



Cheshire West and Chester Council

Children's Social Care Complaints and Compliments

Annual Report
2021-2022

Introduction

This report provides information about the Children's Social Care Complaints and Compliments received by Cheshire West and Chester Council during the period 1 April 2021 to 31 March 2022. It highlights performance against statutory and internal timescales for complaint handling and provides assurance that improvements or revisions to services have been identified as a result of listening and responding to both compliments and complaints.

The Council's Customer Relations Team, within the Governance directorate, was responsible for the coordination of Compliments and Complaints during this period. The Children's Social Care team are responsible for responding to complaint matters. The Customer Relations Team review all draft responses and provide advice and support to the service on reasonable outcomes or remedies to complaints, from a layperson's perspective.

In accordance with statutory guidance, responses to complaints received by the Authority should be proportionate. Officers are encouraged to resolve matters locally at the first point of contact to avoid escalation wherever possible. Concerns raised with the service and resolved by close of play the following day are not counted as statutory complaints. Where this approach does not deliver a satisfactory outcome for the complainant, matters are then referred through the formal complaints' procedure. See Appendix B.

The objectives of this report are to:

- be open and transparent about our social care complaints process
- meet our statutory obligation to produce an annual report
- provide clear and concise comparative data on compliments and complaints, including details of complaints broken down by subject and service area
- provide a summary of customer profile and type of customer interaction
- identify service improvements as a result of complaints and compliments and demonstrate learning and improved practices and processes from these

Context

Whilst considering this report it is important to know the overall picture of Children's Social Care involvement in the Cheshire West and Chester area. During 2021-22 Children's Services received 17,058 child contacts via the integrated Access and Referral Team (iART) and Emergency Duty Team (EDT). 10,656 were received at Statutory Social Work level, of these contacts, 2,424 progressed to a Children's Social Care Referral. Of those 2,424 receiving Statutory Social Work referral, 14 formal complaints were logged and responded to, representing 0.6% of the children the Council screened as requiring a Children's Social Care response.

1 Performance Activity

Summary of Complaint Activity

- 1.1 From April 2021 to March 2022 there were a total of 131 social care complaint representations made to Cheshire West and Chester Council. Of the 131 representations received, there were **14 valid complaints** progressed, with the remaining 117 either ineligible (24) or withdrawn / resolved via an alternative route (93).
- 1.2 Of the 14 formal complaints, 4 requested a stage 2 escalation as the complainant remained dissatisfied. 1 did not provide sufficient grounds for continuing their complaint; and 1 was happy for matters to be resolved informally at a more senior manager/head of service level. 2 were accepted and taken to a full stage 2 investigation, no requests were made for escalation to stage 3 of the process.

Comparison with Previous Years

- 1.3 The table below shows the number of considered and progressed complaints for the year compared with the previous three years.

Table 1: Total number of complaints considered

Year	Total no. of valid complaints processed	Withdrawn/ not pursued/ other	Ineligible*	Total no. of complaints representations considered
2021-22	14	93	24	131
2020-21	15	94	16	125
2019-20	37	44	54	135
2018-19	57	62	38	157

**Complaints assessed as being not valid through the statutory Social Care complaint procedure, for example complaints that were being dealt with through court proceedings or the complainant was not directly involved with the child or does not have parental responsibility and is therefore ineligible.*

Numbers of Complaints - Analysis

Complaint Outcomes

The table below shows where a formal complaint has been upheld, partially upheld or not upheld. Where complaints are complex and raise a number of different issues, there is a greater likelihood that some elements of a complaint will be upheld, whilst others not, and consequently the complaint will be classified as partially upheld overall.

Table 2 - Stage 1 outcomes and comparisons with previous years

Year	Upheld	Partially upheld	Not upheld	Outstanding	Total
2021-22	1	10	3	0	14
2020-21	2	11	2	0	15
2019-20	4	19	14	0	37
2018-19	11	33	13	0	57

Stage 1 Complaints Outcomes - Analysis

Table 3 - Stage 2 outcomes and comparisons with previous years

Year	Upheld	Partially upheld	Not upheld	Open cases	Withdrawn	Total
2021-22	0	2	0	0	2	4
2020-21	0	1	0	1	1	3
2019-20	0	0	0	0	3	3
2018-19	1	6	0	0	1	8

Stage 2 Complaints Outcomes - Analysis

Stage 3 outcomes and comparisons with previous year

Year	Upheld	Partially upheld	Not upheld	Open cases	Withdrawn	Total
2021-22	0	0	0	0	0	0
2020-21	0	0	0	0	0	0
2019-20	0	0	0	0	0	0
2018-19	0	0	0	0	1	0

There were no complaints escalated to stage 3 in 2021/22.

Again, this is evidence of more robust complaint investigations and resolutions at stage 1.

2. Breakdown of complaints received by Service Area

Table 4 below shows a breakdown of complaints received by each service area.

Table 4

Service Area				
Children in Need	2021-22	2020-21	2019-20	2018-17
Winsford	2	1	5	10
Chester	0	1	5	14
Ellesmere Port	0	1	8	5
CP Court Team (new)				
Winsford	1	0		
Chester	0	0		
Ellesmere Port	1	0		
Children in Care (Permanence Teams')				
Winsford	2	1	4	8
Chester	N/A	N/A	1	4
Ellesmere Port	0	6	1	4
Leaving Care (Supporting Independence)	2	0	2	5
Children with Disabilities	2	3	5	3
Provider Services				
Fostering	0	0	0	1
Adoption	0	0	0	0
Integrated Early Support	N/A	N/A	1	1
Safeguarding	1	0	2	1
Integrated Access and Referral Team and Integrated Early Support (new)	2	2	2	0
Transition Team	1	0	1	1
Emergency Duty Team (new)	0	0		
Total	14	15	37	57

Whilst there has only been an overall reduction in the number of complaints by 1 case there has been a significant reduction in the previously high area of Children in Care (Permanence Team) in Ellesmere Port and Winsford, from 7 cases to 2 cases.

However, there has been an increase in Leaving Care (Supporting Independence Team) from 0 cases to 2 cases this year. This is still a very small number of complaints in relation to the number of contacts/clients of 131 and a total of 304 care leavers at end of 2022.

The Customer Relations Team will continue to work closely with the Children's Services team both at the gateway when complaints are initially received, and by reflecting on the outcomes of case reviews. However, it is recognised that due to the sensitive nature of the work we undertake, some families will always use the complaint process to reflect their dissatisfaction with their situation as well as to complain about practice and decisions. Plus, sometimes, the service could have handled a situation differently which has justifiably resulted in a complaint.

Breakdown of complaints received by Subject

By their nature, complaints are specific to the circumstances of the individual and cover a wide range of individual experiences. The majority of complaints also relate to more than one aspect of a service that has been received.

Complaints received by the Authority have been classified on the basis of the primary area of concern (subject) identified by the complainant. Detailed below are the numbers that fall within each category:

Table 5

Complaint Subject (primary area of concern)	2021-22	2020-21	2019-20	2018-19
Standard of Service Delivery	10	10	14	19
<i>Inaccuracies in assessments</i>	1	1	3	3
<i>Lack of support</i>	2	7	6	10
<i>Failure to investigate concerns</i>	2	0	1	0
<i>Issues with contact arrangements</i>	2	2	0	1
<i>Other</i>	3	0	4	5
Social Worker	1	1	14	24
<i>Allegations of Misconduct</i>	0	0	0	1
<i>Issues with Attitude / Behaviour</i>	0	0	2	1
<i>Lack of Support</i>	1	1	3	5
<i>Preference for one parent over another</i>	0	0	2	2
<i>Social Worker and Team Manager</i>	0	0	7	15
Communication	0	2	5	8
<i>Lack of response</i>	0	2	5	7
<i>Late / missing reports</i>	0	0	0	1

Cancellation of appointments	0	0	0	0
Child Protection Issues	1	0	0	0
Financial Issues	0	1	2	0
Accommodation/Placement Issues	1	0	0	3
Adoption	0	0	0	0
Fostering Issues	1	0	0	2
Eligibility for Service / Unhappy with Social Care involvement	0	1	2	1
Data Protection Issues	0	0	0	0
Total	14	15	37	57

Complaints about the social worker have remained consistent to last year, with a trend downwards. The most obvious explanations for this are continuing with the following:

- More complaints against conduct of social workers being referred to the Council's staff conduct process
- Early resolution by the team manager to resolve concerns from customers about social workers
- More robust defence of social workers and/or keeping them involved with the customer when the claims made against them cannot be substantiated

There is also recognition of the impact of increased demand and staffing capacity. However standard of delivery overall also remains the same as previous year. Therefore, the Customer Relations Team will be looking at providing training to address these issues. In order to obtain some feedback the Customer Relations Team carried out a self-assessment in May/June 2022 to ask customers that made a representation in year 2021-22 about our handling of Children's Social Care complaints and requested comments on their Customer Service Experience. We also engaged with the Service by approaching Team Managers to establish whether they had any specific training needs or gaps. A final report was completed with the findings, which will be used to provide service improvements in Children's Social Care on Complaints in 2023. A training package is currently being created to address these areas of concern and will be aimed at Team Managers and Social Workers.

Complaint Response Times

Table 6 - Complaint response times

Statutory time frames	2021-22	2020-21	2019-20	2018-19
10 working days or less	0	1	0	12
20 working days or less	2	5	13	28

Statutory time frames	2021-22	2020-21	2019-20	2018-19
Outside the statutory timescale	12	9	24	17
Total	14	15	37	57

Stage 1 Response timescales

	Number of days taken to respond within timescale
1	18 days
1	19 days
2	Total

	Number of days taken to response outside of timescale
2	21 days
1	27 days
2	28 days
1	29 days
1	31 days
1	32 days
1	35 days
1	40 days
1	55 days
1	57 days
12	Total

Overall, performance has decreased this year in meeting the statutory deadlines for complaint responses with 14% of cases answered in time compared to 40% in the previous year. There has been particular pressure on manager capacity given the rise in complexity and demand of operational work alongside seeking to resolve complaints, whereby presenting safeguarding management has required priority. This is particularly notable also in the time and commitment dedicated by operational managers around informal resolution – which is focused on engagement with the customer and has required time commitment. Key manager training and engagement is planned for 2023 to support this progressing to improve timeliness of complaint response and build upon confidence in resolution.

The target of a minimum standard of 85% compliance within statutory timescales continues to be challenging for the service when mapped against demand. Whilst this has not been met further work will be undertaken in 2022/23 to improve on this performance rate.

The reasons for not meeting this target remain the same as the nature of work within the service has not changed. In fact, teams report an increased complexity of work coming through to them, which may give some explanation as to why it takes longer to investigate and respond thoroughly to complaints. Also noticeable is the range of issues raised in some complaints that will take time to investigate. What we do know is there is greater focus on complaints at all levels of the service and efforts have improved to resolve issues raised by families to prevent them escalating into formal complaints as is demonstrated in the reduction in the overall number of complaints received which is a further downward trend on previous years.

The Customer Relations Team are working closely with the Service to identify how best to coordinate casework and improve response times, between the Customer Relations Team, Senior Managers and the Team Managers who tend to investigate the complaint in the first instance. The Customer Relations Team will continue to offer drafting advice and support.

3. Local Government and Social Care Ombudsman (LGSCO)

The Ombudsman reports on local authority figures based on the number of cases it receives in the reporting year; the number of decisions it makes in the reporting year (which may include cases ongoing from the previous year) and the Council's compliance with any recommendations.

In 2021-2022 the Ombudsman:

- Received 70 complaints, 14 of which concerned Education and Children's Services.
- Made decisions on 78 complaints, 18 of which concerned Education and Children's Services.
- Upheld 17 complaints, 6 of which concerned Education and Children's Services.

As the Ombudsman groups complaints for Education and Children's Services we cannot provide a full breakdown. However, of the 18 decided 4 related to Children's social care, 9 to Education and 5 were not known because they were dealt with as premature or via advice from the Ombudsman.

Of the 6 upheld complaints, 2 related to Children's social care – one for Adoption Support and one for the Disability Team:

REF	SERVICE	RECOMMENDATIONS
20009704	CSC - Adoption Support	-apologises to Mr and Mrs X for refusing to progress their complaint to stage two of the complaints procedure. - pays Mr and Mrs X £100 in recognition of the distress, and time and trouble they have experienced as a result of

REF	SERVICE	RECOMMENDATIONS
		<p>the refusal to progress to stage two of the complaints process.</p> <ul style="list-style-type: none"> • starts a stage two investigation of Mr and Mrs X's complaint. <p>I recommend the Council provides reminders/ training to staff about the requirements of the statutory complaints procedure. This should include ensuring that staff understand the timeframe for each stage and the Council's duty to progress a complaint to stages two and three if that is the complainant's wish.</p>
21003430		<p>The Council will apologise to Mrs X for the uncertainty and frustration caused by its failure to:</p> <ul style="list-style-type: none"> -properly record its reasons for deciding Y did not meet the threshold for social care involvement in June 2020; -provide appropriate information and advice about social care assessments in October 2020 and March 2021; -address all aspects of Mrs X's complaint in May 2021; <p>and</p> <ul style="list-style-type: none"> -keep a proper record of how it considered whether a Team Around the Family was appropriate when Y started at school 2 in September 2020. <p>-The Council will pay Mrs X £300 to remedy the uncertainty about whether the family missed out on support as a result, and for her time and trouble pursuing the Council for assessments.</p> <ul style="list-style-type: none"> -Write to Mrs X to offer a social care assessment for Y and a carer's assessment for Mrs X; and -allocate a social worker to carry out the assessments. It should ensure that either as part of the assessment, or immediately following it, the Council considers the request for direct payments <p>-The Council will consider how it can provide clear information to families who do not meet the criteria for its CWD team about other assessments that may be available through other teams. It may wish to produce an information sheet that it can provide to families in that situation. It should report to us on the action it has taken and provide an action plan for any outstanding work.</p>

Point and method of receipt for complaints within the authority

The Customer Relations Team records both the 'point of receipt' and 'method of receipt' of complaints into the Council. This intelligence can help support service improvement decisions. Table 7 shows that the established systems for ensuring that complaints are directed to the Customer Relations Team for co-ordination are working well, with those sent into the service re-directed to the Customer Relations Team. Table 8 shows an increase in preference of customers for contacting us using the on-line complaint form.

Table 7

Point of receipt	2021-22	2020-21	2019-20	2018-19
Service Area	3	1	5	4
Customer Relations Team	9	12	31	51
Director/Head of Service	0	0	1	2
Chief Executive	0	1	0	0
Other	2	1	0	0
Total	14	15	37	57

Table 8

Method of receipt	2021-22	2020-21	2019-20	2018-19
Letter	0	0	7	7
Telephone/verbal	1	0	2	7
Email	5	7	20	28
Online complaints	8	8	5	13
Feedback form	0	0	3	2
Total	14	15	37	57

93% of complaints are submitted by email or online form.

The feedback form is part of the information pack that is provided to customers by the Social Worker during their first visit and provides an option for people to complete a form in writing. However, again, this year demonstrates that Online complaints is the preferred method of communication.

4. Profile/ Category of Complainants

A summary of customer profile and type of customer interaction has shown the following:

Table 9

Person making the complaint	2021-22	2020-21	2019-20	2018-19
Child or young person being looked after or in need	0	1	4	1
Parent/s	11	12	30	35
Local Authority foster carer	1	0	1	0
Special guardian	0	0	0	1
Persons wishing to adopt	0	0	0	0

Persons with sufficient interest in child's welfare	1	1	0	6
Advocacy service	1	1	2	14
Total	14	15	37	57

The number of complaints received from a child or young person is low; feedback from children and young people indicate that they enjoy positive relationships with their Social Workers and Personal Advisors, therefore there is always emphasis on resolving a child/ young person's complaint as much as possible informally before they become "formal" issues.

The service will continue to consider how best to capture complaints from children and young people and ensure that they are aware of their options to escalate matters if they choose to. However, the primary focus will continue to be on ensuring the early resolution of issues that are causing the child or young person concern. It is notable that Independent Reviewing Officers take a key role in escalating the concerns of children in care to seek resolution, which are effective and a recognised form of enabling a child in our care to provide challenge and query to their corporate parent.

Options being considered are an improvement to the leaflet that social workers hand out to young people, or more interactive methods. We will take advice from our communications team on how to engage young children more in the complaints process. There is also agreement to involve our Children in Care Councils in the shaping of this leaflet, alongside building makaton and communication friendly versions using the support of our Children with Disability team experience.

5. Compliments Received

- 5.1 The Council welcomes positive or negative feedback from its users. A total of 32 compliments were recorded by the corporate team during the year. We recognise this does not capture all positive feedback but those formally shared via online portal to the complaints team. This reflects the service strengthening how compliments are reported and recorded. So the service wants to ensure this is continued to obtain an accurate position of the positive feedback that the service receives.

It is recognised that there is significant positive feedback that is received outside of the corporate team process, with this being regularly reflected and celebrated with staff through both Head of Service direct response alongside Social Work Forum celebrations. Our learning is to ensure we process these through the corporate team more regularly and more effectively to build a more accurate picture of the strength of positive feedback from families and wider professionals.

Table 10

Year	2021-22	2020-21	2019-20	2018-19
No. of Compliments	32	49	18	31

5.2 A selection of compliments recorded is included below as examples:

Feedback from Barrister: “Senior Practice Lead provided me with instructions prior to and during a final hearing which was ultimately adjourned due to the mother being unable to effectively participate in the hearing. Senior Practice Lead’s dedication to the case was obvious, not least from the volume of work put into the case in filing 5 statements. Those statement dedicated an excellent understanding and knowledge of the matter, which centred around issues with the mother’s mental health. The Senior Practice Lead’s analysis of the case and understanding of the parents was very insightful. This was evident throughout her written work, which contained a number of pithy analyses of the issues before the Court.

The Senior Practice Lead also took the correct approach with regard to the issue of the mother’s participation in the final hearing in agreeing that it would be too risky for the mother’s mental health for her to be cross-examined from home via an iPhone without professional support. This further demonstrated her insight into the mother’s severe mental health difficulties. The Senior Practice Lead also went beyond the call of duty on a number of occasions. For example, the Senior Practice Lead was available for an impromptu conference at 8pm 2 days prior to the hearing. I note that at this conference the Senior Practice Lead demonstrated a good understanding of the issues on which she would be cross-examined by the mother’s legal team and was well-prepared to deal with those questions. Furthermore, when the Court suggested that the final hearing be adjourned to the first available date which happens to fall on two days on which the Senior Practice Lead was due to be away on leave, the Senior Practice Lead volunteered to return from the leave to attend the hearing. That demonstrates dedication to the work that goes well beyond anything that could be expected of the individual. The Court recognised this and recorded its formal thanks to the Senior Practice Lead on the order. I would echo this thanks. I am very grateful to the Senior Practice Lead for the assistance with the matter.”

Feedback from Parent: I just want to say thank you for all your help and support over these past few months you have had such a positive impact on mine and the children’s lives which I really did not expect when I started this process.

Feedback from NHS: Thank you for leading on this in a very professional – and caring manner. Although there are a lot of unanswered questions, which may or may not be answered in due course, I agree that it is appropriate for CSC to end involvement at this stage.

Feedback from supervising social worker for foster carers: I just wished to pass on myself and the foster carers appreciation for the excellent child focused practice being provided by Social Worker.

Social Worker has not only always kept us up to date in a timely manner with all relevant information both verbal and in writing. Social Worker has gone above and beyond to provide advice and guidance both practical and emotional to the new foster carers who are beginning their foster journey in order that they can provide the most appropriate support for the child.

Moreover during my visits to the home I have noted Social Worker is always, professional, realistic, approachable with child and presents all information in age appropriate way and always actively listens to child's wishes and feelings. There appears to be a genuine warmth in Social Worker and child's relationship. Thus we wished Social Worker's good work to be recognised as it is a credit to CWAC children's services.

Feedback from Chester County Court: The Magistrates have asked me to write to the Local Authority regarding this case and your Social Worker.

They wish to express that gratitude for the excellent work that he has put into this case. The Social Worker wrote two very detailed Section 7 reports and appeared at the final hearing. This helped massively to achieve a final agreed order between the parties. Both parties were represented and they were also very appreciative of his help during the negotiations. Reports were clear, concise and offered real solutions to a difficult case. All in all it was a job very well done.

The individual is an excellent example of good Social worker. The Magistrates did express their thanks to at the end of the hearing. If you could pass this on to the appropriate manager I would be most grateful.

Feedback from a Primary School: I wanted to thank you and commend the Senior Practice Lead on how they chaired a challenging meeting. I really appreciate how it was handled. The School wanted to comment on your professionalism and also how pleased we are that the child is getting the support they need. Thank you.

6. Outcomes- Learning and Service Improvement

- 6.1 The Council has identified areas and opportunities from which learning can be taken from the complaints and the compliments process and used to improve future service delivery.

Our Way of Working Programme:

This is Children's Services' practice model and the framework by which professionals work with families. It's rooted in everyone being trauma-informed and understanding the root causes of why a child and/ family behaves in the way they do with any associated problems. This greater understanding is helping practitioners and managers to think carefully about how they engage families, communicate with them and respond to the problems they are facing. This could be having a positive impact on the complaints that families make, especially if they are sensing that they can form a more positive relationship with their worker.

Learning from Complaints

Within the Permanence Hub, specifically Permanence and Supporting Independence Teams there have been four stage 1 complaints received, all of which have been partially upheld. None have progressed to Stage 2. Learning taken from these complaints include: the importance of communication and detailed explanations being given to families and young people in relation to decision making, and where necessary additional support being provided to understand procedures and key decisions for children. This includes our children and young people being given factual and detailed explanations in relation to decisions made as their corporate parent. Learning has also been taken in relation to the care and support provided to our unaccompanied asylum-seeking children, and how as a Local Authority we are able to support cultural and identity needs within the demographics of our borough. Additional practice guidance and some amendments to process have been made to ensure that practitioners understand the importance of the above and implement this learning into practice.

7. Future Plans for Complaint Handling

ICT: In September 2020-21 an update was provided to the People's Overview and Scrutiny Committee on progress with implementing Firmstep. This has now been built in Firmstep and went live on 3 October 2022.

Reporting: There has been a slight review of annual reporting for Social Care and Corporate complaints which has been completed by the Customer Relations Team and agreed with service. This has focused on the format, layout and content for reports from 2021-22 and the introduction of a similar report for corporate complaints. Any suggestions on how to improve the reporting from next year should be directed to the Customer Relations Team. End of report.

Appendix A

What makes a Valid Complaint under Children's Social Care

Eligibility is established by the Customer Relations Team in conjunction with the Service as follows:

- That the person complaining is eligible to make a complaint (some examples below: Any looked after child or child in need/ A parent of the child/ Any person who has PR/ Any local authority foster carer)
- 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. The complaint can be about any aspect of the service that has been provided. For example, a complaint may arise as a result of many things relating to statutory social services functions such as: • an unwelcome or disputed decision; • concern about the quality or appropriateness of a service; • delay in decision making or provision of services; • delivery or non-delivery of services including complaints procedures; • quantity, frequency, change or cost of a service; • attitude or behaviour of staff; • application of eligibility and assessment criteria; • the impact on a child or young person of the application of a local authority policy; and • assessment, care management and review. However, this is not an exhaustive list and the Customer Relations Team will seek legal advice as necessary.

Exemptions from the Complaints Procedure

- If the person complaining does not meet the requirement of "who can complain"
- If the complaint is not in relation to the actions or decisions of the Local Authority complained to, or of any Body acting on its behalf.
- If the same complaint has already been dealt with at all stages of the complaint process
- Data Protection Matters
- Child Protection Conference Appeal
- Out of Time (needs to be within 12 months when the issue happened)

The Local Authority has the discretion to not deal with a complaint if they feel it would prejudice the following concurrent investigations:

- Court Proceedings
- Tribunals
- Disciplinary Proceedings
- Criminal Proceedings

If this is the case, the Local Authority will write to the complainant explaining the reasons for the decision.

Appendix B

Statutory Compliance Procedure

The Children's Social Care Complaints Procedure

The Children Act 1989 Representations Procedure (England) Regulations 2006; Children (Leaving Care) Act 2000; Adoption and Children Act 2002; and the Health and Social Care Act 2003 require the local authority to have a procedure for resolving complaints and representations received by, on behalf of, or relating to children and young people. A local authority must also ensure that action is taken if necessary, in the light of the outcome of a complaint.

The current Children's Social Care and Health complaints procedure consists of a three-stage process. The complainant retains the right to approach the independent Local Government and Social Care Ombudsman at any time. However, the Ombudsman would expect the local authority to consider the complaint initially.

Role of the Customer Relations Team

The Customer Relations Team is responsible for the handling and consideration of complaints and acts as a central point through which complaints can be made to the Council. Complaints can be made via telephone; in writing; through the online social care complaints portal; or directly to the dedicated social care complaints email inbox. Complaints received directly by the Service are currently referred to the Customer Relations Team to be assessed for eligibility.

The Customer Relations Team, often in liaison with the Service, will determine whether a complaint is eligible for consideration under the statutory framework or whether an alternative route (for example safeguarding or through the corporate complaints process if the issue complained about is not related to the quality of care provided) would be more appropriate (see Appendix A).

The Customer Relations Team offer training, advice and support to staff in their consideration of complaints and perform a quality assurance role in the preparation of complaint responses. The Team also liaise with complainants to keep them informed on progress with their complaints and provide advice about the complaints process and the role of the Local Government and Social Care Ombudsman.

The Team also coordinates the completion of Learning Outcome and Action Reports for the service, which ensures there is learning and improvement identified from investigations into complaints. This is recorded and reported centrally and monitored to ensure that the implementation of identified, agreed actions following the outcome of complaints is carried out. Learning is shared with other services, where it is relevant to do so, in order to improve service delivery Council-wide.

What is a Complaint?

Any expression of dissatisfaction about a council service (whether that service is provided by the council or by a contractor or partner) that requires a response. There is no difference between a 'formal' and an 'informal' complaint. Both are expressions of dissatisfaction that require a response.

Who Can Make a Complaint?

There are a variety of people who can complain:

- i. Any child or young person who is Looked After or who is a child in need or is a child with disabilities
- ii. Foster parents
- iii. People applying to adopt, or who are receiving services from our Adoption service
- iv. Care leavers
- v. Special Guardians

Complaints can also be accepted from individuals acting on behalf of a service user, for example an advocate or family member, although this must be with consent from the service user when they are considered old enough. Where a service user's capacity to make informed decisions may be in question, the Customer Relations Team - in conjunction with the Service Team Manager - will look at whether the person pursuing the complaint is acting in the young person's best interests.

Initial Expressions of Dissatisfaction

Initially complaints are always assessed or 'triaged' by the Customer Relations Team. If, from initial assessment, it looks like the complaint can be resolved by close of play the following day, it is not required to proceed through the complaints process. These concerns/issues are often relatively minor and resolution can most easily be addressed locally through the service. The customer is always advised how they can progress their complaint if they remain dissatisfied.

Urgent safeguarding issues and alternative paths

The Customer Relations Team review all complaints to identify any potential safeguarding risks or concerns that need immediate attention. Where safeguarding issues are identified, those matters are redirected to be considered under the appropriate safeguarding procedures without delay. Where there are no obvious safeguarding concerns complaints are referred via the Customer Relations Team to a Senior Manager to be considered through the social care complaints procedure.

All, or parts of a complaint may not be eligible under the social care complaint process. Where this is the case all non-social care elements will be referred to the corporate complaints policy or a more appropriate 'alternative path' and the customer kept informed about how their complaint, or parts of their complaint, will be dealt with.

Stage 1 – Local Resolution

The majority of Stage 1 investigations are conducted by Team Managers from the relevant service. The investigation of a complaint is a managerial responsibility and should not be delegated to other staff. In the first instance complaints are allocated to the Senior Manager to appoint an appropriate Team Manager to investigate and draft a response to the complainant.

The initial timescale for providing a response is 10 working days, although this can be extended to 20 working days when a matter is more complex. Where the issue is identified as more complex, more often than not the senior manager becomes more involved to either support the manager, or take the lead, in securing an early resolution. The Customer Relations Team works with managers to ensure that quality responses are produced within the specific timescales. Decisions are recorded for each complaint as upheld, not upheld or partially upheld. The learning outcomes and remedial actions are shared with the complainant within the written response.

Stage 2 – Formal Independent Investigation

If the complainant is dissatisfied with the findings of the Stage 1 complaint investigation, or has not received a response to Stage 1 within the 20 working days allowed, then a request for a Stage 2 investigation can be made.

Once the scope of the Stage 2 investigation has been agreed an Investigating Officer (IO) will be appointed. Investigators can be an officer from the service who has no previous knowledge of the complaint and no line management responsibility. Alternatively, the IO can be appointed from the North West Complaint Managers Group List of Independent People. The IO will lead and has overall responsibility for the investigation and will prepare the main report which will state outcomes and make recommendations to the service where appropriate. The Council's current practice is to recruit exclusively from this list.

A second person, the Independent Person (IP) will be appointed from the North West Complaint Managers Group List of Independent People. The IP ensures that the process of investigation is open, transparent and fair. They work alongside the IO to provide an independent and objective view of the investigation.

They see all the same relevant files as the IO and participate in all interviews and discussion relevant to the investigation. The IP reads the IO's report and produces their own report on the investigation, commenting on each complaint element and stating whether they agree with the IO's findings.

There are up to 25 working days for the completion of the Stage 2 investigation, with an extension of up to 65 working days available for complex cases.

Following an investigation the findings and any recommendations are set out in a report to the Director and the Service Team Manager. The service must provide a written response to the report and this will be sent to the complainant, along with a copy of the report, within 10 working days of receiving the report. The service may consider offering a meeting with the complainant to discuss the report and the response.

Stage 3 – Independent Review Panel

Where complainants wish to proceed to Stage 3 they have 20 working days (from the date that they received notification of the department's response to the stage 2 report) to request a Review Panel.

The Independent Review Panel consists of three independent people drawn from the North West List of Independent People, one of whom is appointed as Chair of the Panel.

Following the investigation, panel members have 5 working days to agree the report. The report has to be sent to the complainant within the 5 working days and a copy is also given to the Director of Children's Services.

The Director has 20 working days from the day of the panel to write to the complainant with their response to the report. The letter should outline what the directorate intends to do as part of learning from the complaint. The letter will also explain that if the complainant remains unhappy they can contact the Local Government and Social Care Ombudsman.

Local Government and Social Care Ombudsman

Where complaints remain unresolved to the satisfaction of the complainant, a referral may be made to the Local Government and Social Care Ombudsman (LGSCO) for consideration. This can be done by the complainant following completion of all 3 stages of the children's social care complaint process or at an earlier stage if there is a mutual agreement between the complainant and the Council to do so. The Ombudsman will require reasons for the referral if it is done prior to completion of all stages of the policy. The Council will usually seek advice from the Ombudsman's office before making any referral.