



## **Cheshire West and Chester Council**

Children's Social Care Complaints and Compliments

Annual Report  
2022-2023

## **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 2022 to 31 March 2023. 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 2022-23 Children's Services received 13,404 child contacts via the integrated Access and Referral Team (i-Art) and Emergency Duty Team (EDT). 6,966 were received at Statutory Social Work level, of these contacts, 3,201 progressed to a Children's Social Care Referral. Of those 3,201 receiving Statutory Social Work referral, 14 formal complaints were logged and responded to, representing 0.4% of the children the Council screened as requiring a Children's Social Care response. This is a decrease on the previous year (0.6%)

despite statutory social care referrals increasing by 32% (from 2,424 in 2021-22 to 3,201 in 2022-23).

## 1 Performance Activity

### Summary of Complaint Activity

- 1.1 From April 2022 to March 2023 there were a total of 137 social care complaint representations made to Cheshire West and Chester Council. Of the 137 representations received, there were **14 valid complaints** progressed, with the remaining 123 either ineligible (26) or withdrawn / resolved via an alternative route, including through early intervention/local resolution. (97).
- 1.2 Of the 14 formal complaints, 5 requested a stage 2 escalation as the complainant remained dissatisfied. 2 did not agree the complaint or provide desired outcomes and 2 were happy for matters to be resolved informally at a more senior manager/head of service level, with 1 later being withdrawn. 1 was accepted and taken to a full stage 2 investigation, which was also escalated 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 |
|----------------|---|-------------------------------|-------------|--|
| <b>2022-23</b> | <b>14</b>                               | <b>97</b>                     | <b>26</b>   | <b>137</b>   |
| 2021-22        | 14                                      | 93                            | 24          | 131  |
| 2020-21        | 15                                      | 94                            | 16          | 125  |
| 2019-20        | 37                                      | 44                            | 54          | 135  |

*\*Complaints assessed as being not valid through the statutory Social Care complaint procedure, for example complaints that were being dealt with through an alternative path 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     |
|----------------|----------|------------------|------------|-------------|-----------|
| <b>2022-23</b> | <b>1</b> | <b>11</b>        | <b>2</b>   | <b>0</b>    | <b>14</b> |
| 2021-22        | 1        | 10               | 3          | 0           | 14        |
| 2020-21        | 2        | 11               | 2          | 0           | 15        |
| 2019-20        | 4        | 19               | 14         | 0           | 37        |

### 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    |
|----------------|----------|------------------|------------|------------|-----------|----------|
| <b>2022-23</b> | <b>0</b> | <b>1</b>         | <b>0</b>   | <b>0</b>   | <b>4</b>  | <b>5</b> |
| 2021-22        | 0        | 2                | 0          | 0          | 2         | 4        |
| 2020-21        | 0        | 1                | 0          | 1          | 1         | 3        |
| 2019-20        | 0        | 0                | 0          | 0          | 3         | 3        |

### Stage 2 Complaints Outcomes - Analysis

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

| Year           | Upheld   | Partially upheld | Not upheld | Open cases | Withdrawn | Total    |
|----------------|----------|------------------|------------|------------|-----------|----------|
| <b>2022-23</b> | <b>0</b> | <b>1</b>         | <b>0</b>   | <b>0</b>   | <b>0</b>  | <b>1</b> |
| 2021-22        | 0        | 0                | 0          | 0          | 0         | 0        |
| 2020-21        | 0        | 0                | 0          | 0          | 0         | 0        |
| 2019-20        | 0        | 0                | 0          | 0          | 0         | 0        |

There was 1 complaint escalated to stage 3 in 2022/23.

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

| <b>Service Area</b>   |                |                |                |                |                |
|---|----------------|----------------|----------------|----------------|----------------|
| <b>Children in Need</b>   | <b>2022-23</b> | <b>2021-22</b> | <b>2020-21</b> | <b>2019-20</b> | <b>2018-19</b> |
| Winsford  | 1              | 2              | 1              | 5              | 10             |
| Chester   | 3              | 0              | 1              | 5              | 14             |
| Ellesmere Port  | 0              | 0              | 1              | 8              | 5              |
| <b>CP Court Team</b>  |                |                | (new)          |                |                |
| Winsford  | 0              | 1              | 0              |                |                |
| Chester   | 2              | 0              | 0              |                |                |
| Ellesmere Port  | 1              | 1              | 0              |                |                |
| <b>Children in Care (Permanence Teams')</b>                                   |                |                |                |                |                |
| <b>Winsford</b>   | 0              | 2              | 1              | 4              | 8              |
| Chester   | N/A            | N/A            | N/A            | 1              | 4              |
| <b>Ellesmere Port</b>   | 4              | 0              | 6              | 1              | 4              |
| <b>Leaving Care (Supporting Independence)</b>                                 | 0              | 2              | 0              | 2              | 5              |
| <b>Children with Disabilities</b>   | 2              | 2              | 3              | 5              | 3              |
| <b>Provider Services</b>  |                |                |                |                |                |
| Fostering   | 0              | 0              | 0              | 0              | 1              |
| Adoption  | 0              | 0              | 0              | 0              | 0              |
| <b>Integrated Early Support</b>   | N/A            | N/A            | N/A            | 1              | 1              |
| <b>Safeguarding</b>   | 0              | 1              | 0              | 2              | 1              |
| <b>Integrated Access and Referral Team and Integrated Early Support (new)</b> | 0              | 2              | 2              | 2              | 0              |
| <b>Transition Team</b>  | 1              | 1              | 0              | 1              | 1              |
| <b>Emergency Duty Team (new)</b>  | 0              | 0              | 0              |                |                |

|              |           |    |    |    |    |
|--------------|-----------|----|----|----|----|
| <b>Total</b> | <b>14</b> | 14 | 15 | 37 | 57 |
|--------------|-----------|----|----|----|----|

Whilst we maintain the overall number of complaints from last year, there has been an increase in complaints in Chester Locality and Ellesmere Port Permanence from the previous year. Chester demographics represent a more affluent population than other areas of the borough and as a result are more likely to be capable and confident in raising escalation and challenge within formal arrangements when they are not happy.

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**

| <b>Complaint Subject</b><br>(Primary area of concern) | <b>2022-23</b> | 2021-22 | 2020-21 | 2019-20 |
|---|----------------|---------|---------|---------|
| Standard of Service Delivery                          | <b>7</b>       | 10      | 10      | 14      |
| <i>Inaccuracies in assessments</i>                    | <b>0</b>       | 1       | 1       | 3       |
| <i>Lack of support</i>                                | <b>0</b>       | 2       | 7       | 6       |
| <i>Failure to investigate concerns</i>                | <b>0</b>       | 2       | 0       | 1       |
| <i>Issues with contact arrangements</i>               | <b>1</b>       | 2       | 2       | 0       |
| <i>Other</i>  | <b>6</b>       | 3       | 0       | 4       |
| Social Worker   | <b>4</b>       | 1       | 1       | 14      |
| <i>Allegations of Misconduct</i>                      | <b>0</b>       | 0       | 0       | 0       |
| <i>Issues with Attitude / Behaviour</i>               | <b>0</b>       | 0       | 0       | 2       |
| <i>Lack of Support</i>                                | <b>3</b>       | 1       | 1       | 3       |

| <b>Complaint Subject</b><br>(Primary area of concern)          | <b>2022-23</b> | 2021-22 | 2020-21 | 2019-20 |
|--|----------------|---------|---------|---------|
| <i>Preference for one parent over another</i>                  | <b>1</b>       | 0       | 0       | 2       |
| <i>Social Worker and Team Manager</i>                          | <b>0</b>       | 0       | 0       | 7       |
| Communication  | <b>0</b>       | 0       | 2       | 5       |
| <i>Lack of response</i>  | <b>0</b>       | 0       | 2       | 5       |
| <i>Late / missing reports</i>                                  | <b>0</b>       | 0       | 0       | 0       |
| Cancellation of appointments                                   | <b>0</b>       | 0       | 0       | 0       |
| Child Protection Issues  | <b>1</b>       | 1       | 0       | 0       |
| Financial Issues   | <b>2</b>       | 0       | 1       | 2       |
| Accommodation/Placement Issues                                 | <b>0</b>       | 1       | 0       | 0       |
| Adoption   | <b>0</b>       | 0       | 0       | 0       |
| Fostering Issues   | <b>0</b>       | 1       | 0       | 0       |
| Eligibility for Service / Unhappy with Social Care involvement | <b>0</b>       | 0       | 1       | 2       |
| Data Protection Issues   | <b>0</b>       | 0       | 0       | 0       |
| <b>Total</b>   | <b>14</b>      | 14      | 15      | 37      |

Complaints about the social worker has risen from last year. The most obvious explanations for this are as follows:

- Demands on Social Workers and increase in caseloads.
- Reliance on agency staff or new recruits.

### Complaint Response Times

**Table 6 - Complaint response times**

| <b>Statutory time frames</b>    | <b>2022-23</b> | 2021-22 | 2020-21 | 2019-20 |
|---------------------------------|----------------|---------|---------|---------|
| 10 working days or less         | <b>2</b>       | 0       | 1       | 0       |
| 20 working days or less         | <b>2</b>       | 2       | 5       | 13      |
| Outside the statutory timescale | <b>10</b>      | 12      | 9       | 24      |
| <b>Total</b>                    | <b>14</b>      | 14      | 15      | 37      |

Stage 1 Response timescales

|   | <b>Number of days taken to respond within timescale</b> |
|---|---|
| 1 | 03 days   |
| 1 | 10 days   |

|   |         |
|---|---------|
| 1 | 16 days |
| 1 | 20 days |
| 4 | Total   |

|    | <b>Number of days taken to response outside of timescale</b> |
|----|--|
| 1  | 24 days  |
| 1  | 29 days  |
| 1  | 30 days  |
| 1  | 31 days  |
| 1  | 32 days  |
| 1  | 61 days  |
| 1  | 62 days  |
| 1  | 64 days  |
| 1  | 77 days  |
| 1  | 108 days   |
| 10 | Total  |

Overall, performance has increased this year in meeting the statutory deadlines for complaint responses with 28% of cases answered in time compared to 14% in the previous year although these are for low volumes of complaints (14 each 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 as part of routine business which is focused on engagement with the customer to avoid a formal complaint being raised, and has required time commitment. Key manager training and engagement is planned for 2023/24 to support this progressing to improve timeliness of complaint response and build upon confidence in resolution. Three Lead Customer Experience Coordinators have also been recruited with one focussing on Health and Wellbeing Directorate with the aim to work with services on route causes. The Customer Relations Team are also building a template of responses to common issues to look at actioning remedies more appropriately.

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 2023/24 to improve on this performance rate which will be the focus for the new Lead Customer Experience Coordinator for Health and Wellbeing. This has always been a challenging target and even more so this year with the increase in demands for frontline services and statutory social care referrals. This increased frontline demand inevitably impacts capacity on services to respond to complaints. The



Lead Customer Experience Coordinator will be working with the service to highlight the value of dealing with complaints promptly and identify ways to manage conflicting demands.

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. We will also be working with the service to support more managers to investigate complaints at stage 1, and to review our stage 2 procedures. Currently stage 2 investigators (IOs) and independent persons (IPs) are recruited externally, leading to a significant cost per complaint. We are exploring whether there is capacity within the wider Health and Wellbeing Service to recruit IOs internally whilst still meeting the statutory requirements of the complaints process.

### **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 2022-2023 the Ombudsman:

- Received 70 complaints, 14 of which concerned Education and Children's Services.
- Made decisions on 68 complaints, 13 of which concerned Education and Children's Services.
- Upheld 8 complaints, 1 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 13 decided 3 related to Children’s social care, 5 to Education and 5 were not known because they were dealt with as premature or via advice from the Ombudsman.

Of the 8 Upheld complaints, there were no complaints upheld against Children’s Social Care (the 1 recorded against Education and Children’s Services related to an SEN decision).

**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**

| <b>Point of receipt</b>  | <b>2022-23</b> | 2021-22 | 2020-21 | 2019-20 |
|--------------------------|----------------|---------|---------|---------|
| Service Area             | <b>1</b>       | 3       | 1       | 5       |
| Customer Relations Team  | <b>13</b>      | 9       | 12      | 31      |
| Director/Head of Service | <b>0</b>       | 0       | 0       | 1       |
| Chief Executive          | <b>0</b>       | 0       | 1       | 0       |
| Other                    | <b>0</b>       | 2       | 1       | 0       |
| <b>Total</b>             | <b>14</b>      | 14      | 15      | 37      |

**4. Profile/ Category of Complainants**

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

**Table 8**

| <b>Person making the complaint</b>                  | <b>2022-23</b> | 2021-22 | 2020-21 | 2019-20 |
|---|----------------|---------|---------|---------|
| Child or young person being looked after or in need | <b>0</b>       | 0       | 1       | 4       |
| Parent/s  | <b>12</b>      | 11      | 12      | 30      |

|   |           |           |           |           |
|---|-----------|-----------|-----------|-----------|
| Local Authority foster carer                        | 0         | 1         | 0         | 1         |
| Special guardian                                    | 2         | 0         | 0         | 0         |
| Persons wishing to adopt                            | 0         | 0         | 0         | 0         |
| Persons with sufficient interest in child's welfare | 0         | 1         | 1         | 0         |
| Advocacy service                                    | 0         | 1         | 1         | 2         |
| <b>Total</b>  | <b>14</b> | <b>14</b> | <b>15</b> | <b>37</b> |

The number of complaints received from a child or young person remains low. We consider that this is most likely because the Council commissions an Advocacy Service for children (via the Children's Society) and Independent Visitors to work with children and offer advice and support. Our advocacy service are active members of our corporate parenting board and committed to working with us to continue to support the pursuit of formal complaints by children where felt appropriate. It is likely that the majority of complaints are resolved informally through children's contact with these services. However, we still want to promote the children's rights to pursue formal complaints if they wish to.

We are currently looking to engage with children so they can provide their feedback to the Customer Relations Team by promoting the complaints process via developing a small animation video with Creative Services for release by the end of the year. This will also involve updating the leaflet, by creating a more child friendly version that is linked to the animation and a QR Code Card to be given out by social workers when they are interacting with children. This will be tracked and monitored for a period to see if children are watching the animation and participating in the process by providing their views.

We will also be meeting with the commissioned services to see how we can better record issues that children may be raising even if they do not progress as formal complaints.

## 5. Compliments Received

5.1 The Council welcomes positive or negative feedback from its users. A total of 14 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 figure is a significant reduction on the number recorded last year and, in our view, does not reflect all of the compliments the service will have received. We know that there is a huge number of positive feedback/compliments received have been shared locally and formally responded to by Director or managers. However, these

compliments are rarely shared by families or professionals on the online portal and are more often sent directly/to the manager/in paper or card format. Not all these are shared within the Social Work Forum as there are too many. These compliments also form a key part of our Self Evaluation Framework we share with Ofsted as our regulator. The current requirement for capturing compliments is to manually add these to the online system and we consider that this is not completed regularly because recording compliments is regarded as less of a priority within a busy service. The service does now have child & family feedback included within reviews completed by Senior Managers - there is opportunity to incorporate these into this analysis. In addition, positive feedback can be shared as part of social worker progression programmes and could also be shared as part of reporting.

The Customer team will work with services and their Customer Contact Coordinator to promote the recording of compliments and, where possible, improve the process to make it easier for compliments to be logged.

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**

| <b>Year</b>               | <b>2022-23</b> | <b>2021-22</b> | <b>2020-21</b> | <b>2019-20</b> |
|---------------------------|----------------|----------------|----------------|----------------|
| <b>No. of Compliments</b> | <b>14</b>      | 32             | 49             | 18             |

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

Feedback from Parent to Social Worker: When I was pregnant, both were nervous and scared as we didn't know if we'd be allowed to keep him with us after going through what we went through with our other children and social services. It was a difficult time as we wanted nothing more than to be given the chance to prove we could look after XXXX and be the parents he needed and to give him the care he needed and deserved!, you not only supported us in every way possible but also believed in us and when you gave us the call to tell us he would be coming home with us was the one of the best things we could have experienced.. you did everything you possibly could and fought extremely hard for us to be given the opportunity to have XXXX in our care!! You have helped get us all the support from every professional we could need to be able to better ourselves and learn to care for XXXX in the way he needed, not only that you have always been very straight with us on where we needed to improve but also where we're doing great, at first it was very nerve wracking on all the work that needed to be done but with all the help and support we've received it helped us

notice that we wasn't alone in this, we've got a support network and that's exactly what we needed! The process hasn't been easy at all, at the very beginning of XXXX being home with us we had professionals coming out to us every day of the week, but that's exactly what we needed to be able to grow and improve! We were terrified that we would lose him the way we lost our other children but that made us so much more motivated to better ourselves and prove that we could do this, we could give him the care he needs! It is a long and hard process, one that we're still going through and we're not completely there just yet but with all the support we've been given we know that we will get there and we will continue to be motivated for the sake of our little boy!

We never did have much trust in social services after going through the process with our other boys and we can hold our hands up and admit where we went wrong during the process with them but you helped us with our trust in social workers, you have been our biggest support and you've never given up on us! We can't be any more grateful for everything you've done to help us, you have helped us believe in ourselves as parents that if we put in all the work necessary then we can do this, not only did our little boy make us motivated to do everything we possibly could but your belief in us made us motivated. You bent over backwards to help us in all the ways possible and we wanted to prove that all your work wasn't for nothing, we're unbelievably grateful to you because your belief in us and hard work gave us the chance to show everyone we can do this and we will work as hard as it possibly takes to get there for XXXX, to be the parents he needs us to be!

Having the support around us definitely helps but we also had to be motivated and work hard at it ourselves, like I said it wasn't easy at all but it is definitely worth it to be able to have XXXX in our care and have him at home with us! It was hard during my pregnancy not knowing if we'd be taking him home with us or not but thanks to you and all the support we've been given we were able to bring him home and we will continue to get to we're we need to be and continue to use all the support around us!!

Feedback from High Court Judge: *"I have found social worker to be impressive, both in the analysis of the evidence generally and sensitivity to the parents."*

Feedback from Parent to Senior Practice Lead: I am writing this letter of thanks to you for the care and support you have given to me and my family over the last 4 years (Approx.).

Prior to you being the allocated social worker to my family I had not had a positive experience with other social care workers or social care in general. Due to this it took me a long time to trust and work with you which must have been

difficult for you? The last few years have not been without there difficulties and challenging times however, you did eventually gain myself and my family's trust. I feel that over the years you have always been fair, transparent, Truthful, honest, and professional at all times. At moments of upset and stress (OF WHICH THERE HAS BEEN MANY) I always felt that you listened to my worries and feelings, was empathetic towards me and strived to achieve the best for my family. At my lowest points and feeling like I could no longer take anymore of XXXXX's behaviours it was you that encouraged me to continue by reminding me of the battles I had faced and won and how I always strived to achieve the best outcomes for XXXX. At times when I could only see the negative you reminded me of all the positive and encouraged me that I could do this!

Not only did you manage to gain my trust, but you also gained XXXX's trust and we all know how difficult this is to achieve. Over time you built up a good professional working relationship with XXXX and for this I thank you. I feel that your calm approach, kindness, and honesty was key in enabling you to do this. I know when you said goodbye to XXXX the other day she was upset and when you left she told me in private that she will miss you and is already putting up barriers towards her new adult SW! perhaps you will be able to give her some tips!

Throughout all of this the only criticism I have is that during some difficult situations I could see that your hands were indeed tied, that you wanted to help and do more but due political, financial, and the decisions made by higher management you were unable to help in perhaps the way you may have wanted at times? And due to these my other two children witnessed challenging and physical behaviours from XXXX and within the family home for far to long.

XXXX and I feel that if Social care employed more social workers like you perhaps it would not have the stigma and fear attached to its name.

Thank you for all you hard work and support and any child on your caseload is lucky to have you fighting their corner! Kind regards XXXXX

Feedback from Solicitor: HHJ Pates was very complimentary of your work:

I want to say the Court has been very fortunate in this case to have the opportunity to consider your work as allocated social worker.

The case has had the privilege of a consistent approach, the analysis is excellent, it was and read to me like an expert social work piece of work, that's the kind of material I hope you can be proud of. It was objective, analytical, not over sympathetic and focussed on R-L. Social worker managed the case well and it was a pleasure to read evidence and see the involvement in the case. I feel it is important to say that when I see high quality expert social work, like I have had the advantage of in this case – thank you for the quality of work, it has made my task much easier, you have approached the evidence with objectivity. Well done and thank you again for all of your hard work.

Feedback from Adoptive Parent: Yes I did see the photograph.. so thank you for that.

The life story book is amazing! The way it set out in different stages is a fabulous idea, very interactive! It's even given me an idea of how to explain to XXX when he is old enough to understand.

In all I just wanted to say thank you so much for taking the time to create XXX's book. I know he will appreciate it when he gets older just as much as I do.. it's in his bedroom on a shelf safe and they're ready for when we want to go through it. Thank you very much ❤️ xx

## **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 or an adult behaves in the way they do with any associated problems. It also promotes and enables multi-agency professionals to use a shared language and understanding of trauma and our response to this within assessment and planning. 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 and Compliments**

In 2023/24 this will be picked up by the Lead Customer Experience Coordinator for Health and Wellbeing on a 6 weekly monitoring basis with the Customer Relations Team and Services to ensure learning is actioned in a timely manner,

practices are improved, and any trends are identified. A particular focus will be on how to ensure that compliments received locally are recorded onto the online system.

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

ICT and Reporting: Since Firmstep went live at the end of 2022 the system seems to be working as expected and therefore enabling the Customer Relations Team to obtain better reporting going forward into 2023/24 by using Power BI software.

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.