

## **Children's Social Care**

### **Annual Complaints & Compliments Report 2011-2012**

September 2012

<b>1.</b>	<b>Context</b>
	<p>The Social Services statutory complaints procedure requires that an annual report must be produced for Children's Social Care complaints. This report provides information about complaints made during the twelve months between 1<sup>st</sup> April 2011 and 31<sup>st</sup> March 2012 under the complaints and representations procedures established through the Local Authority Social Services Complaints (England) Regulations 2006, the Representations (Children) Regulations 2006 and the Council's corporate complaints procedure.</p> <p>All timescales contained within this report are in working days.</p>
<b>1.1</b>	<b>What is a complaint?</b>
	<p>The guidance 'Getting the best from Complaints' produced by Dfes (Department for Education and Skills) provides advice for local authorities on implementing the new Children Act 1989 complaints procedure for children and young people and defines a complaint as:</p> <p><b>'A complaint may be generally defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.'</b></p>
<b>1.2</b>	<b>Who can make a complaint?</b>
	<p>Section 26(3) and section 24D of the Children Act, 1989 and section 3(1) of the Adoption and Children Act, 2002 require council's to consider complaints made by:</p> <ul style="list-style-type: none"> <li>• any child or young person (or a parent of his or someone who has parental responsibility for him) who is being looked after by the local authority or is not looked after by them but is in need</li> <li>• any local authority foster carer (including those caring for children placed through independent fostering agencies)</li> <li>• children leaving care</li> <li>• Special Guardians</li> <li>• A child or young person (or parent of his) to whom a Special Guardian order is in force</li> <li>• Any person who has applied for an assessment under section 14F(3) or (4)</li> <li>• Any child or young person who may be adopted, their parents and guardians</li> <li>• Persons wishing to adopt a child</li> <li>• Any other person whom arrangements for the provision of adoption services extend</li> <li>• Adopted persons, their parents, natural parents and former guardians</li> <li>• Such other person as the local authority consider has sufficient interest in the child or young person's welfare to warrant his representations being considered by them.</li> </ul>
<b>2</b>	<b>Stages of the complaints procedure and statistics</b>

	The complaints procedure has three stages
<b>2.1</b>	<b>Stage 1 – Local Resolution</b>
	<p>This is the most important stage of the complaints procedure. The department's teams and external contractors providing services on our behalf are expected to resolve as many complaints as possible at this initial point.</p> <p>The Council's complaints procedure requires complaints at stage 1 to be responded to within 10 working days (with an automatic extension to a further 10 days where a complaint is complex).</p> <p>The vast majority of complaints are successfully resolved at stage 1 which indicates that front line managers are making an effort to listen to clients and work with them to reach mutually acceptable outcomes.</p>
<b>2.2</b>	<b>Stage 2 - Investigation</b>
	<p>This stage is usually implemented where the complainant is dissatisfied with the findings of stage 1. Stage 2 is an investigation conducted by an external investigating officer. An additional independent person also works alongside the investigating officer. The Director of Targeted &amp; Specialist Children &amp; Families Services adjudicates on the findings.</p> <p>Stage 2 complaints falling within the social services statutory complaints procedure should be dealt with within 25 days, although in certain cases this can be extended to 65 working days.</p>
<b>2.3</b>	<b>Stage 3 – Review Panel</b>
	<p>The third stage of the complaints process is the Review Panel.</p> <p>Where complainants wish to proceed with complaints about statutory social services functions, the Council is required to establish a complaints Review Panel. The panel makes recommendations to the Director who then makes a decision on the complaint and any action to be taken. Complaints Review Panels are made up of three independent panellists. There are various timescales relating to stage 3 complaints. These include:</p> <ul style="list-style-type: none"> <li>• setting up the Panel within 30 days;</li> <li>• producing the Panel's report within a further 5 days; and</li> <li>• producing the local authority's response within 15 days.</li> </ul> <p>A further option for complainants is the Local Government Ombudsman (LGO) who is empowered to investigate where it appears that a Council's own investigations have not resolved the complaint. Complainants can refer their complaint to the LGO at any time, although the Ombudsman normally refers the complaint back to the Council if it has not been considered under our procedure first.</p>
<b>2.4</b>	<b>Other Complaints</b>
	<p>Not all complaints relating to Children's Social Care will be dealt with under the Children Act procedures as those procedures relate particularly to complaints made by or on behalf of a child or young person. Occasionally the department receives complaints which do not fit into this category, for instance a potential foster carer or adopter complaining about the process</p>

	<p>and/or outcome of their assessment and these are dealt with using the corporate complaints procedure. The corporate complaints procedure has 2 internal stages: stage 1 is responded to by the relevant manager within CSC, and then stage 2 is an investigation by Corporate Complaints. Thereafter complainants must refer to the Local Government Ombudsman.</p> <p>Complaints in relation to child protection conferences and the registering of children with a CP plan are also dealt with under their own procedures. Stage 1 is a meeting with the CP manager who will then respond to the complaint in writing. If the complainant remains unhappy they can request that a panel is convened to review the conference decision. This panel is made up of members of the Islington Safeguarding Children’s Board and should be convened within 30 days of the conference.</p>																
3	<b>Activity</b>																
	<p>During 2011-12 the complaints service recorded 57 stage 1 complaints during the year, compared with 48 last year.</p> <p>Total complaints made:</p> <p>Between 1<sup>st</sup> April 2011 and 31<sup>st</sup> March 2012 we received and closed 57 stage 1 complaints.</p> <p>Of these, 4 progressed to stage 2 under the Children Act, and 1 progressed to stage 2 of the Child Protection complaints procedure (because it was a complaint about registering a CP plan).</p> <p>Of these, 1 progressed to stage 3.</p> <p>There were no Ombudsman complaints during this period.</p>																
3.1	<b>Comparison with the preceding year</b>																
	<p>This indicates a 19% increase in the number of complaints from last year within the department.</p> <p>This sits within the wider context of complaints activity in the Council as a whole decreasing. Across the Council there was a 17% decrease in the number of complaints recorded (from 2462 during 2010/11 to 2034 in 2011/12).</p> <p>The data for the last 8 years is as follows:</p> <table><tr><td>2004/05</td><td>2005/06</td><td>2006/07</td><td>2007/08</td><td>2008/09</td><td>2009/10</td></tr><tr><td>69</td><td>71</td><td>49</td><td>63</td><td>46</td><td>39</td></tr></table> <table><tr><td>2010/11</td><td>2011/12</td></tr><tr><td>48</td><td>57</td></tr></table> <p>4 stage 2 investigations were carried out this year, originating from the 57 stage 1 complaints received during 2011/12. This is an escalation rate of 7%, which is 1% down on last year. The escalation rate from stage 1 to stage 2 can provide an indication of the success of stage 1 responses in resolving people’s concerns and it is therefore encouraging that it has fallen from last year. Under the Social Care Complaints Procedures it is not</p>	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	69	71	49	63	46	39	2010/11	2011/12	48	57
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	<p>possible to prevent service users from proceeding to stage 2 of the complaints procedure if that is their wish. There will always be an element of complainants who, having had their complaints not upheld at stage 1, will automatically proceed to stage 2, in spite of having received properly investigated and reasoned responses at stage 1.</p> <p>The Council's target escalation rate is 8%</p>																							
<b>3.2</b>	<b>Outcomes of complaints</b>																							
	Of the 57 stage 1 complaints, 9 were upheld, 8 were partially upheld and 40 were not upheld.																							
<b>3.3</b>	<b>Response times</b>																							
	<p><u>Stage 1 complaints</u></p> <p>The deadline for responding to stage 1 complaints is 10 working days or 20 working days if a complaint is complex.</p> <p>The department responded to 52 of the stage 1 complaints within the relevant deadline, this being 91%.</p> <p>This is a big improvement on the 79% of last year. A couple of the complaints responded to outside of the timescale were done so with the agreement of the complainant for legitimate reasons. Therefore the response times are being well respected by managers and 91% is a real achievement.</p> <p>Meeting the statutory timescales is obviously important. But achieving resolution at stage 1 and preventing escalation to stage 2 is of primary importance. Children's Social Care receive some very complex complaints and managers should not be unduly concerned about meeting the stage 1 deadline if they feel that they will be able to achieve resolution, given a little more time.</p> <p>In the Council overall the percentage of stage 1 complaints responded to within timescale was 83%, compared to 86.5% last year. The Council's objective is that 90% of complaints are responded to within the target time.</p> <p><u>Stage 2 complaints</u></p> <p>The initial deadline of 25 working days is a very tight one and unrealistic in most cases. However 1 of the 4 stage 2 complaint investigations was completed within this period. 1 other was completed in 29 working days. The remaining 2 investigations took 91 days and 98 days respectively but there were very valid reasons for the delay in these cases that were generally outside of the control of the investigating officers. The average time taken to complete stage 2 investigations was 60 working days which unfortunately isn't as good as the previous year when the average was 48 days.</p>																							
<b>3.4</b>	<b>Complaints by team</b>																							
	<table border="1"> <thead> <tr> <th>Team</th><th>Stage 1's</th><th>Within time</th><th>Stage 2's</th><th>Within time</th></tr> </thead> <tbody> <tr> <td>CIN Team 1 Barnsbury</td><td>4</td><td>4</td><td></td><td></td></tr> <tr> <td>CIN Team 2 Canonbury</td><td>1</td><td>1</td><td></td><td></td></tr> <tr> <td>CIN Team 3 Finsbury</td><td>7</td><td>6</td><td>1</td><td>0</td></tr> </tbody> </table>				Team	Stage 1's	Within time	Stage 2's	Within time	CIN Team 1 Barnsbury	4	4			CIN Team 2 Canonbury	1	1			CIN Team 3 Finsbury	7	6	1	0
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CIN Team 4 Highbury	2	2		
CIN Team 5 Hornsey	3	3		
CIN Team 6 Holloway	2	2		
Pulse	2	2		
Referral & Advice	2	2		
EDT	2	2		
Disabled Children's Team	2	2		
Lough Road	1	1		
Self Directed Support	1	1		
CLA Team 1	3	3		
CLA Team 2	7	6	1	0
CLA Team 3	3	3		
CLA Team 4	3	2		
Independent Futures	4	3	2	2
Fostering	1	0		
Fostering Recruitment	1	1		
Family Plus	1	1		
Child Protection Service	3	3		
IRO Service	2	2		

NB. For stage 1 complaints, all those responded to within 20 working days were included as being within time.

### 3.5 Complaint made by:

Following the guidance produced by the Department of Education and Skills, we are identifying who is making the complaint to gain a greater understanding of our complainants.

Child in Need	2
Child/young person being looked after	3
Child leaving care	7
Parent	32
Foster Carer	2
Persons with sufficient interest in the child's welfare	5
Partner Agencies	3
Other	3

### 4. Stage 2 complaints

#### Outcomes:

**Complaint 1** related to Independent Futures. The complainant was a young person who had been given a laptop four years previously. Over the years it had needed occasional repair that the team had paid for. The young person wasn't consistently in education, having dropped out of a number of courses and having low attendance at college in the past. However, she had just started a new course and her laptop had broken. Her complaint was that the Independent Futures team were refusing to provide her with a new laptop to assist with her education. This complaint was not upheld because, although the department were supportive regarding the supply of laptops, she was not a priority and there were other young people who had not yet had a laptop given to them at all. Budget constraints meant that laptops were allocated in order of need. Although the complaint was not upheld the investigating officer recommended that the department provide some

	<p>clarity around the allocation of laptops and who should be responsible for repairs.</p> <p><b>Complaint 2</b> also related to Independent Futures. The complainant was a young person who was upset that the temporary receptionist seemed to know some information about him. He made four separate complaints:</p> <ol style="list-style-type: none"> <li>1) That the department had not kept his files confidential by allowing the receptionist to access his records.</li> <li>2) That the department had failed to provide the documents that he had been asking for, which seemed to be the document that the receptionist had mentioned.</li> <li>3) That his complaint hadn't been investigated properly at stage 1.</li> <li>4) That there was an unacceptable delay in locating the whereabouts of his mother.</li> </ol> <p>The first complaint was partially upheld because, although his files were kept securely, there was a risk assessment held in a file in reception that didn't need to be there and it did indeed appear that the receptionist had read it and commented on the contents to the young person. None of the other complaints were upheld.</p> <p><b>Complaint 3</b> related to the Finsbury Children in Need Team. The complainant was a father who was estranged from his girlfriend but who was seeking contact with their son. In total he made seven separate complaints but fundamentally his complaint was about alleged inaccuracies in the section 7 report. None of the complaints were upheld.</p> <p><b>Complaint 4</b> was made by parents whose three children had recently been removed. In total they made nine separate complaints:</p> <ol style="list-style-type: none"> <li>1 &amp; 2) related to inaccuracies and manner in which the initial assessment had been carried out -neither of these complaints was upheld.</li> <li>3) That the children were given misleading information about a proposed foster placement – this complaint was not upheld.</li> <li>4) That the standards of care at a foster placement were poor – for the most part these weren't substantiated but there was one element which was considered sub-standard and the complaint was therefore partially upheld.</li> <li>5) That the department failed to investigate the circumstances under which her son was restrained at the foster placement – not upheld.</li> <li>6) That the department had failed to take any actions to rehabilitate the family – not upheld.</li> <li>7) That the department were inconsistent in dealing with and supporting their son when he had been arrested – this complaint was upheld on the basis that the parents were allowed on occasion to act as appropriate adults at the police station but were later informed that they could not do this.</li> <li>8) That the department had falsely accused the father of 'kidnapping' his son when they knew that the placement had agreed to the son leaving with his father – not upheld.</li> <li>9) The decision to place their son in a residential placement was made on the basis of an assessment which was founded in part on the inaccurate information contained within the initial assessment – not upheld.</li> </ol>
<b>5.</b>	<b>Stage 3 complaints</b>
	There was only one stage 3 panel during this period and this actually related to a stage 2 investigation that took place during the previous 2010-

	<p>2011 period. Timescales relating to statutory social services stage 3 complaints include:</p> <ul style="list-style-type: none"> <li>• The Panel is required to produce a report within 5 working days detailing its recommendations</li> <li>• The Local Authority should send a response within 15 days of the Panel's report.</li> </ul> <p>All timescales were met in this case.</p> <p>The Panel reached the same conclusions as the stage 2 adjudicator.</p>								
<b>6.</b>	<b>Ombudsman complaints and enquiries</b>								
	There were no Local Government Ombudsman (stage 4) complaints during this period.								
<b>7.</b>	<b>Expenditure</b>								
	There are ongoing costs attached to delivering an effective complaints service for the Department. These costs should be seen against the inherent costs of not providing this service (users would continue to be dissatisfied if there was no complaints procedure or team, but the Department would not have a strategic approach and there would be fewer opportunities for resolution). Of course the complaints procedure is a statutory one that must be delivered.								
<b>7.1</b>	<b>Cost of delivering stages 2 and 3</b>								
	<table border="1"> <tr> <td>Investigating Officers</td><td>£4309.25</td></tr> <tr> <td>Independent Persons</td><td>£2005.00</td></tr> <tr> <td>Review Panellists</td><td>£539.00</td></tr> <tr> <td><b>TOTAL</b></td><td><b>£6,853.25</b></td></tr> </table> <p>The amount spent last year was £6,854.85 so the costs are almost exactly the same.</p> <p>The average cost for a stage 2 investigation was £2047.00</p>	Investigating Officers	£4309.25	Independent Persons	£2005.00	Review Panellists	£539.00	<b>TOTAL</b>	<b>£6,853.25</b>
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<b>7.2</b>	<b>Compensation payments</b>								
	<p>The following compensation was paid in relation to complaints generated during 2011/12:</p> <p>£1670.00 at stage 1  £50 at stage 2  £0 at stage 3  £0 at Ombudsman stage</p> <p>Compensation should be paid at stage 1 if it is appropriate to do so. The stage 1 compensation in this case is broken down into two complaints. One was from a young person in relation to her lack of savings. The other was from a young person in relation to items that had gone missing between placements.</p> <p>The £50 compensation paid at stage 2 was in relation to complaint 2 in section 4 above and was for distress in terms of the receptionist having access to confidential information.</p> <p>Total compensation for 2011/12 complaints: <b>£1720</b></p> <p>This compares favourably with the £3225 paid in compensation last year.</p>								

<b>8.</b>	<b>Learning lessons</b>
	<p>As a result of one of the stage 2 complaints a new, clear policy has been written regarding laptops, detailing who will be eligible to receive them, how they will be repaired if they break down, who will be responsible for paying for that repair and whether a second laptop would ever be provided and in what circumstances.</p> <p>The Independent Futures team now ensure that only the risk management plan for service users, rather than full risk assessments, is available to the receptionist.</p>
<b>9.</b>	<b>Feedback</b>
	<p>Although the Complaints Unit sends out questionnaires to all complainants, none were returned during the 2011-12 period.</p> <p>We also record compliments, some of which are featured below:</p> <p><u>CIN compliments:</u></p> <p>Lough Road - She (mum) wanted me to pass on her many thanks and gratitude to everyone that we are able to facilitate this change for her son and herself.</p> <p>To Ceridwen Bolton, Lough Road – just wanted to say thanks so much for a really useful appointment. As always you were helpful, supportive and professional, especially when dealing with some of the more sensitive subjects we raised. Really appreciate it!</p> <p>To Lucy Elkins, Finsbury CIN team – I also give thanks to Lucy Elkins, she did a really good job.</p> <p>To Lorette &amp; Audrey in Specialist Family Support – Lynn from Voice mentioned Lorette and Audrey as examples of good work being done. She said they are working with a young person who was very complimentary about the work of both of them.</p> <p>To Bryan Rackham in Holloway CIN team from Solace – just to let you know that mum was extremely happy with the support you are providing. She feels comfortable with you and she finally feels things are getting better, so thank you very much indeed. She said she found you extremely supportive and great to deal with. Your excellent work is being very much appreciated.</p> <p>To Mary Treacy and Marina Ogun from UCL – I just wanted to thank you again for the excellent teaching session you provided for our medical students last week. From my perspective it was an excellent session and really brought to life the complexities of working with young people with substance misuse problems, along with a lot of practical advice. It is invaluable to have such a session taught by those actively working in the field and offered the students much more than their standard teaching/reading on the epidemiology of substance misuse problems ever could. I know they particularly enjoyed seeing what exercises you use to engage with young people and valued the enthusiasm with which you taught.</p>

To Matt Hart at Lough Road from Hackney Council – I think your efforts and preparations played a key role in the success of contact. Also it is great that you are contacting his school to ensure that there is consistency of approach. Great to work with you Matt.

From Cafcass lawyer to Hornsey CIN team – I would like to thank you (Rania in Legal), Miss Kulazikulabe and Ms Ghouse for your assistance at the hearing. Your attendance provided great assistance both to the parties and the guardian. I echo Mrs Justice Theis’ sentiments in that the s.37 report was very thorough and professional. In fact I think the judge went as far as to say it is ‘the best report she had seen in a long time (high praise indeed!)

To Michelle Julien in DCT – thank you very much for your report on my son. I found the report 100% accurate, and also I found you to be very skilled in your knowledge of young people like my son. It’s a great help when people are very understanding so, we would like to thank you very very much for this, you are a nice person.

To Natalie Koussa in CIN Barnsbury from the NHS – I would just like to write to express the mother and baby unit’s opinion, and my own, regarding the work of Ms Koussa which we have observed in the last 6 months. During this time we have been consistently impressed by the quality of input Ms Koussa has given to the client and her family. She had been utterly reliable, committed, responsible, thoughtful, humane and kind throughout a period which has been very difficult for our patient and therefore for her children. Ms Koussa is an excellent team player but is also clearly able to work to a high level independently and creatively. I have worked for 12 years now in this unit and rarely have I seen such consistent, patient and committed work. I just wanted you to know this as I hope that an outside opinion on a member of staff might be of value.

To Victoria Souter and Pam Dudman – mum just rang to say thank you for the help you’ve given her. She wanted me to let you both know that you have ‘blown apart’ her preconceptions of social workers. Whereas the thought of social workers used to make her feel very anxious, she now feels more positive about it, as she found you to be supportive and kind, rather than terrifying.

To Audrey Hylton in Specialist Family Support – I am writing to express my gratitude for the support, humility and professional level of understanding from Audrey. She came to my home on several occasions recently to support my son and I with potty training and boundaries. I found her to be very professional with a great sense of understanding, the little tips she gave me were very helpful and indispensable and I found her very easy to communicate with. Her ability to mediate, interact and reach out to my son and I was second to none.

To Tony Beckles, Highbury CIN team, from Chance UK – I have some very positive feedback about how Tony has dealt with this case in particular. His openness towards external agencies, and co-ordination of those involved has been second to none. He has shared relevant

information appropriately and promptly, allowing us to update our plans (and make broader ones) in good time. His huge patience with the case has meant that he has kept a good overview whilst never losing sight of the finer detail. Throughout the twists and turns of the case, he has maintained his focus on the child's wellbeing. I hope that you will find an appropriate way to congratulate Tony for his hard work, especially around this case which has been very demanding. Tony has made a fantastic difference.....the staff said that Tony has done 'absolutely everything possible' and is most certainly 'one of the best'.

To Tony Beckles in Highbury CIN team from William Tyndale School – they mentioned how impressed they were with his practice with a child from their school. They said he was a really pro-active social worker and had really moved things forward for the child and family, improving the outcomes for this child.

CLA compliments:

To Claudia Shillingford from a solicitor – I just wanted to say thank you so much for your wonderful support with regard to her immigration matter.

To Independent Futures – I would like to say the support I received has got me to the stage where I am now: confident, employable and educated. The very friendly and understanding staff at Independent Futures have helped me with every little extra push to being the best all the time. The help I received regarding my education was excellent, and knowing that someone out there would be there for you if you needed any help was comforting. Once more I would like to thank everyone that have helped me all the way.

In a thank you card to the Contact Centre – to all the contact people, thank you for everything that you have done for us as you have helped us a lot.

To Yvonne Brown in Independent Futures – just wanted to thank you for all your support throughout the past years. You have been inspirational and helpful. And thanks for the kind wishes and birthday cards you've sent, you've surprised me each time you remembered my birthday. This year I used the money enclosed to do my hair!! Took a pic to remind me of you! Many thanks.

To Jason Ward in CLA team 3 – I'd like to take this opportunity to say that we were both very impressed with Jason's practice. It was a surprise to learn in the early days that he was still a social work student as he has been so professional. Throughout his involvement with us, especially during some difficult moments, he was both capable of empathy and impartiality, and always remained very boundaried when expressing his views or sharing information. His interest and care for the child were obvious and clearly genuine, and we have truly enjoyed working with him.

Re. Josie Lennox in CLA2 – a young person mentioned at her review that Josie was the best social worker that she'd ever had.

To Veronica Jolley, Adoption team, from a judge – one of the best and most honest statements by a family finding social worker that I have read....it gives hard evidence....

To Paula in Independent Futures – I heard you are leaving and that wasn't very good news for me. I would like to say thank you for every single thing you have done for me. You were the one whom showed me the way of living in this world, the way of improving myself, the path way which I need to walk in, the way of forgetting the past and how to see my future. I'm 21 years old now and I know how to solve my own problems and how to deal with people in a very good way, which I learned from you. I really want to say thank you from my deepest heart but I don't know how? And that because you didn't teach me this one!!! I'll tell my mum about your kindness one day, thank you.

To Sonya Genus in Family Plus, she was given a box of chocolates and a thank you card – a big thank you, for all your support through our assessment. You took your time to listen to us talking about difficult times and you always came on time with a smile on your face. But best of all you made us laugh and feel comfortable bringing us closer together as a family.

S&QA compliments:

I give thanks to child protection co-ordinator, Sarah Pepper. Also my thanks goes to people in child protection conference meets and core group meetings.

I thank you every member of Child Protection teams that were involved in my family case since the beginning. Thanks for your caring and support.

To Lynne Richardson, CP admin, from Met Police – forgot to say Lynne what a superb set of minutes they were. Do you want to come and work for me?!

To Niamh Moriarty, Access to Records – I am very grateful and thank you so much for your help.

To Niamh Moriarty, Access to Records – Thank you for being so helpful and for facilitating the access to these documents so promptly, it is very much appreciated.

To Niamh Moriarty, Access to Records – Thank you once again for your exemplary work.

To CAIS – thanks for all your help, support and advice you have given me. You are all amazing workers who want to do the best for the young people you work with.

To Complaints from Voice – on a more positive note, even though she sent us bad news, I found that as usual Carole was very efficient, fair and approachable. I really rate her highly as a complaints manager. Could you feed back to the Council that my experience with her has always been positive even when we do not agree.

To Complaints – thank you Carole for your quick and consistent help. It is much appreciated.

