



CHILDREN'S SERVICES FEEDBACK PROCEDURE

APRIL 2017

This document explains how you can provide feedback about Children's Services provided by Cambridgeshire County Council. This includes feedback about Early Help, Children's Centres (run by the Local Authority), Special Educational Needs Services and Children's Social Care.

It does not include feedback for Adult Services, nor does it include other Cambridgeshire directorates, such as Learning. Your feedback may be a comment, enquiry, compliment or complaint.

Please note that all complainants are entitled to a 3 stage formal complaint process although we would hope to resolve complaints at an early point, wherever possible. This document describes the difference between the corporate and statutory complaint processes, with Early Help following the former and Social Care complaints following the statutory procedure.

Cambridgeshire County Council is committed to learning from customer experience to ensure we deliver the best possible service. Your feedback enables us to know what we do well and what we can improve upon.

If you are entitled to receive a service from us, then you (or your representative) have the right to provide feedback. You can comment about services provided by us, or about services provided by an agency on our behalf. All feedback will be listened to and recorded. Learning from feedback will be shared widely amongst our staff group.

We will give help and advice to anyone wishing to provide feedback. We can also tell you where else you can get support. Please let us know if you have a disability, if you have difficulty communicating in English, or if you have other needs we should be aware of. We will then make arrangements to support you as much as possible.

If you have any queries about this document, or wish to provide feedback please contact the Customer Care Team. Their contact details are on the next page.

Customer Care Team

The Children's Services Customer Care Team comprises a full time Customer Care Manager and a full time Business Support Officer, based at Shire Hall. They coordinate and report upon this process.

The contact details for the Team are as follows:

Customer Care Manager – 01223 699664

Business Support Officer – 01223 714765

Shared email address: childrens.servicesfeedback@cambridgeshire.gov.uk

Text: 07795 092 404

Postal Address: Children's Services Feedback

SH1215

Shire Hall

Cambridge

CB3 0AP

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Enquiries

It is usually best to raise any questions you might have directly with the service that is working with you and your family. You are likely to receive a faster response if you do so. However, if you are unsure about who to speak to or feel your query is not receiving an answer, you are welcome to contact the Customer Care Team.

The Customer Care Team is not 'case responsible' for work with children and families and will not therefore know all the details of your situation but we will put you in touch with someone who does.

Where someone makes the same enquiries repeatedly, it may be more appropriate for these to be dealt with through our complaints procedure, which is described below. If this seems to be the best course of action, the Customer Care Manager will let you know.

Sometimes we hear from a Member of Parliament (MP) or Councillor on your behalf. These enquires are usually sent to the Chief Executive of the County Council or the Executive Director, Children, Families and Adults Services. Replies are sent back to the MP or Councillor, who may or may not decide to share them with you. In the event that you are unhappy with the response given to/by your MP or Councillor, you can choose to make a complaint at Stage 1 of our complaints process.

We deal with these enquiries in the same timescales as correspondence directly from complainants (i.e. 10 working days, or 20 working days if the matter is complex.)

Access to Records

Sometimes, members of the public wish to access their or their children's records. You can do this using the following on-line form:

www.cambridgeshire.gov.uk/download/downloads/id/246/access_to_your_information

If you do not have access to a computer, please let us know and we will send you the relevant form in the post.

Compliments

It is always helpful to know what has gone well, so do please tell us. This is not just something to celebrate but is also a source for learning. You can either send your compliment directly to the service or to the Customer Care Team.

All compliments are forwarded to and logged by the Customer Care Team, which reports upon these in its regular reports, including the annual report which is made available to the public.

All Complaints

We accept that there may be occasions when you disagree with something that has occurred and we would encourage you to discuss it as soon as possible with the relevant member of staff. It may be that there has been a misunderstanding or that a process has not been fully explained to you. If we are unable to resolve the issue to your satisfaction or if you wish to make a complaint, please let us know as soon as possible.

You can make your complaint in whatever way is most convenient for you. It does not have to be in writing.

There is an online form on the County Council website:

<http://www.cambridgeshire.gov.uk/complain>

People also write letters or emails, ring in with complaints or raise them in person. You can also use the Feedback Leaflet which has a simple form and freepost address. This should have been given to you when we first started to work with you, but it can be provided again on request. It is available in a number of languages* and there is also a post card for young people.

(*The combined Feedback Leaflet relating to Early Help and Social Care is currently only in English whereas information about complaints relating to Children's Social Care is available in a number of languages. The updated leaflet covering both services will shortly be translated. In the meantime please let us know if you need it in a language that is not currently available).

If you wish to make a complaint in person, you can do so with any member of staff, who will then pass it on to the Customer Care Team.

The key information that we need is your name and contact details, names of the child/ren involved and the nature of your complaint, ideally together with what you would like to happen about your complaint.

Complaint remit

Complaints cannot be accepted if they have been raised and responded to previously or if the complaint has previously been withdrawn. Similarly, they cannot be accepted if they relate to a matter that has been decided in court. Decisions to undertake a Child Protection investigation, hold a Child Protection Conference or have a Child Protection plan are also out of remit, as the duty to safeguard children has priority. If the issue involves a Panel with an appeals process, complaints would not be an additional means to achieve an outcome.

Finally, complaints are not usually accepted in relation to events which occurred more than 12 months prior unless you were unaware of those events until recently. (Complaints from children and young people may be accepted outside the 12 month period, especially if they felt afraid to complain earlier). The Customer Care Team will contact you if there is any doubt about whether your complaint can be accepted.

Complaints can be suspended in some situations, for example if the case is before a court or if a Child Protection investigation is taking place. However, where this is the case it is probable that the complaint is outside remit. Most often in these circumstances the complaint will be closed and you will be asked to contact the Customer Care Team again if you remain dissatisfied when the court case or Child Protection investigation has ended. Consideration will then be given to whether the issues can be taken forward within the complaint procedure.

Wherever possible, complaints against the County Council will be dealt with through a single investigation and response. This includes complaints that span adults and children's services or those that involve Children's Services and other agencies, such as Health. However, decisions will be made as to the timeliness of any such joint response and you will be informed if more than one response will be sent.

Complaints that entirely concern other agencies must be dealt with by those agencies and where they relate to independent providers, their own complaint procedure must be followed. Complaints relating to Child Minders, Playgroups and Nurseries should be addressed to Ofsted.

Claims for significant compensation

The complaints procedure is not a way to obtain financial compensation for damages. If you seek only compensation as the result of your complaint, you should take legal advice about making a claim against the County Council. The Council can, however consider complaints where its actions (or lack of actions) have resulted in you not receiving money you would otherwise have been entitled to.

Persistent Complainants

The County Council has a persistent complainants' policy. However, this is very rarely used as the rules about the remit of complaints (see above) has proved to be sufficient to manage repeat complaints on the same or very similar issues. Meetings are usually offered where individuals make the same complaints again and again, as it may be that previous communication has been ineffective. Meetings may be with the Customer Care Manager and/or the most relevant case responsible Manager to try to resolve outstanding issues. In all cases, new correspondence will be read and considered as there may be new matters which require investigation and response. Issues that have already had a response will not receive another one.

All complainants have the right to a 3-Stage complaint procedure. Complaints against Children's Social Care are subject to Statutory Regulations* and Guidance and involve external scrutiny at Stages 2 and 3. All other complaints are dealt with under the Local Authority's corporate complaint procedure, with all 3 Stages being internal. See below for more information.**

* The Local Authority Social Services Act (1970) and the Children Act 1989 Representations Procedure (England), Regulations 2006, set out the rules by which we manage feedback.

** 'Getting the Best from Complaints – Social Care Complaints and Representations for Children, Young People and Others – department for education and skills (2006)

Stage 1 Complaints – Statutory and Corporate

The Customer Care Team is central to the management of all complaints. It will consider whether advocacy is required to assist you.

Advocacy

We understand that people often find it stressful to make a complaint and may welcome assistance with this. You can always choose to have informal support from a relative or friend but if you believe an advocate would help, we will try to put you in touch with an appropriate service.

Currently all children and young people who wish to make a complaint about Children's Social Care are put in touch with NYAS, who will support them through the process if they choose. A request is being made to extend this service to other children and young people.

Data Protection

You will understand that great care is needed with regard to Data Protection, especially where complainants do not have Parental Responsibility for the children about whose services they are complaining. We cannot share information to which you are not entitled, without the permission of the person whose information it is

For example, sometimes complaints are from grandparents. In these situations, the Customer Care Team will ask whether or not at least one parent with Parental Responsibility (PR) is aware of your complaint. If so, we contact that parent to seek permission to communicate in detail directly with you. Where this permission is not given, only very brief information can be shared with you. One option is to write a full response but to send it to the person with PR, who then has the choice as to whether to share it with you.

Another example would be a complaint from a parent who does not have PR. We would again need to seek permission before replying in detail directly to you.

Complaints Process – See Appendix 1

On receiving your complaint, the Customer Care Team will send you an acknowledgement letter, explaining:

- Whether your complaint is being dealt with under the corporate or statutory complaint procedure;
- Which manager will be investigating and responding to you
- The due date for the complaint response to be sent to you.

The Customer Care Manager will raise any urgent issues about practice as soon as these become apparent.

Timescales:

- The acknowledgement letter will be sent within 3 working days of receipt of your complaint
- The response will usually be sent on or before 10 working days of receipt of your complaint (the date of receipt is counted as day zero)
- A holding letter will be sent if there is going to be a delay, with a maximum of 20 working days for the response letter to be sent. (In complex cases 20 days may be given from the outset)

Please note: Sometimes the Responding Manager will contact you to discuss your complaint and he or she may invite you to a meeting, especially where you have raised a number of issues or if the situation is particularly complicated. The Manager will have 10 working days from the date of the meeting in which to send you a written response to your complaint.

You will be sent a feedback form with the response letter and we ask you to return this to us if you have any further comments to make, including whether there are any unresolved issues. If we do not hear from you within 20 working days the complaint will be closed and will not be able to be re-opened at a later date.

The Customer Care Manager:

- Decides whether or not the complaint is upheld, partially upheld or not upheld, and also takes the learning from the complaint for reports and staff briefings.
- Follows up on any actions promised to ensure these have taken place.
- Closes the complaint– pending any further contact from you.

The Responding Manager:

- Takes any action needed with regard to your complaint
- Places a record on the child's file which includes the complaint and the final response.

Dissatisfaction with outcome of Stage 1

If you remain unhappy, you should return the feedback form directly to the Customer Care Team, or contact the Team by some other means. Sometimes people prefer to ring, email or write to us rather than use the form.

We will always try to find a satisfactory resolution to any issues that continue to cause you concern. Depending on what these issues are, we may arrange a face to face meeting with you. You are welcome to bring a supporter with you to any meetings. All such meetings will be followed up with a letter covering the main points and any planned actions.

If you remain dissatisfied after attempts at resolution have been attempted or if you prefer to progress to the next Stage of the Complaint Procedure immediately, the complaint progresses to Stage 2. The process for Stages 2 and 3 is different depending on whether the complaint is Corporate (Early Help) or Statutory (Children's Social Care). In all cases, Stages 2 and 3 are coordinated by the Customer Care Team.

Please note: Complaints that have been fully upheld at Stage 1 will not progress any further.

Stage 2 – Corporate Complaints

Where you ask for your complaint to progress to Stage 2, it is passed by the Customer Care Team to a Manager with greater seniority than the responding Manager from Stage 1. For example, if the complaint was originally dealt with by a Children's Centre Manager, it would be dealt with by the responsible Head of Service (Early Help) at Stage 2.

Together with the request for Stage 2, the Customer Care Team passes the original complaint and response to the relevant Senior Manager. The Team writes to you within 3 working days to say which Senior Manager is to be involved and to give a due date for a response, 10 working days from agreement to go to Stage 2.

Dissatisfaction with outcome of Stage 2 – Corporate Complaints

As with earlier dissatisfaction, the Customer Care Team, together with the Manager, will attempt to find a resolution that is acceptable to you before going to Stage 3.

Stage 3 – Corporate Complaints

If you wish to proceed to Stage 3, you may ask for your case to be reviewed. You can do this by contacting the Customer Care Team, who will notify the Director of Corporate and Customer Service. This Senior Manager undertakes the review of your complaint on behalf of the Chief Executive. The process mirrors that at Stage 2 in that the investigation and response take place within 10 working days. The Customer Care Team is responsible for acknowledging the request within 3 working days, providing relevant paperwork to the Director of Corporate and Customer Services and ensuring the timescale is met, or alerting you if there is to be a delay.

This is the final Stage in the Corporate Complaint Process. As with Stage 1, the Customer Care Team keeps a record of all Stage 2 and 3 investigations. The Customer Care Manager determines whether any aspect is upheld and notes the relevant learning for inclusion in future reports and staff briefing sessions.

Stage 2 – Statutory Complaints – Children’s Social Care

Please note that the Customer Care Manager has discretion to pass complaints directly to Stage 2. This is rare but sometimes takes place where the situation is particularly complex.

This Stage involves the appointment of two independent people to investigate the complaint. The Customer Care Team has a group of such people who have a range of relevant backgrounds. They have all been DBS checked and are taken on for single pieces of work for which they are paid an hourly rate. There is a lead Investigating Officer (IO) and a second Independent Person (IP). The latter ensures that the investigation is thorough and fair. The IP has the additional responsibility of keeping the child’s best interests in mind.

With your written permission (and with the knowledge of any other person with Parental Responsibility), the independent people meet you to draw up a Schedule of Complaint to clarify the areas of complaint which are unresolved, and to establish your desired outcomes. Once this Schedule of Complaint is signed, the investigators read the relevant files and interview staff, including any who have left the authority (providing contact details are available). The Schedule of Complaint is sent in advance to all those who will be interviewed so they can prepare for the interview meeting.

The IO and IP are authorised to see all records that pertain to the complaint other than court paperwork, for which court permission would be required. They are assisted by Business Support in accessing the records and are permitted to take away copies of relevant documents.

The Investigating Officer writes the main report, including findings and recommendations, and the Independent Person writes a shorter supplementary report.

Both reports are forwarded to the Service Director to be read and for a ‘letter of adjudication’. The reports and ‘letter of adjudication’ are sent you and also to the relevant Head of Service and District Safeguarding Manager. They will share with appropriate members of staff.

The timescales associated with Stage 2 of the Statutory Complaints process are:

1. You have 20 working days from receiving the Stage 1 response to request Stage 2.
2. Once the Schedule of Complaint is signed, the independent people have 25 working days in which to complete their investigation (up to a maximum of 65 working days).
3. The Service Director, Children’s Services, has a maximum of 20 working days in which to consider the reports and send out the ‘letter of adjudication’.

Dissatisfaction with outcome of Stage 2 – Statutory Complaints

As with all expressions of dissatisfaction, the Customer Care Team, together with the Manager, will attempt to find a resolution to any ongoing dissatisfaction prior to offering Stage 3.

Stage 3 – Statutory Complaints – Children’s Social Care

Unlike Stages 1 and 2, Stage 3 of the Statutory Complaint Procedure is not another investigation. It is a Panel of 3 independent people, not previously involved with the complaint, who consider if the complaint was properly investigated and whether there should have been different or additional findings and recommendations.

The Panel takes place following the sharing of written information between all those who attend on the day. This comprises:

- Any explanation from you about the issues that continue to be unresolved and what you want as an outcome
- The original complaint and response.
- The Stage 2 request, Schedule of Complaint, Stage 2 reports and ‘letter of adjudication.’

These documents are circulated no less than 10 working days in advance of the Panel meeting.

Those attending the meeting include:

- The complainant(s) and a supporter (if wanted)
- The Service Director
- The relevant Head of Service
- The Investigating Officer from Stage 2
- The Independent Person from Stage 2
- The Customer Care Manager
- A note taker – there are no minutes – notes are for the Panel only
- The 3 Panel Members

The open Panel Meeting with all the above tends to take place over 2 – 3 hours, after which the Panel Members meet in closed session, with the Customer Care Manager and note taker present to provide advice but not to participate in the decision-making. This closed session takes place on the same day, after which the Panel Chair draws up the Panel findings in consultation with the other Panel Members and forwards this to the Customer Care Manager. The findings, including Panel recommendations, are sent at the same time to the Executive Director, and also to those who attended the Panel Meeting including you as the complainant.

The Executive Director writes to you with her response to the Panel findings.

The timescales for Stage 3 are:

1. You have 20 working days to request a Stage 3 Panel from receiving the Stage 2 reports and ‘letter of adjudication’ or within 20 working days of any resolution meeting

2. Customer Care Team should appoint the Panel within 10 working days and hold the Panel within 30 working days of receipt of request for Stage 3, although this is dependent on the availability of all the key participants.
3. Panel Chair must produce the Panel findings within 5 working days
4. The Executive Director must write to the complainant within 15 working days of receipt of the Panel findings.

This is the final Stage in the Statutory Complaint Process. As with Stage 1, the Customer Care Team keeps a record of all Stage 2 and 3 investigations. The Customer Care Manager determines whether any aspect is upheld and notes the relevant learning for inclusion in future reports and staff briefing sessions.

Next Steps - All Complaints - The Local Government Ombudsman (LGO)

The LGO can be approached by complainants at any point during the complaint process but you will usually be re-directed to the Local Authority for it to complete all 3 Stages of its complaint procedure.

The LGO looks to see if there has been maladministration and it makes recommendations to the Local Authority where it feels this has been the case.

Disciplinary Procedures

Please note that the complaint procedure, whether corporate or statutory, is completely separate from any disciplinary procedure and details of disciplinary procedures are kept strictly confidential. Complainants are not informed of any such action, although we accept that sometimes complainants would wish for members of staff to be disciplined.

Reports

The Customer Care Team provides quarterly in-house reports and an annual report that is available to the public via the County Council's website.

The most recent annual report can be found online on the Cambridgeshire County Council website.

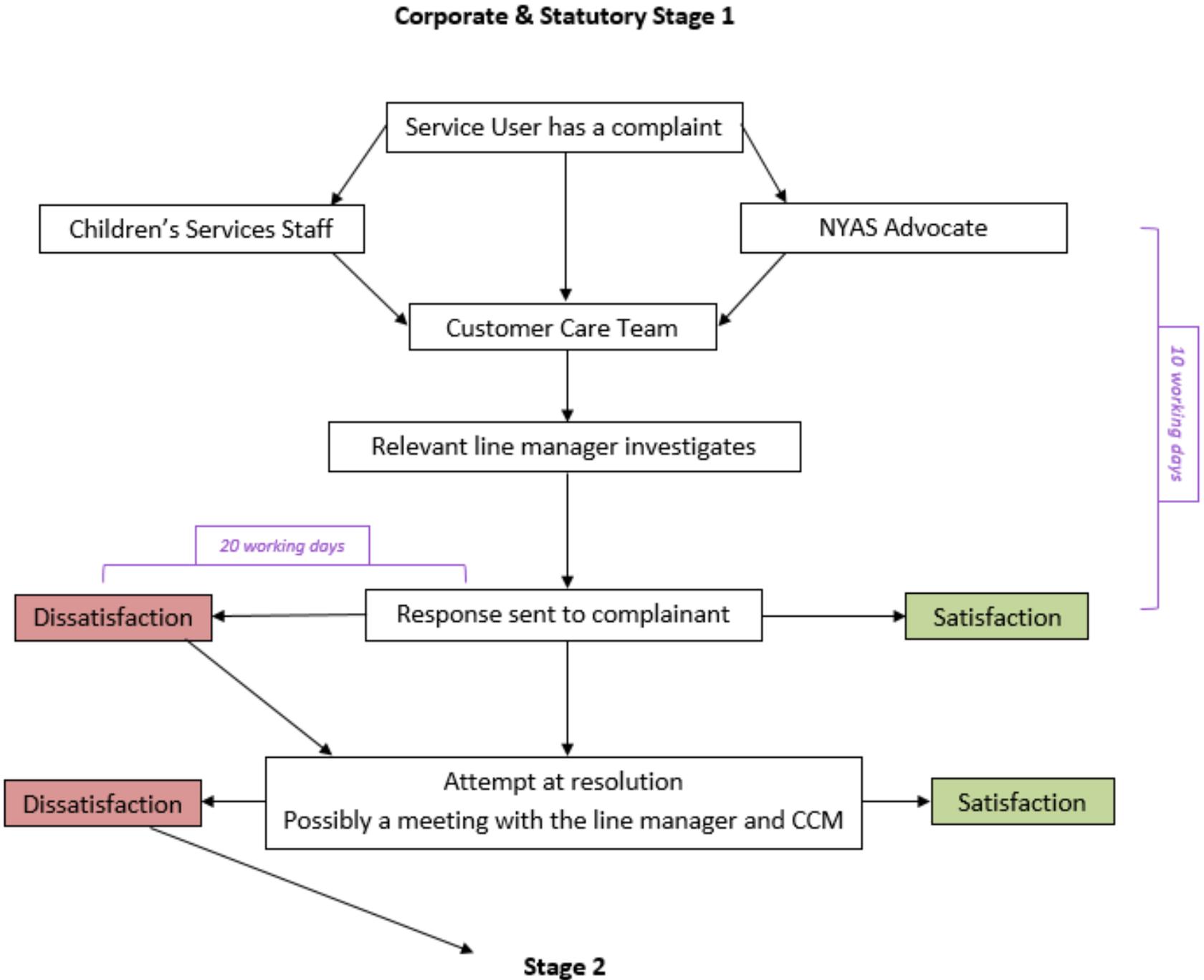
Alternatively, you can request a copy to be posted to you by the Customer Care Team

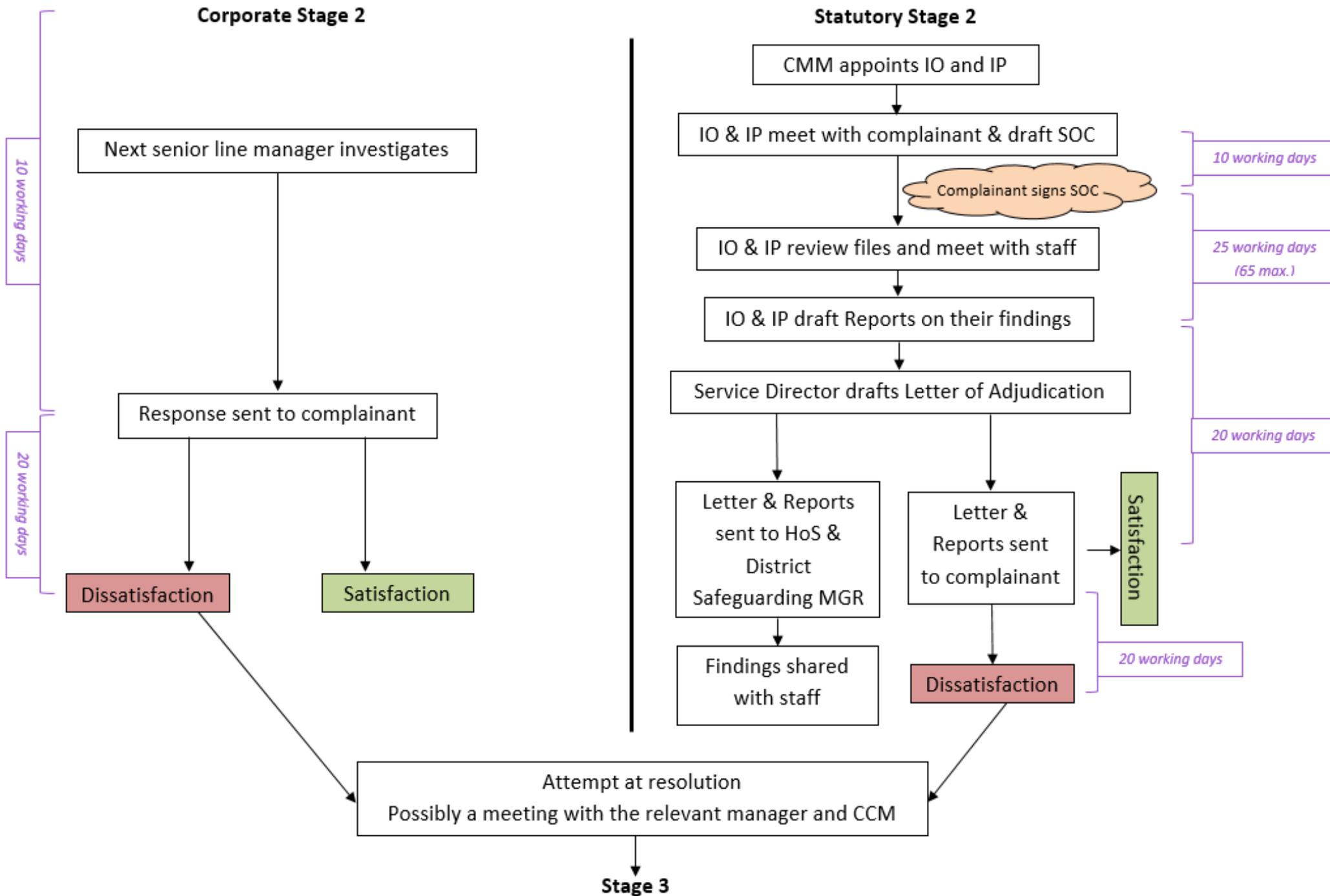
Please see Appendix 2 re Counting Complaints

Leaflets and Publications

The Customer Care Team produces information for the public as themes arise from complaints and other feedback with a view to clarifying the Council's roles and responsibilities for the benefit of both public and the staff. To date these have included leaflets on:

- Communication
- Private law – where relationships have broken down between parents
- Child Protection – from investigation through to Conference and the ending of Child Protection Plans
- Looked After Children and Care Proceedings.





Corporate Stage 3

Director of Corporate & Customer Services investigates on behalf of Chief Executive

Response sent to complainant

Dissatisfaction

Satisfaction

Local Government Ombudsman

Statutory Stage 3

CMM appoints Panel Chair and 2 Panel Members

Panel date/location arranged with all attendees: complainant, IO, IP, Panel Members, Panel Chair, HoS, Service Director, CCM, and note-taker

Stage 3 Panel documents sent to all attendees

Complainant to submit supplementary material, sent to all attendees 10 working days prior to the Panel

Stage 3 Panel, Panel meets & makes recommendations

Panel Chair sends Findings to CCM

Recommendations & Findings sent to all attendees

Recommendations & Findings sent to Executive Director for response

Executive Director Response sent to complainant

Dissatisfaction

Satisfaction

10 working days

10 working days

30 working days

5 working days

15 working days

Appendix 2 - Counting Complaints

This Appendix aims to explain how complaints are counted and how outcomes are decided.

It is rare that complaints contain only one issue and it is often the case that the issues are not very clear, making it difficult to count them separately or to compare them easily with other complaints. Nevertheless themes and learning are taken very seriously.

The following gives examples from Children's Social Care but the principles apply equally to Corporate Complaints.

At Stage 1, a complaint is counted as one, even if it contains more than one issue. For example, a parent may ring to say that she is dissatisfied with how a Social Worker spoke to her on a first visit; factual inaccuracies in a report, and the late arrival of minutes of a meeting. Each of these will be investigated and a single response will be sent. If the same parent rings again while the complaint investigation is ongoing, to say that the Social Worker also failed to show his ID card, this will be added to the same complaint. Once the complaint has been investigated and a response sent, any new complaint will be counted separately.

In the above example, there may be no witness to the visit and it may not be possible to 'determine' whether or not the Social Worker showed his ID card or not, or if he was rude. Where it is one person's word against another's, the outcome of those aspects is that they 'cannot be determined' either way. If, having checked available information, there is evidence to support the content of the report; the complaint that the report contains factual inaccuracies will not be 'upheld'. Finally, if the minutes were late, i.e. more than 10 working days after the event, that aspect will be 'upheld'.

Overall, this complaint would be deemed to be 'partially upheld' as one aspect was upheld. Even where more aspects are 'not upheld' than are 'upheld', the complaint will still be deemed to be 'partially upheld'.

The Customer Care Manager, who has no line management involvement with the cases that are complained about, makes the final decision as to whether or not a complaint is upheld.

At Stage 2 of the Statutory Complaint Procedure (concerning Children's Social Care), the two Independent Investigators meet with the complainant to go through which aspects of the original complaint continue to cause concern. These are usually the aspects which were 'not determined' or 'not upheld' at Stage 1. The Investigators draw up a 'Schedule of Complaint' with the complainant, which the complainant signs only when she is happy that this is an accurate reflection of her views. This can contain a list of issues. Each of these is investigated and a finding (of 'upheld', 'partially upheld', 'not upheld' or 'cannot be determined') is reached against each one.

The complainant receives copies of both Investigation Reports in full, together with a letter from the Service Director. There is no County Council involvement in the making or altering of the Stage 2 outcomes.

Each Stage 2 investigation is counted as one investigation and is not counted as a number of separate complaints. Similarly, each Stage 3 Panel is counted as one. The number of Stage 2 investigations and Stage 3 Panels is reported upon within in-house and public reports.

At Stage 3 of the Statutory Procedure, the complainant notifies the Independent Panel in advance of the Panel Meeting as to which complaints continue to be unresolved and these are discussed. While a Stage 3 Panel is not a new investigation, the Panel will, nevertheless comment on whether it agrees with previous findings or not. The Panel findings are sent to the complainant at the same time as they are sent to the Executive Director. The Executive Director also writes directly to the complainant.

Appendix 3 – Contact Details

CAMBRIDGESHIRE COUNTY COUNCIL

Customer Care Team – Children’s Services

FREEPOST Box SH1215
Shire Hall
Cambridge
CB3 0AP

Telephone: 01223 699 664 **or** 01223 714 765 **or** 03450 455 203
Email: Childrens.ServicesFeedback@Cambridgeshire.gov.uk
Text: 07795 092 404
Website: <http://www.cambridgeshire.gov.uk>

Information Governance Team

OCT1224
Cambridgeshire County Council
Shire Hall
Cambridge
CB3 0AP

Telephone: 01223 699 137

THE NATIONAL YOUTH ADVOCACY SERVICE (NYAS)

Unit AA The Anderson Centre
Ermine Business Park
Spitfire Close
Huntingdon
PE29 6XY

Telephone: 0808 808 1001 (*Freephone from landlines. Calls from mobiles may be charged.*)
Email: help@nyas.net
Text: 07434 967 405
Website: www.nyas.net

THE LOCAL GOVERNMENT OMBUDSMAN

PO Box 4771
Coventry
CV4 0EH

Telephone: 03000 610 614 (*Calls to 03 numbers cost no more than calls to national geographic numbers starting 01 or 02.*)
Text: ‘call back’ to 07624 811 595
Fax: 02476 820 001
Website: www.lgo.org.uk

OFSTED

Piccadilly Gate
Store Street
Manchester
M1 2WD

Telephone: 03001 231 231
Email: enquiries@ofsted.gov.uk
Text: 60085
Website: www.ofsted.gov.uk

HEALTH & CARE PROFESSIONS COUNCIL (HCPC)

Park House
184 Kennington Park Road
London
SE11 4BU

Telephone: 0800 328 4218 (*Freephone in the UK, contact the Fitness to Practice Department*)
Email: ftp@hcpc-uk.org
Website: www.HCPC-UK.org.uk

THE INFORMATION COMMISSIONER'S OFFICE

Telephone: 0303 123 1113
Email: casework@ico.org.uk
Website: <http://ico.org.uk>
