



Telford & Wrekin  
Co-operative Council

Protect, care and invest  
to create a better borough

# Children's Statutory Complaints report

## Improving our Customer Experience

### Annual Report 2021/22

# Contents

Purpose of the report.....	3
Introduction.....	3
Children’s Statutory Complaints 2021/22.....	4
Themes of upheld complaints.....	7
Timescales for responses.....	8
Statutory Stage Two complaints in 2021/22.....	9
Learning and outcomes from Children’s Statutory Complaints.....	9
Complaints made to the Local Government & Social Care Ombudsman	12
Concluding comments.....	13
Oversight and support provided by the Customer Relationship team.....	14
Customer Relationship team priorities for 2022/23.....	14
Appendix.....	15

# Purpose of the Report

- To report statistical information to Members and Officers detailing Telford and Wrekin Council's Children's Social Care complaints from 1 April 2021 to 31 March 2022.
- 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 the learning from complaints can be used to improve the overall customer experience.

## Introduction

This Annual Report covers all complaints made about Children's Social Care that were received by the Customer Relationship team and dealt with under the statutory complaints procedure during the period 1 April 2021 to 31 March 2022.

The 2006 Social Care complaints guidance 'Getting the Best from Complaints' (Department for Education and Skills (DFES), 2006) requires that an Annual Report be arranged by a local authority's Complaints Manager to provide a mechanism by which it can be kept informed about the operation of its complaints procedure. The report should be presented to staff, the relevant local authority committee, and be made available to both the regulator and general public. It should provide details about:

1. Representations made to the Council
2. The number of complaints at each stage
3. The types of complaints made
4. The outcome of the complaints
5. Compliance with timescales, and detail complaints resolved within extended, agreed timescales
6. Complaints that were considered by the Local Government & Social Care Ombudsman
7. A review of the effectiveness of the complaints procedure
8. Learning and service improvements, including changes to services that have been implemented and details of any that have not

Please see the Appendix for details of the legislation and procedure.

### Highlights 2021/22

**The lowest number of Children's Statutory Complaints received for the last 7 years**

**17%  
Reduction in Children's Statutory Complaints**

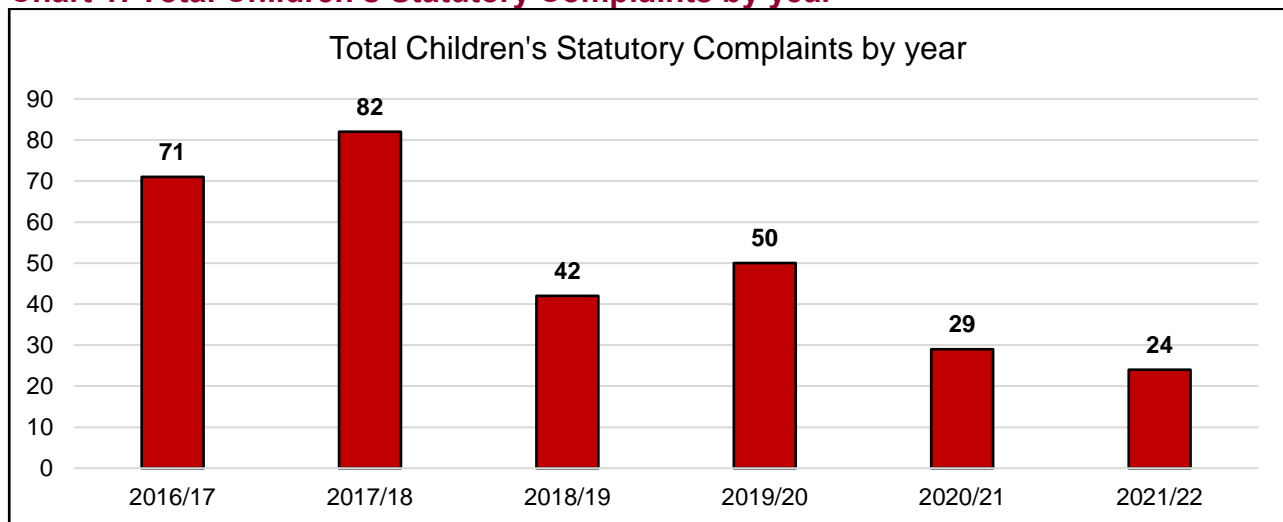
**The average number of days to respond to complaints has improved to 14 days**

# Children's Statutory Complaints 2021/22

We received 24 Children's Statutory Complaints between 1 April 2021 and 31 March 2022. The number of complaints received decreased by 17% compared to 2020/21.

The period saw the lowest number of Children's Statutory Complaints received over the past 7 years. The chart below shows a comparison of the number of statutory complaints over the past six years.

**Chart 1: Total Children's Statutory Complaints by year**



The 24 complaints were all dealt with at Stage One, with only one progressing to an independent Stage Two investigation.

Stage	Number of complaints
One	24
Two	1
Three	0
<b>Total</b>	<b>25</b>

Of the 24 Stage One complaints received, 24 were completed during the period. One Stage Two complaint was received and independently investigated. No Stage Three Panels were completed in 2021/22.

## Contact Types

Children's Statutory Complaints were received from the following in 2020/21:

Complainant	Number of complaints
Parent	11
Carer	1
Child/young person	1
Foster carer	2
Other family member	2
Advocate/representative	7
<b>Total</b>	<b>24</b>

One complaint was received directly from children and young people in 2021/22. Four were received from children via the Council’s representations service.

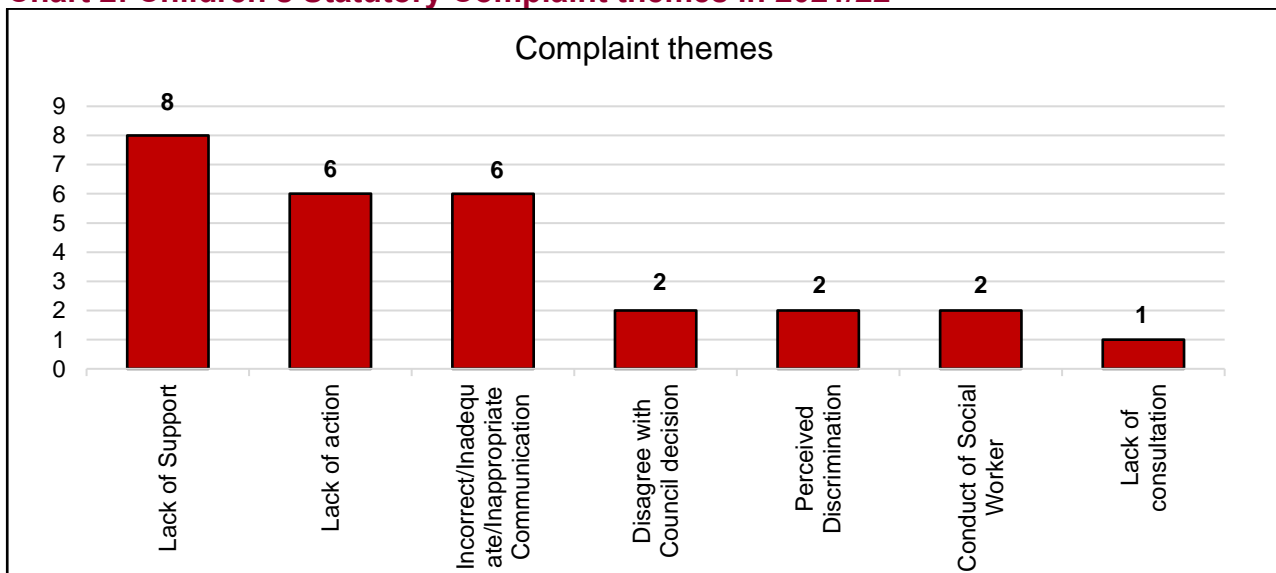
### Customer Access Channels and Digital Contact

Complainant channel	Number of complaints
Email	17
Web form	3
Telephone	3
Letter	1
<b>Total</b>	<b>24</b>

In 2021/22, 83% of Children’s Statutory Complaints were received via a digital access channel, including via our online complaints web form and by email directly to the Customer Relationship team.

### Complaint Themes

Chart 2: Children’s Statutory Complaint themes in 2021/22

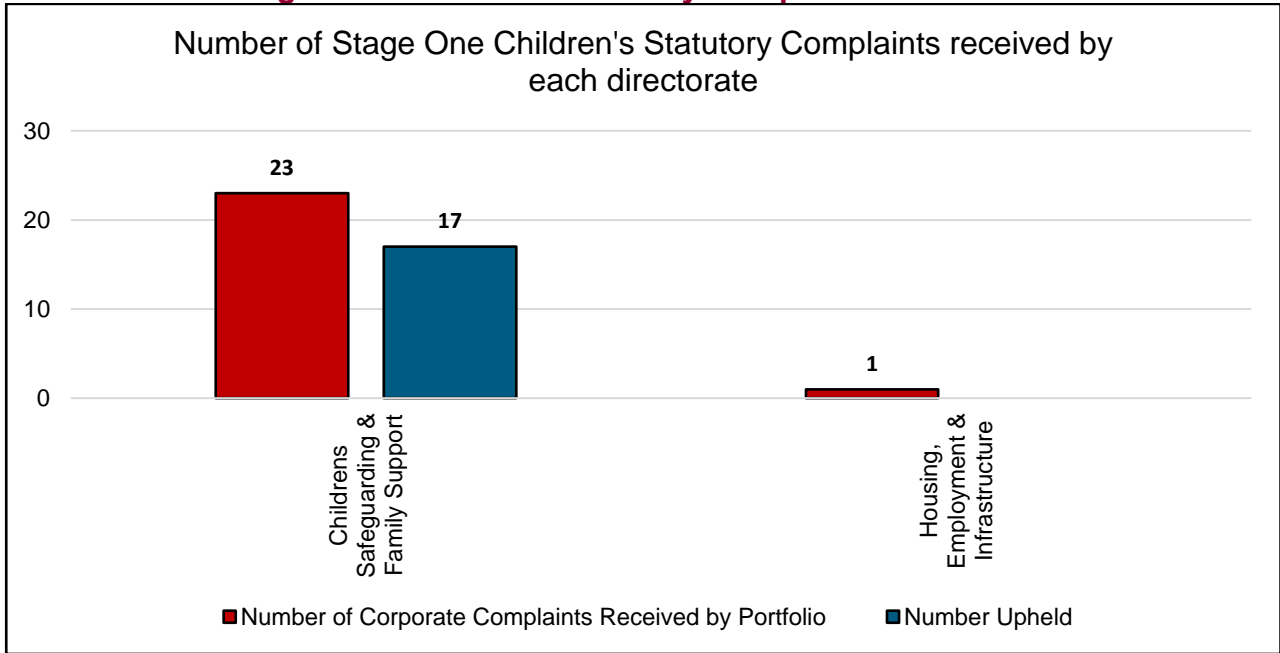


Most of the themes are self-explanatory and give a clear idea about the types of concerns raised in relation to our involvement.

### Complaints received by directorate

The chart below details the statutory complaints received by each directorate against the number subsequently upheld.

**Chart 3: No of Stage One Children's Statutory Complaints received**

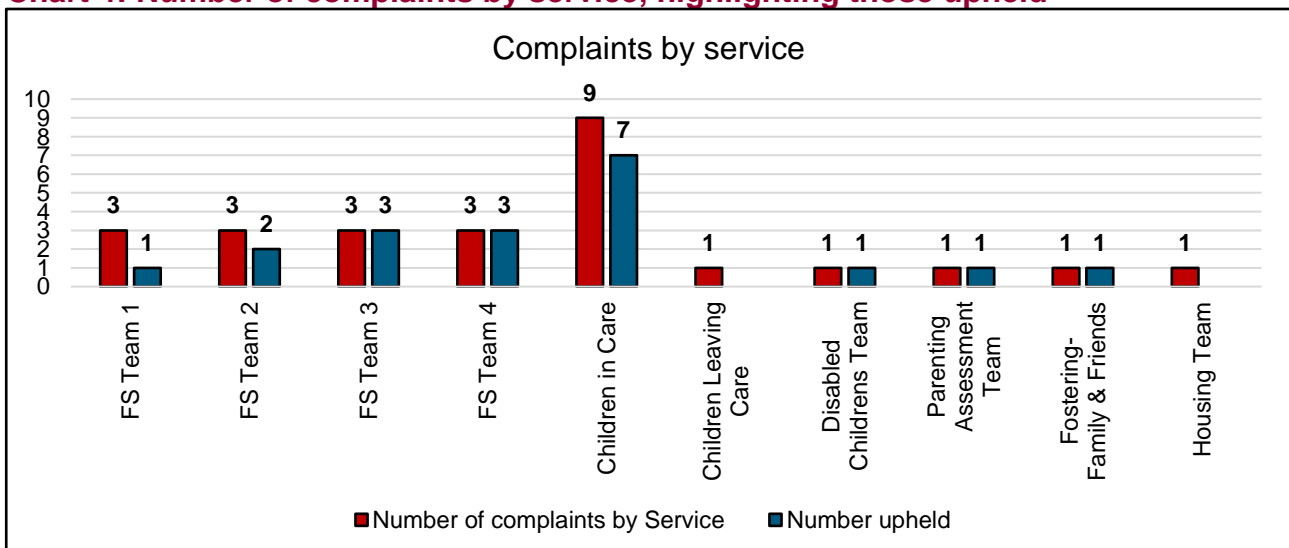


The number of upheld complaints against number received for Children's Safeguarding & Family Support was 71%. Housing, Employment and Infrastructure saw 0% upheld; however, this directorate only received one complaint in 2021/22.

Of the 24 complaints completed, 71% (17) were upheld, 29% (7) were not upheld and 0% (0) were dealt with via another method.

The chart below includes the number of complaints received by each service. Please note that the number of complaints detailed below is higher than the overall total because certain complaints had multiple issues raised with different teams. This chart seeks to show all the services against which issues were raised, meaning that an individual complaint may be counted multiple times within it.

**Chart 4: Number of complaints by service, highlighting those upheld**



The most upheld complaints were in the Children in Care service, where nine complaints were received and seven of them upheld.

Issues raised included lack of communication, poor experience in placement, delay completing assessment or allocating a worker, record keeping and lack of support.

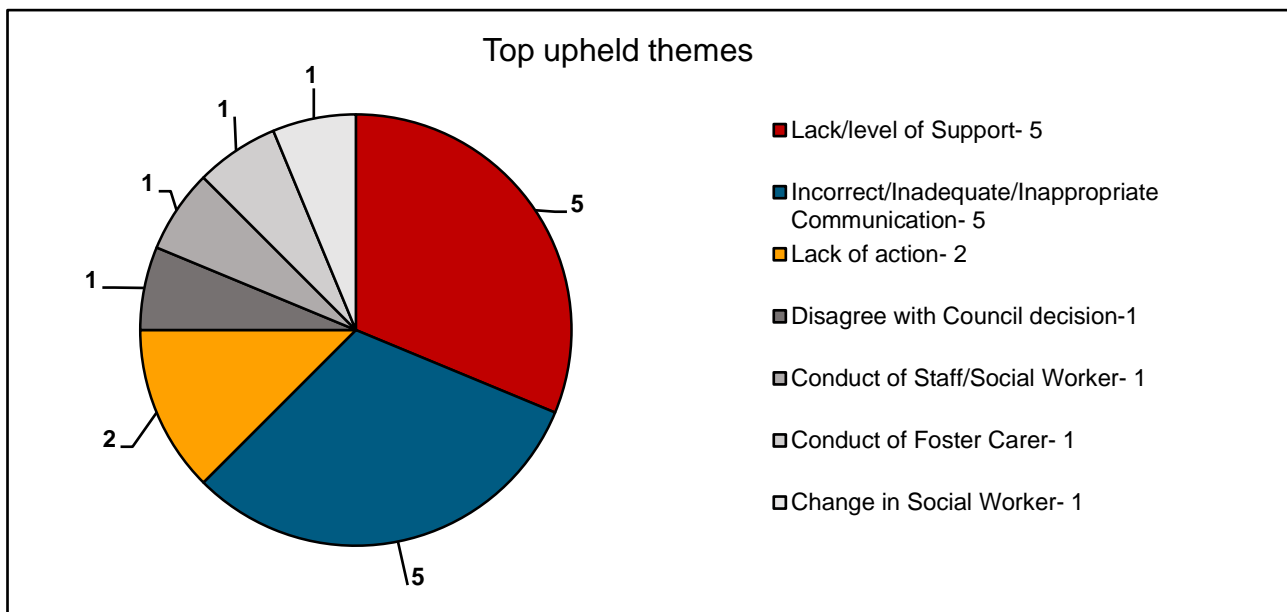
12 complaints in total were received for our Family Safeguarding teams, nine of which were upheld.

Issues raised included lack of communication from social worker or team, lack of action, delay in providing information, inadequate communication with child's birth parents, lack of smooth transition between workers and record keeping.

## Themes of upheld complaints

Of the upheld statutory complaints, the top themes raised were as detailed in the chart below.

**Chart 6: Upheld themes**



The above categories are self-explanatory and give a clear indication of the overall areas of our service or aspects of our work that had the most upheld complaints. This indicates that 21% of upheld complaints related to either communication or the lack/level of support received. This covers a variety of concerns including a lack of social worker contact or support provided by a staff member, a lack of signposting, the lack of a stable social worker and a lack of understanding from staff regarding a complainant's situation.

Individual management reports are shared with service managers on a regular basis, which allows for greater analysis and interpretation of the data.

# Timescales for responses

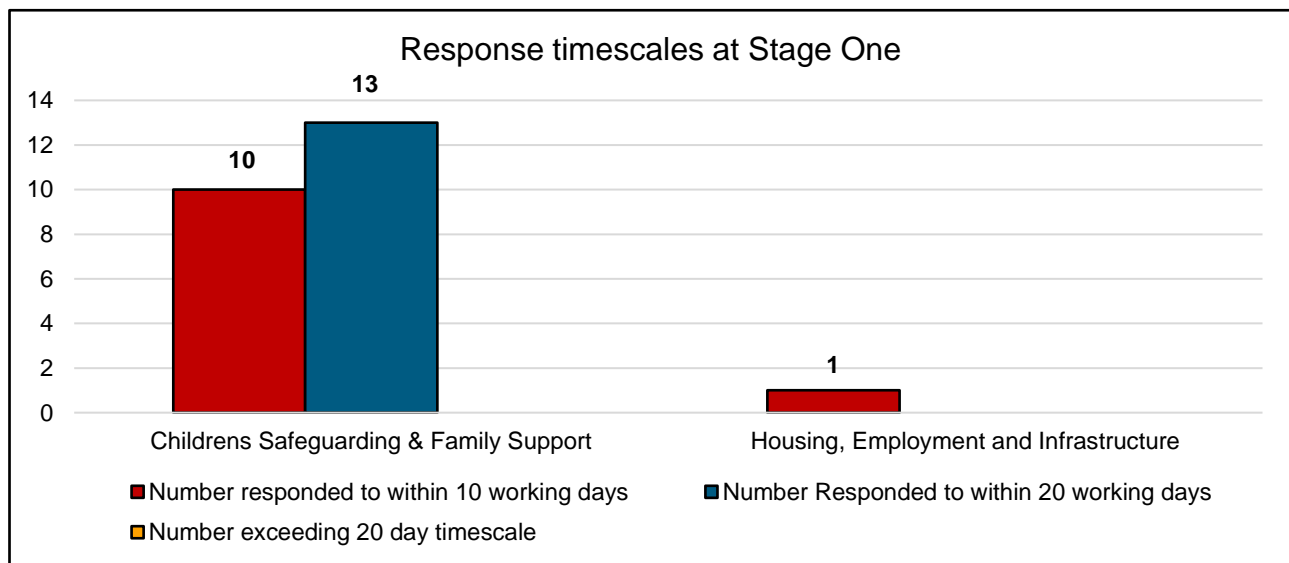
Our Children's Statutory Complaints Policy has been written in line with The Children Act 1989 Representations Procedure (England) Regulations 2006, which outline how Children's Statutory Complaints should be handled and the three stages involved.

Stage One should be an opportunity to resolve the complaint at service level and should be completed within 10 working days. This may be extended to 20 working days in exceptional circumstances and with the prior agreement of the complainant.

Stage Two is an independent investigation that should be completed within 25 working days. This may be extended to 65 working days in more complex cases.

Stage Three is a Panel where the investigations at Stage One and Stage Two are reviewed.

**Chart 7: Response timescales at Stage One**



Of the 24 complaints that were completed, 10 were responded to within the 10 working day timescale and 13 were completed within the 20 day extended timescale. No complaints exceeded the extended 20 working day timescale.

The average number of days to respond in Children's Statutory Complaint was 14 working days, which is a significant improvement on the 23 days achieved in 2020/21.

Children's Social Care complaints are complex and this can impact on timescales. However since November 2020 new procedures have been put in place to improve timescales. Complaints are now RAG (red, amber, green) rated and copied to the Director. The Director is also copied into progress chases. Six-weekly meetings take place with Directors to review all outstanding cases and learning. Complaint training was also given to managers and team leaders in the last quarter of 2020. This significant improvement on



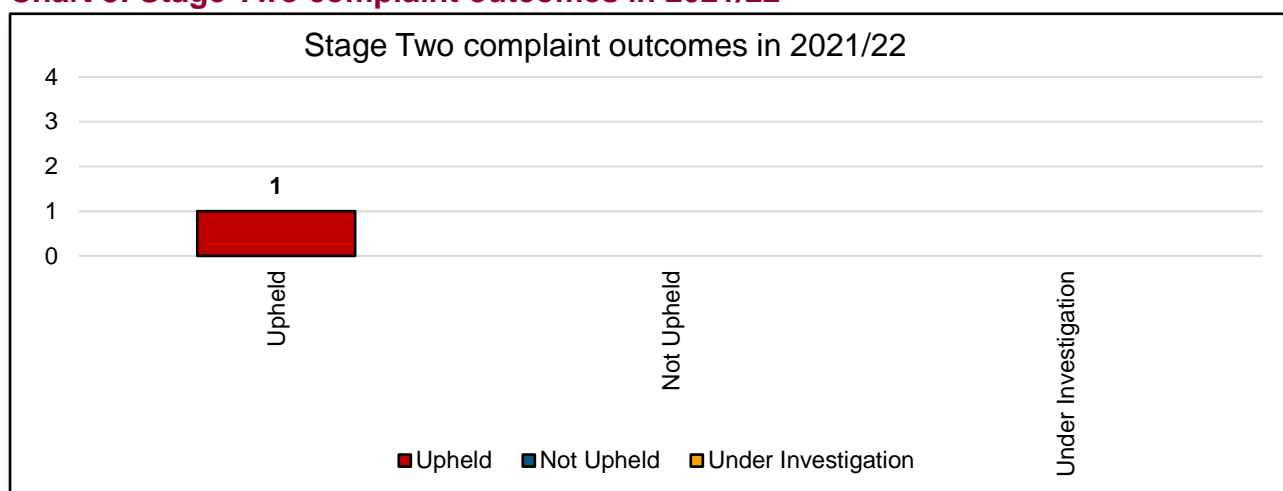
the time scales for Children's Statutory Complaint is a direct indication that these procedures have impacted on the timescales.

Overall in 2021/20, 100% of complaints were responded to within the statutory timescale of 20 working days and 46% were responded to within ten working days.

## Statutory Stage Two complaints

During 2021/22, one (4%) Statutory Stage One complaint progressed to Stage Two of the process.

**Chart 8: Stage Two complaint outcomes in 2021/22**



The upheld complaint related to a fostering placement and finances, and the associated record keeping in relation to discussions around finances.

The complaint was resolved at Stage Two of the procedure.

There was a decrease in the number of statutory Stage Two investigations in 2021/22, these being investigated by the use of Independent Persons. The majority of complaints were resolved locally at Stage One of the procedure.

The average number of days to complete a Stage Two investigation was 55, which was an increase on the 66 day average achieved in 2020/21, note there was one complaint investigated.

There were no Stage Three panels in 2021/22.

## Learning and outcomes from Children's Statutory Complaints

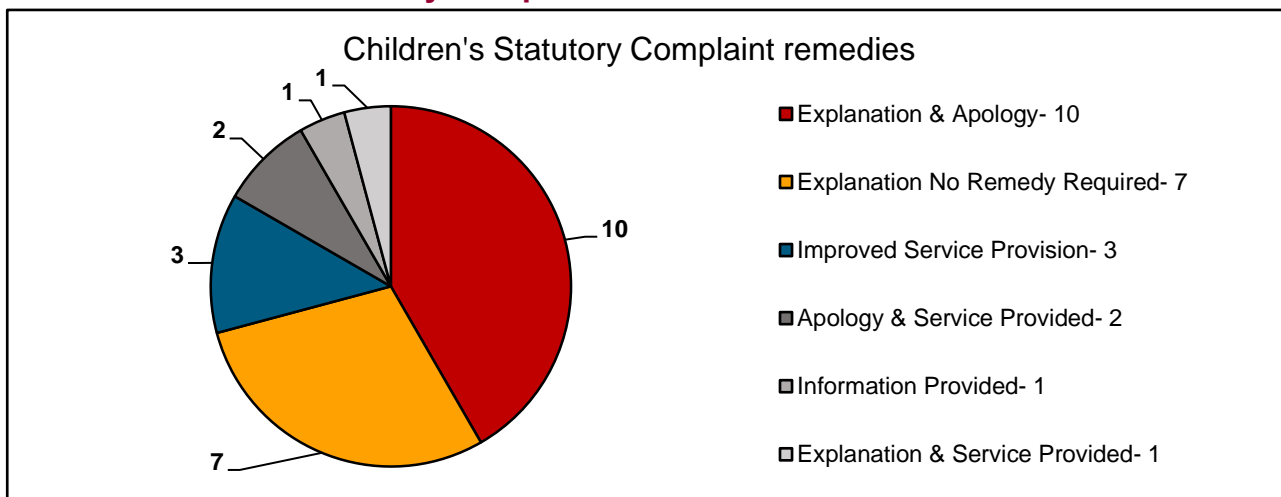
Complaints are a valuable source of information that can help to identify recurring or underlying problems and potential improvements. We know that numbers alone do not tell

us everything about attitudes towards complaints and how they are responded to locally. Arguably, it is of greater importance to understand the impact that complaints have had on people and to learn the lessons from them to so as to improve the experience of others.

Lessons can usually be learned from complaints that were upheld, but also in some instances where no fault was found, the Council recognises that improvements to services can still 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 then work with services to ensure that they see the "bigger picture" so that residents receive the best possible service from the Council. The Customer Relationship team will continue to provide daily advice and support to managers around complaints management and resolution, and with responding to representations.

**Chart 9: Children's Statutory Complaint remedies in 2021/22**



Of the remedies recorded against Children's Statutory Complaints in 2021/22:

- 42% were to provide an explanation and apology
- 29% were to provide an explanation and no remedy was required
- 13% were to improve service provision
- 8% were to provide an apology and a service was provided

### Positive Improvements

Throughout the year, we record the learning identified from each complaint in order to build up a picture of common themes or trends. Learning from corporate complaints is considered alongside that from statutory complaints as part of our quality assurance activities.

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

- Individual remedies have been completed concerning support plans and working agreements, assessments, referrals, meetings, and documentation.

- A reminder issued to team manager that where social workers are absent from work, visits will continue to be completed.
- Review of contact and associated processes and how contact is communicated with professionals prior to and on the day of contact, ensuring that there is a robust process to reduce the risk of communication breakdown
- Lessons have been learnt around adoption processes and practices. Particularly around any transition and introduction plans from family placements and around preparation and support to children, birth family and adopters.
- Officers have been reminded of the expectation that minutes of meetings are provided
- Reminder to social workers that if children present at A&E interested parties are updated
- Reminder to social workers to let young people they are supporting know when they are on leave
- Reminder of the importance of communicating with birth parents
- Review has been undertaken to provide better consistency of communication and that agreed communication timescales are met.
- Investigations undertaken by external fostering agencies will have oversight to ensure that they are investigated appropriately and a response is provided to all elements of the complaint.
- We will be working more closely with external foster carer agencies to make sure that they are fully aware of the Council's expectations and that these are being delivered.
- Discussions about savings and finances should be held with those involved on a regular bases and full details should be recorded within minutes and notes on the record to make sure it is clear in future.
- Independent Reviewing Officers have been reminded to have these discussions with child/foster carers and for the discussions to be recorded. There is a new policy in place to ensure that any issues around finances prevented from happening again.
- Additional training has been given to ensure high standards of record management

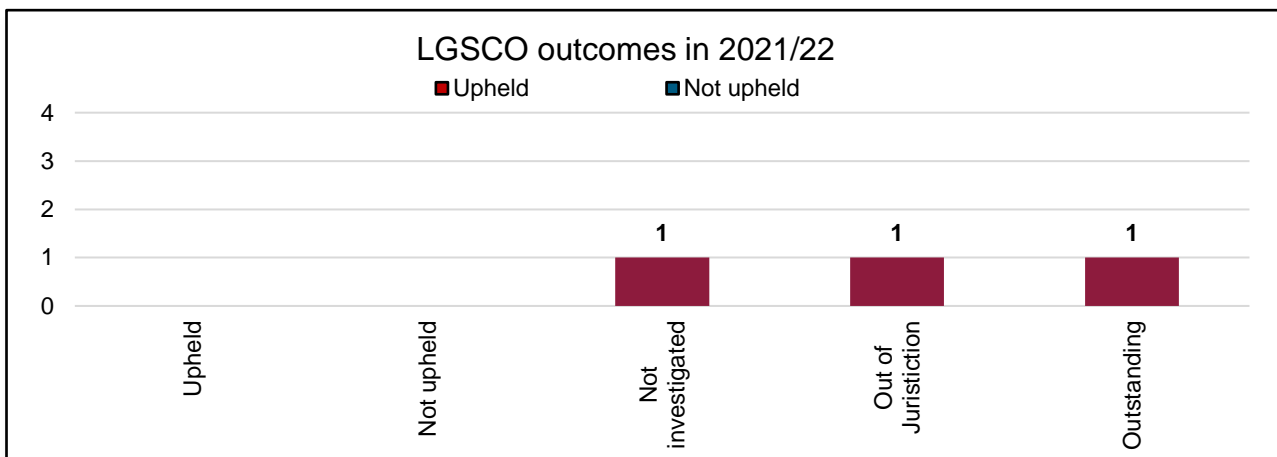
- We have implemented a process whereby files cannot be closed until all tasks have been completed and then signed off by the relevant Team Manager
- We will ensure that plans for the ending of placements are clearly articulated at the outset

# Complaints made to the Local Government & Social Care Ombudsman

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

Three cases were escalated to the LGSCO in 2021/22, two decisions were received in 2021/22, both decisions were not to proceed with an investigation. One case remains open with the LGSCO on 31 March 2022.

**Chart 10: Local Government & Social Care Ombudsman outcomes in 2021/22**



The Council always ensures that it complies with the recommendations made by the LGSCO, and learning is taken forward to improve practices.

# Concluding Comments

This Annual Report shows that the number of Children's Statutory Complaints we received in 2021/22 decreased from the previous year. Our services continue to receive a low number of complaints at a time when there have been major reductions in government funding for local authority service provision. Despite this financial backdrop, the Council continues to manage complaints well and is committed to putting right anything that has gone wrong.

Response times have significantly improved during 2021/22 with the average number of days to respond to a statutory complaint reducing from 23 days in 2020/21 to 14 working days.

100% of complaints were responded to within the statutory timescales with 46% sent within the initial 10 working days.

This achievement has followed a significant amount of work undertaken following a review of our handling of complaints towards the end of 2020. Training was provided to staff and processes amended in an effort to improve performance going forward. This has resulted in a significant improvement in 2021/22.

The Customer Relationship team continued to update complainants concerning any delays or extended response timescales. They also continued to work with services to further improve on the timescales achieved.

In 2022/23, the Customer Relationship team will continue working with services to ensure that the percentage of responses sent within statutory timescales continues.

## Recommendations

Our recommendations for this financial year are:

- When completing a complaint investigation and response, services should assess whether any element of the customer journey could have been improved, even if this does not form part of the complaint. i.e. Could improved communication have prevented the customer's concerns being escalated to a formal complaint?
- It is recognised that delays maybe occurring due to social worker availability. Ideally however, case notes should be sufficiently detailed to allow others to respond in their absence.
- Services should continue to ensure that they are prioritising complaints and responding within the stated timescales. If there are unforeseen delays, the Customer Relationship team should be notified immediately so that we can notify the customer and advise them of the date they should expect their response.

- Officers were delayed in provided comments when reviewing interview notes from a Stage Two investigation. Comments were only provided once the draft report was submitted, causing a delay and additional work for the investigator. Stage Two investigations are completed by Independent Investigators, often from outside the Council, therefore responding to this information should be prioritised.

A service level complaints guide is in development, which will cover guidance and expectations for communication with complainants, and also timescales and extension arrangements.

## **Oversight and support provided by the Customer Relationship Team**

The Customer Relationship team continues to support Service Areas to both manage and learn from complaints. The key services they offer are:

1. Complaints advice and support
2. Quality assurance of statutory complaint responses
3. Act as a critical friend to challenge service practice
4. Support with persistent and unreasonable complainants
5. Assistance in drafting comprehensive responses to complaint investigations
6. Continue to escalate overdue complaints to Directors

## **Customer Relationship Team priorities for 2022/23**

During 2022/23, the Customer Relationship team will focus on a number of key priorities:

- Helping to improve the Council's record of timely complaint responses
- Continuing to improve and add to the resources available to managers when responding to complaints and other correspondence, while encouraging self-help
- Working with services to develop an investigation template, and providing a complaint workshop covering complaint procedures and how to both investigate and respond to complaints
- Providing complaint data to senior management on a monthly basis, as part of corporate monitoring
- Working to maintain low levels of maladministration findings by the Local Government & Social Care Ombudsman
- Continuing to provide a quarterly and monthly reporting dashboard of performance data to senior management so that improvement can be driven forward continuously during the year

# Appendix

## Legislation

The Children Act 1989 Representations Procedure (England) Regulations 2006 underpin 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 must follow when a complaint is made.

The Children's Statutory Complaints Procedure is a three stage process. Stage One is where complaints are investigated at service level, Stage Two is where an independent investigation takes place and Stage Three is where a Panel of Independent Persons will review the investigations undertaken 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 that are appropriate and proportionate to the seriousness of the issues, and to ensure that changes are made in response to any failings that 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 them about how the complaint will be handled
- A planned, risk-based and transparent approach
- Commitment to prompt and focussed action to achieve the desired outcome
- Commitment to improvement and the incorporation of learning from all complaints

A complaint must be made within 12 months of the event complained about, or when the customer became aware of the matter/ event. Nevertheless, the Council has the 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's 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 they are deemed to have sufficient interest in the child's or young person's welfare to justify the Council 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 Council (to staff members, via respective web addresses, direct to the Customer Relationship team, etc.).

## Who can make a complaint?

When a complaint is first received, the Customer Relationship team will carry out an initial assessment of it to determine its issues, severity and potential impact, and to identify any other organisations that maybe 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 or 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 or 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 they attend.

When someone contacts the Customer Relationship team to make a complaint, they will acknowledge their complaint within two working days. The Customer Relationship team will then pass details of the complaint to the appropriate Service Delivery Manager.

We aim to respond to all Stage One Children's Statutory Complaints within ten working days. However, due to the nature and complexity of some issues, it may take longer, and - in agreement with complainants - the timescale may be longer (subject to a maximum of 20 working days).



When the investigation is complete, the manager concerned will write a letter explaining what they have found and 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 it is considered at Stage Two of the procedure, where it will be investigated by an independent investigator.

Following this investigation, the findings will be sent to the complainant, at which point they may request that the investigations undertaken at Stage One and Stage Two are reviewed at Stage Three by a Panel.

Following the Panel meeting, 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 & Social Care Ombudsman (LGSCO).