



## **Cheshire West and Chester Council**

Children's Social Care Complaints and Compliments

Annual Report  
2020-2021

## **1. Introduction**

- 1.1 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 2020 to 31 March 2021. 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.
- 1.2 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.
- 1.3 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.
- 1.4 The objectives of this report are to:
  - i. be open and transparent about our social care complaints process
  - ii. meet our statutory obligation to produce an annual report
  - iii. provide clear and concise comparative data on compliments and complaints, including details of complaints broken down by subject and service area
  - iv. provide a summary of customer profile and type of customer interaction
  - v. identify service improvements as a result of complaints and compliments and demonstrate learning and improved practices and processes from these

## **2. Context**

- 2.1 The aim of the Council's Children's Social Care Service is to support and protect those children, young people and families who need care and support to enable them to develop their abilities to live as independent and fulfilled lives as possible. Sometimes people are unhappy with the service we provide as an authority and we make every effort to ensure that we listen to their feedback and complaints, and that we learn from them.

2.2 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 2020-21 Children's Services received 12,767 child contacts via the integrated Access and Referral Team (iART) and 7,591 received at Statutory Social Work level. Of these contacts, 2,988 progressed to a Children's Social Care Referral. Of those 2,988 receiving Statutory Social Work referral, 15 formal complaints were received and responded to, representing 0.5% of the children the Council screened as requiring a Children's Social Care response.

### **3. Statutory Compliance Procedure**

#### **3.1 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.

3.2 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**

3.3 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.

3.4 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).

- 3.5 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.
- 3.6 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?**

- 3.7 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?**

- 3.8 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
- 3.9 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**

- 3.10 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**

- 3.11 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.
- 3.12 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**

- 3.13 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.
- 3.14 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**

- 3.15 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.
- 3.16 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.
- 3.17 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.
- 3.18 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.
- 3.19 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**

- 3.20 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.
- 3.21 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.
- 3.22 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.

- 3.23 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**

- 3.24 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.

## **4. Performance Activity**

### **Summary of Complaint Activity**

- 4.1 From April 2020 to March 2021 there were a total of 125 social care complaint representations made to Cheshire West and Chester Council. Of the 125 representations received, there were 15 **valid complaints** progressed, with the remaining 110 either ineligible (16) or withdrawn / resolved via an alternative route (94).
- 4.2 Of the 15 formal complaints, 5 requested a stage 2 escalation as the complainant remained dissatisfied. 2 did not provide sufficient grounds for continuing their complaint or was in court proceedings; and 1 subsequently withdrew. 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**

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

***Table 1: Total number of complaints considered***

<b>Year</b>	<b>Total no. of valid complaints processed</b>	<b>Withdrawn/ not pursued/ other</b>	<b>Ineligible*</b>	<b>Total no. of complaints representations considered</b>
<b>2020-21</b>	<b>15</b>	<b>94</b>	<b>16</b>	<b>125</b>
2019-20	37	44	54	135

2018-19	57	62	38	157
2017-18	73	73	20	166

*\*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**

- 4.4 The number of valid complaints investigated by the Council has decreased by 59% compared to the previous year, as well as seeing a slight decrease in the overall number of complaint representations handled by the Customer Relations Team. This contrasts with a 113% increase in the number of complaint representations being classed as 'Withdrawn, Not Pursued, Other' which includes alternative paths, where the complaint is more appropriately addressed via our corporate or data protection complaint channels, concern staff conduct or have been resolved under routine business.
- 4.5 Some of the reasons for complaints reducing by over a half could be attributed to the service being more proactive in working with families at the earliest stage to resolve issues. This has been a priority for all teams because it not only avoids families having to go through the formal complaints process and help maintain positive relationships between us, but also it potentially prevents time consuming and costly investigations having to be undertaken. The improved triage approach and resolution approach has supported this reduction, alongside seeking to take a trauma informed approach in working with our families.

Two key areas of complaints for us as a Service are regarding lack of support and lack of communication/response – that said the complaints in these area have reduced greatly compared to last year. And as the report suggests there is an overarching improvement with complaints received by the Service. The reduction is due to Teams dealing with a complaint in the first incidence, promptly via routine business and both the Solutions and Social Work Team are more effective in jointly gatekeeping complaints, ensuring if a complaint needs addressing within the Court arena the complainant to being signposted to the legal route rather than putting it into the complains procedure.



- 4.6 A further observation has been the improved transition arrangements when a child needs a different type of support or support from multiple teams / agencies. Communication here has improved and there now seems to be a more 'joined up' approach between different service areas, in particular between children's services, adult-facing services, Special Education Needs; and housing services.
- 4.7 A robust triage process continues to be applied by the Customer Relations Team which also helps services to identify the most relevant route for the complaint. For example, we are increasingly referring complaints to the Data Protection Officer to consider as requests for one or more of the data protection rights available to customers (e.g. the right to rectification). Alternatively, the Council's corporate complaint process should support complaints against the service that are not in relation to a decision or action that directly affects or impacts on the best interests of the child or young person.

### Complaint Outcomes

- 4.8 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 year**

Year	Upheld	Partially upheld	Not upheld	Outstanding	Total
2020-21	2 (13%)	11 (74%)	2 (13%)	0 (0%)	15
2019-2020	4 (11%)	19 (51%)	14 (38%)	0 (0%)	37
2018-19	11(20%)	33(57%)	13(23%)	0(0%)	57
2017-18	7(10%)	40(54%)	26(35%)	0(0%)	73

- 4.9 This year, 87% of complaints have either been upheld or partially upheld which is an increase from 62% in the previous year. This demonstrates that the robust approach by both the Customer Relations Team and the Children's Services Teams, in triaging complaints and signposting to alternative paths continues to work effectively. The complaints which are being accepted are more likely to be valid issues which need review by the service. This may also be as a result of increased awareness of complaint handling and officers are better able to identify or acknowledge fault at an earlier stage and offer a reasonable remedy. It should also be noted that there has been further improvement in cross-service working within the Children's Services Teams and an ongoing commitment by the Customer Relations Team to encourage services to accept fault rather than adopt a defensive position.

**Table 3 - Stage 2 outcomes and comparisons with previous years**

Year	Upheld	Partially upheld	Not upheld	Open cases	Withdrawn	Total
<b>2020-21</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>3</b>
2019-20	0	0	0	0	3	3
2018-19	1	6	0	0	1	8
2017-18	0	1	0	0	0	1

- 4.10 From the 15 complaints reviewed under stage 1 of the process in 2020/21, there were 5 requests for escalation to stage 2. Of these, 2 were not progressed as they were being dealt with by the courts or they were referred back to the service to explain their stage 1 response. 2 were progressed and 1 subsequently was withdrawn by the complainant.
- 4.11 By comparison, there were 3 requests for escalation in 2019/20 out of 37 valid complaints, with 1 - proceeding to full stage 2 investigation, received via the Ombudsman.
- 4.12 The 5 requests in 2020/2021 were particularly complex issues. The Customer Relations Team and the service strive to promote engagement and ongoing dialogue and this is demonstrated by the number that were referred back to the service to explain their response at stage 1 or attempt resolution rather than proceed to stage 2. The fact that only 2 proceeded to a full investigation demonstrates value for money as these investigations are both costly and time consuming. We have also continued to trial a new approach from the Customer Relations Team to liaise with customers about their stage 2 requests to establish their specific reasons for escalation, such as what outstanding injustice remains and/or what their desired outcome is, or in some cases, why they consider the proposed remedy is not 'reasonable' and/or ask that they allow us enough time (especially due to the pandemic) to complete the remedy. This is a cautious approach that has to be carefully managed with the customer, who must be assured that the stage 2 will progress on provision of this information.
- 4.13 The Customer Relations Team and Children's Services Senior Management Team communicate regularly to review management of the complaints and escalations to Stage 2 and 3. There is a clear commitment to resolve complaints at the earliest opportunity across the service in order to improve customer satisfaction with the complaint process, as well as reducing the costs associated with escalation. During 2020/21 the Customer Relations Team provided advice and guidance to service managers, promoting consistency and a holistic approach to learning about complaints across the service. The Local Government and Social Care Ombudsman's guidance on complaint handling forms an integral part of the advice given and the Customer Relations Team promote the Ombudsman's guidance on remedies and encourages the service to

use this as a guide to offering a 'reasonable' remedy to prevent further escalation and costs.

### **Stage 3 outcomes and comparisons with previous year**

Year	Upheld	Partially upheld	Not upheld	Open cases	Withdrawn	Total
<b>2020-21</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
2019-20	0	0	0	0	0	0
2018-19	0	0	0	0	1	0
2017-18	0	0	0	0	0	0

4.14 There were no complaints escalated to stage 3 in 2020/21.

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

### **Breakdown of complaints received by Service Area**

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

**Table 4**

Service Area	Number of Complaints per Year			
	2020-21	2019-20	2018-17	2017-18
<b>Children in Need</b>				
Winsford	1	5	10	13
Chester	1	5	14	14
Ellesmere Port	1	8	5	8
<b>CP Court Team (new)</b>				
Winsford	0			
Chester	0			
Ellesmere Port	0			
<b>Children in Care (Permanence Teams')</b>				
<b>Winsford</b>	<b>1</b>	4	8	8
Chester	<b>N/A</b>	1	4	6
<b>Ellesmere Port</b>	<b>6</b>	1	4	5
<b>Leaving Care</b>	<b>0</b>	2	5	5
<b>Children with Disabilities</b>	<b>3</b>	5	3	4
<b>Provider Services</b>				
Fostering	0	0	1	3
Adoption	0	0	0	1
<b>Integrated Early Support</b>	<b>N/A</b>	1	1	0

<b>Safeguarding</b>	<b>0</b>	2	1	0
<b>Integrated Access and Referral Team and Integrated Early Support (new)</b>	<b>2</b>	2	0	4
<b>Transition Team</b>	<b>0</b>	1	1	2
<b>Emergency Duty Team (new)</b>	<b>0</b>			
<b>Total</b>	<b>15</b>	37	57	73

- 4.17 Whilst there is an overall reduction in the number of complaints, it should be noted that, there has been a significant reduction in the previously high area such as Children in Need in Winsford, Chester and Ellesmere Port.
- 4.18 There has been an increase in Children in Care complaints in Ellesmere Port, representing 40% of all formal complaints. Whilst this looks significant, we must bear in mind that this is still a very small number of complaints in relation to the number of contacts/clients of 125, which comes to 4.8%.
- 4.19 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**

- 4.20 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.
- 4.21 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**

<b>Complaint Subject</b> (primary area of concern)	<b>2021-21</b>	2019-20	2018-19	2017-18
<b>Standard of Service Delivery</b>	<b>10</b>	14	19	29
<i>Inaccuracies in assessments</i>	<b>1</b>	3	3	1
<i>Lack of support</i>	<b>7</b>	6	10	15
<i>Failure to investigate concerns</i>	<b>0</b>	1	0	5

<i>Issues with contact arrangements</i>	<b>2</b>	<i>0</i>	<i>1</i>	<i>4</i>
<i>Other</i>	<b>0</b>	<i>4</i>	<i>5</i>	<i>4</i>
<b>Social Worker</b>	<b>1</b>	<i>14</i>	<i>24</i>	<i>31</i>
<i>Allegations of Misconduct</i>	<b>0</b>	<i>0</i>	<i>1</i>	<i>3</i>
<i>Issues with Attitude / Behaviour</i>	<b>0</b>	<i>2</i>	<i>1</i>	<i>16</i>
<i>Lack of Support</i>	<b>1</b>	<i>3</i>	<i>5</i>	<i>7</i>
<i>Preference for one parent over another</i>	<b>0</b>	<i>2</i>	<i>2</i>	<i>4</i>
<i>Social Worker and Team Manager</i>	<b>0</b>	<i>7</i>	<i>15</i>	<i>1</i>
<b>Communication</b>	<b>2</b>	<i>5</i>	<i>8</i>	<i>4</i>
<i>Lack of response</i>	<b>2</b>	<i>5</i>	<i>7</i>	<i>1</i>
<i>Late / missing reports</i>	<b>0</b>	<i>0</i>	<i>1</i>	<i>1</i>
Cancellation of appointments	<b>0</b>	<i>0</i>	<i>0</i>	<i>2</i>
<b>Child Protection Issues</b>	<b>0</b>	<i>0</i>	<i>0</i>	<i>1</i>
<b>Financial Issues</b>	<b>1</b>	<i>2</i>	<i>0</i>	<i>1</i>
<b>Accommodation/Placement Issues</b>	<b>0</b>	<i>0</i>	<i>3</i>	<i>3</i>
<b>Adoption</b>	<b>0</b>	<i>0</i>	<i>0</i>	<i>0</i>
<b>Fostering</b>	<b>0</b>	<i>0</i>	<i>2</i>	<i>1</i>
<b>Eligibility for Service / Unhappy with Social Care involvement</b>	<b>1</b>	<i>2</i>	<i>1</i>	<i>2</i>
<b>Data Protection Issues</b>	<b>0</b>	<i>0</i>	<i>0</i>	<i>1</i>
<b>Total</b>	<b>15</b>	<i>37</i>	<i>57</i>	<i>73</i>

4.22 2020-2021 demonstrates a further decrease in the number of complaints received across most categories complaints about the social worker reducing by 93%. The most obvious explanations for this are:

- 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

### **Complaint Response Times**

4.24 Of the 15 valid complaints, the department responded to 6 within the statutory timescales. Initially 10 working days which can be extended to 20 working days for more complex cases requiring longer to investigate. Wherever possible, customers are kept informed and we are able to negotiate new timeframes with them. The following tables give a breakdown of the responses that met the

timescales at each stage of the complaints procedure, and a comparison with previous years.

**Table 6 - Complaint response times**

<b>Statutory time frames</b>	<b>2020-21</b>	2019-20	2018-19	2017-18
10 working days or less	<b>1</b>	0	12	14
20 working days or less	<b>5</b>	13	28	31
Outside the statutory timescale	<b>9</b>	24	17	28
<b>Total</b>	<b>15</b>	37	57	73

Stage 1 Response timescales

<b>Number of days taken to respond within timescale</b>	
	2
	14
	15
	20
	20
	20

<b>Number of days taken to response outside of timescale</b>	
	23
	26
	31
	32
	33
	36
	41
	45
	81

- 4.25 Overall, performance has increased this year in meeting the statutory deadlines for complaint responses with 40% of cases answered in time compared to 35% in the previous year. This is despite the number of complaints being 59% fewer, so whilst we would usually expect a more significant compliance rate, we believe that the extenuating circumstances the Council faced in 2020-21 impacted on our ability to improve it.

- 4.26 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 2021/22 to improve on this performance rate.
- 4.27 The reasons for not meeting this target remain the same as the nature of work within the service has not changed and due to the Pandemic; 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.
- 4.28 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. This is likely to be through a designated customer contact coordinator, reflecting the model across all other Council services which is generally working well. The Customer Relations Team will continue to offer drafting advice and support.

### **Local Government and Social Care Ombudsman (LGSCO)**

- 4.29 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.

The number of Education and Children's Social Care cases received by the LGSCO during this reporting period was 14 out of 57 which is a decrease from 20 the previous year. This represents 25% of all Ombudsman cases received.

The Ombudsman also made decisions on 12 cases this year (compared to 19 the previous year). This represents 23% of all cases decided upon. Due to the Ombudsman recording complaint under Education and Children's Services we cannot break this data down to specific CSC cases. Outcomes were as follows:

Overall, Children's Social Care can demonstrate an improvement in the number of cases received and decided this year, with no change to the number of cases being upheld (1). This shows that the service has managed its complaint

handling well despite the pressures from the impact of responding to the pandemic.

**Point and method of receipt for complaints within the authority**

4.32 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**

<b>Point of receipt</b>	<b>2020-21</b>	<b>2019-20</b>	<b>2018-19</b>	<b>2017-18</b>
Service Area	1	5	4	11
Customer Relations Team	12	31	51	61
Director/Head of Service	0	1	2	2
Chief Executive	1	0	0	0
Other	1	0	0	0
<b>Total</b>	<b>15</b>	<b>37</b>	<b>57</b>	<b>73</b>

**Table 8**

<b>Method of receipt</b>	<b>2020-21</b>	<b>2019-20</b>	<b>2018-19</b>	<b>2017-18</b>
Letter	0	7	7	8
Telephone/verbal	0	2	7	15
Email	7	20	28	41
Online complaints	8	5	13	7
Feedback form	0	3	2	2
<b>Total</b>	<b>15</b>	<b>37</b>	<b>57</b>	<b>73</b>

100% of complaints are submitted by email or online form.

4.33 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.



## 5. Profile/ Category of Complainants

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

**Table 9**

Person making the complaint	2020-21	2019-20	2018-19	2017-18
Child or young person being looked after or in need	1	4	1	7
Parent/s	12	30	35	50
Local Authority foster carer	0	1	0	0
Special guardian	0	0	1	2
Persons wishing to adopt	0	0	0	0
Persons with sufficient interest in child's welfare	1	0	6	5
Advocacy service	1	2	14	9
<b>Total</b>	<b>15</b>	<b>37</b>	<b>57</b>	<b>73</b>

- 5.2 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.
- 5.3 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.

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.

## 6. Compliments Received

- 6.1 The Council welcomes positive or negative feedback from its users. A total of 49 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.

**Table 10**

Year	2020-21	2019-20	2018-19	2017-18
No. of Compliments	49	18	31	37

- 6.2 A selection of compliments recorded is included below as examples:

*Feels it was a good job there was a change in worker. Social Worker would also listen to the father of my children she was able to understand him and had an awareness of his disability, ADHD. Previous workers always stated that he was high rated and they did not engaged with him. Social Worker built up a good relationship with the children who have said they will miss the Social Worker. My youngest child use to hide from workers but she never did this with this Social Worker.*

*Social Worker would always engage us, she was brilliant, she would always ring back if we had left a message for her to call us and she always informed us of the plan or any changes. Social Worker was a confident worker that would challenge others when needed and always open and honest with us.*

*(Parent)*

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*We wanted to say thank you for your support with our family. Your approach was always professional and warm. The children gained your trust quickly and always looked forward to your visits. The situation was sensitive, and you handled it with humanity and professionalism. You are a credit to your profession.*

*(Parents)*

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*I do not think there is anything that could have been done different, we have been treated with respect throughout and given the time to talk through things when needed. I think you are very lucky to have the Social Worker on your team and anyone who has her assigned to them will be in good hands I am sure.*

*I would like to thank the Social Worker again for how she has handled everything, I went from thinking being assessed by social services was one of the worst positions to be in, to being grateful for her time. There are some people in the world that just connect, that get it, understand and can see people, I think this Social Worker is one of them.*

*(Parent)*

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*The purpose of me writing to you is to express my sincere appreciation to Social Worker for his hard work, motivation, commitment, and professionalism during my involvement.*

*Throughout my time working alongside XXXX he communicated with me, always updated me and discussed any issue arising, which made my role much easier when advocating for the three boys. It cannot go unsaid that there were discussions where XXXX and I did not always agree, however his professionalism and rational was always thought through, whilst always remaining child centred.*

*I believe that XXXX worked hard and sensitively on this case with both XXXXXXXX and XXXXXXXX. I am of the professional view that as a result of his hard work and the trusting relationships he was able to develop with XXXXXXXX and XXXXXXXX, the most appropriate care plan for XXXX, XXXX and XXXX was achieved, which he should be commended for.*

*(Guardian)*

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*I just wanted to write to say thank you for all that you have done to support XXXXXXXX and her family since taking over this case. I have been working with the family alongside numerous, ever-changing, professionals now for 18 months and can honestly say that since you have taken over the case, I have felt that we were actually able to move forwards and progress the situation in order to best support both XXXXXXXX and the family.*

*In addition to the support that you have provided to the family, I have felt that I have been able to work collaboratively with you in the knowledge that we were both consistently working for the best interests of the child and confident that I could contact you for further advice and guidance at any time.*

*(Head of Year, High School)*

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*To say thank you very much. Thanks for everything you've done for us. You're one in a million. All our Love. XXXX and XXXXXX.*

*(Foster Carers)*

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*For all you've done. Thank you so much it shows how much you love for people. Thank you from XXXXX.*

*(Young Person)*

## **7. Outcomes- Learning and Service Improvement**

- 7.1 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**

- 7.2 There has been significant learning across the service in how the relationships practitioners form with families can have a positive impact on how they respond to our concerns and become motivated to change in order to reduce risks to their children. Although further evaluation is needed, it appears that our workforce being more trauma-informed has contributed to the overall reduction in complaints to the service; and it hoped that this continues as the new practice model becomes more embedded. Learning has also shown that by intervening

earlier and calling the family directly can help us address issues/ concerns they may have before matters escalate.

To ensure joined up working with your other teams (ie. SEN/School) to have in place joint commissioning and arrangements for decision making and joint planning.

Section 17 funding agreed to fund respite on a needs led and reviewed basis.

- 7.3 An area of specific learning has been in the Children with Disabilities Service. This area has had some complaints which have helped us to improve our approach to supporting families, in particular, making sure that we do this fairly. This has improved the way in which we communicate with families and ensured that support is provided based on an up to date assessment of the child's needs. Direct Payments: Request reconsidered due to update in government guidelines to the policy. Therefore flexibility in the use of direct payments was agreed, due to lockdown and COVID-19.

Delay in ensuring that there was an up to date assessment of need and review of care package.

The importance of a handover between changes of Social Workers, particularly in relation to children in care seeing their family. Communication methods and preferences of family members clearly recorded on Social Care's electronic files to ensure continuity of communication.

- 7.4 A further theme has been around the use language in assessments and other paperwork. Again, our new practice model is helping us to learn better from complaints and how generalised wording can impact on families. Some complaints have helped us learn that we need to be continually specific, evidence-based and trauma-informed. We now have a clear 12 month plan for how we embed trauma informed practice in our recording across Children's Social Care.

## **8. Future Plans for Complaint Handling**

- 8.1 ICT: In September 2020-21 an update was provided to the People's Overview and Scrutiny Committee on progress with implementing Firmstep. This is in progress and is expected to go live from 1 April 2022.

- 8.2 Reporting: There will be a review of annual reporting for Social Care and Corporate complaints to be completed by the Customer Relations Team and agreed with service. This will focus on the format, layout and content for reports from 2021-22 and introduce a similar report for corporate complaints. 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.