table 5: Breakdown of complaints by complaint issue - this highlights some of the major issues contained within the contacts and complaints we receive (excluding schools and academies)**

<b>Issue / Reason for Contact or Complaint</b>	<b>Number</b>
Breach of Confidentiality	10
Communication	123
Eligibility Criteria	2
Environment	8
Finance	5
Staffing issues	114
Lack of Service Provision	96
Safeguarding Provision / Process	28
School related services	47
Policy	8

Issue / Reason for Contact or Complaint	Number
<b>Total</b>	<b>441</b>

#### 4. Key Findings – Complaints

4.1. The number of formal Stage 1 statutory complaints received for Children’s social care services for this year shows an increase of 69.41% on those received in 2008/2009. This increase is in line with National figures, and may be linked to the high profile cases such as Baby P.

4.2.

**Table 6: Social Care Activity**

Children & Families			
Referrals	3204	Formal complaints	181
Initial Assessments	2580	Representations	104
No. of Looked After Children	368	Complaints by Children	0

#### 5. Managing Complaints

5.1. All complaints received directly by the Customer Care and Complaints Team are acknowledged within the statutory three days. Complaints were not always received promptly from service areas, and in some cases, we are not informed of the complaint until the response is sent to the complainant. This is not in keeping with the Directorate’s agreed policy for managing complaints, however, this is being addressed through staff training.

5.2. Table 7 shows an overall decrease in response rates to complaints in Children’s Services & Learning in 2009/10. This may reflect, in part, the combining of response rates across the whole directorate, with complaints not always received promptly from service areas (which as previously stated is being addressed through staff training)

5.3.

**Table 7: Responses made within timescales**

Overall Performance Report				
01 April 2009 to 31 March 2010				
Complaint Type	Acknowledgement		Full Response	
	2008/2009	2009/2010	2008/2009	2009/2010
<b>Safeguarding: Social Care</b>				
Cllr / MP Enquiry	100.00%	*95.00%	93.30%	47.6%
Formal Stage 1	97.70%	96.00%	89.90%	63%
<b>Safeguarding: Inclusion Services and School Standards</b>				
Cllr / MP Enquiry	97.40%	*97.00%	51.40%	55.4%
Formal Stage 1	100%	95.7%	100%	78.3%

\* *This figure reflects a delay in enquiries being sent to the Customer Care and Complaints Team.*

- 5.4 The complaints regarding schools are recorded by the Customer Care and Complaints Team, but complainants are advised that they should complain directly to the school concerned using the complaints process for the school in question.

## **6. Progression of Statutory Complaints**

- 6.1. 181 complaints reached stage 1 of the statutory complaints process in 2009/2010. This is generally the stage at which the Customer Care and Complaints team gets involved in complaints about Services.
- 6.2. Of the 181 Stage 1 outcomes recorded
- 70 (41.18%) were not upheld
  - 43 (23.75%) were upheld
  - 39 (22.94%) were partially upheld
  - 14 (7.7%) outcomes were recorded as ongoing
  - 2 (1.1%) were withdrawn.
- 6.3. There were seven complaints progressed to Stage 2 at the statutory process. One of these was subject to further investigation and mediation through a management review. The others were resolved at Stage 2.
- 6.4. No complaints reached Stage 3 of the process in 2009/10.
- 6.5. The Local Government Ombudsman investigated four complaints for School Standards and Inclusion. These were regarding unsuccessful admissions and special needs' statements. Two premature complaints regarding social care issues were received from the Local Government Ombudsman (complaints which had not previously been investigated by Children's Services & Learning).

## **7. Further Actions**

- 7.1. Whilst there are systems in place to capture and record details of customer feedback and complaints, they are not consistently applied. This is being addressed through staff training and Managers are asked to complete the Manager's check list, which is now included with the complaint notification. Responses to complaints should contain the following information:
- An acknowledgement of the issues raised by the complaint.
  - An apology if appropriate or an acknowledgement of complainant's feelings
  - An explanation of actions to be taken
  - What we should have done differently
  - What we will do now (actions)
  - What we have learned

- What the complainant should do if they remain dissatisfied.
- 7.2. The Customer Care and Complaints Team will continue to remind staff of the importance of reporting all compliments received so that a true representation of the views of our customers can be evidenced for service improvement.

## **8. Achievements 2009/2010**

- 8.1. During 2009/10 the Customer Care and Complaints team has support the CSL Directorate in the management of 42% more customer contacts (excluding FOI and access to record requests). In addition to the above the service area has achieved a more integrated complaints service across the whole of the Children's Services and Learning Directorate.
- 8.2. Increased managers' awareness of the need to inform Customer Care and Complaints of any learning arising from complaint.

## **9. Customer Feedback**

- 9.1. Out of the 181 Statutory Complaints made – 109 were sent customer feedback forms. These were not sent to people who had complained via the Local Government Ombudsman, Corporate complaints process, or School Complaints processes.
- 9.2. Out of the 109 sent out – 35 were returned completed, a 32% response rate. Comments made include:
- The need to make sure complaints are dealt with and not just a letter saying someone is unavailable it will be dealt with in the future
  - A further full written reply responding to my secondary complaint rather than an answerphone message being left.
  - Meeting in person with parents
  - Remove staff who are biased, corrupt and who have relevant information. No wonder so many children are failed by the system.
  - Some form of concrete way of making up for lost time etc.
  - Not going via a third person all of the time, it makes this laborious and confusing not going
  - That social services give family more support on family side, such as less people in the meetings.
  - Get the child/children back quicker to their parents.
  - Parents have more time with the child
  - Investigate complaints fully with a non-bias opinion. Advise social services to record all care + letters not just those that paint a rosy picture of them. Discipline staff appropriately and accordingly work with families and not against them
  - Actually send out replies would help a lot. Don't leave it for weeks. Don't make people chase their own complaint.



9.3. This feedback is used by the service to make further improvements to the complaints process.

## 10. Access to Records (social care only)

10.1. This is an important function that is provided to anyone who requests access to their Social Care records from a time in Care either currently or from an earlier period in their life. The access to records facilitation is now under the management of the Customer Care and Complaints Team for any service user who is NOT receiving a service, including historical abuse requests.

10.2.

**Table 8: Number of Access to Records requests received**

2008/2009	2009/2010
39	65

10.3. Table 8 shows a 67% increase in the requests received from 39 in 2008/09 to 65 in 2009/10. This includes 14 requests that were received from Hampshire Constabulary for information to assist in criminal investigations.

10.4. In 2009/10 62 (96%) access requests were completed within the statutory timescale of 40 days.

10.5. This service has continuously improved, resulting in a 96% completion rate for 2009/2010 despite the rapid increase in demand for such requests.

## 11. Freedom of Information

11.1. This service is provided under the Freedom of Information Act.

11.2. **Table 9: Number of Freedom of Information requests received**

2008/2009	2009/2010
99	137

11.3. Table 9 shows a 39% increase in Freedom of Information requests.

11.4. Eighteen of these requested information from both Adult Services and Children's Services and Learning Directorate.

11.5. 98.90% of these requests were responded to within the statutory timescale of 20 days this year.

11.6. There were no discernable trends to the information requested. An example of the requests received were:

- Numbers of children and young people looked-after and the ratio of children to social workers
- Several requests asking for the numbers of children on Child Protection Register and how many were abuse cases
- The number of incidents where files/information have been lost

- The number of children (aged under 16) who have been referred to the council amid concerns they are involved in the sex trade
  - How many children with Special Needs received assessments for a 'statement' for Special Needs in the past year and how many were successful
  - How many teachers and teaching assistants have been assaulted in each of the last five years? Also how many pupil-on-pupil assaults in primary and secondary years have there been for the same date period
  - How many children aged between 14 – 18 are educated at home
  - How many children in the Local Authority take up school meals
  - How many children have Child Protection Plans for neglect etc?
- 11.7. Both the Access to Records and Freedom of Information databases will continue to be reviewed and updated to ensure that we continue to improve the service we provide.
- 11.8. The total percentage of increase in workload across Complaints, FOI and Access to Records for Children's Services and Learning is 44%.

## **12. Development work for 2011**

- 12.1. Following the restructure of Children's Services and Learning in 2010/11, the Directorate complaints' database will need to be updated. This is due for completion by October 2010.
- 12.2. The Customer Care and Complaints Team have been asked to be responsible for creating a central database for the recording of 'lost' information. This is currently in the early stages of development but will be used for all instances of lost information held in various formats. 'Lost' information is defined as personal information held on transferable formats such as paper, CDs, USB sticks or laptops lost outside of the office.
- 12.3. The number of complaints and customer feedback received directly from children and young people is zero. The Complaints Manager will liaise with the Children's participation team to try to raise the profile of the complaints service for children and young people.
- 12.4. The current breakdown of complaints' issues is overly complex. Work has been initiated in 2010/11 to simplify the classification of complaints. This will be reflected in the 2011 report.

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ISSUE IDENTIFIED TO INFORM IMPROVEMENT	ACTION NEEDED	BY WHOM	FURTHER ACTION NEEDED
Several complaints concerned alleged breach of confidentiality (9)	Review of procedure/policy and further training for staff	Service Managers	Ongoing
Communication which included Unwanted (3) Inaccurate (5) Lack of (40)	Supervision and review of procedures	Service Managers	Completed
Code of conduct or attitude of staff (41)	<p>In some of these cases it was agreed that the procedures should be reviewed. In 2 cases it was agreed to change the social worker.</p> <p>Managers are to raise issues with individual staff members where necessary</p>	Service Managers	Completed
Generic issues	Many complaints did not proceed to Stage 2 as the Service Manager and Customer Care & Complaints Manager met with complainants to resolve the issues.	Service Manager and Customer Care & Complaints Manager	Ongoing
Respite for Children with disabilities	Review of Service undertaken	Service Manager	Completed

**Appendix 1 – Learning from complaints.**