



Children and Family Court Advisory and Support Service

Paper for the Board Meeting on Friday 11 June 2010

Report Title: The management of complaints received from Cafcass service users in 2009/10

1	Aim & Purpose
1.1	To provide the Board with an overview of complaints received and complaints management for the 2009/10 period.
1.2	To provide the Board with information on the planning introduction and implementation of the new structure as far as it relates to complaints work.
1.3	To summarise the current position as context for the introduction of new concerns and complaints procedures in July 2010
2	Action for the Board
2.1	This report is for information and discussion only.
3	Recommendation
3.1	For the Board to note the report and key issues.

Statistical trends	2008/09	2009/10	
1. Timeframes met in responding to complaints	44%	34%	↓
2. Numbers of complaints as a % of all cases	2.1%	2.2%	↑
3 Average numbers of complaint per Cafcass team	14	17	↑
4. Numbers of complaints that moved to investigation stage	4	33	↑
5. Numbers of complaints that moved to review stage	0	16	↑

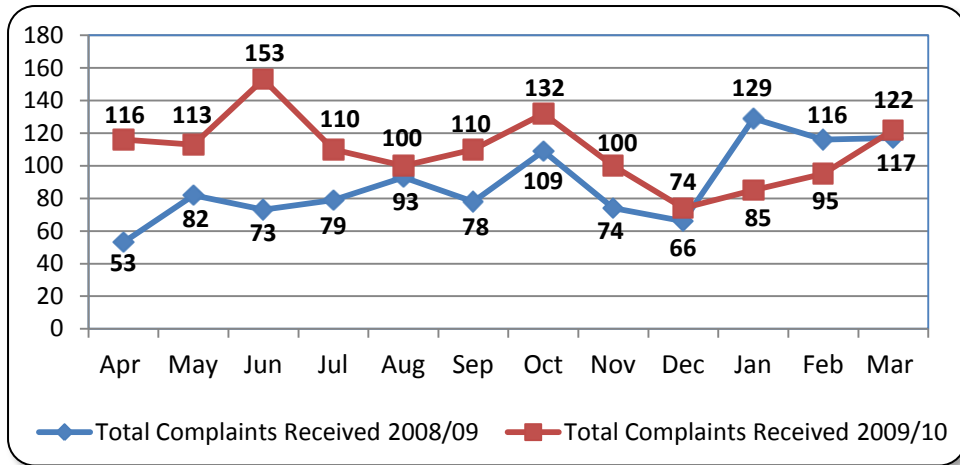
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The management of complaints received from Cafcass service users in 2009/10

In January 2009 new complaints procedures were introduced which were intended to increase service users' accessibility to Cafcass and to link complaints responses to practice improvement. The procedures gave a higher level of eligibility to service users to progress their complaints to investigation and review stages if they were unhappy with the initial stage outcome. It had been anticipated that complaint numbers would rise to a degree, but that with the support of the Customer Services and Quality (CSQ) team, Service Managers would be able to respond to these in a timely and efficient way.

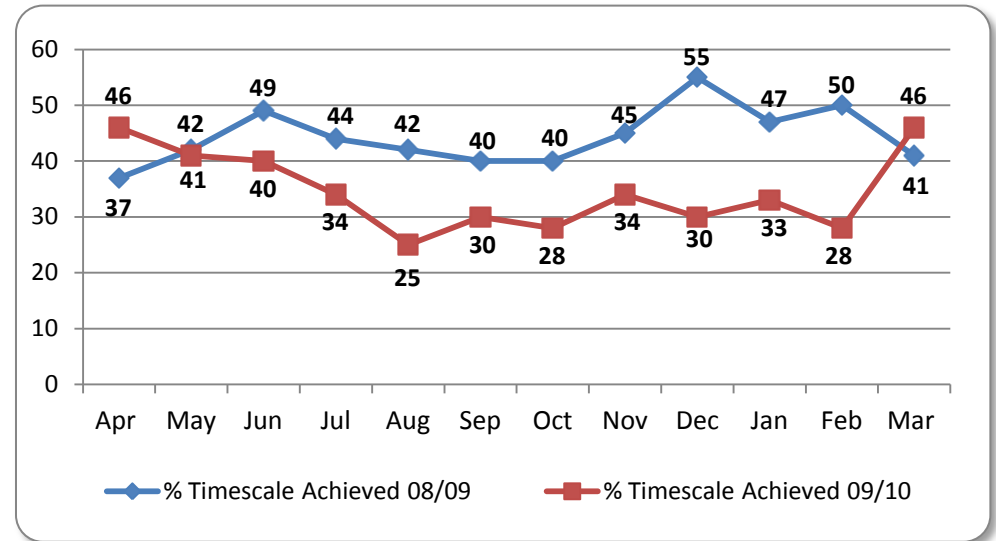
Increase in demand by month – 08/09 compared to 09/10



By June 2009 it was becoming clear, with complaints having risen by about two third, that the timeliness of responses to complaints was deteriorating. In response remedial steps were taken to improve management controls.

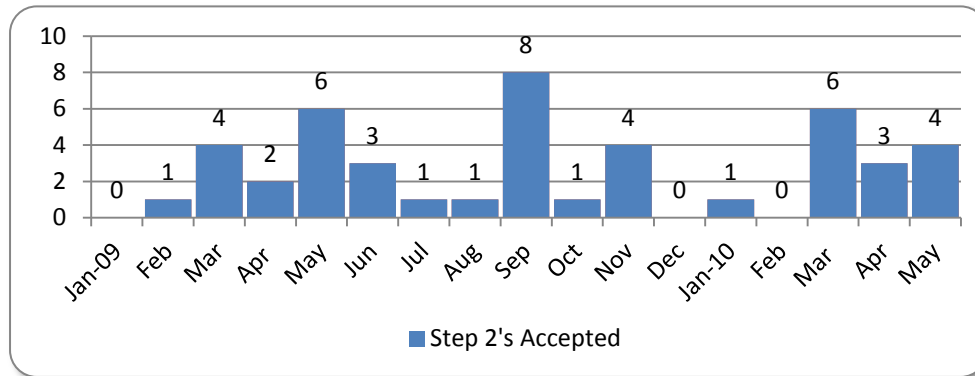
The situation was then closely reviewed between June and August with a specific focus on those complaints that also featured safeguarding issues.

Time frames met in 09/10 (34%) compared to 08/09 (44%).

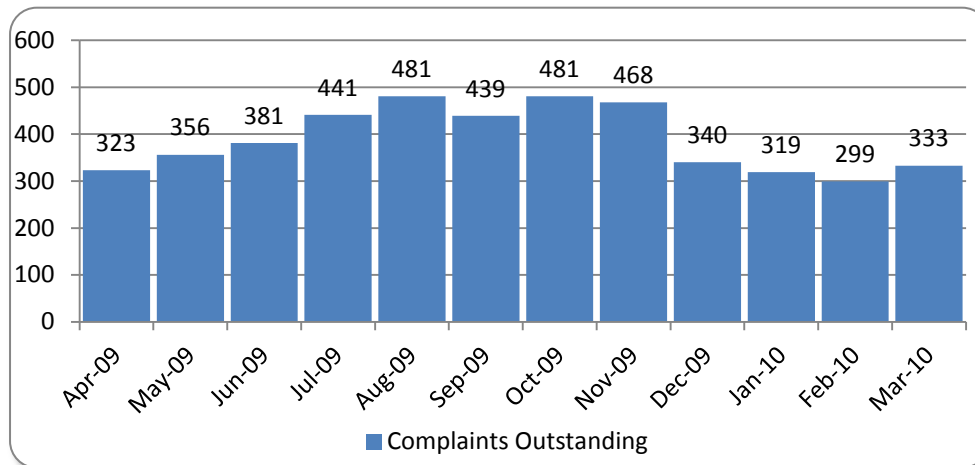


Poor complaints response performance peaked in August and significant structural changes for complaints management were included in the September 2009 corporate restructuring proposals. These proposed the delegation of complaints handling responsibilities to Operational Areas, and a reduction in the number of dedicated posts. The three remaining specialist complaints manager posts, from 1 April 2010 are now based in the Operational Areas. Their duties have been modified to support local managers to address complaints, rather than providing a centralised complaints response service.

Complaints Step 2 investigations - month on month



Between November 2009 and January 2010, a sharp drop in outstanding complaints numbers was achieved, through tighter scrutiny and more active initial responses to concerns raised. (Outstanding complaints are denied as being those that are unresolved and/or awaiting a final response).



For example, a review of complaints in London (S3) was undertaken in January 2010, which resulted in large number (27) of complaints completions and closure in January 2010.

During the same period, a management review took place of all complaints where step 2 investigations had been requested so that appropriate and

The Management of Complaints received from Cafcass Service User in 2009//10

realistic responses could be made to each of these, and where investigations were necessary the remit was carefully structured. Across the period of this report, 16 requests were received for a Step 3 Review (10 of which are now complete. For 5 of the other 6 cases, arrangements have been made for the review to take place).

New structure and new procedures

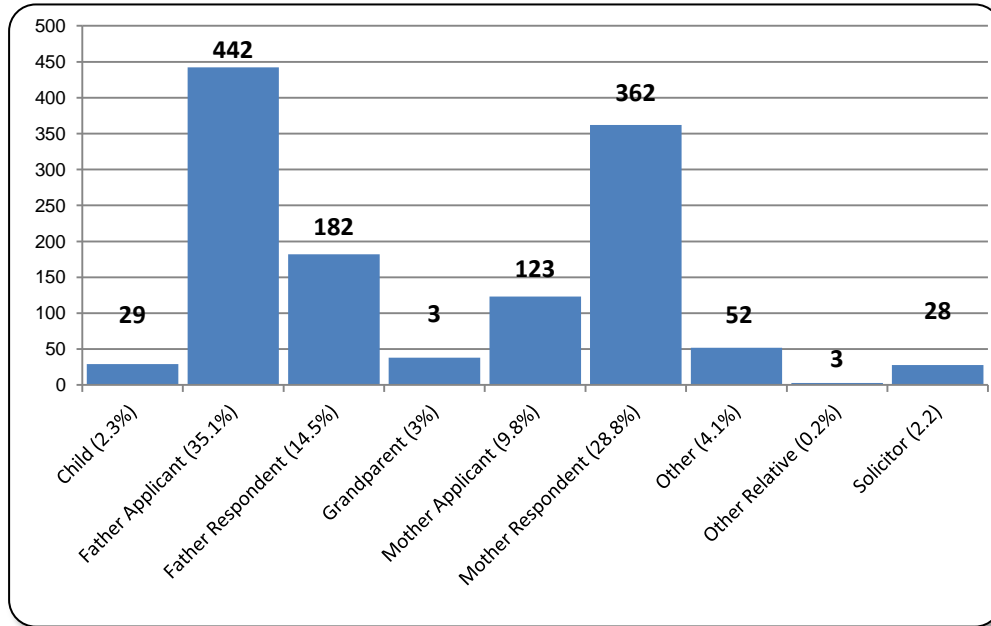
Learning from this process has informed the development of the new concerns and complaints procedure. The process of developing a new procedure has taken place under the direct leadership, since October 2009, of the Board Complaints Working Group, which signed off the new procedure, on behalf of the Board, on 13 May 2010. This is intended to provide a more locally-based, more tightly focused and timely response to service users' concerns with significantly higher levels of management input and responsibility.

It is noteworthy that the vast majority of those who utilise complaints processes are adult parties in private law cases. Very few complaints arise in public law cases, whether from adults or children. Closer analysis of the contents of complaints reveals that most complaints reflect adults' unhappiness that their hopes or expectations of outcomes in the family court have not been met. The responsibility for the process and outcome of the court process is often associated with service users' perceptions about the quality of work undertaken by Cafcass practitioners.

From this, it has become clear that the nature of some of the issues being raised with Cafcass, though viewed by service users as being complaints about Cafcass, were about, in whole or in part, issues linked to the courts' decisions about the outcome of their applications. Such issues are beyond the reach of any Cafcass internal procedure to redress.

The new concerns and complaints procedure is designed to maintain as strong as possible a focus on the needs of children and young people, whilst providing a fair and proportionate response to concerns and complaints about Cafcass' service, whenever they are raised during the life of each case.

Who complained in 2009/10



The current situation

There are wide variations between the Operational Areas. During 2009/10, the South Area received more complaints (486) than North (333) or Central (329), and was, on average slower at responding to these. This is in part a reflection of the fact that more complaints in the South progressed to Step 2 (9) than Central (2) or North (2). Closer examination at the Head of Service level reveals that individual service areas (in particular S3 and S5) are over-represented at Step 2, reflecting issues such as size of population served (in the case of S3 - London) and possible variations in the application of the procedure.

Recent action being taken in S3 has included the appointment of a dedicated administrator to lead on ensuring better record-keeping and response tracking, to support managers ahead of the implementation of the new procedure. As a result of this focused work, between December 2009 and March 2010 the number of S3 complaints awaiting a response reduced from 89 to 9 (in late May 2010).

In S5 (Surrey and Sussex), a similar piece of review work is now under way, led by the Head of Service. In both S3 and S5, the information gained from reviewing complaints has been included in the performance management programme for Service Managers, and complaints management is a key aspect of performance improvement work with individual managers. This type of intervention has reduced the number of outstanding complaint to 151 at the end of April 2010, with further progress expected during the remaining period of operation of the current complaints procedure (30 June 2010).

The current situation (end of April 2010) complaints outstanding.

