

**Children's Statutory
Complaints
&
Compliments
Annual Report 2018-19**

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1. Purpose of Report

To report statistical information to Members and Officers detailing Telford and Wrekin Council's Children's Social Care complaints and compliment activity from 1 April 2018 to 31 March 2019.

To provide an open resource to anyone who wishes to scrutinise local services.

To outline the key developments and planned improvements to the complaints processes operated by the Council.

To consider how some of the learning from complaints and compliments can be used to improve the overall customer experience.

2. Introduction

This annual report covers all complaints made about Children's Social Care, which are received by the Customer Relationship Team and dealt with under the statutory complaints procedure for the period 1 April 2018 to 31 March 2019.

The 2006 Social Care complaints guidance 'getting the Best from Complaints' DFES 2006 requires that the annual Report should be arranged by the Complaints Manager and should provide a mechanism by which the Local Authority can be kept informed about the operation of its complaints procedure. The report should be presented to staff, the relevant local authority committee and should be made available to the regulator and the general public. It should provide details about;

- Representations made to the Local Authority
- The number of complaints at each stage
- The types of complaints made;
- The outcome of complaints
- Compliance with time scales, and complaints resolved within extended timescales as agreed.
- Complaints that were considered by the Local Government Ombudsman;
- A review of the effectiveness of the complaints procedure. Learning and service improvements, including changes to services that have been implemented and details of any that have not been implemented.

3. Context

Legislation

The Children Act 1989 Representations Procedure (England) Regulations 2006 is for all representations received from children and young people, their parents, foster carers or other qualifying adults about social care services provided or commissioned by Children's Social Care. The act and regulations set down procedures that Councils with social care responsibility have to follow when a complaint is made.

The Children's Statutory complaints procedure is a three stage process, stage one where complaints are investigated at service level, Stage two where an independent investigation will take place and Stage three which is a panel of independent persons who will reviewed the investigations at stage one and stage two.

The '**corporate complaints**' process is used for anyone else who makes a complaint.

What is a complaint?

We define a complaint as:

‘A statement, written or verbal, which expresses dissatisfaction about any aspect of the social services provided by or on behalf of the Service Delivery Units responsible for services to children.’

The purpose of a complaints process is to resolve concerns raised by service users and their representatives, to deliver outcomes which are appropriate and proportionate to the seriousness of the issues and to ensure that changes are made in response to any failings which are identified.

To achieve this, the approach to handling complaints must incorporate the following elements

- Engagement with the complainant or representative throughout the process
- Agreement with him/her about how the complaint will be handled
- A planned, risk-based and transparent approach
- Commitment to prompt and focussed action to achieve desired outcomes
- Commitment to improvement and the incorporation of learning from all complaints.

A complaint must be made no later than 12 months after; nevertheless, the Council has discretion to waive this time limit if:

- It would not be reasonable to expect the complainant to have made the complaint sooner, and
- It is still possible to deal with the complaint effectively and fairly

Who can make a complaint?

A complaint may be made by;

- Children or young people who are receiving or have received services provided by the Council, or are entitled to receive such a service, because they are looked after by the Borough, or because they are deemed to be ‘in need’ as defined by the Children Act 1989.
- People who have parental responsibility for these children and young people
- Advocates and representatives of any of the above children and young people (providing that it has been established as far as possible that the advocate or representative is reflecting the child or young person’s own wishes).
- Foster carers who want to comment or complain about the service being provided to a child or young person for whom they are caring
- Any other person, providing that s/he is deemed to have sufficient interest in the child’s welfare to justify the Council in considering the complaint.

Complaints may be received through a variety of media (phone, letter, email, feedback-form, personal visit etc) and at various points within the organisation (to staff members, via the respective web addresses, direct to the Customer Relationship Team).

Children's Statutory Complaints Procedure in Telford and Wrekin Council

When a complaint is first received, the Customer Relationship Team will carry out an initial assessment of the complaint to determine the issues, the severity and the potential impact and to identify any other organisations that may be involved.

Whenever a complaint is received from a child or young person, the Customer Relationship Team will notify the Rights & Representations Service of the need to offer the complainant an advocacy service, within the remit of the 2004 Advocacy (Services & Representations) Regulations. A child/young person whose complaint is being considered within this procedure is entitled to advocacy services throughout the process. Subject to the approval of the child/young person, all correspondence with regard to the complaint will be copied to the advocate, who will be entitled to accompany the complainant at any meeting or interview about the complaint, which the complainant attends.

When someone contacts the Customer Relationship Team to make a complaint, we acknowledge their complaint within 2 working days. The Customer Relationship Team will pass details of the complaint to the appropriate Service Delivery Manager.

We aim to respond to all Children' Statutory Stage One complaints within 10 working days, because of the nature and complexity of some issues it may take longer, and in agreement with complainants the time scales may be longer (subject to a maximum of 20 working days).

When the investigation is complete, the manager will write a letter explaining what they have found and what they will do to put things right.

If the complainant is not happy with the response, or how we have dealt with their complaint, they can request that their complaint is considered at Stage two of the procedure where the complaint will be investigated by an independent investigator.

Following the investigation the findings will be sent to the customer at which point they may request that the investigation at stage one and stage two is reviewed at stage three by a panel.

Following the panel if the customer is not happy with the final decision, or how we have dealt with their complaint, they can refer the matter to the Local Government and Social Care Ombudsman (LGSCO).

Children's Social Services Interactions in 2018/19

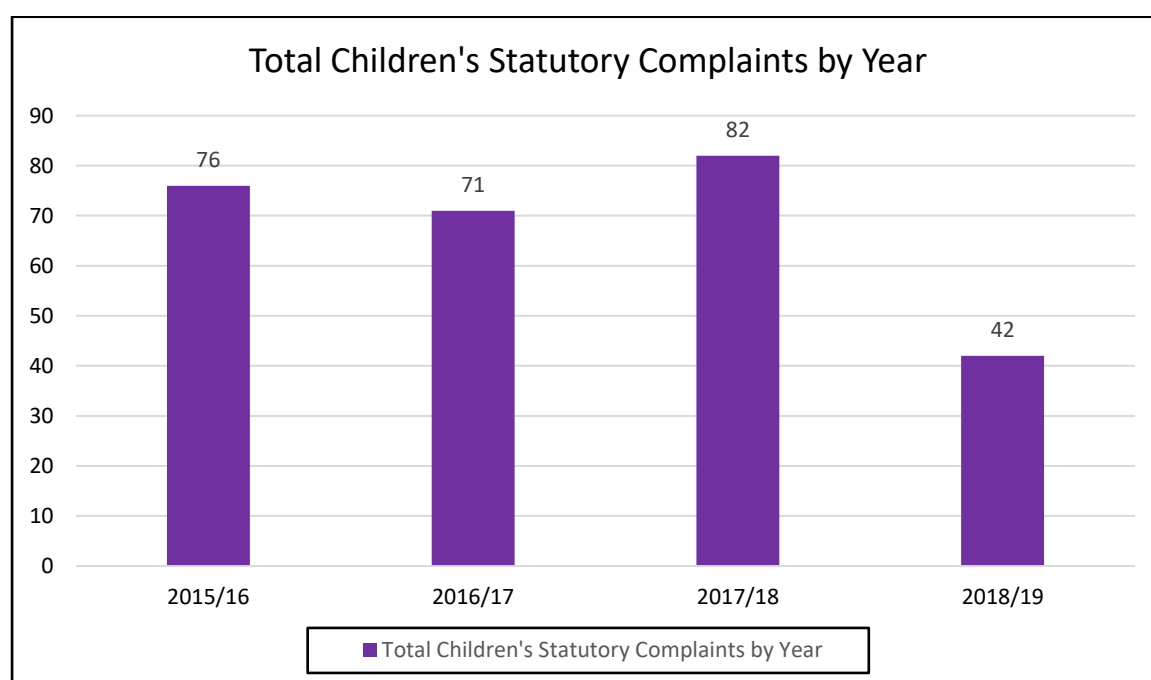
Children's Social Services recorded approximately 12,400 contacts in 2018/19, with nearly 6,500 children and young people being the subject of contacts (multiple contacts were received for some children and young people).

Family Connect recorded 13,315 contacts in 2018/19.

4. Children's Statutory Complaints 2018/19

We received 42 Children's Statutory complaints between 1 April 2018 and 31 March 2019, in 2017/18 we received 82 and in 2016/17 we received 71. The number of complaints received in 2018/19 has reduced by 51% from 2017/18 which is excellent and indicates a real improvement in the customer's experience of the service. The table below shows comparisons of the number of statutory complaints over the past four years.

Table 1: Total Children's Statutory Complaints by Year



The 42 complaints were dealt with at Stage One, with only one progressing to an independent stage 2 investigation.

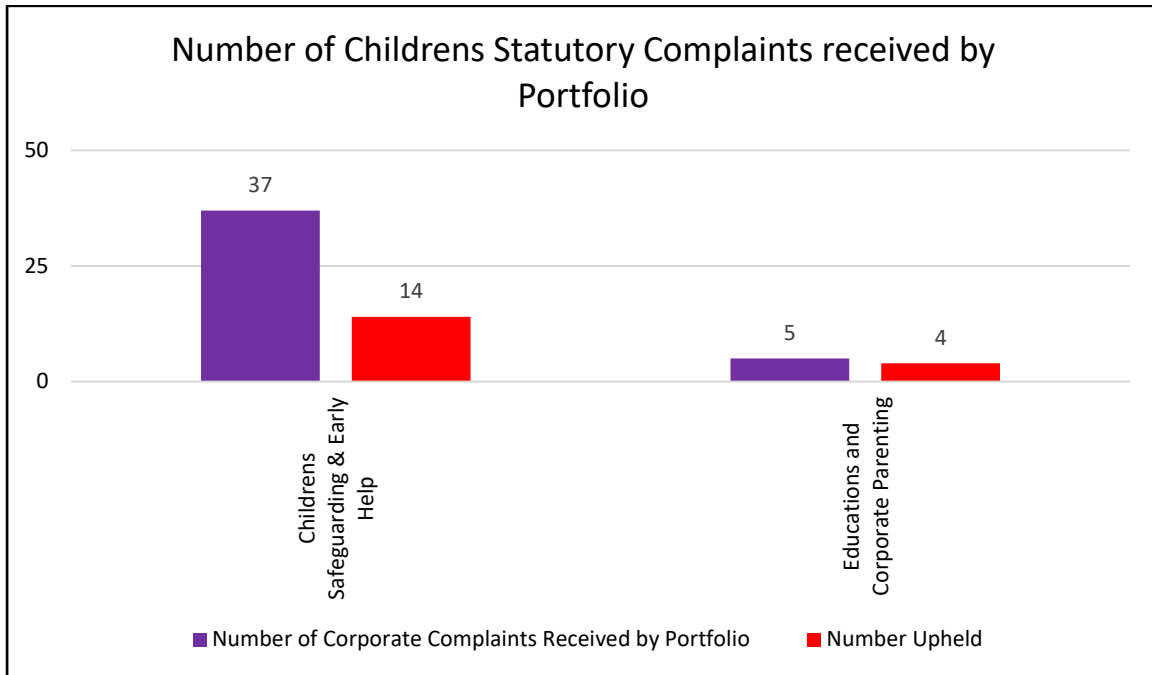
Stage	Number of Complaints
1	42
2	1
3	0
Total	43

Of the 42 Stage One complaints received 42 were completed during the financial year. One Stage Two complaint was received and sent to independent investigation this complaint is still in progress.

No Stage Three panels were completed in 2018/19. Two requests were received however both were refused as they did not add any further value as errors had already been identified and acknowledged.

Below is a table of the statutory complaints received by portfolio against number upheld.

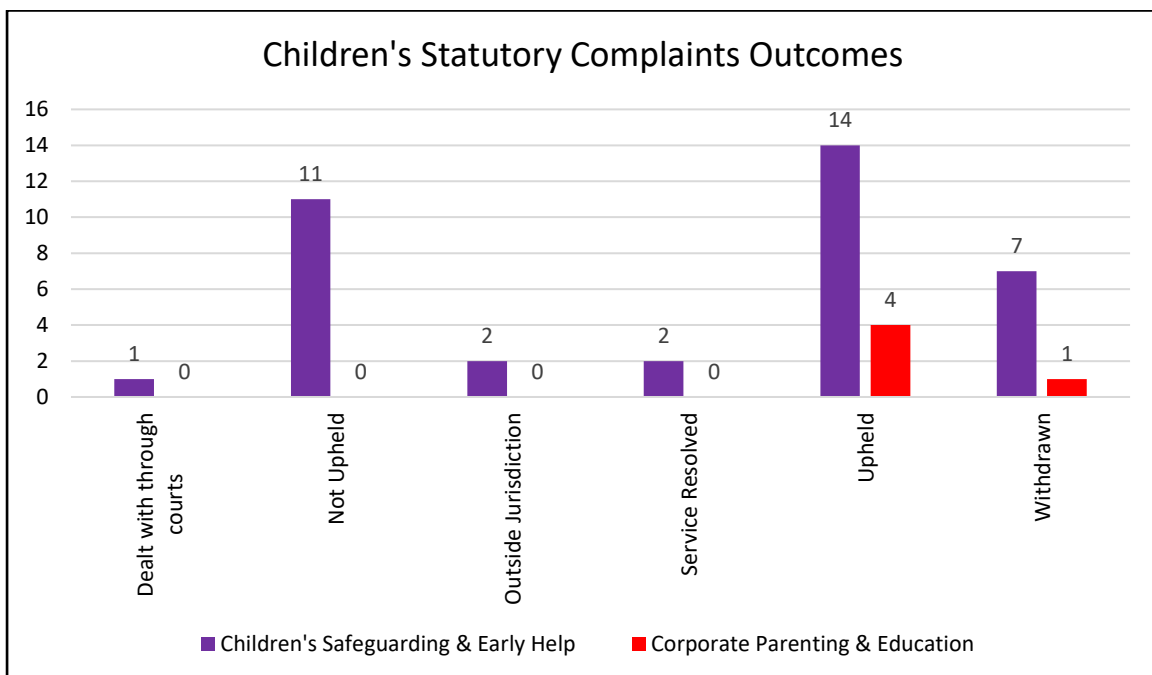
Table 2: Number of Stage One Children’s Statutory Complaints Received by Portfolio



The number of upheld complaints against number received for Children’s Safeguarding & Early Help is 39%. Education and Corporate Parenting saw 80% of their complaints upheld, these four complaints were across three services within the portfolio.

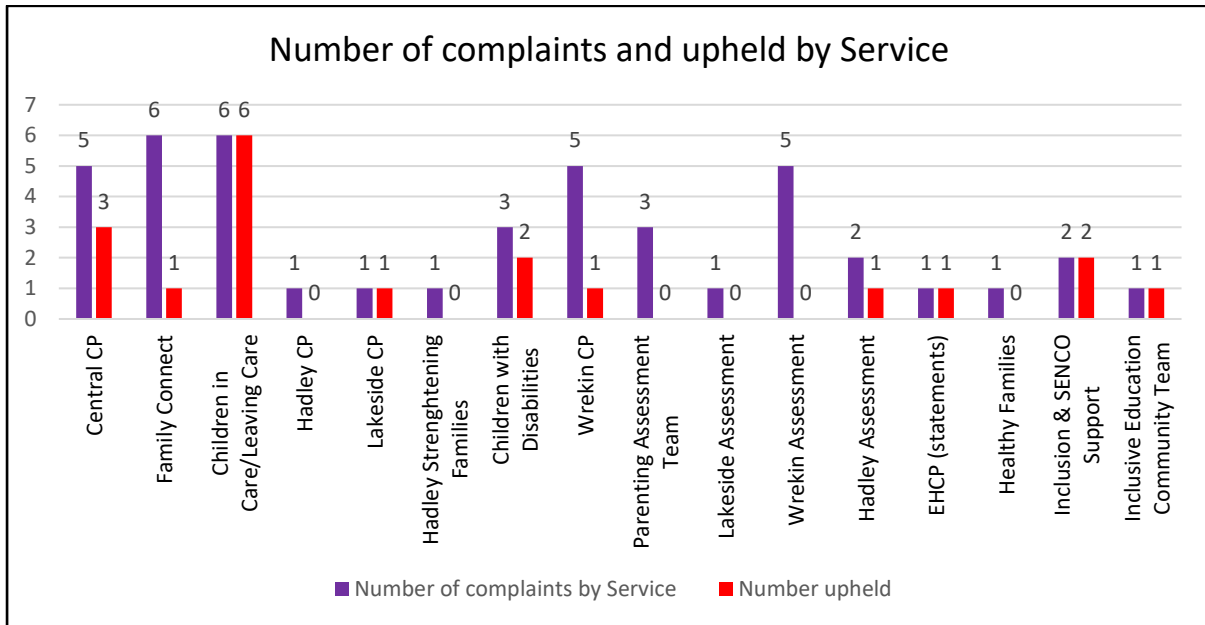
Of the Child Statutory Complaints received 18 were upheld and 11 were not upheld, 8 were withdrawn and three were out of jurisdiction or dealt with through the courts and two were resolved by the service. The table below shows the outcomes and a breakdown by portfolio of all complaints for Children’s Social Care.

Table 3: Children’s Statutory Complaint Outcomes



Of the 42 complaints completed, 44% (18) of the complaints were upheld, 24% (11) were not upheld and 32% (13) were dealt with via another method.

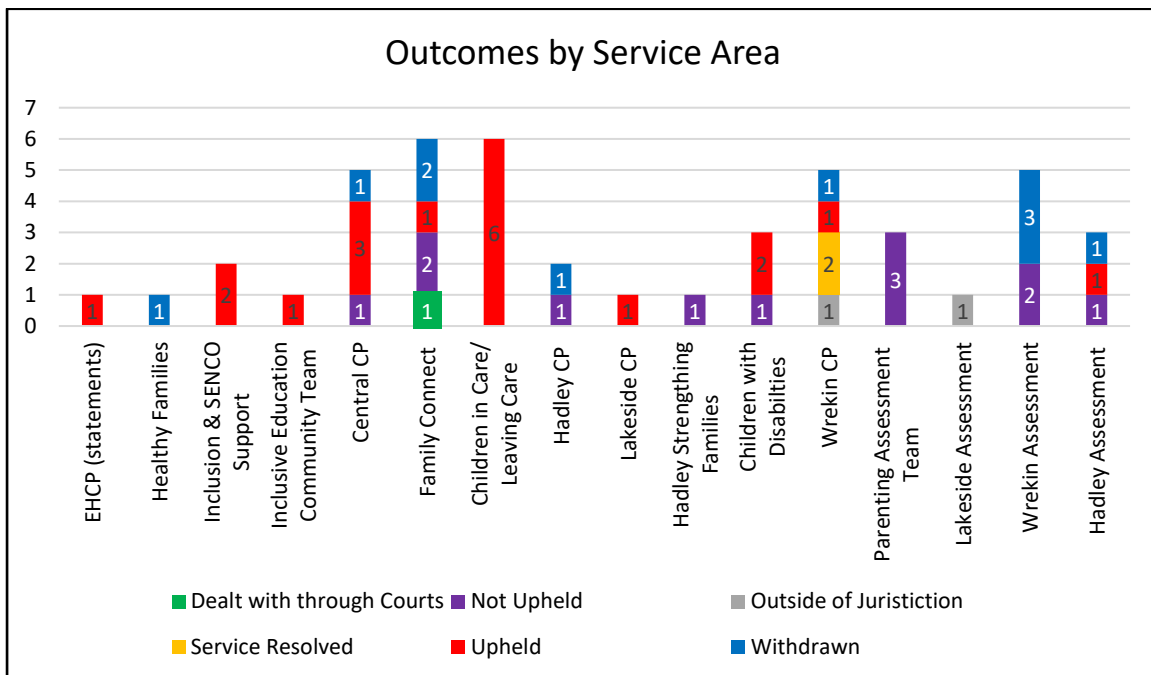
Table 4: Number of complaints and upheld by Service



The most upheld complaints can be found in Children in Care/Leaving Care where 6 out of 6 complaints received were upheld.

The individual service outcomes within the portfolio's are detailed below;

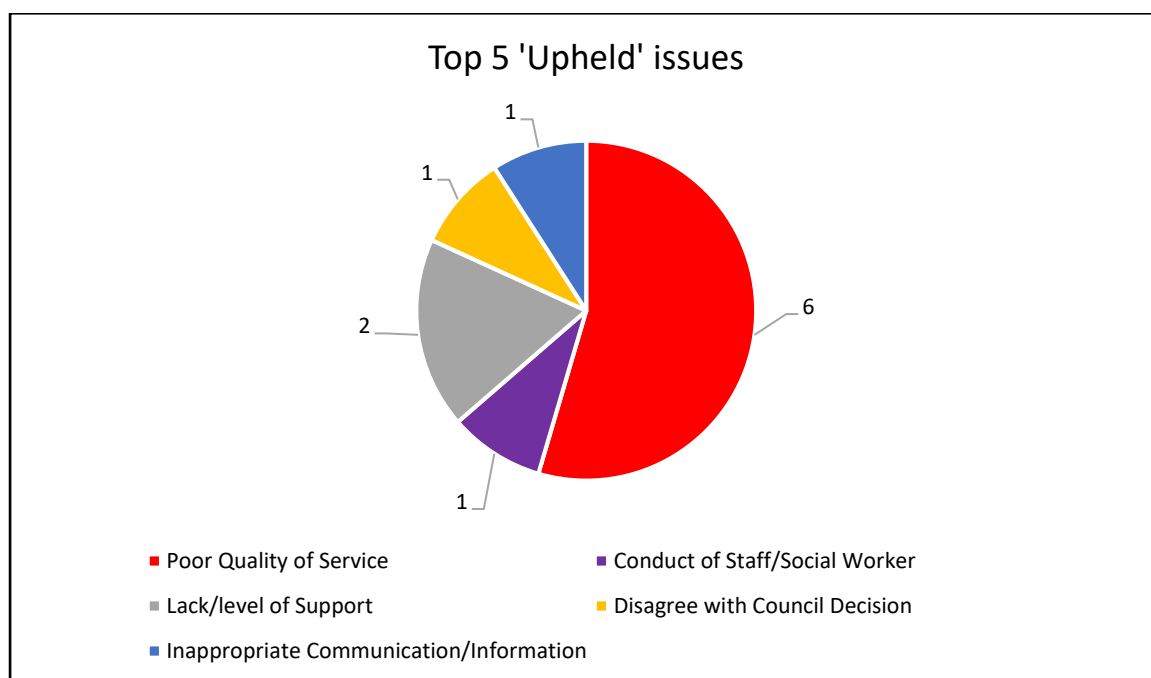
Table 5: Outcomes by Service Area



5. Issues for 'Upheld' complaints

Of the upheld complaints the top 5 issues raised were as detailed in the table below;

Table 6: Top 5 'upheld' Issues



Poor Quality of Service- These concerns related to, a case where errors had been made by a Personal Advisor and the customer wanted the PA changed, this had resulted in rent arrears. On another case it was confirmed that there had been a lack of action and as a result no life story work had taken place. On a number of cases it was accepted in the response that the service had not been clear and consistent, and that the customer had not received a consistently good service and had experienced too many changes including placements, Social Workers and IRO's. Also minutes from child in need meetings were delayed which meant that an advocate did not have time to review them prior to the next meeting.

Lack/Level of Support- These concerns related to lack of support, in cases further support was provided. In one case it was agreed that long term matching needed to be progressed. Also there was confusion on one case as EHC assessment processes continued after a child was placed in a special School, it wasn't made clear that the Council had commissioned an assessment placement and there were also delays in support.

Inappropriate communication/ information- These concerns related to an occasion where standard letters were sent causing further confusion, and a case where life story work and later life letters had not been completed, lack of contact.

Conduct of Staff/ Social Worker- these concerns related to a lack of response by a social worker to customer and school and also where communication from relatives was not reviewed before sending to the customer.

Disagree with Council Decision- No consultation with the complainant was undertaken before contact arrangements changed, following the complaint contact arrangements were increased as requested.

6. Timescales for Responses

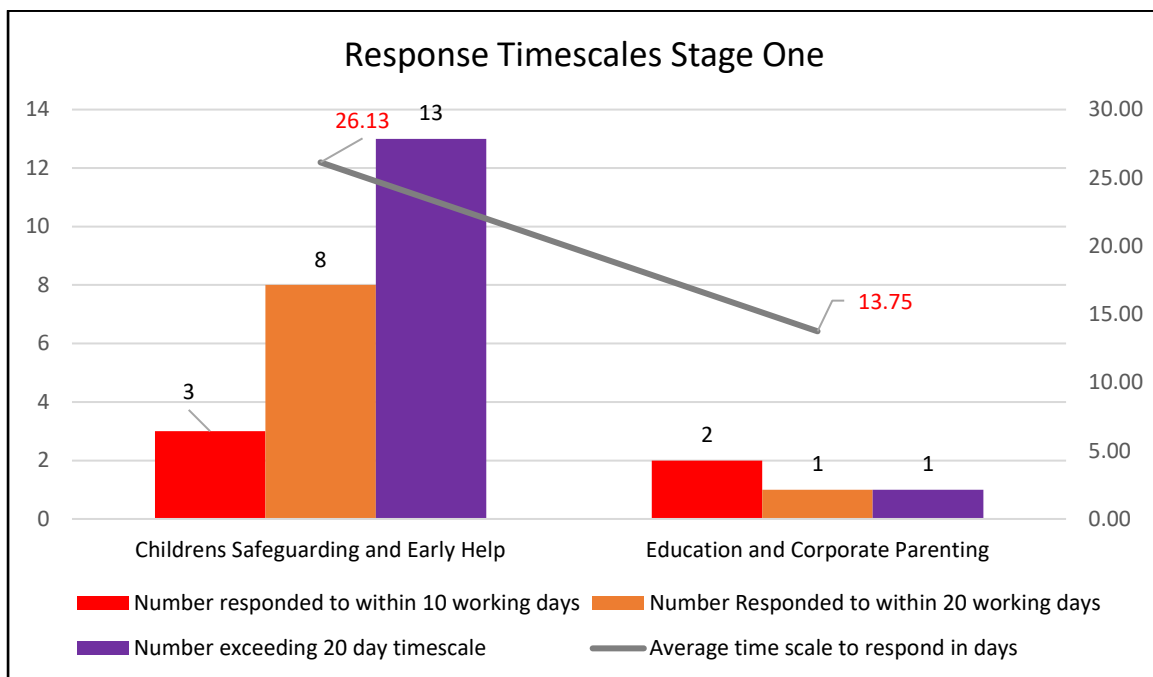
Our Children’s Statutory Complaints Policy has been written in line with The Children Act 1989 Representations Procedure (England) Regulations 2006, which outlines, how Child Statutory Complaints should be handled and the three stages for Child Statutory Complaints.

Stage One should be an opportunity to resolve the complaint at service level, this should be done within 10 working days, which may be extended to 20 working days in exceptional circumstances and with prior agreement with the customer.

Stage Two is an Independent Investigation which should be completed within 25 working days and this can be extended to 65 working days in more complex cases.

Stage Three is a panel where the investigation at Stage One and Two is reviewed.

Table 7: Response Timescales Stage One



The average time scales for all Children’s Statutory Stage One Complaints is 25 working days, which exceeds the timescales outlined in the regulations. As an authority we should be ensuring that we meet the statutory requirements.

Of the 37 complaints that have been completed in the Children’s Safeguarding and Early Help Portfolio, 24 required a formal response, 3 were responded to within the 10 working day timescale, however, 13 complaints exceeded the extended 20 working day timescale, this equates to 54% of the 24 complaints failing to be responded in accordance with the legislation. The average number of days to respond in Children’s Safeguarding & Early Help was 26.13 days.

Of the 5 complaints responded to in the Education and Corporate Parenting Portfolio two were responded to within the 10 working day timescale, however one response exceeded the 20 working days. The average number of days to respond in this portfolio was 13.75 days.

7. Learning from Children's Statutory Complaints

Complaints are a valuable source of information which can help to identify recurring or underlying problems and potential improvements. We know that numbers alone do not tell everything about the attitude towards complaints and how they are responded to locally. Arguably of more importance is to understand the impact those complaints have on people and to learn the lessons from complaints to improve the experience for others.

Lessons can usually be learned from complaints that were upheld but also in some instances where no fault was found but the Authority recognises that improvements to services can be made.

Occasionally during the course of an investigation issues will be identified that need to be addressed over and above the original complaint. The Customer Relationship Team will always try to look at the "bigger picture" to ensure that residents receive the best possible service from the Council.

The Customer Relationship Team will provide ongoing daily advice and support to managers around complaints management and resolution and responding to representations.

Positive Improvements:

Below are examples of positive changes that have resulted from learning from complaints;

- Clarify with visitors who are due to attend contact prior to showing them to the waiting room, Importance of checking the referral form.
- Review of the way contact situations are managed, including when brokered out to external providers
- Broken toys have been removed, fixed or replaced and new batteries provided for contact sessions.
- Policy on locking down adoptive children's files has been refreshed.
- Reminder to staff that office numbers should be passed to parents and not professional's personal numbers.
- Additional training to officers regarding communication and failure to keep complainant informed.
- Introduction of systems to prevent delay in recording so that minutes can be provided to parents and professionals in a timely manner.
- Delivery of workshops to practitioners to ensure that following the completion of direct sessions, the assessments are written up and shared with families within a much shorter time frame.

8. Complaints made to the Local Government and Social Care Ombudsman (LGSCO)

The LGSCO has authority to investigate when it appears that our own complaints process has not resolved the complaint. Complainants can refer their complaint to the Ombudsman at any time, although they will generally refer all complaints back to us, if they have not been through the complaints processes first. In exceptional circumstances, however the Ombudsman will look at things earlier; this is usually dependant on the vulnerability of the person concerned.

The Council were notified of 8 Children's Statutory complaints that were received and escalated to the LGSCO between 1 April 2018 and 31 March 2019.

Two cases remain open, there were four premature complaints, two complaints were not investigated as the matters had been decided in court.

There have been no findings of fault for Children's Statutory Complaints in 2018/19.

9. Concluding Comments

This annual report shows that the number of Children's Statutory complaints received has reduced significantly in 2018/19, this is notable given that over the last 5 years we have seen major reductions in Government funding for local authority service provision. Despite this financial back drop the Council continues to manage complaints well and is committed to putting right anything that has gone wrong.

However, for Children's Statutory Complaints the number upheld is high in comparison with the number received. We should see a reduction in the number upheld going forward as learning is being taken from these complaints.

Response times are also a concern, whilst the Customer Relationship Team does update the customers of delays and extended timescales we should be reaching the initial timescale of 10 working days, often however we are surpassing this and the extended timescale.

Social Worker Availability:

It is recognised that some delay's maybe occurring due to Social Workers availability, however, ideally the case notes should be sufficiently detailed to allow others to respond in their absence.

Meetings with customers:

Meetings with complainants is often a good way of reaching the best resolution and outcome for the customer. However, in some cases meetings are not being offered to the customer and arranged until after the initial 10 working days. Meetings should be offered to customers immediately in order to ensure that the extended days can be kept to a minimum. Meetings with complainants should be prioritised. If there are delays on the customer's part this should be noted.

Whilst a meeting may have taken place this should be followed up within the statutory timescales with a written response, the regulations stipulate that a formal complaint response should be in writing, within the timescales.

Some complaints have been delayed because the service feels that a meeting is the best way to deal with the complaint, however the complainant has repeatedly stated that they do

not want a meeting. In these cases it is essential that the complaint is moved forward and a response is sent based on the information held. If necessary it can be pointed out that a meeting would have provided more information with which to respond.

Recommendation: If a meeting does take place with a complainant, it is recommended that detailed minutes should be taken. This financial year a number of complainants have disputed the discussion and outcome of the meetings and in the absence of any notes it's difficult to take a view.

Standard of Responses:

We have had a number of complaints returned to service this year because they have not responded to each point raised by the customer. When responding to a complaint all points should be addressed, so that the customer is getting a full response and as a Council we are getting it right first time.

Complainants have commented on the writing style that has been used on occasions, i.e. starting each sentence or paragraph with the customer's first name. Whilst this approach may work for some customers, it should be used with caution for example using this approach to address an adult or an older teenager may cause some offense.

Recommendations made by Customer Relationship Team:

The Customer Relationship Team does quality check responses, and often makes comments and suggested amendments, however on occasion responses are sent in their original format. The role of the Customer Relationship Team is to ensure that the complaint processes and complaint standards are adhered to and this is reflected in the advice provided.

Recommendation: Going forward services need to ensure that they are prioritising complaints and responding within the stated timescales, where there are unforeseen delay's the Customer Relationship Team should be notified immediately so that they can notify the customer and advise them of the date they should expect their response.

We would recommend that Safeguarding & Early Help and Education and Corporate Parenting develop a service level Complaints Guide, which may increase the number of responses sent in line with the timescales, the customer relationship team will assist in developing this approach which works well in other parts of the council.

We will also continue to escalate those complaints that have exceeded timescales to Assistant Directors going forward.

The Council's Children's Statutory Complaint Policy will also be reviewed in 2019/20.

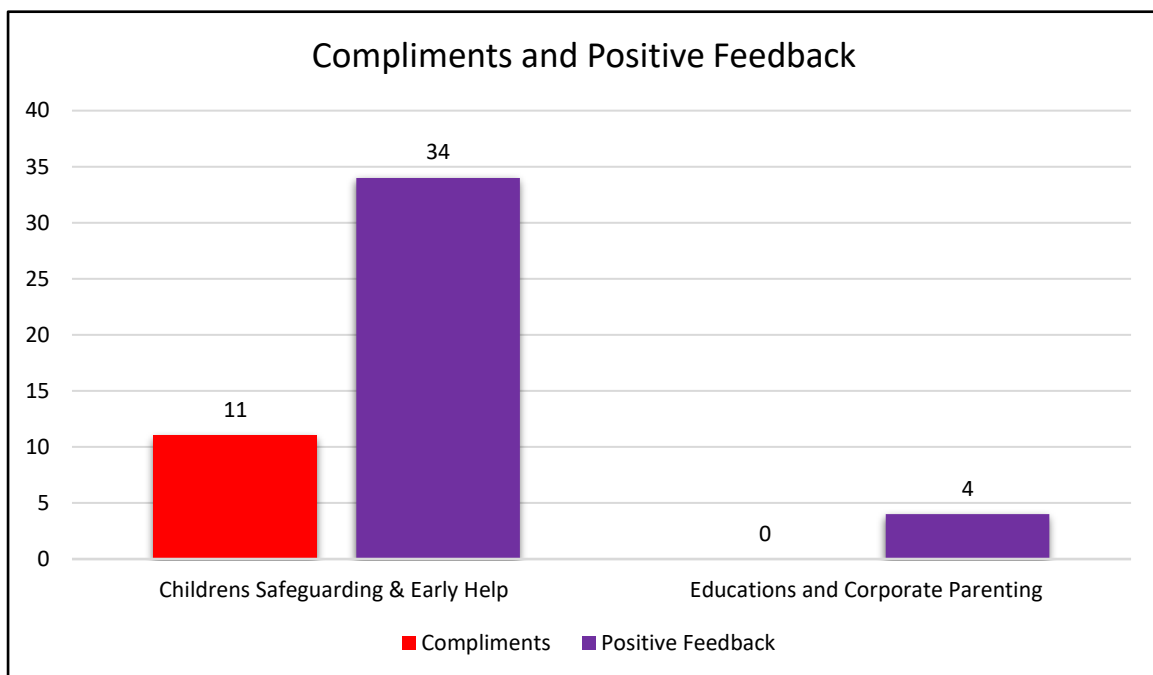
10. Children’s Social Care Compliments 2018/19

A compliment is only logged where a service or officer has gone ‘**above and beyond**’ their role.

Eleven compliments were recorded across Children’s Social Care during 2018/29. This is a significant drop from 2017/18 which reflects the new process that was introduced in 2017 where some compliments which were a simple ‘thank you’ for providing a service are now sent to the employee and their line manager and not logged as a formal compliment. They are now logged as positive feedback only.

Children’s Social Services (Children’s Safeguarding & Early Help and Education & Corporate Parenting received a total of 38 instances of positive feedback in 2018/19.

Table 8: Compliments and Positive Feedback



Examples of Compliments received:

1. *‘If it was not for you, the customer would not have completed the application and she is extremely thankful for the patients and hard work you have given her and her family. Mum feels that there are more positives occurring and is grateful that you have helped her with that.’ – Lakeside CP*
2. *‘Two of the doctors who attended to A complemented Helen for acting quickly and stated that by doing so, she has saved A life.’- Fostering & Family and Friends*
3. *Thank you so much Beth for everything you've done for me and S since you've been involved. You really have gone above and beyond for me and S. And P even though she isn't here yet. You really are our fairy god mother. Thank you x- Family Connect*