

Safe and Strong Communities Select Committee

Thursday 5 November 2020

10:00

Virtual/on-line at <https://staffordshire.public-i.tv/core/portal/home>

NB. Members are requested to join the Teams meeting through the Outlook calendar booking (click “Join Microsoft Teams Meeting”).

Also, please ensure your Laptops/Tablets are fully charged prior to the commencement of the meeting.

John Tradewell
Director of Corporate Services
28 October 2020

A G E N D A

1. **Apologies**
2. **Quorum**

To verify the meeting is quorate (three Members required)
3. **Declarations of Interest**
4. **Minutes of meeting held on 13 October 2020** (Pages 1 - 2)
5. **Customer Feedback and Complaints Service - Adults Social Services Annual Report 2019-20** (Pages 3 - 30)

Report of the Cabinet Member for Health, Care and Wellbeing
6. **Customer Feedback and Complaints Service - Children's Social Services Annual Report 2019-20** (Pages 31 - 62)

Report of the Cabinet Member for Children and Young People
7. **Court Backlog: Impact on Children's Social Care** (Pages 63 - 66)

Report of the Cabinet Member for Children and Young People

8. **Impact of Covid-19 on Children appearing in Criminal Courts** (Pages 67 - 74)

Report of the Cabinet Member for Children and Young People

9. **Work Programme** (Pages 75 - 80)

Report of Scrutiny and Support Manager

10. **Exclusion of the Public**

The Chairman to move:-

“That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Schedule 12A (as amended) of the Local Government Act 1972 indicated below”.

Part Two

(All reports in this section are exempt)

11. **Exempt minutes of meeting held on 13 October 2020** (Pages 81 - 84)

(Exemption paragraph 3)

Committee Membership

Ann Beech	Bryan Jones
Ron Clarke	Jason Jones
Ann Edgeller	Paul Snape
John Francis (Chairman)	Bob Spencer (Vice-Chairman)
Trevor Johnson	Mike Worthington

Scrutiny and Support Manager: Nicholas Pountney Tel: (01785) 276153

**Minutes of the Safe and Strong Communities Select Committee Meeting held on
13 October 2020**

Present: John Francis (Chairman)

Attendance

Charlotte Atkins	Bryan Jones
Philip Atkins, OBE	David Leytham
Ann Beech	Paul Northcott
Ron Clarke	Kath Perry, MBE
Tina Clements	Jeremy Pert
Janet Eagland	Bernard Peters
Ann Edgeller	Paul Snape
Phil Hewitt	Bob Spencer (Vice-Chairman)
Jill Hood	Mike Worthington
Janet Johnson	

Also in attendance: Jonathan Price and Mark Sutton

Apologies: Trevor Johnson

PART ONE

41. Declarations of Interest

There were none at this meeting.

42. Minutes of the previous meeting held on 1 September 2020

That the minutes of the Safe and Strong Communities Select Committee held on 1 September 2020 be confirmed and signed by the Chairman.

43. Exclusion of the Public

RESOLVED: That the public be excluded from the meeting for the following items of business which involved the likely disclosure of exempt information as defined in the paragraphs of Part1 of schedule 12A of the Local Government Act 1972 indicated below.

The Committee proceeded to consider the following items:

**44. Children and Families System Transformation Part 2 – Progress Update
(exemption paragraph 3)**

Chairman

Local Members Interest
N/A

Safe and Strong Communities Select Committee - Thursday 05 November 2020

Customer Feedback and Complaints Service – Adults Social Services Annual Report 2019/20

Recommendation

I recommend that the Committee:

- a. Consider the Annual Report of the Customer Feedback and Complaints Service, Adults Social Services 2019/20, taking the opportunity for any comments on the content of the report.

Report of Cllr Johnny McMahon, Cabinet Member for Health, Care and Wellbeing

Summary

What is the Select Committee being asked to do and why?

1. The Committee is being asked to consider the Annual Report of the Customer Feedback and Complaints Service, Adults Social Services 2019/20, taking the opportunity for any comments on the content of the report.

Report

Background

2. The appended report fulfils the Council's duty to publish an Annual Report on the activity of the Statutory Complaints and Representation Service on behalf of the Council. The operation of the Statutory Complaints Procedure was established under the NHS and Community Care Act 1990 and the Local Authority Act 1970. The report provides information about activity during twelve months between April 2019 and March 2020 in respect of statutory complaints relating to Adult Social Care.
3. The Annual Report, Customer Feedback and Complaints Services, Adults Social Services 2019/2020 is being submitted for scrutiny and endorsement.
4. The report contains information about the nature of complaints received, together with responses provided and their handling by the Council.
5. Organisational Learning remains at the heart of the legislation. This is reflected in the function of the Responsible Person and Action Plans that ensure steps are

taken to improve, where services may have failed to deliver to an acceptable standard.

List of Background Documents/Appendices:

Appendix 1 – Customer Feedback and Complaints Service, Adults Social Services, Annual Report 2019/20

Contact Details

Assistant Director:	Tracy Thorley, Assistant Director for Corporate Operations
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Delivering the Difference Together



Putting the people of Staffordshire first



COMPLAINTS TEAM
STATUTORY ANNUAL REPORT 2019-20
ADULT SOCIAL CARE

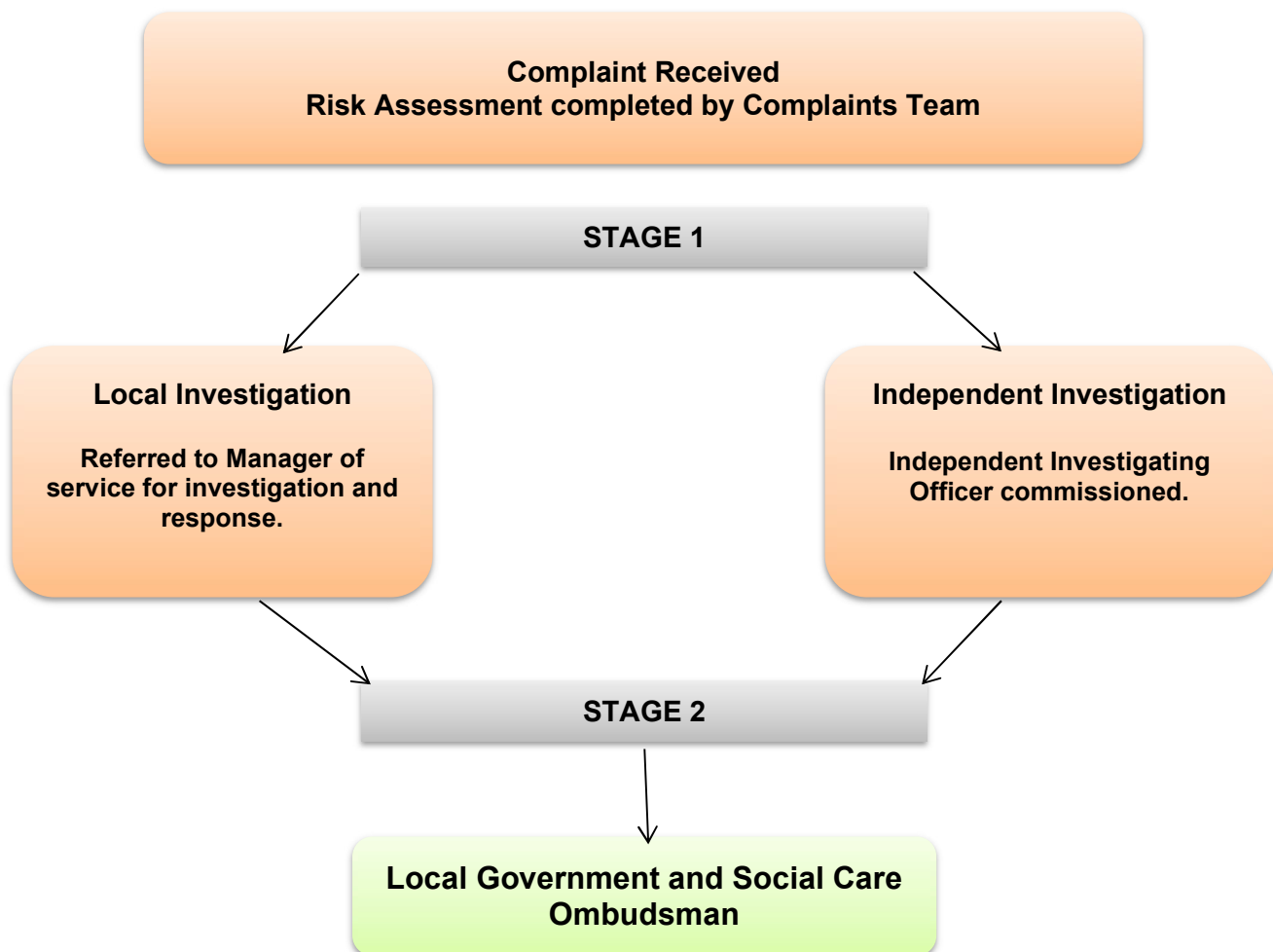
Introduction

This report provides information about complaints made during the twelve months between the 1 April 2019 and the 31 March 2020 under the complaints and representations procedures established under the NHS and Community Care Act 1990 and the Local Authority Act 1970.

From April 2012 Adult Social Care, Older People's front line services were transferred over to Midland Partnership NHS Foundation Trust (formally Staffordshire and Stoke-on-Trent NHS Partnership Trust). From April 2017 the Trust co-ordinates all statutory complaints which relate to Adult Social Care services provided by the Trust.

The Statutory Complaints Procedure

The Council has a statutory obligation to operate a complaints procedure concerning statutory provision for adults. This is in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. These regulations set expectations for the handling of complaints by Councils, NHS bodies, Primary Care providers and independent sector providers responsible for the provision of NHS and Social Care.



Criteria for Accessing the Statutory Complaints Procedure

Who can Complain?

The NHS and Community Care Act 1990 and the Local Authority Act 1970 places the following restrictions on who can access this procedure:

- Complaints under these procedures must be made by or on behalf of an eligible person and must be in respect of that person
- An eligible person is anyone for whom the Council has a power or duty to provide, or secure the provision of a service, and this need or possible need has come to the attention of the Council
- Complaints can be made on behalf of an eligible person where the eligible person lacks capacity to make the complaint themselves (In accordance with the Mental Capacity Act 2008 or has given explicit and verified consent for the Complainant to act on their behalf

Time Limit:

Section 12 of the statutory regulations advise that the complaint must be made no later than 12 months after the date in which the matter which is the subject of the complaint came to the notice of the complainant, unless the complainant has good reason for not making the complaint within this time limit.

Overview

Careful consideration is given to the operation of the Complaints Procedure to ensure an appropriate and proportionate response is provided. Communication, coordination and information sharing are critical and ensure that safeguarding measures are applied where necessary. In addition, liaison with the Council's Care Commissioning and Midland Partnership Foundation NHS Trust ensures a coordinated response to concerns about commissioned services. Similarly, dialogue with the office of the Local Government and Social Care Ombudsman ensures that the Local Authority is able to take steps to resolve complaints locally where possible.

'Lessons Learnt' from complaint investigations remain a key feature for the service and are always fed back to services and performance groups for action within the Council and Partnership Trust.

Key Numbers



187

**Statutory Stage 1
Complaints**



35

**Local Government
and Social Care
Complaints**



0

**Statutory
Independent
Investigations**



114

**Complaints
handled informally**

TOP 5 areas of complaint;

Case Management - **31**
Poor Communication - **29**
Financial Contribution – **28**
Delay in receiving a
service – **19**
Quality of care - **14**

The total amount of monies
paid to complainants as an
outcome of an

Ombudsman

investigation is **£1,900**
in recognition for the time and
trouble in raising the
complaint and any distress
caused

Comparison with Preceding Year

As with the previous year, the rise in complaints for services provided by the Council is due to an increase in complaints regarding the outcome of financial assessments for non-residential services following the implementation of the Care Act. This also includes the lack of information provided regarding financial contributions.

The Council has seen a rise in the number of complaints received regarding the 'Quality of Care' which has been delivered by the Council's contracted providers. This was often combined with an incorrect invoice due to missed care visits.

SCC Adult Social Care Services			
	2017/18	2018/19	2019/20
Local Investigation	160	176	187
Independent Investigation	4	2	0
Local Government Ombudsman	28	27	35

Staffordshire County Council Adult Social Care Services

Stage 1 – Local Investigation – Breakdown

The complaints procedure aims to resolve complaints at a local level within 20 days. This is not a statutory time limit but a goal for effective complaints management. According to the complexity and needs for an effective investigation, this timescale can be extended by agreement with the complainant.

The current guidance suggests that the majority of complaints should be resolved locally, and frontline managers are encouraged to meet with complainants and attempt to address complaints in a swift and effective manner.

187 complaints were recorded under Stage 1 – Local Investigation during 2019-20

Service	District (if applicable)	Number
Adult Learning Disability Team		
	<i>Lichfield</i>	4
	<i>East Staffs</i>	2
	<i>Tamworth</i>	2
	<i>South Staffs</i>	2
	<i>Stafford</i>	2
	<i>Cannock</i>	3
	<i>Newcastle</i>	5
	<i>Moorlands</i>	7
	TOTAL	27
Adult Social Care First Contact		10
Adult Social Care Review Team		3

Brokerage Service		24
Commissioning Service		
- All Age Disability & Mental Health		2
- Older People & Physical Disabilities		3
- Supported Living / Extra Care		1
- Carers Hub		2
- Care Provider – Home Care agency		18
- Care Provider – Residential / Nursing		2
	<u>TOTAL</u>	<u>28</u>
Community Mental Health Team (NORTH)		2
Contact Centre		2
Deprivation of Liberty Safeguards (DoLS)		7
Financial Services;		
- Debt Recovery		3
- Direct Payments Team		8
- Non-Residential		17
- Residential		10
- Welfare Benefits & Fairer Charging		45
	<u>TOTAL</u>	<u>83</u>
Prisons and Approved Premises SW Team	<i>Stafford</i>	1
	Total	<u>187</u>

It is important to note that some complaints concern more than one service area and therefore require a joint response. However, each service area is recorded separately in the table above in order to capture all areas of complaint.

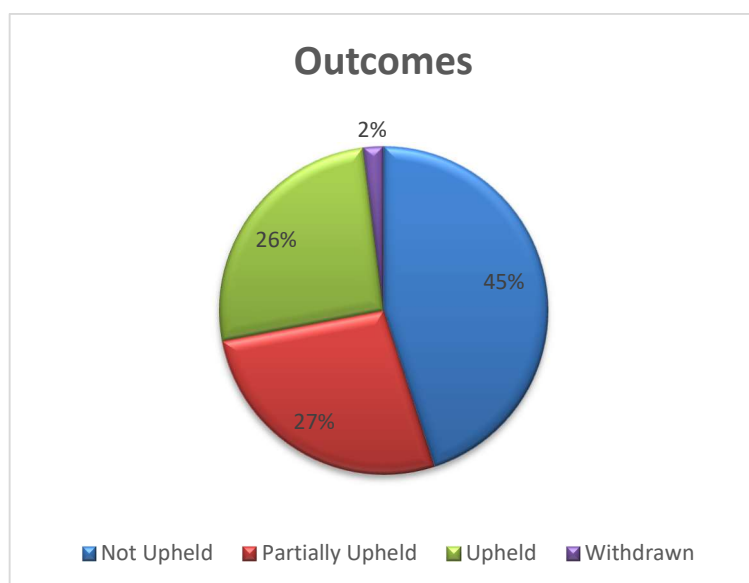
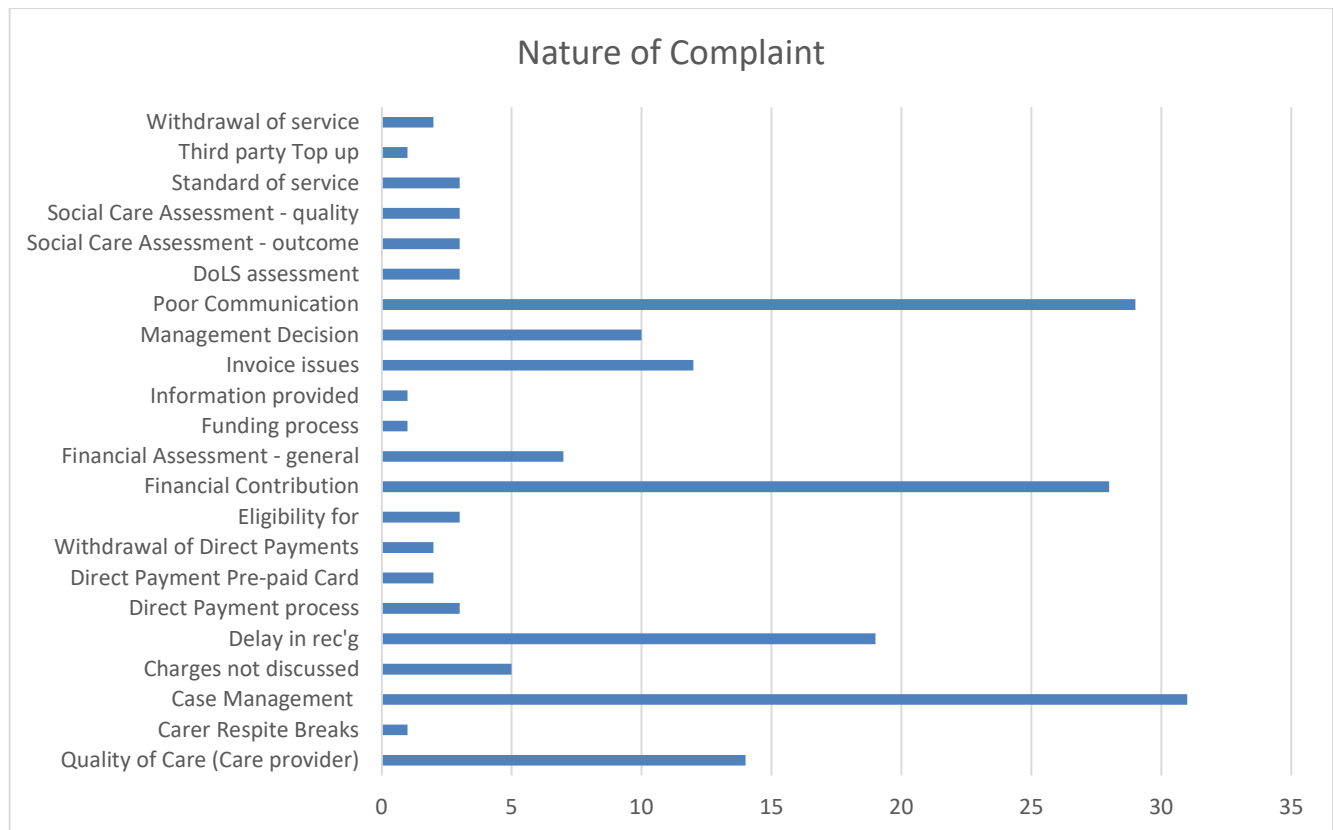
38 % of the complaints received were in respect of the Fairer Charging Service (including residential / non-residential). This was mainly concerning the outcome of a financial assessment and the client contribution figure.

Last financial year, the Brokerage Service investigated 31 Stage 1 Complaints. This financial year has seen the figure reduced to 24 Stage 1 complaints. This is due to more concerns being resolved outside of the complaints process this financial year.

There has been a steady increase in complaints over the last two years which is due to the number of complaints in relation the outcome of financial assessment's and client contribution figure

Stage 1 – Local Investigation Adults Social Care (Council) – Nature of complaint and Outcomes

The charts below provides an overview of the nature of complaints received during 2019-20 and the outcome of the complaints investigated.



32% of complaints received were regarding **Poor Communication** and **Case Management** by staff

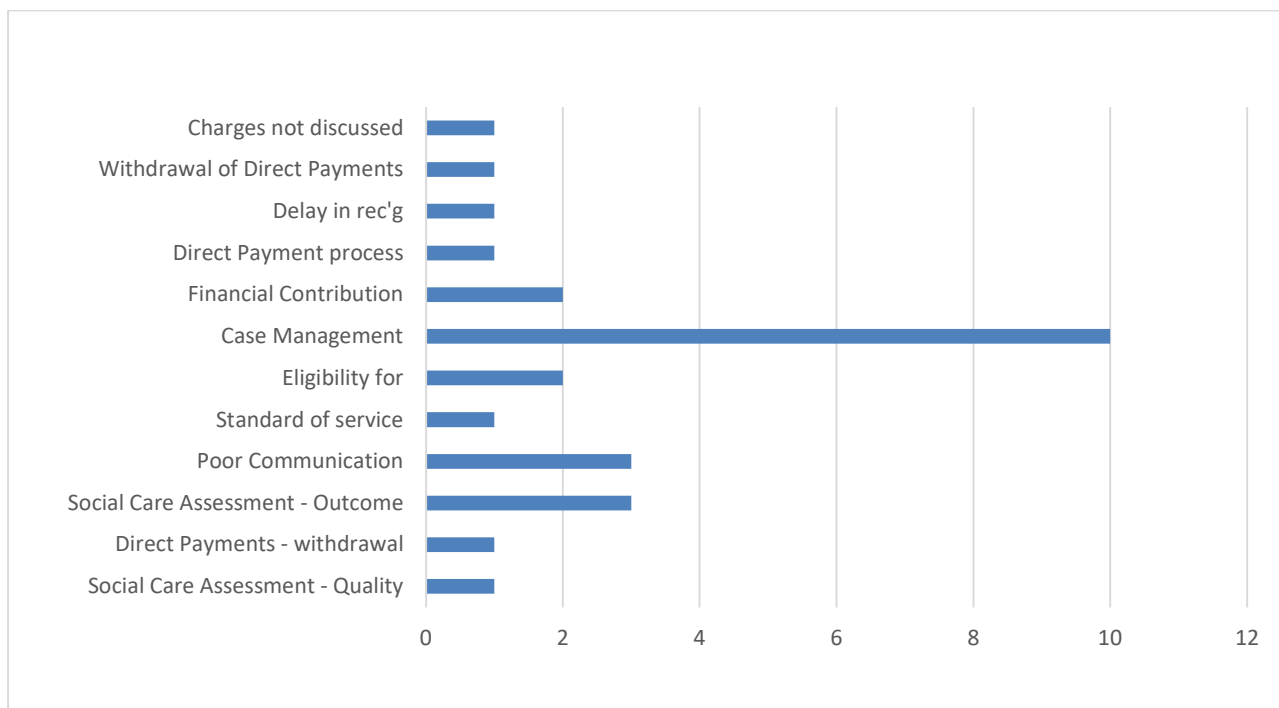
Stage 1 – Local Investigation Adult Social Care (Council) – Breakdown by service

The charts below show the nature of complaint and outcome for services areas within Staffordshire County Council during 2019/20.

Adult Learning Disability Team

There has been a slight reduction in complaints received for Adult Learning Disability Team's this reporting year in comparison with the previous year. 31 complaints were registered last financial year compared to 27 this year. The ALDT carried out 140 Assessments of new people and 1,350 full reviews of people who are already receiving care.

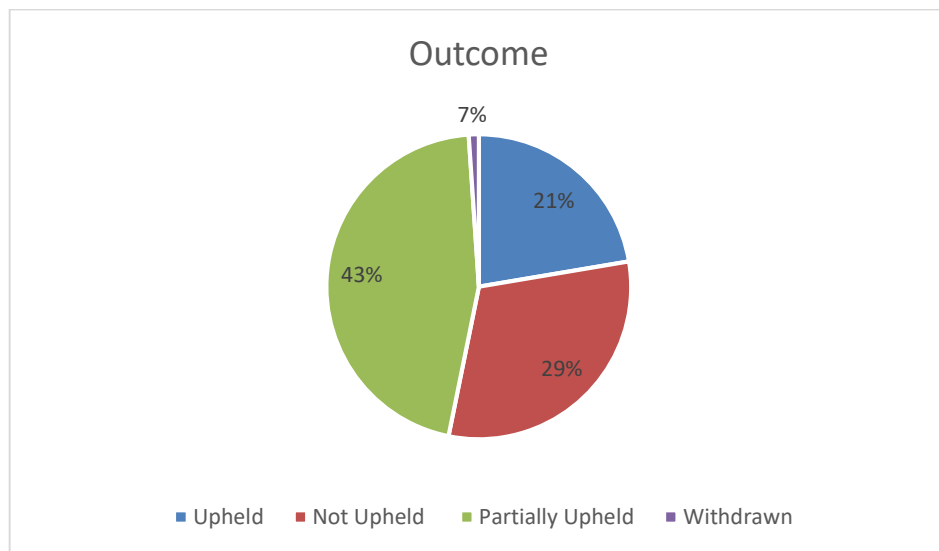
Nature of Complaint



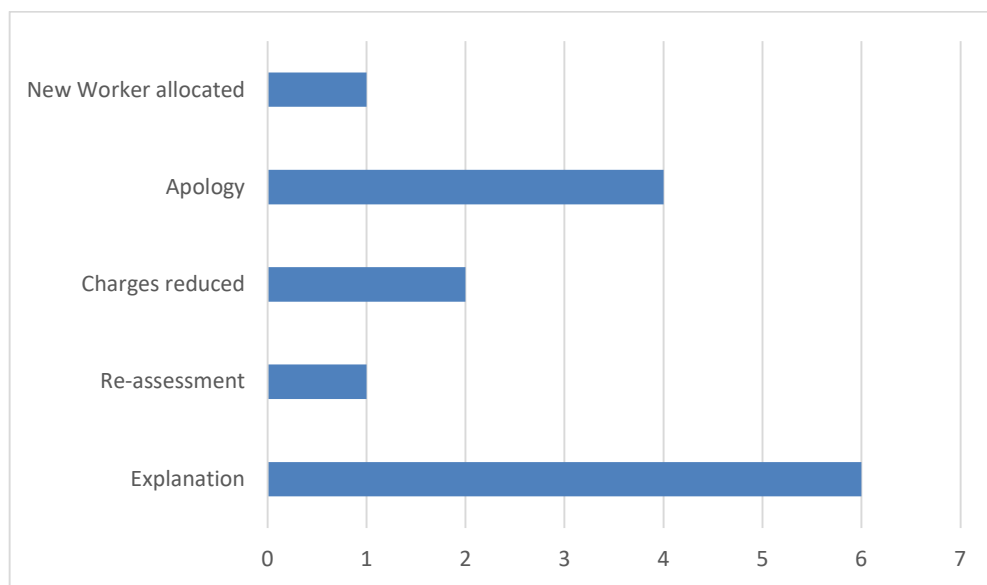
37% of complaints were regarding **Case Management** from staff. This includes the management of an individual person's case by the allocated worker.

15% of complaints were regarding **Social Care Assessments** – this includes the quality of an assessment and / or the outcome which has resulted in a reduction in services.

The tables below show the outcome of the complaints investigated for the Adult Learning Disability Teams during 2019-20.



Recommendation / Learning Action



Organisational Learning and Recommendations

- Addressed issues via staff supervision;
- Invoice reduced;
- Outstanding debt written off;
- Explanation provided re Autism Act and how SCC adhere throughout the assessment process.

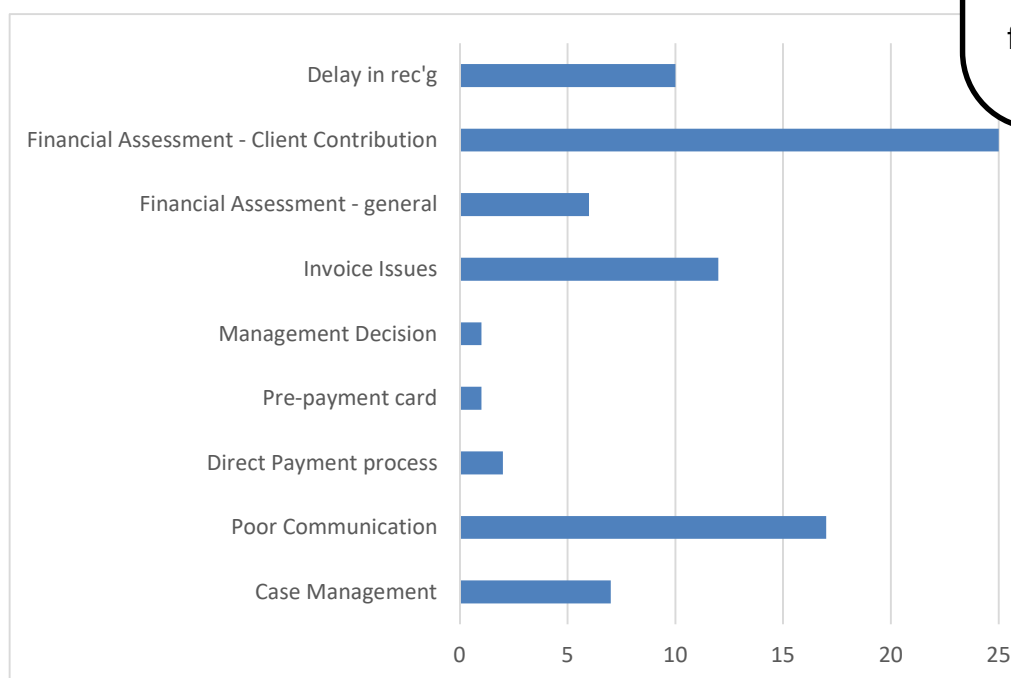
Adults and Children's Financial Services

ACFS completed 4684 financial assessments this financial year annually. Around 2000 of these financial assessments were reviews of people who are already receiving care.

The detail below includes the following services;

- **Welfare Benefits and Fairer Charging Services;**
- **Residential and Non-Residential Finance Team;**
- **Debt Recovery;**
- **Direct Payments.**

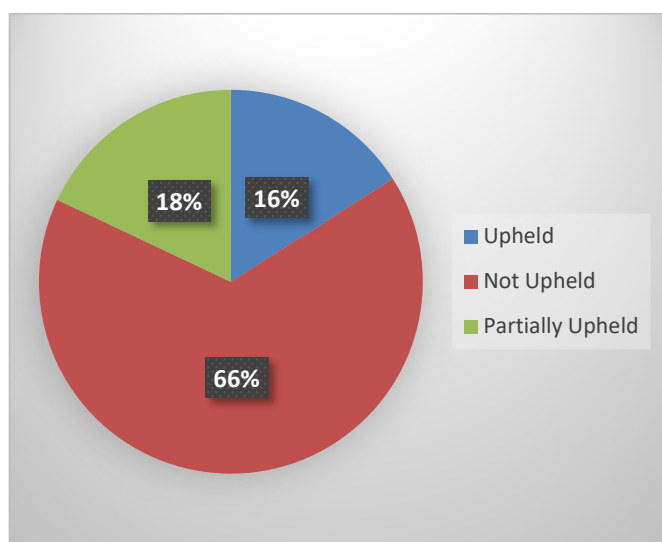
Nature of Complaint



30% of complaints were regarding the **assessed weekly client contribution**. This was due to the weekly charge increasing following a re-assessment in line with the Care Act.

20% of complaints were regarding **poor communication** in relation to financial information. This also includes length of time for contact to be made with the citizen.

Outcome of Complaint



Resolutions and Organisation Learning;

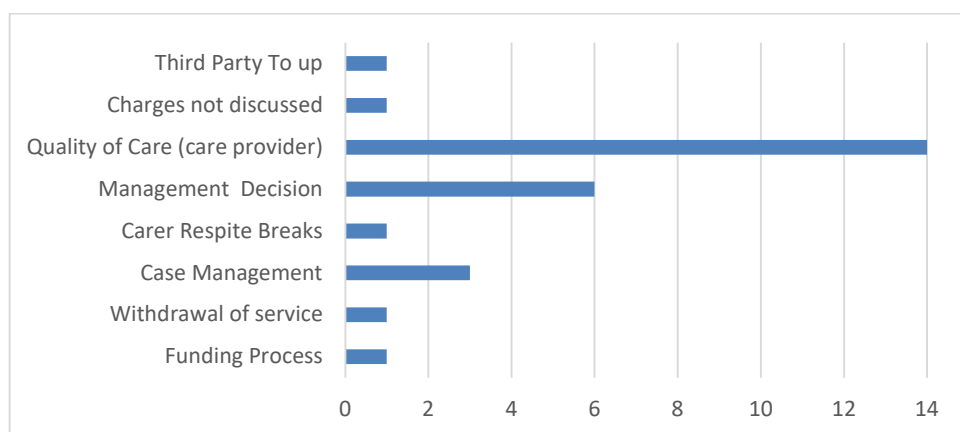
- Apology provided where complaints were Upheld.
- Explanation of events provided to complainant.
- Explanation of financial assessment process and DRE that is included.
- Explanation of invoice and charges.
- Explanation of charges for respite care.
- 4 complaints resulted in charges being waived / reduced.

Care Commissioning

The detail below includes the following services:

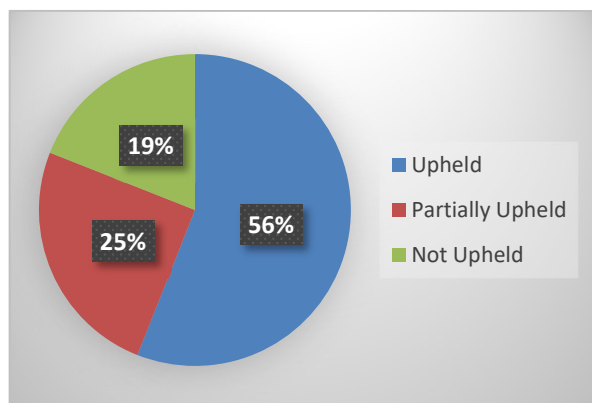
- Older People and Physical Disability and Sensory Impairment
- All Age Disability & Adult Mental Health (AD&AMH)
- Care Providers e.g. Home Care Agency and Residential Homes
- Supported Living / Extra Care
- Carers Hub

Nature of complaint



50% of complaints received for Care Commissioning were regarding the **service provided by a Care Provider**. The Council becomes involved with the complaint if the complainant is unhappy with responses previously received by management.

Outcome



38% of complaint's received by the Commissioning Service were in respect of decisions made at panel in relation to the services a client receives following a social care assessment

Resolutions and Organisation Learning

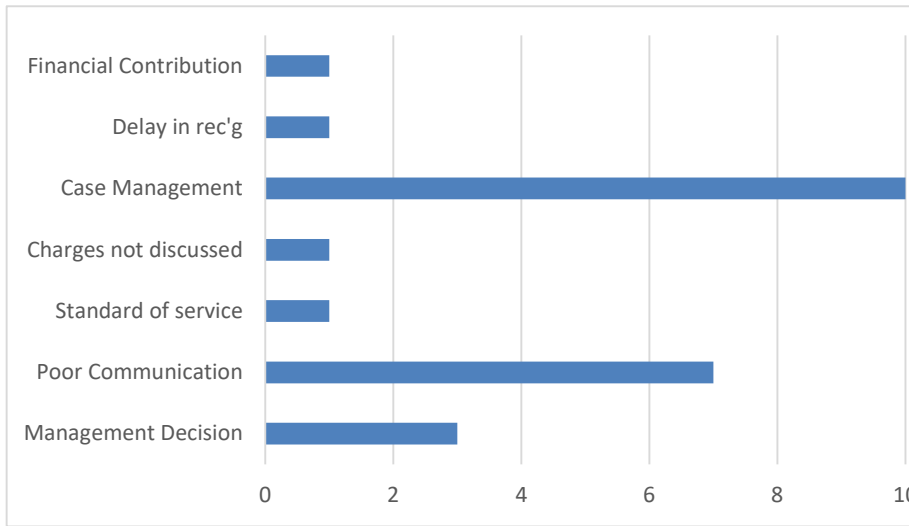
- Recommended that the current PWB guidance is reviewed and strengthened by the Carers Hub and the Council.
- Refund £400 by home care agency. Agency should not have requested payment whilst service user was in respite.
- A further 5 complaints were resolved by charges being waived / reduced due to the care provided.
- Apology / Explanation provided.
- Outcome shared with Team

Brokerage Service

The Brokerage Service are responsible for sourcing a provider for home care and residential establishments for service users following a social care assessment when a service has been identified. It is important to note that some complaints investigated by Brokerage also required input from MPFT in order to provide a full answer to the complaint raised. This is because MPFT undertake the social care assessment.

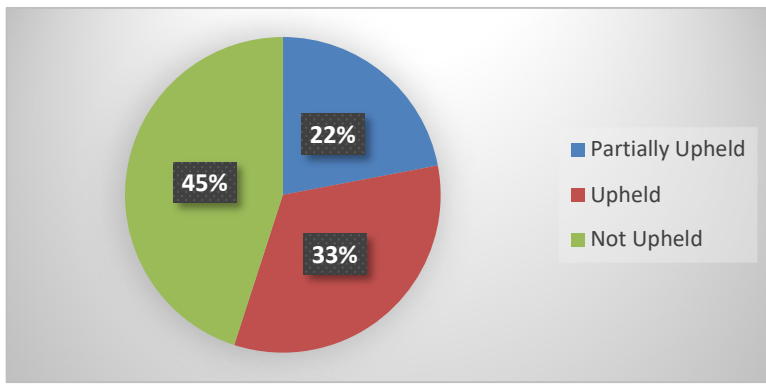
During 2019-2020, the Brokerage Service actioned / sourced 7,955 care package and placement requests

Nature of complaint



41% of complaints were regarding the **management of individual cases**. This can include lack of contact, timescale for sourcing placements and concerns regarding the providers sourced.

Outcome



30% of complaints were in relation to **Poor Communication** from the Brokerage Service. This includes telephone calls not returned and lack of updates provided to families.

Resolutions and Organisation Learning

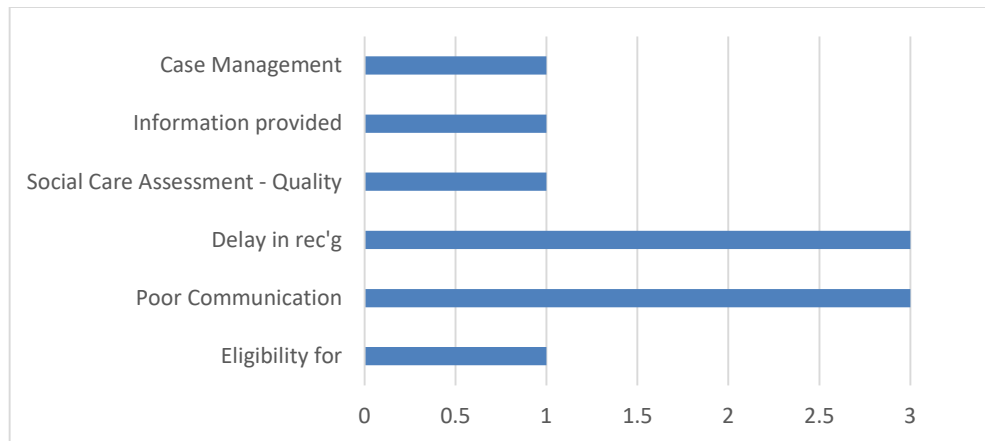
- Explanation of events provided.
- Apology provided to those complaints upheld and partially upheld.
- Review of the current process and introduced a tracking system to ensure that where a brokerage request is made in advance that the individual, families and carers are provided with sufficient notice to undertake the necessary arrangements in a timely manner.
- Discussed the learning from the complaint with the team and detailed within procedures the arrangements for transport for citizens with a GP outside of Staffordshire.
- Discussion with staff about the level of communication with families and re-iterated the importance of updates being provided.

Adult Social Care First Contact Team

The service is point of contact for citizens who wish to request social care assistance and initial assessments are undertaken in order to establish whether a referral is made to MPFT or sign-posting to other services.

The service received 10 complaints which were investigated under Stage 1 of the complaints process.

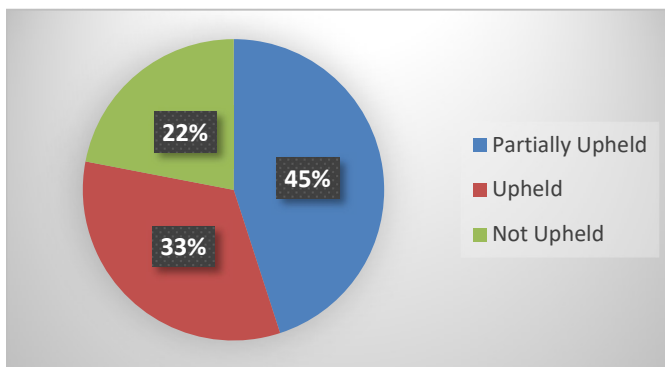
Nature of complaint



30% of complaint's received were regarding the **delay in receiving an update** following contact with the service.

30% of complaint's are regarding **Poor Communication** from the service. This can include the quality of information provided and telephone calls not returned.

Outcome



Resolutions and Organisation Learning

- Explanation of events provided.
- Apology provided to those complaints upheld and partially upheld.
- Issues addressed via staff supervision i.e staff attitude.
- Capacity issues have now been addressed. Apologies offered for the delays caused with regards to the completion of the initial assessment.

Stage 1 – Independent Investigation Adults Social Care

Independent investigation is initiated in circumstances where a complaint is complex and / or a level of seriousness is identified. This is often in circumstances of multi-agency involvement. The independent investigation is conducted by a commissioned external Investigating Officer.

A report of investigation is produced that details conclusions reached and recommends action to both resolve the complaint and make improvements for the organisation. The relevant Senior Officer adjudicates the report and provides the Council's formal response to the complainant.

The timescale under this part of the procedure is 25 days, although there is facility to agree with the complainant an extension up to 65 days. (Again, this is not a statutory requirement but an operational goal that may be subject to negotiation)

There have been **0** complaints independently investigated during 2019-2020.

Stage 2 - Local Government and Social Care Ombudsman Complaints (to include Staffordshire County Council and Midlands Partnership NHS Foundation Trust - MPFT)

The Local Government and Social Care Ombudsman (LGSCO) is empowered to investigate where it appears that a Council's own investigations have not resolved the complaint. Whilst anyone can approach the Ombudsman at any time, the Complainant is usually required to first take up their complaint with the relevant Council to allow a local response. However, if the Complainant remains dissatisfied following local or independent investigation by the Council they then have the right to pursue the matter with the Local Government and Social Care Ombudsman.

The Local Authority has received **35** complaints which have been referred to the LGSCO, **22** complaints were fully investigated by the LGSCO and **3** were referred back to the local authority for investigation. **5** complaints were closed after enquiries were made with the Council and it was concluded that the Council was not at fault. At the time of writing this report, the Council is currently awaiting a decision on **2** complaints in respect of whether the LGSCO will be pursuing an investigation.

Compared to last financial year, the numbers of complaint considered by the Ombudsman remain consistent.

The Council has received a Public Report during this financial year in respect of the Council's failure to implement the recommendations of a previous Ombudsman complaint investigation. The Council agreed to implement the Ombudsman's recommendations in respect of this;-
 Pay £500 to the complainant for the distress it has caused and the trouble she has been put to;
 Apology to the complainant and pay her £250 for the distress caused to her, if she returns the personal data about someone else and it confirms what she has said.

Summary of Local Government and Social Care Ombudsman Complaints

Out of the **22** complaints which were received by the LGSCO, the Council received **8** outcomes where the complaint was **Upheld** and maladministration and injustice was found. A total of £1,900 'time, trouble and distress caused' payments was awarded to complainants following referral to the Ombudsman. For **1** complaint it was recommended that the Council repay £6,400 of service user's Housing Benefit Debt.

The Council is currently awaiting the outcome of **4** complaints which have been investigated and **2** complaints remain under investigation.

Further details of the investigations can be found in the table below;

Staffordshire County Council Services			
Service	Nature	Outcome	Recommendation
Adult Learning Disability Team (Tamworth)	1. The Council should not have charged her son £810	Upheld – Maladministration and injustice	Provide an apology for the faults above and the impact this had on Mrs C. It

	<p>as a contribution towards the cost of his respite care (in 2016-17) on top of the contribution he was paying for his homecare support.</p> <p>2. The Council has failed to provide / pay the funds into son's account for his respite care for two years, since November 2016. The Council also failed to notice this, until she raised problems with the payment of respite care invoices.</p> <p>3. The company who the Council has commissioned to manage her son's direct payments account (Rowan) has failed to properly manage his son's account. In addition, there was nobody appointed to manage his account.</p> <p>4. The Council ignored her repeated requests (by email) for a review to take place of her complaint, because she was unhappy with the complaint response.</p>		<p>should also pay her £200.</p> <ul style="list-style-type: none"> • Review its system, to ensure that the allocation for respite care funding does not automatically stop, in cases where the Council has failed to complete a statutory annual care review of a client on time.
Adult Learning Disability (Newcastle)	The Council has failed to properly carry out social care assessments of the service user's eligible care needs since 2017. And reduced the support hours from 24 hours to 16 ½ hours without proper consideration of her eligible needs or consultation with the family.	Upheld – Maladministration and Injustice	Within one month of the date of the final decision, the Council has agreed to carry out a financial assessment, to determine what the service user can afford to contribute towards the costs of her care. The Council will not seek to recoup any shortfalls in contributions she has paid in the past. If there has been an overpayment in contributions previously, the Council will repay this amount
Adult Learning Disability (Moorlands)	The Council's handling of daughter's direct payments. The Council failed to identify that it had made an overpayment and is seeking to recoup this payment. The personal contribution has increased from £0 to £12:41 per week. Carers have also had no respite .	Awaiting Final Decision	Awaiting Final Decision
Adult Learning Disability (Lichfield)	Decision to reduce direct payment following a reassessment of care and support needs	Not Upheld – No Maladministration	The Council was not at fault when it reassessed the service user as no longer being eligible for support. Investigation closed.

Adult Learning Disability (Moorlands)	Delay in completing the 'needs assessment and care and support plan'. Council has failed to meet the service users needs as the respite payment is insufficient to cover the respite costs and there is no provision within the support plan to fund activities.	Awaiting Final Decision	Awaiting Final Decision
Brokerage Service and Adult Social Work Team	Complaint that the Council failed to provide correct advice about care costs when service user moved residential placements.	Investigation on-going	Investigation on-going
Brokerage Service	REP is unhappy that the Council have advised her that her mother is not eligible for council assisted care, REP's mother has dementia and her step father has bone cancer. PA needed respite care in October 2019 for 1 week, when the Social Worker came out and did a full assessment REP suggested that they use the top up from previous care and the Social Worker stated that this was fine. Brokerage have advised REP that PA is not eligible for this and suggested they went private.	Preliminary enquiry stage	Preliminary enquiry stage
Commissioning – All Age Disability & Adult Mental Health	Ms X complained the Council has not paid her care.	Decision not to investigate	Complaint is over 12 month old. Complaint is regarding a contractual issue and would be best challenged through the Courts if a resolution cannot be met.
Commissioning – Care Provider Home Care Agency	Service user has been charged for care that has not been provided. The standard of care is not acceptable. There is no consistency in the carers, so they are unable to build a relationship and understand how to communicate with the service user. The Council has continued to send bills at the original rate.	Awaiting Final Statement	Awaiting Final Statement
Commissioning – Care Provider Home Care Agency	Tamworth Home Care keeps changing the staff rota without informing the service user. This means a different	Upheld – Maladministration and injustice	Apologise to service user for the distress and frustration caused to him by the faults;

	<p>carer to who he is expecting turns up. The teatime carers do not stay for the full half hour of support, as they have other clients booked in and leave early</p>		<p>Ensure the care provider is following its complaints procedure and providing information on how a person can escalate their complaint if they are unhappy with its response; Ensure the care provider has systems in place to communicate any changes in rota.</p>
Commissioning – Care Provider Care Home (funded by health)	<p>Complaint that service user's leg deteriorated leading to the development of a serious infection and gangrene in May 2018. It is alleged that this was avoidable and happened because of inadequate care at the care home.</p>	<p>Closed after initial enquires – out of jurisdiction.</p>	<p>The Ombudsman cannot investigate complaints about care home placements that are funded by a CCG because it is outside of their jurisdiction. This complaint has been transferred to the Parliamentary and Health Services Ombudsman (PHSO)</p>
Commissioning – Care Provider Care Home	<p>Mrs X complains about how she has been treated by the manager of a care home where her late husband was a resident. The Council funded Mrs X's husband's care so the complaint is against the Council</p>	<p>Closed after initial enquires</p>	<p>Investigation discontinued. Outcome can not be achieved.</p>
Commissioning – Care Provider Care Home	<p>Chaseview Nursing Home failed to look after father properly went the Council placed him there for two weeks of respite care.</p>	<p>Upheld – Maladministration and injustice</p>	<p>Apology and payment of £300 The Council to identify the action it needs to take to ensure Chaseview produces a person-centred care plan for each resident, involving their carer where relevant.</p>
Commissioning – Older People & Physical Disabilities	<p>Complaint about the Council's decision to cancel service user's direct payment used to pay for respite care. This has affected the complainant's ability to arrange suitable respite care for his mother and he has been unable to take a break from his demanding caring responsibilities. This has affected their wellbeing.</p>	<p>Under investigation</p>	<p>Under investigation</p>
Deprivation of Liberty Safeguards (DoLs)	<p>DOLS assessment not undertaken</p>	<p>Premature complaint</p>	<p>Referred to Council for investigation under complaints process.</p>
Deprivation of Liberty Safeguards (DoLs)	<p>The Council and its care provider, Transparent Care, failed to deal properly with service users finances, resulting in her capital increasing to the extent she was no longer eligible for</p>	<p>Upheld – Maladministration and injustice</p>	<p>The council to repay £6,400 of service user's Housing Benefit Debt. If the DWP seeks recovery of the benefits overpayment, then the Council is to repay that for her.</p>

	state benefits and having to use her savings to pay bills.		The Council considers whether it is in the service users best interests to repay the remaining Housing Benefit debt from her capital. The Council to find out whether there are other things the service user wants to do with her disposable income; The council has agreed to write to the complainant apologising for its failings and pays him £250 for the time and trouble he has been put to in pursuing his complaint
Direct Payments Team	Ms A says the Council took over funding for her brother, Mr B's care and became his court appointed deputy for finances but failed to consider paying her and her partner for providing his care. Ms A says there are exceptional circumstances in this case and it took the council nine months to agree to provide direct payments for them to deliver his care.	Decision not to investigate	The Ombudsman will not investigate Ms A's complaint. This is because the Council has agreed Ms A and her partner can be Mr B's paid personal assistants and backdated payments to October 2018. There is no unremedied injustice for the Ombudsman to consider
Finance Team – Residential Care	Mr B complains that: <ul style="list-style-type: none"> the Council delayed in completing a financial assessment in respect of his late father's contribution towards the cost of his care. It did not notify him of the contribution until after his father's death by which time he, as trustee of the estate, had distributed his late father's assets; Neither he nor his father were made aware that the NHS had stopped funding CHC for his father in May 2018. 	Upheld – Maladministration – no injustice	The Council was at fault in that it delayed in confirming Mr C's assessed contribution towards the cost of his care. However, this did not cause a significant injustice because Mr C received the care he needed and was required to pay for it. No fault in the Council's decision to seek to recover the amount owing in respect of Mr C's contribution towards the costs of his care from his estate. Mr B was aware of the estimated contribution and the onus was on him to check with the Council before distributing Mr C's estate.
Welfare Benefits and Fairer Charging	The Council has increased daughter's contribution towards her care from £0 to £34.53 per week and has failed to consider the following expenses as Disability Related Expenses: Therapy dog; Mobile phone; Swimming	Not Upheld	No evidence of fault in the way the Council reached its decision.

Welfare Benefits & Fairer Charging Team and Adult Social Care (MPFT)	The Council carried out a reassessment that reduced the service user's direct payments. The Council has accessed his medical records without consent. The Council has not arranged a home visit so he can show the financial assessor receipts from his Disability Related Expenses (DRE).	Awaiting Draft Decision	Awaiting Draft Decision
Welfare Benefits & Fairer Charging Team	The Council has increased Ms A's contribution towards her care. She also complains that the Council has failed to consider the following expenses as disability related expenses (DRE): <input type="checkbox"/> Internet <input type="checkbox"/> Specialist soap and Shampoo	Not Upheld – No Maladministration	No recommendations
Welfare Benefits & Fairer Charging Team	Mrs Y, complains on behalf of her son Mr X, about the way the Council dealt with his financial assessment. Mrs Y says the Council has failed to make allowance for Mr X's 'disability related expenditure' needed to allow him to pay for extra therapies such as rebounding and hydrotherapy.	Decision not to investigate	The Ombudsman will not investigate as there is no evidence of fault in its handling of Mr X's financial assessment.
Welfare Benefits & Fairer Charging Team	Mr Y complained for Mrs X about the Council's refusal to retrospectively reassess the contributions she made to the cost of her care.	Not Upheld – No Maladministration	The Council was not at fault for charging Mrs X the full cost of her care or for refusing to carry out another assessment after Mrs X died.
Welfare Benefits & Fairer Charging Team	The complainant says the Council has without warning charged him a contribution towards his care costs and has failed to fully consider his Disability Related Expenses	Not Upheld – No Maladministration	Council not at fault – no recommendations
Adult Social Care Team (MPFT)	Mrs X complains that the Council charged her for her care when she believed it would be free	Not Upheld – No Maladministration	No evidence of fault in the way the Council reached its decision.
Hospital Discharge Team (MPFT)	Mrs A has complained about a proposed discharge of her grandmother, Mrs B, from hospital in September and October 2018. The	Not Upheld – No Maladministration	Mrs A has complained about a delay in discharge of her grandmother, Mrs B, from hospital in October 2018. The Ombudsmen

	delays by social services (provided by the Midlands Trust on behalf of the Council) and the Walsall Trust meant that by the time a discharge to a nursing home placement was organised, her grandmother had contracted pneumonia and sadly died shortly afterwards in hospital in October 2018.		propose to find fault with Walsall Trust which caused an undue delay in discharge. We do not propose to find fault with the Council.
Adult Social Care (MPFT)	Mrs A has complained about services provided by the Midlands Partnership NHS Foundation Trust (the Midlands Trust) on behalf of Staffordshire County Council (the Council). This was in relation to social care assessment and provision for her grandmother, Mrs B, for the period April to September 2018. Mrs A said the Council did not properly assess her grandmother's social care needs. This led to inadequate social care provision being put in place for her grandmother while she was being cared for at home.	Upheld – Maladministration and injustice	Write to Mrs A apologising for its failings and pays her £300 for the distress it has caused and the time and trouble it has put her to in pursuing her complaint; <ul style="list-style-type: none"> • The Council to take action (and provides evidence of this) to ensure: <ol style="list-style-type: none"> a) officers consider the use of respite care when appropriate; b) it fulfills its duty to meet the need for help maintaining a habitable home. The Council has agreed to do this.
Safeguarding	Mr X complains about how the Council conducted a safeguarding investigation into concerns about his late mother's finances. He says: <ul style="list-style-type: none"> • a social worker failed to make him aware he was subject to a safeguarding investigation • as next of kin he was not informed his mother was considered at risk of harm • only his brother was contacted re financial assessment • he was not contacted about the care fees. 	Not Upheld – no Maladministration	There is no fault by the Council in the way it undertook a safeguarding investigation into concerns about how Mr X and his brother managed his late mother's finances. It acted properly and in accordance with the law
Mental Health Team - North	Following a review, Mr X was no longer eligible for social care. On the 21st of June Mr X put in a complaint to challenge this, however this was not responded to	Upheld – Maladministration and injustice	Apologise and pay Mr X £100 to recognise the distress, uncertainty and time and trouble caused to him by failing to respond to or progress his appeal and complaint about the outcome of his Care Act needs assessment.

			<ul style="list-style-type: none"> Formally respond to Mr X's appeal against the outcome of his Care Act needs assessment and explain how he can provide further evidence to support this appeal. It also agreed to offer him a face to face meeting.
Mental Health Team – North	Mrs A complains that the Council has cancelled her direct payments and asked her to pay back £158.08 surplus in her account. Mrs A says that the Council has cancelled her direct payments because she does not want to purchase the services of a PA and because she is supported by family and friends. She also says that the Council has failed to explain how it has calculated the surplus in her account	Closed – service user has passed away	Closed – service user has passed away
Supported Housing – Home Care Agency	Complaint raised regarding care provider.	Preliminary enquiry stage	Preliminary enquiry stage
Adult Social Care (MPFT)	The outcome of an assessment in March 2019 which stated that Mr A could go home as he could use a zimmer frame and that his medical condition was not taken into account. Delays in assessment, sharing information with Birmingham council, sharing assessment with service user/family (specific details in the complaint letter) Lack of communication from SCC council despite family writing on several occasions including letters to MP's who have also requested responses from SCC.	Premature complaint	Referred to Council for investigation under complaints process.
Adult Social Care (MPFT)	Delay's in funding for residential placement	Premature complaint	Referred to Council for investigation under complaints process.
Brokerage	Mrs B complained that the Council agreed to commission a placement for her father, Mr C, which proved not to be appropriate and he received poor care.	Decision not to investigate	The Ombudsman will not investigate this complaint. This is because the Council has considered the matters that it would expect it to consider in the decision-making process.

Direct Payments	Mr X complains about the Council's policy of using pre-paid cards as its preferred method for making social care direct payments	Decision not to investigate	The Ombudsman will not investigate Mr X's complaint about the Council's management of his direct payments. This is because there is not enough evidence of fault causing injustice. Also, at this stage, an investigation by the Ombudsman could not achieve anything more for Mr X.
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Other Activity

In addition to the recording and administering of Statutory Complaints, the Customer Feedback and Complaint Service have formally acknowledged and monitored an additional **253** enquiries each requiring redirection to other organisations/authorities or action into other procedures.

Dealt with by Complaints Team*	114
Referred to Adult Social Care (MPFT)**	54
Complaint refused	1
Joint Statutory Stage 1 response with other organisation / NHS	8
Referral to another Organisation for action / investigation	12
MP Enquiry (Adult Social Care)	51
Public Enquiry	8
Safeguarding referral initiated	2
Corporate Complaints Procedure	3
Total	253

*Complaints / enquiries which are handled by the Complaints Team consist of liaising with the service team in order to resolve the complainants concerns or the Complaints Team solely investigating the complaint and providing a response to the complainant. Depending on the nature and complexity of the concern raised this can take 24 hours to complete or several weeks of investigative work in order to fully conclude.

16% of duty matters were resolved with the **Brokerage Service**. Generally concerns are resolved by an update being provided on a case.

39% of duty matters were resolved with the **Financial Services**. This often included a telephone call to the complainant to explain an invoices / charges.

** The Council's Complaints Team refer a complaint to MPFT when the complaint solely concerns the actions of a social worker or social care assessment (Adult Social Care Team's managed by MPFT).

A common complaint received is regarding the information provided by a social worker in respect of charges for services when a care is arranged.

Compliments

During 2019/20 a total of **33** compliments were recorded with the Customer Feedback and Complaints Team which related to Adults Social Care. This figure may not represent all the compliments received as some staff members may have received a compliment directly.

Services provided by Staffordshire County Council	No. Rec'd
Adult Learning Disability Team	27
Brokerage Service	3
Quality Assurance (Provider Improvement Response Team)	2
ASSIST Specialist Support Service	1
TOTAL	33

Adult Learning Disability Team
 "Mr A contacted me on Monday this week to sing your praises. He was very complimentary about the way you handled the visit and the update to the assessment. He thanked me for sending you out!. He also said that if all of my workers were as good as you I would never get any complaints"

"CW from the **Brokerage Service** performed a minor miracle in matching an available bed to dad's needs, arranging for June and I to visit, then doing a Friday evening email session with the tenancy agreement, finishing it off with arranging the move the following Tuesday."

"I just wanted to pass on my sincerest thanks to MT, **ASSIST Lead Interpreter** for his typically fantastic work on Jan 6th, interpreting for MW for a biopsy at the Royal Stoke. I was present with MW to support him but having MT there was a key factor in M's coping with the situation. M has also asked me to send thanks. He was very nervous and very grateful to have Mike there; always that wonderful combination of professionalism, courtesy and compassion. Can't beat it"

Adult Learning Disability Team
 "Just to thank you so much for your support for Miss A's fragile life, and ours! Without you I don't know where we would be. Actually I do, and it would not be a good place. I'm sure Miss A would be so grateful too if only she knew. We await the decision of the panel."

Service Approach for 2020/2021

- Continue greater emphasis on quality of Stage 1 responses to complainants and the importance of discussing the complaint details with the complainant during each investigation.
- Continue to work with Midlands Partnership Foundation NHS Trust in order to administer complaints for adult social care in line with the Section 75 agreement.
- To continue to comply with the Care Act which came into force in April 2015 and any future changes to the complaints process.
- To develop and enhance reporting processes and requirements with colleagues within Staffordshire County Council in order to provide complaint data regularly to senior management.

Author; **Natalie Smith**
 Complaints Officer
 Customer Feedback and Complaints Team
 Staffordshire County Council

Local Members Interest
N/A

Safe and Strong Communities Select Committee - Thursday 05 November 2020

Customer Feedback and Complaints Service – Children’s Social Services Annual Report 2019/20

Recommendation

I recommend that the Committee:

- a. Consider the Annual Report of the Customer Feedback and Complaints Service, Children’s Social Services 2019/20, taking the opportunity for any comments on the content of the report.

Report of Cllr Mark Sutton, Cabinet Member for Children and Young People

Summary

What is the Select Committee being asked to do and why?

1. The Committee is being asked to consider the Annual Report of the Customer Feedback and Complaints Service, Children’s Social Services 2019/20, taking the opportunity for any comments on the content of the report.

Report

Background

2. In line with The Children Act 1989 Representation Procedure (England) Regulations 2006, the Local Authority is required to produce an Annual Report. This report must include the number of complaints recorded under the Representation Procedure together with information on the outcome of each representation and whether statutory timescales were adhered to.
3. The Annual Report, Customer Feedback and Complaints Services, Children’s Social Services 2019/2020 is being submitted for scrutiny and endorsement.
4. The report contains information about the nature of complaints received, together with responses provided and their handling by the Council.
5. It is important that the Local Authority uses the evidence available from Complaints and Representations to inform service improvements. The report provides information about how complaints investigations are used to identify specific themes, where service improvement can be addressed and highlights where the County Council is providing quality services to customers which may be identified

from compliments received. This is in line with the Council's Strategic Plan, to use Customer Insight to develop high quality services which meet customer needs.

List of Background Documents/Appendices:

Appendix 1 – Customer Feedback and Complaints Service, Children's Social Services, Annual Report 2019/20

Contact Details

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**CUSTOMER FEEDBACK AND COMPLAINTS TEAM
STATUTORY ANNUAL REPORT 2019-2020
CHILDREN AND FAMILIES SERVICES**

Introduction

This report provides information for the Statutory Children's Complaints and Representations Service and the Corporate Feedback Procedure for Children and Families services, for the period 1 April 2019 to 31 March 2020. The report and service is provided in accordance with the Complaints and Representations Procedures established under the Children Act 1989 and the Local Authority Act 1970.

The Procedures were amended from 1 September 2006 by The Children Act 1989 Representations Procedure (England) Regulations 2006, and 'Getting the Best from Complaints', the accompanying guidance.

The Statutory Complaints Procedure

The Statutory Procedure provides a Procedure for making representations about the discharge by a Local Authority of its functions under Part 3 and specified functions under Parts 4 and 5 of The Children Act 1989, certain functions under 2002 Act and functions regarding Special Guardianship support services.

There are three stages to the Statutory Complaints Procedure:

Stage 1 – Local Resolution

This stage is usually carried out by a Team Manager, who is required to carry out an investigation by discussing the complaint with the relevant practitioners and the complainant and taking into account any evidence which is held by the Local Authority, before making an informed finding on each specific complaint. There is a timescale of 20 working days to complete this stage.

Stage 2 – Independent Investigation

This stage involves the commissioning of an Independent Investigating Officer (IIO) and an Independent Person (IP) who will carry out an evidence-based investigation by meeting with various practitioners concerned and viewing evidence held on the Local Authority files. The IIO and IP will each prepare a report, including recommendations for the service to consider. The responsible Assistant Director will then consider the reports and recommendations and prepare a response to the complainant detailing whether they accept the findings and recommendations, before all reports and responses are sent to the complainant. There is a timescale of 65 working days to complete this stage.

The Complaints Team are required to accept all requests for a Stage 2 Investigation, however attempts are always made to try and resolve the issues locally, by the Complaints Team offering to meet the complainant along with the relevant Head of Service.

Stage 3 – Complaint Review Panel

This stage involves the commissioning of three independent Panel members, who will attend a Panel meeting alongside the IIO and IP, the complainant, a representative from the service, the Complaints Manager, a Clerk to the Panel and anyone else who is considered to be required. The Panel will consider the adequacy of the Stage 2 Investigation in light of any additional information provided by the complainant. Panel will reach a view as to whether any findings need to be overturned and whether any additional recommendations need to be implemented. The report provided by Panel will be shared with the Local Authority and the Director for Children's Services (DCS) will prepare a response to the complainant which will detail whether the recommendations are accepted. The Panel report and response from the DCS is then shared with the complainant.

Local Government and Social Care Ombudsman (LGSCO)

In the event that a complainant remains dissatisfied following exhaustion of all three stages of the complaints procedure they can take their complaint to the LGO. A complainant can access the LGSCO at any point but the LGSCO normally provides the Local Authority with the opportunity to process through all stages of the complaints procedure unless they decide otherwise. Complaints referred back to the Local Authority to process are classed as 'premature referral' complaints. If the Local Authority take the

decision to refuse to investigate a complaint or refuse to escalate the complaints to the next stage of the procedure, a complainant may then also approach the LGSCO.

The Corporate Complaints Procedure

The Corporate Complaints Procedure can be utilised when the representation does not fit the criteria to be investigated via the Statutory Complaints Procedure and is regarding a non-statutory service or if the representation is being made in the complainants own right about a service which they have personally received, subject to the specific detail of the complaint.

There are two stages to the Corporate Complaints Procedure:

Stage 1: Local Resolution

This stage usually involves a Team Manager investigating the complaint by conducting discussions with staff members and liaising with the complainant. The Team Manager will then reach a conclusion in terms of the findings of the complaint. The timescale of this stage is 20 working days.

Stage 2: Internal Review

A complainant can submit a request for a Stage 2 Review; however, the Complaints Team have discretion in whether this is accepted. The complainant must provide sufficient evidence to warrant this. If accepted, a senior manager will review the stage 1 response alongside the evidence supplied by the complainant and will reach a finding on each aspect of the complaint. The timescale for completing this stage is 25 working days.

Local Government and Social Care Ombudsman (LGSCO)

The option to approach the LGSCO is available to the complainant for the Corporate Feedback Procedure, as it would be for the Statutory Procedure.

Key Numbers and Initial Overview 2019/20



A total of **324** complaints investigated through the different stages of the Statutory and Corporate Complaints Procedures.



225
compliments received.



52%
of completed complaints responded to within prescribed timescales.



18% of completed stage 1 complaints found upheld, **39%** found not upheld, **43%** found partially upheld.



212
matters recorded under the Duty category.



44
recommendations made following Stage 2 Independent Investigations under the Statutory Complaints Procedure.

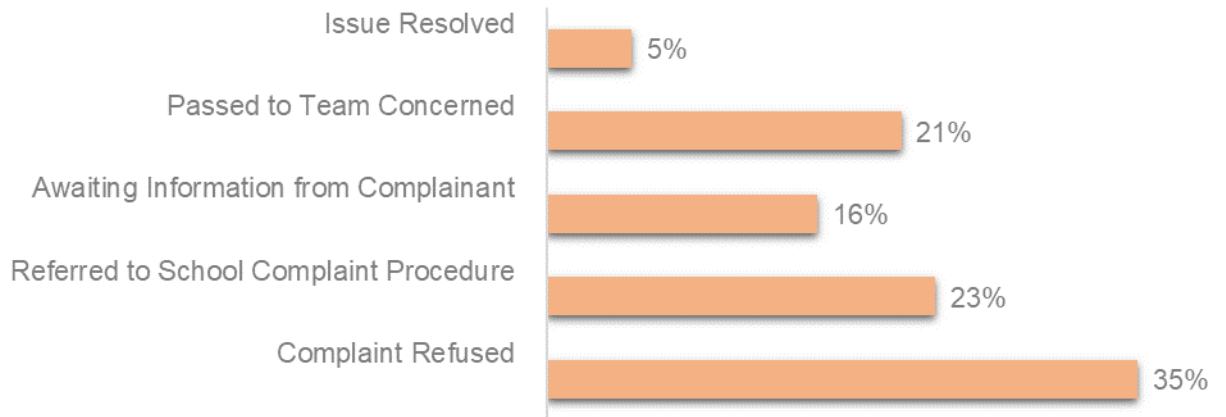
Composition of Total Feedback Received

The chart below provides a general overview of the total amount of feedback which has been recorded by the Complaints Team. For the purpose of the below chart some feedback has been categorised together, such as duty and Local Government and Social Care Ombudsman (LGSCO) matters, these shall be further broken down as the report progresses.

Category	2018/19	2019/20	Change
Duty	186	212	14% ↑
Statutory Stage 1 Complaints	103	124	20% ↑
Statutory Stage 2 Independent Investigations	8	12	50% ↑
Statutory Stage 3 Panels	1	1	-
Corporate Stage 1 Complaints	113	169	49% ↑
Corporate Stage 2 Reviews	8	18	20% ↑
Local Government and Social Care Ombudsman Cases (LGSCO)	29	47	62% ↑
Compliments	242	225	6% ↓
MP Enquiries	74	69	9% ↓

Duty Matters

A total of 212 matters have been recorded under the duty category. The following chart provides a breakdown of how these have been categorised.



Duty Matters by Operational Leadership*

LAC and Disability Services: 34%

Partnership and Development: <1%

Education and Skills: 14%

Specialist Safeguarding, Targeted Services and Youth Offending Services: 51%

*matters referred to access School complaints procedures are not included within these figures.

Matters which are recorded under this category account for a significantly large amount of the total feedback received this reporting year. This is a theme which was also apparent in the last reporting year. All correspondence which is recorded under the duty system is time intensive; however, the 35% of complaints which were refused should be noted. In order to refuse a complaint, the Complaints Team need to be confident that the decision is underpinned by the statutory guidance and that the perception of the Complaints Team is correct. These complaints require close liaison with the Social Work Team to ensure that the information, which is being relied on, is accurate and has been interpreted correctly. Once a complaint has been refused, the complainant has the option of contacting the LGSCO who can scrutinise the decision and potentially recommend an investigation is commenced; it should be noted that all decisions to refuse investigation of complaints this reporting year have been accepted by the LGSCO and no fault has been found in that regard.

The Complaints Team wish to note that all feedback which is received requires a response in some form and as such the fact that feedback does not qualify for a formal investigation, should not cause staff to assume detailed enquiries and work will be undertaken in order to respond in some form. The Complaints Team remain committed to carefully screening each aspect of feedback received to consider whether it is capable of further investigation and meets the strict criteria within the legislation. It would not be possible to complete this work without the support of the Social Work Teams who assist this process by ensuring the most up to date documents are recorded on the system and who are always on hand to provide their views if required.

Statutory Stage 1 Complaints: Key Themes

Numbers

An overall 14% increase is reported for Stage 1 Statutory Complaints across the services. Upon comparison to 2018/19 this equates to a 40% increase for Specialist Safeguarding and a 12% increase for LAC and Disability.

Nature of Complaint

Case management remains the consistent theme for nature of complaints, allowing for 86% of the Statutory Stage 1 Complaints. Staff conduct and standard of service each account for 4%.

Timescales

Whilst there has been a 14% increase in Statutory Stage 1 Complaints, responding to these within timescale has reduced from 61% in 2018/19 to 52%.

Resolved

Various complaints have been resolved to complainant's satisfaction via meetings facilitated with the Complaints Team and Heads of Service. This has been following a request for a Stage 2 Independent Investigation and has therefore reduced the cost to the public purse.

Findings

Only 2% of Stage 1 Statutory Complaints have been found to be wholly upheld.

Relationship

75% of Statutory Stage 1 Complaints were received from parents of service users. Only 7% were received from a young person directly or an Advocate on behalf of a young person.

The Complaints Team processed a total of 118 complaints through the Statutory Complaints Procedure at Stage 1. The chart below provides a breakdown with a comparison for the previous reporting years:

Reporting Period	TOTAL
2017/18	54
2018/19	103
2019/20	118

The data above reports a 14% increase in complaints being facilitated through Stage 1 of the Statutory Complaints Procedure. It is always difficult to provide future forecasts of complaints, as complaints are subjective and down to how an individual perceives a situation. The Complaints Team regularly emphasise the point that the volume of complaints taken solely, is not an indicative measure of the quality of service provided by the respective teams. The outcome of an investigation and whether the complainant takes steps to instigate further investigation, provide a more useful and evidence-based measure of performance and more importantly provide learning for the services to shape their future intervention and practice.

Breakdown

The following tables provide a further breakdown into operational leadership and individual teams, of the 118 complaints investigated at Stage 1 of the Statutory Complaints Procedure, with a comparison of the preceding year.

Specialist Safeguarding, Targeted Services and Youth Offending Service	TOTAL 2018/19	TOTAL 2019/20
Specialist Safeguarding Units	49	73
First Response Team	1	3
Emergency Duty Team	1	-
LADO Service	2	1
TOTAL	55	77
Looked after Children and Disability Services	TOTAL 2018/19	TOTAL 2019/20
Care Planning/Court Teams	13	12
Disability Services	10	10
Throughcare Teams	10	16
Adoption Service	5	3
Fostering Service	5	6
TOTAL	42	47

Outcomes of Stage 1 Statutory Complaints*

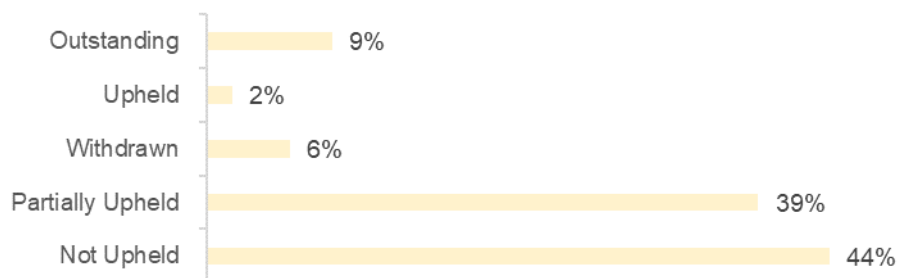
Reporting Period	Upheld	Partially Upheld	Not Upheld	Complaint Withdrawn
2017/18	22%	39%	37%	-
2018/19	6%	56%	34%	5%
2019/20	2%	39%	39%	7%

*at the time of reporting 13% of complaints remained open/outstanding.

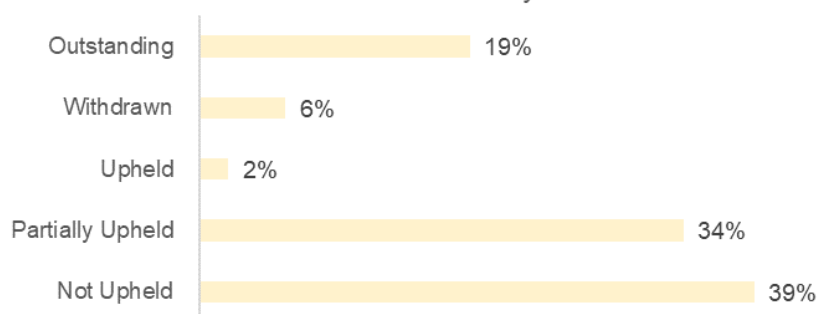
The figures above report that despite there being a 14% increase in Stage 1 Statutory Complaints in comparison to previous reporting years; there is a decrease in complaints being found to be wholly upheld for the second reporting year. There is a decrease to be noted in complaints found to be partially upheld; this still supports the fact that local level managers who are investigating complaints at Stage 1 are able to be open and transparent and identify faults within their services yet also balance this against any evidence which indicates the team has acted appropriately.

Outcomes by Operational Leadership

Specialist Safeguarding, Targeted Services and Youth Offending Service



LAC and Disability Service



Timescales for Responding to Stage 1 Statutory Complaints

The following chart shows a comparison of the response timescales for Stage 1 Statutory Complaints for 2019/20 against previous reporting years.

Reporting Period	Within Timescale	Over Timescale	Complaint Withdrawn
2017/18	45%	53%	-
2018/19	53%	42%	5%
2019/20	54%	40%	6%

The above figures show that there has been no increase in complaints being responded to over the prescribed timescale. There have however still been a significant number of complaints which have been responded to out of timescale. The Complaints Team fully accept that services are under increasing pressure and competing demands and that investigating a responding to complaints at Stage 1 can be time consuming. The advice provided to all staff investigating complaints is that if a complaint is likely to fall outside of timescales, communication with the complainant is paramount to ensure that they are aware of any potential delay and that their expectations are appropriately managed.

Stage 2 Statutory Independent Investigations

The below table shows the number of Stage 2 Investigations commissioned this reporting year yet also proves some comparative data of the preceding year and the percentage of stage 1 complaints progressing to the next stage.

Reporting Period	Number of Stage 1 Statutory Complaints	Number of Stage 2 Independent Investigations	Percentage of Stage 1 Complaints Progressing to Stage 2 Investigation
2015/16	70	11	16%
2016/17	91	9	10%
2017/18	54	5	9%
2018/19	103	8	8%
2019/20	118	12	10%

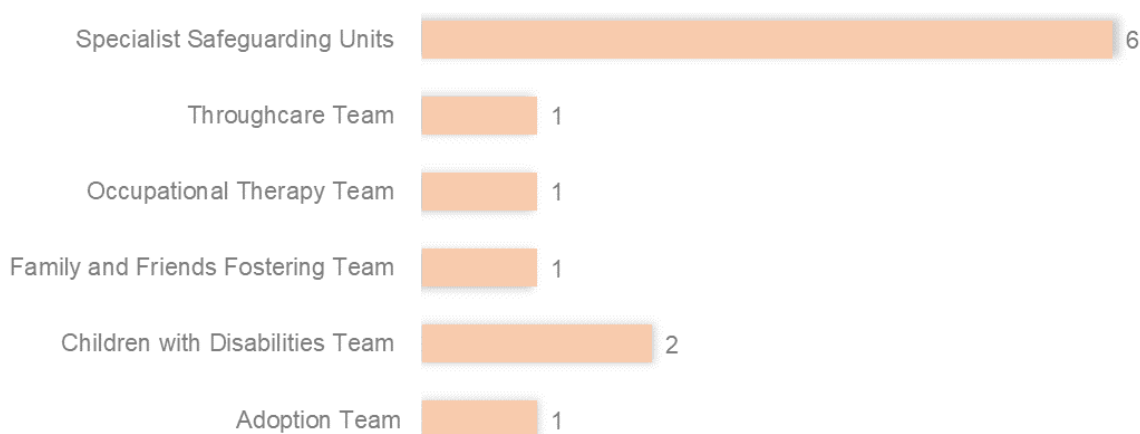
This data shows a slight increase in the percentage of complaints which have progressed to the next stage of the Statutory Complaints Procedure. It should be noted that each complainant has differing reasons regarding why they wish to escalate their complaint, and it should not be assumed this is due to a poor investigation at Stage 1. It is routinely communicated to all staff that a thorough response at Stage 1 and evidence that attempts have been made to contact and discuss the issues with the complainant, will support the stance of the service should the matter escalate through the Statutory Complaints Procedure.

The table below shows the Stage 2 Investigations that took place in respect of the services within Families First.

Service	Number of Stage 2 Independent Investigations
Looked after Children and Disability Services*	6
Specialist Safeguarding, Targeted Services and Youth Offending Services*	6

*a total of 5 Stage 2 Investigations remain in the process of being investigated.

The chart below provides a further breakdown into individual teams:



Findings and Recommendations from Stage 2 Statutory Investigations

The tables below offer a small selection of some of the complaints that escalated to Stage 2 and the actions which the services have taken to complete the recommendations made by the Investigating Officer, from the 6 completed investigations there was a total of 97 individual complaints investigated.

The table provides an overview of the findings from the combined 97 complaints:

Finding	Percentage
Upheld	21%
Not Upheld	60%
Partially Upheld	19%

The following table provides a small selection of some of the recommendations which have been implemented as a result of Stage 2 Statutory Investigations. These recommendations are disseminated to practitioners through a variety of methods such as staff memos, discussed in individual supervisions and team meetings and shared at higher level management meetings.

Service: Looked after Children and Disability Services
A selection of recommendations accepted by the service:
<ul style="list-style-type: none"> • That the Council should take steps to ensure that important information for service users, their carers and representatives is provided in a form and format which serves the requirement for clarity, unambiguousness and accountability.
<ul style="list-style-type: none"> • That contingency arrangements are put in place for situations where it becomes likely that statutory visiting requirements cannot be met, and that any subsequent difficulties are referred to senior management.
<ul style="list-style-type: none"> • In cases when a referral is made to Children’s Services by the parent with whom the child resides and there is shared parental responsibility the other parent should be consulted and informed as soon as possible.

Service: Specialist Safeguarding, Targeted Services and Youth Offending Services
A selection of recommendations accepted by the service:
<ul style="list-style-type: none"> • The Independent Investigating Officer recommends that Children’s Social Care ensure staff are careful not to discuss confidential information (issues around complaints or issues relating to another family) in front of third parties, time should be taken to discuss such issues separately.
<ul style="list-style-type: none"> • Communications – letters, emails, phone calls – should be responded to promptly whether or not an immediate answer can be provided
<ul style="list-style-type: none"> • Social Workers should be reminded that written follow ups to meetings where actions have been agreed are helpful. This is particularly true if the parent has said that s/he has a poor memory.
<ul style="list-style-type: none"> • Children’s Services should explain the need for three social workers for the children whilst acknowledging that this can be confusing and lead to a lack of clarity.

Stage 3 Complaint Review Panels

The below table provides an overview of any Stage 3 Complaints Review Panels which were held in 2019/20 and the respective services involved:

Service	Number of Stage 3 Complaints Review Panels
Specialist Safeguarding, Targeted Services and Youth Offending Services	1

Through the Stage 3 Complaints Review Panel process, the Panel will consider information presented by the complainant before inviting officers in attendance to make comment on these. They will then deliberate before submitting a report including recommendations to the Local Authority and the complainant. The Local Authority will then provide a response to those recommendations and inform the complainant of how these shall be implemented.

The below table provides an example of some recommendations implemented following the Stage 3 Complaints Review Panel.

Service: Specialist Safeguarding, Targeted Services and Youth Offending Services
A selection of recommendations accepted by the service:
<ul style="list-style-type: none"> • That the Local Authority considers making contact with Children's Services in the area that the child was last known to be living, to ensure that they are aware of all of the Safeguarding concerns raised.

Corporate Stage 1 Complaints Key Themes:

Numbers

There has been a significant increase in Stage 1 Corporate Complaints of 49% in comparison to the previous reporting year. This equates to a 95% increase for Education Strategy and Skills and a 25% increase for LAC and Disability.

Nature

Following the trend for Statutory Complaints, case management is the main theme of Corporate Stage 1 Complaints, accounting for 68%. This is followed by communication which accounts for 12%.

Timescales

The percentage of Stage 1 Corporate Complaints responded to within timescale has fallen to 50%, compared to 66% in the last reporting year.

Remedies

An explanation and an apology accounts for 66% of remedies for Stage 1 Corporate Complaints.

Trends

The overall increase in Stage 1 Corporate Complaints is attributable to the SEND Service. Complaints relating to this service have increased by 114% compared to the previous reporting year.

Relationships

The majority of feedback within the Corporate Complaints Procedure is from parents of young people. Very minimal contact is received from young people themselves.

The Complaints Team processed a total of 169 complaints through the Corporate Complaints Procedure at Stage 1. The chart below provides a breakdown by quarter together with a comparison for the previous reporting year.

Reporting Period	TOTAL
2017/18	130
2018/19	113
2019/20	169

The above data represents a 49% increase in Corporate Stage 1 Complaints this reporting year. As with the data for Statutory Complaints, it is not possible to forecast figures for complaints as it is not predictable to know what may constitute a complaint to someone.

Breakdown

The following tables provide a further breakdown of the 169 complaints investigated at Stage 1 of the Corporate Complaints Procedure:

Education Strategy and Improvement	TOTAL 2018/19	TOTAL 2019/20
SEND Teams	49	105
School Admission and Transport	1	1
Home Education Team	5	2
Education Psychology	3	3
Education Welfare	-	1
Performance Licence Team	2	-
School Penalty Charge Notices	-	5
TOTAL	60	117
Looked after Children and Disability Services	TOTAL 2018/19	TOTAL 2019/20
Care Planning and Court Team	9	11
Fostering Teams	3	4
Occupational Therapy Team	1	-
Disability Team	1	-
Throughcare Team	1	3
Adoption Team	1	1
Intensive Prevention Service	-	1
TOTAL	16	20
Specialist Safeguarding, Targeted Services and Youth Offending Services	TOTAL 2018/19	TOTAL 2019/20
Youth Offending Team	-	1
Specialist Safeguarding Units	28	18
First Response Team	2	3
Early Help Teams	6	10
TOTAL	36	32

When looking at the above data, the biggest increase by far relates to the SEND Service where complaints have increased by 114% compared to the previous reporting year. The main theme for complaints relating to this service is the failure to adhere to prescribed timescales and the delay in securing an Educational Psychologist to complete an assessment.

Outcomes of Stage 1 Corporate Complaints

The table below illustrates the outcome of complaints dealt with under Stage 1 of the Corporate Feedback Procedure during this reporting year with a comparison for the preceding year*:

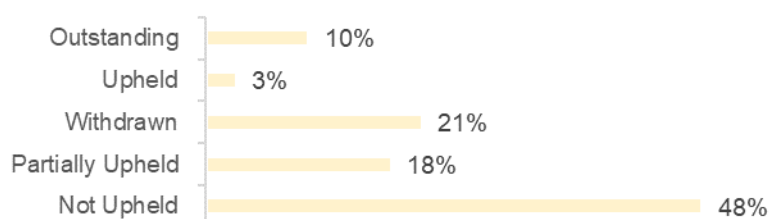
Reporting Period	Upheld	Partially Upheld	Not Upheld	Unable to make a Finding	Complaint Withdrawn
2017/18	8%	34%	51%	-	1%
2018/19	19%	44%	35%	1%	5%
2019/20	22%	30%	24%	-	6%

The data above shows an increase in the complaints which are found to be upheld and a decrease in those found not upheld.

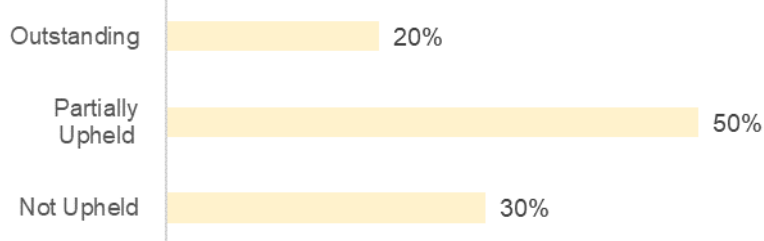
*at the time of producing this report, 21 complaints remained outstanding and as such the data above may alter in the future.

Outcomes by Operational Leadership:

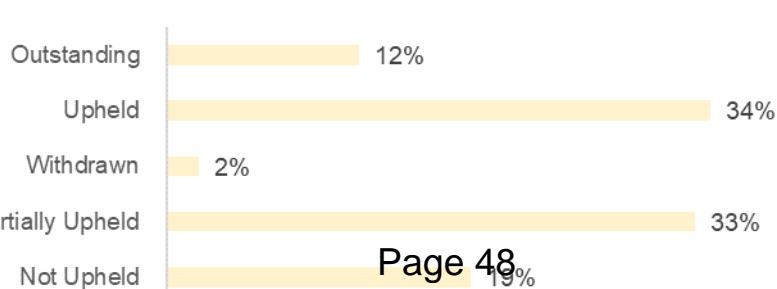
Specialist Safeguarding, Targeted Services and Youth Offending Service



LAC and Disability Service



Education Strategy and Improvement



Timescales for Responding to Stage 1 Corporate Complaints

The table below illustrates the timescales for responding to Stage 1 Complaints via the Corporate Complaints Procedure, with comparative data for the preceding year:

Reporting Period	Within Timescale	Over Timescale
2017/18	53%	40%
2018/19	66%	34%
2019/20	50%	32%

These figures show that 56% of the completed complaints have been responded to within the prescribed timescale set out within the Corporate Feedback Procedure. This is a decrease of 16% from the previous reporting year, however it should be noted that there has been a 49% increase in Stage 1 Corporate Complaints. Maintaining communication with complainants is key when timescales will not be met and the Complaints Team will continue to support managers in ensuring this takes place.

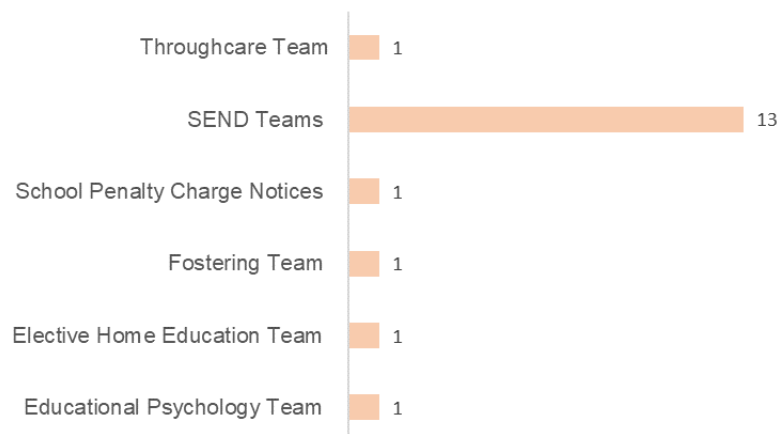
Stage 2 Corporate Complaints – Internal Review

During this reporting year, 16 complaints were accepted for an internal review at Stage 2 of the Corporate Complaints Procedure. The Complaints Team has discretion with requests of this nature and each request is assessed on its own merit. If it is felt that there would be no benefit to the complaint progressing to a Stage 2 Review, then the request is refused, and the complaint directed to the LGSCO.

The table below shows the Stage 2 Reviews that have taken place in respect of the services:

Service	Number of Stage 2 Reviews
Education Strategy and Improvement	16
Looked after Children and Disability Services	2

The chart below provides a further breakdown into teams:



Recommendations and Learning from Corporate Stage 2 Reviews

The below table provides a small selection of recommendations and learning which has been identified from Stage 2 of the Corporate Complaints Procedure.

Service: Looked after Children and Disability Services
Action taken by the service following recommendations:
<ul style="list-style-type: none"> • Team Manager to ensure appropriate management overview within Social Worker Supervisions, in particular around partnership working with parents.
Service: Education Strategy and Improvement
Action taken by the service following recommendations:
<ul style="list-style-type: none"> • The service is working closely with HR in order to recruit educational psychologists directly and have recently recruited additional SEND Keyworkers to address the increased demand on the service.
<ul style="list-style-type: none"> • Whilst usual process is to inform schools and the service expect that in turn schools will inform parents, the service are currently reviewing these procedures and have invested in an on-line portal which will further enhance communication directly with parents.
<ul style="list-style-type: none"> • In conjunction with parents and other agencies, the service has developed a new set of quality standards which will form the basis for training. The Keyworker staffing levels within the SEND Service have also been increased to help manage the additional caseloads as well as the statutory annual reviews.

Local Government and Social Care Ombudsman (LGSCO)

The LGSCO has processed 47 individual matters for the services during this reporting period. The LGSCO will make a judgement on whether they chose to investigate the complaint themselves or make enquiries with the Local Authority before making a decision.

The below table provides further detail; the LGSCO finding reported below how it is stated from the LGSCO:

Service	Status	Findings	Recommendations
Care Planning and Court Team	Refusal to Investigate	Refusal to Investigate	No recommendations
Care Planning and Court Team	Enquiry	Investigation Discontinued	No recommendations
Children with Disabilities Team	Investigation	Maladministration and Injustice	I recommended that the Council: <ul style="list-style-type: none"> • Issues a further formal apology acknowledging the failings identified and their impact; • Pays £1,500 to Mrs B on behalf of her daughter C; • Pays £500 to Mrs B on behalf of C's eldest sibling; and • Pays £1000 to Mrs B on behalf of the whole family. In the same time period I also recommended that for the avoidance of doubt the Council provide Mrs B with clear and unequivocal information about the way in which funds held in the DP account may be used and confirmation that they do not need to be repaid to the Council. Further, I recommended that within three months of the date of the decision on this complaint the Council: <ul style="list-style-type: none"> • Completes the revisions to the assessment of C's needs; • Offers and completes carer and young carer assessments (unless these are refused, in which case the refusal should be documented); • Puts any services deemed necessary to meet needs identified by the above assessments in place, and takes any other actions deemed necessary in respect of CiN planning, within four weeks of completion of those assessments; and • Reviews lessons learned from the complaint, resulting in a plan to address all identified shortcomings, with timescales. This should include the areas of record keeping, communications with and support for service users or potential service users, complaint handling, and commissioning arrangements where services are required to meet needs. It should also include ensuring that relevant staff are reminded of the statutory guidance on care and support for deaf-blind children and adults and of the need to ensure appropriate MSI assessment is promptly arranged where appropriate. I recommended that a senior member of staff undertake regular monthly oversight of progress of all the above matters to guard against further drift and ensure accountability.
Children with Disabilities Team	Enquiry	Investigation Commenced	LGO investigation began.

Children with Disabilities Team	Investigation	Maladministration and Injustice	I recommend the Council make a symbolic payment of £2,000 to Ms M and H to acknowledge the impact of its failure to provide the additional support the Council decided Ms M needed from early 2017 until H started at a residential special college in 2018. The Council should make the payment within 4 weeks of my final decision. I recommend the Council revisit Ms M's request for specialist equipment to monitor H at night when he visits. The Council explained that it cannot provide specialist medical equipment. If the Council identifies H needs night-time support, either with specialist equipment or from a carer, it should ensure the need is met, and provide assistance to Ms M to secure support if the Council decides not to provide it itself. The Council should ensure this is done within 4 weeks of my final decision. I recommend the Council review its processes to ensure it makes timely decisions when assessments identify unmet needs, and care plans are updated following decisions by the 'resources panel' to show how needs identified in an assessment will be met. The Council should complete the review within 12 weeks of my final decision. I recommend the Council review the sufficiency of its residential respite service for disabled children. The Council should complete the review within 12 weeks of my final decision.
Educational Psychology Team	Refusal	Refusal to Investigate	No recommendations
Friends and Family Fostering Team	Refusal	Refusal to Investigate	No recommendations
Home Tuition Team	LGO - Prem Ref	Premature Referral	Instigated the Complaints Procedure.
Home Tuition Team	LGO - Prem Ref	Premature Referral	Instigated the Complaints Procedure.
Early Help Teams	Investigation	-	Awaiting decision.
Penalty Notice School Admissions Team	Refusal	Refusal to Investigate	No recommendations

School Transport Policy Team*	Investigation	Maladministration and Injustice	Apologise to Mrs X for the faults I have identified; b) Consider Mrs X's appeal about the safety of the walking route and transport issues at stage two of its appeal process. Mrs X should be invited to present her case to the panel; c) Write to all parents who appealed to the Council about the safety of the walking route and transport issues and inform them of their right to escalate their appeal to stage two; d) Complete all stage two appeals; e) Ensure that the independent panel members are independent of the original decision-making process and suitably experienced. This should ensure a balance is achieved between meeting the needs of the parents and the local authority, compliance with road and safety requirements and that no child is placed unnecessarily at risk. If the appeal upholds any of the cases, or the Council wishes to agree a remedy without presenting its case to a fresh appeal panel, the Council should: f) agree a financial payment for alternative transport the parent(s) have provided since September 2018. g) review its home to school transport provision in line with statutory requirements
School Transport Policy Team*	Investigation	Maladministration and Injustice	as above.
School Transport Policy Team*	Investigation	Maladministration and Injustice	as above.
School Transport Policy Team*	Investigation	Maladministration and Injustice	as above.
School Transport Policy Team*	Investigation	Maladministration and Injustice	as above.
School Transport Policy Team*	Investigation	Maladministration and Injustice	as above.
School Transport Policy Team*	Investigation	Maladministration and Injustice	as above.
School Transport Policy Team*	Investigation	-	Awaiting decision.
School Transport Policy Team	Enquiry	Investigation Commenced	LGO investigation began.
SEND Team	Enquiry	Maladministration and Injustice	The Ombudsman finds there was some fault in the way the Council considered Miss X's application for post-16 transport for her son. This caused Miss X uncertainty as to what the outcome may have been. I have recommended the Council reconsider the appeal.

SEND Team	Investigation	Maladministration and Injustice	The Council has agreed to give Ms X an opportunity to provide further evidence to support her appeal and refer the matter back to the panel to reconsider. If a revised decision is to award transport, the Council should reimburse Ms X for any reasonable expenses she has incurred providing transport for Y. This action should be taken within one month from the date of this decision.
SEND Team	Investigation	No Fault	No recommendations
SEND Team	Enquiry	Investigation Commenced	LGO investigation began.
SEND Team	Enquiry	Premature Referral	Instigated the Complaints Procedure.
SEND Team	Enquiry	Refusal to Investigate	No recommendations
SEND Team	Refusal to Investigate	Refusal to Investigate	No recommendations
SEND Team	Investigation	No Fault	No recommendations
SEND Team	Enquiry	Investigation Discontinued	No recommendations
SEND Team	Refusal	Refusal to Investigate	No recommendations
SEND Team	Investigation	Maladministration and Injustice	I considered C and the family were caused an injustice between January 2019 and 29 September 2019 when Mr B included the issue in his appeal. I calculated this was approximately six months of term time, with the first three months providing one night a week and the latter three with no provision at all. I considered a suitable remedy would be £1600 calculated as follows: • Three months of reduced provision @ £150 per month: £450 • Three months of no provision @ £300 per month: £900 • Time and trouble for Mr B and the family: £250. Mr B considers this is insufficient. He says C missed out on 35 nights of provision and at current costs would amount to between £7,000 and £10,000. He says it is not even enough to pay for a week's holiday at a disabled activity centre for the whole family and will not act as a deterrent for the Council. I do not consider this level of remedy is appropriate: We aim to remedy personal injustice wherever our investigations reveal there has been fault. Sometimes we will recommend a financial payment to the person who brought their complaint to us. This might be to reimburse a person who has suffered a quantifiable financial loss, or it might be more of a symbolic payment which serves as an acknowledgement of the distress or difficulties they have been put through. But our remedies are not intended to be punitive and we do not award compensation in the way that a court might. Nor do we calculate a financial remedy based on what the cost of the service would have been to the provider. I consider £1600 is a reasonable remedy in these circumstances. It is in accordance with our guidance and recognises the injustice caused to C and Mr B.
SEND Team	Enquiry	Investigation Commenced	LGO investigation began.
SEND Team	Enquiry	No Fault	No recommendations

Specialist Safeguarding Unit (SSU)	Enquiry	Refusal to Investigate	No recommendations
Specialist Safeguarding Unit (SSU)	Refusal to Investigate	Refusal to Investigate	No recommendations
Specialist Safeguarding Unit (SSU)	Refusal to Investigate	Refusal to Investigate	No recommendations
Specialist Safeguarding Unit (SSU)	Enquiry	Refusal to Investigate	No recommendations
Specialist Safeguarding Unit (SSU)	Enquiry	Refusal to Investigate	No recommendations
Specialist Safeguarding Unit (SSU)	Enquiry	Investigation Commenced	LGO investigation began.
Specialist Safeguarding Unit (SSU)	Investigation	Maladministration and Injustice	The only fault I have found for the complaints investigated is in relation to the failure to invite Mrs B to a child in need meeting in June 2017 and failure to provide her with the minutes of that meeting. I am satisfied the Council has apologised to Mrs B and sent a memo to those dealing with child protection and child in need cases to remind them of the policy on involving parents in meetings and providing minutes of meetings. I am satisfied with the action the Council has taken and make no further recommendation
Specialist Safeguarding Unit (SSU)	Refusal to Investigate	Refusal to Investigate	No recommendations
Specialist Safeguarding Unit (SSU)	Refusal to Investigate	Refusal to Investigate	No recommendations
Specialist Safeguarding Unit (SSU)	Refusal to Investigate	Refusal to Investigate	No recommendations
Specialist Safeguarding Unit (SSU)	Investigation	-	Awaiting decision.
Specialist Safeguarding Unit (SSU)	Refusal to Investigate	Refusal to Investigate	No recommendations
Specialist Safeguarding Unit (SSU)	Enquiry	No Fault	No recommendations
Specialist Safeguarding Unit (SSU)	Enquiry	Refusal to Investigate	No recommendations
TOTAL			47

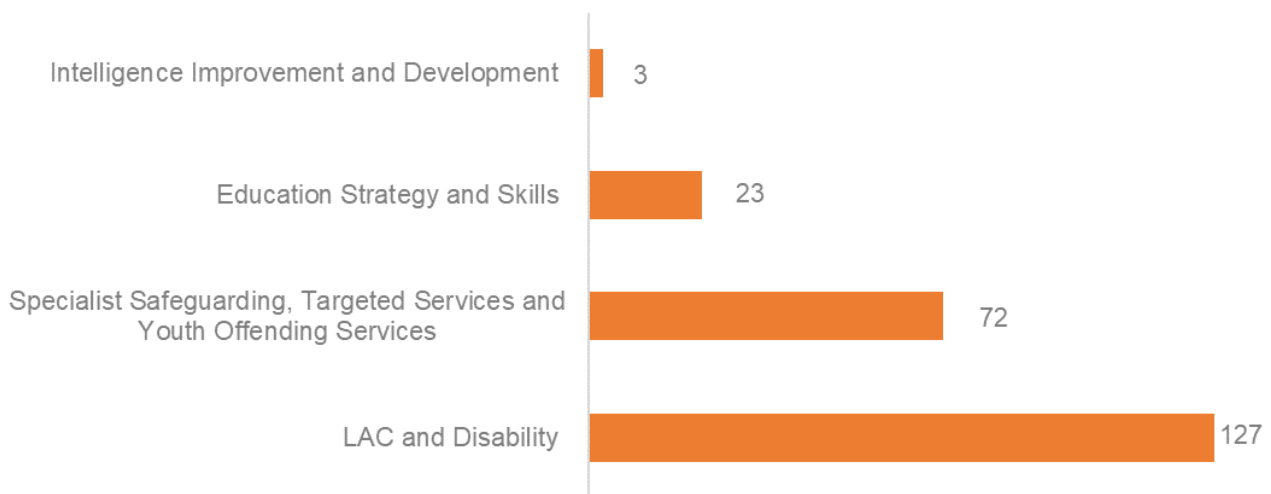
*There are multiple investigations recorded for the School Transport Policy Team; however, these all relate to the same complaint which surrounds a decision regarding home to school travel assistance. A number of parents approached the LGSCO, who were represented by one parent. The LGSCO logged each case individually, although the finding is the same for each.

From the 47 complaints which the LGSCO have considered, 34% have reached a finding of fault. The complaints which have identified fault, shape learning for the Local Authority in the same way that learning identified from all complaints is taken forward. The LGSCO will monitor any recommendations and their case shall remain open until they are satisfied that a proposed remedy has been implemented.

Compliments

A total of 225 compliments have been recorded for this reporting period.

The below chart provides a breakdown of these compliments between the services:



Examples of Compliments

Specialist Safeguarding, Targeted Services and Youth Offending Services

- 'Hiya only me... I just really want to say a massive thank you for everything you've done over the last year to support us. I really appreciate it. I obviously know you've got to close things I wish so would Z wish you could be around forever... It's sad to know you'll be leaving us... you've helped us both loads you are an amazing support worker and we will miss you loads xxx thank you again for everything xxx'
- "Thank you and thank you for all you have done for her. She is a very lucky girl. I just hope she learns to appreciate people and learns from her mistakes."
- X's care commitment and dedication to our families goes above and beyond and her assessments are exemplary. We don't celebrate or praise our colleague's achievements enough these days, so on behalf of the children, and me, a big "thank-you".
- She recognises that she has been traumatised by the events she has survived and welcomes the help and support that is being offered to her. Which without X working this case in the way she did would not have been possible. This has brought a family to safety and enabled them to come together to heal. Please pass my thanks onto X for her through and commendable work.
- Just to tell you how much we appreciated to have someone like X who made a big difference to my kid's life. She is hardworking and very supportive all the way through. She visited me and my children and listened to us our concern carefully, finding out the root of the problem. She informed us about the progress and gave us the reassurance. Her professionalism for her job has impressed me very much. As a result, me and my kids are having a much happier life now but

without someone like her, this result would not have been achieved. I would like to say a huge thank you to your team and especially X who will be continually making the difference to the unfortunate families.

- In addition to the good practice alert, mother said she felt that if she had a different social worker, she wouldn't have made the changes she did. She said that I was a people's person and never looked down on her.
- I just wanted to make you aware how fantastic X is. I have never seen anyone who is more dedicated to putting the child at the heart of the process. She really is an exceptional practitioner and I want to say a big thank you from everyone.
- Currently ongoing before me is an intractable and acrimonious private law dispute. In fact, it is one of the most difficult private law cases I have seen. X is the author of the report. The report is an extremely thorough and very competent piece of work. It helpfully sets out a detailed chronology of all relevant information and identifies the real issues in the case. Further, X goes on to grapple in a very fair handed manner the difficulties presented by both parents. Finally, the report thoroughly analyses the impact upon the child and arrives at a fully reasoned conclusion. In a difficult case such as this it is not an exaggeration to say that the report is a 'godsend' in assisting the court in trying to make the right decisions for this child who is caught in the midst of a very acrimonious adult conflict.
- 'Ms X spoke positively about her relationship with Mr Z, Social Worker, and explained that he would "sit down" with her during home visits and appeared to treat them respectfully and to offer them help in their relationship with Y. Ms X noted that Mr Z had provided assistance in accessing support for Y, for example, in respect of a gym and college.'
- I have just taken this time to wish you plenty of joy over the festive season and every day of the coming year. You have been an epitome of excellence, leadership and wisdom. I regard your leadership as transformational, as you enable people to do the greatest things. I say this because I have seen how you have looked me since my first day at work and up to now you still guide me. I really appreciated your leadership. The saying that goes like "The greatest leader is not necessarily the one who does the greatest things, but she is the one that gets the people to do the greatest things" applies to you. You genuinely care for and show love to the people in your team and for that I am grateful.

Looked after Children and Disability Services

- X shared how pleased she was with my attempts to work with Z, which was often under pressure as Z could be verbally abusive to me and threatening.
- He was highly complementary of the excellent work completed by X as part of the rehabilitation plan before and after. The work with the father and children was deemed excellent, sensitive, and insightful. The Guardian has specifically asked that this is passed on to her manager.
- X was very pleased that he is having you as his PA, as he is aware of you from some of friends as they have given him lots of positive feedback about you.
- Our solicitor has sent through the court order today and has also passed on their thanks to placements as below: *'enormously assisted in those efforts by colleagues in the office, including the duty social worker and the placements team members.'*
- Thanks for the update and all that you are doing for him. Your approach is very efficient and caring and much appreciated
- I will see you tomorrow, but I just wanted to also take this opportunity to thank you for your input. X has really bonded with you and with your help, support and understanding I feel that we have come a long way. I still think we have a bit more work to do but I feel quietly confident about the future and more in control than I did when I made that SOS call. You really are a star.
- She thanked me for being a good social worker who is honest, fair and didn't judge her. I was quite taken back.

- We are so grateful for all that you have done for us over the years. You've always fought our corner and supported us without judgement and ensured that with the support you've helped put in place, we have stayed and coped as a family. It will break my heart the day X leaves home but deep down I know it'll be the best for him. Thanks to you we have been able to keep him at home. I'm sure you will now have a new case/child to work with. They will be the next lucky family to have you working for them. Go work your magic. You're a star in our eyes. Thank you.
- I just want to say that I really appreciate the work that Social Worker X is doing with a young person we both work with. He has gone over and beyond with support for him and our work together has proved beneficial for that young person. He is a credit to your team. I hope you can pass on this praise and to thank him for his efforts.
- Hi, just to say thanks for your support with this case and with sorting the issue which arose with the cot yesterday. The OT Team is a brilliant team, really supportive and well led, I know you have a lot on at the moment and are really busy, so I wanted to let you know that it is appreciated! Hope you have a nice weekend
- Your approach in discussing review conferences with me prior to the meeting and providing regular updates is invaluable, at all times, but particularly at this time given the capacity issues within my service at this time. Your knowledge of your cases is always excellent, and you are always child focused. Your approach to being direct and honest with parents about your concerns is very skilfully done, this is often no easy task as parents can become defensive or hostile. You always manage to achieve a balance so that parents hear your concerns but do not disengage. It is a pleasure to work with you.
- I hear lots of adoption support (or lack of) horror stories from friends in other areas - & feel so pleased that we adopted in Staffordshire and are able to work with the best post-adoption senior family support worker ever!
- X described her as being her most favourite social worker ever. She was described as being lovely and listened to her and also said that she was able to talk to her. She also spoke positively about Z and said that she was one of the most efficient social workers that she has worked with and as well as listening actually sorts out the things that need to be done. We don't always receive positive feedback, so I hope that you enjoy this one, it is well earned.
- Last night I had a phone call from X's mum. She was over the moon (to say the least) and wanted us both to know that Z has now got a job and is a changed young man at home and drug wise. He will be working full time. She wanted me to let you know even though we worked with him a while ago and said without our support this would never have happened. She also wanted me to tell management of IPS and T3. She was over the moon and emotional and said the family is in a very different place thanks to IPS and T3.
- X has made herself available to us day and night and even at times when she is not 'on duty', she is punctual, reliable and has always backed us up and fought our children's corner at difficult meetings and appointments with health professionals and educational settings. All the while coaching us on how best to handle this situation for ourselves too. She is a great listener who offers sound advice and first class practical and emotional support.
- She stood in on an unplanned situation and worked brilliantly. Her relationship with the children is amazing and was proven to be the case when X himself told her he had not seen her in 10 months and yet all of the children gave her hugs and wanted to catch up with her. She was really supportive to him at an absolutely awful time. I also feel she really supported me as it was the first time, I had done a placement move and her experience shone through. So, thank you.
- With the support of them, he was able to attend the parents BBQ and parents' event, this again was successful, and staff supported him to listen to the feedback from staff on his progress. The school's Prom event was a huge success, he was supported by two staff members who dressed the car up with balloons and banners - making his last Prom at school a memorable event.

Education Strategy and Improvement

- I'm sure you mainly get negative messages, but I wanted to thank you and Staffordshire County Council for all the help that has been given to help X achieve one of her goals in life, university. Without the support from the EHCP, X wouldn't have even got any GCSE let alone a place in college and now uni. So THANK YOU.
- A message to every individual who has worked with me...
You all are incredible people and you should all be extremely proud of yourselves for helping students like me to achieve something great in life! I will miss you all, in fact, I have got tears in my eyes writing this message, but I will keep you all informed regarding my future plans by sending emails to the office! There is so much more I want to tell you all but no words will ever express how grateful I am and how I appreciate each and every one of you! I love you all and once again, thank you! I hope you enjoy these photos of me being a little kid in the park but hey, I wanted to make you all smile because you all did tell me that my sense of humour was great and I remember you also told me to never stop being me so I will always carry that and more wherever I go!!
- I have finally found time to sit and email you regarding my mum and X who assists her. I am so thankful for all that X has helped my mum with over the last few years. My mum used to be very shy and embarrassed about her disability and didn't like being out in public, let alone sign in public. My mum is a completely different person now, she is no longer embarrassed and is happy to sign in public. She has a routine with X now and looks forward to her visits. On occasions when I have needed to speak to X or arrange appointments, X has always been on hand and very accommodating. If X were to stop her visits, I truly believe my mum would revert back to her former self. My mum cannot sing X's praises enough.
- The meeting was brilliant. The commissioning and quality managers they sent were really lovely and listened to what we said. There was only about 7 of us parents but that worked out quite well as anymore and I think people would have struggled to be heard. Just to let you know – The overwhelming feeling from all the parents was that AOT are everything to the parents and we all feel like you keep us in the loop for all things ASC and we all feel very well supported by your department.
- I would like to compliment (Education Welfare Officer). X recently helped our family with a very difficult situation concerning our 12-year-old daughter. X went above and beyond her role and helped/advised us when nobody else would. The way she dealt with our daughter and the way she researched and offered advice was superb and I cannot express how much she helped us through a very difficult time. She was consistently professional, courteous, showed empathy and above all she cared. She is a CREDIT to Staffs Council and should be recognised for the work she does as she made ALL the difference to our situation. Thank you from the bottom of our hearts!!!!!!
- Just to let you know I was on the phone to a parent and before ending the conversation she told me how grateful she has been for the support she has received from X and Y. Given the fact we mostly tend to hear about things that do not go well, I thought we need to celebrate a compliment and to remind ourselves that we do a lot of good work. Her foster son has had a very unsettled time, but he is now somewhere where he really likes, and parents feel very positive about. X and Y worked really well together covering for each other when absent during the summer holidays and moving the case forward. I also spoke to another parent who was very grateful for the conversation and appreciated the significant pressure we are under as a service.
- X has been approachable, responsive, open, supportive, reliable, kind, proactive and an advocate for our fostering. This support is very much appreciated. She is truly a great asset to this important front-line team.

- Thank you so much for finding the time to respond to my e-mails, and I did note and appreciate that it was sometimes out of your working hours, and always quickly. Also, thank you for passing X EHCP agreed amendments on to process quickly due to the possible merging of processes - his review, the 'secondary school transfer review' and my 'preferred school' deadline. I've had the pleasure of working with her before during X's Statement/EHCP transfer, so I completely knew I was in safe hands! as we work easily and quickly together, providing we have coffee and chocolates. She's a credit to your team, and I hope you clone her soon!
- I want to thank you for your steadfast work, commitment and care. It's been refreshing to work with you. The support workers have nothing but praise for the service you have offered, and I would concur it has been exceptional. Please accept and record our comments as a compliment.
- I just wanted to pass on X's thanks and appreciation for the work that you and your team are doing with schools' admissions. He reflected positively on our admissions process. I hadn't appreciated that you keep the schools and academies informed on the levels of applications to their schools as the process develops, which allows them to target their social media advertising campaigns away from the over-subscribed schools and into those which are less popular. The result is that there is a higher level of first choice pupils than there might otherwise be, which is good for us, but more especially for the staff in the schools who have more focussed pupils in their classes.

Intelligence Improvement and Development

- Very professional and appropriate management of a difficult and complex situation.
- Thanks to the chairperson. This is the first time we have had a more positive experience.
- Excellent diffusion of conflict, good negotiation skills. Well done.

Annual Report Commentary from the Complaints Team

The data contained within this Annual Report shows that all feedback received has increased over this reporting year, aside from compliments and MP enquires which have only slightly reduced. The most significant increase is seen within the Stage 1 Corporate Complaints and the correspondence received from the LGSCO.

An increase in all categories of feedback has evidently resulted in an increased workload for the staff responding to the complaints and equally for the Complaints Team in processing and screening the feedback received. Whilst the timescales of responding to complaints has reduced compared to the previous reporting year, the Complaints Team will continue to support staff and strengthening the point that good communication needs to take place when complaints fall outside of timescale. A complaint is far more likely to escalate to the next stage if they feel they have not been listened to and as such allowing a complainant the opportunity to verbalise their concerns will benefit the investigation as it adds context to a written complaint and will undoubtedly result in the complainant being more understanding if an extension is to be given on the timescale.

Whilst this reporting year has still brought an increase in Stage 2 Independent Investigations; it has also seen various meetings take place between the complainant, a Senior Manager and the Complaints Team. These meetings are significantly important and have seen numerous Stage 2 Independent Investigations prevented. Whilst this clearly provides a valuable saving to the Local Authority financially, it also demonstrates the commitment of the service to working in partnership with complainants to resolve matters as soon as possible at a local level.

Learning from all complainants continues to be shared by senior management, demonstrating their dedication to disseminate this in the widest possible sense and ensuring that local level practitioners remain informed and aware of any significant matters. Staff are thanked for their commitment in accepting these recommendations and carrying these out as part of their day to day roles. The Complaints Team also remain committed to assisting in the learning from complaints by creating and

sharing reports, assisting with learning events and being approachable to discuss any queries with staff regarding the complaints processes.

The increase in correspondence from the LGSCO has resulted in additional work for all services involved and they are thanked for their assistance in meeting the strict timescales set by the LGSCO. It should be noted that there are numerous financial payments which the LGSCO have recommended this reporting year. The Complaints Team remain committed to working with the LGSCO to gain a better understanding of their decision-making process regarding financial remedies and this reporting year saw the first formal meeting take place between the Complaints Team and the LGSCO External Relationship Co-ordinator. It is hoped this meeting can be built upon and ultimately result in us having more knowledge surrounding the processes the LGSCO follow and how we can potentially raise any future queries.

There is noticeably a significant increase in Corporate Stage 1 Complaints and specifically for the SEND Service, where there is a 114% increase in comparison to their figures from the previous year. It is appreciated that the service is under intense pressure in terms of timescales and the low availability of Educational Psychologists. The Complaints Team wish to thank the staff within the service who have provided detailed responses to complaints and LGSCO investigations during this period. The Complaints Team are committed to supporting the service wherever possible and will continue to develop this working relationship during the following months.

Compliments for the Local Authority have only slightly decreased upon the previous year, however positive feedback should not be measured in this way as each individual compliment should be held in the highest possible regard. It is known just how valuable and appreciated each compliment is to staff members, who are working in areas which can be demanding and challenging. It should also be noted that senior managers are equally as thankful for each positive piece of feedback received and will celebrate the practitioner's achievements and congratulate them personally. During a time where staff have had to significantly adapt and alter their working patterns, positive feedback is appreciated more than ever and as such the Complaints Team would encourage all services to share this with us as it is felt that there may be feedback which has not been captured.

The Complaints Team continue to receive exceptional support from managers at all levels within the department and despite the ongoing pressures faced by all staff within the services, their cooperation and willingness to investigate and respond to complaints is routinely noted.

Report Author:

Elaine Hemming - Customer Feedback and Complaints Officer Children's Services
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Local Members Interest
N/A

Safe & Strong Select Committee - Thursday 05 November 2020

Court Backlog: Impact on Children's Social Care

Recommendations

I recommend that the Committee:

- a. Note the impact of court closures and reduced court capacity on children's social care services and on children and families.

Report of Cllr Mark Sutton, Cabinet Member for Children and Young People

Summary

What is the Select Committee being asked to do and why?

1. Following the national lockdown in March 2020, courts closed to the public and began to hold remote hearings. Staffordshire and Stoke on Trent Designated Family Judge HHJ Sonia Harris has held regular multi agency meetings to monitor and positively address any negative impact of this locally and has led on the development of a local recovery plan which includes adjusted court hours to maximise local capacity given limited courtroom capacity.
2. Despite the efforts of the judiciary, local partners and the local authority to mitigate the impact of the reduced court capacity, this has significantly impacted on the capacity and demand on the local authority.
3. The Select Committee is asked to note the impact of these delays on the demands of the local authority and on children and their families.

Report

Background

4. On 19 March 2020, the same day that the Prime Minister announced the introduction of social distancing measures in an effort to contain the spread of COVID-19, the President of the Family Division, Sir Andrew McFarlane, issued instructions that all family hearings should take place remotely, unless fairness and justice required that a court-based hearing should be conducted. According to the President, the transition to remote access processes would enable the family justice system to 'keep business going safely' and ensure continued access to family justice.
5. COVID-19 has exacerbated the pre-existing pressure on the family justice system and is responsible for causing substantial delays to proceedings. This can partly be explained by the demands of operating remote hearings. It is also the result of a

reduced availability of judges. Magistrates stopped sitting in Family Proceedings Courts following the lockdown, increasing the flow of cases referred to district and circuit judges, consequentially reducing their availability to conduct hearings. In order to manage their lists judges were forced in the early weeks of the COVID-19 crisis to reduce the time allocated for hearings listed before the lockdown, vacate scheduled hearings and list only the most urgent cases. Most contested fact-findings or final welfare hearings were adjourned.

6. One of the additional consequences of lockdown and social distancing has been the inability to progress specialist assessments in a timely way which is likely to be another contributory factor to court proceedings delays going forward.
7. Despite the efforts of the judiciary, local partners and the local authority to mitigate the impact of the reduced court capacity and delays, this has significantly impacted on the capacity and demand on the local authority. It is recognised some progress has been made in recent weeks with some cases now concluding or scheduled to conclude in the new year however the overall impact of delays has been and remains significant.
8. Whilst new and urgent care proceedings have been issued to safeguard children who require immediate protection; final hearings, Adoption Orders, discharge applications and Special Guardianship Orders have inevitably been delayed as lower priority cases given the children are in safe care arrangements. The number of children impacted by this is constantly changing however there are over 30 children in the system impacted by these delays. The impact on the local authority is the following:
 - a. A rise in the number of children looked children (due to planned discharges, SGO's and Adoption Orders not occurring).
 - b. This rise in Looked After Children has an impact on social workers workloads and the statutory duties and tasks required for this group of children including statutory visits, statutory reviews, personal education plans, health assessments, pathway plans etc.
 - c. The extension of care proceedings inevitably means that assessments become outdated and require updating, this is additional work in the system.
 - d. Children on Placement Orders, placed with their adoptive families, awaiting an Adoption Order: there is an increased risk of birth parents challenging the Adoption Order on the basis that their circumstances have changed in the extended passage of time since the Placement Order was made. There is also the risk that the attachment and bonding between the adoptive parents and the child is compromised by the uncertainty caused by the delay. These children remain technically looked after and open to the adoption team who are supporting the family.
 - e. For a small number of children who are 'hard to place' the opportunity for them to achieve permanency through adoption becomes even more limited if their proceedings are extended any further as the children become older. The consequence of this is that these children will remain looked after for the duration of their childhood and will face the challenges that this brings to children in care (stigmatisation, risk of placement breakdown, poorer outcomes). This will have a

long term impact on the numbers of looked after children nationally and locally for a significant number of years.

9. We are working with partners and the judiciary locally and nationally to identify opportunities to reduce the current pressures in the system, including progressing children's cases where there is no disagreement without the allocation of a guardian.
10. There is a financial consequence for the local authority of having children in the care system that would not have been if the court delays and backlog were not occurring. This is predominantly linked to fulfilling our statutory duties for these children not exclusively linked to placement costs.
11. The issue of court backlogs is recognised as a significant issue that requires urgent resolution by the Ministry of Justice, Department of Education, Her Majesty's Court & Tribunal Service, President of the Family Division, Local Judiciary, the Adoption & Special Guardian Leadership Board, The Commissioner for Children and the Association of Directors of Children's Services (ADCS) . It is also a matter that is being highlighted by the regional ADCS group.

Link to Strategic Plan

12. Support more families and children to look after themselves, stay safe and well.

Link to Other Overview and Scrutiny Activity

13. The impact of the court closures on children's social care is that the ambition to reduce the number of children in Staffordshire's care had not been achieved and the financial investment to achieve this has not been realised.

Contact Details

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Local Members Interest
N/A

Safer and Strong Communities Select Committee - Thursday 05 November 2020

Impact of Covid-19 on Children appearing in Criminal Courts

Recommendations

I recommend that the Committee:

- a. Note the impact on children's mental health because of the delays in youth court processes
- b. Understands the cost pressure of the delays in the youth courts
- c. Understands and supports the actions taken to highlight the impact of the delays on children.

Report of Cllr Mark Sutton, Cabinet Member for Children and Young People

Summary

1. The committee is asked to understand the impacts of Covid 19 on the courts system and the impact on children awaiting outcomes in the criminal courts and to note the impacts this has on children's mental health.
2. The committee are asked to note the work that has been undertaken to make representation to key stakeholders to identify solutions and highlight the concerns across key stakeholders.
3. For the committee to note the financial pressures placed on the YOS Partnership pooled budget.

Background

4. The Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 introduced a new remand framework for 10 to 17 year olds and contained key changes to how remanded children are to be viewed and treated.
5. A single Remand Order, Remand to Youth Detention Accommodation (YDA) for Youths was introduced, which removes the differentiation between 10-16-year olds and 17-year olds. Specifically, 17-year olds, who were previously subject to sentencing practices for adults, are now treated according to the same remand framework, regardless of their age and gender and can be assessed as vulnerable and placed on remand in secure accommodation.
6. Every child or young person remanded to YDA automatically has 'Child in Care' status, including 17 year olds, and can be remanded to a Young Offender Institution

(YOI), Secure Training Centre (STC) or Local Authority Secure Children's Homes (LASCH): the latter two being the more expensive of the Youth Detention Accommodation provision. 'Leaving Care' status is granted for those in custody for 13 weeks or more.

7. An 'associated transfer of funding' for all remands to custody (Young Offender Institutions) to Local Authorities to cover 85% of the historical spend for custodial remands, accompanied these changes.
8. Significantly the 2/3rds subsidy received by Children's Directorates in relation to remands to local authority secure accommodation, for all under 15's and any 15-17-year-old who were assessed as vulnerable, was removed. From April 2013 the Children's Directorates became fully responsible for all costs with no associated transfer of funding in recognition of the Children in Care status.

Profile of Remanded children

9. Children remanded to custody are more likely to display entrenched patterns of offending behaviour and/or are more likely to have committed serious offences. Many of these children have suffered trauma, lived in households affected by domestic abuse, mental health, substance misuse, suffered loss, been excluded from school, experienced drug or alcohol related dependencies and have mental health or special educational needs. Some of the children will be influenced by gangs or be engaged with gang activities.
10. The majority of children are currently remanded because they have been charged with serious crimes. Many had been influenced by peers, including peers affiliated to gangs and some have been criminally exploited. Some of the children have been charged with offences with adults such as robbery. Involvement with an adult tends to lengthen the time that they spend on remand as the court makes arrangements so that all the co-defendants can be sentenced together.

Remand Costs

11. Depending on the age of the child, they can either be remanded to a Local Authority Secure Children's Home (LASCH), Secure Training Centre (STC) or Youth Offenders Institution (YOI). The table below details the cost of the individual bed nights for each type of establishment.

Establishment Type 2020/21	Cost (£) per night
LASCH	762
STC	453
YOI	321

12. Children aged 15 years and under are more likely to be remanded to LASCH or STCs - the most expensive types of remand establishments. This is usually because they are deemed to be vulnerable by means of their age or emotional wellbeing. These establishments offer education and intensive interventions for the children in their care. Often the children are on remand to Crown Court (very

serious crime) or have an adult co-accused, where the Courts will seek to sentence all offenders involved together, resulting in an extended remand period which, in turn, places pressure on the remand budget.

13. The Staffordshire Youth Justice Plan for the last 3 years has identified the costs of remands as a significant pressure for the partnership budget. This shortfall will sit against the bottom line for the Youth Offending Service.

Impact of COVID-19

14. COVID-19 has significantly impacted on the ability of courts to operate within their usual limits. This is particularly affecting the crown courts and children awaiting trials in alongside adults. The time a child should be on remand for should not exceed 6 months however, the courts are applying discretion as these are extenuating circumstances and extending custody time limits means that children are spending longer on remand.
15. The impact for SCC is that more children are likely to be 'looked after' for longer due to the nature of the remand and could then acquire subsequent leaving care rights. The impact for the YOS is a strain on the budget and a subsequent overspend.
16. Additionally, the YOS is supporting children who are awaiting an outcome and are trying to maintain contact with the secure environments in a complex environment.
17. There are also significant concerns about the impact on the children who are awaiting an outcome from court, for what are always serious charges and if found guilty will result in lengthy sentences. An added complexity is that there has been a national agreement that once children are sentenced, anytime served on remand could be taken into consideration. Therefore, children could be released without the usual sentence planning that would happen in ordinary circumstances.
18. An example we are facing in Staffordshire is; 2 children who reached their custody time limits and have been extended. They went to trial at the beginning of September and were found guilty and can proceed to sentencing, remaining on remand until sentence. To support the sentencing a report is prepared by the YOS to make recommendations. Ordinarily these cases would be back in the courts within 3 weeks, however the next available court slot is not until mid-November which means that this is an additional cost on the remand budget in excess of £19,260.
19. There are also children waiting for an outcome within the youth courts who have stringent conditions from the court as part of bail. These children are at a greater risk of committing further offences for not adhering to their bail due to the longer than usual timeframes.

Remands to Custody funding

20. The Local Authority received £86,883 for the costs of remands. The 2020/21 projected overspend on the direct Remands budget based on analysis of the first 4 months of 2020/21 and a rolling average for the remaining ten months is £192,000.

Activity to offset the risk

21. The head of the YOS has highlighted the risks contained within this report with the following partners/agencies:

22. Youth Justice Board:

- a. All YOT's have a dedicated regional business advisor allocated to their service to oversee and ensure compliance with youth justice services. The impact of COVID-19 on remands and the pressures outlined in this report have been raised with the regional business advisor who has raised this with the senior leaders within the YJB. However, there has been no formal response to date.

23. Youth Custody Service (YCS):

- a. The issues over remands has been raised with the regional YCS lead and the impact on children's mental health, whilst awaiting extra ordinarily longer than would be usual for an outcome. The YCS lead has agreed to raise this across the secure establishments to consider whether these children require additional support.

24. Werrington YOI:

- a. Werrington is our local Youth Offending Institute (YOI) sited in Staffordshire and where possible all children within Staffordshire are placed, although if there are additional needs children could be placed further afield with some of them being placed hundreds of miles from home. Sometimes placement demand also forces a child to be placed far from home. The issues for children on remand have been discussed with the senior staff within Werrington and there has been agreement that there will be extra monitoring for children on remand, particularly considering their mental health needs.

25. Justice Select Committee:

- a. The head of Staffs YOS was invited to give oral evidence at the Justice Select Committee in June. During this session the impact on children within the custodial estate was explored. The head of the YOS raised concerns about the financial burden on YOTs and Local Authorities together with the impact on children and young people. Within this session the chair of the Magistrate's Association was present who discussed the significant challenges that the courts were facing in moving criminal cases through the formal justice system.

26. Her Majesty's Courts and Tribunal Service (HMCTS):

- a. The head of staffs YOS has raised the impact of COVID-19 with the local justice centre and they are working hard to ensure that the administration of the court is considering those vulnerable children in custody. However, they are being severely hindered in their ability to move forward due to the complexity of arranging court sittings within their existing capacity due to being Covid secure. Particularly difficult when trying to arrange for witnesses and juries. Despite there being great communication and engagement at the local level with HMCTS, there is little engagement regionally or nationally and this is being addressed with the support of the YJB. There have been numerous discussions about operating courts in other buildings and operating in the evenings and weekends, however, there has been no formal consultation or communication on this issue with any YOTs or the YJB. Operating courts during evenings and weekends also present significant challenges to YOTs as they are required to be present during any hearing where a child is to be in attendance. If this plan goes ahead there is likely to be an additional cost pressure to Staffordshire YOS to ensure that staff were available outside normal working hours. It is widely known and been reported in the media that it is expected to take 10 years to clear the backlog of court cases and whilst the courts are trying to prioritise children, where they are involved with adults awaiting a trial there is no speedy resolution to this. As of the 1st September there were 344 outstanding offences awaiting to be dealt with that were pre Covid and during full lockdown. This equates to 156 children and of those children 132 are not known to Staffordshire YOS. Ordinarily at any one time there would be approximately 30 children awaiting an outcome from court, which demonstrates the significant backlog.

27. Staffordshire Youth Offending Service Management Board:

- a. The Staffordshire Management Board met on the 3rd September 2020 and the impact of remands was discussed at this meeting and has been identified as a cost pressure for the partnership. The YOS Management Board budget is a pooled budget from statutory partners, grant from the YJB and a grant from the Police, Fire and Crime Commissioner. The partnership budget does have an identified underspend which was accrued following the service restructure in relation to recruitment of posts. The intention of the partnership is to utilise this underspend to cover the costs of the unexpected remands. Based on the predicted spend for this year on remands it is likely that this can be covered with the current underspend. However, should the situation with the courts continue with the current restrictions it is unlikely that the partnership would be able to meet any overspend moving into 2021/22.

28. Staffordshire YOS:

- a. The YOS is also working with children who are on bail awaiting sentence. These children have strict bail conditions, including daily contact, GPS tagging and non-contact conditions with named people. Due to the length of time they are on bail because of the delay in courts they are struggling to maintain their strict bail conditions. As of the 14th September the YOS is working with 8 children who have these strict bail conditions. All these children are being closely supported and overseen by a manager to try to prevent a breach of these conditions. If a child breaches these conditions an option for the court would be a remand to

custody. Therefore, the service is prioritising these children to try to prevent further remands into custody.

29. Staffordshire Police:

- a. Staffordshire Police continue to support the service through the provision of 3 seconded police officers. These police officers are working hard with the community police officers to ensure where possible that all crimes committed by children that can be dealt with outside of the court arena receive an out of court disposal.

30. Stoke-on-Trent and Staffordshire Safeguarding Board:

- a. Recognising the risk to the children's mental health the Board has written a formal letter to the regional Her Majesty's Courts and Tribunal Service Regional lead and requested that there is a review of their recovery plan to ensure that children are prioritised. A response is awaited.

Conclusion

31. The decision to remand children is multifactorial – based on the seriousness of the offence and the likelihood of offending on bail. These are not always children that have a long history with SCC or YOS, which might be used to impact on the trajectory that ends in serious crime and remand.
32. COVID-19 is having a significant impact on the length of time children are spending on remand due to the delays within the court system. These delays are also impacting on the mental health of our children who are awaiting sentence longer than usual. There will undoubtedly be consequences on the numbers of children who enter care by virtue of their remand status which could also equate to them acquiring leaving care rights.
33. Fortunately, the numbers of children on remand are small numbers. As of the 14th September, we have 3 children on remand across the secure estate which is within expected numbers. However, small this cohort is; for Staffordshire this is placing a financial burden on the YOS.
34. For 2020/21 the Staffordshire YOS Management Board has identified an underspend in their pooled budget to cover the cost of the remands. However, if the current trajectory continues beyond April 2021, the partnership would have a significant cost pressure (with the actual amount being difficult to predict due to not knowing the full impacts of the court) and be unable to meet this within their current budget. Given that the delays within the courts is unlikely to dissipate quickly it is likely that this will be an ongoing financial pressure within the YOS budget and a piece of work is underway to try to project the costs while the delays in courts continue.

Contact Details

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WORK PROGRAMME

Safe and Strong Communities Select Committee 2020/21

This document sets out the work programme for the Safe and Strong Communities Select Committee for 2020/21. The Safe and Strong Communities Select Committee is responsible for scrutinising: children and adults' safeguarding; community safety and Localism. The Council has three priority outcomes. This Committee is aligned to the outcome: The people of Staffordshire will feel safer, happier and more supported in and by their community.

We review our work programme at every meeting. Sometimes we change it - if something comes up during the year that we think we should investigate as a priority. Our work results in recommendations for the County Council and other organisations about how what they do can be improved, for the benefit of the people and communities of Staffordshire.

Councillor John Francis

Chairman of the Safe and Strong Communities Select Committee

If you would like to know more about our work programme, please get in touch with Nick Pountney, Scrutiny and Support Manager on 01785 276153 or by emailing nicholas.pountney@staffordshire.gov.uk

Membership – County Councillors 2020-21

John Francis (Chairman)
Bob Spencer (Vice Chairman)
Ann Beech
Ron Clarke
Ann Edgeller
Trevor Johnson
Bryan Jones
Jason Jones
Paul Snape
Mike Worthington

Calendar of Committee Meetings - 2020-2021

28 May 2020 at 10.00 am cancelled due to Covid 19
7 July 2020 at 10.00 am virtual meeting held on Teams
1 September 2020 at 10.00 am virtual meeting held on Teams
13 October 2020 at 10.00 am – Extra meeting virtual meeting held on Teams
5 November 2020 at 10.00 am
11 January 2021 at 10.00 am
1 March 2021 at 10.00 am
22 April 2021 at 10.00 am

Meetings usually take place in the Oak Room in County Buildings.

Meetings usually take place at County Buildings, Martin Street, Stafford ST16 2LH

Work Programme 2020-21

Date of meeting	Item	Details	Action/Outcome
28 May 2020 10.00 am	Progress with the Children's Services Improvement Plan Cabinet Member: Mark Sutton Lead Officer: Helen Riley	Requested at their 28 May meeting – Members wish to see progress made with the Plan following their consideration at the May meeting.	<p style="text-align: center; color: red;">Meeting cancelled due to Covid 19</p> <p style="text-align: center;"><i>Briefing notes were requested after the 7 July meeting to update members on these items and help prioritise future work programme planning.</i></p>
	Domestic Abuse Cabinet Member: Gill Heath Lead Officer: Trish Caldwell	At their meeting of 1 October 2019 Members requested a six-monthly update on progress made with the newly commissioned New Era services Note that following the 7 November Triangulation meeting the Cabinet Member requested that this be considered in light of the new DA Act. The report needs to focus on the effectiveness of the new contract and the current shortfall in funding	
	Catch 22 Cabinet Member: Mark Sutton Lead Officer:	Having met with members of the Catch 22 team the Vice Chairman and Members updated the select Committee on their work at their 1 October meeting. Members requested an update from Catch 22 in six month time	
7 July 2020 10.00 am Virtual Teams Meeting	Update on Children's Transformation	The Select Committee to receive an update on Children's Transformation in light of the impact of Covid 19 and the County Council's response to this.	The Children and Families Services approach and response to Covid-19 was endorsed and Members congratulated officers on their understanding of the impact and risks associated with the Covid-19 and responding to these. Members also asked for a letter of thanks be sent to Catch22 for their continued professionalism and commitment throughout the crisis.
1 Sept 2020 10.00am Virtual Teams Meeting	Staffordshire & Stoke-on-Trent Safeguarding Children's Board – response to Covid-19 Cabinet Member: Mark Sutton Lead Officer: Helen Riley	Following the 7 July Select Committee Members requested another opportunity to consider the response to Covid-19 by the Staffordshire & Stoke-on-Trent Safeguarding Children's Board in more detail.	Officers were commended on the work undertaken and on their risk and recovery planning. The refreshed risk and recovery plan will be shared with the Select Committee once it has been updated to include demand following the return to school.
13 Oct 2020 10.00 am Extra meeting Virtual Teams	Children & Families Transformation – update Cabinet Member: Mark Sutton	An extra meeting requested for pre-decision scrutiny to look at progress with the Children and Families Transformation prior to the October Cabinet.	An update on the 50% increase in EHE numbers and the impact of Covid 19 on these be include on the work programme. Members noted the progress made and recognised the impact of delays on both outcomes and the MTFS.

tbc	Safeguarding Adults on the cusp of care Cabinet Member: Johnny McMahon Lead Officer: Jo Sutherland	At the 7 November Triangulation meeting it was proposed to look at any gaps in provision between what is happening in the community for adults on the cusp of care, the neighbourhood coaches/provisions and any safeguarding issues this may present.	
tbc 6 monthly update from 7 November meeting (May/June 2020)	Regional Permanency Partnership Cabinet Member: Mark Sutton Lead Officer: Deborah Ramsdale & Jo Sullivan	Following consideration of the arrangements at their 7 November Select Committee Members had requested an up-date on progress with the arrangements in six months' time.	
tbc	Contextual Safeguarding Review Cabinet Member: Mark Sutton Lead Officers: Vonni Gordon Hazel Williamson	Following the introduction of the Contextual Safeguarding approach a review at the end of its first year will consider progress made and the Select Committee will consider the results of this review.	

Standing Items 2020-21

Item	Details	Action/Outcome
Themes emerging from Serious Case Reviews Cabinet Member: Mark Sutton Lead Officer:	Where Serious Case Reviews have taken place the Select Committee will consider any learning that can be taken from the Review	Some areas picked up by the DHR review process
MTFS Reforms and assessing the "no impact claims"	Suggested at the 29 May Triangulation meeting. To scrutinise those areas of the MTFS that promise "no impact" from the changes made to assess if this was accurate and/or whether the identified mitigating action has been effective. This is routinely scrutinised by Corporate Review, with that Committee referring specific issues to the appropriate Select Committee for further scrutiny as and when necessary.	

Briefing Notes/Updates/Visits 2020-21

Date	Item	Details	Action/Outcome
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	Progress with the Children's Services Improvement Plan	Requested at their 28 May meeting – Members wish to see progress made with the Plan following their consideration at the May meeting. <i>One of the items from the cancelled meeting due to the pandemic</i>	Special Meeting 13 October 2020
	Domestic Abuse	At their meeting of 1 October 2019 Members requested a six-monthly update on progress made with the newly commissioned New Era services Note that following the 7 November Triangulation meeting the Cabinet Member requested that this be considered in light of the new DA Act. The report needs to focus on the effectiveness of the new contract and the current shortfall in funding. <i>One of the items from the cancelled meeting due to the pandemic</i>	Circulated to Members 14 October 2020
Page 79	Catch 22	Having met with members of the Catch 22 team the Vice Chairman and Members updated the select Committee on their work at their 1 October meeting. Members requested an update from Catch 22 in six month time. <i>One of the items from the cancelled meeting due to the pandemic</i>	Circulated 21 September 2020

Working Group and/or Inquiry Days 2020-21

Date	Item	Details	Action/Outcome
January 2021	Transition & Preparation for Adulthood Cabinet Member: Mark Sutton Lead Officer: Deborah Ramsdale	At their 22 January 2019 meeting Members requested this issue be included on their work programme – with consideration to be given to whether this should be considered by a working group. In particular they wanted to look at the transition between children's and adult services, the gaps, those that remained vulnerable but under the Care Act did not meet the criteria to receive adult services and how to prepare individual's to be resilient and prepare for as independent an adulthood as possible.	Deborah Ramsdale is working on adults' transition, including transition clinics. TSU have undertaken a piece of work in this area. A Peer Review on Adults is due in October 2019. Proposed to stall working on this until post the Peer Review. A protocol has now been agreed and will be implemented in November 2019. Following their meeting of 13 January, the Select Committee agreed to postpone a decision on establishing this working group to allow the protocol, which went live in November 2019, to bed in. A report will be brought to the Select Committee in 12 months' time (January 2021) to evaluate progress made and Members can consider whether there remains a need for a working group at that point.
ongoing	Children & Families Transformation System	To scrutinise progress made with the Transformation programme on a monthly (or as	At their 13 January 2020 meeting Members agreed that the Chairman (and/or Vice Chairman or Shadow Vice Chairman) will attend the

	progress Cabinet Member: Mark Sutton Lead Officer: Janene Cox/Helen Riley	appropriate) basis.	monthly Children's Improvement Board and report back to the Select Committee rather than duplicating work already underway by establishing a separate working group. Consequently, an oral report will be given by the Chairman (and/or Vice Chairman or Shadow Vice Chairman) to the Select Committee reporting on progress.
March 2019 -	SEND Working Group Cabinet Member: Mark Sutton Lead Officer: Tim Moss	Following the joint Ofsted and Written Statement of Action (WSOA) a joint working group was established with Members from the Prosperous Staffordshire, Healthy Staffordshire and Safe and Strong Communities Select Committees to look at progress in implementing the WSoA.	
	Children's Improvement Board informal briefing Cabinet Member: Mark Sutton Lead Officer: Helen Riley	At the 7 July Select Committee the Chairman requested an informal briefing for all Members to update them on the work of the Children's Improvement Board.	

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Children's Improvement Board – monitoring of the Children & Families Transformation System progress			
Date	Who attended from the Select Committee	Items discussed	Information
30 January, 25 February, 29 June 2020	Cllr Francis	<ol style="list-style-type: none"> 1. Focus area for discussion <ul style="list-style-type: none"> • Tribunals and the cost implications of SCC conceding/losing at tribunal • Progress overview 2. Performance – EHCP data 3. Emergent risks 4. Forward plan 	To be reported at the meeting. At the 7 July Committee meeting members asked for an informal workshop to discuss the improvement plan in detail.

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